

SUMMARY REPORT



# PASTORALISM, POLICY AND LAW IN THE EAC AND IGAD REGIONS

(East African Community &  
Intergovernmental Authority on  
Development Regions)

**AFSA**

ALLIANCE FOR FOOD SOVEREIGNTY IN AFRICA

AFSA, May 2017

*About the Alliance for Food Sovereignty in Africa: AFSA brings small-scale food producers, pastoralists, fisherfolk, indigenous peoples, farmers' networks, faith groups, consumer associations, youth associations, civil societies and activists from across the continent of Africa to create a united and louder voice for food sovereignty.*

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*This report was made possible with financial support from the Open Society Initiative for Eastern Africa.*



*The report is a brief out of a study conducted under AFSA's project on "Strengthening Pastoralist and Civil Society Voices in the EAC and IGAD regions"*

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## INTRODUCTION

This is a summary of a study AFSA commissioned on pastoralism-related policy in the Horn and East Africa. The aim of the desk review study was to identify and analyse policy and regulatory and legal frameworks in IGAD and EAC regions of Africa, and their implications for the practice of pastoralism, and food sovereignty, so as to inform civil society and pastoralist groups' advocacy on pastoralism and food sovereignty in the two regions.

## FOOD SOVEREIGNTY & PASTORALISM

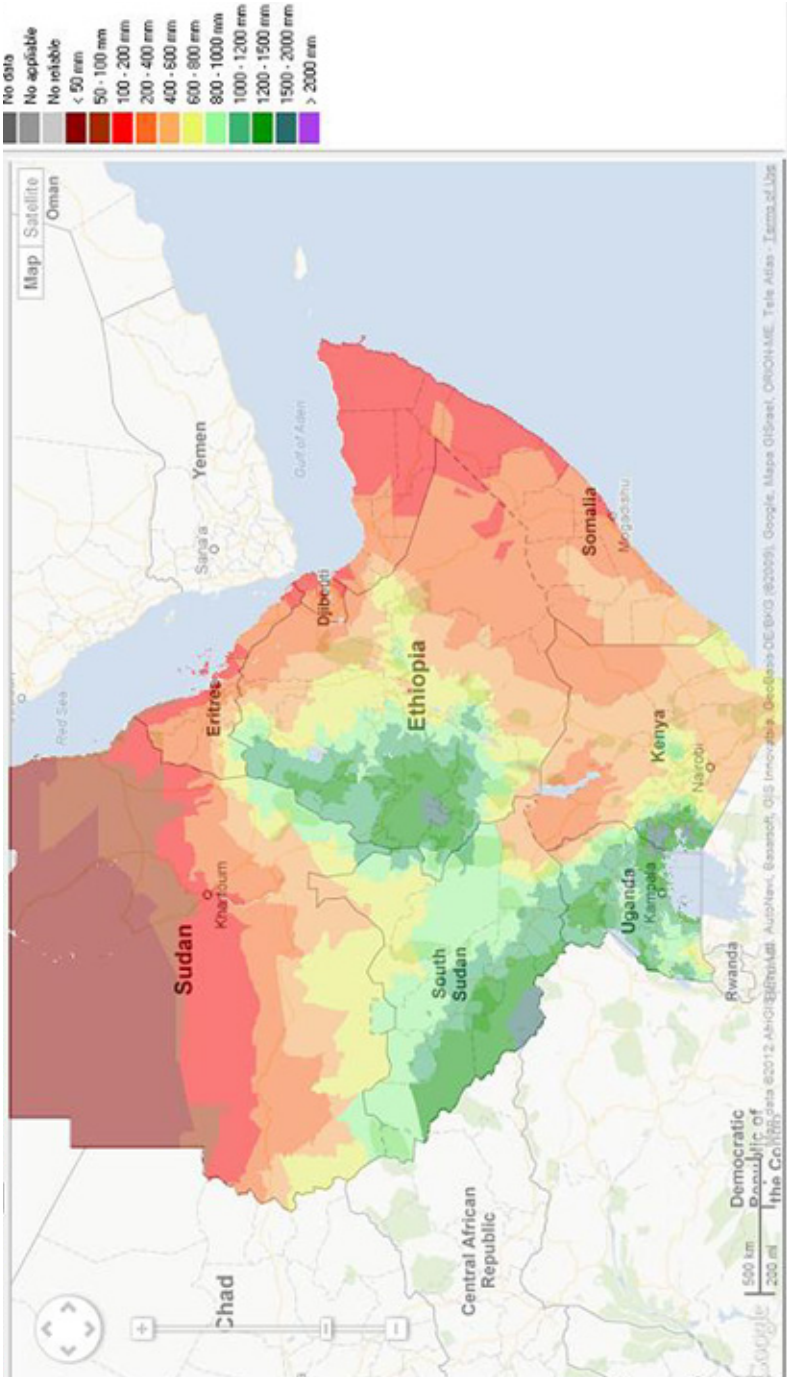
The 'food sovereignty' movement has evolved to counter the neoliberal development paradigm that sees the future of food security and nutrition in a globalized food industry characterised by industrialization of food production and commercialization of food supply through international trade. Food sovereignty has a particular relevance to pastoralism, which is a food production system that is based on agro-ecological and indigenous approaches that sustain food sovereignty and the livelihoods of communities.

For the purposes of this report, the term 'pastoralism' also includes agro-pastoralism, which combines extensive livestock production with crop production for household consumption and income generation. The natural resources that support pastoral production include land, water, trees, pastures, salt licks, etc. Livestock feed on these resources and pastoralists also depend on them directly for different purposes. The family also depends on natural resources for fuel, food and medicines.

A pastoral herd may include cattle, camels, goat, sheep, etc. It is through the interaction of the herd, natural resources and family that the pastoral production system is upheld and sustained. The herd impacts on natural resources by eating the natural pastures, which enables them to regenerate, and it provides milk, meat and blood for the sustenance of the family. The family provides the labour that cares for the animals by taking them to pasture, providing them with water and managing them through exchange and slaughter. They manage and otherwise interact with natural resources cutting wood for shelter, digging wells for water for domestic consumption and for the animals, burning pastures, etc. The family is also part

Pastoralism is the predominant livelihood system in the arid and semi-arid lands (ASALs) of the Horn and East Africa, characterised by rainfall between 250 and 600mm.

**CPSZ2 - Map Units query and analysis: Average annual rainfall (mm)**



MAP OF IGAD ASALS (SOURCE: IDDRSI)

of the wider society, with institutions for governance and natural resource management that mediate access and resolve conflicts.

The East African Community (EAC) is a grouping of six countries, four of which (Kenya, South Sudan, Tanzania and Uganda) have substantial populations of pastoralists. The Intergovernmental Authority on Development Region (IGAD) groups together Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Uganda.

Pastoralism is the predominant livelihood and production system practised in the arid and semi-arid lands (ASALs), which cover at least 75% of the land area of the Horn and East Africa. A majority of the member countries of IGAD and EAC have substantial populations of pastoralists, and livestock is a major component of the economies of both regions, contributing on average 57% of the agricultural GDP in IGAD and 30-50% in EAC. Although the availability / accuracy of data on ASALs and pastoralism are problematic, there is no dispute about their importance to national economies and livelihoods in the two regions.

The challenges and opportunities for pastoralism in the IGAD and EAC region are effectively linked to the three pillars (the herd of livestock, natural resources, and family labour) and their interaction. The challenges are underpinned by the reality of climatic variability, which makes the region prone to recurrent drought and dry spells. Climate change escalates land and environmental degradation, directly impacting on agricultural productivity, food security and economic growth. This in turn has a bearing on livelihood security as it engenders famine and poverty, and may fuel social, economic and political tensions that can cause conflicts, for example through increased competition for access to diminishing natural resources.

## KEY REGIONAL POLICIES

Pastoralism-related policies developed by AU, IGAD and EAC aim to address challenges to pastoralism as a production and livelihoods system. They seek to promote and strengthen pastoralism by addressing governance of land and natural resources, livestock disease control and livestock trade, disaster risk management, climate change, and conflicts.

## AFRICAN UNION

The AU's flagship policy document on pastoralism is the Policy Framework for Pastoralism in Africa. The Framework is the first continent-wide policy initiative, which aims to secure, protect and improve the lives, livelihoods and rights of African pastoralists. While underpinned by recognition of the critical role of livestock husbandry in the life of pastoral communities, the policy framework expands the scope to address other concerns of pastoral communities such as healthcare, education, land tenure, women's rights, governance, ethnicity and religion. It also draws attention to aspects of pastoralism that transcend national borders, such as pastoral mobility, spread and control of livestock diseases, environment and conflict, which call for regional harmonization of policies.

Of particular interest are strategies that emphasize the ecological rationale of pastoralism and the rights of pastoralists to access their rangelands and pursue a livelihood of their choice; the recognition and integration of pastoralists' indigenous knowledge into research and extension services for livestock production and rangelands management; integration of traditional pastoral institutions in natural resource management; and protection of the indigenous livestock and plant genetic resources found in pastoral areas. These constitute entry points for promotion of food sovereignty.

The AU's CAADP is largely silent on pastoralism: "there is little appreciation, if any, of the potential contribution of livestock to the overarching CAADP Goal".

The AU has also formulated the Livestock Development Strategy for Africa 2015 – 2035, however the main push of the Strategy is commercialization of livestock production and modernization of the traditional livestock production system practised by pastoralists.

## 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. 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”. This provides an entry point for interested actors to push for strategies and approaches that will promote food sovereignty.

Prior to the launch of IDDRSI, it was the work on pastoral conflict that IGAD was best known for, particularly through its flagship Conflict Early Warning and Response (CEWARN) Mechanism.

## EAC

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. That said, the policy is clearly underpinned by imperatives of modernization, which undermine and contradict some of the measures proposed. This is the major challenge that advocates for food sovereignty have to face in dealing with regional frameworks. Even when they state their commitment to traditional systems and institutions, their strategies are nevertheless grounded on an ethic of modernization that runs counter to the promotion of traditional approaches to managing resources.

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, managing 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.

## POLICY ANALYSIS – CHALLENGES AND OPPORTUNITIES

Although none of these policies directly address food sovereignty, they are important because they recognize pastoralism and commit



governments to address challenges that undermine pastoral livelihoods, and to develop pastoral areas. They provide entry points for engaging governments on development planning and action in pastoral areas, and can be used to engage governments on food sovereignty.

It is clear that substantial progress has been made in regional policy development for the support of pastoralism. Policy frameworks adopted by the AU and the RECs bring conceptual clarity and present convincing arguments on the logic behind investing more into this mode of production in the drylands of Africa. They propose policy options that permit the development of pastoralism in all its complexity.

These continental and regional policies are meant to catalyse the formulation and implementation of pro-pastoralist policies and laws in member countries. The Policy Framework for Pastoralism in Africa proposes steps governments need to take and even suggests the national level arrangements needed to ensure that the process is well informed and draws on the knowledge and experiences of pastoralist groups, communities and their institutions. The policies also emphasize the need for civil society engagement in these processes.

The policies also call for regional approaches to supporting pastoralism given that it is practised across national borders. Emphasis is on harmonising policies and legal frameworks across the region for the benefit of pastoralists.

A major challenge of policy making at regional level is that regional frameworks such as AU, IGAD and EAC have no political institutional framework for implementing policies, so that at best the policies they formulate constitute international soft law, articulating general consensus among states on what needs to be done, while leaving it to the member states to take steps at national level to operationalize them by translating them into binding national policies, laws, strategies and plans. Moreover, AU, IGAD and EAC do not develop policies in any systematic manner. Policy priorities are informed by political consensus and in some cases by what donors are funding at any given moment.

By signing on to the policy frameworks, countries are buying into the

imperatives of these policies, but there is no automatic translation of the frameworks into actions and obligations at the national level. Nevertheless, the frameworks provide pastoralists and pastoral civil society important tools for advocacy at the national level to bring governments to account on the values they have signed up to at the regional level.

The policies provide for monitoring mechanisms that entail member states reporting on how they are domesticating the policies, and it is expected that peer pressure will nudge governments to follow through the commitments they sign up to at the regional level.

Another major gap in the policy discourse that is likely to undermine the domestication of regional policy imperatives is the complexity of issues and entrenched interests that drive and maintain the dominant narratives on ASALs. 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 (Odhiambo, 2014).

Finally, it is the governance framework existing at the national level and the situation of pastoralists within it that determine the opportunities within each country for pastoralists to benefit from regional policy imperatives. The political leverage that pastoralists hold as a political constituency at the national level determines the responsiveness of policy actors to their needs and concerns. This is why on-going governance reforms in the IGAD and EAC regions, with their emphases on democracy, accountability and participatory decision-making, and devolution are good for pastoralists.

Ultimately however, it is the extent to which pastoralists are organized and able to mobilize among themselves and with other stakeholders that will ensure that they are able to influence policy processes in their favour. This calls particularly for an informed, effective and accountable pastoral civil society that is well grounded in the communities.

## CIVIL SOCIETY ADVOCACY

Civil society organisations have a critical role in articulating

pastoralists' concerns to policy frameworks at all levels, and influencing policy processes to address challenges to pastoral livelihoods. They are also major agents for change within pastoral communities, with the potential to enhance capacity and awareness among pastoralists about their rights. This includes articulating the rationale and value of pastoralism as a livelihood and production system. Civil society can also contribute to awareness raising and capacity building among policy makers and other stakeholders to debunk the widely held negative perceptions and myths about pastoralism and pastoralists.

Civil society efforts are critical for influencing governments to translate policy into practice. Policies, however good and well intentioned they may be, are of no use to pastoralists unless they are translated into strategies and plans that are implemented by concrete action on the ground. Yet there are many instances in the region of good policies that remain unimplemented, and thus fail to achieve their noble objectives. In part, this has to do with the fact that many times policies are formulated in response to external pressures and with funding support from donors. In such cases, there may be no motivation within government to allocate the resources needed for implementation.

Despite the limitations of policy implementation, the regional frameworks hold great potential for providing political leadership and mobilizing technical support and resources for action and change in specific sectors. Civil society needs to align the way it works to this new reality, so that it is able to engage with and influence processes at both regional and national levels. This calls for establishment of strategic alliances from local level to national level and to the different regional levels, and with civil society groups working at the global level, if they are to be effective.

There are a number of international NGOs that work in the countries of the Horn of Africa to support pastoralists. The most important among these are Oxfam, Actionaid, Veterinaires sans Frontieres (VSF), World Vision, and Cordaid. These organizations support pastoralists and pastoral civil society to build capacity for engagement with policy processes at both national and regional levels.

They work closely with umbrella pastoral civil society organizations such as Pastoralists Forum Ethiopia (PFE), Pastoral Development

Network of Kenya (PDNK), Coalition of Pastoral Civil Society Organizations (COPACSO) in Uganda, and Pastoralist Indigenous Non-Governmental Organizations (PINGOs) in Tanzania to monitor mainstreaming of regional commitments into national policies. They collaborate with Pastoralist Parliamentary Groups (PPGs) in Kenya, Uganda and Tanzania, and Pastoral Affairs Standing Committee (PASC) in Ethiopia, which bring together Parliamentarians representing pastoralist constituencies.

## CONCLUSIONS

This report set out to identify and assess existing policies in order to inform civil society and pastoralist groups' advocacy. The following conclusions arise from the review and analysis:

1. The policy context for pastoralism at the regional level has improved immensely in recent years, with the adoption of instruments that explicitly recognize pastoralism as a legitimate livelihood and production system that is most appropriate for the ASALs of the Horn of Africa. The greatest improvements are evident in the AU and IGAD. The EAC has made some progress with livestock development policy, but not much on pastoralism and development.
2. The regional policies on pastoralism recognize the importance of indigenous knowledge and systems of production and natural resource management and to that extent they provide entry points for promotion of food sovereignty in pastoral areas, even though they do not make explicit references to food sovereignty.
3. Despite the recognition of pastoralism and of the importance of indigenous knowledge and production systems the policies are underpinned by imperatives of modernization and globalization that see the best hope for pastoralist areas in commercialization of pastoral production, adoption of modern technologies and expansion of livestock trade. This raises questions about the potential benefits of these policies for food sovereignty.
4. Although the regional policies are supportive of pastoralism, they are not binding legal instruments, and it is only through their domestication in national policies, laws, strategies and plans and the implementation of the same that pastoralists will realize the benefits thereof.

5. Civil society has an important role to play in advocacy for the domestication and implementation of the regional policies that are supportive of pastoralism to ensure that pastoralists benefit from them. Civil society can also ensure that the entry points available in these pro-pastoralism policies are used to promote food sovereignty.

## RECOMMENDATIONS

The following recommendations are made for pastoralist communities, civil society and other stakeholders to take advantage of the regional policies in order to advance the cause of food sovereignty.

1. Engage with the AU, IGAD, and EAC in monitoring domestication of the regional policies and providing feedback to generate peer pressure on national governments within those frameworks (Key actors: CSOs, PPGs).
2. Build capacity on the regional policies and policy processes in order to be able to navigate the regional policy arena competently and effectively in support of the causes of pastoralists generally and food sovereignty in particular. Civil society organizations need to understand how regional policy making works and what opportunities exist for influencing them, and how to interface regional policy processes with national policy processes (Key actors: CSOs).
3. Promote awareness creation and capacity building among pastoral communities and other national level stakeholders about the regional policies and the obligations they impose upon national governments, so that pressure is brought to bear on national governments to domesticate and implement the policies (Key actors: CSOs).
4. Create strategic alliances with other stakeholders at different policy levels (local, national, regional, global) in order to better engage with policy processes and institutions to further the interests of pastoralists and the cause of food sovereignty (Key actors: CSOs, PPGs)
5. Hold political leaders to account: with regards to policy commitments that governments sign up to and policies that are enacted at the national level, to ensure that they are implemented (Key actors: communities, individual citizens)

# WHAT IS AFSA?

Launched in 2011, AFSA is a broad alliance of civil society actors who are part of the struggle for food sovereignty and agroecology in Africa. These include African food producers (farmers, fisherfolk, pastoralists), African NGO networks, indigenous people's organizations, faith based organizations, women and youth groups, consumer movements, international organizations which support the stance of AFSA. Its members represent smallholder farmers, fisherfolk, pastoralists, hunter/gatherers, indigenous peoples, faith-based institutions, and consumers across Africa. It is a network of networks, currently with 30 active members in more than 50 African countries. The constituencies of the 30 member networks total over 300 million people.

## WHAT IS AFSA'S MISSION? WHAT DOES AFSA DO?

The core purpose of AFSA is to influence policies and to promote African solutions for food sovereignty. AFSA serves as a continental platform for consolidation of issues pertaining to food sovereignty and together marshal a single and louder voice on issues that matter to Africa, tabling clear and workable solutions.

We are galvanizing the food sovereignty movement and building momentum to influence the transition to agroecology across Africa, specifically by:

- Amplifying agroecology
- Enhancing Farmer-Managed Seed Systems
- Strengthening land tenure governance
- Strengthening communications

## STRATEGIC PRIORITIES FOR 2017-18-19

**Seed:** to build a continental platform that supports Farmer-Managed Seed Systems, influencing seed policy, recognizing women's central role, changing the narrative to one that recognizes FMSS as the essential and fundamental base of Africa's food system.

**Agroecology:** to galvanize the agroecology movement in Africa, and influence decision makers to recognize agroecology as the sustainable future of African farming.

**Land:** to provide rural communities in Africa a strong voice on land rights.

**Communications:** to support the thematic working groups in influencing policy outcomes on seed and food sovereignty, land, and the transition to agroecology.

## THEORY OF CHANGE

### Building the Movement

- To build the advocacy capacity of our members to influence regional policies towards seed sovereignty, agroecological practice and fair land use.
- To strengthen our institutional capacity to deliver the strategy.
- To improve network communications, within and outside the alliance.
- Secure resources to deliver the strategy and strengthen AFSA's governance, operational systems, policies and procedures.

### Policy Advocacy

- To provide opportunities for our members voices to be heard at the highest levels.
- Participate and advocate at high-level regional and global meetings.
- Organize annual regional forums on agroecology.
- Develop advocacy materials e.g. policy briefs on Seed, Agroecology, Land.
- Produce a documentary on Agroecology in Africa.

### Raising Consumer Awareness

- Recruit consumers as agents of change, strengthening the links between consumer choice, food safety, nutrition and health, and food sovereignty.

### Evidence

- Undertake research to support the advocacy evidence base with compelling data and analysis.
- Develop and share accessible publications to bring the evidence to light.

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learn more about AFSA by visiting our website

[www.afsafrica.org](http://www.afsafrica.org)

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*This summary report was supported by a  
grant from the Open Society Foundations*



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