

ACTING FOR LIFE

Policy Brief

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Transhumance in coastal countries – a crucial challenge with an uncertain outcome¹

Togo, 2 February 2017. «In accordance with the National Plan for the Management of Transhumance (PNGT), 50,000 head of cattle will be authorised to enter Togo from 30 January to 31 May 2017, i.e. 50% less than last year. Herders must use as entry and exit points the livestock corridors marked on the new regional maps, pay a tax of CFA 5,000, and wear an ID badge²».

Ivory Coast, 15 June 2016. The new law on transhumance and on the movement of livestock establishes the creation and management by the State of exclusive hosting areas for transhumants which can also take the form of privatised grazing areas provided by local governments, professional associations, natural persons or legal entities. Transhumants may not move outside the livestock corridors demarcated for that purpose and any change in the grazing areas used by livestock from one administrative district to another requires prior permission from the competent authority. Importing commercial livestock trekked on-the-hoof is prohibited at all points along the borders. *29 August 2017.* The draft decrees are currently being approved. Within national borders, trekking commercial livestock in herds of more than 15 head is prohibited. Tending livestock must be based on a maximum ratio of one herdsman for 50 head of cattle or for 120 small stock. The transhumance period is defined by the Ministry responsible for the livestock sector. In order to be authorised entry, the person in charge of a herd must state his destination or transhumance hosting area. He will then be informed by the competent authority of the itinerary to be followed in order to reach the hosting area. Transhumant herdsman are required to report to the inspectors at the various stopovers and to the competent authorities in their hosting area. The agropastoral calendar is set for each sub-national administrative area by prefectural decree. The use of exclusive hosting areas created by the State and pastoral infrastructures other than livestock corridors allows for fees and taxes to be applied. *21 January 2018.* Radio France Internationale, special feature programme on Ivory Coast: mobility under threat³.

Benin, 21 November 2017. The government presented a draft bill aimed at managing the phenomenon of pastoral transhumance, replacing Law 31 of 21 September 1987, which had become obsolete. *15 January 2018.* «Cross-border transhumance started today. On the agenda of innovations for this transhumance season: payment of taxes on livestock and only 13 livestock corridors made available for the 170,000 ruminants expected from Nigeria, Burkina and Niger. In order to prevent animals straying, the movements of herds will be monitored. Herders will also be issued with badges. For the first time, the State will levy taxes as follows: 5,000 CFA on large stock and 1,000 CFA on sheep and goats. Furthermore, nomadic pastoralists are not allowed to trek their animals beyond Dassa-Zoumé in the central-southern part of the country. The transhumance season will end on 31 May⁴».

Guinea, 16 January 2018. «The entry of any herd of zebu cattle into Guinea national territory is prohibited by decree until further notice. The owners of herds already in Guinea are required to present themselves to the competent authority in order to organise the return of their herds to the border⁵».

Ghana, 19 January 2018. «The Association of the Fulani Community in Ghana has called on the Secretariat General of the United Nations in order to denounce the killing of livestock due to the practice of shoot-to-kill introduced with the new Operation Cow Leg launched by the Government in Agogo (Ashanti Region), following a presumed attack on three soldiers and one police officer by foreign nomads. The Association condemns the brutality of those operations and demands compensation for some of their compatriots who have lost more than 1,500 head of cattle which were caught in the line of fire⁶».

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² <http://www.commodafrica.com/03-02-2017-le-togo-impose-des-regles-strictes-la-transhumance-pour-eviter-les-conflits>

³ <http://www.rfi.fr/emission/20180121-2-cote-ivoire-transhumance-mobilite-terres-betail-elevage-secheresse-nourriture>

⁴ <https://lanouvelletribune.info/2018/01/benin-transhumance-frontaliere-gouvernement-limite-couloirs-passage/>

⁵ <http://www.maliweb.net/societe/guinee-conakry-territoire-desormais-interdit-aux-eleveurs-maliens-2732195.html>

⁶ <https://www.myjoyonline.com/news/2018/January-19th/fulani-community-in-ghana-wants-compensation-for-killed-cattle.php>

1. The management of transhumance by coastal countries: choices and variations

There is no uniform stance on how to manage transhumance. Each coastal country follows its vision and national preferences, using several basic parameters:

- An entry and exit date to and from national territory for all transhumant herders⁷.
- A limit to the number of animals authorised to enter national territory.
- The obligation of transhumant herders to follow scrupulously identified corridors and to have their intended itinerary validated by the authorities.
- A tax on livestock on entry and, depending on the country, also in the administrative areas that they pass through or the hosting areas where they stay.
- Transhumant livestock restricted to hosting areas already existing and to be created, according to a variety of approaches⁸.
- A form of physical identification of transhumant herders.
- The designation of administrative structures to monitor the transhumance.

Such parameters are not immutable and can be adjusted from one year to the next, according to circumstances. In 2017, Togo reduced the movement of transhumant cattle by half. In similar fashion, the entry and exit dates remain linked to the agricultural season. Later rainy seasons and delayed harvests can result in the entry date being pushed back.

Such regulations - some of which echo older texts⁹ - inevitably raise questions. How can the number of animals entering the country or the itinerary followed by each transhumant herder be controlled? According to which systems are taxes collected, allocated and reinvested? Are all corridors functional and are the hosting areas properly equipped?

Beyond these questions, it should be noted that such rules and regulations are frequently based on an imperfect understanding of how animal production and livestock mobility operate in West Africa.

⁷ Once transhumant herds have entered national territory, some legal systems also give sub-national authorities (districts, for example) the possibility of setting their own dates according to their agricultural calendars.

⁸ The PNGT-2014 for Togo identifies three hosting areas in the country, but also suggests creating ranches. Ivory Coast allows hosting areas to be created and equipped by the State or through private initiative.

⁹ The recent legislation (2016) in Ivory Coast draws largely on several decrees (96-431 to 434) from 1996, one of which already prohibited the commercial trekking on-the-hoof of imported livestock.

2. Transhumance and livestock mobility: a vision often reductive and compartmentalised

Transhumance to coastal countries is not practised only by nomadic pastoralists or by «pure» herders but also by agropastoralists, who can be found both in the northern and the southern regions of the Sahel. Livestock production based on mobility is a common strategy throughout West Africa (including coastal countries) and is part of complex agropastoral livelihood systems: incorporating agriculture and livestock production, but also including trading, transport, skilled trades, artisanal gold mining.

Often described as a problem or a threat, transhumance is seen as an extractive practice, a perception that ignores the considerable contributions that mobile herders make to the local economy. In 2014-2015, the 386 families surveyed by AFL as part of the BRACED Programme (UK-Aid) sold livestock and then spent on-the-spot around one billion CFA in total. Transhumance generates revenue, creates jobs, and helps to fight poverty.

Far from being a mechanical movement from A to B, following a corridor along which herds trek on (like on a highway) to a hosting area from which they do not move¹⁰, transhumance is often punctuated by numerous stopovers¹¹. Furthermore, the routes to the south can - and must be able to - change as a response to circumstances: drought, floods, conflicts, livestock diseases.

¹⁰ The PNGT-2014 for Togo proposed, for instance, to transport transhumant animals by truck.

¹¹ Of the 386 families studied by AFL-BRACED in 2014-2015, only 24 used a single hosting area during their transhumance. For all other families, the number of areas varied from 5 to 27.

Trans-border livestock mobility cannot be compartmentalised, with on the one hand transhumance, and on the other, commercial trekking. Transhumants and livestock traders in the value chain use the same itineraries and contribute to supplying markets at competitive prices along the way. Spread out over time, mobility also allows animals to fatten up while on the move. In view of the restrictions placed on transporting livestock or refrigerated carcasses by truck, trekking on-the-hoof (often combined with transport by truck for specific segments) remains essential for the supply of rural and urban markets¹².

Apart from the devastating clashes of recent years, transhumance cannot be summed up as a series of incessant conflicts systematically pitting herders and farmers against each other. Totalling up the length of transhumance movements, the 386 families surveyed in 2014-2015 were on the move with their herds for 83,000 days, a considerable length of time. And yet, all the conflicts reported were resolved in a peaceful manner thanks, in part at least, to the social links actively maintained between local populations and transhumant herders. Livestock production based on mobility is a further factor of social integration between the north and the south.

¹² A study by the OECD has shown that the West African livestock value chain is, ultimately, high-performing, with a multiplication rate [price at departure and price on arrival] between 1.5 and 2.5 (compared with 5 to 8 in Europe).

3. From securing transhumance to boxing it in – what if trans-border livestock mobility becomes virtually impossible?

The measures taken are evidence of increasingly restrictive limitations, to the point where it begs the question of whether livestock mobility can remain functional at all. As a basic strategy of adaptation, transhumance requires a level of flexibility that is scarcely compatible with constant inspection, controls and checks: is a herder really able to give his itinerary in advance and report regularly at designated stopovers, while requesting authorisation each time he moves from one grazing area to another?

At the same time, the infrastructures and facilities stipulated by the law are not adequate. The corridors which herders are not supposed to leave are often non-existent or blocked by cultivated fields. The lack of transit areas or waterpoints means that the herds have no choice but to leave the corridors frequently. A number of hosting areas still need to be secured or created from scratch¹³.

For many agropastoralists, transhumance is also an absolute necessity, given the reduction of pastoral resources at their home base. If the date of entry is changed, how will it be possible to manage the thousands of animals held up at the borders? And what is to be done in the event of a severe drought when herds are forced to take refuge in the south?

Trans-border livestock mobility may also become increasingly an ordeal and an obstacle course. Transhumants are already reporting the increasing number of rules constraining access to pastoral resources and the weakening position of local hosts, in a context where more and more new actors are becoming involved in the management of transhumance. In addition, the lack of security (attacks, highway robberies) has become such a problem that often women refuse to leave on transhumance.

All those constraints and limitations could have irreversible consequences. The ever more stringent taxation systems penalise those herders with smaller numbers of livestock, who must also bear animal losses due to disease and other risks (drowning, predators, floods, accidents, bush fires)¹⁴. Greater social divisions will ensue, together with decreased livestock productivity and impoverishment of families¹⁵.

The functionality of the livestock value chain is under threat, while the substitution of meat from the Sahel by imports purchased on a fluctuating global market remains a risky bet. At the local level, a decline in transhumance movements and commercial trekking¹⁶ would severely affect livestock markets and limit local populations' access to red meat and animals (for fattening and draught power), with negative consequences on the economic development of rural areas. And what would happen to the West African regional economic integration and north-south synergy?

¹³ In Togo, out of 3 hosting areas identified, one was demarcated without the agreement of the local population and another has no waterpoints. Finally, the area which can be used by herders is only 28,000 ha instead of the 84,500 ha planned.

¹⁴ In 2014-2015 all these risks combined resulted in the loss of 9% of transhumant cattle (AFL-BRACED study).

¹⁵ Such as a family from eastern Burkina included in the AFL-BRACED study, who, after opting not to go on transhumance for two years, decided to leave again for Benin with their 20 cattle and finally retraced their steps from the border, when faced with taxes to pay and anticipation of security problems.

¹⁶ For example, the regulation in Ivory Coast limiting trekking animals on-the-hoof to 15 head of locally-produced livestock runs counter to the profitability requirements of livestock traders in the value chain who need at least 80 to 150 head.

4. A potential rift between the national interest and the strategic vision of West African regional organisations

In practice, beyond a common objective for achieving peaceful transhumance movements, there is a growing discrepancy between the policy measures adopted by coastal countries and those tirelessly promoted in particular by ECOWAS as well as development partners and civil society organisations: trans-border livestock mobility, regional integration and north-south synergies, rural versus urban development, conflict mitigation and the fight against poverty, terrorism and exclusion¹⁷.

Moreover, the requirement to inform the authorities of each transhumance departure and itinerary, the imposition of fees on entering the country, and the collecting of taxes in hosting areas¹⁸, are not necessarily consistent with ECOWAS rules and regulations. And if taxes are to be paid by transhumants in compensation for certain services, then national and local governments must also ensure that they provide such services: access to veterinary healthcare and livestock feed (agro-industrial by-products), properly demarcated and equipped corridors, protected hosting areas, safe access to markets, physical protection of persons and livestock assets.

The reduction in entry quotas for transhumance livestock or the increasing limitation on the length of stay reflects, ever more markedly, the interest of coastal countries for imported red meat (Latin America, Asia) to the detriment of the commercial channels supplied through trans-border livestock mobility within the ECOWAS zone. In fact, is cross-border transhumance really necessary?

Considering the wide range of policies to be implemented, it is legitimate to ask whether the countries have the capacity to assume the considerable financial and human resource investments required¹⁹. At the same time, given the complexity of most measures (taxation, privatised management of hosting areas, checks and controls on herders), it is to be feared that the legislator is, paradoxically, contributing to the creation of an environment even more conducive to predation, to collusion and, ultimately, to conflict²⁰. This aspect is particularly alarming since, while often targeting specific communities, confrontations in their most extreme forms eventually address the fundamental principles of Human Rights²¹.

17 High-level dialogue on moderating transhumance between the Sahel and coastal countries (Concertation de Haut Niveau sur la Transhumance apaisée entre le Sahel et les Pays côtiers), Cotonou, Benin, November 2015.

18 In Togo, a 2008 decree established a fee of CFA 5,000 per head of transhumant cattle when crossing the border, and a fee of CFA 500 when entering a district or using a hosting area.

19 Togo evaluated the cost for managing transhumance at almost CFA 7 billion for the period 2015-2020.

20 Echoing the concerns expressed in recent years by civil society organisations, the PNGT for Togo (2014) condemned the systems of collusion and corruption often practised by various actors during transhumance movements.

21 In Ghana in 2016 the inhabitants of Fantekwa (Eastern Region) were invited by the military authorities to organise their youth in militias to criss-cross the area and provide information on nomads. The idea was to register them, require them to wear jackets and to paint the horns of their animals so they could be identified more easily.

5. Grasping opportunities and triggering innovations

In the face of increasing tensions in coastal countries, the growing mobilisation of key stakeholders concerned with trans-border livestock mobility has become a powerful motivation for AFL and its local partners to grasp opportunities and trigger innovations.

On the one hand, new participative frameworks for local and regional governance, involving directly all beneficiaries have become a priority. The potential vacuum which could result from the practical difficulties of implementing legal texts and regulations in the field provides a unique momentum to craft, through research and action, new ways of managing pastoral resources: grazing areas, but also forests and existing infrastructures²². Drawing on the lessons gained from experience, AFL has developed innovative approaches to contractual partnerships at local and regional levels. These partnerships bring together civil society organisations with inter-municipal and regional administrations to jointly manage livestock corridors, grazing areas and market infrastructure, while providing basic services to mobile herders. At the same time, securing livestock mobility continues to be urgent, as part of an integrated approach, stretching from the local to the trans-border level.

On the other hand, the lobbying work initiated by AFL and its partners will remain crucial. As part of this, the advocacy tools designed to promote an informed debate on mobile livestock systems will continue supporting civil society organisations and West African regional institutions to ensure a common understanding among all member countries and stakeholders of the challenges ahead.

22 For example, the small dams and water retention schemes implemented by SODEPRA in northern Ivory Coast.

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