

MAKING RANGELANDS SECURE

News, views and experiences of policy-makers, practitioners, academics, and communities on making rangelands secure for local users

MAKING VILLAGE LAND USE PLANNING WORK IN RANGELANDS, TANZANIA

Joint village land use planning in Tanzania provides an opportunity for neighbouring villages to formalise previously customary arrangements for sharing of resources and livestock mobility across village boundaries. In Tanzania the Village Land Act 1999 and the Land Use Planning Act 2007 state that villages should agree on their boundaries, register and certify

them with assistance from the local District Council (DC), and then plan the use of the land through a process of zoning, defining management plans and setting up responsible committees for their implementation. However the danger of this in rangelands is that by formalising boundaries around a village and defining land use zones, the mobility and multiple-use that optimises the productivity potential of rangelands, can be lost.

Ministry of Livestock and Fisheries Development (MLFD), supported by ILC, IFAD, CARE, TNRF (Tanzania Natural Resource Forum) amongst others, has been working over the last three years to identify how village land use planning can be implemented in order to better facilitate and support rangeland productivity and sustainable management.

Of most success and potential for scaling-up is joint village land use

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The Sustainable Rangeland Management Project (SRMP) led by the

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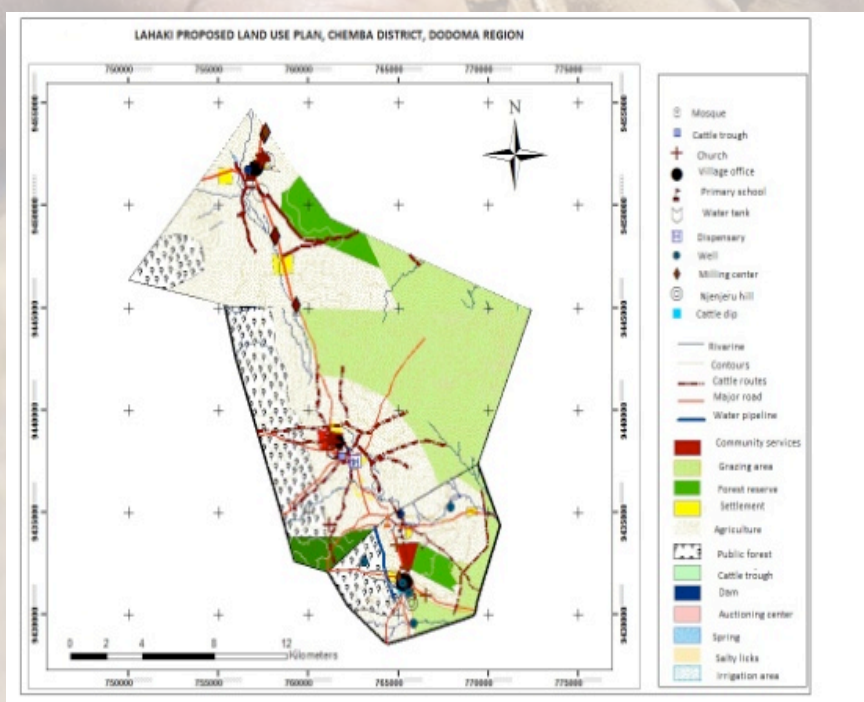
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LAHAKI's joint village land use plan showing shared grazing area in pale green, incorporating the villages of Lahoda, Handa, and Kisande.

VILLAGE LAND USE PLANNING, TANZANIA

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planning where villages that share rangeland resources are supported through a process of mapping resources, identifying and agreeing upon those that are shared, developing a map of these, and then developing a formal Agreement for their sharing and management. The Agreement and related bylaws need to be approved by the participating Village Councils (VCs) and Village Assemblies (VAs), together with the local DC. A Joint Resource Management Committee, made up of representatives from the different villages, facilitates this. The villages could also produce a Joint Village Land Use Plan or Natural Resource Management Sector Plan, but this involves establishing a Joint Land Use Planning Authority, which can take time and involves all VAs. Though a Joint VLUP would be another tool for management it is not absolutely necessary as the Joint Land Use Agreement can play the same role.

In order for villages to undertake joint village land use planning, each village should first have an individual village land use plan. To make the whole process cost-effective, these individual land use plans can be facilitated and developed together, in parallel. The SRMP for example facilitated a process of joint participatory mapping of the rangeland resources found in the

"The land use planning process was good for us as a community as we worked together, including all members, farmers and pastoralists, to identify our common land and natural resources and who should have rights to what. Through this, we were also able to manage a conflict that had been brewing between our community and the next one over our boundaries." – Ramadhani Hemedi Jilee, chairperson, LAHAKI joint grazing area.

villages on two days in one village – all three villages involved came together and worked next to each other to produce rangeland resource maps. This process provided an opportunity for the villages to see all the maps together and

begin discussing and agreeing upon which resources are shared and how.

The process of joint planning also saved resources – normally an individual LUP can cost on average between USD\$ 6-12,000. The SRMP found that the development of three individual land use plans in parallel, plus developing a Joint Land Use Agreement, can be achieved for well under US\$20,000.

Under the project two Joint Village Land

"This is a model for addressing conflict over land and natural resources. We would like to see this approach replicated in other parts of Tanzania." – Hon. Titus Kamani, Minister of Livestock and Fisheries Development

Use Agreements have been developed, each covering three villages. The next step, and as an extra layer of resource and land tenure protection, a Pastoral Association will be established for pastoralists using each shared grazing area. This Pastoral Association can then apply and be provided with CCROs from the relevant VC that is responsible for the section of the grazing area that falls within each village's land. As such, where three villages share a grazing area, three CCROs will need to be issued. Once a CCRO has been provided for the shared resource like a grazing area, then the group (the 'owners' or Association) is responsible for developing a management plan for the resource. This can be done with technical and financial support from the DC, MLFD or NGOs. The management plan will be presented and submitted to the VAs in a joint meeting for their approval. Once completed and approved, the plan for the grazing area will be submitted to the MLFD, where it will be registered.

SRMP is currently developing a Phase 3, where it is anticipated that the processes described here will be scaled-up to a larger number of villages in rangelands.

If you would like more information on the project and its innovations, please contact Fiona Flintan. f.flintan@landcoalition.info



Rangeland resources were mapped with the three LAHAKI villages in parallel, which provided an opportunity for discussion and consensus-building on shared resources, boundaries etc. A guidelines on the rangeland resource mapping approach will be published by SRMP shortly.

RECENT EVENTS

Land Awareness Week, Uganda, November 2013

The Uganda Land Alliance (ULA) in partnership with the Ministry of Lands, Housing and Urban Development (MLHUD) organised a land awareness week from 25th to 29th November under the theme “Land: my life, my future?”

The objectives of the event were to share and disseminate knowledge to the public on all land related plans, policies and laws in Uganda, create awareness on the functions of the various land management institutions, create a platform for dialogue on land matters with the various stakeholders and build stronger linkages between all land-related institutions and the citizens of Uganda. Activities were organised around five themes namely: land governance; sustainable land management and pastoralism; access to land justice; land, gender and extractives ; and land and investments.

The week brought together government departments such as the Ministry of Lands, Housing and Urban Development, Parliament, the police force and the Uganda Investment Authority along with other stakeholders like academia, CSOs, the legal fraternity, the private sector, the African Union, East African Community, pastoralist advocates from Cameroon, Niger and Sudan as well as the public. The public freely accessed the government’s computerised Land Information Centre and checked the accuracy of their land holdings.

A number of key areas for action were developed including the need to expedite formulation of laws and policies, establishing of land administration structures at different levels and clarification of the roles of different players in land governance. Issues like chattels bill,

streamlining compensation, sharing of royalties, dispute resolution mechanisms and land tenure need fast tracking.

Regarding pastoralists, it was noted that they continue to live in a challenging socio-economic environment. On land, it was deemed urgent to safeguard pastoralist rights through registering their interests in land and clearly designating some areas for pastoralism. Ugandan pastoralists were encouraged to form communal land associations in order to promote tenure security. It was also strongly felt that pastoralists should be compensated for the land and pasture they lose due to other developments in their areas. Finally, the participants recommended that government should start implementing laws and policies already in place particularly those provisions that call for the mitigation of the suffering of pastoral communities.

Meeting on LAPSET Progress, 4th October 2013

On 4 October the Rift Valley Institute held a public meeting on the Lamu Port-South Sudan Ethiopia Transport Corridor (LAPSET), a flagship project of Kenya’s Vision 2030. The Forum convened a panel from government, parliament and civil society to discuss the opportunities and challenges that this major project will have on the communities in northern Kenya and neighbouring eastern African states. The meeting attracted participants from government, from the communities that will be affected by the project, and from donor, academic, and research organisations.

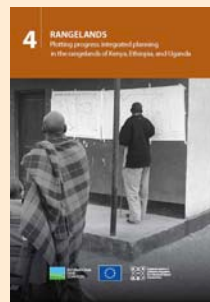
The plan for the corridor combines many elements: the development of a new port at Lamu (already under construction); an oil pipeline from Lamu to South Sudan; road and railway links to the west and possibly to southern Ethiopia. There are also plans for a new international airport and so-called ‘resort cities’ along the line of the rail. The completion of any one of these elements would have a significant impact; in combination they could transform the region. There is the danger that communities will lose out from the project (commonly the case in such large-scale ventures) including access to land, resources, in-migration of non-locals etc. However, opportunities will also arise – and communities will need assistance to optimise these.

To date, no communities have been compensated for lands lost including those around Lamu Port, though the matter is said to be in hand. Land loss and compensation will continue to require attention throughout the project area as the development progresses, if conflicts are to be prevented.

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NEW PUBLICATIONS RELEASED

1. Report of Sudanese experiences from the Making Rangelands Secure Learning Route 2012. Found on internet: http://www.unep.org/disastersandconflicts/portals/155/countriesSudan/pdf/Learning_Routes_Rangelands.pdf



2. Integrated Drylands Planning in Rangelands of Kenya, Ethiopia and Uganda. Issue Paper No. 4 Internet http://www.landcoalition.org/sites/default/files/rangelands4_integratedplanning.pdf

LAPSSET Progress

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Panellists at the Forum meeting, who included MPs from areas affected by the corridor, discussed these issues vigorously. The keynote speaker was Mr Silvester Kasuku, the CEO of LAPSSET in the Office of the President of the Republic of Kenya. Other members of the panel were Hon. Shakila Abdalla, MP and Women's Representative for Lamu County; Hon. Abdikadir Omar, MP for Balambala, Garissa County and member of the Select Committee on Budget and Appropriations Committee of the National Assembly; and Mr Jonathan Lodompui of Vision 2030, and Dr Ekuru Aukot, Chief Spokesperson of G47. The meeting was chaired by Dr Justin Willis of Durham University.

An article about LAPSSET by Natural Justice is found on page 8.

Rangeland Management Platform, Addis Ababa, 16th April 2014

On April 16th the inaugural meeting of the Rangeland Management Platform (RMP) took place. Hosted by the Pastoral Directorate State Ministry of Livestock Resources Development, the Platform provides a forum for practitioners and technical experts to come together to share experiences, lessons learned, and new initiatives and innovations on rangeland management. It is anticipated that this will lead to better practice and harmonisation of approaches. Meetings will be held every three months on different topics of national and local interest.

This first meeting was held on controlling and preventing the spread of *Prosopis juliflora*. Presenters described the current status of *Prosopis juliflora* invasion now present in at least four pastoral-dominated Regions. The plant is spread by livestock eating and then defecating the seeds, and by seeds being transported along watercourses. It

is very difficult to remove the plant once established. In Ethiopia the plant tends to grow as impenetrable thickets with sharp thorns making access impossible. The plant prefers to grow in riverine areas thus preventing access to the rivers and taking over dry season grazing areas.

At the meeting insecure land rights were identified as one of several causes of the aggressive spread of invasive species. In Ethiopia pastoralists do not have formalised protection to their resources and lands – to date no communal land tenure system has been fully developed or implemented. As such incentives for managing and rehabilitating land are lower than if pastoralists had guaranteed rights of access and use. Evidence presented at the meeting showed that land users are more willing to control and clear *Prosopis* on private land (individual or group) than on non-private land.

Without authority to manage land and access there is no clear mandate to control livestock movements, including those that may have been feeding on *Prosopis* and so likely to spread the seeds. Once *Prosopis* has taken over land, there is little motivation for pastoralists to invest time and resources in clearing land unless it is guaranteed that afterwards the land will be returned to them for their use. Payment for clearing *Prosopis* is one incentive, however this is one-off and does not address long-term and regular action to prevent its re-invasion and spread.

The meeting concluded that improving land security for pastoralists is an important incentive to prevent *Prosopis* spread and to invest time and resources in clearing and rehabilitating invaded land. It is unlikely that *Prosopis* and other invasive species will be effectively controlled until land security is assured.

The next meeting of the Rangeland Management Platform will be held in July on the subject of Participatory Rangeland Management.

Africa Regional Symposium for Community Land and Natural Resource Protection, Cape Town, 5th November 2013

Hosted by Natural Justice and Namati, the Symposium brought together twenty participants from nineteen organisations, who each presented and discussed effective strategies they have implemented for community land and natural resource protection. The Symposium provided an opportunity to share best practices, tools and strategies for securing community land and resource management and protection. It also built support between the organisations and a cross-disciplinary community of practice. New and innovative forms of legal empowerment were brainstormed. The Symposium was an uplifting opportunity for participants to discuss, in an engaged and dynamic manner, methodologies for change. From the use of litigation to bylaws, biocultural community protocols to mapping, direct stakeholder engagement to grievance mechanisms, the meeting was also enabled practitioners to share strategies, challenges and questions, and create and/or deepen relationships between African non-government and community-based organisations.

FILM ON WOMEN'S RIGHTS AND LEADERSHIP FORUMS

Maliasili Initiatives, PWC and UCRT have released a film about Women's Rights and Leadership Committees that have been established in Ngorongoro and Longido Districts. The film, "Strengthening Women's Rights, Empowering Communities" describes what appears to be the development of a social movement - where pastoralist women are gaining a voice in decision making processes, are owning land and property, and are successfully advocating for their own rights and the rights of their communities. The film can be found at: https://www.youtube.com/watch?v=LUt9HH_Lcq8

COMPETENT, BUT IGNORED: BRINGING MAASAI YOUTH INTO LAND TENURE DECISION MAKING

In an effort to safeguard rangelands from encroachment by neighboring ethnic groups, national elites, and the state, Maasai from southern Kenya have been privatising collective holdings. This has led to widespread land sales, exclusion to critical grazing resources and a disrupting of pastoral production systems. While reports from different communities focus on outside acquisitions by land speculators, national elites, and even foreign entities, privatisation has also given rise to a much more intimate form of exclusion: young Maasai, who are officially excluded from tenure decision making, grapple with enclosure in the wake of this dramatic tenure change. Young people's perspective on and experience with tenure reform has been neglected in local, academic, and policy debates. Historical and cultural assumptions of the child as incompetent and that young people lack interest in rural matters has contributed to a view that their participation in land planning is unnecessary.



Youth fear land loss and social conflict

A study by Caroline Archambault shows however, that many young Maasai in the community of Elangata Wuas are not only interested in rangeland tenure issues but appear to be heavily vested in maintaining rangeland-based livelihoods. A series of essays on privatisation from pupils in Standard 7 and 8 revealed that while many view privatisation quite favourably and see it as an important means to facilitate a new, modern form of pastoralism, like most adults, they fear land sales, dispossession, and conflict.

However, their fears take a different form to adults who primarily worry about outsiders buying up lands and excluding them from pasture and water access. Adults are fighting against inequalities and (mis)allocations of land in processes of sub-division. Youth, however, harbour insecurities in relation to securing a place to live and having a (land) base from which to raise and support families.



Education is considered an important investment for securing rights to land

Their concerns over land sales and loss centre on inheritance. They fear that their parents (fathers mainly) will sell off their inheritance and they fight with their siblings over their shares. Such intimate levels of exclusion and conflict between parents and children, siblings, and spouses go largely unrecognised in debates over rangeland privatisation.

Social differences influence views

Youth perspectives, however, are not unitary. Ethnicity, gender, socio-economic status, and different family characteristics (family size, birth order, and parents' background) are all important dimensions shaping young people's experience with and ideas about privatisation. For example, youth from wealthy backgrounds express less concern about possible landlessness or land scarcity than those from more modest or poorer positions. Similarly, those with smaller families appear to be far less concerned with inheritance practices and potential sibling conflicts than those from big families with many older, and more educated brothers.

Young males tend to focus on aspects of privatisation that relate to the technicalities of herding and the technological innovations in animal husbandry. They are also very focused on issues of inheritance as the recipients of land under the

customary patrilineal system. Females focus more than their male counterparts on the possibilities of permanent houses and settlement, new opportunities for cultivation and the selling of produce, and the implications on their workloads, such as firewood collection.

Youth in decision making processes

Young people, from a diversity of backgrounds, should be brought into debates and decision making bodies around rangeland and natural resource management. Not only are they competent, interested, and invested, but they bring to the table a whole series of issues that do not feature prominently in the experiences of adults and so are rarely integrated in planning. Bringing young perspectives to issues of land tenure transformation deepens our understanding of the role of tenure change in development and social transformation and provides necessary insights for a truly integrated and informed land tenure debate aimed at identifying more socially equitable outcomes.

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Based on the journal article: Young Perspectives on Pastoral Rangeland Privatisation: Intimate Exclusions at the Intersection of Youth Identities. European Journal of Development Research, Vol 26: 204-218. January 2014.



CONFLICTS BETWEEN MBORORO AND THE CATHOLIC CHURCH ENDS POSITIVELY FOR PASTORALISTS

Since 2012 the Mbororo pastoralists of Ndzah village, Bamenda III sub-division in north-west region of Cameroon have been in conflict with the Catholic Church who are said to have illegally acquired Mbororo land on which to build a University. This area, the Mamada Hills, was home to over 108 pastoral families and around 1,500 livestock. When the Mbororo leader, Ardo Adamu Bi Mamada, tried to question the claim over their ancestral land, he was arrested, severely tortured resulting in partial blindness, and detained. He was charged and then convicted of using land that 'belonged' to the Catholic Church.

A counter suit filed by Ardo against the University for illegal occupation was dismissed but with advice from the Magistrate to take the issue to the Minister of State Property, Surveys and Land Tenure, who subsequently gave no response. At the same time the prosecution witnesses in the suit against Mamada failed to turn up at court and after more than ten adjournments, the matter was dismissed.

Documentation that came up in court however showed that the Honorable Minister of State Property, Surveys and Land Tenure had made a grant of 46 hectares, 38 acres and 98m of land in Ndzah to the Catholic University of Bamenda. The land being claimed by the University however was around 300 hectares: under law the Minister can only allocate a piece of land below 50 hectares, and it is only the President who can allocate more. After a number of back-and-forth court cases, suits and applications, in early 2014 the matter remained unresolved.

Forced resettlement attempted

On the 7th March 2014 the Archbishop of Bamenda served Ardo Mamada and other Mbororo family heads of Ndzah village with a 2nd "Quit Notice", requesting them to move off their lands on or before the 14th of March 2014. Any date thereafter, bulldozers would destroy their houses and farms without further compensation. In the same vein, the Divisional Officer of Bamenda III Sub-Division served a letter on Ardo and his community stating that the Mbororo should immediately move to a resettlement site. This was despite there still being an outstanding court case in the Administrative court of the North West Region in Bamenda on the matter.

On the 19th of March 2014, the Archbishop of Bamenda sent a bulldozer to Ndzah village to destroy the houses of the Mbororo herders, seemingly without the knowledge of the authorities. The herders stood in front of their houses preventing the bulldozers moving forward. The Archbishop's representative was injured in a skirmish and a vehicle was damaged. A sympathiser of the Mbororos plight suffered a head injury. One of the Mbororo leaders brought the police to the site though they arrived when the incident had quietened down. Subsequently warrants of arrest were issued for two of the protestors, and two other warrants are said to remain blank to be filled in as the police prefer. On the 3rd April however the Archbishop returned with 50 heavily armed gendarmes who demolished homes of the

Mbororo, leaving around 108 members of the community homeless.



Turnaround: the Archbishop throws in the towel!

In a complete turnaround, on the 15th April, the Archdiocese of Bamenda announced that they were withdrawing from the disputed piece of land at Ndzah (Banjah) also known as Mamada Hills, blaming the local pastoralists for destroying the peace, attacking their workers and destroying their properties. ILC member MBOSCUA who has been actively supporting the Mbororo pastoralists in their endeavours, welcomes the decision but calls on the Catholic Church and authorities to compensate those who lost homes and livelihoods, and suffered injuries. MBOSCUA is waiting for a public response from the Bamenda Archdiocese on this matter in order to put to rest the long-running dispute.

Musa Usman Ndamba, Vice-National President, MBOSCUA

News on Cameroon's Pastoral Code is found on page 10.



1,500 cattle use the disputed land in Ndzah



A VISION FOR A JUST AND PROSPEROUS FUTURE? THE LAPSSET CORRIDOR

On a typically hot day in Isiolo, northern Kenya, the traditional leaders of the Borana pastoralists meet to discuss a vision for the future of their community. In a place that has largely been forgotten by successive national governments, the Borana's vision is one of continuing and strengthened livelihoods, secure land and resource tenure, and opportunities for the generations to come.

Kenya's Vision 2030

One could assume it was such a community that the drafters of Kenya's Vision 2030 had in their minds as they planned the transformation of the country into a competitive, prosperous nation with a high quality of life, a clean and secure environment. At the heart of this vision is the proposed Lamu Port-South Sudan-Ethiopia Transport (LAPSSET) Corridor project, which is described by the office of the Deputy President as the "first single gigantic, integrated, transformative and game-changer infrastructure project the government has embarked upon within its Vision 2030 plan (<http://deputypresident.go.ke/index.php/the-administration-dp/39-lapsset-projects>). With an estimated cost of US\$23 billion, the project seeks to build a just and prosperous middle-income country by 2030 (<http://www.vision2030.go.ke/>).

The seemingly hyperbolic description on the Deputy President's website is apt given the project is to entail a twenty berth deep-sea port in Lamu, oil refineries, highways, railways and oil pipeline from Lamu to South Sudan through northern Kenya, a road linking Kenya to Ethiopia, resort cities in the counties of Lamu, Isiolo and Turkana, and hydro-power generation along the River Tana. The discovery of oil in Turkana has now added another dimension to the project.

Many pastoralist, hunter-gatherer and fishing communities, who fall within the confines of the LAPSSET project do hope for infrastructure development and

service delivery in their traditional areas. Unfortunately, they also fear further growing economic disenfranchisement, land and resource insecurity.

A community vision to "Save Lamu"

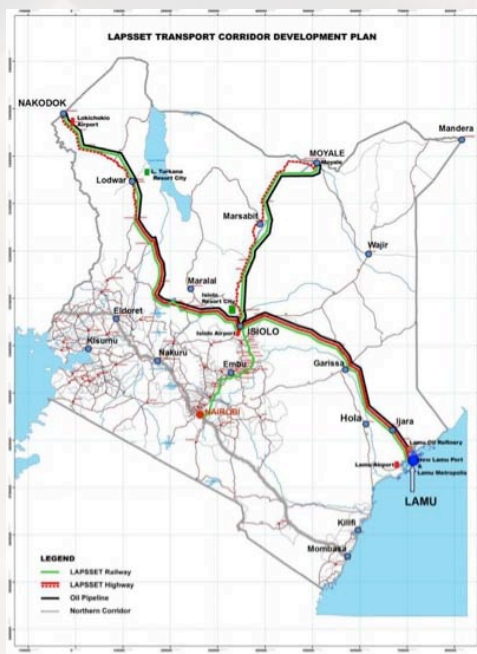
Lamu County is rich in ecological and cultural diversity. The County includes a UNESCO World Heritage Site, numerous archeological sites dating back 1,000 years, two national reserves, one of which is a UNESCO Biosphere Reserve, as well as rare and endangered species.

The hunter-gatherer, pastoralist and fishing communities of the area are now witnessing the project's first stage of construction and preparations for the development of the first three port berths, said to commence in June 2014.

Though the country's new Constitution provides community rights to land and resources, information shared on the project and community involvement in its development has been negligible. An environmental impact assessment, produced after significant lobbying, has only addressed the construction of the port's first three berths rather than the entire envisaged port development.

The lack of community involvement led to the creation of *Save Lamu*, a community based organisation working to advocate County and national governments for the protection of Lamu's cultural and environmental integrity. One of the legal strategies deployed by Save Lamu was the

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The LAPSSET transport corridor development plan

VISION JUST AND PROSPEROUS

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development of a community protocol. Their community protocol clearly sets out a joint vision for the cultural, economic and ecological integrity of the area, demands consent and consultation according to relevant and national laws, explains its leadership structures and the process of community decision making that the government should respect. Similarly, Borana community groups are also embarking on the development of a community protocol in order to strategically engage the government on LAPSET and other issues.



Community members want a port - but a port that benefits all

Along the path of the LAPSET project a similar story of community exclusion and community activism can be heard. Communities emboldened by their new Constitution are asserting their rights to lands, culture and ways of life. Recently, a number of community-based organisations formed the LAPSET Community Forum to jointly advocate for their rights across the project. The Forum, with its members *Save Lamu*, *Friends of Lake Turkana*, *Kivulini Trust* and many others from around the country, continue the fight to ensure their vision for a just, prosperous Kenya is heard and respected.

Gino Cocchiari, Natural Justice: Lawyers for Communities and the Environment, gino@naturaljustice.org

Natural Justice is an NGO working at the intersection of human rights and environmental issues to support indigenous peoples and local communities advocate for and implement rights to their lands, resources and cultural heritage. It is currently supporting communities along the LAPSET project corridor.



In 1954, the then government allocated land measuring 647 acres in Hansalpur to pastoralist and other landless communities. A part of this land has been used for cultivating fodder (220 acres) and the remaining as a grazing area. However in 2007 the land was leased to GIDC (Gujarat Industrial Development Corporation) without community knowledge or involvement of the village Panchayat or Gram Sabha. In 2011 the land was sold to Maruti Suzuki for its proposed Rs4,000 crore plant. The plant will block access roads to neighbouring villages thus restricting the movement of livestock and people in and out of the village.

Hansalpur is a small village in Ahmedabad district of Gujarat. It was one of the 44 villages under the proposed Mandal Becharaji Special Investment region (SIR), which was later withdrawn from 36 villages after protests in August 2013 (see *Rangelands Bulletin* No. 4). There are 60 pastoral families in Hansalpur with 800 cows, 400 buffalo and 290 other livestock, who have been using this land as grazing, and paying taxes/fees for this facility.

The people have been protesting against the land loss since 2007 and the case has been registered in the High Court for two years. Maruti are given privileges including tax breaks and staggered payments. Local protests came to a head in January when the owners of the land were *lathi* charged (baton-charged) by police, and 60 men and women were taken into police custody. Maruti started fencing-off the land even though there were still court cases pending.

PASTORAL PROTESTS IN HANSALPUR INTENSIFY

The pastoralists of Hansalpur, northern India are fighting the Government of Gujarat, in order to save their pastureland. This land is their main source of living and yet, has been taken from them in order to lease to investors.

Local communities then organised a cattle rally from Hansalpur to Gandhinagar, the capital of Gujarat. However in the early hours of the rally, police took those gathering in to custody. Female protesters were dragged by their hair into waiting vehicles.

"We tilled this land and our animals grazed on it for 70 years, yet we did not get ownership. How can Maruti get ownership?"

The struggle to get access and control over the grazing area continues. So far there have been more than 40 case hearings but Government representatives have failed to attend most of them. In March and April there were more protests and fasting demonstrations; and more unattended hearings in court. The demand for a public hearing has not been turned into action.

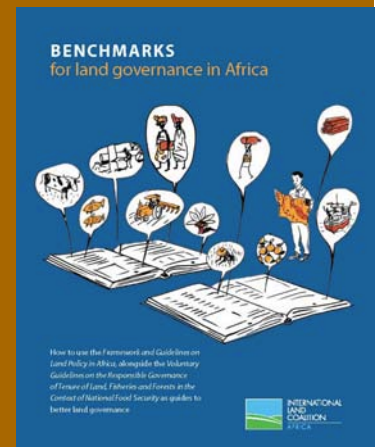
In India, pastureland has always been a community managed resource and should not be given away without consent. The ILO Convention 169 (Indigenous and Tribal Peoples Convention) and UN Declaration on the Rights of Indigenous Peoples also recognise the customary right of communities. It is hoped that the new Government in India will uphold inclusive policies and the land rights of the poor because without access and control over land, food security is not possible.

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Monika Agarwal is Director-Policy and Partnership at MARAG. MARAG is an NGO based in Gujarat, India. MARAG works primarily with the pastoralists and other marginalised communities including in Hansalpur.

BENCHMARKS FOR LAND GOVERNANCE IN AFRICA

In July 2009, the Heads of State and Government of the African Union (AU) endorsed the Declaration on Land Issues and Challenges in Africa. This declaration established the Framework and Guidelines on Land Policy in Africa (F&G) as a reference to guide the land policy process in African countries. For the first time, governments from across the continent endorsed key goals and good practices for reforming land governance. In May 2012 the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) were adopted by governments through the Committee for World Food Security. This was the first time that such a detailed and internationally accepted guide to best practice in land governance had been drawn up, and endorsed by the international community.



What are they?

The F&G and the VGGT are both non-binding commitments on actions to be taken in the area of land policy and natural resource governance. They have been developed through long processes of consultation and have been officially endorsed by governments.

The F&G are clear in stating that all AU member states have the sovereign right to decide their own policies, and describe their own role as providing assistance. Likewise, the VGGT are clear that they do not limit or undermine any existing obligations of states, but must be applied in a way that is consistent with national and international law.

What do they say?

The F&G and the VGGT aim to provide guidance and assistance on how to improve land policies and governance practices for sustainable, pro-poor development. Both speak to all land-concerned actors, but particularly to governments. The F&G have a broad focus. They are about why land policy is important, the contexts and issues it must address, and the challenges that have been encountered within the African region. They also focus on change processes: land policy development, implementation, and progress tracking. The F&G are mostly about WHY change should happen, and HOW, but say little about what policies should look like. The VGGT, by contrast, are about WHAT land policy should look like. They discuss

the policy process only in passing, and focus heavily on best practices across a comprehensive range of areas of land governance including rangelands. They go into much greater detail about how land tenure rights should be recognised, allocated, transferred, and administered in a range of (globally applicable) governance contexts.

Though different in their content the two documents share 12 common messages. These include respect for human rights; equitable access to land and reforms; the recognition, respect for and protection of customary rights; consultation and participation in decision making processes; transparent, accountable and effective land governance; and the respecting of the rights of all land users in large-scale land acquisitions.

Roles and opportunities

Both the VGGT and the F&G make clear that willing and constructive engagement across the different sectors of society is key to success. They call for such engagement throughout the process of implementation and the tracking of progress. In the context of such multi-stakeholder engagement, different stakeholders can play different roles, depending on their strengths.

FAO is taking the lead globally in advancing the implementation of the VGGT including a support system focused on awareness-raising, capacity-building (including an e-learning programme), support to governments that require

assistance, technical support on how to monitor and evaluate the Guidelines, and building partnerships (including with the AU Land Policy Initiative LPI). A facility to provide support to stakeholders from all sectors is also under consideration.

The stated goal of the joint AUC–UNECA–AfDB LPI is “to assist Member States in the implementation of the Declaration on Land Issues and Challenges in Africa in accordance with the Framework and Guidelines on Land Policy in Africa”. This means assisting AU Member States in reviewing, developing, implementing, and evaluating their land policies. The LPI Secretariat has been tasked with making available land-related information, building the capacity of member states and stakeholders to help them use the F&G, and improving networking and lesson sharing among African experts.

The F&G and the VGGT belong to all concerned stakeholders and every group has an important role to play in their implementation.

This article is an excerpt from ILC's Benchmarks for Land Governance, which can be downloaded from: <http://www.landcoalition.org/sites/default/files/BenchmarksLandGovernanceVGGT-ALPFG.pdf>

The documents can be downloaded from:

1. VGGT:

<http://www.fao.org/docrep/016/i2801e/i2801e.pdf>

2. F&G:

<http://www.uneca.org/sites/default/files/uploaded-documents/>

NEW INITIATIVES CONTRIBUTING TO MAKING RANGELANDS SECURE

UGANDA PARLIAMENTARY PASTORALISM FORUM ESTABLISHED

On 10th April 2014, Members of Parliament from the areas where pastoralism is widely practiced met in Entebbe to form a Uganda Parliamentary Pastoralism Forum (UPPF). The inaugural meeting was attended by 18 Members of Parliament who agreed to form and support the Forum as well as mobilise other parliamentarians to join it.

The MPs charged a consultant to work out detailed modalities but agreed that the objectives of the forum would include, among others, the following:

- To represent in Parliament the interests of pastoralists in their constituencies;
- To identify core concerns affecting pastoralists in Uganda;
- To advocate and mobilise for national and international funding to support pastoralism livelihoods;
- Mobilise and sensitise pastoralists to improve livestock management;
- To promote livestock development;
- To ensure that all the laws and policies to be formulated or reviewed from time to time have specific issues of pastoralism; and
- To advocate for increase of budgetary allocation to agriculture in general and livestock development in particular.

The meeting was organised by the Greater North Parliamentary Group, and the Coalition of Pastoralist Civil Society Organisations (COPASCO) attended the meeting. The UPPF will create space for interaction between the MPs and other pastoralist stakeholders including the communities and CSOs. CSOs hope to use the Forum to advocate for increased resource allocation to livestock development as well as improved service provision in pastoralist areas and more secure land rights.

LANDS OF FUTURE RESEARCH NETWORK LAUNCHED

The *Lands of the Future* (LOF) research network was established at the Max Planck Institute for Social Anthropology (Halle/Salle) in 2013. The network encourages development planners and governments to integrate the expertise of (agro)pastoralists into development models and to establish strong relationships between different stakeholders in order to find equitable, long-term solutions for changing land uses. LOF believes that the alienation of pastoralists from productive lands is often unwarranted, unproductive and unadvisable. LOF considers the development potential of pastoralism and how integrated economies can offer advantages to all stakeholders as well as the national economy.

Drawing on research from Northeast Africa, members of LOF highlight the positive bearing pastoralism has on local and national economies, as well as the environment, wildlife conservation, and on the health and well-being of pastoral communities. For more information see the most recent publication *Lands of the Future: Transforming Pastoral Lands and Livelihoods in Northeast Africa* (Abbink et al. 2014), which reflects on what is at stake when one form of land use is replaced by another and when customary rules and practices regarding land access, use and traditional law are not fully recognised by policy makers. Using historical examples and current development trends the paper shows how the impacts of such development need not be negative. The full paper can be downloaded from:

http://www.eth.mpg.de/cms/en/publications/working_papers/index.html

Reference

Abbink, Jon, Kelly Askew, Echi Gabbert, Dereje Feyissa Dori, Elliot Fratkin, John Galaty,

Shauna LaTosky, Jean Lydall, Hussein A. Mahmoud, John Markakis, Günther Schlee, Ivo Strecker, David Turton. 2014. *Lands of the Future: Transforming Pastoral Lands and Livelihoods in Northeast Africa*. Max Planck Institute for Social Anthropology Working Papers 155 Halle/Saale: Max Planck Institute for Social Anthropology.

A PASTORAL CODE FOR CAMEROON

A new Pastoral Code in Cameroon will give the Mbororo, and other livestock herding communities, rights to land that they have been using for close to a century. In 2010, the government began consultations to revise the 1974 land tenure ordinance in which all unregistered land was classified as national land, including farm and communal land held under customary law. The legislation also contained lengthy, complicated and expensive procedures for obtaining title deeds.

New procedures to enable livestock farmers to obtain title deeds will support the demarcation of boundaries between farm and grazing land, helping to put an end to conflict between farmers and cattle herders. "The code has mapped out corridors for cattle," explains Dr Taiga, Minister of Livestock, Fisheries and Animal Husbandry. "Transhumance corridors have been traced and water sources where animals may go have been identified." The code also outlines procedures for the establishment and management of community pastures.

Currently the Pastoral Code is waiting endorsement by Parliament.

Source: <http://spore.cta.int/en/component/content/article/38-spore/32/8264-land-legislation-168-en>

BUILDING A GLOBAL ALLIANCE TO SAY NO TO MINING

The context of extractive industries, especially mining, has changed dramatically over the last decade. Global investments in extractive industries have rocketed, and the rising price of metals, minerals, oil and gas have led to land grabbing, the violation of community rights, the devastation of fragile ecosystems, water scarcity - not to mention the surge in ever more extreme extraction techniques such as hydraulic fracking, mountain top removal and deep-water drilling.

A Resolution from the World Wilderness Congress, released on 16th December, affirms that World Heritage Sites, Protected Areas, Community Conserved Areas, Indigenous Territories and Sacred Natural Sites, must be respected as "No Go Areas" and protected against mining and extractive industries. It calls on companies to cease mining and other destructive activities within all categories of protected areas, with immediate effect.

It is the first time there has been a joint statement on the threat of mining and extractive industries from such a broad range of sectors, uniting indigenous peoples, other community groups, NGOs and institutional conservation agents. The Resolution was drafted at the World Wilderness Congress, WILD10, in October 2013, by The Gaia Foundation and the Indigenous Peoples of Africa Coordinating Committee (IPACC). It drew a groundswell of support from conservation groups and indigenous representatives. It highlights shared concerns about the increasing scale and destruction by extractives industries, and growing civil society demands for an end to the increasing violation of protected areas and pristine ecosystems and local communities.

Despite guidelines from the IUCN on conservation areas - including World Heritage Sites as 'No-Go Areas' - governments continue to give concessions to mining and extractive companies.

This WILD10 Resolution is an important stepping-stone for the international community who want greater protection of the world's protected areas and indigenous territories. It will be on the table at the IUCN-hosted 6th World Parks Congress taking place in Sydney, November 2014.

Resolution No.12 "urges governments to adopt, implement and enforce appropriate laws, policies and programmes - with the full and effective participation of communities and organizations concerned - for the protection of World Heritage Sites, Protected Areas, including in full ICCAs and Sacred Natural Sites and Territories, as 'No-Go Areas' for any kind of destructive industrial activity, especially mining and other extractive and destructive industries." Full text can be viewed here: http://resolutions.wild10.org/wp-content/uploads/2013/10/Res12_Protected-Areas-and-Mining_final-draft.doc1.pdf

Source: Mines and Communities (MAC)
Internet: www.minesandcommunities.org/article.php?a=12525

TANZANIAN MAASAI WIN SMALL VICTORY AGAINST THOMPSON SAFARIS

A high-end safari operator has been ordered to turn over documents and testify about alleged land grabbing and violence to leaders of three Maasai villages in Tanzania, according to an order issued in April by a federal magistrate judge in Boston, U.S. The villagers with local and international support had petitioned for release of this documentation in order to support their fight in the Tanzanian courts to recover land that they had lost to Thomson Safaris, and damages for violent abuses and property destruction.

The villagers' struggle with Thomson began in 2006, when Tanzania Conservation Ltd (TCL) acquired 12,617 acres of land known as Sukenya Farm that had belonged to the Maasai communities of Mondorosi, Soitsambu, and Sukenya. TCL is owned by the same American businessmen as Thomson Safaris, which runs luxury tours on the disputed

property, which it has developed into a private nature reserve. According to the lawsuit, company security guards and police officers burned Maasai homes and beat villagers who tried to gain access to the land. TCL's occupation of Sukenya Farm - which the villagers believe to be illegal - has blocked the communities from vital water sources.



Community meeting to discuss the ongoing conflict

Under the court order, Thomson Safaris will turn over documents and give testimony about the sale of Sukenya Farm and the allegations against them. "We believe the evidence will show that TCL and its owners knew they were buying the land illegally, and that they were complicit in the abuses the Maasai communities suffered," said Rashid Salim Rashid, who represents the villages in their lawsuit in Tanzania, with support from Minority Rights Group.

The decision was issued under 28 U.S.C. § 1782, a law that allows people to obtain documents and information from individuals or companies in the U.S. to support foreign legal proceedings. Under the court order, Thomson Safaris and its owners must turn over all documents by early May and give sworn testimony before the end of June.

Internet: <http://www.earthrights.org/media/tanzanian-maasai-villagers-win-fight-information-about-land-grabs-and-forced-eviction-against>
<http://www.bostonglobe.com/business/2014/04/23/watertown-safari-company-accused-land-grab-abuses-tanzania/HuqP4vptyg1mvPTb9P8mSJ/story.html>



RANGELANDS INITIATIVE RECEIVES FUNDING FROM SWISS DEVELOPMENT COOPERATION (SDC)

The Rangelands Initiative has received approximately US\$100,000 for the development of a guideline on participatory land use planning in rangelands of Ethiopia. The guideline was requested by the Rural Land Administration and Use Directorate, Ministry of Agriculture, as a document for guiding local government experts to plan with local communities in pastoral areas, as the foundation for local government decision making. It is anticipated that local level land use planning will also influence decisions at higher levels of government, and help develop more integrated, sustainable and balanced decisions over land use. Further it is anticipated that the guidelines will be

used as a training tool for practitioners working on local level land use planning in pastoral-focused projects in the country.

ILC member Oxfam, in Addis Ababa, is leading the project, with technical support from the Rangelands Initiative Technical and Coordination Unit (led by ILRI and RECONCILE). Currently studies are taking place on already existing government-led and community-led land use planning processes in pastoral areas. These will be used as a starting point for developing the guideline, which will be a technical document that will help to bridge the gap between local and more formal scientific-based knowledge and practice.

The support of SDC to this Initiative is very much appreciated.

PARTNER PROFILE: Working to secure rights to resources...



MBOSCUDA stands for Mbororo Social and Cultural Development Association. Based in Cameroon, MBOSCUDA's vision is to empower the Mbororo people to

achieve sustainable development on their terms and to secure their human, social and economic rights as valued citizens of the Republic of Cameroon. MBOSCUDA believes that the Mbororo people's nomadic and pastoralist way of life, *pulaaku* code of behaviour and emotional attachment to cattle for hundreds of years, today, make them victims of a lifestyle and culture, as well as refugees of context wherever they have settled. This has been further complicated by illiteracy, ignorance, lack of foresight and cooperation. Amongst other activities MBOSCUDA works to create a conducive environment for the cohabitation of farmers and livestock herders, together with a five year development plan to holistically address major problems such as securing and improving grazing lands for Mbororo pastoralists. <http://www.mboscuda.org>

ILC's RANGELANDS INITIATIVE

The Rangelands Initiative is a network of projects, processes, and activities that have a common vision and goal: to make rangelands more secure for local rangeland users. The Initiative generates and shares innovative solutions for securing land and resources in rangelands through research, knowledge generation and experience-sharing. It engages and works with communities and governments to develop and pilot the implementation of supporting policy and legislation for securing land and resources. Through collaborative action between ILC members, partners and communities the Initiative increases opportunities for the voice of rangeland communities on land and resource security to be given attention in high-level government or inter-government decision making processes. Technical support to the Initiative is provided by RECONCILE and ILRI. For more information please contact Ken Otieno ken@reconcile-ea.org or peterkenotieno009@gmail.com or Fiona Flintan f.flintan@landcoalition.info



Visit the Land Portal's page for documents on rangelands: www.landportal.info/topic/rangelands-tenure

This bulletin was compiled by Fiona Flintan, ILRI. Many thanks go to all contributors. The opinions expressed herein are those of the authors. They do not constitute official positions of ILC, its members, partners or donors. Please send contributions for the next bulletin to: f.flintan@landcoalition.info or f.flintan@cgiar.org

