

# INCLUSIVE LAND AND WATER GOVERNANCE IN MAURITANIA

ILC'S DATABASE OF GOOD PRACTICES



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Country: **Mauritania** - Principal Organisation: **IFAD**

### ABSTRACT

IFAD worked with local communities in Mauritania to strengthen their access to flood recession land along the Senegal River Valley. The project prioritised effective land and water governance, and creation and regulation of water infrastructure. It also focused on land tenure by determining the nature, content and duration of the

property rights over land, water and water infrastructure; establishing systems for recording those rights; creating institutions and processes for resource management; and providing forums for the settlement of disputes. Overall, the project has enabled landless people to have secure access to land and clearly defined land rights.

### ILC COMMITMENTS



**SECURE TENURE  
RIGHTS**



**INCLUSIVE  
DECISION-MAKING**

# COMPETENCIES

## AREAS

**COMMUNITIES,  
INDIGENOUS &  
RELIGIOUS INSTITUTIONS  
AND RIGHTS**

**RURAL LAND  
GOVERNANCE**

**WOMEN'S LAND RIGHTS  
AND GENDER JUSTICE**

## SKILLS

**MAPPING AND LAND  
REGISTRATION**

**ESTABLISHMENT AND  
STRENGTHENING OF  
LOCAL**

## BACKGROUND

The *Projet d'amélioration des cultures de décrue à Maghama* (PACDM) project area is located in the Senegal River Valley in Mauritania. The river constitutes an essential resource for the livelihood of local populations, and it has long been recognized for its development potential. The population in the area mainly practices farming,

fishing and livestock rearing. The area is characterized by a semi-arid Sahelian climate and low, but highly variable rainfall. Among the agro-ecological zones present in the area, the Walo (flood recession farming area) is in high demand among community members as it offers the highest potential for increased incomes.

## THE CHALLENGE

In Mauritania, the complex land tenure system constitutes a threat to access to essential agricultural resources for many community members. The vast majority of the country's population lives according to customary law, which is not recognized by the State. Customary land tenure systems in traditional societies recognise males as landowners, and bestows upon them the power to exercise their discretion in land allocations and the responsibility to ensure that all members of the community have access to land.

The land tenure system distinguishes between "strong statuses" (*dieye and diengue*) and "weak statuses" (*loubal, rempetienne, ndiouldy*). Community members with strong statuses have the power to distribute land to people of a lower caste. The recipients on the other land have to pay *assakal* (tithe) to the lineage which owns the property, enter into sharecropping contracts and pay by giving part of their crops in exchange for the use of Walo land.





## OVERCOMING THE CHALLENGE

In order to ensure vulnerable groups' access to Walo land, IFAD supported the development of water infrastructure in the Valley. Their financial support for developing the water infrastructure was conditional on the signing of an entente *foncière* (land distribution agreement) that governs land allocations. Although not obliged to provide ententes

*foncières*, community leaders complied because they were willing to promote transparency in the allocation of land and water resources. Through the establishment of village development committees, land owners have been proactive and objective in allocating flood recession land to community members.

## MOVING TOWARDS PEOPLE-CENTRED LAND GOVERNANCE

The project has ensured that eligible farmers obtain secure access to flood recession land. Overall, the project has enabled landless people to access Walo land; traditional land owners to have secure land tenure, and in turn provide clarity to their land dependants, who are often people of lower status, on the area and duration of their land rights.

The village development committees have worked to strengthen

transparency in the allocation of land. The *ententes foncières* have contributed to the elimination of the *ndiouldy* and *rempetien* practices that require lower status people to pay *assakal* to land owners and to develop the allocated Walo land. Furthermore, the land owners and the beneficiaries of the *Procès verbal d'insertion* (written agreements-PVIs), were given signed copies of the original ententes *foncières*.



# THE GOOD PRACTICE IN FIVE SIMPLE STEPS

1

**Preparatory phase:** An informal National Coordination Council was set up, with the mandate to raise community awareness, facilitate the negotiations, and defend the interests of the beneficiaries in the drafting and signing of the ententes *foncières* with the State. They also developed a draft land agreement that serves as a basis for negotiations within the villages. This draft agreement, was disseminated and explained by the National Coordination Council during village assemblies. The Council continued to raise awareness in the village until the majority of concerned villages approved the proposed draft agreement and expressed their willingness to participate.

After about two years of negotiations, the draft land agreement was adopted and signed by government representatives and 25 (of 28) village development committee presidents in July 1995. The remaining three villages signed the agreement in 2002. A committee of wise men was set up by the village development committees in 1996 with the mandate to mediate conflicts within and between communities and the project; facilitate the implementation of land tenure agreements and project activities, and to ensure the smooth operation of the village development committees.

2

**Village development committees.** Socio-land tenure surveys were carried out during each village assembly. The socio-land tenure survey made it possible to identify, by village, and by *gallé* (extended family) all rights holders, strong and weak, all the land owners and tenants, and the different land categories. The survey provides more precise data on location of plots, based on geographical features and approximate areas of the fields. These indications may vary according to the year, in view of the land owners' right to change land distribution according to the intensity of the flood recession. However, infrastructure works to control flood recession have, to a large extent reduced the need to change land distribution.

3

**Socio-land tenure survey.** A committee for the validation of the socio-land survey data was set up and spent six weeks validating the survey results in the 25 villages, working with the village development committees. As a result, each village now has a validated register that gathers land records drawn up by each head of extended family, containing information on family structure, land rights, statutes, and surface areas. Each family sheet is signed by the president of the village assembly, head of extended family, and members of the validation committee. The outcome of the validation process is always shared publicly during a village assembly.

4

**Validation of the survey.** The communal land offices adopt an alternative land conflict resolution mechanism, with the communal council serving as an administrative appeal board and the cases only sent to the courts when the communal council could not solve the dispute. Using this local conflict resolution mechanism enables to expediate cases that would otherwise take much longer to be settled.

5

**Written agreements.** The final step involves the creation of *Procès verbal d'insertion* (PVI-written agreement) in which all parties commit to securing access to land for vulnerable groups by granting them secure tenancy agreements. A draft PVI was proposed to the beneficiaries as an instrument for measuring the application of the land agreement and submitted to the Government and IFAD for approval and amendment. At a meeting on 11 May 2000 the draft PVI was approved and the minutes of this meeting signed by all the participating Ministers.

5





## KEY FACTORS OF SUCCESS AND REPLICABILITY

PVIs between landowners and the landless have been introduced in other IFAD-supported projects and are a pre-condition for IFAD-funded water infrastructure projects. They are based on the principles of justice, solidarity and efficiency, and include land tenure assessments; negotiations and endorsed written agreements.

The creation of community management structures is essential to ensure efficient management and implementation of land agreements and to protect all stakeholders' interests.

## LESSONS LEARNED

Implementation of this project highlighted that cooperation with the community is essential for identifying local strategies for the promotion of equitable access to water and irrigated land in different contexts. Furthermore, access to capital and joint planning and modelling of water resource development projects is essential for increasing land productivity.

Implementation of the project has not been without challenges; the Walo Users' Association and the village development committees are still weak institutions. Only five village development committees are collecting water fees and the committee of wise men have failed to hold regular meetings. Furthermore, there has been no retrocession of infrastructure maintenance to the Walo Users' Association, thus water infrastructure is in poor condition. It became apparent that the first phase of the project failed to provide appropriate support services to the farmers; and organizational, technical and managerial capacities for the committee of wise men and the Walo Users' Association.

The first phase of the project neglected the land and water interests and needs of pastoralists and fisher folk. This resulted in conflict with farmers, and infrastructural damage. To remedy this oversight, the second phase of PACDM targeted 500 pastoralist and fisher folk households.





## FIND OUT MORE

Jonckheere, S. and Liversage, H. (2017) Inclusive land and water governance: experiences from Mauritania and Senegal. Paper presented at the World Bank 2017 Conference on Land and Poverty. Washington DC, USA, 20–24 March 2017.