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Opportunities to Strengthen Pastoralists' Adaptive Capacity to Climate Change through the IGAD Protocol on Transhumance





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On 24th June 2021, the Protocol on Transhumance was adopted by the Council of Ministers of the 7 Member States of the Intergovernmental Authority on Development (IGAD). The Roadmap for implementing the protocol had just been adopted by the sectoral ministers of IGAD Member States on 13th November 2020, in Entebbe.

Drawing on the information reviewed in the Equipped to Adapt Report, this policy brief considers some of the opportunities for the Implementation Road Map to support the foundations of pastoralist adaptability in the face of adverse climate change. This brief lays out a number of evidence-based recommendations for putting the Protocol on Transhumance into action in a manner that supports the capacity of pastoralists, to successfully and sustainably adapt to changing climatic and environmental conditions in the Twenty-First Century. This includes practical suggestions and operational recommendations to support the successful realisation of the goals in the Protocol, in line with the Protocol's aims of realising the full social and economic potential of pastoral production systems in the IGAD region. Recommendations have been provided for each of the 5 Steps highlighted in the Implementation Roadmap:



Figure 1: Five-Step Implementation Roadmap for the IGAD Protocol on Transhumance

Step 1 – Adoption, Popularization & Domestication

Opportunity 1.1: The Road Map proposes that line ministries in each Member State work to develop ‘pastoral legislation’ and policies in line with the protocol. This will eliminate gaps and inconsistencies within national legal frameworks and harmonise national and regional policies between Member States through bilateral and multilateral agreements.

- **Recommendation 1.1.1:** Member States should create bilateral/multilateral exploratory committees for each shared border to identify legal barriers to effective pastoralist resource governance and cross-border transhumance. This should include challenges in accessing health facilities, registering livestock at markets or in handling of animal theft cases.
- **Recommendation 1.1.2:** IGAD Member States should review and harmonise their policies for market infrastructure development, removal of barriers to trade, customs procedures, currency exchange services, stock theft surveillance, prevention and control of trans-boundary animal diseases, health inspections and product grading, and pricing (Getnet 2017, x–xi). This will involve coordination between states and across scales, as aspects of livestock sale regulation are divided across national and various sub-national levels (Ng’asike, Stepputat, and Njoka 2020).
- **Recommendation 1.1.3:** Member States should undertake a review of their laws governing land and property to identify elements that are out of alignment with pastoralist land use in ASAL and border areas. A rational approach to land regulation in pastoralist areas would “unbundle” private ownership rights. Purchase of a plot of land should endow the owner with exclusive rights to construct buildings there, but not authority to restrict access to communal resources or right to passage.

Opportunity 1.2: The Implementation Road Map recognises the importance of sensitizing “target cluster coordinators, border coordination committees and the public” about the Protocol on Transhumance and its implications for cross-border movements by pastoralists. Sensitisation should be broadly inclusive and ensure a two-directional process of feedback and information exchange.

- **Recommendation 1.2.1:** The strategy for engaging “the public” must be appropriately disaggregated to include the various customary institutions and informal social units that are likely to be affected by the Protocol implementation, which may overlap or exist in tension with one another.
- **Recommendation 1.2.2:** Sensitisation should be a two-way process. This will help ensure that the local-level administrations, committees and customary institutions can provide feedback to the Member State governments and influence the implementation process in their area.

Step 2 – Strengthening of Good Governance for the IGAD Cross-Border Cluster

Opportunity 2.1: Step Two of the Implementation Roadmap calls for capacity building among communities so that local leaders can engage one another “to prevent and resolve conflicts between herders themselves and between herders and agro-farmers”.

- **Recommendation 2.1.1:** Some Member States have already implemented land acts covering community land rights. However, many of these are based on sedentary agrarian land use regimes, rather than the highly mobile and negotiable regimes required by pastoralists. Therefore, in many countries in the region, there is further need for development of a ‘Pastoral Areas Communal Land Bill’, based on consultation with experts in law, ecology and the social sciences who specialize in resource governance and land use by pastoralists. Members States should formalise a system of land tenure and governance that;
 - i. recognises the role of local customary authorities and informal negotiating mechanisms;
 - ii. counters communal land registration based simply on ethnicity; and
 - iii. recognises rights to mobility and grazing for those outside the registered group.
 - iv. Land tenure governance system should provide legal basis for negotiated resource sharing agreements between pastoralists and private landowners (including farmers).

Opportunity 2.2: IGAD Member States will disseminate and administer IGAD Transhumance Certificates (ITC) to pastoralists to track and permit their cross-border cluster transhumance. The MSs will designate formal cross-border inspection points for transhumance herders and their livestock along the designated corridors in the clusters. This is an opportunity to prevent the cross-border trade in stolen livestock and to reduce border insecurity in areas affected by cattle rustling.

- **Recommendation 2.2.1:** Livestock changes hands frequently. Bride-wealth transactions may involve the transfer of several hundred animals. Good milching animals may be lent to relatives and stock associates whose animals have not reproduced. The ITC certificates will be amenable to easy revision as animals are exchanged through transactions as well as bond partnerships.

Opportunity 2.3: The sectoral ministries IGAD Member States will promote construction of basic border infrastructure, which provides an opportunity to establish a tracing system that would support herd mobility while preventing the trade in stolen livestock.

- **Recommendation 2.3.1:** Rather than conventional border checkpoints, which can be highly restrictive of movement patterns and ecologically unsustainable, authorities should develop a system for remote border registration and documentation of herders and their livestock, in which pastoralists could use mobile technology to record their cross-border movements either before or after they actually move. This system could be based on expedited clearance systems developed for online check-in and security pre-approval in some airports, which can reduce the need for costly and time-consuming checks at fixed border crossing points.



Step 3 – Mapping and Designation of Cross-Border Corridors and Resources

Opportunity 3.1: Participatory mapping of transhumance routes offers an evidence base upon which contextualised policies for cross-border mobility can be drafted.

- **Recommendation 3.1.1:** Involvement of local authorities and community leaders in the identification of transboundary herd movement to ensure the suitability of regulations and to strengthen compliance (Davies et al. 2018, xv). Productive consultation between states and communities can also provide a basis for preventing and managing conflict.
- **Recommendation 3.1.2:** Mapping methodologies to put into consideration the fact that pastoralists do not always follow regular, linear routes. Thus pre-planning their movements ahead of time and following pre-designated movement may not be always the case.

Opportunity 3.2: Transhumance corridors are an important protection for pastoralist mobility in places where encroachment by land privatisation, fencing and farms blocks the safe passage of livestock. In these areas, designated corridors can preserve a route for pastoralists to move between seasonal pastures without coming into conflict with land-owners or farmers.

- **Recommendation 3.2.1:** Member States should put in place a legal compliant process to compensate landowners in the event that private land would be acquired for transhumance corridors
- **Recommendation 3.2.2:** Establishment of resources and services along transhumance corridors, where deemed appropriate. These include; watering points, pasture or fodder stops, centres for veterinary and human medical services, and education facilities.



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Step 4 – Investment in Pastoral Areas and Complementary Livelihood Resources

Opportunity 4.1: Invest in markets for non-livestock dryland products. Pastoralist households throughout the region have increasingly diversified into new productive activities to supplement livestock production. This includes bee-keeping, procurement of wild resources like aloe vera and gum arabic, fishing, and artisanal mining. Income from these activities is used to purchase livestock medicines and fodder, as well as food during drought periods.

- **Recommendation 4.1.1:** Implementation of regulations that will ensure sustainable procurement of local resources, including firewood for charcoal, other plant-based resources, mined minerals and fish. This implementation should be done by the devolved / regional governments.
- **Recommendation 4.1.2:** Incorporate customary institutions and conservation mechanisms into the regulation of commons resources. Useful examples include the re-working of the *ekwar* system to manage riverine forest resources in Turkana (see Barrow 1990).

Opportunity 4.2: Strengthen government services in borderland areas using regional (inter-state) systems of service provision. Long histories of economic marginalisation in the drylands have contributed to pastoralists' livelihood vulnerability. This can only be reversed through substantial investments in infrastructure and social services. In many cases, pastoralists move their herds across borders despite a lack of access to health care, education and other services on the other side. However, this results in poorer health outcomes, lower educational attainment and seasonal reductions in quality of life, all of which have long-term impacts on the capacity of pastoralists to adapt to challenges, including climate change. If the IGAD Secretariat supports MSs to establish bilateral and multilateral agreements for provision of social services to herders staying outside their countries of nationality, this will remove a major barrier to sustainable cross-border transhumance.



Moreover, investing in bilateral and multilateral agreements to support cross-border access to services can promote the development of borderland social services more generally.

- **Recommendation 4.2.1:** Provide low cost access to health care facilities in borderland areas without regard to nationality of the client. In line with the one-health concept, provision of veterinary and human health services should be covered by a single planning framework.
- **Recommendation 4.2.2:** Provide education services to pastoralists on a two-tier system involving both A) fixed schools, which teach according to national standards for curriculum and certification, and B) mobile schools, which focus on literacy, lingua franca language competency and civic education, as well as basic ecology and environmental science curricula. The mobile schools will help to close the gap between uneducated and formally educated demographics in pastoralist communities.

Opportunity 4.3: The Road Map has prioritised investments in emergency preparedness and response.

- **Recommendation 4.3.1:** Implementation of schemes by Member States to protect pastoralists' assets, such as early warning systems and livestock insurance schemes to deal with scales of risk that are outside the reach of farmers and pastoralists (Krätli et al. 2015).
- **Recommendation 4.3.2:** Development of an index based livestock insurance system that can pay compensation on the basis of easily measurable environmental 'indices' that affect livestock production e.g. if vegetation levels fall below a certain threshold, policy-holders receive a payment (Herrero et al. 2016, 417)

Opportunity 4.4: Member States could coordinate to create regional dryland safety net systems that allow disenfranchised people to access food and public services in times of hardship. Social protection encompasses a range of programme types which provide assistance to vulnerable households, reduce poverty through income generation schemes, and provide insurance against risk. Examples of "social protection" options that are suitable for pastoralists include: weather-indexed insurance, public works programmes, emergency food aid and buffer stock management (Devereux 2016).

- **Recommendation 4.4.1:** Regional social safety nets should build upon existing national social protection mechanisms such as Kenya's Hunger Safety Net Programme.
- **Recommendation 4.4.2:** Rolling out of initiatives established in response to the Covid-19 pandemic into a longer-term climate resilience safety net programme (Anderson 2021).
- **Recommendation 4.4.3:** Vulnerability should be addressed through a mix of public or community-level investments and household-level interventions.

Step 5 – Monitoring of Cross-Border Mobility, Community Engagement along Regular Pathways, and Reporting

Opportunity 5.1: Investments in monitoring and reporting provide an opportunity for increasing recognition of the contributions that pastoralists make to their local and national economies, as well improving understanding of pastoralist resource governance and decision making institutions.

- **Recommendation 5.1.1:** ICPALD should improve understanding of pastoralist institutions and practices in borderlands by deploying interdisciplinary teams that include social scientists, legal scholars and ecologists.
- **Recommendation 5.1.2:** ICPALD should actively seek to increase the evidence-base around pastoralist movements, needs and dynamics across the region by promoting data collection, analysis and research such as through the IOM's Transhumance Tracking Tool (TTT), including through partnership development.
- **Recommendation 5.1.3:** Livestock monitoring should respect data privacy concerns, so that surveillance does not become excessively invasive and the resulting information is not used to pastoralists' disadvantage. Where livestock monitoring is undertaken to understand environmental pressures, data should remain anonymised and should not include personal identifiers for individual pastoralists. Where livestock monitoring is undertaken for security purposes, and personal identifiers are necessary, authorities should limit the required data to the minimum required. If data systems are perceived as excessively invasive, it is likely that they will be undermined by non-compliance.

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