

BRIEFING NOTES

to improve our understanding and ability to ask the right questions and take effective action on land matters in West Africa

"Land Tenure & Development" Technical Committee

Rural Development Project: Land Matters!

by Saïdou Sanou¹, February 2015

Rural development projects are operations with a limited lifespan that bring together the human, financial and material resources needed to achieve their particular objectives. Many of these projects have no land-related objectives, and tend to avoid these highly topical questions even when they have to contend with the problems raised by land issues. Those projects that do include land-related objectives in the broader context of rural development (land and natural resource management) tend to deal with land issues in several ways.

This paper analyses the way that different types of development project deal with land issues, identifies the lessons that can be learned from this, and makes a number of recommendations for future action.

Why should rural development projects take greater account of land issues?

● Many rural development activities have implications for land matters

The farmers and herders who harness the land and its resources are major economic actors in West African countries. Their main concerns revolve around rights to access, use, manage and transfer these resources, which are a recurrent source of disagreement and conflict between users and other development actors.

Many rural development activities touch on land issues in one way or another, as shown below:

- **actions defining zoning activities for different uses:** some projects help divide a particular area into dedicated zones for the intensive use of a particular resource or activity (grazing, fishing, conservation, etc.);

- **actions to improve the quality of natural resources:** other activities are intended to improve the quality of the resources in a particular area, such as soil and water conservation operations or measures to protect natural resources;

- **actions to improve different types of resource use:** certain activities are designed to improve the way that resources are exploited, by devel-

oping and installing infrastructures (hydro-agricultural amenities, pastoral wells) in strategic areas (wetlands, fertile plains);

- **actions to structure agricultural value chains:** activities to structure production and marketing chains can also have an impact on local land by putting storage, processing or production infrastructures in key sites whose appropriation may be questioned or challenged, and by changing the value of land around these key locations.

● Failure to take account of land can cause problems

Development activities that aim to create new infrastructures, improve the quality of land and resources, affect opportunities to exploit resources, change the location of rural activities or modify rules of access and use will inevitably change the long-standing links that exist between local communities and individuals and the surrounding land and natural resources. These links were forged over time, shaped by the negotiations, power relations and balances resulting from local (often oral) rules governing the access, use, management and transfer of land and natural resources in the area.

When these links are changed, it is important to ensure that the existing

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rules still apply, or to use participatory processes to renegotiate them in a socially acceptable form. All too often intervening agencies focus on the technical aspects of the project (demarcating areas, installing stone barriers, developing particular spaces) and forget, avoid or skim over the crucial process of renegotiating local land management rules.

In order to avoid conflicts between farmers and herders and secure spaces for each type of land use, there is a tendency to concentrate on identifying and demarcating agricultural and/or grazing areas and creating access routes to water and grazing. The technical aspects of the project often take precedence over negotiating the rules that will govern these spaces – hence the number of project monitoring indicators that focus on how many kilometres of track or hectares of pasture have been demarcated. Even if the project achieves its quantitative objectives, use of the newly demarcated land is often disputed (very soon) after the project comes to an end.

The box below shows how soil and water conservation activities can create problems, as the stone bunds that are used to improve soil fertility in the Sahel increase the value of land, making it more desirable and thus a potential source of conflict.

How can rural development project take better account of land issues?

There are various approaches and tools that enable development projects to tackle land issues without having to extend their remit by engaging in specific operations to recognise and register land rights. These include local agreements, which are

Simple anti-erosion measures can cause land conflicts!

The evaluation of half a dozen soil and water conservation projects in Burkina Faso (which mainly used bunds to prevent erosion) concluded that none of them had taken account of the way that their measures would affect local land affairs. An increasing number of parcels cultivated by migrants under temporary use rights were ‘withdrawn’ when the projects ended, as customary rights holders wanted their fields back when project activities improved their soil fertility. This caused a number of conflicts that were taken before the administrative authorities, some of which led to the departure of migrant farmers. This situation could have been avoided if the projects had anticipated the need for preliminary negotiations between the customary rights holders and migrants to clarify the conditions for accessing and using assigned land whose fertility was improved by the project.

sometimes known as local rules, local codes, memorandums of understanding or agreement, local land charters, etc. Land Use Plans (LUP) such as the one put in place in the River Senegal valley can be used to help local governments prepare and implement joint plans regulating the distribution of different rural activities in a particular area. Links to briefing notes describing these tools are given at the end of this sheet.

A number of other key activities are equally indispensable when setting up and running projects.

● Ensure that projects are properly structured

When designing a project it is important to determine what needs to be done to take account of land issues. Project staff should be able to analyse and understand local realities and land issues, and support strategic actors so that they can play a meaningful role in the process.

Since projects have a limited lifespan, it would be advisable for project developers (such as parent ministries) to tie their projects into an overall pro-

gramme to secure land tenure, so that their project's expected objectives and results share the same targets as the intermediate results of the broader programme. This would have the dual benefit of (i) incorporating land issues into project design from the outset, even in sectoral projects, and (ii) improving long-term project management and monitoring.

● Preliminary analysis of the project context

Any intervention should be preceded by systematic methodological reflection in order to take account of the complexity and crosscutting nature of land issues. This involves:

- determining the scale of the intervention according to the socio-cultural realities, spaces and resources concerned;
- identifying strategic actors and their relationships;
- identifying the land issues in the intervention area;
- analysing the legitimacy, legality and sustainability of local land management structures, and how they

- interact with customary decision-making bodies;
- looking at the way that negotiation processes are conducted.

Doing this groundwork will provide a better understanding of the local realities and land issues, and prepare the way for a more targeted and successful intervention. It should lead to a coherent vision of the land issues in the intervention zone that reflects the views of the actors concerned.

● Consultations and discussions between actors

Two levels of exchange should be considered: between structures and institutions engaged in similar projects, and between projects and strategic local actors.

The first aims to address the lack of co-ordination between intervening agencies and ensure that better use is made of the lessons learned.

The second should ensure that everyone involved in decisions about local land management is included in the process: those who control land and water and are responsible for transhumance, heads of lineage groups, customary rights holders, etc. The idea is to identify the local institutions responsible for land regulations and involve them in the process.

● Develop consensual local rules and agreements

As noted above, there have been many valuable experiences in formulating and implementing local natural resource management agreements in the Sahel. However, negotiating rules can be a demanding business and the process is not always completed. In order to succeed, negotiation processes should:

- include information about all the strategic actors and users concerned, and ensure that they participate in the process;

- take account of current legislation and discussions with the administration and technical services;
- include validation meetings with the different levels concerned;
- regularly monitor implementation of the rules;
- apply effective sanctions for non-compliance;
- establish a system for local rules to be periodically reviewed in consultation with the technical services and administration.

Fulfilling these conditions for an inclusive and participatory consultation process will inevitably be time-consuming, so projects need to have realistic objectives and timescales that take this into account.

Lessons and recommendations

There are three main lessons to be learned from this paper:

- Many development activities affect the links that exist between individuals and communities, and will therefore also affect the rules for appropriating and managing resources.
- This is particularly true of activities related to the distribution of rural activities over a given territory, activities that aim to improve the quality of land and/or resources in a given area, help improve the way that resources are used, or help structure agricultural value chains.
- In addition to the technical objectives and quantitative results that development projects wish to achieve, these activities also involve questioning local land rules and, if



necessary, renegotiating them with all the actors concerned and stabilising them socially.

Rural development projects could take better account of land issues by:

- putting in place project structures that are adapted to local issues;
- conducting a preliminary analysis of the intervention context;
- adopting approaches and support methods that encourage ongoing consultation and negotiations with local actors;
- analysing and, if necessary, redefining negotiated local rules for land management and appropriation;
- ensuring that sufficient time is allowed for these processes. ●

FOR FURTHER INFORMATION, SEE:

- >> IIED and LMRC, April 2014, "Land tool development in Ghana: Building on local aspirations and innovation": <http://pubs.iied.org/17214FIIED>
- >> IIED, AMEDD, GERSDA, June 2014, "Securing land rights in Mali: Practical local solutions to thorny national problems": <http://pubs.iied.org/17222FIED>
- >> Saïdou SANOU and Peter HOCHET, November 2012, "Les chartes foncières locales au Burkina Faso: un outil pour la gestion négociée des terres et ressources naturelles": <http://www.foncier-developpement.fr/publication/les-chartes-foncières-locales-au-burkina-faso-un-outil-pour-la-gestion-negociee-des-terres-et-des-ressources-naturelles/>
- >> Briefing note on Rights to land and natural resources: <http://www.foncier-developpement.fr/publication/les-droits-sur-la-terre-et-les-ressources-naturelles/>
- >> Briefing note on Local agreements: <http://www.foncier-developpement.fr/publication/les-conventions-locales-des-outils-efficaces-de-gestion-concernee-des-ressources-naturelles/>
- >> Briefing note on Land Use Plans: <http://www.foncier-developpement.fr/publication/plan-doccupation-sols-pos-regles-decentralisees-utilisation-dun-territoire/>

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