

# An Analysis of Regional and Sub-Regional Policies on Pastoralism and Conservation in East Africa and Opportunities for Engagement



Pastoralists Alliance  
for Resilience and  
Adaptation in Northern  
Rangelands

*Building and strengthening resilient, transformational  
partnerships and social movements*

Compiled for IMPACT TRUST, Kenya



Finally, we will continue to contribute to our national indigenous movement from our thinking, feeling, and act as indigenous youth from the worldview that we inherited spiritually from our ancestors.”

– Dokera Domico



# Acronyms

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ASAL	Arid and Semi-Arid Lands
CLA	Community Land Act
CoK	Constitution of Kenya
FDRE	Constitution of the Federal Democratic Republic of Ethiopia
IGAD	The Intergovernmental Authority on Development
MOLF	Ministry of Livestock and Fisheries Development.
URT	United Republic of Tanzania
WISP	Worldwide Initiative for Sustainable Pastoralism
GDP	Gross domestic product
AU	African Union
EAC	East Africa Community
CELEP	Coalition of European Lobbies for Eastern African Pastoralism
MP	Member of Parliament
PPG	Pastoralist Parliamentary Group
RoK	Republic of Kenya
IPs	Indigenous Peoples
UNESCO	United Nations Educational, Scientific and Cultural Organization
ICPALD	Centre for Pastoral Areas and Livestock Development
COMESA	Common Market for Eastern and Southern Africa

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# Executive Summary

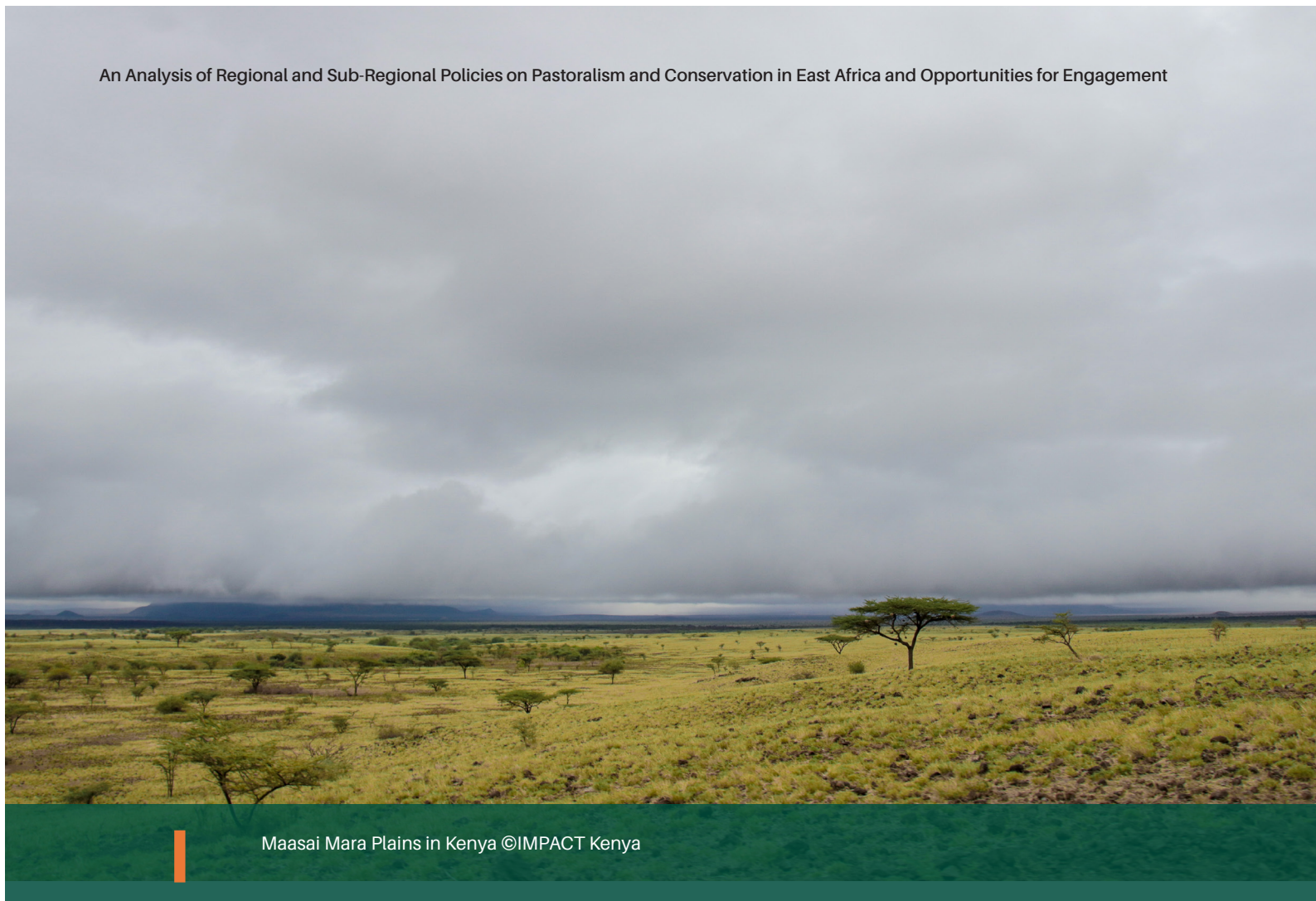
This study report highlights national and regional policies relevant to Pastoralism and the nexus with conservation in East Africa. The report benefits from desktop studies on pastoralism and conservation carried out in Kenya, Uganda, Tanzania and Ethiopia. Regional policies and initiatives that have a bearing on pastoralism and conservation efforts are also underscored to provide key recommendations on measures to promote pastoralism and conservation in East Africa

Divided in four sections, the report provides a context analysis of pastoralism in East Africa. Arid and Semi-Arid Lands (ASALs) are home to many of the pastoralists in East Africa, and host enormous biodiversity. The contribution of pastoralism to the national economies and biodiversity in the region is often under reported. Pastoralism and conservation area among the key sectors that contribute to the country's Gross Domestic Product (GDP.) However, despite this contribution to countries economy pastoralist communities in East Africa continue to face significant challenges that pose risks to their way of life and their livelihoods than ever before. Some of the key challenges include but not limited to population growth that exert pressure on land use, increased conservation protected areas, urbanization, conflict over natural resources, fast degrading land due to changing climatic conditions resulting to prolonged droughts and other hazards.

Section two provides a review of legislative, policy and institutional framework on pastoralism and conversation across the four countries and at the regional level. The study finds that all the countries have policy legislative provisions including in the Constitutions and policy instruments that directly or indirectly acknowledges pastoralism as an important economic sector that contributes significantly to national economic development. Land laws and proclamations across the countries demonstrate progressive efforts made to secure tenure rights for pastoralists, a majority of who live on communal land tenure arrangement. At the global and regional level, numerous policy frameworks and initiatives exist in support of pastoralism including the Africa Union Policy on Pastoralism among others. Kenya, Uganda, Tanzania and Ethiopia are members of the Africa Union ( AU), and the EAC, and have endorsed

the frameworks developed by these institutions for the development of pastoralism and conservation efforts in the region. Despite governments own policies and subscribing to international and regional frameworks such as AU Pastoralism Policy Framework among many other commitments, they have often failed to put in place necessary structures and fiscal plans to promote pastoralism development for livelihoods and conservation efforts. Conservation cannot be separated from pastoralism and Indigenous Peoples (IPs) lives and livelihoods. In many cases, arid and semi-arid areas inhabited by indigenous communities and pastoralists are rich in biodiversity and often with thriving conservation efforts The study examines how conservation and pastoralism are co-existing, including challenges and opportunities. .

The report also underscores opportunities for pastoralist engagement at the regional level as provided for by key frameworks and commitments. These include but not to the African Union, the East Africa Community (EAC) and the Intergovernmental Authority on Development (IGAD). While acknowledging the gap between regional policies and national frameworks on pastoralism, the paper provides recommendations on what needs to be done to bridge the gap between progressive regional frameworks and national policies and initiatives. This include regular monitoring and reporting on progress in the domestication and implementation of pastoralist relevant regional policies and implementation at the national level; promoting community led conservation that benefit from indigenous knowledge, enhance fiscal plans and promote gender and youth mainstreaming in land governance, livelihoods and conservation efforts. More information including key findings and recommendations are presented in the subsequent part of this report.



Maasai Mara Plains in Kenya ©IMPACT Kenya

## 1.0 Background on Pastoralism and Conservation in East Africa

In East Africa, arid and semi-arid lands are largely inhabited by pastoralists' communities. Pastoralism is a way of life and livelihood system that is practiced in almost all eastern African countries (Ethiopia, Uganda, Kenya, Tanzania, Somalia, Sudan, South Sudan). According to FAO (2020), there are about 300 million pastoralists and nomadic people around the world. Pastoralists can be defined as people who derive most of their subsistence and income from keeping livestock under natural pastures, with humans and livestock co-existing in a symbiotic relationship (Sandford, 1983).

Most arid lands are characterized by extensive savanna grasslands and other ecosystems that

provides grazing ground for livestock and home for a rich and thriving wildlife species that continue to attract substantial conservation efforts with good revenue returns from tourism activities. Pastoralism contributes in many ways to food security and nutrition in the dry lands of Eastern Africa. It directly supports an estimated 20 million people in Eastern Africa (CELEP, 2014) and contributes between 10 and 44 per cent of the gross domestic product (GDP) of African countries (IGAD 2018).

The relationship between pastoralists, their livestock, wildlife and the rangelands management in East Africa is multi-layered, intricate and long-standing. Conservation is big business in the region due to high returns on investment associated with tourism ventures. In Kenya, tourism is one of the top three contributors to GDP and

to foreign exchange earnings, accounting for USD 884 million in 2010 (Kenya Ministry of Tourism, 2010). In Tanzania, despite the global financial crisis, Tanzania earned USD 1.16 billion from tourism in 2009 (The Tanzania National Website 2009). According to WISP (2008), pastoralism direct financial value in Ethiopia was estimated to be 1.22 billion USD per annum. Besides, livestock production, particularly pastoral production, provided a large number of indirect economic values including manure, tourism, and rangeland ecosystem services such as gums and resins, which are estimated to exceed USD458m.

Pastoralist communities in East Africa face unprecedented pressure on their way of life than ever before. Population growth, insecure land tenure rights, privatization of communal lands, severe impacts of climate change, intra and inter community conflicts among other challenges have become more common than before. These problems have been worsened by lack of, and or inadequate legislative frameworks on pastoralism, pressure on land due to mega infrastructural projects, private investments that acquire communal lands and the high appetite by governments and multinationals for formalization and conversion of communal land to private individual lands; and compounding negative impacts of climate change that are evident across the region. In East Africa, most pastoral areas including those inhabited by Indigenous Maasai communities in both Kenya and Tanzania continue face wide and deep levels of poverty with respect to international and national rural poverty thresholds (Oxfam 2006), most of whom are affected by extreme climatic events, and the wildlife is in unsustainable decline (Homewood et al, 2012.).

While nomadic pastoralists are part of those most at risk to negative impacts of climate change, they have the greatest potential to adapt and/or mitigate climate change.<sup>1</sup> Using traditional knowledge, pastoralists have proved to be more resilient to climate change than many other communities. They use indigenous knowledge and institutions to map out grazing routes during dry season while minimizing conflicts with other pastoral and farming communities (Muricho,

et al, 2017). Additionally, pastoralists across East Africa have used forecasting methods to predict weather patterns and climatic events that enables them to prepare, manage and increase adaptation to the changing climate. Unfortunately, many of these traditional forecasting methods are perceived as becoming less reliable with increasing climate variability and severity including prolonged droughts resulting from climate change. Frequency of occurrence of these climatic hazards have often stretched the resilience of the pastoral community livelihoods, adversely affecting the current and future sustainability of livelihoods and conservation efforts.

Existing literature shows that most governments of East Africa perceive pastoralist livestock management characterized by mobile transhumance on unfenced, unmodified rangelands as unproductive and environmentally damaging e.g. (URT 1997; MoLF. 2006). As a result, national and sub-national governments imposed draconian confiscations of cattle and fines, constraining pastoral activities while benefiting from their productivity. On the contrary, wildlife tourism is often portrayed by these same governments and conservation agencies as an environmentally and economically sustainable means for pastoral groups to diversify, generate revenues and improve well-being (Homewood et al, 2012). Incorrect narratives on pastoralism peddled by some agencies, couples with lack of clear understanding of pastoralism and its prospects in social, economic and environmental development exposes pastoralist to the implementation of draconian policies and other legislations that are not fit for purpose and not responsive to the needs of pastoralists and the conservation agenda.

The lack of, and, or inadequate legislative frameworks for development of pastoralism have served to deepen gender and income inequalities, and exclusion of the pastoralist communities; and constraints conservation efforts that builds on indigenous knowledge.

Among pastoral communities, women play a key role as managers of natural resources yet they face double discrimination. Pastoralist women are often left out and excluded from participating in the decisions that affect their lives and livelihoods including land ownership and control often seen as a preserve of their male counterparts. As women are often left out of decisions related to land and natural resource governance, hence their rights to negotiate and directly

<sup>1</sup> Jonathan Davies and Michele Nori, 'Managing and Mitigating Climate Change through Pastoralism' [2008] Policy Matters 127.



Small farm along the road. Omo Valley near Konso. Ethiopia

benefit from investments projects such as those targeting conservation is often not guaranteed nor secured. Often, women often access land through their spouses or male members of their families; a situation that deepens gender and income inequalities and negatively impacts conservation efforts as their efforts are often not considered.

Few women have in the recent past succeeded in campaigning and securing open national and or sub-national parliamentary elective seats across the regions. The total number of pastoralist women members of Paliament in Kenya, Tanzania and Uganda adds up to less than 30 per cent. In Ethiopia, which has the largest pastoralist population, there are a number of notable pastoralist women MPs, but they tend to be confined to junior positions (Kipuri N and Ridgewell A, 2008). Of the four countries discussed in this report, three operate extensive affirmative action for women participation in decision making levels to ensure their representation and inclusion - Tanzania, Kenya and Uganda. Low participation of pastoralist women for political elective positions can be attributed to a number of factors including low levels of education among women and girls in most pastoral communi-

ties, high level poverty and gender-based violence often meted to women who assert their leadership potentials mainly by their spouses and male members of the family, community. Most the pastoral communities East Africa are largely patriarchal, and advance discriminatory practices on women participation in decision making bodies, land and other property ownership, and girls access to formal education.

## 1.1 Competing or Convergence: Pastoralism and Conservation

It is globally acknowledged that indigenous people including pastoralists are the greatest conservationists having largely preserved their natural environment and ecosystems. Pastoralist communities in East Africa have continued to play a critical role in conserving their environment and ecosystems while building on indigenous knowledge that promotes people and wildlife co-existence model for centuries. However, Indigenous pastoralist conservation model has recently faced competition from national and international actors including private sector and conservation agencies that promote fortress conservation model







that only focuses on protection of the wildlife independent of humans. In some instances, governments, private corporations, and large conservation groups collude in the name of 'conservation through Protected Areas', not just to force Indigenous and pastoral groups off their land but also to force them out of existence. This has not only seen an increase in displacement of pastoralist communities from their land but also heightened conflict with governments entities and the private investors while resisting taking over their land, natural assets and resources without Free, Prior and Informed Consent (FPIC). The struggle by indigenous pastoralist communities in conservation was underscored in Doller R, (Undated) argues that global conservation movement started with fortress conservation with a strong emphasis on top-down decision making. The local people were neither involved with the management of the park, nor had they access to the resources they previously relied on.

Fortress conservation model does not promote the use of indigenous knowledge or strengthen traditional structures that supports sustainable natural resource management for people and wildlife. Community-based resource management structures were meant to solve disputes related to land and natural resources, benefit sharing from conservation efforts, and ensured rights of local people to compensation for losses incurred due to conservation were provided for. Under the fortress model of conservation, local people got involved in conservation, however not necessarily in the management and decision making on the protected areas. As IPs including pastoralists and local communities felt excluded from decision making levels and as a result of their clammer to promote community-led conservation, efforts were made by key actors in conservation to adjust their approaches. As a result, the market-based conservation emerged as a way for local people to benefit from conservation practices (Vacaro, Beltran, & Paquet, 2013). A report by Oakland Institute dubbed 'Stealth Game: "Community" Conservancies and Dispossession in Northern Kenya published in 2021 asserts that in many instances, the concept of 'community-led conservation looks great on paper, but local communities have in reality a very limited role in negotiating the terms of these partnerships. Further, the report states that terms like "community driven," "participatory" and "local empowerment" are extensively used to describe these initiatives, instigated

by outside parties rather than pastoralists themselves.

There is no doubt that conservation models promoted by most global conversation agencies and governments fails to advance the rights of pastoralists or local communities stake in conservation efforts and even deepen gender and income inequalities through exclusionary and non-responsive measures. There is urgent need to embrace conservation model that upholds the rights of pastoralists, builds on their indigenous knowledge and do no harm to their culture and promote equity in benefit sharing arising from conservation efforts. Such model should not promote or be seen to advance conservation and pastoralism as mutually exclusive but an integrated-co-joint and dependent phenomenon. Positive relations between biodiversity and pastoral livelihoods have existed over the long term, and a picture of a harmonious co-existence has emerged (ILRI 2006). Pastoralists have developed elaborate land-use strategies for conserving resources, and there are examples of grazing regimes, stocking regulations and pasture conservation within many pastoral societies (Ruttan and Borgerhoff Mulder 1999). Where pastoralism thrives, conservation efforts have better outcomes.



## 2.0 National Policies, Legislations, and Institutional Frameworks on Pastoralism

Across the East Africa region, a number of laws and policies exist to govern and support pastoralism. Similarly, a number of institutions have been established to further enhance the productivity of pastoralism and conservation efforts. In this section, we look at some of these laws, policies and institutional arrangements in East Africa and the respective countries.

### 2.1 Existing Legal Framework on Pastoralism in East Africa

#### Constitutional Provisions on Pastoralism

Across the region, Constitutions remain the supreme law of the countries. Uganda, Kenya, Tanzania and Ethiopia have entrenched constitutional provisions that acknowledge pastoralism as a way of life and a means of livelihoods. In Uganda, as a cultural activity, pastoralism is reflected in Objective XXIV of the Constitution, recognizes cultural and customary values which enhance the dignity and welfare of the citizens. Article 26 recognizes the right to own property which can include land

and livestock while Article 29 guarantees the freedom of movement which permits pastoralists to move from one place to another. Article 32 provides for affirmative action in favour of groups marginalized by history, tradition or custom which include pastoralist communities. Every person under article 37 has a right to enjoy, practice, profess, maintain and promote any culture and tradition. Article 237 (1) vests land to the people under four tenure systems namely, customary, leasehold, freehold

and mailo tenures<sup>2</sup>. Under article 237 (2) (b), a trusteeship is created on “natural lakes, rivers, wetlands, forest reserves, game reserves, national park and any land to be reserved for ecological and touristic purposes for the common good of all citizens.” Safeguards are provided against arbitrary deprivation by government except in cases of public interest and public security where a requirement of payment of adequate, fair and prompt compensation has been made.

### Pastoral Communities across the East Africa region



Young herders in Samburu taking their cattle to the watering holes



Ankole Cows in Uganda being taken to the grazing fields



Goats in a Maasai Boma

Kenya recognize pastoralism as an important contributor to its economic growth. In its 2010 Constitution, it emphasizes that land use planning in pastoral areas is key in sustaining livestock in the Kenyan economy. The objectives of devolved system of government in the Constitution are explicit; ‘to protect and promote the interests and rights of minorities and marginalized communities’ and further “ensure the equitable distribution and sharing of resources throughout Kenya . Article 63 of the CoK, provides a legal basis for recognition and registration of communal land. The Community Land Act, 2016 gives life to Article 63 of the Constitution of Kenya 2010 by recognizing, protecting, and providing for the registration of community lands. Article 27 of the Constitution provides that every person is equal before the law and has the right to equal protection and equal benefit of the law. Further, the State shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth. This address the constant discrimination of pastoralists due to their cultural way of life.

In Ethiopia, the Constitution (FDRE Constitution 1995) recognizes the rights of pastoral groups inhabiting the lowland areas of the country. Article 40 (4) states “Ethiopian pastoralists have a right to free land for grazing and cultivation as well as a right not to be displaced from their own lands”. Article 41(8) also affirms that “Ethiopia pastoralists have the right to receive fair prices for their products, that would lead to improvement in their conditions of life and to enable them to obtain an equitable share of the national wealth commensurate with their contribution”. This objective shall guide the State in the formulation of economic, social and development policies. Owing to their limited access to socioeconomic development and underserved status over the decades, the Ethiopian government has designated four of the country’s regions, namely: Afar, Somali, Benishangul Gumz, and Gambella as Developing Regional States. In this respect, Article 89 (2) states, “The Government has the obligation to ensure that all Ethiopians get equal opportunity to improve their economic situations and to promote equitable distribution of wealth among them”. Article 89 (4) states: ‘Nations, Nationalities and Peoples least advantaged in economic and social development shall receive special assistance’. Additionally, Article 89 (4) states: ‘Nations, Nationalities and Peoples least advantaged in economic and social development shall receive special assistance’. Recog-

nizing that these communities constitute a significant part of the population in developing Regional States, Government of Ethiopia and regional governments adopted a number of measures designed to improve the living conditions of pastoral groups.

In Tanzania, the Constitution in Article 9 h & i undertakes to ensure that all forms of injustice, intimidation, discrimination, corruption, oppression or favouritism are eradicated. Further, the use of national resources places emphasis on the development of the people and in particular is geared towards the eradication of poverty, ignorance and disease. Article 17 provides for right to freedom of movement which is fundamental to pastoralist. Every citizen of the United Republic has the right to freedom of movement, and the right to live in any part of the United Republic, to leave and enter the country, and the right not to be forced to leave or be expelled from the United Republic. Similar to Kenya and Ethiopia, the Tanzanian Constitution under article 24 provides for the right to own property. It states that every person is entitled to own property, and has a right to the protection of his property held in accordance with the law.

In Uganda, the Land Act, 1998 reiterates the constitutional provisions on land being vested to Ugandans under the aforementioned tenure systems. In section 3 (1), some of the attributes of customary land include being managed according customs and norms of a specific community and “providing for communal ownership and use of land”. Section 15 of the Act provides for the establishment of communal land association “for any purpose connected with communal ownership and management of land, whether under customary law or otherwise.” These associations can be by pastoralists to enable them manage the rangelands. Under section 23, an Association may establish areas of common land use in communally-owned land for uses like “the grazing and watering of livestock”. Section 24 provides for the establishment of a common land management scheme whose contents are laid down in section 25

In Kenya, the Community Land Act provides, that community land in pastoral areas should be available for use by members of the community for the grazing of their livestock, subject to the kind and number of livestock, the grazing rotation, the grazing plan, and the right of the community to utilize the portion of the land in accordance with the Act. Any person who is not a member of the registered community may be granted a grazing right by



Maasai-man-with-his-cows-in-the-Ngorongoro-Conservation-Area

the community where that community accepts his /her application.

Similarly, in Ethiopia, Federal Rural Land Administration and Use Proclamation No. 456/2005, which is the revised version of Proclamation 89/97 clarifies rural land use rights and obligations. It abolished forced redistribution of land, which was the major source of tenure insecurity among the rural population including pastoralists. This Proclamation reaffirms ownership of rural land to the State. It confers indefinite tenure rights to smallholders, i.e., rights to property produced on land, land succession, and land rent. The land administration laws mentioned here were primarily aimed at the settled agricultural areas of Ethiopia's highlands where lands are held individually or by households. They are not that much applicable to pastoral and agro-pastoral lowlands of the country that cover about 60% of the landmass and accounting for about 12% of the total population and where customary tenure regimes predominate, and access to land is communal based upon clan, sub-clan, and lineage group membership (Tigistu 2011). The problem of displacement has mostly affected communal lands belonging to agro-pastoralists, and open access grazing areas located both in high and lowlands. The other vulnerable groups are farmers and pastoralists located in the vicinity of urban areas who are often victimized due to urban expansion or the construction of new settlements. The Federal and the Regional Governments try to address the issue of tenure security through

the issuance of holding certificates which makes it complicated for communal rangelands belonging to pastoralists. Additionally, compensation for pastoralists and semi pastoralists is difficult and hardly reported due to lack of holding certificated. Many scholars argue that Ethiopia in general and pastoral communities in particular, have no guarantee of secure land use rights for an unlimited period, and thus land may remain vulnerable to further degradation due to lack of incentive resulting from lack of ownership (IGAD, 2016)

In Tanzania, the Land Act is the main legislation relating to the administration of land in mainland of the country. According to the Land Act, all land in Tanzania falls into three categories namely General Land, Village Land and Reserved Land. Reserved land according to the Act includes land set aside in accordance to laws governing conservation of forests, marine resources, and wildlife. Reserved land also includes areas designated as such by laws governing land acquisition as well as highways and land for town and country planning. The pastoralists in Tanzania are rural based. As such, communities of pastoralists are found in village lands. The Village Land Act somehow recognizes common property for the pastoralists, such that land sharing arrangements are possible. According to Wily, 2003 and others, this is a laudable step forward. Wily shows a number of provisions that enhance pastoralism, especially the issuance of a Customary Certificate of Right of Occupancy over land held under traditional pastoral tenure. The problem that remains seems to be that of defining the incidences of the pastoral tenure - how pastoralists acquire, hold and dispose land (Tenga, 2007).



## 2.2 Summary of additional national laws relevant to pastoralism and Conservation

COUNTRY	LAW	OBJECT OF THE LAW
Kenya	Kenya Agricultural and Livestock Research Act, 2013	Provides for the establishment of the Kenya Agricultural and Livestock Research Organization, KALRO mandated to research on appropriate Rangeland management such as livestock breeds, Range livestock feeds, pasture/ fodder grass seed varieties for higher productivity in rangelands and other regions
	The National Drought Management Act	Establishes the National Drought Management Authority, NDMA which is responsible for overseeing Kenya's drought management policies and programs, coordinating the government's drought response and climate change initiatives.
	The Physical and Land Use Planning Act, 2019	The 2019 Planning Act governs matters relating to planning, use, regulation and development of land in Kenya. The government, at both national and county level, is tasked with the preparation of physical and land use plans. The national, county, inter-county and local plans are required to be integrated, and these plans shall collectively form the basis of how land is to be used in Kenya. Pastoralism is a defined land use and must thus be factored in the planning processes at all levels.
	Wildlife Conservation and Management Act, 2014	The Wildlife Conservation and Management Act, 2014 was enacted to strengthen conservation and make it sustainable. Under this law, community conservation committees are set up to ensure communities benefit from wildlife.
Ethiopia	Federal Development, Conservation and Utilization of Wildlife Proclamation	<p>The main law governing wildlife in Ethiopia is the Development, Conservation and Utilization of Wildlife Proclamation. This is a federal proclamation and individual states may enact their own laws addressing wildlife conservation within their jurisdictions. Article 51 enumerates the powers and functions of the Federal Government which includes the power to enact laws for the utilization and conservation of land and other natural resources and Article 52(2)(d) gives the states the powers and functions of administering land and other natural resources in accordance with federal laws. States may enact their own wildlife laws, but they have to be consistent such laws should not be inconsistent with the Development, Conservation and Utilization of Wildlife Proclamation. Further, the states are required by the Constitution to administer the provisions of the Development, Conservation and Utilization of Wildlife Proclamation.</p> <p>The Development, Conservation and Utilization of Wildlife Proclamation was enacted in 2</p>
Uganda	The Land Act, 1998	This Act provides land management institutions for rangelands including communal land associations that enable customary owners to acquire certificates of ownership and manage their land sustainably. The Act, in consonance with the Constitution rests all land in Uganda in the people.
	The Animal Diseases Act (Cap 38)	This Act makes provision with respect to measures to control diseases affecting animals. "Animals" means all stock, camels and other ruminating animals, cats and dogs, but does not include any other animal, except such as may be declared by the Minister by Statutory Instrument to be included in the term "animals" for the purposes of this Act
	Uganda Wildlife Act (Cap 200)	The law promotes the conservation of wildlife throughout Uganda. It provides for sustainable management of wildlife, consolidates the law relating to wildlife management and establishes the Uganda Wildlife Authority. It makes it an offence to graze animals in protected areas but the Authority may establish guidelines for access of communities neighbouring conservation areas to resources, which are crucial to the survival of those communities.

COUNTRY	LAW	OBJECT OF THE LAW
Tanzania	The Ngorongoro Conservation Area Act, 2002	The Ngorongoro Conservation Area Act is the main law controlling entry into and residence within the Ngorongoro Conservation Area and for making provisions for the conservation of natural resources within the area. The Ngorongoro Conservation area is designated as a "multiple land use area" in acknowledgment of the existence of the pastoral Maasai who live around the area.
	Grazing land and Animal Feeds Resource Act 2010	This Act concerns quality of feed resources for livestock in Tanzania. It establishes the National Grazing-land and Animal Feed Resources Advisory Council and provides for appointment of inspectors and a Director within the Ministry who shall be responsible for the administration of grazing-land utilization and animal feed resources. The Act furthermore provides for, among other things, the development and management of grazing lands, the control on manufacture of and trade in animal feed and forage seeds and the protection of grazing land.
	Livestock Identification, Registration and Traceability Act, 2010	Provides for the establishment of the National Livestock identification, Registration and Traceability System for purposes of controlling animal diseases and livestock theft, enhancing food safety assurance; to regulate movement of livestock, improve livestock products and production of animal genetic resources; to promote access to market and to provide for other related matters.

Table 1: Summary of additional laws relevant to pastoralism and conservation

### 2.3 Progressive Policies and Initiative that Support Pastoralism at the National Level

In Kenya, there are number of policies and institutional arrangements to support pastoralism. They include the National Policy for the Sustainable Development of Northern Kenya and other Arid Lands, Sessional Paper No. 8 of 2012 (RoK 2012). The purpose of this policy is to re-frame the Government’s approach to the ASALs, as a region of potential, not just challenge, where Government will think and act differently by taking its unique characteristics into account, but whose citizens are entitled to the same basic rights in development as other parts of the country.

The National Land Policy (NLP), 2009 recognizes the need for security of tenure for all Kenyans (all socio-economic groups, women, pastoral communities, informal settlement residents and other marginalized groups). It identifies land issues requiring special intervention, such as historical injustices, land rights of minority communities such as hunter-gatherers, forest dwellers and pastoralists. Section 181 of the NLP outrightly call out the fact that colonial and post-colonial land administration in the pastoralist areas led to the deprivation of land management rights from the traditional institutions thereby creating uncertainty in the access, control and exploitation of land-based resources including

grazing lands, water and salt licks among others. To address this, section 183 of the NLP state that to secure pastoralists livelihoods and tenure to land, the Government shall: recognize pastoralism as a legitimate land use and production system; Review the Land (Group Representatives) Act and provide for pastoralism in the “Land Act”; establish suitable methods for defining and registering land rights in pastoral areas while allowing pastoralists to maintain their unique land systems and livelihoods; establish a legislative framework to regulate transactions in land in pastoral areas; ensure that the rights of women in pastoral areas are recognized and protected; provide for flexible and negotiated cross boundary access to protected areas, water, pastures and salt licks among different stakeholders for mutual benefit; and ensure that all land uses and practices under pastoral tenure conform to the principles of sustainable resource management. A number of these demand of the NLP have been achieved through specific legal frameworks such as the Community Land Act, 2016, however, many are yet to be address conclusively.

Kenya Vision 2030, the country’s long-term development blueprint recognizes pastoral development as an important agenda. It further acknowledges special circumstances of marginalized pastoral communities, and places a premium on reducing poverty and inequality, and re-balancing regional development. The Vision 2030 includes



Brahman or zebu near the Blue Nile waterfall in Teis-Isaat, Ethiopia

arid and semi-arid lands' unique needs and recommends the establishment of a Ministry of State for the Development of Northern Kenya and Other Arid Lands. Further, a Vision, 2030 for Northern and other Arid Lands was also developed in 2011 to complement and deepen the national blueprint with specific focus on pastoral communities. A holistic and sustainable management of land and natural resources across the ASALs is clearly supported in the policy. Other aspects called for in the policy include: integrating traditional systems of natural resource management, recognizing the role of traditional institutions in dispute resolution, increasing institutional capacity for arid lands research, and extending and ensuring that the needs of pastoral land use and customary institutions are fully taken into account in all legislation and institutions. Kenya Vision 2030 Development Strategy for Northern and other Arid Lands recognizes key challenges including in pastoral areas including the effects of an ever-changing climate; the threat of insecurity; the legacy of past under-development; and evidence in the high levels of inequality in human well-being between those in the arid lands and those in the rest of Kenya. National Policy for the Sustainable Development of Northern Kenya and other Arid Lands, Sessional Paper No. 8, 2012 empha-

sizes that to ensure sound land and natural resource management in the ASALs, the government should reinforce the authority of traditional natural resource management systems that promote sound environmental practices; protect and promote indigenous knowledge and practice; promote environmental education and awareness; and intensify environmental conservation efforts.

In Ethiopia, Pastoralist Development Policy and Strategy (MoP 2019) was endorsed by the Council of Ministers in February 2019. The document has taken into account the rights for development enshrined in the Constitution, regional poverty reduction framework (AU Policy framework on Pastoralism among others). This seeks to enhance pastoralist development through implementation of the constitutional rights of the pastoralist, thus facilitating development. Additionally, the policy seeks to enhance coordinating and harmonizing of all development initiatives in the country and to be center of excellence in pastoral development in the IGAD region.

The policy document recognized pastoralism as a way of life and broader livelihood system in which pastoral families derive



livelihoods from a range of economic activities. These will vary in importance and frequency from one group to another and one family and individual to another as a function of their location and broader political, social and environmental events. This dynamism is a key feature of dryland livelihood systems of which pastoralism is one among others. Also, recognizes pastoral systems in Ethiopia have many common characteristics, but also are highly diverse, differentiated, complex and dynamic.

The National policy and Biodiversity conservation and research policy that adopted in 1998 is another strategic policy for pastoralists in Ethiopia. The policy makes important provisions that are directly and indirectly related to pastoralist. For instance, it calls on Federal and Regional Governments to ensure the integration of biodiversity conservation and sustainable use related education into the educational system and the creation of awareness on biodiversity issues at the individual, family and community levels. Additionally, the policy states that traditional conservation and utilization systems and indigenous knowledge on biodiversity will be surveyed, assessed, documented, studied, improved and utilized. This is critical in ensuring that pastoral traditional strategies of mitigating climate are documented and passed from one generation to another.

Ethiopia endorsed a pastoral policy framework in 2020, which was formulated as FDRE Pastoral Development Policy and Strategy in 2018. The main purpose of the Policy is to improve the livelihoods of the pastoral community through sustainable development by enhancing the pastoralists' resources and other material and intellectual wealth. The draft policy takes a holistic approach by addressing all facets of pastoralism life. The specific objective of this policy is to respond to the demands of pastoralists for growth and development in a holistic manner by taking their livelihood system as the basis.

In Uganda, the National Land Policy 2013, envisions "a transformed Ugandan society through optimal use and management of land resources for a prosperous and industrialized economy with a developed services sector". Its goal is to "ensure efficient, equitable and optimal utilization and management of Uganda's land resources for poverty reduction, wealth creation and overall socio-economic development." One of the eight objectives of the NLP is to redress historical injustices occasioned against certain marginalized groups in Uganda like the pastoralists. Similar to the

Kenyan national land policy, the Ugandan Land Policy acknowledges the disparities in the enjoyment of land rights especially by marginalized groups arising out of the drive for industrialization and high population growth which threaten communal lands. It recognizes the loss of grazing lands of pastoral communities and ethnic minorities to conservation efforts by government which has depleted rangelands. The Policy further notes that the privatization of some grazing lands is causing some pastoralists to encroach on protected areas or private land so as to sustain their herds. NLP asserts that the land rights of pastoralists have been unfairly exploited especially in places like Karamoja where chunks of pastoral lands were reserved for conservation purposes. It decries the fact that the land rights of ethnic minorities are not acknowledged as custodians and owners yet their survival is closely tied to the land.

Section 4.9 of the policy provides for the land rights of pastoral communities. It recognizes the harsh climatic and ecological conditions that pastoralists operate under and the stiff competition over land they face with neighboring communities. This has constrained pastoral mobility yet this is key for pastoralism. It notes that access to pastoral land has since reduced as various government agencies alienate grazing lands for the establishment of game parks and reserves. It reiterates the need to protect pastoral land rights "but not at the expense of non-pastoral communities".

The policy recommends that the Ugandan government should ensure that pastoral lands are held, owned and controlled by designated pastoral communities as common property under customary tenure; develop particular projects for adaptation and reclamation of pastoral lands for sustainable productivity and improved livelihood of communities; ensure that pastoral lands are held, owned and controlled by designated pastoral communities as common property under customary tenure; ensure that pastoral lands are held, owned and controlled by designated pastoral communities as common property under customary tenure among other key recommendations. Interestingly, the National Land Policy, 2013 in Uganda was passed way after the enactment of the Land Act. This means that the proposals in this policy that should be effected through legislations such as the land Act may not be possible unless by way of amendments to the law.

The National Land Use Policy, 2016 is another key policy in Ugan-



da that seeks to among others “promote land use activities that ensure sustainable utilization and management of environmental, natural and cultural resources for national socio-economic development.” One of its guiding principles speaks to land being a “basic resource for many uses including production of crops, livestock, fisheries, timber, fuel wood, construction materials, minerals, and for nature conservation.” The Policy broadly classifies land use into three forms of which agriculture (crops and livestock) is one of them. Of the seven land use types, livestock and cultivation are top on the list as well as conservation. The policy highlights several land use problems and key among them is land degradation arising from overgrazing when “livestock populations per unit area of land exceed the safe stocking rate at that time.” It further postulates that “concentration of livestock near watering points, supplementary feeding places and composites also destroy vegetation cover and cause further soil degradation through severe trampling”. It also cites encroachment by pastoralists on protected areas in the search for pasture and water as another key land use issue. The National Climate Change Policy, 2015, recognizes the impact of climate change on the “variability of rainfall” and heightening of temperatures. It predicts “increases in aridity” which will lead to droughts and in effect “influence agricultural production.” The Policy promotes “highly adaptive and productive livestock breeds.” It also advocates for “sustain-

able management of rangelands and pastures through integrated rangeland management to avoid land degradation and deforestation.” This is critical in building resilience among pastoralist in the face of the ever-changing climate.

In Tanzania, the National Land Policy was endorsed in 1995 with the aim of promoting and ensuring secure land tenure system, encourage the optimal use of land resource and facilitate broad-based socio-economic development without affecting the environment. Additionally, the policy seeks to promote an equitable distribution of and access to land by all citizens, to ensure the existing rights in land are recognized, clarified and secured in law and to set ceilings on land ownership which later be translated into statutory ceilings to prevent or avoid the phenomenon of land concentration (i.e. grabbing). This is critical for pastoral communities who have insecure tenure rights. It also intended to ensure that land is put into its most productive use to promote rapid social and economic development of the country, to modify and streamline the existing land management systems and improve efficiency of land delivery systems, to streamline the institutional arrangements in land administration and land dispute adjudication and also make them more transparent, promote sound land information management and to protect land resources from degradation for sustainable development.

## 2.4 Summary Reflection on the Review of Legislative Frameworks

Despite clear Constitutional and other legislative provisions available across the four countries, very limited efforts have been demonstrated by governments in actualizing pastoralism development. For instance, there has been increasing reports of arbitrary displacement, minimal and in some cases no participation of pastoralist in policy making and implementation processes and disregard of their rights to land and property. Implementation of Constitutional provisions on non-discrimination for marginalized groups such as pastoralists continues to lag behind and calls for urgent attention by governments, conservation agencies and other development actors in ensuring their implementation and enforcement. Legislations that

informs land governance and conservation have often been contradicting, hence not harmonized. Besides the Constitutional provisions discussed above, the four countries have robust land legislations providing for protection of lands communally held by pastoralist. For most of these countries, there is lack of clear strategies and fiscal plans needed to advance pastoralism and conservation efforts.



## 3.0 Global and Regional Policies on Pastoralism and Conservation

### 3.1 Global policies

Globally, the United Nations Declaration on the Rights of Indigenous Peoples UNDRIP, 2007 is the most comprehensive international instrument on the rights of Indigenous Peoples, endorsed by 144 member states that have a bearing on Indigenous People, a majority of who practice pastoralism. The Declaration establishes a universal framework of minimum standards for the survival, dignity and well-being of Indigenous Peoples of the world and for combatting discrimination and marginalization. It elaborates on existing human rights standards and fundamental freedoms as they apply to the specific situation of Indigenous peoples. Article 10 undertakes that Indigenous Peoples shall not be forcibly removed from their lands or territories and no relocation shall occur without the Free, Prior, and Informed Consent (FPIC) of the Indigenous Peoples concerned. Relocation can only be done after agreement on just and fair compensation and, where possible, with the option of return. This declaration is intended to protect pastoralist against arbitrary evictions from their lands and territories as currently being witnessed in Loliondo Tanzania and world over.

The other key framework is the Convention on Biological Diversity (CBD) that provides for the conservation and sustainable use of biodiversity. Article 2 of the CBD defines biological diversity as “the variability among living organisms”, including “diversity within species, between species and of ecosystems”. The CBD’s objectives include not only conservation, but also the sustainable use of biodiversity components, as well as fair and equitable sharing of the benefits arising out of the utilization of genetic resources. Sustainable use is defined as using biodiversity components “in a way and at a rate that does not lead to the long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations. This is key for the sustainable management of wildlife, as it demands that countries adopt a holistic approach, monitor its status, base measures on up-to-date information and progressively adapt them. Parties must establish a system of protected areas, rehabilitate and restore degraded land, forests and other ecosystems.

The World Heritage Convention (WHC), of 1972, provides for the identification and conservation of sites of outstanding universal

value from a natural or cultural point of view, to be included in the World Heritage List. Numerous sites exist where indigenous pastoral communities live, thus this convention is to protect designated cultural and natural sites from destruction, encroachment and exploitation. The Convention seeks to establish an effective system of collective protection of the cultural and natural heritage of outstanding universal value, organized on a permanent basis and in accordance with modern scientific methods. Parties to the Convention are obliged to take appropriate measures for ensuring the identification, protection and transmission of natural heritage to future generations. (UNESCO, 1972).

### 3.2 Regional policies

In Africa, the African Union (AU) Policy Framework on Pastoralism and AU Framework and Guidelines for Land Policy are some of the continental policy instruments providing a voluntary framework for the countries to address the pastoralist issues. The Policy Framework for Pastoralism in Africa contains guiding and cross-cutting principles, two main objectives, and a set of strategies for each objective. The two objectives of the framework are: to secure and protect the lives, livelihoods and rights of pastoral peoples and ensure continent-wide commitment to political, social and economic development of pastoral communities and pastoral areas. The second objective is to reinforce the contribution of pastoral livestock to national, regional and continent-wide economies (AU, 2010). The policy acknowledges indigenous pastoral institutions' legitimacy. It declares the need to acknowledge pastoralists' legitimate rights to pastoral lands by granting them communal land ownership on a priority basis.

Framework and Guidelines on Land Policy in Africa seeks to offer a basis for commitment by member states to the formulation and operationalisation of sound land policies as a basis for sustainable human development that includes assuring social stability, maintaining economic growth and alleviating poverty and protecting natural resources from degradation and pollution (AU, 2009)

In East Africa, the East Africa Protocol on Environment and Natural Resources, the East Africa Climate Change Policy and the Intergovernmental Authority for Development (IGAD) Livestock Policy Initiative are some of the key instruments providing positive guidelines on pastoral issues. IGAD Drought resilience has become the cornerstone of IGAD engagement with pastoralism,

within the framework of the IGAD Drought Disaster Resilience and Sustainability Initiative (IDDRSI). The objective of IDDRSI is to develop a framework for managing disasters in the Horn of Africa including Kenya. The framework is based on strengthening pastoral livelihoods through interventions that target livestock production, health and marketing. A key element of the framework is the development of supportive policy, institutional and legal frameworks at regional and national levels. While the initiative emphasizes the modernization of pastoralism for increased productivity, this is to be achieved through appropriate strategies whose implementation modalities are sensitive to the way of life of the pastoralists and to broaden and enhance the policy and institutional-related strategies of the pastoral communities. (AFSA, 2017)

The East Africa regional Strategy on Regional Peace and Security sets out the strategies for collaboration in peace and security interventions within the EAC. Its goals include combating cattle rustling, preventing, managing and resolving conflicts, all of which are key for pastoralism to thrive. The Strategy appreciates the link between cattle rustling and livelihoods and proposes addressing livelihoods challenges as a means of combating cattle rustling. The EAC also has a commitment within the livestock subsector to address specifically the concerns of pastoralism and development. (AFSA, 2017). Besides the EAC peace and security strategy, the EAC secretariat has developed this livestock policy to foster focused and coherent set of strategic policy decisions and actions relevant to propelling and transforming EAC Partner States Livestock industry beyond the outcomes attained with the past and current livestock subsector policy instruments. The goal of EAC livestock policy is to attain an annual growth rate of at least 5.0% with significant livestock contribution to the agricultural GDP surpassing 50% and to contribute to the reduction of poverty, hunger, unemployment and degradation of natural resources. (EAC, 2016). EAC Livestock Policy (2014) aims to attain an annual growth rate of at least 5 percent with significant livestock contribution to the agricultural GDP surpassing 50 percent and to contribute to the reduction of poverty, hunger, unemployment and degradation of natural resources.

Another key regional protocol is the IGAD Transhumance Protocol. The Protocol on Transhumance is a framework that aims at enabling pastoralists to move more safely and easily across borders of other member states in search of water and pasture



(IGAD, 2020). Considering the nomadic nature of pastoralist, this protocol is important in supporting resilience to climate change. The process of drawing up this protocol was informed by the African Union’s “Policy Framework for Pastoralism in Africa”. The agreement is designed to maximize the economic potential of pastoralism while minimizing the risks of animal disease. IGAD also hopes that the regulation of pastoral movement will help prevent or mediate conflict through marking of transhumance routes (CELEP 2020).

Other policies include the COMESA Policy Framework for Food Security in Pastoralist Areas, 2009 which provides customized policy guidance in the context of food security for pastoralist areas within the COMESA region which Kenya, Ethiopia and Uganda member states. The policy acknowledges that in the COMESA region, pastoralist communities are among the most food insecure and vulnerable groups, who are repeatedly affected by natural and man-made disasters and proposes initiatives to address this.



## 4.0 Opportunities for engagement in the Regional platforms

### Department of Rural Economy and Agriculture of the African Union Commission (AU/DREA) of the Africa Union

The Department of Rural Economy and Agriculture of the African Union Commission (AU/DREA) holds the mandate to initiate and promote policies that can contribute to the development of rural economy and improve livelihoods through increasing agricultural productivity, ensuring food security, and enhancing sustainable use and management of Africa’s natural resources. The AU policy on Pastoralism is among policies initiated by DREA. Acknowledging the challenges and opportunities for Africa’s pastoral areas, AU/DREA has been supporting a series of programs and projects designed to improve the health and productivity of animal resources in Africa, mainly through its specialized technical office, the Inter-African Bureau for Animal Resources (IBAR) based in Nairobi, Kenya.



This department of the AU provides an opportunity to engage on implementation and uptake of the different pastoral policies and programs and to push member States to uphold their commitments on pastoralism.

The Intergovernmental Authority on Development IGAD has a number of frameworks adopted by member states that provide a platform for engagement. Besides the policy frameworks, there are institutions within IGAD that have a specific focus on pastoralism. Such institutions include the Center for Pastoral Areas and Livestock Development (ICPALD) which serves as an advisory Centre and a Centre of excellence for both ASALs and livestock development issues in the region. This Centre provides a plat-

form to engage and set progressive policy agenda on pastoralism among member states. Through partnership with the centre, an audit to look at uptake of IGAD frameworks among member states can further inform and shape advocacy priorities. The Centre is also responsible for the IGAD Transhumance Protocol that aims at enabling pastoralists to move more safely and easily across borders of other member states in search of water and pasture (IGAD, 2020). With the harsh impacts of climate change witnessed in the region, there is need to engage this centre on the transhumance protocol to ensure free movement of pastoralist is protected by member states and gender issues are mainstreamed for equity and responsiveness, as well as ensure no one is left behind.



## East African Community, EAC

The East African Community (EAC) is a regional inter-governmental organization established under Article 2 of the Treaty for the Establishment of the East African Community that entered into force in July 2000. Kenya, Uganda, Ethiopia and Tanzania are all members of the EAC. The institutional framework of the Community consists of the Executive, the Legislative and the judicial arms. The Executive arm is composed of the Summit of the Heads of State and the Council as the policy making organ, the Secretariat which is the executive organ of the Community and EAC Institutions. The Legislative and Judicial arms are made up of the East African Legislative Assembly and the East African Court of Justice respectively. The East African Court of Justice, established by article 23 of the treaty of East African Community is a forum that could provide the pastoralists in the region remedy for their legal claims. Unfortunately, a number of EAC members

states have are yet to conclude a protocol to operationalize the extended jurisdiction that covers human rights matters. There is need to push for operationalization of protocol at member state levels to ensure that pastoralists issues across the countries of focus can be heard and determined at the East African Court of Justice.

Besides the East African Court of Justice, the EAC has put in place a number of policies that provide a platform for engagement on pastoralist issues. The EAC Livestock Policy provides a framework within which the EAC and its member states can be engaged and challenged on their support to pastoralism. The East African Strategy on Regional Peace and Security sets out the strategies for collaboration in peace and security interventions within the EAC. Its goals include combating cattle rustling, preventing, man-

aging and resolving conflicts. The Strategy appreciates the link between cattle rustling and livelihoods and proposes addressing livelihoods challenges as a means of combating cattle rustling. The EAC also has a commitment within the livestock sub-sector to address specifically the concerns of pastoralism and development, but in this regard, there has been limited success and little

progress in recent years.

Lastly, pastoralists must take advantage of available spaces to through the East African Council of Non-State Actors or directly through seeking affiliation as observers to ensure that their voices are heard and included in the development processes.



## Engagement with Africa Protected Areas Directors forum

The platform brings together protected areas directors from countries in Africa, their representatives and conservation experts from various conservation organizations. Considering the intertwined relationship between pastoralism and conservation across the focus countries, there is need to engage this platform to push for inclusive and just conservation as committed in the recent Kigali call to action.



We are what we imagine. Our very existence consists in our imagination of ourselves. Our best destiny is to imagine, at least, completely, who and what, and that we are. The greatest tragedy that can befall us is to go unimagined.- N. Scott Momaday

## 4.1 Limitations of Existing Regional Platforms

It is clear that substantial progress has been made in regional policy development for the support of pastoralism. Despite the progressive regional policies and frameworks discussed above, there are limitations that delay the benefits of these policies to pastoral communities. These limitations include:

Limited awareness of the existing platforms, policies and institutions among the intended beneficiaries- pastoral communities across the focus countries. This makes it difficult for pastoralist to take advantage of these policies and engage if they are not known to them.

Governments and states across the focus countries commit themselves to international policies and frameworks such as the AU Pastoralism Policy Framework but often do not necessarily put into practice what they pledge to do. A big gap exists between commitments made at the AU, EAC and IGAD level and what is implemented at the national level. Continental and regional policies are meant to catalyse the formulation and implementation of pro-pastoralist policies and laws in member countries. When member states sign or endorse the regional commitments, countries buy into the imperatives of these policies, but there is no automatic translation of the frameworks into actions and obligations at the national level. They remain voluntary unless specific legislations are made at national level. All the same, these frameworks

provide pastoralists and pastoral groups an important tool for advocacy at the national level to bring governments to account on the values they have signed up to at the regional level. Peer reporting through the monitoring mechanisms provided for the regional policies is a key strategy to nudge governments to follow through the commitments they sign, though glaring gaps still remains.

The existing negative stereotypes on pastoralists and pastoralism across the region undermine the domestication of progressive regional policies. Odhiambo (2014) argues that although the regional policy frameworks constitute the building blocks for counter narratives based on arguments that respond to the concerns of key policy actors, these must percolate to the national level in order for national policy attitudes towards ASALs and pastoralism to change. Change of attitudes and mindset is a process that requires consistency of counter narratives.

Lastly, across the focus countries, pastoralist hold low to medium political leverage as a political constituency. This, coupled with the negative stereotypes undermine responsiveness of policy actors to their needs and concerns. The need for pastoralists to organized and mobilize among themselves and with other stakeholders to influence policy processes in their favour cannot be underestimated.



Twala cultural many-  
atta exchange visit ©  
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## 5.0 Conclusion and Recommendations



Samburu herdsman watering his cows at a watering hole ©IMPACT Kenya

This study found that there are laws and policies that advance pastoralism and conservation efforts in the region. However, there laws and institutional frameworks established are not well harmonized to advance pastoralism and conservation agenda. Kenya, Uganda, Ethiopia and Tanzania rely on sector specific laws to address pastoralism concerns. All study countries have national livestock policy or equivalent provisions in the agriculture policy that address pastoralism as a livestock production system in some form or the other. To bridge the existing gaps, there is need for pastoral specific laws and policies that promote pastoralism and foster community-led conservation at the national level. The formulation of policies and legislations concerning land use and management in pastoralist areas is seen as a recent attempt for Ethiopia, Kenya and Uganda to address this challenge. The regional policy frameworks appear more progressive and articulate on pastoral issues, thus providing a basis for member states to demand for their domestication and implementation at the national level.





The study makes the following recommendations:

**Recognize and secure pastoralist communal land tenure rights:** Land tenure security is the most critical factor for rangeland management and pastoralism development across all the countries. Research findings point to some form of recognition of communal land tenure systems, tenure rights among pastoralist remains largely insecure. Communal land tenure systems, with strong local land governance is key for the sustainable development of pastoralism.

**Support organizing of pastoral groups at the national and regional level to generate political will needed to implement national and regional policies in support of pastoralist lives and livelihoods.** The report points to the marginalization of pastoral groups in decision making processes due to their perceived low numbers and lack representation in policy spaces. Cognizant of the critical role that political good will plays in implementation of policies at all levels, there is need for collective pastoral voice and agency.

**Regular monitoring and reporting on progress in the domestication and implementation of pastoralist relevant regional policies is paramount.** Periodic monitoring of the implementation status of implementation of regional frameworks at the national level is critical to generate feedback to the national governments and other stakeholders on areas of improvement. It serves as a mecha-

nism for enhancing enforcement and compliance.

**Strengthen indigenous pastoral institutions at the regional level:** To ensure coherence of advocacy agenda and effective engagement of pastoralist groups at the regional level, there is need for strengthen institutions and facilitate their informed engagement. This may involve investing in understanding in depth the architecture of the different regional bodies, their processes and procedure to ensure that no opportunity to engage is missed.

**Build and disseminate evidence of pastoral contribution:** Pastoralists need to build scientific evidence to support the argument for the relevance of the pastoralism system in terms of contribution to the economy and environmental protection if they are to gain support of governments. These narratives have to be built by pastoralist themselves as a path to deconstruct existing retrogressive narratives on pastoralism.

Lastly, there is need to take into consideration pastoralist gender relations and pastoral women contribution in natural resource management in all policies and programmes to avoid further exacerbating existing inequalities among women and men.



We are all from the same Earth, from the same world. And all of us have the responsibility to take care of our planet. We cannot dream of a future if we cannot guarantee a present.”

–Mita Xipaya

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