

# Understanding changing land issues for the rural poor in Mozambique

Eléusio Filipe and Simon Norfolk



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## **A study of changing land access in sub-Saharan Africa**

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First published by the International Institute for Environment and Development (UK) in 2017.

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ISBN: 978-1-78431-448-4

IIED order no.: 17594IIED

For copies of this publication, please contact IIED:  
International Institute for Environment and Development  
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A catalogue record for this book is available from the British Library.

Citation: Filipe, E and Norfolk, S (2017) Understanding changing land access and use by the rural poor in Mozambique. IIED, London.

Cover photo: Farm labourers clearing land to plant crops, Mecehuri Forest, near Nampula, Mozambique. Photo by Mike Goldwater.

Typesetting: Judith Fisher, [www.regent-typesetting.co.uk](http://www.regent-typesetting.co.uk)

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# Acknowledgements

This report is a product of a partnership between Terra Firma and the International Institute for Environment and Development (IIED), contributing to a study of changing land access in sub-Saharan Africa supported by the International Fund for Agricultural Development (IFAD).

The research team would like to express its gratitude to IIED for its support, collaboration in project design, and its insightful comments and suggestions in the analysis. In particular, the authors would like to thank Laura Silici and James Mayers, who reviewed drafts of this report. We also want to thank the field researchers Eusébio Xerinda and Constantino Cumbane for their work in Belo Horizonte and Lower Limpopo Valley.

To our informants – especially the peasants of Belo Horizonte (Boane) and Chicumbane (Lower Limpopo Valley) – thank you for allowing us into your homes to hear your stories. We hope that our study can make a contribution to improving the lives of many other rural people and inform the process of decision making. To all those who took some time off from their busy schedules – particularly the director of Vetagro, Gil Nhantumbo, and Daniel Ozias Mate (Ministry of Agriculture) – we say thank you very much.

This research was funded by IFAD with some complementary funding from supporters of IIED's strategic work: Danida (Denmark), Irish Aid and Sida (Sweden). However the views expressed by the authors in this report do not necessarily reflect the views of IFAD, Danida, Irish Aid, Sida, IIED or Terra Firma.



# Acronyms

CAFA	Companhia Agrícola do Fomento do Algodão
CENACARTA	National Remote Sensing and Cartography Centre
DNPOT	National Directorate for Land Use Planning
DNTF	National Directorate of Land and Forestry
DUAT	Direitos de Uso e Aproveitamento da Terra / Rights to use and enjoy the land
FAO	Food and Agriculture Organization
FCPF	Forest Carbon Partnership Facility
FCT	Consultative Forum on Land
HLM	Hubei Lianfeng Mozambique Lda
INE	Instituto Nacional de Estatística / National Statistics Institute
MCC	Millennium Challenge Corporation
MICOA	Ministry for Environmental Coordination
MINAG	Ministry for Environmental Coordination
MITADER	Ministry of Land, Environment and Rural Development
ORAM	Association for Rural Mutual Assistance
PEDSA	Strategic Plan for the Development of the Agrarian Sector
RDS	Rural Development Strategy
SEA	Strategic Environmental Assessment
SPGC	Serviço Provincial de Geografia e Cadastro
TFCA	Transfrontier Conservation Areas
TIA	Trabalho de Inquerito Agrícola / Rural household income survey
WAAD	Wanbao Africa Agricultural Development, Ltd

## Currency conversion

At the time of publishing, the exchange rate is about 1 US\$ = 64 meticais (MT).

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# Executive summary

In Mozambique, changes in land access and use are shaping new landscapes, often at the expense of the poor. Despite progressive land legislation, elite groups and vested interests are consolidating land holdings while peasant producers are being dispossessed of their land and access to fertile plots is becoming increasingly difficult. As national and foreign investors seek land for housing, real estate, agriculture, tourism, mining and forestry, what is the state's role in responding to these increased demands? While overseeing investment strategies in rural areas, the government must balance opportunities with possible threats, and ensure that economic development is not done at the expense of local livelihoods and aspirations. Policy must focus on improving land administration and land-use planning processes – understanding and appreciating the social, economic and cultural costs to poor communities caused by the loss of access to natural resources.

## What is driving changes in land access and use?

Rapid structural changes are taking place in Mozambique's economy. In the last decade, demand for land has rocketed both in urban and rural areas. There has been a shift in land use from peasant smallholdings to real estate development and large commercial farms in some areas. Population growth, urban expansion and internal migration (both economic and climate-related displacement) have put further pressure on the land, especially in high-density population areas.

These changes are shaping new landscapes in Mozambique – but at the expense of the poor. Traditional and customary structures that were the mainstay of equitable local land allocation and land administration are coming under increasing pressure. Powerful interests are taking advantage of poor communities, who have limited access to information about the opportunities and safeguards that the law should provide. Meanwhile, peasants increasingly rely on smaller and fragmented plots and even face manipulation by those who are supposed to protect their interests.

According to LANDac,<sup>1</sup> Mozambique's land governance system “allows for strong protection of community-based land rights, community consultation with respect to partnerships with investors, and also secure rights to land for investors”. Yet competition

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<sup>1</sup> LANDac is the Netherlands Land Academy, a partnership between Dutch organisations and their Southern partners working on land governance for equitable and sustainable development.

for land resources – combined with the state's weak capacity for implementing its legal land framework – often disadvantages the local communities. Often, transitions from small to large farms or to real estate development are encouraged by local authorities and local and national elites who benefit from these processes, while local peasant populations face increasing poverty, food insecurity and vulnerability.

We conducted two field studies to assess the impacts these trends have on land access and land tenure for the poor (see Box 1 and Box 2). The fieldwork relied on interviews with key stakeholders as well as semi-structured questionnaires to a sample of community members in the two sites. Our findings show that multiple and localised drivers are changing how local people traditionally access and use land, affecting land relationships and livelihoods.

## What impacts have changes in land access and use had on local livelihoods?

Our field research revealed the following key findings:

**Political connections and money provide easy access to the best land.** Both cases show that land transactions are often controlled by local administrators and political leaders – not mandated traditional chiefs. As customary land tenure systems come under pressure, vested interests use political influence and economic resources to access the best land. A few property developers, attracted by large profits, are driving the transformation of peri-urban areas. In Belo Horizonte, one agro-business company owns a 25 per cent share of a large Mozambican property development company, which is driving urbanisation in areas that the agro-business company previously owned. Sharp increases in land values further exclude local people – especially the poor – from emerging markets.

**More land for the rich means less (and worse) land for the poor.** While a few actors are consolidating land, the poor must rely on smaller, less productive, and often fragmented plots. Fieldwork interviews revealed that many of the peasants of Chicumbane lost access to the fertile floodplains and were forced into smaller plots in upland areas. Now, as population density increases, existing owners fear losing their land for their families and future generations – so incoming farmers find it difficult to buy or rent additional land they might need. Many farmers now farm multiple and fragmented plots, which is harder and more expensive, and, with shifting cultivation no longer viable, practice intensive cultivation that decreases soil fertility.

### **Box 1. Changing land access and use in peri-urban areas – the case of Belo Horizonte**

Belo Horizonte is located near the municipality of Boane, less than 25km from the capital Maputo. The area has experienced rapid population growth and urbanisation, and there is limited land for farming.

In the 1980s, thousands of rural dwellers were displaced in the surroundings of Boane. Local people occupied grazing areas in Belo Horizonte that had belonged to bankrupt state farms and turned them into machambas (fields) for subsistence farming. In the early 1990s however, the government granted the concession of these lands to an agro-business company. The company claimed that the protections offered to local people by the new Land Law of 1997 did not apply to former state farms.

A decade of conflict later, national NGO Organização Rural de Ajuda Mútua (ORAM) helped the local people form an association, Kape Kape. The association and the company reached an agreement to share the land equally. ORAM helped Kape Kape to register a title deed on behalf of its members, who continued to produce food crops in their fields.

But the respite was brief. A process of dispossession followed, as association members came under increasing pressure to sell their land to urban elites for real estate development, reinforced by the Boane local authority who implied that association members would lose their land to future urban development anyway.

Kape Kape members had believed they were prepared to protect their land rights. But they rapidly found that the association had itself become a vehicle for pressure from outside investors. Local authorities initiated a process of land delimitation and demarcation, parcelling existing agricultural plots into plots for high-class residential development, while encouraging local peasant farmers to register their land via the association. Kape Kape helped the farmers register their new land parcels, but many found that the land they were allowed to register was often smaller than what they had previously farmed.

Our study found that the parcelling process was unfairly implemented. Many legitimate occupants were deprived of land that was subsequently registered by local officials, association leaders and other key figures in the process. Local people, dependent on land to bolster their livelihoods, were forced to seek farmland elsewhere or abandon farming. With limited livelihood alternatives, most people we interviewed expressed disillusionment after selling their land.

Fragmentation is also evident in peri-urban areas. Households in Boane are still heavily dependent on food production both for their own consumption and for the city market. As they have lost access to land in Belo Horizonte, many have started to farm elsewhere. The distance and cost of transport (up to US\$3/day) makes it difficult to care for these fields or produce enough food. This is especially challenging for the elderly and women, who cannot spend much time far from home.

**Peasants have little or no compensation or livelihood alternatives.** For the poor, these changes are mostly negative. The only 'benefit' is a one-off compensation payment. For some peasants, this sum has been relatively large – but still not enough to buy new plots locally. Now prices have skyrocketed and farmland is no longer available. Reduced access to land also undermines local food production and food, which households previously produced collaboratively, has become more expensive in peri-urban areas.

Meanwhile, socio-economic development has not provided local people with alternative sources of income. The Chinese company mentioned in Box 2 only employs a few local youths in seasonal jobs. According to our interviewees, wages are low and work conditions precarious: respondents told us that wages may be reduced due to absence, low productivity, or other reasons cited by company supervisors.

**Exploitation, corruption and weak implementation undermine land rights.** Local people's rights to land are not adequately protected by customary organisations or the state, due to legal loopholes and weak implementation of the land law. But smallholders and poor land users are also often exploited – including by those claiming to assist them. Corruption and the attitudes and behaviour of civil servants are key factors. Peasants' abilities to enforce their land rights are further weakened by their poor education, lack of access to information, and low capacity to communicate and deal with formal institutions.

Community consultations to determine boundaries of communally held land, and the role of traditional leaders in land management and use, are important components of the Mozambican land law. Yet the consultations that took place prior to the concession granted to the Chinese company were perceived to be skewed and legitimised the company's acquisition of the land. For the peasants who were subsequently evicted, the community consultations should have been an important mechanism for protecting their land rights. Instead, local and national elites used the consultations as an entry point to access the fertile land areas held by 'inefficient' peasants.

Where conflicts arise and local authorities and other stakeholders intervene, the resulting 'mediated' processes often have the same outcome. The less sophisticated and less informed peasants lose out to educated elites, who are perceived to blend subtle intimidation with outright manipulation. In Belo Horizonte, for instance, the association leaders appear to have materially benefitted from these processes, to the detriment of the peasants, in part due to the lack of clear guidelines for awarding land titles.

### Box 2. Large-scale land concessions in the fertile Limpopo Valley

Chicumbane is a locality in Gaza. Local people have cultivated the fertile lands of the Lower Limpopo Valley since independence in 1975. Partly located on higher ground, thousands of displaced rural dwellers resettled there after the devastating floods of 2000, increasing population pressure and intensifying agriculture in the lower valley. But many farmers have now been evicted in favour of a large agri-business company.

In 2013, the government granted a 20,000 hectare concession to a Chinese company for producing rice. Our field research indicates that the investment has failed to generate significant local benefits. Instead, it has displaced 2,500–3,000 people. Local consultation processes failed to reach agreements with local people about fair compensation for land losses. The provincial government attempted to ameliorate the loss by granting alternative land elsewhere. But those interviewed consider the 2.500m<sup>2</sup> plots insufficient to meet family needs and too far from water sources.

## What can be done to support fair access to land in Mozambique?

The issue of land tenure is taking on rapidly increasing importance in Mozambique. As the literature review that underpins this research highlights, high rates of urbanisation, surging international commodity prices, European biofuel subsidies, and global carbon market incentives have created a large demand for land. Meanwhile, a lack of experience and training among implementers at all levels (such as in land-use planning) has led to badly applied policies. There is also little transparency over land values, minimal land taxation and significant imbalances in information between market participants. And for many years, economic and political elites in Mozambique have presented themselves as best qualified to bring about development, while in fact allowing vested economic interests to prevail in access to and control over resources at the expense of effective pro-poor policies. These factors have promoted speculation rather than sustainable investment – and huge inequalities in wealth and power, both countrywide and within communities.

There are real social, economic and cultural costs to poor communities caused by the loss of access to natural resources. Failure to address these issues will hold back both growth and poverty reduction, and reduce efforts to mitigate and adapt to climate change.

Following our field research, we outline the following policy recommendations:

**Support agricultural policies that are inclusive and pro-poor.** Official policy supporting smallholder agriculture in Mozambique is rarely honoured in reality, with large-scale commercial ventures attracting support from national and local-level officials, despite their scarce impact on local development. Greater political will and institutional

capacity are needed to support inclusive and pro-poor agricultural policies. The Strategic Plan for the Development of the Agrarian Sector (PEDSA) (part of Mozambique's agricultural policy) should be implemented, in particular its focus on support for small- and medium-scale farmers whose land rights are secured mainly through occupation (customary or good faith).

**The existing regulatory framework must be adequately implemented.** If implemented properly, the land law already provides the tools needed to protect community land rights. Systematic regularisation of land tenure is needed, especially in areas where investments or gentrification are likely to transform patterns of land access and use. Government should secure the additional resources and technical skills it needs to ensure that the land law framework is better aligned to the pro-poor policy objectives that guided its development. To reduce elite capture of rights and benefits, it is also critical to strengthen the accountability and change attitudes and behaviours of civil servants at the local level.

**Address legal gaps and inconsistencies relating to local community representation.** Implementing the land law must be underpinned by effective, pro-active and inclusive land-use and territorial planning processes, so that land titles are supported by overall assessments that balance different interests. A focus on land-use planning and administration will be equally as important for sustainable development in rapidly urbanising areas.

**Enhance access to information and participation.** Access to knowledge and democratic skills are extremely important to manage land relationships, especially if a dispute arises. Those who lack political connections and access to information are more at risk of losing their land and becoming poor. Civil society and development actors should assist local people in accessing information, enhance their understanding of the regulatory framework and encourage their participation.

## Conclusion

A key issue for Mozambique, now and in the future, is the state's role in developing strategic responses to the increased demand for land. To oversee investment strategies in rural areas, government must balance potential opportunities with possible threats. Economic development in rural areas must not be at the expense of local livelihoods and aspirations.

There is already a raft of reasonable policies and legal frameworks for land administration, land-use planning and environmental management in Mozambique – and all are designed to safeguard and regulate how the control of resources is awarded between different interests. What is needed now are political commitment and the skills to support land policies that are pro-poor and inclusive.



# 1

# Introduction

## 1.1 Land in Mozambique

Land constitutes one of the most valuable resources in the southern African region, particularly Mozambique, where nearly 70 per cent of rural people depend on land and other natural resources for their livelihoods. The 'land question' in Mozambique became more complex after the 1992 Rome Peace Agreement, which ended 16 years of war between the FRELIMO government and the rebel movement RENAMO and led to the first general multiparty elections in 1994. These two historical events paved the way for a new era of national and economic investments in the country. Land became an important economic asset sought by nationals and foreigners for agriculture, tourism, mining, real estate and forestry.

An early feature of the transition was the rapid acquisition of large land concessions by the Mozambican political elite, including FRELIMO party officials, former FRELIMO and RENAMO army commanders and government officials (Tanner, 2002: 2). Land grabbing by the elite and political establishment was a subject of much concern in the country by the mid-1990s, predicating the wave of land grabs across Africa. There were widespread allegations that local communities were being evicted from their ancestral homelands, and newspapers such as *Notícias*, *Media Fax*, *Savana*, *Demos* and *Domingo* reported that large land areas in Maputo, Gaza, Nampula and Zambézia provinces were being granted to politicians, their family members and partners, and to foreign investors.<sup>2</sup> Land conflicts and dispossessions were reported across the country in the run-up to the introduction of the 1995 Land Policy and 1997 Land Law.

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<sup>2</sup> One such publicised case involved a retired Mozambican general and a retired South African Defence Force (SADF) general in a tourist venture in Inhambane province. See *Jornal Zambeze*, Maputo (25 October 2005).

Another factor that propelled the government to reform land policy and legislation was conflicting land concessions in the mid-1990s. National and foreign investors looking to establish agriculture, tourism, mining and real estate businesses faced complex and often ambiguous land legislation. This confusion was compounded by a system whereby different government ministries and institutions held the authority to grant land concessions as long as the proposed project fell in their areas of jurisdiction. So there were instances where they granted the same areas to different investors with different projects. This caused delays in implementing their proposed investment plans and sometimes forced the investors to give up altogether.

The 1995 Land Policy recognises customary rights of land access and land use management while seeking to promote national and foreign investments without jeopardising local residents (Chilundo *et al.*, 2004). A direct response to the increased demand for land for investment, it provides guidelines for legislation that ensures the rights of Mozambican people over land while at the same time promoting national and foreign investments. Its main objective is to “safeguard the diverse rights of the Mozambican people over land and natural resources, while promoting investment and the sustainable and equitable use of these resources” (National Land Policy, 1995). The policy reaffirms that land is the property of the state, and establishes basic guiding principles for transferring land use rights between Mozambican citizens or companies when investments have been made in the land. It also guarantees rights of access to and use of land by women (Chilundo *et al.*, 2004).

The Land Policy also laid the basis for the 1997 Land Law, which recognised customary land tenure for the first time (Chilundo *et al.*, 2005; Tanner, 2002). Widely praised as one of Africa’s most progressive land laws, the process that led to its fruition is considered a very good example of participatory democracy (Tanner, 2002). The Land Law’s main objective is to “guarantee land access and security for Mozambican peasants and national and foreign investors” and “promote the management of land use (the main resource of the country) in order to contribute to the development of the national economy.” It aims to “establish the terms through which rights of access and management of land use are constituted, exercised, modified and invalidated” (Chilundo *et al.* 2004; República de Moçambique, 1997).

The Land Policy and Land Law both explicitly recognise the importance of smallholder agriculture and land occupation, and accept that customary land systems provide an important service to the state at a very low cost. They also recognise the role of local leaders in conflict prevention and resolution and the formal demarcation and registration of land use rights (República de Moçambique, 1997:23). But this study demonstrates that the implementation of land legislation is not always effective or transparent and there is still a deep-seated prejudice against smallholder agriculture, resulting in the marginalisation of local leaders and customary land systems.

In the last few years, local and external pressures on land have increased. Structural shifts in agrarian and tenure systems are transforming the rural landscape and leading to pockets of land scarcity, with different effects on rural people. Land speculation and large government land concession grants for agro-industrial enterprises, forestry and mineral exploitation and tourism have hemmed in rural communities, often depriving them of access to resources that are vital to their livelihoods and socioeconomic survival. A number of reports and studies have reached this conclusion based on detailed studies of the impacts and effects of land-based investments (Covane, 1996; Hermele, 1988; 1986; Valá, 1996) This includes reports and oral sources that deal with the Chicumbane case study we address in this report (Anesi and Fama, 2014).

At the same time, climate change and environmental degradation are decreasing the amount of fertile, arable land available for productive use. Fertile land is increasingly scarce, particularly in peri-urban areas. The impacts of such trends are exacerbated by population growth, which is putting heavier demands on arable land as with every generation, parents divide increasingly smaller plots of land among their children. Overcrowding and the over-use of family and communal holdings have resulted in degradation, fostering a breakdown in the customary rules that govern the sustainable use of common resources (Norfolk, 2004; Chilundo *et al.*, 2005). With land becoming increasingly commoditised and rapidly scarcer, communities are losing access to the better quality land.

Within these communities, vulnerable groups – women, widows, orphans, the poor and the elderly – are also losing land to land-grabbing relatives, to more powerful villagers through distress sales, and to neighbours in land disputes. The very high economic growth and investment levels in some parts of the country – particularly around the metropolitan centre of Maputo, Matola, Boane, Marracuene, Beira, and in areas with ongoing coal and gas developments – are increasing the pressure on land in peri-urban and hinterland areas.

These areas, traditionally the sites of agricultural plots for the rural and peri-urban poor, are now sought as high-value residential and industrial development land. Our first case study examines this phenomenon, looking at the changes in land use that are taking place in the Belo Horizonte area, just outside the urban conurbation of Maputo-Matola. Similar processes are taking place in the periurban areas of several other Mozambican cities and in the development 'corridors', such as the Witbank, Nacala and Beira corridors. The second case study examines the concession of large areas to the Chinese agribusiness company Wanbao for the production of rice around Chicumbane in the Lower Limpopo valley.

## 1.2 Research objectives and methodology

This report aims to improve understanding of changing land access and use by poor rural people in Mozambique, and to use that understanding to enhance the design, implementation and impact of development policies, programmes and projects. More specifically, the report seeks to improve understanding of:

- How land access, use and management are changing in rural Mozambique and what are the major drivers of change
- How these changes impact rural livelihoods (including food security and poverty dimensions) and rural class formation, in particular through processes of land fragmentation and concentration, and
- The implications of these changes and their impacts for policy and practice.

Our research rests upon a wide range of written materials – both unpublished and published. Our researchers collected written materials at Terra Firma's office, the University of Eduardo Mondlane's main campus – particularly the Centre of Social and Political Analysis (Department of Land Studies, formerly known as *Núcleo de Estudos de Terra e Desenvolvimento*), the departments of History and Geography, the Brazão Mazula Library and the Centre of African Studies. Written sources – by national and foreign scholars, Mozambican students, and both non-governmental and government organisations – include government policies and reports, NGO reports and briefings, articles, working papers and theses, all dealing with land and agrarian issues, rural development, agriculture, environment, population dynamics and census in Boane district, and the areas around Chicumbane in the Lower Limpopo Valley (Covane, 1996; Hermele, 1988; 1986; Valá, 1996).

Some of the government documents include socioeconomic profiles of Boane and Xai-Xai districts as well as population census (Ministério da Administração Estatal, 2005). We also draw on land and agrarian studies from other areas of Mozambique that provide an in-depth analysis of land and agrarian issues, rural poor livelihoods and rural development in the country (Chilundo *et al.*, 2005; Chilundo *et al.*, 2004; Negrão, 2004b; Norfolk and Compton, 2012; Norfolk and Tanner, 2007; Norfolk and De Wit, 2010; Tanner, 2002; De Wit and Norfolk, 2010; De Wit *et al.*, 2009).

By focusing on government policy and practice during the socialist era and the post-1990 neoliberal or market-driven approaches towards development in rural areas, these scholars and land experts have deepened our understanding of rural Mozambique's changing landscape over the last 25 years. Outlining how both sets of policies have disempowered and undermined the livelihoods of rural and peri-urban communities, these studies illustrate how well intended government and NGO policies and practices have had unintended consequences on the rural poor.

Some research has also focused on the development of informal land markets in urban, peri-urban and rural areas. The land market is undoubtedly one of the most critical issues facing peri-urban and rural communities and the findings show that changes in land use usually have negative implications for the livelihoods of underprivileged and disadvantaged social groups (Negrão, 2004a).<sup>3</sup> Our study on how land markets have affected peri-urban and rural communities in Boane district and municipality (Belo Horizonte) and the Lower Limpopo Valley (Chicumbane) reaffirms these findings.

Our research sites both lay within driving distance of Maputo, which allowed for a number of meetings and visits over the research period (November 2014 to April 2015). The Lower Limpopo Valley is a rural area, while Boane is much closer to Mozambique's capital Maputo and a major industrial town, Matola. Both these cities are experiencing rapid population growth, which is increasing pressure on access to land and other natural resources. Matola's rate of urban and demographic expansion has overtaken Maputo in the last few years, and its population will soon reach one million. Expansion is happening at a similarly rapid pace in Boane, transforming farmland – mainly small subsistence plots – into high-value residential areas.

The Limpopo Valley is historically a region of state-driven agricultural projects, starting with the white settlements (*colonatos*) of the 1950s and 60s and continuing after independence with the *Complexo Agro Industrial do Limpopo* in the 1970s and 80s. The last ten years or so have seen a number of agricultural initiatives involving private entrepreneurs (Wanbao Chinese Investments), NGOs, and local communities.

With one research site close to two major cities and the other more rural, our project seeks to understand how major drivers of change – urbanisation, rapid population growth, commercial agriculture and private businesses – are impacting in different ways on poor people in peri-urban and rural areas. Land concentration and fragmentation are having an uneven impact on local communities in these areas, based on many factors, including their proximity or distance from urban areas, gender, age, generation and their levels of reliance on agriculture for livelihoods.

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<sup>3</sup> University of Eduardo Mondlane students have also carried out research on land markets and their findings show the negative effects of informal land markets on the rural poor.

# 2

## Post-independence land policies, institutions and reform

Mozambique “has been doing land reform since independence” (Calengo *et al.*, 2007). The evolution of the country’s land policies and legislation has been generally progressive – particularly in the last 15 years – offering increased tenure security for most rural and urban land users. The legal framework for land use has increased protection to those who occupy land legitimately under customary regimes and to those who can prove long-term land use in good faith. The means of proving such occupation have been widened to include oral evidence from neighbours and witnesses, and administrative procedures for awarding state leaseholds to outsiders include protections for existing occupants.

In 1997, the legal framework incorporated the ‘local community’ as a new legal concept and gave statutory protection to communal interests and rights to land held by these institutions. New requirements introduced in 2008 ensure that large-scale land acquisitions by outsiders are accompanied by safeguards and agreements that protect and value existing rights. In 2010, additional regulations enhanced the protective measures in the consultation processes that must be followed before land rights are attributed by the state through titled leaseholds. Finally, policies related to land tax payments, which all titled leaseholds pay annually, have tried to provide disincentives to holding valuable land for speculative purposes and to distinguish between national and foreign, as well as profit and non-commercial, title holders.

Despite this progressive trend in policy and regulation, there is mounting evidence that the poor and marginalised are consistently losing access to valuable land resources in rural, peri-urban and urban settings. This situation, reported in our two case study areas, is the result of a combination of factors, many of which arise from a sustained lack of political will to implement the law. These include:

- Extremely low institutional capacity for implementing the legal framework (Tanner, 2005; Norfolk and Compton, 2012; Chemonics, 2006)
- Institutionalised prejudice against smallholder agriculture and in favour of large-scale commercial agricultural investment (Tanner, 2005)
- The administration's 'schizophrenic' approach to decentralisation (Kyed and Buur, 2006), and
- The administration's passive resistance to recognising the full extent of the legal protections offered to local communities and existing land occupants (Aabø and Kring, 2012; Branks, 2012; Chemonics, 2006; De Wit and Norfolk, 2010).

Gaps and inconsistencies in the legal framework, particularly around forms of representation for local communities, have also led to elite capture of local rights and benefits (De Wit *et al.*, 2009). The lack of a level playing field around access to information and huge imbalances in negotiating power between communities and outside investors also favour the latter at the expense of the former.

In this section, we look in some detail at the institutional set-up and how policy and law have evolved. This provides a background to the macro-level examination of past and current land use changes in the country, and sets the scene for the findings, at a micro level, of our two case studies.

## 2.1 Institutional framework

Before the national elections of October 2015, Mozambique's arrangements for land policy, administration and management lacked coherence and integration. Mandates were split between a number of ministries and the modest land sector budget was dispersed in a way that resulted in a sustained loss of direction and efficiency. For many years, the institutional environment resembled the situation that prevailed in the Soviet Union and other communist Central and Eastern European countries before 1990. Most importantly, the Land Law's potential to secure local rights and promote a participatory development model was consistently obstructed by the failure to bring the state land administration into line with the needs and principles of law.

After the demise of the crosscutting Inter-Ministerial Land Commission in 2003, responsibility for land policy and administration passed to the National Directorate of Land and Forestry (DNTF) in the Ministry of Agriculture and Rural Development (MINAG). DNTF, which supervised the executing agencies in the districts and provinces, but not in the 43 or so municipalities, had a number of functions, including:

- Setting, communicating, and enforcing the sector's technical norms and standards
- Planning for the development of the service
- Monitoring and quality control
- Communicating with service users
- Advising the minister about matters relating to land, and
- Maintaining a national register of land use and land user rights.

Various other national agencies had overlapping and sometimes unclear roles and responsibilities in land administration and land management. These included various directorates of the Ministry for Environmental Coordination (MICOA), the National Remote Sensing and Cartography Centre (CENACARTA) and the Ministry of Public Works. Awarding *Direitos de Uso e Aproveitamento da Terra* or rights to use and enjoy the land (DUATs) currently remains, as per the Land Law, within the political rather than the administrative domain. For parcels of 1,001–10,000 hectares, applications are passed to the MINAG. For areas of more than 10,000 hectares, applications go to the Council of Ministers for decision. Requests for 1,000 hectares or less are submitted for approval to the provincial governors.

Following its election in 2015, the new national government launched a significant restructuring process, with the aim of removing many of the previous problems. Responsibility for land policy, administration and management was passed to the new Ministry of Land, Environment and Rural Development (MITADER). This was partly in response to consistent pressure from donors and civil society organisations to locate the policymaking role within a national institution with a more crosscutting mandate.

The creation of MITADER was a major shift from previous institutional arrangements, where land, environment and rural development were each under a distinct ministry. It consolidated the necessary linkages between land administration, land use planning, land management and rural development in a single institutional structure, reducing efforts for institutional coordination. Discussions within MITADER indicate that senior management envisions further restructuring in the land sector, with the creation of one of either a National Land Directorate or an autonomous National Land Institute, which could encompass:

- All land-related mandates of the ex-DNTF



- All tasks of the *Serviços Provinciais de Geografia e Cadastro* (SPGC) and possibly the district cadastral services
- All responsibilities of the CENACARTA, and
- All tasks of the former National Directorate of Land Use Planning and Territorial Development.<sup>4</sup>

Notwithstanding these promises of reform, the realpolitik of the land sector militated against the introduction of transparent, accessible, sustainable and gender-equitable land governance systems at local level. The sector remains saddled with an entrenched culture of procedural formality, rigid inter-departmental relationships, poor quantitative data on land administration, and is beset by strong lobbying and influence from private survey and information systems development companies.

## 2.2 The evolution of land policy and laws

After the war for independence from the Portuguese, FRELIMO inherited a divided country that was deeply distrustful of centralised government. Various decisions by the new republic's government estranged the rural population. FRELIMO's governance strategy, rooted in centralisation and state intervention, incorporated select educated groups of society into privileged positions to fill administrative voids left by the rapid exit of the Portuguese (Twomey, 2014). The 1975 Constitution established that all land in Mozambique was state property, and FRELIMO also abolished customary structures and traditional authorities (due to their association with indirect rule) and replaced them with party cadres (Knight, 2010).

In the post-independence era, FRELIMO's main approach to rural development was socialising the rural environment, promoting communal villages and cooperatives as collective forms of life and production. Administrators at the lowest levels of the state apparatus were tasked with creating these structures. In many cases, this required physically displacing people from their home areas, disrupting existing patterns of social organisation and preventing the occupation of developed colonial farmlands, which were handed over instead to state-owned enterprises or cooperatives.

Although the 1979 Land Law recognised the right of any natural or legal person to access or use land through DUATs, the preamble made clear that the law was intended to "encourage and support the integration [of farmers] into cooperatives". FRELIMO administrators actively prevented individual family farmers from acquiring DUATs on the

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4 To illustrate the possible functioning of a National Land Institute, we could examine the National Institute for Disaster Management (INGC), an autonomous body under the Ministry of State Administration, with headquarters in Maputo and delegations in the provinces. Should a future National Land Institute follow the same path, it could build on the presence of the SPGC and the provincial MICOA delegations to establish an independent provincial institutional structure.

basis that family production was a reactionary, capitalist practice and that it hindered FRELIMO's military and economic strategy. The law did not recognise existing rights and made no mention of customary land access and occupation.

Eight years after the 1979 Land Law, the government introduced the regulations to the Land Law, restricting the occupation of family farmlands by limiting the area individual farmers could occupy and use to 0.25 hectares for irrigated land and 1 hectare for uplands. It allowed shifting cultivation on areas up to 10 hectares, but stated that if land was insufficient, all allowances could be administratively reduced.

In all respects, aside from the introduction of a clause that recognised the status of foreign entities as potential DUAT holders, the regulations underpinned the approach of the law – to ensure full control of the state over land rights and access. This was intrinsic to the socialist agenda, in parallel with a centrally planned economy.

### 2.2.1 Policy shifts in the mid-1990s

The fifth FRELIMO Party Congress in 1989 brought with it a shift in political direction. Described as an 'internal revolution', it was driven by party members who perceived the state as an inefficient manager of enterprise who wanted to benefit from selectively applied neoliberal policies. Congress resolutions eliminated the restrictions on party members around capital accumulation and annulled limits on the number of workers they could have on their farms or within their businesses. A new national investment law laid the basis for the formation of a national capitalist class – and the end of the 'civil' war in 1992 – created the conditions for a rapid increase in demand for legal access and tenure to land (Pitcher, 2003).

At this time, the World Bank was in favour of privatising Mozambique's land, partly as a counterweight to privileged access by the ruling party, many of whose members held DUAT rights to considerable areas for speculative purposes (Negrão, 1999). The World Bank thought that a fully privatised land regime would offer a perfect market for credit and insurance, encouraging people, including the poor, to seek land for productive purposes. This attempt to influence government policy was met with strong resistance from a variety of civil society actors including religious leaders, associations, cooperatives, NGOs, academics, politicians and the private sector, who came together to form the 'Land Campaign'.

The Land Campaign was specifically designed to influence the crafting of a new national land policy, which had become urgent following the widespread return of internally displaced and refugee populations at the end of the war in 1992. The government established a statutory inter-ministerial Land Commission – with representatives from ten government ministries, two national NGOs, academics from Eduardo Mondlane University's Land Tenure Centre, technical advisors from the UN's Food and Agricultural

Organization (FAO), and respected national lawyers and academics – to develop a new land policy and oversee the law-making process. The commission took as its starting points the following practical realities and 'non-negotiables' (De Wit *et al.*, 2009; Tanner, 2002; Knight, 2010):

1. The new land law would not be an instrument of land reform. No small landholding class yet controlled the best resources in the nation. Rather, the law would define and protect existing land claims, lending *de jure* support to pre-existing *de facto* tenure.
2. The FRELIMO government had mandated that the state was to remain the sole owner and proprietor of all land and natural resources.
3. It was necessary to acknowledge and incorporate the continuing power of 'traditional' chiefs over local land allocation. Anthropological research done in preparation for the land policy had found that chiefs' control over natural resources remained strong and villagers broadly saw it as legitimate. Chiefs would distribute land parcels to community members, who then 'owned' it individually and through family/lineage connections. Graveyards, sacred forests and sites of historical importance in a village – all linked to ancestral connections – remained under the domain and protection of the chiefs (Tanner, 2002, Norfolk, 2001). FRELIMO, recognising that these customary structures "were carrying out an important 'public' service at very low cost to the state ... decided, that rather than mandate an entirely new mechanism for natural resource management, it made sense to give [customary] systems full legitimacy under the law of Mozambique" (Tanner, 2002).
4. Private investment needed to be fostered.

As a result, the new Land Policy was burdened with dual, seemingly contradictory goals:

- It was meant to safeguard smallholder land use and control over local natural resources, while promoting sustainable private sector investment in rural areas.
- It was tasked with acknowledging customary land rights and local community leaders' roles in mediating land disputes, while also maintaining state ownership of all land.
- It would provide foreign and national investors with sufficiently long-term claims that they would feel secure developing large tracts of unused land on the strength of leasehold title alone.

After successfully including these elements into the Land Policy, the commission invited members of the UN, international donor agencies, FRELIMO and RENAMO, religious groups, the private sector, academic institutions, traditional authorities, and a range of Mozambican NGOs to comment on and suggest adjustments in the bill's proposals. It also made a massive effort to involve the public in the debate over the final draft, with a full copy of the Land Bill printed in the national daily newspaper and the text read on national radio (Knight, unpublished paper). During breaks in the legislative debate of the

proposed law, civil society members mingled with parliamentary deputies to discuss the various points of the law. When the bill finally passed into law, it maintained a majority of the tenets that civil society had lobbied for (Tanner, 2002), including equal recognition for oral proof and written documentation when it comes to legally recognising the right of use and enjoyment of land and the incorporation of customary law.

## 2.3 Policy framework

### 2.3.1 The 1979 Land Law, 1987 Rural Land Law regulations and technical annex

The 1997 national Land Law was hailed by members of the Land Campaign, the World Bank and by national and foreign investors. The law maintained the DUATs, but stated that these could be acquired by certain land occupants through operation of the law, as well as being awarded as discretionary concessions by the state. The legal framework contained the following innovative approaches to securing property rights.

- It maintained the DUAT, an exclusive, inheritable and transmittable (subject to state approval) land tenure right that applies to customary and newly requested land occupation and use.
- It recognised DUATs obtained through customary and good faith land occupation, legally formalising customary rights.
- It provided secure rights for investors through a renewable 50-year state leasehold. This is also a DUAT, but is awarded with conditions attached and subject to an annual land 'tax'.
- It required applicants for new DUATs to consult with local people to determine if the land they want is occupied. If it is, they need to establish the conditions for the investor to take over the pre-existing DUAT.
- It formalises the participation of local people in land and natural resource management, as it also does in the consultation process above.
- It maintains a flexible approach to approving and spatially defining the DUATs acquired through customary and good faith occupation.

DUATs obtained through customary and good faith occupation are recognised and protected by the law without needing to be registered (Tanner, 2002). These are still the main ways in which the rural poor get land rights, and they can be proved through oral evidence from local community members. A technical annex (Ministerial Diploma 29A/2000) to the Rural Land Law regulations provided a flexible methodology for

identifying and recording these rights, which can be applied to a local community's group right or to individual 'good faith' occupants.

Although the DUAT provides a private and exclusive right to land, which is inheritable and, subject to state approval, transmittable *entre vivos*, it remains a subsidiary right to the state, which owns the land. The right of the state remains paramount. This is manifested through its control and regulation of rights acquisition by non-occupants, transmission and other forms of rights alienation.

The state awards DUAT rights to land. Procedures on how to acquire a DUAT differ for Mozambican and foreign individuals or corporate entities and depending on the land area required. Article 12 of the Land Law sets out three ways to acquire a DUAT:

- **Traditional occupation** by individual persons or local communities, in accordance with customary norms and practices, as long as these do not contradict the constitution
- **Occupation** by individual national persons who have been using the land in good faith for at least ten years, and
- **Award** or authorisation of an application submitted by a natural or corporate person.

So, DUAT rights are acquired through the recognition of long-standing occupancy rights or awarded on a concessionary basis through a form of long leasehold. The resulting DUATs are almost the same; but most DUATs awarded by the state are subject to a time limit of 50 years, renewable for an equal period,<sup>5</sup> whereas all DUATs acquired in law through occupancy rights are awarded in perpetuity and not subject to renewal.

All private investors have to provide a development plan for the land. The relevant authorities evaluate and approve the plans, and if they fulfil the requirements of the legal framework, the applicant is eligible for provisional authorisation of the land right, valid for a maximum of five years for Mozambican citizens and two years for foreigners. The land must then be properly surveyed and demarcated within the next calendar year. If the approved development plans are completed in the relevant time period, provisional authorisation becomes definitive and a title is issued. Sanctions in the Land Law for non-compliance with the development plan include the cancellation of the DUAT or a reduction in the area ceded. Sanctions for the non-payment of rental, or for non-demarcation of the boundaries, include cancellation of the DUAT.

### 2.3.2 Resolution 70/2008: large-scale land acquisitions

Until 2007, the land application process and the approval process for private investment projects were ostensibly separate. But a surge in expressions of interest for large tracts of land made the government tighten the link between the two procedures. From 2007, investment and land requests have to be submitted together to the Council of Ministers,

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<sup>5</sup> Except those that are registered for residential purposes, which have no limit.

with both processes launched simultaneously. The provincial governor also has to submit an evaluation of both the land request and the investment project.

In December 2008, the Council of Ministers approved Resolution 70/2008, which sets out additional criteria for evaluating investment projects that require land areas greater than 10,000 hectares. In the light of a surge of interest in land, and amid concerns around speculative land applications, this resolution seeks to tighten procedures. It sets out the areas that investors need to provide information on: investment; land; environment, socioeconomic aspects; and what is expected from an acceptable development plan. In terms of socioeconomic information, investors now need to show:

- Demographic information related to existing population
- Resettlement programme for affected populations
- Social infrastructure the project will provide
- Impact on food production, and
- Involvement of local producers – for example, providing technical assistance, inputs and means of production.

### 2.3.3 Transferring DUATs and land leasing

Despite the prohibition to transfer ‘bare’ DUATs, or rights to unimproved land, such transactions are widespread, as evidenced in the Belo Horizonte case study (see Chapter 4). Companies, individuals and groups of individuals all transfer or exchange land, even though it is forbidden. Companies exchange formal provisional DUATs: where a company owns a land title, it is a simple matter to transfer effective control of land by transferring a majority of shares in the company. Holders of acquired DUATs also exchange these – through sale or lease agreements – with other holders. The latter transactions are entirely informal and there is no reliable evidence on their extent or impact.

Where associations are awarded a general DUAT over a collective area, association members often transfer specific plots within the area, with the association verifying the occupation and allocating the land to the new member. This is quite common in rapidly urbanising areas, and often takes place with the full knowledge of the local authorities. With the association’s verification, the new occupant can obtain a license to occupy the land from the district administration, and then apply for a construction licence. Most of the plots in our Belo Horizonte case study were allocated using this ‘transfer’ mechanism, which has seen a significant transfer of DUAT rights from peasant producers to high-class residential developers.

One long-standing policy discussion concerns the possibility of DUAT holders being able to enter into private contracts to temporarily cede their right to use discrete areas of land to a third party. This mechanism was included in the Land Law but has never been

regulated. Although the new government appears to be more favourably disposed to it, a respected Mozambican lawyer recently concluded that it could only be used in cases relating to developed land with infrastructure, and not for 'bare' land.

### 2.3.4 Terra Segura Programme

The new government has signalled its intention to roll out Terra Segura, the first programme of mass formalisation of acquired DUATs. Terra Segura is committed to issue documentation for five million land holdings over the next five years. This is a radical departure from the land administration service's previous approach, which was almost exclusively concerned with land rights applications from investors, rather than formalising the rights of existing occupants. While Terra Segura appears to offer new opportunities for the rural poor, its short-term impact and long-term sustainability will depend greatly on the methodology and approaches it adopts for identifying and recognising these rights. If too expensive, they will remain out of reach for most land occupants and the donor community will have little appetite for supporting the government in this venture.

### 2.3.5 Strategic Plan for the Development of the Agrarian Sector (PEDSA)

In May 2011, the government approved the PEDSA. In principle, it marks a shift from attracting foreign investors to supporting local producers. But its acknowledgement of the need to target a core group of up to 800,000 dynamic small/medium farmers with larger-than-average holdings that are secured mainly through customary or 'good faith' occupation is not new. PEDSA gives substance to the view that, given the right inputs and clear land rights titles, these farmers can boost their production and provide employment opportunities. To this end, it proposes a programme that includes expanding extension support, boosting home-based agro-ecological research and re-establishing guaranteed minimum prices for strategic crops such as maize and rice. It places much emphasis on 'value chains' and will focus efforts on the new development zone and corridors, such as the Nacala Corridor and the Beira Agricultural Development Corridor.

### 2.3.6 Rural Development Strategy (RDS)

Mozambique's Rural Development Strategy (RDS) provides important context for the land management dimension of the overall strategy. The RDS recognises the importance of effective land administration as an essential input to the wider economic and social development approach, which it is designed to promote and stimulate. This approach aims to alleviate poverty and improve quality of life for all citizens, through a strategy of investment-led economic growth, partnership and good governance. With its ample and varied natural and mineral resources, access to land and the resources on it or under it is one of the RDS's key elements.

But the approach will have to give prominence to the need to use local people's DUATs to greater effect, enhancing their role as stakeholders and participants in the wider development process. So, in Objective Two: Productive and Sustainable Management of Natural Resources and the Environment, the RDS specifically mentions:

- Political and economic emancipation of the communities who have secure possession of resources
- Effective implementation of the Land Law and the DUAT in particular, giving priority to local communities
- Managing natural resources in a coordinated and integrated way
- An environmental policy that manages the relationship between conservation, transformation of the environment and human well-being, and
- Combating discrimination against women in the possession and use of natural resources.

## 2.4 Policy in practice

The demand for land has posed huge administrative and management challenges. Although both of these areas have well developed legal and regulatory frameworks, implementing them has proved to be a persistent problem.

From a land administration<sup>6</sup> perspective, some of the key problems that have arisen with large-scale acquisitions in recent years have been because of ineffective systems, including:

- Unclear underlying land rights leaving authorities and investors unsure of with whom they should be consulting and negotiating
- Statutory consultation processes that are not inclusive or effective enough to enable local people to adequately participate in decision making
- No formal demarcation of land, leaving local people unclear as to boundaries, and
- Fiscal data that is not sufficiently well organised to identify and prevent the unproductive holding of land.

From a land management perspective,<sup>7</sup> the absence of effective and inclusive land use and territorial planning means that land awards are not underpinned by assessments to balance and accommodate different interests. This results in land awards for other cash crops, forestry or biofuels threatening local food security. In some cases, the government

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<sup>6</sup> In this report, land administration relates to land parcels.

<sup>7</sup> In this report, land management refers to activities associated with the management of land as a resource from both an environmental and economic perspective.



has had to intervene; in others, the investors have been left to identify risks. Such was the case with SAAPI, the South African forestry company, which took the decision to withdraw a plantation proposal rather than compete for land with smallholder producers in northern Zambézia. These are issues that should be dealt with through effective and proactive state land management and not be left to the discretion of potential investors.

Mozambique's governance context has shaped the implementation of the Land Law and its good governance norms. Decentralisation has made it possible for local actors, reinforced by state attitudes, to shape the process in a way that discredits good governance norms and creates space for the exploitation and cooptation of these norms. The Land Law, which is extremely short and concise compared with other legal texts from the region, has provided opportunities for "exploitation and co-optation". This helps explain why a country with one of the most progressive land laws "can also be raising some of the biggest concerns about peasant dispossession during the current land grab" (Fairbairn, 2013, quoted by Twomey, 2014). The result is a lack of delimited acquired DUAT rights, ineffective local consultation procedures and an absence of administrative responses in the event of non-compliance with regulatory norms. "The restriction on the right to property over lands inevitably involves decision making by the state administration, which endows public servants with an immense power – foremost in the expanding cities – which they may also use to their own advantage (Ludwig, 2012).

### 2.4.1 The cadastre

The degree of clarity around the spatial definition of land rights and parcels in Mozambique is essentially a function of the effectiveness and completeness of the cadastre. This applies equally to 'good faith' occupants, certified boundaries of a delimited community or demarcated areas of discretionary state-awarded DUAT concessions. Mozambique has been battling to build an effective cadastral system for several years and has been consistently defeated by low institutional capacities and, to some extent, inappropriate choices around cadastral norms and standards.

Responsibility for demarcating the land area covered by a provisionally-awarded discretionary DUAT falls legally to the holder, who is faced with the often exorbitant costs levied by the country's few private surveyors. As a result, the majority of acquired statutory rights are not registered and do not appear on cadastral maps. So, although these rights are protected by law, and the legal framework contains mechanisms that ought to guarantee them from being allocated to others without the knowledge and consent of existing holders, they do not appear on cadastral maps. As a result, the cadastre for most rural areas is highly incomplete, and in many areas grossly inaccurate.<sup>8</sup>

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<sup>8</sup> A general lack of private sector surveying services, along with unrealistic technical standards for survey precision, means that these services are extremely expensive. Accordingly, not all DUAT holders proceed with the mandatory demarcation of the boundaries of their plots and the cadastral system has only imprecise sketch maps.

The Terra Segura programme aims to address this gap by identifying, formalising, mapping and documenting these kinds of rights, with a target of five million parcels over the next five years (see 2.3.4). Regularising acquired land rights is a massive challenge for the land administration services. Since the introduction of the Land Law more than 15 years ago, fewer than 100,000 DUAT rights have been registered within the cadastre. This is despite a number of systematic land tenure regularisation processes that have been attempted over the years, most recently with financing from the Millennium Challenge Corporation (MCC). The government has also contracted a number of private surveyors to undertake inventories of landholdings as part of an attempt to 'build the cadastre'. None of these initiatives has been particularly successful, except the MCC activities in some peri-urban areas. The approach has been less effective in rural areas and both urban and rural institutions have low capacity for maintaining the cadastre. But because a tiny number of rural DUATs are registered in the Real Property Register, the cadastral register is the most comprehensive picture of rights ownership.

Although the innovative community land delimitation process has been more successful (and considerably cheaper) than the attempts to secure and identify individual rights, this has never been reflected in the DNTF/SPGCs budget priorities. Delimitations have mainly been donor-financed, and most are supported through the financing mechanisms of the *Iniciativa das Terra Comunitária* (ITC). The exact nature and legal effect of the delimitation process remains little understood by state and non-state actors alike, and there are contestations over community representation and the powers accorded to communities that have completed the delimitation process.

In recent months, these issues are being addressed more seriously and formally under the auspices of the statutory Consultative Forum on Land (FCT), set up in 2011 to examine various elements of land policy and regulation. Although it has no decision-making powers and has been criticised for having a narrow participation and circulating proposals very late, denying civil society and academic groups the time they need to consult their membership, the FCT represents an important opportunity to discuss increasingly urgent reforms. The current agenda of the FCT working groups is important for smallholder agriculture and includes: community land issues; investor-community partnerships; land taxation; resettlement; and land leasing.

The government is only recently making a serious attempt to develop a Land Information Management System, originally supported with MCC funding and now continued through the GESTERRA programme with Dutch and Swedish government funding.<sup>9</sup> There are ongoing concerns about the costs and sustainability of this system, which relies on proprietary software. But without such a system and its related information management and archiving protocols, the cadastral records that accompany the maps will remain in their current disorganised and incomplete state. Partly as a result of the ongoing

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<sup>9</sup> [www.partnersforinnovation.com/en/project/gesterra-mozambique/](http://www.partnersforinnovation.com/en/project/gesterra-mozambique/)

disorganised state of the land rights cadastre, comprehensive information regarding land holdings and land use rights has never been made publicly available.

## 2.4.2 Regulatory enforcement

In theory, a failure to demarcate the land and fulfil the development plan should mean that the title is revoked. In practice, this rarely happens, due to a lack of political will or the sheer capacity constraints to monitoring and enforcement. The land administration services are responsible for checking the implementation of development plans, payment of lease rentals and compliance with other elements of the lease contracts. Theoretically, this also ought to include the checking of compliance with the agreements reached during the community consultation process, but this is not part of standard practice at the moment. Neither the investment proposals, nor the development plans are publicly available.

## 2.4.3 Territorial planning approaches

Territorial planning influences the occupation of space. And just as it cannot exist in isolation from other sector policies, developments in other sectors need to be aligned to territorial planning outcomes. This iterative and interactive process gives territorial planning a pivotal position in development and poverty reduction. And Mozambican policymakers go a step further, linking development and poverty reduction policies planning in general – and territorial planning in particular – with a number of basic virtues that characterise an emerging democratic African state. These include good governance, citizen participation, decentralised decision making, ownership of process, responsiveness to real local needs and resource allocations that reflect local needs and encourage wealth sharing (Norfolk and De Wit, 2010).

Decision makers and other stakeholders need to design their plans for land management, infrastructure and local economic development from a territorial perspective to promote integrated, rural-urban, sustainable development. But territorial planning is a 'new' sector in Mozambique, and has only recently been underpinned by a legislative framework. Although it is a generally progressive framework that translates most recent international thinking on planning into practice, it is being implemented within an institutional context which creates ambiguities.

The framework for territorial planning comprises:

- Territorial Planning Policy (Resolution 18/2007)
- Territorial Planning Law (Law 19/2007), and
- Territorial Planning Regulations (Decree 23/2008).

Until recently, the National Directorate for Land Use Planning (DNPOT), under MICOA, held the legal mandate as national provider of land use planning guidelines and advice. The planning itself was the responsibility of districts and municipalities. In the recent post-election ministry restructuring, MITADER absorbed MICOA and some former directorates of MINAG. MITADER's institutional mandate and internal responsibilities remain unclear.

The legal framework aims to add the spatial element to economic development planning undertaken at district level. But there are a number of challenges to effective planning. The absence of a national land use policy, means that elements are scattered across a number of policy documents – for example, the Biofuels Policy. At a macro level, this creates serious policy gaps and inconsistencies. Formal and non-formal institutional capacity to implement the territorial planning law is lacking, and existing practitioners often use overly technical approaches. These are mostly alien to local stakeholders, who cannot exert influence or take ownership of them. The lack of practical and tested tools compounds this situation (Norfolk and De Wit, 2010).

Political expediency often seems to override strategic planning, causing tension between technical staff and politicians, and between different spheres of government. The failure to initiate the development of coherent land use planning therefore continues to fuel the speculative behaviour and expectations of investment initiatives (Norfolk and De Wit, 2010). This is illustrated in our Belo Horizonte case study, where the rapid transformation of agricultural land – vital for the livelihoods of many thousands of the peri-urban poor on the outskirts of the Maputo-Matola conurbation – has been driven by property developers and speculative land acquisitions, without following a balanced spatial plan.

Mozambique continues to face antagonistic territorial planning scenarios that support different developmental visions. One scenario is a technical process driven by centrally-based elites and foreign interests, embracing conceptual approaches that support some form of dual development model aimed at drawing clear economic and spatial boundaries between big investment and small-scale development.

This approach tends to plan on a 'virgin rights basis', using selective technical data on land suitability and capability, carrying and human capacity. It produces executive, prescriptive plans that may result in pockets of well developed land around key resources, such as high-quality agricultural land, water points, beach fronts, high-cost tourism attractions, luxury residential areas.

In the absence of an efficient revenue and wealth distribution system (which a more efficient land taxation system would support), such an approach could impact on local livelihoods and lead to internal displacement. This vision is expressed by those who wish to subdivide the country into separate areas for community and 'real' development. For example, land use plans in Cabo Delgado, in the north of the country, identified separate zones for community development and agricultural developments targeting the private

sector. This type of dichotomous development model spatially separates rural communities from future investment and restrains community initiatives to the paternalistic approach of using natural resources sustainably and according to customary practices. It is difficult to ignore the underlying colonial notion of the *reservas indigenas* in this approach.

#### 2.4.4 Urban planning

Urban drivers are different from those in the rural areas. Mozambique's pre-colonial economic development relied on the use of intensive, forced or contract labour to produce in agriculture and mining. With an export-based economy, the country became highly dependent on transactions with South Africa. The long period of war and natural disasters converted a promising economic environment into an economy that was heavily reliant on foreign aid, which represented about 50 per cent of the state budget. This contributed to an unprecedented rural exodus. The livelihoods of many Mozambicans have become increasingly dependent on the informal market, estimated to employ about 75 per cent of the active labour force.

Migration from rural to urban areas is also partially the result of a dual development model in rural areas, where rural dwellers are cut off from using suitable land and natural resources, pushed into marginal areas which land use land plans have designated for community development. In the absence of direct social and economic advantages – which are promised as part of private investment projects, but often not respected once the project is underway – members of rural households have no option but to emigrate to cities and towns. This phenomenon establishes a direct link between land use planning, investment and development in rural areas, and planning and development in urban areas.

In the urban sphere, there are also antagonistic forces at play. At one end of the scale lies a technical process aimed at delivering high-value residential land parcels for middle and upper class urban residents and commercial interests. And at the other lies the challenge of increasingly densely populated informal settlements, home to 80 per cent of the urban population, where improved service delivery is hampered by environmental hazards and other obstacles.<sup>10</sup>

Both urban and rural areas are likely to produce a number of 'dead letter' plans over the next few years. Mozambique has had many plans over the years and is likely to produce many more. But plans alone will not solve the problems the country faces. It needs to concentrate on planning as a process, and recognise that the people involved are the most important element of the process.

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<sup>10</sup> Urban growth rates are currently around 4.1 per cent. Water and sanitation coverage in urban areas are estimated to be 69 per cent and 40 per cent respectively, figures that decrease dramatically in slum areas (UN-Habitat, 2003).

### 2.4.5 Land use zoning

In recent years, land planning in Mozambique has been driven by the need to identify land for large-scale land-based investments as well as demand from the forest, biofuel and agricultural sectors, and more recently coal and gas discoveries.

The state's response has been zoning, completing a zoning process at a scale of 1:1 million in early 2009. The major objective was to identify blocks of land of more than 1,000 hectares. The methodology used is sound, and has resulted in a potentially powerful strategic tool that can guide large-scale commercial investment. But as a planning instrument it is only informative in character, useful to support decision making. The government undertook a further initiative to zone the country at a scale of 1:250,000 to identify all potentially available land for investment, including parcels of less than 1,000 hectares. Preliminary results suggest that there is considerably less land 'available' for investment than is generally accepted by high-level decision makers.

Strategic Environmental Assessments (SEAs) provide input to regional planning, such as:

- The macro-zoning plan for the Tofo, Barra, Tofinho and Rocha beaches area in Inhambane in 2002
- Exporting sands rich in heavy minerals from Chibuto
- A zoning plan for the Lake Niassa coastal area, and
- The Limpopo National Park Tourism Development Plan.<sup>11</sup>

But of these, the Chibuto project was the only one where information from the SEA was available before decisions were taken.

The well-known and controversial PROSAVANA programme in the Nacala Corridor is also developing zoning techniques, mainly based on existing agro-ecologic zoning methods developed by FAO in the 1980s. It has also identified areas for possible investment and assessed the suitability of specific crops for these areas.

### 2.4.6 Community participation

Community level land-use planning is largely absent. Some NGOs have engaged in preparing community land use plans as part of a community delimitation process, and district administrators, who are close to rural communities, stress the need to pro-actively engage communities in planning. But there has been little interest from central and provincial authorities to advance this.

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<sup>11</sup> This considered a variety of issues relating to the movement of wildlife, the erection of fences, tourism and various management issues.

The effective participation of local leaders, authorities and civil society in plan development is generally ill-documented and limited. When it does take place, levels of involvement, the tools used to facilitate participation, and the objectives of participation are often unclear. For example, a programme to develop the coastal areas of Palma, Mocimboa da Praia, Mosuril and Nacala Porto in 2007 involved four strategies produced under the supervision of DNPOT-MICOA which included 20-year sector plans formed at a two-day workshop at district level. It is doubtful that the representatives of civil society that were invited to the consultation workshops, without a profound previous engagement and pre-knowledge of the issues at stake (involvement in inventory work, conceiving sector plans, etc.) can make decisions regarding the next 20 years of their life in a two-day period. Subsequently, the recommendations of this meeting were incorporated in the plans.

Participation often seems to be concerned more with ratifying technical decisions, than gaining insight into local needs and opportunities. For example, the participation element in developing land use plans in Cabo Delgado was in fact meetings with local consultative councils in the latter stages of the exercise, where the technical team and district administration presented for discussion the land use 'norms and regulations' for zones of specific use that they had already identified. There is no doubt that consultation took place, but involving communities at the end of a planning exercise, and confronting them with 'facts', rather than engaging them on what can and cannot be done, is not the best practice. Also, in the absence of strong and specialised facilitation, participation through public meetings chaired by government officials in the presence of well-educated external technicians merely pays lip service to the concept.

# 3

## Drivers of change

In the last decade, Mozambique's rural landscapes have changed and land has become increasingly scarce. The availability of land and natural resources has always been a driver for development and investment in Mozambique. Since the mid 2000s, however, efforts to explore investment in rural areas have been accelerating. These have been driven by developments at national, regional and international levels: a new government with a strong investment agenda; the New Partnership for Africa's Development (NEPAD), or the African green revolution; and the rise of biofuels, the food crisis and search for primary materials by fast-growing emerging economies.

Foreign investments in the country have expanded rapidly in recent years. According to the National Bank of Mozambique, the net inflow of foreign direct investment in 2013 amounted to US\$5.9 billion, up 15.8 per cent from 2012, making Mozambique the third largest destination for foreign direct investment in Africa. Much of this capital has gone into resource extraction, such as mining and hydrocarbons. But agriculture is also emerging as an important target for foreign companies, especially in the Nacala Corridor, a vast stretch of fertile lands in the north where millions of peasant families live and farm (Grain, 2015).

A number of other drivers – population pressure, urbanisation, climate change, the development of hunting and conservation tourism and the rise in plantation forestry – have also had significant impacts on land availability and land use change, leading to increased demand for large-sized areas.

In this section, we examine these drivers of change in land use, and describe some of their overall economic and social impacts.



## 3.1 Resource extraction

A number of investments in the mineral resource sector have been accorded 'mega-project' status. These projects, with a value of at least several hundred million US dollars and a major impact on the Mozambican economy, are all driven by major multinational companies.<sup>12</sup> And although they are intensive in capital, they have not generated equivalent amounts of local labour or development opportunities (Castel-Branco, 2010). The projects, which focus mainly on the extraction of minerals and energy, are also located in a few geographic areas and have had limited social impact outside these areas.

Investments in the extractive mineral sector normally acquire a DUAT for the mining operations, which cover relatively large areas:

- Temane-Sasol gas exploration: 43,200 and 121,300 hectares
- Vale-Moatize coal project: 22,096 hectares
- Corridor Sands-Chibuto initiative: 9,554 hectares, and
- Kenmare in Moma: 5,425 hectares.

By law, DUATs for mining and related operations override all other rights to land use, including community land rights where the state decides that the mining operations will result in an economic and social benefit that exceeds the interests of local communities. Article 43(4) of the Mining Law states that rights over land are only extinguished after the payment of fair and reasonable compensation to the rightsholders, either by the state or the new land use rightsholder, depending on the nature of the mining right. In the case of a mining concession, for example, the concession holder is responsible for the payment of fair compensation. This normally results in the resettlement of communities, as part of a broader corporate social responsibility programme that most mining operators put into place.

Benefits to communities from investment in the mining sector can include:

- Improved resettlement and compensation
- Social programmes, often including the new social infrastructure, and
- Direct benefits from employment in the activity.

Resettlement and compensation programmes vary considerably, but it is doubtful whether these actions will fully compensate for a perpetual loss in livelihood, even if this is subsistence agriculture. Mozambican history has many bad experiences of resettling rural people. The budgets of many contemporary social programmes are disproportionate to

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<sup>12</sup> For example, Mozal (aluminium production), Kenmare and BHP Billiton (now discontinued heavy sands projects at Moma and Chibuto), Moatize-Vale and Rio Tinto (coal extraction) and Temane, Panda-Sasol, Palma-Anadarko and ENI (natural gas).

the total budgets of the mining operations and the earnings of the companies (Castel Branco, 2010 and Cambaza, 2009). The overall impact of social programmes is also doubtful. School and hospitals are often part of the package, but servicing and staffing them remains the state's responsibility and is not guaranteed. Resource extractive activities demand a limited number of reasonably skilled workers, who cannot always be found locally.

Foreign investment in resource extractive industries has impacted on local populations. In Chibuto, where BHP initiated a heavy sands extraction project (subsequently abandoned and reclaimed by the government), local residents complained of increased crime rates, clean drinking water shortages, deteriorating roads and sharp rises in food prices.

## 3.2 Commercial agriculture

The commercial agricultural sector operates under two different arrangements. Traditional cash crop production of cotton, tobacco and cashews under outgrower schemes have been successful in the past, while plantation models are also re-emerging, driven by new interests mainly from the bioenergy sector.

Immediate benefits for farmers are the incomes they earn from selling their crops. There is also considerable evidence of technology spillovers, where farmers and their neighbours associated with outgrower schemes adopt improved technologies for their other crops (IFPRI, 2008). A World Bank report focuses on the virtues of fruit and vegetable outgrower schemes in Mozambique and also draws lessons for other crops. But it also highlights the continuing need for strong producer associations, which are not always available in Mozambique (World Bank, 2006).

In 2001–2004, there was a boom of outgrower schemes in Manica province, and at its peak, “there were 13,500 families growing tobacco, 3,600 growing sunflower, and more than 3,000 growing paprika. Over 100 groups were organised to grow baby corn and other export vegetables.” But today, less than 5,000 families grow tobacco here, and family producers no longer sell sunflower and vegetables (Hanlon and Smart, 2008).

The failure of many such schemes is attributed to bad production technology choices, a lack of investment capital, dependence on foreign capital injections and deficient capital management. Agriculture must be seen as the driving force for Mozambican development, but the failure of the Manica experiment shows that commercial agriculture cannot be developed without substantially increased government support at all levels (Hanlon and Smart, 2008). The outgrower arrangement is a strong pro-poor strategy because it uses unskilled labour, and accrues land rents to local smallholders, not individual outsiders.

Foreign companies have clearly targeted Mozambique as a major producer of bioenergy. The predominant choice is sugarcane for ethanol production and Jatropa, although

interest in the latter has subsided considerably. These investments have created much debate in Mozambican society on the possible conflict between crop production for food and energy purposes, the plantation of *Jatropha* on fertile soil, and the sovereignty of food production in general.

Invariably, investors have requested access to large tracts of land and formalise these as corporate or individual DUATs. The following data<sup>13</sup> on land acquisitions reflect the impact of this investment model on the land sector:

- The average area of land requested for agricultural projects is fast increasing over time, with an average of 10,633 hectares for applications made in 2008. Foreign entities have lodged 55 per cent of all agriculture-related applications, requesting 76 per cent of the total land requested for all agricultural projects.
- Of 49 agricultural projects approved by 2009, 45 per cent were from foreign entities.
- Of the 38 agricultural projects in the 'pipeline' in 2009, 71 per cent were from foreign entities (average area of over 15,000 hectares).

None of the large-sized plantation areas appear to coincide with delimited community lands. Instead, investors seek access to land on previously established farms, which were nationalised after independence and then reprivatised, or new, yet to-be-developed areas of land. Outstanding claims by communities over old farms are weak, and mainly ignored by the local administrations. Efforts by small-scale Mozambican producers, organised as associations or cooperatives, to access these lands by different mechanisms – such as purchasing infrastructure – are failing.<sup>14</sup> In cases of new, undeveloped land, investors use local consultation as part of the process to access land. When marketing their investment project to the government, private investors often include social investments for the benefit of local populations – such as job creation for locals or new social infrastructure – in their development plans. But there is abundant anecdotal evidence that large-scale agricultural plantations often fall short of meeting promises made and agreements reached at local consultations (Calengo *et al.*, 2007; Tanner *et al.*, 2006; Nhantumbo *et al.*, 2010)

Building social capital among some community groups, partly as a result of community land delimitations, seems to be a disincentive for investors, who avoid these communities and instead target less-organised, not-yet-delimited communities using the local consultation process. The law and community land delimitation are benefiting communities, improving the internal functioning of groups or forging links with other actors. Some communities are becoming more organised and united as they realise that cooperation and dialogue are necessary to negotiate with investors for benefits and manage local resources.

13 Taken from Norfolk (2009). More recent data not available.

14 See, for example, the irrigation scheme in Nante, Zambézia (personal communication).

### 3.3 Tourism and conservation areas

Tourism is becoming a major business, strongly driven by foreign investment and with significant support from donors and international organisations including the World Bank and the International Finance Corporation (IFC). Growth in this sector is mainly driven by the presence of protected areas and the development potential of the coast. There is a diversified portfolio of institutional and tenure arrangements for delivering tourism-related investment, with varying potential benefits for communities, as the examples below show.

- The Anchor Project (IFC) promotes two distinct models:
  - Full private sector ownership, where the operator acquires a DUAT.
  - Joint ventures between an operator and a land-holding community, where the community formalises its rights over land (community land delimitation) and engages on a sub-concessional basis with the operator. In cases where the land falls within a declared protected area, investors request the DUAT under a special license (as stipulated in Article 9 of the Land Law).
- The Transfrontier Conservation Areas (TFCA) also provides different models:
  - The Chimanimani TFCA, created after the approval of the Land Law, envisaged a form of co-management involving local communities who get formalised delimited rights over the area, continue to occupy their areas and exercise their economic activities, while also engaged in managing the area's conservation.
  - The Limpopo TFCA was partially established over the already delimited land of one community (Lunstrum, 2008), who were resettled outside the area, but became involved in an as yet unfinished saga of secondary resettlement under pressure from another investment (Procana).

Stakeholders are currently discussing new proposals that create direct benefits for communities through investment in the tourism sector. The Anchor Project, for example, calls “for all the tourist facilities at each site to apply a sales tax of up to two per cent, the proceeds of which will be used to improve facilities in surrounding communities.” Although this is a laudable proposal, it regards communities as neighbouring beneficiaries, rather than genuine partners.

### 3.4 Plantation forestry

There are two types of investment in the forest sector: extraction of the standing biomass of Mozambique's natural forests and new forest plantation initiatives. Timber extraction is regulated through short-term extraction licences and longer-term forest concessions. The former does not envisage any form of investment and direct benefits for communities are

marginal and ill-regulated. There are growing investments in eucalyptus plantations, driven by a combination of cellulose and pulp production for the international market, with some timber production for local and regional markets.

Plantation forestry companies invariably request long-term DUATs scattered over rural lands that are being used by local communities as agricultural land. In South Africa, similar plantations are located on marginal agricultural land – on the Mpumalanga Highveld, for example – this is not the case in Mozambique. There is a risk that, if high-potential agricultural lands are used for plantation forestry that is directly managed by investors, community members are left with more marginal land for farming or to engage in an outgrower scheme.

The potential benefits and investments to communities from these initiatives include:

- Job creation
- Contributions to the education of local populations
- Development of social infrastructure, and
- The promotion of small and medium local enterprises.

But the projections these companies make about the possible impact of their investments tend to reflect an overly optimistic picture. For example, Green Resources projects claim that, with a total investment of US\$2.2 billion, its plantations in Nampula will create 11,550 direct jobs and 30,000 indirect jobs. This is a large jump from its previous investments: its total investment portfolio over the African continent since 1995 equates to US\$ 55 million and has created only 3,000 jobs.

## 3.5 New opportunities

A number of new opportunities arise in the context of global initiatives related to carbon sequestration and attempts to reduce deforestation and biodiversity degradation. The international community is supportive of such approaches, allowing forest-dwelling communities to take full advantage of these incentive schemes. Mozambique is actively engaged in REDD+ readiness and is currently preparing its national REDD+ strategy, which considers promoting sustainable forest management and securing local tenure rights. Once it has prepared its investment plan and associated projects, the country will have access to around US\$25 million of investment finance from the Forest Investment Programme, potential emission reductions payments (The Forest Carbon Partnership Facility Carbon Fund) and the World Bank's US\$80 million integrated landscape management project.

A variety of actors, including states and private sector operators will be able to exploit such opportunities. While many countries are looking for operational procedures and

methodologies to secure sufficiently strong tenure rights in the name of community groups and therefore realise the benefits of this improved management capacity, there is evidence to suggest that local community groups with guaranteed tenure rights in Mozambique can promote and conserve forest resources, and often perform better than state authorities (Nepstad *et al.*, 2007). Although Mozambique has the advantage of already possessing an acknowledged framework in this regard (Hatcher, 2010), the country has not capitalised on this to date.

### 3.6 Population pressure and urbanisation

Alongside Mozambique's rapid and sustained economic growth,<sup>15</sup> pressure on land and natural resources has significantly increased as a result of the rise in population and urbanisation. Like the rest of sub-Saharan Africa, this is due to high fertility rates and decreasing mortality (Instituto Nacional de Estatística and Ministério da Saúde, 2013). The relative expansion of preventive medicine during the colonial period and after independence has also contributed to population growth. The number of people living in urban areas has also expanded significantly: in 1980, of a population of 12,142,014,<sup>16</sup> nearly 13.2 per cent lived in urban areas. By 2014, the population had grown to 26,472,977, with some 35.6 per cent living in urban areas – a little below the regional average of 38.1 per cent but on par with sub-Saharan Africa as a whole (36.2 per cent). The majority of Mozambicans still live in rural areas and depend largely on agriculture (Langa, n.d.).

The urbanisation rate is high (8.4 per cent on average over the last three decades). This is higher than the regional average of 6.1 per cent and well above that for sub-Saharan Africa as a whole (4 per cent). According to the projections of the UN's Department of Economic and Social Affairs, the overall proportion of the urban population in Mozambique will be greater than the average in sub-Saharan Africa by the next decade (Castán Broto *et al.*, 2013).

Only 11.07 per cent of Mozambique's total land area is estimated to be arable (Jianping *et al.*, 2014). This is relatively low and shows that perceptions of 'land abundance' in Mozambique are misplaced. Land availability around major urban centres is becoming increasingly restricted, placing a strain on the livelihoods of the peri-urban poor, many of whom still depend on small-scale agriculture. Deforestation is another serious problem, due to shifting cultivation, permanent agriculture and fuel. It is particularly problematic in the areas surrounding major urban centres, since most urban households use charcoal for cooking and heating (Salomão and Matose, n.d.).

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15 Mozambique's annual GDP per capita was US\$349 in 2006, one of the lowest in the world. But in the last decade, the country has shown an average annual economic growth rate of about eight per cent (UNDP, 2008).

16 <http://data.un.org>

There are a few studies on land use changes as a result of increasing populations in Mozambique. One study suggests that agricultural expansion in Niassa has been the main source of land use/cover change, and that this has been driven by economic, cultural, sociopolitical, demographic, technological, institutional, policy factors (Temudo and Silva, 2012). Although not statistically representative, the data suggests that cultivation methods in Niassa province may be changing, from shifting to permanent cultivation. This was also observed in Manica province (Jansen *et al.*, 2008) in response to market forces and social transformations.

### 3.7 Climate change

Increases in temperature and average precipitation will both exacerbate the already high incidence of extreme weather events in Mozambique. During the last 25 years, Mozambique has suffered an uninterrupted sequence of drought and floods that have negatively affected its social and economic development.<sup>17</sup> Droughts have historically been the major hazard, but flooding is predominant in the present decade. Although the exact relation between increased floods and climate change remains subject to debate, the government considers disaster risk reduction an important component of climate change adaptation.

In some areas, increasing salinisation has affected the productivity of soils, but many of the floods have been beneficial for local agriculture-based livelihoods and there have been few land use changes as a result. The proliferation of unplanned human settlements over the last three decades has gradually expanded to topographically depressed and marshy areas at high risk of flooding. Voluntary resettlement programmes have often failed because so many people base their livelihoods on the opportunistic use of agricultural areas that are prone to flooding. So, after a few months of living in their new houses, farmers return to the floodplains to farm, rebuilding the dwellings in their old villages. Subsequent attempts to encourage people to maintain two homes —a temporary home near the fields, where they could live for several days at a time, and permanent ones on higher ground, where their families would stay — have also failed. Farmers want to live in the floodplains, and very few of them maintain households in the new dwellings that have been built for them (Patt and Schroter, 2008).

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17 The most severe drought periods were recorded in 1981–1984, 1991–1992 and 1994–1995; while floods were observed in 1977–1978, 1985, 1988, 1999–2000 and more recently in 2007–2008. Floods are often magnified by cyclones. Since 1970, Mozambique has been hit by 34 significant cyclones or tropical depressions and five major flood events (2000, 2001, 2007, 2008 and most recently in 2012, following tropical cyclones from the Indian coast). The number of recorded cyclones in 1999–2000 was extraordinarily high and flooding had terrible consequences (Castán Broto *et al.*, 2013).

## 3.8 Trends in fragmentation and concentration

The last reasonably comprehensive data on household landholdings from the national agricultural survey is from 2008. Table 1 shows the average number and area of plots owned by households at this time.

Table 1: Average cultivated plots per household

Region	Total cultivated plots	Average cultivated plots per household	Average area per cultivated plot per household by land use (hectare)			
			Annual crops	Fallow	Permanent crops	Total
Northern	5,166	1.99	1.63	0.44	0.02	2.09
Central and Southern	5,998	1.76	2.18	0.38	0.08	2.64
Total/average	11,164	1.87	1.86	0.42	0.04	2.32

Source: TIA 2008 survey (MINAG, 2008)

Some further available TIA data for 2012 shows that land cultivated by smallholders measures on average 1.35 hectare, a reduction since 2008 (Silici *et al.*, 2015).

Table 2 compares data from 2002 and 2012 for large farms, which are all farms over 50 hectares with some operational activity. The table shows that the number of large farms increased over the ten years, approximately doubling in total area from 235,626 hectares to 440,691. The most notable change has been in land lying fallow and unused – 87 per cent of the increase in total area was uncultivated land, with a considerable majority in the south of the country. This suggests that land speculation and hoarding has been taking place on a large scale, especially around the capital, Maputo, where 79 per cent of the new fallow land is found (Glover and Jones, 2015).



Table 2: Summary of 'large farms' in Mozambique, 2002–2012

	North		Centre		South		Total		Δ'12-'02
	2012	2002	2012	2002	2012	2002	2012	2002	
Number of large farms	22	39	51	34	83	44	156	117	39
Annual crops (ha)	2,400	5,000	33,000	20,900	21,900	28,700	57,300	54,700	2,600
Permanent crops (ha)	1,400	26,500	51,900	15,200	6,600	2,200	59,900	43,900	16,000
Pastures (ha)	8,100	2,100	39,700	47,700	22,000	19,200	69,900	69,000	800
Fallow land (ha)	57,100	10,200	39,000	53,700	158,400	3,300	254,500	67,200	187,300
<b>Total (ha)</b>	<b>69,000</b>	<b>43,800</b>	<b>163,600</b>	<b>137,500</b>	<b>208,900</b>	<b>53,400</b>	<b>441,600</b>	<b>234,800</b>	<b>206,700</b>
<b>Percentage of total</b>									
Annual crops (%)	3	11	20	15	10	54	13	23	-10
Permanent crops (%)	2	61	32	11	3	4	14	19	-5
Pastures (%)	12	5	24	35	11	36	16	29	-14
Fallow land (%)	83	23	24	39	76	6	58	29	29

Source: TIA 2012 survey (MINAG, 2012) and estimates by Glover and Jones (2015)

The number and size of large farms remains small relative to other actors in the sector. For example, in 2012, there were an estimated 3.9 million small and medium farmers, cultivating a total of around 4.9 million hectares (Glover and Jones, 2015). The crop area of large farms (117,200 hectares) accounts for just 2.2 per cent of the 5.3 million hectares of cultivated land in Mozambique (MINAG, 2012). Agriculture in Mozambique is mostly practised by smallholder farmers, who account for 99 per cent of the total number of farming units and farm 96 per cent of the 5.6 million hectares of cultivated land (Silici *et al.*, 2015).

# 4

## Case study: Belo Horizonte (Boane)

### 4.1 Introduction

This chapter examines the first case study, the Belo Horizonte area located close to the two major cities of Maputo and Matola, to understand how major drivers of change – urbanisation and rapid population growth – are impacting in different ways on poor people in peri-urban and rural areas. We will argue that land markets and land fragmentation in the area are having an uneven impact on local communities based on gender, age, generation and their levels of reliance on agriculture for livelihoods.

The field research in Boane was carried out from late October 2014 to January 2015. The research team conducted 30 semi-structured interviews and submitted 20 questionnaires to local peasants who used to farm in the Belo Horizonte area and now live in the adjacent neighbourhood of Campoane. An overwhelming number of interviewees lost their land in Belo Horizonte, but those who are members of the leadership of Kape-Kape peasant association still hold some of their plots in the area. Interviewees included men, women and elderly people. Women were a large majority, as they play a central role in food production in southern Mozambique, where patriarchal structures prevail. The research team also interviewed the executive director of Vetagro, an agro-business that was involved in land disputes with the Kape Kape association. In this chapter, we also discuss the research methods and tools and the overall research process in Boane.

## 4.2 Research methodology

### 4.2.1 Semi-structured interviews

A stakeholder analysis identified the main stakeholders for this research project as: peasants, the local peasant association (Kape Kape), local entrepreneurs, community leaders and traditional leaders, Boane municipality and district administration.

**Peasants:** The research team developed semi-structured interview guides. They also gathered profile information on interviewees' socio-economic position, gender and place of origin. Interviewees were predominantly female peasants and elderly women, a clear indication that women represent the main labour force in agriculture.

The researchers asked about land access, whether interviewees had customary land rights or rented their plots, the history and nature of land occupation in the area, and the shift from grazing lands to farmland and to high-value residential areas.

**Kape Kape peasant association:** The research team interviewed members of the Kape Kape association to learn about its history, goals, composition, the changing peri-urban landscape, land conflict resolution, and so on. The team particularly focused on members' mechanisms of land access, the advantages and disadvantages of being in the association, the relationship between the association and Boane municipality and district administration, and the role the association plays in the informal land market. Interviewees were all individual members and included women, men, elderly people and those with positions of power within the association such as the president, secretary and treasurer.

**Community leaders and traditional leaders:** We interviewed local and traditional leaders to understand the changes in land access mechanisms governed by customary rules and practices. Some of the questions included:

- How much power do local community and traditional leaders have in granting land to community members and outsiders?
- Does the pressure exerted by outsiders with substantial financial resources and political influence erode or undermine the power of local community and traditional leaders?
- Do you regard the presence of outsiders as an opportunity?

**Local entrepreneurs:** The research team identified local entrepreneurs who moved to the area in the last ten years or so as key informants. Belo Horizonte has witnessed growth in the number of new small- and medium- sized businesses, such as restaurants, bars and bakeries, some of which were established with support from political elites. The goal was to understand how these businesses received title deeds and how they impact the livelihoods of peasants in Belo Horizonte. Because of the sensitive nature

of information, most key informants – including people who acquired land in the area – declined to be interviewed, even anonymously. Only the executive director of Vetagro agreed to be interviewed.

**Households:** The research team also developed questionnaires that were tested in the field and later modified to reflect the most important issues. We used the final draft, a seven-page questionnaire designed to capture qualitative and quantitative data, to interview 20 local peasants who used to farm in the Belo Horizonte area and now live in the adjacent neighbourhood of Campoane.

### 4.2.2 Group interviews

Group interviews were based largely on the semi-structured interview guides. According to the original research plan, collective interviews would include six or more men and women from different age groups (young, adults, and elderly people) to capture different perceptions on Boane's changing peri-urban landscape. But the proximity of Boane to two major urban centres – Matola and Maputo – and the pressures of daily life made this difficult, because local informants were always busy seeking income and food for their families. So, our discussion groups ranged from two to four people and included couples, groups of women and men, and elderly people. Although the groups were smaller than we had envisaged, we were able to get different views from local peasants on land access, the roles of traditional authorities and the municipality in land allocations, coping mechanisms and survival strategies that people use to improve their lives in the face of land scarcity.

## 4.3 Research setting and historical overview

Belo Horizonte is a neighbourhood in Boane municipality. Its name comes from an old Portuguese restaurant established in the area during the colonial period.<sup>18</sup> Most of our interviews took place in neighbouring Campoane, now home to an overwhelming number of peasants formerly from Belo Horizonte. The two neighbourhoods are very close to Matola city and less than 25 km from Maputo.

It is important to discuss Boane and Belo Horizonte in the context of the country's territorial planning. During the 1960s, vast areas of today's Belo Horizonte were grazing areas belonging to Quinta Maria Aurora and the Umbelúzi agricultural company, managed and owned by Eduardo d'Almeida Saldanha. When some of Saldanha's holdings were broken up and sold to new private investors, Quinta Maria Aurora was granted to Giuseppe Benini, an Italian settler.

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18 Interview with a member of the Boane administration, 12 May 2015.

By the mid-1970s, Enrico Benini, Giuseppe's grandson, was the manager of his grandfather's holdings, including Quinta Maria Aurora. On the eve of Mozambican independence, Enrico abandoned his holdings and left the country (Muthemba, 1998). The FRELIMO government nationalised the Benini plantations, converting them into a number of communal villages, cooperatives and state farms.

In the 1980s, Boane was a model district with a strong emphasis on promoting state farms, communal villages and cooperatives. Until the early 1990s, large areas of Belo Horizonte were under the control of state farms, organised in eight blocks. LOMACO was the largest joint-venture company operating in Boane in the 1990s, producing vegetables, cotton, soybeans, beans, maize and sweet potatoes (Hilário, 1996). By the mid-1990s, there were 13 state farms including, among others, Empresa Agrícola 1 de Novembro, Empresa Citrinos 3 de Fevereiro, Empresa Agro-Pecuária de Boane and Empresa Suínos. But some of these farms were operating below capacity, while others were being privatised. State livestock and dairy farms were thriving. In 1988, Empresa de Leite e Lactícínios had 150 heads of cattle. By 1994, the state ranches had 511 heads of cattle and a year later the number had increased to 1,497 (ibid).

In 1986, Boane district had at least 72 private agricultural companies that relied on river-fed irrigation schemes. By 1994, there were 74 of these companies; the slow growth was blamed on a lack of capital. In 1995, peasant families also played an important role in food production in Boane district and employed more than half of its labour force.

There were a number of peasant associations operating in Boane and at least by 1995 some of the most prominent associations included the Associação 25 de Setembro, Associação Campoane, Associação de Djuba, Associação Mbuzini, Associação 3 de Fevereiro, and Associação 19 de Outubro (ibid).

Until the mid-1980s, Belo Horizonte attracted little scholarly attention compared with other relatively well-known and more vibrant and prosperous areas of Boane, such as the banks of the Umbeluzi River, Mafuiane, Massaca I and Massaca II.<sup>19</sup> These areas were home to a number of colonial and postcolonial enterprises, including plantations such as Benini, ranches, agricultural and consumer cooperatives, the Companhia de Citrinos de Maputo, the Umbeluzi and Mafuiane irrigation schemes, a dam, Regional Water Administration (ARA-SUL), PRORURAL, NGOs (HELVETAS), communal villages and state farms (Muthemba, 1998; Sabino, 2006).<sup>20</sup> By the late 1980s, Belo Horizonte had become a household name in Matola and Maputo, suggesting a wealthy neighbourhood undergoing expansion that could rival Maputo's upmarket Sommerschield neighbourhood.

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19 See, for instance, Sabino, 2006.

20 Mateus Muthemba's work on agricultural cooperatives in Boane discusses some of the developments in the banks of the Umbeluzi River beginning in 1899. The lawyer Eduardo d'Almeida Saldanha was the manager of Empresa Agrícola do Umbeluzi and owner of Quinta Maria Aurora. Its main economic activities focused on food production, orchards, and livestock (Muthemba, 1998).

The popularity of Belo Horizonte coincided with the increasing land demand in the peri-urban areas and the growing informal land markets.

Boane district used to be organised into two administrative posts: Matola-Rio, which included the locality of Matola-Rio with about 20,800 inhabitants in eight neighbourhoods, and Boane-Sede. It was in south-east Maputo Province and bordered Moamba district to the north, Namaacha district to the south and east and Matola City and Matutuine district to the west (Ministério da Administração Estatal, 2005). Then in May 2013 the government created ten new municipalities in the country, including Boane municipality.<sup>21</sup> Localities (Eduardo Mondlane and Gueguegue), neighbourhoods (Campoane and Belo Horizonte) and villages (Picoco, Mabandja, Mucombo, Xitevele, Chipapa and Tchonissa) that had been in Boane district since it was formed in 1976 were included in the new municipality (Hilário, 1996, Mazive, 1995).<sup>22</sup>

This is, in fact, an important change in terms of territorial planning and decentralisation, with serious implications on the livelihoods of several thousands of rural and peri-urban communities that fall in the boundaries of the new Boane municipality of 100km<sup>2</sup>. Many of the areas included in this municipality were grazing lands and farmlands that are now being converted into areas for urbanisation.

## 4.4 Drivers of change in land access in Boane

### 4.4.1 Population growth and urbanisation

Maputo and Matola have experienced population growth and urbanisation since the 1950s. The Portuguese colonial government's open door policy in the 1960s encouraged foreign investment in industries, commerce, transport, communications and banking, and this was mainly in urban areas. From the mid-1950s, when the white population was around 40,000, the colonial authorities encouraged white settlement, which led to an exponential increase in the number of white settlers to around 200,000 by 1974 (Newitt, 1995). Although the number of whites decreased dramatically, around independence in 1975, the rate of growth of the African population in the main urban centres continued unabated. The city is sharply divided between 'the cement city' – the old colonial city centre – and the *bairros*, the largely unserved and congested outlying neighbourhoods that are home to the bulk of the city's labour force and provide the basis for its economy (Castán Broto *et al.*, 2013).

21 See [www.jornalnoticias.co.mz/index.php/sociedade/23271-vila-de-boane-da-municipalizacao-a-pressao-demografica](http://www.jornalnoticias.co.mz/index.php/sociedade/23271-vila-de-boane-da-municipalizacao-a-pressao-demografica).

22 Interview with a member of the Boane administration (12 May 2015). [www.jornaldomingo.co.mz/index.php/ultima-hora/1618-municipalizacao-de-boane-entre-a-expectativa-e-a-amargura](http://www.jornaldomingo.co.mz/index.php/ultima-hora/1618-municipalizacao-de-boane-entre-a-expectativa-e-a-amargura).

Colonial policies such as expropriating land from peasants in the countryside and *xibalo* (conscripted) African workers were some factors that increased the number of Africans in the periphery of main urban centres such as Lourenço Marques (known as Maputo since independence in 1975) and Matola. Droughts and floods in the countryside also forced many Africans to move to urban areas.

Population growth in the cities post-1975 is associated with the devastating war between the FRELIMO government and RENAMO (1976–1992). The escalation of the war in the mid-1980s displaced many rural dwellers, forcing them to find security close to urban centres. Many settled in the proximity of the Boane military barracks. The war brought people to Boane from the southern provinces of Gaza and Inhambane, and from central and northern Mozambique.

In the 1980s, natural disasters such as droughts and floods ravaged the countryside and played a major role in changing the demographic composition of Mozambique's main urban centres and peri-urban and rural areas such as Boane. In droughts of 1983 forced many rural dwellers, particularly in the southern provinces, to move to urban areas. The following year, the devastating Demoína cyclone wrought havoc in the south. Thousands of displaced rural people settled in Boane, where they rebuilt their lives by working in consumer and agricultural cooperatives, state farms, construction projects such as the dam at Pequenos Libombos and the Umbeluzi irrigation schemes (Hilário, 1996; Muthemba, 1998; Sabino, 2006).

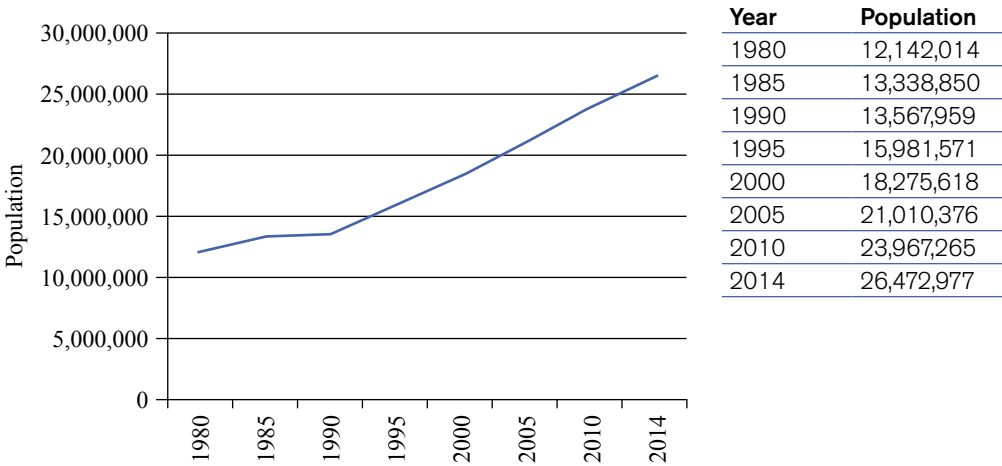
Since 1975, military conscripts from all over the country have received military training in Boane military barracks. After serving in the army, some settle in Boane and marry local women, or women from other ethnic groups. Boane also attracts unemployed people from Maputo and Matola, who see livestock and farming as means to provide for their families.

While the majority of people who live in Boane are Ronga speakers, it has become a culturally diverse area which is now home to native speakers of Changane, Makonde, Makua, Chuabo, Nyanja, Sena, Shona, Tswa, Chope, Bitonga and Zulu (Hilário, 1996; Muthemba, 1998; Sabino, 2006). Boane's ethnic and linguistic diversity reflects the variety of peasants who invaded the abandoned state farms in the early 1990s.

Although population censuses cannot be trusted completely because of errors and mistakes in data collection and entries, and difficulties in reaching remote areas, they give us an idea of population growth between 1980 and 2014 (Figure 1) particularly for Boane, Matola and Maputo cities from 2007 to 2014, and projected growth for these areas (Figure 2, Figure 3 and Figure 4). Boane's population increased by nearly 22,000 inhabitants between 2005 and 2007. This is an extension of population growth and rapid urbanisation in Maputo and Matola. In the last ten years, Boane witnessed the expansion of new job opportunities such as South African commercial fruit farms and new institutions and businesses including the new private university Unitiva in Belo Horizonte.

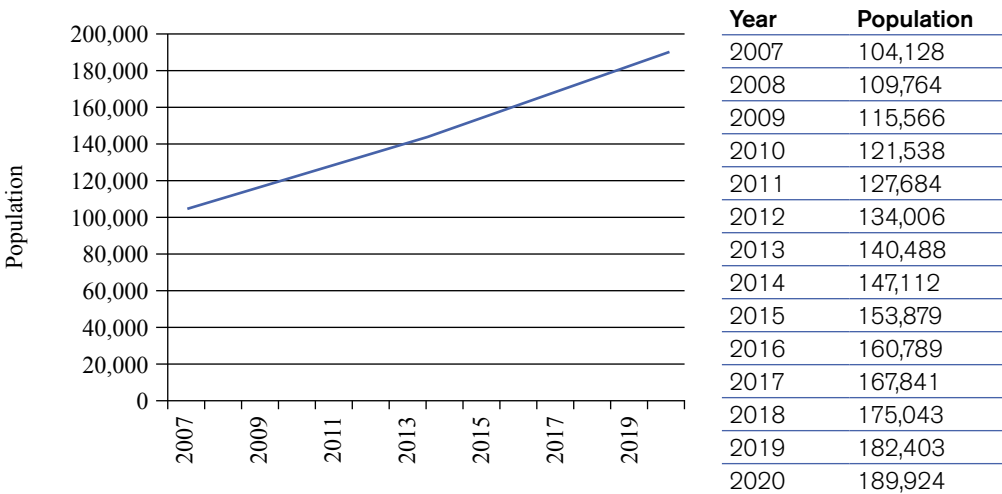
Matola has attracted several new industries, food and construction warehouses, South African supermarket chains, real estate development projects, restaurants, resorts, hotels and private schools owned by foreign and national investors.<sup>23</sup> This rate of population growth is putting enormous pressure on available land, leading to the rapid conversion of farmland into residential areas, which we discuss in the following sections.

Figure 1: Population growth, Mozambique, 1980–2014



Source: World Bank, IBRD-IDA

Figure 2: Actual and projected population, Boane, 2007–2020

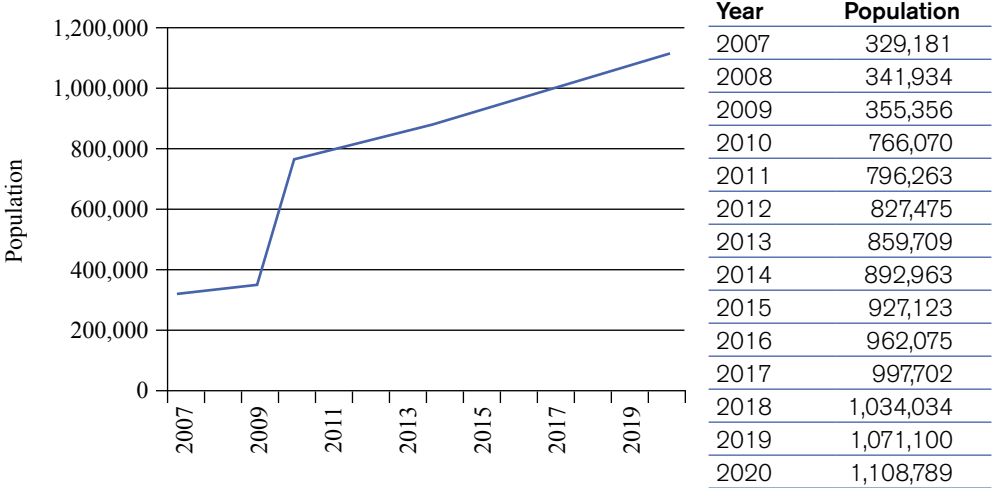


Source: INE, 2010

23 Along the Witbank corridor in Matola, there are three private schools, such as the Willow International School. The former mayor of Matola Arão Nhancale told the Fourth Matola Business Forum in 2011 that his city had received more than US\$1.7 billion worth of investments between 2009 and 2011. Between 2010–2011, Matola had received US\$500 million to finance 50 business projects that created 2,000 jobs.

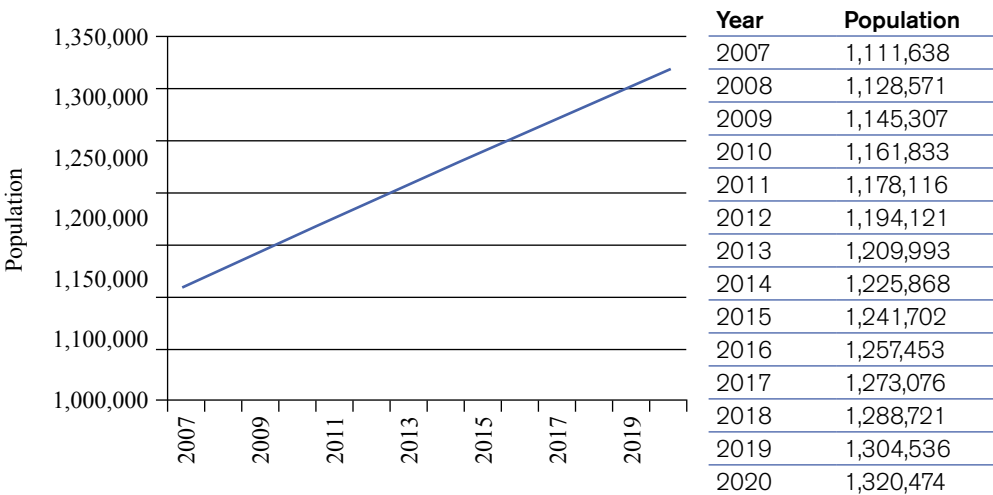


Figure 3: Actual and projected population Matola, 2007–2020



Source: INE, 2010

Figure 4: Actual and projected population, Maputo, 2007–2020



Source: INE, 2010

#### 4.4.2 Changing pressures on land

The brutal and devastating war between the FRELIMO government and RENAMO, natural disasters, the government's social, economic and political policies – for example, state farms, cooperatives and communal villages – drove many rural dwellers to settle in Boane district during the 1980s, 90s and 2000s.<sup>24</sup> They were people from diverse social

<sup>24</sup> For further discussion of the impact of the brutal 'destabilisation' and 'civil war' between the FRELIMO government and RENAMO, see (Finnegan, 1992; Geffray, 1991; Vines, 1991; Wilson, 1992).

and cultural backgrounds who spoke different languages. They came from different parts of the country, but were mostly from the southern provinces of Gaza and Inhambane. Their first option for settlement was the banks of the Umbeluzi River, close to the administrative post and military barracks.

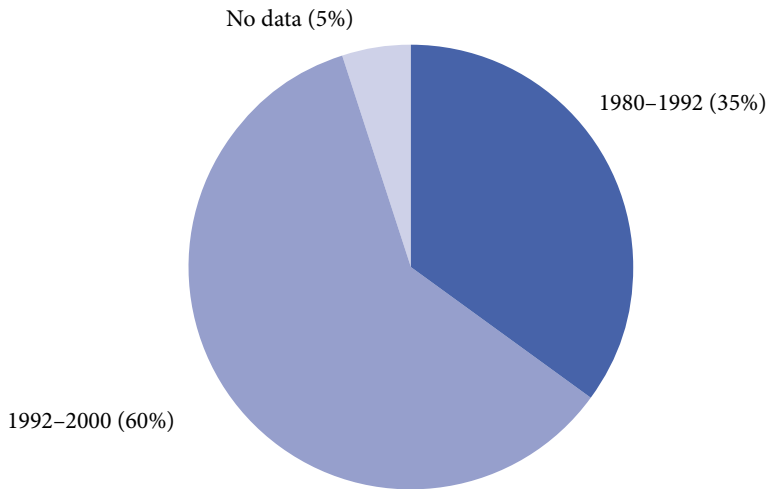
The growing number of internally displaced increased the demand for land in Boane. Many rural dwellers sought new settlements, establishing new neighbourhoods such as Campoane. And as the new neighbourhoods became increasingly residential, people looked for new farmland. Across the road from Campoane lay a vast area that represented, in the eyes of newly settled residents, an available reserve of forest and scrubland that could be turned into productive farmland. The land belonged to unproductive and underperforming state farms, such as Empresa Estatal Bloco 2.

By the mid 1980s and early 1990s, before the privatisation of state farms across the country and in Boane, they controlled large areas that were suitable for livestock production, irrigation and rainfed agriculture. In semi-rural and peri-urban areas such as Boane and in its growing neighbourhood Campoane, the need for farmland by new local residents who had been displaced by the 'civil war' and natural disasters became a survival necessity. Similar processes took place in the peri-urban areas of Maputo and Matola, which both witnessed a rapid population growth induced by deteriorating conditions in the countryside. Needing to provide for their destitute families, a substantial number of Campoane residents, especially women, invaded the grasslands of Belo Horizonte. With help from their spouses, children and other household members, women began to transform the unproductive land that belonged to bankrupt state farms into productive crop fields or *machambas*, where they cultivated a number of food crops. Women, as the main food producers, recalled their early experiences of opening crop fields in Belo Horizonte:

“Many peasants who cultivated and some who are still in Belo Horizonte, came to Boane because of war; they were not born in these areas. We acquired those areas through invasion; we invaded those areas with my mother-in-law after they had taken our crop fields in this side of Campoane.” Interviewee, Campoane-Boane, 2 December 2014.

Of the 20 peasants we surveyed in Campoane area, 19 (95 per cent) told us that they invaded the areas that belonged to state farms in Belo Horizonte. Nearly 35 per cent acquired the land between 1980 and 1992 before land reform. Sixty per cent took over land between 1992 and 2000 that belonged to the newly founded agrobusiness company Vetagro.

Figure 5: Periods of land acquisition, Belo Horizonte, 1980–2000



Source: Fieldwork data, 2015

The introduction of a structural adjustment programme in 1987 represented a watershed in Mozambique's economic and development policies. It was a radical departure from a centrally planned, state-controlled economy to a market-oriented economy, a shift that had tremendous consequences on most Mozambicans, particularly the urban and peri-urban poor. Following the strict prescriptions of the IMF and World Bank, the government drastically reduced subsidies in several public services such as health, education, housing and transportation. It also stopped providing food rations and subsidies, although these were already scarce in consumer cooperatives and people's stores. Real income dropped significantly, affecting the civil servants and urban residents of Maputo and Matola.<sup>25</sup> To make ends meet, several residents started farming in peri-urban areas. Some joined the residents of Boane, especially in Campoane, cutting down trees, clearing scrub and grazing lands and opening up new crop fields in Belo Horizonte.

The task of turning forests and grazing lands into farmlands involved hard physical work. Men helped in some of the most difficult tasks, such as cutting down trees, but women did the bulk of work, since the men were often engaged in migrant work in South Africa. The most resourceful and hardworking peasants could claim 1.5 to 2 hectares of land for themselves. Our interviewees explained the hardships people faced to open up crop fields in Belo Horizonte:

“When we invaded those areas, the occupation didn't depend on gender or age, but on each person's power and will to cut down trees and clean up the grass because that

25 For an in-depth analysis of the shift from socialism to capitalism and the impact of the structural adjustment programme in Mozambique, see (Abrahamsson and Nilsson, 1994; Chabal *et al.*, 2002; Hall and Young, 1997; Hanlon, 1990; Pitcher, 1996).

was a big bush.” Interviewee, Campoane-Boane, 2 December 2014.

“We invaded that land when it was still a frightening bush.” Interviewees, Campoane-Boane, 3 December 2014.

While the residents of Boane, Matola and Maputo were opening up crop fields in Belo Horizonte, some of the state farms with land concessions in the area were being privatised. Vetagro, a Mozambican agrobusiness constituted by national partners, acquired some of the land concessions that had belonged to unproductive state farms, particularly Empresa Estatal Bloco 2.<sup>26</sup>

Having acquired land concessions in Belo Horizonte, Vetagro came into direct collision with the residents of Campoane, Matola and Maputo who had invaded the unproductive lands to open up crop fields. Land conflicts between Vetagro and the peasants of Belo Horizonte began at this time. Our interviewees told us how they came to settle and occupy land in Campoane:

“We came here from Chókwé [Gaza province] because of the war. We arrived here and started farming in 1994. We found a bush, but were warned that those were grazing lands for cattle that belonged to a white man [Vetagro]. The leaders of the association met with us and started telling us that the area belonged to a white man. But we cleared that bush; we didn’t find anyone there. It was just an area that belonged to God, not a person.” Interviewees, Campoane-Boane, 6 December 2014.

We were told that peasants cultivated their crops, only to see Vetagro cattle destroy or devour them. Vetagro reportedly claimed that peasants were unlawfully farming on land that it had rightfully acquired through the privatisation process. There were frequent mutual accusations. These land conflicts and the frequent destruction of food crops by Vetagro’s cattle led peasants to refer to the area where they farmed as *lalha mandla* (lost hands), because their hard work was useless. Palmira Ntsope, Kape Kape vice-treasurer and leader, explains the conflicts between Vetagro and the local peasants and tells us how they formed their association:

“We founded the association in 1992 and decided to demarcate our land because we realised that we were losing our hard work, our strength and our sweat. We called that place *lalha mandla*. With the end of land conflicts, we felt that we had won and we were at peace. We felt relieved and peaceful so in 2005 we called the association Kape Kape. ORAM came to organise us; we paid some money to receive the title deed for our land. Each year, the association paid 800 meticaïs. These payments ended recently because we no longer regard those fields as our land.” Interviewee, Campoane-Boane, 2 December 2014.

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26 Interview with the executive director of Vetagro, Maputo (5 February 2015).

The land conflicts between Vetagro and peasants from Campoane, Matola and Maputo continued for more than ten years. Eventually, a national NGO – the Association for Rural Mutual Assistance (ORAM) – stepped in to broker a solution. ORAM helped the peasants form an association (Kape Kape)<sup>27</sup> and they agreed to divide the land between Kape Kape and the concession holder. Solving this land conflict took at least five years of negotiations (Associação dos Camponeses de Kape Kape, 2012) and had three important phases, as the association president and his peers told us:

“The Kape Kape association was founded under the auspices of ORAM by peasants who invaded Vetagro’s company land. The association was officially recognised in 2001 in the National Gazette, but we don’t have the number right here. In the beginning, Kape Kape occupied an area of around 300hectares. But it lost half of it and now controls an area of 150 hectares in Belo Horizonte 3. Belo Horizonte 1 belonged to Kape Kape, but Boane district administration occupied it since Kape Kape didn’t have the title deed or DUAT. Kape Kape lost half its area due to land conflicts with Vetagro, which led Kape Kape’s peasants to change the land use from farming to residential. We reached this decision after 13 years of conflict that started in 1992 when Vetagro would allow its cattle to eat and destroy our crops in our fields under armed guard. Today, Kape Kape has the title deed for the area that it occupies, which it acquired in three stages: 2010, 2011, and 2012 respectively. ORAM, our partner since 1992, helped us to acquire the title deed. The first title deed was registered in my name and the last two in the name of the association.” Interview with members of Kape Kape in Bairro 3, Belo Horizonte, 29 January 2015.

Kape Kape had some 700 members between 2001 and 2005 (Associação dos Camponeses de Kape Kape, 2012). Kape Kape’s report stated that: “peasants from this association occupied Vetagro’s DUAT area for more than ten years, a public and peaceful occupation and in good faith of an area of 150 hectares”. It evoked the 1997 Land Law as the occupation lasted more than 10 years and was in good faith. The association’s report states that its conflict with Vetagro was resolved in an “amicable manner out of court.” But it also demanded Vetagro give them 2,500m<sup>2</sup> of alternative land in compensation to distribute to its 700 members, and 100,000 meticaís. Vetagro refused to grant the total sum of money and instead compensated the peasants with 45,000 meticaís each (Associação dos Camponeses de Kape Kape, 2012).

When the land conflict was finally resolved, the locals stopped calling the area *lalha mandla*. They renamed their peasant association Kape Kape, which means ‘fresh air’ or ‘peace’ in the Ronga language.

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27 Kape Kape was known in the 1990s and early 2000s by its previous name *Lalha Mandla* before the land conflicts were resolved.

### 4.4.3 Trends in land fragmentation and concentration

With support from ORAM, Vetagro and Kape Kape association resolved their conflicts to the satisfaction of both parties around 2011. The association retained at least 150 hectares of land for its members, who continued to produce food crops in their fields. But this did not last for long, as it was soon followed by a process of dispossession as land was transferred from association members to urban elites for residential and commercial development. And rather than getting support in their struggle to maintain access to their land, Kape Kape members found that the Boane district administration, the association leadership and ORAM interventions were all weighted in favour of land transfer for real estate development.

Increasing land demand for housing in the Belo Horizonte area, as the result of population growth and rapid urbanisation in Maputo, Matola and Boane, led to the rapid development of an informal land market with similar characteristics to other peri-urban areas around major cities across the country.<sup>28</sup> Local peasants, on their own initiative, began to sell their land plots to middle and upper middle class residents from Maputo and Matola. This increased fragmentation of farmholdings into small plots for housing.<sup>29</sup>

Kape Kape members soon came under pressure to accede to this process. The authorities in the Boane administration reinforced the belief among Kape Kape members that they would lose their land if they did not sell it.<sup>30</sup> So, to avoid losing their land without any compensation, some became involved in these informal land deals. While they were initially reluctant to grant their land in any way, they did not like the prospect of losing what they had to Boane district administration.

Kape Kape members believed their association would be better prepared to protect their land rights. But they soon found that it had become a vehicle for the pressures of outside investors. The Boane district administration initiated a process of land delimitation and demarcation from 2005 to 2011 (Associação dos Camponeses de Kape Kape, 2012), which aimed at parcelling existing agricultural plots into 50x50-metre plots for high-class residential development. Local peasants were encouraged to register their land holdings via the association. The message from all parties was that the land was needed for urbanisation projects and people would lose access in any event, so registering with the association would at least offer a mediated process for compensation.

28 For example, residents of Matola Gare, Mualaze, km15, Intaca, Cobe and 1º Maio with more than three land plots sold their crop fields to urban and peri-urban residents from Matola and Maputo cities (Adamo, 2003).

29 This trend is consistent with similar processes taking place in other African cities where the peri-urban and urban poor are losing land in favour of urban elites. Cities such as Nairobi, Lusaka and Accra are seeing an increasing concentration of land in the hands of African elites – including politicians, businessmen and professionals. See (Jayne *et al.*, 2014; 2003).

30 Interviews in Campoane-Boane on 3 December 2014 and in Bairro 3, Belo Horizonte III on 29 January 2015.

Land holdings ranged from 1 to 2 hectares each. As the land delimitation and demarcation process was unfolding, some of the peasants were told that 1 hectare of land would allow them to have at least 2 to 3 demarcated and registered land plots (at 50m x 50m), while those who had 1.5 or 2 hectares would be entitled to 4 to 6 plots. But many peasants recalled that this parcelling process was unfairly implemented, and those who had 1.5 or 2 hectares were only allowed to keep 2 to 3 plots with remaining areas taken by administration officials, association leaders and, according to some interviewees, members of ORAM. There is some anecdotal evidence to suggest that some of the plots grabbed from local peasants were later sold to urban elites from Maputo and Matola.<sup>31</sup>

An ex-peasant from Belo Horizonte described in some detail how he and his peers sold their land plots to new middle class residents:

“I had big farms. The association leaders came with the idea of a land delimitation project so that people would know the size of their land. But when they did land delimitation, they took half of the land that each peasant had, that is, if his/her farm had six land plots, the association took three. I had six land plots, but they took over four and I kept two. Then, we were warned that we should sell our land plots because Caravelas [Vetagro] or the government would take our land in any event, and worse, without gaining anything. In this context, I sold two land plots that ranged between 60m x 80m for 60,000 meticaís, and I paid 10,000 to the association. The buyer also paid some money. My goodness! That was exploitation of man by man. The money was not for the government; it was for the leaders of the association. With 60,000 meticaís,<sup>32</sup> I could only build this small house and buy rice ... They never took over land to sell without the peasant's consent: we started selling land at a low price because they lobbied on behalf of Caravelas [Vetagro]. They said we should not keep the land plots because they would take them and we would not receive compensation.”  
Ex-peasant, Campoane-Boane, 3 December 2014.

The following images from Google Earth show how Belo Horizonte's landscape has changed over the last 13 years.

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31 Similar processes have taken place and are still happening in many other parts of the country. The fact that land is the propriety of the state has huge implications in the transfer of land from local peasant communities to new residents, national and foreign investors. The state has the right to initiate land delimitation and demarcation whenever there is a need for public good, which invariably ends up benefitting people with financial resources or political connections.

32 Nearly US\$2,000 at 2014 exchange rate of US\$1=30MT.



Map 1: The urbanisation of Belo Horizonte, 2002–2015



Google Earth Imagery  
Date: 05/25/2002



Google Earth Imagery  
Date 10/20/2006



Google Earth Imagery  
Date 04/25/2015



In the best case scenario, peasants were allowed to keep a large portion of their land for themselves and close family members including children; the 'remaining' land would revert to the Boane administration to be parcelled and granted to land applicants. But many peasants saw their land granted to individual administration officials instead of reverting to the state and being administered at local level. Interviewees confirmed that local administration officials had abused their positions of power, greatly profiting from the land deals to feed the development of an informal land market:

"When my other farm was delimited, there were four land plots; but I was only given one plot, which I sold right away for fear of losing it. I sold it for 150,000 meticaís, but many sold for 250,000<sup>33</sup> ... I bought a *machamba* in Tongogara for 2,000 meticaís and spent the rest on this Toyota pick-up that does not run for lack of tires ... It was not worth selling my land, because I don't have money anymore. But I didn't have an option: I was forced to grant my land so that they could build houses. The fields were my livelihood security to farm until my death. But money runs out very fast. The leaders of the association convinced us to sell our land, saying that if we didn't we'd be in danger of losing our land to the government without compensation because we had invaded those areas [in the first place]. We didn't buy it and didn't have title deeds for our fields." Interviewee, Campoane-Boane, 6 December 2014.

It is clear that many Kape Kape peasants sold their land for low sums in the belief that the state compensates people for losing land in some situations. Some peasants went to open new fields in the adjacent area of Jossias Tongogara, an essentially rural area until 2012. But the same thing is happening in Tongogara, where land use is changing from agriculture to housing, driven by the Associação Jossias Tongogara.<sup>34</sup>

While many Kape Kape members lost their land through skewed parcelling processes and subsequent 'enforced deals' with outsiders, the association leadership kept their land under control.<sup>35</sup> Some even managed to accumulate land, using insider knowledge, political connections and negotiation skills to register their close family members and dividing large parcels among them. Kape Kape's vice-treasurer and leader explained how she retained much of her land:

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33 150,000MT=US\$5,000; 250,000MT=US\$8,333 (2014).

34 Since early 2010, the association has been selling fields and granting membership cards to outsiders. Each card represents a field not yet parceled. Those who bought a field and have a membership card pay membership fees to the association, that entitles them to a land plot when it is delimited and demarked, a process which started very recently. New access roads have been built and the government water utility FIPAG has built new facilities in the area. (Source: Informal conversation with the president of the association. This finding is also based on field trips).

35 The Kape Kape leaders are also members of the local FRELIMO party cell. The association president still plays an important role in the party at local level.

“My children have land there. I registered it in their names, but only to ensure land security, as the government would take it otherwise. They [my children] don’t want to study. They [the government] were taking our lands, even with crops ripe for harvest; it was the administration doing that. They gave us 50–100 meticaïs, and took a 50x50-metre plot. They did this to me and many other people. But now a sale cannot happen without the consent of the peasant or their association. I sold three plots in 2012 for 150,000 meticaïs each ... Here [in Belo Horizonte] I no longer have a farm, but I have six plots: two are 30x40 metres and four are 30x25 metres. I have loaned these to friends who need to farm.” Interview in Campoane-Boane, 2 December 2014.

As the years passed, the pressure to grant land to outsiders also increased. Intermediaries brought people from Maputo and Matola to buy land in the area. In the early years, peasants demanded 20,000–30,000 meticaïs for 50x50-metre plots. In the first decade of the 2000s, land prices skyrocketed. The same plots commanded 100,000–250,000 meticaïs, reflecting the cost of living and the availability of people willing to buy – a sure indication of a burgeoning middle class. By the late 1990s, land plots had become so expensive that very few people could afford to buy.<sup>36</sup>

The new landowners (who represent emerging urban elites) have been investing in real estate projects, building plush homes and condominiums that reflect their socioeconomic status. But vast areas of Belo Horizonte remain underdeveloped, without paved roads, schools, hospitals, parks, a fire department and other public facilities. Like in many other peri-urban areas around Maputo and Matola in rapid expansion, there is no evidence of an urbanisation plan for the neighbourhood that takes into account residents’ different needs with defined areas for public and private facilities. The emphasis has been on opening roads and providing electricity and water.<sup>37</sup> This is partly because the expansion of the neighbourhood has mainly rested on the informal land market; Belo Horizonte is fast becoming urbanised.

This vibrant land market brought few benefits to local peasants. Even those who charged high prices for their land could not afford to build their new homes here and instead built small, improved houses in neighbouring Campoane. And because so much farmland was converted into land plots for housing, they also had to stop farming locally. Our household

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36 To have an idea of the cost of land plots is important to compare the prices against US\$ and the average minimum wages. Mozambican inflation is somewhat unstable with fluctuations in each year and along the years. The exchange rate between the US\$ and the metical (MT) also suffered. Around 2007–08, US\$1=25MT; in 2014, US\$1 =28–30MT; in June 2015, 1US\$=35–38MT in June 2015; on 16 October 2015, 1 US\$=45–46.5MT. At the time of publishing, the Mozambican minimum wage is around 2,500–3,152 MT (before taxes) depending on the economic sector. The minimum wage in the civil service is around 3,152 MT (US\$76.87)/month.

37 In most peri-urban areas, public service provision – roads, electricity and water – come after the houses are built. So when they decide to build a road, the municipal authorities often demolish walls, houses, bars, shops, barber shops and other private properties without compensation.

data shows that 95 per cent of peasants surveyed were disillusioned after selling their land.

## 4.5 Changes in customary land rules and practices

Customary rules and practices for accessing land in Belo Horizonte began to erode in the 1960s when large concessions were granted to a number of colonial businesses, including Quinta Aurora and the Benini plantations. With the departure of white settlers around independence, the postcolonial FRELIMO government nationalised their farms and plantations, establishing state farms that existed until the early 1990s.

Many rural Mozambicans believed and hoped that with the independence of the country, they would see the restitution of their land and recognition of their cultural practices, particularly in land use and other natural resource management. But the FRELIMO government made no effort to restore the power of traditional leaders or *régulos*; instead they marginalised them and embarked on vehement attacks against them and their cultural practices. This refusal to recognise customary rules and practices stems from FRELIMO's modernising ideology that placed the party and the state as the vanguard of the country's social, cultural, and economic transformation, a legacy that continues to shape government and state policies in matters related to land and natural resources. Some party and government members still regard traditional leaders as backward, representing 'traditional society' and associated with colonialism.<sup>38</sup>

This explains why traditional leaders such as *régulo* Chinonanquila and other community leaders have no voice when it comes to land use management in Belo Horizonte. Our household survey confirmed this, as all 20 people surveyed said that the *régulos* have no say on land matters in the area.<sup>39</sup> Instead, land use management is increasingly in the hands of new residents. Boane's municipal authorities recognise the land use rights of the rising middle and upper classes and rarely question how they acquired their land.

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38 A number of studies of FRELIMO's modernising ideology and its contempt of traditional leaders and their practices suggest that this contempt of cultural practices were the root cause of the 'civil war' and FRELIMO's failed socialist policies. See Cabrita, 2000; Geffray, 1991; Roesch, 1988.

39 Household survey data Campoane-Belo Horizonte, 2015.

## 4.6 Implications for peri-urban communities

Most peasants in Belo Horizonte have been affected by the loss of their land. This is particularly the case among women and elderly people, who relied heavily on crop production to sustain their lives and their families. Those who received relatively high prices for their land went on to buy land in rural and remote areas such as Jossias Tongogora and Mahubo in Boane district, Changalane in Namaacha district and Goba in Matutine district. They joined thousands of other residents from peri-urban and urban areas of Maputo, Matola and Boane who bought land at a reduced price or a very small fraction of what they would pay in these urban centres. Many others acquired land through *régulos*, who applied customary rules and practices.

The increasing urban sprawl around Maputo, Matola and Boane has drastically reduced the land available for farming and husbandry, diminishing livelihoods and threatening people's survival. So some of the peasants who lost their land in Belo Horizonte opened up new crop fields in Jossias Tongogora, Mahubo, Changalane and Goba, where they are producing a variety of food crops, such as maize, manioc and vegetables. This increased demand of agricultural land is driving informal land markets in these areas, albeit with less intensity and lower prices compared with other peri-urban areas of Maputo, Matola, and Boane.

But in Jossias Tongogara, adjacent to Belo Horizonte, farmland is being converted into residential areas in a process involving a peasant association, informal land deals, land delimitation and demarcations that will eventually force some of the peasants who opened up fields here to move again.<sup>40</sup> Informal land deals are also taking place in remote parts of Mahubo and Changalane, which are attracting entrepreneurs and some of the peasants who lost land in Maputo, Matola and Boane and are interested in raising cattle.<sup>41</sup>

Many of the peasants who opened up crop fields in Mahubo, Changalane and Goba still live in Campoane and commute from home to their new fields. The distance and transportation costs make it difficult for them to look after their fields. This leads to low food production levels, famine and malnutrition. Food scarcity has diminished the opportunity to keep food reserves for the lean years and reduced the chance of having a surplus to sell or exchange to pay for food cupboard basics, soap, clothes, school materials, electricity, and so on.

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40 Information from informal conversations with a prominent leader of Associação Jossias Tongogora and an anonymous woman involved in land deals. The prices here are similar to those demanded for Belo Horizonte.

41 Informal conversations with several people including a bus driver, who was interested in finding land buyers. Until the beginning of the second semester of last year, a hectare of land in Mahubo cost 20,000MT (US\$444 at time of publishing -US\$1=64MT).

To cope, some peasants (mostly women) have built huts on their fields, where they stay for 2–3 days at a time to look after their crops. This comes with a heavy social and economic burden on peri-urban households, with women staying away from their children, who depend on their support. Elderly people are less mobile, which limits their ability to cope and adapt. Some elderly peasants have to rely on family members and acquaintances for their survival.

For an overwhelming number of the peasants we interviewed for this study, having land in the Belo Horizonte area was very beneficial because it was close to their homes and they could easily take care of their crops. Land in Belo Horizonte was a valuable asset and a great source of food security. Peasants believe that no form of compensation can make up for their loss of land. Even those who started building improved houses, but were unable to finish, and bought pickup trucks, expressed their disillusion with the loss of their land. Alice Macuácuá's account details the informal land market in Belo Horizonte, the tensions between Kape Kape's leadership and members, and her coping and survival strategies:

“[Association] President Tembe was one of the people leading the land delimitation process when one of my plots was taken. I personally looked for a buyer and paid fees to the association, on top of mandatory fees. I sold my plot in 2008 for 100,000 meticaís,<sup>42</sup> but I don't know what the prices are now. The 100,000 meticaís were worthless because I have so many children. The association didn't give me another plot; I had to take some of that money to buy another farm in Changanalane [Namaacha district]. I don't know what the Kape Kape leaders did or do with the fees, because they don't help us peasants at all ... I always lived off the land. My farm in Belo Horizonte ensured my children's livelihoods, but it is difficult now. Although my farms in Changanalane are bigger, they're more expensive to maintain because of transport and the travel time.<sup>43</sup> In Belo Horizonte, the farms were closer; I didn't have to spend money on transport; I could go to the farm early in the morning and it was good for me ... There aren't many foreigners building in the area that once belonged to us. The only benefit to us poor Kape Kape members is that we were able to replace reed huts with brick houses. Some of us who are not part of leadership structure bought cars, but we know we could not be equals with our leaders. I was not happy after selling my farm. I already had this house, so I didn't build with those 100,000 meticaís. The money was not enough to do anything with except buy food. People continue farming and none gave up farming just because his/her land was taken.” Interviewee, Campoane-Boane, 3 December 2014.

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42 US\$3,571–4000 in 2008 (US\$1 =25–28MT).

43 The distance between Boane and Changanalane is nearly 33km. It takes at least an hour to commute between Campoane/Belo Horizonte and Changanalane.

Most peasants relied heavily on farming and had very few extra sources of livelihood and income before they sold their land. Dispossessed of their land, even those who received large sums of money found themselves suddenly thrown into a monetary economy with little ability to negotiate foodstuffs and life's basic needs.<sup>44</sup> They used to have plenty of options to choose the foodstuffs they wanted to supplement their diets, and could sell the surplus to acquire other goods, since losing their land in Belo Horizonte they have been forced to buy almost everything they need, which makes life difficult to manage.

Peasants were trying to find ways to cope and adapt to their changing lives. Some bought used pickup trucks but found they could not maintain or buy parts for them. Others replaced their reed huts with brick houses, but found they could not finish building them.

The impact of losing land in Belo Horizonte is uneven with elderly peasants more affected:

"We are not doing anything now. We are no longer farming because we don't have farms. We spend much of our time thinking about tomorrow, about how to pay our household expenses such as electricity, water, and food ... We live with some children and grandchildren. Our children are tired of taking care of our grandchildren and us ... There is no more land for our children and grandchildren; they have to struggle when they need land to build a house. Our children are suffering looking for land. They are dispersed, but we, their mothers, cut down trees and clean the land. Some of our children returned to Gaza, so that they can have land to build their houses ... Those who are building on our farms are businessmen. My brother Almeida, who is the president of the association, knows very well who is building over there ... We used to grow maize, peanuts and manioc to sustain our families, and when we produced a lot, we would sell it in the market to buy soap, rice, oil, sugar, and so on. They took over our land. We didn't want them to build there, but they defeated us. They didn't give us another place so that we could continue farming. The big boss stayed there, we were expelled and had to leave against our will ... In the first phase, they measured the land and gave a cheque as compensation. The peasants would go to the bank to withdraw the money. This meant nothing to people, because money is not as important as a farm." Elderly peasants, Campoane-Boane, 3 December 2014.

The period following the loss of land in Belo Horizonte is marked by a sense of helplessness and insecurity, with the elderly in particular losing their sense of worth, and increasingly feeling that they are a burden to their households.

Many other peasants who went back to farming had to find fields far from their homes. Our interviewees suggested that they called on friendship and family networks, and travel to rural and remote areas in Mahubo, Tongogara, Changalane, Goba and Moamba district to ask the local traditional authorities to grant them land for farming and raising cattle.

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<sup>44</sup> As in many other African contexts where peasants lose access to land, they are not absorbed by other sectors of the economy, leaving many unemployed and destitute.

Others were able to buy land in Mahubo and Tongogara, while a significant number gave up farming altogether. The accounts that follow describe the changing lives of peasants who used to farm in the Belo Horizonte area.

A husband and wife described their experience in these terms:

“We cannot talk about land that is available for peasants because there is no land to farm. Many people are now farming in Mahubo, Moamba and Tongogara, but it is difficult to get there because of the distance. There is no more land for us in Belo Horizonte; there is only land for the leaders of the association ... I have a 50m x 50m farm in Tongogara and this time I registered it in my husband’s name. In the old crop farms, I grew a lot of crops because it was very close and I could go there everyday, arriving very early in the morning. Tongogara is very different because it is very far away. We were fine in our farms of Belo Horizonte; we produced enough to secure our families’ livelihoods. To go to Tongogara, we have to leave as a group because it’s a very dangerous place; there are bandits who kill people. We have been going there in a male peasant’s car who also farms there, but this slows our food production because we only go to the fields when he is available. When he is in the field and decides to go back home, we have to interrupt our work even if we are busy, because we will not get another ride back home.” Interviewees, Campoane, 6 December 2014.

A female farmer also described the impact of land markets in Belo Horizonte in these terms:

“I’m 46 years old. I arrived here in 1992 and started farming in 1994. I don’t have farms anymore in Belo Horizonte. I have seven children who I support by selling at a *barraquinha* [a basic store]. The farms helped me a lot and I didn’t need to buy maize or relish ... I always lived off farming; I used to grow maize, manioc and okra. I now live off the *barraquinha* and a few crops I am growing in the farms in Changelane, which is very far away and expensive to get there... None of my neighbours farm any more because they have lost their land. Tell me, where are we going to farm? Because when we left there, we were not given other farms. We are poor, and yet we found bush [in Belo Horizonte] and cleared that space. [...]. I have four children who no longer study because we cannot afford it. When we had a farm, we could feed ourselves and we ate well at home. Now, we are too skinny. All the peasants who were not part of the elite are now living in poverty. We can go days without eating now, we eating plain rice without relish. When we had our farms, this didn’t happen. Our farms were very important: when we bought 25kg of rice, it would last us a long time, because we had maize and other goods to supplement our diet. Now, we cannot get to the end of a month because we have to buy everything and we don’t have money to have a better diet.” Interviewee, Chinonanquila, 9 December 2014.



Kape Kape Headquarters, Belo Horizonte



Photo by Eléusio Filipe

Opening an access road in Belo Horizonte



Photo by Eléusio Filipe

## 4.7 Implications and impacts for policy and practice

The Belo Horizonte case study illustrates that there are gaps in the 1997 Land Law and its regulations and a lack of political will to implement it. Land delimitation and demarcation should be preceded by fair and transparent consultations with local communities and their leaders, NGOs, SPGCs and other key stakeholders. But this case



study clearly shows that community consultations were poorly conducted, skewed and manipulated in favour of urban elites and outside interests.

Our household survey showed that 35 per cent of peasants acquired land by invading unproductive and bankrupt state farms during the war. This was before and during the privatisation of such lands but before land reform was introduced in the 1990s.

The 1997 Land Law provides some legal protection and a title deed or DUAT for land occupied by nationals in good faith for at least ten years. This should apply to peasants who occupied land before privatisation and the establishment of private companies such as Vetagro. The occupants have a right to fair compensation in the case of land loss to public or private interests.

Our household data also shows that in the early 1990s, 60 per cent of peasants invaded and occupied state farmland that was in the process of being privatised, including land acquired by the Vetagro in 1992 and 1993. This occupation of Vetagro's land unfolded between 1992 and 2000, leading to land conflicts between the company and peasants. In this case, the peasants' claim of land occupation in good faith does not hold. But the two parties reached a settlement whereby the peasants got 150 hectares for farming.

Many of the problems identified in Belo Horizonte arose from confusion about land rights. This was compounded by the fact that the 1979 Land Law and the 1987 Land Law regulations were did not have a legal framework to deal with land occupations, transactions and transfers that had taken place before the 1995 Land Policy and 1997 Land Law were introduced.

The legal framework and policies are in place to address many of the issues discussed in this case study, but a lack of political will and institutional capacity to implement the law and its regulations have left many issues unresolved, including the need to:

- Recognise statutory DUATs, giving priority to local communities
- Apply the full extent of legal protections to local communities and existing land occupants
- encourage behaviour and attitudinal change at institutional level to protect and promote smallholder agriculture
- Address remaining gaps and inconsistencies in the legal framework, particularly those that deal with forms of representation for local communities, to prevent elite capture of rights and benefits at local level
- Ensure widespread and equal access to information
- Address the imbalances in negotiating power between communities and outside investors

- Have clear and transparent guidelines for awarding discretionary DUATs over collective areas and to tackle loopholes in legislation, particularly with respect to situations where association members transfer specific plots to new members
- Ensure the political and economic emancipation of communities by enabling them to secure possession of resources
- Ensure that land rights in areas of economic interest that are suitable for investment are very clear to avoid confusion in the negotiation and consultation process
- Promote inclusive and effective statutory consultation to ensure local people can adequately participate in decision making
- Promote better and more efficient organisation of fiscal data to identify and prevent unproductive landholding, and
- Ensure effective, proactive and inclusive land use planning and territorial processes so that land awards are supported by overall assessments of different interests.

## 4.8 Summary of findings

Boane was defined as a 'model' district in the 1980s, so the postcolonial government encouraged the development of state farms, communal villages and cooperatives to take advantage of fertile land along the Umbeluzi River banks and grazing areas. It also promoted the construction of a dam at Pequenos Libombos and the development of irrigation agriculture. A number of national and foreign NGOs were established in the district. But despite strong state intervention, Boane remained largely semi-rural until the late 1980s.

Boane's landscape began to change rapidly in the early 1990s as a result of multiple drivers of change. The devastating 'civil war' (1976–1992) between the FRELIMO government and the rebel movement RENAMO and natural disasters wrought havoc on the countryside in southern Mozambique, forcing thousands of rural dwellers to move to urban and peri-urban areas around Maputo and Matola. A substantial number of displaced peasants abandoned their ancestral homelands to settle in Boane, particularly Campoane. To make ends meet, peasants took over grazing areas that belonged to bankrupt state farms and turned them into farmland. Others invaded grazing areas owned by newly established private agrobusinesses such as Vetagro.

The shift from a centrally planned economy to a liberal market-oriented economy in the late 1980s drastically reduced the real income of civil servants. It also affected the peri-urban and urban poor, who had to engage in the informal economy or grow food crops to augment their meagre incomes. A noticeable number of women who opened up crop fields in Belo Horizonte in around this time were married to low-level civil servants and the

peri-urban and urban poor of Maputo and Matola. Many others were spouses of migrant workers who worked in South Africa.

The Belo Horizonte case study offers important insights to help us understand how the main drivers of change – population growth and urbanisation, informal land markets, natural disasters and war – transformed and continue to transform the peri-urban and urban landscape around Boane and other major cities. Farmland is still being transformed into residential areas with peasants dispossessed of their land – the main asset of food production and livelihood. This continues to shape the landscape of the peri-urban and urban areas of Maputo, Matola and Beira.

It is only by examining these drivers of change that we can appreciate the rapid development of slums, neighbourhoods for urban elites and neighbourhoods where mansions are built alongside reed huts and makeshift houses. Most Africans who moved to the Maputo area during the colonial period settled in the neighbourhoods without adequate infrastructure and were prohibited from building improved houses. After independence, the number of people who settled in these neighbourhoods skyrocketed as population growth and rapid urbanisation, natural disasters and war in the 1980s and 1990s led to the rapid development of more high-density neighbourhoods around Maputo. Matola is witnessing similar trends as farmland is rapidly transformed into residential areas and surrounding neighbourhoods expand.

# 5

## Case study: Chicumbane (Lower Limpopo Valley)

### 5.1 Introduction

This chapter presents the second case study, the Chicumbane rural area in the Lower Limpopo Valley, about 200km from Maputo. It aims to understand how major drivers of change –commercial agriculture and private businesses in particular – are impacting in different ways on poor people's land access in this area. Drawing on the evidence, we will argue that land concentration in the hands of the Chinese-owned large agribusiness Wanbao Africa Agricultural Development Ltd (WAAD), part of the Wanbao Group, is having an uneven impact on local communities, depending on gender, age and level of reliance on agriculture for livelihood.

We carried out our field research in the Lower Limpopo Valley in 2015. The research focused on five neighbourhoods (*Bairros* 1, 2, 3, 4 and 5) of the Chicumbane administrative post and Chimbonhanine and Magule neighbourhoods in Chongoene administrative post, particularly along the Lower Limpopo Valley, home to large private investments such as Wanbao, a Portuguese-owned cotton company CAFA (Companhia Agrícola do Fomento Algodoeiro) that operates in Magule, and the farmers' association

ARPONE (Associação dos Agricultores Regentes do Ponela) which produces rice in Chimbonhanine.<sup>45</sup>

The research team visited peasant households in Lumane block and Sanimartin land concessions. We conducted 77 semi-structured interviews and submitted 45 household questionnaires, targeting nearly 140 people who were directly or indirectly affected by land evictions. Interviewees included men, women and elderly people.

Women represented the largest group of interviewees, as many men migrate to Maputo and neighbouring countries such as South Africa for work, and mortality rates from AIDS-related causes and tuberculosis are higher among men. Our key informants included some of the Chinese staff of Wanbao; the president of FONGA,<sup>46</sup> a senior official at the Ministry of Agriculture; and government officials at the provincial directorate of agriculture in Xai-Xai city. The research team also visited the facilities of some of the large private investors in the area, such as Wanbao, CAFA, and Sanimartin.

Our fieldwork research in the Lower Limpopo Valley was marked by highs and lows. The highs include the ways in which some of the local authorities and evicted peasants were supportive of this research project. The authorities in Chicumbane, including locality chief, created the conditions our field researchers needed to do their work, and the majority of the peasants who lost their land in that area were eager to share their experiences with us.

The lows included a couple of disruptive incidents intended to derail and sabotage our fieldwork. These revealed the difficulty of conducting field research in Gaza where FRELIMO is the hegemonic party. Many of its zealous members tend to interfere in all social, economic, and political spheres of society. For example, our researchers liaised with a neighbourhood secretary to organise a group interview. Both our researchers and the interviewees arrived at the scheduled time and place. But then the ruling party disrupted interview to host its own meeting with neighbourhood leaders. The peasants who had come for our interview had to attend the ruling party's meeting instead.

Our visits and observations in the Lower Limpopo Valley revealed that areas previously used for peasant household agriculture and grazing areas are increasingly being turned into large land concessions for farming in the hands of few big foreign investors such as Wanbao and medium scale local farmers organised by ARPONE.

The research methods and tools used in this case study are described in the next section.

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45 The African Development Bank is financing the rehabilitation of the Lower Limpopo irrigation scheme. The nature of the policies and mechanisms that will be used to select peasants who will benefit from technology transfer for rice production are still not clear.

46 *Forum das Organizações não Governamentais de Gaza* – Forum of Gaza NGOs, an association of 270 civil society organisations.

### 5.1.1 Semi-structured interviews

A stakeholder analysis identified the main stakeholders for our field research in the Lower Limpopo Valley as: peasant households evicted by large investors, the ARPONE farmers' association, local entrepreneurs, large investors such as Wanbao, CAFA, Sanimartin, local traditional and community leaders, officials from local government, the Department of Agriculture in Gaza and the Ministry of Agriculture, and the IFAD country team.

**Peasants:** The research team developed semi-structured interview guides. During the interviews, we collected profile data on interviewees' socioeconomic composition, gender and place of origin. Interviewees were overwhelmingly women, including elderly women, due to the extremely high rates of male migration for work.

The researchers also asked about land access, whether interviewees had customary land rights or not, the history of land occupation in the area and its nature, land fragmentation and concentration, and survival and coping strategies.

**ARPONE farmers' association:** We developed semi-structured interview guides to ask members of this farmers' association about its history, goals, composition and land access mechanisms. Specifically, we were interested in learning about the advantages and disadvantages of being a member of the association, the relationship between the association and the paraestatal Regadio do Baixo Limpopo (lower Limpopo irrigation authority), local and provincial government officials, Wanbao and the ruling party FRELIMO. We had planned to interview individual women, men, and people who hold positions of power within the association, but this did not materialize because of time constraints.

**Local community and traditional leaders:** We interviewed heads of locality, block chiefs and neighbourhood secretaries to understand the changes in land access mechanisms. Questions raised during our field research included:

- How much power do local community and traditional leaders have in granting land to community members and new residents?
- Does the pressure exerted by new residents and foreign investors with substantial financial resources and political influence erode or undermine the power of local community and traditional leaders?

### 5.1.2 Group interviews

The research team used collective interviews based largely on semi-structured interview guides. Of the 77 semi-structured interviews, 20 were group interviews. The group discussions allowed us to get different views from local peasants on land access mechanisms, land fragmentation and concentration, the impact of large investments, and

coping mechanisms and survival strategies locals use to improve their lives in the face of land scarcity.

### 5.1.3 Household survey

The research team developed a household survey, which was used in Chicumbane and other areas of the Lower Limpopo Valley. In total, the team submitted 45 questionnaires. The codified survey was designed to capture qualitative and quantitative data to augment the other research tools.

## 5.2 Research setting and historical overview, 1997–2014

Chicumbane is a locality or administrative post in Xai-Xai district, Gaza province, southern Mozambique. The district has three other administrative posts: Xai-Xai, Chongoene and Zonguene. Chicumbane is bordered to the south by the Indian Ocean, to the north by Chibuto and Chókwè districts, to the east by Bilene district, and to the west by Mandlakazi district.

With an area of 1,908km<sup>2</sup>, Xai-Xai district had an estimated population of 165,596 in 1997, growing to 206,270 inhabitants by 2005. Chicumbane had nearly 87,882 inhabitants in 2005, which seems to be the the last year the total number of inhabitants was reported (Ministério da Administração Estatal, 2005). Six years later, in 2011, the total population of Xai-Xai district was estimated to be around 230,618 inhabitants (INE, 2011). Table 3 below illustrates the growth of population in five years, between 2007 and 2011.

Table 3: Population of Xai Xai district, 2007–2015

Year	Population	Year	Population
2007	210,638	2012	236,016
2008	215,413	2013	241,540
2009	220,325	2014	247,152
2010	225,390	2015	252,864
2011	230,618		

Source: INE, 2011

Although the figures are not broken down below district level, it is very likely that the number of people in Chicumbane has also increased since 2005. Most people in this area are native Changana speakers and belong to the Tsonga ethnic-linguistic group. Their history is linked with the Nguni migrations north from Zululand in the 1820s and 1830s, which eventually led to the emergence of Gaza state (Cobbing, 1988; Wright, 2006).

Chicumbane is in the Lower Limpopo Valley, “one of the most important agricultural areas in Mozambique” (Roesch, 1988:74). In the 1930s, the colonial government “installed drainage, irrigation and flood control for the marshy plains of the valley” (Roesch, 1988:74) to take advantage of its potential, and introduced cash crops such as rice using forced (mainly female) labour. The emphasis on cash crops and the use of forced labour were a disincentive for the vast majority of peasants in the lower Limpopo Valley, who preferred to travel to South Africa as migrant labour. Colonial farms could not compete with the wages offered in the South African mines.

Migrant labour was central to the economy of this region, and farming came second except for a small group of progressive peasants known as *machambeiros* who owned ploughs and oxen. Labour shortages were one of the constraints to the development of colonial farms and ‘African capitalist farmers’ throughout the Lower Limpopo valley. Until the end of the colonial period, peasant household agriculture remained poorly developed while “African capitalist agriculture was undercapitalised and constrained in its growth” (Roesch, 1988:74–75).

After independence in 1975, the mass exodus of white settlers who controlled the most important sectors of the colonial economy, caused widespread economic crisis across the country. In rural areas, particularly the Lower Limpopo Valley, the disintegration of colonial farms and plantations was followed by white settlers deliberate destruction of existing irrigation infrastructures and agricultural equipment, disruption of commercial networks, and unemployment.

## 5.3 Drivers of change in land access in Chicumbane

A number of factors have changed the socio-economic and cultural composition of Chicumbane’s population over the years.

### 5.3.1 Post-independence economic crisis

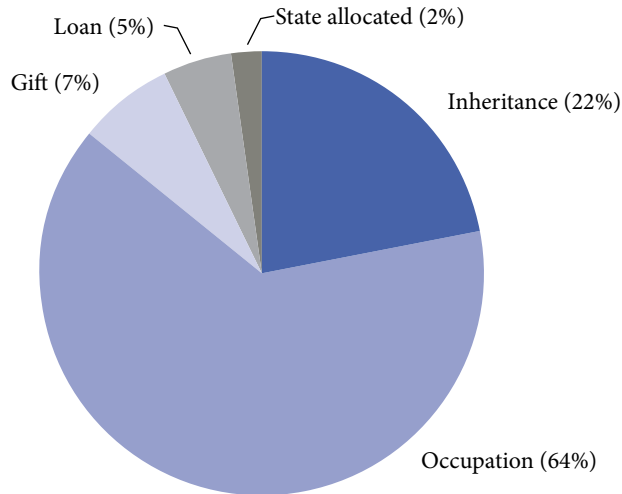
Shortly after independence in 1975, as the Portuguese settlers were leaving the country, a number of peasants moved in and took over the abandoned colonial farms and plantations. For some, these actions were justified, since colonial farms and plantations had been established in areas that belonged to their ancestors before the Portuguese



colonial authorities expropriated the land in the 1950s (Hall and Young, 1997; Hermele, 1988; Silva, 1992). Peasants had supported the struggle for independence to get their land back; the mass exodus of white settlers and the disintegration of the colonial economy gave them access to the most fertile land in Chicumbane. Figure 6 shows that 64 per cent of our 45 respondents took over the abandoned colonial farms and plantations. Massossote Tamele described how he acquired land in 1975:

“I took over that land. It belonged to a company called Luzirias, but when FRELIMO came to power, those grazing areas ended up in our hands. We used to farm and put our cattle out to graze. Some people had goats and others cows. People grew maize, beans, cassava, pumpkins, sweet potatoes, okra, kaffir beans and lettuce.” Interviewee, Bairro 3 Chicumbane, 4 March 2015.

Figure 6: Forms of land occupation in Chicumbane



Source: Fieldwork data, 2015

The rush to acquire abandoned farms and plantations was precipitated by the sudden collapse of the colonial economy, which caused an economic crisis marked by the disruption of commercial networks that were dominated by Portuguese shop owners in rural areas. Their departure caused a shortage of foodstuffs and basic consumer goods. This crisis was compounded by the decline of migrant labour to South Africa, an important source of income and livelihood for local rural households (Roesch, 1988:74–75).

### 5.3.2 Natural disasters

Southern Mozambique is prone to cycles of floods and droughts, and natural disasters have transformed the Chicumbane's rural landscape. Two big floods in 1977 and 2000 wrought widespread damage to infrastructure and displaced several thousand people in

many parts of the country, particularly along the main rivers (Christie and Hanlon, 2001; Coelho, 2004). The 1977 floods dislodged thousands of people in Gaza province along the banks of the Limpopo River, forcing many peasants to abandon their ancestral homes, farmlands, trees and sacred sites to relocate to safe areas such as Chicumbane. Although we do not know how many people settled in the area because of floods, there is no doubt that the influx of peasants from other areas increased the demand for arable land, transforming the local rural landscape. Our interviewees told us:

“Many arrived here because of floods that affected their original neighbourhoods in 1977.” Interviewee, Bairro 3 Chicumbane, 4 March 2015.

“Most people arrived here because of floods, but that was not the case with my parents.” Interviewee, Bairro 3 Chicumbane, 4 March 2015.

“I came over here because of floods in Bilene. Some people also came here because of floods of 1977.” Interviewee, Chicumbane, 5 March 2015.

After 1977, smaller floods followed and then in 2000, devastating floods wrought havoc in vast areas of Mozambique, destroying roads and bridges and displacing several thousand people. Large areas of the country – particularly floodplains, riverbanks and lowlands – were under water for months, making communications between different parts of the country impossible (Christie and Hanlon, 2001).

In the Lower Limpopo Valley, people’s lives changed dramatically after the 2000 floods. As parts of Chicumbane are on higher ground, thousands of displaced rural dwellers resettled in the area. Again, it is difficult to know the exact number of people who resettled in the area due to flooding elsewhere. In emergency situations, particularly natural disasters, rescue teams’ priorities are moving people to safety and providing immediate assistance in the form of food, medication and clothing. Many people look for safety on their own initiative, as was the case for many of the peasants who settled in Chicumbane after the floods. Either way, the influx of peasants in the area increased the demand for arable land, as one of our interviewees remembered:

“After 2000, this area was flooded and we decided to invade those areas. We knew they belonged to a white settler, but the area was idle. Before this, white settlers would graze their cattle there. After we had invaded those areas, community leaders got involved.” Interviewee, Bairro 3 Chicumbane, 4 March 2015.

### 5.3.3 Post-colonial policies

The 1977 floods provided an ideological justification for FRELIMO’s socialist agenda to forcefully set up state farms, cooperatives and communal villages along the lower Limpopo valley, particularly in Chicumbane.<sup>47</sup> Peasants displaced by floods elsewhere

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<sup>47</sup> Similar processes took place across the country. See Hall *et al.* (1997), Casal (1991), and Coelho (1993).

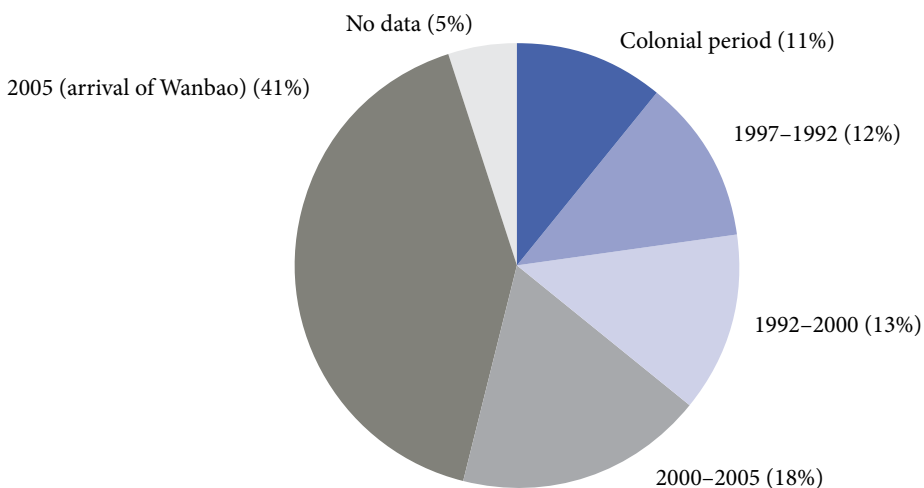
were encouraged and later forced to live in communal villages. Although they were encouraged to use collective forms of food production, a substantial number still worked in their household fields. This socialist agenda, on top of natural disasters, helped transform in significant ways the rural landscape in the lower Limpopo Valley, particularly in Chicumbane.

After independence, government economic policies towards rural areas rested on state farms, cooperatives and communal villages. These had failed by the mid 1980s (Casal, 1991;1996; Cravinho, 1998; Geffray, 1991; Hall and Young, 1997; Hanlon, 1990). Efforts to rehabilitate irrigation infrastructure in the 1980s and 90s to put the Lower Limpopo Valley back in full production also failed due to financial constraints and inadequate institutional reforms. The 2000 floods caused greater damage to irrigation canals, making commercial and irrigation-fed agriculture almost impossible (Ganho, 2013a). This explains, in part, why vast areas of Lower Limpopo Valley, particularly in Chicumbane, remained largely uncultivated and in a state of near stagnation. Peasants who moved in after the 2000 floods started farming these neglected areas:

“I came here with my husband in 2001 ... I lived off farming from when I first arrived ... Most people here come from Bila and because of floods ... That area was bush and we didn't know that it belonged to someone because the old owners were white settlers who had already left. We invaded the area and started farming because we were hungry. I started there in 2007.” Interviewee, Bairro 1 Chicumbane, 5 March 2015.

Figure 7 shows when peasants acquired their land in Chicumbane. The majority got their land after 2000.

Figure 7: Phases of land occupation in Chicumbane, 1977–2000s



Source: Fieldwork data, 2015

Other interviewees suggested that many peasants who settled in Chicumbane in the 1980s and 1990s were fleeing the war between the FRELIMO government and RENAMO.<sup>48</sup>

### 5.3.4 Foreign commercial investment: large land acquisitions

The rise of China as a global superpower in the 21<sup>st</sup> century is the subject of intense debate in academic institutions, thinktanks, media, multilateral and bilateral institutions, regional economic organisations and other political forums. China's political and economic engagement with Africa is attracting considerable attention from scholars, activists and decision makers from all political orientations.

Some have suggested that China is pursuing an economic agenda with Africa that resembles Western European colonialism and they discuss it in terms of the continent's recolonisation. Some argue that China's policy of non-interference in African internal affairs – for example, its aid packages with no conditionalities – is undermining and eroding African democratic values and institutions, while others see it as a vital break from external meddling. The narrative around China's relations with Africa tends to have a common thread suggesting that China is seeking cheap natural resources, including oil and coal, to feed its growing industries. Following the global economic recession in 2008 and the consequent rise of food prices, there was a perception that China was looking to acquire vast areas in the African continent to produce foodstuffs to feed its massive population (Herman and Naidu, 2010; Library of the European Parliament, 2013; Marafa, 2007; Taylor, n.d.; Thompson, 2005). Media reports often mentioned Mozambique as an area where the Chinese received large areas of land to grow rice and other crops (Chichava and Alden, 2012).

Rather than delve into this debate, in this section, we will place Chinese involvement in the Mozambican agriculture sector into its historical context to examine the social and economic impact of Chinese-Mozambican agricultural initiatives on poor peasants in Chicumbane. We will argue that the government's policy of investing in irrigation infrastructure since 2003 to take advantage of large areas suitable for irrigation agriculture in the Lower Limpopo Valley allowed it to grant large land concessions to foreign investors such as the Wanbao rice project.<sup>49</sup> Given the high costs of rebuilding and maintaining irrigation infrastructures, the government placed enormous emphasis on private foreign investors maximising the investments they made in the area, particularly in Chicumbane. It is the combination of these factors that appears to form the main driver of change in land use in the Lower Limpopo Valley. Poor peasants who cannot afford to invest in and maintain irrigation infrastructures have tended to be marginalised.

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48 Interview in Bairro 3 Chicumbane, 4 March 2015.

49 For a discussion of the government's investments in irrigation agriculture since 2003 with emphasis on policies, institutional reforms and implications, see (Ganho, 2013a; 2013b).

From the beginning of the 20<sup>th</sup> century to the early 1930s, the Chinese were known for growing vegetables to supply to local markets in Lourenço Marques (now Maputo). White settlers apparently thought the Chinese farmers were dirty and used human excrement to grow their vegetables. The Chinese farmers, who were hard working and produced many foodstuffs, became the envy of the white settlers, who lobbied and persuaded the colonial government to forbid the Chinese from selling to the markets on the grounds that their crops posed serious health risks (Zamparoni, 2000).

Chinese investment in Mozambican agriculture in the form of foreign aid started soon after Independence in 1975. Bräutigam and Ekman describe the arrival of the first 120 Chinese agricultural experts “to develop 230 hectare of the 7000 hectare Moamba state farm, located about 90km north-west of Maputo, and the Matama farm (3000 hectare) in Niassa province” (Bräutigam and Ekman, 2012: 483–487). These authors go on to point out that, since that time, the Mozambican government has often solicited Chinese agricultural expertise to develop its undercapitalized agricultural sector – and thus question the narrative of Chinese land grabbing in Mozambique.

In 2006, Lianfeng Agricultural Development Corporation from Hubei in China was instrumental in creating a Mozambican subsidiary, Hubei Lianfeng Mozambique Lda (HLM) to run a pilot project to produce cereals (particularly rice) in a 300-hectare plot in Xai-Xai. From 2007 to 2012, HLM expanded its area of rice production, but a lack of financial resources and other technical constraints meant the company sought support from Wanbao Africa Agricultural Development, Ltd, part of the Wanbao Group. Between 2012 and 2013, Wanbao negotiated some 20,000 hectares in the Lower Limpopo Irrigation Scheme for “grain cultivation, processing and storage, disbursing the capital needed for expanding operations beyond Ponela 1” (Ganho, 2013b: 10)

### A rice farm, Chicumbane



Photo by Eusébio Xerinda



Map 2: Land use changes in Chicumbane, 2005–2015



Google Earth  
Imagery  
Date: 13/07/2005



Google Earth  
Imagery  
Date 26/03/2010



Google Earth  
Imagery  
Date 24/05/2015

From the Mozambican government's point of view, Chinese investments in rice production in the Lower Limpopo Valley offer an opportunity to expand the yield of rice per hectare and take advantage of existing and rehabilitated irrigation schemes and facilities. The rationale behind the government's decision appears to be that commercial agriculture is more effective in using and maintaining expensive irrigation schemes than peasant agriculture. The government also believes that the Chinese will transfer much-needed know-how to local Mozambican farmers (Bräutigam and Ekman, 2012, Ganho 2013a; 2013b). Chinese involvement in Mozambican agriculture – particularly in rice production – thus fits within the government's broad economic policy of poverty reduction, economic development and green revolution.

But our field research suggests a different story. Instead of bringing much-needed rice farming know-how and technology to local peasants, the Chinese farmers have become renowned for being insulated. Cultural differences and language barriers appear to pose a serious challenge to communication between the Chinese and local farmers.

The chances of transferring significant levels of know-how and technology to local farmers are low, because large numbers were forced out of the Lower Limpopo Valley to make way for the Chinese rice project. For many, the fertile lands of Lower Limpopo Valley represented their main source of livelihood; they produced a variety of food crops such as maize, corn and vegetables. This sudden loss of their source of livelihood dramatically changed their lives. Figure 8 illustrates when land expropriation took place: it is clear that the arrival of foreign investment in 2000 led to a sharp increase in peasants losing their land.

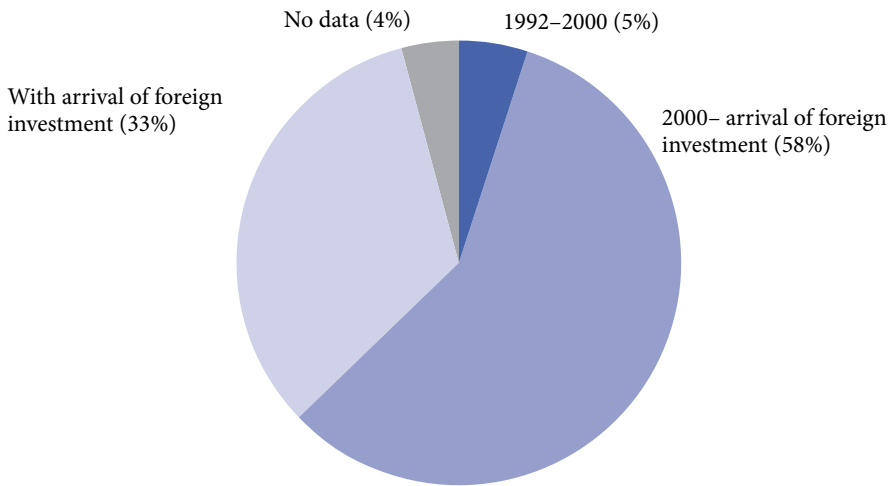
The number of peasants who were directly and indirectly affected by the HLM/Wanbao project in Chicumbane is unknown.

Efforts to reach agreements with local peasants were unsuccessful partly because peasants believed that government compensation for the loss of their land was insignificant. Public consultations were also reportedly dominated by advertising the potential benefits for local peasants without providing significant opportunity to raise major questions (Madureira, 2014: 22).

Although the provincial government tried to compensate for peasants' loss of land by granting them land elsewhere, the plots were generally too small (about 1/4 of a hectare) to meet a peasant household's needs. Also, the peasants we interviewed did not mention having received the DUAT for their new land plots nor any financial compensation.

Concentrating large tracts of fertile land and floodplains in the hands of foreign companies appears to have brought few benefits to local people. We discuss this in the next sections.

Figure 8: Periods of peasant land loss in Chicumbane



Source: Fieldwork data, 2015

Company rice farm facilities in the Lower Limpopo Valley-Chicumbane



Photos by Eléusio Filipe



The view of Lower Limpopo Valley (floodplain and irrigation area)  
from a peasant's crop field



Photo by Eléusio Filipe

## 5.4 Trends in land fragmentation and concentration

In the last ten years, large areas suitable for irrigation agriculture in the Lower Limpopo Valley – particularly in Chicumbane – have been concentrated in the hands of foreign investors such as HLM/Wanbao at the expense of local peasants. Thousands of peasants who relied on river-fed farms along the Limpopo Valley were evicted from their land and given farms in the uplands of Chicumbane, Mugovela, Chirindzene, 3 de Fevereiro, Chiconela, Mutoropa, Languene and Toto. This led to an increasing fragmentation of available arable land in those areas for local and relocated peasants.

The concentration of large areas in the hands of HLM/Wanbao has disrupted local food production in the Lower Limpopo Valley around Chicumbane. Before they were evicted, many peasants in Chicumbane combined river-fed farming in dry season with rain-fed upland crops in the rainy season. With the loss of their river-fed farms, peasants have had to depend on rain-fed agriculture.

Trends in land concentration and fragmentation in the Lower Limpopo Valley have occurred over the years. From the 1950s to 1975, the most fertile and riverfed land was in the hands of colonial settlers. After independence, the government granted large areas of land to state farms. Collective forms of production in cooperatives and communal villages, though under the control of the socialist state, were a form of land fragmentation.

In Chicumbane, trends in land concentration and fragmentation have been influenced by FRELIMO policies towards rural areas, natural disasters, war and large land concessions to foreign investors. The influx of people fleeing the devastating effects of war (1976–1992) and floods (1977 and 2000) led to the fragmentation of available land for agriculture, grazing and housing among peasant households. FRELIMO party officials and local government authorities urged local residents to grant part of their land to new residents to ameliorate the living conditions of internally displaced people.

But there were still large areas of farming land available in the uplands and floodplains, particularly in abandoned colonial farms, plantations and post-colonial state farms. On average, peasant households could still claim more than 1 hectare of farmland. Before large land concessions were granted to HLM/Wanbao in 2006 and again when it expanded in 2012/13, peasant agriculture around Chicumbane appeared to be sustainable.

After the large land concessions, thousands of peasants were evicted from the floodplains and irrigated areas, which led to land fragmentation in the uplands of Chicumbane, Mugovela, Chirindzene, 3 de Fevereiro, Chiconela, Mutoropa, Languene and Toto. Land compensation by provincial and local governments did not take into account peasant household needs in terms of land size. Peasants received smaller land plots than the ones they had lost, making it extremely difficult to feed their families. There is no evidence that peasants received DUATs for the new land or financial compensations.

Emphasis on irrigation and commercial agriculture is concentrating land in the hands of large foreign investors and marginalising local peasant agriculture in the Lower Limpopo Valley, especially around Chicumbane. The situation of the rural poor is deteriorating, particularly for women. There has also been a sharp increase in land scarcity, corruption and informal land transactions involving FRELIMO and government officials.

“There may be some land here for housing. If you need some, you have to talk to the secretary Machava. You can buy some for 30,000 meticaís. But there is no land for farming. The secretary and other leaders have land, but they don't give it to the poor. [...] we have to say there is no more land [here] [...] to farm.” Interviewees, Bairro 3 Chicumbane, 4 March 2015.

Despite the increasing pressure on land in Chicumbane, the area still attracts new residents because it has improved infrastructure, such as access to electricity and water. Ironically, Chicumbane is a preferred area for new settlers fleeing the dire situation in many parts of Gaza province.

## 5.5 Changes in customary land rules and practices

Before independence, and during most of the colonial period, the management of land use and other natural resources in vast areas of Chicumbane was in the hands of the local traditional leaders or *régulos*. They had the authority and responsibility to grant land to anyone who wanted to live and farm in the area. After independence and with the establishment of one party state, FRELIMO's modernising ideology was vehemently opposed to traditional authorities. The party believed that *régulos* were colonial puppets who served the interests of the colonial system and exploited the local population. So they removed traditional leaders and replaced them with party officials.<sup>50</sup> In Chicumbane, this policy quickly eroded and undermined the power of local traditional leaders in land and natural resource management and they still have little say in these matters until today. Our interviewees talked about the changes they have seen:

"In the old days, the *régulo* was Languene and the chief was called Chicumbane. The incumbent leader of Chicumbane locality is Rafael Tchavane. He has no power to grant land ... [Customary practices] started to erode after FRELIMO came to power because before then, we would ask traditional leaders to grant us land or we would cultivate land inherited from our ancestors or relatives<sup>51</sup> ... [Customary practices and rules] are not followed. The power of traditional leader was terminated with the coming of FRELIMO and until today none of old forms of land concessions work ... When someone needs land, he/she talks with the neighbourhood secretary Machava. He takes that person to meet the leader of the *localidade* where he can have access to land for farming or housing. Nowadays, we pay to access land, but when I arrived here in 1972, I was granted land by the traditional leader. [...]. Interviewee, Bairro 3 Chicumbane, 4 March 2015.

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50 In effect, this policy helped to fuel the ranks of RENAMO guerrillas and helped justify the rebel movement's war against the government and and brutal actions against rural people.

51 This has always been the case of very specific areas where there is higher demand for land such as in the peri-urban areas, along the main river valleys, access roads, corridors, etc. In very remote areas across the country, traditional authorities or *régulos* continued to wield power in the management of the use of land and other natural resources. During the 'civil war', RENAMO capitalised on the peasants' dissatisfaction with FRELIMO policy particularly its attacks on traditional authorities and customary practices. In fact, Renamo seem to have gained support and legitimacy from the rural peasantry that lived outside the control of the state and in remote areas. After the end of the war in 1992 and during the first multiparty elections in 1994 and 1999, it became clear that Renamo had significant followers in the most remote rural areas where customary practices and traditional authorities survived FRELIMO attacks. The FRELIMO-led government began to recognise the role of traditional authorities and customary practices in the late 1990s and launched a subtle policy of coopting traditional authorities. Even with the increasing liberalisation of the economy accompanied by national and foreign investments, many remote areas of the country have been left under the control of traditional authorities applying local customary practices. Hence, it is possible to argue that access to land in many rural and remote areas of the country is still governed by local traditional authorities and customary practices (Geffray, 1991; Lundin and Machava, 1995; Metz, 1986; Morgan, 1990; Roesch, n.d.).

FRELIMO party officials and local government authorities wield the power when it comes to managing land use and other natural resources in the area. Money and political connections have become the mechanisms through which peasants and other residents of Chicumbane can access scarce land to meet their basic needs of food, livelihoods and a home. There is no evidence of land being concentrated by individuals – including peasants – buying large tracts of land in the area.

The 1997 Land Law and its regulations aimed to protect the land rights of Mozambican people acquired through customary rules and good faith. They have become increasingly irrelevant in the context of neoliberal dispensation where market forces are the engine of the economy and land transactions. As in Belo Horizonte, local peasant communities in Chicumbane are succumbing to the pressures of more powerful interests.

## 5.6 Implications for local communities

The establishment of Chinese rice projects, HLM and its successor Wanbao between 2006 and 2013 dispossessed local peasants of their land in the Lower Limpopo Valley, particularly around Chicumbane. This was despite claims that the Chinese investments would benefit local Mozambican farmers by teaching them efficient and modern farming methods to increase their crop yields per hectare and ultimately raise their standards of living. The government also claimed that the Chinese rice projects would provide secure employment to local peasants. But our research found that these investments failed to meet local people's expectations of improved living conditions. On the contrary, instead of delivering on promises of development and better living conditions for locals, food insecurity and poverty appears to have increased as local peasants lost arable and fertile land to Wanbao.

Our interviewees talked about empty promises about transferring know-how from Chinese farmers and expressed their frustration and anger for the loss of fertile and productive floodplain land that was vital for producing food crops to sustain their families. Indeed, many of the stories we collected among local peasants suggest that Wanbao has not improved their lives or the rural landscape in Chicumbane:

“Changes! People don't have land for farming; people don't produce because they don't have land. There is no land to grant to the people because the Chinese took all the land ... It's not just the fact that people have less land for farming. Simply said: they don't have land at all for farming. To keep farming, some people need to have a relative in another place where land is available to rent or borrow for farming. People have to make ends meet lately. Many people became more vulnerable and live in poverty; they are poor because they lost their crop fields.” Interviewee, Bairro 3 Chicumbane, 4 March 2015.

As the local peasants have become more vulnerable and poorer, they have devised new coping and survival strategies to make ends meet. Some of the landless peasants in the Lower Limpopo Valley around Chicumbane have been forced to borrow land from relatives and friends who live in relatively remote rural areas where they can produce food crops. *Xitoco* or *rimela* is another survival strategy, where peasant households who have lost their own land farm on someone else's land between 5 to 6 am to 9 to 10 am to receive 50 meticaís.<sup>52</sup>

Peasants who witnessed their fellow farmers being dispossessed are often unwilling to sell their land, preferring to safeguard and secure it for their children. Those who lost fertile land increasingly rely on social kinship networks for mutual support.

Although Wanbao employs an unspecified number of young local people, it is far from absorbing the local labour force. While the company has a preference for recruiting youth, many are still unemployed. The company does not employ older adults, who now rely on the youth in their families if they have jobs locally, or on other kinship networks. Even for those who work at Wanbao, there is no job security and they do not guarantee a living wage. Employment is seasonal, depending on the agricultural cycle and tasks that need to be performed on the rice farms, such as harvest. Of the 45 respondents to our household survey, only one had a job at Wanbao.

Working and living conditions in the Lower Limpopo Valley around the Chicumbane area, particularly at Wanbao, have become increasingly difficult for local people. The lack of effective government oversight in Gaza exacerbates this situation. Although the local government tried to secure some compensation for evicted peasants by granting them land elsewhere, these plots are very small and inadequate for agricultural production because of salt water intrusion and a lack of water drainage to the sea. Only two of our 45 respondents had received compensation for the land they lost.

Many peasants have had to borrow land from their relatives who live far away. They travel long distances to farm in their borrowed fields, sometimes spending two to three days away from their families. As in Belo Horizonte, farming in remote areas increases the burden on women, who have to commute long distances between their homes and fields to take care of their crops, children and household chores.

## 5.7 Implications and impacts for policy and practice

The Chicumbane case study poses important challenges for policy and practice in land management at local and national level, the future of peasant agriculture and the development of commercial and irrigation agriculture in the country.

<sup>52</sup> The exchange rate of 1US\$ = 38/40 MT in December 2015.

Historically, local peasant production systems in Chicumbane combined flood recession agriculture in the floodplains, rainfed agriculture in the uplands, livestock production and income from migrant workers to meet the basic needs of local people.<sup>53</sup> Local peasants took advantage of moisture and nutrients deposited in the floodplains during the rainy and flood seasons to grow a variety of crops. They also cultivated dry-resistant crops in the uplands while waiting for the rainfall, allowing them to avoid the risks of crop failure in the floodplains during times of heavy rainfall.<sup>54</sup>

A substantial number of peasants were also pastoralists who kept cows that helped them on their farms. Peasants also raised cattle as symbols of power and wealth, to propitiate their ancestors and pay for *lobolo* (bridewealth) when entering into marriage.

Labour migration has been an integral and critical aspect of life in Gaza province since the mid-1800s. Engaging in migrant work is a rite of passage and defines masculinity here. When migrant workers return home to the comfort of their families, they bring tools to build improved houses, agricultural instruments, money, food and other basic goods. Investing in land for housing, farming, and livestock production is part and parcel of the worldview of men, women, young adults and elderly people in the Lower Limpopo Valley in particular and Gaza province in general. So when people are deprived of their land and their production systems are disrupted, they feel vulnerable and insecure about their prospects of making a living off the land.

Peasants were always perceived as 'traditional, backward and unchanging' in both colonial and postcolonial government rhetoric. Although FRELIMO's social base of support was the rural peasantry whose support it rallied to fight against colonialism (1962–1974), after gaining political power in 1975, it introduced a modernising socialist policy that rested on state farms, communal villages and cooperatives. The peasantry was to be integrated and absorbed by state farms where they would learn 'modern and scientific methods of food production'.

Peasants were not asked what they thought about these policies: peasants' opinions and ideas did not matter to policymakers. FRELIMO's 4<sup>th</sup> congress in 1983 recognised that peasant or family farming played an important role in Mozambique's food production and supplied nearly 80 per cent of the country's foodstuffs. But this recognition was not matched with financial and technical support.

The transition from a centrally planned economy to a market-oriented one, and from one-party state rule to a multiparty democracy did not change attitudes towards peasant or smallholder farming. There is still a perception among Mozambican policy decision makers and intelligentsia that peasant agriculture is incapable of meeting domestic needs

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53 For an anthropological and historical analysis of agricultural practices of Tsonga speakers including the Ronga and Changane, see Junod, 1996a; 1996b; Loforte, 2000.

54 These agricultural practices are also shared by other riverine communities across the country, for instance, in the Lower Zambezi Valley. See Filipe, 2003.

and exports, which goes some way to explaining the land evictions and marginalisation of the peasantry.<sup>55</sup>

The shift towards commercial and irrigation agriculture driven by foreign investors, such as the Chinese rice project, reflects this longstanding negative view of peasant agriculture. The concentration of large farmland in the hands of a few big foreign and national investors adversely affects local communities, leading to land scarcity and undermining local peasant agriculture and livestock production and increasing poverty and vulnerability.

Although evidence suggests local peasant production systems used to be sustainable and met the basic needs of local peasant households, they were not commercially competitive as they lacked financial resources, agrarian inputs and technical skills. So questions that arise are:

- Is this shift towards irrigation and commercial agriculture that neglects local peasant agriculture systems sustainable?
- Can Mozambique become self-reliant in rice and export the surplus through a capital-intensive, foreign agrobusinesses?
- What will happen to the rural peasantry?

This study found evidence that evicting thousands of peasants from the most fertile lands in the Lower Limpopo Valley is destroying their production systems and increasing poverty.

The Chicumbane case study raises similar land issues as those in Belo Horizonte (Chapter 4). These issues also stem from the lack of implementation of the 1997 Land Law and its regulations. More importantly, political elites and powerful interests have exploited some of the weaknesses and loopholes of the Land Law – such as the mechanisms for consulting with and representing local communities – to take advantage of ordinary peasants.

So it is important to address the gaps in land legislation and promote balanced land and agrarian policies that take into consideration the interests of local communities, national and foreign investors with the view of fostering harmonious and sustainable development. It is vital to:

- Strengthen and make more effective the PEDSA, which focuses on dynamic small and medium farmers with larger-than-average holdings that were secured through occupation (customary or good faith).

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55 Current public debates about the prospects of Mozambican agriculture promoted by the private television station STV, MOZEF0, clearly suggest that peasant agriculture is being sidelined and marginalised. The emphasis is on commercial, mechanised and irrigation agriculture that require intensive capital.

- Provide extension support to small-scale farming, encourage agroecological research and guarantee minimum prices for strategic crops such as maize and rice.
- Ensure the effective implementation of the goals of the Rural Development Strategy, especially the productive and sustainable management of natural resources and the environment.
- Ensure inclusive and effective statutory consultation processes to help local people adequately participate in decision making, and
- Ensure better and more efficient organisation of fiscal data to enable the identification and prevention of unproductive holding of land.

The effective and transparent implementation of the Land Law and its regulations would help prevent land dispossession and marginalisation of local communities, informal land markets, the large land concentration in the hands of national and foreign investors and its adverse effects, including land fragmentation and poverty.

## 5.8 Summary of findings

The concessions of large fertile areas to produce rice in the Lower Limpopo Valley around Chicumbane to HLM in 2006 and Wanbao in 2012 and 2013 are by far the most significant drivers of land use change. Before these large concessions were granted to agribusiness companies, peasants combined flood recession agriculture in the floodplains, food production in the uplands, and livestock farming. They had more than one hectare of land for farming on average, and very few peasants had less than one hectare.

As a result of the large concessions, thousands of peasants lost access to the floodplain areas for farming. They turned increasingly to farming dry resistant crops in upland areas. As compensation, some got land in these areas. Plots averaged a quarter of a hectare, which is very small for supporting a family. Others acquired land plots through extended family and friendship connections. Some of the peasants who received land compensations were granted plots in high-risk areas prone to floods and saline intrusion, making it difficult to farm and harvest food crops. The majority of people who lost their land got no land compensation at all.

With large numbers of evictees forced to rely on upland areas for farming, there was a sharp increase in the fragmentation of available arable land. Our interviewees in Chicumbane complained that their fields in the uplands are very small, and some peasants who used to keep large herds of cattle had to sell some of their cattle as there were not enough grazing areas. With increased fragmentation, shifting cultivation is no longer viable, so farmers switch to permanent agriculture with serious consequences for soil fertility.



Natural disasters and population growth resulting from internal migration as people flee from disaster and war are some of the main drivers of change in land use in Chicumbane. But these did not transform the local rural landscape as radically as the large land concessions to HLM/Wanbao.

Wanbao does not absorb the local labour force and only employs a small number of local youth in seasonal jobs. Many peasants have devised new survival strategies and coping mechanisms in response to these changing circumstances by looking for land to rent in other locations.

# 6

## Conclusions and recommendations

### 6.1 Key findings

Land tenure is rapidly gaining importance in Mozambique. High rates of urbanisation, the surge in some international commodity prices, European subsidies for alternative energy and the prospect of global carbon market incentives have created a demand for large land areas for residential developments, plantations, forestry and biofuels. Combined with a lack of transparency over land values, significant imbalances in information between market participants and minimal land taxation, this has promoted speculation rather than sustainable investment, and the development of large inequalities in wealth and power, both countrywide and within communities themselves. Failure to address these issues will hold back growth and poverty reduction, and reduce efforts to mitigate and adapt to climate change.

Traditional and customary structures are coming under increasing pressure from national and foreign investors seeking land to invest in real estate, agriculture, tourism, mining, and forestry. Despite a progressive regulatory framework, in place since the late 1990s, elite groups and vested interests can still take advantage of the poor and those with less access to information. In some cases, as we saw in the Belo Horizonte study, this includes manipulation of the poor by those who are supposed to protect their interests.

Powerful interests can take advantage of poor communities if the latter have limited access to information on opportunities and safeguards offered under the law. While the regulatory framework has, to a certain extent, kept pace with changes in the country (see, for example, the introduction of new regulations viz-a-viz large scale land acquisitions in Chapter 2.3.2), the rapid structural changes in Mozambique's economy,

high pressure exerted on land resources across the country, and the weak capacity and will for implementing the framework have left the poor and marginalised in a disadvantaged position.

High demand for land in many parts of the country – particularly in the metropolitan areas of Maputo, Matola, Beira and Nampula, the peri-urban area of Boane and in rural Chicumbane in the Lower Limpopo Valley – is causing structural shifts, which are manifested by:

- Vested interests using their political influence and economic resources to reinforce their negotiating power and push to gain access to land that historically or traditionally belonged to local communities
- Rights to access and use of land increasingly given to individuals and companies through market-based transactions, often resorting to informal land deals or acquisitions
- Land value increases due to high demand, especially in areas where high profits can be made through investments in real estate, tourism, commercial farming, forestry, mining, industries and so on
- An emerging new class of relatively better-off peasants who can capitalise on informal land transactions while others are left landless, destitute and in search of a new source of livelihood, and
- The economic, political and intellectual elites from urban centres solidifying their class positions and expanding their influence into rural areas.

With demand for land increasing and land transactions taking place between local communities and outsiders, 'better connected' and 'better informed' groups and individuals will gain access to the best land, while the poor, the less connected, and the less informed are left with:

- Meagre or no compensation from land transactions or for losing their land
- Reduced access to land which is often worse land – although Mozambique is often depicted as land abundant, not all the land is suitable for agricultural production
- Reliance on smaller, fragmented plots that make it more difficult and expensive to produce food crops, and
- No livelihood alternatives – for example, WAAD does not provide secure employment to local youth; urban life is expensive and life conditions are harsh, especially if households cannot rely on the self-production of food.

Local people's rights to land are not being adequately protected by customary or state institutions, particularly in areas where there is high demand for land. This is partly due to the partial and poor implementation of relevant public policies and laws in land

and agriculture. This situation is aggravated by widespread corruption and entrenched attitudes and behaviour from those who have the mandates and responsibilities to implement the legal framework. This is made worse by low access to information, low educational levels, scarce participation and the local population's insufficient capacity to communicate and deal with formal institutions.

Mozambique is undergoing profound transformations, driven by multiple factors that include rapid population growth, urbanisation and economic liberation, and accompanied by the expansion of national and foreign investments and political and administrative reforms marked by limited decentralisation. Together, these factors have increased pressure on available land for different uses in urban, peri-urban and rural areas. Further research is still needed to examine the implications of these kinds of transformations in the medium- and long-term, since they will shape the country's peri-urban and rural landscapes in very important ways.

Our two case studies involved large land developments in slightly different contexts and propelled by different drivers: Belo Horizonte involves high-value residential developments in the Maputo/Matola hinterlands, whilst the changes taking place in Chicumbane are driven by large-scale commercial agricultural interests.

The findings from both our studies are reflective of other parts of the country because of: high economic growth levels and rapidly increasing per capita income among the urban middle classes; consistently high levels of investor interest in obtaining land close to markets and existing infrastructure; and fairly high rates of urbanisation. A large number of large-scale land developments are taking place across the country, and there is a generalised upward trend in the acquisition of land by nationals in and around the majority of urban developments. Transactions in land, although illegal, are increasingly taking place through a variety of mechanisms. But our case studies show that these informal markets are not working for the poor.

The urban sprawl phenomenon appears to be displacing thousands of peasants who used to live and farm in the peri-urban areas, forcing many to seek farmland and grazing areas in remoter areas. These are areas where local traditional authorities and customary rules still govern land access and use. Where demand for land remains largely driven by rural dwellers in their search for farm plots, the situation has changed little over the last decades. Land relations remain predominantly governed by customary rules, which contain similar principles of access, control, use and inheritance, with slight variation. The informal purchase of land is relatively less important as a mechanism of access in these areas: the first clearing of bushlands, loans of land between families, or allocation by local customary authorities are more important. But the increasing demand for land by outsiders, mostly from the peasant communities being evicted from peri-urban areas, is putting local practices under pressure as a result of the increasing commoditisation of land.

The creation and expansion of new municipalities is worsening this situation. For instance, when rural Estevel, a cattle-producing area nearly 55 km from Maputo, was included in the new 100 km<sup>2</sup> Boane municipality, one of its *régulos* decided to sell part of his farms for fear of losing them to the municipality. Similar activities are taking place in other municipalities, such as Manhiça and Zavala.<sup>56</sup>

The last few years have seen a decline in the size of individual cultivated areas in Mozambique; 2012 TIA data shows that land cultivated by smallholder farmers measures on average 1.35 hectares, a reduction since 2008 (MINAG, 2012). With a 10 per cent increase in cultivated land leading to a 3 per cent increase in consumption per capita (Bozzoli and Bruck, 2009), land in Mozambique remains an important factor for food security as households with less cultivated land are at a heightened risk of (food) poverty. A study on the importance of land access for women who have migrated to urban areas to set up street stalls, shows how “cultivation provides a connection to tradition, serves as a cultural identifier, and allows women to earn money in gender-appropriate ways” (Companion, 2012). In the urban/peri-urban context, the importance of small-scale cultivation, as opposed to farming, for female-headed households engaged in vending activities, is rarely recognised and increasingly threatened.

The increasing willingness of rural and remote communities to sell their land, even at relatively low prices, has allowed urban elites to accumulate more land with the pretence of farming and raising cattle, to reserve land for their children and grandchildren.<sup>57</sup> The result is that large chunks of land are being transferred from peasant producers to urban elites, and then left idle.

## 6.2 Lessons learnt

Drawing on the findings of our field research in both cases, which reflect other areas of the country, we highlight eight important lessons.

### Lesson 1: The drivers of change are often multiple and localised

Land use changes taking place across the country are influenced by a number of drivers. The landscape of Boane changed rapidly in the early 1990s, as the result of:

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<sup>56</sup> This issue was raised by a Mozambican lawyer and activist while discussing impacts of land access, land tenure and customary rights in the new municipalities. Conversation in Utrecht (Netherlands), 9 July 2015.

<sup>57</sup> In Maputo, parents often say: “I am going to buy land for my children and grandchildren. We don’t know what the future holds.”

- Displacements from the 1976–1992 war
- Natural disasters that had forced thousands of rural dwellers to move to urban and peri-urban areas around Maputo and Matola in the 1980s, and
- The natural growth of these two conurbations, including high-density neighbourhoods, on the back of rapid economic growth and development.

A substantial number of displaced peasants who had fled their ancestral homelands settled in Boane. To make ends meet, they took over grazing areas abandoned by bankrupt state farms and turned them into farmlands, where they produced a variety of food crops. The next wave of change was driven by the wholesale transformation of these agricultural smallholdings into high-value residential plots.

## Lesson 2: The peri-urban poor depend on access to land for their survival

In most of the country's major cities, the peri-urban (and even the urban) poor continue to rely on access to agricultural land. This gives them a buffer against the shocks of urban life, allowing them to grow food for their family and sell any surplus at the city market. This is the case in Belo Horizonte, where many of the female peasants who opened up crop fields were married to migrant workers who worked in South Africa. Others were the wives of low-level civil servants whose living standards deteriorated in the wake of the 1987 economic adjustment programme.

## Lesson 3: Property developers, attracted by large profit margins, are driving the transformation of peri-urban areas

Organised urban elites, often connected to local authority bodies, are capturing the added value when land is transformed from agricultural to residential use. In Belo Horizonte, Imobiliária de Umbeluzi SARL, a Mozambican property developer with ten shareholders (including Vetagro, with 25 per cent of shares) is behind the process of urbanisation of areas that previously belonged to Vetagro.

## Lesson 4: Smallholders and poor land users are often exploited by everyone, including those purporting to help them

Despite a protective policy framework, the common pattern is that poor people are dispossessed of land that is deemed to have high development potential, for residential, commercial, or agricultural purposes. Community consultations before the establishment of powerful interests such as HLM and WAAD have been skewed and served to build legitimacy for the acquisition of land through the dispossession and eviction of peasant occupants. For those facing eviction, consultations represent an important mechanism to

protect their land rights, whereas for these with powerful interests, they are an entry point to access land.

This process often generates conflict at a local level, and local authorities and other stakeholders are forced to intervene. But the outcomes of such 'mediated' processes are often the same: less sophisticated and less informed peasants lose out to the educated elites, who employ a mix of subtle intimidation and outright manipulation. In the Belo Horizonte case study, even members of peasant association management committees and local NGO staff appear to have materially benefitted from these mediated processes, to the detriment of the peasants.

### **Lesson 5: Official policy supporting smallholder agriculture is rarely honoured in practice; large-scale commercial ventures still attract support from national and local level officials, despite their impact on local livelihoods**

Large fertile land concessions to private agribusiness remain the favoured approach in some government circles, despite evidence that such commercial ventures are rarely successful and usually lead to conflict. The HLM and Wanbao rice concessions are by far the most significant drivers of change in land use in Chicumbane. Before these large concessions were granted, peasants combined flood recession agriculture in the floodplains with upland food production and livestock farming and most had more than one hectare of land for farming on average.

### **Lesson 6: While large areas remain available to the rich, land fragmentation is an increasing reality for the poor**

Land consolidation and fragmentation go hand in hand. So while the rich and powerful consolidate land, the poor find their access to land is increasingly fragmented. One immediate consequence of evicting thousands of peasants in Chicumbane was that they lost access to floodplain areas for farming and were forced to rely on farming dry resistant crops (such as manion) in upland areas. Although some peasants received land compensation elsewhere, these averaged only a quarter of a hectare, which is extremely small for supporting families of five or six. Others acquired substitute land plots through extended family and friendship connections. Many of those who got land elsewhere found it was in high-risk areas prone to floods and saline intrusion, making it difficult to farm and harvest food crops. Most people who lost their land did not receive land compensation.

With large numbers of evictees forced to rely on upland areas for farming, there was a sharp increase in fragmentation of available arable land. Peasants interviewed in Chicumbane complained that their upland fields were very small, and some had to sell

their cattle due to the lack of grazing areas. Increased fragmentation also makes shifting cultivation unviable, leading to serious consequences to the fertility of the soils.

## Lesson 7: Most of the transformations are negative for the poor

Farmland is being transformed into residential areas and peasants dispossessed of their land across the country, shaping the landscape of peri-urban and rural areas. The structural shift from agricultural to real estate development, allocating large plots to luxury homes and condominiums, is unsustainable in the long term since it drastically reduces access to arable lands.

In Belo Horizonte, local government officials and private sector companies claimed that local peasants would be employed on the construction sites. But, as is often the case in new neighbourhoods, most construction workers in Belo Horizonte were brought in from outside. Locals are marginalised for not having the technical skills and training to do the required jobs.

The WAAD rice venture does not absorb the local labour force either, and only employs a small number of local youth in seasonal jobs. Those who have got jobs there are on extremely low wages that hardly meet their families' basic needs.

## Lesson 8: Increasing land scarcity is undermining local indigenous food production systems

With less land available for agriculture and grazing, people are switching from shifting to permanent cultivation on land that is far from home. Many peasants of Chicumbane have been forced to borrow land from their relatives, often travel long distances to farm in these borrowed fields for days at a time. They have devised new survival strategies and coping mechanisms in response to these changing circumstances. Many are looking for land to buy, rent, or work on in other locations, but available land is increasingly scarce as owners safeguard land for their children.

## 6.3 Recommendations

Mozambique already has many reasonable policies and legal frameworks for land administration, land use planning and environmental management, all of which are designed to safeguard and regulate who gets how much control of resources. But there is no real understanding or appreciation of the social, economic, and cultural costs to poor communities of losing access to natural resources.



While some policies – for example, land use planning – are badly applied through a lack of experience and training among implementers at all levels, there are other obstacles to the equitable balancing of interests. The ruling party and its related elite social groupings have for many years presented themselves as the best qualified sector for bringing about development. This opens up space for political and economic interests to impede the implementation of pro-poor policies, and for elite interests to prevail in access to and control over resources. To address the adverse impacts this has on communities – particularly the peri-urban and rural poor – and to ensure the country's sustainable development, we believe that:

- There is a need for greater political will and stronger institutional capacity and commitment to the implementation of the legal framework for land, particularly to recognise land rights acquired in law and the role of traditional and community authorities in the management of the land use and other resources)
- Legal and policy gaps and inconsistencies in the nature and form of local community representation need to be addressed to reduce opportunities for elite capture of rights and benefits at local level
- There needs to be a systematic regularisation of land tenure in areas where investment or gentrification are likely to transform landholding patterns
- Clear and transparent guidelines for the award of DUATs over communal areas and loopholes in the legislation must be closed, particularly where members of peasant associations transfer specific plots to 'new' members
- The state should implement PEDSA, focusing on support for small and medium farmers who have secured land rights mainly through customary or good faith occupation, and
- Effective, proactive and inclusive land use planning and territorial processes need to be implemented so that land awards are supported by overall assessments and balancing of interests.

A key issue for Mozambique, now and in the future, is the state's role in developing strategic responses to the increased demand for land. In fulfilling its responsibility for overseeing investment strategies in rural areas, it must balance potential opportunities with possible threats, and ensure that the economic development of rural areas is not at the expense of local livelihoods and aspirations. With planning and administration of urban land equally important in ensuring the sustainable development of rapidly urbanising areas, the state will need to focus on both land administration and land use planning processes.

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# Research Report

2017

**Law, Land acquisitions and rights**

*Keywords:*

Land grabs, land acquisitions, land tenure, livelihoods, Mozambique

In Mozambique, changes in land access and use are shaping new landscapes, often at the expense of the poor. Despite progressive land legislation, elite groups and vested interests are consolidating land holdings while peasant producers are being dispossessed of their land and access to fertile plots is becoming increasingly difficult. As national and foreign investors seek land for housing, real estate, agriculture, tourism, mining and forestry, what is the state's role in responding to these increased demands? While overseeing investment strategies in rural areas, the government must balance opportunities with possible threats, and ensure that economic development is not pursued at the expense of local livelihoods and aspirations. This research report proposes that policy must focus on improving land administration and land-use planning processes – understanding and appreciating the social, economic and cultural costs to poor communities caused by the loss of access to natural resources.

IIED is a policy and action research organisation. We promote sustainable development to improve livelihoods and protect the environments on which these livelihoods are built. We specialise in linking local priorities to global challenges. IIED is based in London and works in Africa, Asia, Latin America, the Middle East and the Pacific, with some of the world's most vulnerable people. We work with them to strengthen their voice in the decision-making arenas that affect them – from village councils to international conventions.

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Investing in rural people