

DEVELOPMENT OF INDICATORS FOR MEASURING PROGRESS IN PASTORAL LAND TENURE POLICY, LEGISLATION AND TENURE REFORM.

MASTERCLASS AT THE WB CONFERENCE ON LAND AND POVERTY, MARCH 2018

Led by the cross-CGIAR collaborative program on Policies, Institutions and Markets (PIM)

Flagship 5 on Land Governance and Tenure, and the ILC Rangelands Initiative

Why pastoral lands?

Pastoralism is the extensive livestock production system that normally occurs in rangelands. It has environmental and economic comparative advantages over other land uses in these areas. It plays a major role in safeguarding natural capital and delivers a wide range of environmental and economic values from areas of low overall biomass productivity that are ill-suited to intensive management systems. Pastoralism is a livelihood and a specific lifestyle characterised by mobility. Due to the low, variable and unpredictable rainfall in these areas, rangelands tend to be made up of patchily distributed resources of high and low production potential spread across a large landscape – the balanced use of these is maintained and optimised through pastoralism including movement between them.

However, land and resource loss, and change and fragmentation in the pastoral lands have increased dramatically in recent years due to both 'external' and 'internal' influences, including a lack of recognition of land- and resource ownership rights, poor land-use planning, and privatization processes. These changes are having negative impacts on millions of rangeland users, including pastoralists and hunter-gatherers who depend upon rangelands for their food and livelihood security, as well as affecting national economies, peace and security. Predicted changes in climate highlight the importance of maintaining livelihoods, such as pastoralism that are able to adapt to and have a history of coping with aridity and unpredictable climatic events and stress. The comparative advantage that rangelands and rangeland peoples have in this regard is increasingly being compromised by their loss of access to resources and land.

Securing access to land and resources is therefore fundamental for sustainable development in pastoral lands. How best this can be achieved is a matter of discussion and debate, and opinions and conclusions differ. Mixed-use landscapes—such as rangelands—present a particular challenge. Overlapping rights and the diverse ways in which different land users may access, use, control or manage land and resources require flexible and context-specific approaches to recognizing and formalizing customary tenure systems and the appropriate planning of resources.

Policy, legislation and land tenure reform in pastoral lands

Developing land policy and legislation for rangelands is challenging due to various characteristics including multiple uses and users, layers of different individual and group rights, and the often-required mobility of livestock and people. Even where progressive legal frameworks for recognizing communal property rights are in place they are often ill-suited for pastoralists, whose "communities" tend to be flexible, fluid social groupings operating over large territories. As a result, policies and legislation developed for pastoral areas are often inappropriate, even harmful: other land uses have been prioritised, resources privatised or commodified, and mobility reduced. At the same time governments may take advantage of weak tenure to promote alternative land uses that are harmful to pastoralists. Consequently, these policies and legislation have often left pastoralists more vulnerable than they were without them.

On a more positive note, there are some good examples of comparatively enabling policy and legislation, that at least seeks to support pastoralism and pastoralists and the sustainable development of rangelands. Some better examples can be found in Tanzania, Kenya, some West Africa countries and others developing in Central Asia. However, progress and impact of these policies is not well assessed and documented. This is partly due to the lack of appropriate and comprehensive approaches and methodologies.

Indicators, monitoring and evaluation of policy, legislation and land tenure reform in pastoral lands

With greater attention being paid to securing pastoral lands for local land users and good governance, a number of positive initiatives have been taken. This includes the development of the FAO Voluntary Guidelines on the Responsible Governance of Tenure Technical Guide on Improving Governance of Pastoral Lands. This guide highlights the importance of appropriate indicators for assessing the development, implementation, and impact of policies and legal frameworks for governing pastoral lands based on key common principles. However, while some guidance is given (i.e. including issues of mobility, collective governance, etc.), no framework or specific set of indicators for assessing progress in and impact of pastoral land reform, or the appropriateness of national policies and legislation and their implementation, have been developed..

There is a clear gap in attention paid to pastoral land tenure and governance within internationally recognised indicators of land governance and tenure reform. There is also a tension between definitions of communal land and community land. For example, while the WB Land Governance Assessment Framework mentions pastoralists in the preamble, and attention is paid to securing collective local rights, issues concerning potential impact of alternative land tenure policies on mobility, and thus on the livelihood of pastoralists, are not highlighted or included as an indicator. Similarly, pastoral-specific issues including mobility are missing from the Conceptual Framework for the Development of Global Land Indicators (Quan 2017); and for example, the Sustainable Land Use Indicators (Eppler and Iriarte 2013) does not give the same attention to rangelands and agro-pastoralism that forests are provided with. Even in continental initiatives such as the Land Policy Initiative (LPI) of the African Union, pastoral lands are given poor attention compared to other land uses, despite the presence of the AU's Framework on Pastoralism in Africa. Beyond statements considering the importance of pastoral lands; most of these strategic frameworks are also lacking comprehensive analytical tools and indicators that can be used to monitor and assess the impact of land tenure options under different contexts.

This Masterclass

This Masterclass will consider these issues and start the process of developing a set of globally recognised indicators for measuring progress for facilitating policy, legislation and enabling structures for the appropriate governance and management of pastoral lands. This will be a key input into the implementation of the VGGTs and other land governance and tenure frameworks. It will be used to lobby organisations responsible for developing global, regional and national indicators on land to pay more attention to pastoral land governance and tenure, while providing a benchmark for assessing progress of countries in doing the same.

The Masterclass will be an interactive session involving all participants interested in land policy legislation and reform, land monitoring, and rangelands and pastoral lands. Participants will include government representatives, researchers, multilateral agencies, development agencies, NGOs and other participants of the Conference. Following the Master Class a series of consultations will take place with other stakeholders including community representatives.

Participants to this master class will be asked to provide their own suggestions about possible valid indicators which can be used to reflect on the progress in securing pastoral lands/rights under different contexts.

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