

GETTING TO GRIPS WITH PASTORAL TENURE ISSUES

A PRESENTATION
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I. THE KEY MESSAGES

Let me first outline my main conclusions and then return to each main point.

Having periodically spent time in recent years examining land tenure issues in Afghanistan,¹ and linking these findings with similar experiences elsewhere,² it is my conclusion that –

1. A NEW POLICY PROCESS IS NEEDED

New rural land policy is best made through an iterative approach. This means it does not attempt to address all issues at once but *prioritises* key problem areas and tried to address them - *and not just on paper, but in the field*. It means that the classical approach in which a comprehensive land policy is developed at the centre and by the centre gives way to a process which is much more inclusive of rural land owners and land users themselves and is founded upon their (facilitated) decision-making - what we call ‘bottom-up’ in process.

¹ For details on findings re rural land tenure refer Afghanistan Research & Evaluation Unit (AREU) at www.areu.org.af The main relevant papers are: *Rural Land Relations in Conflict: A Way Forward* August 2004 AREU Briefing Paper by Liz Alden Wily and *Looking for Peace on the Pasture: Rural Land Relations in Afghanistan* AREU Synthesis Paper Series December 2004 by Liz Alden Wily.

² Refer these papers by Liz Alden Wily *Land Tenure Reform and the Balance of Power in Eastern and Southern Africa. Natural Resource Perspectives* Number 58, June 2000, Overseas Development Institute, London. Also available: <http://www.odi.org.uk/nrp/>; *Land, people and forests in eastern & southern Africa at the beginning of the 21st Century. The impact of land relations of the role of communities in forest future.* IUCN-EARO 2001. Also available: <http://www.iucnearo.org>

Reconstructing the African Commons in *Africa Today* Issue 48 (1) Spring 2001:76-99 Indiana University Press USA; Getting the Process Right: Land Administration as Governance Discourse on the political economy of land tenure management. Proceedings of The World Bank Land Policy Conference in Africa April 29-May 2 2002, Kampala, Uganda; Community Based Land Tenure Management. Questions and Answers About Tanzania’s New Village Land Act, 1999. Drylands Issues Paper 120, International Institute for Environment and Development [IIED] London, September 2003. Also available: <http://www.iied.org>; Governance and Land Relations. A Review of Decentralization of Land Administration and Management in Africa, Land Tenure and Resources Series. International Institute for Environment and Development [IIED] London. Also available: <http://www.iied.org>

2. LEARNING BY DOING IS AN ESSENTIAL ELEMENT OF THE APPROACH

Second, a critical contributor to good policy (and in turn ‘good law’) is practical ‘learning by doing’ – getting out there and actually trying out new ways of defining rights in land, new ways of registering those rights, new ways of resolving land conflicts and then entrenching those new constructs and procedures that are demonstrably workable in policy and law.

Learning By Doing Engenders Public Commitment

Such an approach is actually essential in circumstances like Afghanistan where current laws and procedures are demonstrably failing to meet requirements of landholders and land users and where rule of law has broken down to the extent that those norms are in any event not being upheld and show no sign of being upheld for as long as ‘public ownership’ of the procedures does not exist.

Learning by doing helps lay the kind of public ownership that is needed for policies to take and hold, for laws to be upheld by people themselves, not just by force.

3. THE LOGICAL FRAMEWORK FOR LEARNING BY DOING IS THROUGH DISCRETE COMMUNITY BASED PILOT PROJECTS

In practical terms, this means pilot projects; initiatives that are structured to tackle tenure problems in a particular area and with all those who are affected: this allows new norms, new strategies – in effect, new and more workable ways of solving problems to not only be found, but to be tested.

4. RESEARCH IS NOT ENOUGH, EVEN CONSULTATION IS NOT ENOUGH

Passive investigation is insufficient. We already know a lot about rural land tenure conflicts and failures. Nor is consultation sufficient. People can tell us the problems all over again (and again and again) but they cannot be expected to come up with reliable solutions without trying out what will work, and being assisted and supporting in doing this. Only working with real people with real issues and assisting those parties to themselves arrive at conclusions as to what land ownership norms best reflect their customs, their needs and their rights and in fair ways, and then seeing how these work, will really lead to the kind of innovations that are needed to overcome the problems facing ownership of houses, farms, pastures and forests.

Let me give you an example: Kuchi participants in this meeting will almost certainly tell the rest of us about the constraints they face in the summer pastures; how their access to many of

these pastures is denied and who is denying that access. They may also tell us they are ready to compromise. They may have ideas as to how this should be carried out. But like settled people, they will not know how dialogue will work and what can be achieved without trying it. In truth, we know a great deal but not, for example these important facts:-

- (i) Will representatives of settled communities and Kuchi *really* compromise in their competing interests to find a better modus operandi on the pastures?
- (ii) Will representatives *of Government* really be open to identifying and adopting new tenure constructs to better meet customary realities, and which could see reduction in the massive scope and area of ‘government and/or public lands’?
- (iii) Can clear lines between local community lands and non-community or ‘public’ lands *really* be agreed on the ground and what is needed to ensure they hold?
- (iv) Is the idea of local level pasture regulation workable in the Afghanistan circumstances? What processes are needed for these institutions to gain the confidence of all right-holders and to see their rules upheld?

For such reasons we need to do, and learn. Practical pilots suggest themselves as the obvious route, and the findings and experiences of which can help shape policy and entrench in law the kind of principles, norms and procedures that we know will be applied.

5. A CLEAR INSTITUTIONAL FOCUS AND POLITICAL COMMITMENT IS REQUIRED

An approach which involves practical learning by doing as one of its cornerstones requires an institutional framework into which the lessons may be fed. If this does not exist, then important new paradigms and procedures will not find their way into national policy or national law. Political support is also required; if only political support to (i) require policy to be built iteratively and with experiential learning as one of its planks and (ii) to support the actors in seeking out these solutions through practical trial.

6. THE OUTSTANDING ISSUE FOR RURAL LAND POLICY TO ADDRESS IS THE PASTORAL TENURE

Finally, I believe we need to get our priorities right, so we know where to focus policy investigation and testing. Having examined the rural case fairly closely I can only conclude that the class of lands that must be first addressed is NOT the family farm, not the so-called private lands – but the PASTURES.

II. WHY A FOCUS ON PASTURES?

1. MAJOR RURAL RESOURCE

This is not just because pastures represent the major rural land resource in the country (at between 45-80% of total land area) but because –

2. PASTURES ARE THE SITE OF THE MOST UNRESOLVED AND PROVOCATIVE TENURE ISSUES

- (i) First, surrounding the question as to which lands are viable rainfed farm lands now or in the future, and which lands are more properly designated ‘pasture’? How do we classify pasture? The law calls any natural fodder pasture and hands this over to Government control – even should they be found alongside valley floors and rivers. At other times, pasture is considered only high and dry zones. Policy and legal shortcomings in this area are causing a great deal of friction and dispute.
- (ii) Second, how may the reality of community owned pastures in local customary law be attended to? Currently, we have a profound weakness in both policy and law as to the distinctions between community owned pasture and other pastureland. This too is causing a great deal of discontent and dispute.
- (iii) Third, what is the nature of this community property? Is it not private property too, but property which is owned NOT by individuals, but by all members of a community, in undivided shares? How can that property be recognised and legally protected – how can it be registered? We know from international reforms in land administration that this is perfectly possible but we need to explore and test this on the ground.
- (iv) Fourth and related, we need to reassess the currently opaque nature and scope of Public Land and its relationship with Government Land. At the moment all pasture is declared public land – but what is the proper scope of public land? If all pasture is public land, this denies the existence of community-owned pasture. And WHO owns Public Land anyway? The government? The national community? And if it is the national community as the general

denotation of ‘Public Land’ implies, then in the 21st century, when decentralised governance of land is so needed, in whose hands should authority over these national assets be placed? Could it be possible that communities and use rights holders are the logical and most effective source of governance of these resources in their areas? How could this work?

- (v) And finally, we face the complex issue of drawing clearly distinctions between ownership rights over pasture and access rights to pasture. We know that nomads customarily own some pastures – especially in their winter areas – and we know that they have just as strong seasonal access rights in other pastures – the summer pastures. How may these important rights be best accounted and protected? Thus far, equitable provision in policy and law for these two levels of land right-holding does not exist. Nor is there clarity in the nature of the rights that pastoralists have been granted (Ferman or Land Grants issued by Pashtun Kings since 1890s) or acquired through purchase of other means.³

3. PASTURES, NOT FARMS, ARE THE AREAS OF LEAST TENURE SECURITY

There is another profound reason why we need to focus on the pastures first. This is because it is these areas where the most profound insecurity of tenure and access is being experienced. Policy and law has traditionally ignored this, throughout the world, and focused first on the family farm – registering these for example. But how insecure really are these properties? Understanding of how houses, farms and rural shops and business sites are owned is actually very clear and fairly satisfactorily combines customary and statutory norms. This is *not* the case in respect of commonage and pasture: who exactly owns these lands, or *may* own these lands, is dangerously unclear – and contested.

4. MOST LAND DISPUTES CONCERN THE PASTURES

This unclarity provides fertile ground upon which dispute and land grabbing flourishes – and is flourishing. Dispute over the ownership of houses and farms *does* exist in plentiful degree. But disputes surrounding commonage and pasture are *even more numerous*, much more

³ It is useful to refer to the following work for information on the diverse and imprecise nature of rights granted to pastoralists for example in respect of the Badakshan Shiwa pastures; *The Shiwa Pastures 1978-2003: Land Tenure Changes and Conflict in Northeastern Afghanistan* by Mervyn Patterson, for AREU (May 2004).

heated, and much more difficult to resolve. Moreover such disputes affect a great deal many more people, and usually whole villages, clans and communities, both settled and nomadic.⁴

5. THE CHARACTER OF PASTORAL CONFLICTS DOES NOT LEND ITSELF TO COURT OR DOCUMENT-CENTRED RESOLUTION

The reasons for these disputes are much more complex than experienced on the farm. They reach back to land grievances that have a century-long history, which remain unresolved and which will continue to resurface periodically, and with greater and greater disturbance until they are resolved. We need only look at the edict of King Abd 'al Rahman in 1893 forbidding Hazara to use the pastures and the reallocation of these lands to Kuchi to see some of the origins. Or to the British-assisted Pashtun colonisation of the Uzbek North in the 1890s to further understand the sources of grievance. Or, just as potently, to the decision of the 1960s land survey and registration programme to register all lands that were not held by individuals as Government Land, thus depriving several thousand communities of much of their common properties and/or encouraging landlords and other influential persons to secure commons and pastures as their own private property.

We know all around the world that failure to attend to history does not pay off. We know that entrenchment of unpopular tenure norms and procedures does not pay off. We also know from land policy reforms around the world that one of the most important breakthroughs is to pay better attention to the way in which groups of people (settled or mobile) hold land in undivided shares – common properties. Recognising this customary norm, and providing properly for it in law, is arguably the single most important new development in tenure reform worldwide today, closely followed by initiatives to devolve land administration powers and responsibilities to rural community levels.⁵

6. INEQUITY IS FOCUSING ON THE PASTURES

We also need to attend to the pastures (and associated areas of public and common land) because it is in this arena that we are seeing the most striking *polarisation*, and which is leaving the rural poor even poorer and the rich, richer. Let me explain. We know rural land ownership generally is already heavily polarised (although perhaps not yet so polarised as in neighbouring Pakistan or India) with at the very least one quarter of all rural households owning NO land at all, and at least that number again owning not enough land to survive on

⁴ Details on this is Looking for Peace on the Pastures (see footnote 1 above).

⁵ See documents referred to in Footnote 1; also refer Deininger, K. (2003). *Land Policies for Growth and Poverty Reduction* (World Bank Policy Research Report). New York: Oxford University Press for the World Bank.

(the ‘land poor’). We suspect that polarization is going through a sharp rise at this time, with land poor surrendering their last plots to better-off persons, under duress or otherwise. However, it is on the commons and pasture that the inequities in landholding are being most delivered: in the conversion of commons and public land to private farmland, and by the hand of those with combined political, economic and military might.

In short, review of cases and trends shows that the main focus of rural land grabbing is not the family farm or house; it is commons and pastures. The fact that the policy and legal status of common property on the one hand, and the nature of pastures as public and/or Government Land on the other, are so opaque is aiding and abetting this process. (We are of course, seeing the same wrongful or manipulated appropriation of ‘public lands’ in urban areas). It is these domains that are dwindling in size, are most hotly contested – and in general where tenure or access is most in flux, where appropriate norms are least well-developed, and where ownership and access security are least.

7. THE COMMONS AND PUBLIC LAND ARE THE ONLY ASSET OF THE VERY POOR

Moreover, this is to greatest disbenefit to the poor: those who are land poor and those who have no land at all – but who *are* customarily shareholders in the ownership of local community assets – or stakeholders at the very least in proximate pastures currently held by Government. To deprive the landless and homeless of possibly their single capital asset (other than a handful of sheep) reaches into the heart of equity concerns.

In sum, whilst all rural domains are insecure, the most dramatic tenure insecurity is not found in the family farm or homestead but in the commons and pastures. Thus, it is these domains that should focus first efforts.

8. THE VALUE OF THE PASTURES IS RISING BUT TO WHOM SHOULD THE BENEFITS ACCRUE?

There is plenty of indication to suggest that the primary objective of new land policy and legislation at this point is *not* to secure the land rights or interests of the majority poor but to make more land available for commercial and often foreign-backed investment. Even should this remain the case, it is logical to first clarify the real status of commonage and pasture – the so-called rural public lands – and which are a primary target for such investment.

Clarification and rights of ownership and access in these domains is not only important for the majority poor, but important for addressing the equally pressing question – to who should the benefits in the raised productivity of the rangeland justly accrue? Those who possess

longstanding customary rights in those domains, the root tenure of State notwithstanding, or those who have the might to co-opt those benefits to themselves?

III. THE APPROACH: WHY PILOTS AND WHY COMMUNITY-BASED?

Let me be clearer on the kind of approach I am talking about. On the hand I am referring to a *strategic approach to sound policy development*: arriving at new policies, strategies and the foundation for legal norms through an evolutionary approach *that builds at least partly upon practical experiences in the field*.

On the other hand, I am suggesting a *community based approach to the regulation and administration of natural resources*, and including first and foremost, *clarification of the tenure relations* within those discrete zones. The route towards this is the same: both demand a practical piloting approach.

That is, the resolving and reordering through local agreement of contested rights to pastureland is a beginning but does not end there. This process extends logically to all resources in the local subject domain, whether they be pastures, wetlands, forests, hill-tops, barren areas or any other non-private land resource. Thus we are talking about community-based land use planning and implementation, taking its starting point as the pastures.

What do I mean by ‘community’? When approached from a resource context, I mean all those persons and groups of persons who have clear customary rights or interests to access those resources. Those rights vary, particularly in whether they are ownership rights, seasonal access rights or product rights. These rights vary in the extent to which they have been formalised in entitlements and in the manner of those entitlements. Many founding rights will not have been accounted for at all. The pressing issue facing policy-makers is how far they are prepared to adjust current policies and laws to ensure such rights are properly accounted for.

What then, in summary, can pilots give us?

1. **HOLISTIC**: First, such projects can adopt a holistic approach to the issues: conjoining matters of land use and matters of land ownership.

2. PRECEDENTS, AND BASED ON REAL CASES: Second, precedents can be set for new solutions, new paradigms and new procedures – and tested.
3. A PRACTICAL OPPORTUNITY FOR SOLVING CONFLICTS AND BY THE CONTESTANTS THEMSELVES: The process can – and will have to – face and tackle the longstanding and bitter conflicts that most disturb land relations today. Because this will be undertaken at the local level by local disputants themselves, their eventual decisions and agreements will have a better chance of holding.
4. CLARIFICATION OF THE NATURE OF THE COMMONS Is it justified for example to lump all non-farmed land as pasture, or are there practical ways for communities, both nomadic and settled, to distinguish between ‘pastures’ which are solely useful for grazing, those that have multi-purpose utility, those that are more accurately ‘future farming zones’ and to delineate these in ways that are clear, agreed and upheld by users;
5. MEANS TO ARRIVE AT INNOVATIVE NEW NORMS ACCEPTABLE TO RIGHTHOLDERS Not all the constructs needed are provided for in current law or policy to take better account of custom on the part of both settled and nomad communities – and modern requirements, such as relating to the pressing need for nomads to clarify and secure their rights to land in home areas, and such as the need for the important distinctions between ownership and access rights in summer areas to be clarified and entrenched. Much more clarity is also needed in the recognition of common property as the private, group-owned estates of all members of a specific community, and to develop new constructs that enable Government to devolve ownership of certain pastures to locally agreed sets of customary users;
6. DETERMINATION AS TO IF AND HOW BOUNDARIES AMONG DIFFERENT LAND USE AND LAND TENURE ZONES CAN GENUINELY BE IDENTIFIED – AND HOLD BEYOND FIRST AGREEMENT We know already that one of the most important instruments for resolving disputes will be helping communities and nomads agree as to the limits of community pastures and public land pastures. Whether this can be safely done and how it may be done will be identified and tested.
7. DETERMINATION OF THE SIMPLEST AND MOST EFFECTIVE MEANS FOR ENTRENCHING AGREEMENTS, THUS GUIDING REGISTRATION THE SHAPE OF RURAL REGISTRATION it is likely that participants will look to the

substance of their agreements being registered, and at local level. They will work through how these agreements will be upheld and these systems too can be entrenched in formal agreements. This will guide policy and law as to what should be considered 'legal entitlement' and upheld by the courts.

8. **NEW, CHEAP AND LOCALLY SUSTAINED INSTITUTIONS FOR MANAGING LAND INTERESTS CAN BE PUT IN PLACE AND TESTED.** We know that in principle community based land administration is ultimately desirable – but how in these circumstances can this really work, and be accountable and fair? It goes without saying that important stakeholders like nomadic groups which have seasonal rights to the pastures must be members of these decision making and implementation bodies.

9. **LAND USE AND LAND TENURE REQUIREMENTS CAN BE NATURALLY INTEGRATED IN THESE APPROACHES.** Working within a clear socio-spatial framework and assisting those involved to appoint or elect a land committee to manage and regulate their land areas will at one and the same time provide a logical route through which important interventions can be channelled. Without such a local institutional framework and base it may prove very difficult to introduce and sustain the kind of interventions in pasture management and livestock productivity that may be suggested on the second day of this workshop.

10. **THE FRAMEWORK FOR RULE MAKING AND UPHOLDING OF RULES CAN BE DEVELOPED AND TESTED**
 Critical bottlenecks such as current failures at both local and state levels *to regulate the expansion of farming into non-viable areas* can for example be better tackled in this context and decisions, rules and systems arrived at and owned by those to whom these issues matter most – local communities and pasture users;

11. **THE RELATIONS OF STATE AND PEOPLE CAN BE FAIRLY ADJUSTED**
 This is especially important in respect of the pastures. As currently controller of the pastures, and possibly even owner, the role of government is critical. Ideally, government's role will in be able to mature in these practical projects as less land owner and land allocator than technical adviser, facilitator, mediator and watchdog of fair practice.

12. **FINALLY SUCH GROUNDED APPROACHES SHOULD RAISE MORALE** and lessen wide concerns in rural areas that Government is simply unable to resolve the

pressing tenure problems and conflicts surrounding the pastures. By simply getting out there, and modestly but systematically tackling a handful of real cases and carrying through in a thorough and holistic manner, the Administration can demonstrate that deadlocks can be overcome - and by people themselves. New and more workable systems can be set up - and with themselves as key actors. It is in such ways that public ownership of new policy - and in due course, new law - is built - an prerequisite to making new law and policy applicable - and upheld.

IV. HOW CAN THIS WORK?

Let me give you a practical example of the process in one pilot initiative, assuming the target pasture area has been identified. First a Facilitation Team is formed, comprising an experienced Tenure Facilitator and a Senior Government representative, and who take ultimate responsibility for the implementation. The time of a Range Management Specialist is secured on a periodic basis to provide specific assessment and advisory inputs. This core team finds out through local consultation with communities around the subject pasture and from the Provincial Kuchi Shura exactly who are the users of the pasture, both past and present. They call representatives of these groups together and assist them to form a combined *Local Land Review Team*.

1. This team closely examines each and every pasture on the ground and with the guidance of the facilitators, sets out to identify for example -
 - (i) *workable boundaries* between local community domains and public land pastures as may be agreed and upheld by both parties;
 - (ii) the *access rights* that exist by decree, allocation or custom over both local Community Area and adjacent Public Land Pastures, and how those that do not conflict may be rationalised and secured in formal and registrable Agreements;
 - (iii) Conflicting claims of ownership and access which cannot stand together and where compromises need to be made, with mediated assistance by the Team to achieve this;
 - (iv) Clarification of tenure, regulation and uses of Community Domains, including for example, agreement as to the exact boundary beyond which no cultivation will in future occur, together with steps to bring existing cultivation beyond that agreed line to a halt;

- (v) Definition, as applicable of domains which are not owned by single villages but by all villages jointly (e.g. by all villages in the valley or within the manteqa) and accordingly, establishment of agreed boundaries, access rights and systems for their regulation; and agreement as to sustainable uses of these greater Community Domains (e.g. only pasturing, or permitting certain tracts to be cultivated, areas where collection of winter fuel and fodder is permitted, on what basis, water collection, etc); and how those rights will be allocated fairly and regulated;
 - (vi) Unpacking as necessary conflicting notions of private and group ownership of those resources;
 - (vii) Similar clarification in respect of Public Land pastures beyond Community Domains, in terms of right-holders and user groups. This will include examination of how seasonal users subdivide their individual or shared access to these areas and how local community users exercise rights of access to those same zones; with agreement by the representing parties of acceptable norms, and how these will be entrenched and upheld;
2. Formal agreements on all the above follow, step by step;
 3. The institutional basis is established through which Agreements and Regimes for Regulating Access and Use will be sustained and upheld, and disputes arising handled;
 4. Following community wide consultation and agreement, with significant district and provincial participation, final Agreements are signed;
 5. Mapping of each domain is undertaken, on the basis of GPS readings;
 6. Arrangements for district and provincial registration of these agreements are made, including detailed descriptions of each boundary agreed, the associated rights, right-holders and rules of access and use for each area, and agreement as to the precise procedures that will be followed in the event of breach.
 7. The process is documented, including the resulting Agreements and types of tenure norms established, with a view to feeding these innovations directly into wider policy making.
- Note that likely new policy and legal constructs include –
- (i) Clearer provision for recognition and registrable entrenchment of common properties as private, group owned estates (Commonhold Tenure), and crucially, with agreed access and use plans a prerequisite to their final registration;
 - (ii) New constructs of Pasture Domains which may be declared by all user groups, with a view to these being precisely mapped as discrete estates and brought under the regulation of local Pasture Committees; these Domains would remain under

the root title of the State (Public Land) but with management of the Domain formally devolved to the Committee, pending satisfactory evidence of the following:

- agreements among customary users as to access right-holders;
- agreement as to the system for regulating sustainable use and management of the Pasture that will be followed;
- agreement as to the precise perimeter boundary of the Domain;
- establishment of the Pasture Domain Committee in an equitable and fair manner, ensuring that all key user groups (x villages and x Kuchi clan users) are properly represented, and in agreement as to how often, where they will meet, and their powers of administration and responsibility laid out and agreed;
- successful decision-making and implementation by the Committee;
- a viable system for resolving disputes arising with either members of the user groups or among them, or with outsiders;

(iii) legal provision for the recognition of Pasture Domain Committees as the local legal Land Authority, with ample procedural provision for powers, responsibilities and accountability and the right of Government to intervene where the system is failing; and

(iv) clear legal distinction between sets of ownership rights to pasture and sets of seasonal access rights, with sufficient protection of the latter.

8. Documentation of the process, the procedures that worked, the decisions that were reached, and the resulting constructs arrived at (e.g. commonhold tenure) logically follows – along with regular monitoring. These feed directly into shaping policy on the pastures.

What is achieved through these practical initiatives? Several developments, *all with workable procedures for replication* -

1. Resolution of festering disputes and even armed conflict over pasture access, including the re-opening of certain pastures to nomadic use, under new and accepted regimes;
2. Community supported break upon conversion of pasture into farmland where this is environmentally unviable or being unjustly undertaken in terms of depriving majority community members of their rights to these commons for pasturage (most expansion is undertaken by commanders or elites within the community);
3. Establishment of community based institutions for simple land use review and planning and on-site resource management and regulation;
4. New tenure frameworks which better mirror key distinctions between ownership and access rights; between individual and group-held property; between private and public land and enabling overlapping rights to be reordered and clarified;

5. A regime which enables the open access and free for all nature of Public Land Pasture to be curtailed, through consensual demarcation of specific pastures and their being brought under user-group management;
6. A platform through which other related resources (water, forest) can be brought under workable and local management;
7. A system for integrated land tenure and land use development;
8. A practical route towards devolved governance of natural resources.

V. WHAT SUPPORT IS NEEDED?

1. First, a clear and effective *institutional focus* which can both commission and coordinate appropriate pilot projects – to be there to ensure that the findings ARE fed into the policy making process;
2. Second, in principle policy support, that Government is indeed looking to resolve the problems on the pasture and *willing to adopt new approaches* in national policy and law to achieve this;
3. Third, that it endorses an iterative approach to this rural policy formulation, drawing at least in part upon practical learning by doing exercises;
4. Fourth, the political and administrative will to permit grounded and practical exploratory approaches.

With these to hand, there is no reason why Kuchi nomads, *together with settled communities* in the summer pastures areas, cannot once and for all arrive at fair decisions as to the seasonal use of summer pastures. This same process can be put to work to facilitate identification and entrenchment of rights in winter home areas.

Thus, what I have roughly outlined here for you today is both PILOT AND PROCEDURE - a community based approach to natural resource management that begins with the clarification of tenure and access rights. It is this foundation that is essential to the sustainable launching of pasture, forest and water resources.