



When paper is not enough

On a mission to formalize private property and strengthen land tenure security in conflict-affected areas in Colombia, the National Land Agency and USAID partner to deliver integrated rural development and land governance solutions.



To leverage their work in land formalization, USAID and the National Land Agency created a multimedia community campaign under the slogan “The farm is ours: Titled and registered” to transform the way rural communities perceive the country’s land regulatory system.

When Derly Jomar and her husband bought 1.5 hectares from her father-in-law in Calarma, they made the uncommon decision to travel to a notary two hours down the mountain in Chaparral, Tolima, to make the purchase official. Most people in this isolated corner of Colombia tend to make business deals with a firm handshake, a person’s word, and perhaps a scribbled contract on a spare piece of paper. Five out of every ten land parcels in Calarma are informally owned.

This decision to notarize their purchase agreement, although laudable, still represented just part of the formalization process. Completing the process requires additional steps before government land-entities. However, as Derly explains, “We couldn’t afford to completely formalize our property with the nation because it’s very expensive. But we needed proof of purchase in case my father-in-law dies. We don’t know if all of his children are going to respect our purchase.”

Once the papers were notarized, Derly and her husband embarked on their plan. They used the notarized papers to take out small loans from the bank, building equity and credit. In 2015, she took out a loan for US\$2,400 (6 million pesos) to buy an oven and set up the first official bakery in her village.

Jomar’s story is now an example for her neighbors, small-scale coffee farmers, of what can be achieved when property moves along the spectrum from informal to formal ownership.

The Colombian Institute for Rural Development, USAID and now the National Land Agency have been working to secure land rights in this coffee-producing district since 2014. USAID, through its rural development programs, first went to Calarma to introduce the idea of formalization to campesinos who never had considered it a priority or had the opportunity to learn about it.

“It was difficult because very few people knew anything about formalization, and there was little interest,” says Juan Carlos Padilla, a land formalization expert from the National Land Agency. “But that is the advantage of doing it this way—the contact with the users. It’s more than land governance, it is social work.”

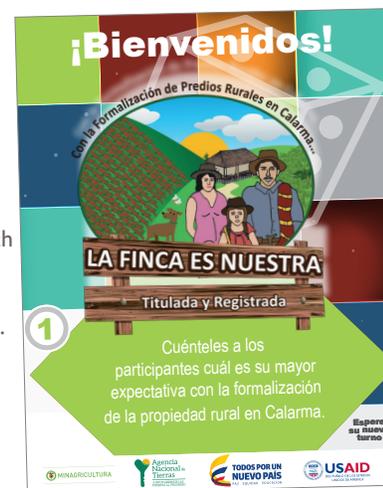
The government has had little presence in this mountainous area of the country ever since the Revolutionary Armed Forces of Colombia, or FARC, emerged in Southern Tolima in the mid-sixties. Some say these leftist rebels brought order to what was an otherwise chaotic time in Colombia’s rural areas, where families and neighbors were pitted against each other by virtue of political preference. But FARC control also meant that government services and investments were kept out of the region for decades.

LAND AND DEVELOPMENT: AN INTEGRATED APPROACH

USAID and the National Land Agency have been helping campesinos fulfill the necessary steps to formalize their private property—including land formalization requests, technical studies, judicial or notary approvals, and title registration.

As a result of this initiative, the National Land Agency expects to deliver registered property titles to 300 families in Chaparral in April 2017. This joint effort between the Colombian government and USAID has brought two important observations to light: Colombia’s rural poor lack the resources to formalize their land without subsidies and support from government actors, and the absence of government services exacerbate Colombia’s weak land regulatory framework.

Formalizing property connects farmers with their land and provides incentives to make investments. To reinforce these investments, USAID is facilitating public-



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private partnerships in strategic value chains, increasing farmer productivity and incomes. As part of its integrated approach in Chaparral, USAID is connecting over 200 formalization beneficiaries to a coffee partnership that will link them to new technology and inputs and to sell more coffee (see side story).

“First and foremost, owning a formalized property creates an attachment to the land. A valid property title also allows individuals to access government programs and subsidies that serve their families and farms. Finally, the property serves as an asset for accessing financial services, like loans,” says Luis Ernest Váquiro, general manager of CAFISUR.

A CHANGE IN FOCUS

The Colombian government has made land formalization a priority, with a lofty goal of formalizing and registering 35,000 land parcels over the next two years. To do this, having strong regional-level land entities is critical.

In addition to small campaigns in places like Chaparral, USAID is working with the government on a methodology for formalizing land on a massive scale at a substantially reduced cost to rural landholders. USAID and the National Land Agency are launching a massive land formalization pilot in the municipality of Ovejas, located in the department of Sucre, and the pilot’s results will shape the strategy to roll out massive land formalization throughout the country, with leadership from local authorities.

“The only way for land formalization to be sustainable and lasting is for local authorities to become the principal actor in the process. The National Land Agency aims to provide more capacity building, structuring, and policies tailored to the realities of each department,” explains Catalina Ceballos, director of land security at the agency.



A COMMON BARRIER TO LAND FORMALIZATION

Juan Correa Gómez and Mabey Criollo Arquera fell in love in 2010 and decided to live together. Juan calls it love at first sight. He says they agreed to be together but never formalized their rights as a couple under the law. “We live far from the cities and these types of judicial services. They aren’t so easy to access, and they require a lot of paperwork that some of us do not have,” he explains.

Recently the devoted couple declared their love under oath, a necessary step to jointly title their 13-hectare coffee farm located in Chaparral. Many rural Colombians live under common-law marriages and lack official documentation of their unions, making it difficult for their wives to claim their rights to the land in the case of death.

In early 2016, USAID helped rural citizens overcome this obstacle by financing and sending legal mediators to Calarma to officially marry and register 54 of the 300 formalization beneficiaries. “Our program is intended to bring rural communities judicial services that they probably didn’t know existed,” explains Hector Canal, director of USAID’s Access to Justice program, which spearheaded the campaign. “This activity also helped open the eyes of the judiciary to the obstacles facing campesinos in the country’s land regulatory system.”

THE CLOUD WITH A SILVER LINING

Luis Eduardo Reynoso, a coffee farmer in Calarma in the municipality of Chaparral, likes to say that coffee farmers in Tolima live and die by the rain. By that, he means that due to a lack of processing facilities, farmers depend on the sun’s rays to dry coffee, and the region’s mountainous topography means a lot of clouds when the sun is needed most. Reynoso belongs to a local producer association, has 30 hectares of Rainforest Alliance certified coffee trees, and tries to sell his coffee to CAFISUR when he can. When CAFISUR cannot take on more wet coffee, and Reynoso needs to pay bills, he sells wet coffee to coffee dealers at a lower price.

“The need for liquidity makes farmers desperate and causes them to either harvest too soon or sell lots of coffee at lower than usual prices,” explains the general manager of Tolima’s largest coffee cooperative, CAFISUR, Luis Ernesto Váquiro.

In 2016, USAID began working with CAFISUR to find a solution to this problem so common in Southern Tolima. Through stakeholder meetings, the partners signed a public-private partnership worth US\$9.15 million, which supports the installation of a coffee drying plant

in Chaparral, the heart of Tolima coffee country. Under the partnership, Colombia’s Rural Development Agency committed to invest US\$600,000.

The drying plant will allow CAFISUR to purchase up an additional 3,500 metric tons (MT) of wet coffee from thousands of farmers in the region, and will allow the cooperative to double its purchasing—from 10,000 MT to 20,000 MT—over the next three years. The increased purchasing will put over US\$7 million in the pockets of thousands of farmers.

“The drying plant will help them reduce post-harvest losses and maintain quality control of their coffee. These benefits will translate to higher revenue for farmers,” explains CAFISUR’s general manager. The installation of the processing plant is also expected to have a motivational effect on farmers, inspiring them to cultivate new areas and to replace old, less productive coffee trees.

Within the three years, CAFISUR expects the coffee drying plant to attract most of Southern Tolima’s 24,000 coffee farmers, proving a better option than solar dryers or shipping wet coffee to other departments.

