

MAKING RANGELANDS SECURE IN EAST AND HORN OF AFRICA

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

N° 3



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CONSERVATION AND LAND GRABBING: PART OF THE SOLUTION OR PART OF THE PROBLEM?

A growing body of research has drawn attention to the phenomenon of 'green grabbing', which constitutes land grabs linked to either conservation pursuits, or markets related to 'green' enterprises such as forestry (for timber, carbon offsetting, or other products) and ecotourism.

The relationship between land grabbing and conservation is a complex and evolving one. On the one hand, green markets or conservation targets may be a driver of land grabs: the Convention on Biological Diversity's target of 17% of land area to be under protected area coverage by 2020 is one possible example. At the same time however, land grabbing for agriculture, mining and so on can dramatically reduce biodiversity, and is a major and growing source of landscape transformation in ways that undermine both local livelihoods and conservation objectives. Consequently, many conservation efforts around the world, from indigenous lands in Latin America, Australia and Canada to pastoralist rangelands in Asia and East Africa, are working to secure local land tenure as a foundation for sustainable use of natural resources.

In response to this situation and the need for further exploration of these issues, ILC with partners IIED, Maliasili Initiatives and the Zoological Society of London co-organised a Symposium in London between 26-27th March. The Symposium – *Conservation and Land Grabbing: Part of the Problem or Part of the Solution?* – brought together presenters and participants from conservation, development and land

rights organisations with the common interest of sharing experiences and information on the above issues, and identifying solutions that will benefit both conservation and local communities.

The Learning Initiative: *Making Rangelands Secure* supported the production of country reviews on the issues in Ethiopia, Kenya, Mongolia and India. The papers were presented in a session dedicated to land and conservation in rangelands. In all four countries large-scale land acquisitions or commercial enterprises such as mining were responsible for loss of lands and resources from both conservation areas and rangelands.

Cherie Beyene of the Ethiopian Wildlife Conservation Authority described how EWCA negotiated the return of 25,000 ha of land (previously part of Gambella NP) that had been leased to an Indian investor. Consultations were carried out with the investor, the federal investment bureau and other stakeholders showing the importance of the sites for biodiversity.



If the migration routes of wildlife can be protected from land acquisition for commercial investment, can routes for livestock be protected too?

In addition 10,000 ha of land were returned for conservation purposes from the government's Kuraz Sugar Plantation in South Omo. EWCA is also looking to work with local communities to develop community conservation areas along the borders of the remaining park areas in order to reconcile the local communities' needs for land and resources, and those of conservation.

In Kenya the opportunities for better securing rights to land for pastoralists (and other rangeland users) through the 2010 Constitution and the development of the Community Land Bill were highlighted by Stephen Moiko. With these more secure rights opportunities exist for developing the Conservancy Model where a community and conservation organisations work together to better manage and conserve natural resources including wildlife, which can then be used for tourism and other enterprises.



Are Conservancies a tool for protecting both pastoral land rights and natural resources?

The paper from India by Iman Singh focused on the issue of forests and how forest dwelling communities and often-visiting pastoralists have had to endure numerous restrictive legislation on their use of the forests and surrounding areas. However the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act of 2006 provides opportunities for communities to improve their rights to forests and manage and govern them according to local norms and values. Over the last few years of implementation the Act has proved to be a major deterrent to the transfer of land to non-forestry uses.

However the potential of the Act has also been diluted and mining has been allowed in forest areas with many negative impacts for local communities. In addition, common pasture lands are under threat from agricultural investors. In Mongolia similar threats for local communities exist and legislation is being developed to better protect the rights of local herders (see page 11).

The Symposium highlighted a number of potential opportunities for conservation efforts to address land rights more directly, with the following examples and possibilities identified:

One, the Africa Biodiversity Collaborative Group (ABCG) is an informal partnership of 6 NGOs working in biodiversity conservation across Africa. The network promotes dialogue and exchange between member institutions including on governance, land tenure, and large-scale land acquisitions. Two, commodity and private sector round tables and safeguard mechanisms are of growing importance for agricultural investments, including forestry. Opportunities also exist for promoting local level land rights in ways that advance conservation objectives as well.

Three, international finance safeguard mechanisms are attracting growing attention, particularly on issues related to REDD+, forest trade and law enforcement. REDD+ is increasingly making the link between reducing deforestation and securing land and natural resource tenure at state, provincial and national levels. Four, the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security, developed by FAO, provide opportunities for in-country players to lobby national governments for strengthening of land rights, as well as promoting greater transparency and disclosure with regard to large-scale land deals. While they are non-binding in nature, they have been developed through widespread

consultation and review by both state and non-state actors. The involvement of conservation organisations to date however has been limited.

A report of the Symposium will soon be available on the Rangelands dedicated page of the Land Portal, and a consolidated volume of the rangelands papers (as part of the Making Rangelands Secure Series) is forthcoming.

OTHER RECENT EVENTS

Experience-sharing meeting on land policy and legislation in pastoral areas of Ethiopia 11-12th April 2013, Awash, Afar Region

How best to secure and administer communal lands in pastoral areas is a challenge that the federal and some regional governments in Ethiopia are facing. In order to inform and support this process a meeting was organised in Awash, Afar between 11-12th April by the Ministry of Federal Affairs (Ensuring Equitable and Accelerated Development in Pastoral and Agro-pastoral Regions Directorate), the Afar Region Land Agency and REGLAP (Regional Learning Advocacy Programme for Vulnerable Dryland Communities). Also attended by the Ministry of Agriculture's Land Administration and Use Directorate (LAUD) as well as regional land bureau, pastoral commissions and local pastoral councils, the meeting was an opportunity for federal and regional governments to share their experiences on developing land policy and legislation for pastoral areas, and their implementation to date.

This was the first time that a meeting on land issues attended by government representatives had been held in the pastoral regions.

In Ethiopia, regional governments are responsible for developing region-specific policies and legislation, which

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reflect federal level policies and legislation and the guidance given therein. However though general rural land policy and legislation exists, the federal government has not yet developed policy and legislation specifically for pastoral areas so regional governments are moving forward without these.



How best to secure and administer communal lands in Ethiopia's pastoral areas is a key question being asked by government.

In Afar and Somali regions legislation and policies have been or are being developed specifically for pastoral areas. Regional task forces have consulted with different stakeholders including local leaders and other community groups; pastoral and regional councils; and academics. Land policy in Afar and Somali region recognises communal land and property. Financial and technical support has been provided from the Ethiopia Land Administration Program.

The Afar Proclamation 49/2009 provides for the demarcation of communal holdings and protection from transference into private ones. It recognises common property resources as "subject to individual use but not to individual possession." Accordingly the users have equal property rights over resources over which they have the capacity to fix rules of access and norms of use. Customary law is recognised and the regional government is required to strengthen customary natural resource conservation (Art. 5). Though Regulation No. 4/2011 states that land for grazing and mobility will be identified and delineated, it gives little guidance as to how this should be carried out and how communal lands can be administered.

Oromia region does not yet have land legislation specific to pastoral areas. However, Proclamation No. 130/2007 and Regulation No. 151/2012 highlight some of the special needs and requirements of land tenure, administration and use in pastoral areas including the need for Communal Land Holdings (Art. 15).

Other issues discussed at the meeting include the government's villagisation scheme and the need for compensation for pastoral lands if removed from local use. Experiences on securing communal lands were shared from Tanzania and Kenya. The opportunity of Participatory Rangeland Management (PRM) (see page 6) was also discussed.



Mr Stephen Moiko a land tenure expert shares experiences from Kenya (supported by the Rangelands Learning Initiative) facilitated by Ato Abebe Mulatu

It was agreed by the participants that the following was needed: improved land use planning linked to land administration; provision of technical and financial input for certifying, protecting and managing communal lands, together with the development of appropriate governance systems; learning from the experiences of other countries and the piloting of different approaches to inform this process; the identification and mapping of livestock routes and protecting them with national directives; capacity building of local government and local land administrators (customary or other) in technical and institutional matters; and federal guidance on providing compensation for lands taken out of pastoral production.

The next meeting on land issues will be held in Yabello, Borana in July 2013.

East African Regional Pastoralism Symposium, 13-14th May 2013, Kampala, Uganda

Pastoralists occupy and utilise rangelands that can cut across national boundaries exposing them to both intra- and inter-state challenges and opportunities related to climate change, trade, human and livestock mobility, conflict, and disease amongst others.

In a bid to address inter-state challenges in particular, governments in East and Horn of Africa have established joint initiatives on food security, markets and trade, livestock development, drought resilience and climate change. These initiatives include: the African Union (AU) Pastoralism Policy Framework, the East African Common Market Protocols, the Comprehensive African Agriculture Development Programme (CAADP), IGAD's Drought Resilience and Sustainability Initiative (IDDRSI) and the COMESA Policy Framework for Food Security in Pastoralist Areas. Meanwhile in West Africa, fifteen member countries of the Economic Community of West African States (ECOWAS) have put in place the International Transhumance Certification that gives safe passage and protection to pastoralists who agree to respect laws of the country to which they are migrating.

A regional symposium was deemed the most opportune way to improve understandings of such initiatives and the opportunities they present. Held between the 13-14th May in Kampala and organised by COPASCO (Coalition of Pastoralist CSOs) and the Uganda Land Alliance (ULA) the Symposium brought together representatives from the East African Community (EAC), the AU, and CADDP with pastoral organisations from six countries in East and Horn of Africa to help bridge the knowledge gap of pastoralists regarding these initiatives that seek to address cross border issues in the region.

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Regional Pastoralism Symposium

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It was clear from the presentations that these frameworks provide a new opportunity for building the livestock trade in particular in the region, contributing to human and food security. But to date their full potential is challenged by a lack of mechanisms to facilitate and formalise cross-border movement and to optimise benefits from this.

The Symposium looked to West Africa and more specifically Niger for suggestions as to how the situation might be improved: Mr Abdoukarim Mamalo (formerly Permanent Secretary of the Rural Code in Niger) provided a presentation of the experiences there and how cross-border movement of people and livestock is facilitated through regional agreements. Mr Abdoukarim who took part in the first Learning Route of the *Making Rangelands Secure* Learning Initiative (see Rangeland Bulletin Issue No. 1), was supported by the Learning Initiative to present at the meeting.



Mr Abdoukarim Mamalo sharing the experience of Niger in developing policy and legislation to facilitate in-country and cross-border movement of livestock at the Regional Pastoral Symposium

Notification of publication

As part of the "Land and Natural Resources Tenure Security Learning Initiative for Eastern and Southern Africa (TSLI-ESA)" IFAD and GLTN have prepared a series of publications on land issues in the region including on group rights. These can be found on the following webpage link: <http://www.ifad.org/english/land/perspectives/gltn/index.htm>

Updating, valuing and protecting livestock corridors in Tanzania 27-28th May 2013, Arusha

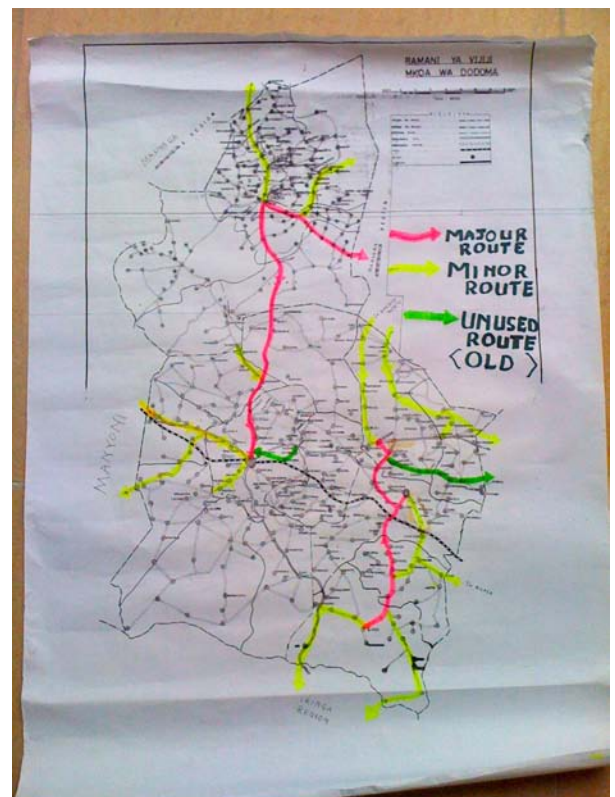
In late May the Learning Initiative: *Making Rangelands Secure* and ILRI (International Livestock Research Initiative) assisted the newly formed Tanzania Livestock Research Institute (Ministry of Livestock and Fisheries Development) to organise a meeting in Arusha to assess and discuss available information on livestock routes in Tanzania. This meeting is a starting point for the development of a larger programme of mapping (updating current available maps), valuing and securing the corridors with the aim of easing and protecting livestock movement so improving opportunities for marketing and better rangeland management.

Over twenty-five representatives from mainly national and regional livestock-related government departments gathered to consolidate the information available to them on the current status of livestock routes in the country. The information gathered was impressive and the group was able to produce some

draft maps showing the major routes still in use and those that had been blocked by conflicting land use. It was clear from the information gathered that a large number of routes are still in use, and mobility is still a very important component of livestock production systems.

Mohammed Said, an ecologist from ILRI who also attended the meeting, will help the government to further consolidate and synthesise the information gathered with the use of GIS, and to produce updated and detailed maps of the routes. This process will begin with a mapping of 'major' routes, but will later focus on producing more detailed regional maps and assisting communities to develop maps at the local level as part of village land use planning. Components of the larger programme that the Learning Initiative and ILRI are developing will also focus on economically valuing the routes (based on use), and working with the Tanzania government to service and protect the routes at different levels. It is anticipated that the work in Tanzania will serve as an example for other countries in the East Africa region to follow.

Mapping of livestock routes in Dodoma region, Tanzania as a first step to updating, valuing and protecting them through policy, legislation and their enforcement at different levels





MAASAI WOMEN LEAD STRUGGLE TO PROTECT LAND RIGHTS IN LATEST ROUND OF LOLIONDO CONFLICT

"We will fight for our land unto the end" states this banner held up by one of many Maasai women who are protesting against the decision made by the Minister for Natural Resources and Tourism, Tanzania to give part of their village lands in Loliondo Division for a Game Controlled Area (GCA) in order to establish a wildlife corridor. As a result the local land users will be excluded from the lands that they have used for centuries.

Tanzania's Loliondo conflict has been one of East Africa's longest running land struggles pitting local pastoralists against private and governmental interests. In 1992 the Ortello Business Corporation (OBC), UAE, obtained a hunting concession on community lands in Loliondo, despite considerable local protest and without a formal land lease.

GCAs (Game Controlled Areas) cover most of northern Tanzania, including virtually all the land in the pastoralist areas of Loliondo as well as Simanjiro, Monduli, and Longido Districts. Until 2009 GCAs did not regulate land use, so never had a bearing on local land rights. And communities in Loliondo, Simanjiro and other areas were able to get title deeds in the early 1990s, later converted to 'Certificates of Village Land' under the 1999 Land Act and Village Land Act.

However, the 2009 Wildlife Conservation Act made all residence and grazing in GCAs illegal so threatening the livelihoods of hundreds of thousands of pastoralists. Safeguards meant to prevent overlap of GCAs and village lands have never been implemented.

Threats to local livelihoods

In March of this year, the Minister for Natural Resources and Tourism announced that 1,500 of the 4,000 sq km of contested land in Loliondo will be gazetted as a GCA as a wildlife corridor. This prohibits all local use of the land despite the area supporting the livelihoods of at least 20,000 people who

have to date co-existed with wildlife there. Local residents, along with local, national and international civil society allies, are protesting against the decision. One notable aspect of this resistance has been the leading role played by women.

Women fighting for their rights

Following the announcement by the government about the change in land use, women gathered in Magaiduru village, one of the nine villages in Loliondo who will lose a large proportion of its land. The women – some of whom walked more than a day and half to get there – collectively demanded that the land be returned to the communities.



Women walked for days to attend the demonstration

In further protest the 2,000 women who gathered in Magaiduru collected CCM (ruling party) membership cards as they believe the government is stealing their land and whom they no longer can trust. *"We don't belong to a party, our party is our land,"* says Paraketo, one of the women protesters who joined from Ololosokwan village, which is also on the disputed land.

Some community leaders have requested that the women stop this protest,

but the women have so far ignored these pleas. *"This land belonged to our ancestors, we inherited it, we will never leave,"* said Piriusle from Magiduru.

"Women are gathering and demonstrating because without land there is no life for them," explains Maanda Ngoitiko, Exec. Dir. of the Pastoral Women's Council (PWC) who has worked with the women for years. *"They've been empowered over the years, and have deep knowledge about what is happening and therefore are not willing to sit quietly as their livelihoods are stolen away from them."*

"Women take care of livestock, milking them, treating them, building them shelter and so on," explains Edward Loure, Exec. Dir. of UCRT (Ujamaa Community Resource Team). *"If land is lost, cattle have nowhere to graze and it is ultimately the women and children who suffer because it is easy for men to go to town looking for employment, but women don't have that option."*

Encouraged by these events a delegation of Elders met the Prime Minister Mr Mizengo Pinda in early May. As a result, the Prime Minister has suspended the execution of the plan in Loliondo pending further government consultations at high levels. It remains to be seen whether the decision will be overturned or not - either way local Maasai women have shown their strength and influence.

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PARTICIPATORY RANGELAND MANAGEMENT (PRM): AN EFFECTIVE PROCESS FOR ADMINISTERING ETHIOPIA’S PASTORAL COMMUNAL LANDS?

In April, a group of representatives from federal and regional government responsible for land and pastoral issues in Ethiopia met in Awash, Afar region to share experiences on developing land policy and legislation in pastoral areas, and their implementation (see page 2). A key question raised was how to secure, administer and govern the communal lands found in pastoral areas.



One option currently being piloted in Ethiopia is ‘participatory rangeland management’ (PRM). PRM draws from and builds on the well-accepted ‘participatory forest management’ (PFM) approach now being mainstreamed through the country’s regional governments. PRM is made up of three key stages – investigating PRM, negotiating PRM and implementing PRM. Steps take the stakeholders through a mapping of rangelands resources and users, the defining of an appropriate unit for rangeland management (such as a traditional grazing area) and the development or strengthening of an appropriate community association or institution for administering (including managing) the rangeland unit.

A rangeland management plan is developed based on an in-depth rangeland inventory and community action plan. Access to resources is secured through the drawing up of a legally binding rangeland management agreement between the community and local government, with rules and regulations (by-laws) defined, based on the rangeland management plan.

PRM provides opportunities for pastoralists and other stakeholders to be fully engaged in the planning and implementation of processes and activities related to rangeland access and management at the local level. It values indigenous knowledge and experience, and uses this as the foundation for planning and decision-making. It provides room for different stakeholders to come together, discuss, produce a

common vision for development, negotiate and agree on short and long-term plans. It gives greater incentives for pastoralists to solve problems and find and solutions that work for them and the given context, without depending on external resources and ‘expertise.’ It encourages stakeholders to take responsibility for the resources upon which they depend and to develop mechanisms to sustainably use them. It is a transformative approach based on longer-term facilitation of change, rather than on a short-term project.

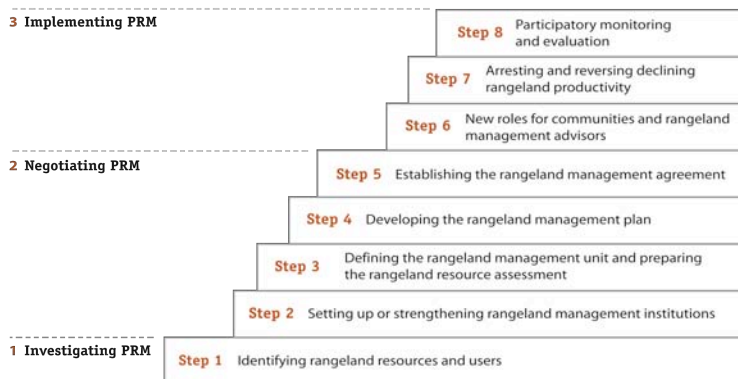
Piloting of PRM

Currently PRM is being piloted in Bale zone, Oromia region by FARM Africa and SOS Sahel Ethiopia. Save the Children is supporting a similar process across two million hectares in Borana zone. Preliminary results indicate that the approach builds the resilience of communities through promoting longer-term forward

thinking planning, better resource management with clear lines of governance, empowered communities whose knowledge and input are valued, more equal benefit-sharing, and cooperation between stakeholders resulting in less conflicts. Ultimately the process will lead to stronger resource and land security, better management, investment and capacity to handle change.

PRM is a process that can be easily adapted to local contexts. Access to land and resources is achieved through the clarification of users and resources, register-ing these, establishing or strengthening an appropriate governance system, and developing a formal agreement between the users and local government in order to secure the land and manage them. As such PRM can effectively register and administer communal lands in Ethiopia’s pastoral areas whilst also securing local land rights.

Participatory rangeland management (PRM): Key stages and steps

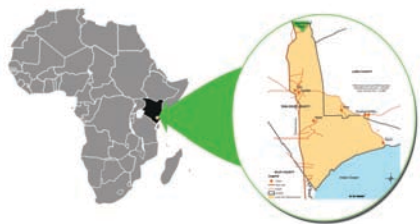


NEW HOPE FOR THE TANA DELTA, KENYA

"This is not a good place. Children have died, we have typhoid and malaria now. We were healthy before and our children went to school. This river is the drainage and pesticides from all the big farms. The proper river has been diverted to irrigate them and now we just get their poison. When we were evicted they showed us the maps, and we saw many more villages who don't yet know they are to be evicted too. Where will they all go?" Bule Gedi Darso, Wardei Pastoralist, Walkon Village, Tana River Delta (interviewed 2011).



The Tana River Delta is located 120 miles north of Mombasa, Kenya and covers around 130,000 ha. The area has been marked for development with flood plain areas designated as 'unused' and adjacent rangelands as 'empty drylands' with irrigation potential. Yet this region has long been home to 100,000 peasant farmers, fishers, hunter-gatherers and pastoralists, whose cooperative and collective sharing of land and water resources over the years has been based on customary use rights agreements.



Conservation & livelihood values

The Delta is made a Wetland of International Importance under the Ramsar Convention in 2012. Its habitats, wildlife including over 345 species of birds, and people have adapted their lives to the extremes of drought and flood. The seasons themselves vary dramatically from year to year. A series of drought years, in which ponds dry up and the grasslands are eaten bare, may be followed by a great flood such as those during the 1997-98 El Niño that washed away the road, destroyed the irrigation dykes, and filled the Delta south of the river with three metres of water. The wetland helps to moderate fluxes in the local climate. In times of drought, pastoralists bring

livestock from as far as Somalia and Ethiopia to graze on the grasslands.

Targeted for large-scale investment

However, increasingly the Tana Delta has become a victim of the 'new scramble for Africa' targeted for large-scale agricultural investment. Foreign and local companies and government corporations are jostling to exploit its riches.



Large-scale commercial investment in the Delta is having a highly negative impact on local livelihoods

The record of development in the Delta is a litany of poorly planned engineering and irrigation schemes, based on inadequate knowledge of the ecological and social systems found there, misleading economic evaluations, a disregard for human welfare, and management failures and incompetence. The majority of large-scale projects that were attempted in the Delta in the last 50 years have ended up being dismal failures, often costing millions of US dollars. Attempts to grow irrigated rice, cotton, maize and shrimp on a commercial scale have met with little success. Companies are now claiming more land than is available. Since local communities have no land ownership rights including documentation they are easily evicted.

Over the past decade, conflicts have been increasing among the inhabitants over access to water, pasture and farmland as fewer resources need to be shared amongst a growing population. In August 2012-January 2013 close to 200 people lost their lives in violent clashes between Pokomo farmers and Orma pastoralists as the latter tried to access the river to water their livestock. The large-scale agricultural projects exacerbate the situation.

Land use planning as a solution?

In order to encourage a more strategic and planned approach to land use in the Delta and to help reconcile the different needs and views of land users, a land use planning process was started in 2011. In collaboration with a number of partners, Nature Kenya lobbied the Kenyan Government (through the former Office of the Prime Minister) to oversee the formulation of a land use plan for the area. Subsequently the Kenyan government established an Inter-Ministerial Technical Committee to coordinate the sustainable management of deltas across Kenya.

In September 2011, the Government, through the Ministry of Lands and with the involvement of other agencies, started preparing a 20-year Strategic Land Use Plan for the area (with periodic review every five years). This will link with County level plans, and those at lower levels. Within the Delta, a Planning Advisory Committee consisting of 25

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PASTORAL RESOURCE MAPPING AT SCALE TO SUPPORT CLIMATE RESILIENT MOBILE LIVESTOCK KEEPING IN TANZANIA

Longido District authorities with support from TNRF (Tanzania Natural Resource Forum) and IIED (International Institute for Environment and Development) have developed landscape (rangeland) scale maps of pastoral resources and pastoral livelihood dynamics. Subsequently these maps will be used by district actors to develop by-laws for the protection and better management of critical pastoral resources, to guide public-good type investments in support of climate resilient development and to resolve issues of competing and contradictory land use planning at different scales and by different jurisdictions.



Combining formal and traditional planning

The approach provides for combining formal and traditional planning processes. Knowledge on the use of natural resources and land was a starting point for this. This was facilitated through semi-structured interviews and focus group discussions.



Community knowledge is the starting point for planning in rangelands

Formal and traditional planning were also studied including:

a) Formal Planning:

- Is it adapted to climate change?
- Does it support people's strategies to respond to climate change?

b) Traditional planning:

- How does it work? Is it still working efficiently?
- Is it adapted to respond to climate change?
- To what extent is formal and traditional planning supporting each other?

In Longido the study showed that there is a mismatch between formal land use planning processes and traditional ones including rigid inflexible steps that do not fit well with the needs of drylands and dryland communities. Though traditional planning is better suited to drylands, it is facing challenges as the socio-economic and political structures and processes in rangeland communities are shifting or weakening.

Community perception maps and Google Earth were used to understand and map local livelihood dynamics. By integrating maps produced by communities with Google Earth it has been possible to document local knowledge and display it in a medium that is easily understood by government planners. This facilitates dialogue, understanding and ultimately respect between government staff and citizens: core foundations on which to build participatory inclusive processes for the design of appropriate planning and resource governance for climate resilient development.

Steps in the mapping process

Maps have been produced at different levels from sub-village to national. They form the foundation for discussions on governance of local resources and can assist communities and local government to design appropriate rules and regulations for NRM. This strengthens the resilience of the local economy at

community and district level, as community members and local government staff are aware of where resources are located, their relationship to each other, and the ways in which they can be used. This information can be used for planning at all levels from village, to ward, to district, and cross-boundary with neighbouring districts and regions.

The steps taken are:

1. Participants sketch maps at ward level, showing all pastoral resources (wet and dry season pastures, livestock routes, water points, etc.), other physical features such as hills, roads, and community service centres.

2. The sketch is transferred onto paper by participants and/or the 'mapping' team.



Transferring information from the community perception maps onto Google Earth

3. In smaller groups, community members transfer the information from the community perception maps onto Google Earth. This exercise is also

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PASTORAL PEOPLES' PARLIAMENT – A PLATFORM FOR THE UNHEARD, THE UNSEEN

The *Maldhari* in Gujarat State are the unheard and the unseen in the development agenda at state and national levels. They have no representation in policy decision-making processes despite those decisions having a fundamental impact on their lives and livelihoods. Their voices are not heard and their needs are not attended to.

The Pastoral Peoples' Parliament seeks to change this. The Pastoral Parliament is the brainchild of MARAG (Maldhari Rural Action Group) a local NGO based in Ahmedabad, India and an active ILC member. MARAG has supported the process of establishing the Parliament in its initial stages and is now playing a mentoring role.

What is the Pastoral Peoples' Parliament?

The Pastoral People's Parliament is a discussion forum - of the pastoralists, by the pastoralists and for the pastoralists. It is organised annually as a 2-day event to set the political agenda and address the issues of pastoralists from all over India. The first Parliament was held in 2008 at Bechraji, near Mehsana in Gujarat. Since then three more parliaments have been organised. In November 2010, the Global Gathering of Women Pastoralists was also held with the mandate of the Pastoral Parliament. At the end of gathering the group declared the 26th November as national Pastoralist Day.

Each year the Parliament is hosted in a different pastoral region. The responsibility for the venue, accommodation and food is shared amongst the pastoralists hosting it. The Parliament is made up of pastoral communities from Gujarat and other states: customary, religious and political leaders from the pastoralist communities.

During the Parliament each and everyone has the right to speak. To instill equal participation the meeting is deliberately set in a round seating arrangement on the same platform, and there is no podium. The equal status of women and men is recognised

and accepted in the Pastoral Parliament. The participation of Maldhari women is remarkable – they are keen to make their voices heard.



Maldhari women participate actively in the Parliament

This Pastoral Parliament is a unique process owned by the pastoralists taking part. It begins at the village level moving to inter- and intra-state meetings across all the sub-tribes of Maldharis. Increasingly pastoralists from other parts of India outside Gujarat have joined – in 2009, 1,500-2,000 Maldharis from four states – Gujarat, Uttar Pradesh, Maharashtra and Rajasthan took part. In 2010, 2,500 pastoralists came together from nine different states. Participants contribute financially as per their capacity to pay. The communities have great pride and enthusiasm for the Parliament.

Achievements to date

Each successive Parliament has been a quantum leap growing in strength year on year. Each Parliament has success-

fully raised critical issues and ways to address them. Most notable is the revival and strengthening of customary norms and traditions like sharing of milk. During the third Parliament 2,500-3000 households from 80 villages contributed milk, ghee and food. Around 2,500 litres of milk and 150 kg ghee were collected and shared.

The Parliament has gained political weight through the active participation of the political and religious leaders from the pastoralist communities. One of the significant decisions made in 2009 was that Maldharis were recognised as a nomadic tribe by the DNT (De-notified Nomadic and Semi-nomadic Tribes) Commission. It is note-worthy that the President of the Commission attended the first Parliament. Another landmark event took place at the Parliament in 2012 when the Sindhi Maldharis and Dhebar Maldharis, considered as arch rivals, were seen together for the first time on a common platform, thus signalling solidarity for pastoral causes and their commitment to a joint social and political movement: "*Beeja lokon samaaj ne todv-anu prayas kare che, yeh prakriya samaaj nu jod-vanuu kaam kare che*" - meaning: "Others try to sabotage the community, but the Parliament is bringing everyone together."

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Pastoral Peoples' Parliament

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Land and resource issues central

Land and resources are a key topic of discussion. In the first Parliament in 2008, the participants produced and committed to the Bechraji Declaration. At the national level the Declaration demands that prominence should be given to Maldharis and other nomadic tribes at national level in policy formation, and rights to resources and their usage should be acknowledged even if seasonal. *Maldariyat* (pastoralism) and migration should be considered as a source of cultural heritage.



Defining the Bechraji Declaration

At the state level, the Bechraji Declaration demands that greater protection be given to pastoral livelihoods as dictated in state law including the reservation of land for livestock, the return of encroached land, and access to forest lands facilitated. Where migration is necessary the Declaration states that Maldharis should be given access to food across Gujarat through the use of a mobile ration card, and a mobile school should be arranged for children. Migration routes need to be clearly demarcated and protected, with grazing, fodder, water and health services provided along them. Registration to provide for migration across states should be facilitated. Committees need to be established for customarily protecting grazing land known as *Rakhal*. Maldharis should receive the same preferential treatment as given to India's farmers.

Way Forward

The Pastoral Parliament is expected to emerge as a pressure group for more supportive policy advocacy and its implementation across 16 states in India. It is seen to play an important role in bringing social and political reforms. It is a tool for empowerment of the community by providing space and opportunity for pastoralists to gather and collectively set an agenda and action plan.

In 2010 in Sayla, the Parliament produced a five-year plan to guide processes and activities as the way forward. This includes working together to strengthen rights to resources and land through the formation of committees at district level. These committees should advocate for the rights of Maldharis to grazing land, common property resources, and protected areas, and a central role in governance and decision-making processes at national and state levels. MARAG will continue to help strengthen the Pastoral Parliament and support the implementation of the action plan.

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Pastoral resource mapping at scale

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conducted at ward level and can last 3 to 4 days. During this process additional information on the attributes of pastoral resources is collected, discussed and documented including different soil types and grass species, and their relative values for different livestock at different times of the year.

4. When necessary, coordinates of key landmarks and features which do not appear on Google maps (new roads, water points, change of land use), are taken using a GPS handled set. These are then located on the Google maps.

The ward level Google Earth maps are combined into one district-wide map and presented for discussion and validation at a series of community meetings from ward to district level. Additional information and further cross-checking of information is carried out before a final map is produced and approved by the full District Council. At this stage, the Google Earth maps are converted into paper maps.



Planning with communities ensures an approach that better supports local livelihoods

The first phase of the process in Longido has now been completed – the production of a landscape (rangeland) scale map of pastoral resources as identified by the local community. The next step is to reconcile this map with other planning processes at different scales and with different jurisdictions. This will lead to a more coordinated and complementary planning approach at district level that supports local livelihood dynamics and the local economy.

For more information see: Rowley, T., C. Hesse, A. Harfoot and H. Zwagastra (forthcoming). *Participatory Digital Map Making Using Local Knowledge and Open Source GIS to Inform Appropriate Spatial Planning in Support of Climate Resilient Mobile Livestock Keeping in Arid Areas of Kenya and Tanzania*. PLA Notes. IIED.

The information is also included as a case study in a forthcoming publication from the Learning Initiative, which consolidates good practice on village land use planning in rangelands of Tanzania. The publication will shortly be available on ILC's Land Portal website: www.landportal.info/topic/rangelands-tenure

OPPORTUNITIES FOR NEW LAND LAWS TO SUPPORT COMMUNITY-BASED PASTURE AND NRM IN MONGOLIA

Around 70% of Mongolian territory is pastureland. The private ownership of pastureland is constitutionally prohibited and it tends to be managed as *de facto* common property. Herders have increasingly relied on the ownership of shelters to claim these rights to the underlying campsites and surrounding pastures. Between 1959 -1990 the collectivisation of all resources including land and livestock took place. After 1990 livestock was privatised as part of a move to a more market-based economy.



Today, pastureland is under pressure from agriculture, the increasing delineation of conservation areas, and mineral extractive industries. Currently, there are more than 27 million ha set aside as protected areas, or 17.4 % of the country's territory (including 16 strictly protected areas). About 13.6% of the country's territory is allocated to mining exploitation and mining exploration. Though in some cases access to pastures may still be allowed in these areas, mining in particular can have negative environmental impacts including pollution of rivers. Further, the terms of use of such areas tend to be inconsistent, confusing and there may be conflicts between humans, livestock and wildlife.

Pastureland degradation can be linked to the quick increase in the number of animals (particularly goats) after privatisation of livestock in 1990. Privatisation has also impacted on many institutional aspects of herder's livelihoods: without the protection provided by the State herders are faced by greater risks and responsibilities. A retreating State presence has also led to the collapse of regulatory regimes needed to safeguard critical common natural resources.

While the extractive industry is flourishing, herder's livelihoods, once the backbone of Mongolia, are facing many challenges. Major recent *dzud* (natural disasters) have precipitated devastating crises and impoverishment for many herding households, and further exacerbated the post-Soviet divide

between a minority of wealthy herders, and those who struggle, or fail to survive in increasingly harsh economic and climatic conditions. At the same time however animal numbers have increased to 32.7 million animals in 2010, an increase of 3.4 million from 1996 (29.3 million heads).

Support to community-based pasture

In response to these challenges, donors and development actors are supporting activities that increase the participation of herders and other stakeholders in decision-making processes and which strengthen institutions for managing pastureland and natural resources.

In 2005 an Amendment was made to the Law on Environmental Protection, which amongst others, supports community-based pasture and NRM. This is the first legal document in Mongolia that recognises rights of local communities and the participation of community members in NRM. It gives recognition to local governance of natural resources by the community (*nukurlul*) through co-management agreements. 'Community' is defined as local residents (around 15-20 households) with similar lifestyles, natural resource base, linked together by strong kinship and friendship ties that have evolved over time. They work together as an economic (*khot ail*), social (*sakhalt ail*) and ecological unit (*neg nutgiin-khan*) with common interests in order to improve pastoral livelihoods and

conservation. By 2010 more than 791 *nukurlul* had been established.



Support to pastoralists in new land laws

The approach is being incorporated into new land laws for the country and to improve public participation in such as EIAs (environmental impact assessments). Detailed access and use (tenure) provisions concerning pasturelands are being debated in Parliament as part of the development of the laws. Discussions are taking place on decentralisation of land management, allocation of pasture to herders, introduction of a pasture use payment system including for accessing land in protected areas, the allocation of land to mining and taxes for such land use, and the improvement of land cadastre, titling and administration. However it remains to be seen exactly what provisions are included in the new laws and how effective these are in protecting rights of pastoralists in a context of increasing pressures on land for conservation, mining, agriculture and other uses.

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New hope for the Tana Delta

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people has been established as a forum for eliciting the views of local people in the land use planning process. The Committee is made up of four local government and 21 community representatives. Nature Kenya facilitated government officials' visits to 106 villages within the Delta to collect communities' input into the land use plan. Each village drafted a village land use plan, which will feed into the delta-wide plan.



Thousands of pastoralists depend on the Tana Delta for dry season grazing

At the national level several meetings have been organised with various interest groups. Further meetings at national and local levels are planned. It is anticipated the Plan for the Delta will be completed early next year.

The Land Use Plan will significantly influence the way land is allocated to various users and interest groups. Given the implications of the Plan on the development of the Delta, it is being subjected to a Strategic Environmental Assessment. Key outputs of the Plan are anticipated to be agreements on a process for resolving existing conflicts over tenure and ownership, and on preferred land use allocation; and procedures in place for allocating land parcels and to ensure more equal benefit-sharing.

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



JASIL's Mission is to promote the sustainable management of natural resources in Mongolia through advocacy, study, networking and training for environment protection and economic development using equitable and

participatory approaches. JASIL's programmes aim to support community-based pro-poor policies and facilitate the empowerment of communities and their associations. JASIL is involved in the sustainable co-management of common natural resources in Mongolia through collaborative learning, working closely with the Ministry of Nature and the Environment and the Ministry of Food and Agriculture. JASIL has participated in the formulation of many of the laws relating to land, forests, pastures and environment in the country, most recently in the development of the draft Pasture Law (2011).

For more information please contact the Director, Dr Hijaba Ykhanbai. Email: jasil@hotmail.com, or ykhanbai@hotmail.com

The Making Rangelands Secure Initiative has been established by a group of organisations seeking to improve security of rights to rangelands. The Initiative seeks to identify and communicate good practice on making rangelands secure for local rangeland users. This is becoming increasingly challenging as different actors compete for land and resources, and new pressures grow. The Initiative is working with national and local governments, development agencies, NGOs and CSOs, together with local communities to share experiences, processes, approaches and activities between East and Horn of Africa and beyond. For more information, please contact: Fiona Flintan



Powered by the land governance community.

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

This bulletin was compiled by Fiona Flintan, ILC. Thanks go to all contributors. Please send contributions for the next bulletin to: f.flintan@landcoalition.info



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