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Centre for
Humanitarian
Dialogue

Mediation for peace

**Natural resources management
in the Sahel:**

Uses and customs at the service
of conflict resolution

Burkina Faso, Mali, Mauritania, Niger and Chad



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**Natural resources management in the Sahel:
Uses and customs at the service of conflict resolution**

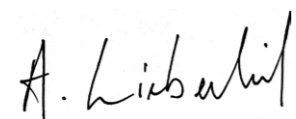
Burkina Faso, Mali, Mauritania, Niger and Chad

Preface

“African solutions to African problems” is one of the leading slogans used by peacemakers struggling with the endemic conflict of this great continent. Unfortunately, this legitimate principle is often ignored in favour of conflict management models designed in Western capitals and funded by institutions whose agendas are rarely aligned with those of conflict victims. By giving carte blanche to the Centre for Humanitarian Dialogue in 2014, Denmark and Norway took the risk of entrusting a mediation project to African hands. Six years later, with complementary support from the Netherlands and the European Union, the 2,072 exclusively Sahelian agro-pastoral mediators in the network have received support in resolving conflicts over the sharing of natural resources and transhumance.

They speak more than 40 local languages but have rarely made it through high school. They know every well, every pasture, and every herd in their area, but do not bother with geostrategy. They have mastered the habits and customs related to the exploitation of natural resources, transhumance, and community life, but have never opened a law book. Volunteers, committed to their community of pastoralists, fishermen, and/or farmers, and endowed with a natural sense of fairness; our mediators are nothing like the special envoys of the diplomatic corps, but they are effective. With an average of three hundred agro-pastoral conflicts resolved per year, these Sahelian men and women can pride themselves on significantly contributing to the reduction of tensions in the Sahel region.

In their quest to build communities’ capacity to autonomously manage the different access points to natural resources and transhumance, the agro-pastoral mediators have highlighted the importance of traditions and customs. Since they are sometimes unknown from one community to another, the need to identify and disseminate them has become a channel for preventing tensions and disputes. HD has therefore initiated support for the identification of these hundreds of habits and customs, including when they are grouped into local conventions. The first achievements of these efforts are presented here so they can be shared with as many people as possible.



Alexander Liebeskind
Director of Francophone Africa,
Centre for Humanitarian Dialogue





Summary

Natural resources management in the Sahel: Uses and customs at the service of conflict resolution

Burkina Faso, Mali, Mauritania, Niger and Chad

Introduction	8
I Habits and customs, the product of a tradition of preserving the social fabric	10
Traditional conflict prevention and management mechanisms	12
a. Kinship ties	12
b. Recourse to a third party	13
Legality and legitimacy of traditional conflict prevention and management mechanisms	15
II Habits and customs, the foundations of social cohesion	18
Some habits and customs regarding mutual aid	18
Some habits and customs in terms of living together	20
Some habits and customs in terms of access to and exploitation of natural resources	22
III Local resource management conventions: towards the formalization of habits and customs	24
Burkina Faso	26
Mali	28
Mauritania	34
Niger	36
Chad	38
IV Support for the implementation of local conventions	40
Conclusion	42



Introduction

Throughout the Sahelian strip, conflicts over access to natural resources between nomadic and sedentary communities continue to multiply on transhumance routes. While the scarcity of natural resources due to demographic pressure, climate instability, and armed conflicts is the main cause, these micro-conflicts fuel the emergence of inter-community conflicts, which in turn fuel political conflicts.

Faced with the risk of increasing militarization of these agro-pastoral conflicts, since 2015, the Centre for Humanitarian Dialogue (HD) has been deploying a mediation mechanism between nomadic and sedentary communities for the benefit of the Sahelian states to prevent and peacefully manage disputes over sharing natural resources and transhumance. In March 2022, there were 2,072 agropastoral mediators—progressively trained in conflict resolution—in the network across 133 border municipalities in Mali, Mauritania, Burkina Faso, Niger, and Chad.

This approach has demonstrated its importance since this network of mediators has autonomously resolved 1,100 micro-conflicts over access to natural resources and transhumance, while more than 8,000 heads of stolen or lost livestock were returned to their owners. In addition, community mediators are at the heart of mediating local agreements to sustainably improve the mechanisms for managing disputed natural resources. The project thus contributes to stabilization efforts in the Sahel by re-establishing traditional mechanisms for permanent mediation between communities. It has always been the communities that amicably

resolve disputes related to the exploitation of common resources. They have the power to decide in assembly on passage corridors and to punish cattle thefts. As a result of the deteriorating social fabric, particularly as a result of the emergence of new elites resulting from armed conflicts, this role has been weakened. However, community leaders have the expertise and legitimacy to resolve community conflicts through negotiation.

HD has thus helped communities to identify ongoing conflicts over access to natural resources and transhumance, but also to identify traditional, customary, and emerging leaders who, once brought together in a network, can resolve these conflicts through mediation. On one hand, this fieldwork has demonstrated that habits and customs are still strongly rooted in the daily life of each community, despite the fact that the knowledge of habits and customs has been altered by time and changes in social realities. The resulting misunderstandings give rise to benign disputes that can, in situations with political and security tensions, turn into—sometimes armed—conflicts. On the other hand, these efforts have enabled HD to collect a wealth of valuable information on these habits and customs as experienced and dealt with by the border communities of Mauritanian intervention in Chad. This publication seeks to highlight the fact that local conventions can prevent conflicts in cases where customs and practices are not well known or understood.

Through this publication, HD intends to share this knowledge of habits and customs for the benefit of as many people as possible. This document

is primarily intended for the communities themselves because if endogenous mediation proves to be highly effective, it is a question of contributing to conflict prevention through better knowledge of the habits and customs of the various Sahelian communities. It is also aimed at any stakeholder, partner, or donor eager to take into account the realities of local communities in the formulation and implementation of cooperation projects.

The information in this guide was collected directly from the communities and is limited to the HD-led agro-pastoral mediation program's areas of intervention—essentially cross-border municipalities far from urban centres—and is therefore not exhaustive.

I. Habits and customs, the product of a tradition of preserving the social fabric

Wars for the constitution or expansion of empires, conflicts over access to or control of natural resources, and the conflicting dynamics of domination or cohabitation within and between communities are constitutive parts of the history of the Sahel region. The centuries-long development of conflict prevention and management mechanisms understood as “the set of social mechanisms intended to ensure local security in a logic of prevention and management of inter- and/or intra-community conflicts”¹ is intimately linked to this conflict.

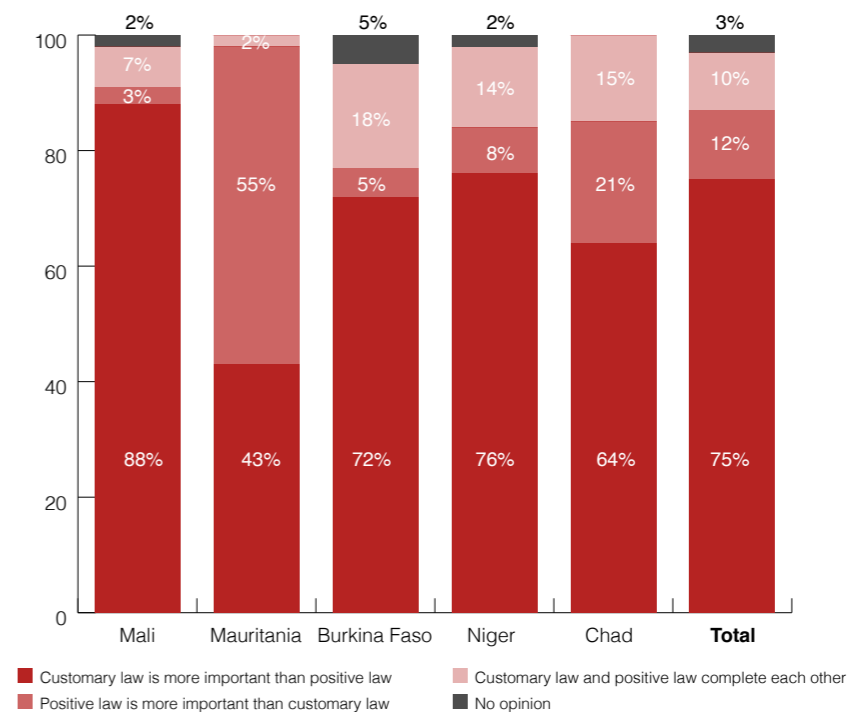
Their diversity is the result of various Sahelian communities’ social organisation and beliefs, which have developed instruments aimed at “preventing, moderating, or resolving conflicts by relying on the intervention of socio-political actors who mobilise techniques, norms, or values considered legitimate because they are sanctioned by reference to history and customs.”² The specificities of the various traditional mediation mechanisms derive from the search for an amicable settlement of disputes while ensuring its acceptance by all, thus guaranteeing a local peace that preserves the social fabric. These mechanisms are based on habits and customs, which regulate the functioning of each community and the interactions between communities based on solidarity and sharing. Conflict prevention is also ensured in advance with the implementation of local conventions—oral or written—which establish rules for access and distribution of resources. These codes make it possible to ensure that cohabitation and concrete interactions between communities are done in a way that respects the habits and customs of each community, but also in respect for the environment, whose preservation is essential for the proper development of their activities.

These instruments are both legitimate and intrinsic to and managed by communities’ way of life. Whether they are actors or objects of conflict, communities are in fact the only ones able to analyse them and to know the root causes, whether contextual, circumstantial, or structural. Above all, they are the first to have an interest in preventing any movement of violence or aggression that could weaken the social fabric or disturb local peace.

1. Dakouo, Ambroise. “Local conflict resolution mechanisms in the face of the implementation of security sector reform in Mali” (Les mécanismes locaux de règlement des conflits face à la mise en œuvre de la réforme du secteur de la sécurité au Mali). *Africa Development/ Afrique et Développement*, Vol. 42, No. 3, 2017, pp. 283–303. JSTOR, <https://www.jstor.org/stable/e90018129>.

2. Niagalé BAGAYOKO and Fahiraman Rodrigue KONÉ, “Traditional Conflict Management Mechanisms in Sub-Saharan Africa” (Les mécanismes traditionnels de gestion des conflits en Afrique subsaharienne), Centre FrancoPaix, Raoul-Dandurand Chair, Université de Québec, Montréal, June 2017, p. 12. Online: <https://dandurand.uqam.ca/publication/les-mecanismes-traditionnels-de-gestion-des-conflits-en-afrique-subsaharienne/>

Chart 9 : Between customary law (local conventions, customs and customs, etc.) and positive law, which is more important for managing disputes over access to natural resources?



Source : Data from the baseline study of the Sahel agro-pastoral mediation project conducted in 2019 by HD in Burkina Faso, Mali, Mauritania, Niger and Chad.

Typology of conflicts

The meetings with the communities made it possible to categorize local conflicts. These are generally related to the following causes:

- **Access to and exploitation of natural resources:** These conflicts are between farmers, fishermen, and pastoralists and are based on a non-integrated use of resources. The use of the resource or the presence of one of the communities around the resource may adversely affect other communities’ activities. For example, the passage of animals through a field destroys seedlings, the presence of fishing nets or hooks can injure the animals, irrigation of fields depletes water resources, the obstruction of traditional passage corridors hinders the passage of animals, as well as the seizure and encroachment of pastoral areas for agricultural purposes. Conflicts can also arise from opposition within the same groups, i.e. between farmers, between fishermen, or between pastoralists.
- Failure to comply with traditional rules for the use of resources.
- **Land use:** The parcels concerned are diverted from their original use (livestock yard, field, etc.) or their boundaries are not respected, including for passage corridors.
- **Leadership competition:** Between traditional leaders and/or religious leaders. These conflicts may be intra-community in the sense that they oppose lineages within the same community.
- **An inter-community conflict:** Between two opposing communities that can, in the context of intervention, turn into an armed conflict.
- **A local quarrel:** Neighbourhood, conjugal, family...
- **Theft:** Material goods or livestock.

Agropastoral mediation in the Sahel : overview of the 129 municipalities of intervention



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- Municipalities of intervention since 2015 / 2016
- Municipalities of intervention since en of 2019 / beginning of 2020



MALI

And. : Andéram-boukane Dia. : Diallassagou Mon. : Mondoro
 Ans. : Ansongo rural Gab. : Gabéro O. : Ouonkoro
 Ba. : Bara Gué. : Guéniébé Oua. : Ouattagouna
 Bou. : Bourra Ma : Mandiakuy Tin. : Tinhama

BURKINA FASO

Ari. : Aribinda D. : Djibasso K. : Kombori Ma. : Markoye Tan. : Tankougounadié
 Ba. : Banh De. : Deou Ka. : Kaïn Nas. : Nassoumbou Tin. : Tin Akoff
 Bar. : Baraboule Di. : Diguel Kou. : Koutougou Ou. : Oursi Ton : Tongomayel
 Bou. : Boundoré Fla. : Flagountou M. : Madouba Sei. : Seitanga

NIGER

Ay. : Ayorou In. : Inates
 Ban. : Bankilaré Ma. : Makolondi
 Dia. : Diagourou
 Gor. : Gorouol

March 2020

1. Traditional conflict prevention and management mechanisms

a. Kinship ties

- Cousinages or joking relationships:** Joking relationships are pacts of friendship and non-aggression between contracting parties from different clans, castes, and ethnicities. “The rule of the alliance stipulates that, regardless of the degree of adversity caused by a particular situation, the allies involved must avoid conflict or must unconditionally use peaceful means to manage said conflict. If a conflict breaks out despite these efforts, they must make a joke of it and let it fade away. In the worst-case scenario, if the conflict escalates in violence as a result of the warring parties’ ignorance or stubbornness, regardless of the form or intensity of the conflict, the intervention of a third person through the mobilisation of the alliance puts an end to the hostilities. Reparation rituals then follow.”³ A variant of the joking relationship also exists between villages or localities. In the name of the social ties that existed between their ancestors, these villages or localities are forbidden to wage war against each other. Whatever their social status (noble, caste, etc.), they are “joking relationships” and recognise each other by their surnames or their belonging to a certain profession.

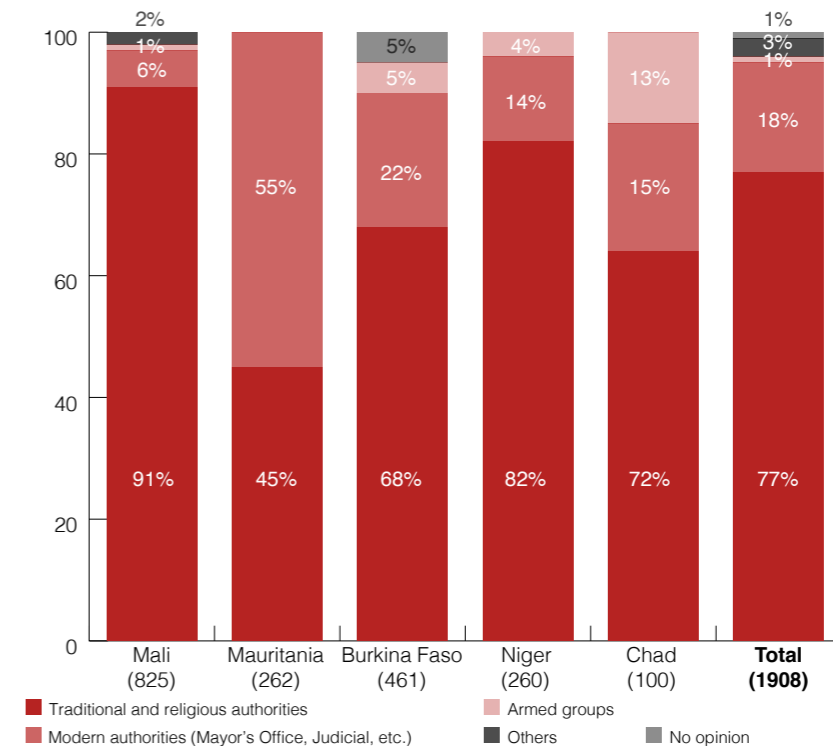
- Alliances through marriage:** In the context of conflict prevention, some customary chiefs or community leaders, in order to establish their authority or influence in the area, marry women from other communities. The children resulting from these unions will belong to both communities and will be the glue between them. In general, communities united by marriage no longer enter into conflict and, if conflicts arise, they are quickly resolved. On the other hand, if the marriage breaks down, families or communities can divide forever.

b. Recourse to a third party

In 2019, HD met with nearly 2,000 community representatives from G5 Sahel countries, and data collected demonstrated that communities are more inclined to use traditional conflict management mechanisms to mitigate or resolve local conflicts. 77% of those consulted admit that they prefer to resort to a traditional body than having an administrative and/or judicial authority intervene. This can be explained by the distance or absence of state authorities as well as by how quickly local entities act and their immediate and tangible impact on resolving the conflict in question. In addition, traditional conflict management mechanisms do not, as a general rule, consist of taking sides to sanction, but rather seek to reconcile and transform conflict into an opportunity for rapprochement and reparation. Indeed, traditional and customary leaders seek to understand the root causes of the conflict and listen separately to the parties before bringing them together to reconcile their positions. The commitments resulting from this mechanism, by far the most widely used, are respected most of the time.

3. DNiagalé BAGAYOKO et Fahiraman Rodrigue KONÉ, op. cit., p. 29

Chart 10 :
If there is a dispute over access to natural resources, who do you call on to resolve it?



Source : Data from the baseline study of the Sahel agro-pastoral mediation project conducted in 2019 by HD in Burkina Faso, Mali, Mauritania, Niger and Chad.

Traditional and customary chieftdom is a difficult concept to define. Traditional and customary chiefs are understood to be the representatives of the groups they have influence over in a given geographical area. They are divided according to their responsibilities:

- **In administrative matters:** village chief, tribal chief, fraction chief, district chief.
- **In terms of resources:** chief of land, chief of water, chief of pastures, chief of forests.
- **In terms of possessing know-how:** traditional communicators (griots), healers, hunters, weavers, blacksmiths...
- **In matters of religious knowledge:** the imam, the priest, the witch doctor.
- **In terms of notoriety:** founding families, noble tribes...

The various forms of recourse to identified third parties involve authorities recognised by the communities, as follows:

- **Tribal chiefs and village chiefs:** These are generally chosen by village councils and have local administrative recognition, although in some countries their mandate is not circumscribed in a specific law. They also act, in some cases, as customary or traditional chiefs, which, when referred by the parties to the conflict, allows them to propose a settlement either on the basis of positive law or on the basis of customary law.
- **Traditional chiefs:** They are the masters of the land and the guardians of the rituals, considered to be the guardians of all customs. They are usually called upon when traditional leaders or village and tribal chiefs fail to satisfactorily resolve a dispute. They intervene on the religious or spiritual side and proceed with sacrifices and incantations to resolve conflicts or name a culprit. Their sentence is final and those who challenge it risk their lives or are exiled from the community and village. This mechanism is not unanimous. It is strictly rejected by some Christian and Muslim communities as contrary to their beliefs, but others accept it.
- **Caste men (griots, blacksmiths, or jesters):** Castes have played and continue to play a major role in Sahelian societies. In some circles, for example in Mali and Burkina Faso, blacksmiths are seen as “the blood of society” or “the needle that sews different components of society together.” As such, they play the role of community mediators and can be the first responders as the last resort in the management of a conflict for which they can become involved autonomously or be called by one of the parties involved or by a third party. Their approach to mediation is based on a precise knowledge of the history and social ties between the different families and communities. In some communities, such as the BwBbwa of Mali, for example, the griot cannot be denied anything, otherwise, misfortune will descend upon those who are reluctant. Whatever the outcome of their mediation is, they are systematically thanked by all the parties who give them gifts in kind or in cash.
- **The predecessors:** In the event of a conflict between brothers, generally in Songhai communities, the mother or father is called upon as a last resort. The mother, raising her right breast, implores the warring parties to end the conflict “in the name of breast milk.” The father threatens to banish them, or “Haram.” In general, the brothers reconcile their differences for fear of banishment or a curse.
- **The influential third party:** An influential third party is a person who has a common ancestor with one of the parties to the conflict. This person protects one and has bargaining power over the other. The reason may not be known and may be a matter of secrecy, but this influence, when called upon, leads to a resolution of the conflict. The limitation of this approach is that power relations as well as alliances between the various parties can be modified for economic, political, or social reasons.

While the various interventions are generally recognised and help to find a way out of the conflict, they may not be successful. In this case, the parties may recourse to the administrative and/or judicial authorities. However, this practice is often interpreted as having a lack of respect for traditional authorities, and it can be looked down upon by the communities. The number of conflicts dealt with before the authorities is therefore an indicator of the level of disagreement and lack of space for dialogue within the community concerned. In fact, this number seems to be increasing in recent years due to the disintegration of the social fabric and the political and economic pressures on communities.

2. Legality and legitimacy of traditional conflict prevention and management mechanisms

Conflict prevention and management mechanisms aim to avoid violence and to verify, where appropriate, that escalation is limited and contained. This way of preserving community life is generally recognised in the body of legislation, which refers to it under the term of “amicable settlement” or “conciliation.” In addition to the fact that customary rights are taken into account in specific legislation related to livestock, agriculture and rural land, various laws recognise the use of traditional conflict management mechanisms.

In Burkina Faso: Traditional and customary chiefdoms are not governed by a specific law; instead, they are recognised in the preamble to the Constitution as “moral authorities which are the custodians of customs and traditions.”

In Mali: Article 29 of Decree 06-439/P-RM of October 18, 2006, which outlines the implementation modalities of Law 01-004 on the Pastoral Charter states: “*When it is appealed in a dispute concerning the exploitation of pastoral resources, the local conflict management body must provide for an amicable settlement on the initiative of the diligent party. It establishes a conciliation or non-conciliation report for the local authorities involved. The conciliation report is submitted by the mayor to the competent judge for approval.*”⁴

In Mauritania: Article 35 of Law 2000/044 on the Pastoral Code stipulates: “*Disputes resulting from damage caused to crops by animals, or to the latter by farmers, shall be settled amicably between the two parties. In the event that the amicable appeal does not succeed, it shall be brought before an arbitration commission.*”

In Niger: Ordinance 93-028 of March 30, 1993, on the status of traditional chiefdom in the Republic of Niger, as amended and supplemented by Law 2008-22 of June 23, 2008, states:

- In Article 18: “*The traditional chief has the power to conciliate the parties in customary, civil, and land transactions. In carrying out his duties, the traditional chief may defer summons to the parties. The traditional leader regulates, according to custom, the use by families or individuals of cultivated lands and pastoral areas, over which the customary and traditional community under his care has recognised customary rights, without prejudice to the provisions of the Rural Code. In all cases, he draws up the minutes of conciliation or non-conciliation, which must be entered in an ad hoc register, an extract of which is sent to the administrative authority within his jurisdiction and to the competent court. The minutes of conciliation signed by the parties may be accompanied by an enforceable form by the competent court at the request of one of the parties.*”
- In Article 21: “*The traditional chief is empowered to take precautionary measures necessary for the peaceful coexistence of the various rural actors, reporting them to the competent administrative authorities.*”
- In Article 27: “*As a magistrate of the administrative order, the traditional chief has the duty to maintain public order within the community he is responsible for, and to report to the competent administrative authority the acts likely to harm him as well as any breach of criminal law.*”

In Chad: The customary and traditional chiefdom is governed by the “Organic Law on the Statutes and Powers of Traditional and Customary Authorities,” No. 10-013 2010-08-25 PR. Article 3 recognises sultans, township and tribal chiefs, group chiefs, and village and *ferrick* chiefs.

4. On the other hand, Article 46 of the 2015 Mali Peace and Reconciliation Agreement explicitly calls for the revalorisation of the role of the cadis in the administration of justice, particularly with regard to civil mediation, as well as the provision of qualitative training for all justice actors, including cadis.

Article 7 of the Act stipulates: “Traditional and customary authorities shall have the power of conciliation in civil and customary matters. After the conflict has been settled, a report signed by both parties and approved by the conciliator is sent to the judicial authority through hierarchical channels. In the event of non-conciliation, these authorities are required to refer the matter to the judicial authorities. In criminal matters, traditional and customary authorities may assist in settling customary reparations. However, customary reparations cannot stand in the way of public action.”

While these traditional mediation mechanisms now regulate a large proportion of conflicts, including those between users of natural resources, they are not without limits. The first is the absence of a written record of the resolution of the conflict, which opens the way for questioning what has been achieved. Moreover, their application is often limited to a limited geographical area and habits and customs, which change from one community to another, do not facilitate the task of conflict prevention and management.

The second relates to social, political, and economic tensions that have local repercussions. On the one hand, demographic transformations have increased the subsistence needs of communities living on agropastoral activities, shifting relations between communities from a logic of complementarity to a logic of permanent competition, in a context of insufficient resources. The result is a change in hierarchical relationships between communities, which is shaking up the position of traditional mediators. They are now all the more weakened by alliances that certain communities may form with armed groups or by the direct intervention of the latter, as well as by the politicisation of certain traditional authorities.

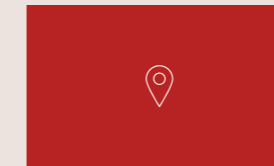
The third limitation lies in the nature of the conflict. While modern conflict prevention and management mechanisms are criticized for their high costs and verdicts, which do not promote social cohesion, traditional mechanisms may be lacking in the current security context, marked by an increasing number of armed conflicts, which exploit and feed on local dissidence.

If it is difficult to intervene in the economic, political, and security aspects, the strengthening of knowledge of habits and customs—understood as the set of habits, practices, and traditions relating to a community, group, or place—is necessary to reduce the likelihood of local conflict. The habits and customs are indeed specific to each community, regulating their lives, activities, and behaviours. When they are ignored or not respected by all the communities living or in the same territory or exploiting the same natural resources, they become a source of conflict. This is particularly the case for transhumant and nomadic pastoralists, who are constantly moving.

This publication focuses specifically on the habits and customs that regulate relations between pastoral, transhumant, and farming communities in border areas where HD has established networks of agro-pastoral mediators

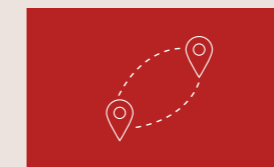
Pastoralism

The animal production system in which food is mainly based on the exploitation of pastures. The distance that the pastoralist and his herd have to travel to find these pastures determines the type of pastoralism practiced:



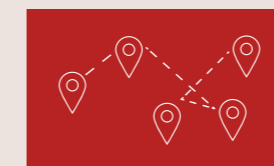
Sedentary pastoralism

The family nucleus is sedentary. The pastoralist and the animals make daily trips to exploit the pastures located close to their place of residence. In this case, pastoral activity is complemented by other activities, mainly agricultural.



Transhumant pastoralism

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



Nomadic pastoralism

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

II. Habits and customs, the foundations of social cohesion

In its “Vision to 2025,” the government of Burkina Faso defines social cohesion as “the harmonious and peaceful coexistence of communities that allows equitable access to resources, cultivates shared collective values (integrity, solidarity, tolerance...), while respecting human rights, laws, and institutions of the Republic, and reducing social inequalities at the same time.”

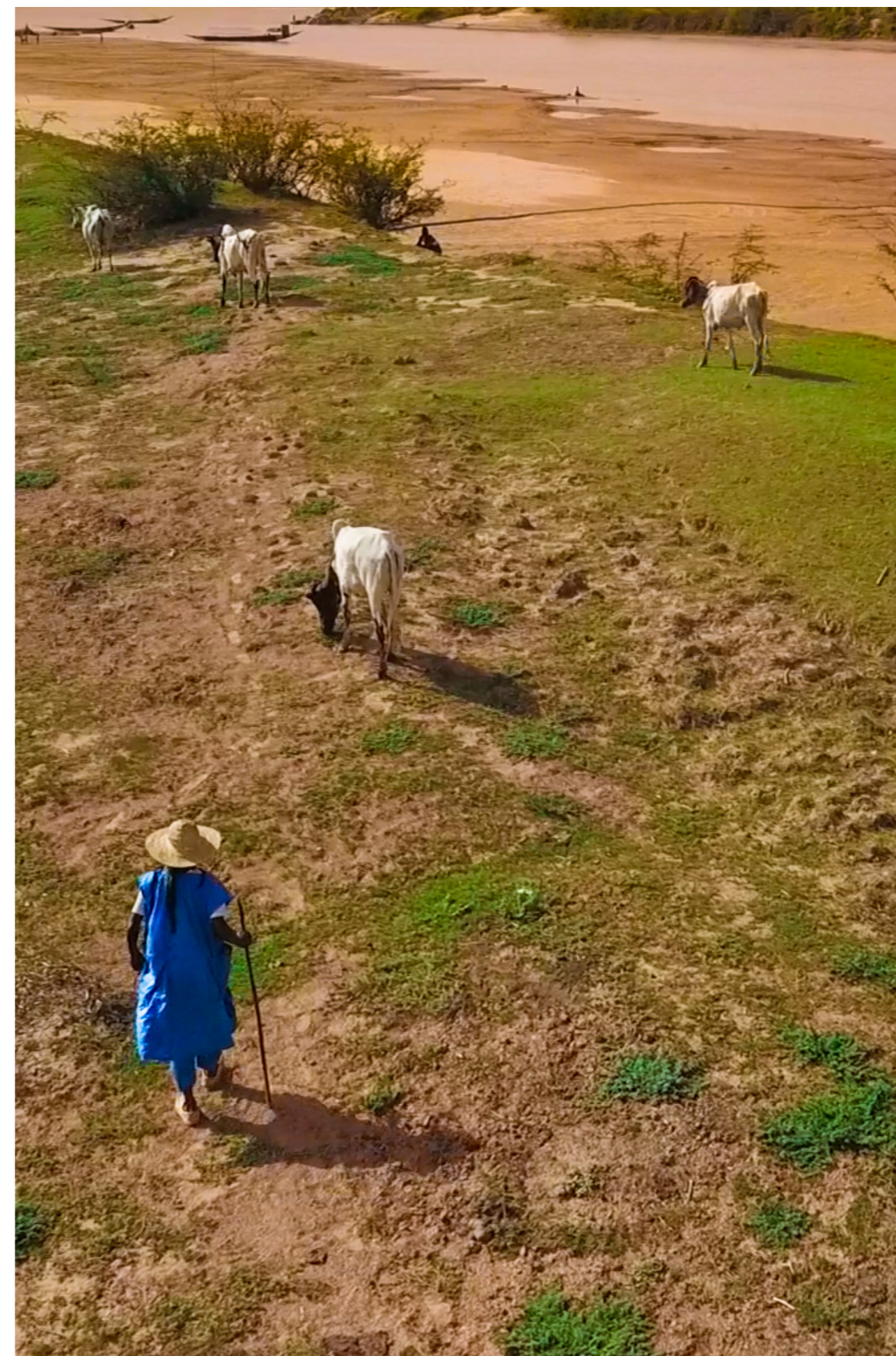
In areas where the State presence is weak or non-existent, it is important to approach social cohesion as horizontal acceptance. Its strengthening depends first and foremost **on the degree to which the communities themselves take responsibility for conflicts** so that they do not go beyond the community level. All the more so since the intrusion of third parties—including States—into their settlement is often perceived as a weakening of social relations. For example, among the Tuareg of northern Mali, any dispute is silent in the presence of a foreigner, even if it means resuming the issue after the foreigner’s departure.

The other key factor that ensures this cohesion at the local level is **participation in social events**. Whether happy or unhappy, these moments are experienced as celebrations in which the whole community participates. The number of people attending is also an indicator of the importance of the host and how anchored he is within the community, according to the saying, “It is in the presence of people at your events that you measure your value at the community level.”

Finally, **strong mutual aid systems** allow communities to assist one of their members or to be assisted if needed. These mechanisms, which are not conditioned, have a dual economic and social dimension, their primary beneficiaries being the most disadvantaged or the victims of natural disasters. In this respect, they are a pillar in the prevention and regulation of conflicts stemming from inequalities.

1. Some habits and customs regarding mutual aid

The forms of mutual assistance vary from one community to another and depend on the circumstances or degrees of threat or vulnerability of the person concerned. Tontines are the best-known form; they allow financial resources to be pooled in order to redistribute them if needed, thus contributing to social cohesion within a community but also between communities whose members contribute to and benefit from tontine. These mechanisms can also lead to the creation of associations with credit unions, the dynamism of which reflects the level of understanding among the community members. Some of these associations, as in the Kayes region in Mali, also have branches abroad, which greatly contributes to the development of certain villages.



These mechanisms are multifaceted and adapted to the needs and challenges faced by the different communities sharing the same territory. Although they differ according to communities or economic activities, they remain an inter- and intra-community foundation. Some of them were identified during meetings with the communities.

Caring for vulnerable people

Among Tuareg pastoralists in Mali, Niger, and Burkina Faso, the “Tiyyiten” makes it possible to provide a needy person with one or more heads of livestock in order to use the milk. The person can also benefit from one or more calves to build up a herd; in this case, the animals are returned to the donor. A mechanism identical to Tiyyiten, the “Habbanaye,” exists among the Peulh communities in Mali, eastern Burkina Faso and the Tillabery region of Niger. Similarly, in Chad, the Kanembou community in the Kanem region practices “Morgoy Loumanbe,” which is a form of assistance that allows members of the same community to make animals available to the needy. Animals remain the property of their owner—the same will be true for their offspring. The beneficiary will be able to use dairy products for personal consumption or for trade.

Also, in Mali, Niger, and Burkina Faso, “Tirgitten” allows members of Tuareg communities to donate one or more animals to a disaster victim or a disadvantaged person to help rebuild their herd. In this case, the person receiving the animals becomes the new owner. The Peulh communities call this practice “Babbanaye.”

In Mali, “Bambou,” a Fulfulde term meaning “to carry on your back,” refers to the fact that the holder of a large herd takes care of disadvantaged young people or orphans and entrusts his herds to them. This makes it possible to obtain economic security and to learn the profession of being a pastoralist. The owner is known as “Bamboudo,” in other words “the one who carries on his back,” and those he takes under his wing are called the “Bambaado,” or “the one carried on the back.” The latter is treated as a son of the family; the Bamboudo will, once the Bambaado reaches the age of marriage, find him a wife and take care of all the expenses related to the establishment of his family, and help him form a small herd.

The collective effort

In Songhai farming communities in Mali, all young people come together to cultivate the field of someone in difficulty, whoever they are. This practice particularly concerns disadvantaged women and women heads of households, but it can also be a way to thank the village chief, the Marabout, or a notable person, for the social, educational, and spiritual role they play within the community. This form of mutual aid is called “Boggou.” The restriction or absence of Boggou is synonymous with disagreement and inconsistency in the community. Its equivalent exists in farming communities in the northern regions of Chad, called “Bana Kouloyé,” meaning that, especially during the rainy season, all the able-bodied arms of the village assist people in need in their field work. This assistance can also be given to important Marabouts in the village or to people recognised for their wisdom, and can be practiced between communities in neighbouring villages.

In Mauritania, everyone’s contribution to the community’s general welfare is deeply rooted in all communities. Thus, at the end of each harvest, zakat is collected from the owners of the fields and is redistributed to the needy in the village. Solidarity is also required in the event of a natural disaster. If a farmer has lost his crop, the whole village must give him two mouds.⁵ If a pastoralist has lost his herd, the communities must give him a goat so that he can rebuild it. At the time of a wedding or building a house for a disadvantaged individual, the whole village must contribute.

5. A moud corresponds to 2.5 kg..

The exchange

In addition to these intra-community mutual aid mechanisms, certain traditions make it possible to strengthen ties between different communities. Thus, around different production practices, communities have forged relationships based on exchange that have withstood the test of time and social crises. Among the Songhai, at harvest time, the farmer will reserve the share of the harvest for his Tuareg friend or relative, who could stop by and pick it up at any time. If he does not come by, this share is reserved for him. In exchange, the pastoralist can give him an animal or dairy products that he will use during a ceremony, such as a wedding or a birth. It is also a given that a Peulh from the Mopti region offers two to three oxen to his Dogon friend or relative to support him; after the harvest, he will receive sacks of millet in exchange. Similarly, a Dogon breeder will entrust his animals to his Peulh friend. These relations of exchange, not quantified and not limited in time, refer to a deep friendship that allows the two families involved in these exchanges to protect each other during conflict.

2. Some habits and customs in terms of living together

Habits and customs vary from one community to another, and sometimes even from one locality to another. Not being universal, they are often overlooked by transhumant or nomadic pastoralists or even neighbouring communities. Traditions and customs can, in these circumstances, be a source of conflicts, either because they lead to damage to a third party by their practice, or because their disregard is perceived as an affront by the community that practices these customs. Below are examples of habits and customs, which, if not properly understood by communities, can cause tensions between them.

- **The passage of animals through the camps between the Tuareg and the Arabs of Mauritania, Mali, Niger, and Burkina Faso:** During transhumance, passing through the camps is strictly forbidden to avoid trampling on children and small animals or violating women’s privacy. In these communities, passing through camps is often experienced as an attack or a declaration of war.
- **The circumcision ceremony of young boys among the Gourmantché people of eastern Burkina Faso:** Circumcision is a rite that symbolizes the passage of the child to adulthood (maturity). This moment is marked by the organisation of a grand ceremony, during which young people are introduced to all the trials that regulate or regulate community life. During this initiation, the young people spend 40 days in the bush, cut off from their families, only accompanied by the teachers responsible for their initiation. At the end of the 40th day, the young men come out of the bush and all the animals encountered on their way are slaughtered as part of their exit ceremony. When animals from other communities are slaughtered, conflict breaks out and can escalate into a bloody confrontation.
- **Baptism of the first child among the Peulh in eastern Burkina Faso:** At the baptism of the first child, part of the clothes of all the women attending are torn, and the pieces are sewn together to make the cloth that will be used to carry the new-born on its mother’s back. Everyone is invited to the baptism, regardless of their community affiliation. When the dresses of women not belonging to the Peuhl ethnic group are torn, misunderstandings can take place, followed by fights.
- **The marks of due respect to the traditional chefs among the Gourmantché people of eastern Burkina Faso:** Anyone who approaches the chief or king must take off their hat, take off their shoes, and bow before greeting or speaking to them. Their joking relatives are excluded from this custom: blacksmiths, griots, and land masters. The transhumant people, in particular, who do not know about this custom, come into conflict regularly with the Gourmantchés.



- **The celebration of collective marriages among the Peulh Wolaarbe people of Bakounu in the Nara circle in Mali:** Weddings are celebrated once a year on a date set by the representatives of the villages and hamlets. The latter also decide on the place and number of marriages, and the whole tribe comes together. The bridal rooms are located at the exit of the village. During the day, the newlyweds meet up with friends and square off. In order to prove their bravery, young pastoralists are allowed to strike with machetes and knives, which can cause injuries and conflicts between families. As for young girls, they have a product that is of “bad luck,” which must be poured to a young man chosen at random from among the groom’s friends. In fact, it happens that the target is voluntarily chosen based on an already-existing enmity, which also creates conflict between families.

- **The sacrifice of oxen by the Maures of the Guiré and Nara circles in Mali:** At the beginning of the rainy season, the Maures of these communes make an offering of oxen to the chiefs or Marabouts whose prayers must ensure the abundance of rains. The oxen are then slaughtered; some of the meat is prepared and the other is distributed to poor families. In recent years, some villages refuse to contribute to the purchase of oxen and are accused by the other villages of causing poor rainfall.

- **The ban on burying the dead after sunset in Diarra, in the Nioro circle in Mali:** Historically, Diarra was the capital of the Peulh and had the greatest breeders and connoisseurs of cows. There are ancient water points, renowned for their power to multiply the livestock that drink there. Diarra was also the capital of the kingdom of Diarra, and it is said that many mysteries surround the hills of the village, embodied by hyenas and monkeys. To protect all these mysteries, of which the Diawara chiefdom is the guardian, it is forbidden to bury the dead after 6:30 pm. The new inhabitants and some religious people accuse the Diawara of instituting this practice in order to make their ritual sacrifices close to these waterholes and hills, and thus maintain control of the village and ensure their influence and economic interests.

- **The perception of livestock according to the community:** While communities who are not exclusively pastoralists see livestock as an economic good, nomads have a different relationship with their animals. The Peulh, for example, consider their herd to be their family and the cow occupies the status of “sister.” The same is true of the Tamasheq, who believe that nomadism is a legacy to be passed on, and animals an honour to be preserved.

- **Marriage bans with certain groups in Mali and Burkina Faso:** Historically, blacksmiths or griots have been prohibited from marrying members of other communities. When this happens, as a result of changing traditions, a conflict may break out. From the point of view of the other communities, these two groups, being the custodians of the role of mediator or of passing on history, could disclose their secrets. From the point of view of griots and blacksmiths, not forming alliances with other communities ensures their neutrality and independence. This discrepancy in perception is a source of misunderstandings and tensions.

- **Moral comfort after a death:** Some ethnic groups in the Sahelian region show their solidarity with a family that has lost one of their own to help them cope better with bereavement. For a minimum of one week, the family of the deceased person receives cooked meals, as well as an amount to cover expenses related to the death, the reading of the Koran, and the sacrifices on the 3rd and 7th days.

3. Some habits and customs in terms of access to and exploitation of natural resources

The same logic prevails with regard to the habits and customs governing the exploitation of natural resources. If well understood and accepted, they provide a very solid basis for conflict prevention. However, when they are not, they are a potential source of tension.

- **The location of camps in relation to the pastures in the Liptako Gourma area:** The richest and most abundant pastures are often found in the shallows, which are also home to a few rare trees and shrubs. As part of the Fulani pastoralist traditions, camps must be set up at the level of the shallows in order to use the shrubs to hide from possible aggressors and to protect themselves from the cold. Conversely, in Tuareg custom, it is strictly forbidden to set up camps in the middle of these pastures.

- **Respect for early wintering rituals and harvest periods among the Bwa and Dafing communities in the Boucle du Mouhoun region in Burkina Faso and the Tominian circle in Mali:** These two communities respect animist rites, and the beginnings of wintering and harvesting are always preceded by the masquerade ritual. Prior to this ritual, it is forbidden to plant or consume new crops, bury humpbacked people, and make animals march. The transgression of these prohibitions can lead to conflicts between different communities. It is often repaired by the immolation of a black goat and three black chickens, or a white sheep and a white hen. These practices are often ignored by transhumant pastoralists who do not know about the ritual, or considered idolatry by Muslim communities, which can lead to the outbreak of conflicts between communities.

- **The organisation of the traditional fishing campaign among the Bwa and Dafing communities in the Boucle du Mouhoun region in Burkina Faso and Ségou in Mali:** The fishing season is preceded by ritual sacrifices made by men. During this period, the women, usually the griots, are in charge of bringing them food but also looking for wood and water that will be used to prepare dolo, the local drink. It is then strictly forbidden to speak to them so as not to attempt to disclose the rites they would have witnessed; if they are indeed talked to, these women cannot answer. It is also forbidden to wear red clothing on the river. These practices are not always respected by transhumant fishermen and pastoralists.

- **The ban on cutting trees in the forest between Diarra and Trougoubé (Nioro) in Mali:** The large forest located north of the village of Diarra has been under the protection of the Diawara of Kingui for generations. It is said that whoever cuts a tree there falls ill, goes crazy, or loses some of his livestock. Neighbouring forest villages and transhumant people accuse the Diawara of casting spells or cursing animals.

- **Fishing in the ponds of the eastern region of Burkina Faso:** The Gourmantché of eastern Burkina Faso regulates the exploitation of the ponds in such a way that some parts are reserved for fishing (generally the centre) while others will be used to water the animals. For many pastoral communities, the pond is a resource graciously offered by God, and no one should regulate its use. Their cattle therefore often access the centre pond, and cut or trample on the fishermen's nets. This divergent perception of the resource can lead to conflicts between the two communities.

- **Transgression or disrespect for places of ritual sacrifice:** Among animist communities, especially the Gourmantché in eastern Burkina and the Bwa in southern Mali, certain places (woods, mountains, ponds, or sacred wells) are dedicated to ritual sacrifices intended to implore the gods for a good rainy season or to ease social tension. Because of the ban on passing through these places, pastures are very rich. Muslims, who consider these practices to be idolatry, but also foreigners, through ignorance of local beliefs, or transhumant pastors transgress the prohibitions of these places of worship. This transgression is all the more common as these places are not marked.

- **The ban on cutting baobab leaves after the first rains in the northern regions and the Burkina Sahel:** In the Foulbé, Mossi, and Dogon communities, it is strictly forbidden to cut baobab leaves after the first rains. The belief says that it would “scare away” the rains and that the year would be bad. The chief of land is in charge of enforcing this custom, and it is he who, at the end of the prohibition period, inaugurates the beginning of the period of gathering leaves by cutting them and using them according to a specific rite. Following this ritual, all communities can use baobab leaves. Some transhumant communities consider the tree to belong to God, who makes it grow. Failure to comply with these customs or their violation can lead to tension or conflict.

- **The ban on cultivating land on Monday and Friday in the commune of Bouilly, Guidimagha, in Mauritania:** For the Soninke, cultivating land is strictly forbidden on Mondays, which could cause misfortune or disrupt harvests. For Moorish Arab communities, this ban applies on Fridays in order to free themselves for Friday prayers.



III. Local resource management conventions: towards the formalization of habits and customs

with a view to regulating natural resources—in terms of control, access, appropriation, use, and exploitation—and respect for the environment. In this regard, they are a tool for preventing and managing conflicts related to natural resources, but also a necessary tool for the shared management of these common resources.

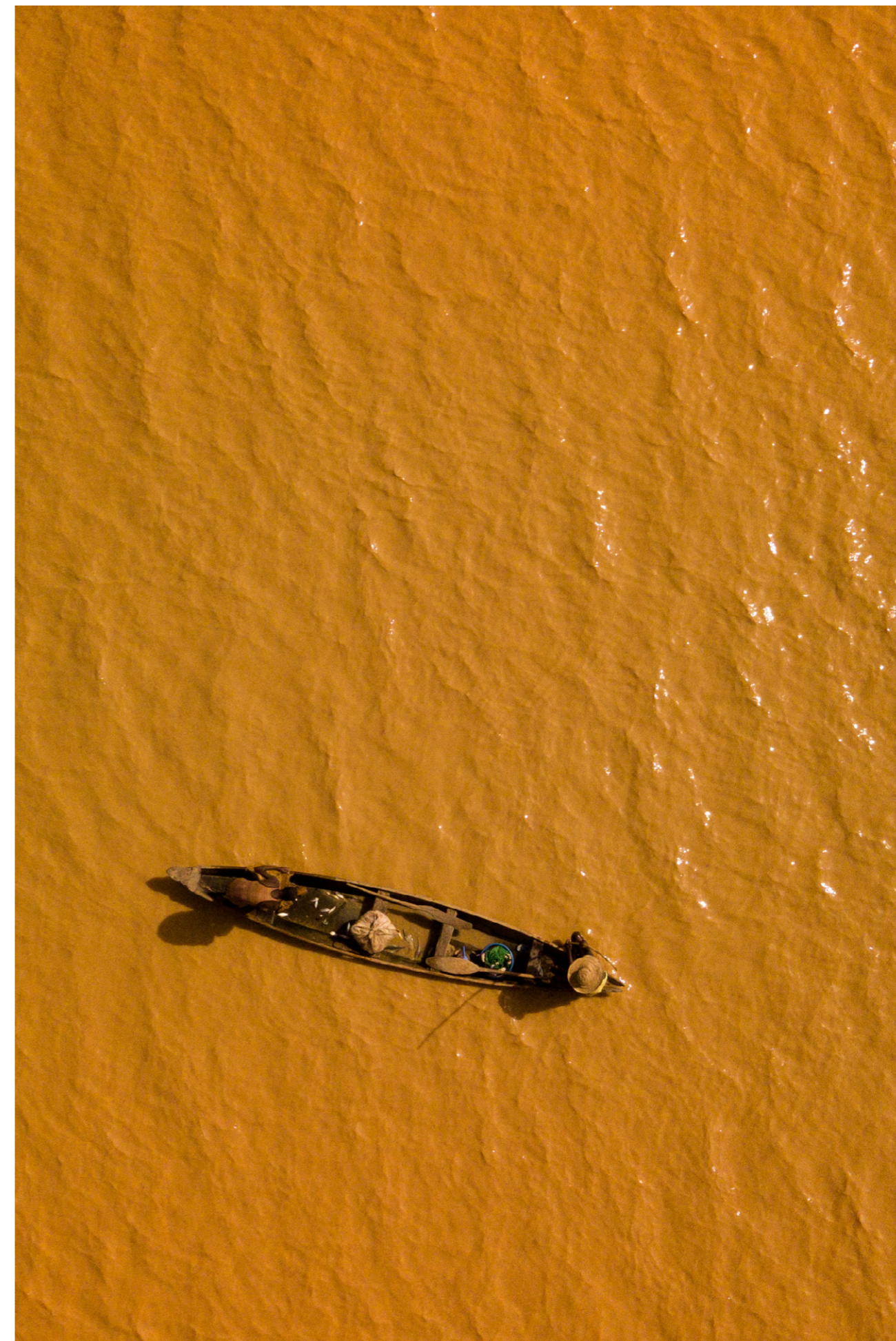
Local conventions are generally oral but may also be in written form. Two drafting processes are possible: conventions can be endogenous or developed under external impetus. They involve various stakeholders; first of all, the communities, which are the driving forces since they guarantee both the formulation and the implementation, but also the—often local—authorities, which are generally called upon to contribute in particular by verifying that the local agreement is compliant with the current legislation.

Communities can therefore benefit from the support of technical services when formulating or improving local agreements. In this case, the following points are taken into account:

- The local agreement is a voluntary, negotiated, and consensual agreement, which takes into account local identities and particularities;
- It is part of a territoriality, or a relatively small geographical space (village, municipalities, circles, regions...);
- It ensures equitable access to natural resources and guarantees their sustainable use;
- Its implementation is ensured by the communities, which organise themselves into a management committee of the local agreement and define its rules as well as the modalities for settling and monitoring disputes

A local convention is built on the basis of the habits and customs of the different communities using the natural resource concerned, with the aim of building compromises where the habits and customs contradict each other and to make them known to the users of the resource who are not from the locality. The Convention also takes into account the socio-economic requirements of the area and, increasingly, current legislation.

Some local conventions for the management of natural resources were mentioned by the communities during the field meetings. They are presented below and will be widely disseminated in the communes of intervention so that ignorance of habits and customs becomes less and less a trigger for disagreements or more serious conflicts.



BURKINA FASO

Zone	Resources concerned	Convention rules	Causes of conflicts
Agricultural areas of the Boucle du Mouhoun and the Nord	Land for agricultural use	<p>Access to land in Burkina Faso is done in three ways:</p> <ul style="list-style-type: none"> • Granting by traditional chiefs or masters of land in exchange for gifts; • Inheritance from father to son; • Donation or loan. This is done directly between the parties, without the intervention of a traditional authority, but in the presence of witnesses. The loan may be free of charge or remunerated in kind, but the loan agreement, often verbal, must be renewed every year. <p>Traditionally, in the Boucle du Mouhoun region, women do not inherit land but receive it as a gift or loan through their husbands or male relatives. This is changing in some localities.</p> <p>Non-indigenous peoples have temporary use of the land, so they cannot pass it on and are prohibited from planting trees and digging wells, which would be understood as an attempt to take ownership of the land. It is understood that, in order to strengthen social cohesion through mutual aid, no one should pass by a farmer who is sowing without helping him, even symbolically or for a short time. At the end of the agricultural season, no one has the right to harvest their crops until village or community elders make ritual sacrifices.</p>	Changes in mentality lead to land being sold.
	Water points in agricultural areas	<p>Access to water points is regulated according to the double first-come, first-served principle and the primacy of human consumption over other water uses. The following rules are generally respected:</p> <ul style="list-style-type: none"> • Large herds only have access to water points at night; • "Modern" water points cannot be used by animals until surface water points have dried up; • Access to surface water points is free; • Access to "modern" water points is subject to the payment of a contribution per container, per month, per year, or per family, the value of which varies according to the localities. For animals, the amount is fixed per animal head and per passage. <p>The fee is paid to the Water Users Committee, which manages each water point. During the wintering period, the contribution is lifted since there is less pressure on the resource.</p>	When these rules are broken, tensions emerge, especially during the dry season.

Zone	Resources concerned	Convention rules	Causes of conflicts
Sahel region	The pastures	<p>The local agreement is written, the pastoral area is developed and taken care of by a single management committee. The rules state that:</p> <ul style="list-style-type: none"> • Indigenous pastoralists have prioritized access to pastures; • In principle, it is free for all, but in some communes, access to pastures for non-natives is subject to payment to the grazing management committee of the sum of 10,000 CFA for Burkinabes and 50,000 CFA for Malians; • In some municipalities, indigenous pastoralists may have—after paying 5,000 CFA to the Environmental Service—private pastures surrounded by a fence of thorny plants. This practice is subject to the issuance of a timber cutting permit. 	The poor functioning of the management committee has repercussions on the management of the funds.
Sahel and North Region	Harvest residues	<p>Local agreements establish that:</p> <ul style="list-style-type: none"> • In dry periods, due to the scarcity of crops, animals can be left to roam, as long as it is not in gardens or off-season crop areas; • At the start of sowing, animal owners are required to keep them away from agricultural areas; • Once the crops are ripe, the start and end period of the harvest is communicated to everyone. The announcement is generally broadcast on the radio; • Once the harvest date has passed, pastoralists can dispose of crop residues for animal fodder; • Native animals are a priority. Their access is not dependent on the payment of a fee but some abuses to this are occasionally reported. 	Some farmers are late in their harvests and run out of time. Conflicts can then take place with transhumant people who return to the area.

Zone	Resources concerned	Convention rules	Causes of conflicts
The region of Timbuktu, Gao, Ménaka	Land for agricultural use	<p>Access to land is done in three ways:</p> <ul style="list-style-type: none"> • Granting by traditional chiefs or masters of land in exchange for gifts; • Inheritance from father to son; • Donation or loan. This is done directly between the parties, without the intervention of a traditional authority, but in the presence of witnesses. The loan may be free of charge or remunerated in kind, but the loan agreement, often verbal, must be renewed every year. <p>Traditionally, women do not inherit land but receive it as a gift or loan through their husbands or male relatives. This is changing in some localities.</p>	Changes in mentalities mean that the fact that a woman cannot inherit land from her father is seen as an injustice.
	Traditional wells	<p>The management of traditional wells is governed by customary and/or religious law, which establishes that:</p> <ul style="list-style-type: none"> • The drilling of wells is obligatorily subject to the approval of the customary or religious officials who designate the appropriate place, generally along valleys or wadis; • Traditional wells are private, and their use by a third party is subject to the owner's permission; • Drilling does not result in paying a fee to the authorities, but the well-diggers are paid for their work. 	Transhumants fail to turn to customary officials. They are often directed by the natives to places where the water supply is low, which can cause tensions.
Ségou/ Tominian Region	The use of agricultural land	<p>To exploit a new field, after obtaining permission from the traditional leaders, the new owner must:</p> <ul style="list-style-type: none"> • Precede the clearing with the sacrifice of a chicken to ask for the clemency of the gods and to have good harvests; • Inform the water and forest service, which communicates the procedures for clearing land;⁶ • Clearing by hand or with tools without the use of fires (slash-and-burn agriculture is strictly prohibited). 	The ban on manual land clearing is not always respected.

6. Law 95/004, article 15 and Decree 96/043P_RM establishing the organisation and procedures for clearing land.

Zone	Resources concerned	Convention rules	Causes of conflicts
Ségou/ Tominian Region	Agro-pastoral areas	<p>The following rules are applied in agro-pastoral areas:</p> <ul style="list-style-type: none"> • A ban on cutting down 11 species of trees: oil palm, ronier, pterocarpus erinaceus, lenge, kapok, ailcédra, Khaya senegalensis, shea, néré, white acacia, gum, n'galaman, as well as all fruit trees⁷; • Avoid all bush fires, at the risk of being sanctioned; • Respect the prohibition on entering or cutting timber in sacred forests. <p>Anyone who breaks the rules is immediately brought before the village council or taken to the Water and Forest Service.</p>	The ban on cutting down certain tree species is not always respected.
Ségou/ Niono Region	Agropastoral areas ⁸	<p>In order to avoid conflicts between pastoralists and farmers and all users of natural resources, the communities agreed on the following rules:</p> <ul style="list-style-type: none"> • At the end of the harvest (usually in January), the dates for the entry of animals into the agricultural area are set by the mayors and/or traditional chiefs and communicated through all communication channels. Failure to comply with the different dates by the animal owners results in the payment of a fine ranging from 3,000 to 18,000 CFA. • Each village undertakes to build a pound with technical support from the municipality. Animals found without an owner or those whose owner cannot pay the fine will be taken there. The owner will then have to pay fines as well as the costs of the animals' stay and/or maintenance. • If an animal dies at the pound, the competent services are responsible for drawing up an autopsy report. • A farmer who occupies a pastoral trail, a pasture, or the surroundings of a pastoral water point incurs a fine ranging from 3,000 to 18,000 CFA. At the request of the mayor, he may be subject to criminal prosecution and risk up to 10 days in prison. • The passage of animals in rice fields is strictly prohibited. • At the start of the agricultural season, at the end of June, all pastoralists are asked to leave the agricultural area with their animals, at the risk of being liable to a fine ranging from 3,000 to 18,000 CFA. 	Some pastoralists are slow to leave the agricultural area or often arrive before crops are harvested. Sometimes it is farmers who are slow to harvest their crops.

7. Law 95/004 prohibits cutting these 11 species: oil palm (*Elaeis guinensis*); ronier (*Borassus aethiopicum*); vena (*Pterocarpus erinaceus*); lenge (*Azelia africana*); kapok (*Bombax costatum*); ailcedra (*Kaya senegalensis*); Shea (*Butyrospermum paradoxum*); Néré (*Parkia biglosa*); Balanzan (*Acacia albida*); Gum (*Acacia Senegal*); N'galaman (*Anogeisus leiocarpus*).

8. Many regulations include the articles of the Pastoral Charter and its implementing decree, particularly Article 24.

Zone	Resources concerned	Convention rules	Causes of conflicts
Ménaka region	Modern water points	<p>Access to modern water points is strictly regulated by the allocation of wooden pitchforks that serve as a support to draw water from the well. Each community using the water point has its own, as well as a dipper and pulley, which are strictly private. The established rules are as follows:</p> <ul style="list-style-type: none"> • The distribution of pitchforks made by local customary authorities must be respected. An available pitchfork can be used as long as it is handed over as soon as a member of the owning community arrives at the water point. • Water for human consumption is prioritized over that of animals. • Animals in distress have priority over other animals. • The pastoralist waiting to use a pitchfork must keep his animals away from the water point until it is his turn to use his community's pitchfork or another community's pitchfork that is available for use. • In the event that there is no pitchfork dedicated to transhumants, they must wait until the pitchforks are free or use the water point at night. • It is strictly forbidden to prevent a pastoralist from having access to an available pitchfork. 	Pressure on water resources leads to non-compliance with these rules.
	The fonio plains	<p>Access to the fonio plains is regulated as follows:</p> <ul style="list-style-type: none"> • At the time of harvest, access is free but indigenous communities have priority over others; • At the beginning of wintering, access is free but as soon as the plant begins to grow ears, animal grazing and cutting the grass is strictly forbidden; • The surveillance of the fonio plain is the nearest community's responsibility; • Harvest time is set by traditional chiefs or elders. It is done in two stages: when the seeds are ripe but still green, then when the seeds are dry and fall to the ground. During harvesting, no one should gather in the immediate vicinity of another gatherer and, until the end of the harvest, no one may drive his animals through the plains. 	Transhumant communities coming from Niger, where fonio is considered a common plant, do not respect these rules.

Zone	Resources concerned	Convention rules	Causes of conflicts
Gao region	The ponds	<p>The ponds are a highly-valued resource for farmers and pastoralists alike, particularly during the dry season (March to June). In order to ease tensions, the communities introduced the following rules:</p> <ul style="list-style-type: none"> • The right of everyone to access the pond has been recognised; • The surroundings of the pond are divided between the two activities: one side is reserved for pastoralists and the other for farmers, and no one can shift their activity to the other side without prior consultation with the elders or traditional chiefs of the two communities; • In the event that fishermen use the pond, the nets are installed in its centre. They can be placed close to farmers, but never near pastoralists. 	When the pastoralists ease their watch, the animals go to the area reserved for agriculture and destroy the crops.
	Bourgou pastures ⁹ in the Niger River Valley	<p>For a peaceful exploitation of the Bourgou pastures, the communities have put the following rules in place:</p> <ul style="list-style-type: none"> • Anyone can have a private Bourgou pasture. When it is near a public Bourgou pasture, the same rules are followed concerning the trimming period. • The young people of the village or the commune come together in a supervisory committee for the Bourgou pastures and organise day and night tours to check that the rules are respected. • Following the first rains, the village chiefs and/or the mayor communicate, via radio stations or the public crier, the date of the removal of the animals from the Bourgou pastures. After this period, the animals found in the Bourgou pastures are taken to the pound and their release subject to a fine. • The trimming date is also decided and communicated through the same channels. Keepers of certain types of animals such as horses can benefit from a special cutting exemption and the amount of Bourgou they have per day is set by the municipality or village. • Trimming for private uses is limited in time and varies from 3 to 7 days depending on the villages and municipalities¹⁰. • No one has the right to cut Bourgou in the public Bourgou pastures before the Bourgou pastures' release date, the risk being that the person's canoe will be taken away, as well as the cut Bourgou. Return of the canoe is subject to a fine, and the harvested Bourgou is sold. The money is given to the youth responsible for monitoring the Bourgou pastures. • After it is cut, animals can enter the Bourgou pastures. In some localities, native cattle have priority over non-native cattle. Access is free, but traditionally, gifts are given to traditional leaders to show gratitude. However, some traditional chiefs charge transhumants or pastoralists from neighbouring towns and villages, irregularly and sometimes with the support of armed groups, substantial fees of up to 500,000 CFA. 	

9. Bourgou (*Echinochloa stagnina*) is a perennial, semi-aquatic grass present in areas of temporary flooding in hot and dry climates such as that of the Sudano-Sahelian zone. Bourgou production can vary between 6 and 20 tons per hectare of dry matter. This species has a very good forage value, which makes it highly sought after by breeders, especially in the dry season. Since the drought (1973 and 1984-1985), the Bourgou pastures where Bourgou grows have experienced significant degradation, accentuated by an increase in livestock numbers, human consumption, and the increase in the areas reserved for rice cultivation.

10. To make Manchi, a local drink, to serve as animal fodder or to be sold.

Zone	Resources concerned	Convention rules	Causes of conflicts
Mopti region	Modern water points - Koro Circle	<p>Access to the water point is free, provided that the following rules are respected:</p> <ul style="list-style-type: none"> • Water for human consumption is prioritized over water for animal consumption; • Animals in distress have priority over other animals; • Animals must not occupy the vicinity of the well and must be kept far enough away so that other users to have access to the well; • Private dippers and troughs must not be left in the vicinity of the well and must be stored in a place that does not obstruct access to the well; • Animals cannot access the well after sunset or before sunrise. 	The order of access is not always respected.
	Transhumance in the Central Delta of Niger	<p>The coexistence of activities related to the encounter between sedentary and nomad pastoralists is done thanks to the following rules:</p> <ul style="list-style-type: none"> • Transhumants are organised in groups and their movements take place in successive waves during a specific period of the year; • As the transhumance period approaches, the young shepherds embark on an oral contest and the women dedicate a song to the winner; • Before moving to an area, the most respected pastoralist in the family visits the destination area, contacts residents, and reports on existing resources and local constraints—including diseases that are present, for example; • On the eve of departure, the head of household gathers the young pastoralists to give them advice. During the preparations, the girls dedicate songs to the pastoralists and prepare couscous for their brothers who will guide the animals during the hardest season of the year; • It is strictly forbidden for transhumants traveling alone without their families to settle in the vicinity of villages or camps; • In Bankass, sites and pastures are reserved only for herds with diseases. 	<p>Respect for transhumance periods and groups is not systematic.</p> <p>Sick animals are not always confined to the places reserved for them.</p>



10. Pour faire du Manchi, boisson locale, servir de fourrage aux animaux ou être vendu.

MAURITANIA

Zone	Resources concerned	Convention rules	Causes of conflicts
Hodh El Chargui	Water points	<p>The following rules are established:</p> <ul style="list-style-type: none"> • If the water point belongs to a family, a tribe, or a community, they are the ones who use it first. Others serve themselves in order of arrival; • The use of water for human consumption is prioritized over any other type of water use; • Large herds only have access to the water point at night; • Access is free and respects the principle of reciprocity ("I accept you in my home because tomorrow I could go to your house"), but sometimes some owners charge a fee for the water used, especially for transhumants. 	Pressure on water points leads to non-compliance with the rules.
	The pastures of the protected forests	<p>Mauritania is a desert country and the scarcity of trees means that they benefit from special surveillance. The dromedary, a common animal, feeds mainly on the leaves of thorny trees that are mainly found in wadis and shallows. Spiny forests are either protected, in which case no economic activity is allowed, or considered as "village forests," where dead wood can be exploited and animals can graze. Access to these forests is free, but cutting the trees is strictly forbidden, punishable by fine or, for transhumants, removal from the area.</p>	Goat and dromedary farmers can cut branches off green trees to feed the animals.
Hodh El Gharbi	The water points	<p>The following rules are established:</p> <ul style="list-style-type: none"> • It is forbidden to dig a well in pasture areas; • Domestic wells are accessible to everyone without exception; • Priority for water use is given to the person or persons who dug the well; • Animals cannot drink directly from the well. 	Pressure on water points leads to non-compliance with the rules.
	The pastures	<p>The following rules are established:</p> <ul style="list-style-type: none"> • Settling in the middle of pastures is strictly forbidden; • During the day, the farmer has to watch his field; at night, the pastoralist has to watch his cattle. 	Failure to follow the rules creates conflicts.
Guidi-makha	The water points	<p>The following rules are established:</p> <ul style="list-style-type: none"> • You have to ask for permission to dig a hassi¹¹; • It is forbidden to do laundry in the ponds during the cool season; • It is forbidden to fish in the "Meilha" marsh up to its tributary. 	Pressure on water points leads to non-compliance with the rules.

Zone	Resources concerned	Convention rules	Causes of conflicts
Guidi-makha	The pastures	<p>The following rules are established:</p> <ul style="list-style-type: none"> • Settling in the middle of the pastures is strictly forbidden; • Once the harvest is over, farmers must allow pastoralists to access the fields; • Pastoralists are strictly prohibited from settling or moving their livestock within 5 km of Kalikoro from the start of the rainy season, which is determined by weather conditions, until March 26; • The owners of the fields are prohibited from removing agricultural by-products; otherwise, they may be subject to a fine. 	Failure to follow the rules creates conflicts.

11. Puits étroit et profond.

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Zone	Resources concerned	Convention rules	Causes of conflicts
Tillabéry region	Access to agricultural land	<p>Access to land is done in three ways:</p> <ul style="list-style-type: none"> • Granting by traditional chiefs or masters of land masters in exchange for gifts. • Inheritance from father to son. • Donation or loan. This is done directly between the parties, without the intervention of a traditional authority, but in the presence of witnesses. The loan may be free of charge or remunerated in kind, but the loan agreement, often verbal, has a deadline for the termination of the agreement; • Purchases. While in some localities land is not sold, in the Gourma of Niger, you can buy it. The agreement is made directly between the parties, without the intervention of a traditional authority, but in the presence of witnesses who act as a guarantee of sale, since the issue of a deed of sale is not systematic. The price can be paid in kind or in cash. 	Changes in mentality lead to land being sold.
	Traditional gold panning	<p>Access to gold panning plots is subject to the following rules known to everyone:</p> <ul style="list-style-type: none"> • Access is subject to ownership or rental of the plot; • In case of rental, the landlord/tenant relationship is subject to the so-called "Touf Mango" agreement, in which the tenant takes care of all the gold extraction work and gives the owner, on a daily basis, the equivalent of one-fifth of the quantity of gold found, from which he will have previously deducted the charges (costs for the site management, site security fees...). In the event that the owner, in addition to the plot, owns a gold detection device, he is given half of the net income. 	Rules are not always respected.
	Harvest residues	<p>In the Gourma of Niger, the fields are used as pasture by pastoralists. The rules are as follows:</p> <ul style="list-style-type: none"> • Pastoralists access the fields only after farmers have collected or secured all of the crops; • After the harvest, the traditional, communal, or administrative authorities decide on the release date for the fields by the farmers and communicate it. It is understood that, after this date, pastoralists are not responsible for damage to unharvested crops. 	Farmers may extend beyond the set harvest dates.

Zone	Resources concerned	Convention rule	Causes of conflicts
Tahoua and Northern Tillabéry Region/ Zone of Pastoral Municipalities and Enclaves	The pastures	<p>Access to pastures respects the following rules:</p> <ul style="list-style-type: none"> • Access is free, but newcomers must report to the local authorities before settling there; • Pastures are managed collectively and are not owned by anyone; • In accordance with the principle of reciprocity, solidarity between pastoralists is one of the fundamental principles that should not be called into question by any third party; • It is forbidden for any user to settle in the middle of pastures; • It is forbidden to set up a camp within another camp or in its immediate vicinity; • It is forbidden to cut trees excessively and to set up bush fires; • The pruning and cutting down trees within the valleys are prohibited, unless authorized by the management committee; • Setting up camps in the shallows is strictly prohibited, in order to protect strategic areas against the advance of crops. 	Some rules are not respected.
	Modern water points	<p>Access to modern water points is strictly regulated by the allocation of pitchforks to each community using the water point. The dipper and pulley remain strictly private; each user must have them. The established rules are as follows:</p> <ul style="list-style-type: none"> • The distribution of pitchforks made by local customary authorities must be respected. An available pitchfork can be used as long as it is returned as soon as a member of the prioritized community arrives at the water point; • Water for human consumption has priority over that of animals; • Animals in distress have priority over other animals; • The pastoralist waiting to use a pitchfork must keep his animals away from the water point until it is his turn to use his community's pitchfork or another community's pitchfork that is available to use; • In the event that there is no pitchfork for to transhumants, the latter must wait until the pitchforks are free or use the water point at night; • It is strictly forbidden to prevent a pastoralist from having access to an available pitchfork. 	Some rules are not respected.

Zone	Resources concerned	Convention rules	Causes of conflicts
Lake Area/ Liwa	The water points	<p>The use of water points is subject to very strict conditions, which may be written and may be subject to religious requirements. In most villages or municipalities, compliance with these norms established by the community remains the prerequisite for any discussion, mainly:</p> <ul style="list-style-type: none"> • The traditional water point is owned by everyone. Its use is free for all users, whether they are residents or passing through. • To install hydraulic structures such as modern wells, it is imperative to consult with the traditional chiefdom or the district chiefs. • With regard to the use of traditional or modern water points or public wells, the rule followed is "first come, first served," with the exception of the elderly, persons with disabilities, and pregnant women. 	Rules can be overstepped by influential people.
	Transhumance corridors	<p>Animal passage corridors follow rules that may be written and may be based on religious requirements; they are regulated as follows:</p> <ul style="list-style-type: none"> • When transhumants leave the mainland to go to the islands of the lake or river to graze their herds, generally in the dry season, they are subject to the payment of 250 CFA per head of livestock or a fixed price per herd, as well as a fixed pasture fee. Retribution can also be made in kind. However, these decisions are the localities' responsibility, since in principle, access to and use of resources are free of charge. • When the rainy season arrives, pastoralists must leave the lake or the river. To cross, the pastoralist must pay the same payments on return as on arrival. 	Times of the year and animal entry periods may not be respected.
	Salt or natron lands	<p>Access to salt or natron lands follows rules that may be written and may be based on religious requirements. The conditions for the exploitation of salt lands are:</p> <ul style="list-style-type: none"> • Salt land is distributed among the resident communities, without distinction, by the traditional chiefdom, which, being the master of the land, has the power to do so. Access conditions are made by inheritance from father to son; • The dry season is devoted to harvesting natron and the rainy season is reserved for grazing; • When harvesting natron, the traditional chiefdom and government officials charge a commission or tax on each parcel of land harvested; • If bags of natrons or salts are stolen, the customary chief is the first person responsible for intervening to resolve the conflict. 	Robberies or accusations of theft can lead to tensions.

Zone	Resources concerned	Convention rules	Causes of conflicts
Lake Area/ Liwa	Modern water points	<p>Access to the modern water point is strictly controlled and regulated by a monitoring and management committee. The following rules must be respected:</p> <ul style="list-style-type: none"> • Users are required to respect the distribution of pitchforks made by local customary authorities; • Water for human consumption is prioritized over that of animals; • Animals in distress have priority over other animals; • It is strictly forbidden to prevent a pastoralist from having access to a free pitchfork. 	Pressure on water points means that the rules are not always respected..
Lake and Kanem Region/ Fouli and North Kanem	Land for agricultural use	<p>Access to land is done in three ways:</p> <ul style="list-style-type: none"> • Granting by traditional chiefs or masters of the land in exchange for gifts. • The inheritance from father to sons/daughters. In the case of an adopted son, it is through a gift. • Donation or loan. This is done directly between the parties, without the intervention of a traditional authority, but in the presence of witnesses. The loan may be free of charge or remunerated in kind, but the loan agreement, often verbal, must be renewed regularly. <p>The exploitation of the land must be subject to prior authorization by the traditional chiefs and the clearing of land must be preceded by a sacrifice in order to increase the yield of the crops. Land clearing is done by hand or with tools without the use of fires (slash-and-burn agriculture is strictly prohibited).</p> <p>In the Kanembou community, particularly among farmers, the practice of "Morgoy Kouloyo" consists in making a field or arable area available to a person in a precarious situation. In exchange, one-third of the crop or products from the farm will go to the landowner and two-thirds will allow the beneficiary to support himself and prepare for the next agricultural season.</p>	Prior authorization from chiefs is not always required.
	Agro-pastoral areas	<p>Among the rules that govern agro-pastoral areas:</p> <ul style="list-style-type: none"> • The conditions of access of animals to agro-pastoral areas are decided either by the traditional chiefs or by the communal authorities; • In case of non-compliance with the conditions, users are subject to memorandums or fines whose penalties vary according to the damage caused; • It is forbidden to enter and cut wood in places reserved for sacrifices (including sacred forests); • Animals gain access to agricultural land once the harvest is over; • The roaming of animals is prohibited in cities as well as in agricultural areas reserved for agriculture alone; • Animals found without an owner are taken to the pound. Their release is subject to the payment of a fine as well as the costs of living and/or maintaining the animals; • If an animal dies at the pound, the competent services are responsible for drawing up an autopsy report. 	Failure to comply with animal entry and exit dates by pastoralists often create problems.

IV. Support for the implementation of local conventions

Some natural resources are a recurrent source of conflicts between their users. Networks of agro-pastoral mediators—who work hard to resolve disputes over access to natural resources—can, in this case, call on HD to support them in mediating local agreements for a peaceful exploitation of the resource. Therefore, HD helps networks to revive traditional mechanisms for managing these natural resources and supports the formulation of local agreements in writing. This prevents their questioning and facilitates their dissemination, especially to people outside a given space. The process of identifying needs and validating agreements follows three steps:

Step 1: Identification of needs

In inclusive meetings facilitated by HD, community representatives identify strategic resources for which it is necessary to agree on their management. Their request is formalized with HD through a request from each community involved. It is conditioned by all users' acceptance of the approach and by the status of the resource in terms of conflict but also of land ownership.

Once the request has been accepted, a mission of information and identification of users, rules, and traditional authorities for managing the resource is organised. It meets representatives of both users and community mediators, the communities involved, and the technical services related to rural development (mainly those in agriculture, livestock farming, fishing, and water supply). The purpose of this mission is to study and understand the challenges related to the different uses of the resource as well as the traditional rules of access and exploitation for each use: agricultural, gardening, pastoral, forestry, fish, etc. It also makes it possible to identify the traditional bodies historically in charge of resource management, as well as potential sanction systems.

Step 2: Formulation of the Convention

The identification stage makes it possible to draw the broad lines of a convention whose rules repeat the totality of those set out by the communities themselves. In some cases, these rules may be submitted to the technical services for feedback. This first proposal is compiled by HD and then presented to the communities during validation and negotiation meetings where members of the same user group work together. These do not stop at the definition of the rules but go as far as to define a system of penalties in case of non-compliance with the rules—which generally repeats a pre-existing system. The technical services are also invited to analyse the conformity of the rules adopted with the texts governing the natural resource and to identify sanctions that are not the responsibility of communities or associations. It is understood that once the rules have been accepted by all, none can be modified without the consent of the users of the resource.

The validation of all the rules is followed by the validation of the sanction systems and the establishment of two resource management bodies:

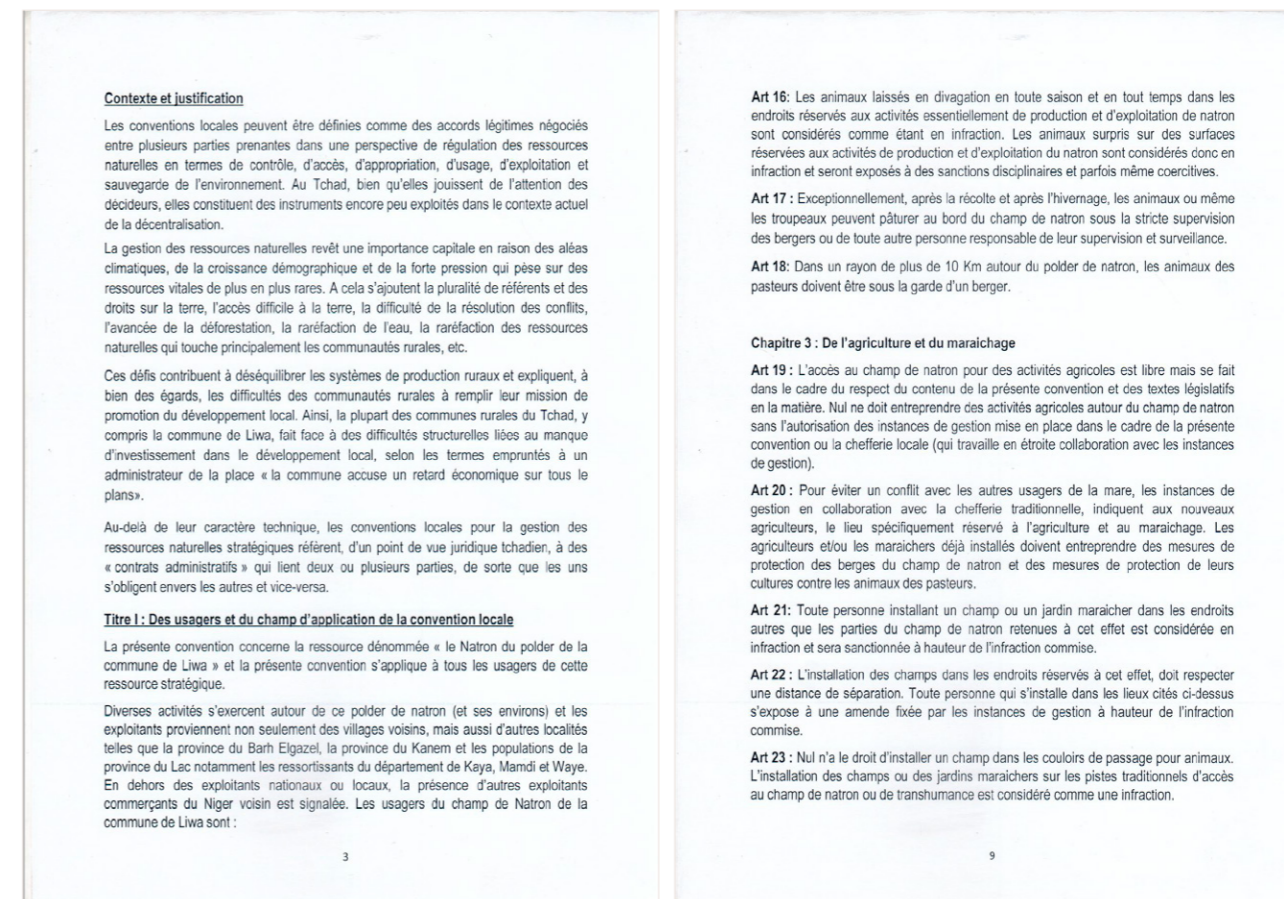
- The Supervisory or Surveillance Committee, which is the decision-making body, is usually composed of village chiefs and/or traditional chiefs;
- The management committee, which is the executing body, is generally composed of user representatives.

Once the management tools have been put in place, an official signature of the agreement by the users' representatives is organised. It is done in the presence of the mayor of the commune and representatives of the technical and administrative services, and copies are given to the management bodies, the mayor, and the representative of the administration.

Step 3: Dissemination and follow-up of the convention

The established rules must then be disseminated to as many people as possible. For this purpose, users' representatives are responsible for returning the content of the agreement to all communities. HD supports this process by:

- Connecting with community radio stations to ensure the broadcasting of the content of the convention over a period of six months;
- Training members of management bodies (sustainable exploitation of resources, keeping accounts, etc.);
- Having the project team monitor the management bodies for six months, at the end of which an evaluation meeting is organised with the members of the management bodies.



Extract from the local convention around the natron of Liwa, Lake region, Chad

Conclusion

Through its agro-pastoral mediation project which extends over 133 border municipalities of Burkina Faso, Mali, Mauritania, Niger, and Chad, HD has been able to develop a detailed knowledge of the habits and customs that govern community life in these areas and has attempted to paint a portrait of them. Habits and customs are for the most part ingrained in the traditions of the communities that practice them and are often only transmitted orally. They are therefore mostly unknown to transhumant herders, nomadic pastoralists, or foreign communities, and their failure to respect them can cause major conflicts.

Conflicts related to habits and customs are frequently encountered around natural resources used by different users. Thus, local conventions, using traditional conflict resolution mechanisms, are often necessary to share these disputed resources among their different users. Their aim is to make known, understand, and have these habits and customs coexist with the aim of preventing new conflicts. Local conventions promote compromises when habits and customs contradict each other.

The support offered by HD to agro-pastoral communities and local authorities fits into this framework and allows the reconciliation of these habits and customs while taking into account the rules of positive law. The establishment of resource management bodies ensures that resource users who are not from the locality are made aware of all the rules that govern it, preventing the resurgence of new conflicts.



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