

CASE STUDY

Manyara Region, Tanzania



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Protecting shared grazing through joint village land use planning

OLENGAPA is a grazing area shared by the villages Olkitikiti, Lerug, and Ngapapa in rural Tanzania. Until 2015 this area was facing encroachment, fragmentation and loss to crop farming due to lack of resources and capacity to implement policies and legislation. From 2010 to 2016 the then Ministry of Livestock and Fisheries and the National Land Use Planning Commission supported the piloting of joint village land use planning in OLENGAPA. This involved resolving conflicts between livestock keepers and settler crop growers. It resulted in a joint land use agreement for the shared grazing area and other resources, the establishment of a cross-village Livestock Keepers Association, and the opportunity to secure the grazing area through the provision of group certificates of customary rights of occupancy (CCROs).

PRINCIPAL ORGANISATIONS INVOLVED

ILRI - International Livestock Research Institute
IFAD- International Fund for Agricultural Development
CARE International
MALF - Ministry of Agriculture, Livestock and Fisheries Tanzania
NLUPC - National Land Use Planning Commission Tanzania
TNRF - Tanzania Natural Resource Forum
KINNAPA Development Programme

LOCATION

Olkitikiti, Lerug, and Ngapapa villages, Kiteto District, Manyara Region, Tanzania

TIMELINE

2010 - 2016

TARGET AUDIENCE

Government, UN Agencies, NGOs, civil society

KEYWORDS

Pastoralists, rangelands, tenure, governance, livestock

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GOOD PRACTICES

towards making land governance more people-centred

This case study is part of the ILC's Database of Good Practices, an initiative that documents and systematises ILC members and partners' experience in promoting people-centred land governance, as defined in the Antigua Declaration of the ILC Assembly of Members. Further information at www.landcoalition.org/what-we-do

This case study supports people-centred land governance as it contributes to:

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| Commitment 1 | Respect, protect and strengthen the land rights of women and men living in poverty |
| Commitment 3 | Recognize and protect the diverse tenure and production systems upon which people's livelihoods depend |
| Commitment 5 | Respect and protect the inherent land and territorial rights of indigenous peoples |
| Commitment 6 | Enable the role of local land users in territorial and ecosystem management |
| Commitment 7 | Ensure that processes of decision-making over land are inclusive |

Case description

Background issues

In Tanzania, the Village Land Act No. 5 of 1999 (VLA) and the Land Use Planning Act No. 6 of 2007 (LUP Act) provide for the issuance of certificates of village land and the planning of that land by local government – the Village Council and technical committees, with the approval of the Village Assembly. The VLA (sections 12 and 13) grants power to Village Councils (VCs) and their institutions to prepare participatory village land use plans (VLUPs). The LUP Act (sections 18, 22, 33, and 35) provides for the formation of planning authorities, functions, and procedures of developing participatory VLUPs and approval processes, and grants power to VCs to prepare those plans. The Land Use Planning Act also provides for the establishment of a joint village land use plan and joint village land use agreement where resources such as grazing land are shared across village boundaries. Once village land has been certified, and land use planning carried out, VCs are in a position to issue certificates of customary rights of occupancy (CCROs) to individuals and groups as a means to protect their use rights.

Village land use planning in rangelands faces particular challenges. Lands held by individual villages are generally not sufficient to sustain rangeland production systems such as pastoralism, and so demand a sharing of resources across village boundaries. There is low awareness on land use planning amongst district governments and communities, and conflicts over village boundaries are common. Conventional land use planning tends to limit the mobility of pastoralists and others such as hunter-gatherers, whereas the semi-arid and arid environment of these areas demands that this mobility is retained.

Solution

Joint village land use planning (JVLUP) is an innovation provided for by Tanzania's land policy and legislation. It provides the opportunity for reconciling the conflicts between land uses and users through providing space for often 'hidden' issues to be brought to the forefront and solutions found through consensus. However, when the Sustainable Rangeland Management Project (SRMP) started working in Manyara Region in 2012 though facilities to carry out JVLUP already existed on paper (in policy and legislation), JVLUP had not been piloted. This was an opportunity for the SRMP supported by IFAD and the ILC Secretariat in cooperation with the national government and local NGOs, to pilot the approach. This led to the protection of a shared grazing area directly benefiting around 3,000 pastoralists and agro-pastoralists, and indirectly benefiting many more. Important lessons have been learned as a result, which are contributing to its upscaling.

Through the SRMP, the process of joint village land use planning was piloted in two districts, following the NLUPC (National Land Use Planning Commission) Guidelines for participatory village land use planning and developing these further in order to accommodate the sharing of resources across village boundaries. Some steps in the Guidelines were slightly modified to suit the context and conditions for more sustainable rangeland management. The most successful implementation was carried out in Kiteto District, Manyara Region and included three villages - Olkitikiti, Lerug, and Ngapapa.

Activities

Mapping, data collection and problem-solving

A first step was to get general agreement from the three villages to proceed with the JVLUP exercise. Following this and in order to better understand the resources found in the villages, participatory mapping of the rangeland resources was facilitated. Community members drew maps on the ground showing the resources that they used. Once these were transferred to paper the maps formed the basis of both the three individual village land use plans and a joint one. The joint mapping process initiated discussions over shared resources, which would lead to the joint land use agreement. A joint village land use management committee (JVLUM) was established to oversee the process made up of the three village land use management committees.

Following completion of the joint mapping exercise, the villagers went back to their own villages to continue with data collection and analysis for the development of individual village land use plans. Information was also collected on demography, village administration, land tenure and size of land holdings, socio-economic facilities, settlement patterns, and economic and livelihood production systems in the villages. The villagers were then taken through a process of identifying and analysing problems and opportunities related to land use planning.

The rangeland resource maps were digitised through ground-truthing and the transfer of information onto a 1:50,000 scale topographic maps, using hand-held GPS positioning. This enabled villagers to produce the village base maps required for the individual VLUPs.

Developing village land use plans including cross-border agreements

Despite some initial disagreements all three Village Assemblies (VAs) approved their individual VLUPs and gave the go-ahead to their respective VCs (Village Councils) to proceed with the establishment of a JVLUA (joint village land use agreement) for the shared resources. By this time the three villages involved had named the shared grazing area OLENGAPA – a name made up of all three village names. The JVLUM came together with the three VCs to share and compare their existing land use maps, identify problems, and community action plans. The JVLUM committee discussed each village's proposals for the JVLUA, including how individual VLUPs would be incorporated. They also discussed how the individual maps should be aligned in order to ensure that the grazing land was large enough for the number of livestock in all three villages, and was contiguous.

In the process different groups of users were identified, and potential conflicts and resolution mechanisms discussed. The JVLUM committee confirmed which resources should form the basis of the JVLUA, including grazing land, water resources, cattle tracks, and livestock infrastructure (cattle dips, crushes, and clinics). The proposals from the JVLUM committee were then presented to each respective VC for adoption, and then to the respective VAs for approval.

The VCs met and prepared a draft JVLUA. A Joint Resource Management Committee (JRMCM) was established, made up of 15 members – five from each village. The committee was charged with responsibility for the day-to-day management of the OLENGAPA grazing land and other shared resources. By-laws for the management of the resources were developed and adopted. The JVLUA was then taken to each VA for approval.

The response from the VAs indicated that all supported the agreement, so plans were made to sign it in a joint ceremony. The first attempt to sign the agreement was at a meeting held on 30 December 2013. However before the day arrived, one of the villages started challenging the previously agreed boundaries of the shared grazing area.

Between July and October 2014 district authorities organised a series of meetings between the three villages, facilitated by the SRMP team, in order to try and reach agreement. This was eventually reached in the latter part of 2014 leading to the signing of a JVLUA on 19 November 2014. The JVLUA provides assurance to all land users that each VC will respect the agreement and that no single village can make changes to the areas identified for the sharing of resources without the consent of all villages. A joint village land use map and action plan was also produced to this effect.

Further protection for the shared grazing area

Following on from the approval of the JVLUA, the three OLENGAPA VCs established a Joint Grazing Land Committee made up of members from all three villages. This Committee is responsible for planning, management, enforcement of by-laws applicable to the OLENGAPA, and coordination of the implementation of the OLENGAPA land use agreements and joint land use plan. In addition a Livestock Keepers Association was established including 53 founding members with most households from the three villages being associate members. A constitution was developed for the Association, and the Association was officially registered on 11 September 2015.

In January 2016 the Ministry of Lands, Housing and Human Settlements approved and registered the village land boundary maps and deed plans for the three villages. The District Council issued the village land certificates and the next step is for Village Councils to begin issuing CCROs. The shared grazing area will require three group CCROs to be issued to the Livestock Keepers Association – one from each village for the part of the grazing area that falls under its jurisdiction. Signboards and beacons marking the boundary of the shared grazing area are being put in place.

Importance of the case for people-centred land governance

The SRMP strived to improve the implementation of village land use planning in rangelands in order to contribute to better sustainable management of these resources and the resolution of land use conflicts. This is core to people-centred land governance in Tanzania. It has achieved this in three ways in particular. First, it has improved community awareness of land use planning processes (including joint land use planning) both in the project areas and in neighbouring villages, as word of the experiences has spread. Second, it has built understanding on joint planning processes in national, regional, and local governments, together with their capacity to implement such processes themselves. Third, it has offered innovative solutions to the increasing insecurities and conflicts over land use and access that rangeland users face by developing layers of security over a piece of land (in this case a shared grazing area), rather than relying on one layer only. Though these innovations already existed in policy and legislation, it was only through the SRMP that they have been put into action.

Changes

Baseline

Prior to SRMP there had been no testing or implementation of the joint village land use planning approach. Though some grazing areas had been protected in individual land use plans, often these grazing areas were not sufficient for a well-functioning extensive livestock system that requires movement over a greater area. It is only through JVLUP and the securing of group CCROs that the traditional practice of sharing resources over a larger landscape can be formally protected.

Achievements

In OLENGAPA the initial total land set aside for grazing was 32,149 hectares, or 55% of the total village land. Each shared grazing area was allocated as a single block that ran across the boundaries of the three-village cluster. Despite some hurdles, a joint land use agreement was finalised and signed on 19 November 2014. The agreement provides assurance that every VC will respect the plan and that no single village can make

changes to the areas identified for the sharing of resources without the consent of all three villages. However, although the villages had originally agreed upon a shared grazing area of 32,149 hectares, it became clear as the demarcation of the land took place that they had in fact reduced the shared area to 12,187 hectares. All three villages had reduced the amount that they were prepared to give to the grazing area, and this was a decision made by pastoralists as well as agriculturalists. The feeling was that, although grazing land was important, there was also a need for more agricultural land as livelihoods were becoming increasingly diversified.

As such, not only has joint village land use planning resulted in an implementable spatial plan for current application – it has also considered future needs and the likely continuing trends of population growth, and the intensification of land use including the integration of crop farming with livestock. The grazing area is also attracting investment both from the local communities themselves and from the national government including the now Ministry of Agriculture, Livestock and Fisheries (MALF). It is anticipated that the community will soon be able to afford to construct an additional pond in the area.

Evidence

In January 2016 the Ministry of Lands, Housing and Human Settlements approved and registered the village land deeds and the boundaries and maps for the three villages. The Kiteto Land Officer will now issue the land certificates, so the VCs can then begin issuing CCROs¹.

At the same time other villages are wanting to join OLENGAPA and the joint land use agreement including the shared grazing area. The next phase of SRMP currently underway is considering these requests and working with the communities and the District Council to identify how best OLENGAPA can be expanded.

The joint village land use planning approach has been recognised as a solution for reconciling the conflicts between village land users that are happening on an almost weekly basis in Tanzania, including within the Government's 2015 Tanzania Livestock Modernization Initiative. Both the MALF and the NLUPC are supporting the recently launched third phase of SRMP in order to optimise the opportunities for replicating the approach in as many clusters of villages as possible.

"This is a model for addressing conflict over land and natural resources. We would like to see this approach replicated in other parts of Tanzania." - Hon. Titus Kamani, former Minister of Livestock and Fisheries Development

Lessons learned

Lessons for civil society

Facilitation of a process of JVLUP is challenging and requires skills in conflict resolution and mediation, particularly between different land user groups. In Tanzania local

¹ This process was delayed for several months because the Ministry was awaiting approval from the Director of Survey and Mapping of the re-surveyed boundaries of all Kiteto villages, which took place in 2015.

elections were under way when JVLUP was piloted and some individuals took advantage of this opportunity to rally support for their own causes. Significant time and resources are required to ensure that the process results in a sustainable outcome.

A clear set of criteria for selecting villages for joint land use planning is required to ensure that the process is cost-effective and successful, through the inclusion of the “right” villages. One obvious criterion is the sharing of livestock production resources across village boundaries, including grazing and water. A District Land Use Framework Plan could help identify clusters of villages that share resources. Other criteria should include a very clear and firm (perhaps financial) commitment from villages to the process.

Community awareness-raising sessions on VLUP need improvement. Sufficient time must be allocated for in-depth dissemination and discussion of key documents and messages. It is also crucial to discuss roles and responsibilities of different actors, boundaries, resolution of conflicts. It is helpful to make a visit to the proposed land use areas with all stakeholders so that they understand the boundaries and the implications of demarcating them. This is particularly important in mixed crop-livestock villages where it is likely that disagreements over land allocation will exist. The steps taken through such negotiations in order to reach an agreement require a significant investment of time and resources.

Lessons for policy makers

JVLUP needs an enabling environment. In Tanzania, District Councils require more significant and regular allocation of finances for VLUP than they are currently receiving. The capacity of local government officers, including district PLUM (participatory land use management) teams, needs to be built in order to better contribute to the complex processes involved, including negotiation and conflict resolution.

VCs and other members of local government need to be more forthright in protecting land use plans that already exist, in developing them where they are needed, and in protecting rangelands within them. Capacity-building for VCs needs further attention.

Biases remain against pastoralists in VLUP, even where they are the majority of land users. As a result, rangelands are under constant pressure and conversion to other uses (even if those uses might not be appropriate). Once agriculturalists have established themselves in grazing areas it is difficult to move them out. Well-informed and unbiased district and village land use plans can make important contributions to the protection of rangelands including grazing areas.

There needs to be better collaboration between government and CSOs in order to jointly support communities to strengthen their rights to land and resources through processes such as JVLUP. More formalised coordination mechanisms should be established to this effect.

Challenges

As evidenced by this experience, land is a subject that stirs up emotions both good and bad. The issue of land can also easily become politicised and be used by those with power to further their own agendas and reap benefits above and beyond those realised

by the community as a whole. Successive village boundary conflicts held up the VLUP processes and constrained investments in better management of land. Village boundary disputes were fuelled by a lack of awareness of land laws among villagers and their leaders. Decentralisation of authority and power to local government, and low levels of awareness and understanding of proper management of village land amongst VC members have opened up opportunities for corrupt practices and abuse of powers by village leaders and wealthier people in the villages.

In addition the multiplicity of actors involved in land use decision-making and dispute settlement - including autonomous village governments, each with full powers and mandates to make decisions on land use within their areas of jurisdiction – made the process long-winded and time-consuming. Data collection was challenged by an inadequacy of spatial data, base maps, high-resolution satellite imagery, and underlying technology, including geographical information systems (GIS). District and local technical staff lack experience in VLUP. Limited financial resources allocated for land use planning at central and local government levels constrain the development and implementation of VLUPs, and increase the reliance of government and communities on projects such as the SRMP to support such processes.

Follow-up

The SRMP in its third phase (launched in late 2016) is replicating and scaling up JVLUP in several new clusters of village, through the MALF, NLUPC, local government and CSOs with technical support from ILC member ILRI and with support from IFAD, Irish Aid and the ILC. The ILC Rangelands Initiative is documenting the processes undertaken and sharing lessons learned. A collaborative research project between ILC members ILRI, IFPRI (International Food Policy Research Institute), CIFOR (Center for International Forestry Research) and others will focus on collecting evidence on the drivers and consequences of tenure security, using the JVLUP being undertaken as a case study. In this current phase the SRMP is also more firmly bedded in the Tanzanian members' National Engagement Strategy (NES), which provides it with a stronger foundation from which to advocate for positive change and progress in the implementation of policy and legislation.

Supporting material

References and further reading

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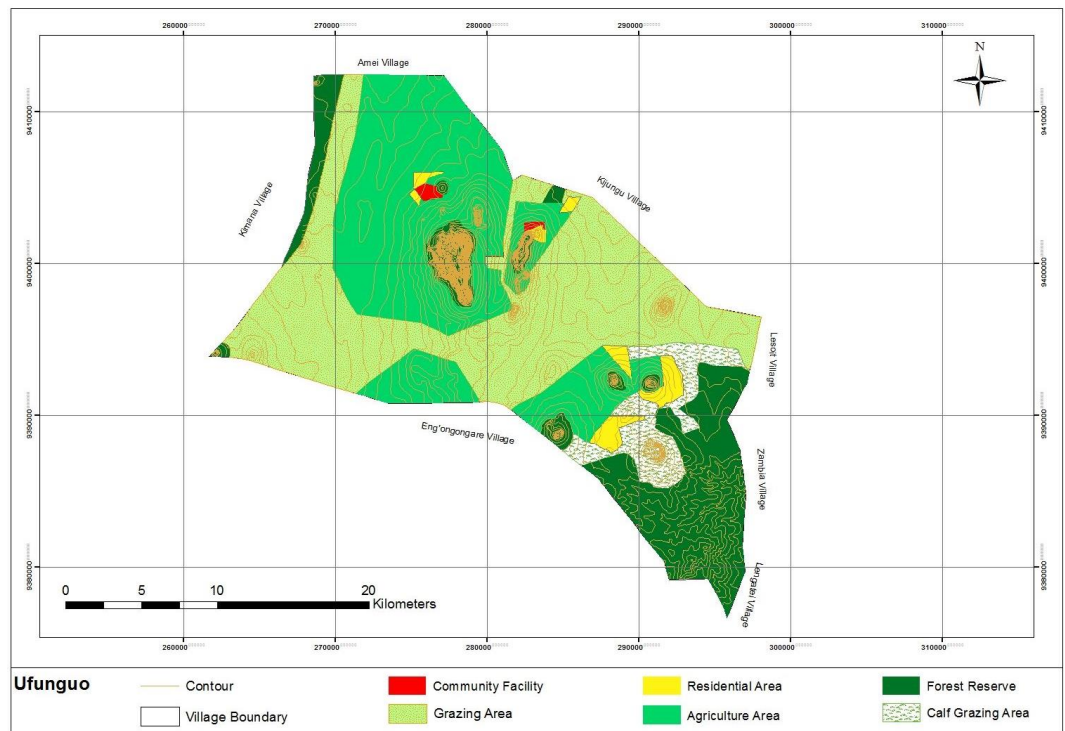
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Photos, videos

OLENGAPA shared grazing area



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