

## Land titles for indigenous communities in Peru



### Context

The Peruvian Amazon region is home to more than 60 indigenous peoples living in some 2,000 communities. Around a third of these communities – 650 or so – still have no collective land titles. This legal uncertainty causes disputes over land, exploitation of natural resources and growing pressure on indigenous territories as a result of infrastructure and industry projects and the influx of settlers from other parts of Peru.

Over the past 10 years, virtually no collective land titles have been granted to indigenous communities. The

reasons include a lack of clarity over responsibilities and inadequate capacity. Responsibility for granting land titles was transferred back to the Ministry of Agriculture and Irrigation (MINAGRI) in 2014, but regional government agencies remain in charge of the day to day implementation.

As well as skilled staff and an adequate budget, the need is now for standardised databases, simpler procedures for granting titles, guidelines on the involvement of indigenous peoples and communities, and dispute resolution strategies.

### Activities in Peru

The project supports the granting of land titles to indigenous communities in the Ucayali and San Martín regions and improvements in processes at national level.

- In field of activity 1, the project is advising MINAGRI and regional agencies on drawing up and improving procedures for granting land titles. It is also supporting further development of the statutory framework for collective land rights, including procedures for preventing and mediating in land disputes.
- Activities in field of activity 2 are strengthening the national- and regional-level participation of civil society in granting land titles to indigenous communities.

- All project activities focus particularly on the rights and concerns of indigenous women, who play an important role in ensuring food security but are often disadvantaged in terms of access to land.

### Our objective

Land titles, i.e. guaranteed access to land and natural resources, for 70 indigenous communities in the Peruvian Amazon region and improvements to the entire land title system.



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### Region

San Martín and Ucayali (Amazon region)

### Duration

November 2015 to October 2021

### Budget

EUR 6 million

### Implementing partners

Agricultural authorities within both regional governments; indigenous organisations; NGOs

### Lead executing agency

Ministry of Agriculture and Irrigation (MINAGRI)

### Target group

State-recognised indigenous communities that have applied for land titles to their regions.



### An example from the field

In both San Martín and Ucayali, early 2016 saw indigenous protests against the long delays in granting land titles. In both regions, dialogue fora were established with the aim of improving cooperation between the Government and indigenous organisations.

A major initial contribution made by the global project was the creation of an up to date database of the communities within San Martín and Ucayali awaiting a decision on land titles. The database was compiled in cooperation with a non-governmental organisation, Instituto del Bien Común (IBC), and all relevant actors are now using it.

During the process, it became evident that most of the files relating to previous land titles in Ucayali had been lost in a fire and that the archive is in a very poor condition. The project is therefore supporting the regional agricultural authority with two indigenous observers and advising on creating an appropriate record system.

The programme for indigenous observers, which is due to be extended to San Martín and Lima, is designed to professionalise indigenous organisations. It is also intended to improve exchange and cooperation between these organisations and the official agencies and thereby to reduce potential for disputes. In San Martín, the data situation and the resourcing of the agricultural agency is



**Photo:** Mediation in a land conflict  
(GIZ/ Ronald Saucedo – Papaplaya, San Martín,  
September 2016)

rather better than in Ucayali, but progress towards granting land titles is being hampered by border conflicts between indigenous communities. The demands of indigenous communities are also often in conflict with the needs of nature reserves.

This is where cooperation with the local non-governmental organisation 'Paz y Esperanza' comes in: over the next few months, it will be working with the regional indigenous umbrella association to develop procedures to resolve these tensions. An initial field trip in September 2016 showed how important it is to involve indigenous leaders, so that the legal position, political framework and technical details can be conveyed in the local language.

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