

EDITORIAL NOTE

Dear reader, it is always a pleasure to provide you with updates on the work we do!

On the 10th of July, the Association of Mozambican Consulting Companies (AEMC) participated in the 1st Forum of Engineers of Portuguese-Speaking African Countries (PALOP), whose main theme was “Mobility of Engineers in the PALOP Space”. The event took place at the Montebelo Indy Congress Hotel, in the City of Maputo, for four days, from the 10th to the 13th of July. Its main objective was to promote mutual knowledge of organizations that represent engineers in each country that is part of the group, facilitate professional recognition and create conditions for the mobility of professionals within the PALOP space.

It is impossible to seek the best solutions to social and environmental challenges in Mozambique alone, that is, in isolation. It is important to work together, in harmony, in a democratic and transparent spirit. The different Verde Azul teams, throughout the country, adopt this principle in all the basic work they do. For example, on the 27th and 28th of July, Verde Azul participated in the preparation of the Report on the Meeting of the Technical Committee of the Miombo Declaration. This event was attended by 63 participants, including 10 delegations from the countries that signed the declaration, a team of researchers from the Miombo Network, the SADC Secretariat, representatives and technicians at provincial and central levels from the Ministry of Land and Environment, Ministry of Resources Minerals and Energy, Ministry of Health, FAO, IUCN, World Bank (WB) among other guests.

On the 15th of August, Verde Azul participated in a round table event entitled “Transparency and Accountability in Land Management and Administration.”, alluding to the public consultation process on the draft proposal for the Land Law, the event featured with the participation of more than 50 participants from various national and international organizations and recorded interventions of interest for the development of the Preliminary Draft Proposal for the Land Law.

Best wishes for a great read!

PUBLIC CONSULTATION PROCESS ON THE LAND LAW PRELIMINARY DRAFT PROPOSAL

Round Table: Transparency and Accountability in Land Management and Administration

On August 15, 2023, from 8:30 am until 12:00 pm in the SPEED Program Conference Room, in Maputo, the event Round Table: Transparency and Accountability in Land Management and Administration was held, this event had remote access and virtual participation from the link meet.google.com/ust-vvna-get and was moderated by Kemal Vaz, General Director of Verde Azul Consult, Lda., with Edson Cortez, Director of the Public Integrity Center (CIP), as main speaker and, Gilda Munguambe, member of the Panel of the Public Learning and Training Center (CESP).

Within the scope of the public consultation process on the Preliminary Draft Proposal for the Land Law, the Ministry of Land and Environment, within the legal framework for land, provides for good land governance through effective and efficient management

and administration that promotes and ensures participation of different state and non-state actors at different levels of decision-making, including regulation, inspection, control and accountability, which affect the regime of access, use and exploitation and possession of land, as well as management and administration of land and others natural resources. Similarly, the draft draft revision of the Land Law provides for different instruments and institutions/bodies/forums (e.g. Land Consultation Forum, National Authority for Land Management and Administration, National Land Registry, among others) to land governance.

Transparency and Accountability are fundamental elements in good land governance- a broad concept that covers various management and public administration processes. The relevant principles of good land gover-

nance by rule require public administration models that are robust and interoperable with other governance systems.

Land administration through the National Land Registry must properly and unequivocally integrate the state of land assets (urban and rural) in real time. Today, analogue systems are already outdated and have been replaced over the last 20 years by digital systems. In the land sector since the 2000s, with the need to massively increase land regularization, the first digital systems have emerged such as LAHS (Land Application Handling System), LIMS (Land Information Management System) and in recent years the development of SIGIT (Land Information Management System). However, Mozambique still experiences a hybrid between analogue and digital in the management of the CNT. The challenges of the digital transi-

PUBLIC CONSULTATION PROCESS ON THE LAND LAW PRELIMINARY DRAFT PROPOSAL

Round Table: Transparency and Accountability in Land Management and Administration (cont.)



tion in the CNT are numerous but should be discussed and addressed in this legal review. The future Land Law should contain chapters on transparency and accountability.

More specifically, much discussed is the lack of transparency in the acquisition of DUAT, conflict management, decision making, adjudication of rights, collection of fees and revenues, monitoring of exploration plans, allocation of land to investment projects as well as the need for reserves for national legacy (population increase), state accountability reserves. No less important in this discussion is the contextualization of the influence of political power in the land management and administration process, further contributing to inefficiencies in the management system, increasing time, cost and bureaucracy in the processing of DUATs. Large investment projects cannot override the legal foundations and rights that the law confers on first occupants, occupants in good faith, and customary rights.

During this round table, the distance between reality and current practices and what is postulated in the law was highlighted. There is a need to treat land as a transactional asset following practices at both rural and urban levels. That the fragility of the state is also reflected in national land management. That transparency and accountability are not yet part of the tradition of our

governance systems. That must be clearly evident in the review, the articles that take into account what the round table debate was. Consider, for example, the connection between community planning (Community Land Use Plans – PCUT) made systematically with district land use plans.

Consider the introduction of the concept of project auctions (not land) where the State appears with land plans available for the various types of investment depending on the suitability of the soil and community wishes. It can even be land to promote forestry, fauna, mining, agriculture, energy, etc. The most attractive investment project can be chosen among the many investment proposals. Auctions of this type are already held in other sectors such as Energy (solar and wind energy).

The professional event had more than 50 participants from various national and international organizations and recorded interventions of interest for the development of the Preliminary Draft Proposal for the Land Law.

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Report on the Miombo Declaration Technical Committee Meeting



The meeting of the Miombo Declaration Technical Committee took place on the 27th and 28th of July 2023, at the Avenida Hotel in Maputo, Verde Azul moderated, facilitated and wrote the summary of this regional meeting and was attended by 63 participants, including 10 delegations from countries signatory to the declaration, team of researchers from the Miombo Network, SADC Secretariat, provincial and central level representatives and technicians from the Ministry of Land and Environment, Ministry of Mineral Resources and Energy,

Ministry of Health, FAO, IUCN, World Bank (BM) among other guests.

Of the signatory countries, the Democratic Republic of Congo was not present. The meeting took place over two days, with the first day being reserved for the opening speeches, presentation of the objectives of the meeting, presentation of the Research Panorama and current and future research programs in the Miombo region, presentation of the Forestry Management Strategy of SADC and its contribution to Sustainable

and Integrated Management of Miombo, group work to identify research needs in line with the Maputo Declaration.

The second day was reserved for the presentation of the biennial plans of the countries that signed the declaration, except for Angola and Zimbabwe, which did not present them. Two proposals were then presented and debated, namely: (i) Statutes of the Technical and Ministerial Committee, and (ii) Terms of Reference for the Preparation of the Communication Strategy for the Miombo Declaration.

The meeting on the 28th was closed by the MTA Inspector, Eng. Wetela Jone, and began by thanking all participants, especially the Moderator and the World Bank for their support. He spoke about the objectives of holding the meeting and invited all those involved to reflect and present proposals to improve the proposal for Regulations on the functioning of the miombo technical committee and other documents that were presented.

AEMC Participates in the 1st PALOP Engineers Forum

On July 10th of this year, the Association of Mozambican Consulting Companies (AEMC) participated in the 1st Forum of Engineers of Portuguese-Speaking African Countries (PALOP), whose main theme was “Mobility of Engineers in the PALOP Space”.

The event took place at the Montebelo Indy Congress Hotel, in the City of Maputo, for four days, from the 10th to the 13th of July. Its main objective is to promote mutual knowledge of organizations that represent engineers in each country that is part of the group, facilitate professional recognition and create conditions for the mobility of professionals within the PALOP. Verde Azul is currently a member and Vice-President of AEMC.

On behalf of AEMC, Eng^a. Sarifa Izidine, president of the association, shared with participants the current situation of the consultancy business environment in Mozambique. During his presentation, he highlighted that consultancy companies have faced several challenges, such as delays in paying invoices, poor transparency in the evaluation of public tenders and the undervaluation of local content, despite the existence of local skills. To improve the business environment and create more opportunities for consultancy companies,



Engineer Sarifa Izidine highlighted that AEMC collaborates with the Functional Acquisition Supervision Unit (UFSA), Ministry of Public Works, Housing and Water Resources (MOPHRH), Confederation of Economic Associations (CTA) and other entities linked to the business sector. Furthermore, the president announced that the association is looking for partnerships and financial resources to train local companies according to the ISO 9001 standard, as well as offering other training to improve the quality of services provided. With the purpose of boosting national participation in large projects, Engineer Sarifa Izidine defended the need to establish strategic partnerships

with international companies through “joint ventures”, with the aim of promoting technology transfer and strengthening the local business community. It is important to note that the event was promoted by the Order of Engineers of Mozambique, whose main objective is to regulate engineering activity in the country, through registration, certification and the exercise of disciplinary action and control over professionals in the field. They are members of the PALOP Angola, Cape Verde, Guinea-Bissau, Mozambique, São Tomé and Príncipe and Equatorial Guinea.

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Independent Consulting Services for Quality Assurance of the Land Regularization Process and Support for the Implementation of Aspects of Social and Environmental Safeguards and Conflict Resolution Mechanisms

The Quality Control Manual for Social and Environmental Safeguards, produced by Verde Azul, forms part of the initiative of the Government of Mozambique, Terra Segura with the support of the International Association for Development (World Bank Group), which conceived the MozLand Project (Terra Segura), whose goal is to regularize two million DUATs and delimit 1,200 areas occupied by local communities in seventy-one selected districts, thus contributing to the global goal within the scope of the implementation of the Terra Segura Program.

The Terra Segura Program began in 2015, through different initiatives, being considered an innovative approach based on methodological harmonization between territorial planning, delimitation

of areas occupied by communities and the regularization of individual and collective land occupations focused on rural areas. The MozLand Project also aims to support, in a proactive and privileged way, the registration and regularization of lands occupied by women and vulnerable groups at community level.

Its implementation has another particularity, i.e. although initially cadastral mapping was carried out through cadastre services, today the activity is completely outsourced through the hiring of authorized and licensed service providers to carry out the activity of sworn surveying and delimitation of community lands.

Service providers contracted by the Government within the scope of Terra Segura adopt and follow the methodology

developed by the Government (Ministerial Diploma nº 2/2020 of 21 January), which aims to harmonize the technical, legal and administrative procedures to be observed in all processes delimitation, registration and regularization of areas occupied by national natural persons and local communities in accordance with customary norms and practices and who have been using the land in good faith for at least 10 years.

This methodology is considered the standard tool to be adopted and followed by all government entities, at central, provincial, district levels, and local authorities, service providers, paralegals, civil society organizations and other institutions involved in the DELCOM and RDUAT process in Mozambique.

Highlight that the DELCOM and RDUAT

Independent Consulting Services for Quality Assurance of the Land Regularization Process and Support for the Implementation of Aspects of Social and Environmental Safeguards and Conflict Resolution Mechanisms (cont.)

Methodology applies to all processes of delimitation, registration and regularization of rights to use and benefit from land in areas occupied by local communities in accordance with customary norms and practices, in rural areas. It also applies to the processes of registration and regularization of DUATs of rural and urban buildings located in local authorities, without Public Registration Services, with the necessary adaptations taking into account the special legislation and the respective positions, insofar as they do not contradict the Law.

However, the new Methodology introduces two innovative concepts, of good practices, contributing to greater sustainability of the DELCOM and RDUAT processes, greater adherence and participation of the target public, namely first, through Safeguards, as mechanisms for integrating environmental and social issues in the decision-making process and implementation of activities in the DELCOM/RDUAT process and contribute to participatory and transparent approaches to greater social responsibility. These mechanisms offer specialized tools to support the development process and

improve the quality of results. Safeguards aim to minimize negative environmental and social impacts of programs and protect the interests of beneficiaries and third parties, especially the most vulnerable, as well as improving participatory decision-making.

The second innovation is associated with another function, in addition to the previous ones, which provides greater transparency, systematization and reliability of data and information, resulting from the implementation of the processes and steps established by the Methodology, with regard to the delimitation of areas occupied by communities, and registration and regularization of land ownership rights, establishing Quality Control. Data Quality Control aims to guarantee the quality of the data and products to be delivered, taking into account the established standards and methods, and contractually agreed upon and will be measured to verify the conformity of aspects related to the quality of data collected in the field and in the cabinet. Given that these are innovative aspects, as well as the Methodology itself (Ministerial Diploma nº2 / 2020 of 21

January), and the need to build the system itself, it was decided that this responsibility would be outsourced, through the hiring of the provider company or consulting firm of services, through selection by Public Tender. The contracted Service Provider constitutes the Independent Entity for Quality Assurance of the Land Regularization Process and Support for the Implementation of Aspects of Social and Environmental Safeguards and Conflict Resolution Mechanisms, referred to in short as IPQA.

Verde Azul Consult Lda, had the privilege of being the consultant hired as the Independent Entity for Quality Assurance of the Land Regularization Process and Support for the Implementation of Aspects of Social and Environmental Safeguards and Conflict Resolution Mechanisms (IPQA), in the context of the implementation of Phase I of MozLand (Terra Segura) under Contract No. 75/MLAND/CS/2021-1, with a duration of 17 months from November 25, 2021, to April 25, 2023, and therefore, pioneer of this activity in the general context of the MozLand Project.

TECHNICAL DETAILS

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Think like Land

The environment is where we all find ourselves; where we all have a mutual interest, it's the one thing we all share.



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