

Panel to contribute to: Digital Data Technologies and Land Administration: “Good enough tenure” in sustainable forest and land management

Title of the paper: Clarifying and strengthening informal land ownership using the fit-for-purpose approach (Mato Grosso, Brazil)

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Abstract:

This article is about a community in the municipality of Tangará da Serra, in the State of Mato Grosso, that had no titles for their land. They are about 50 small land owners that had adverse possessions of about 20 ha each. The main problem was that the real owner of the whole area (1000 ha) was from Japan and did not come to claim his land. Some of them had tried to regularise their situation, but did not achieve any result.

Evidence shows that it is expected that informality is greater than formal land rights in Brazil, for both urban and rural scenarios. To formalise land rights it can be very time consuming and cost full, which makes it a very challenging task, especially for small holder’s communities that are fragile social and economically.

Given this scenario, INCRA (the national institution for rural land cadastre and certification) is updating its system to incorporate other informal situations of land ownerships in its cadastre SIGEF. The new, inspired by the VGFG from FAO, SIGEF 2.0 will integrate the adverse possessions land use, confronting those informations with the already certified land properties (formal ones) and (if not in conflict) certify informal rural households. By this, INCRA will promote a “good-enough” tenure on land, configuring properties that are in areas that are not conflicting with other land rights and mapping those situations. Although it does not provide legal secure rights, it already testifies that a person has tenure over a property that is not claimed by anyone else.

To address this, a “Fit for Purpose” (FFP) approach was promoted and the aim of the project was to identify the degree of informality in both, urban and rural areas. By testing a method for georeferencing properties within accuracy standards demanded by INCRA, as a viable solution for mapping situations of adverse possession for small holder’s. At the end of the project, plots were mapped with minimum costs, respecting the legislation and all technical requirements. By this, it was possible to estimate the costs for certification and conclude that it is unfeasible to sustain the current legislation, procedures and expansive accuracy standards, if the goal is to have all properties certified by near future.

Keywords: Brazil, Land Governance, Fit for Purpose (FFP), Land Rights, Informality