

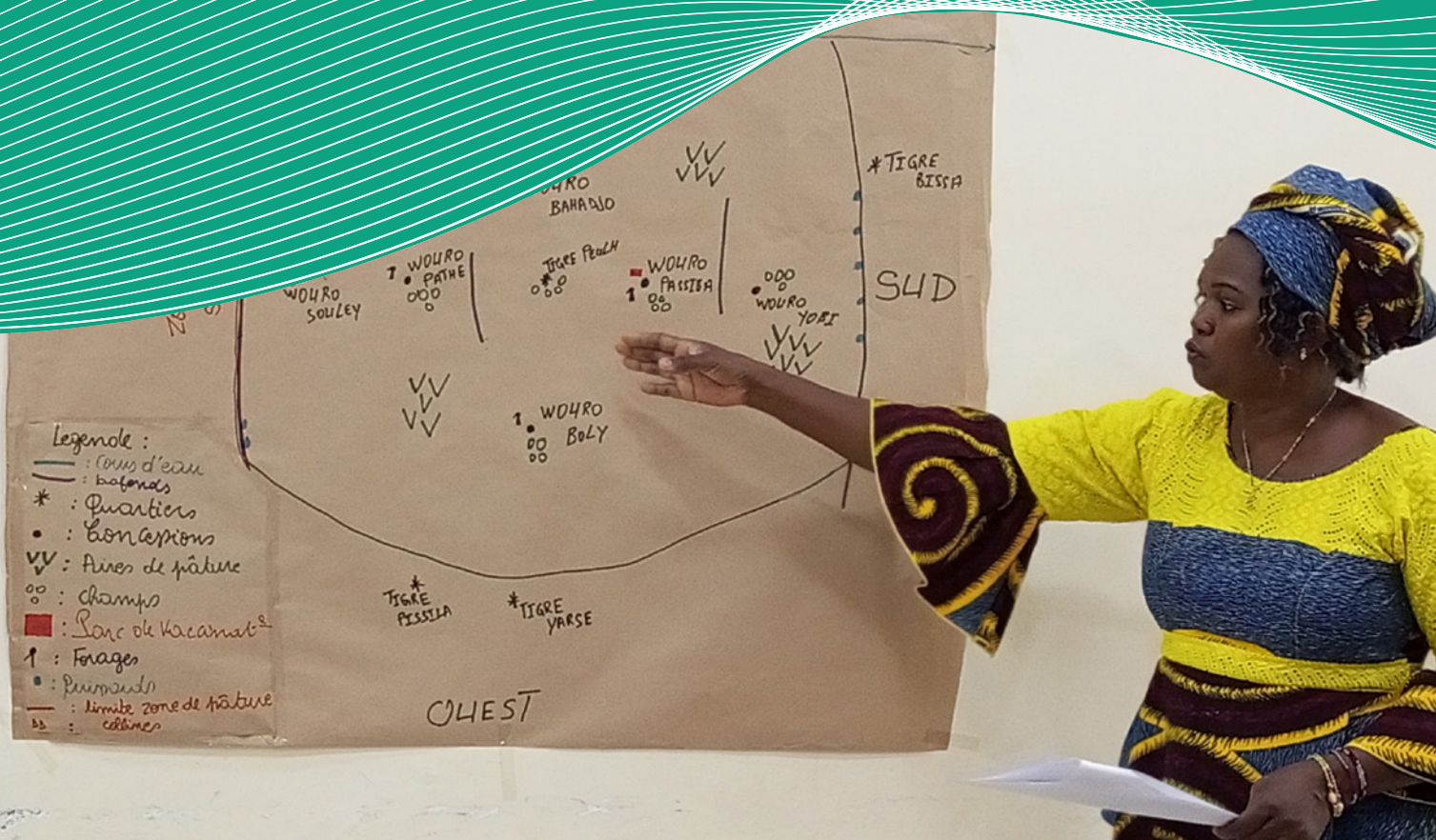
SPARC

Supporting Pastoralism
and Agriculture in Recurrent
and Protracted Crises

REPORT

CHARACTERISING COLLECTIVE TENURE SECURITY IN PASTORAL SYSTEMS IN BURKINA FASO

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About SPARC

Climate change, armed conflict, environmental fragility and weak governance and the impact these have on natural resource-based livelihoods are among the key drivers of both crisis and poverty for communities in some of the world's most vulnerable and conflict-affected countries.

Supporting Pastoralism and Agriculture in Recurrent and Protracted Crises (SPARC) aims to generate evidence and address knowledge gaps to build the resilience of millions of pastoralists, agro-pastoralists and farmers in these communities in sub-Saharan Africa and the Middle East.

We strive to create impact by using research and evidence to develop knowledge that improves how the UK Foreign, Commonwealth & Development Office (FCDO), donors, non-governmental organisations, local and national governments, and civil society can empower these communities in the context of climate change.

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1. CONTEXT

Pastoral collective tenure and degrees of tenure security in pastoral systems are not as well understood as tenure and tenure security for settled and individual/household land users. This has important implications for the design of suitable approaches to improve tenure security in such areas, and measuring perceptions of tenure security as a contribution to global land indices.

SPARC undertook a series of case studies in Burkina Faso, Kenya and Sudan to understand collective tenure and perceptions of tenure security among rangelands pastoralists. This was done in collaboration with [Prindex](#), a data platform that carries out global surveys on people's perceptions of tenure security. Particular attention was paid in the studies to understanding any differences between men and women.

A synthesis document can be found on the [SPARC website](#).

Two layers of tenure and tenure security are considered in the study: (1) the group; (2) individuals within the group, understanding that groups are not homogenous.

Our study focused on 'perceived' tenure security, i.e. how secure people feel. This recognised that perceived tenure security can be a function of formal (legal) recognition of access and use rights, as well as an individual or group's experiences.

Specifically, the study aimed to understand the following:

1. How do pastoralist communities and their members access grazing land, what are the terms of that access, and what happens in the case of disputes?
2. What aspects of the tenure regime are most important for pastoralist communities and their members?
3. What is the perceived tenure security of the group, and members of the group, in terms of continued access to resources through the group?
4. What do pastoralist communities perceive to be the main drivers of tenure insecurity?

Findings at community level include: a description of the pastoral community and collective land under study; the de facto tenure system at community level; the characteristics of the local tenure system, perceived tenure security and factors that affect community perceptions; and differences for individuals vis-à-vis the collective.

The study findings will inform the development of indicators to track tenure security in a pastoral context, as well as better interventions to secure tenure in collective pastoral systems. The next step in the process is a series of consultations to identify the indicators for measuring perceived tenure security at scale, and testing of these.

2. THE SIGNIFICANCE OF PASTORALISM IN BURKINA FASO

Sociocultural – As in most Sahelian countries, pastoralism in Burkina Faso provides: (1) social prestige; (2) basic support of pastoralist families; (3) accumulation of livestock capital to cope with various risks and hazards; (4) social links and exchanges between members of pastoralist communities (as gifts, dowries, inheritances, loans to families or *habbanaye*¹); (5) social relations with other communities, mainly agro-pastoralist, especially during transhumance (reciprocity); and (6) maintenance and transmission of knowledge, both technical and cultural (Wane, 2006).

Economic – Livestock plays an important economic role for the state and rural households. It is the third-largest export after cotton and gold and contributes about 30% to export earnings, which is more than 18% of the gross domestic product (GDP) (PNSR, 2018) and 40% of agricultural value added (FAO, 2019). The livestock industry employs more than 87% of working men and women (UNDP, 2015) and provides 39% of rural household cash income (MRA–UNDP, 2011). Cattle alone provide livelihoods for about one million households (FAO, 2019). The dominant traditional extensive transhumant pastoral and sedentary agro-pastoral systems supply nearly 90% of the meat and more than 95% of the milk to the national market (FAO, 2019).

Environmental – In general, there are positive correlations between livestock numbers and environmental quality (FAO, 2019). Contrary to popular belief, pastoralism helps maintain rangelands through faeces fertilisation and the dissemination of forest and forage seeds (epizoochory and endozoochory) (Sawadogo, 2011; Boudet, 1978; Daget and Godron, 1995; Devineau, 1999). This enriches the flora and repopulates natural areas. Livestock farming also contributes to the valorisation of agricultural and agro-industrial by-products, fallow land and spaces unsuitable for agriculture (Wane, 2006; Nori, 2007). FAO (2019) estimates greenhouse gas emissions due to cattle production at 16.5 million tonnes of carbon dioxide (CO₂) per year.

2.1 Extent of rangelands and changes over time

According to the laws governing access, use and management of natural resources in Burkina Faso, particularly the Land and Rural Development Law (RFR), available grazing areas can be categorised into: (1) reserved areas (such as special pastoral development zones); (2) village grazing zones; (3) salt-curing areas; (4) *bourgoutières* or natural wet pastures; (5) traditional rural pastures; (6) forage crop areas for direct animal grazing; (vii) transhumance or trade routes and corridors; and (viii) open grazing areas, including fields after harvesting, fallow lands, and open forest areas like classified forests, protected non-cultivated forests or sylvo-pastoral areas.

¹ *Habbanaye* is a traditional Fulani solidarity system that consists of building or reconstituting the productive capital of livestock for needy members of a community. Typically, an animal (a female) is temporarily entrusted to the beneficiary and, after one or more reproductive cycles, returned to its owner and the offspring are raised by the beneficiary to provide milk and meat for the household or, in the event of a shock, a source of income to meet the family's needs (USAID NCBA-CLUSA (n.d.) 'Le Habbanaye' (https://pdf.usaid.gov/pdf_docs/PA00XD2R.pdf))

Using data from the 2012 Land Use Database (IGB, 2014), we identified various land-use units and grouped them into categories (e.g. agro-forestry parks, shrub savannas, grassy savannas, open forests, gallery forests, tree savannas). This allowed us to estimate the potential grazing areas for different seasons (Table 1).

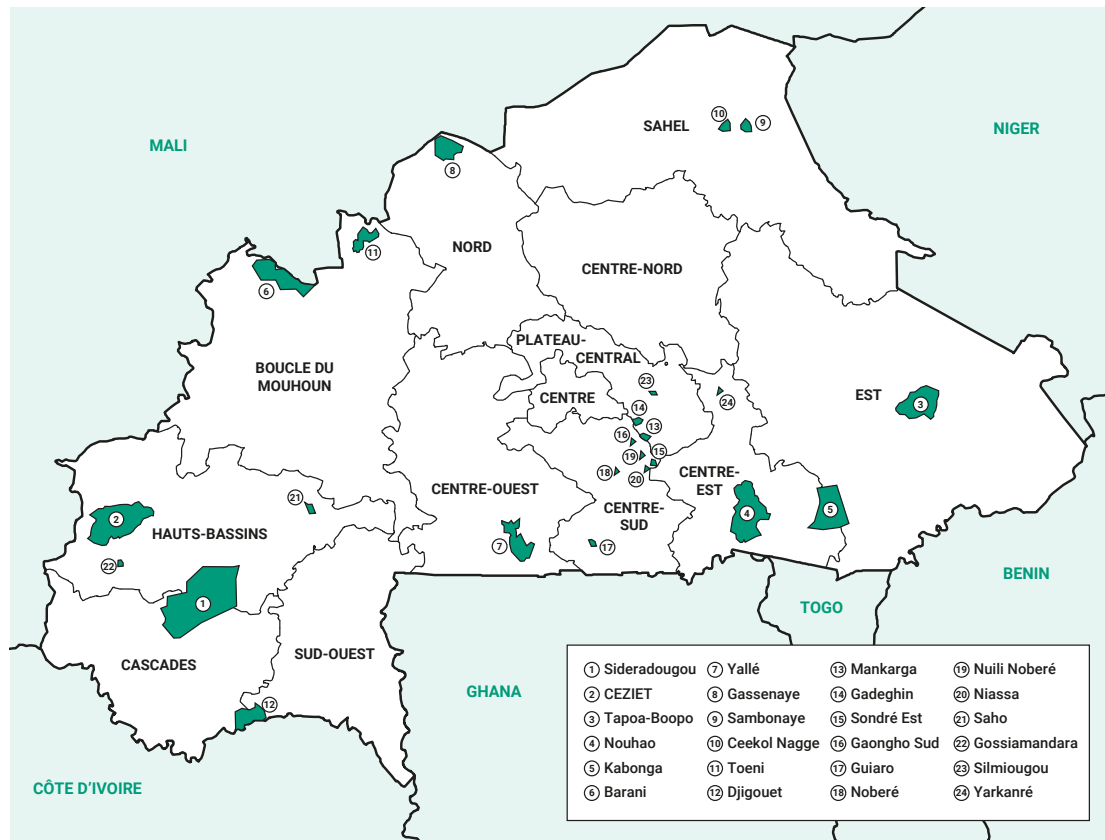
TABLE 1: TOTAL AREA OF POTENTIAL PASTORAL SPACE IN BURKINA FASO BY SEASON

Designation	Area in rainy season (ha)	Area in dry season (ha)
Total pasture	10,455,332	11,603,690
Useful pasture	10,311,157	11,521,260
Water bodies	106,047	85,996

Source: author's creation

Until 2017, Burkina Faso had 28 officially designated functional pastoral zones, which are special management areas defined by the LORP (Figure 1). These collectively cover an estimated 747,496 hectares (ha) (ONF-BF, 2017). Additionally, the country had approximately 161 village and inter-village grazing zones, encompassing an area of around 1,200,000 ha (ONF-BF, 2017). These official pastoral areas were not evenly distributed, with the majority concentrated in the Centre-South (six pastoral areas) and Centre-East (four pastoral areas) regions (ONF-BF, 2017).

FIGURE 1: MAP OF DEVELOPED PASTORAL AREAS IN BURKINA FASO



Source: ONF-BF, 2017

2.1.1 Changes in extent over time

The extent of potential pastoral rangelands has been decreasing over time. This decline is primarily due to human activities such as agriculture (including frequent clearing of pastures, livestock pathways and transhumance corridors), industrial and artisanal mining and extensive privatisation of rural and peri-urban land, such as in Sissili. While no recent data is available, it was estimated that, in 2004, the loss of pastoral land to agriculture amounted to 3.3% (MRA, 2012). This trend is observable even on the outskirts of specially developed pastoral zones, such as the Sideradougou zone, whose area decreased from 307,000 ha at its establishment in 1988 to approximately 51,500 ha some two decades later (ONF-BF, 2017). Agricultural expansion is the main driver behind the reduction in managed or traditional grazing areas.

2.1.2 Interactions between pastoralism and other land uses

In the past, resident or transhumant pastoral groups maintained positive relationships with other communities, engaging in complementary activities and exchanging services and goods through reciprocity (Thébaud, 1995; Boutrais, 1999). However, these relationships have deteriorated due to several factors. First, demographic pressure has led farmers to expand their fields at the expense of traditional pastures. Second, the diversification of activities within each community has disrupted complementarity and intensified competition for resource access (Sawadogo, 2011).

In absolute terms, these relationships have become increasingly conflictual, varying in intensity across different regions of the country (Illy, 2018). Land conflicts related to these issues have risen significantly, with the Centre-North region topping the list with 182 land conflicts during 2013–2014. In contrast, the Sahel region of Burkina Faso recorded only six land conflicts during the same period. The situation remains volatile, with the East region ranking eighth during the previous period, with 31 land conflicts, but taking the top spot as the most affected region during 2015–2016, with 138 recorded conflicts (Illy, 2018).



Researchers interviewing members of the Wakilé Allah group.
Image by Issa Sawadogo

2.2 Challenges

2.2.1 Land tenure insecurity due to increased land transactions and land laws

In the past, certain areas in villages were tacitly agreed upon for animal grazing. The lowlands (Sawadogo, 2011) and floodplain areas, strategic spaces for livestock in the dry season, were little cultivated and animals were left to find fresh grass. Farmers are encroaching on these strategic spaces due to the increased need for land and the inaction of technical services to manage clearing large areas under Article 47 of Law No. 003-2011/AN of the Forestry Code. They are encouraged to do so by development policies that promote these areas for agricultural purposes (rainfed and off-season crops) to the detriment of their pastoral use (Sawadogo, 2011). The precariousness of the land tenure situation for pastoralists has increased with the adoption of land laws, which has led to an increase in land transactions with massive appropriations and the sale of lands previously reserved or open for grazing.

2.2.2 Pressure on traditional pastoral lands and conflicts with farmers

Pressure on traditional grazing lands and conflicts has increased due to climate change, including shifting rainfall patterns, shorter rainy seasons and more dry areas. The expansion of agriculture, especially cash crops like cotton, has also reduced available resources such as pasture and water for pastoral communities.

Additionally, farming and mining have encroached on grazing areas, livestock routes and animal migration paths. According to reports from the National Land Observatory of Burkina Faso (ONB-BF) in 2017, and the Netherlands Development Organisation (SNV) and Resource Conflict Institute (RECONCILE) in 2020, these factors have contributed to the problem. In 2004, the Ministry of Animal Resources (MRA) estimated that around 3% of pastoral lands were converted to farmland each year, as noted in a 2012 report (MRA, 2012). This situation has led to conflicts, sometimes violent, arising from livestock damaging farmers' crops.

2.2.3 Degradation of natural rangelands caused by climate change and human activities

The quality and quantity of food available for herders and their animals in natural rangelands have declined for several reasons. These include periods of drought in the 1970s and 1980s, ongoing climate change and human activities that put pressure on these resources. As a result, herders struggle to find enough nourishment for their animals, especially during the dry season. This challenging situation has led to increased transhumance, where herders move their livestock away from their original areas over longer distances and for extended periods. Some herders have even chosen to settle in other places outside their home countries such as Ghana and Togo.

2.2.4 Privatisation and monetisation of rural land

Traditionally, pastoralists' access to natural resources such as water and grazing land was based on the multifunctionality of natural resources and the multiple uses of these resources by different user groups over time. Today, due to unfavourable legislative changes (e.g. the Rural Land Tenure Act that encourages privatisation) and the increasing market value of land, indigenous communities are experiencing increased sales of land to wealthy individuals who are establishing farms (SNV and RECONCILE, 2020) that are sometimes left undeveloped.

2.2.5 Limited involvement of pastoralists in decision-making processes

Decentralisation has led to decentralised management of natural resources, with mechanisms such as village development councils, village land commissions and village land conciliation commissions. Pastoralists are poorly or not at all represented and unable to defend their interests (SNV and RECONCILE, 2020).

2.2.6 Insecurity linked to violent extremism leading to displacement

Insecurity affecting people and their property is a significant obstacle to pastoralism and transhumance within the country and in cross-border areas. The natural pastoralist spaces are insecure, which increases their vulnerability and feeds suspicion about pastoralists. This is one reason why pastoralists are deserting these areas in search of more peaceful locations (SNV and RECONCILE, 2020). In an attempt to adapt to the context, pastoralists are moving in larger groups, modifying their routes, minimising transhumance or attempting to settle in more secure coastal countries.

In principle, certain laws are supposed to create the conditions for peaceful cross-border mobility (e.g. Decision A/DEC.5/10/98 and Regulation C/REG.3/01/03 at the community level, as well as bilateral agreements such as the Mali–Burkina,² Burkina–Niger³ and Burkina–Côte d’Ivoire⁴ agreements) (GIZ, 2019). In practice, these principles have been repeatedly challenged, particularly between Burkina and Benin (with a government order banning cross-border transhumance since 1995, updated in 2019) and between Burkina and Togo (introduction of high taxes by an inter-ministerial order in 2008). This reluctance has been reinforced with the onset of insecurity in these areas, as these states fear that assailants will mix with transhumant herders to gain access to their territories. Despite this reluctance, a large number of pastoralists have moved with their herds to neighbouring countries (Ghana, Côte d’Ivoire, Benin and Togo).

2 Agreement on pastoralism between Burkina Faso and the Republic of Mali of 18 July 1988; Memorandum of Understanding on the seizure of livestock between Burkina Faso and Mali of 5 December 1989; Agreement on the creation of a framework for consultation on cross-border transhumance of 24 May 2006.

3 Memorandum of Understanding establishing a framework for consultation between Burkina Faso and the Republic of Niger on cross-border transhumance (Tillabery, 26 January 2003).

4 Memorandum of Understanding establishing a framework for consultation between Burkina Faso and the Republic of Côte d’Ivoire on cross-border transhumance, signed on 30 July 2013 in Yamoussoukro.

3. LAND TENURE SYSTEMS FOR PASTORALISM IN BURKINA FASO

Burkina Faso's land tenure system for pastoralism is a complex web of laws governing rural land and pastoral activities. These laws grant herders important rights but need harmonisation to address shortcomings. Land governance involves various levels of government and local structures, while policies aim to promote equitable land access, including for women and youth.

Pastoralist land rights within the national domain are governed by various laws related to pastoralism or rural land tenure. The Law on the Orientation of Pastoralism (LORP) is the main law governing pastoral activities in Burkina Faso. It grants important rights to pastoralists, including access to and use of special pastoral areas and the right to share other areas with other natural-resource users, such as farmers. The LORP also establishes additional rights for herders, like access to water, transhumance trails, and a flexible dispute-resolution mechanism, including mandatory preliminary conciliation and, if needed, litigation.

The land tenure laws aim to regulate the management of all land within the national land domain, whether owned by the state, local authorities or individuals. These laws primarily include the Agrarian and Land Reorganisation Law and the Rural Land Tenure Law. They provide security for collective land rights through local land charters, specifications and individual land rights such as rural land-use rights (e.g. long leases, land loans, land rentals) or permanent enjoyment rights (e.g. rural land possession certificates, farming permits, land titles). Additionally, there are other laws on decentralisation, forests, water, environment, expropriation and land-use planning. These laws require harmonisation to address existing gaps.

Land management operates under a dual system, with customary and modern systems coexisting. In the event of conflicts, the modern system takes precedence. Various entities are responsible for land management, including national ministries, deconcentrated state services and local authorities like communal and regional bodies, rural land services, village land commissions and village land conciliation commissions.

The protection of the rights of women and young people concerning land tenure is not specifically outlined in the primary land-tenure laws. However, there is a clear political intent to address this issue. For example, the national policy on land security in rural areas, adopted in 2007, acknowledges the land rights of rural producers and emphasises the need to safeguard and ensure access to land for women, young people and pastoralists.

3.1 Formal land tenure systems and their governance

The main law governing pastoral activities in Burkina Faso is the Law on the Orientation of Pastoralism (LORP). Additionally, Article 106 of Law No. 070-2015/AN of 22 October 2015, on the orientation of agro-sylvo-pastoral, fisheries and wildlife activities, mandates the state and local authorities to allocate at least 30% of developed land for these activities to benefit women and youth in the agricultural sector. In the agricultural sector, recent reports indicate that over 60% of developed land has been allocated to youth and women. However, similar data for the pastoral sector is currently unavailable.

Law No. 034-2002/AN of 14 November 2002, also known as the LORP, establishes a comprehensive legal framework for pastoral activities. The main provisions are outlined below. Further details are in Annex 1.

- **Access to specially developed pastoral areas** – The law allows authorised pastoralists access to designated pastoral zones, regulating access through responsible authorities. Land within these zones can be allocated for individual use based on permits or leases. The state may also grant concessions for specific areas within pastoral zones.
- **Access to reserved grazing land** – Pastoralists have the right to freely access areas reserved for animal grazing, but local communities can collaborate with authorities to regulate access through local land charters, ensuring sustainable resource use.
- **Access to open grazing land** – Pastoralists can use fallow fields or post-harvest lands, sharing these rights with other rural operators. They can access these areas unless the owner explicitly prohibits it.
- **Access to water** – The law grants pastoralists access to water points for their animals, subject to water management laws. Easements of passage are imposed on the land bordering water points.
- **Livestock movement and tracks** – Herders have the right to move livestock within the country and internationally, following relevant laws. Specific livestock tracks, including access, transhumance and marketing tracks, are categorised as public domain. The state or local authorities own them.
- **Dispute resolution** – The law promotes conciliation as the initial step in settling disputes related to pastoral activities. Disputes must undergo mandatory conciliation within a local commission involving representatives from both farmers and pastoralists. This process aims to resolve conflicts while considering local traditions and practices before resorting to legal proceedings.

3.2 Laws on rural land tenure

The overall intent of these laws is to establish a comprehensive legal framework that promotes sustainable development, resource management and protection of land, water and natural resources while ensuring equitable access and safeguarding the rights of various stakeholders, including pastoralists. These laws aim to strike a balance between economic development, environmental conservation and social inclusivity. Further details are in Annex 2.

Key objectives include:

- **Sustainable development** – Many laws, such as No. 070-2015/AN and No. 024-2018/AN, emphasise sustainable development in various sectors, including agriculture, forestry, fisheries and wildlife. They seek to improve economic efficiency, enhance social well-being and promote environmental sustainability.
- **Land tenure security** – Laws such as No. 034-2009/AN and No. 034-2012/AN address land tenure security, providing a legal framework for defining property rights, land registration and land management. These laws aim to protect the rights of landowners, including pastoralists, and to prevent land disputes.
- **Access to resources** – Several laws, including No. 034-2009/AN and No. 009-2018/AN, focus on ensuring equitable access to resources, such as rural land and water. They aim to promote fair distribution of resources among different stakeholders, including women and youth.
- **Environmental conservation** – Laws No. 003-2011/AN and No. 006-2013/AN are dedicated to environmental protection and conservation. They aim to safeguard natural resources, protect biodiversity and address environmental degradation.
- **Gender inclusivity** – Law No. 070-2015/AN is notable for its emphasis on gender inclusivity, requiring the reservation of land for vulnerable groups, especially women and youth, to promote their participation in resource management and development activities.
- **Resource management** – The Forestry Code (Laws No. 055-2004/AN and No. 003-2011/AN) addresses the management of forests and protected areas, including those with pastoral zones. These laws aim to regulate resource use and protect sensitive ecosystems.
- **Expropriation and compensation** – Law No. 009-2018/AN provides a mechanism for expropriation and compensation when consensus cannot be reached among landowners, enabling land allocation for various purposes, including pastoral activities.
- **Water management** – The Water Orientation Law (No. 002-2001/AN) focuses on water resource management, emphasising the importance of sustainable water use, safe drinking water provision and addressing water-related challenges like floods and droughts.

3.3 Recognised land tenure types and associated rights

Burkina Faso recognises two main types of land tenure: customary and modern.

3.3.1 Customary land tenure

Law No. 034-2009/AN is based on local customs and practices. Possession of rural land, validated by a Certificate of Rural Land Tenure, is the foundation of this form of tenure. It must be recorded and formalised to have legal status. Article 6 defines rural land possession as the de facto power legitimately exercised over rural land about local land tenure customs and practices. However, for this practice to be recognised as a source of law, it must be recorded and formalised through an administrative act called a Certificate of Rural Land Tenure.

3.3.2 Modern land tenure

This encompasses formal acts that validate land rights and include land titles, operating permits, provisional and final transfer orders, and other non-permanent titles like long leases. These titles represent rights over rural land. Land tenure security is initiated by individuals or legal entities, involving various administrative processes, and is governed by laws such as the law on agrarian and land reorganisation and the law on rural land tenure. Several types of land titles and permits are relevant to pastoral activities. These include:

- land titles or title deeds – these are issued by the ministry responsible for domains
- operating permits – issued by the mayor after reviewing the application with domain services
- transfer orders – these include provisional and final transfer orders issued by the ministry in charge of domains
- provisional orders – issued by the mayor
- Certificate of Rural Land Ownership – also issued by the mayor's office.

Additionally, non-permanent titles can be useful for pastoral activities, such as long leases granted by both communes and the state. Land loans and land leases in rural areas are contracts between individuals, as outlined in the law on rural land tenure, and they establish usage rights for their beneficiaries.

Securing land tenure must be initiated by interested individuals or legal entities, whether public or private. When it comes to issuing modern property titles, the Ministry of Economy, Finance and Development is responsible for granting land titles. However, other titles, such as the Certificate of Rural Land Ownership, are typically issued by the community (commune) following review by the land registrar and the land registry or by the Rural Land Service or land office, as in the case of the Certificate of Rural Land Possession.

3.4 Governance arrangements

Land management in Burkina Faso involves several actors: the state, local authorities and local land management mechanisms.

3.4.1 The state

The state operates through central-level actors like the minister in charge of domains and central directorates responsible for land, including the General Directorate of Taxes. At the decentralised level, regional and provincial tax directorates are involved. The Revenue of Domains and Land Registration handles land management.

3.4.2 Local authorities (communes and regions)

Communes are responsible for land management within rural communes through the Rural Land Service. However, the Bureau Domanial takes on this role in urban communes (including attached villages). In villages, communes establish village land commissions and village land conciliation commissions. Village land commissions manage land, while village land conciliation commissions resolve land conflicts, including those involving farmers and herders.

3.4.3 Local land management structures

Individuals play a significant role in land management. They are not only members of local land management structures like village land commissions and village land conciliation commissions but can also create local rules for land management, including those related to pastoral resources. Various types of land titles are available, and they are obtained through different processes:

- The Certificate of Rural Land Ownership is signed and issued by the mayor of the concerned commune, with the file processed by the Rural Land Service.
- The operating permit file is processed by the Receiver of Lands and Land Registration and is signed by the mayor.
- The land title file is reviewed by the land registrar and signed by the Minister of the Economy, Finance and Planning.

In cases of rural land conflicts, which may involve pastoral activities, the regulations mandate a prior conciliation process (Articles 67 and 96 of Law No. 034-2009/AN of 16 June 2009 on rural land tenure). Conciliation results in either a conciliation report if an agreement is reached or a non-conciliation report if no agreement is reached. If no agreement is reached, the concerned party can take the matter to a civil court with jurisdiction for a legal resolution of the dispute.

3.5 General overview of pastoral systems in Burkina Faso

The traditional pastoral communities are made up primarily of Fulani people and their distribution corresponds to the geographic spread of the Fulani community. Initially, these pastoral groups were found in the Sahel region (Seno, Oudalan, Soum, Yagha), the North (particularly in Northern Yatenga, Thiou and Banh areas), Boucle du Mouhoun (Barani) and in the East (areas bordering Niger). They traditionally moved to the southern, more agriculturally oriented regions during the dry season.

Severe droughts in the 1970s and 1980s forced some pastoralists, including entire families and clans to migrate and settle in the southern part of Yatenga and the northern centre (Bam, Sanmatenga and Namentenga). Some settled in state-developed pastoral areas (now totalling 28), aiming to reduce conflicts with farmers, while others integrated traditional village spaces where they shared pastoral resources with host communities. To diversify and adapt, some pastoralists also engaged in agriculture. However, the emergence of terrorism-related insecurity in 2015 led to significant changes in the pastoral landscape.

Today, the situation is difficult to determine due to terrorist activity in most forest areas which displaced herders and local farming communities. In Burkina Faso, especially in the north and east, pastoral groups are organised around key figures in the traditional pastoral system known as rugga. These leaders play crucial roles in maintaining clan cohesion and the security of their members and animals. They possess extensive knowledge of the pastoral environment, including seasonal variations, land characteristics, vegetation, water sources and soil conditions. The organisation of transhumance often involves a scout, the Garso, who provides essential information for decision-making.

In the present day, particularly in the southern regions, pastoral organisation is less robust, with clan structures breaking down into smaller groups that strive to uphold traditional practices in resource management and community relations. One constant in Burkina Faso's pastoral environment is that land is not privately owned by individuals or communities. It is considered freely accessible. Pastoral groups prioritise meeting their livestock's food needs, regardless of the cost. Land tenure security for pastoralists is more about ensuring access to resources than obtaining formal land titles. The strengths of pastoral groups lie in their solidarity and extensive knowledge of their environment, enabling them to maintain mobility despite resource pressures and deteriorating relationships with other communities.

In addition to the traditional pastoral system governed by internal resource access and management rules, management within state-established pastoral zones is quite different. Herding groups, organised into associations, settle there with their families and operate according to rules established by the administration. Furthermore, the appropriation of land for real estate and large-scale agriculture (agribusiness) in village and peri-urban areas is a relatively recent trend gaining momentum.

4. THE CASE STUDY

4.1 Land ownership and management in Zoundweogo Province

Pure pastoralism is not common in the South-Central region, specifically in Zoundweogo Province. Initially, this area was primarily agricultural, with a substantial uncultivated section where onchocerciasis (blackfly-transmitted disease) was prevalent. The region's transformation, initiated through development projects following the successful control of onchocerciasis, turned it into a zone for agriculture and pastoral activities. During the 1970s and 1980s droughts in the northern regions (Sahel and North Central), many farmers and herders from those areas relocated to the south, particularly in the Zoundweogo Province (Robert, 2010). This migration was especially notable in areas recently freed from river blindness (onchocerciasis) and sleeping sickness (human trypanosomiasis), such as the Kaibo area (Zampaligré et al., 2019).

The government designated six specific pastoral zones in the region to address the rising conflicts due to increasing space pressures. Among these, three are located in Zoundweogo (Sondré-Est, Luili-Nobere and Niassan), and one is a sylvo-pastoral zone (Gogo-Gomboussougou) acting as a buffer between the province and the Parc National Kabore Tambi. In the present situation, pastoral families from the north face three scenarios:

1. In response to resource pressure and degradation, some herders have migrated further south, even as far as Ghana, where they have established new settlements.
2. The largest group of herders has found homes in pastoral areas developed by the state.
3. A smaller group of herders, more aligned with the traditional pastoral model and practices, remains in village spaces, especially within the sylvo-pastoral zone (Gogo-Gomboussougou).

One notable group in this third category is the Wakilé Allah pastoral group of Tigre, located in the commune of Binde. These herders settled in managed pastoral zones bear responsibility for their areas and have the authorisation to live there, as stipulated in Article 13 of the LORP. Their activities within these zones are subject to regulation by Decree No. 2007-410/PRES/PM/MRA/MFP, which outlines the general conditions for allocation, occupation and utilisation of developed pastoral zones.

Pastoralists who live in collective villages use the same resources as the animals of sedentary communities. They are accommodated by residents who tolerate them, and their animals graze on uncultivated or unused lands and spaces between fields. However, their numbers are small, and some observers question whether this livestock-farming model can endure amidst the increasing land-occupation dynamics (agricultural expansion, land sales for farming and real estate projects) that often disregard the interests of herders.

In general, pastoralists who migrate to the region, including those in pastoral areas, settle in clan groups or extended families, with the group leader typically being the eldest or most established individual. Their strengths lie in their internal cohesion within these groups, their efforts to maintain harmonious coexistence with other communities, particularly indigenous ones, and their ability to access and develop resources, even when they are not easily reachable (e.g. night grazing in areas near fields and concessions). However, the current situation poses significant challenges to this system's adaptability due to limited space, growing hostilities from other stakeholders, especially farmers, increased land monetisation and resource depletion through unregulated extraction.

Laws governing pastoral land tenure and natural resource management are generally poorly known or completely unfamiliar to the stakeholders, including supervisory agents. Even technical service personnel are often only familiar with texts relevant to their specific areas. Producers, including farmers, herders and pastoralists, are aware of these laws but have only a vague understanding of their content, often being unable to name or describe them. This lack of awareness allows for abuses in the implementation of these laws, with technical services often applying them partially or unfairly. Land access disputes, in particular, tend to disadvantage livestock farmers. There are conflicting opinions regarding the management of conflicts arising from field damage or the use of traditional or vital pastures by animals. Some farmers criticise herders for using their resources to influence agents reporting damage or those responsible for determining penalties.

4.2 The collective pastoral system under study

The pastoral group Wakilé Allah represents a typical pastoral group organised into a clan consisting of multiple families. This group is based in the Tigre village, 15 km from Kaibo-Centre and 37 km from Manga.

The pastoral group was established in the village during the droughts of the 1970s, which forced many herders to migrate to the southern part of the country. Its members predominantly rely on livestock, particularly pastoral activities, and, to a lesser extent, agriculture. They practise mobility in managing their herds across a vast pastoral area spanning approximately 12,000 ha, which has been allocated by the village chief.

This area is also shared with other groups, including farmers cultivating fields. Consequently, the available space is under significant pressure, and mobility, whether large- or small-scale, appears to be an adaptive strategy for the group. This pastoralist group was chosen for the study due to its relevance to traditional land tenure systems and its location, which is relatively unaffected by the insecurity issues experienced elsewhere in Burkina Faso, including Zoundweogo Province. Larger groups exist in more critical areas, such as the Gogo-Gomboussougou sylvo-pastoral zone, which is currently plagued by insecurity.

5. METHOD

5.1 Case study location

The case study was conducted in the village of Tigre, in the rural commune of Binde (Zoundweogo Province, Centre-South region). Two criteria guided our choice. The first was the favourable security situation, which is good compared to other regions of the country. The second criterion was that the pastoral groups met the criteria of a 'typical' pastoral group operating according to traditional and endogenous rangeland management conventions (Box 1). Based on these two criteria, the Wakilé Allah was identified as a test case for the study.

BOX 1: CRITERIA FOR A 'TYPICAL' PASTORAL GROUP

- The group has well-defined leaders and a clear governance structure (considered more or less formal by the group but has no formal recognition by the government).
- The group has clear rules and guidelines on when and how far to travel, what routes to take and who travels.
- The group has good working relationships with the communities in the areas where they travel.
- The group has a home base that may be shared with other groups, and extensive transhumance takes place from that home base.
- The area, extent, duration and timing of transhumance will depend on the season. The group will have a clear idea of the place of origin and will also be able to describe their transhumance patterns and mobility.
- The areas where transhumance is practised are also used by other groups but not exclusively.
- The group continues to use the land collectively for transhumant and mobile livestock.
- Livestock remains a central component of their livelihood system.
- Mobility remains of paramount importance.

Source: author's creation.

The steps taken to contact the group were:

- asking the regional directorate in charge of livestock for information, suggestions and contacts for the group
- telephone exchanges with the contact persons within the group
- sending two research team members – a research assistant (at the national level) and a livestock technical officer based in the region (identified as a field assistant).

5.2 Research methods

The study was conducted using documentary research and individual and focus group discussions. The literature review gathered information on pastoralism (actors, events, constraints) at the national and regional levels.

The interviews were of two types: (1) interviews with key informants at the national and regional levels to complete and update the information from the literature review; and (2) focus group discussions with representatives of the pastoralist group (mixed groups, specific groups) on various themes. The specific focus group discussions aimed to discover the particularities of individuals within these groups compared to the mixed group.

The participants were chosen by considering various criteria so that they would be sufficiently representative of the Wakilé Allah pastoral group: age (old, young), gender (men, women), social commitment (leadership, noncommittal), marital status (married, single, widowed, divorced), level of wealth (rich, poor). A total of 28 people participated in the exchanges, including 3 people for the tool testing and 15 people for the mixed-group focus group discussions (Table 2). Of the 15 people in the mixed group, only 1 person (a man) left two days later for family reasons and did not return.

In discussions with specific groups, new people (three women and seven men) joined the exchanges. Two women and two men from the original mixed group joined these new people to form the men's specific group (nine people) and the women's specific group (five people).



Researchers interviewing members of the Wakilé Allah group.
Image by Issa Sawadogo

TABLE 2: NATURE AND CHRONOGRAM OF THE DISCUSSIONS

Nature of the interview	Participants	Topics	Sites	Period
Test of the tools	3 (2 men, 1 woman)	–	Manga	20 February 2023
FGD 1	6 (4 men, 2 women)	Livelihoods and strategies	Manga	21 February 2023
FGD 2 Part 1	15 (10 men, 5 women)	Pastoral land use and introduction to the management and governance system	Manga	22 February 2023
Individual meeting with the Regional Director of Livestock		Characterisation of pastoral systems and level of knowledge and implementation of legislation	Manga	22 February 2023
FGD 2 Part 1	14 (9 men, 5 women)	The tenure system in place for collective access and use of wet-season pastures	Manga	23 February 2023
FGD 2 Part 1	14 (9 men, 5 women)	The most important characteristics of the collective tenure system for wet-season grazing	Manga	24 February 2023
FGD 2 Part 2	14 (9 men, 5 women)	<ul style="list-style-type: none"> ▪ Perceived community tenure security in wet-season grazing ▪ Perceived mobility security for the community in the wet season ▪ Main factors affecting the community's tenure security in wet-season pastures ▪ The impact of loss of rights for the community on wet-season grazing ▪ Past loss of rights for the group 	Manga	25 February 2023
Individual meeting with the Head of the Security and Pastoral Development Department of the Centre-South		Characterisation of pastoral systems and level of knowledge and implementation of legislation	Manga	25 February 2023
FGD 3	5 women	All topics of FGDs 1 and 2	Manga	26 February 2023
FGD 4	9 men	All topics of FGDs 1 and 2	Manga	27 February 2023
Individual meeting with the Provincial Director of Animal Resources of Zoundweogo		Characterisation of pastoral systems and level of knowledge and implementation of legislation	Manga	1–3 March 2023
Individual meeting with the Director-General of Pastoral Areas and Development		Characterisation of pastoral systems and level of knowledge and implementation of legislation	Ouaga	6 March 2023

Note: FGD = focus group discussion
Source: author's creation

The research team chose gender, age, marital status, social engagement and wealth as potential criteria for the focus group discussions on the assumption that these might influence a person's standing in relation to land and land tenure. After verification, the criteria of age and marital status were found not relevant because there were no young people (i.e. less than 35 years old) and all participants were married. We therefore set up two groups and defined the classes or subcategories as indicated below. The participants were then divided into subgroups: (A) for social commitment (referring to the individual's involvement in local political issues and community events); and (B) for the level of wealth (defined by the number and type of livestock (cattle, sheep and goats) and having all participants classified into one class or another by a consensus person), as follows:

Group A	Not committed	Moderately committed	Very committed	Total
Men	6	1	2	9
Women	0	–	5	5

Group B	Poor	Less wealthy	Wealthy	Total
Men	4	4	1	9
Women	3	–	2	5

5.3 Study limitations, challenges and solutions

The data collection process was conducted under significant time constraints, sometimes extending beyond 2100 hours. Initially planned for 14 days, the discussions with group members ultimately lasted only 10 days. This period, occurring from December 2022 to February 2023, coincided with the transhumance season, and some herders had already departed for Ghana. Those who remained were in the midst of preparations when contacted. Consequently, the information provided was occasionally unclear. Fortunately, the team reminded them and allowed them time to clarify information from the previous day. Additionally, discussions continued with some team members via phone after the research team had left.

Due to transhumance and gold panning, which primarily involve young individuals (15–35 years old), there were hardly any young participants within the pastoral group during our exchanges.

6. THE COLLECTIVE PASTORAL TENURE SYSTEM UNDER STUDY

6.1 The pastoral group

The Wakilé Allah consists of about 3,000 members who live mainly from livestock. They also practise agriculture as a sideline. Membership of the group is possible provided that one is a herder and agrees to respect the rules that the group has established. The group is well organised with a governance structure that includes a president (*diandé passiba*), an assistant to the president (*diandé oumarou*), an information officer (*bikienga salif*), a women's officer (*diandé fatoumata*) and her assistant (*diandé adama*). There is an organic link between the governance structure and the chief of Tigre Peul who is also a member of the pastoral group. The group has consultative bodies but they meet only occasionally, depending on the issues to be addressed.

Recently, they have been meeting more frequently because of the increasingly pressing constraints they are facing, such as pressure on land due to population growth (births and migrants), worsening climatic conditions (drought, reduced rainfall) and lack of water. The group members appointed the leaders based on their confidence in them, their wisdom and enormous convening power. The group is known only within Zoundweogo Province, mostly by their neighbours and technical services officers. However, they have recently begun a process of legal recognition.

6.2 Livelihoods and resilience

6.2.1 Population

The Wakilé Allah pastoral group defines itself as a clan of related families living in seven camps (Wuro) within the pastoral zone. The members of the pastoral group are estimated to total 300 households or approximately 3,000 people including men, women and children. They live primarily from livestock (Table 3).

TABLE 3: NUMBER OF ANIMALS IN THE VILLAGE OF TIGRE

Animal species	Number of animals in the Tigre pastoral group	Number of animals in other groups (Tigre Bissa, Tigre Pissila, Tigre Yarce)	Total
Cattle	10,000	1,350	11,350
Sheep	15,000	2,860	17,860
Goats	15,000	2,400	17,400
Donkeys	500	630	1,130

Source: author's creation

Over the past 10 years, changes have been recorded in both the population and its livestock. In terms of the population, there has been an increase in its size due to births and, to a lesser extent, the arrival of migrants. For livestock and by-products, there has been a decrease in the number of cattle, an increase in the number of small ruminants and a decrease in milk production due to the quantitative and qualitative degradation of pastoral resources (water and fodder) and the increasing competition for their use. The women observe the same changes in the population and livestock, but add that this year the village experienced high animal mortality.

6.2.2 Main livelihoods and changes over time

The group lives mainly from pastoralism. However, they also engage in other activities such as agriculture (rainfed and market gardening), house construction and rental (in urban areas) and gold panning.

Ten years ago, the group was making a living from the same subsistence activities and in the same order, but it was not common to find herders investing in real estate as seen today. This is due to the degradation of the conditions of livestock practices leading to the demotivation of the herders. The degradation of pastoral resources and competition over their use complicates the practice of livestock raising, negatively affects the performance of animals and threatens the security of herders, who are then forced to move on to other, more secure activities.

With the boom in gold panning, many young herders are more involved in this activity than in the past. Among the specific women's group, means of subsistence are livestock (selling milk and animals), agriculture (e.g. cultivation of okra, cowpeas and sesame) and the exploitation of non-timber forest products (fruits and tree leaves) and wood (firewood). Generally, the women each have a few head of small ruminants (sheep and goats) that are with the men's herds, driven by boys and girls (10–12 years old). When the cattle go on transhumance, the shepherds are young adults and adults (over 20 years old).

The current means of subsistence are those of 10 years ago but with more agricultural activities. According to the women, the reason is the decline in the performance of livestock farming, which faces more constraints. This forces the members of the pastoral group to diversify their activities further.

6.2.3 Main livestock and changes over time

Livestock production within the pastoral group is dominated by large (cattle) and small ruminants (sheep, goats) and donkeys. Economically, cattle are the most important, followed by sheep and goats. During the last 10 years, the composition of the herds has not changed significantly (Table 4). In the case of small ruminants, there have been attempts at crossbreeding between the smaller local breeds and the larger breeds from the north (Bali-Bali sheep, northern goats). However, crossbreeding remains minor as most experiments in this direction have not been conclusive.

TABLE 4: VARIATION IN THE SPECIFIC COMPOSITION OF HERDS WITHIN THE PASTORAL GROUP

Ranking	Type	Species	
		Today	Ten years ago
1	Cattle	Fulani Zebu	Fulani Zebu
2	Sheep	Djallonké and products of crossing the Bali-Bali breed with the Djallonké	Djallonké
3	Goats	Dwarf goat and products of crossing the Northern breed with the local dwarf goat (Djallonké?)	Dwarf goat
4	Donkeys	–	–

Source: author's creation

6.2.4 Climate and environment: changes and adaptations

Over the past decade, negative shifts in climate and pastoral resources have occurred (Table 5). These changes encompass the duration and quality of seasons, plant health and rangeland state. Notably, the rainy season has become shorter, commencing later, ending abruptly or prematurely, with more frequent drought pockets, and accompanied by soil erosion caused by heavy rains.

One significant consequence of these alterations in rainfall patterns is the deterioration of plant resources. Iconic woody and herbaceous species, valuable to livestock or other purposes, have dwindled or entirely disappeared.

These harsher climate conditions and resource status have strained relations between the pastoral group and other resource users within their village. Over the past three years, these relationships have grown increasingly contentious. To adapt to these challenging environmental conditions, pastoral group members have adopted new practices and reinforced existing ones. These adaptations include:

- procuring and storing agricultural residues, such as cereal stalks (millet, sorghum) and legume tops (cowpeas, groundnuts), after harvest for distribution to livestock during the dry season
- preserving natural fodder grasses during ploughing in the cultivated plots of group members, which are later cut and used as supplemental feed for animals during the dry season
- tapping into water from boreholes and wells dug in lowlands and riverbeds to compensate for water scarcity during the dry season (although catch basins are no longer widespread due to the declining water table and riverbeds being used for collecting construction aggregates, particularly sand) – these solutions are insufficient, and the group is compelled to water their animals in the river, despite concerns about the water's sanitary quality.

Mobility, an inherent trait of the pastoral group, has evolved in recent years. The movement of herds, known as transhumance, over short (small transhumance) or long distances (large transhumance) is a well-established strategy for adapting to challenging livestock conditions.

At the onset of the dry season (December to February or early March), herders embark on a migration southward, aiming to reach the Columbia area in Ghana. Along the way, they pass through several villages in Burkina Faso, including Gogo, Namoura, Dakola and Navrongo.

Their route choice is primarily influenced by the desire to minimise risk and ensure a safe passage without potential conflicts.

In the past, typically until the 2000s, the decision on which route to take relied on information gathered by scouts dispatched by the leaders. These scouts assessed factors such as the availability of suitable pastures, access to water sources, overall safety and the ease of reaching grazing areas. However, due to current space constraints, mobility options have become more limited, and predetermined routes are now the norm, eliminating the need for scouts.

The journey of these transhumant herders is marked by numerous challenges and difficulties, resulting in substantial losses. These include theft, especially in Ghana, and significant financial burdens such as border taxes, extortion by forestry officials and payments to village chiefs and the Ghanaian administration.

During their stay in the host locality of Koumbissa, the herders receive little support from the village chief, who is supposed to act as a mentor. In the past, these mentors played a crucial role in helping herders navigate various difficulties and conflicts, particularly with forestry authorities in Burkina Faso and Ghana. Unfortunately, some mentors are complicit in the extortion schemes that herders often face today.

Compared to a decade ago, grazing conditions in these destination areas have deteriorated, and the taxes and fees levied on herders have increased. Consequently, the current circumstances in these host localities are less favourable for transhumants than in previous times.

TABLE 5: CHANGES IN CLIMATE AND NATURAL RESOURCES OVER THE PAST DECADE

Climate elements	Today	Ten years ago
Length of seasons (wet and dry)	Short wintering period – up to four months of rainfall	Long wintering period (about six months of rainfall)
Rainfall distribution	Lots of localised rainfall with frequent pockets of drought	Relatively good distribution of rains
Period of onset of rains	Late-onset	Early start
Strength of the rains	Heavy rains with high soil erosion	Milder rains
End of rains	Abrupt end	Sudden or gradual cessation (variable)
State of the vegetation	Drying of forests with many dead trees: <i>Rikou</i> , <i>Acacia ataxacantha</i> , <i>Vitellaria paradoxa</i> , <i>Detarium microcarpa</i> , <i>Acacia macrostachya</i> , <i>Adansonia digitata</i>	Better vitality of the same species and better growth of small trees (good regeneration)
State of the pastures	The disappearance of pastoral species such as <i>Andropogon sp.</i> , <i>Pennisetum pedicellatum</i> , <i>Schoenefeldia gracilis</i> (encountered nevertheless in fields and fallows); appearance of species such as <i>Senna obtusifolia</i> (lowlands), indicative of pasture degradation	Many of these species were more present in the pastoral area

Source: author's creation

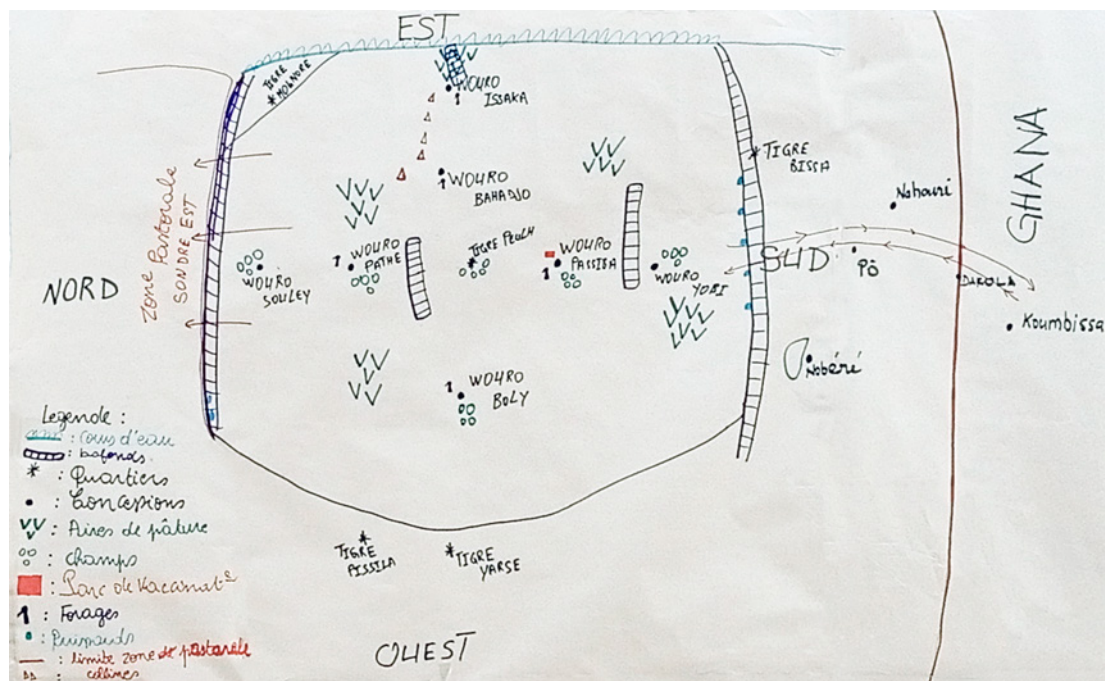
For women, access to water for household use and animal watering has become challenging. Women report that it used to be easier and less time-consuming to obtain water from depressions (shallow water bodies) where men could easily dig pits. This is less feasible today because water tables have dropped, and the collection of sand has become an impediment. Competition for water access is intense. To compensate, women now use boreholes installed in the village, where they can spend hours fetching water. Collaboration among communities has also changed and is less amicable due to conflicts arising from the access and use of natural resources.

During the large transhumance in the dry season, women may accompany transhumant herders to their destinations. In this scenario, their role remains focused on selling milk from the herd. During this time, they experience living conditions similar to those in their area of departure.

6.3 Collective access, use and tenure security of wet-season grazing land for the community

6.3.1 Pastoral land use

Use of the pastoral area



Hand-drawn sketch of the Wakilé Allah group's pastoral area, drawn by researchers together with communities during fieldwork. Image by Issa Sawadogo

The pastoral resources are the vegetation zones used for grazing (five grazing zones) (indicated with 'v' symbols in the map), the large and small lowlands (indicated with 'ladder' symbols), a vaccination pen (indicated with a red rectangle) and boreholes (indicated with a '1'). The large shallows are located at the southern and northern limits of the pastoral area and water can be found there in the rainy season.

The pastoral area has been exploited by the group for 45 years since they settled in the Zoundweogo Province from the north, in particular from Sanmatenga. Historically, the group has been in the village since the droughts of the 1970s and 1980s, which caused the migration of many herders from the north to the south of the country. This group was welcomed and established on its current site by the chief of the indigenous community of Bissas, the ancestor of the current chief of Tigre, which includes the four districts of Tigre Peul, Tigre Bissa, Tigre Pissila and Tigre Yarce.

In the rainy season, the livestock feed by grazing in uncultivated areas (five areas) and some animals go to the pastoral zone of Sondré-Est by crossing the lowlands. In this season, the animals drink from the water in the lowlands of the pastoral area. In the dry season, once the field crops have been harvested, the entire pastoral area is grazed by the group's animals and those from neighbouring districts.

During this period, the animals drink water from wells in the shallows and boreholes. However, digging wells is becoming difficult, and the wells are used mainly for family water. For this reason, the animals drink from the river, with the risk of becoming ill because the water is too cold and not suitable for animal use.

The exploitation of the resources of the pastoral space continues in the same way, with the same intensity, because they are insufficient for the livestock. Indeed, even during transhumance, some animals of the pastoral group remain on site. In general, it is the large herds that go on transhumance. Even in this case, some animals (sick, lactating) are left behind. In addition, farmers' animals will continue to exploit the area, as well as transhumants from the north that may pass through or stop for a while. Also, to take advantage of the resources, the animals come out at night, which allows them to graze close to the houses. This is important in conditions of scarcity or lack of resources.

Main changes in land use

In the last 20 years, changes in land use have been observed. The main changes are:

- More agricultural use for subsistence by member households and those of neighbouring communities. They are growing sorghum combined with cowpeas adapted to their nutrient-poor land. The women grow okra and other vegetables.
- Increased application of organic manure to the fields compensates for the loss of soil fertility due to erosion and use.
- The animals, helped by the shepherds, use tree leaves (aerial fodder) much more than before in the dry season, to compensate for the poor supply of fodder, which is made up of increasingly less rich grasses and in greatly reduced quantities.
- Digging catch basins in the lowlands is no longer possible because of the collection of sand for construction and the drop in the water table, which requires digging deeper than in the past.
- The pastures in the southern and western parts are the areas of concentration of fields for agricultural production. Animals are less common there than in the past and are more concentrated in the eastern and northern parts.

The practice of transhumance and places frequented according to the severity of the year

Like all pastoral groups in Burkina Faso, this group has a long tradition of practising transhumance. The frequency of this practice has increased due to the growing scarcity of water and fodder resources in their usual pastoral areas. During the cold season, which marks the beginning of the dry season, they embark on transhumance journeys to the south, particularly in the Pô region and Ghana. In the early and mid-rainy season, they move to neighbouring forested areas, such as the Sondré-Est pastoral zone and the Nobere classified forest.

Their transhumance patterns can vary depending on the prevailing weather conditions, particularly rainfall. In a typical year with good rainfall and ample water and fodder resources, they do not venture too far from their village during transhumance, and there are fewer stops along the way. In the wet season, they head to the Sondré-Est pastoral zone; in the dry season, they move south to the Pô region and Ghana.

However, in a year with poor rainfall and limited water and fodder resources, the animals may undertake transhumance to both the pastoral zone of Sondré-Est and the classified forest of Nobere during the wet season. In the dry season of such a challenging year, most animals make their way to Ghana, particularly the Koumbissa area and beyond.

Whether it is an ordinary year or a severe one, they frequently visit the East Sondré pastoral zone, although the number of animals and the duration of their stay may differ. In some cases, especially when the herd is substantial, women participate in the transhumance. Their role includes managing tasks such as milking and selling milk until the return. However, the men typically make decisions about the destination and duration of transhumance.

Seasonal land management system and grazing rules

The pastoral land management system and grazing rules and regulations need to be robust and strictly enforced during the wet season. During this time, the pastoralist group must show resourcefulness to address its members' challenges.

In this season, grazing space is significantly reduced due to crop cultivation, and the trails face severe limitations due to low-lying fields. It is crucial for the group to skilfully use the available space to provide food and water for their animals while also avoiding conflicts related to crop damage with neighbouring communities.

Challenges in accessing pastoral spaces in the dry and rainy seasons

Members of the pastoral group face significant challenges when trying to access their space. These challenges vary depending on the season. During the dry season, the primary difficulty lies in accessing the watercourse, which is a tributary of the Nakambé River. This challenge arises due to the presence of nearby market gardening activities. Although market gardening has been practised in the area for some time, it has intensified over the years.

In the rainy season, the difficulties are related to a reduction in available grazing space and obstacles created by farmers. During this season, aside from the five designated grazing areas, the remainder of the pastoral space is occupied by fields belonging to members of the pastoral group and neighbouring districts like Tigre Bissa, Tigre Pissila and Tigre Yarce. In some instances, the movement of animals is severely restricted by the proximity of these

fields, making it challenging for them to travel between grazing areas. Over time, the fields have extended into the grazing areas, causing a reduction in the size of these areas.

Other land uses

Besides animal grazing, there are various other uses of the land in the area, each with its own level of importance:

1. rainfed and off-season agriculture, such as market gardening along the banks of the Nakambé River
2. exploitation of forest resources, including wood, leaves, fruits and bark, for medicinal purposes
3. fishing activities.

These land uses are practised by both members of the pastoral group and residents from neighbourhoods like Tigre Yarce, Tigre Pissila, Tigre Bissa and nearby villages like Mognoré. However, from the perspective of the pastoral group members, all these additional activities – agriculture, forest-product exploitation and fishing – are considered less important than livestock.

Women in the community engage in activities similar to those of the overall group. These include the cultivation of cowpeas and various vegetables (such as okra and sorrel), the harvesting of non-timber and timber forest products and handicrafts such as making seccos (dried foods). For women, agriculture holds similar importance to pastoral activities, whereas the other activities (exploitation of forest products and handicrafts) are considered less significant than pastoral activities.

6.3.2 The tenure system for collective access and use of wet-season grazing land

Resources, their users and conditions of access and use

The pastoral space is composed essentially of the following pastoral resources: grazing areas (five in total), large and small shallows, and vaccination parks, including one modern park set up by the state for cattle and traditional parks set up by herders on their concessions for the use of small ruminants (Table 6).

TABLE 6: RESOURCES OF THE PASTORAL AREA AND THEIR USES

Resources	Purpose
Grazing areas	Livestock feeding (herbaceous and woody fodder exploitation), exploitation of forest products
Shallows	Watering and feeding of livestock,* agriculture (rainfed and off-season), exploitation of forest products, domestic drinking
Vaccination parks	Animal restraint and care

Note: * especially important in the dry season

Source: author's creation

These same resource uses are also mentioned by the women, who specify that, for grazing areas, they exploit non-timber forest products, collect firewood for domestic use and sell karite nuts if they collect more than they need for home use, and, on the lowlands, they do household work.

The substance of the pastoral group’s collective tenure system in the wet season depends on several sources. Access to pasture is available to any animal, whether or not its owner is a member of the pastoral group, including farmers’ animals. The use of all these resources (grazing areas, shallows, vaccination parks) by non-members of the pastoral group is the same as for members of the pastoral group, who are the usual users, without discrimination.

The grazing areas are dedicated primarily to animal grazing. In addition to pastoral use, these areas are also places for collecting wood and non-wood forest products (e.g. fruit, bark, leaves and honey). In the wet season, the lowlands are primarily used for cultivation and watering in depressions that retain rainwater. But wood and non-wood forest products are also collected there, even if this resource is scarce.

Rights and duties regarding access to and use of the pastoral area

In the pastoral space, rights and responsibilities are related to resource access and use. Users have unrestricted access to various resource categories, such as grazing areas, lowlands and vaccination parks, with proximity often determining usage. Park usage varies based on animal type. Women have equal access to these resources, own animals and share responsibility for herding.

Constraints like flooding affect lowland access in July and August, while vaccination-park use is tied to animal care needs during the rainy season. Resource exploitation is at a maximum, especially for grazing areas and large lowlands. Access is generally free, but the modern vaccination park incurs a fee. Users must maintain resources, refrain from harmful activities like setting fires, and make minor extensions to established fields. Women’s resource use may be controlled or paid for depending on the resource category. There are rights and duties regarding access to and use of the pastoral space.

Table 7 indicates there is no limit to access and use of all categories of resources (grazing areas, lowlands, vaccination parks). The user is free to go anywhere within the space of each resource and, in general, proximity to the resource prevails. The use of pens depends on the type of animal, with large pens for cattle and traditional pens for small ruminants.

TABLE 7: LOCATIONS OF USE OF EACH RESOURCE CATEGORY

Resources	Locations
Grazing areas	Entire resource area
Shallows	Entire resource area
Vaccination parks	Entire resource area

Source: author’s creation

Women have equal access to and use of the various resources within the pastoral space, including grazing areas, lowlands and vaccination parks, just like men do and under the same conditions. They also own animals that are kept alongside those owned by men, and these animals are herded to the grazing areas by family herders, which include young men and women.

These resources are used throughout the year. However, certain constraints, such as those experienced in the lowlands due to flooding can render these areas inaccessible, particularly during July and August. As for the vaccination parks, their use is not constant; it depends on the need for animal care, which usually arises at the beginning of the rainy season when animals are susceptible to parasites and certain diseases (Table 8).

TABLE 8: TIMES OF USE OF EACH RESOURCE CATEGORY

Resources	Period of use
Grazing areas	At any time during the rainy season
Shallows	Early rainy season and late rainy season: all lowlands High rainy season (flood period) in non-flooded lowlands
Vaccination parks	Early winter

Source: author's creation

The exploitation of resources, particularly grazing areas and large lowlands, is at a maximum because of the pressure of use (Table 9). In the grazing areas, each herder individually exploits the space in a rotating manner without any concerted planning. This is akin to herders taking turns from one area to the next, each trying to make the most of the resources. But in the end, all areas are used by everyone at different times unless there is an obstacle that prevents a herder from accessing a particular area. The two large lowlands (south to Tigre Bissa and north to the Sondré pastoral zone) are used more because the water and forage resources in these lowlands are greater than in the others. The use of the vaccination park is not continuous throughout the rainy season but is at its peak at the beginning of the rainy season because of the need to de-worm and vaccinate the animals.

TABLE 9: DEGREE OF USE OF EACH RESOURCE CATEGORY

Resources	Degree
Grazing areas	Maximal
Shallows	Maximal for large lowlands (southern and northern border of the space); moderate for small areas
Vaccination parks	Full use at the beginning of wintering and during de-worming times by all

Source: author's creation

Access to and pastoral use of all these resources is free, except for the modern vaccination park, where use is subject to a fee. Each herd owner must pay 1,000 CFA francs, regardless of the size of the herd.⁵ Even if access is free in the lowlands, arrangements are necessary between herders and farmers to allow the animals to pass through. These arrangements are still in place today (Table 10).

⁵ The CFA franc is the name of two currencies: the West African CFA franc, used in eight West African countries, and the Central African CFA franc, used in six Central African countries. Although separate, the two CFA franc currencies have always been at parity and are effectively interchangeable.

TABLE 10: TERMS OF USE FOR EACH RESOURCE CATEGORY

Resources	Terms	Explanation
Grazing areas	Free	The only condition for use of the resources of the grazing areas is to be a herder (pure herders and farmers with animals)
Shallows	Free	Agreements are made with farmers so that the animals' passages are not occupied by fields; this allows the animals to access the lowlands
Vaccination parks	Paying	Maintenance of the park requires resources, and users' payments provide funds to help keep the infrastructure in good working order (1,000 CFA francs per herd)

Source: author's creation

Users also have duties if access and use are more or less flexible. In particular, it is forbidden in grazing areas and inland valleys to set bushfires, cut or prune trees and establish new fields. However, agreements can be reached for minor extensions for fields already established. The users have to maintain the vaccination parks, especially the modern ones for collective use. The money collected is used for this, but if it is not enough, the chief of Tigre Peul provides a supplement (Table 11).

TABLE 11: DUTIES FOR USE FOR EACH CATEGORY OF RESOURCE

Resources	Duties	Explanation
Grazing areas	Yes	Certain practices are prohibited to users: fires, cutting and pruning of trees and new fields (but it is possible to slightly increase an existing field)
Shallows	Yes	Some practices are prohibited to users: fires, cutting and pruning of trees and new fields (but it is possible to slightly increase an existing field)
Vaccination parks	Yes	Users collectively take responsibility for park maintenance using the fees collected for access; if the money collected is not enough, the Fulani chief provides the rest

Source: author's creation

As with the overall group, access to resources is free for women, but use is either controlled (grazing areas and lowlands: no cutting of trees, no fires, no new fields) or paid for (vaccination park).

Places where the rights and duties of access, use and control of the pastoral space are defined

The community that uses the pastoral space is a clan led by a chief known as the Tigre Peul chief, typically the most experienced and wisest individual within the clan. This chief alone, or in collaboration with other members of the pastoral group for significant decisions, establishes the regulations for accessing and using grazing areas and lowlands.

For instance, the chief organised consultations when determining whether to prohibit tree-cutting or field installation in the area. In contrast, decisions like banning the use of boreholes for watering animals, or allowing a foreign herd temporary access to the pastoral space, were made solely by the chief, who would then inform the community and the Bissa chief of the village. This means that women’s land rights remain intact, but they are not actively engaged in the decision-making related to the group’s governance, although they may be present during decision-making meetings.

The management of the modern vaccination park is distinct. This facility was constructed by the government and is overseen by the Tigre village delegate, who serves as the local administrative representative. Changes to the rules, including rights and responsibilities, generally follow a similar approach. Significant alterations involve the entire pastoral community and may be proposed by them. Conversely, the chief can initiate minor rule adjustments with less impact (Table 12).

TABLE 12: RESPONSIBILITIES IN DEFINING AND MODIFYING RULES FOR ACCESS AND USE OF RESOURCES

Resources	Who defines?	How is this person chosen?	Possibility to change the rules?	How to modify?	Who modifies?
Grazing areas	Chief of Tigre Peul	The community of pastoralists designates the chief of the district and the president	Yes	Following a request from the pastoral community, the leader convenes an assembly of resource persons. The pastoral community proposes the rules and responsibilities and the leader makes the final decision. There are some decisions for which the leader does not need to consult the community	The community (important decisions) and the village chief (decisions not requiring consultation)
Shallows	Chief of Tigre Peul	The community of pastoralists appoints the chief of the district and the president	Yes		
Vaccination parks	Chief of Tigre Peul and village delegate	The community of pastoralists designates the chief of the district and the president	Yes		

Source: author’s creation

There is no formal system for recording rights and duties. These are shared orally among men and women. Also, the rights to access and use of all resources can be transferred to someone else, and it is up to the holders of these rights to inform the chief of Tigre Peul and the village chief of Tigre Bissa.

Possibility of improving pastures

It is possible to improve resources, particularly grazing areas, and this decision is made by the leader of the pastoral group. In the past, tree planting and seeding of grazed areas with fodder species have been carried out without success. As the pressure of space use is high, it has not been possible to leave the treated areas at rest. Despite this underperformance, the pastoral group believes these efforts must be renewed and better organised.

Mechanism for monitoring access, use and management of land and respect for rights and duties

There is a mechanism in place, but it is not formalised, to monitor land access, use and management. The task of monitoring falls to the community as a whole, which alerts the leader of the pastoral group to any illegal situation. This system, although informal, is applied well and produces satisfactory results.

Conflicts: effectiveness and scope

The pastoralist group experiences both internal (among members) and external (between members of the group and actors outside the group) conflicts and these conflicts are generally over access to and use of the land. Internal conflicts are infrequent, rarely open and are quickly resolved amicably without escalating. With actors outside the pastoral group, in particular farmers from neighbouring districts and villages, farmer–herder conflicts related to the agricultural occupation of space, damage to fields and the slaughter of animals are more numerous and have been increasing over the past 10 years. These conflicts can be estimated at an average of five per year (Table 13).

TABLE 13: CONFLICTS ENCOUNTERED WITHIN THE PASTORAL GROUP

Conflicts/disagreements	Protagonists	Period
Conflicts related to field damage	Farmers and breeders	Flowering stage of crops until harvest (more frequent)
Conflicts related to occupation of the pastoral space to make fields	Farmers and breeders	Beginning of the rainy season
Conflicts related to damage to animals	Farmers and breeders	Flowering stage of crops until harvest (more frequent)

Source: author's creation

Conflict management mechanisms: types and effectiveness

There is no formal internal mechanism for handling conflicts. The mechanisms are generally informal and based on consultations between protagonists leading to an amicable settlement. When the group's herders are in conflict, the amicable settlement goes well without the need for monetary or other compensation.

Conflicts between members of the pastoralist group and farmers follow the same process. However, if there is no agreement between the parties, the village development council (CVD) usually intervenes at the request of the owner of the damaged field or the farmer who has been the victim of animal slaughter or injury. The latter makes a report of the damage and the party at fault is asked to compensate the victim according to the result of the report. Often the intervention of the village chief of Tigre is necessary.

The amicable settlement of conflicts between members of the pastoral group always has a positive outcome, generally without compensation. However, reparations and compensation have sometimes taken place. The mechanism for managing conflicts between herders and farmers is generally more effective than not, especially when the herder is at fault. Herders are generally willing to recognise the damage caused and agree to repair it. On the other hand,

when the farmer is at fault (slaughter or injury of animals), there is less chance of success because farmers rarely acknowledge the damage they have caused. In such situations, amicable settlement is difficult and recourse to the CVD (most often on the initiative of the farmers) is inevitable and results in reparations by the wrongdoer.

There is an advantage to the amicable settlement, even accompanied by compensation sometimes of the same level as that decided by the CVD. Without the intervention of a third party, this approach is preferred by the actors. It preserves the relations between the protagonists and reinforces the 'living together' in the village.

Loss of access and use rights

There is no formal loss of access and use rights. However, the perpetrator of the damage may decide not to return to these places out of fear or remorse.

Overall analysis of the tenure system

According to the group, the strengths of their system lie in the internal understanding among members, collaboration with other communities (particularly the indigenous Bissas), the flexibility of access to and use of most resources and monitoring compliance with the rules (albeit imperfect). The main weaknesses of the tenure system are the lack of structures responsible for monitoring the application of the rules, the great flexibility in access, and the obvious lack of action to reverse the ongoing degradation of the area and its resources.

The main characteristic of the system – its flexibility – is both an advantage and a weakness. It is an advantage because, by allowing others access to their resources, the pastoral group benefits from the understanding of other communities to use their spaces. Flexibility appears to be a weakness because open access makes it difficult to manage resources properly. According to the group, the needs for improvement of the pastoral space are twofold: to set up surveillance and monitoring structures and to carry out actions to improve the pastures.

6.3.3 Collective access, use and tenure security of wet-season grazing land

The tenure system that the pastoralists use has certain features that fit with how they graze their animals. These important features are:

- **Access to resources** – Everyone in the group can access different areas like grazing lands, valleys and vaccination areas. However, in some areas with fields, they need to be careful because they cannot move around as freely.
- **Use of resources** – They can use these areas, but there are rules to follow, such as not cutting down trees, starting fires or making new fields. Also, they have to pay a fee for using vaccination parks.
- **Managing natural resources** – People in the group get along well and tolerate each other when it comes to using these resources.

Table 14 indicates when and how these features are used by the whole group and among the women members.

TABLE 14: THE MOST IMPORTANT CHARACTERISTICS OF LAND TENURE

Most important characteristics	Resources	Period	Procedure
For access			
Flexibility	Grazing areas	At any time during the wet season	After consultation with the pastoral group
	Shallows	At any time during the wet season	After consultation with the group
	Vaccination parks	Treatment period: vaccination (beginning of wintering), de-worming, trypanocide (at any time)	Group consultation
Freedom of movement	Grazing areas	At any time	Free
	Shallows	Any time (free before planting, limited after planting)	Free
For use			
Controlled	Grazing areas	Throughout the winter	Individual monitoring and reporting to leaders for response
	Shallows	All wintering	Individual monitoring and reporting to leaders for action
	Vaccination parks	All wintering	Prohibition to settle with the animals
Paying use	Vaccination parks	During the periods of care	Collection of a tax of 1,000 CFA francs per herd
For management/governance			
Mutual tolerance	Grazing areas	At any time	Dialogue leads most often to an agreement, acceptance of any user to exploit all resources
	Shallows	At any time	
	Vaccination parks	At any time	

Source: author's creation

When it comes to women and their animals, there are some noticeable differences regarding vaccination parks. Women usually have smaller animals, so they use traditional pens. They have full control and responsibility for these pens – only the owners can use them, and they must maintain them.

Flexibility is the most crucial factor for accessing resources like grazing areas and lowlands. Both the pastoral group and women agree that having the freedom to access these areas is vital for their way of life (Table 15). Control is the top priority for the entire group when it comes to using vaccination parks. This control helps minimise health risks, and the money collected for using the park goes towards its upkeep, but not for dealing with epidemics. That is why ensuring control over payments is very important.

TABLE 15: CLASSIFICATION OF THE MOST IMPORTANT CHARACTERISTICS OF LAND TENURE THAT MAKE THE TENURE SYSTEM SUITABLE FOR PASTORAL GROUP PRACTICES

Resources	Classification (from least to most important)
Access	
Grazing areas	1. Freedom of movement; 2. Flexibility
Shallows	1. Freedom of movement; 2. Flexibility
Vaccination parks	NA
Use	
Grazing areas	NA
Shallows	NA
Vaccination parks	1. Paying for use; 2. Controlled
Governance	
Grazing areas, shallows, vaccination parks	NA

Note: NA = not applicable (there is only one characteristic for the resource)

Source: author's creation

These are the qualities that, if lost, could make it difficult for the pastoral group to access and use the land and resources they require (Table 16). When we examine the importance of these land tenure characteristics, both from the group's perspective and from that of the women, we notice a shift in priorities when considering the consequences of their loss on the group's ability to access and use resources:

- **Access to resources** – The most critical characteristic of access is the freedom of movement. This is highly important because, once the animals have access to grazing areas and lowlands, they must be able to move around freely to make the most of these resources. The women's group shares this perspective.
- **Use of vaccination parks** – When it comes to using vaccination parks, control remains the most crucial attribute for the pastoral group. This is because, without proper control over who can access the park, there is a substantial risk of harm due to the elevated health risk. This heightened risk could result in significant losses in the local herd.

TABLE 16: CLASSIFICATION OF THE MOST IMPORTANT CHARACTERISTICS OF LAND TENURE WHOSE LOSS MAKES IT IMPOSSIBLE TO ACCESS AND USE RESOURCES AS THE PASTORAL GROUP WANTS

Resources	Classification (from least to most important)
Access	
Grazing areas	1. Flexibility; 2. Freedom of movement
Shallows	1. Flexibility; 2. Freedom of movement
Vaccination parks	NA
Use	
Grazing areas	NA
Shallows	NA
Vaccination parks	1. Paying use; 2. Controlled
Governance	
Grazing areas, shallows, vaccination parks	NA

Note: NA = not applicable (there is only one characteristic for the resource)

Source: author's creation

6.3.4 Perceived security of land rights for grazing in the wet season

Here, we discuss how secure the community feels about their right to use the communal pastures during the rainy season. Tables related to this section (Tables 17 to 20) are contained in Annex 3.

The likelihood of losing access

Overall, the group thinks that there is a fairly good chance that they might lose their right to use these pastures against their will, either now or in the near or distant future. However, this negative outlook is starting to improve.

Age differences in outlook

The younger members of the group seem more pessimistic about this, while the older ones have more confidence. The older members trust the village chief's wisdom to prevent such a loss, so they are less worried.

Hope in dialogue

The adults, in particular, believe that the ongoing discussions and negotiations will eventually lead to positive outcomes and might even reverse the current trend (Table 17).

The women are also quite optimistic in general, but we note that this optimism deteriorates. They do not have confidence in the dialogue taking place between their group and the other communities, and they illustrate this by the strong pressure in and around the pastoral space (agricultural occupations) and the progressive deterioration of social cohesion (Table 18).

Community confidence in passing grazing land rights to children

Most people in the community are very confident that their children will inherit the rights to access and use the communal grazing lands. They also believe that their children will be able to keep these rights for their whole lives (Table 19).

One reason for their confidence is that they see that their children are better educated than they were, which means they have the knowledge and skills to protect and use these rights effectively.

Women (Table 20) are less confident than men. The reasons are related to their reduced optimism about their group's rights to continue to use communal grazing lands as they wish.

6.3.5 Perceived security of community mobility

This section examines the community's confidence in retaining its ability to move livestock and people to and through the wet season rangelands without any involuntary restrictions. Tables related to this section (Tables 21 to 24) are contained in Annex 4.

The group has relatively few concerns about the possibility of losing their right to move livestock and people across the common grazing lands without their consent. However, this optimism wanes when considering the near future, especially in the next five years. On the bright side, their confidence grows and becomes stronger beyond that timeframe (Table 20).

Reasoning behind this perspective

The explanation provided by the focus group is consistent with the reasoning for the right to access and use collective resources. It revolves around the increasing pressure on pastoral lands, which raises apprehensions for the short term (up to the next five years). Nevertheless, the group believes that, over time, ongoing dialogues will yield satisfactory results (Table 21).

As with access and use rights, women are less optimistic that the group will be able to continue to use its mobility rights on wet-season communal pastures. The reasons for this continue to be that women have little faith in the success of the dialogue between the group and other groups in the area (Table 22).

Community confidence in passing grazing land rights to children

The group is fairly confident that their children will inherit their rights to livestock and human mobility, and will be able to retain these rights throughout their lives (Table 23). The feeling among women is slightly different. They are less confident than men. However, confidence among this specific group is slightly better about the possibility that their children can use mobility rights for themselves and their livestock than about the inheritance of these rights (Table 24).

6.3.6 Key factors influencing land tenure security in wet-season grazing lands for the community

This section examines the primary factors that contribute to the community's security in terms of their land rights.

Factors ensuring tenure security

Two key factors work together to ensure that the pastoralist group does not lose its right to use and benefit from the communal grazing lands:

- **Internal solidarity** – This refers to the unity and cooperation within the pastoralist group.
- **Dialogue with other communities** – This involves communication and collaboration with neighbouring communities.

Between these two factors, dialogue with other communities takes precedence in maintaining the group's tenure security. In other words, it plays a more significant role in preventing the group from losing its right to use and benefit from the common grazing area. Internal solidarity, while essential, is considered slightly less critical.

For women, these same factors and their hierarchy of importance remain consistent. However, instead of 'internal solidarity' and 'dialogue with other communities', women express these as 'understanding within the group' and 'understanding between the pastoral group and other groups'. Essentially, they refer to the same concepts.

Primary threats to group land tenure security

Several factors, some of which are listed below, pose a threat to the group's land-tenure security, increasing the likelihood that the pastoral group could lose its right to use and benefit from collective grazing areas (Table 25).

- **Loss of group cohesion** – a breakdown in unity within the pastoral group.
- **Failure to mark out pastoral space** – not clearly designating and defining the areas for pastoral use.
- **Encroachment of fields on pastoral space** – expansion of agricultural fields into the pastoral land.
- **Failure to apply or unfavourable application of official grazing laws** – either not implementing grazing laws or applying them in a manner unfavourable to the pastoral group.

Table 25 shows that the most significant threat to the group's land security is the non-application of laws, while the encroachment of fields on the pastoral space is considered the least significant threat. The women see only one major threat, i.e. agricultural pressure on the resources of the pastoral area.

TABLE 25: CLASSIFICATION OF THE MAIN THREATS TO THE LAND SECURITY OF THE PASTORAL GROUP

Class	Factors
Less important	Encroachment of the space by the fields
Somewhat important	Loss of group cohesion
Very important	Non-demarcation or marking of space
More important	Non-application or unfavourable application of the laws on grazing land

Source: author's creation

6.3.7 Impact of losing land rights for the community in wet-season grazing lands

The loss of communal grazing rights for the pastoral group would significantly reduce the available space for them to move around and care for their animals. This would force the group to adapt in two primary ways:

- **Shift away from livestock raising** – Some members may decide to abandon livestock raising altogether and explore alternative activities such as trade, construction in towns or gold panning. This choice stems from the limited space available for maintaining herds and the desire to avoid conflicts, which become more likely with restricted grazing land. Migrating with the animals also involves substantial risks.
- **Intensify livestock farming** – In response to the loss of grazing space, herders who own many livestock may face the risk of food scarcity and potential conflicts. Farmers may reduce their animal numbers and supplement their diet with concentrates and other purchased fodder to mitigate these risks.

These consequences are expected to remain consistent regardless of the timeframe considered, whether it is the present, in 5 years, 10 years or beyond. Some herders might even consider returning to their native lands as a response to this challenge.

6.3.8 Past loss of rights for the group

The community has already experienced the loss of portions of the land they previously used, particularly in the Nakambé River area in the eastern part of the pastoral space near the village of Mognoré and the Wuro Issaka neighbourhood. This loss began approximately two decades ago, with the gradual expansion of agricultural fields into these grazing areas.

In response, the community has taken actions to either reclaim their land rights or slow the encroachment of agriculture into pastoral lands. These actions include filing complaints with authorities, resulting in the eviction of occupants and marking boundaries. Additionally, they planted trees to deter further encroachment. However, these solutions proved to be temporary as the markers were later damaged, and encroachments resumed. This widespread practice among farmers nationwide signifies a denial of herders' rights to their own space and a challenge to administrative authority.

6.4 Collective access, use and tenure security of wet-season grazing land for individuals within the community

In this section, we analyse specific subgroups within the community – namely men and women – and their access, use and tenure security of wet-season grazing land.

6.4.1 Tenure system for individual access and use of wet-season grazing land

Access and land use by individual members

Regardless of various categorisation criteria, such as wealth and social commitments, the access and use of land by individual members does not differ significantly from that of the overall group or of women. This implies that neither wealth nor social commitment affects individual access and use rights for pastoral land. Regardless of their social status, individuals primarily use the land for pastoral purposes, followed by agricultural activities and the exploitation of forest products. Among women, this also includes specific crops and the production of seccos.

Among men, two major changes have been observed over the past decade: the expansion of fields and the application of organic manure. Field expansion is linked to increased engagement in agricultural activities, affecting everyone irrespective of social class. However, the application of organic manure is associated with wealth levels. Wealthier group members are better equipped to access and use organic manure effectively to enrich their fields due to factors like owning more animals and having financial resources. These changes are primarily driven by spatial pressure and resource degradation, negatively impacting livestock performance and leading to conflicts. This has prompted herders to diversify their activities.

Similar changes have occurred among women over the past decade, regardless of individual status (rich, poor, engaged or not engaged). These changes include greater involvement in agriculture and increased exploitation of timber and non-timber forest products. These shifts among women are linked to reduced income from milk sales, which were previously used to meet various family needs.

Opportunities, advantages, disadvantages and forms of improvement from individual perspectives

The advantages, disadvantages and suggested improvements in the land tenure system from the specific perspectives of the identified categories do not significantly differ from those of the overall pastoralist and women’s groups. However, three noteworthy improvements emerge, with the third suggestion coming exclusively from the women’s subgroups:

- **Delimitation of the pastoral space** – the need to clearly define the boundaries of the pastoral space.
- **Maintenance of the park (backfilling if necessary)** – ensuring the proper upkeep of the park, including any required backfilling.
- **Utilitarian tree species** – planting trees that serve multiple purposes beyond grazing, benefiting women in particular.

These proposed improvements aim to enhance the overall land tenure system, benefiting both men and women within the community (Table 26).

TABLE 26: OVERALL ANALYSIS OF THE TENURE SYSTEM ACCORDING TO INDIVIDUAL PERSPECTIVES

Main opportunities and benefits	Main challenges and disadvantages	Means of improvement
Men: all criteria (wealth level, social commitment) and classes included		
<ul style="list-style-type: none"> ▪ Agreement within the pastoral group ▪ Access to wood (dead wood) and non-wood forest products ▪ Good collaboration with the Bissa indigenous community ▪ Collective monitoring of compliance with the rules 	<ul style="list-style-type: none"> ▪ Lack of structures responsible for monitoring the application of rules ▪ Lack of action against degradation ▪ Too permissive a system 	<ul style="list-style-type: none"> ▪ Establish monitoring and follow-up structures ▪ Delineation of space
Women: all criteria (wealth level, social commitment) and classes included		
<ul style="list-style-type: none"> ▪ Agreement within the pastoral group ▪ Good collaboration between the pastoral group and the Bissa indigenous community (guarantee of protection) ▪ Collective monitoring of compliance (even if not organised) 	<ul style="list-style-type: none"> ▪ No structures are responsible for monitoring the application of the rules ▪ No action against the degradation of the space ▪ System too flexible 	<ul style="list-style-type: none"> ▪ Establish monitoring and follow-up structures ▪ Improve pastures, especially with useful trees ▪ Delimiting the grazing area (marking) ▪ Park maintenance (backfill if necessary)

Source: author’s creation

6.4.2 Perceptions of land tenure security for individuals within the group in wet-season grazing lands

This section explores how individuals within the community view the land tenure system and its alignment with their grazing practices.

- **Characteristics that support grazing practices** – The essential characteristics of the tenure system that make it well suited for pastoral practices are consistent across all individual perspectives, regardless of the category considered.
- **Access to resources** – Flexibility is crucial for all resources, including grazing areas, lowlands and vaccination parks. Freedom of movement within grazing areas and lowlands is essential, although this freedom is somewhat restricted in lowlands due to the presence of fields. This limitation necessitates vigilance from herders in monitoring their animals.
- **Use of resources** – Controlled use is emphasised for all resources, and there is a fee (1,000 CFA francs per herd) for vaccination parks. Access to grazing areas and lowlands is subject to specific rules, such as prohibiting pruning, clearing, bushfires and new fields.
- **Natural resource management** – Mutual tolerance is valued for all resources, including grazing areas, lowlands and vaccination parks.

Women, who typically have smaller ruminants, use traditional parks, and the access and use of these areas is individually controlled. Only the owners have access and use rights, and sole responsibility for maintenance and management. In terms of the importance of these characteristics, the classification indicates the following:

- **Access to resources** – Flexibility is the most critical characteristic for grazing areas and lowlands. The pastoral group and women both view free access to resources as crucial for the sustainability of their practices.
- **Use of vaccination parks** – At the overall group level, control is deemed the most important characteristic because it minimises health risks. The funds collected help maintain the park but cannot be used to address an epidemic, emphasising the significance of control over payments.

Among individual female groups, the classification remains the same, except for their explanation, which revolves around the satisfaction of their animals. They consider flexibility of access more important, as, without it, they cannot ensure movement within the areas.

Characteristics that may compromise access and use

The results of the analysis regarding the impact of losing these characteristics on access and resource use align with those of the overall group and the women's group:

- **Access to resources** – Freedom of movement is the most vital characteristic of access. This includes the ability of animals to move within grazing areas and lowlands once they have access to them to exploit resources. The women’s group shares this perspective.
- **Use of vaccination parks** – Control remains the most important characteristic according to the pastoral group. The rationale behind this is that, without control over access to the park, the risk of harm is substantial due to high health risks, potentially leading to significant livestock mortality.

6.4.3 Factors influencing individual tenure security in wet-season grazing lands

This section examines the key factors that contribute to the land security of individuals within the community.

Factors ensuring land security

Among adult men, two factors – solidarity among community members and attachment of community members to their land – are consistently mentioned, regardless of wealth levels or social commitment. Similarly, when considering social commitment or wealth, the same factors, collaboration with other communities and solidarity among community members, are cited. One factor, internal solidarity, is mentioned in both contexts but differs in ranking regarding its contribution to individual security. It is considered highly important in the context of social commitment and fairly important in terms of wealth levels (Table 27).

TABLE 27: FACTORS ENSURING LAND SECURITY

Class	Factors by wealth level	Factors by level of social engagement
Less important	–	–
Somewhat important	Solidarity among community members	–
Very important	–	Collaboration with other communities
More important	The attachment of community members to their lands (which means that they will use any means to keep them)	Solidarity among community members

Source: author’s creation

Among the women individually considered, three factors were cited in the following order of importance: more important (acceptance among the inhabitants of the village), very important (solidarity among the members of the community) and fairly important (pity for the lonely, such as widows and divorcees).

6.4.4 Impact of losing rights as an individual in wet-season grazing lands

The consequences of losing collective grazing rights for an individual, regardless of gender, social commitment or wealth level, are nearly identical (Table 28). Individual members will generally adapt by changing their activities and intensifying livestock activities (with downsizing).

TABLE 28: IMPACT OF LOSING LAND RIGHTS

Period	Impact of the loss of rights
Men subgroups	
From now on and for ever	<ul style="list-style-type: none"> Change of activities (gold panning, trade, real estate) because there will no longer be enough space, especially grazing areas for the animals Intensification of livestock farming because there will no longer be enough space, especially grazing areas, so they do not want to migrate <p>The community members are thus adapting to the new realities, and these activities will become stronger over time</p>
Women subgroups	
From now on and for ever	<ul style="list-style-type: none"> Change of activities (small businesses, handicrafts of seccos and mats) because there will no longer be enough space, especially grazing areas and they are adapting to the new realities Intensification of breeding (fattening) because there will not be enough space any more, in particular, pasture. Also, they do not want to migrate

Source: author's creation

6.4.5 Anticipated changes over time and strategies to strengthen rights

We conducted an exercise involving six individuals, including men and women and considering various categories such as social engagement and wealth level. These individuals shared their perspectives on how to enhance individual rights to communal land. It became evident that concerted action is needed both within and beyond the pastoral group to address this issue effectively:

- **Enhanced surveillance** – To restrict outsiders' entry and use of pastoral land, there is a need to re-evaluate the existing rules and engage in dialogues with neighbouring communities. Encouragingly, the current village chief, Chief Bissa, is open to dialogue and cooperation.
- **Improved management of grazing areas** – The group should organise itself to oversee and enhance the management of grazing areas, including improvements to existing practices.
- **Government enforcement of land laws** – There is an expectation that government authorities will actively enforce land laws that safeguard traditional grazing areas from conversion into agricultural plots.

Furthermore, the group believes that, considering the present circumstances, the current rights of its members are satisfactory and should remain unchanged for the foreseeable future.

6.4.6 Past loss of rights for individuals

Individual members of the pastoral group, irrespective of their social engagement and wealth level, have experienced the gradual loss of pasture land over the past 23 years. This loss has primarily affected the eastern part of the pastoral area, particularly in the grazing areas and lowlands. Agricultural pressure is the driving force behind this land loss, as land previously used for livestock is being converted into farmland by group members and individuals outside the pastoral community.

To address this issue, the pastoralist group has united to assert its rights to the land. This involved engaging with Chief Bissa and administrative authorities responsible for animal resources. While some occupants were temporarily removed, grazing areas and lowland encroachment have resumed. This situation can be attributed to farmers' denial of pastoralists' rights and a lack of confidence from the administrative authorities in resolving the matter effectively.



Researchers interviewing members of the Wakilé Allah group.
Image by Issa Sawadogo

7. CONCLUSIONS AND RECOMMENDATIONS

7.1 Conclusions

The Wakilé Allah pastoral group's land tenure system, particularly in the wet-season grazing areas, aligns with the Law on the Orientation of Pastoralism (LORP), designating these lands as reserved for grazing. These areas are a vital part of the pastoral lifestyle, traditionally dedicated to livestock activities. These lands are privately owned but managed under collective customary rights. Originally owned by the indigenous Bissa community, they were transferred to the pastoral group without formal land ownership titles.

Seasonal variations impact land use, with dry seasons involving extensive grazing, while rainy seasons witness widespread cultivation in lowlands, leaving limited space for animals. This land tenure system is best described as collective and permissive. Access to resources, mainly grazing areas and lowlands, remains open, with regulation, control or payment necessary only for modern vaccination parks. Management is relatively lenient, with limited sanctions and collective enforcement. Notably, the pastoral group sets its own rules on resource access and management, which align with the LORP. However, these rules gain enforceability against third parties after validation by the municipal council.

While this permissiveness may seem to endanger the pastoral space and resources, it is viewed as essential by the pastoral group. Considering mounting external pressures, they believe these rules are crucial for their practices and resource sustainability. The pastoral space alone cannot suffice for their extensive herds, resulting in a need for open access to maintain mobility.

Tree plantations and forage-species seeding have had limited success in combating qualitative degradation. As a result, the group practices transhumance, a common pastoral strategy to adapt to seasonal resource variability. Coupled with localised changes within the group, mobility is a response to resource degradation and increased agricultural pressure. These changes include a shift toward intensified livestock practices, reduced herd sizes and increased supplementary feeding, along with more extensive use of aerial fodder.

7.1.1 Security and challenges in the tenure system

Within the Wakilé Allah pastoral group, both men and women access and use resources similarly, with differences driven by their specific interests. Men focus on animal-related resources, while women prioritise forest products for household sustenance and income generation. Apart from this gender-based distinction, no significant differences are observed based on marital status, social engagement or wealth level. It is worth noting that younger men and women are less optimistic about maintaining access to collective resources and passing these rights to their offspring. They express concerns about the ongoing dialogue's effectiveness, the non-rigorous enforcement of laws protecting herders' rights, and escalating external conflicts with non-group members.

Efforts to resolve conflicts emphasise amicable settlements, typically informally through consultations between parties. External intervention is rare and occurs when the offending party refuses to acknowledge wrongdoing.

7.1.2 Strengths and challenges of the system

While the customary system for managing pastoral land is widely accepted, concerns linger regarding its security. Customary land ownership is legally recognised in Burkina Faso, but formalisation through certificates is encouraged. Yet, for collective lands like pastoral areas, the LORP and rural land tenure laws provide mechanisms for security. As mandated by law, local land charters could play a role in securing these collective lands.

Protective actions must be taken to address threats to tenure security, such as loss of cohesion, unmarked pastoral spaces, encroachments by agriculture and inadequate law enforcement. Registration of the pastoral area in the name of the pastoral group or the commune is a crucial step. If registered under the commune, the group retains usage rights without ownership. Registration in the group's name grants ownership, but costs and consent from the Bissa chief are factors to consider.

While challenges to tenure security exist, the collective land tenure system remains adaptable, reinforcing the resilience of the Wakilé Allah pastoral group in the face of changing conditions and resource pressures.

Examining the Wakilé Allah pastoral group's land tenure system and its members' perceptions of security reveals a flexible system that has effectively supported their land-use practices despite many challenges. While their tenure system has served pastoral practices well thus far, it shows signs of vulnerability due to multiple threats. These threats include the non-enforcement of grazing-related regulations, the absence of spatial demarcation, the gradual erosion of group cohesion and encroachment by agricultural activities.



Researchers interviewing members of the Wakilé Allah group.
Image by Issa Sawadogo

7.2 Recommendations

Addressing the current threats to the pastoral group's land tenure system requires a balanced approach that safeguards their traditional practices while providing legal protections through proper land management and registration. In response to these challenges, the pastoral group calls for remedial actions to safeguard their land and resources. While this request is well-founded, it carries the potential risk of compromising the group's mobility, both internally and externally. Mobility is a fundamental aspect of the group's pastoral practices and is essential to ensure that their animals can continue transhumance without being confined to neighbouring villages' territories. Following the terminology of Gonin (2016), this transition could shift the pastoral land tenure system from one based on security through reciprocity to one based on security through exclusive resource appropriation.

Securing the land-tenure system entails two main steps:

- 1. Development of rules and local land charter** – The pastoral group should consider developing clear rules governing access to and use of the pastoral space. This can be achieved by creating a local land charter, per Law No. 34-2-9/AN of 16 June 2009 on rural land tenure. Establishing such rules can help regulate resource use while preserving the group's traditional practices.
- 2. Registration and community benefit** – To further strengthen land security, the pastoral area should be officially registered for the community's benefit. This process involves the delineation, demarcation and clarification of rights that may be held by customary landowners. Registering the land in the name of the community will provide additional legal protection and tenure security.

REFERENCES

- Boudet, G. (1978) 'Manuel sur les pâturages tropicaux et les cultures fourragères', Série manuels et précis d'élevage 4. Paris, France: IEMVT, Ministère de la Coopération, 258pp
- Boutrais, J. (1999) 'Journées de bergers au Nord-Cameroun' in Y. Poncet (ed.) *Les temps du Sahel: Hommage à Edmond Bernus*. IRD: 55–80
- Daget, Ph. and Godron M. (1995) *Pastoralisme: troupeaux, espaces et sociétés*. HATIER, AUPELF, UREF, Universités francophones, 510pp
- Devineau, J.-L. (1999) 'Rôle du bétail dans le cycle culture-jachère en région soudanienne: la dissémination d'espèces végétales colonisatrices d'espaces ouverts (Bondoukuy, sud-ouest du Burkina Faso)' *Revue d'écologie (Terre et Vie)* 54: 97–121
- FAO (2019) 'Le devenir de l'élevage au Burkina Faso. Défis et opportunités face aux incertitudes'. Rome, 56pp. Licence: CC BY-NC-SA 3.0
- GIZ – Deutsche Gesellschaft für Internationale Zusammenarbeit (2019) 'Évaluation du cadre réglementaire des systèmes d'élevage mobiles et de la transhumance transfrontalière en Afrique de l'Ouest et au Sahel'. Couloir Ouest: Mauritanie–Sénégal–Guinée, 86pp
- Gonin, A. (2016) 'Les éleveurs face à la territorialisation des brousses: repenser le foncier pastoral en Afrique de l'Ouest' *Annales de géographie* 7(7): 28–50
- IGB – Institut Géographique du Burkina (2014) 'Base de données d'occupation des terres (BDOT)': 2–12
- Illy, K. (2018) 'Étude sur les conflits fonciers en milieu rural au Burkina Faso'. Rapport final, Abidjan: Konrad-Adenauer-Stiftung, Coopération Européenne et Internationale (EIZ), Bureau Régional pour le Dialogue Politique (RCI), 58pp
- MRA – Ministry of Animal Resources (2012) *Annuaire des statistiques*
- MRA–UNDP – Ministère des Ressources Animales – Programme des Unis pour le Développement (2011) 'Contribution de l'élevage à l'économie et à la lutte contre la pauvreté; les déterminants de son développement'. Ouagadougou, 88pp
- Nori, M. (2007) 'La mobilité pastorale: une histoire à réécrire'. Montpellier, France: Cours modulaire sur le pastoralisme au Master PARC (productions animales en régions chaudes), CIRAD, 5pp
- ONF-BF – Observatoire National du Foncier au Burkina Faso (2017) Problématique de la sécurisation des zones pastorales au Burkina Faso: état des lieux, enjeux et défis, GRAD Consulting, 2017, 75 p
- PNSR – Programme National du Secteur Rural (2018) *Decret n°2018-0301/PRES/PM/MAAH/MEEVCC/MRAH/MINEFID/MATD portant adoption du deuxième programme national du secteur rural 2016–2020*, 87pp
- Robert, É. (2010) 'Les zones pastorales comme solution aux conflits agriculteurs/pasteurs au Burkina Faso: l'exemple de la zone pastorale de la Doubégué' *Les Cahiers d'Outre-Mer* 249: 47–71
- Sawadogo, I. (2011) 'Ressources fourragères et représentations des éleveurs, évolution des pratiques pastorales en contexte d'aire protégée. Cas du terroir de Kotchari à la périphérie de la réserve de biosphère du W au Burkina Faso'. MNHN, Paris: thèse de doctorat unique, 336pp
- SNV and RECONCILE – Netherlands Development Organisation and Resource Conflict Institute (2020) 'Processus de mise en place d'une plateforme multi acteurs de plaidoyer autour de la gouvernance foncière et du pastoralisme', version finale. Rapport d'étude de cadrage et d'orientation, 48pp
- Thébaud, B. (1995) 'Le foncier dans le Sahel pastoral: situation et perspectives' in: Terroir, Chantal Blanc-Pamard et Luc Cambrezy (eds) *Dynamique des systèmes agraires: Terre, Territoire: les tensions foncières*. Paris, France: ORSTOM, Colloques et séminaires, 37–56
- UNDP – United Nations Development Programme (2015) *Rapport annuel 2014 du PNUD*. Burkina Faso, 30pp
- Wane, A. (2006) 'Economie du pastoralisme: une analyse bibliographique (Afrique de l'Ouest)'. Initiative Mondiale pour un Pastoralisme Durable (IMPD), IUCN EARO, PPZS, 23pp
- Zampaligré, N., Ouedraogo, D., Chikozho, C., Sawadogo, L. and Schlecht, E. (2019) 'Changes in livelihood strategies and animal husbandry practices of pastoralists in the sub-humid zone of West Africa' *African Journal of Agricultural Research* 14(3): 1311–1325

ANNEX 1: PROVISIONS OF LAWS

Law No. 34-2-2/AN of 14 November 2002

This law, known as the Law on the Orientation of Pastoralism (LORP), is the primary legal framework for pastoralism in Burkina Faso. It sets out principles and methods for the sustainable development of pastoral activities and grants important rights to herders regarding access to and use of pastoral resources.

Access to and use of specially developed pastoral areas

Special management pastoral areas, often referred to as pastoral zones, are governed by Article 13 of the LORP. According to this article, pastoralists who hold authorisation or settlement permits are allowed access to these designated areas, and access to these zones is regulated by responsible authorities.

- a. Only pastoralists with proper authorisation or permits are permitted entry into these special management pastoral areas. It is worth noting that access to grazing areas is further governed by Decree No. 2-7-410/PRES/PM/MRA/MFP dated 3 July 2007. This decree outlines the general terms for allocating, occupying and using managed grazing areas.
- b. The allocation of specific land plots within these areas for individual use rather than ownership is determined by an allocation commission. Article 10 of the decree specifies that the occupation and use of these land plots within developed pastoral zones are based on either an exploitation permit or an emphyteutic lease, which specifies the terms and duration of use.
- c. Besides granting enjoyment rights, the state may also award concessions for specific portions of a pastoral zone, as detailed in the same Article 10 of the decree. In such cases, a concession allows an individual or private entity to manage the designated area granted by the state.

Access to reserved grazing land

Pastoralists have free access to land reserved for grazing, but local communities can regulate this access through local land charters (Article 14). This article states that pastoralists have the right to freely access areas reserved for animal grazing, giving them access to all available resources.

- a. However, the law also allows local communities, such as grassroots populations, to manage access to these resources in collaboration with local or decentralised authorities. This collaborative effort aims to ensure the sustainable use of these resources. One tool used for regulating access and utilisation of these resources is the local land charter.

- b. As defined by Law No. 34-2-9/AN dated 16 June 2009 on rural land tenure, the local land charter is a local agreement influenced by local traditions, customs and practices. It is developed at the local level and takes into account the various ecological, economic, social and cultural aspects of rural areas. The local land charter is created inclusively, involving the local population and is officially approved through deliberation by the relevant municipal council.

Access to open grazing land

Pastoralists can access fields left fallow or harvested after crops, subject to certain conditions. Spaces available for animal grazing are areas initially intended for purposes other than pastoral activities, as indicated by ONF-BF in 2017. However, the LORP outlines the rights of pastoralists regarding access and use of these spaces, taking into account the specific laws governing these areas.

- a. According to Article 24, pastoralists share their rights with other rural operators, such as farmers and those involved in non-timber forest products. This means that pastoralists have the right to use these areas while complying with forestry regulations. They also have access to fields left fallow or to fields after the harvest (Article 26), regardless of who the owner is, unless the owner expressly forbids it.

Access to water

The law grants pastoralists the right to access water points for their animals, subject to water management laws of the LORP (Article 28).

- a. The rules for water use by pastoralists are determined not only by the LORP but also by Law No. 2-2-1/AN of 8 February 2001 on the orientation law relating to water management. For access to water points, the LORP provides for the establishment of easements of passage imposed on the land bordering these water points.

Livestock movement and tracks

Herders have the right to move livestock within the country and internationally, adhering to relevant laws.

- a. Transhumant herders need to follow the existing laws, specifically the LORP that regulates national transhumance and Decision A/DEC 5/1-/98, which governs transhumance between member states of the Economic Community of West African States (ECOWAS). To travel with their animals and access grazing areas or markets for selling their livestock, herders use specific routes known as livestock tracks.
- b. The LORP (Article 43) distinguishes between different types of tracks: access tracks (for accessing grazing resources), transhumance tracks (for moving animals within the country and beyond), and marketing tracks (for reaching markets). These tracks are clearly marked and categorised as part of the public domain, owned by either the state or local authorities, as explained in Article 46. These tracks may have markers to help herders navigate their routes depending on the circumstances.

Dispute resolution

The law provides for conciliation as a means of settling disputes related to pastoral activities before resorting to legal proceedings. Articles 67 and 68 of Law No. 34-2-2/AN, enacted on 14 November 2002 concerning pastoralism, introduce conciliation as a way to resolve disputes related to pastoral activities. Article 67 specifies that, before any legal action, disputes linked to pastoralism must undergo a mandatory conciliation process.

- a. This process occurs within a local conciliation commission that includes representatives from both farmers and pastoralists. The outcomes of this initial conciliation are documented in a report, whether an agreement is reached or not, as explained in Article 68. This right granted to pastoral producers enables them to resolve conflicts while considering their traditions and practices, avoiding lengthy legal proceedings that could disrupt their activities.

ANNEX 2: LAWS ON RURAL LAND TENURE

Law No. 34-2-9/AN of 16 June 2009

This law focuses on rural land tenure and plays a crucial role in protecting land rights, including those of pastoralists. It aims to ensure equitable access to rural land, promote investment in the agro-sylvo-pastoral sector and support sustainable resource management. This law differs from the LORP regarding local land charters and addresses gender issues. This law is especially significant for pastoralism because it governs rural land management. It has several important objectives, to:

- ensure fair access to rural land for all rural stakeholders, including individuals and various public and private entities
- promote investment, enhance productivity in the agriculture, forestry and livestock sectors and reduce poverty in rural areas
- encourage the responsible and sustainable management of natural resources
- contribute to maintaining social harmony and peace in rural areas.

This legislation safeguards the land rights of pastoralists by guaranteeing access to land for all parties involved in pastoral activities. Additionally, it establishes three categories of rural land ownership: (1) state-owned rural land; (2) rural land owned by local authorities; and (3) rural land owned by individuals. The state and local authorities can include land designated for pastoral activities within their rural land categories.

The law clarifies that rural lands developed with public funds, including those for pastoral purposes, fall under the state's private immovable domain (Article 25). These lands may later be transferred to local authorities (Article 27). Furthermore, the law mandates the identification, demarcation and registration of state and local authority lands, including pastoral areas, to ensure their peaceful and sustainable use (Articles 26 and 30). Collective lands, as defined by the LORP or rural land tenure law, may belong to one of these land categories based on how they are secured.

When it comes to local rules for accessing pastoral resources, the LORP states that local communities working with herder organisations can establish these rules (Articles 14 and 15). This includes regulations for collective pastoral lands, covering their use and management, all aimed at sustainable natural resource management. The specific details of these rules are determined by a joint order issued by ministers responsible for livestock, water, forestry, agriculture, land administration and finance.

However, in the rural land tenure law, the local land charters define these particular rules for accessing, using and governing natural resources. These charters must receive validation from the municipal councils of local authorities. Given that all pastoral activities are inherently connected to the land, it appears necessary to align the pastoral law, which pre-dates the rural land-tenure law, with the latter.

Law No. 34-2-9/AN specifically addresses the land rights of women and youth (unlike the LORP, which considers the household as a whole). It lacks provisions that actively promote the participation of women and youth in decision-making and consultation bodies, for instance. However, Article 75 allows for the possibility of setting quotas through regulations for the allocation of land developed by the state and local authorities to women and young people.

There are also differences regarding land tenure security for pastoral areas. The LORP, in Article 18, states that 'pastoral areas of special development existing at the time of this law's enforcement are incorporated into the state's domain, which then proceeds to delineate, demarcate and register these areas in its name.' This provision does not explicitly address the resolution of existing land rights, such as compensating customary landowners, which is essential during the registration process. In contrast, rural land-tenure law mandates compensation for land rights holders during the development and registration of pastoral areas, as outlined in Article 33, with further details provided in a related decree.

Law No. 7-2-15/AN of 22 October 2015

The purpose of this law is to set broad guidelines for the sustainable development of agro-sylvo-pastoral, fisheries and wildlife activities to achieve food sovereignty and food and nutritional security to contribute to the sustainable development of Burkina Faso (Article 1).

To this end, the law aims to ensure: (1) the promotion of productive investments in the rural sector (including small-scale investments in family farming) through easy access to production factors, the existence of an appropriate tax system and agro-sylvo-pastoral insurance to cover production-related risks; (2) facilitating access to factors of production, in particular rural land and land tenure security, water control and supply, inputs and equipment, energy, infrastructure, labour and financing; (3) facilitating access to markets and processing of agro-sylvo-pastoral, fishery and wildlife products; (4) environmental protection and sustainable management of natural resources, in particular through the fight against agricultural pollution, restoration and/or preservation of biodiversity and degraded land; and (5) balanced and coherent land-use planning for the use of rural areas for agro-sylvo-pastoral, fishing and wildlife purposes in harmony with other uses.

As with Law No. 34-2-9/AN on rural land tenure, Law No. 7-2-15/CNT differs from LORP on the issue of access to rural land for women and youth. Law No. 7-2-15/CNT requires the state and local authorities (Articles 1 to 6) to reserve at least 3% of developed land for vulnerable people, particularly women and the young.

Law No. 34-2-12/AN of 2 July 2012

The Agrarian and Land Reorganisation law (RAF) in Burkina Faso, initially drafted in 1984 and revised in 1996, is a comprehensive law that addresses rural and urban land tenure in Burkina Faso. It applies to the national land domain (Article 2), which includes the land owned by the state, local authorities and private individuals. This law serves two main purposes:

- It outlines the legal framework for land within the national land domain. This includes defining land status, establishing general principles for territorial planning and sustainable development, managing land and other natural resources, and regulating property rights.
- It provides guidelines for agrarian policies (Article 1). This involves specifying how the land of the state, local authorities and private individuals is composed, established and managed.

It is important to note that the law emphasises the importance of registration as a common method of protecting land in both the state land domain (Article 122) and the land domain of local authorities (Article 155). This means that, after identifying and registering its land, the state has the option to transfer ownership to municipalities. Similarly, it can delegate the management of these domains to regional and municipal authorities.

Additionally, this law introduces the concept of purging revealed rights, which should be considered more extensively in the LORP. The LORP, drafted in 2002 before the adoption of the 2012 Agrarian and Land Reorganisation law (RAF), did not adequately address the need to compensate land rights holders when securing land in pastoral areas. This aspect of land tenure should be more comprehensively integrated into the LORP to align with the RAF's provisions.

Law No. 9-2-18/AN of 3 May 2018

This law on expropriation and compensation is relevant for creating areas reserved for pastoral activities through expropriation if consensus cannot be reached. Expropriation is described as a process in which the state or local authority can, in the public interest and with fair compensation provided beforehand, require someone to transfer the ownership of land or a real property right to them, as stated in Article 7 of the law. So, if individuals cannot agree on clearing land for pastoral activities, expropriation could be considered as a method to allocate land for pastoral purposes, such as establishing cattle tracks and pastoral areas.

Law No. 24-2-18/AN of 28 May 2018

This law on the planning and sustainable development of the territory is important for resource management. This law does not exclusively pertain to rural land. However, it does establish principles, regulations and processes for creating different land-use and sustainable development plans. This framework enables more effective utilisation of natural resources and improved environmental conservation. Article 2 of this law explicitly states its objectives, including advancing social well-being, economic efficiency and environmental protection in alignment with community land-use planning policies.

Law No. 55-2-4/AN of 21 December 2004

The Forestry Code provides regulations on the use of forests and protected areas, affecting pastoral areas within those zones. This law lays out the framework for establishing and overseeing pastoral areas by territorial authorities. According to Article 28 of the law, a rural commune's territory comprises three key zones: a residential area, a production area and a conservation area. Production areas primarily serve purposes such as agriculture, livestock, forestry, fish farming and various rural activities. The conservation areas are designated for protecting natural resources.

When we combine this law with other regulations concerning land tenure, we can see that these legal provisions empower local authorities (such as regions and communes) to directly create pastoral areas and take charge of their management. However, these communes and regions might also be tasked with overseeing pastoral areas that have been transferred to them by the state or areas where the state has delegated management responsibilities to them.

Since 2014, the state has delegated land management to territorial communities. However, the lack of proper land registration for state-owned land and land held by territorial communities has made the physical management of these transferred areas quite challenging.

Law No. 3-2-11/AN of 5 April 2011

The main point of the Forestry Code is to establish regulations for the protection of forests, wildlife and fishery resources. It allows for the creation of pastoral areas within protected forests but strictly prohibits them in classified forests, which have strict usage rules. According to this law, pastoral areas can be established within protected forests but are not allowed in classified forests. Classified forests are subject to strict usage restrictions. Both classified forests and protected areas like national parks, wildlife reserves and sanctuaries have a 'no-grazing' policy for livestock.

In exceptional circumstances, such as a severe shortage of food for livestock officially recognised by the government, the Council of Ministers can grant permission through a decree to temporarily allow grazing in specific classified forests. Each decree permitting such an extraordinary opening of a forest must outline the specific limitations and rules applicable to that particular forest (Article 7 of the Forestry Code).

Law No. 6-2-13/AN of 2 April 2013

The environmental code seeks to protect living beings by improving environmental conditions. Article 3 clearly states its purpose, which is closely tied to safeguarding pastoral resources. The environmental code is designed to shield living creatures from harmful or troublesome threats and hazards arising from environmental degradation and to enhance their overall living conditions.

The duty to safeguard the environment is not only outlined in the preamble of the Constitution dated 2 June 1991 but also explicitly mentioned in Article 29. The obligation to adhere to environmental protection regulations is present in all documents related to pastoral zones, including the LORP, general or specific specifications.

Law No. 2-2-1/AN of 8 February 2001

This law relates to water management, critical for pastoralists' access to water resources. Article 1 emphasises the significance of water as a precious resource and underscores the critical need for its sustainable management at the national level. Effective water management, guided by environmental considerations and legal priorities, aims to achieve several objectives that are to:

- ensure the provision of safe drinking water for the population
- address and harmonise the demands of various sectors, including agriculture, livestock farming, fishing, aquaculture, mineral extraction, industry and energy production

- preserve and restore water quality
- protect aquatic ecosystems
- address health, public hygiene, civil security and challenges related to floods and droughts.

The Water Orientation Law contains multiple provisions relevant to pastoralism because water is one of the primary resources for pastoral activities. For instance, Article 37 prohibits agricultural practices and techniques that could harm the hydrological cycle or water quality and imposes regulations on pastoral activities, potentially including restrictions on animal movement when necessary. To ensure the protection of water quality, Articles 54 to 67 establish substantial penalties for individuals who violate water management regulations, particularly in cases of pollution, which poses significant risks to both humans and animals.

ANNEX 3: TABLES FOR SECTION 6.3.4

TABLE 17: PROBABILITY THAT THE COMMUNITY WILL LOSE THE RIGHT TO BENEFIT FROM WET-SEASON COMMUNITY GRAZING BY THE OVERALL GROUP

Number of participants who responded	Period			
	During the next year	Within the next five years	Within the next ten years	During the rest of your life
Very unlikely	–	–	–	–
Unlikely	–	–	5	5
Somewhat likely	9	7	9	9
Very likely	5	7	–	–
Do not know	–	–	–	–
Refused to answer	–	–	–	–

Source: author's creation

TABLE 18: PROBABILITY THAT THE COMMUNITY WILL LOSE THE RIGHT TO BENEFIT FROM WET-SEASON GRAZING, ACCORDING TO WOMEN

Number of participants who responded	Period			
	During the next year	Within the next five years	Within the next ten years	During the rest of your life
Very unlikely	–	–	–	–
Unlikely	1	–	–	–
Somewhat likely	3	3	3	3
Very likely	1	2	2	2
Do not know	–	–	–	–
Refused to answer	–	–	–	–

Source: author's creation

TABLE 19: LEVEL OF CONFIDENCE IN CHILDREN'S INHERITANCE OF ACCESS AND USE RIGHTS TO COMMUNAL GRAZING LAND, BY GLOBAL GROUP

Number of participants who responded	Confidence that children in the community will inherit rights to collective wet-season grazing land	Confidence that children in the community will be able to use collective wet-season grazing land throughout their lifetime
Not confident at all	–	–
Not confident	3	2
Somewhat confident	4	4
Very confident	7	8
Do not know	–	–
Refused to answer	–	–

Source: author's creation

TABLE 20: LEVEL OF CONFIDENCE IN CHILDREN'S INHERITANCE OF ACCESS AND USE RIGHTS TO COMMUNAL GRAZING LANDS, ACCORDING TO WOMEN

Number of participants who responded	Confidence that children in the community will inherit rights to collective wet-season grazing land	Confidence that children in the community will be able to use collective wet-season grazing land throughout their lifetime
Not confident at all	–	1
Not confident	2	2
Somewhat confident	3	2
Very confident	–	–
Do not know	–	–
Refused to answer	–	–

Source: author's creation

ANNEX 4: TABLES FOR SECTION 6.3.5

TABLE 21: PROBABILITY THAT THE COMMUNITY WILL LOSE THE RIGHT TO MOVE LIVESTOCK AND PEOPLE TO AND THROUGH THE COMMUNAL PASTURES, BY GLOBAL GROUP

Number of participants who responded	Period			
	During the next year	Within the next five years	Within the next ten years	During the rest of your life
Very unlikely	12	–	–	9
Unlikely	2	4	8	4
Somewhat likely	–	1	6	1
Very likely	–	–	–	–
Do not know	–	–	–	–
Refused to answer	–	–	–	–

Source: author's creation

TABLE 22: PROBABILITY THAT THE COMMUNITY WILL LOSE THE MOBILITY RIGHTS OF LIVESTOCK AND PEOPLE TO AND THROUGH THE COMMUNITY PASTURES, ACCORDING TO WOMEN

Number of participants who responded	Period			
	During the next year	Within the next five years	Within the next ten years	During the rest of your life
Very unlikely	–	–	–	–
Unlikely	1	2	2	2
Somewhat likely	3	3	3	3
Very likely	1	–	–	–
Do not know	–	–	–	–
Refused to answer	–	–	–	–

Source: author's creation

TABLE 23: LEVEL OF CONFIDENCE IN CHILDREN’S INHERITANCE OF LIVESTOCK AND HUMAN MOBILITY RIGHTS TO AND THROUGH COMMUNAL PASTURES, BY PASTORALIST GROUP

Number of participants who responded	Confidence that the children in the community will inherit rights to the collective wet-season grazing land	Confidence that the children in the community will be able to use collective wet-season grazing land throughout their lifetime
Not confident at all	–	–
Not confident	2	4
Somewhat confident	9	9
Very confident	3	1
Do not know	–	–
Refused to answer	–	–

Source: author’s creation

TABLE 24: LEVEL OF CONFIDENCE IN CHILDREN’S INHERITANCE OF MOBILITY RIGHTS FOR LIVESTOCK AND PEOPLE TO AND THROUGH COMMUNAL PASTURES, BY WOMEN

Number of participants who responded	Confidence that the children in the community will inherit rights to the collective wet-season grazing land	Confidence that the children in the community will be able to use collective wet-season grazing land throughout their lifetime
Not confident at all	–	–
Not confident	3	2
Somewhat confident	2	2
Very confident	–	1
Do not know	–	–
Refused to answer	–	–

Source: author’s creation

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Cover: Researchers interviewing
members of the Wakilé Allah group.
Image by Issa Sawadogo

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