



Centre for
Humanitarian
Dialogue

Mediation for peace

Agro-pastoral mediation in the Sahel region of Mali, Niger and Burkina Faso






A flexible and discreet institution for negotiated conflict solutions


Founded in 1999 in Geneva, the Centre for Humanitarian Dialogue (HD) is a private diplomacy organisation based on the principles of humanity, impartiality and independence. HD's mission is to help contribute to prevent, mitigate and resolve conflicts through dialogue and mediation. For nearly 20 years, HD has helped conclude peace agreements across the world thanks to its privileged access to a wide range of parties having an influence on conflicts. The organisation is currently involved in more than 40 dialogue and mediation initiatives in more than 25 countries. Since 2012, it has become a key player in the resolution of conflicts in Francophone Africa.

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Captions and photo credits

The pictures were all taken in the Sahel region of Mali, Niger and Burkina Faso, in areas covered by the pastoralist project. They show community leaders, their meetings, cattle and the landscape. © HD

Agro-pastoral mediation in the Sahel region of Mali, Niger and Burkina Faso



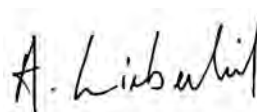
*With the support of the
Ministry of Foreign Affairs of Denmark*

Foreword

“African solutions to African problems” is a catchy slogan used by all sorts of peacemakers confronted with the endemic conflict situation on this wide continent. Unfortunately, it is a legitimate principle which is often ignored in the peace processes developed in capitals and financed by institutions whose agendas rarely coincide with those of conflict victims. In placing its unqualified trust in the Centre for Humanitarian Dialogue (HD) to carry out this project using a local team, Denmark has taken the risk of entrusting the success of the project entirely to local people. As a matter of fact, the 321 community mediators who are part of the project exclusively originate from the Sahel region. They are fluent in more than 20 languages, but have rarely gone through secondary school. They are familiar with every water point and every herd of cattle in the desert, but do not bother with geopolitical strategy. They have proficient knowledge of transhumance customs and traditions, but have never opened a law book. Whether pastoralists or farmers, all are volunteers, committed to their communities and endowed with a natural sense of justice. They have nothing in common with diplomatic special

envoys, but they are efficient: having resolved some one hundred agro-pastoral conflicts in a year, these Sahelian people can pride themselves on contributing to the significant reduction of tensions in the three-border region.

A good pastoralist is generally modest and not very talkative, so it was up to HD to pay tribute to the actions of these Sahelian mediators through this publication. Beyond their efforts, HD also wishes to express its gratitude to Abdelkader Sidibé and Almoustapha Amadou, the promoters of the project, to the authorities of Burkina Faso, Niger and Mali for their support, to the Liptako-Gourma communities for their trust, and to Denmark for its solidarity.



Alexandre Liebeskind

Regional Director – Francophone Africa
Centre for Humanitarian Dialogue

Pastoralism

A branch of agriculture concerned with raising livestock and feeding them through the exploitation of pastures. The distance pastoralists and their cattle have to cover determines the type of pastoralism:

Sedentary pastoralism/Agro-pastoralism

The pastoralist and their family are sedentary. The pastoralist and the animals make a daily round-trip to exploit pastures located close to their place of residence. In this case, the pastoral activity is complemented by other activities, mainly agro-pastoral.

Transhumant pastoralism

The pastoralist, their family and their animals travel to exploit pastures on a seasonal basis, according to a traditional timeframe and a widely-known itinerary. If pastoralism constitutes the principal activity, complementary activities may be developed.

Nomadic pastoralism

The pastoralist, their family and their animals travel according to the availability of resources and do not have a permanent place of residence. The pastoralist lives for, through and with the animals and does not develop any complementary activity.

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Introduction: Enabling peaceful nomadism, a permanent emergency

In the Sahel region, pastoral communities' nomadic way of life is threatened by two historical phenomena: the construction of modern states based on sedentary citizenship and the increasing scarcity of natural resources due to demographic pressure, desertification and insecurity. The concerns of Nomadic communities are absent from development strategies that favour agriculture and they remain excluded from basic services, such as primary education or public security: as is traditionally the case, they are left to fend for themselves. The upsurge of armed conflicts in the region, the closure of borders and the disruption of transhumance tracks have further intensified the vulnerability of pastoral groups. In addition, competition for access to water and pastures between nomadic communities on the one hand and settled farmers, fisherfolk and pastoralists on the other has been politicized as a result of alliances among these groups and rival armed groups.

In 2015, faced with the prospect of an increasing militarization of agro-pastoral conflicts, the Centre for Humanitarian Dialogue (HD) proposed a project to the States of Mali, Niger and Burkina Faso to mediate between nomadic and sedentary communities in the tri-border area. Having been given a mandate by the three States, HD then leveraged community leaders and traditional mediation techniques

to ensure local ownership and sustainability of its efforts.

The first three years of the project have proven the effectiveness of this approach. More than 70% of some 400 conflicts identified by HD's network of mediators have been resolved through negotiated agreements, and more than 7.000 stolen animals have been returned to their owners. The project has therefore contributed to peace in the tri-border area by re-establishing trust between communities regardless of political hazards or conflicts. However, even if communities unanimously recognize the value of this network of mediators, the best agreements can be undermined by war, organised crime or simply the struggle for survival. Similarly, local mediation efforts cannot substitute for a much-needed political solution to the conflicts affecting the Sahel region or an institutionalized solution to the exclusion of nomads from public services.

Notwithstanding these constraints, HD would like to share its agro-pastoral mediation experience in the Sahel region for the benefit of as many people as possible. This publication consequently considers the issues surrounding nomadism and outlines the daily work of the 321 community mediators in the network along with their traditional methods for resolving conflicts.

I. Nomadic pastoralists, forever outsiders

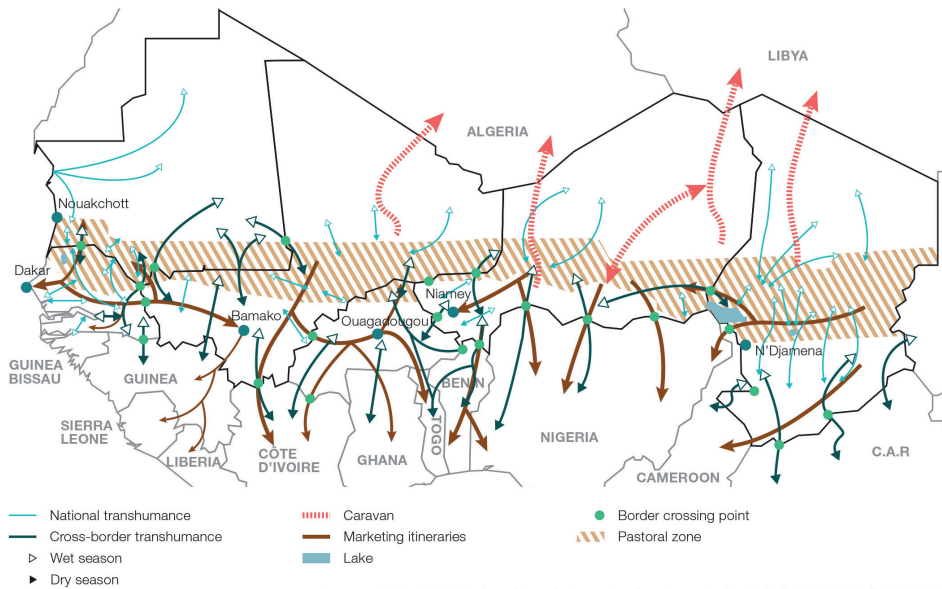


The Sahel region is a zone where borders, communities and relations – social, economic, political, cultural and religious – are defined by fluidity. The fluidity stems from the dependency of the cultures upon transactions within and between families which has resulted in a network of alliances and exchanges between areas producing different, but complementary, goods. Such interactions between communities are governed by a moral code of solidarity, whose rules are implicit, rather than explicit. As part of this, traditional mechanisms are used to manage access to, and the protection and renewal of, natural resources, and to enforce the principle of free movement for people and cattle. State authorities exert little power or control over these wide-open spaces

that sit, historically, on the geographical and political periphery. Moreover, centralized governance mechanisms favored economic exploitation, social marginalisation and the exclusion of administrative and political structures. Left to their own device, influential personalities within local communities, and among traditional and religious authorities, influential personalities developed networks of alliances which aimed to divide in order to rule, which helped to create an environment of semi-permanent confrontation. From pre-colonial time to the present day, interactions between pastoral communities and administrative authorities have been made up of a mixture of indifference and incomprehension.



TRANSHUMANCE AND NOMADISM



Sources: FAO-CIRAD, Atlas of trends in pastoral systems in the Sahel 2012; OECD/SWAC 2009

Extract: OECD (2014), An Atlas of the Sahara-Sahel: Geography, Economics and Security, OECD Publishing, Paris.

© 2014. Sahel and West Africa Club Secretariat (SWAC/OECD)

Pastoralism, caught in the middle

In the Sahel region, the subsistence economy is structured around livestock, transhumance¹, trade and agriculture. Since most of the area is arid and unsuitable for agriculture, pastoralism is an activity that boosts the economy and is essential for the survival of millions of people in the region. Yet, transhumance and nomadism² - both fundamental pastoralist mechanisms which have been adapted to the Sahel environment - are currently under threat. Desertification and agricultural expansion are constantly decreasing the amount of land available for pasture. Demographic pressure is leading to agriculture monopolizing fertile land which has been traditionally allocated to cattle, supported by the authorities who are motivated by economic interests. Mining operations, land speculation and urbanization represent additional threats to pasture areas. The available land is therefore no longer sufficient to guarantee food for

cattle and the renewal of pastures. The mobility of pastoralists and their cattle is also being seriously hampered. The closure of interstate borders as well as the presence of wars and criminality jeopardize their movements. Dangerous, unpredictable and sometimes blocked, transhumance tracks that have existed for thousand years nevertheless remain crucial for the survival of herds and humans, and for access to livestock markets. The decrease in pasture areas and in mobility are both sources of conflict between nomadic pastoralist communities and sedentary farmers, as well as between pastoralist communities competing for access to resources.

A struggle for survival

From the Sahel region to the African coastal lands and the forests of central Africa, many transhumance routes pass through zones affected by armed conflict, as shown on the map after³.

1 Mobility of the pastoralist, their family and cattle according to an itinerary and timeframe known to everyone.

2 Mobility of the pastoralist, their family and cattle according to the availability of resources.

3 Source: Touré, I., Ickowicz, A., Wane, A., Garba, I., Gerber, P., *Atlas des évolutions des systèmes pastoraux au Sahel. Système d'information sur le pastoralisme au Sahel*, (Rome: FAO, CIRAD, 2012) Edigraphie, 04/2014.

Since the nineties, nomadic pastoralist communities have been paying the price for the civil wars that have devastated the region. The political and military crises which have affected Mali, Niger, Burkina Faso, Chad and the Central African Republic (CAR) in recent years have turned transhumance routes between Mali–Niger–Burkina Faso, Niger–Nigeria, and Cameroon–Chad, into zones plagued by war and organised crime. Often exploited by both rebels and the military in areas of weak state control, nomadic communities have increasingly turned to the booming black market in small arms to protect themselves. Vulnerable and frustrated, young nomads have been rapidly joining the ranks of rebel organisations, motivated in part by the opportunity to fight more effectively against neighbouring communities with whom they have been in conflict. The Daoussahaq from Mali, for example, have sided with the National Liberation Movement of the Azawad (MNLA), while large numbers of young Peulhs from Niger have joined the Mouvement for the Unity of Jihad in Western Africa (MUJAO).

The armament of nomads, the creation of self-defence militias, and the politicization of communities have quickly impaired traditional networks and peaceful coexistence. The militarization of conflicts around access to resources has added to weakening traditional mechanisms and rules for resolving disputes. It has dealt a blow to the Sahelian culture of solidarity. Even though Niger and Mali have attempted to reinforce traditional dispute settlement mechanisms through the adoption of national legislation on pastoralism and transhumance, this legislation is obsolete, unknown or under revision and therefore not applicable. In Niger for instance, the legal framework (the 1960 Rural Code and the 2010 Pastoral Law) recognizes pastoral systems and guarantees mobility but remains widely inoperative. Thus, in the absence of effective pastoralist and property governance, tensions between pastoralists and farmers often lead to armed conflicts.



The need for a new social contract

The continuous and irreversible degradation of the environment, and increasing demographic pressures, are both trends which are slowly destroying the nomadic pastoral way of life; a way of life which now exists against a background of violence and exile. This complex socio-economic transition has not been addressed, and important mediation work on conflicts around access to resources cannot, by itself, provide a long-term solution to the question of pastoralism. All states in the Sahel strip need to develop jointly a regional management policy for both the nomadic process and the sedentarization of pastoralists. Pastoral communities, who themselves have the best understanding of their vulnerabilities and history, must be involved in the creation of a governance model which protects their way of life while favouring social and professional mobility for the young. Only a new social contract that provides an adapted citizenship for nomads whose only frontier is the horizon can sustainably prevent conflict, impoverishment and migration.

II. A network of mediators rooted within communities

Historically, traditional chieftains resolved disputes linked to the exploitation of common resources amicably. Together, they had the power to decide on passageways for cattle and communities, and to sanction cattle thieves. Their role has been undermined due to the weakening of the social fabric and the development of new elites as a result of armed conflicts. Nevertheless, community leaders have the necessary competence and legitimacy to negotiate the resolution of community conflicts. This is why HD has relied on them to create its network of mediators.

In order for traditional mediators to address conflicts and contribute to the restoration of social links between communities weakened by the crises plaguing the region, HD has been careful to select leaders who were recognized as such by their respective communities. A list of leaders pre-identified by HD was validated during community exchanges. Most of the leaders chosen were already active in conflict resolution, but their efforts were confined to within their respective country's borders. It was, for example, impossible for them to recover stolen cattle from across a border. This problem was solved as a result of developing a network of community leaders that crosses State borders.

HD is consequently supporting 321 community leaders in their efforts to reduce violence through mediation. They are divided into ten networks across 22 municipalities in the border areas.

Who are the leaders in charge of the mediations?

HD made sure that all socio-economic groups were represented in the networks in proportional numbers (farmers, pastoralists, fisherfolk, market managers, traders etc.) HD took

the same approach to the involvement of proportional numbers from the various communities, ethnic groups and sub-groups⁴; and from among men, women, young people and elders. The different languages spoken in the sub-region are also represented. The networks are independent from the administrative structures of any State. They do not include mayors (with one exception) or sub-prefects.

Hamidou Bello is a cattle breeder and belongs to HD's network in Gabéro municipality in the Gao region of Mali. A former municipal councillor, he was chosen as a leader by his peers due to his previous engagement



in a pastoralist association and the support he had given to the resolution of problems faced by his pastoralist counterparts. He is now in charge of taking his own network's concerns to the national network and ensuring they are followed-up. According to Hamidou, the project has allowed communities to become more familiar with peaceful methods of exploiting pastoral resources. Its success is based on the fact that leaders on either side of the three borders have been put in contact. He says "We feel that mistrust between communities has been reduced, that the number of cattle thefts has diminished and that transhumance has been facilitated. In my own municipality, herds are now able to cross the Niger River unhindered thanks to negotiations that have been conducted successfully. But insecurity due to bandits and armed groups remains a real challenge that needs to be addressed."

⁴ For example, Daoussahaqs and Tamasheqs are sub-groups of the Touareg ethnic group.

Aissata Housseini belongs to HD's network in Bankilaré municipality in the Tillabéry region of Niger. She was chosen as a leader by her peers thanks to her engagement in conflict resolution in her municipality and due to the



fact that she presided over a women's association. She was also training women, in particular in market gardening, to allow them to generate income. In her network, she is now in charge of information and promoting the role of women. In addition to several family conflicts, she resolved a problem arising from women collecting hay and preventing animals from getting fodder during the 'hunger gap'. She says "Ancient conflicts are often the hardest to resolve. For example, ten years ago, development workers built houses in my village without any prior agreement. Ever since they left, villagers have been fighting with the village chief unable to determine for whom and for what these houses should be used."

Alad Ihibbi belongs to HD's network in Inatess municipality in the Tillabéry region of Niger. Every year, he moves from Niger to Mali with his cattle. He has been designated as a leader by his peers due to the assistance



he provides to pastoralists during the transhumance period. He is now the relay (liaison person) for both the Inatess municipality and the national network. This means that he is archiving all minutes of meetings on the resolution of conflicts managed by both networks. According to him, since the project was launched, communities now prefer to bring their problems in front of the network rather than asking the police or the court to intervene (which are often perceived as ineffective and expensive). He says "We have, for example, prevented a conflict between a herdsman and a farmer who was cultivating land on a pasture. Following a conciliation facilitated by the tribal chief but prepared by the network, the farmer committed himself

to vacate the land by next year's season." For Alad, the challenge in terms of conflict prevention is to convince pastoralists to respect the laws of the host country during transhumance.

Abdoulaye Pathé belongs to HD's network in Markoye municipality in the Sahel region of Burkina Faso. His peers designated him as a leader due to his engagement in a pastoralist group in his municipality and for his



past experience in breeding peulh azawak zebus. Abdoulaye is now a trader at the livestock market in Markoye, in charge of welcoming transhumant pastoralists from the Peulh Djegobé and Gawobé communities when they arrive in his municipality. He makes links with the authorities when it is needed. He says "This is not the first time I [have] participate[d] in a project, but for once it leads to lasting results. This is thanks to the networks and the fact that we rely on traditional mechanisms in conflict management. Leaders have become experienced mediators and communities as well as municipal authorities turn to them."

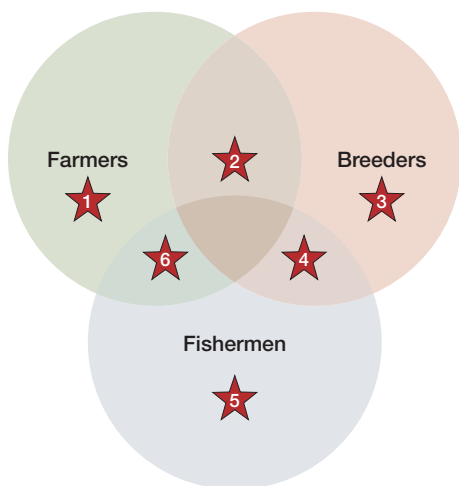
The way the networks function

A local network involves an average of ten leaders who come from two or three municipalities. Every network has a President, a Treasurer and two people acting as relays. The latter are in charge of keeping the minutes of meetings and signed agreements, and they constitute the network's memory. Otherwise, the networks are organised in a flexible manner, adapted to local needs.

At the national level, a nine-member bureau represents all the various networks. It generally gathers the Presidents of local networks. The bureau does not resolve conflicts, but it manages relations with the outside world (authorities, administration, police, etc.). It meets four times a year.

There is no permanent bureau at the cross-border level, but meetings are organised twice

Different types of inter-communal conflicts



1. The origin of conflicts between farmers:

- Field boundaries
- Fields which have been lent out for use
- Property disputes with the State (land titles)
- Exploitation of mining resources

2. The origin of conflicts between farmers and animal breeders:

- Access to waterpoints
- The expansion of fields onto transhumant passageways
- Illegal occupation of pastures
- Damage done to cultivated fields by animals which escape or are uncontrolled

3. The origin of conflicts between animal breeders:

- Access to waterpoints
- Passageways
- Cattle thefts
- Access to pastures
- Lack of knowledge of legislation leading to disputes with the State

4. The origin of conflicts between animal breeders and fishermen:

- Poisoned ponds
- Nets damaged by cattle

5. The origin of conflicts between fishermen:

- Sharing of fishing resources

6. The origin of conflicts between fishermen and farmers:

- Nets in ricefields
- Damaged ricefields

Other conflicts addressed by the networks, other activities made possible as a result of re-establishing trust

- Family problems (disputes, new spouses, money, abandoned children, repudiation)
- Conflicts between village chiefs (accused of supporting jihadists, sympathy towards armed groups, religious differences)
- Simple thefts, vehicle and cattle thefts, kidnappings, highway bandits, murders
- Indirect relations with armed groups (cattle or vehicle recovery)
- Establishment of contacts with authorities or technical State services
- Conflicts between communities created by an NGO implementing a badly-defined project

The networks have also raised awareness among transhumant pastoralists of legal terms as well as respective habits and customs

Female leaders in the networks have raised awareness among women of the risks linked to recruitment by armed groups, to migration, to crime

a year. They gather about a third of the leaders and give them a chance to exchange their experiences and to discuss cross-border problems (such as transhumance, cattle or vehicle thefts) where mutual collaboration is needed.

The types of conflicts they are striving to resolve

While identifying the leaders, HD looked into the natural resources which are exploited in the region; the transhumance tracks taken by

nomads and transhumant pastoralists; as well as animal thefts, cattle diseases and conflicts affecting every municipality. Following consultations carried out with the communities in all the municipalities where the project has been introduced, HD helped the networks to establish a list of nearly 400 conflicts to solve. This was updated in 2017 and the diversity of these conflicts is shown in the graphic above.

III. A traditional methodology for mediation

Conducting a mediation

When a conflict erupts between two communities, there are three different ways local people can involve the network: they can be called in by the concerned parties, by a third party or by one of the leaders if they are a witness. The approach the networks take to resolving the situation conforms with the standards of any political mediation: the mediator identifies the parties' grievances, objectives and red lines; facilitates a negotiation process; and helps the parties establish a consensual agreement and a follow-up mechanism.

At first, the network meets and develops a plan of action. Separate meetings are held with each community and their respective leader. At this stage, the idea is to reduce tensions and raise awareness among the parties of the importance of solidarity and finding an agreement which is acceptable to all rather than looking for revenge. The network leaders listen carefully to the facts presented by the parties.

The second step is for the network leaders to identify 'neutral ground' for a meeting that will take place in front of a local authority figure such as a county or village chief. At the same time, the network collects as much information as possible on the conflict situation so as to form an opinion of its own.

The third step takes place once the network leaders understand the stakes and involves organising a mediation meeting with the parties in conflict. The challenge for network leaders in charge of facilitating the mediation is to remain neutral, not to voice their opinion and to ensure that everyone gets equal speaking time. Once all the facts have been presented, the network leaders look for a satisfying and honourable means of reconciliation. When the conflict is resolved, the people serving as

Networks are supported in their mediation efforts with the following tools:

- A phone directory listing the 321 leaders to facilitate contacts among them;
- A list of the markings distinguishing herds by community and/or family to identify the origin of each animal;
- "Picture boxes" providing simple explanations for the key points in the laws of the CWAS (Community of Western African States) that govern transhumance (measures to take during the journey, number of pastoralists/shepherds in relation to the size of the herd, required vaccinations, etc.). The "picture boxes" help to reinforce the application of these laws which reduces the number of conflicts;
- Airtime on primetime radio is available to broadcast messages in order to prevent conflicts while travelling. Radio is a popular media in areas not covered by mobile telephony.

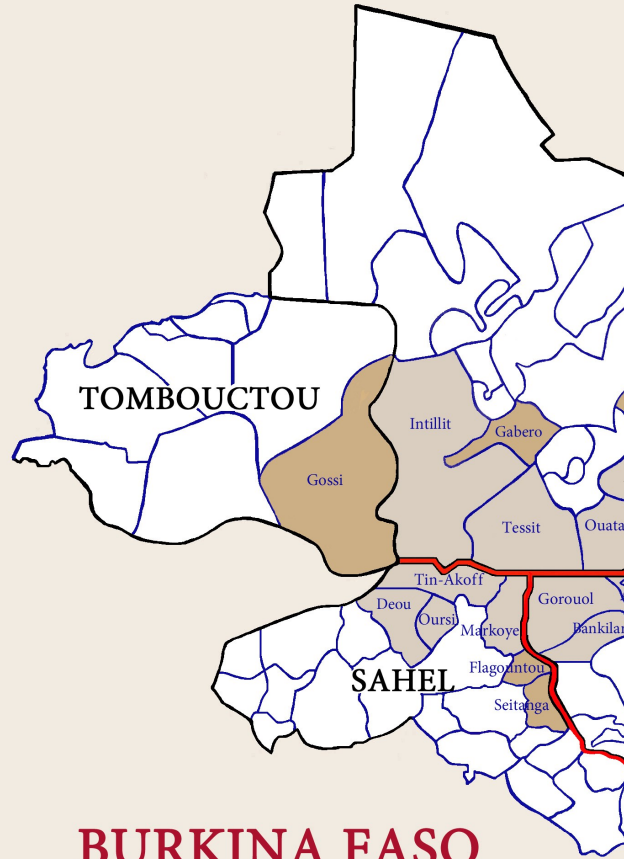
With the aim of preventing conflicts, HD's networks offer transhumant pastoralists the following resources:

- Information in relation to security, the availability of natural resources, and the existence of cases of animal diseases during the journey and at their destination;
- Assistance in case of problems with the authorities or technical services of the country or host area;
- Help in identifying partners for support, for example in the actualization of transhumance tracks;
- Participation in the conception, implementation and follow-up of national cattle-breeding policies.



Centre for
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Dialogue

Mediation for peace



BURKINA FASO

95 mediators

105 conflicts resolved since 2015

Operational coverage of HD's agr

In 2019, HD will extend its intervention to Mali, Niger, Burkina Faso, Mauritania and Chad on the basis of its experience in the following communes :

Phase 1 - 2014-2015 : The intervention area covering 12 municipalities

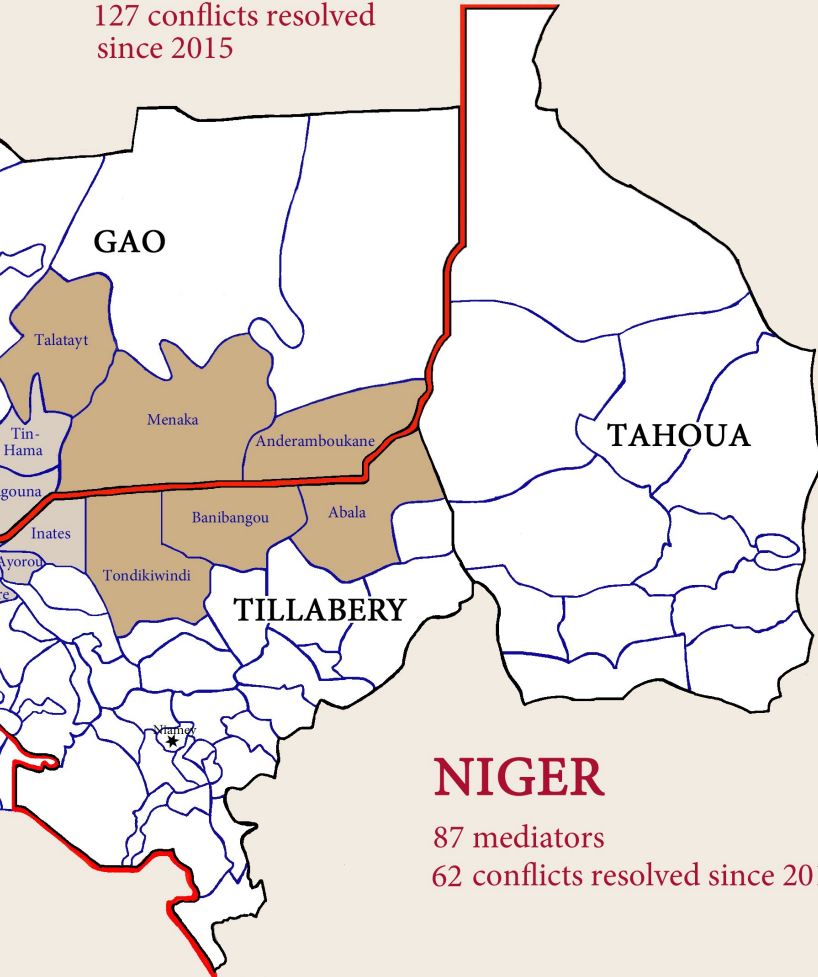
- Mali : Intillit, Tessit, Ouatagouna et Tin-Hama
- Niger : Inates, Ayorou, Bankilare et Gorouol
- Burkina Faso : Tin-Akoff, Oursi, Deou et Markoye

Phase 2 - 2016-2018 : The intervention area covering 22 municipalities

- Mali : Talatayt, Menaka, Anderamboukane, Gabero et Gossi
- Niger : Tondikiwindi, Banibangou et Abala
- Burkina Faso : Seitanga et Flagoantou

MALI

139 mediators
127 conflicts resolved
since 2015

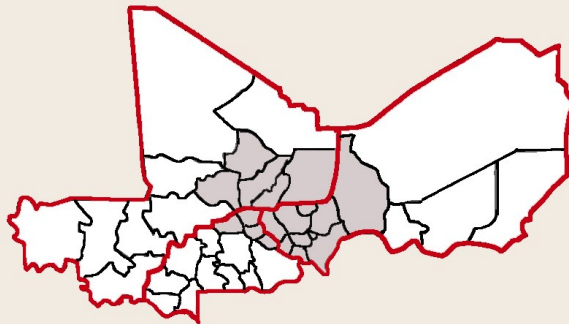


NIGER

87 mediators
62 conflicts resolved since 2015

co-pastoralist mediators' networks

- International borders
- Regional borders
- Municipal borders
- Capitale du Niger : Niamey



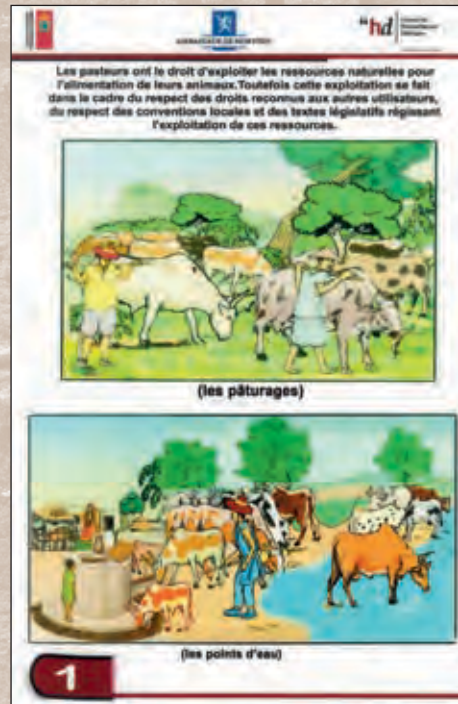
Tools available to leaders to facilitate their mediation efforts

ENVS	COMMUNE	COMMUNAUTÉS/V/F	MARQUES
MALI	Tio-Homra	Idoufane Assaleh	∧
		Idoufane Tandert	X
		Idoufane Agnastane	IX
		Famile Ag Bussa	△
		Kel Guurhane	△ △ △
		Ezab - Zab	T T
		Ibadaydayane	L △
		Ibagnitane	
		Fraction Chidbiatane	H I - T
		Famile Al magrib	△ △
Idoufane Tibouriguiene	五 丰 主 大 干		
Idoufane	⊗ = I ×		
MALI	Ouatagouna	Village de Ouatagouna	⊗ ⊗ AK
		Village Ouatagouna	⊗ ⊗ ⊗
		Village de Kanti	K
		Bentia	← →
		Fikindi	△
		Fela	⊗ ⊗
		Fraction Badratane	≡ ≡ ≡
		Fraction Eling tag	≡ ≡ ≡
		Kel Aoukan et Goudissane	⊗ ⊗
		Nanganabé	⊗
		Peuli (kanane)	+
		Fraction Goudissé I et II	⊗
		Mellegoume Kel Sougou	∨

Extracts from the list of signs which distinguish cattle by community and/or family.

Liste des leaders de Ouatagouna-Tinhamna					
N°	Photo	Prénoms & Noms	Fraction/village/ Localité	Fonction	Contact
1		Mohamedoumou	Kel Gourhane resident à Tinhamna	Leader religieux	
2		Oumarou	Moufane Assati resident à Tinhamna	Membre	
3		Mohamedoumou	Kel Gourhane resident à Tinhamna	Châleur	
4		Oumarou	Tibouriguiene resident à Tinhamna	Membre	
5		Mohamedoumou	Kel Gourhane resident à Tinhamna	Membre	
6		Mohamedoumou	Ezabdayane resident à Tinhamna	Membre	
7		Mohamedoumou	Agouhany resident à Tinhamna	Membre	
8		Mohamedoumou	Agouhany resident à Tinhamna	Membre	
9		Oumarou	Chidbiatane resident à Agouhany	Membre	
10		Mohamedoumou	Ezabab resident à Tinhamna	Membre	

Extract from the network leaders' phone directory.



"Picture boxes" on transhumance.

relays draft minutes of the meeting including the agreed arrangement. Once signed by the parties, the minutes remain with the network. If the parties are unable to reach a compromise, non-resolution minutes of the meeting are drafted, and the mediator continues their work bilaterally and endeavours to bring the parties' positions closer.

Finally, the minutes of the meetings include arrangements for the parties to contact the networks in case they feel the other party is not fulfilling their commitments.

In this way, the mediation efforts of the networks are dynamic and adapted to the hazards of the field. They also provide a mechanism for following-up on the agreements.

Stories of disputes and reconciliations

A stubborn farmer refuses to leave a pasture area in Boulkéssy (Burkina Faso)

Most conflicts between cattle breeders and farmers are linked to the imprecise boundaries of pasture areas. Farmers generally take

over land to cultivate their fields thus preventing the access of pastoralists. These conflicts can be rapidly and amicably resolved through the network and without the intervention of the authorities. As an example, in Boulkéssy in Burkina Faso, a Peuhl farmer had been cultivating a piece of land traditionally reserved for pasture for more than 20 years thanks to the protection of a powerful person close to the village chief. The case had been brought to court several times but without success, and the old farmer continued to occupy the land illegally. The court called upon the police who called upon the network. The parties finally came to an agreement amicably and another piece of land was granted to the old farmer. He understood that the situation was harming both parties: himself, as the cattle are destroying his fields, and the pastoralists who are prevented from accessing pastures. The story illustrates the shortcomings of justice and the reputation of the network is building by striving to make everyone come through the conflict resolution process as a winner rather than a winner on one side and a loser on the other. This is one of the network's strengths.



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“hd Centre for Humanitarian Dialogue

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PV de résolution de conflit

Pays: *Mali,*

Réseau de: *Menaka-*

Noms et prénoms des leaders ayant pris part à la résolution du conflit :

Kalala Ag Ichirif
Mohamad Ag Hamad.
Ahmed oulo Bessy
Mohamed Alouane.

Date de la résolution: *25 Avril 2017.*

L'objet du conflit. *Crise d'eau*

c'est un point exploité par 3 communautés. Peulhs; Daw sabak; Forgeron. Chaque communauté occupe un côté: Finalement, ce dévouage n'est plus respecté. Chacun commence à franchir les limites qu'il se sont fixé. Finalement les espaces vides qui se parent les camps sont totalement occupés - et le désordre a commencé.

Noms et prénoms des parties en conflits

Communautés Peulhs.

|| ——— || Daw sabak.

|| ——— || Forgeron.

Le lieu où le conflit a éclaté : Tika (zone de Tissalaten)
La période du conflit : 10 jours

Les décisions importantes prises pour résoudre le conflit

- pour éviter un affrontement chaque communauté doit revenir à sa place
- Interdire carrément le creusement dans la place qui n'appartient pas
- Choisir 3 leaders dans les 3 tribus communautés qui vont suivre ce qui a été arrêté
- Amende celui qui respect pas ce qui a été dit.

Noms et signatures parties en conflits

peulhs.
Dausak (3 Communautés)
Forgeron

Noms et signatures des témoins

Kalala B Ichif — 1
yeini B Khossiny III
Ahmed pte Bady III
Mahindja B Khossiny

Nom et Signature des leaders ayant résolu les conflits

Kalala B Ichirif — 1
Mahamad B Hamar III
Ahmed pte Bady III
Mohamed Flewane III

A market gardening project turns into an inter-communal conflict in Inawas (Burkina Faso)

In Inawas, Burkina Faso, a conflict erupted between the Peuhl and Bella communities following a market gardening project launched by an international NGO which lacked clarity. The NGO had not taken the time to consult the whole community and had been manipulated by one side of the village. The land identified for irrigation for the project adversely affected the other side. The village Imam further exploited the conflict and it escalated to a serious level. Huts were burnt down. The network called the police to intervene just in time and many deaths were thus avoided. The parties signed an agreement and the NGO's project was abandoned. However, tensions are still simmering and the network continues to be active.

No more impunity for cross-border cattle theft (Mali, Niger)

Another typical source of conflict is the theft of cattle which are of great value in pastoral areas. For example, when 19 animals were stolen on the border crossing between Niger and Mali, the intervention of the cross-border network led to the identification and arrest of the thief. The cattle, clearly marked, could be identified thanks to the network's tools and the information concerning the route taken by the thief could be shared within the networks. The cattle were returned to their owner in Niger. It would have been more difficult to reach this outcome without the action of the network as the crossing of a border usually offers impunity to thieves.

The poisoned pond in Garekado (Niger)

In Garekado, Niger, fishermen decided to pour poison in a pond in order to increase the yield of their fishing. This strategy worked well until fighting started with pastoralists who could not let their cattle drink the water any longer and the pastoralists' families also became sick. The network was called for help. The leaders of each community rapidly understood that the problem resulted more from ignorance than any bad intention on the part of





the fishermen. The authorities were contacted and experts were dispatched to explain to the fishermen the impact of poison fishing on the health of both animals and humans.

When armed groups exert influence on a conflict

HD helps networks in their mediation efforts when the stakes of the conflict exceed the leaders' capacities. This happens when an armed group supports one of the communities in conflict. In these cases, the organisation relies on its field knowledge and its networks within the national authorities of the three countries and the armed groups moving in the border region.

The members of the network start to analyse the conflict and identify the parties as well as all the actors likely to have any influence, positive or negative, on the parties and the conflict. HD then conducts complementary consultations with the parties and helps identify their grievances, objectives and red lines in order to determine possible avenues for the negotiation of a peace agreement. HD focuses on the origins of the conflict, which often stem from old disputes around access to natural resources rather than the recent armed impact of the conflict. Once conditions are met and parties have named negotiators to represent them, HD and the leaders will facilitate an inter-communal mediation meeting. The meeting is usually divided into two parts.

The first day serves to break the ice while mediators underline the importance of good-neighbourly relations and living in harmony. The impact of the conflict on social relations and the economy of the area is highlighted. If needed, extracts from the Koran are read. The network leaders also present techniques they have learned to prevent, and peacefully manage, conflicts.

The second day is devoted to the actual mediation process: an overview of the conflict's causes is presented, and validated, by both parties. Possible options for resolution for each party are then reviewed in order to determine those acceptable to both parties. Afterwards, they sign a peace agreement

which provides for an implementation and follow-up mechanism. Local or national authorities often co-sign the agreement to reinforce its impact.

From the initial analysis of the situation to the set-up of the follow-up committee, HD is in consultation with the armed groups and involves them in the mediation process. This is a prerequisite for guaranteeing the impact of an inter-communal agreement even if their involvement may result in some setbacks during the negotiation process. The power relationship in the field between armed groups that support communities will determine whether or not they are interested in supporting a peace process. The identification of an appropriate time for the negotiation of an agreement therefore becomes crucial. Likewise, it is necessary, and sometimes time-consuming, to make a careful choice about which members of the armed groups to involve in the mediation. It is vital that the process involves both the political and operational levels of the conflict. Weapon-carriers who share their daily existence with communities in conflict will have a direct influence on the sustainability of a peace process. Finally, local and national authorities are also involved during the mediation process in order to reinforce its impact and facilitate follow-up on any agreement.

Mediation between two communities: nomadic Peulh from Niger and sedentary Daoussahaq from Mali

The conflict between a Peulh pastoralist community from the Tillabéry region in Niger and a Daoussahaq sedentary community from the Ménaka region in Mali had lasted for more than three decades. Initially, the conflict originated in a dispute around the use of the Infoukarétane sumps in Mali. Court decisions did not settle the conflict and it intensified during various reprisal cycles between the two communities. The Malian rebellion of 2012 increased the complexity of the conflict and it was increasingly exploited for political purposes. The Daoussahaqs quickly sided with the MNLA while the young Peulhs joined the MUJAO in large numbers. This resulted in serious confrontations between the two groups



causing many deaths. After several months of mediation efforts with key actors in the conflict as well as raising awareness among the communities, HD facilitated the signing of a peace agreement in May 2016. Both communities committed themselves to jointly promoting the agreement and following-up on it in order to guarantee the implementation of the agreement's provisions. Since the agreement was signed, the conflict has continued to simmer due to chronic insecurity in the region, but there have been no more deaths and the follow-up committee for the peace agreement addresses any new disputes which erupt.

In addition, in 2018 HD facilitated a mediation process between two opposing communities whose conflict was jeopardizing this peace agreement between Peulh and Daoussahaq communities. Following a five-month long mediation process led by HD, the Daoussahaq (Tarbanassa and Ibhawan) and Imajgan (Targaitamout) from the Ménaka region in the north of Mali signed an agreement to cease hostilities in April 2018. The agreement marks

the end of a recurring conflict between these two communities which has been going on for more than three decades. The agreement was signed in the presence of representatives of the Interior Minister and the High Authority for the Consolidation of Peace in Niger, as well as representatives of acting authorities in the Ménaka region, and the mayors and citizens of the affected municipalities. The agreement calls on both communities to:

- Cease hostilities immediately;
- Favour using traditional mediation mechanisms to prevent and manage their disputes;
- Jointly condemn any act of violence that could potentially be committed in the future by one of the members of their community;
- Jointly fight against cattle theft leading to armed reprisal cycles;
- Respect each community's habits and customs in relation to transhumance and the exploitation of natural resources in order to prevent conflicts.

IV. The respect of customs and the promotion of law

*Mobility is a fundamental right of herdsmen, nomadic and transhumant pastoralists. This right is recognized and guaranteed by the State and territorial collectivities. Mobility constitutes a rational and lasting exploitation mode of pastoral resources and may only be hindered temporarily and for security reasons and for the protection of persons, animals, forests and crops according to conditions defined in the texts currently in force.*⁵

Prior to departure on transhumance

Before departing on transhumance, shepherds must be at least 18 years of age and in sufficient numbers, namely two for every 50 cattle. They are also required to carry ID, a vaccination record and a pass. In addition to the vaccination record for the cattle, the shepherd must carry a CWAS transhumance certificate mentioning the composition of the herd, its immunization status, the routes to follow, the border crossings to pass as well as the final destination.

- The certificate is renewable every year and it allows the authorities to:
- Ensure a control on the departure of transhumant herds;
- Ensure the health of local herds is protected;

Inform populations in host areas in time of the arrival of transhumant herds.

The certificate is delivered by the service in charge of livestock breeding. The local administrative authority at the place of departure validates it. Without these documents, herds will have to be vaccinated, failing which they

⁵ Article 3, Title II, Ordinance No 2010-29 of 20 May 2010 relative to pastoralism in Niger.

will be put in quarantine or sent back to their country of origin.

During the mobility period

The movement of animals has to follow tracks or transhumance routes at the local, national or sub-regional level. It has to respect protected, reserved or 'no-go' areas at any season as well as animal health regulations. Border crossing is allowed during the day only.

Once they reach national or sub-regional transhumance zones, pastoralists are expected to respect local conventions, legislation and the regulations of the host village or country, be it for the protection of forests, fauna resources or the management of pastures and watering places. The CWAS is nevertheless promoting a harmonization of legislation and regulations throughout the different member States⁶.

Habits and customs: potential sources of conflict

While the management of conflicts linked to the exploitation of pastoral resources is governed by local habits and customs, in terms of administration and judicial processes this management follows the laws and national or international conventions which have been ratified by the three countries. Pastoral communities often do not understand this overlap. Furthermore, officials who develop or apply related law have little knowledge of the pastoral environment.

This lack of understanding also exists between the different communities since habits and customs vary from one to the other. This often leads to bloody conflicts between communities in the region, as outlined below:

⁶ See CWAS decision A/Dec.5/10/98 relative to transhumance.



- **The campsite in relation to the pasture area:** Due to a lack of rainfall, the richest and most abundant pastures are found at the level of stagnant waters where some rare bushes may also be growing. This is where, according to Peulh pastoralist customs, the campsite should be set up to benefit from the shade of bushes, to hide from possible attackers and also to get protection against the cold. However, according to the Touareg's customs, it is absolutely forbidden to settle down in the middle of pastures. This situation often causes conflicts between the two communities.
- **The exploitation of Fonio plains:** Fonio (*Panicum Laetum*) is a kind of wild grass that grows in shallow waters. Animals graze it and the population in the north of Mali consumes its seeds. Fonio is particularly nourishing for animals when they are lactating which occurs at the same time as the hunger season⁷ for those communities eating the seeds. This also happens to be the time when Peulh pastoralists come with their cattle, destroying the plant and thus reducing its yield. The situation irritates the Touaregs while the Peulhs do not see how they should be prevented from exploiting grass growing wildly as "god's gift", and for whose maintenance nobody needs to invest any money or effort. Conflicts between the

two communities multiply between the end of August and the beginning of September.

- **Animals crossing a campsite:** For trans-humant Touaregs, it is strictly forbidden for animals to cross a campsite in order to avoid the stampede of children and small animals or the violation of women's intimacy. According to Peulh custom, this is not a problem and this difference in perception often leads to conflicts.
- **The destruction of crops at the beginning of maturation and during the lactating period:** This is a very sensitive phase for farmers because the destruction of crops jeopardizes the agricultural season irretrievably. Peulh pastoralists consider the consumption of these plants by lactating animals shortens the calving process and yields more animals. This is the time when the number of conflicts increases between farmers and pastoralists (especially Peulh).

7 In the Sahel region, the hunger season (April to June) precedes the first harvests, when seeds from the preceding harvest start to run out, which provokes shortages and price increases.

Conclusion: The impact and limits of HD's agro-pastoral mediation project

Once they are reactivated, traditional mediation mechanisms allow local people to solve conflicts amicably and more rapidly than any courts of justice (which settle disputes by designating a culprit and a victim thus threatening relations between agro-pastoral communities in the long term). Mediation allows local people to resolve conflicts in a sustainable manner by seeking a consensus among the communities. This is how 75% of the 392 conflicts brought to the networks of community leaders between January 2015 and June 2018 were solved amicably.

The impact of the project on the daily life of Sahelian populations

First of all, network leaders testify to the fact that the project has strengthened social cohesion. Pastoralists have reactivated ancient courtesy habits and they now systematically salute farmers when they settle down in a pasture area near a village. Movements are easier, economic activities have been facilitated and, as a result, several livestock 'black markets' have been identified and dismantled.

The presence of women within the networks helps resolve family conflicts (within one family or when several families are involved). They alone can speak openly among themselves. They gather subtle information on conflicts allowing cross-checking and getting a better understanding of certain crisis. Furthermore, the female members of the networks have gained confidence and now dare to express themselves in front of men. They do not accept being marginalized anymore, they demand equality and may travel alone, without their husbands. Thus, the project has had a lasting impact on gender issues and on men's recognition of women's competencies. They proudly claim that they have liberated themselves since the project was launched. A statement not all men view positively.

HD's support to the leaders helps strengthen community cohesion in a pastoral setting, a key element for the stabilization of the Sahelian environment. The results obtained in such little time show the relevance of having populations affected by insecurity identify the solutions. This is the way to contribute efficiently to the prevention and management of conflicts. A representative of the High Authority for the Consolidation of Peace (Niger).

Secondly, leaders as a whole note that municipalities not benefitting from the support of the HD project suffer more violence linked to the exploitation of natural resources and a higher number of victims. Likewise, cattle thefts are more frequent in these areas and animals are never recovered. Conflicts in neighbouring municipalities are resolved very slowly or not at all. According to the network leaders, a higher number of young people are therefore joining armed groups in these areas, either due to frustration or in order to seek protection for their community.

The improvement in the socio-economic and security contexts in the municipalities covered by the project will also facilitate the arrival of public services and development aid. It will help reduce possible connections between communal conflicts linked to the sharing of natural resources in the desert, and conflicts between armed groups and States that are affecting the sub-region.

Apart from the efficient engagement of leaders in the resolution of community conflicts that we are witnessing every day, pastoral communities understand their rights and duties better. HD also facilitates relations between technical services and nomad or transhumant herders. An official in Gao (Mali)

Conflict resolved by community mediators along the borders of Mali, Niger and Burkina Faso (January 2015 – June 2018)

Type of conflicts	2015	2016	2017	2018 (January – June)	Total in 3.5 years
Breeders - Farmers	32	10	39	10	91
Breeders - Breeders	13	4	18	11	46
Farmers - Farmers	5	5	7	7	24
Fishermen - Fishermen	3	2	0	0	5
Fishermen - Breeders	1	1	0	1	3
Fishermen - Farmers	1	0	0	0	1
Cattle thefts	8	9	21	12	50
Various - between families and village chief, etc.*	10	9	34	21	74
Total	73	40	119	62	294

* The resolution of these conflicts is not directly linked to the exploitation of natural resources; it illustrates the inter-communal trust needed to manage conflicts and tensions amicably.

The limited impact of the signed peace agreements

There are many factors that may undermine the signed peace agreements: the parties' nomadic way of life; the presence of actors hostile to peace; insufficient public services to respond to basic needs; lack of supervision of livestock markets; bad crops; lack of water points, pastures and passageways; or lack of respect for legislation.

Furthermore, the presence of jihadist armed groups, who are using community conflicts to consolidate their legitimacy and extend their sphere of influence, sometimes prevents the implementation of a mediation process and weakens the impact of signed peace agreements.

Finally, if the parties are committed to solving their disputes amicably and actually sign a peace agreement, they often call upon the authorities to solve the problem that is at the root of the trouble. It often amounts to a structural problem including the need for water points; for the marking of a passageway; or the implementation of the disarmament, demobilization and reintegration programme in the framework of the Malian Agreement for Peace and Reconciliation. Therefore, the participation of the authorities in the mediation process is a precondition for the parties' commitment to the implementation of the agreements, as is the support of development partners in order to respond to the structural needs of agro-pastoral communities.



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