

Setting boundaries

Legislation of communal pasture areas

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Importance of land legislation

Prevent **'land grabbing'**, e.g. use of land by outsiders for timber firms, agriculture, sport-hunting and ecotourism.

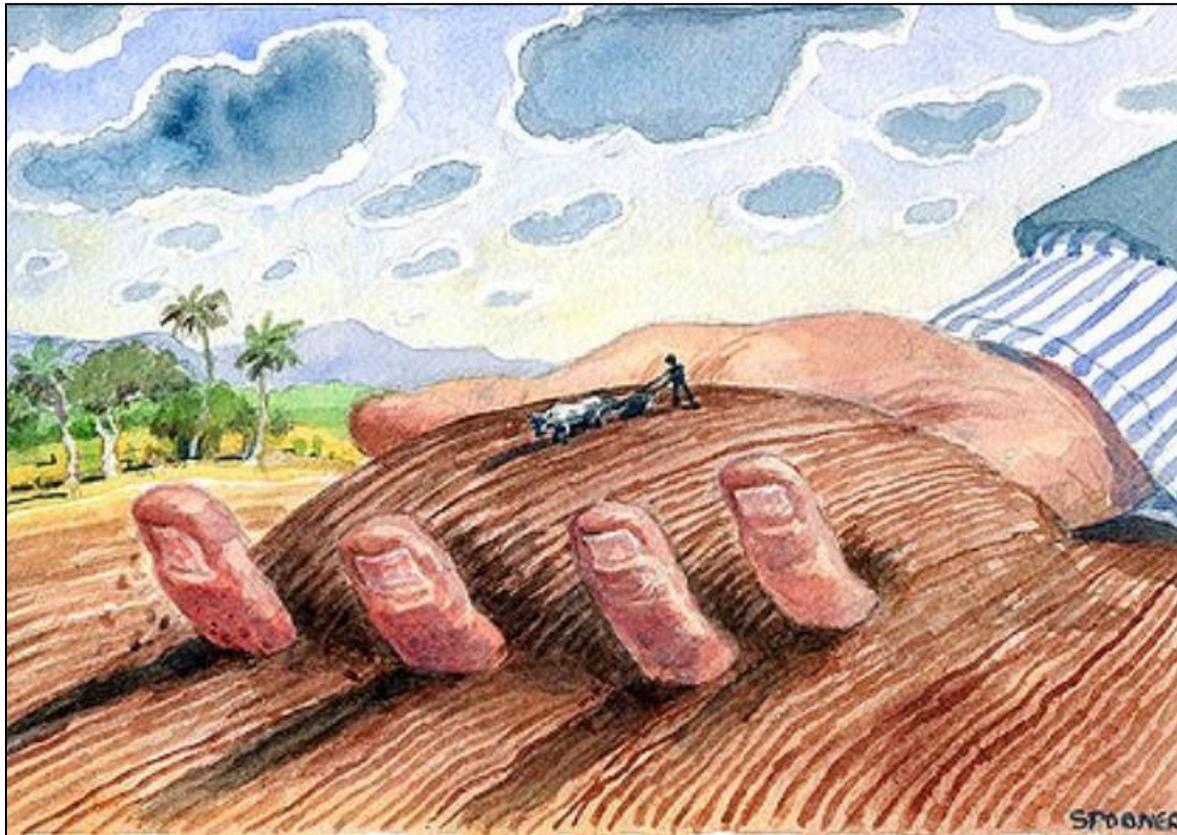


Illustration: CIAT 2011

Importance of land legislation

Mozambique (since 1990s): establish the inalienable rights of local people to their land which protects and enfranchises **smallholder farmers**.

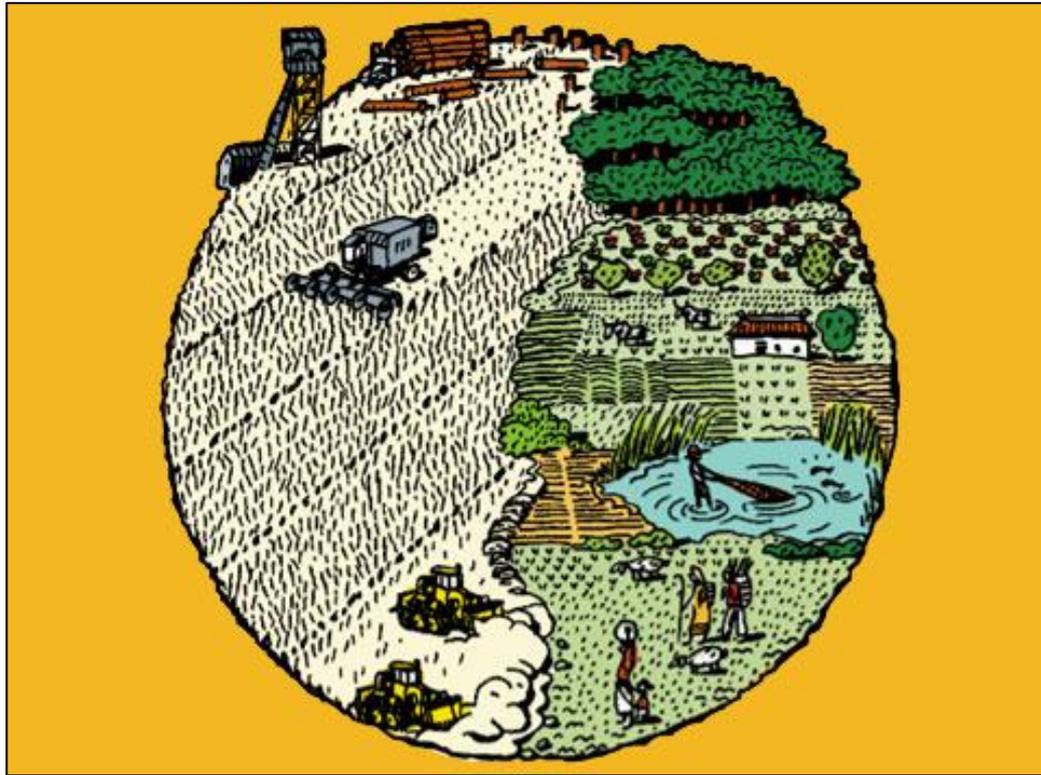


Illustration: Ecologist 2011

Importance of land legislation

Community members can then define the terms of any joint activities they might undertake with **outsiders as well as other community members.**



History of community

- Take into account the history, culture, and organisational structure of the communities:
- Were the pasture areas used *before* the civil war?
- How did the use of the pasture areas develop *after* the civil war?
- Who is using the pasture areas currently?

Usage of the areas

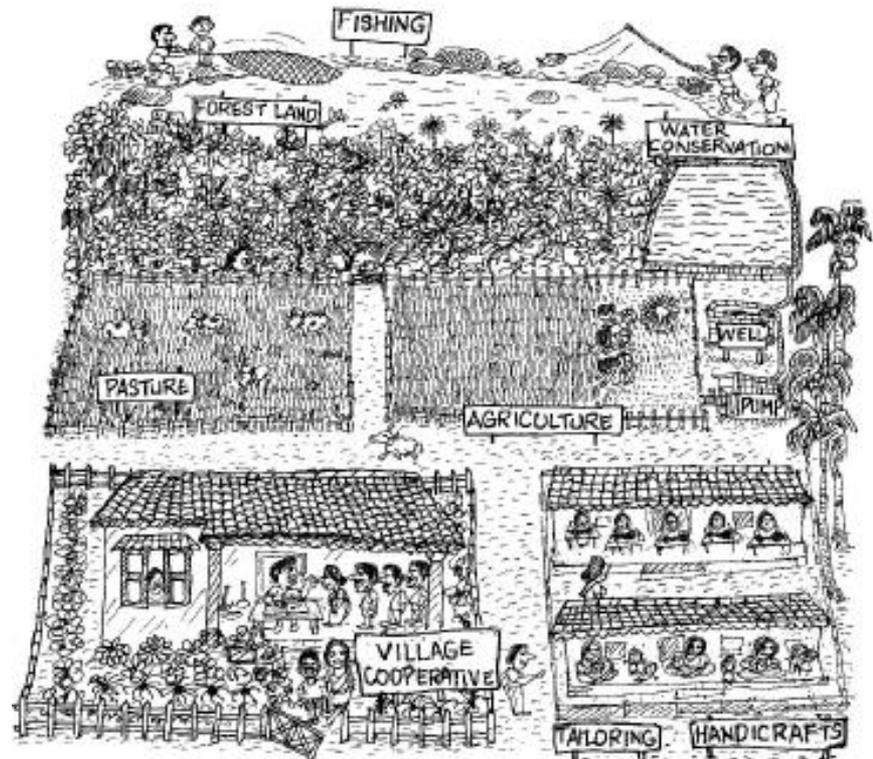
- For what purposes are the identified areas currently used?
 - Animal grazing?
 - Cut fire wood for cooking?
 - Hunting?
 - Cut grass for houses and mats?
 - Other?



Usage of the areas

Do these functions maintain when it is identified as a pasture area?

E.g. is it still allowed/possible to cut fire wood for cooking?



Land ownership and use rights

- The **control** over water, forests, wildlife, and land are, by their very nature, **political**.
- **Male lineage heads** accumulated subjects (e.g. land) through marriage, procreation, and various forms of economic dependence

Land ownership and use rights

It is important to make it explicit that women have rights to resources.

It's not enough to assume that they have full use of "household" or husband's resources.



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Land ownership and use rights

When market values of resources increase (e.g. goats) , people with weak property rights (like women) can lose out

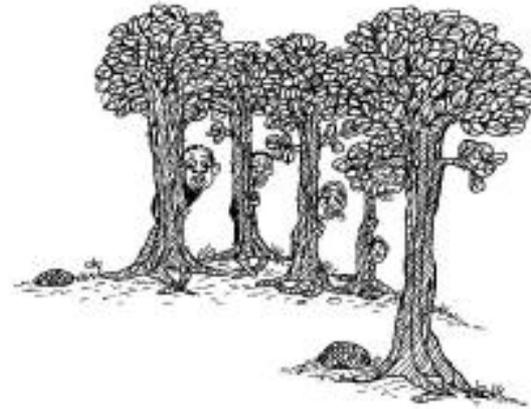


Land ownership and use rights

- How is land ownership organised in the community?
Inherited?
- Who is entitled to use the land?
- How is land access to *communal* areas organized?
- Who is excluded from access? Why?
- Are people willing to share with others?

Land ownership and use rights

The very poor lack the resources to invest in social relationships and are often excluded from local networks



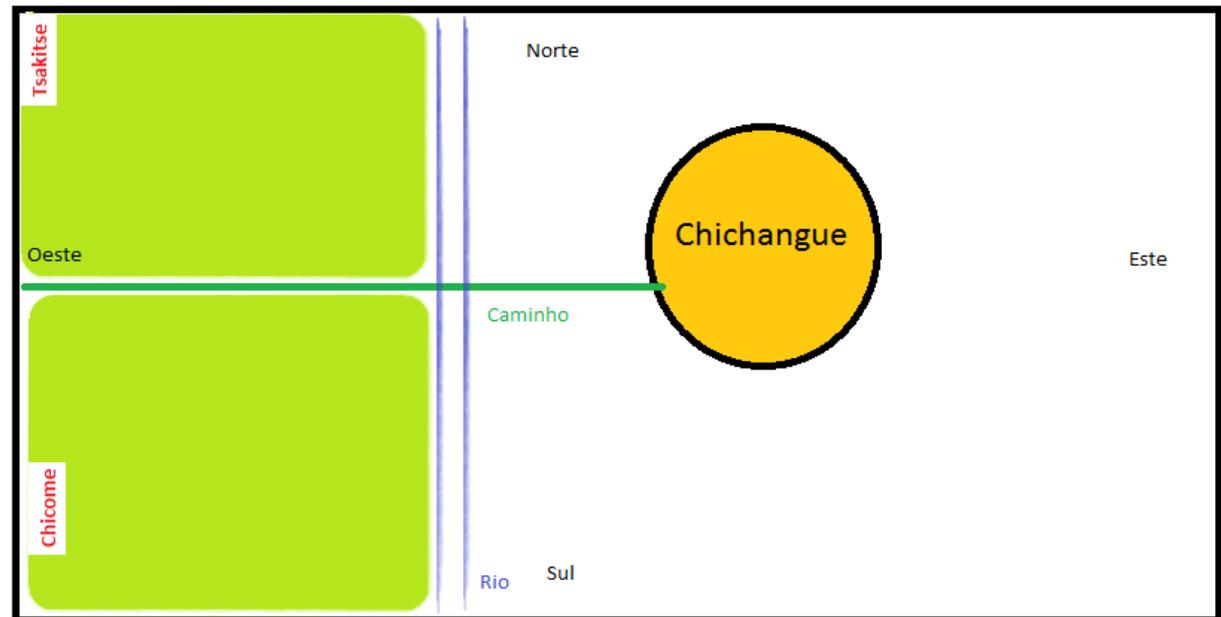
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Drawing boundaries

- Who will set the of boundaries of the pasture area?
Can lead to **exclusion of people**
- How are these boundaries defined? Often boundaries are 'blurred'.
- What in case of land overlap between communities?
 - E.g. in Vulanjane and Cachane there is a overlap of pasture areas, the exact border is unclear. Producers of both communities use the same area for goat grazing. This can be fine on the short term, but if herd sizes increases and feed becomes scarce (risk of overgrazing), this could lead to **(violent) conflicts**.

Drawing boundaries

- Maps of community members and cadastre maps may look different



- How to mark the area? Fences? Cornerstone?

Government

- In general, cadastral politics in Mozambique are in favour of smallholders
- What is the position of the local and national government with regard to CPA in Inhassoro district?

Next steps/discussion

NGOs, local government and other development actors are important players in natural resources policy formulation and implementation

- What can we as project team do to facilitate the legislation of the pasture areas?



Sources

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