



## Report on the CELEP webinar

### “TOWARDS AN ENABLING POLICY ENVIRONMENT FOR AFRICAN PASTORALISTS”

25 November 2020

On 25 November 2020, a webinar entitled “Towards an enabling policy environment for African pastoralists” was organised by SNV and the Voice for Change Partnership (V4CP) as part of their engagement in the Coalition of European Lobbies for Eastern African Pastoralism (CELEP). It was planned in close collaboration with staff from the AU (African Union), ECOWAS (Economic Community of West African States) and IGAD (Intergovernmental Agency for Development). The aim of the webinar was to create a better understanding of policy frameworks concerning pastoralism at the IGAD, ECOWAS and AU level. The exchange focused on challenges related to setting up, endorsing and implementing the policy frameworks within national policies.

If you would like to listen to the webinar, you can find it [here](#).

The webinar was facilitated by Koen Van Troos (Policy and Education Manager, VSF-Belgium; & Regional Focal Point, CELEP), and the speakers were:

- Mamadou Koutou, Senior Research and Programme Officer at the AU’s Semi-Arid Food Grain Research and Development (SAFGRAD) Bureau
- Japheth Kasimbu, IGAD transhumance expert
- Michael Ochieng Odhiambo, Director of People, Land and Rural Development, Kenya.

The representative from ECOWAS unfortunately had to cancel his participation at the very last moment.

**Mamadou Koutou** talked about the [achievements and pitfalls in implementing the AU Policy Framework for Pastoralism in Africa](#) almost ten years after it had been approved.

In 2011, the Executive Council of the AU approved a Pastoral Policy Initiative aimed at securing, protecting and improving the lives, livelihoods and rights of pastoralist communities in Africa. The Framework emphasises the need to fully involve pastoralists in the national and regional development processes that are supposed to benefit them. It stresses the regional nature of many pastoral ecosystems in Africa and, therefore, the need to support and harmonise policies across the Regional Economic Communities and Member States. Cross-border initiatives such as regional trade, promotion of peace and reconciliation, animal health services and development of infrastructure to enhance pastoralists’ resilience must be implemented. In this regard, the IGAD Protocol on Transhumance and the Permanent Interstate Committee against Drought in the Sahel (CILSS), along with the current work on strengthening the regional animal markets and coordination of regional livestock movements, represent encouraging steps forward.



The Policy Framework for Pastoralism in Africa has two interrelated objectives, each achievable through seven strategies. The first objective is to secure and protect the lives, livelihoods and rights of pastoralist peoples and to ensure continent-wide commitment to political, social and economic development of pastoralist communities and pastoral areas. The second objective is to reinforce the contribution of pastoral livestock to national, regional and continent-wide economies.

#### *Status of policies and laws on pastoralism in sub-Saharan Africa*

At the regional level, policies targeting pastoralism differ depending on the geographical zone considered: both ECOWAS and IGAD have developed Transhumance Protocols, and ECCAS (Economic Community of Central African States), UMA (Arab Maghreb Union) and COMESSA (Community of Sahel-Saharan States) have pastoralism development projects. Generally speaking, the Sahel has legislative tools and policies that are more favourable to pastoralism than those in Eastern Africa; for instance, in Ethiopia and Uganda, policies tend to favour the sedentarisation of pastoralists. At the national level, pastoral laws and codes exist in Guinea, Mauritania, Senegal, Mali, Burkina Faso and Niger, together with numerous bilateral agreements addressing cross-border movements.

#### *Achievements and challenges in implementing the framework*

The achievements of the AU Framework include: recognition of the role of pastoralism in development; demonstration of commitment to pastoral policy development; integration of pastoral issues into decision-making processes; acknowledgment of the legitimacy of indigenous pastoralist institutions; mainstreaming of pastoral issues in poverty reduction programmes; service delivery; improvements in pastoral rangeland governance; policy support to mobility within and between countries; marketing of pastoral livestock and livestock products (in progress) – more details are given in the linked presentation.

The challenges encountered at the regional and continental level mainly concerned the harmonisation of policies among countries and/or between regions; the lack of capacities of pastoralist communities; conflict and terrorism in the Sahel region; weak infrastructure in the pastoral areas; and the lack of monitoring services. At the national level, the difficulties included the too many and often inconsistent policies and frameworks, the weak or inexistent links between National Agriculture Investment Plans (NAIPs) and pastoralist frameworks and, finally, the financing of implementation. These challenges revealed the need to strengthen the monitoring and data-collection mechanisms to better inform policies. They also suggest that the operationalisation of the African Continental Free Trade Area (AfCFTA) could provide a good opportunity for implementing the AU Framework.

**Japheth Kasimbu** provided an update on the [status of the Transhumance Protocol in the IGAD region](#) and on the next steps.

In 2014, the IGAD Centre for Pastoral Areas and Livestock Development (ICPALD) made a preliminary assessment on pastoral mobility in the Horn of Africa. This showed the need for a normative framework that would harmonise national policies covering free movement,



access to land, water and social services, livestock identification and mapping of livestock migratory corridors. This would lead to higher livestock productivity and enhanced pastoralists' wellbeing.

The process of elaborating the Protocol started in 2017, when technical national consultation meetings were held in each Member State. Then, in 2018, in order to harmonise the proposed draft, the group working on the Protocol consulted with national legal and policy experts to check that the regional agreed-upon protocol would not conflict with local legal codes. Before moving to the rounds of negotiations, there was a benchmarking mission in Burkina Faso at the CILSS (Permanent Interstate Committee for Drought Control in the Sahel) headquarters to evaluate the challenges and opportunities of implementing their Transhumance Protocol. The first round of negotiations took place in Entebbe, Uganda, on 23–26 September 2019, where legal experts and delegates of Member States approved 28 out of 32 articles. The second round was held in Khartoum, Sudan, on 27 February 2020: all pending issues were finalised, and the Protocol was fully endorsed by the IGAD Committee of Ambassadors. On 12–13 November 2020, a Sectoral Ministerial Meeting took place in Entebbe, where all ministers responsible for Livestock and Pastoral Development endorsed the Implementation Roadmap for the Protocol. The Protocol also forms part of the implementation of the AU Policy Framework for Pastoralism in Africa.

The IGAD Protocol implementation process is different with respect to others, as most pastoralists in this region do not move randomly but rather within well-defined national or cross-border clusters. The Implementation Roadmap includes five steps:

- 1) Adoption, popularisation and domestication
- 2) Strengthening of good governance for the IGAD cross-border clusters
- 3) Mapping and designation of cross-border corridors and resources
- 4) Investment in pastoral areas and complementary livelihood resources – mostly along transhumance corridors
- 5) Monitoring of cross-border mobility and community engagement along regular pathways, and reporting.

Ninety percent of the work for the adoption of the Protocol has been done; the Protocol will now be presented to the IGAD Council of Ministers for its signature and then to the IGAD summit. After that, the ratification and domestication process will take place, to be followed by its effective implementation. ICPALD has already made an assessment in seven Member States on existing laws, policies and institutions that need to be strengthened during the implementation process.

**Michael Ochieng Odhiambo** presented some perspectives from Eastern Africa civil society. He found it very encouraging to see that pastoralism is a focus of policy attention within the AU; until the end of the last century, there were no policies supporting pastoralists and the only ones that existed were rather negative and not enabling. The main challenge right now concerns the gaps between the policies and Protocol and reality – there are still many issues to be solved, mostly regarding mobility. He raised the following points:



1) Regarding the level of participation of pastoralists themselves and pastoralist institutions in the design and implementation of these policies, the AU made a big effort to engage civil society organisations (CSOs), whilst the IGAD Protocol is very state-centric and provides a rather technocratic roadmap. CSOs had many difficulties accessing the whole process (for example, they had problems obtaining the document drafts). If civil society cannot participate in the Protocol elaboration process, they will find it difficult to “own” these policies. This needs to be changed.

2) The political will to actually implement these policies is usually assumed, even though this is not always the case – we need to find a way to ensure that this political will exists also after the Protocol is signed. This is needed to make sure that the Protocol will be properly domesticated and that pastoralists will actually benefit from it. Michael Odhiambo asked the other panellists about the mechanisms within IGAD in this regard and also about the follow-up mechanisms for the AU and IGAD Frameworks.

3) At the national level, there is still conflict between the various policies and state strategies, e.g. strategies of commercialisation, mining, oil exploitation, that often target pastoral areas.

4) Pastoralists can benefit from policies only once they are properly implemented. What can we, as civil society and as CELEP, do collectively to ensure that the positive developments coming from these policies will actually be implemented?

**Mamadou Koutou** replied that, regarding the first issue raised by Michael Odhiambo, the AU has put in place what is called the “Malabo process”, i.e. support to non-state actors to involve civil society: lots of work has been done so that farmer organisations and pastoralist associations could be involved in the process of making decisions about agricultural and pastoral policies. Concerning the problem of lack of political will, this is where we have to work if we want to develop a Continental Code. Since there are many differences between national laws, we decided to prepare guidelines for conflict resolution and prevention, a legal document that must be incorporated into National Codes. Some governments are doing this, while others are lagging behind.

**Japheth Kasimbu** said that, in order to engage CSOs, IGAD held national consultation meetings which also involved networks working with pastoralists, e.g. the Eastern and Southern African Pastoralists Network (ESAPN), and pastoralist and herder associations. Overall, it was a very participatory process. CSOs and community leaders were involved at the technical level, whereas - when it came to legal consultation - we had to work with state officers, as we needed to abide by the political will. Regarding the domestication process of the IGAD Protocol, we will work at implementing it at the community level. At the moment, only Uganda has a pastoral legislation, so we plan to operate through bilateral agreements involving all Member States and stakeholders, including CSOs.



## **Q&A session**

*What policies exist to safeguard pastoralists' mobility? What is the place of indigenous knowledge in the pastoralist policy framework? What is the budget allocation for livestock across African countries? What about livestock markets and financial linkage for livestock? And where are we with the Ending Drought Emergencies framework?*

**Mamadou Koutou:** The issue of mobility and that of losing indigenous knowledge have been widely covered in the AU Framework; the main problem right now is to find a proper way to fully implement these guidelines for them to be truly effective. Regarding the Ending Drought Emergencies strategy, the AU – in collaboration with the UN agencies – has already discussed a draft of the document, which is now in the process of being finalised. Finally, the AU-IBAR (African Union InterAfrican Bureau for Animal Resources) is fully involved in issues of marketing and the financial aspects of pastoralism.

**Japheth Kasimbu:** IGAD is working with the North Eastern Africa Livestock Council (NEALCO), a network of livestock traders, to ensure that they can access the Middle East & North Africa market and thus support the pastoralist livelihood system, which benefits around two million people in the IGAD region. Concerning drought emergencies, the IGAD Protocol addresses the problem by supporting mobility and interdependency between Member States. In addition, IGAD is implementing a regional Drought Response Initiative.

*IGAD organised an exposure visit to learn from the ECOWAS experience in regard to the implementation challenges. What should be drawn from these experiences?*

**Japheth Kasimbu:** From that visit, we learnt that conflict can be reduced if both crop farmers and livestock keepers work well within the Protocol and that we must work together with other institutions and organisations to avoid encroachments in transhumance corridors and insurgencies that disrupt mobility. We have also observed the installation of basic services, and we are planning to do the same in the IGAD region.

*How are these policies addressing threats related to changes in land use?*

**Mamadou Koutou:** The AU has promoted the Land Policy Initiative, which looks at all aspects of land use in Africa, e.g. mining, land grabbing, etc..., including the rights of practising pastoralists in the continent. It is a very holistic initiative that includes solutions to tackle all those challenges.

*Has AU and/or IGAD really considered pastoralism for the coming 20–25 years? How would you translate this in a sort of broad road map?*

**Mamadou Koutou:** The practice of pastoralism right now is seen by many people as something creating lots of issues (mobility generating conflicts, mostly in the Sahel). In this sense, one of the key aspects on which the AU is focusing is how to prevent farmer–herder conflicts: we put in place a group that will work on the nexus between all these stakeholders and will develop guidelines that will then be popularised at country level. This includes the creation of a platform where the two groups of people can dialogue. Another issue is to





make sure that pastoralists can get their livelihood from pastoral practices, which means finding solutions to increase their income from it. There are currently many projects focusing on this aspect.

*How is the Protocol going to handle issues related to small arms crossing over borders, knowing that most borders are porous?*

**Japheth Kasimbu:** We held consultations on the issue, but some countries still have to fully disarm pastoralist communities in the border regions. There are lots of frameworks in the region, including the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa, which most IGAD countries are part of, and the Protocol on the Prevention, Combating and Eradication of Cattle Rustling in Eastern Africa (2008). However, their implementation is still not fully accomplished, and governments are sometimes sending their armies to protect pastoralists in border areas from armed people belonging to other communities.

*Are private investments in pastoral areas included in these processes?*

**Mamadou Koutou:** A framework has already been elaborated to take into consideration private investments, but we are still discussing how this should be implemented.

**Japheth Kasimbu:** As previously mentioned, we had lots of consultation with private stakeholders during the elaboration of the IGAD Protocol. However, consultations started even earlier: in 2010, when a team of the Quality of Security and Mobility Partnership of some UN agencies travelled around the region to evaluate the concerns of pastoralist communities regarding their livelihoods and the challenges they face; this also led to an assessment of humanitarian support to pastoralist needs, mobility rights, developments, etc.

*What is the role of NGOs and other CSOs supporting pastoralists? How could we engage with the process of implementation of the Protocol at national level so that they concretely improve pastoralists' livelihood?*

**Mamadou Koutou:** The key issue is to strengthen the domestication of policies at the national level, and then focus on the community level. We need to work together to make sure that national investment plans reflect these policies; this means strengthening the collaboration between institutions and organisations working on pastoralism by aligning our agendas and by developing a roadmap to direct our collective work.

**Japheth Kasimbu:** CSOs should increase and keep on doing advocacy with governmental institutions: they can become advocacy agents for the Protocol implementation at national and local level and with pastoralist communities, so that they understand how it works. In general, COSS and institutions like IGAD must work together.