Progress and pitfalls for the titling of native communities in San Martín and Ucayali, Peru

A summary

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Center for International Forestry Research (CIFOR)
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Key messages

• Indigenous families in the Peruvian Amazon benefiting from projects formalizing community property rights reported that titling improved their perception of tenure security.
• Although collective land titles improved residents’ perceptions of security, they were still concerned that their rights could be questioned in the future.
• While the majority of residents in these native communities were satisfied with the titling process, few were familiar with titling regulations or participated in that process. Women participated considerably less than men. Therefore, indigenous federations and communal leaders should facilitate the participation of all community members in the titling process.
• In general, the rights acquired with titling are poorly understood, creating false expectations and disagreements between the State, native communities and indigenous federations. For example, community members, did not know about the usufruct rights granted through the cesión en uso mechanism. Government agencies have not explained it adequately, despite the fact that it is a key part of the regulatory framework for the titling process.
• A diversity of initiatives and stakeholders participate in the titling of native communities, but without clearly defined roles. This generates confusion in the population. Thus it is important that the State, through MINAGRI-DIGESPACR, promote communication and cooperation among these stakeholders, and facilitate the involvement of local people, especially the participation of women.
• Although the objective of titling is to formalize community rights over agricultural and forest lands, the State should not see the granting of title as the end of the process. After gaining tenure security, titled native communities need assistance to improve livelihoods, to ensure food security and to adopt sustainable forest management and address forest degradation.

1 In Peru, ‘native community’ (comunidad nativa) is a legal term used for indigenous communities applying for recognition and titling under the law.

2 This is the Spanish language acronym for the General Directorate for the Formalization of Agrarian Property and Rural Cadaster of the Ministry of Agriculture and Irrigation.
1 Introduction

The Peruvian government is formalizing the territorial rights of Amazonian indigenous peoples through the titling of native community lands. Due to the complexity of this process, which involves multiple actors at different levels, it is especially important to deepen our understanding of how it is occurring in communities and how the people receiving titles perceive its impacts.

In response to these concerns and to generate information to guide public policies, the applied research project “Titling of Native Communities – Progress and Challenges” analyzed these processes and their implications in twelve native communities in the San Martin and Ucayali regions. The study, led by the Center for International Forestry Research (CIFOR), with support from German development cooperation implemented by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH through the project ProTierras Comunales, was designed to gather information to support reflection and dialogue about the progress of titling programs and the challenges affecting implementation. This document summarizes the main results.
2 Background

For the more than 50 indigenous peoples in the Peruvian Amazon, recognition of their territorial rights is a fundamental goal, as their survival and sustenance depend on these lands, forests and other natural resources. Since 1974, the Peruvian government has been formalizing the collective property rights of more than 1,300 native communities in the Amazon (IBC 2016). Nonetheless, diverse changes in national policies have influenced this process since the approval of the Native Communities Law in 1974 (Monterroso et al. 2017). For example, in 1975, changes in forestry legislation reclassified forests as national patrimony (necessitating distinctions between agricultural, forestry and protected areas within territories). Also, since 2000, administrative decentralization has transferred responsibility for titling to regional governments, although without the necessary budgetary allocation.

The modifications in the regulatory framework and the changes in institutional responsibilities significantly affected the implementation of the law. As a result, pending issues include the recognition and titling of many native communities, the issuing of the usufruct contracts (cesión en uso) over areas classified as forest or protected in native communities (Monterroso et al. 2017), and the registration of many titles in the National Superintendence of Public Registries– SUNARP (IBC 2016).

Starting in 2014, the Peruvian government reinitiated the processes of recognizing, titling and expanding3 indigenous lands with the support of international donors, including projects related to climate change (Monterroso and Larson 2018). That same year, the Ministry of Agriculture and Irrigation (MINAGRI) reassumed the role of lead entity for the titling of the native communities through the creation of the Directorate for the Formalization of Agrarian Property and Rural Cadaster (DISPACR), which was converted into a General Division (DIGESPACR) in 2017.

Regional governments are responsible for implementing the titling process in native communities through their Regional Agrarian Divisions (DRA) or similar agencies, with the participation of indigenous federations, various state institutions at the national level and external support organizations such as NGOs (see details of the regulations and the actual processes in Camero and Gonzales 2018 and Monterroso et al. 2019).

Currently, more than ten titling initiatives, supported with international donor funding, are assisting Peru to title Amazonian indigenous communities (Monterroso et al. 2019). These initiatives are being implemented independently, with ambitious goals and in response to the logic and requirements of donor and implementing agencies. This situation, combined with coordination problems, can mean that titling projects focus on the easiest cases, duplicate efforts and/or generate confusion among the stakeholders involved at different levels, including the population of indigenous communities and their representative federations.

The titling of indigenous territories is an extremely important process that helps assure the property rights of the native communities in Peru, as well as in other parts of the world. In addition, as indicated by other research (Cronkleton et al. 2008; Pacheco et al. 2011; Larson et al. 2019; Monterroso et al. 2019),

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3 Native communities can request the expansion of their titled lands if the original area is insufficient to sustain the families living there. The expansion process follows the same steps as titling.
having secure property rights improves production systems and increases sustainable livelihood options, both of which are important conditions for human wellbeing. To track possible changes in household economies and in natural resource use in newly titled territories, it is necessary to have information to understand the impact of titling on people’s lives and how these are perceived by the population.
3 Methodology

The project, carried out between December 2017 and April 2019, focused on twelve native communities in San Martín and Ucayali. The communities were selected by CIFOR in collaboration with the ProTierras Comunales team and representatives of six indigenous organizations of San Martín and Ucayali (Figure 1). Of the twelve indigenous communities chosen, eight

Figure 1. Location of the selected communities in San Martín and Ucayali
Table 1. Tenure status of the selected native communities of San Martin and Ucayali

<table>
<thead>
<tr>
<th>Native community (ethnic group)</th>
<th>Year</th>
<th>Total area (ha)</th>
<th>Status of title clearance</th>
<th>Recognition</th>
<th>Demarcation</th>
<th>Title</th>
<th>Expansion</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Geo-referenced</td>
<td>Titled</td>
<td>Registered in property cadaster</td>
<td></td>
</tr>
<tr>
<td>Ucayali</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aerija (Asháninka)</td>
<td>1975</td>
<td>3,092</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td>No</td>
</tr>
<tr>
<td>Nueva Esperanza (Asháninka)</td>
<td>1987</td>
<td>4,752</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Capajeriato (Asháninka)</td>
<td>1989</td>
<td>5,289</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Tzinquiato (Asháninka)</td>
<td>1989</td>
<td>6,717</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Inkare (Asháninka)</td>
<td>1990</td>
<td>3,785</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Centro Chocote (Asháninka)</td>
<td>2018</td>
<td>-</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>San Martin</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chirikyacu (Kichwa)</td>
<td>1997</td>
<td>5,492</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Charapillo (Shawi)</td>
<td>1997</td>
<td>4,166</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Chirik Sacha (Kichwa)</td>
<td>1997</td>
<td>3,755</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Santa Rosa de Alto Chambira (Shawi)</td>
<td>2013</td>
<td>In process</td>
<td>In process</td>
<td>No</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tornillo Yacuzelandia (Kichwa)</td>
<td>2016</td>
<td>In process</td>
<td>-</td>
<td>In process</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Juliampampa (Kichwa)</td>
<td>2016</td>
<td>In process</td>
<td>-</td>
<td>In process</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>
had titles and four were in the process of titling. However, among the titled communities, only two had geo-referenced boundaries and were listed in the public cadaster; the other six did not have geo-referenced boundaries, were not listed in public registries, or lacked both. The four communities that were in the titling process had been recognized by the State and were being demarcated.

Additionally, three of the titled communities had obtained expansions of their territories and one had an expansion request in process (Chart 1). The expansions are intended to include areas and resources important for the sustainability of the livelihoods of the current population and future generations.

The field work was conducted by a team in both region. The teams consisted of two men and two women to facilitate the collection of data from both genders in the selected communities. They used three methods to collect information: (i) key informant interviews with male and female community leaders familiar with the local context and knowledgeable about community characteristics and progress in the titling process; (ii) gender disaggregated focus groups with community members to understand their experiences regarding the titling process and their perceptions of property rights security; and (iii) a survey of household heads (male and female) from randomly selected families to gather data about household livelihood strategies, perceptions of property rights and tenure security.

In total, the teams interviewed 62 key informants and held 24 focus groups in which 284 men and women participated. For the household surveys, a random sample of 181 families was selected, which resulted in 338 interviews with household heads, 171 men and 167 women (see Chart 2 for sample characteristics and regional distribution).

After collecting and analyzing the information, the team organized workshops to share and validate the results with each community and with both regional governments. The feedback from these workshops was incorporated into the results. In addition, the team delivered copies of community reports prepared for each site and organized training sessions to improve understanding of titling procedures and community forest management.

Table 2. Characteristics of the sample: San Martín and Ucayali regions

<table>
<thead>
<tr>
<th>Region</th>
<th>No. of households in communities (total)</th>
<th>No. of households selected</th>
<th>Key informants</th>
<th>Focus group participants</th>
<th>Household surveys</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>M</td>
<td>W</td>
<td>Total</td>
</tr>
<tr>
<td>Ucayali</td>
<td>285</td>
<td>96</td>
<td>18</td>
<td>22</td>
<td>40</td>
</tr>
<tr>
<td>San Martín</td>
<td>265</td>
<td>85</td>
<td>15</td>
<td>7</td>
<td>22</td>
</tr>
<tr>
<td>TOTAL</td>
<td>550</td>
<td>181</td>
<td>33</td>
<td>29</td>
<td>62</td>
</tr>
</tbody>
</table>
4 Results

4.1 The titling processes in native communities

Informant perceptions of the formalization process and its results were generally positive. The recognition of property rights is a priority of residents in the communities studied. When there is progress in the recognition and legal definition of the physical boundaries of their lands during titling, communities view this progress positively, which in turn improves their perception of the security of their land rights. In total, 87% of focus group participants reported being satisfied with the process to date. The degree of satisfaction was similar for both regions and between men and women. Nonetheless, our analysis shows that there are still some challenges for the process.

The recognition of property rights holds symbolic value that contributes to the perception of tenure security by native community residents, as it represents an acknowledgement by the State of their land rights. These populations perceive the demarcation of boundaries, the installation of boundary markers and the negotiation of border agreements with neighbors as a first “official” recognition of their territorial rights, which generates a high degree of satisfaction with the process.

However, the results also revealed a lack of knowledge of existing regulations and limited participation in the titling process by community residents, as it represents an acknowledgement by the State of their land rights. These populations perceive the demarcation of boundaries, the installation of boundary markers and the negotiation of border agreements with neighbors as a first “official” recognition of their territorial rights, which generates a high degree of satisfaction with the process.

To measure changes in perceptions of tenure security during the titling process, informants were asked to indicate if they agreed or disagreed with the following statement: “Since my community was titled (or demarcated), I feel that my rights and access to the land and forests are stronger and more secure.” Eighty percent of the men and women interviewed agreed (Figure 2), with no significant differences between San Martín and Ucayali. Moreover, a higher percentage of those surveyed from titled communities (85%) agreed with this statement compared to the non-titled communities (74%).

Among those surveyed, there was also the perception that rights granted were protected in case of conflicts over resource access. When asked their opinion on the following statement: “Since the titling (or demarcation) of my community, I feel my rights are protected from disputes over the use of and access to the land and forest,” 75% agreed, without significant differences between San Martín (80%) and Ucayali (70%).

Although community members felt secure and trusted that their rights were protected, they remained concerned that external actors or businesses could challenge their rights in the future. When asked about the statement: “Since my community was titled (or demarcated) I am sure no one will question my rights of access or use of land and forests,” 54% of those consulted agreed, with slight differences between San Martín (64%) and Ucayali (45%). In both regions, informants were concerned about invasion and illegal resource extraction, both in the titled and in the demarcated communities.
Figure 2. Perceptions of property rights security since titling or demarcation

Because the communities were at different stages in the titling process, analysis compared whether informants felt that security had improved over the past five years, without referencing titling. When asked: “In your opinion, has the land and forest tenure security situation changed during the past five years in this community?” 82% of the informants responded either that the security “has improved” (42%) or “remains the same” (40%). Only 9% of those interviewed said that the security “has worsened.”

4.2 Factors influencing land security and insecurity

The research also investigated the factors that influenced land tenure security and insecurity. In interviews with key informants and focus groups, the most commonly cited factors included the State’s recognition of the property rights through titling, good collaboration among indigenous organizations, and the collective occupation and defense of territory.

Those surveyed said they were satisfied with the progress in the titling process, showing a perception of security at an individual level. Nonetheless, concern about the insecurity of property rights was prominent in discussions and interviews with informants in both regions. In focus groups, the most frequent insecurity factors mentioned included: threats of land invasion and illegal extraction of natural resources by third parties, conflicts with neighbors exacerbated during the titling process, the State’s weak response mediating these conflicts as well as overlapping rights claims granted to extractive industries and concern that the state could reallocate rights in the future.

In most communities, focus group conversations were dominated by discussions around conflicts related to land or forest resources. However, in the household survey, only 9% of the population said they had personally been involved in a land conflict over the past year.

4.3 Use of communal territories

There is a major difference between the perception of territory and the associated rights by community informants and the Peruvian State. The men and women who participated in focus groups defined their territory as unified landscapes with diverse uses. Generally speaking, communal territory was seen as an area of collective integrated use governed by customary practices, combining individual and collective rights, and providing possibilities
for communal activities or individual household production. They differentiated areas by function and use, such as lands for agriculture, or extraction of timber and non-timber products, or hunting and fishing. These activities had been conducted for many years before the titling process began. These landscapes not only meet livelihood needs but also have symbolic value tied to identity.

In contrast, the State uses zoning concepts to divide areas based on an agronomic appraisal during titling in a process called the Classification for Land Use Capacity (CTCUM for the Spanish acronym). The CTCUM mechanism distinguishes between areas determined as “apt for productive uses” like agriculture and livestock, and those for forestry or protection. That classification determines the types of rights granted. Only areas classified for agriculture, pasture and permanent production can be titled as property. The other areas classified for forest or protection are not titled, and the State only grants communities usufruct rights to these areas (referred to as cesión en uso).

Although this zoning is not well known or understood by the communities, it can have important implications for community rights to and uses of natural resources. Seven of the eight titled communities in the sample have part of their territory classified under cesión en uso. Only one community in Ucayali had 100% of its land titled because it was titled in 1975, under the first Native Communities Law, which did not differentiate between titled property areas and areas under cesión en uso. The areas classified under cesión en uso in these seven communities vary between 14% and 89% (Chart 3). The two communities with more than 70% of their territories under cesión en uso are in San Martín. The four remaining communities have not reached the point in the titling process to have undergone CTCUM.

Native communities do not distinguish between titled areas and areas under cesión en uso in their territory. Although it is state policy to zone indigenous territories in this manner, only 15% of household survey informants were familiar with the term cesión en uso and only 5% knew that their community included areas under this regime. When responses are disaggregated by gender, 75% of the men and 99% of the women in Ucayali and 94% of the women in San Martín were unaware of the cesión en uso mechanism. Under such circumstances, it is important that the State and

### Table 3. Zoning of community lands

<table>
<thead>
<tr>
<th>Native community</th>
<th>No. of families</th>
<th>Total demarcated area (ha)</th>
<th>Agricultural (titled)</th>
<th>Usufruct contract (cesión en uso)</th>
<th>Forest aptitude</th>
<th>Protection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ucayali</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aerija</td>
<td>111</td>
<td>3,092</td>
<td>67</td>
<td>33</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Nueva Esperanza</td>
<td>70</td>
<td>4,752</td>
<td>61</td>
<td>39</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Capajeriató</td>
<td>22</td>
<td>5,289</td>
<td>86</td>
<td>14</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Tzinquiato</td>
<td>40</td>
<td>6,717</td>
<td>67</td>
<td>33</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Inkare</td>
<td>15</td>
<td>3,785</td>
<td>100</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Centro Chocote</td>
<td>27</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>San Martín</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chirikyacu</td>
<td>80</td>
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<td>Charapillo</td>
<td>45</td>
<td>4,166</td>
<td>64</td>
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</tr>
<tr>
<td>Chirik Sacha</td>
<td>90</td>
<td>3,755</td>
<td>29</td>
<td>28</td>
<td>43</td>
<td></td>
</tr>
<tr>
<td>Santa Rosa</td>
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<td>-</td>
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<td>Juliampampa</td>
<td>16</td>
<td>-</td>
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<td>-</td>
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</tr>
</tbody>
</table>

Source: the Ministry of Culture indigenous peoples database (BDPI) consulted in June 2018 (https://bdpi.cultura.gob.pe/) and information provided by the Ucayali Regional Agrarian Division (DRAU).

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4 The term ‘agrological study’ has been used since a regulatory change in 2018.

5 Known as Clasificación de Tierras por su Capacidad de Uso Mayor (CTCUM), this regulatory mechanism classifies the ‘optimal use’ of land units by precipitation, soil type, slope and land cover.
indigenous federations better inform constituents about the titling process and its implication for land rights to avoid confusion or future conflicts.

4.4 Livelihoods

This study gathered information about the livelihoods of families to understand how household production systems are linked to community territories. Other research has analyzed how the quest to establish secure property rights is transformed, after titling, into a search for strategies and options to improve wellbeing and increase incomes from the use of the territory (see Cronkleton et al. 2008; Pacheco et al. 2011; Larson et al. 2019; Monterroso et al. 2019). In the Peruvian Amazon, there is a lack of State services and support for agricultural and forestry development in indigenous communities, in part due to the tendency to see titling as the ‘end’ of the process. However, the formalization of rights in itself is not necessarily linked to the improvement of livelihoods (see Larson et al. 2019; Monterroso et al. 2019). In general, this study has identified mixed results regarding the livelihoods of community residents.

For most families surveyed, agriculture was the core household economic activity. Agriculture was the main source of income for 70% (119 of 170) of households in both regions. These families practiced slash and burn agriculture on a small scale, mixing annual and semi-perennial crops with agroforestry systems. The area of individual/family use averaged 2.6 ha with a range from 0.4 ha to 12 ha. Few families had pasture or livestock. Forest areas in these properties represented important reserves for the population’s subsistence. Hunting and fishing are traditional activities of Amazonian indigenous peoples, and contribute to household food security and provide important source of proteins. Survey results indicate that these activities are mainly for subsistence and not sources of income for the majority of the families studied.

Few non-agricultural activities were identified as primary income sources. Only 6% of the families surveyed mentioned other economic activities as their main income source, including wage labor (2%), personal businesses (2%) and independent work (1%). In addition, 15 of the 170 informants (9%) reported that they had no specific source of monetary income. Activities such as hunting, fishing and timber extraction were almost absent among primary income sources of identified.

As an alternate indicator of economic status, the informants were asked to estimate their average monthly cash income. The average per household was approximately USD 66 (218 Peruvian Soles), ranging from 0 to approximately USD 381 (1250 Peruvian Soles). These income levels are low given the costs of basic needs such as children education, medication and commercial goods. Nonetheless, when asked “How would you rate your economic situation compared to that of your neighbors?” only 13% of informants responded “bad” (Figure 3).

![Figure 3. Economic situation of the households compared to their neighbors](image-url)
4.5 Forests

Overall, 45% of informants stated that the current condition of the forests is worse than 20 years ago, with a striking difference in perception between the two regions. In Ucayali, 61% of those surveyed think that the condition of forest is worse, while in San Martín only 27% share this opinion (Figure 4). It is not possible to determine if there are any real differences between the community forests in Ucayali and San Martín, as gathering data on forest condition at the community scale was beyond the scope of this study. The difference in perceptions could be due to variation in the reliance on forest resources for subsistence. Households that were more dependent on forest resources (for example, game meat, fish and fruit) may be more perceptive of and susceptible to impacts from change. Informants in Ucayali emphasized the importance of game meat and fish extracted from forests for subsistence and local food security. In San Martín, community forests were either far from settlements and sometimes overlapped with conservation areas, which decreased dependence on these resources.

Although perceptions of forest change differ in the two regions, informant opinions on the impact of titling are similar. When asked whether forest conditions had improved since the start of the process, 55% said yes. For the indigenous communities of San Martín and Ucayali, titling gave legal backing to the collective defense of community territory and reduced the possibility of its fragmentation, key factors when dealing with invasions and illegal resource extraction. Although titling can improve the condition of forests by lowering the threat of invasion and illegal resource extraction, it does not necessarily lead to more sustainable or even more formal use by communities themselves. This is in part because of the limited knowledge of the rights acquired through title and usufruct contracts and the greater ease of the informal forest sector. In Peru, many communities have been fined for harvesting timber without the necessary permits, as a consequence of inadequate regulatory guidance and supervision. These costly sanctions prevented communities from applying for harvest permits in subsequent

![Figure 4. Perceptions of changes in forests over the past 20 years](image-url)
years, hindering their access to formal timber market. These problems arise, in part, from the lack of knowledge of their rights and the norms related to forest lands, which should be taken into account by development projects currently supporting the titling and other related processes.

4.6 Food security

Food security is the reliable and sustainable access to sufficient food that is affordable and nutritious. When informants were asked: “Did you have problems satisfying your families’ food needs during the past year?”, of the 338 surveyed, 66% said they had not had any problem satisfying their food needs (Figure 5). Nonetheless, a third of them (114 informants or 34%) did report having some problem. Within this group, 28% (34) mentioned constant problems during the year and the rest (72%) mentioned problems with food during the past three to nine months. The reasons for these problems differed between the two regions. In Ucayali, where the percentage reporting difficulties is higher (44%), the communities depend more on the resources from hunting and fishing due to their distance from markets. Apparently, according to key informants, these food crises are due mainly to the periodic scarcity of game meat and fish. In San Martín, where these problems were reported less (22%), crisis moments, according to the individuals surveyed, are due mainly to a reduction in agricultural productivity, which does not allow them to cover family needs nor acquire the food necessary for the families.

The results show that more women (40%) than men (27%) reported problems satisfying the household food needs over the past year. Moreover, a little more than twice as many women (13%) than men (6%) said food security problems were frequent throughout the year. In San Martín, 27% of the women and 18% of the men reported some difficulty in providing food for their families in the past year. In Ucayali, the situation of women was even more worrisome. Over half of those surveyed (53%) said they had had difficulties during the past year, compared with 36% of men who felt the same. As women play a central role in feeding and caring for family members, it is likely that they know the household food situation better. These findings suggest that in some communities’ food security may be precarious.

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6 A publication by the Intercultural Communication Service, SERVINDI (Servicio de Comunicación Intercultural “SERVINDI”) dated August 2018 ([https://www.servindi.org/actualidad-noticias/29/08/2018/que-pasara-con-las-multas-impuestas-por-osinfor-cc-nn-de-atalaya](https://www.servindi.org/actualidad-noticias/29/08/2018/que-pasara-con-las-multas-impuestas-por-osinfor-cc-nn-de-atalaya)) mentions that, according to AIDESEP (national umbrella organization of Amazonian indigenous peoples), by June 2018, they had identified 347 Amazonian communities that had been sanctioned by the forest supervisory agency OSINFOR. These communities have accumulated fines of more than USD 16 million (over S/. 50 million Peruvian Soles), for which AIDESEP is requesting full cancelation.
5 Discussion and conclusions

This summary presented the results from a study analyzing the titling process and its impact on twelve indigenous communities from three ethnic groups in the San Martín and Ucayali regions of Peru. It described some of the characteristics of these communities and the perceptions of their populations, and included data relevant for current discussions to improve, simplify and streamline the titling processes.

In general, perceptions of the titling processes in the selected communities were positive. The level of satisfaction was similar in both regions and between men and women. The titling process significantly influenced property rights security of the indigenous communities studied. In the household survey, 80% of the 383 informants believed that after the titling (or demarcation) their rights were secure, while 75% felt that the State protected their rights from disputes over the use of and access to land.

Despite perceptions of property rights security at this time, some indicators suggest concern for or lack of confidence in the future. Only 54% of informants believed that their rights would not be questioned in the future, which reflects community worries about third party invasions and the illicit extraction of forest resources. These fears were more pronounced in Ucayali than in San Martín due to a higher prevalence of conflict.

The results also showed a lack of knowledge of legal norms and low participation in the titling process by community members. In both regions, women’s participation was lower than men’s. The limited involvement and poor understanding by the population could be related to the lack of guidelines from responsible State agencies informing community members, the short length of projects that support titling, and the conditions and requirements of these initiatives and their donors. As a result, the few activities focused on capacity building, empowerment and community participation in land titling are implemented too fast, are superficial, and do not reach their objectives. This increases the burden on the federations and the community leaders to accompany the process.

The lack of awareness of cesión en uso contracts for forest lands is evidently another effect of low participation and knowledge about regulations. Only a small percentage of the population (15%) is familiar with this mechanism, and the percentage of women is even lower (1%). In the future, this situation could result in more fines for communities and additional misunderstandings between communities, federations and the government about the titling process and the rights obtained. Although the project team explained this topic during workshops with communities, additional follow-up by the State and the federations is needed to improve dialogue with communities and their understanding of the mechanism.

This research also documented the livelihoods of families benefiting from collective land titling to understand how household production systems are linked to communal property. In general, the study found mixed results. On one hand, residents are satisfied with the livelihoods they currently enjoy, on the other, there are also some problematic indications about the conditions faced by some families and possible problems of resource degradation.

Tenure security influences livelihood conditions because it allows families to meet their needs in a clearly demarcated territory. In this context, the study identified an economic system with little diversity, based mainly on agriculture. The agricultural production is primarily for subsistence and is complemented by the extraction of natural resources from forests, secondary forests and rivers.
Innovative options exist such as commercial agroforestry crops and are becoming increasingly popular. While there is potential for commercial forest management, it does not currently generate formal income for many of the men and women interviewed.

Although the communities perceive that their forest rights are more secure, the surveys revealed that informants also felt that these forests are more degraded than before. This result is relevant because forests are important for these communities not only for current subsistence but also as a source of potential income in the future. Many of the surveyed families supplement their diets through hunting and fishing, although dependence on these resources is greater in Ucayali than in San Martín. Forest degradation is likely related to the food security problems reported by 34% of the households in 2018.

The results of the study illustrate the interrelation between property rights security, the household economy, and land use. They show the importance of titling for the sustainable development of the selected indigenous communities. At the same time, results also show that while titling is a necessary and important step, it does not in and of itself resolve major challenges faced by indigenous communities. Titling represents a first step, during which the State must guide and accompany the process; but both during and after this titling, the State must support the defense of communities from external threats and emergent conflicts that weaken tenure security. The support of indigenous federations is also crucial for accompanying the process and improving local and regional governance. Once the title is granted, follow on steps should address communities’ needs for appropriate technical assistance for agroforestry and territorial management that responds to their own economic aspirations, dietary needs and development potential. Such actions will make it possible to promote the conservation and sustainable management of natural resources in the communal properties of indigenous peoples.
References


