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RANGELANDS

IMPROVING THE IMPLEMENTATION OF LAND POLICY AND LEGISLATION IN PASTORAL AREAS OF TANZANIA

EXPERIENCES OF JOINT VILLAGE LAND USE AGREEMENTS AND PLANNING



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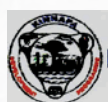


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The opinions expressed herein are those of the authors and the individuals interviewed for this report. They do not constitute official positions of ILC, its members or donors.

The background of the cover page is a faded, high-angle photograph of a large group of people, likely a community meeting or a village assembly, gathered in an open area. The people are mostly seen from the back or side, looking towards a central point. The image is in a light, desaturated tone, providing a subtle context for the report's focus on community land management.

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for the Sustainable Rangeland Management Project (SRMP)

October 2016

TABLE OF CONTENTS

Acronyms and abbreviations	6
EXECUTIVE SUMMARY	7
Context	7
The Sustainable Rangeland Management Project	8
Piloting joint village land use planning	9
Challenges	10
Conclusions and recommendations	12
INTRODUCTION	14
1.1 Village land use planning	14
1.2 The challenges of village land use planning in rangelands	15
1.3 The Sustainable Rangeland Management Project (SRMP)	17
1.4 Content of this document	18
IDENTIFYING OPPORTUNITIES TO IMPROVE VILLAGE LAND USE PLANNING IN RANGELANDS	19
2.1 Joint land use plans and natural resource management sector plans	19
2.2 Mapping and protecting livestock corridors	20
JOINT VILLAGE LAND USE PLANNING	22
3.1 Steps in joint village land use planning	22
3.2 Introduction to JVLUP in pastoral areas of Dodoma and Manyara regions	25
APPLICATION OF JOINT VILLAGE LAND USE PLANNING UNDER THE SRMP	26
4.1 LAHAKI joint village land use planning process	26
4.2 OLENGAPA joint village land use planning process	37
PROTECTING A SHARED GRAZING AREA WITH CCROs	45
5.1 The legislative framework	45
5.2 Adjudication and demarcation of the shared grazing land in OLENGAPA	46
5.3 Formation of the Livestock Keepers Association and issuing of CCROs	49
5.4 Preparation and registration of OLENGAPA and management plan	51
CHALLENGES OF JOINT VILLAGE LAND USE PLANNING	53
CONCLUSIONS AND RECOMMENDATIONS	57
REFERENCES	59
APPENDIX 1 Individual village land use plans of Lahoda, Handa, and Kisande	60
APPENDIX 2 Land use distribution in LAHAKI, 2013	63
APPENDIX 3 Individual village land use plans of Ngapapa, Lerug, and Orkitikiti	64
APPENDIX 4 Land use distribution in OLENGAPA, 2014	67

ACRONYMS AND ABBREVIATIONS

CAP	Community action plan
CCRO	Certificate of customary right of occupancy
CORDS	Community Research and Development Services
CSO	Civil society organisation
DC	District Council
DED	District executive director
FGD	Focus group discussion
GIS	Geographical information system
GPS	Global positioning system
Ha	Hectare
IFAD	International Fund for Agricultural Development
ILC	International Land Coalition
JPA	Joint planning authority
JRMC	Joint resource management committee
JVLUA	Joint village land use agreement
JVLUM	Joint village land use management committee
JVLUP	Joint village land use plan (or planning)
LAHAKI	Lahoda, Handa, and Kisande villages shared grazing area
LUP	Land use plan/land use planning
MALF	Ministry of Agriculture, Livestock and Fisheries
MLHHSD	Ministry of Lands, Housing and Human Settlements Development
NLUPC	National Land Use Planning Commission
NTFP	Non-timber forest product
OLENGAPA	Orkitikiti, Lerug, and Ngapapa villages shared grazing area
PLUM	Participatory land use management
PLUP	Participatory land use planning
PRA	Participatory rural appraisal
SRMP	Sustainable Rangeland Management Project
Tshs	Tanzania shillings (US\$1: Tshs 2,215)
UCRT	Ujamaa Community Resource Team
VA	Village Assembly
VC	Village Council
VEO	Village executive officer
VLA	Village Land Act
VLUM	Village land use management committee
VLUP	Village land use plan/village land use planning
WMA	Wildlife management area

EXECUTIVE SUMMARY

CONTEXT

Resilience-building planning in drylands requires a participatory, integrated approach that incorporates issues of scale (often large scale) and the interconnectedness of dryland ecological and social systems. In an often political environment that supports small, “manageable” administrative units and the decentralisation of power and resources to them, planning at large scale is particularly challenging; development agents in particular may find it difficult to work across administrative boundaries and/or collaboratively.

In Tanzania, the Village Land Act No. 5 of 1999 (VLA) and the Land Use Planning Act No. 6 of 2007 (LUP Act) guide planning at the local level. The VLA (sections 12 and 13) grants power to Village Councils (VCs) and their institutions to prepare participatory village land use plans (VLUPs). The LUP Act (sections 18, 22, 33, and 35) provides for the formation of planning authorities, functions, and procedures of developing participatory VLUPs and approval processes, and grants power to VCs to prepare those plans.

The Tanzania National Land Use Planning Commission’s Guidelines for Village Land Use Planning, Administration and Management (the NLUPC Guidelines – April 2013 revised version) detail six main steps to follow when developing participatory VLUPs. Despite this guidance, limited resources mean that village land use planning rarely gets beyond Step 4 of six, and support for the actual implementation of plans is lacking or extremely limited.

Village land use planning in rangelands faces particular challenges. Lands held by individual villages are generally not sufficient to sustain rangeland production systems such as pastoralism, and so demand a sharing of resources across village boundaries. There is low awareness on land use planning amongst district governments and communities, and conflicts over boundaries are common. Conventional land use planning tends to limit the mobility of pastoralists and others such as hunter-gatherers, whereas the semi-arid and arid environment of these areas demands that this mobility is retained.

THE SUSTAINABLE RANGELAND MANAGEMENT PROJECT

The Sustainable Rangeland Management Project (SRMP), led by now Ministry of Agriculture, Livestock and Fisheries (MALF) and supported by ILC and IFAD, has been working with national and district governments, local civil society organisations (CSOs), and communities to carry out village land use planning in a better way in pastoral areas. In the initiative discussed in this paper, the project focused on four districts – Kiteto, Bahi, Chamwino, and Kondoa (later Chemba). It reviewed relevant policy and legislation and related guidelines, and identified places where implementation could be improved through activities that increased the participation of marginalised groups in decision-making processes, encouraging a negotiated and agreed upon sharing of resources, including across village boundaries, and making the whole process more informed and more efficient. Pilots of this implementation were carried out in the four districts to demonstrate these points.

Of particular interest to the Project was the process of *joint* village land use planning (JVLUP). According to policy and legislation, this should be undertaken where two or more villages share resources across their boundaries. The VLA of 1999 (section 11 and Regulation 2002 No. 26-35) empowers VCs to enter into joint land use agreements with other villages to jointly plan, manage, and use the shared resources. The LUP Act (section 18) provides for the formation of a JVLUP authority and (in section 33 (1) (b)) provides for preparation of a joint “resource management sector plan” for the shared resource(s). Further, once a JVLUP process has been carried out, a group (e.g. an association) of land users can be formed, to whom certificate(s) of customary rights of occupancy (CCROs) can be issued in order to secure their rights of use to the shared land and/or resource.

Despite the apparent potential benefits of these processes, they had not been implemented due to a lack of recognition of the opportunities and a lack of available resources and technical capacity. For the SRMP, these processes provided an opportunity to formalise and protect the sharing of resources across village boundaries, and particularly the sharing of grazing lands, which are increasingly being lost to agricultural encroachment and other land pressures. It was believed that this would result in better planning and management of such resources, and thus ultimately would improve livestock production and local livelihoods. It was agreed therefore that the SRMP would pilot them.

This document describes the experiences of this JVLUP process in pastoral areas of Tanzania, undertaken through the SRMP, which resulted in a joint village land use agreement (JVLUA) between villages sharing resources. It describes the steps taken and the challenges and problems faced, together with the solutions found to resolve them.

PILOTING JOINT VILLAGE LAND USE PLANNING

Through the SRMP, the process of participatory joint village land use planning was carried out in two districts, following the NLUPC Guidelines. Some steps in the Guidelines were slightly modified to suit the context and conditions for more sustainable rangeland management. The first pilot commenced in 2013 in Dodoma region in three villages – Lahoda, Handa, and Kisande – located in Chemba (previously Kondoa) district. The villagers chose the name LAHAKI to represent the three villages (made up from the first letters of their names) and the shared grazing area, which the project intended to protect. The second cluster was located in Manyara region and was made up of Orkitikiti, Lerug, and Ngapapa villages, with the shared name of OLENGAPA.

Once general agreement had been established between the three villages in each cluster to proceed with the JVLUP exercise, the first step was participatory mapping of the rangeland resources: these maps formed the basis of both the six individual village land use plans (three in each cluster) and the two joint ones. The joint mapping process initiated discussions over shared resources, which would lead to the joint land use agreement. Joint land use management committees were established to oversee the process; these consisted of the three village land use management committees in each cluster.

Initially a total of 8,508 hectares, or 33% of the land, in the LAHAKI cluster was set aside for grazing. In OLENGAPA the initial total land set aside for grazing was 32,149 hectares, or 55% of the total village land. Each shared grazing area was allocated as a single block that ran across the boundaries of the three-village cluster. However, as the process advanced in each cluster of villages, disagreements emerged – with objections in particular from agriculturalist groups who resisted (sometimes violently) the previously agreed allocation of land to grazing. The processes were also politicised, as local elections were under way at the time and individuals took advantage of this opportunity to rally support for their own causes. Despite the involvement of the District Council (DC), the process in LAHAKI stalled and reached an impasse that continues to this day, with agriculturalists who have encroached into the grazing area still refusing to move out.

In OLENGAPA, however, despite some hurdles, a joint land use agreement was finalised and signed on 19 November 2014. The agreement provides assurance that every VC will respect the plan and that no single village can make changes to the areas identified for the sharing of resources without the consent of all three villages. However, although the villages had originally agreed upon a shared grazing area of 32,149 hectares, it became clear as the demarcation of the land took place that they had in fact reduced the shared area to 12,187 hectares. All three villages had reduced the amount that they were prepared to give to the grazing area, and this was a decision made by pastoralists as well as agriculturalists. The feeling was that, although grazing land was important, there was also a need for more agricultural land as livelihoods were becoming increasingly diversified.

In order to provide additional security and protection for the shared grazing area, its users then formed a Livestock Keepers Association, to whom CCROs can in time be issued by the VCs of each village. A further layer of security can then be achieved by registering the grazing area with the MALF.

CHALLENGES

The JVLUP process and resulting agreement(s) were not without their challenges, as described in some detail above. Though these consumed both time and resources, the SRMP team believes that the investment has been worth it and that the security of grazing in the villages involved has been significantly increased. The key challenges encountered during the processes in LAHAKI and OLENGAPA, and the actions taken to overcome them, included the following:

1. Land is an emotive subject and, as evidenced by this experience, stirs up emotions both good and bad. The issue of land can also easily become politicised and be used by those with power to further their own agendas and reap benefits above and beyond those realised by the community as a whole. Recognition of these challenges is vital, and responsive ways to mitigate any negative impacts will need to be developed if a process such as JVLUP is to run smoothly. A weakness of the process supported by the SRMP was that it was not followed through consistently or in a timely manner, and had several breaks, which were used opportunistically by different sets of stakeholders to try to scupper the process. In future, such situations should be avoided if possible.
2. Successive village boundary conflicts held up the VLUP processes and constrained investments in the better management of land. Village boundary disputes were fuelled by a lack of awareness of land laws among villagers and their leaders. Much time and effort was taken up by discussions and arguments over the movement of village boundaries in order to justify the resource ownership and use rights of individual villagers, even though these would not make a critical difference where resources were shared.
3. The experiences of LAHAKI in particular highlighted that the decentralisation of powers without limitations to village level (provided for by the VLA), coupled with low levels of awareness and understanding of proper management of village land amongst VC members, has led to corrupt practices and abuse of powers by village leaders and wealthier people in the villages. Further, village leaders and the more powerful members of the community dictate the decisions of Village Assemblies (VAs), resulting in decisions that favour personal interests rather than those of the community.
4. Misconceptions about the concept of a joint land use agreement were noted amongst village members. The process of joint land use planning was new, and some villages found it difficult to grasp (despite a history of shared resource use in the area).

5. Heavy encroachment onto rangelands in the project area by crop farmers from neighbouring districts and regions made the securing of rangelands for pastoralists an uphill task. Pastoralists' poor awareness of government policies and of their rights, together with their generally low levels of education, made it easy for better-educated crop farmers to take advantage of them. In addition, there is a tendency for pastoralists to turn to crop farming for short-term financial gains, at the expense of pasture lands. At the same time, agriculturalists take advantage of pastoralists' lack of experience in both growing and selling crops. The likely consequence of these actions seems, unfortunately, to be an inevitable further loss of pastoral lands.
6. The multiplicity of actors involved in land use decision-making and dispute settlement – including autonomous village governments, each with full powers and mandates to make decisions on land use within their areas of jurisdiction – made the process long-winded and time-consuming.
7. Data collection was challenged by an inadequacy of spatial data, base maps, high-resolution satellite imagery, and underlying technology, including geographical information systems (GIS), remote sensing, surveys, and mapping, and by a lack of experience in VLUP approaches and techniques amongst members of district participatory land use management (PLUM) teams and CSOs.
8. Limited financial resources allocated for land use planning at central and local government levels constrain the development and implementation of VLUPs, and increase the reliance of government and communities on projects such as the SRMP to support such processes.
9. In hindsight, a lack of clear selection criteria for villages to enter into a JVLUA led to the inclusion in the partnerships of problematic villages, while potentially more appropriate neighbouring villages were left out. Villages that are not included in the joint land use agreement in OLENGAPA still use resources in the area. This could lead to conflict, which may threaten the sustainability of the OLENGAPA partnership, unless additional provisions are made to include them in the agreement. It is hoped that these issues will be addressed in Phase III of the SRMP.
10. The human population in the villages continues to grow, both internally as well as through migrants coming into the villages. Livestock populations are already high for the resources available. This means that pressures on land and rights over it will increase. Obtaining a VLUP, joint VLUP, a joint land use agreement, group CCRO, or other agreement is only the starting point in an ongoing process of negotiation and/or a battle to hold onto these rights.

CONCLUSIONS AND RECOMMENDATIONS

The SRMP is striving to improve the implementation of VLUP in rangelands in order to contribute to better sustainable management of them and the resolution of land use conflicts. The Project has achieved this in three ways in particular through the experiences (both good and bad) of LAHAKI and OLENGAPA. First, it has improved community awareness of the land use planning (including joint land use planning) processes both in the project areas and in neighbouring villages, as word of the experiences has spread. Second, it has built understanding of the joint planning processes in national, regional, and local governments, together with their capacity to implement such processes themselves. Third, it has offered innovative solutions to the increasing insecurities and conflicts over land use and access that rangeland users face by developing layers of security over a piece of land (in this case a shared grazing area), rather than relying on one layer only. Though these innovations already existed on paper (in policy and legislation), it was only through the SRMP that they have been put into action, and important lessons have been learned as a result.

In order to further improve the sustainability of the process of joint land use planning and management, and to facilitate the refinement and scaling up of the approach, the following recommendations are made:

1. More needs to be done by national and lower levels of government to establish an enabling and supportive environment for joint village land use planning and for the protection of rangelands more specifically. District Councils in particular require higher levels and more regular allocation of finances for VLUP than they are currently receiving. The capacity of local government officers, including district PLUM teams, needs to be built in order to better contribute to the complex processes involved in joint village land use planning, including negotiation and conflict resolution.
2. There needs to be better collaboration between government and CSOs in order to jointly support communities to strengthen their rights to land and resources through processes such as JVLUP. More formalised coordination mechanisms should be established to this effect.
3. Biases remain against pastoralists in VLUP, even where they are the majority land users. As a result, rangelands are under constant pressure and conversion to other uses (even if those uses might not be appropriate). The continued encroachment onto grazing lands by non-pastoralists needs to be halted – once agriculturalists have established themselves in grazing areas, it is difficult to move them out (as seen in this pilot). Villages, districts, and higher levels of government should do more to protect rangelands and the rights of rangeland users, in order that livestock production can grow and better contribute to local and national economies. Well-informed and unbiased district and village land use plans can make important contributions to this.

4. VCs and other members of local government need to be more forthright in protecting land use plans that already exist, and in developing them where they are needed – including the protection of rangelands within them. There is still low capacity amongst VCs to manage village land, resulting in poor enforcement; as such, capacity-building for VCs also needs further attention.
5. A clear set of criteria for selecting villages for joint land use planning is needed in future to ensure that the process is cost-effective and successful, through the inclusion of the “right” villages. One obvious criterion is the sharing of livestock production resources across village boundaries, including grazing and water. Villages that share such resources can be identified at district level through, for example, a District Land Use Framework Plan. However, as the experience described here shows, this criterion alone is not enough to identify villages suitable for the process – other criteria should include a very clear and firm (perhaps financial) commitment from villages to the process.
6. The detailed and prolonged process of JVLUP is described here. These details need to be shared with communities and other stakeholders who are considering the process, so that they are better informed about what is expected of them and what they will have to contribute to reach agreement. There needs to be an improvement in the way that awareness-raising sessions on participatory land use planning (PLUP) are carried out with communities, including the allocation of sufficient time to allow in-depth dissemination and discussion of key documents and messages, as well as the roles and responsibilities of different actors, aspects of boundaries, resolution of boundary conflicts, etc. Greater thought needs to be put into preparing for these sessions, which should be carried out in such a way as to maximise knowledge transfer and consolidation, e.g. through visiting the proposed shared resources so that everyone understands their boundaries and the implications of demarcating them.

This is particularly important in mixed crop/livestock villages where it is likely that disagreements over land allocation will exist, and boundaries will need to be negotiated and agreed upon. The steps taken through such negotiations and in order to reach agreement will require a significant investment of time and resources. It is vital that all stakeholders are involved in the negotiation process and that they are fully guided through the implications of any decision made. Only then is the process likely to run smoothly.

INTRODUCTION

A participatory, integrated approach to planning is required to build the resilience of dryland communities and the environment in which they live. This involves issues of scale and mobility, “nested” and multi-layered governance and use of land, the inclusion of multiple sets of actors, and the complexity and interconnectedness of dryland ecological and social systems. A starting point for planning is understanding how land is currently used, and this should influence the scale at which planning is carried out. In a context where formal administration works through relatively small political units with power and resources decentralised to them, planning at a scale that reflects the current use of rangelands can be particularly challenging. It will likely demand working across the boundaries of administrative units and will require collaboration between neighbouring authorities – something that is not always easy.

1.1 VILLAGE LAND USE PLANNING

In Tanzania, land use planning at local level has been formalised through the 1999 Village Land Act No. 5 (the VLA – mainly sections 12 and 13) and the 2007 Land Use Planning Act No. 6 (the LUP Act – mainly sections 18, 22, 33, and 35). These acts provide for the formation of planning authorities and for the functions and procedures of developing village participatory land use plans (VLUPs) and approval processes; they also grant power to Village Councils (VCs) and their institutions to prepare VLUPs. These provisions anticipate that village-level processes will be supported by district-level technical teams – in particular the district participatory land use management (PLUM) teams.

The Guidelines for Village Land Use Planning, Administration and Management in Tanzania (April 2013 revised version), developed by the National Land Use Planning Commission (NLUPC), detail six main steps to follow when developing participatory VLUPs:

- » Preparations at district level;
- » Participatory rural appraisal (PRA);
- » Mapping existing village land uses;
- » Participatory village land use planning;
- » Implementation of village land administration: enhancement of security of tenure; and
- » Detailed village land use management planning.

Limited resources mean that the VLUP process rarely gets beyond Step 4. However, sustainability of access and management will only be ensured if the full process is carried out. More details on all the steps are contained in the Guidelines.

Where resources are shared between villages, joint land use and management plans should be developed (LUP Act 2007, Section 33 (1) (b)). A joint village land use management (JVLUM) committee should be established to facilitate this, and this will

require negotiations and agreements between the villages involved. Shared resources can include forests, water, and/or grazing areas. Once the sharing of resources is agreed upon and joint plans are developed, a governing body to manage the shared resources should be established.

1.2 THE CHALLENGES OF VILLAGE LAND USE PLANNING IN RANGELANDS

There are many challenges to village land use planning, and particularly in rangelands. In general, there is still low capacity to carry out land use planning effectively. Districts rarely allocate adequate finances.¹ Knowledge of new and efficient technology (specifically geographical information systems (GIS) and remote sensing) is low among local authorities and village institutions. Competition for resource access, aggravated by village sub-divisions, causes conflicts over boundaries that constrain village boundary surveys, the issuing of certificates for village land, and, as such, the VLUP process. There is corruption in land allocations, and land is provided unchecked to speculators, amongst others. District officials are said to be reluctant to relinquish power over land and natural resources to village communities, and this may be a primary reason why many village land certificates are still sitting in land officers' drawers (Ylhaisi, 2010). All these factors have contributed to the slow pace of VLUP preparation and implementation.

In addition, a lack of adequate institutionalisation of district PLUM teams hinders the sustainability of the VLUP process – for example, there is no regular periodical updating of land use plans or refresher training for village technicians, and no systematic use of plans in district planning and resource allocation. The implementation of plans and related by-laws is poorly monitored and evaluated. Other limiting factors include bureaucratic red tape, too many forms to deal with, poor levels of skills required to manage the process, and the absence of infrastructural support and manpower.

Even where village land use planning has been completed, the lack of follow-up means that it is unclear exactly what impacts have been realised – including whether the rights of land users are more secure or not. Other benefits are also unclear. Procedural complexities with regard to both titling and land use planning have generated implementation fatigue, to the extent that a fallback to traditional mechanisms increasingly appears to be a welcome alternative.

¹ Current estimates of the cost of producing a VLUP range between Tshs 6 million and Tshs 12 million (US\$3,600–7,200) per village, depending on the extent of the village land and the clarity of issues such as boundaries. When the costs of infrastructure (land registry) and supports required for the process up to the issuing of CCROs are included, the cost increases to approximately Tshs 20,053,000 (US\$12,080) for one village. While there are always fixed costs, there are also variable costs, which may be negotiated with a view to reducing the overall cost without compromising the quality of the plan or its ownership by a community.

Additionally, there are some particular challenges to VLUP in rangelands because of the way that land is used. In order to utilise unevenly distributed vegetation and water (bound by a variable climate), land is used at a landscape scale, with regular movement across it being vital. Conventional land use planning tends to limit the mobility of pastoralists and hunter-gatherers, and can hinder access to important resources. Although land policy and legislation in Tanzania encourage the development of formal agreements for resources that are shared across village boundaries, these have not been developed due to limited financial resources and know-how. In addition, the complexities of dealing with such issues, often including land use conflicts, put off land use planners.

The interests of powerful groups such as investors can override those of less powerful rangeland users, particularly where unfair, non-transparent, and non-participatory processes are followed. In Babati and Monduli districts, for example, problems in VLUP were blamed on insufficient participation by stakeholders, a lack of robust, transparent, and accountable implementation strategies, the inadequacy of qualified staff, and the lack of a “holistic” approach to the planning process (Kaswamila and Songorwa, 2009). Even where land is currently allocated as grazing (and in particular where pastoralists are a minority), the general impression amongst villagers tends to be that land allocated to grazing is a kind of “village reserve”, which can be converted to agriculture as demand requires.

Further, although the VLA provides an avenue for the proof and recording of customary title, experience has shown that it is very difficult for pastoralists or hunter-gatherers to prove customary title to their lands. Tenga et al. (2008) summarise a number of court cases where pastoral groups have lost their rights to lands: in all cases the court sided with commercial companies or conservation organisations rather than the pastoralists.² Cumbersome titling procedures hold up processes even where customary title has been proved. It is challenging for rangelands users to organise themselves into formal, legally recognised groups in order to then apply for certificates of customary right of occupancy (CCROs) – and only rarely do they get appropriate assistance from “outsiders” to do this. Securing rights to land is a highly complicated process for pastoralists and hunter-gatherers to work through and is rarely achieved. Pastoralists and hunter-gatherers tend to be sidelined by village meetings and have weak or no representation, particularly in areas where they are a minority.

For pastoralists and hunter-gatherers, who depend on extensive patterns of land and resource use, a major trade-off exists between securing rights over land and maintaining flexibility and wider rights of use and access beyond village boundaries.

² Pastoralists and hunter-gatherers are also facing conflicts with conservation bodies. The majority of Tanzania's wildlife is found in areas that pastoralists have traditionally used. There is a conflict between laws and policies that support wildlife and wildlife management, and those that provide for village land use planning. The areas with large grazing areas are often earmarked for wildlife management areas (WMAs) and conservation, due to the large presence of wildlife.

Though there are clear advantages to “enclosing” local resource use systems within the fairly rigid structures of village-level land use plans and regulations, there are also disadvantages. Imposing these boundaries of land ownership and management may create conflicts between adjacent communities, who may fear losing access to areas across village boundaries. Further, “boxing in” resources within the confines of individual villages can impair the sustainability of pastoralist and hunter-gatherer systems, which need mobility and flexibility, particularly in light of changes in climate and resource distribution.

1.3 THE SUSTAINABLE RANGELAND MANAGEMENT PROJECT (SRMP)

This document has been developed by the Sustainable Rangeland Management Project (SRMP). The SRMP aims to secure the land and resource rights of pastoralists, agro-pastoralists, and crop farmers and to improve land management by supporting village and district land use planning and rangeland management. The project has been working in Kiteto, Bahi, Chamwino, and Kondoa (later split to include Chemba) districts in Tanzania. More broadly, it aims to influence policy formulation and implementation on these issues.

The project is facilitated by financial and technical support from the International Fund for Agricultural Development (IFAD) and the International Land Coalition (ILC). It was implemented by then Ministry of Agriculture, Livestock and Fisheries (MALF), now livestock sector of the Ministry of Agriculture, Livestock and Fisheries. Key partners include the District Councils of the four districts, the National Land Use Planning Commission (NLUPC), CARE International, the Tanzania Natural Resource Forum (TNRF), the Ministry of Lands, Housing and Human Settlements Development (MLHHSD), and civil society organisations (CSOs) KINNAPA Development Programme, Dodoma Environmental Network (DONET), Bahi Environmental Network (BAENET) and Mtandao wa Mazingira Chamwino (MMC).

Important components of the project are to develop new ideas, learn from past and current practices, further develop these, and suggest improvements to the VLUP process in order to contribute to more sustainable rangeland management.

The protected shared grazing area OLENGAPA stretches out into the distance



1.4 CONTENT OF THIS DOCUMENT

This document describes the experiences of the first joint village land use planning (JVLUP) exercise to be carried out in pastoral areas of Tanzania. This was undertaken by the SRMP following a review of development opportunities in current land-related policy and legislation. It describes the steps followed and the challenges and problems faced, together with the solutions found to resolve them. It concludes with recommendations for improving the process in the future.

The first section of the document provides the political and legislative context for JVLUP and what this means for planning in pastoral areas. Section 2 presents existing opportunities to improve village land use planning in the rangelands, including joint village land use planning. Section 3 describes the steps undertaken, and Section 4 describes the application of these steps in the two pilot areas. Section 5 provides information on the yet to be finalised process of developing additional protection for the grazing areas through the provision of a CCRO and registration of these area with the MALF. The document ends with a discussion of the remaining challenges identified when undertaking JVLUP, and recommendations for improving the process in the future.

IDENTIFYING OPPORTUNITIES TO IMPROVE VILLAGE LAND USE PLANNING IN RANGELANDS

On paper, Tanzania's policy and legislation for land certification and village land use planning are, essentially, enabling. However, the application of this policy and legislation requires improvement. This is particularly the case in rangelands, where the sharing of resources and the movement of livestock across village boundaries are the norm. A number of facilities and mechanisms exist within the policy and legislation that can support this cross-village resource sharing and movement. However, until now, these have not been used or implemented.

2.1 JOINT LAND USE PLANS AND NATURAL RESOURCE MANAGEMENT SECTOR PLANS

In the Land Use Planning Act of 2007, there is provision for the development of joint village land use plans for resource management of grazing land, forestry, and water bodies that cross village boundaries. Section 33 (1) (b) states: *"Where resources are shared between villages joint land use and management plans should be developed."*

A joint land use plan is one prepared by a "joint planning authority" (JPA). This "authority" is a legal body, declared by the MLHHS in accordance with Section 18 of the Act. The JPA may constitute two or more village planning authorities or two or more district planning authorities seeking to use and manage land or resources jointly.

JVLUPs are developed in addition to individual village land use plans – and the cost of producing a second "joint" plan (once individual plans have been finalised) has to date proved prohibitive. However, because joint plans facilitate and formalise inter-village resource sharing and management, the long-term benefits are significant, with a reduced incidence of (costly) land use conflicts. In addition, if planning processes are undertaken in a well organised and efficient manner, where several villages plan together (concurrently) there can actually be a saving of costs.

Alternatively and instead of a JVLUP established by a JPA, it is possible to develop a joint land use agreement (JLUA) between villages. The establishment of a JLUA does not require a JPA, but rather it can be developed by the planning authorities already established in the villages i.e. the VCs supported by village land use management (VLUM) committees.

In order to guide management of the shared resources across villages, the 2007 LUP Act and the VLA 1999 (section 11) and its Regulation 2002 No. 26-35 state that an inter-village “resource management sector plan” should be produced:

Every village land use planning authority shall ... in respect of resources shared with other villages, prepare jointly with other village planning authorities, a village resource management sector plan and submit such plan to the district planning authority for rationalisation and incorporation into the district land use framework plan; ... and where the villages belong to different districts, shall consider them jointly.
(LUP Act, article 33 (1a))

The natural resource management sector plan deals with and facilitates the sharing of the resources and, as the legislation states, should be incorporated into district land use plans (discussed further below). The agreement, management sector plans, and by-laws provide the formal framework for sharing the resources, with details of which neighbours can use which resources, when, and how.

The achievement of a JVLUP or a JVLUA and supporting natural resource management sector plan should provide an extra layer of protection by further legitimising the use of the shared resources. And with several villages planning together and entering into an agreement to share grazing and other resources, the area available to the pastoralists within those villages is increased – the likelihood of individual villages making land use changes is reduced. Accompanying by-laws are developed to provide a framework for resource use, and should be phrased in such a way as to provide flexibility that serves production systems in dryland (variable) environments.

2.2 MAPPING AND PROTECTING LIVESTOCK CORRIDORS

Mobility makes possible the sustainable use of dryland ecosystems. In areas where the quantity and quality of rainfall, pasture, and water resources vary considerably from one season to the next, mobility is essential for animals to access fodder and water where they exist. It enhances complementarity between pastoral and agricultural systems. Pastoralists and farmers benefit from reciprocal arrangements: transhumant herds manure farmers’ fields; farmers’ livestock are raised in neighbouring pastoral areas; and pastoral herds are often the main source of traction animals. Carefully negotiated livestock movements make these connections possible. It also facilitates the domestic, regional, and international trade in livestock, thus supporting local livelihoods and contributing to national economic growth.

Today, in a context of rapid land use changes and increasing pressure on rangeland resources, it is of great importance that livestock corridors (stock routes) are protected. The Grazing-Land and Animal Feed Resources Act (2010) states, in article 16 (2):

Mapping of rangeland resources is an important first step in the JVLUP process



Without prejudice to the generality of section 32(1) of the Village Land Act, the Village Council shall grant the right of way for stock-driving for purposes of providing access to water, dipping, marketing facilities and other services which are not within the grazing-land.

Livestock corridors can facilitate movement across agricultural areas, increasing the area open to pastoralists: by-laws can be produced to protect these. Many villages have developed by-laws protecting routes as part of VLUP processes. The inclusion of rangeland resource mapping (Flintan, 2012; SRMP, 2013) as a step in the investigation (PRA) stage of village land use mapping offers further and more systematic opportunities for understanding and ultimately protecting livestock corridors. Routes require protection at different levels – national, regional, district, and village. Mobility is an important part of cross-village resource sharing and should be a key component of the JVLUP process and resulting agreements.

JOINT VILLAGE LAND USE PLANNING

Joint village land use planning agrees, formalises, and protects resource use across village boundaries. As with individual VLUPs, village land is zoned by priority use in a JVLUP. This does not mean that it has to be the only use, and integrated or layered land use systems can still be supported: for example, if an area is designated for agriculture or forestry or tourism, livestock can still be grazed there at certain times of the year. To facilitate this, village by-laws should be developed that support the JVLUP process and agreement.

Through the SRMP, the process of joint village land use planning was undertaken in two pilot districts – Kiteto and Chemba (originally part of Kondoa), following the steps described below. During implementation these steps were further refined and documented, and are being incorporated as an addition (appendix) to the next volume of the NLUPC's Guidelines for Participatory Village Land Use Planning Administration and Management.

3.1 STEPS IN JOINT VILLAGE LAND USE PLANNING

The NLUPC's 2013 version of the Guidelines describes the steps required for VLUP. These steps were followed by the SRMP, with some refining and modification to increase the efficiency and effectiveness of the planning process in rangelands.

STEP 1: PREPARATION IN DISTRICT AND VILLAGES

Preparations for JVLUP start with discussions with the different stakeholders in order to explain the value, opportunities, and likely obstacles for joint planning, and to gain their support for the exercise. Some awareness raising and advocacy may be required. This should include discussions with local (district) government, in particular the PLUM team, as well as supporting CSOs and community members, including the VCs and VLUM committees.

Ideally, a mapping process at district level should indicate which villages share resources. This should be confirmed with village members, and shared resources identified. If any conflicts exist between these villages, either over boundaries or land resource uses, then these will need to be resolved before proceeding.

Training of government personnel and CSOs in VLUP and land policy or legislation may also be required, and this will depend upon their experience and whether individual VLUP has already taken place or not. If individual VLUP has not already taken place, then there will also be a need to train community members (including VCs and VLUM committees) in relevant land and livestock legislation. A clear action plan and budget will then need to be drawn up – preferably on a cost-share arrangement between the community, government, and, if relevant, the supporting NGO/CSO.

Box 1: What is the value of joint village land use planning?

Joint VLUP can play a valuable role in protecting resources such as grazing areas, which are shared by a number of villages. The process brings together the villages and assists them in reaching consensus about the shared resource – where the boundary (albeit porous) should be, who should have access to the resource for use, what the management requirements are, etc. Reaching consensus may not be easy and is likely to require the investment of time and resources. Conflicts over boundaries and use may occur and these will need to be resolved. Sometimes conflict resolution is required before agreement can be reached, but once conflicts are resolved this should result in a stronger foundation for moving forward. Individual village border conflicts in the shared resource area should become less problematic as borders between villages that lie within the shared resource boundary have little relevance – all agreed users can use the resource and it does not matter which village it lies in. The process also revitalises cross-community and “group” values, which may have been lost in individual land use planning activities. The outcome of the JVLUP process should mean greater protection for the shared resource(s), as the land use cannot be changed unless all villages participating agree. Additionally, once the joint land use agreement has been signed, the VC of each village can assign a group CCRO to a group or association – further protecting the resource. In the case of grazing areas, another layer of protection can be provided by registering the designated grazing area with the MALF.

STEP 2: DATA COLLECTION AND ANALYSIS

Commonly in this step PRA tools are used to gather information on local land uses, natural resources and their distribution and sharing, obstacles and opportunities, etc. The SRMP encourages the use of participatory rangeland resource mapping as one of these tools. It is useful for the villages involved in the joint land use plan to conduct the participatory rangeland resource mapping jointly in the same location and at the same time, so that maps can be compared and shared resources can be identified and discussed (see below). Although rich discussions can accompany the use of these tools, more intense and targeted focus group discussions (FGDs) are a useful follow-up activity with particular stakeholders.

STEP 3: MAPPING OF EXISTING VILLAGE LAND USES

As mentioned above, for a JVLUP to be produced a joint planning authority (JPA) will need to be established. This JPA is a legal body, declared by the Minister of Lands in accordance with section 18 of the VLA. The JPA may constitute two or more village planning authorities (i.e. VCs) or two or more district planning authorities seeking to use and manage land or resources jointly. However, the process of setting up a JPA can be extensive and time-consuming. Alternatively, a joint village land use agreement (JVLUA) can be established without establishing a JPA; this is developed instead by a joint village land use management (JVLUM) committee made up of the VCs and VLUM committees from the participating villages.

In order for JVLUP to take place, each village involved should first obtain a village certificate showing the village boundary, and draw up an individual VLUP as per the NLUPC Guidelines. Where joint village land use planning is anticipated, it is an advantage to the process if the individual land use plans of the villages involved can be developed together; this is not only likely to make the process more cost-effective but also to result in complementary and overlapping/contiguous land uses across village boundaries.

For example, if it is agreed that Villages A, B, and C should have a joint land use plan (as well as their own individual plans) because they share the boundaries of a grazing area, it is important to ensure that this shared grazing area is contiguous across the boundaries of the three villages, and that it is established and described as such in both the JVLUP (and/or JVLUA) and the three individual VLUPs. If it is not contiguous, then problems are likely to occur in accessing the grazing area.

Using the participatory rangeland resource map as a starting point, the current major land uses are mapped. Information from FGDs, field observations, and other PRA activities will also provide useful information for this. The boundaries of each priority land use type will need to be digitised; this can be done by digitising a 1:50,000 scale topographical map³ (obtained from the MLHSD) as a base map and marking key landmarks and features on it, using global positioning system (GPS) points read on a hand-held device carried along the boundaries and/or transects as they are walked with community members. An alternative to using a topographic map is to use an Internet-sourced digitised map of the area to enable the identification of the GPS coordinates of key points and landmarks from the participatory rangeland resource sketch-map (see sections 8.3 and 11.6 in SRMP, 2013).

Where conflicts or disagreements exist over village boundaries, either within individual land use plans or between the villages in the joint plan, then these will need to be resolved – processes such as community dialogue (see section 5.2 in SRMP, 2013) can be useful in this regard.

STEP 4: ADMINISTERING AND MANAGING LAND

Once the boundaries of the priority land use types are drawn, plans for administering and managing the different land use areas need to be established. Information gathered through the participatory rangeland resource mapping, FGDs, ground-truthing, and other tools can be used in problem analysis, community action planning, and the development of management arrangements for each land use type and of by-laws to support these.

The boundaries of the shared resource(s) now need to be drawn up and mapped, and a resource management sector plan established for the shared resource.

³ Major limitations to this work are outdated topographical sheets and a lack of high-resolution satellite images.

STEP 5: ENHANCEMENT OF SECURITY OF TENURE

In order to protect and enhance the security of the shared resource(s), a joint village land use agreement (JVLUA) is drawn up based on the boundaries of the shared resource. The chairpersons from each village sign this agreement, witnessed by the district legal officer. The agreement is registered with the registrar of documents and gazetted through the Ministry of Lands.

An association of (shared) resource users should then be established e.g. a Pastoral, Livestock Keepers, or Rangeland Association. The members of this association apply to each VC (which are part of the JVLUA) for a collective CCRO covering the part of the grazing area that falls under each VC's jurisdiction. As such, a resource (like a grazing area), which falls across three villages will require three CCROs – one from each village – which will be provided to the members of the association.

STEP 6: DEVELOPMENT OF A SHARED RESOURCE MANAGEMENT SECTOR PLAN

Once CCROs have been provided for the shared resource, then the group (the “owners”, the association) is responsible for developing a management plan for it. This can be done with technical and financial support from the relevant District Council, the MALF, and/or NGOs. The management plan will be presented and submitted to the concerned Village Assemblies (VAs) in a joint meeting for their approval. In a grazing area, the approved plan will be submitted to the MALF, where the grazing area will then be registered. According to the NLUPC Guidelines, all plans should be updated every five years.

3.2 INTRODUCTION TO JVLUP IN PASTORAL AREAS OF DODOMA AND MANYARA REGIONS

Following identification of the opportunities offered by joint village land use planning, the SRMP began developing the above steps in order to apply the process in two pilot areas in Dodoma and Manyara regions. The first was in Chemba (previously Kondoia) district, Dodoma region, and included the three villages of Lahoda, Kisande, and Handa; the second was in Kiteto district, Manyara region, and included Orkitikiti, Ngapapa, and Lerug villages. These sites were chosen because the SRMP, which had already been working in the area, was aware that resources were shared yet under pressure, and support for the process of joint planning had already been indicated by the communities. The following section describes in detail the experiences of the joint land use planning processes in the two areas.

APPLICATION OF JOINT VILLAGE LAND USE PLANNING UNDER THE SRMP

4.1 LAHAKI JOINT VILLAGE LAND USE PLANNING PROCESS

The first joint land use planning process took place in the villages of Lahoda, Handa, and Kisande. Traditionally these villages have shared rangeland resources, guided by customary laws and regulations. The villages are located in Larta ward, Kwamtoro division in Chemba district (previously Kondoa), in Dodoma region. They cover an area of 27,787.3 hectares, with a human population of 11,014 and a livestock population of around 41,000 (half of these being cattle). The dominant ethnic groups in the area are the Wanyaturu agro-pastoralists, who recently migrated in from the neighbouring Singida district; the Sandawe hunter-gatherers (the majority of whom seem to have now turned to livestock or farming); Barbaig pastoralists; and Iraq agro-pastoralists.

The three villages are endowed with grazing resources that include good coverage of acacia bush land, with emergent trees, open grasslands, and open dry “miombo”⁴ woodlands. Some old-growth closed forests are also found. There are no permanent rivers, but during the wet season ravines collect rainwater. For much of the year people and livestock rely on boreholes, two springs (one in Lahoda and one in Handa), a dam in Lahoda village, and shallow wells and an artesian well drilled in Lahoda village 40 years ago. Recognised local livestock routes support movement within and between villages in order to access pasture, water, salt licks, and markets.

Though grazing resources found within the village boundaries may seem to be sufficient for part of the year, dry season conditions can lead to critical shortages, making movement necessary to areas outside the villages. Crop residues supplement pasture in the dry season and the neighbouring Swaga Swaga Game Reserve can be accessed for grazing under special arrangements. Often there is a shortage of water for both humans and livestock, and at such times the only reliable water sources are the artesian well in Lahoda and the two springs in Lahoda and Handa. Conflicts between pastoralists and

4 *Miombo* is the Swahili word for *Brachystegia*, a genus of tree comprising a large number of species. Characteristically trees shed their leaves for a short period in the dry season to reduce water loss, and produce a flush of new leaves just before the onset of the rainy season. Miombo woodlands form a broad belt across south-central Africa, running from Angola to Tanzania. Usually these woodlands are important for local livelihoods of rural people who depend on the resources available including both timber and non-timber forest products.

agriculturalists are common and are increasing. These have challenged the authority and the management capability of customary institutions

PARTICIPATORY RANGELAND RESOURCE MAPPING

The first step in the JVLUP process was a participatory mapping of the rangeland resources. The mapping exercise took place in Lahoda, with a group of representatives from each of the three villages drawn from amongst livestock keepers, farmers, youths, elders, and women. Each of the three village groups produced its own village resource map next to one another on a piece of sandy, shaded ground.⁵ The advantage of working in parallel was that shared resources could be easily identified and their rough boundaries mapped. Also, it allowed each village to see the other village maps and discuss shared critical issues such as agricultural encroachment and reduced resource access. Information was also collected on demography, village administration, land tenure and size of land holdings, socio-economic facilities, settlement patterns, and economic and livelihood production systems. The villagers were then taken through a process of identifying and analysing problems and opportunities. The participatory rangeland resource maps produced were to form the basis of both the three individual village land use maps and the joint one.

However, it was realised during the mapping process that the Barbaig pastoralist community were not represented. It was agreed that this might have resulted in resources important for pastoralism being missed from the mapping process. Before concluding the map, therefore, a meeting was convened with the Barbaig to give them an opportunity to contribute their views and opinions. At this meeting, pastoralists turned out in large numbers, bringing with them their fellow pastoralists from the neighbouring villages of Msera and Ndoroboni, who also share resources across the villages. Pastoralists raised concerns about the constant shrinking of the grazing land and the blockage of cattle routes, due to rampant expansion and opening of new farms; they stressed that they were not represented in the VCs, their voices were not heard, and their rights to land were ignored. Agricultural expansion into the grazing areas, they said, was allowed with the full support and approval of the VCs and this was the principal cause of constant conflicts that occurred between pastoralists and farmers. They saw the land use plan, and especially the joint land use plan and agreement, to be something that would not only protect the grazing areas, but also guarantee access to grazing resources within and outside individual village boundaries.

The hand-drawn participatory maps documenting those drawn by the communities in the mapping process and verified by them are provided in Figures 4.1–4.3. These were used as a starting point for influencing the planning process. It should be noted that representatives from the Barbaig pastoralists were included in the VLUM committee for the planning process, and later in the joint grazing land management committee.

5 One mistake the Project made here was to give each village group of mappers a rectangular area of ground on which to draw their map: this meant that all three village maps were drawn with rectangular boundaries, whereas in reality the areas of the villages were not rectangular. In hindsight the villages should have been given a more open piece of land that would not restrict their thinking or drawing.

Figure 4.1: Handa village

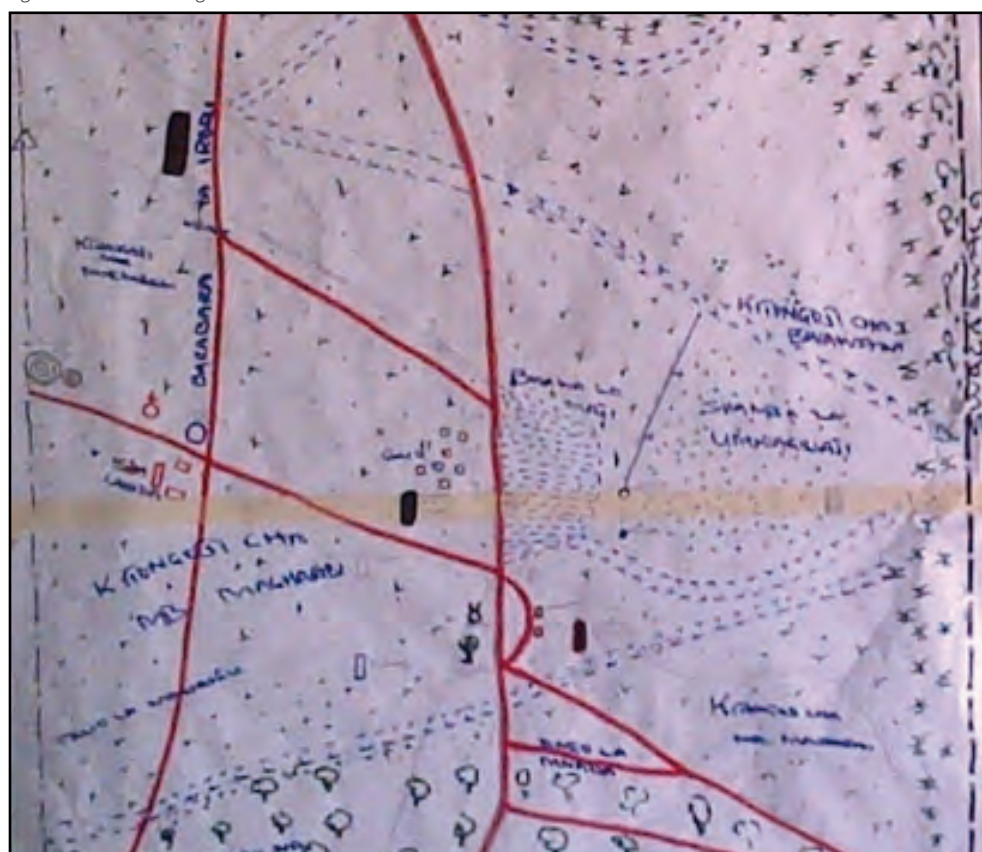


Figure 4.3: Kisande village



INDIVIDUAL VILLAGE LAND USE PLANNING

On completion of data collection through participatory rangeland resource mapping, the SRMP team, with the relevant VLUM committee, facilitated each individual village to prepare an individual VLUP. The team ensured that the three individual VLUPs considered not only the issues within their village boundaries but also those across them, bearing in mind the opportunity later to develop a joint plan in order to formalise the sharing of resources. Of particular interest were the shared grazing resources identified during the resource mapping exercise (see Appendix 1).

The SRMP team helped the VLUM committees to develop and share common criteria for setting aside the grazing land. Issues to be considered included the existence of fertile and well-drained deep soils, the availability of a variety of pasture (vegetation) and freedom from encumbrances such as farms or settlements. Most important was that each VLUM committee ensured that the grazing land was not only large enough and suitable for the livestock populations in the villages, but that it was allocated as one contiguous block that ran across the village boundaries.

The three VLUM committees came together to share the land use planning proposals of each village for the purpose of harmonising the plans, according to the requirements of the JVLUA. This was done before the committees submitted the individual plans to their respective VCs and VAs for approval. The aim was to ensure that the same message was taken to all VCs for consideration. The VAs of Lahoda and Handa approved their respective village land use plans, but Kisande VA rejected theirs.

The rejection of the Kisande VLUP was attributed to disagreements and resistance from farmers to, in particular, the grazing area. They argued that the village had a critical shortage of land to support both crops and grazing, and setting aside this land for grazing alone was inappropriate. In order to win the support of pastoralists against the plan, the group wrongly warned them not to accept it because the SRMP was not there to help them but rather was trying to secure and protect the grazing land for investors and not for community members! The pastoralists believed these lies and they too joined hands to reject the plan and the shared grazing area.

In response, the Project reported the situation to the DC during the presentation of the VLUPs to the DC's Economic, Works and Environment Committee. In the course of discussion, it was revealed that grazing land in the village was being sold to migrant farmers from Singida without the procedures laid down being followed; the village chairman who had approved these sales was under pressure from these farmers to either return the money they had spent to purchase the property or ensure that their property was protected. The DC intervened and declared all the sales null and void. Pastoralists were reassured that the portrayal of the SRMP as investors wanting to take their land was false. Kisande's VLUP was resubmitted to their VA and approved on 31 October 2013. It was anticipated that the process could now move on to developing a joint village land use plan and/or agreement.

JOINT LAND USE AGREEMENT AND MANAGEMENT

As mentioned above, there are two processes that can be followed to protect shared resources: first, the development of a joint village land use plan (JVLUP) and second, the establishment of a joint village land use agreement (JVLUA) – the latter being the less complicated and time-consuming approach. Due to time constraints, the SRMP chose the route of establishing a JVLUA.

In order to develop the JVLUA, the three VCs convened a joint meeting to bring together their individual VLUPs (see Appendix 1) and to prepare a joint land use map, plans for use of the shared resources, and the agreement itself. In this meeting the resources that would be the subject of the agreement were confirmed as those detailed in Table 4.1 and Figure 4.4 below.

Table 4.1: Shared resources included in the joint land use agreement in LAHAKI

VILLAGE	RESOURCE	AREA (HA)
HANDA	Grazing land	1,379.2
	Ilveve Springs	10
	Open forest	1,017.3
	Cattle tracks	33.0
	Cattle market	9.2
LAHODA	Grazing land	6,200
	Open forest	4,936.5
	Artesian well	0.5
	Lahoda dam	9.7
	Lahoda springs	1.5
	Lahoda salt licks	35.4
	Cattle market	3.5
	Cattle tracks	47
KISANDE	Grazing land	928.8
	Open forests	910.4
	Kisande/Matumbo wells	1.1
	Cattle tracks	23

At this time of initial formulation, a total of 8,508 hectares, or 33% of the land in the three villages, was set aside for grazing. Around 68% of the designated grazing area fell in Lahoda village. It was agreed by the community members from the three villages that, although the protection of the shared grazing area was a positive step in the right direction, the area for grazing was still inadequate for the number of livestock present in the three villages. It was agreed in principle that pasture improvement would be carried out to raise the carrying capacity of the designated grazing land, as well as opening up forest areas in times of need, such as drought. In addition, crop residues and fallow fields would be grazed during the dry season on agreement with farm owners, while movement outside the villages would continue in order to access further grazing resources.

The different actors using the shared resources were also identified, along with the nature and scope of any rights or interests related to them, including those held under customary laws and arrangements. Existing conflict resolution systems were identified and discussed in case of need.

The joint VCs then formed a joint VLUM committee made up of 12 members (four from each village). Village by-laws were consolidated and a resolution was passed to prepare a joint natural resource management sector plan.

SIGNING OF THE JOINT VILLAGE LAND USE AGREEMENT (JVLUA)

The joint VLUM committees and VCs were assisted by the District Legal Officer to draft a formal LAHAKI JVLUA to be signed by the three village chairpersons. The draft agreement was presented to the village chairpersons who, after scrutinising it, endorsed it for signing. An important feature of this agreement was that, once signed and registered with the DC, none of the villages would be able to change it without the consent of all parties, and this would significantly enhance the security of the shared grazing resources.

The signing of the LAHAKI JVLUA document was expected to take place in July 2014; however, by February 2016 it had still not been signed. Lahoda village began questioning the agreement soon after concrete beacons (posts) and signboards had been placed to mark out the grazing land. With the boundary of the grazing area now being visible, it became clear to the farmers who had encroached into the area that they would need to move. Those affected formed a pressure group opposing relocation and demanding that the JVLUA be changed in their favour. At the same time, the installation of the beacons and signboards gave more confidence to the pastoralists, who vowed to defend the agreement and the shared grazing area. Tensions rose and eventually erupted in a fatal conflict between the two groups that left one person dead and several others wounded.

Attempts to resolve the issue have been ongoing. The SRMP team facilitated a LAHAKI meeting in late July 2014 to discuss the issue and (they hoped) re-initiate the signing of the JVLUA. The District Security Officer and the District Legal Officer attended the meeting. However, representatives of Lahoda village once again raised concerns, pointing out that although previously all land near the eastern border in Bwawani cluster had been designated as grazing land, encroachment in this area had gone too far and relocation of these now well-established farms would not be easy; they therefore proposed that the farms should be allowed to stay there. In the interests of moving forwards peacefully, Handa and Kisande villages conceded, and it was agreed that the grazing land should be re-surveyed. However, the survey was not restricted to the boundaries of the farms themselves but encompassed the whole area in which they were located, including grazing areas in between that so far were uninhabited. The end result was a loss of 2,000 hectares from the shared grazing area, thus reducing the total grazing land in Lahoda village from 6,000 hectares to 4,000 (see Figures 4.4–4.7) and the total LAHAKI grazing land from 8,000 hectares to 6,000.

Figure 4.4: LAHAKI's original joint land use plan map (October 2013), with the shared grazing area coloured in pale green

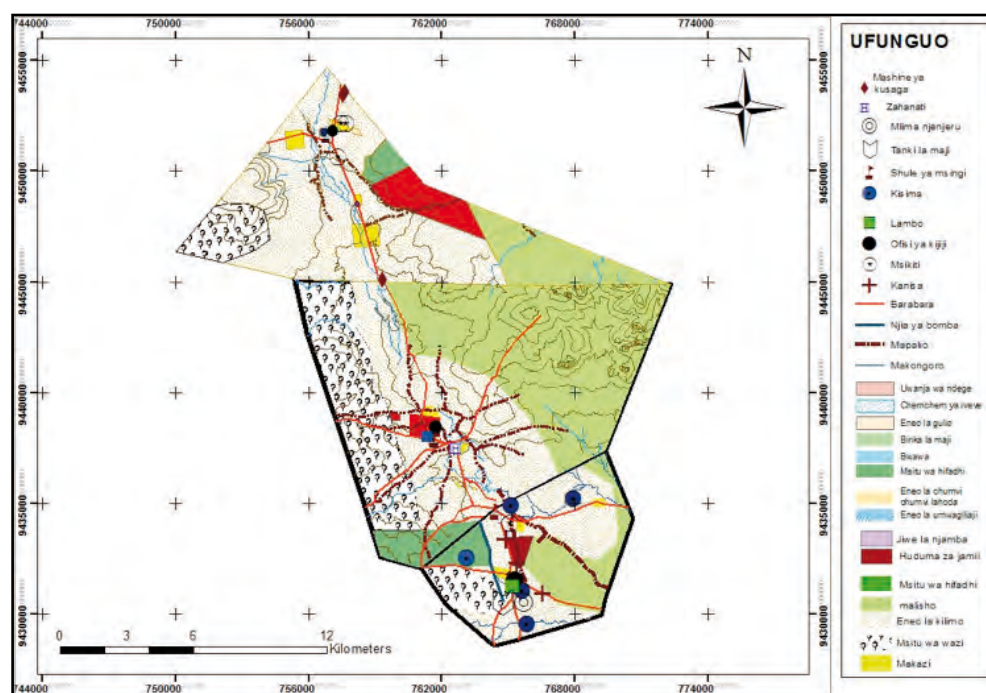


Figure 4.5: LAHAKI's revised joint land use plan map (September 2014) – the significantly reduced shared grazing area is coloured in yellow-green

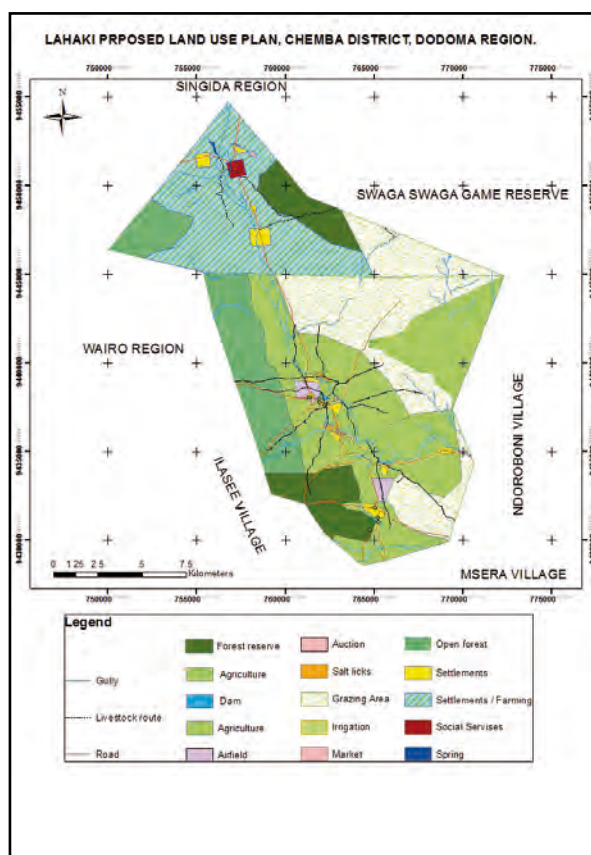


Figure 4.6: LAHAKI's (original) demarcated grazing land map (July 2014)

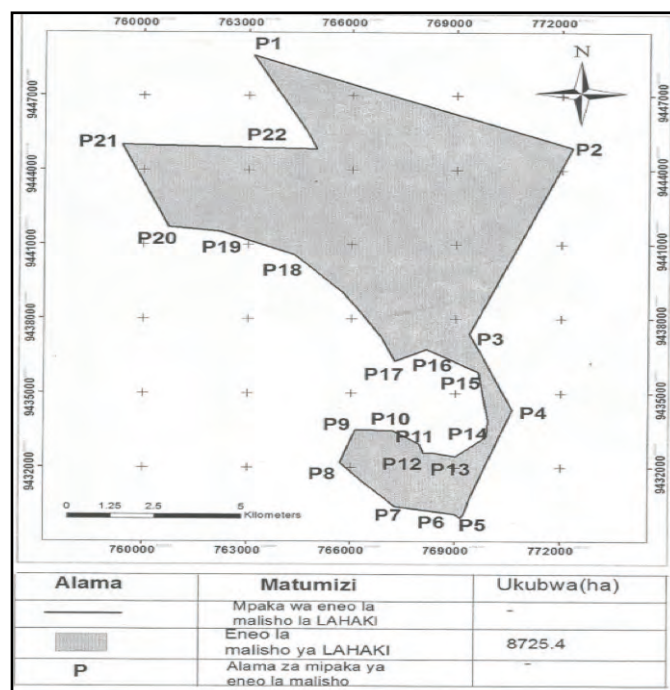
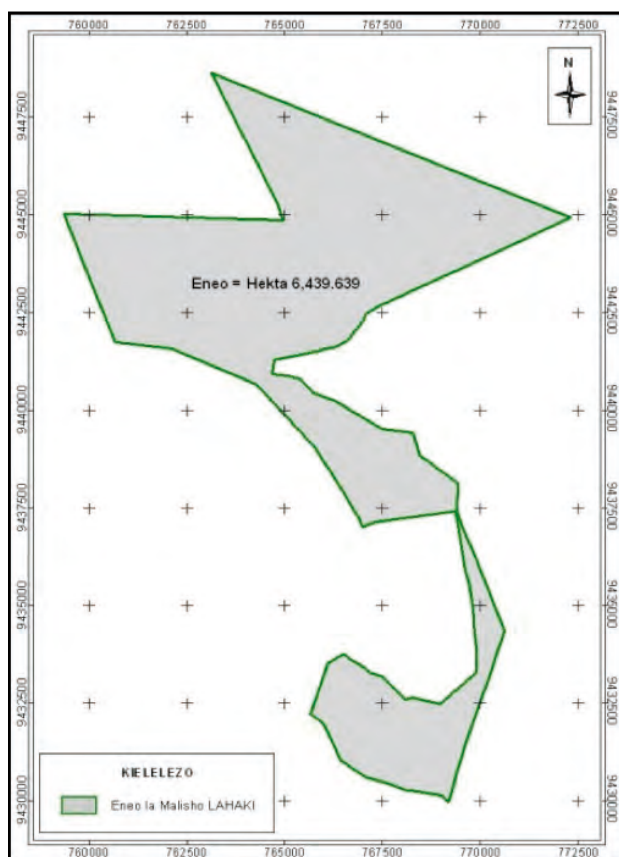


Figure 4.7: Revised version of LAHAKI's demarcated grazing land map (October 2014), showing the significantly reduced grazing area



Although the result was not a positive one, particularly for the pastoralists in the villages, it was now thought that the signing of the agreement could move forward. However, a new objection arose – this time from Kisande village. Here a group of farmers, with the full support of the village chairman, demanded that the grazing land along the Lahoda–Kisande border be retained for crop farming. The chairman declared that he was not going to sign the agreement unless this demand was met. This would involve relocating beacons LHK 11 and LHK 12, which marked the grazing boundary in the north of Kisande. Implementing this proposal would mean not only further reducing the LAHAKI grazing land but also breaking it up so that it was not contiguous. Though Kisande stood firm on this point, the partner villages could not support it. Once again the signing was postponed, until the District Commissioner's intervention in a VA meeting held in Kisande on 6 November 2014, when the Assembly agreed that the boundaries of the grazing land in the disputed area should remain intact (as detailed in the JVLUA), since the proposal to change it served the interests of only a few people.

Signing of the agreement was then scheduled to take place on 13 November 2014, but for the third time there were voices of dissent. This time they again came from Lahoda, where a new pressure group demanded more land for crop cultivation. The District Commissioner called a VA meeting in Lahoda on 12 November to try to settle this new dispute. The meeting was tense and unfortunately the pastoralists were not able to attend, thus giving the floor to the farmers (mainly young, non-local farmers who had migrated into the area), who pressed their claims and demands. In the course of the discussion, they criticised the District Commissioner, accusing him of siding with the pastoralists who had invaded their farms and grazed their crops. They claimed that the priority land use in the village was farming and not livestock-keeping. Despite opposition from village elders, and clarifications from the Commissioner and facilitators, the protesters would not back down and loudly argued their case.

The District Commissioner tried to bring calm to the meeting, reminding the VA that it had already approved the boundaries of the grazing land some months previously. Since then, the grazing land had already been reduced by 2,000 hectares, which included large areas of land not yet cultivated, and so was able to accommodate further expansion of the agricultural area. Further reductions and changes to the land use plan and agreement would not be fair to the livestock-keepers, who needed land as well. He concluded that their request was not acceptable and directed everyone to respect the agreement. He then requested that the VC undertake an inventory of farms and farm owners in the grazing land area. During this process each farmer would be required to prove with documents his or her legal occupation of the land. This task was scheduled to be undertaken after the local government elections planned for 14 December 2014; this election would mean the establishment of a new VC, which would be expected to carry out the task.

The new VC came to power in January 2015. One of its first tasks should have been the inventory of farms in the grazing area, as per the District Commissioner's request. However, the new village chairman plus several others in the council were themselves farmers and several had farms in the contested area. As a result, the first action that the VC took was to write to the District Commissioner asking him to revoke the order he had made. The Commissioner refused and wrote a letter to the VC enforcing his ruling. At the same time the pastoralists appealed to the DC for further help in the matter.

However, changes of personnel then took place in the DC and the Chemba District Commissioner was transferred. Immediately, Lahoda VC wrote to the new Commissioner presenting their version of the situation and repeating their request to turn over the grazing land to farming. The new District Commissioner turned to the SRMP team to seek clarification on the matter. The team provided a report on the situation and on the process of joint village land use planning that had been followed. The Commissioner called a meeting in Lahoda village on 2 March 2015 to discuss the matter; the meeting was attended by the DC chairperson, the District Executive Director, the District Administrative Officer on behalf of the DC, and PLUM team members.

Once they understood the situation, the district officials agreed that the current situation was unacceptable and that the grazing land should remain as it had been demarcated. A resolution was passed requiring everybody, including the new VC, to honour the land use plan. The Lahoda VC was ordered to continue with the inventory as directed earlier, but to the surprise of everybody the VC defied the order and instead called a VA meeting where the villagers unanimously revoked the land use plan, agreeing to allow the recent encroachers to stay in the grazing area. The VC notified the DC in writing of the decision of the VA, believing that the decision was final and that the matter was now closed. However, following a meeting on 25 March, the pastoralists once again wrote to the District Executive Director opposing the decision by the VA, and vowing to defend their land at any costs.

The reaction of the DC was to summon the Lahoda village chairman and once again remind him that what he and his VC were doing in the village was only creating conditions for conflicts between farmers and pastoralists to continue. He was thus urged to comply or else legal steps would be taken, including suing the VC in a court of law. The village chairman agreed to this and agreed to re-launch the inventory exercise. According to the minutes of a meeting that took place in May, the VC did carry out the inventory, verifying the number of farms in the grazing area. In total 75 farms were identified, although their size and location were not detailed. In order to try and obtain this missing information, the district PLUM team visited Lahoda in June, but the VC refused to allow them entry so they returned to their offices empty-handed. Nothing has been done to evict the farmers, although apparently the village chairman has told them not to expand their fields any further.

With an apparent impasse once again reached, the SRMP team reported the matter to the Council Management Team (CMT), so that it could be brought once again to the attention of the District Commissioner so that action could be taken. However, although it would appear that the case was discussed before the Council dissolved for its break in July 2015, the outcome of this discussion has not to date been shared with the SRMP team and it would appear that little has been moved to resolve the situation. The situation therefore remains unresolved. The villages of Handa and Kisande are keen to move forward with the agreement, but it is impossible to do so without Lahoda, due to its central location connecting the other two. The SRMP team will continue to try to persuade the Lahoda VC to uphold their commitments and protect the grazing lands.

4.2 OLENGAPA JOINT VILLAGE LAND USE PLANNING PROCESS

The joint land use planning process in Kiteto district, Manyara region began in November 2013, and included the villages of Lerug, Ngapapa, and Orkitikiti. Lerug and Ngapapa villages are located in Kijungu ward, while Orkitikiti is in Lengatei ward. The three villages share boundaries and grazing resources, and in order to illustrate a single shared identity across the village boundaries the name OLENGAPA (which includes elements of all three village names) was decided upon for the shared grazing land.

The total area of the three villages is 59,007.5 hectares. Orkitikiti is the biggest village (38,931.5 ha), followed by Lerug (17,455 ha) and Ngapapa (2,621 ha). The total human population is 4,644, made up of 1,101 households. The majority of inhabitants in these villages are Maasai pastoralists (98%) and the remaining inhabitants (2%) are Ndorobo hunter-gatherers, with some farmers, most of whom are seasonal migrants.

The total livestock population in the three villages is estimated to be around 25,000 cattle, 15,000 sheep and goats, and 1,300 donkeys with the majority found in Orkitikiti and Lerug. Animals are kept for milk and meat, and also serve as a cash reserve to meet basic needs. Mobility is central to the survival of the pastoralists and takes place across the three villages, as well as beyond them to places in Kilindi, Gairo, and Bagamoyo districts.

Average annual rainfall is between 800mm and 1,000mm per annum, with rain falling between November and April, and there is a very short reliable growing period (around two months). Soils range from well drained, moderately deep sandy clay loams to sandy clays with weak or moderate structures and low natural fertility. The natural vegetation cover is characterised by closed and open acacia bushland and bushy grasslands. Open forests are found on hill slopes while “miombo” forests are associated with the sandy soils found in Orkitikiti and Lerug villages. Orkitikiti village shares a boundary with the SULEDO Forest Reserve, a forest managed jointly by five villages in Lengatei ward. The greatest threat to the vegetation cover and forests in the area is clearance for crop farming. The area is best suited to extensive grazing.

There are no permanent rivers flowing through the OLENGAPA villages. Surface water collects in chaco dams (traditionally hand-dug fed by e.g. an underground spring) and ponds, but these dry up quickly with the onset of the dry season. The only permanent and dependable surface water source in OLENGAPA is Orkitikiti Dam, constructed in 1954. The water here usually lasts through the dry season and is therefore an important dry season water source for livestock not only for OLENGAPA villages but for other villages as well. Groundwater potential is said to exist, but to date this has not been significantly exploited.⁶ A series of traditional wells have been dug in the foothills of Ngapapa and Lerug, as well as along the valley running from the north to the southeast of the area in Orkitikiti village through Kiponyi. However, these wells tend to dry up in the dry season.

PARTICIPATORY RANGELAND RESOURCE MAPPING

The joint land use planning process in OLENGPA followed the same key steps as in LAHAKI in Chemba district. Awareness-raising meetings were held at district and village levels on 10–11 November 2013. Once there was a good understanding of the JVLUP process and general agreement for it, members of the three villages were brought together in one place to conduct the participatory rangeland resource mapping.

Drawing the maps on the ground next to one another offered ample opportunity for the three villages to discuss the sharing of resources, conflicts of interest, and other issues. When the maps were joined and official boundaries inserted, a clear overlap of resource access and use was noted. According to the maps and official boundaries, some of the resources they used were found additionally in the villages of Kijungu and Kimana. The mapping was an excellent starting point for discussing sharing arrangements.

Figure 4.8: Ngapapa's participatory rangeland resource map



6 Since this Issue Paper was drafted, the villagers have contracted the drilling of two boreholes, based on the advice of water surveyors. However, despite a considerable cost paid by the villagers themselves, no water has been found.

Figure 4.9 Orkitikiti's participatory rangeland resource map

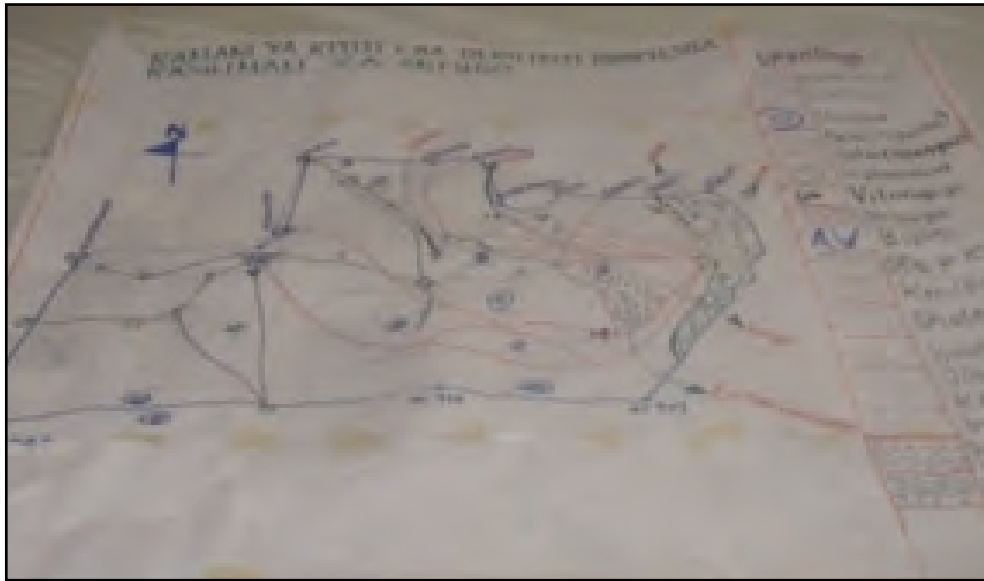
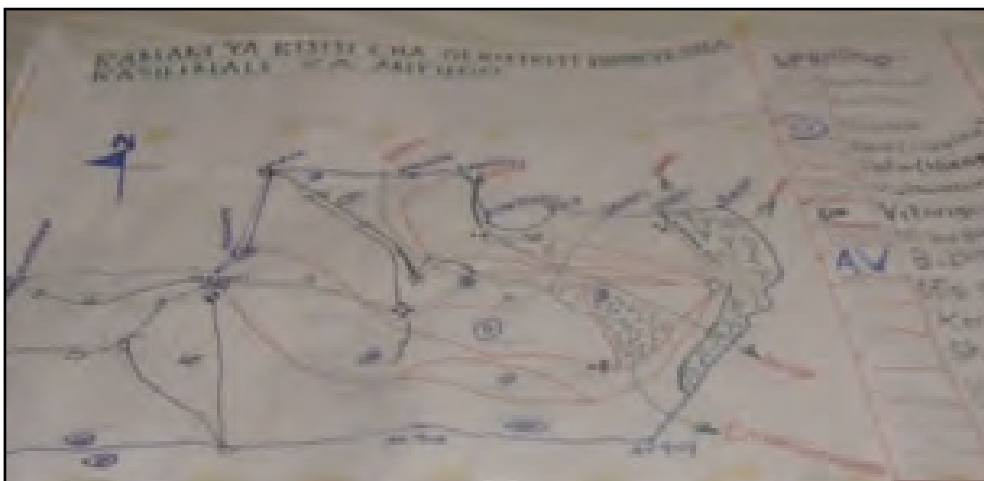


Figure 4.10: Lerug's participatory rangeland resource map



INDIVIDUAL VILLAGE LAND USE PLANNING

Following completion of the joint mapping exercise, the villagers went back to their own areas to continue with data collection and analysis for the development of individual land use plans. Information was also collected on demography, village administration, land tenure and size of land holdings, socio-economic facilities, settlement patterns, and economic and livelihood production systems in the villages. The villagers were then taken through a process of identifying and analysing problems and opportunities related to land use planning.

The rangeland resource maps were digitised through ground-truthing and the transfer of information onto a 1:50,000 scale topographic maps, using hand-held GPS positioning. This enabled villagers to produce the village base maps and individual VLUPs (see Appendix 3).

During the participatory rangeland resource mapping exercise, official boundaries were not included; however, the preparation of individual VLUPs required that official boundaries be used and so these had to be inserted on the base map. In doing this, villagers in Lerug and Ngapapa noted that some features of the resource map (grazing land and water sources) did not appear on their village base maps. After investigation, it was found that in fact these resources fell outside the village boundaries, with most resources falling within the village boundaries of Orkitikiti. This was enough for the two villages to start contesting the official village boundaries, demanding that the process be halted until the dispute was resolved. The Lerug VC accused Orkitikiti of grabbing their land, having taken advantage of Lerug village being absent during the official boundary demarcation. This, they said, was a threat to their access and use rights to the grazing resources.

In order to try and resolve the matter, the SRMP team called a meeting with customary leaders and village elders. Here it was explained that officially the boundaries of the villages were indeed correct. At the same time, they recognised the worries of Lerug and Ngapapa over accessing the resources found in Orkitikiti. However, the exact location of the village boundaries and the shared resources was immaterial as these resources were all situated in the identified shared grazing area, and thus would be accessed by all those who were given rights to use the grazing land. The grazing land as a whole would be protected, so any internal boundaries (village or other) within the grazing area were insignificant. The team argued that in order to protect the grazing area for all three villages, the formalisation of previously informal resource sharing arrangements was required, through a joint village land use plan or agreement.

The elders discussed the matter at length and finally agreed that, as long as grazing, water, and cattle tracks were covered by the agreement, then the contested village boundaries found within the grazing area were immaterial to the sharing of resources across those boundaries. They urged their VCs to proceed with the individual VLUPs on the understanding that a JVLUA would then be developed for shared resources. The VLUM committees, supported by the district PLUM and SRMP staff, then started preparation of the individual VLUPs – finalising the data collection and analysis, identifying problems, community action planning, estimating future land use requirements, and developing planning proposals and by-laws.

All three VAs approved their individual VLUPs and gave the go-ahead to their respective VCs to proceed with the establishment of the OLENGAPA JVLUA for the shared resources. Detailed reports are available in Swahili;⁷ the maps can be found in Appendix 3.

TANZANIA'S FIRST JOINT VILLAGE LAND USE AGREEMENT

As in the case of LAHAKI, the development of a JVLUA was chosen for OLENGAPA, rather than the more time-consuming and cumbersome process of developing a JVLUP including the establishment of a JPA.

⁷ They are being translated into English.

A joint VLUM committee made up of the three village VLUM committees was established and came together with the three VCs to share and compare their existing land use maps, identified problems, and community action plans. The JVLUM committee discussed each village's proposals for the JVLUA, including how individual VLUPs would be incorporated. They also discussed how the individual maps should be aligned in order to ensure that the grazing land was large enough for the number of livestock in the villages, and was contiguous.

In the process different groups of users were identified, and potential conflicts and resolution mechanisms discussed. The JVLUM committee confirmed which resources should form the basis of the JVLUA, including grazing land, water resources, cattle tracks, and livestock infrastructure including cattle dips, crushes, and clinics. The proposals from the JVLUM committee were then presented to each respective VC for adoption, and then to the respective VAs for approval.

The VCs met and prepared a draft JVLUA. A Joint Resource Management Committee (JRMCM) was established, made up of 15 members – five from each village. The committee was charged with responsibility for the day-to-day management of the OLENGAPA grazing land. By-laws for the management of the joint grazing resources were developed and adopted. The JVLUA was then taken to each VA for approval.

The response from the VAs indicated that all supported the agreement, so plans were made to sign it in a joint ceremony. The first attempt to sign the agreement was at a meeting held on 30th December 2013. However, some members of Lerug village again raised the issue of the disputed boundaries within the shared grazing area. They argued that the agreement should not be signed until this dispute had been resolved. This was in defiance of the VA resolution and the advice given by the village elders. Efforts were made to help them understand that as long as the disputed land was allocated for shared grazing and formed part of OLENGAPA, to which they were a party, the position of the boundary made no difference to their access. However, they would not change their stance. Orkitikiti and Ngapapa villages were ready to sign the agreement without Lerug, but the SRMP team advised them to continue talking with Lerug. Not only was this in the interests of peaceful resource use in the area, but Lerug's contribution to OLENGAPA was also very significant. As a result, the signing ceremony was postponed to provide time for negotiations to take place.

Between July and October district authorities organised meetings between the three villages, facilitated by the SRMP team, in order to try and reach agreement. At last, Lerug agreed that the exact location of the Orkitikiti–Lerug border running through the grazing area made no difference to the access rights of pastoralists from either village – all grazing, whether it was in one village or another, would be shared, no matter where the boundary was. The villages agreed to proceed with the JVLUA and to leave the boundary issue to be resolved by relevant authorities at a later date.

This agreement was, however, not without conditions. Lerug raised the issue that farms belonging to its people living in Noorsilale cluster near the border with Orkitikiti were situated in what was described as a grazing area in Orkitikiti village's individual land use plan. Lerug village requested that the land use in Orkitikiti's plan be changed

to agriculture. The request was accepted by Orkitikiti, which agreed to change the use of that portion of land from grazing to agricultural in its own VLUP as well as in the joint plan. The coordinates of the boundaries of the farms were taken and agreed upon by the JVLUM committee on 17 November 2014. The survey revealed that the farms in question covered only a small area and hence the change had little significance for the functioning of OLENGAPA.

This paved the way for the JVLUA to be signed on 19 November 2014. In the absence of a single formal JVLUP, the JVLUA provides assurance to all land users that each VC will respect the agreement and that no single village can make changes to the areas identified for the sharing of resources without the consent of all villages. Though not a formal document, a joint village land use plan has also been produced to this effect.

Figure 4.11: Joint village land use map for OLENGAPA (2013), showing the shared grazing areas in pale green and yellow-green

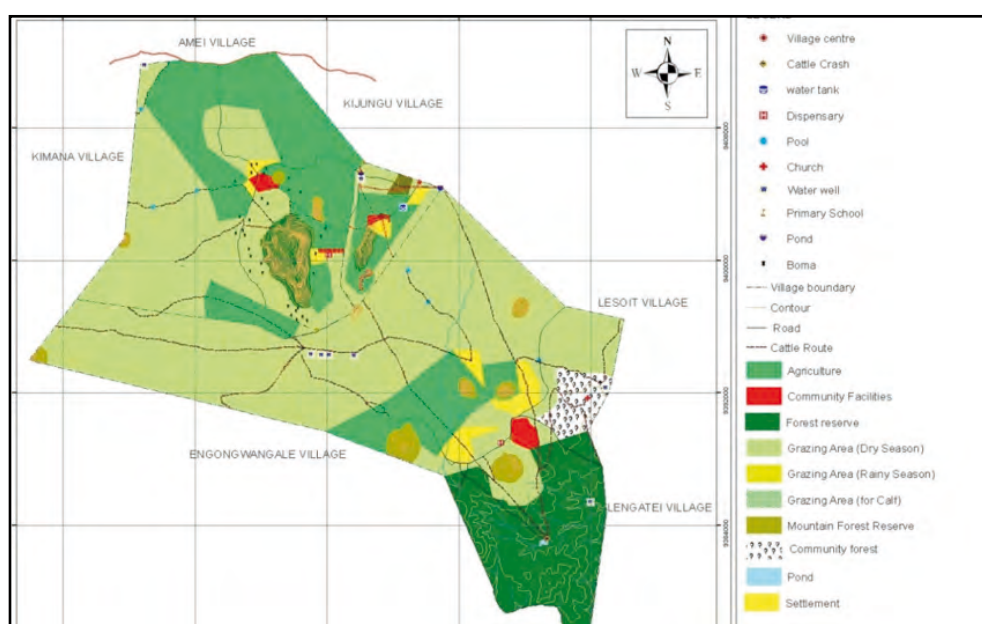


Figure 4.12: Joint village land use map for OLENGAPA (2015, showing the reduced shared grazing areas in pale green and yellow-green)



PROPOSED LAND ALLOCATION

The three villages have allocated 32,148.89 ha of land for shared grazing – that is, around 54% of the total area of the villages. This grazing area is connected across the three villages (including across the disputed boundary between Lerug and Orkitikiti as mentioned above). The villages were advised by the district PLUM team to allocate land to grazing that avoided sandy soils, stoniness, and steep slopes and to include a variety of pastures. Pastures in poorly drained soils have been set aside as dry season grazing and, where possible, grazing land is near water points. Three types of grazing land have been identified – dry season grazing, wet season grazing, and an area for calves. However, calculations suggest that the amount of grazing allocated is not enough for the numbers of livestock in the villages and that pasture improvement will need to be carried out to improve the carrying capacity of the shared OLENGAPA grazing area. SULEDO Forest Reserve will continue to be an occasional-use drought season grazing reserve and movement to Kilindi district for grazing will continue. It was agreed by the villagers that all farms located in the grazing area, in forests, or close to water sources would be relocated.

Table 4.2 Shared Resources included in the OLENGAPA JVLUA

VILLAGE	RESOURCE	AREA IN HA
ORKITIKITI	Grazing land	24,168.89
	Cattle tracks	726
	Orkitikiti Dam	15.9
	Chaco dams	20.4
	Kiponyi /Olkalili Wells	0
	Hills forest reserves	1069.9
LERUG	Grazing land	7,279
	Cattle tracks	281
	Chaco dams	20.4
	Olmotikinyi/ Nendrigish wells	0
	Lerug Hills Forest Reserve	1,451.8
NGAPAPA	Grazing land	1,108.20
	Cattle tracks	340
	Chaco dams	2.8
	Ngapapa Hills Forest Reserve	2521.7

All water sources are protected by a minimum 60-metre buffer zone; combined, these zones total 40 hectares. The Orkitikiti Dam is located in the SULEDO Forest Reserve and is thus protected, even without the buffer zone around it. The management plan will help to ensure that there is water available all year round in the area.

Efforts have been made to ensure that all bomas (settlements) have access to the grazing area and water sources by means of 30 metre-wide livestock routes. There is an interconnected network of 30 livestock routes covering in total 1,349 hectares. Some routes lead outside the villages. All will be surveyed and marked to protect them from encroachment and blocking.

A total of 10,949 hectares have been allocated to forest reserve; SULEDO accounts for 65% of this area. Although they are not formally part of the JVLUA, the villages have agreed to ban grazing and crop cultivation on hill tops, hill slopes, and foothills and to use these instead for forest conservation. The forests also provide space for the Ndorobo hunter-gatherers to live and maintain their livelihoods.

This leaves around 11,564 hectares – or 20% – of the village land for crop farming and 2,008 hectares for settlement. The area used for crop farming has been expanding yearly, and there was a heated discussion about how much land should be allocated for this use. Pastoralists themselves agreed that each household should be provided with enough land to grow crops adequate to fulfil household needs, as well as a small surplus for sale. This helps them spread the risks by not relying on a single livelihood production system. The average landholding in the villages is between 7 hectares and 10 hectares. It will be necessary to increase productivity from these household plots in order to sustain the growing population.

LEGAL BASIS OF THE JOINT VILLAGE LAND USE AGREEMENT

All meetings held leading up to the development of the JVLUA (or not, in the case of LAHAKI) have been minuted and as such provide legally recognised documentation of the decisions made. The JVLUA signed by all three villages in the case of OLENGAPA was witnessed by the DC legal officers and is a legally binding document. To add weight to this document, the JVLUA is being registered with the Registrar of Titles in the MLHSD. The three individual village land use plans of the three villages (registered by the Minister of Lands) also provide details of the Agreement.

PROTECTING A SHARED GRAZING AREA WITH CCROS

5.1 THE LEGISLATIVE FRAMEWORK

The Land Use Planning Act 2007 and the VLA 1999 provide an avenue for the proof and recording of customary title by putting in place a process for the formalisation of agreements over shared (common property) resources such as grazing land. Once village land has been registered and a village certificate has been provided, VCs can allocate certificates of customary right of occupancy (CCROs) to individuals or to groups.

An individual or group must apply to the VC for a CCRO as a title to the land. In order for this to happen, the boundaries of the land must be confirmed by the village adjudication committee.⁸ The results are provided to the VC;⁹ once the VC is satisfied that the land in question is free from objections or encumbrances, it submits the application to the VA for approval. Once approval is obtained, the Village Executive Officer (VEO) prepares a Letter of Offer using Form No. 19, and the applicant signs to confirm his acceptance, using Form No. 20, as per the VLA Regulation of 2002. The VEO prepares three copies of the CCRO, which are signed by the land owner(s), the chairperson of the VC, and the VEO, and stamped with the village seal. The VEO then sends the three copies to the registered district land officer for cross-checking, registration, and sealing. The district land officer retains one copy, and two copies are sent back to the VEO, who registers the CCRO in the Village Land Register. The VEO retains one copy of the CCRO (to be stored in the Registry) and the other copy is delivered to the landholder.

8 Adjudication of interest in land parcels and in order to agree on landholding boundaries, both individual and communal, is a field-based process including villages and other stakeholders. The process is led by a village adjudication committee of around nine members, established by the Village Council. In the case of OLENGAPA the VLUM was assigned the role of the village adjudication committee. Two types of adjudication may take place – “spot adjudication” for an individual CCRO, and “village adjudication” for the whole village. Spot adjudication was used to define the boundaries of the grazing land, for which the three CCROs will be provided.

9 The land acts do not, however, provide for a method of codifying pre-existing customary laws. The VLA does not even touch on existing customary tenures under what are known as the Deemed Rights of Occupancy, i.e. customary property rights that have not been granted by government or by a VC but have been in existence from time immemorial. This means that informal tenure systems, outside formal/village tenure, are likely to remain in place (Tenga and Nangoro, 2008).

An “owner” of village land holds the CCRO (usually) in perpetuity and subject to the conditions contained in it. The process of obtaining the CCRO can be a long and involved process. It requires technical know-how and the existence of infrastructure facilities that enable the process of documentation, surveying, mapping, and registration at both the village and district levels. The financial resources and technical know-how required in order to provide CCROs are largely absent in most villages in Tanzania – a fact that is recognised by officials in the VLA section of the Ministry of Lands.

When registering collective rights for land such as a shared grazing area, it is suggested that the first and perhaps the greatest challenge is how to identify the entity (the group) to which a CCRO will be provided. The next challenge is to define the bundle of rights that may be registered with the title (Tenga et al., 2008). This step, challenging as it may appear, is the ultimate legal tool that would enable users of grazing land to define their property and defend it within the law.¹⁰

Grazing areas can be provided with additional protection through the Grazing-Land and Animal Feed Resources Act (2010) (Articles 16 (1)(2) and 17(1)(2)). This facilitates the establishment of a pastoral or livestock keepers association between pastoralists in a village (or between two or more villages with a contiguous grazing area) and the registration of an area under their control for grazing. The grazing area should then be registered with the relevant district and with the MALF.

As with the process of developing a JVLUA, before the SRMP’s intervention no group CCRO had been provided to such an association for a shared grazing area across village boundaries. The SRMP’s agreement to pursue this additional level of protection for the users of the grazing area was once again breaking new ground.

5.2 ADJUDICATION AND DEMARCATION OF THE SHARED GRAZING LAND IN OLENGAPA

Following on from the approval of the JVLUA, the three OLENGAPA VCs (with support from the SRMP) established a Joint Grazing Land Committee made up of members from all three villages. This committee is responsible for planning, management, enforcement of by-laws applicable to the OLENGAPA grazing area, and coordination of the implementation of the OLENGAPA land use agreements for the grazing resources and the informal joint land use plan.¹¹

Adjudication and demarcation of OLENGAPA grazing land took place between 12 February and 22 March 2015. Some 120 beacons had been purchased for the task; however, as the process proceeded it became clear to the SRMP team that the boundary of the grazing area had been significantly reduced – only 49 beacons were

10 It is both a challenge and a potential trap in the sense that if pastoralists fail in their application, their lands would then be open to access through legal means and a basis for lawful appropriation by non-pastoralists would have been established (Tenga and Nangoro, 2008).

11 A Grazing Land Committee was also formed in LAHAKI, but due to the disagreements over the shared grazing area it has been unable to fulfil its role.

required. On investigation, it was confirmed that the villagers had met and agreed (unknown to the SRMP team) that the grazing land would be reduced from the original 32,000 hectares to 20,706.73 hectares – a reduction of nearly 12,000 hectares. The villagers said that the reduction of the OLENGAPA grazing land was due to a number of factors. The most significant perhaps was that pastoralists from all three villages had decided that more land was required for farming, in order to allow for the growing trend of pastoralists also cultivating crops. It was only when the beacons were being placed that they realised just how much land was being allocated to grazing and the implications of this.¹² It was later discovered that in fact a number of pastoralists had themselves been renting out land to migrant farmers for the payment of two bags of maize per acre, and hoarding the maize at their homesteads. This practice had led to land grabbing by other Individuals, keen not to miss out on similar opportunities. It was mainly privileged and influential people in the village who were making the most out of the situation; this practice was accelerating the “privatisation” of communal grazing lands, with little reduction in livestock numbers.

Other contributing factors were that newly elected VCs, following elections in December 2014, failed to encourage villagers to uphold the JVLUA (as was also the case in LAHAKI). This provided an opportunity for farmers in Lerug to complain once again about OLENGAPA taking their farmland. They blamed the JVLUM committee for wrongly including their farmland in OLENGAPA during the planning process. The group persuaded the VC to pull out of OLENGAPA if the boundaries were not adjusted. In addition, in Orkitikiti village, during the time between the JVLUA being signed and the demarcation of the grazing area taking place, a new hamlet had been established right in the middle of the grazing land. The VC insisted that the grazing area had to be reduced to accommodate the new settlement’s farming and residential needs for about 100 households. The story was similar in Ngapapa village. Influential people and village officials whose farms were wholly or partly included in the OLENGAPA grazing land had pushed their VC to halt demarcation of the land until boundaries were re-surveyed, in order to save their farms.

This change of mind and the threat to withdraw from OLENGAPA came as a complete surprise to the SRMP team, since the JVLUA had already been signed and the demarcation of the grazing area was only following the agreement. Once it became clear to the team that previous agreements were being reneged, meetings were once again organised to discuss the matter, and it was agreed that the only way forward was to allow each village to go back to the drawing board and recommend new boundaries and approve them through their respective VCs and VAs. Orkitikiti and Ngapapa were quick to do this, but Lerug took a long time to agree – though it did eventually do so.



¹² This was at the same point in the process as when the LAHAKI residents realised the implications of the previously agreed allocation of land to grazing – highlighting the fact that discussions of area/hectares based on maps and paper are not enough for villagers to fully understand what is being proposed and, rather, a detailed discussion in the field and “walking” of the area should take place before any agreement is made.

The final result of this episode was the reduction of the OLENGAPA grazing area from the previously planned 32,148.89 ha to 20,706.73 ha, with 12,186.56 ha of grazing land being lost to crop farming. The distribution of this grazing land across the three villages is shown in Tables 4.2 and 4.3 and in Figures 5.1 and 5.2. Eventually the final agreement was put in place and the grazing area (albeit reduced) was protected.

Table 5.1: Comparison of OLENGAPA grazing land in 2014 and 2015

VILLAGE	TOTAL VILLAGE LAND (HA)	GRAZING AREA, 2014 (HA)	GRAZING AREA, 2015 (HA)	AREA REDUCED BY (HA)
Orkitikiti	34,556.46	24,168.89	15,788.55	8,320.34
Lerug	20,613.06	7,279	3,809.98	3,469.02
Ngapapa	2,754.29	1,108.20	701	407.20
TOTAL	57,933.81	32,148.89	20,706.73	12,186.56

Table 5.2: Distribution of demarcated grazing land in OLENGAPA villages, 2015

VILLAGE	VILLAGE AREA	GRAZING AREA	% OF VILLAGE LAND
Orkitikiti	34,556.46	15,788.55	45.69%
Lerug	20,613.06	3,809.98	18.49%
Ngapapa	2,754.29	1,108.20	40.23%
TOTAL	57,933.81	20,706.73	35.74%

Figure 5.1: OLENGAPA grazing land map, November 2014

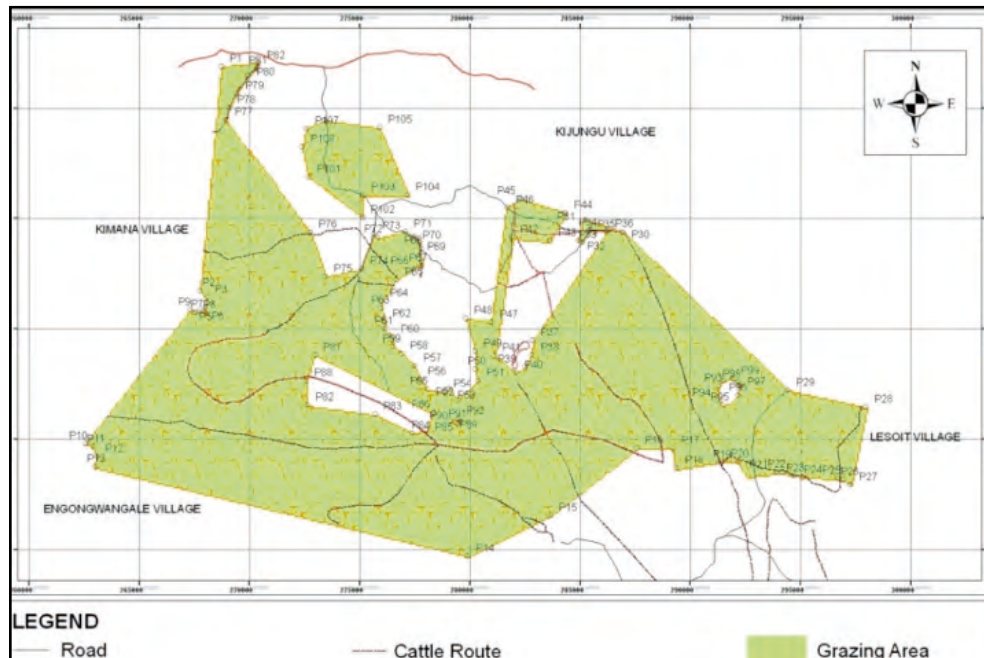
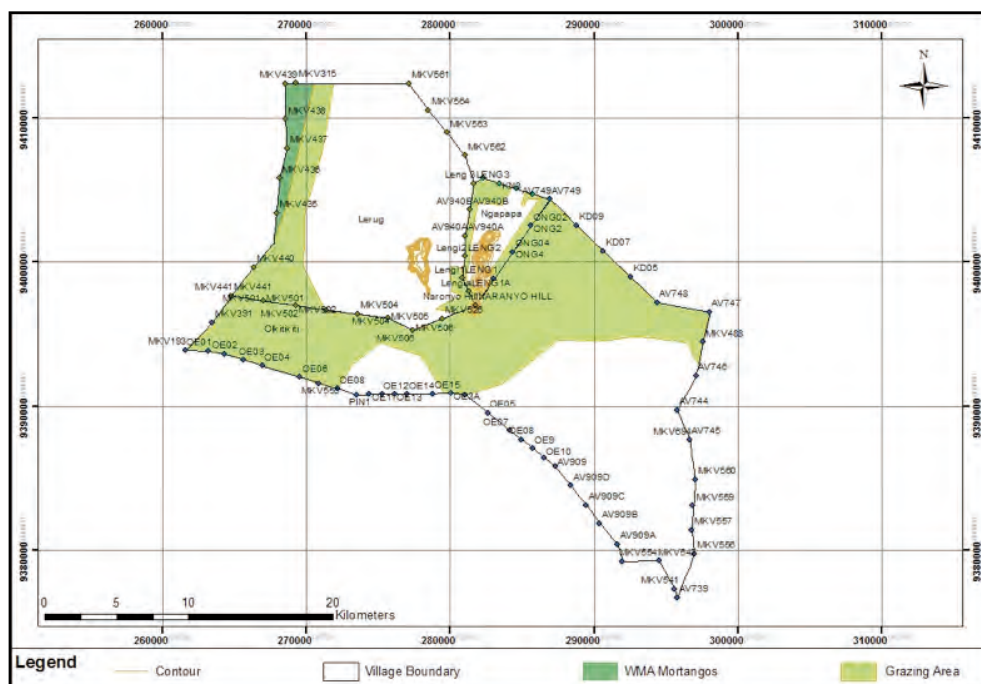


Figure 5.2: OLENGAPA grazing land map, March 2015



The boundary dispute between Lerug and Orkitikiti was resolved by a special National Task Force on Conflict Resolution in Kiteto district (under the Prime Minister's Office and coordinated by the National Bureau of Statistics), which had been deployed there following a number of violent conflicts in the region. In the case of Lerug and Orkitikiti, the Task Force declared that the disputed land should in fact be within the Lerug village boundary, so Lerug gained out of the process. However, as anticipated, this change of village boundary made no difference to the outer cross-village boundary of the OLENGAPA grazing area, which remains intact and secure for the sharing of resources.

5.3 FORMATION OF THE LIVESTOCK KEEPERS ASSOCIATION AND ISSUING OF CCROS

Now that the final agreement on the extent of the shared grazing land had been finalised and the grazing area demarcated, CCROs could be provided to the group of grazing users. The issuing of CCRO(s) for a piece of land enhances its tenure security, though to date only a few group CCROs have been issued anywhere in the country.¹³

13 See, for example, the work supported by ILC member Ujamaa Community Resource Team (UCRT) in northern Tanzania, where CCRO(s) have been issued not only to Hadzabe hunter-gatherers but also now to pastoralists, supported in part by a project funded by ILC. The difference between the processes undertaken by the SRMP and by UCRT is that the SRMP is working in areas where agriculture is already competing strongly for land use, due to an influx of migrant farmers and internal changes of privatisation and diversification amongst pastoral communities themselves. The areas where UCRT is currently working are dominated by pastoralists and pastoralism as a land use – so it has been easier to reach a consensus about land use and the resulting sharing

A key challenge (as explained earlier) is how to identify the entity entitled to act as custodian of this communally used area (i.e. “the group”). The envisaged group for OLENGAPA was a Livestock Keepers Association or similar registered group made up of villagers (grazing land users) from each village.

The process to establish a registered group of livestock owners in OLENGAPA commenced with a study on how an association or other group could best be formed. Three options were considered – a primary cooperative society, a community-based organisation (CBO), or an association. The first option was dropped as this is more suited to a business or profit-making enterprise, while the primary objective of OLENGAPA is the ownership and management of land (more specifically grazing land). The second option was discarded because it caters only for small numbers of users – around ten – whereas it was anticipated that there would be many more members of OLENGAPA than this. Therefore, the third option – establishing an association – was considered to be the most appropriate.

In order to establish the association, a list of all livestock keepers in the three villages was drawn up. In total, 372 livestock keepers were identified, it having been agreed by the villagers that all those households with livestock could be members of the association. It was also agreed that the name should be the “Livestock Keepers Association” rather than “Pastoralist Association” in order to include those villagers who also grew crops and/or would not be considered “pastoralist” in either terms of livelihoods or ethnicity. The Association will have four committees. The first committee, OLENGAPA's Grazing Land Committee, is made up of the members of the similar committee formed during the grazing land demarcation process (as above).

Table 5.3: Distribution of livestock keepers in OLENGAPA villages

VILLAGE	LIVESTOCK KEEPERS
ORKITIKITI	219
NGAPAPA	22
LERUG	141
Total	372

A draft constitution for the Association was then developed by the SRMP team. The exercise involved consultations with other associations in the villages, as well as with the District Cooperative Officer, the District Community Development Officer, the District Livestock Officer, PLUM team members, and the OLENGAPA livestock keepers themselves. The draft constitution was discussed and agreed upon at a meeting on

of land. Indeed, the villages here are not undertaking joint village land use planning, but rather a quicker process of broader individual village land use planning, with UCRT encouraging villages to make sure that grazing lands connect from one village to another. However, there are no joint land use agreements, by-laws protecting shared use, or formalised management plans for these grazing areas, and as such there is a danger that in the future villages may change their grazing land agriculture, so fragmenting the contiguous area, blocking movement from one village grazing land to another, and breaking any informal resource sharing agreements.

12 June 2015 that was attended by 52 livestock keepers. Fifty-three livestock keepers were registered as “founder members”. Registration application forms were obtained from the Ministry of Home Affairs and filled out by the OLENGAPA Grazing Land Committee leaders. The Kiteto District Commissioner wrote a letter of support for the application. The application form, together with this letter, a list of founder members, and the CVs of the chairman and secretary were submitted to the Office of the Registrar of Societies, Ministry of Home Affairs, on 26 June 2015. A request came back from the Registrar that the CVs of all elected leaders should also be included, together with some corrections and improvements to the application, and the documents were resubmitted in late July 2015. The application was then approved and relevant documents, including the Certificate of Registration of OLENGAPA Livestock Keepers Association, were issued on 11 September 2015.

Anyone currently living in one of the three villages and owning livestock qualifies as a member, and these are the “owners” of the demarcated shared village grazing land. With the certificate now in hand, livestock keepers from each village can apply for a CCRO to cover the piece of land that falls within their village’s boundary i.e. three CCROs will be issued to cover the whole area. Although the OLENGAPA villages have not yet built their land registry or office, the issuing of CCROs is still possible using the District Land Registry.

In January 2016 the Ministry of Lands approved and registered the village land deeds and boundaries/maps for the three villages. Now the Kiteto Land Officer will issue the land certificates, so the VCs can then begin issuing CCROs.¹⁴

5.4 PREPARATION AND REGISTRATION OF OLENGAPA AND MANAGEMENT PLAN


When eventually the villages receive their land certificates and the VCs have issued CCROs to the Livestock Keepers Association, the members of the Association will develop a management plan for the grazing land. This is in accordance with the LUP Act No. 6 of 2007 (section 33 (1) (b)) and its requirements for a natural resource management sector plan for the shared resource, and with the Grazing-Land and Animal Feed Resources Act No 13 of 2010, Regulation No 8 and its requirements for a grazing management plan.

As such, a Rangeland Management Plan for the area will be developed. In order to do this, the Association will be given technical and financial support from the next phase of the SRMP, the District Council, and the MALF. Building on the knowledge of the local livestock keepers, the Management Plan will, among other things, make a rough calculation of the land’s carrying capacity for livestock, on the basis that flexibility is still required here due to the variable nature of the climate (rainfall) and resulting vegetation. It is anticipated that the use of different parts of the grazing area will

¹⁴ This process had been delayed for several months because the Ministry was awaiting approval from the Director of Survey and Mapping of the re-surveyed boundaries of all Kiteto villages, which took place earlier in 2015.

THE UNITED REPUBLIC OF TANZANIA

FORM S.A. 3



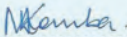
The Societies (Application for Registration) Rules, 1954

(Rule 5)

CERTIFICATE OF REGISTRATION
NUMBER S.A. 20322

I HEREBY CERTIFY THAT **OLENGAPA LIVESTOCK
KEEPERS ASSOCIATION** has this day been registered
under the Societies Act [**CAP. 337 R.E. 2002**].

Dated this **11TH** day of **SEPTEMBER, 2015.**


.....
M.L. KOMBA
For: REGISTRAR OF SOCIETIES
MINISTRY OF HOME AFFAIRS

DAR ES SALAAM -- TANZANIA

be more stringently managed to optimise production, giving emphasis to the terrain, water points, and vegetation cover of the grazing land. The Management Plan will be presented to a joint VA meeting for approval and, once completed, will be submitted to the MALF for registration of both the plan and the shared grazing area. This should provide an extra layer of protection to the grazing land. It is anticipated that this process will be undertaken in the first half of 2017.

CHALLENGES OF JOINT VILLAGE LAND USE PLANNING

The SRMP team is confident that the process of joint village land use planning and the resulting JVLUA and formalisation of the shared grazing area will offer a greater level of protection for livestock resources than existed before the process commenced. However, as this Issue Paper describes, the process has not been without its challenges, and it has only been possible to overcome these (though not all) due to the commitment and flexibility of those supporting the process, including the SRMP team members, national government partners, and donors (ILC and IFAD). The process has consumed an incredible amount of time and resources, but the SRMP team believes that the investment has been worth it and that the security of grazing in the villages involved has been significantly increased and the likelihood of land conflicts reduced. In order to consider how the process can be improved in future, the key challenges faced during the process and the means and actions taken to overcome them are highlighted here.

1. Land is an emotive subject and, as can be seen from this experience, tends to stir up emotions both good and bad. Land can also easily become politicised and be used by those with power to further their own agendas and to gain benefits above and beyond those realised by the community as a whole. Recognition of these challenges is vital and ways to mitigate any negative impacts will need to be developed in a responsive manner if a process such as JVLUP is to run smoothly. A weakness of the process supported by the SRMP is that it was not followed through consistently and in a timely manner, and there were several breaks for reasons such as snags in administrative procedures. Other breaks, such as those caused by local government elections, were beyond the SRMP's control, but what has become clear is that when breaks occurred during the process, they were used opportunistically by different sets of stakeholders to try to scupper the process. In future, such situations should be avoided if possible.
2. Successive conflicts over village boundaries held up the VLUP processes and constrained investments in the better management of land. The joint land use process could not proceed until all boundary disputes amongst partners had been settled. Village boundary disputes were fuelled by a lack of awareness on land laws amongst villagers and village leaders. While land legislation provides that ownership and use of land are not limited by village boundaries, to many village leaders every piece of land or resource claimed, owned, or used by villagers and appearing in the village register should also be within their area of jurisdiction. Much time and effort were spent on arguing over the movement of village

- boundaries in order to justify resource ownership and use rights of individual villages, even though these made no critical difference to resource access where resources were shared.
3. The experiences of LAHAKI in particular highlighted that the decentralisation of powers without limitations to village level (provided for by the VLA No 5 of 1999), coupled with low awareness and understanding of proper management of village land amongst VC members, has led to corrupt practices and abuse of power by village leaders and wealthier members of the community. This includes unchecked sales of land, a lack of adherence to the ceiling on land sales (including allocating land areas of over 50 acres to individuals, i.e. above what is permissible by law), and deliberate perversion of planning objectives. Further, village leaders and the more powerful people in the villages dictate the decisions of VAs, resulting in decisions that often favour personal interests rather than those of the community. When this happens in two or more villages involved in joint land use planning, the process becomes difficult, time-consuming, expensive, and frustrating for facilitators and donors, let alone those villagers who are being marginalised through the process.
 4. Misconceptions around the nature of a JVLUA were noted among village members. The process of joint land use planning was new, and some villages found it difficult to grasp, despite the history of shared resource use in the area. Lerug village in particular saw OLENGAPA as something foreign that had come to alienate their land and deny them their control of it. Villagers were made to believe that the best way to protect their land from OLENGAPA was to declare the larger part of the village to be farms. Clever leaders and other individuals engineered this process, putting their own interests above those of the village as a whole.
 5. Heavy encroachment onto rangelands in the project area by crop farmers from neighbouring districts and regions made the securing of rangelands for pastoralists an uphill task. There was strong resistance from crop farmers to allocating land exclusively for grazing land use, despite the fact that they also kept livestock and so would benefit from the protected grazing. Where crop farmers form the majority in villages, they often dominate the VCs and ill-treat and/or bully pastoralists and hunter-gatherers, including by prioritising land for agriculture over land for grazing. Pastoralists' poor awareness of government policies and of their rights, together with their low levels of education, make it easy for relatively better-educated crop farmers to take advantage of them.
 6. There is a tendency for pastoralists to turn to crop farming for short-term financial gains, at the expense of pasturelands. The practice of individual pastoralists hoarding land and then renting it out to migrant farmers for minimum payment is accelerating the shrinkage of pastureland and the privatisation of communal grazing lands in the rangelands. This business is lucrative for the individuals involved, including village leaders, though the majority of villagers do not benefit. Contracts between farmers and pastoralists are weak, and it is easy for farmers to take advantage of them. The likely consequence of these actions, unfortunately, seems to be an inevitable further loss of pastoral lands.

7. The multiplicity of actors involved in land use decision-making and dispute settlement, including autonomous village governments each with full powers and mandates to make decisions on land use within their area of jurisdiction, also made the process long-winded and time-consuming. Every point required patient negotiation to reach agreement on the location and use of shared resources. However, although this was frustrating at the time, it is believed that these extended negotiating processes did in fact strengthen the end products i.e. the JVLUA and related institutions. There was an inadequacy of spatial data, base maps, high-resolution satellite imagery, and underlying technology, including GIS, remote sensing, survey, and mapping, and a lack of experience in village land use planning approaches and techniques amongst district PLUM team members and CSOs, making a fully informed process challenging. This compromised decision-making processes to some degree and limited the provision of good technical advice, holding up the process overall.
8. Limited financial resources allocated for land use planning at central and local government levels constrain the development and implementation of VLUPs. While it was envisaged that joint land use planning would make the process cheaper, in reality, considering the many delays and hurdles encountered, this is unlikely to be the case (though the full costs still require calculation)¹⁵. Local government and communities made some contributions to the costs of the individual land use plans, but all costs incurred through the joint VLUP process were covered by the SRMP. There is little indication that central and lower levels of government will allocate significantly more funds to VLUP in the future, despite recognition of its importance. As such, land use conflicts and encroachment onto rangelands are likely to continue indefinitely.
9. In hindsight, a lack of clear selection criteria for villages to enter into the JVLUP and JVLUA process led to the inclusion of problematic villages such as Kisande (constrained by corrupt practices and abuse of power), while potentially more appropriate neighbouring villages were left out, such as Ndoroboni in LAHAKI (which has ample grazing resources and had already expressed its keenness to be included in the joint agreement). Neighbouring villages not included in the joint planning process continue to use LAHAKI and OLENGAPA grazing resources, as the traditional sharing of resources still extends to them. In future this is a likely potential area of conflict, which may threaten the sustainability of OLENGAPA (and LAHAKI too, as and when it is finalised). It is hoped that these issues will be addressed in Phase III of the SRMP.
10. The human population in the villages continues to grow both internally and externally through immigration. Livestock populations are already high for the available resources. As a result, the pressures on grazing lands in particular

15 Provisional figures suggest that the process cost around US\$25,000 excluding the time of technical experts. This includes the development of three individual VLUPs and the JVLUA, as well as the establishment of the Livestock Keeper's Association.

Members of OLENGAPA's Grazing Committee



are high and will continue to increase. The joint land use planning process and resulting JVLUA (as well as the provision of CCROs for the grazing area and its registration) go some way to better protecting and managing these grazing areas, but their protection will only continue if by-laws and legislation are enforced and supported at all levels – village, district, regional, and national. As such, obtaining a VLUP, JVLUA, JVLUP, group CCRO, or other form of agreement, together with the rights extended by these, is only the starting point in an ongoing process of negotiation or battle to hold onto these rights.

CONCLUSIONS AND RECOMMENDATIONS

The SRMP strives to improve the implementation of village land use planning in rangelands in order to contribute to better sustainable management of these resources and the resolution of land use conflicts. It has achieved this in three ways in particular through the experiences (both good and bad) of LAHAKI and OLENGAPA. First, it has improved community awareness of land use planning processes (including joint land use planning) both in the project areas and in neighbouring villages, as word of the experiences has spread. Second, it has built understanding on joint planning processes in national, regional, and local governments, together with their capacity to implement such processes themselves. Third, it has offered innovative solutions to the increasing insecurities and conflicts over land use and access that rangeland users face by developing layers of security over a piece of land (in this case a shared grazing area), rather than relying on one layer only. Though these innovations already existed on paper (in policy and legislation), it was only through the SRMP that they have been put into action, and important lessons have been learned as a result.

In order to further improve the sustainability of the process of joint land use planning and management, and to facilitate the refinement and scaling-up of the approach, the following actions are recommended.

1. More needs to be done by national and lower levels of government to establish an enabling and supportive environment for JVLUP, and the protection of rangelands more specifically. District Councils in particular require higher levels and more regular allocation of finances for VLUP than they are currently receiving. The capacity of local government officers, including PLUM teams, needs to be built in order to better contribute to the complex processes involved in JVLUP, including negotiation and conflict resolution.
2. There needs to be better collaboration between government and CSOs in order to jointly support communities to strengthen their rights to land and resources through processes such as JVLUP. More formalised coordination mechanisms should be established to this effect. In addition, processes such as JVLUP should be better integrated into development and environmental planning, including climate change adaptation.
3. Biases in VLUP remain against pastoralists, even where they are the majority land users. As a result, rangelands are under constant pressure and conversion to other uses (even if those uses might not be appropriate). The continued encroachment onto grazing lands by non-pastoralists needs to be halted – once agriculturalists have established themselves in grazing areas it is difficult to move them out. Villages, districts, and higher levels of government should do more to protect rangelands and the rights of rangeland users in order that livestock

production can grow and better contribute to local and national economies. Well-informed and unbiased district and village land use plans can make important contributions to this.

4. VCs and other members of local government need to be more active in protecting land use plans that already exist, and in developing them where they are needed – including the protection of rangelands. There is still low capacity amongst VCs to administer and manage village land, resulting in poor enforcement; as such, the capacity-building of VCs also needs further attention.
5. A clear set of criteria for the selection of villages for joint land use planning is needed in future to ensure that the process is cost-effective and successful by including the “right” villages. One obvious criterion is the sharing of livestock production resources across village boundaries, including grazing and water. Villages that share such resources can be identified at district level through, for example, a District Land Use Framework Plan. However, as the experience described here shows, this criterion alone is not enough to identify villages suitable for the process – and other criteria should include a very clear and firm (perhaps financial) commitment from villages to the process.
6. The detailed and prolonged process of joint village land use planning is described here. These details need to be shared with communities and other stakeholders who are considering the process, so that they are better informed about what is expected of them and what they will have to contribute to reach agreement. There needs to be an improvement in the way that awareness-raising sessions with communities on PLUP are carried out, including the allocation of sufficient time to allow in-depth dissemination and discussion of key documents and messages, as well as the roles and responsibilities of different actors, aspects of boundaries, resolution of boundary conflicts, etc. Greater thought needs to go into preparing for these sessions, which should be carried out in a way that maximises knowledge transfer and consolidation e.g. through visiting the proposed shared resources so that everyone understands their boundaries and the implications of demarcating them.

This is particularly important in mixed crop/livestock villages, where it is likely that disagreements over land allocation will exist and will need to be negotiated and agreed upon. The steps taken through such negotiation in order to reach agreement will require significant investment of time and resources. It is vital that all stakeholders are involved in the negotiation processes and are fully guided through the implications of any decisions made. Only then is the process likely to run smoothly.

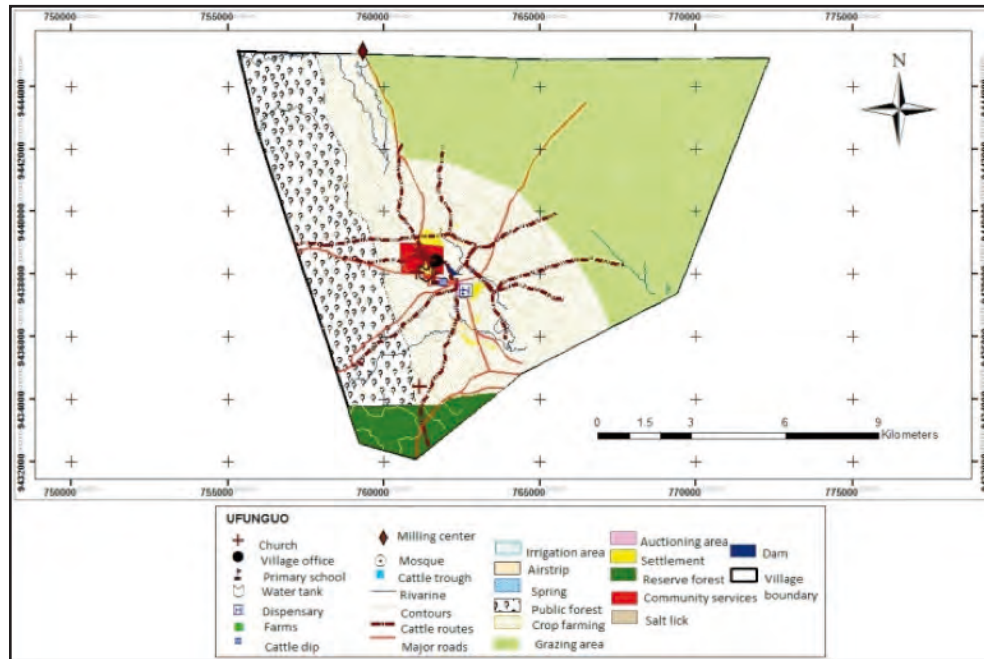
REFERENCES

- Flintan, F. (2012) "Participatory rangeland resource mapping as a valuable tool for village land use planning in Tanzania". Rangelands Issue Paper No. 2. Rome: International Land Coalition.
- Kaswamila, A. and A. Songorwa (2009) "Participatory land use planning and conservation in northern Tanzania rangelands". African Journal of Ecology, No. 47.
- SRMP (2013) "Village land use planning in rangelands: good practice and lessons learned". Rangelands Issue Paper No. 3. Rome: International Land Coalition.
- Tenga, R. and B. Nangoro (2008) "Legal Empowerment: The Case of Pastoral Land Rights in Northern Tanzania". Unpublished report.
- Tenga, R., A. Matee, N. Mdoe, R. Mnenwa, S. Mvungi, and M. Walsh (2008) "Study on Options for Pastoralists to Secure their Livelihoods in Tanzania. Current Policy, Legal and Economic Issues. Volume One: Main Report". For CORDS, PWC, IIED, MMM, TNRF, and UCRT.
- Ylhäisi, J. (2010) "Sustainable land privatization involving participatory land use planning in rural areas. An example from Tanzania". Land Tenure Journal No. 1.

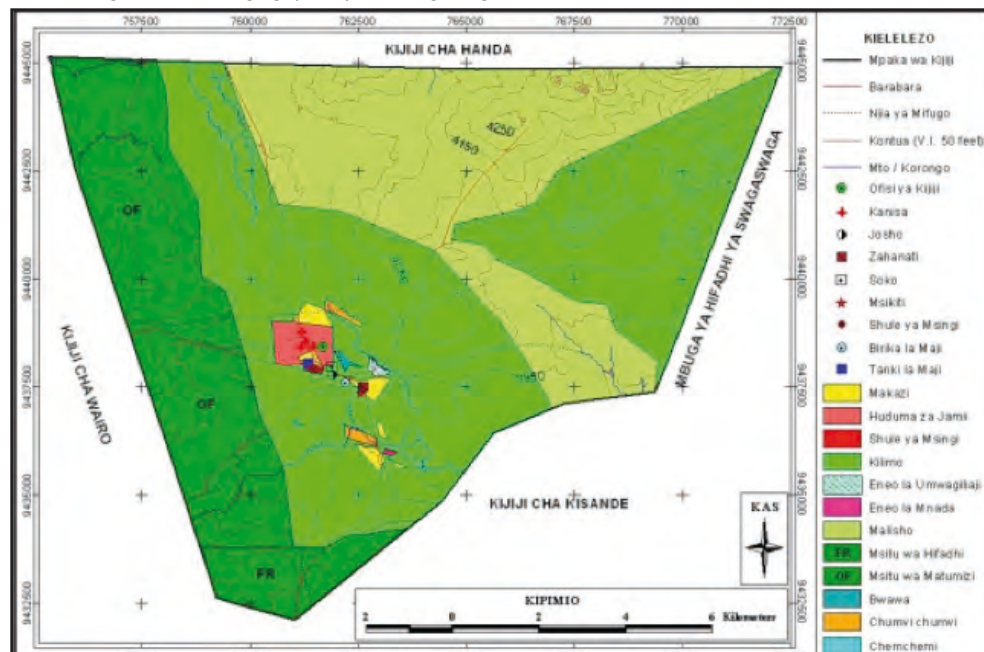
APPENDIX 1

INDIVIDUAL VILLAGE LAND USE PLANS OF LAHODA, HANDA, AND KISANDE

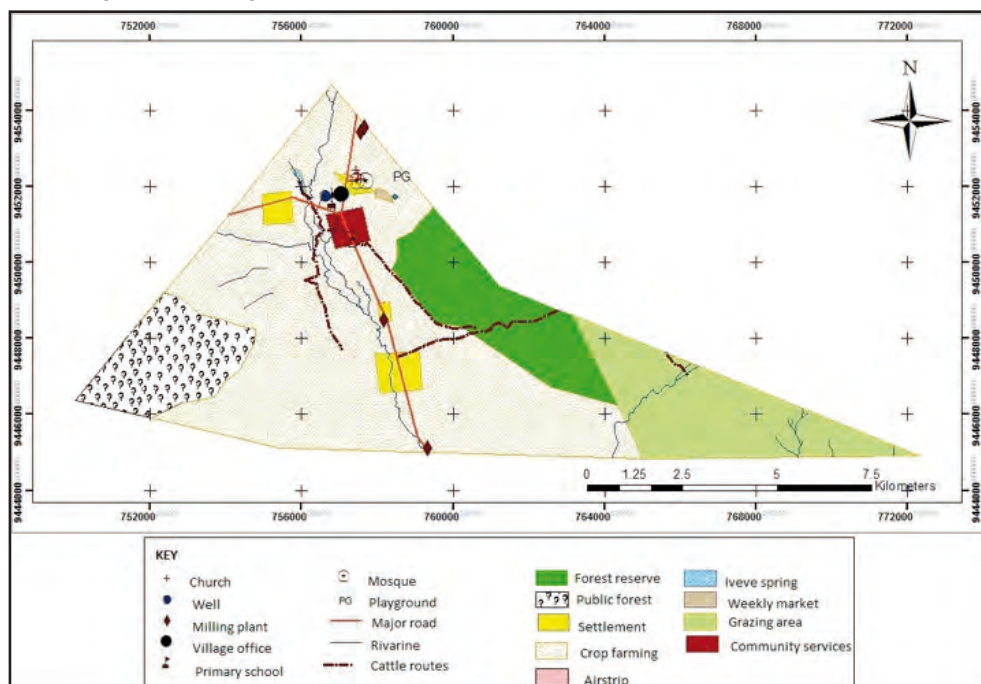
Lahoda village, 2013



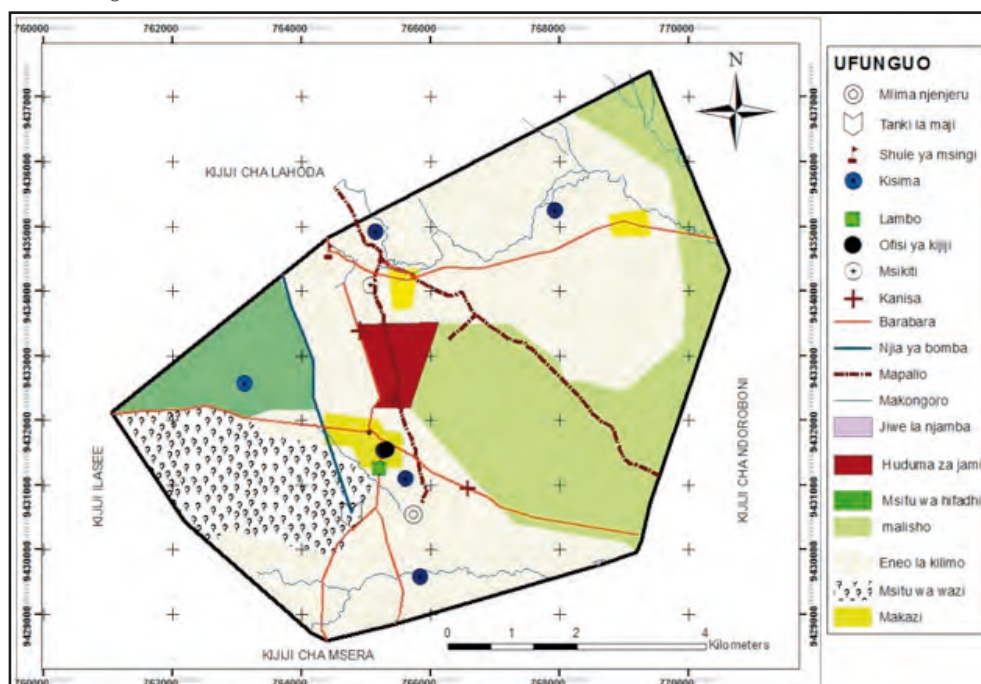
Lahoda village, 2014 (showing significantly reduced grazing area)

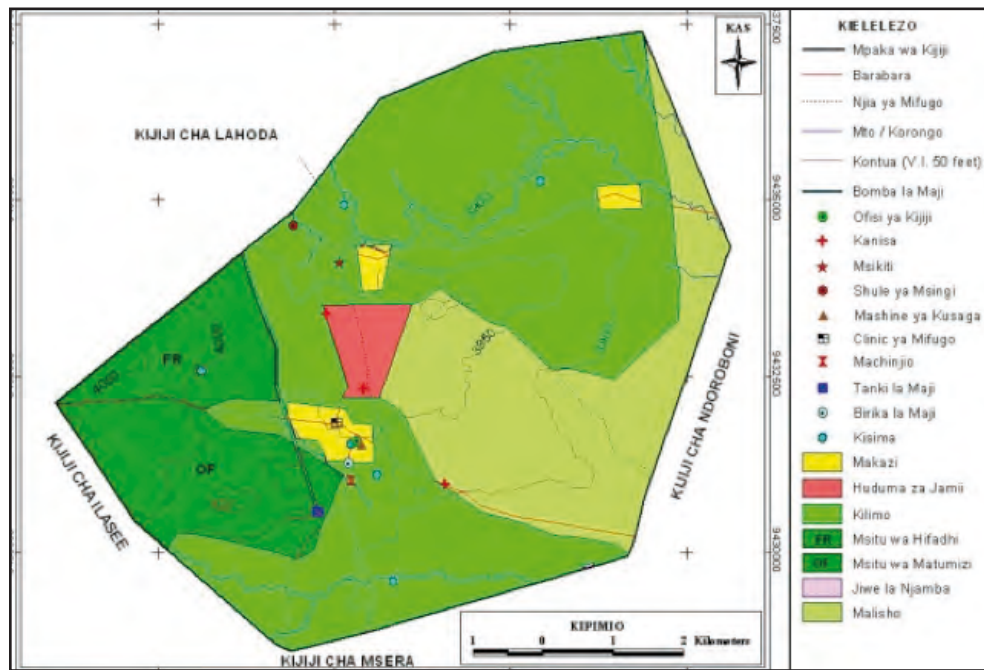


Handa village, 2013 (no changes)



Kisande village, 2013





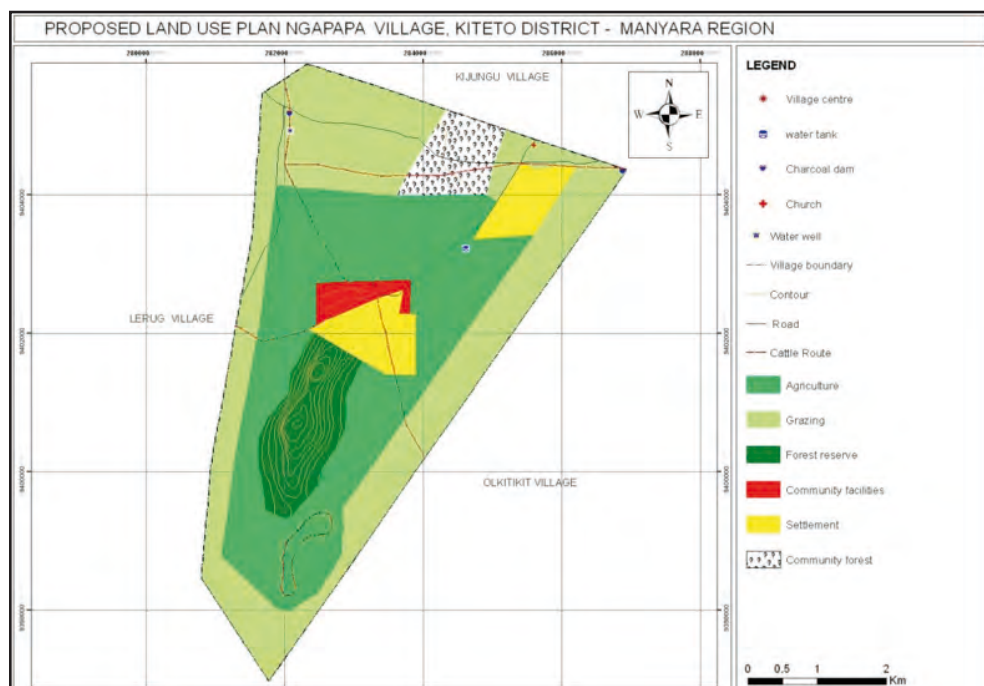
APPENDIX 2

LAND USE DISTRIBUTION IN LAHAKI, 2013

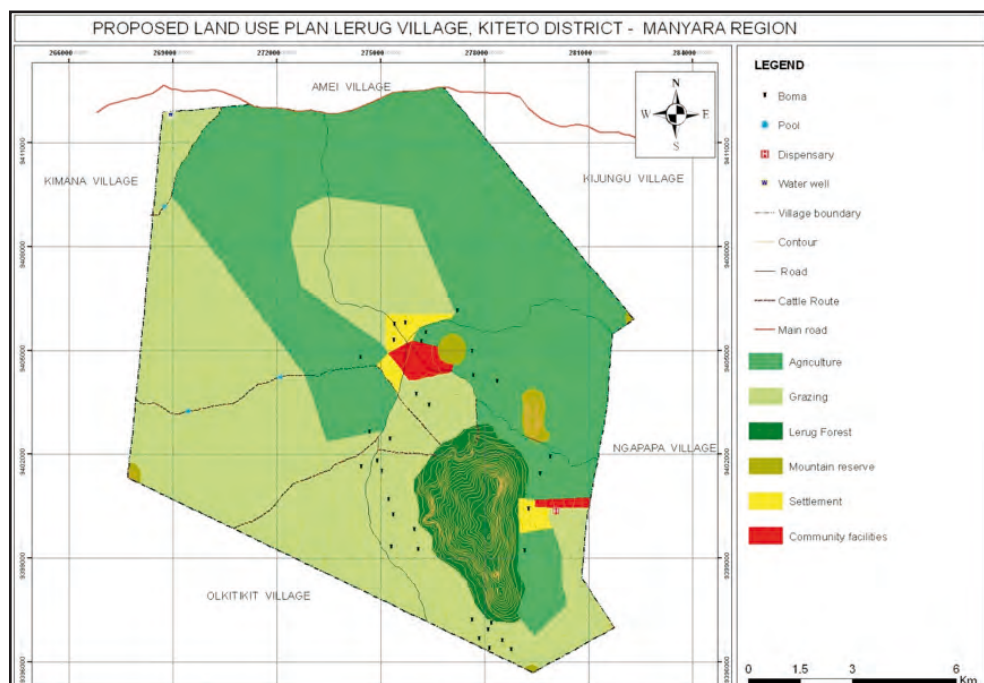
VILLAGE/LAND USE	LAHODA (HA)	KISANDE (HA)	HANDA (HA)	TOTAL LAND USE AREA	% TOTAL VILLAGE AREA
Grazing land	6,200	765.8	2,192	9,057.8	32.6
Agriculture	2,116.08	3076.6	4,737	9,929.7	35.7
Irrigated agriculture	11	0	0	11	0.04
Residential land use	535	135.9	218	888.9	3.19
Community facilities (village centre)	150	113			
Water sources – springs	1.5	0	10	11.5	0.041
Water sources – dam	9.7	0	0	9.7	0.035
Water sources – wells	0.5	1.1	0	1.6	0.006
Salt licks	35.4	0	0	35.4	0.13
Forest reserves	531.4	326	897	1,754.4	6.31
Open forests	3,936	910.4	865	5,711	20.55
Cattle market	3.5	0	9.3	12.8	0.05
Cattle tracks	47	23	33	103	0.37
Airstrip	0	0	1.7	1.7	0.006
TOTAL VILLAGE LAND	13, 529.6	5,327.7	8,930.0	27,787.3	100.0

APPENDIX 3 INDIVIDUAL VILLAGE LAND USE PLANS OF NGAPAPA, LERUG, AND ORKITIKITI

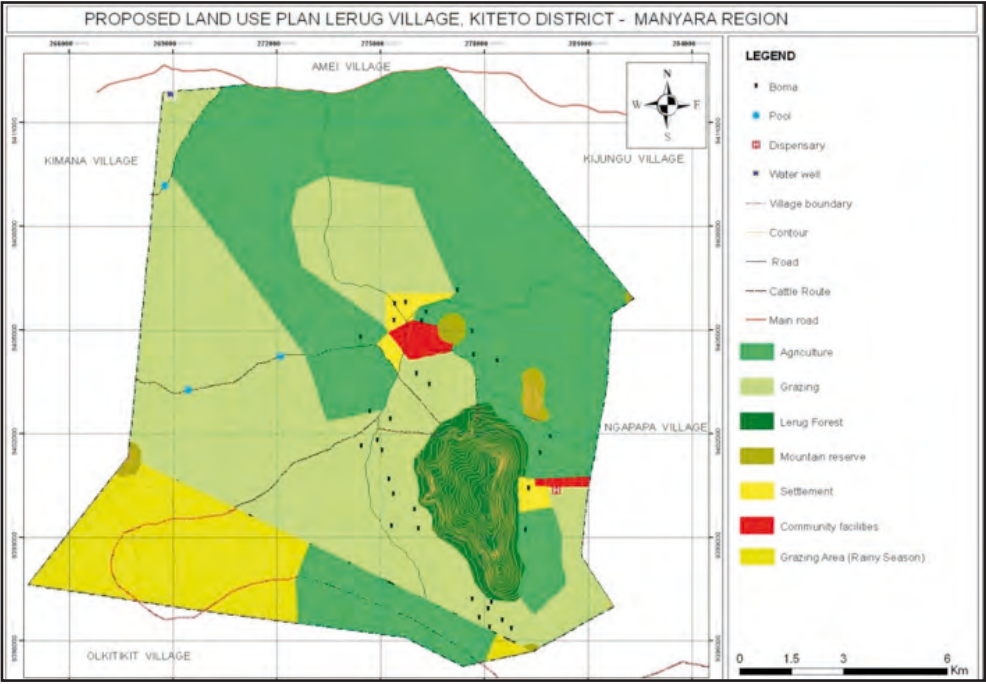
Ngapapa village, 2013



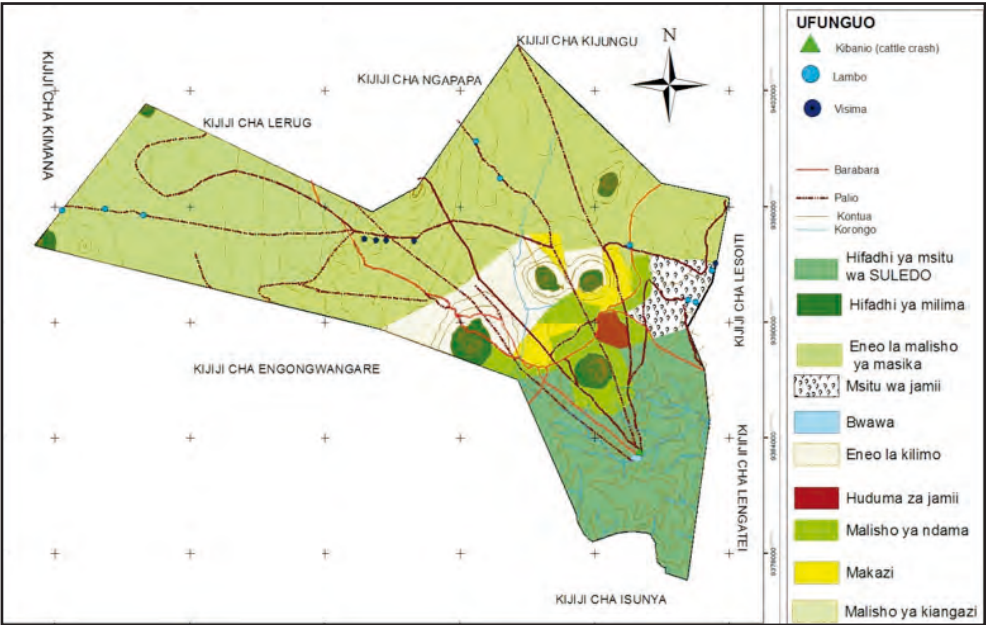
Lerug village, 2013



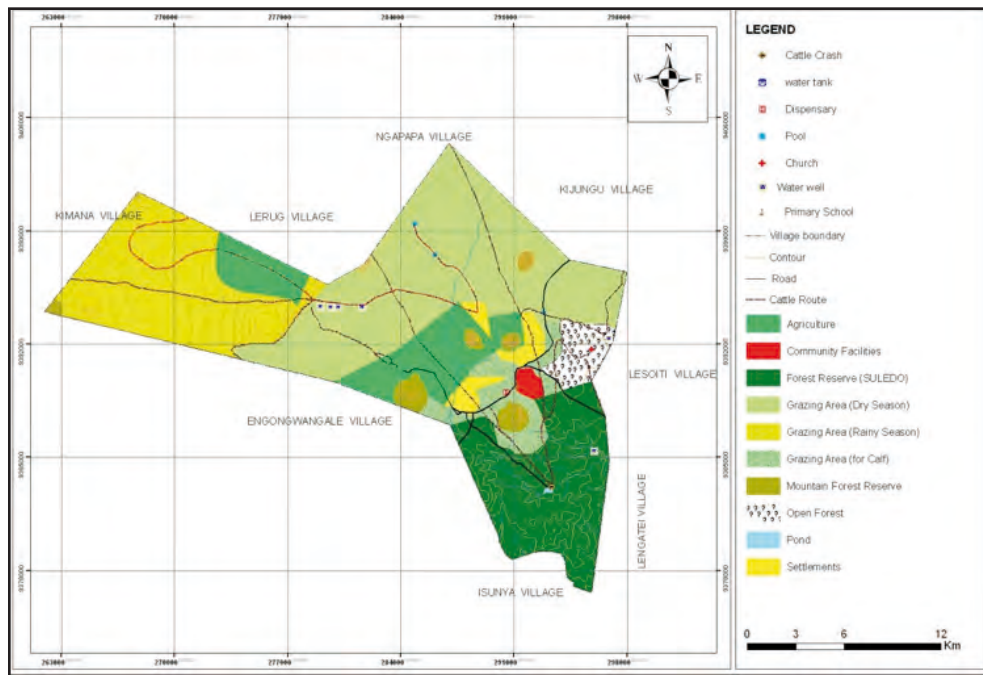
Lerug village, 2014



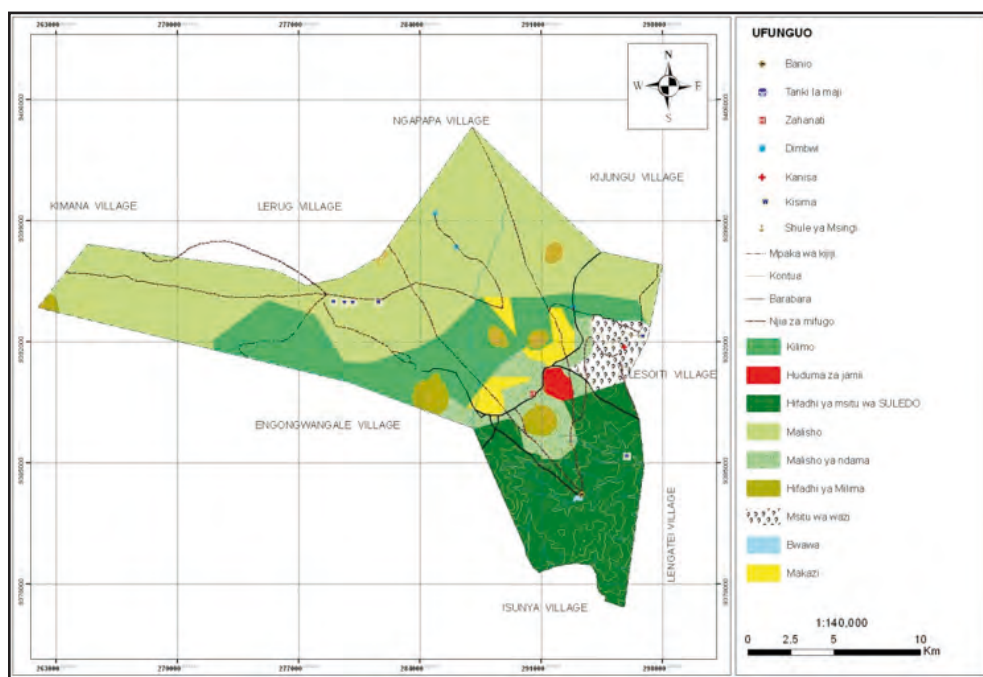
Orkitikiti village, 2013



Orkitikiti village, 2014



Orkitikiti village, 2015



APPENDIX 4

LAND USE DISTRIBUTION IN OLENGAPA, 2014

VILLAGE/LAND USE	ORKITIKITI (HA)	LERUG (HA)	NGAPAPA (HA)	TOTAL LAND USE AREA	% OF TOTAL VILLAGE AREA
Dry season grazing land	12,960.63	7,279	701	20,940.63	55.47
Wet season grazing land	9,071.96	0	0	9,071.96	
Grazing area for calves	2,136.3	0	0	2,136.3	
Agriculture	3,037.3	7,857.6	668.6	11,563.5	19.59
Residential land use	1,072.3	346.4	112	1,531	2.40
Community facilities/village centre	247.8	175	54.1	476.9	0.80
Orkitikitii Dam	15.90	0	0	15.90	0.02
Chaco dams	20.40	0	2.8	23.2	0.039
SULEDO Forest Reserve	7,127.01	0	0	7,127.01	12.07
Community forest reserve land	1,164.2	0	12	1,176.2	1.99
Hilltop reserves	1,069.9	1,451.8	0	2,521.7	4.27
Open forest	0	0	124	124	0.21
Roads	279	95.6	301	675.6	1.14
Cattle tracks	728	281	340	1,349	2.29
TOTAL VILLAGE LAND	38,931.5	17,455.0	2,621.0	59,007.5	100.0





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ILC's Global Rangelands Initiative is a programme facilitating learning between and providing technical support to different actors who are working to make rangelands more tenure secure. In Africa the Rangelands Initiative is led by RECONCILE (in Kenya). The global component is led by ILRI (in Ethiopia); Asia component by JASIL (Mongolia) and MARAG (India); and the Plataforma Semiáridos Americana Latina by Fundapaz (Argentina). The Rangelands Initiative supports ILC members and their government partners to develop or influence enabling policy and legislation, and/or to implement policy and legislation in a manner that better supports productive and sustainable rangeland use. A key input to this is the joint identification of solutions based on innovation and good practice, through research, knowledge generation, and experience sharing. This series of Issue Papers documents and shares some of the information and knowledge generated during these processes.

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