



Regional Pastoral Livelihoods Resilience Project (RPLRP)



Regional Meeting: Land Governance and Pastoralism in the IGAD Region 24th & 25th April 2018 Mombasa, Kenya



Workshop Report



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Introduction

Arid and semi-arid lands (ASALs) dominate the landmass of IGAD region – form 60-70% of the total landmass. ASALs receive less than 600mm of rainfall per year and are susceptible to cyclical patterns of short and more persistent droughts. Pastoralism, an extensive and mobile rearing of livestock on communal rangelands, is the major livelihood and production system practiced in ASALs thereby employing a greater percentage of the population. Pastoralism involves mobility to access seasonally available pastures and water. There are also agro-pastoralists who are largely sedentary, combining livestock rearing with crop production.

Pastoral land management strategies, although developed and progressive, have had limited implementation and translation into national policy and legal frameworks. The challenge that arises is the paradox between sustaining pastoralism as a production system and a ‘modernizing agenda’ of sedentarization. Managed herd movements are essential for sustainable pastoralism and pose the single greatest challenge to securing pastoral tenure. Herd movements can take place on very different scales, from long-range nomadism to seasonal transhumance of different distances, to relatively localized herd movements and pasture rotations. Historically, the mobility of pastoralists has often been used as justification for not securing their land rights; since pastoralists are constantly wandering, the argument goes, they do not lay claim to any particular piece of land. This argument has been used in places where pastoralists have followed the same transhumance routes for centuries and where there is clear evidence of their historic use and management. Yet even in the most nomadic of pastoralist communities, herd movements rely on natural and human infrastructure that has been protected and maintained by pastoralists since time immemorial.

Pastoral land rights recognition strategies are not easily translated into policy. The Voluntary Guidelines (FAO, 2012) provide an international framework to guide policy and programs to protect and enhance the rights of pastoralist populations to lands long used for social, cultural, spiritual, and economic ends. The guidelines very clearly spell out in Part 3 that “legal recognition and allocation of tenure rights and duties” principles for protecting the rights of indigenous peoples and other communities with customary tenure. Pastoral land rights are under pressure as never before and the issues of resource governance are at the crux of the future of pastoral peoples. While the Voluntary Guidelines can be interpreted as an international mechanism to protect the rights of indigenous peoples and communities long accustomed to accessing and managing lands through customary governance systems, these agreements will only become effective if they lead to the transformation of policies and laws that have long undermined the interests of pastoralist communities.

Pastoral land use strategies are on the decline as competition over land has intensified over the last few decades due to urbanization, agricultural intensification, conservation initiatives and privatization of communal lands through rangeland policies that have sought to create private, liberal property rights to replace communal customary systems. Many pastoral communities are faced with challenges of shifts in

land tenure as their communal rights are considered by government and development practitioners as a constraint that hinders development with a need to be modernized. In addition climate change, population growth and land use policies that focus on sedentarization of pastoral communities continue to cause accelerated pressure on natural resources leading to rangeland resource degradation and pastoralists vulnerability.

Mobility and communal tenure practices are responses to the uncertainty and heterogeneity of rangeland resources. Together, these create complex customary tenure arrangements that require sophisticated responses from governments and other agents involved to uphold them. Pastoral lands are largely communal, but can also include lands or other resources (e.g. trees) that are privately owned, or which have different rights according to the season. Pastoralists may have historical claims over lands that are large distances apart, or which they only use in certain years. Different resource patches that are geographically distant, such as salt pans or woodlands, may be absolutely essential for effective livestock production. Often these patches are used by non-pastoralists, or sought by outsiders for commercial exploitation, and can be particularly challenging to secure.

The **African Union (AU) policy framework for pastoralism** aims to secure, protect and improve the lives, livelihoods and rights of African pastoralists. The policy framework is a platform for mobilizing and coordinating political commitment to pastoral development in Africa, and emphasizes the need to fully involve pastoralist women and men in the national and regional development processes from which they are supposed to benefit. The framework also emphasizes the regional nature of many pastoralist ecosystems in Africa and therefore, the need to support and harmonize policies across the Regional Economic Communities and Member States. The Policy Framework for Pastoralism in Africa contains guiding and cross-cutting principles, two main objectives, and a set of strategies for each objective. The two objectives of the framework are as follows:

- Objective 1: Secure and protect the lives, livelihoods and rights of pastoral peoples and ensure continent-wide commitment to political, social and economic development of pastoral communities and pastoral areas.
- Objective 2: Reinforce the contribution of pastoral livestock to national, regional and continent-wide economies.

Objective 1 includes the need to recognize the rights, existing economic contributions and potential future contributions of pastoralists to development, with related political and policy processes needed to develop appropriate pastoral policies and fully integrate pastoralism into national and regional development programmes and plans. Objective 2 focuses on the core assets of pastoral areas viz. pastoral rangelands and livestock. It emphasizes the need to improve the governance of pastoral rangelands and thereby secure access to rangelands for pastoralists. The involvement of traditional pastoral institutions is seen as central to this process. Strategies under Objective 2 also include the protection and development of pastoral livestock, risk-based drought management,

and support to the marketing of pastoral livestock and livestock products in domestic, regional and international markets.

Recent land reform initiatives in the IGAD countries, based on customary rights, have attempted to recognize the land rights of pastoralists. A review of land governance legal, policy and institutional frameworks for IGAD member States and rangeland management of the three RPLRP countries was conducted by IGAD in 2016. It found that in general policies supporting pastoral land governance were adopted by most countries but implementation was very weak.

In recognition that land governance is critical for reducing poverty and for enhancing economic development, gender equality, social stability and sustainable resource use; and understanding that failure to resolve land issues is increasingly recognized as a barrier to achieving other development objectives, including the SDGs; The Regional Pastoral Livelihoods Resilience Project (RPLRP) has supported dialogue at the regional level. Thus the IGAD Centre for Pastoral Areas and Livestock Development (ICPALD) in partnership with Land governance project of IGAD organized a regional meeting on land governance and pastoralism in the IGAD region to provide analysis of gaps and identify roles for national and regional actors in order to improve land governance in pastoral areas.

Objectives of the Meeting

The *Overall Objective* of the meeting is to enhance pastoral land governance convergence among IGAD member states especially in the cross-border areas in order to enhance sustainable development of pastoralism.

Specifically, the meeting aimed:

- To get update from the IGAD member States about policy and practices in support of pastoral area land governance (land use recognition, security of rights and land management) identify gaps;
- To improve understanding of linkages between land governance and pastoralism by facilitating discussion on the continental policy frameworks on land and pastoralism;
- Develop way forward at regional and national levels to support harmonized pastoral land governance policies and practices.

Participants

The participants were from four IGAD member States - Ethiopia, Kenya, Sudan and Uganda - representing land commission, land use and livestock departments. Other participants included representatives from the Africa Union, IGAD and other partners. The complete list is attached hereto as annex 2.

NEXUS BETWEEN AGRICULTURAL & LIVESTOCK POLICIES/STRATEGIES AND LAND GOVERNANCE

Official Opening

Remarks by ICPALD

Dr. Solomon Munyua, ICPALD Director, welcomed members to this meeting and highlighted that this was a critical meeting. He reminded member states that despite studies that show that pastoralism contributes positively to the national economy, pastoralists in the region face a number of challenges arising from lack of security of land tenure; loss of grazing lands to other competing development priorities; and, minimal inclusion in development and governance processes. He called on member states to consider options for securing land tenure and participation in decision making for pastoralists.

Remarks by Ministry of Agriculture and Livestock

Mr. Julius Kiptarus, The Director of Livestock Production, welcomed member states to Kenya. He noted that in Kenya livestock development contributed 42% of agricultural domestic product and 12% of national GDP and employed about 50% of the agriculture labour force. He highlighted that ASALs in Kenya are 89% of the country and are the main area in which livestock is produced. And he mentioned that livestock are among the assets owned by women, youth and marginalized portions of the population.

He mentioned that the key challenges the Kenya government is currently addressing relate to access to water and pasture in rangelands. In addition he mentioned that there was an effort to grow pasture through seeding programs, and establishment of feed centers within counties to enable them to produce feed for livestock. He cited the increased frequency of drought and floods within the region that left pastoralists vulnerable to disaster and mentioned that the Kenya the government had introduced a livestock insurance programme to enable the pastoralists to be able to cope with long dry spells. He also mentioned current efforts to review policies and programs to support rangeland development including counties being encouraged to have comprehensive spatial planning as a responsive mechanism to challenges in rangelands. In addition he said the Kenya government was undertaking efforts to promote access to markets locally and internationally. Finally he mentioned that renewed efforts and opportunities were underway through investments envisaged in the **big four** interventions in which **food and nutrition security** is high in the Government's agenda for 2018 – 2022.

Remarks by IGAD Land Governance Programme

Ms. Esther Obaikol, IGAD Land Governance Expert, made the following remarks:

- Irrespective of geography rangelands extend beyond the recognized border of nation states. Therefore the responses to challenges facing pastoralists should embrace a regional perspective.

- The tendency to look at rangelands as open access resources impacts on their governance. Approaches that respond to collectivity and inclusive participation are central to stabilization of rangelands.
- The competing claims on rangelands ranging from wildlife game reserves, extractives, and large energy and infrastructural development programmes have tended to undermine traditional uses of rangelands.
- The governance questions around rangelands include whether or not sedentarization should be embraced, how best to manage intraregional movements, distribution of investments and gender parity.
- While recognizing the divergence in land governance policy and legal frameworks in the IGAD region, for purposes of pastoralism key areas need to be addressed – Recognition of pastoralist rights and their protection (documentation of collective rights), addressing the issues of legal pluralisms where cultural, religious and national laws are operating concurrently, addressing sustainable land use through the improvement of land use planning and harnessing pastoralist development by improving valuation and compensation regimes and practices.
- Although these are huge topics, there is need to find durable solutions at Member State and Regional level.

Deliberations

Member states deliberated on a number of issues as follows:

Issue	Discussion
Conflict	Within the region there is an increase in pastoralist conflict especially with sedentary communities as pastoralists extend their rangelands to include areas beyond the known borders.
Partnership	The need for partnership has been recognized at the highest levels of policy in the continent with the AU engaging with the committee for Food Security to tackle the challenge of rangeland management as a multi-stakeholder initiative.
Transformation	Historically pastoralism relied on the ability to move across large rangelands. Over time things cannot be expected to remain the same – pressures from population growth, increased settlement and provision of infrastructure will result in the transformation of pastoralism over time. There is need to enable pastoralists to take charge of their development.
Growth	Both human and animal populations have grown especially in relation to carrying capacity of the land – this has made pastoralists seek pastures beyond the traditional rangeland creating pressures such as conflicts at regional level that can only be addressed by regional interventions
Transhumance	Opposing policies at national level create difficulty in implementing regional policy
Land loss	Land loss is not unique to pastoral communities – the lessons from sedentary communities may be applicable in resolving challenges faced by pastoral communities
Decentralization	With increased decentralization local governments are

(Devolution)	gaining prominence and are increasingly able to develop and implement initiatives in partnership with other agencies meaning national governments and regional bodies need to develop innovative structures for coordination and monitoring.
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Addressing rangeland management challenges in pastoral and agro-pastoralist areas

Rangelands in the IGAD Region

Dr. Dereje Wakjira, Regional Coordinator, RPLRP, provided an overview of the project, which is a regional project implemented in Ethiopia, Kenya and Uganda whose focus is pastoralism and cross border areas. Within the project framework the countries are tasked with rangeland rehabilitation and emergency fodder production.

His presentation highlighted the challenges of rangeland degradation and distribution of invasive species. He also showcased activities being undertaken to address these challenges at community level.

Addressing rangeland management challenges in pastoral and agro-pastoralist areas

Ernest Mbogo, from the State department of livestock in Kenya, presented the case of Kenya. He highlighted the challenges including droughts and floods and related losses and challenges; myths and misconceptions about drylands and their inhabitants; organizational and institutional gaps; weak infrastructural development; resource based conflict and insecurity; establishment of protection areas and conservancies; and financial services that are not sharia compliant.

Gifawosen Tessema, from the Ministry of Agriculture and Livestock, presented the case of Ethiopia. He highlighted the challenges including loss of traditional pastoral land; increase of invasive species; and increase in frequency of droughts in the region. He mentioned that as a consequence of these challenges there was a gradual breakdown of pastoralism, increase in poverty and increase in food insecurity.

Dr. Peter Wanyama, from the Ministry of Agriculture and Livestock, presented the case of Uganda. He mentioned that changes in governance – pre-colonial to post-colonial period resulted in more than one tenure system that ended up in loss of access to rangeland by pastoralists; a prominent move to sedentarize pastoralists leaving pastoral land unutilized and susceptible to illegal acquisition; and conversion of pastoral land into other uses.

Omema Faragallah, presented the case of Sudan. She presented the challenges including lack of national rangelands policy instead of which there exist a number of related policies; and low priority assigned to pastoral sector in allocation in resources.

Deliberations

Following the presentations, member states held discussions as follows:

Issue	Discussion
Gaps between policy and implementation	There are gaps because policies developed by member states may face resource shortfalls. Securing resources is a work in progress over time.
Role of the state department of livestock viz. the Community Land Act in Kenya	The department has an overall strategy for livestock sector and specific one for rangelands and pastoralists which is currently under development. This will give mandate to department of rangelands
Limitation of grazing land to a community	The system is vulnerable to federal government initiatives and selfish motives of cultural leaders thereby leading to the development of a system to certify communal land in a quest to protect it.
Undocumented customary laws and practices	There is need to look into this area and identify mechanisms to harness them to use them to govern rangeland management
Development of policy and strategies in Ethiopia	There is a pastoral standing community at parliamentary level and the Afar region has been declared fully pastoralist. The success in this region will be scaled up to other regions as the Ethiopian law allows for them to determine their own policies and strategies.
Settlement/ sedentarization of pastoralists	<p>The pastoralism policy focuses on sustainable utilization land and the issue of stocking density therefore gains prominence. There are communities where it will be a challenge to return to mobile pastoralism and the cultural practices may need to be adapted to suit the transformation within the community.</p> <p>However from the AU pastoral framework the onus is on nations to recognize the validity of pastoralism as a way of life and to allow mobility in terms of land use planning.</p>
Invasive species in Uganda	It may not be comparable to other countries but it is a challenge all the same and if not managed constitutes a threat to rangelands.
Service delivery for pastoralists	In ECOWAS they are working to introduce an education system for pastoralists where education is provided to pastoral communities
Implementation of policy of controlling invasive species	Collaborative effort with communities – by manual means and use of herbicide
Mobility	It is becoming a source of conflict due to scarcity of resources
Fodder production	Results in increase in number of livestock and increase in income due to provision of fodder
Targets in Sudan rangeland management strategy	There are no specific target numbers defined in the rangeland management strategy. It is included in the annual plan as a general item.

Good Practice

From the presentations member states identified the following model cases:

1. Ethiopia
 - a. Afar regional state policies and institutional framework for communal rangeland management
 - b. Management of invasive species strategy
 - c. Large Scale Fodder Production
2. Kenya
 - a. Community Land Act
 - b. Fodder Seed Production
3. Sudan
 - a. Rangeland Management Strategy
 - b. Large Scale Fodder Production (commercial for export)
4. Uganda
 - a. The draft Rangeland management and production policy

Learning Opportunities

Specific interest in learning exchanges was expressed by Member States as follows:

1. Uganda is interested in understanding how formal institutions have integrated cultural institutions to develop and implement the Afar Regional State Policies and Institutional framework
2. Uganda is also interested in understanding the opportunity that large scale fodder production as implemented in Kenya and Sudan presents, and how this enables the country to stabilize rangelands
3. At continental level, the AU is interested in understanding the management of invasive species strategy as implemented in Ethiopia because the loss of rangelands to invasive species is a challenge many AU member states face and both private and communal land owners have an interest in successfully rehabilitating rangelands.

Proposed strategic measures for improvement

Common Challenges

Member states identified the following challenges as common to all four participating states:

1. Overuse of resources
2. Invasive plant species
3. Challenges related to drought and inability of land to recover between dry spells
4. Environmental degradation
5. Weak coordination among actors
6. Resource based conflict
7. Weakening of cultural institution
8. Policy and Strategy implementation gaps

9. Protection of rangelands
10. Integrated land management
11. Weak community participation in rangeland management

Based on this list deliberations were conducted and have been summarized below.

Overuse of Resources, Drought and Inability of Land to Recover, Environmental Degradation, Invasive Plant Species

Promising practices:

- Generation of electricity out of invasive species (e.g. The Government of Kenya has concluded an agreement to generate electricity out of the invasive species in Baringo (feasibility study has been undertaken); Ethiopia has also concluded an agreement to supply prosopis charcoal to the cement factory that can save the country about USD 28 Mio a year.
- Prosopis management strategy of the then Ministry of Livestock and Fisheries in Ethiopia which the development of implementation modality is underway.
- Making use of prosopis by communities in Wajir, Kenyan experience
- Recognition of the pastoralist customary institutions via Certification of communal grazing lands in Ethiopia.

Recommendations:

- Carrying capacity of the land needs to be taken into account while promoting development vis-à-vis livestock production in pastoralist areas
- Undertake more researches based on local knowledge
- Educate pastoralists to turn livestock assets into financial assets (risk mitigation)
- Promote alternative livelihood options and ease of access to financial institutions to reducing the pressure on land
- Allow free movement of pastoralists across international borders
- Sharing of experiences among MS not only experts but also communities
- Consider Environmental impact assessment while developing new programmes in pastoralist contexts
- Research need to look for biological control of invasive species (e.g. Insects feeding upon these species)
- Drought is a living challenge to the pastoralists but we need a strong strategy on early warning systems, which informs government decision makers, donors and pastoralists to take early actions. Decision makers (releasing timely appeal); Donors (availing resources timely while reducing bureaucracy in approval processes); Pastoralists (timely destocking their herds).

Weakening of cultural institutions, weak community participation in rangeland management

Member states recommended action at State level and at Regional level as documented below.

State level action:

- Embrace and mainstream traditional and cultural practices and include in policy and legal process
- Recognize, document and protect traditional and cultural practices
- Recognize the fact that these practices should be dealt with in a new environment (e.g. population growth, environmental degradation, etc.)
- Recognize and respect “progressive” pastoralists traditional knowledge and practices
- Create a conducive (policy and legal) environment where traditional/cultural institutions can operate to manage rangelands and conflicts arising from access to rangelands.
- Build capacities of traditional authorities to deal with rangelands.
- Free, full and transparent participation of traditional authorities in decision making processes
- Multi-stakeholder coordination providing space for traditional/cultural authorities.
- Encourage gender sensitive cultural practices that promote equity in tenure security

Regional Action:

- Fast track the ratification of Transhumance Protocol and commitment to its implementation
- Periodic peer review mechanism to enforce the implementation of the Protocol
- Participation of traditional authorities in decision making processes
- Coordinated disarmament of pastoralists to ensure peace and security
- Trans-boundary coordination between traditional authorities.

Policy and Strategy Implementation Gaps

The challenges were identified as:

- NO policy framework dedicated to the rangelands or pastoralists
- It is subsumed in other frameworks like Rural development
- Policy did not give customary institutions attention
- Pastoralists always lose against other competing land use system
- Existing policy not translated into action partly due to limited budget
- Free, prior, and informed consent lacking in decision making
- Non participatory decision making
- No capacity to implement policy and strategy provisions
- Pastoralists issues given low priority
- Lack of political will to implement policies
- No enforcement mechanisms to implement policies
- Weak institutions to implement policies
- Lack of coordination between various actors in the ASALs
- Lack of resource maps for planning

Way Forward

Member states made the following recommendations for the way forward:

1. At regional level

Regional Meeting: Land Governance and Pastoralism in the IGAD Region

- a. Fast track the ratification of the Transhumance Protocol
 - b. Mainstream the role of traditional leaders in policy and legislation development for rangeland management
 - c. Enhance cross country learning among pastoral communities
2. At state level
- a. Develop responsive policy and legal frameworks that promote sustainable rangeland management
 - b. Mainstream the role of traditional leaders in policy and legislation for rangeland management
 - c. Take stock of, and track implementation of existing policies and strategies

LAND GOVERNANCE AND PASTORALISM

Land governance in the context of Pastoralism

Mr. Mackay Rigava, Land Tenure Officer at the Africa Land Policy Centre, made a presentation in which he spoke about the status of land governance in Africa.

He highlighted that African nations have a common vision and firm commitment to address land governance issues as outlined in the AU's policy framework for pastoralism in Africa. He thanked IGAD for convening this forum and expressed the hope that this was the beginning of a continuous process that brought together experts in pastoralism to have the discussion.

He shared the status of land governance in Africa and highlighted the issues and challenges faced in land tenure reform. He also outlined the process by which continental declarations on land governance were developed and ratified and what their ratification meant for the regional economic communities (RECs) and member states. He informed member states of the evidence, frameworks and tools developed at continental level that would be useful for them as they addressed land governance issues at national level. Finally he gave an in-depth presentation of the "Framework and Guidelines on Land Policy in Africa", the "AU Policy Framework on Pastoralism", and the "Voluntary Guidelines in the Responsible Governance of Tenure of Land, Fisheries and Forests". He invited member states to access a comprehensive set of tools by visiting the following sites:

- www.africalandpolicy.org/eu-programme
- <https://www.uneca.org/alpc>
- <http://www.fao.org/tenure/resources/collections/governance-of-tenure-technical-guides/en/>

IGAD Transhumance Protocol

Adan Bika, Head, Dryland development & Climate Change adaptation of ICPALD presented the proposed draft transhumance protocol developed on the basis of the AU's Policy Framework for Pastoralism in Africa and in recognition that mobility is an integral part of pastoralism. He informed member states that within the IGAD region eight cross border clusters had been identified. These clusters were based on cultural commonalities which preceded the establishment of the national borders in the region. He outlined the process by which the protocol was being developed and explained the rationale for the protocol. He highlighted the implications of the existence of the protocol, based on lessons from the implementation of a similar protocol in ECOWAS and shared the recommendations made by member states during the consultation process. Finally he gave an in-depth presentation of the draft protocol in its current state.

Deliberations

Issue	Discussion
Early warning system in transhumance protocol	This is a commendable aspect and can be shared through AU mechanisms with ECOWAS who are keen to develop an early warning system and indicators of their own.
Development of infrastructure in cross-border areas	Investment in infrastructure is the responsibility of member states. The protocol will mandate countries and communities on both sides to manage resources responsibly.
Commitment of central governments to the transhumance protocol	Consultations need to go beyond officials from land and agriculture to officials from national security and wildlife management to ensure the successful implementation of the protocol
Borders between IGAD and other RECs	IGAD is interacting with neighboring RECs e.g. EAC and will discuss transhumance protocol at benchmarking meetings and also pursue connections through AU mechanisms
Ratification of transhumance protocol	Currently in process of consultations, after which it will be presented to committee of ambassadors then council of ministers before ratification by heads of state
Processes for development of transhumance protocol	The process was informed by studies that highlight challenges faced by pastoralists in cross-border situations. This led to the present phase of consultations
Responsibility for the transhumance protocol within member states	Federal ministries and sub-national ministries and local government representatives have all been involved in the development of the protocol. Implementation of the protocol will happen at borders therefore the departments such as health and security are also involved.
How are the protocol and declaration on land governance linked?	There are mechanisms between IGAD and AU, the protocol is developed as continuation of the AU process on free movement.
How has the protocol been differentiated from the one in ECOWAS to adapt it to IGAD?	The protocol was developed as a result of local consultations and customized to suit local needs
Alternative dispute resolution systems	These are sometimes a blend of customary and state mechanisms with the balance varying depending on the circumstances. They are designed to enable the poor and the marginalized to have access.
Experience and interaction with border communities by policy makers	In the development of the protocol there was representation from border communities, and consultations have been held within the clusters where possible
Participation vs. representation	The need to engage with land actors has been noted

Land use policy framework, tools and approaches as a strategy to securing rights of pastoralists

Bogale Terefe presented the case of Ethiopia. He started by calling attention to the confusion existing in member states where the terminology land use policy and land policy are used interchangeably even though they do not mean the same thing. He shared that in Ethiopia the Land use policy and plan was adopted as a strategy agenda for the government and an office was established at the Prime Minister's Office to coordinate integrated land use planning and policy preparation. This office prepared a district (woreda) level participatory land use planning manual which has been piloted in Afar region. He explained the rationale for the implementation of district level planning and development of the participatory planning process. He provided an explanation on how the integrated participatory planning process is implemented.

John Mogeni Ntabo presented the case of Kenya focused on rangeland development and livestock planning. He presented the policy frameworks, tools and approaches employed at national level to secure the rights of pastoralists in Kenya. He highlighted that while there are different tenure systems in place in the country, the land use planning process caters for all of them and assigns rights to users according to the stipulations in the law. The land use plan has been developed at national level and zoning for different uses is clearly demarcated on the national land use plan.

Vincent Byendamira presented the case of Uganda. He indicated that land use in Uganda is primarily governed by the National Land Use Policy which is used in conjunction with other tools and approaches. He shared with member states the relevant challenge, policy statement and selected strategies proposed in the land use policy statement. He explained that in Uganda the cattle corridor was not characterized by arid and semi-arid conditions which had led to a situation where rangelands overlap with areas identified as high potential for crop production. He mentioned that within the national land use planning framework the Physical Planning Act 2010 was introduced which governs land use planning and is the basis for the development of the National Physical Development Plan – currently under development. He highlighted that both the NLUP and NPDP favored sedentary lifestyles and the opportunity to engage would be the present time.

Deliberations

Issue	Discussion
Political will	The location of land use planning in PM's office in Ethiopia ensures buy in support at high level and enables coordination between ministries. The Prime Minister provides leadership
Responsive and Gender Sensitive land use planning	The protocols employed for planning in Kenya are very involving and stakeholder engagement is enshrined in the Acts of parliament.
Vision 2030 – what are the changes as a result of devolution?	Vision 2030 provides a framework of the aspirations of the country. It is a reference document and guide for the development agenda at both national and local governance

	level. Post devolution, planning is a devolved function and each county is responsible for developing its own land use plan.
NLUP and NPDP – what is the difference?	The NPDP is a forward looking plan with 2040 as a target. It foresees ranching as the way of the future. However it is under development and can be modified to take pastoralism into consideration.
Integrated land use planning as practiced in Ethiopia	This allows for different sectors with different policies to be engaged and to strengthen the mitigation of conflicting land use priorities arising from each of these sectors
Game parks and reserves in Kenya	The land use plans are broader guidelines of what the land is capable of – e.g. ranching, crop production etc. The suitability plans then cater for urban areas, game reserves, riparian reserves etc.

Measures to adopt and scale tools and approaches to enhance land use planning in pastoralist lands

Following the initial deliberations member states held in-depth discussion to make recommendations on three key areas: integration of land use planning processes in the strategies and frameworks of the agricultural sector; realization of responsive and inclusive land use planning in rangelands; and regional interventions that would facilitate integrated land use planning at national level.

How can we integrate land use planning processes in the strategies and frameworks that exist in the agricultural sector?

Member States identified that land use planning practices needed to be catered for in the following frameworks and strategies from the agricultural sector:

- Transhumance Protocol
- The AU Protocol
- Pastoralism/Rangelands Policies
- Rangelands development/management strategies

They proposed the following practical steps to actualize this need:

- Planners should work together with experts from the agricultural sector
 - Start with joint planning, implementation, M&E & Assess impact (i.e. inter-ministerial activity)
- Emphasize People involvement in development of land use plans
- Land should be used by the most suitable activity, based on evidence & sustainability, and should be responsive
- Land use planning should not prescribe land uses but stop at articulating potentials
- Guidelines for consultations to ensure participation
- Planning as a process should be adaptive
- Land use planners should obtain sectoral plans and use them to inform the land use planning

What mechanisms can be employed to nurture the realization of responsive and inclusive planning in rangelands?

Member states identified the following as mechanisms that could be employed within the region:

- Process of identifying the challenges in the pastoral area
 - Absence of integrated land use policy and its enforcement mechanisms
 - Absence of integrated land use planning
 - Lack of human and technical capacities for preparation of integrated land use plans
 - Lack of political will to implement and support the development of plans
- Identify the mechanisms solving the identified problems
 - Stakeholder mapping against the challenges
 - Collect biophysical, social economical and environmental data
 - Training and retooling of experts
 - Experience sharing
 - Lobbying and advocacy for integrated land use planning
- Involvement of pastoralists in all the decision making processes
 - Active, participatory involvement and engagement of women, men, youth and the disabled persons
- Monitoring and evaluation mechanisms for land use implementation
- Regulated spatial planning(VGGTs)
- Build synergies
- Create platforms for different professionals (bring together planners at continental and regional levels discuss and come up with solutions to inform national decisions relating to land use plans.
- Develop regional mechanisms to inform development of land use planning

What interventions are needed at regional level to facilitate integrated land use planning processes at national level?

Member states identified interventions and classified them as follows:

- Research
 - Compatibility of users, land capability and suitability studies
 - The problems faced by pastoralists in the region
 - Environmental studies, Ecological studies
- Technology
 - Adopt new technology (GIS technology, GPS, Remote Sensing etc.)
 - Appropriate, Fit For Purpose
 - Use technologies that enhance productivity of land
- Capacity Development
 - Engagement of higher decision makers
 - Exchange of knowledge and information
 - Popularize and promote good practices found in other places
 - Retraining, Refresher Courses
 - Seminars and Workshops
 - Awareness creation for communities
 - Degree level training on land issues in AU linked universities

- Policy
 - Promote for the integration of gender in the national policies
 - Clear guidelines on stakeholder engagement
 - Clear Land use zoning guidelines and regulations – to prevent conflict
 - Harmonizing land use plans and practices among member states

Improving land governance for pastoralists

Eunice Nabakwa presented the case of Uganda. She explained that land governance in Uganda was governed by the National Land Policy 2013 and a number of related Acts of Parliament. She presented the key statements as relates to pastoralism and their translation into policy statements on securing tenure for pastoral communities. She explained the workings of the Community Land Act and its relationship to the land management strategy for pastoralism. She highlighted the requirement for involvement of women in the management of Communal Land Associations. Finally she presented the proposed development strategies envisaged for pastoral communities as defined by the government.

Abebaw Abebe Belay presented the case of Ethiopia. He presented the legal frameworks and policies for land governance and the procedures for certification of pastoral land holdings. He shared practical experience from land certification in the Oromia and Afar regions. And finally he shared the challenges, opportunities and lessons learned based on the practical experience in implementing the land certification exercises.

Protas Otieno Appida presented the case of Kenya. He explained that the National Land Policy was introduced in 2009 and this led to the enactment of laws that provide the legal framework for land governance in the country. He explained in detail the workings of the Communal Land Act of 2016 and its implications for securing land tenure for pastoral communities.

Ahmed Omer presented the case of Sudan. He explained that land governance in pastoral areas of Sudan was done using customary laws and legislations. Tribal and village authorities administered the communal lands. He mentioned that in many states the customary laws were undergoing revision.

Measures for improvement of cross country collaboration and convergence on land rights recognition for pastoralists

Following the presentations member states held deliberations and identified the following as common to all of them:

- In all the states there were efforts being taken to secure tenure of rangelands for pastoral communities
- In all the states rangelands were located in customary lands
- In all the states efforts to secure tenure included efforts to ensure both rights of access and rights of passage for pastoral communities
- In all the states the efforts were in their early stages

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- Many of the efforts to secure tenure also took cognizance of the need to ensure access to rangelands by non-owners
- Communal land ownership structures were established in law
- Land use planning is an integral part of the process in all the states
- Land rights of women are catered for in many of the states

Way Forward

Member states lauded the effort to bring together stakeholders from different sectors to address land issues that affect pastoralists and resolved that the forum should be the first of many.

Future forums should include stakeholders from local government & institutions, internal security, pastoral communities e.g. ASAL Stakeholders Forum in Kenya, natural resources, producer organisations, and women's organisations. They should be organized using the dual pronged approach – catering for three categories of stakeholders, those who make policy, those who implement policy and those who experience the effects of policy.

The forum shall focus on three key themes – pastoralism, land and governance. It shall be called the 'IGAD pastoral land governance forum'.

The Africa Land Policy Centre made a commitment to support the implementation of national consultative forums on AU policy frameworks for land governance.

Closing

Dr. Dereje Wakjira appreciated the participation and engagement of member states in the forum. He highlighted that land is increasingly being commoditized in the region and pastoralists are being locked out of rangelands. He emphasized the need to increase awareness within the region that pastoralism is a viable way of life and not a defunct traditional practice.

Mr. Mackay Rigava of the Africa Land Policy Centre mentioned he was heartened to see a progressive regional economic community that had come forward to recognize the importance of pastoralism and tackle the challenges faced by pastoralists. He mentioned that the goals being pursued by the forum would contribute to achievement of SDGs and Agenda 2063 – especially in relation to reduction of poverty. He also lauded IGAD for moving forward in addressing land governance issues especially by hosting the forum which was a demonstration of the commitment of the region to address land governance issues for pastoralists. He commended the discussions on rangeland management, land use planning and land governance as a comprehensive approach to examining the issues and as an important development which would ground efforts to improve the environment in which pastoralism took place in IGAD. Finally he expressed pleasure at the adoption of the proposal to establish a forum and assured member states that the ALPC would make an effort to support initiatives at national level that were designed to popularize and customize the AU Policy Framework for Pastoralism.

Mr. Ernest Mbogo from the state department for livestock in Kenya thanked member states for creating time to attend the meeting and discuss efforts to support pastoral communities. He said he was encouraged that governments were working hand in hand to develop policies and strategies both to formalize what communities are already practicing and to provide for development.

Annex 1: Programme

24 th April 2018	NEXUS BETWEEN AGRICULTURAL & LIVESTOCK POLICIES/STRATEGIES AND LAND GOVERNANCE	
08:00 – 8:30	Registration	
08:30 - 09:00 09:00 - 09:20	Introduction and Expectations Official Opening and General Introduction to Meeting	All Dr. Solomon Munyua, ICPALD Director Julius Kiptarus, The Director of Livestock Production, Ministry of Agriculture and Livestock
09:20 – 09:40	<i>Implication of AU Policy Framework for Pastoralism on Land Governance in the IGAD Region</i>	Esther Obaikol, IGAD Land Governance Expert
09:40 – 10:00	Plenary Discussion	All
10:00 – 10:30	Health Break & Group Photo	All
10:30 – 10:45	Rangelands in the IGAD Regions	Dr. Dereje Wakjira, Regional Coordinator, RPLRP
10:45 – 12:05	Addressing rangeland management challenges in pastoral and agro-pastoralist areas – <i>Exploring policy frameworks and opportunities and challenges</i>	Kenya (Ernest Mbogo) Ethiopia (Gifawosen Tessema) Uganda (Dr. Peter Wanyama) Sudan (Omema Faragallah)
12:05 – 12:25	Plenary	
12:25 -13:00	Group work to propose strategic measures for improvement: Based on the presentations and your experience: <ul style="list-style-type: none"> • What challenges are common – experienced by more than one member state? • What challenges are specific – experienced by specific member states? • What good policies and practices have been presented that could be adopted/ scaled? • What are the priorities for action at national and regional level? 	All
13:00-14:00	Lunch Break	
14:00- 14:45	Group work to propose strategic measures for improvement: For the priority areas, what course of action can we propose? Who would be responsible? What support would we require and from who?	All
14:45 – 15:30	Presentations and Determination of Way Forward	All
15:30 – 16:00	Health Break	
16:00 – 16:20	IGAD Transhumance Protocol	ICPALD (Adan Bika)
16:20 – 16:50	Plenary	All

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16:50 - 17:00	Evaluation of Day 2 and Break	
25 th April 2018	LAND GOVERNANCE AND PASTORALISM	
08:30 – 08:40	Recap Day 1	All
08:40 - 09:10	Keynote address: <i>Land governance in the context of Pastoralism: Land Policy Framework and Guidelines and the Voluntary Guidelines on Responsible Governance of Tenure (VGGT)</i>	FAO/AU (Mackay Rigava)
09:10 – 09:30	IGAD Transhumance Protocol	ICPALD (Adan Bika)
09:30 – 10:00	Plenary	All
10:00-10:30	Health Break	
10:30 – 11:50	Presentation: Land use policy framework, tools and approaches as a strategy to securing rights of pastoralists	Kenya (John Mogeni Ntabo) Ethiopia (Abebaw Abebe Belay) Uganda (Vincent Byendamira) Sudan (Ahmed Omer)
11:50 – 12:40	Group work to propose measures to adopt and scale tools and approaches to enhance land use planning in pastoralist lands	All
12:40 – 13:00	Presentation and Determination of Way Forward	All
13:00 – 14:00	Lunch Break	
14:00 – 15:00	Presentations: <i>Improving land governance for pastoralists – Policy and legal frameworks in action</i>	Kenya (Protas Otieno Appida) Ethiopia (Bogale Terefe Abebe) Uganda (Eunice Nabakwa)
15:00 – 15:20	Plenary	
15:20 – 16:00	Propose measures for improvement of cross country collaboration and convergence on land rights recognition for pastoralists	All
16:00 – 16:30	Health Break	
16:30 - 17:15	Way Forward	All
17:15 – 17:30	Closing	All
	SDC IGAD Host Government	

Annex 2: Participants List

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