

Biofuels and land rights in Mozambique – the ProCana case

Access to land for biofuel cultivation is often negotiated with rural communities. Ensuring that sufficient consultation and discussion are carried out and that agreements are respected is a big challenge. This case study from Mozambique illustrates some of the difficulties.

by Lino Manuel and Alda Salomao

PROCANA LIMITADA is the first corporate business permitted to produce biofuels on a large scale in Mozambique. US\$510 million is being invested in 30,000 hectares of land in Massingir district, Gaza province in the south west of the country, for growing sugar cane and constructing infrastructure for processing ethanol. This energy will supplement that produced by the Cahora Bassa dam system and may be exported to Swaziland, South Africa, Zimbabwe, Botswana and Malawi. The business should generate employment for 7,000 people and contribute to the reduction of abject poverty in the country.

These facts and figures are impressive but there is more than meets the eye with regard to the process for granting land to ProCana.

According to the company, the requirements set out for Community Consultation for the Granting of Rights for the Use and Exploitation of Land (DUAT) have been respected. But there is some evidence to show that communities are not fully in agreement when it comes to the decisions

taken regarding land allocation. Members of affected communities stated at a recent meeting organised by the NGOs JA (*Justiça Ambiental*) and UNAC (*União Nacional dos Camponeses*), that ‘agreements’ regarding the delimitation of land are not being respected by the company.

Government and big business

Ideally in this situation, communities should make their grievances known to the state authorities. The consultative councils created within the decentralisation framework should provide opportunities for communities to voice their concerns.

But in this case, ProCana has taken possession of half the land intended for the resettlement of communities displaced by Limpopo National Park. This has led to a further delay in a resettlement process which has been dragging on for the past 8 years. This is a clear example of the government contradicting itself in the way it applies land legislation, as this area was originally

intended for resettlement and not for growing biofuels. This decision calls into question the government's commitment to ensuring the well-being of the communities bordering the National Park.

In addition, ProCana has opened a project office on the premises of the district administrative offices which raises questions over the government's independence. The scale of investment also provides an opportunity for undermining governmental neutrality – a prerequisite for maintaining effective control over implementation of the national legislation.



CTV meeting with villagers in Massingir, September 2008

Frederico Dava, CTV

Are agreements being respected?

In October 2008, the NGO Centro Terra Viva (CTV) met with representatives of five villages in Massingir district – Zulu, Banga, Tihovene, Chinhangane, Condzwane and Cubo. The objective was to discuss communities' perception of: the procedures for community consultation as laid out in the land law, and private-community partnerships.

In general, the village representatives were dissatisfied with what they called encroachment onto their lands by private investors, namely ProCana. The representative of Chinhangane village said "members of ProCana arrived at the village and met with our leader, together with some other members of our community. They were told that they (ProCana) were asking for some land for their activities. Some members of our community were chosen to indicate an area where they could work and the boundaries of that area. Today, ProCana pays no attention to the established boundaries and is in the process of opening up trails which pass close to our houses and destroy cultivated

fields. We have nothing against ProCana establishing itself in our district, on the contrary, we want them to help us to rise up out of the poverty which affects us. However, we demand that ProCana remain within the limits of the land that was ceded to them."

When asked about the way in which the communities came to know of the existence of ProCana and its interest in land, another participant, representing Chinhangane community, said that it was the Massingir district administrator who had introduced ProCana to his village. At a meeting she had announced the company was looking for land where it could work and generate employment opportunities in the district. The population agreed to cede a part of the land that was not in use to ProCana, while retaining other areas for its own activities such as subsistence farming and pastoralism.

CTV wanted to know if the community had been previously informed of the kind of activity which ProCana was going to develop in Massingir and of the extent of the total land

area which it wanted to occupy. The same source said that the community had been advised in advance and that it had had time to select the areas which were later ceded to ProCana. "What worries us at this moment is the fact that ProCana is not respecting the limits we set in the beginning," he stated.

The representative of Zulu village said that the same thing happened in his community. He further emphasised that when some members of the community drew attention to the boundaries of the area ceded to ProCana, company representatives said that they were incorrect because they had already identified these when the area was surveyed from the air. "At that stage we wanted to know how they could have identified the area and its boundaries without consulting us, knowing that it belonged to us. We thought that they would take our position into account following our complaints, but we have seen that that is not the case, since they put in a trail from where they believe to be the true boundary of their land into our land. The zone which ProCana is currently occupying is where we cut the poles for construction of our houses. As a means of compensation we asked that they should build us conventional houses and also dig irrigation trenches and put in sources of water. Up to now we have had no reply to these demands and nobody from that undertaking has been willing to make a promise to do so."

As for Banga village, the meeting participant felt that the information given to his community on the ProCana project was not enough. The villagers were merely told by the district administrator that ProCana wanted to plant sugar cane, without mentioning the area on which this would take place. "We were not told how many hectares ProCana wanted, they merely told us that they wanted land and we, in view of our immediate and future requirements, ceded some portions." He added that the Banga community had

also asked for some compensation in return for ceding the land, but that ProCana had not made any promises.

The representative of Tihovene village, where the district headquarters of Massingir are located, said that the greater part of the village's productive land was taken by ProCana, without the consent of the population.

The representatives of the five villages were unanimous in stating that ProCana failed to respect the boundaries set by the communities on their lands. As a result, CTV asked if during the process of identifying the areas to be ceded to ProCana, the communities were supported by technical assistants from the geographical and land registry services. A member of the Condzwane community said that the population was informed that in due course somebody from those services together with the inhabitants would demarcate the region, but that this had not happened.

CTV is still trying to meet with ProCana representatives and to have access to the community consultation minutes to confirm these statements.

Our thanks to Marina Bond for translating this article from Portuguese.

i For more information visit Centro Terra Viva's website www.ctv.org.mz. Background information is also available at www.bioenergyafrica-ltd.com/Investments/Procana.html

The original version of this article in Portuguese is available at www.iied.org/pubs/display.php?o=Go2479

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