

Quilombola Titling

An estimate reveals that, at the current pace, the federal government will take 2,708 years to title all quilombos with open processes at Incra.

While advancements in the policy for quilombola titling are moving at a slow pace in Brazil, the estimated time for completing land regularization processes for quilombola territories increases each year. An analysis conducted by Terra de Direitos estimates that, at the current rate, it will take 2,708 years to title all the territories of the 1,857 quilombos with open processes at the National Institute for Colonization and Agrarian Reform (Incra), the body responsible for implementing the policy.

To estimate this number, the quantity of fully titled territories to date by the federal government—through Incra or the Union's Assets Department (SPU)—since the promulgation of the Federal Constitution of 1988 was considered. The Federal Constitution recognized the quilombola right to traditional territory. In 35 years, only 24 quilombos have received titles for their entire territories, while another 33 quilombos have received titles for only parts of their territories (partial titling). Of the 57 titles issued, 54 were assigned by Incra and three by SPU.

The calculation, albeit illustrative, indicates that if the current pace is maintained, the full titling of all quilombo areas in Brazil would not be completed until the year 4732. The number is quite high, considering the urgency for quilombolas to have the guarantee of being able to remain on their lands.

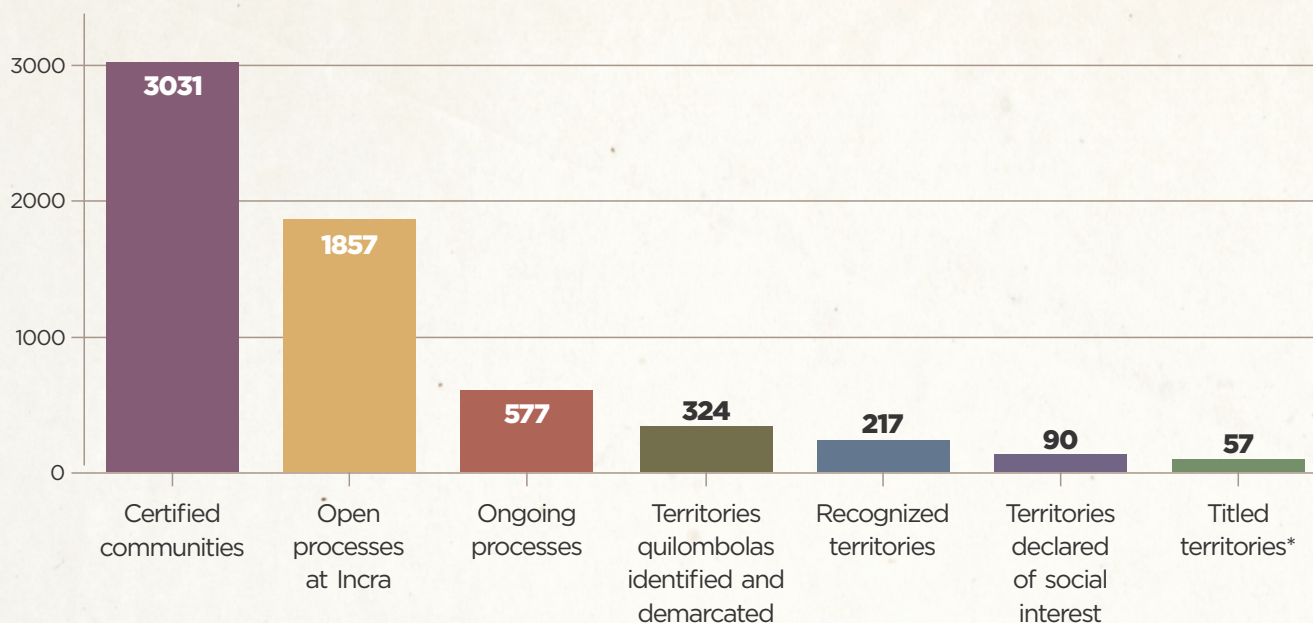
**The estimate does not include quilombola land regularization processes managed by states and municipalities, nor does it account for communities that have not been certified by the Palmares Foundation and, therefore, have not begun the administrative process with Incra.*

At the current
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4732



Photo: Lizely Borges

Quilombola Territories with Completed Stages in the Land Regularization Process



**Of the 57 titled territories, only 24 have titles for 100% of the area. Another 33 have only part of the area titled.*

Source: Incra and Fundação Cultural Palmares (May/2024)

Observing the progress in completing the necessary stages for issuing titles to quilombola territories, it is clear that few territories have finalized their processes.

Brazil has 3,031 communities certified by the Palmares Cultural Foundation, which represents the initial step of self-recognition by the community. The subsequent stages, involving the federal agency's attribution, show significantly lower numbers. Of the 1,857 open processes at Incra, only 324 quilombola territories have been identified and demarcated (publication of the RTID), 217 have been officially recognized by decree, 90 have been declared of social interest (publication of the ordinance), and only 57 have been titled (either partially or fully).

Of the 57 titled territories, only 24 have titles for 100% of the area. Another 33 have only part of the area titled.

While the territories remain untitled, quilombola communities face various pressures, including real estate speculation, conflicts with farmers and companies, and rights violations that are often perpetrated by public authorities themselves.

*Dona Vani,
quilombola
from Serra
do Apon
(PR)*



Photo: Lizely Borges

Violence Against Quilombo Communities and Titling

The lack of land titling also poses a risk to the lives of quilombola leaders. The second edition of the research **"Racism and Violence Against Quilombos in Brazil"**, conducted by the National Coordination of Black Quilombola Rural Communities (Conaq) and Terra de Direitos [Land of Rights] in 2023, reveals that of the quilombola murders recorded in Brazil between 2018 and 2022, 65% occurred in untitled territories. Among these untitled quilombos, 70% of the murders were motivated by land conflicts.

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Immediate Need for Strengthening the Land Titling Policy

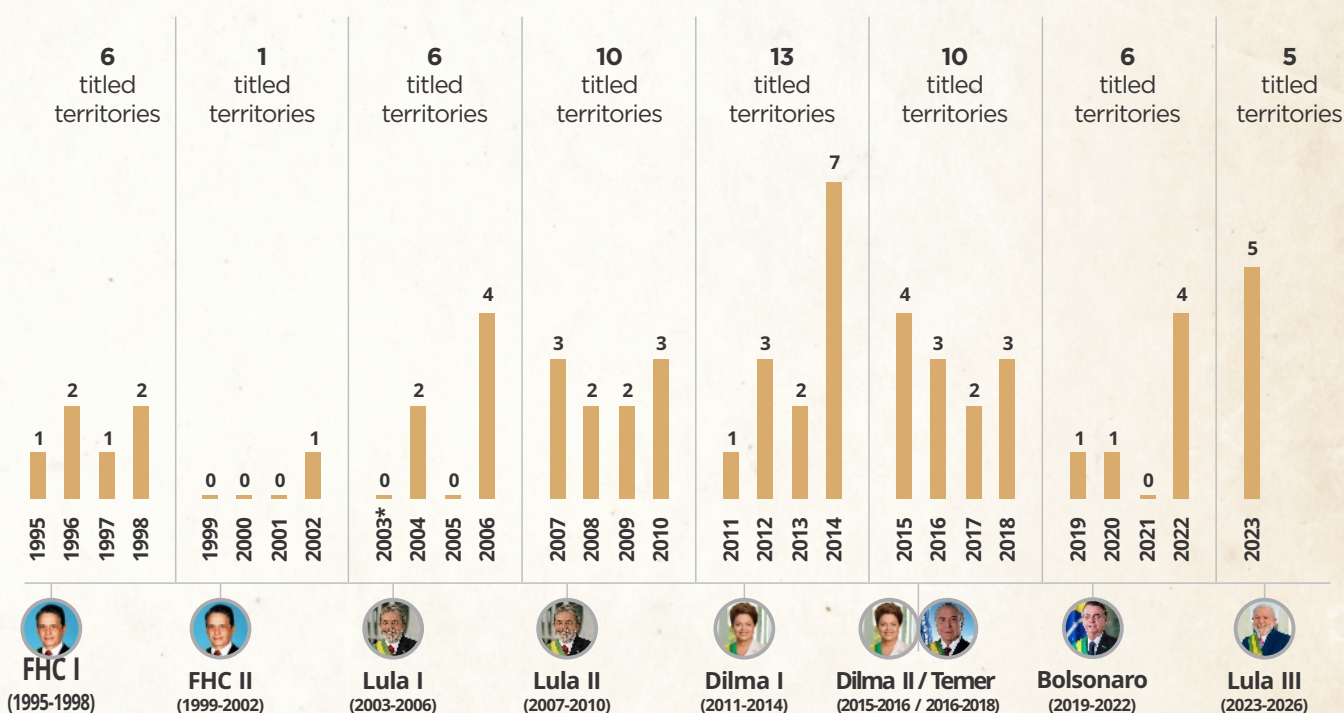
The new government, led by Luis Inácio Lula da Silva, has not yet sufficiently addressed the previously stalled demand. In the first year of the new government, in 2023, only five quilombola territories were titled – four of them partially, and only one received the title for the entire territory.

Although significantly reduced compared to the total demand, the titles issued in the past year represent progress compared to what was done during the government of Jair Bolsonaro (PL), a public opponent of the quilombola titling policy. In 2023 alone, nearly the same number of territories were titled as during the period from 2018 to 2022, when only six quilombos received titles.

Number of Quilombola Territories Titled, by Year

Titled territories

Data: Incra (May/2024)



* Creation of Decree No. 4,887/2003, which regulated the procedures necessary for the titling of quilombola territories.

Complete Titling

The slow process of titling the entirety of the area recognized as rightful also has negative impacts on the quilombola community. This fragmentation of the territory affects the livelihoods of families and community organization, such as the availability of areas for planting and housing.

Of the 33 partially titled territories, 22 have titles for less than half of the area recognized as rightful. For example, the Quilombo de Brejo dos Negros in the municipality of Brejo Grande (SE) has a title for only 19 hectares out of the more than 8,000 hectares that constitute the traditional territory—only 0.24% of the area is regularized.

Area Titled for Quilombos with Partial Titles

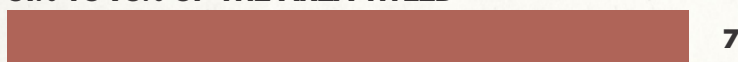
LESS THAN 25% OF THE AREA TITLED



25% TO 50% OF THE AREA TITLED



51% TO 75% OF THE AREA TITLED



MORE THAN 75% OF THE AREA TITLED



Source: Incra (May/2024)

Another important aspect is the frequent partial titling of small areas that are not affected by conflicts with farmers, land grabbers, miners, enterprises, and others. Due to the lack of planning by Incra for the complete titling of territories, the burden of dealing with conflicts falls on the community, in a fragmented territory.

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