

WHAT ARE THE SOLUTIONS TO ADDRESS CONFLICTS WITHIN THE PRACTICE OF PASTORALISM IN THE SAHEL?

Face aux conflits, des solutions existent et sont mises en œuvre à différentes échelles. Cet article les passe en revue et interroge leur pertinence et leur effectivité.

The (weak?) power of laws and institutions

In 1998, the Conference of Heads of States of ECOWAS took a decision to facilitate mobility of herds in the predominantly extensive and pastoralist systems of the Sahel. It set the modalities under which this transhumance has to take place and notably instituted an International Transhumance Certificate (ITC). Apart from ECOWAS, other sub regional bodies such as CILSS, WAEMU and AGRHYMET have established policies that promote cross border transhumance. Also, the Lake Chad Basin Commission (LCBC), an association of countries bordering Lake Chad supports open access to common-pool resources by enabling movement for pastoralists in the Chad Basin provided they have vaccinated their animals and paid the local and national taxes. By guaranteeing mobility is very critical in the practice of pastoralism, these policy instruments protect rights of access, passage and use of pastoralists and their herds.

The ITC aims at facilitating cross-border mobility but has witnessed some setbacks notably with the unilateral decision of Benin to close its borders in 2003 to transhumant pastoralists from Niger and Burkina Faso. Another challenge is harmonization – internally within the various member states and externally with other regions such as the Central African sub region since transhumance is cross-border. Also, pastoralists have complained of administrative ‘red tape’ in acquiring the ITC, of frequent harassment and illegal fines from border officials and that livestock corridors are being blocked in the host countries. Furthermore, transhumance dates are fixed rigidly without sufficient consultation with pastoral communities.

At national level, states have been able to put in place legal framework recognizing pastoralism as a viable and sustainable land use form. These have mostly been termed either Rural Codes or Pastoral Codes/Charters and essentially bring together the various laws, ordinances and regulations on pastoralism under one framework. These codes developed through broad based consultation processes from village to national levels have put in place laws to manage land and natural resources whose implementation has helped to curb farmer-pastoralist conflicts.

Apart from the legal framework, there exist institutions which govern the regulation of disputes between farmers and pastoralists. These institutions are provided for in the Rural/Pastoral Codes or in some orders and ordinances regulating agricultural land use. Niger's Rural Code for example, lays down institutions from the local level to the national level to adjudicate in matters of conflicts between farmers and herders.

The implementation of the Pastoral Codes in most of the Sahelian countries is still incipient, due generally to the lack of funding. Only about 20% of grassroot land commissions envisaged in Niger's Rural Code have been implemented. Inadequate financial support from the State has led to lack of basic material, office buildings and equipment, but also funding to carry out awareness raising activities or field visits. The overbearing influence of traditional rulers who chair the grass root land commissions as well as land dispute reconciliation has being decried. Many development partners are mainstreaming inter community dialogue platforms in their work and this has shown tangible results by drastically reducing conflicts. Their shortcoming is that these results have remained circumscribed to the project areas. Sahelian governments seem to have been rather marginal in the whole process and have shown limited leadership in supporting further implementation despite their having endorsed this conflict mitigating strategy.

Promoting inter community dialogue.

Both pastoralists and crop farmers have always to engage in continuous negotiations to ensure secure access to resources. In most Sahelian countries, international corporation initiatives have supported projects with a component that helps to establish constructive dialogue between communities. Funded by the Swiss government, the project named PASEL has facilitated the establishment of constructive dialogue between farming and herding communities by promoting the emergence of dialogue platforms at local community levels where mistrust and suspicion were characteristic. The reduction and almost disappearance of conflicts in the project's regions reflect that a consensus was achieved and emerges as a key indicator of success.

One area where this inter-community dialogue has been very successful in has been in delimiting transhumance corridors and in setting aside areas for pastoral activities during land use planning at local level. These two initiatives have received funding and support over the past decades from the governments of member states but more importantly from bilateral and multilateral donors. PASEL, for instance, rehabilitated about 3000 km of corridors for migration and set up follow up processes to ensure sustainability. Several thousands of kilometres of cattle track have been delimited with concrete beacons as transhumance corridors. Also, vast expanses of land have been mapped out as pastoral/grazing zones where pastoralists enjoy primary or priority rights to. Local oversight

committees have been put in place to monitor their functionality. Farmers and pastoralists do recognize the usefulness of these corridors as a sign of peace.

Nonetheless, the functionality of transhumance corridors has been disrupted by farmers who increasing sow crops or remove the signs delimiting the corridors partly due to the absence of legal and administrative acts sanctioning these acts. Delimiting corridors is an activity carried out by mostly donor funded projects and does not give any legal protection to the corridors. Legality is conferred only with an administrative act that specifies that the delimited corridor or grazing land be exclusively reserved for pastoral use

Pastoral Units are another initiative developed at the local level that can help to reduce conflicts (see p.15-16). These are camps (or villages) located in the zone of influence of a water point (usually a 15 km radius) where residents share the same space for agricultural and pastoral activities. They have been experimented in Senegal, Mali and Benin with mixed results. The major strong point was the participatory nature under which the management plans were elaborated. The weak points included a lack of interest by residents to follow the management plans once water points were in place and they were set up mostly through donor sponsored projects and had no legal or administrative backing.

Adopting participatory management approaches in protected areas

Increasingly, participatory approaches are being put in place for the management of protected areas involving neighbouring communities. Parc W National Park for instance (in Niger, Mali and Burkina Faso) receives many transhumant pastoralists from the drier and semi-arid northern parts of these three countries. Here, the project ECOPAS had as strategy to ensuring conservation, the paying of greater attention to activities in the periphery of the park by managing the buffer zone round it. The income sources of the surrounding communities were diversified through the developing of tourism infrastructure and activities as well as financing of micro projects. These have greatly reduced conflicts between park officials and pastoralists.

Mixed successes have been recorded in Community Based Natural Resource Management Projects in African conservation areas. Unlike in Southern Africa where positive outcomes have been recorded through benefits to pastoral economies and peoples as well as conservation, Eastern and by extension Western and Central Africa show very little evidence of this. This is attributable to novelty of the concept in these regions where the fortress conservation model is heavily entrenched.

Future challenges

A certain level of antagonism is thought to be 'endemic' to the cohabitation of the rangeland users of the Sahelian. But there is need for continuous investments in innovative ways of mitigating these conflicts because of their consequences. The initiatives cited above have contributed in reducing the frequency and intensity of these conflicts. The challenge these initiatives face is in their actual implementation, lack of legal/state recognition and support since most are donor funded. Considerable effort is needed in making them more inclusive and participatory at all levels from local to sub regional. Continuous learning, dialoguing, negotiating and collaborating is the only sure path forward.