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Farmer participation in land-use negotiations in Thiès Region, Senegal

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The region of Thiès, with its densely populated rural areas, is experiencing land shortages exacerbated by the encroachment of Thiès town on agricultural land. Thiès, which is only 70km from Dakar, is increasingly functioning as a distant suburb. People move to and from the town, while city dwellers are increasingly settling on the outskirts as property values rise in the capital. In the Fandène Rural Council, land surrounding Thiès Municipality is increasingly coming under pressure from urban expansion. Farmers' fields are expropriated and rural residents are brought within the boundaries of the Municipality. Urban development on farmland jeopardises family farming. There are disputes between Thiès Municipality, which is interested in expanding its boundaries, and the Rural Council, which wants to maintain farmers' fields. While urban residents do not seem much concerned about this conflict, which is considered to be a matter for the municipal authorities, there has been popular mobilisation and commitment within the Rural Council. Several village assemblies have been held where land use and tenure issues have been negotiated. The workshop organised in June 1992, with support from USAID, by the Fandène Youth Association (AJF) revealed that land management in Fandène is characterised by conflicts and alliances between farmers and herders in respect of Goll land (meaning forest in the local Serere language), which is being used in response to land

shortages. Nowadays, even though conflict between farmers and herders can still be acute, the threat comes more from urban development in Thiès Municipality.

The background to rural/urban relationships: urban encroachment and the threat to village land

The municipal authorities have full power to parcel out land adjacent to the town for building, without any negotiation whatever with the rural communities. Palm groves and orchards (mangoes and citrus) on the outskirts, the main income source for the local people, are giving way to housing. As Thiès town has increasingly encroached on Fandène Rural Council, farmer organisations have organised several awareness-raising and capacity-building workshops for their members. Since 1994, radio programmes have been broadcast and tours of villages organised to make people aware of the problem. NIL JAM, a large federation of farmer organisations in the region, was set up following in the footsteps of its precursor, the AJF. In the early 1990s, a larger organisation was established that incorporated popular organisations in the towns, known as RENAPOP (Research, Nature and Population). By federating representatives of rural and urban civil society, these organisations hoped to act as a third force in the process of negotiation with elected councillors and the government administration.

Negotiating land use: the mixture of different references used and strategies deployed by rural councils

Inhabitants of the Rural Council can call on several references:

- their status as the first residents of the site, demonstrated by evidence given by the elders at the workshop dealing with the history of land use development in the area;
- scientific research done by academics from Thiès and Lausanne Engineering Schools;
- legal back-up from resource persons who have advised them to go to the courts to register their landholdings, as well as to apply for contracts to cultivate within gazetted forests and for plot allocation in rural areas threatened by the rapid urban expansion of Thiès.

Together with the Rural Council, popular organisations have promoted activities to achieve greater security of tenure, challenging the legitimacy of urban housing developments and forcing the authorities to take account of Rural Councils' aspirations in respect of land-use management. The first initiatives date back to 1989, when the expansion of Thiès began to encroach on the land of Fandène Rural Council.

Piecing together the history of tenure in Thiès and legitimising the struggle to regain lost tenure rights

Communities are trying to show how they have been dispossessed of their heritage. Various activities have been undertaken in this regard, drawing together the viewpoints of scientists, elders and government extension workers.

At a conference on urban development in Thiès, farmer organisations collected general data about land use, tenure and demography, proving that the indigenous Serere people were the first settlers.

Several elders, who had witnessed the birth of Thiès town, gave evidence and told stories about their individual and collective experience.

Consulting government extension workers helped to gain a better understanding of the procedures and tools used by the Municipality and Rural Council in land-use management. This was the focus of a conference, led by a legal specialist, held on 5th June 1996.

Investigation into the tenure position in Thiès shows that, since 1949, the original occupants who had acquired land through clearance have lost a total of some 6000 hectares as a result of land expropriation for urban development. For example, when the town expanded along the road to Khombole, the administration only allocated one 15 x 15m plot to each owner whose field, averaging more than 2 hectares, was brought within the Municipality's boundaries. The plot holder was obliged to pay 25,000 CFA francs to have it marked out

“We are seeing a redrawing of the relationship between town and countryside, as urban planning schemes are halted and the municipal authorities agree to negotiate with rural authorities”

and to bring it under production within two years. Correspondence sent to the President of the Republic, legal support from the NGO RADI (African Integrated Development Network) and advice from Judge Oumar Sarr at the meeting in Koudiadiène, Thiès region, on 5th June 1996 helped local communities to implement a number of strategies designed to achieve greater security of tenure.

Parcelling and marking out: strategies undertaken by communities to regularise their tenure position and forestall urban expansion

This refers to plans initiated by village communities to combat urban expansion or imitate the urban grid layout model.

First of all, neighbourhoods hold a general assembly to set up a committee to apply to the municipal authorities to obtain 'authorisation' to parcel the land out. The communities can then begin negotiations with the regional Land Registry and Town Planning Department to carry out a survey, make a plan of the neighbourhood and mark out plots. The villagers bear all the costs, retaining ownership of the project. In this way, 190 plots in Diassap, 230 in Pognine and 200 in Thialy have come to be self-managed by the residents.

In villages that have not yet been overtaken by the town, the process does not involve formalising the existing position but planning ahead to stem urban advance. The strategy is to parcel out rural plots on the outskirts of the Municipality, far from the chief village of the Rural Council, to block any attempt at urban expansion. In Ngoumsame and Nimzatt, five village assemblies were held with the support of leaders from Pognine and Thialy who had experience of such projects. As a result, a committee and planning scheme were established.

Applying to register land with the Rural Council: taking advantage of a window opened by decentralisation

Registering farmland is a strategy to obtain greater security of tenure. The Fandène Rural Council may make or withdraw allocations of land under its jurisdiction. Setting up a committee is the first stage in the procedure. The villagers prepare a collective application, with an attachment detailing the identity of the beneficiaries. Individual applications are allowed. The prop-

erty commission set up by the Rural Council will undertake an investigation of the tenure position on-site. After this, the Rural Council will examine applications and consider its response. The plot beneficiary must pay for the service and travelling expenses, amounting to as much as 35,000 CFA francs per hectare. This was the procedure used by Thiely village to register 73 hectares of land, divided amongst 50 families. An application from 46 farmers to Fandène Rural Council covering 46 hectares in Dioung-Wango-Thiona is going through the same procedure.

These activities have been facilitated by the infiltration of the Rural Council by leaders of popular organisations to prevent it being taken over by politicians. However, formal plot division carried out by both urban and rural residents has increased land shortages. The few remaining areas of uncultivated land are in the gazetted forests.

Cultivation contracts: authorisation for partial development of gazetted forests

The option to enter into renewable cultivation contracts within gazetted forests was introduced by the new Forest Code for the benefit of landless farmers. They have to submit an application to the Water and Forestry Service to use some parts of gazetted forests for farming. The farmers' association of Dioung-Wango-Thiona has submitted an application covering 100 hectares for 120 families in the gazetted forest to the southeast of Thiès. Pognine is applying for 50 hectares. This change made by the government in the system of gazetted forests is a measure designed to avoid tenure conflicts and the exclusion of small farmers in heavily populated rural areas. However, this is a partial, temporary measure to prevent these forests from losing their gazetted status altogether.

The cumbersome process of surveying and 'registering' land that is still available: a way forward?

'Land registration' is a legal system for protecting land reserves that are still available but threatened in the short term. It may be used on an individual or collective basis. Popular organisations in Thiès are considering applying for 'land registration' from the Town Planning and Land Registry Department. The communities have carried out surveys to list land reserves in the villages of Silmang, Ngoumsame, Thiapong, Peycouk and Diassap. Substantial financial resources are required for these large-scale operations, involving 1000 hectares for Silmang alone, because the procedure is very costly. Savings and credit funds to finance 'land registration' have already been set up in Dioung, Silmang and Ngoumsane. Access to funding is given, as a priority, to the most threatened holdings, especially those next to the town.

IMAP

An IMAP (or Participatory Development Instrument and Model) is a planning scheme negotiated between the Municipality of Thiès and Fandène Rural Council. The idea is to hold general assemblies to discuss how the various stakeholders see the future of the town.

Implementation

The implementation of the plan involves broad consultation and dialogue between stakeholders through regular meetings. As a result of these consultation meetings, it has been possible to take stock of the tenure position with technical partners and identify possible solutions. This means:

- documenting the town's encroachment on the villages and the impact of this on the living conditions of urban and rural communities;
- identifying and negotiating solutions shared by all stakeholders taking part in the forum;
- getting feedback on these solutions from the communities at a series of meetings in the villages held by popular organisations;
- having the outcome of these negotiations ratified by the Préfet, the chairman of the forum and the head of the departmental executive.

Lessons learned

This dynamic process of dialogue has enabled many lessons to be learned:

Formal land-use mechanisms are being adopted by rural communities, who initiate plot division, assess their neighbourhood's status and needs and show increasing interest in the institutional and legal environment. Interaction between the various stakeholders in land-use management has increased the negotiating power of popular organisations with external partners and stakeholders within the context of decentralisation. This encourages the redrawing of the relationship between town and countryside.

We are also seeing the establishment of local structures, the acquisition of improved techniques of social mobilisation around tenure issues and greater use of local decision-making strategies. Communities are represented at all stages of the negotiation process and the concerns of farmer organisations are given more consideration by members of the Rural Council.

Research undertaken by academics and rural researchers is linked together with the political process (at Municipality and Rural Council level) and development programmes (run by the extension services, producer organisations and NGOs). Every effort is made to reconcile research with policy. The participatory development plan deriving from the IMAP is a compromise between community expectations, technical opinions from the Engineering Schools and the rigid rules and regulations laid down by the various local government authorities.

■ From an interview with leaders of Fop Cagin, an association based in Thiès town which is a member of RENAPOP

Achievements so far – a forum for consultation between the Municipality and Rural Council has been established

We are seeing a redrawing of the relationship between town and countryside, as urban planning schemes are halted and the municipal authorities agree to negotiate with the rural

authorities (farmer organisations and Rural Council). Having been seen until recently as the exclusive preserve of town planning specialists and politicians, housing schemes are moving towards better planning of land-use management. In order to mobilise rural civil society to take part in the management process, various groups and associations have been set up and have undertaken action research on tenure with RENAPOP, the federal structure of farmer organisations in Thiès.

Applied research undertaken by RENAPOP has resulted in the establishment of a forum for consultation and dialogue about the tenure issue between the Fandène Rural Council, the Municipality of Thiès, the Engineering Schools of Lausanne and Thiès and RENAPOP. The forum, formally constituted by means of an order from the Préfet of Thiès Département, has begun a process of participatory applied research. This has resulted in a participatory development instrument and model (IMAP for short) which is, in reality, an outline joint planning scheme for the urban and rural areas of the *département*.

Conclusions

Village communities have been able to take part in local land-use management using various strategies: scientific back-up from the Engineering Schools demonstrating that the town could expand towards areas less suitable for agriculture, even if they were more difficult to develop; co-operation with government extension workers to gain access to official tenure information and explore all legal and statutory possibilities; popular commitment facilitated by holding large numbers of village assemblies and awakening a 'tenure conscience', partly as a result of using PRA tools (resource map, transects, historical profile, etc.).

However, the process of consultation and dialogue is threatened as a result of various factors.

Bureaucratisation of the process may reduce the influence carried by farmer organisations that have begun the process but do not have the institutional legitimacy to implement certain decisions. The forum is chaired by the Préfet, as there is no hierarchical relationship between the Municipality and

the Rural Council. The mayor of the Municipality cannot call the president of the Rural Council to account or vice versa. If access to the leadership structure of the forum is to be opened up to leaders of popular/farmer organisations, its status must be changed to that of a community interest group, an institution provided for in the 1996 law on decentralisation. Its aim is to ensure the participation of stakeholders outside the world of politics and government in the decentralisation process.

RENAPOP must stress learning by doing and learning from problems encountered if it is to strengthen the negotiating capacity of popular organisations. As this kind of difficulty is characteristic of decentralisation in areas experiencing heavy pressure on land, contacts are being made with other towns in Senegal facing the same situation to foster large-scale application of the process of negotiating tenure and land use between the Municipalities and Rural Communities.

Despite the power of the local authorities, planning schemes in Thiès have been frozen for a decade, partly as a result of the peaceful activism of farmer organisations. However, the formally laid out neighbourhoods of Thiès will soon be fully occupied, meaning that expansion of the Municipality's boundaries will be necessary in the near future. A leading figure in the government managed to bring eight villages within the Municipality's boundaries, in 1986, for reasons that had more to do with electioneering than territorial development. Almost two decades later, six of these villages are still separated from the town itself by a no man's land where fields of groundnuts and millet flourish. Even today, another government figure, the assistant General Secretary of the ruling party and number two in the current regime, who is also mayor of the Municipality of Thiès, could still 'make history repeat itself', imposing another superficial solution to the tenure issue and creating a veritable time bomb in an explosive context of land shortages and pauperisation of village communities. The participation of rural civil society is imperative to ensure equity and justice, providing a guarantee of transparency.

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