



STRUCTURED SUMMARY

INFLUENCING COLLECTIVE LAND TENURE INDICATORS

Burkina Faso, Kenya and Sudan case studies

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Motivation

Pastoral collective tenure and perceptions of pastoral tenure security are not well understood. As a result, such collective tenure is not being captured in global land tenure monitoring, such as that done by Prindex.

Purpose

We studied collective tenure systems in Burkina Faso, Kenya and Sudan to guide the future development of tenure security indicators in communal settings. We focused on perceived tenure security and on developing characteristics and indicators to measure. Two layers of tenure and tenure security were considered: that of the collective and that of individuals within the collective, recognising that collectives are not homogenous.

Approach and methods

We engaged with typical pastoralist groups where collective tenure and governance are relatively strong, and where pastoralism functions well. In 2022–23 we began by reviewing the literature to establish the context, followed by holding key informant interviews (KIIs) and focus group discussions (FGDs) with pastoralist collectives. Discussion centred on perceptions of tenure security of the group, the collective itself, as well as individuals' perceptions of security of access to land and resources as members of the group.

Findings

None of the pastoral communities hold formal documentation for their land yet consider themselves rightful landholders. Their lands are under pressure from external and internal forces such as large-scale agricultural developments and drives for land privatisation, with conflicts between land users increasing.

Perceived tenure security is, however, high for pastoralists both as a collective and as individual members. Important characteristics of tenure security were: social cohesion with clear and autonomous leadership; good relations with neighbours or hosts that allow secondary user rights or the right to move with livestock through their lands; and flexibility in the system to respond to new and/or resurfacing threats and challenges, such as new infrastructure developments more variable rain patterns, and encroachment of grazing lands by farmers.

Policy implications

Five factors drive the smooth functioning of collective tenure regimes and can be used to develop indicators for perceived tenure security. These are:

1. Robust yet flexible rules and management, set locally and supported by strong and respected leadership.
2. An inherited sense of collective values and practices but also recognising and strengthening the rights of individual members of the collective particularly potentially-marginalised women and youth.
3. Good local relations between pastoralists and other neighbouring communities.
4. The ability to move unfettered across the collective's own territory and that of others with agreement.
5. Backstopping of customary tenure regimes by formal systems and institutions (though it was recognised by all groups in this study that this needs to be improved).

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