

Improving Land Governance in River Senegal Valley Context, Issues and Challenges

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SUMMARY

After presenting economic social and demographic situation in Senegal, rural land governance inventory will be done to present and understand land and governance issues and furthermore challenges for future.

Based on the case of the Program of support of Communautés rurales (Rural Communities) which is closed since December 2013, the actual land management, land governance et Domain National Law will be analysed.

We will conclude on land reform which is expected for many years by civil society and people in Senegal.

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1. INTRODUCTION

PACR is a French Agency for Development (AFD) funded project to support “Communautés Rurales” (Rural Communities are administrative entities composed of villages). It is a five years project located in the Senegal River valley. Management of the National Domain by rural communities is the core of rural communities land targets. The National Domain represents 90% of the territory. This is the Senegalese Nation Heritage. It is not possible to appropriate.

This paper doesn't describe precisely the project but describe conclusions of capitalization of knowledge conducted at the request of the donor. The objectives are to learn from the PACR project and identify the tools and best practices that could be generalized in the country or sub-region.

2. SOME FINDINGS AND SOLUTIONS

2.1 Laws are not enough precise and enforced

Senegal is a country where decentralization is very advanced. Act 3 is being implemented. However some findings and observations show the weaknesses that exist since 1972 in terms of enforcement.

In land management, necessary tools to implement an effective decentralized land management in rural communities are provided by the laws: land folder and land registers or maps for territorial planning (POAS).

However how the tools have to be is not defined and poorly adapted to the rural context (not fit for purpose). There are no clear rules to support rural councils in their decisions. Some very important criteria for “affectation” (allocation) are not defined: “mise en valeur” (improvement) and residence.

Local land use practices are very various. The lack of land registry and non-existent control of the rural areas occupation are a source of insecurity and conflict.

2.2 Administrative State Powers transferred but no capacities in rural communities

Since Decentralization Law (1972), Land administration is a power of rural communities.

The main land procedure is “affectation” (allocation) and its corollary “désaffectation” (release the occupation). These procedures are poorly known by local politicians and local land managers. Land procedures are totally unknown to rural grassroots people.

No material resources and not many human resources are available in rural communities.

Yet to fully implement these activities, it is necessary to know the laws, the procedures and therefore train land managers.

The project has highlighted dysfunctions: overlaps, "registered" areas already higher than the community's territory area. The project worked to address these dysfunctions and to lay the foundations of formalized procedures.

PACR provides equipments to rural communities: technical land survey equipment and computers.

So that the actors are autonomous at the end of the project, a training plan was carried out for 4 years: legal texts and laws, land procedures, land survey, management, etc. ...

Decentralized land management in the Senegal River Valley has tools and procedures specifically adapted to the resources and context of Senegalese rural communities. This can be fit for other purposes.

PACR took place following the method of “making make” not “make” involving local stakeholders and recruiting local expertise.

3. PACR TOOLS ANALYSIS : FROM ISSUES FOR SENEGAL TO ACCOMPANIYNG MEASURES

PACR has worked with 5 Land Tools

- CDI, Charte du domaine irrigué (Irrigated Area Convention)
- The POAS for the rural areas Land occupation,
- SIF, Land information system for the rural land management (mapping and Land information data)
- CDE, Commission domaniale élargie, Local land Commission involved in Land procedures with help of Land and Natural resources management institutions
- Building and strengthening the local actors capacity

These 5 tools are analyzed according to four criteria.

- Issues for Senegal

- conditions for efficiency
- implementation
- Sustainability accompanying measures

Tools	Issues for Senegal	Conditions of efficiency	Implementation	Sustainability
CDI (Convention)	Irrigated Area management	Users know CDI	Communication Training of stakeholders and land actors	Grassroots Sensibilization Endorsement Control Mechanism
POAS (land use)	Knowing land use	Participatory Approach Consensus about land use	Participatory cartography Workshop for draft/write land use and management rules	Legal Framework Institutional Framework Endorsement control Technical Framework (State institution, training of politician and human resources)
SIF (LIS)	Operative and Transparent Land management	Manual for Land procedures Simplicity Low Cost Political willingness	Training Data Collection Date integration Involvement of Land institutions	Legal framework for land tools Partnership with Land Institutions Grassroots people Sensibilisation
CDE (Local Land Commission)	Cooperation	Material and Human Resources	Local political decision Invite relevant people	Financial Resources
Training	Capacity Improvement Autonomy of land manager	Training of Trainers	Human Resources Identification	Regular Strengthening of Capacity

(*) Cartography, satellite images, land and cadastral maps, Hand-GPS; sketches and boundaries; Manual of land procedures (MPF), the Land Registry and registration operations / land transactions; IT and computer.

PACR Capitalization of knowledge shows:

- local communities overcome land rules
- local authorities have a manual or digital land management system
- the capacity of stakeholders including grassroots people and land managers are reinforced
- community (elected representatives and technicians) better manage land and know their territory
- local actors know define consensually a standard of improvement, particularly in irrigated area.

Perspectives and thought

Geographic information and its associated tools should be better known and disseminated. Resources exist in Senegal but are concentrated in Dakar. The cartographic and geographic knowledge of the territory should help for illustrate land management issues.

National policy stakeholders must be involved to discuss and analyze these tools and land reforms opportunities. The level of involvement could be the witness of the political willingness for more transparency in land management.

The movement is moving forward. Senegalese Civil society is very active but the political willingness is still shy.

REFERENCES

PACR Project Documents

PACR Capitalization Documents

BIOGRAPHICAL NOTES

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