

# MAKING RANGELANDS SECURE

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

## Transformation of the learning initiative Making Rangelands Secure

Over the last four months an external voluntary review of the learning initiative: *Making Rangelands Secure* has been taking place. The review highlighted many positive achievements of the initiative including improving understanding of range land tenure issues, facilitating

interactive learning opportunities and the sharing of good practice, engaging with national and local governments, influencing positive thinking and action amongst practitioners and decision makers, and the development of tools that are being piloted or scaled-up.

At the centre of the Initiative is a 'community of practice' (CoP) made up of key supporting partners (IFAD, ILC, Procasur, IUCN-WISP, RECONCILE, and ILRI), together with organisations and individuals who want to learn from and share information and experiences on, making range lands secure. A coordinator will facilitate the CoP (managed by Procasur) and a regional Technical Advisor will provide support to partners (managed by ILRI).

The RGI has been developed based on a theory of change that identifies three main pathways for change - working with different stakeholders, generating innovative solutions through sharing and testing of practice, and targeted advocacy. *(continued on page 2)*

However concerns were raised about the structure of the initiative, and suggestions given for more egalitarian and country-specific decision making and learning. It was felt that tools such as the Learning Route are most effective when embedded in and designed to support explicit processes such as land tenure policy design in a specific country.

As a result the learning initiative will be re-launched as the *Rangelands Governance Initiative* early next year.

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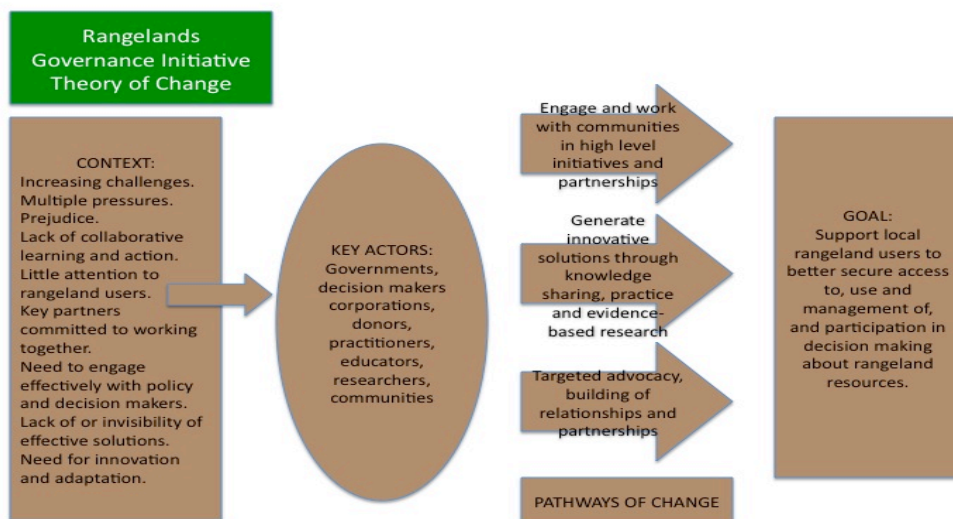
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## Transformation of the learning initiative *(continued)*

The Rangeland Governance Initiative currently focuses on five countries – Kenya, Tanzania, Uganda, Ethiopia and Sudan. In each country partners will develop a set of activities that reflect a country-specific theory of change to make rangelands more secure. Each country-based programme is expected to access its own funding for activities. Thematic programmes such as women's land rights, will also be established.

Sharing of information and experiences across the countries and beyond, together with the thematic areas, will be facilitated through the CoP, which will also link with networks and forums that focus on related issues. Support to and linkages with regional and continental bodies such as IGAD (Intergovernmental Authority for Development), EAC (East Africa Community), and the African Union will also be developed.

Invitations to join the CoP will be sent to you shortly. If you or your organisation have an interest in taking a lead in a specific country or on a specific theme, then please contact: Fiona Flintan (Technical Advisor and Interim Coordinator) [f.flintan@landcoalition.info](mailto:f.flintan@landcoalition.info)

## NEW PUBLICATIONS RELEASED

Land Grabbing and Conservation Briefing  
Internet: <http://pubs.iied.org/17166IIED>



Good Practice in Village Land Use Planning in Rangelands, Tanzania  
Issue Paper No. 3  
Internet: <http://landportal.info/resource/common-property/village-land-use-planning-rangelands-tanzania>



## RECENT EVENTS

### Conference on Scaling-Up Strategies to Secure Community Land & Resource Rights, 19-20 September, Interlaken

The conference aimed to increase the profile and prioritisation of community land rights as a global concern, catalyse new ideas and alliances, and secure commitments to take these strategies forward. The co-organisers – Rights and Resources Initiative, IUCN, ILC, Helvetas and Oxfam, called on the international community to set a goal of doubling the amount of community land recognised and secured by 2018.

The conference was an opportunity for the private sector to raise some of their thoughts and concerns too. Chris Anderson of Rio Tinto, described how the private sector can be a positive force when working in partnership with civil society and government. “Engineering thinking” dominates the mining industry and governments allocate concessions without consideration of community land rights, he said. However recently there has been a shift in the mining industry with greater concern for social issues. Rio Tinto for example, has a strong policy and practice of developing agreements with indigenous peoples, which incorporate both traditional and western law, and operate along the lines of free, prior and informed consent (FPIC). He emphasised the challenges of implementing FPIC however, stating that “nobody knows how to do it.”

Group discussion work focused on a number of themes. Different legal pathways for local land rights were identified by one group. This includes: the declaration approach or overnight change of law; the domain or boundary-focused approach; the governance approach, which distinguishes between local and national jurisdictions; the indigenous approach of native titling; the case-by-case titling approach; the backdoor approach using different

arenas such as conservation; and finally the incremental approach tackling legal issues through small gains. International law is also important in leveraging political space at the national level.

The Private Sector Group developed a business case for companies to pay attention to land rights, and explored opportunities to target companies with this. Risk assessment tools are needed to quantify risks and costs of risk avoidance, and to help companies to know what needs to be done to avoid these risks. Leading companies should use political influence at the national and international levels, as well as sectoral influence through, for example, trade associations. Engagement with the investment community should be systematic rather than *ad hoc*. Data and maps should be made public. During investment planning companies should make information available to communities, although they may need their capacity built to use this information. Land rights issues need to be brought into supply chains.

Further key messages emerging from the conference included a call to start restituting indigenous lands from conservation areas. The importance of good governance (including within communities) was flagged. It was agreed that effective enforcement of existing mechanisms is required rather than new ones, and maps (community and other) can be an important starting point for legal reforms. Finally the struggle of indigenous peoples was highlighted and more support for their demands, called for.

### Experience-sharing meeting on land use planning in pastoral areas of Ethiopia, 30-31<sup>st</sup> August, Adama

This meeting was the second in a series organised by the informal government-NGO pastoral working group and REG LAP. Hosted by the Oromia Environmental Protection, Land Administration and Use Bureau, the meeting was an



opportunity for representatives from the parliamentarian Pastoralist Standing Committee, federal/regional government, and NGOs, to share experiences, concerns, ideas for land use planning and its application in pastoral areas.

A presentation made by Abebe Mulatu and Alehegn Dagneu, of the USAID-funded LAND (Land Administration to Nurture Development) project highlighted the need and relevance of a national land use policy. Its absence has given rise to land use plans being developed by different ministries and agencies, so duplicating activities, wasting resources and resulting in inconsistent, incompatible practice. Policies have also been developed in a sectoral manner, without coordination, so some are inconsistent and contradictory. A good land use policy can ensure suitable or best possible use of land and restricts misuse and inappropriate uses. It also contributes to more secure rights to land for land users.

Getu W/Semayat of the Rural Land Administration and Use Directorate, MOA, described previous initiatives to develop land use plans including a project funded by UNDP in the 1980s. Today river basin land use plans are being developed in several regions. Getu highlighted the importance of having land use plans in pastoral areas: to reduce conflicts between different land uses including grazing and agriculture, mitigate impacts of population growth, and protect grazing systems, communal areas, and mobility.

Two presentations were then made on the Oromia land use planning. Firstly, Wega Duguma described the steps taken to produce plans for different river basins. The first step was identifying three economic development zones based on similarities in ecological and socio-economic characteristics. A year-long series of consultations was carried out to define the way forward. Three growth pole areas were identified and water was taken as the entry point. Pastoral areas in Borana (Dawa and Lege-

wata Lege-sure) were included. The next presenter, Teshomie Demissie, indicated that the Borana rangeland was given priority because of land use conflicts; land degradation and bush encroachment. The land use plan was shared together with proposed rangeland rehabilitation and livelihood activities.

Nura Dida, Oromia Pastoralist Association responded to these presentations by saying that though the land use plans are an opportunity for protecting grazing lands, their lack of implementation at the local level has meant that pasture is still being encroached by farming and other uses. Local communities need to be at the forefront of this implementation to ensure their priorities and plans for the future are incorporated.

Other presentations provided experiences from Ethiopia and elsewhere, on improved development coordination and land use planning. Girma Benti of Danish Church Aid described the cluster approach of ECHO. Abay Bekele of FAO described trends in land use change in pastoral areas in Ethiopia, and how such issues are being effectively addressed in West Africa. Fiona Flintan (TA rangelands for ILC/ILRI) gave a presentation on more participatory land use planning (for example Participatory Rangeland Management PRM in Ethiopia – see Rangelands Bulletin No. 3).

The final presenter Ogeli Makui, African Wildlife Foundation Kenya shared the experience of the Kitengela/Kaputiei Plains Land Use Master Plan (see Rangelands Bulletin No. 2). The Plan is the first of its kind in Kenya – a multi-stakeholder participatory land use plan developed at local level, and formally approved by national government. Ogeli recounted the process of developing the Plan from initial ideas, facilitating common understanding and goals, gaining the support of relevant authorities and mapping rangeland resources; through to improving community awareness; developing the integrated land use plan; and finally its adoption at highest

government level. Key components of this process were community engagement; patience; good communication and action-learning; strong negotiation; accurate data; and ensuring joint ownership and 'external' support.



Communities must be at the forefront of land use planning

The meeting concluded with defining priority actions for the working group. These include producing a biannual flier on land issues; sharing of documents; organising a study tour on participatory GIS in the country and elsewhere; follow-up on Oromia LUP implementation; and the production of a guideline on participatory land use planning in rangelands.

The third meeting in this land-focused series will be held in December 2013. In addition the Land and Administration Use Directorate with support from the LAND project will organise a national meeting in February to discuss the need and way forward for developing a national land use policy.

### **Land Justice for Sustainable Peace, Dar Es Salaam, 9-13 September**

In response to ongoing land conflicts in the country the Evangelical Lutheran Church in Tanzania and the Institute of Justice of Sebastian Kolowa Memorial University organised an international conference on Land Justice for Sustainable Peace in September 2013.

Hon. Benjamin William Mkapa, the former President of the 3rd Phase Government gave the Keynote Address. In his speech he insisted that the way forward was to "modernise" livestock husbandry and agriculture to boost productivity and strike a win-win situation from land



investments. He advised government officials to put forward public interests rather than private/personal ones. And he called for comprehensive land use planning for addressing land conflicts between farmers and pastoralists.

A presentation was then made by the Minister for Land, Housing and Human Settlements Development, Anna Tibaijuka, on "State Engagement and Interventions in Dealing with Land Acquisition". She provoked the audience by saying that "land grabbing" is a myth. A heated response ensued. She did however conclude by calling on all actors to join government efforts to implement the Land for Equity programme that she believes will address any issues of land grabbing in Tanzania.

Other presentations made included information about land issues in Tanzania; legal instruments related to land administration and land management in Tanzania; the social economic impact of land conflicts; and state engagement and intervention in dealing with land acquisition and its related challenges.

Experiences of villagers who had been directly affected by commercial investments were also shared. This included villagers from Kilosa who recounted how from 1998 farmers had been in conflict with pastoralists. Government officials are fueling the situation by taking unjust advantage of illiterate pastoralists and allocating their lands to agriculturalists.

Discussions took place on the payment of compensation for land lost to investment or infrastructure. Currently compensation is paid by investors to state authorities such as district councils so it takes a significant time for those that loose land to receive payment. Compensation is calculated on current value and does not consider future investment streams. Questions were raised as to why facilitating policies and laws are not implemented to resolve land conflicts. The Minister for Lands responded in her closing speech by saying that unethical

practices of government officials and corruption during land administration or management should be halted.

Children from Msasani Sunday School provided a stimulating interlude in the heated discussions with a song entitled an "Emergency Meeting." The song related how the children had called an emergency meeting to tell the leaders that there is growth in land grabbing in Tanzania and distrust. They demanded the government to be serious in land administration and implementation of land laws for sustainable peace.



Children demanding attention to land issues from government officials

Outputs from the conference included agreement on better sharing of information on land issues; a lobbying strategy for more just land distribution, transparency and accountability including a review of current investments; a call for the President's power over land to be changed and the Land Commission institutionalised; and the creation of a Land Justice Forum for improving public capacity through civic education so as to understand and use the land laws and policies in struggles for land rights.

### **Community Land Law Conference, Kenya 6-7 June**

The conference organised by Kenya Land Alliance and Strathmore Law School was an opportunity for consolidating good practice and approaches for the protection of community land rights in Kenya. Prof. Simiyu Wandiba of the Task Force on Community Land, Evictions and Resettlement updated the participants on the situation of the Bill, now in draft. To reach this point extensive consultat-

ions had been carried out and research papers prepared [a process the Learning Initiative contributed to]. Dr. Swazuri, Chair of the National Land Commission officially opened the meeting.

The first part of the Conference focused on sharing experiences on community law from other countries including South Africa, Tanzania, Rwanda, Uganda, Mozambique and Brazil. Common themes in these presentations included the challenges of formalising communal tenure systems and their administration, the need to fully understand communal tenure arrangements first, the need for diversity within 'harmonisation,' the risks of individualisation, and the other pressures still facing communal lands due to poor protection and enforcement.

Day Two focused on the Kenyan experience highlighting the marginalisation of land rights for minority indigenous groups in particular. Examples were then provided of good practice including the development of the Community Land Rights Recognition Model (see Bulletin No. 2). Recommendations included the need for communities to start inventorying their claims now, ensuring that community land rights are equal in weight to statutory rights, recognising community land institutions' right and authority to govern their lands, and communities should be free to enter into agreements and negotiations over their lands.

Group work discussed the opportunities of the Community Land Bill in more detail. Concluding remarks highlighted the urgency of the process in hand and the need for supporting processes and structures for implementation of the law. The layered aspects of communal tenure together with its uniqueness and potential, need to be accounted for.

The full report of the meeting can be downloaded from: <http://landportal.info/resource/brazil/community-land-law>



## UGANDA GAZETTES A NATIONAL LAND POLICY

On 30<sup>th</sup> August 2013, Uganda gazetted a National Land Policy. It has eight objectives including the need to “redress historical injustices to protect the land rights of groups and communities marginalised by history or on the basis of gender, religion, ethnicity and other forms of vulnerability to achieve balanced growth and social equity.” The policy recognises that pastoral communities have been disadvantaged through loss of “land rights to conservation projects, mainly national parks and other government projects including government ranches. This has led to depletion of their resources or landlessness. Privatisation of communal grazing lands and other pastoral resources has forced some pastoral communities and ethnic minorities to invade other people’s land or to encroach on protected areas in their neighbourhood.”



### Solutions & mechanisms offered

To redress the challenges facing pastoral communities, Article 4.9 (60) of the policy proposes that pastoral lands should be held, owned and controlled by designated pastoral communities as common property under customary tenure. It also calls for action to protect pastoral lands from indiscriminate appropriation by individuals or corporate institutions under the guise of investments. The establishment of Communal Land Associations and communal land management schemes among pastoral communities are also proposed.



“Pastoral lands should be held, owned and controlled by designated pastoral communities”

The policy calls for the establishment of efficient mechanisms for speedy resolution of conflict over resources in pastoral communities and with sedentary communities. Land will be zoned to establish appropriate agroecological zones, pastoral resource areas and access, in order to maintain an equitable balance between different land uses.

It is acknowledged that even though the Constitution provides for prompt payment of fair and adequate compensation, for communal lands taken, this has not always occurred. In response, the policy states that future land appropriation should consider land swapping, resettlement or compensation for communities displaced from ancestral lands. The policy also states government shall “establish mechanisms for flexible and negotiated cross-border access to pastoral resources among clans, lineages and communities for their mutual benefits.”

### Challenges still to address

The passing of the National Land Policy is a good landmark but for rangeland communities there are still a number of challenges. First, where pastoral lands have been allocated to other owners, the Constitution confers the rights to the new owners notwithstanding the loss to pastoralists. Indeed, policies and laws still favour more powerful parties.

Another challenge acknowledged in the land policy is the lengthy and costly implementation process that involves among others the “design of appropriate legislation, the establishment of institutional requirements and preparation of a program of activities based on the strategies.” Programming should be preceded by consulting key stakeholders within Government, Parliament, local authorities and communities and be

cross-sectoral. All these processes are lengthy and meanwhile pastoral lands continue to be encroached upon.

### What can CSOs do?

In order to realise the benefits from the Policy, CSOs may undertake the following activities: 1. Be at the forefront of pushing the land rights agenda on behalf of rangeland communities. 2. Lobby Ministry of Lands Housing and Urban Development (MLHUD) to prioritise pastoral and minority issues in program components deemed key to the revitalisation of the land sector; 3. Lobby MLHUD to make a time table for development of new legislation and Parliament to accelerate the process of getting the legislation passed; 4. Participate in the public education and dissemination of the policy by translating it into major languages, preparation of information and communication materials for civic education, building the capacities of the communities to understand the policy, and keeping alive public debate on land issues including monitoring the implementation process.

The Policy can be downloaded from: <http://landportal.info/resource/agriculture/uganda-national-land-policy>

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Similar versions of this article have been published in the Daily Monitor and Observer





## PLAYING THE “CONSERVATION CARD”: THE KHWE SAN IN NAMIBIA’S BWABWATA NATIONAL PARK

Approximately 5,500 people, most of them from the indigenous minority Khwe group, live in Bwabwata National Park (BNP). Though this northeastern part of Namibia (formerly known as the Caprivi Strip) is part of the ancestral home of the Khwe, their rights to control the land and resources were removed by the State in the 1960s. However, following Namibian independence in 1990, conservation policy and practice shifted and community-based natural resource management (CBNRM) was popularised. This opened a door for many communities including the Khwe to secure rights to their lands and resources.

In Namibia, the Ministry of Environment and Tourism (MET) requires that communities form a legally registered body in order to obtain rights to land and benefit from safari hunting and tourism. As such, in 2005 those living in BNP established themselves as the Kyaramacan Residents’ Association (KA).

This enabled the development of a mutually beneficial relationship between the BNP and the KA. Since 2006, the MET has awarded the KA highly valuable hunting concessions earning about USD 214,000 per annum. Since 2008, the MET has also provided KA with a permit to harvest the medicinal plant Devil’s Claw (*Harpagophytum Zeyheri*), earning 562 harvesters USD 142,824 from the 2012 harvesting season alone. Between 2005 and October 2013, the KA earned over USD 1,180,000 from these two activities.



The harvesting of Devil’s Claw is highly lucrative for local communities

A large portion of the hunting income pays for 43 local staff including Community Game Guards (mainly men) and Resource Monitors (mainly women). The importance of these jobs in an area with less than 160 people in wage labour cannot be overstated. In 2011, the KA was also given a 20-year lease for a tourism concession on the Kavango River, still under development.

By recognising the KA as a legitimate body representing park residents, and by giving the association rights to consumptive utilisation of natural resources in BNP, the community has been able to use their status as park residents to their economic advantage. Today the KA earns more from wildlife than do all of its neighbouring communities who live in communal conservancies outside the park.

Inadvertently, park status has also provided tacit land rights to its Khwe residents. Effectively, NP status should weaken community’s rights to land and its resources as their *de jure* status in a park is that of illegal squatters. But here in Bwabwata, the *de facto* situation is that the government is highly unlikely to remove residents from the park as they are well-recognised, effective resource managers. This can be attested by the investment of the State in schools, clinics and the provision of water to villages in the Park, as well as the discussions underway between the MET and park residents about how to deal with the immigration of too many people into the park for cropping and grazing purposes.

The Khwe residents are well aware of their comfortable status. They have highlighted their rights as poor Namibians struggling to survive in a park riddled by human-wildlife conflict in order to secure these privileges. Timing also helped - by the time the KA requested recognition and benefits from the Park, MET had almost a decade of experience in facilitating the develop-

ment of communal area conservancies, and was open to testing an innovative new collaborative approach with a community living *inside* a park.

### Lessons Learned

This experience provides important lessons for securing similar rights. It proposes that communities begin by advocating for the rights most easily attainable. Once these ‘low-hanging fruit’ are achieved then it becomes easier to advocate for more rights in order to reach a position of security, even though rights might not be absolute. This also gives communities, and government too, time to adjust to the changes in resource access and rights, so ensuring that appropriate governance structures are in place and functioning. Understanding how best to achieve this given the current political context is also vital – there are times when it is appropriate for communities to play an ‘indigenous card’ and at others, a ‘conservation card’ may be of greater benefit (as in this case, where the positive connections and interdependence between the Khwe and natural resources were optimised). The challenge is deciding which is more beneficial and when. For the people of Bwabwata as well as the conservation authorities the timing and decisions were right: the Park has been transformed from an unwanted hindrance and a conservation burden to a win-win situation that benefits both.

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## SECURING LAND TITLES FOR PASTORALIST WOMEN: THE STORY OF SAKALA, TANZANIA

Sakala Village lies in between two expanding settlements of Loliondo and Wasso, which form the main District centre. In 2010, the government re-designated this larger area as a municipality due to the increasing rate of urban and peri-urban growth. This meant its land administration would be changed from a system of customary rights of occupancy to one of granted rights of occupancy. Effectively this extinguished any customary claims to the land that were not already documented, as the land would now be managed under a municipal council, with the powers to grant land. The district authorities surveyed Sakala and were planning to delineate plots for private/public purposes.

While these developments were taking place, the majority of Sakala Village were unaware of these plans. Fortunately, the Pastoralist Women's Council (PWC), who has its main office in the village, brought these developments to their attention. PWC spearheaded a pilot initiative to safe-guard the communities' overall land rights. At the same time, PWC encouraged the community in Sakala to allocate land to women.

### How were the issues approached?

PWC worked with village institutions (including the Village Assembly, Council and Land Committee) to build awareness about the need for the village to act together in safeguarding its land. Starting at the sub-village level, PWC initiated discussions about women's access to land, particularly in the context of enabling women to farm and earn a livelihood, which contributes to family welfare. This led to strong agreement by the village to support the allocation of property rights to women. The women's rights committee initially identified 50 women beneficiaries; and then an additional 72 women who needed plots, for which the Village Council (VC) would pay the costs itself. The DC agreed to cooperate with the VC to help them re-delineate and survey their village land.

PWC also worked with women's rights committees, which have been created in 30 out of 37 villages in Ngorongoro District. They play a crucial role in

addressing domestic violence, girls' education and land rights. Representatives from each women's rights committee are nominated to attend the district women's leadership forum, which represents and advocates for women's rights and interests at the district level, including meeting with the men's customary leadership forum.



Securing consensus within and between men and women is key to good decision-making processes and change

### Was the approach successful?

The initiative provided opportunities not only for women to be allocated land in their own right, but for the community to support and voluntarily contribute to this process. Women gained a greater sense of dignity, self-value and standing in the community. It also gave the community the resources and confidence to seek compensation for land that was taken from them for a public project.

### Emerging challenges and questions

The pilot project has raised several inter-related questions around how best to

improve the equitability of property relations in a way that leads to sustainable outcomes. For example, while women have benefited from being allocated land, it is not clear whether they have full rights over their land. Furthermore, how can this model be scaled up and generate support from additional communities as a model for women's land rights? It is also not clear how women are going to use the land that they have acquired. PWC is working to address these questions in its next project phase.

Securing change through consensus has been key. In remote rural areas where customary laws and practices tend to prevail over poorly understood formal laws, fostering participatory debate about property rights and encouraging safeguards for the most vulnerable in society are steps forward in building better futures for women and their empowerment. Women's rights committees can play an important advocacy role within this.

Edited version from Joseph Melau and Jill Nicholson, Pastoralist Women Council in Maliasili Initiatives (2012) *Securing Community Land Rights: Local experiences and insights from working to secure hunter-gatherer and pastoralist land rights in northern Tanzania*. Internet: <http://www.maliasili.org/wp-content/uploads/2012/12/Securing-Community-Land-Rights2.pdf?9d7bd4>



## PROTESTS AGAINST CONVERSION OF PASTORAL LANDS INTENSIFY IN INDIA

Protests against large-scale land acquisitions in rural areas across India are intensifying. Over the last six months several heated protests have taken place accusing local government of corrupt and illegitimate allocations of pastoral, agricultural and forestlands for commercial investment. Local communities affected by the allocations have demanded a halt to any further allocations and the return of lost lands to them. Two of the protests and their outcomes to date, are described here.



### 1. Chitradurga, Karnataka State

The diversion of around 10,000 acres of Amritmahal *kavals* (grasslands) in Chalakeri Taluk in Chitradurga District, Karnataka State has caused widespread concern and protest. Since 2009, the *kavals*, on which thousands of pastoral and farming families are dependent for their livelihoods, have been transferred to a variety of industrial, defense, institutional and infrastructure developments or resulted in blocked access to them.

The struggle to preserve the *kavals* in Chitradurga intensified in July 2013 with 1,000 people from 80 villages under taking a rally. In an unusual display of dissent, the pastoral communities brought along with them 4,000 sheep reiterating the heavy dependence on livestock rearing in this region.



Walls block access to the *kavals*

Meese Mahalingappa, ZP (district council) member and President of the Nomadic Shepherds Association said that the struggle to preserve the *kavals* will intensify until they get them back. Karianna, a *gram panchayat* (village council) member from Dodda Ullarathi said that false documents have been submitted in court and previous court

rulings have been flouted to approve these projects. He called for immediate suspension of the officials responsible. According to the 73rd amendment of the Constitution, the *gram sabhas* (village assembly) should have approved the giving away of the *kavals* - however this was not done. Women of Dodda Ullarathi and Molakalmuru sang about the *kavals*. Unless immediate relief is provided the gathering agreed to boycott the upcoming *Lok Sabha* (general) elections and the government will be held responsible for the resulting chaos.



4,000 sheep join 1,000 people to protest the loss of *kavals*

### New allocations halted

The rally concluded with a submission of a memorandum to the District Commissioner. The DC accepted the memorandum and assured the group that until court orders are passed, access to the *kavals* will be restored. He also said that no other *kavals* in the district will be given away for development projects.

Source: *Press Release 23<sup>rd</sup> July 2013*.  
Thanks to Vivek Muthuramalingam for providing the photos. Email: [drvivekm@gmail.com](mailto:drvivekm@gmail.com)

### 2. Gujarat State and SIRs

Gujarat is heralded as the growth engine of India, contributing a substantial portion of national industrial production. To advance the Gujarat 'development' model, the state government is actively promoting the development of large-sized investment regions. Furthermore, out of 1,483 km-long route of the DMIC (Delhi-Mumbai Industrial Corridor) as part of the Dedicated Freight Corridor, almost 40% (546 kms) covers 18 districts of Gujarat. Twelve SIR (Special Investment Regions) have been announced in Gujarat, in addition to nearly 60 SEZs (Special Economic Zones), which means that there is tremendous pressure on land, farmers and pastoralists. In 2009 Gujarat became the first state of India to enact the Special Investment Region Act.

ILC member, MARAG has been working with the Azad Vikas Sangathan youth group and other state and national level movements and organisations, to support protests in Gujarat State against the transfer of community lands to Special Investment Regions (SIRs).

For example, supported by the SEZ Act of 2005, the Gujarat government declared an area encompassing 44 villages to be the Mandal-Behcharaji SIR, without any knowledge of the 125,000 village inhabitants. In protest, motorcycle rallies and foot marches took place over the last few months; *gram panchayats* and *gram sabhas* stating their opposition to SIRs; and notices were posted and walls painted with slogans by villagers.

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## PASTORAL PROTESTS INDIA

*Continued from page 8*

While Azad Vlkas Sangathan spear-headed this agitation, another broader platform to advocate and agitate on the issue of land rights, the Jameen Adhikar Aandolan Gujarat (JAAG) was also formed, as a state level coalition. There is a general consensus that the resistance will be apolitical; political parties will not be given any space in public platforms.



Mass protest has been key to raising the profile of local issues

In June 10,000 men and women attended a rally, in Gandhinagar. Despite the local government trying to scupper the protest, 500 tractors, 50-60 motorcycles, 10 mini-trucks and 50 four-wheelers took part. Along the entire rally route one could hear slogans like "Tell SIR, no Sir", "Remove SIR, save agriculture", "The village land belongs to the village, not to the government" and "We will give up our lives, not our land".



Livelihoods depend on livestock

At the end of the rally a memorandum was written demonstrating the resolution of the people to oppose the projects. This was the first public statement of the movement, where people in one voice, made their anger and protest clear. The Revenue Minister, Anandiben Patel invited the representatives of 44 villages to meet her. She accepted the memorandum from the movement's representatives, but had nothing to say on behalf of the Gujarat government.

In August the Government of Gujarat removed 36 villages from the Mandal-Behcharaji SIR leaving 8 still in. A meeting following this event saw 15,000 people gather declaring their opposition to the SIR. Lalji Desai of MARAG and others were arrested by police in response, charged with violation of prohibitory orders. The struggle continues.

Source: *Jameen Adhikar Andolan and Neeta Pandya, Gujarat. Email: [pandyaneeta@rediffmail.com](mailto:pandyaneeta@rediffmail.com)*

## RELEASE OF INDIA'S DRAFT NATIONAL LAND REFORM POLICY

In July, the Government of India released a Draft National Land Reform Policy for discussion. The Policy "focuses on those aspects of land reforms which if implemented in true letter and spirit will have the potential to tilt the balance in favor of the landless and poor" (page 3). In relation to nomads the Policy states: "For those nomadic and denotified tribes who are willing and keen to settle down, the State shall take up a program...to settle them in an area of their choice... The State shall (i) Allot at least 5 acres of agricultural land and at least 10 cents of House Site to all nomadic tribes and De-notified Nomadic Tribes who are willing to settle at a particular place. (ii) Take steps to secure access and rights over common lands to the nomadic tribes and De-notified Nomadic Tribes by giving exclusive rights as a community and not as individuals so as to grow vegetation needed for their artifacts like baskets, brooms, mats etc, along with establishing rearing centers for livestock" (Art. VI). Common property resources such as village grazing lands are given attention in the document and expected to follow a development model similar to Joint Forest Management. Further, management rights for common lands are invested in *gram panchayat* and *sabhas* (Art IX). It is anticipated that a Land Bank will be established to lease land to the landless.

The Policy can be downloaded from: <http://landportal.info/resource/agriculture/draft-national-land-reforms-policy>

## PASTURE PROTECTION IN ADILA LOCALITY, DARFUR

Sudan and in particular Darfur face many political and environmental challenges. Building partnerships between actors with common goals, establishing good governance, maintain management of resources and addressing funding gaps can help to alleviate these. In East Darfur the state government with local communities has been doing just this.

East Darfur State covers 53,800 sq km with a population of 1.2 million mainly agropastoralists. The state is composed of nine administrative localities. Adila Locality lies in the northeast, with rainfall of 200 - 400 mm per year. Agropastoralists grow peanuts for cash, millet and sorghum for food, and collect *gum arabic* for sale. They rear mainly shoats.

The local Pasture and Rangeland Administration should maintain pastures, fire lines (vital for preventing the spread of wildfire which destroy pasture and *gum arabic* trees), and migration routes but due to lack of budget, activities have been limited in recent years.



Burning and weeding a fire line

In response, the Ministry of Animal Resources is working with an international NGO (ARC) and a local NGO (EISilat ElTaybah), together with local communities, to clear the fire lines. Working on this activity with the common goal of protecting rangeland resources has rebuilt trust between the different stakeholders and addressed some of the many challenges they face.

*Dr. Bashir Abdalla Mohammed, D.G. State Ministry of Animal Resources & Fisheries.*



## VICTORIOUS IN TANZANIA

In Bulletin No.3 the land conflict in Loliondo was described, and how women in particular had played a critical role in the protests that had taken place. At the end of September, in response to these and other efforts, Tanzania's Prime Minister, Mizengo Pinda, announced a reversal of the earlier move by the Ministry of Natural Resources and Tourism to remove the land, by stating that the land belonged to the communities and there could be no eviction of the resident Maasai. This appears to be an extraordinary victory for a remote and marginalised rural community. The Loliondo case, with all the publicity it has garnered – including a campaign by the online activist organisation Avaaz that has attracted some 2 million supporters – serves as a window into the wider struggle over lands and resources taking place across Africa. As such, a number of important lessons emerge.



### Strong aligned networks

Perhaps the most remarkable aspect of the Loliondo episode has been the alignment of local and national CSOs within Tanzania, combined with influential support abroad, behind the community struggles. The international media coverage supporting the communities' land and human rights has been remarkable. Few communities in Africa have been able to attract media coverage and the global public's imagination as much as Loliondo's Maasai. The case highlights the potential for these local-global networks to greatly enhance the voice of local people and their leverage in domestic policy negotiations.

### Improved communication

The relations that link local communities in rural Africa to wider networks of supporters depend on the transformational role of information technology. Not only local NGOs, but many herders and farmers in areas such as Loliondo now own mobile phones, and increasing connectivity allows enhanced communication and transmission of information, including photographs and video. As a result, external support for the communities in Loliondo could be mobilised in days, whereas a few years ago it might have taken weeks. The lead taken by women also increased the profile of the protests (as described previously).

### Facilitating policy and laws, and democratic institutions

Although Tanzania has faced heavy criticism by global media over the Loliondo affair, two points crucial to the outcome of the case have consistently been overlooked. First, Tanzania has one of the most progressive land laws in the continent in terms of safeguarding communities' customary rights, and it is because the Loliondo Maasai possess documented rights to their land that has enabled them to make their case effectively.

Second, Tanzania is an increasingly vibrant, if nascent multiparty democracy where, unlike some other African countries, citizens have the opportunity to be heard by, and also to sanction, their elected officials. The national elections are scheduled to take place in two years, a fact that encouraged leaders to listen to community grievances. This highlights the fact that throughout Africa and elsewhere, struggles over land rights are inevitably tied to the broader terrain of democratic governance in which they take place.

*Excerpt from The Guardian by Maanda Ngoitiko (Pastoral Women's Council) and Fred Nelson (Maliasili Initiatives). Internet: <http://www.theguardian.com/global-development/poverty-matters/2013/oct/08/africa-tanzania-masai-land-rights-victory>*

### TANZANIA'S ANSWER TO THE GLOBAL LAND RUSH

August 1 2013. In an effort to ensure that Tanzania's people benefit from the global land rush, the government is creating an ambitious and very elaborate system whereby investors would, in return for land, give Tanzania some share of ownership in the investing company.

Landesa was asked to analyse the plan. They provided recommendations to the government of Tanzania on how they might improve the system they are creating and what other systems might be worth considering. Tanzania is of particular interest to investors given its proximity to Asia, the Middle East, and Europe, its relatively developed infrastructure, good soils, and stable government. Like countries across Africa, Tanzania has been approached by many investors with offers to buy or lease tens of thousands of acres of their land.

Tanzania's plan shows how many countries are struggling to find good models and adopting innovative approaches that provide opportunities for greater local benefits. It remains to be seen how successful Tanzania can be in this regard.

Source: <http://www.landesa.org/news/tanzanias-bold-answer-to-the-global-land-rush>



## MORE RECENT EVENTS (continued from page 4)

### EAC's meeting on Pastoralism and Drylands Development, 17-18 June, Arusha

The East Africa Community (EAC) secretariat called a session in June to discuss regional issues on land, in order to develop a regional action plan for pastoralism. The meeting included presentations from Timothy Wesonga, EAC Secretariat, on the challenges that drylands face; Edward Nengomasha, AU-IBAR, on the AU Policy Framework for Pastoralism; Mary Marealle, TNRF on their experience on pastoral land issues; Benjamin Mutambuka, COPASCO on foreign investment in drylands of EAC; and Abdi Ykub Guliye, Egerton University, Kenya on alternative livelihoods.

The two day meeting concluded with a group discussion on the EAC paper – *Climate Change Mitigation and Adaptation for Pastoralists in the EAC - Regional Emergency Preparedness and Response Plan of Action for Enhancing Resilience of Pastoralists*. The need for better information sharing between member states was highlighted, together with more cross-border initiatives. It was suggested that national and regional steering committees on pastoralism and climate change should be established together with a dedicated unit in the EAC Secretariat. In addition, country-wide awareness-raising and filling of knowledge gaps is required at all levels.

### Launch of Rangelands Observatory, June 4-6, India

The Rangelands Observatory (RO) is an ILC project, funded by the Ford Foundation and designed to mobilise a network of organisations to jointly build an observatory on land acquisitions and tenure security in rangelands. The project offers an opportunity to use a web-based platform to map and monitor changes in

rangelands and it is based on a crowdsourcing and open-data approach.

The inception workshop of the RO was held in Ahmedabad (Gujarat, India) during the first week of June 2013, in collaboration with IUCN-WISP and local NGO MARAG. Over 40 participants from more than 30 organisations gathered.

During the workshop, it was agreed to work on national or regional rangelands observatories (rather than a global one). This approach would ensure better quality data and be more useful for advocacy. Following an open application process, three projects are being provided with seed funding to this end. These projects are:

One, a project led by Redes Chaco and CEPES, which aims to strengthen land acquisition monitoring initiatives in two regions of South America. Firstly in, the Andes, Peru, where pastoral livelihoods are affected by high altitude mining activities, and two, in the Chaco region – a large dryland area subjected to hydrocarbon concessions, deforestation, and expansion of *soja* cultivation.

Two, an observatory working across Western and Central Africa led by Réseau Billital Maroobé. This will focus on monitoring how rangeland conversions are affecting the mobility of pastoralists here. These conversions are seldom driven by external or clearly identified investors, but rather, are the result of a complex process with multiple stakeholders. It is anticipated that pastoralists will use the observatory to claim their rights to rangeland resources.

Three, the Foundation for Ecological Security will lead a partnership covering four western Indian states, to build up ground level evidence and influence policy formulation regarding rainfed livestock systems. The observatory platform will provide information and analytical tools in order to enhance informed and participatory decision-

making on land use, and enable local populations, especially agropastoralists, to secure ownership or access to land.

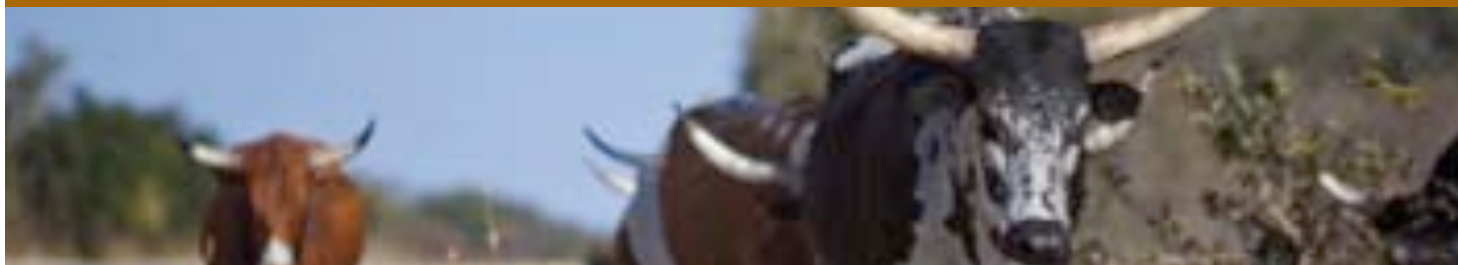
### Validation meeting on the implementation of AU Declaration on Land Issues and Challenges, 30 September, Addis Ababa.

The AU Land Policy Initiative (LPI) hosted a workshop at the end of September to evaluate recommendations arising from a study, which developed a high level strategy and business plan, as well as an M&E framework to guide the implementation of the [AU Declaration on Land Issues and Challenges in Africa](#).

The LPI was established in 2006. It has been successful in generating knowledge, promoting dialogue and building consensus towards the development of a *Framework and Guidelines on Land Policy in Africa* (ALPFG) endorsed by AU Ministers in April 2009 as a viable tool for land policy development, implementation and monitoring in Africa. In the Declaration on Land, AU Heads of State and Government commit to to: (1) Giving priority to land policy development and implementation (LPDI) in national development agenda, including through adequate budget allocation, and by building adequate human, financial and technical capacities; (2) Carry out land sector reviews to engage in comprehensive LPDI; (3) Ensure that LPDI is done in a participatory manner, involving relevant actors including non-state actors; (4) Ensure that LPDI provides equitable access to land and natural resources; (5) Strengthening women's access to secure land tenure rights.

The validation workshop examined options and made recommendations to advance LPI's activities. The LPI called on the international community to support the implementation of the ALPFG. Additional staff and resources are required to achieve this. When engaging at country level on land issues the Declaration can be used as an entry point.





## 18,000 CATTLE GIVEN PASSAGE ACROSS AUSTRALIA

In Australia cattle are regularly seen moving along livestock routes from one state to another. However it is not often that 18,000 cattle are seen moving at one time. Cattle purchased by millionaire farmer Tom Brinkworth are being moved by his professional drover Bill Little, to land owned in the south of the country. The cattle are moved in nine mobs of 2,000 cattle at a time, with 10 days between them. The route taken depends on rains and availability of pasture.

The herd passes through state border controls along the route. Dry conditions make access to water and grazing challenging. Local police facilitate the movement of cattle through towns. An agistment (grazing) fee is paid to the shires (counties) that the cattle move through. The state

government is responsible for ensuring the routes are open and serviced. Due to publicity of the movement, volunteer camp drafters and endurance riders are joining the mobs for a few weeks at a time. The complete journey could take up to six months. This event highlights the importance of mobility in livestock production across different continents.



Part of the 18,000 heads of cattle making their way across Australia

Source: Sally Cripps, *The Land*, <http://www.theland.com.au/news/agriculture/livestock/cattle-beef/brinkworth-drove-stops-surat/2668776.aspx>

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



IRDNC (Integrated Rural Development and Nature Conservation) Trust strives to improve the lives of rural people by diversifying the socio-

economy in Namibia's communal areas to include wildlife and other natural resources. We believe this will, in turn, secure a long-term place for natural resources outside of national parks, significantly reduce the pressure on these areas, and increase the livelihoods of rural communities in the future. The Trust further aims to build up the capacity of rural Namibians, and to assist them to develop democratic community structures and enterprises through which to sustainably manage and benefit from their local natural resources, and to promote holistic rangeland management to improve the quality of grasslands and agricultural productivity.

For more information contact Karine Nuulimba, Windhoek, Namibia Tel: +264-61228506 Email: [karine.nuulimba@gmail.com](mailto:karine.nuulimba@gmail.com)

*The Rangelands Governance Initiative facilitates collaborative learning and action in order to support local rangeland users to better secure access to, use and management of, and participation in decision making about, rangeland resources. 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. A community of practice at its core facilitates this learning and sharing of experiences.*

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

This bulletin was compiled by Fiona Flintan, ILC. 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](mailto:f.flintan@landcoalition.info)



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