

Brazilian innovations in land governance and the contribution of Association of Notaries and Registrars of Mato Grosso

There is a consensus among experts that land insecurity is one of the factors that contribute to irregular deforestation, arson and environmental damage in the Amazon or other Brazilian biomes.

In a recent debate in the Brazilian Senate, a Senator of the state of Rondônia said that: “We do not need to cut down a single tree to double our grain, livestock and family farming production, what is needed is land regularization and saving degraded areas.”(Source: Senate Agency)

In our experience, we knew that those who do not have a regular bond with the land; who do not truly feel proprietary; do not feel responsible and therefore have nothing to lose from their illegal and irresponsible use. In addition, legal certainty brings access to credits and enables sustainable and responsible development.

Aware of these damages and the numerous difficulties that land insecurity imposes on those who really want to fulfill the social function of land in its three fundamental aspects: social, environmental and economic, Brazil has been looking for ways to solve this problem.

What we want to demonstrate with this article is how the Brazilian government and civil society are mobilizing to regularize countless lands and thus generate more security, peace and environmental responsibility.

We will present how a federal system and a system developed by the Association of Notaries and Registrars of the State of Mato Grosso, a non-governmental entity, but with a key role in land regularization, has been contributing more rapidly to land governance.

It is noteworthy that Mato Grosso State is formed by three biomes: Amazon, Pantanal and Cerrado; and its economy is based on agribusiness.

The Brazilian Agricultural Research Corporation - EMBRAPA, through research on soybean production (2018/2019 crop), showed that Brazil is the second largest grain producer in the world, having produced in this crop the amount of 114.843 million tons in a planted area of 35.822 million hectares. Of this amount, it is noteworthy that the State of Mato Grosso accounted for 28.26% of production, or 32.455 million tons in a planted area of 9.700 million hectares, with the position of largest Brazilian soy producer.

With a total area of 903,357 km², the state of Mato Grosso is known as the country's granary, being the champion not only in soybean production, but also in corn, cotton and cattle, and can considerably expand its production not even 10% of its territory is occupied with grain production, with a projected increase of 31% over the next ten years.

However, although it has a great potential in grain production and plays a very

important role in providing food to the world, Brazil still lives with numerous land problems, which originated from its occupation based on large distribution of land and in the absence of land policies.

The land situation in Mato Grosso State is no different from the rest of the country, land insecurity brings together conflicts that involve domain-related issues, such as land tenure, involving collective land conflicts with the participation of the so-called “landless”.

In the state, there is a wealth of information about properties that are not interconnected and are managed by the Mato Grosso Land Institute - INTERMAT (state agency), INCRA (federal agency) or other municipal agency, which often results in conflicting information about a property.

Therefore, we want to present in this article systems already implemented and / or in the process of implementation and operational improvement, which aim to create a reliable cadastral database, whose final scope will be to facilitate access to information not only from Brazilians, but also from interested foreigners in investing in the country.

We will discuss how the mechanisms of this innovation in land governance in Brazil can lead to the main objective: to reach international standards, observing the existing technical norms on the subject and through treaties to strengthen the original spirit of *lex mercatoria*.

Important to remember that, even with the collaboration of the economic blocs, one obstacle continues to impede a greater flow of real estate transactions between them: the risk of Brazil, originated by the absence of a reliable land registry database, source in which the lack of control of public and private property in the country.

The Brazilian government has been doing its homework, issuing standards, training and equipping land governance institutes with more advanced control systems. In 2016, through Decree No. 8.764 / 2016, the government established the National Territorial Information Management System (SINTER), a large project underway that seeks legal certainty by integrating, in a spatial database, the dynamic flow of legal data produced by public registry services to the flow of tax, cadastral and geospatial properties of urban and rural properties produced by the Union, the States, the Federal District and the Municipalities.

The purpose of SINTER is to improve and modernize the land administration of the Union, States and Municipalities, and to make access to communications such as publicly available destination operations, donations and guarantees quicker and easier.

This will increase the efficiency of public management and land governance, and will also have, as a consequence, a mechanism for control and knowledge of the acquisition of urban and rural properties by foreigners.

Implementation of this system is requiring concerted efforts by all agencies responsible for Brazilian registrations, fragmented at the federal, state and municipal levels.

In order to contribute to land governance, mainly because its economy is based on

agribusiness, the State of Mato Grosso also promoted debates and led actions with civil society, seeking more agile solutions that guarantee the desired legal certainty for all.

An association that participates intensely in these debates is the Association of Notaries and Registrars of Mato Grosso - ANOREG-MT, class entity that gathers the holders of notary and registry services of the state of Mato Grosso.

This article also discusses how the CEI - Central Electronic Integration and Information Platform of the Notary and Registry Services of the State of Mato Grosso - was developed by the Association of Notaries and Registrars of Mato Grosso - ANOREG-MT in 2015, is responsible for bringing together, in one place, digitized information from the registry offices of Mato Grosso, especially information related to real estate registration offices.

With this important tool, the state of Mato Grosso begins to stand out in the construction of an efficient real estate register, generating greater legal certainty in the transactions made here.

The information that this platform provides will be part of SINTER in the future.

This paper aims to present two major innovations in land governance in Brazil and, mainly in the Mato Grosso State, which aim to ensure greater legal certainty and thus pacify all types of land conflicts arising from inaccurate registration information, either involving individuals, social movements, traditional communities/ or indigenous peoples and, as a consequence, bring economic development to the region along with social and environmental development.

Keywords: cadastral database, SINTER, CEI system, land governance, sustainable development.