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**Status of land ownership, land conflict, and perceptions and knowledge about the land law in Mozambique: Analysis of nationally representative data to assess the impact of land policy monitoring and capacity building activities**

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# Status of land ownership, land conflict, and perceptions and knowledge about the land law in Mozambique: Analysis of nationally representative data to assess the impact of land policy monitoring and capacity building activities

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## BACKGROUND

- After more than 20 years of successive efforts, the Government of Mozambique finally passed the Land Law in 1997. Some of the salient features of this law include:
  - State ownership of all the land. Government grants use rights to individuals, communities, and companies in the form of leases that can last up to 100 years (known as DUAT)
  - Land with a DUAT is transferable but cannot be sold or mortgaged
  - The government can issue use rights to freehold occupants who can demonstrate continuous land occupancy for more than 10 years
- However, implementation of this law has been slow and regulatory and cadastral functions are not affordable by the population at large.
- The underlying rights of existing occupants, if they do not have a formal DUAT are not registered or recorded. This means that sporadic applications may be made over existing rights.
- There is currently no formal land user rights registry system for the majority who already occupy the land and no provision for systematic registration. This is an important feature of current land administration in Mozambique and is the source of several of its problems.
- The Land Tenure Services Project under the Compact of the Millennium Challenge Account (MCA) signed in 2008 is designed to address many of these constraints and limitations of the land administration system in Mozambique.
- To assess the impact of the Pillar I (policy monitoring) and Pillar II (capacity building) activities of the Land Project, a baseline survey was conducted in 2008. This study presents the results of this baseline survey.

## OBJECTIVES

The objective of the baseline survey is to assess the status of land ownership, land conflict, and perceptions and knowledge about the land law in Mozambique prior to the implementation of the Land Tenure Services Project.

## DATA

- The baseline assessment towards the impact evaluation of Pillar I and Pillar II activities of the Land Project is drawn from the 2008 National Agricultural survey. (TIA). The data used in this baseline analysis are drawn from the TIA modules E1 (Plots/Parcels and pasture land during the 2007/08 agricultural season), E2 (Possession of land plots/parcels during the 2007/08 agricultural season), E3 (Fallow plots, rented-out land and pasture land during the 2007/08 agricultural season) and F (Total plot/parcel area, crops grown and area they occupy, field measurement, and input use). In addition, a module on land law was specifically added to the survey as an Annex and data were collected either as part of the TIA survey or as a supplemental survey by visiting the same households in early 2009
- The sample includes a survey of 11,164 cultivated plots across 5,968 households across 10 provinces in Mozambique

## OVERALL IMPACT EVALUATION APPROACH

The application of rigorous method of impact evaluation for Pillar I and II activities is constrained by both the nature of the activities being evaluated and the data to be used. Given the universal coverage of Pillar I activity and the pre-selected provinces, districts and municipalities for Pillar II activities, randomization is not an option. Also, since this evaluation is based on TIA data (as a cost-saving strategy), which are not panel data, we cannot apply the more rigorous DD method at the household level. Thus, we plan to use the following approach for the impact evaluation of Pillar I and Pillar II activities.

*Impact evaluation of Pillar I activities:* For the impact evaluation of the Land Project activities under Pillar I we intend to quantitatively estimate the change in the average value of indicators of knowledge, awareness and attitude about the land law and land rights of the population in the country as a whole. The approach we plan to use is called single difference (SD) whereby we will compare the average values of the outcome indicators before the Land Project (2008) with the average values of the outcome indicators after the Land Project has been implemented (2013).

*Impact evaluation of Pillar II activities:* The impact evaluation of the Land Project activities under Pillar II will focus on four northern provinces—Nampula, Cabo Delgado, Niassa and Zambezia, which are targeted by the Land Project. The other provinces in the country that only received Pillar I activities will be considered as the 'control' group. Due to the cumulative execution of both Pillar I and Pillar II activities in these four provinces, the IE design will try to assess the 'incremental' change in outcome indicators in the four 'treatment' provinces as a result of Pillar II activities. The approach we plan to use is to compare the average values of the outcome indicators in the four provinces with the average values of the outcome indicators in the rest of the country before the Land Project (2008-09) and after the Land Project has been implemented (2013). This is similar to the Double Difference approach, but without controlling for the household level fixed effects (since the 'before' and 'after' data will not be collected from the same households). But since the average values 'before' and 'after' interventions will be representative at the provincial level, this approach still provides a valid method to estimate the impact of Pillar II intervention if the assumption that the (average) unobserved heterogeneity in the population is time invariant and uncorrelated with the treatment effect is satisfied.

## RESULTS

- The land market is "thin". Land access through purchasing, borrowing/renting represents only 13% of land acquisition methods in Northern Mozambique.
- The possession of land use rights is limited, as only 1% of parcels surveyed has acquired DUATs, (or land use rights).
- There is a growing interest in obtaining land use rights, representing 16% of the respondents. However, those interested face several constraints including lengthy process in the northern part of the country (11.5 months) compared to other parts (5.2. months); lack of knowledge on where and how to apply for DUAT.
- Land conflicts (current/past) were experienced on 4% of the parcels surveyed, mainly regarding parcel boundary demarcation issues in agricultural parcels.
- In terms of potential conflicts, about 6% of surveyed parcel holders anticipated conflict in future with highest rate observed in the capital Maputo (17%) in the south region and in Cabo Delgado province in the North (10%). In general, the main source of conflict include neighbors (40%), relatives (21%), and government (14%).
- On average, about 15% of parcel holders have knowledge about the land law. However the percentage of those who were knowledgeable about the specific content of the Land Law is less than 10% for the whole country.
- The major source of information about the Land Law is the local leaders.
- The majority (72%) of the respondents perceived that women have same rights as their brothers in inheriting land rights from their parents.
- About 64% of the respondents (correctly) perceived that women have right to maintain the piece of their husband's land in case of divorce.
- About 56% of the respondents (correctly) perceived that women have rights to apply for land titles in the equal basis as men.

## CONCLUSIONS

The TIA 2008 survey data provide a nationally representative perspective of land ownership, land acquisition, land use, land investment, land conflict and perceptions and knowledge about the land law in Mozambique 'before the MCA intervention.' As a baseline assessment, the analyses highlight two main land related issues in Mozambique:

- Formal land market is thin in Mozambique as shown by lower land access via purchases and rental/borrowing activities; and
- In general, land conflicts are not a major problem as one would expect. However, they are more prevalent in certain parts of the country than others

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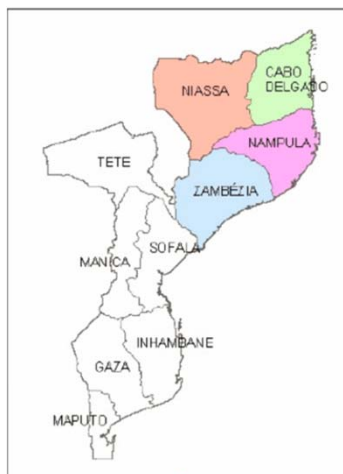


Figure 1. Study Area consisting of 10 provinces

Note: The Four Northern Provinces highlighted are the intervention sites of the Land Project funded by MCA