

**Elaboration of a local convention for
natural resource management:
A case from the Bam region, Burkina Faso**

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INTRODUCTION

Like other parts of the Sahel, Bam Province in Burkina Faso is subject to intense pressure on landed resources as a result of demographic growth, a high population density (53 inhabitants/km²)¹ and serious deterioration of the soil as a result of over-exploitation or inappropriate use of arable areas. The extension of agriculture to marginal soils and valley-bottomlands is endangering other resources, such as grazing and woodlands.

In Bam Province, there has been a sharp decline in the area of grazing and woodland around villages. There are now only five remaining woodland/grazing areas – defined as “protected forests” in the Forest Code – in the whole Bam Province, spread over several village territories (see Figure 1). These serve both as “areas of refuge” for sedentary and transhumant herd-owners and as “firewood gathering areas” for neighbouring villages and urban centres, further aggravating the degradation of bushland, which consists mainly of scrub and wooded savannah and a few islands of dense dry or gallery forest.

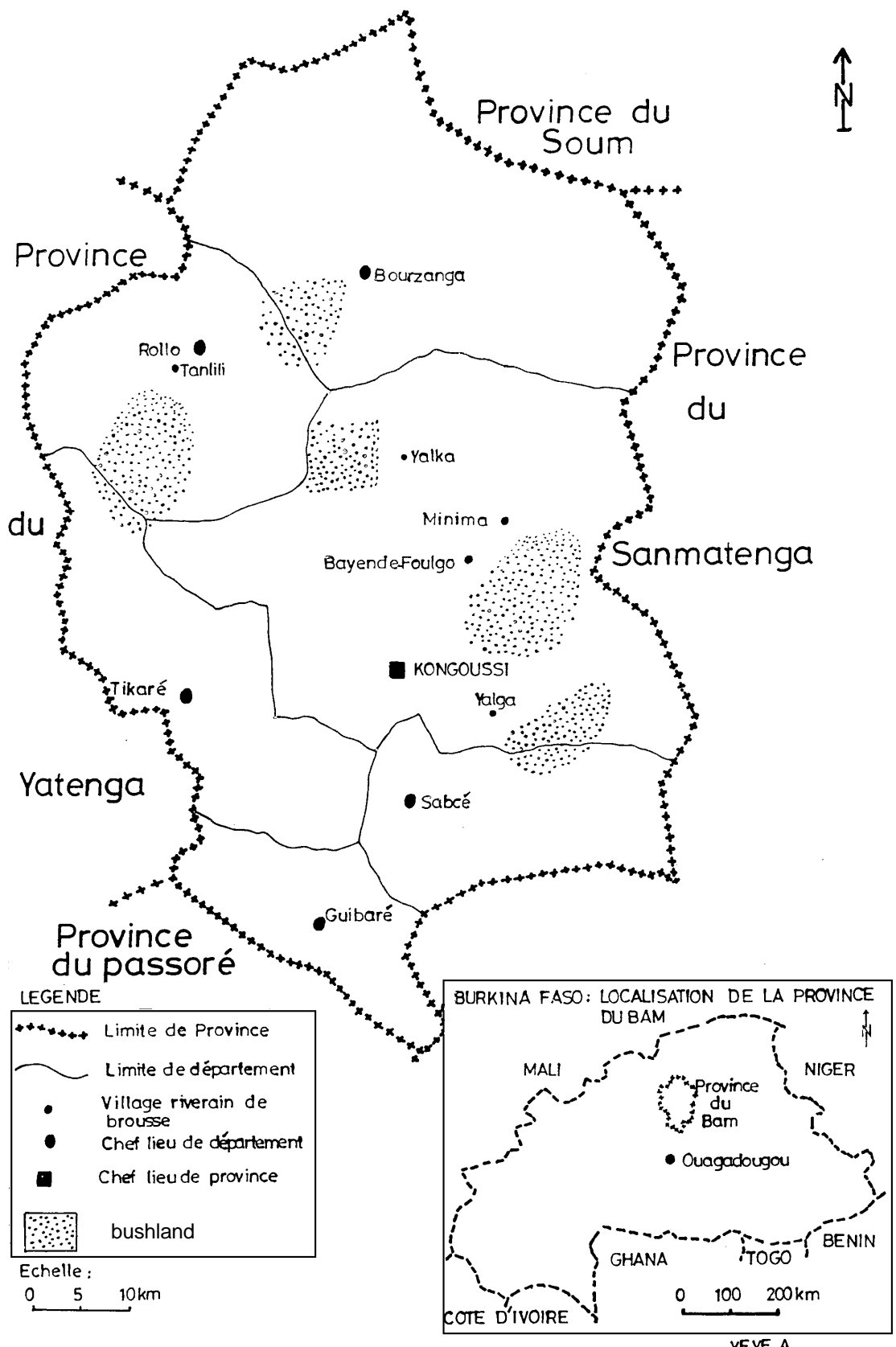
Given the lack of fertile land and the consequent scarcity of natural resources, these “bush areas” are subject to a conflict of interests between the different groups wanting to appropriate a share of them. The arable area now amounts to just 0.8 ha per user², and there is no scope for the further expansion of arable farming. Herd-owners’ access to grazing land and watering points has become increasingly restricted by the encroachment of arable crops. However, in the conflict of interests between the principal antagonists – cultivators and herders –³, the fact that their activities are complementary is easily forgotten (see Breusers et al. 1998, p.357 ff.) Both farmers and herders know they would suffer if herd mobility was further constrained in Bam Province (Thébaud 1996, pp.25-26) – though this does not stop them from being in competition.

Figure 1: Map of Bam Province showing the residual areas of “bush”

¹ According to census data (November 1997) obtained from the main town of the *département*.

² Calculated using data gathered by Kunze, 1994.

³ Since the vast majority of farmers practice both arable farming and herding, the terms “arable farmers” and “herders” in fact refer to the identity preferred by the farmer concerned, reflecting his main area of activity.



Because of the scarcity and unpredictability of rainfall (an average of 600 mm/year), it is not possible to base methods of soil fertility management solely

on mineral fertilisers, and subsistence agriculture remains dependent on organic inputs from livestock dung.

In grappling with the problem of rational land management, support has concentrated on combating the degradation of land and natural resources. In Bam Province, the development of this sector is closely linked to a project supported by the German overseas development administration (GTZ). The aim of this project (known as PATECORE), set up in 1989, is to develop village lands and conserve natural resources.⁴ Its area of intervention takes in roughly 170 villages and covers approximately 90% of the territory of Bam Province. From the very first stage, the PATECORE project introduced male and female farmers to soil and water conservation methods (SWC) and methods for recovering marginal lands that had been abandoned, and promoted cropping techniques designed to maintain soil fertility. In the beginning, the emphasis was on large-scale works, for which the entire village community needed to be mobilised, but activities at individual field level soon became more important. Today, most of the development work is at the level of the individual agricultural holding. To date, approximately 25,000 ha have been brought under improved management in Bam Province.

In parallel with this work, a process of village land management was initiated, based on village level planning, the strengthening of village organisation and the formulation of rules, to establish protection⁵ (*mises en défens*) of woodland and grazing areas. However, the setting up of these protected areas was not a success, because herd-owners were not willing to co-operate with the project (see p. 11 below). This was because the project's approach temporarily deprived herders of their rights of access to grazing. The problems were aggravated by the fact that the approach to Village Land Management (VLM) – practised by many projects of this kind – tended to favour the interests of arable farmers. Because the project was based on the participation of sedentary groups who live mainly by agriculture, the emphasis was on the development and extension of farm land. Those groups practising competing activities were therefore marginalised and excluded from village lands (Sulser and Kirsch-Jung 1999, pp.5-6).

⁴ The PATECORE project's efforts to develop village lands and conserve resources on the central plateau are featured in the film "People's Effort to Combat Desertification" (see FAO / UNEP 1999).

⁵ These measures involved the banning of all forms of usage, including grazing over a defined area for a specified period. In most cases, the regulations intended to promote recovery were discussed only with the "land-owning" village.

The VLM approach did little to solve the problem of the deterioration of “bush” areas so the project has therefore broadened its activities to include forestry and pastoral issues, which need to be dealt with at the inter-village level. Following the problems experienced with protected areas, there was some uncertainty as to whether herd-owners could be persuaded to accept the project in its new role as mediator between differing interests.⁶ In this document, we describe and discuss the case of an arable/woodland/grazing area in which the different interest groups have arrived at a consensus on how to practise a more appropriate type of management.

THE LEGAL FRAMEWORK

A feature of life in Burkina Faso, as in many other African countries, is the co-existence of several legal systems, or a plurality of legal frameworks (MAE-CD 1999, p.39). It is therefore not enough to analyse the country’s “modern” legislation and legal framework; we also need to take into account the “traditional” regime and its implications for the way things are done. The main purpose of this study is to analyse the role and responsibilities accorded to local populations, and their impact on protected forests.

The Forest Code

After Independence, the management of forest reserves (bushland, listed forests, etc.) in Burkina Faso was governed by legislation which excluded local populations from any decisions regarding State property (see Stieglitz 1999, p.140). The State was the sole recognised manager, responsible for the organisation, policing and exploitation of the forests, and exercised its authority in accordance with a forestry policy and legislation which were repressive in character (Buttoud 1995, p.102). In 1997, this policy was replaced by Law N° 006/97/ADP establishing the Burkina Faso Forest Code (FC).

A key element of the new policy is the concept of subsidiarity, based on the principle of decentralisation. The aim of the Forest Code is to establish a harmonious relationship between protection of forest resources and satisfaction of the economic and social needs of the local population (§ 2 of the FC). It

⁶ We have not used the term “conflict management” in this context, even though differing interests may often be regarded as latent conflicts. Careful consideration of people’s interests has proved to be a more promising way forward in village land management, because it avoids a situation of open opposition between interest groups.

defines the State as guarantor of the conservation of resources (§ 5 of the FC). The law makes a distinction between public forest lands of general national interest (§ 29 of the FC) and those of general local interest (§ 24 of the FC). Whereas the former continue to be the responsibility of central government, the latter are subject to the future Collectivités Territoriales Décentralisées (CTDs) [local government bodies]. The Forest Code accordingly authorises local communities and/or CTDs to exploit forest resources. The law also provides for public forest lands to be managed by third parties (§ 38 of the FC). These may be individuals or companies, in the public or the private sectors, with which the state forestry services enter into a management agreement. The terms of such agreements must, whenever possible, ensure that there are benefits for neighbouring communities (§ 39 of the FC).

In parallel with the process of decentralisation and transfer of management to the future CTDs, the State has introduced a number of measures governing arable/woodland/grazing areas, which are regarded as public protected forests (§ 16 and § 26 of the FC). Any exploitation of these bushland areas for firewood and any clearing of land is subject to the user obtaining a permit from the forestry services. However, the State does recognise the rights of neighbouring communities to exploit non-timber forest products (NTFPs) and grazing, and to grow crops (§ 57 du CF).

These regulations are effectively an extension of the old arrangements which proved ineffective. Experience in Bam Province shows that state control of land clearance is all but non-existent, while the issuing of permits to cut firewood is done without reference to any valid database⁷ (be it a forest inventory or other instrument). The cutting of firewood, mainly with the intention of supplying the main towns, though nominally controlled by the State, therefore contributes to an even more rapid degradation of resources. We can only conclude that the two main elements of conventional forest management intended to preserve protected forests and their resources (Kläy 1995, p.116) – the conservation of the forest area itself and the imposition of quotas and/or periodic bans on the cutting of wood – are ineffective.

In the absence of implementation measures (decrees, administrative orders), the Forest Code merely sketches out the guidelines that should be taken into account. It is not operational in the strict sense of the term. This means that development projects operating in this sector need to find flexible, appropriate formulae for the different circumstances they encounter on the ground, while

⁷ An observation made by Hermann Grell, head of the forestry service (SPEEF) in Bam Province in 1997.

sticking to the spirit of the Forest Code, which aims to strengthen local structures. Moreover, there is little real agreement on the content of a set of rules and specifications that have to be drawn up, nor on whether it is permissible to transfer responsibility for village land management to the local community before decentralisation comes fully into effect.

The traditional land tenure regime

One may wonder to what extent this “legal vacuum” is filled by the traditional regime controlling access to land. Bushland areas are perceived by local people as belonging to them and under their management for “community usage”, access to which is only very partially controlled. The old exclusive rights to hunt valuable animals such as elephants, to hunt game and gather locust beans (*nééré*), often granted to local leaders, have fallen into abeyance (Ouédraogo 1994, p.10). The same is true of the different forms of official proclamation banning use of a particular resource (such as the *buan*). This means that a number of effective local mechanisms have disappeared (Amler, Betke et al. 1995, p.53), except the prerogative of the land chief (*tengsoba*⁸) to control access to land for agricultural use.

The *tengsoba* exercises traditional authority over the land surrounding an old-established settlement whether inhabited areas, or bushland. The *tengsoba*'s function is essentially religious and legal. He performs rites and leads worship, and settles land tenure disputes. He can also grant fields for a one year period on loan to others seeking land.

In many African societies, including that of the Mossi of the central plateau of Burkina Faso, land, though it may be managed by individuals, has a social character. Areas of bushland are therefore seen as land reserves and may be granted to persons in need, on a loan basis, by the land owner. The consequence is that under the pressure of a growing population woodland areas have gradually been transformed into farmland.

In conclusion, there is every reason to believe that neither the form of control currently exercised by the State nor traditional arrangements are sufficient to provide a satisfactory solution to the problems. The policy of the Burkina Faso government is still focused on managing the exploitation of woodland resources,

⁸ This traditional function is distinct from that of the political authority exercised by the village headman. In this area, while political leadership is the prerogative of the Mossi chiefs, the function of *tengsoba* is exercised by the native people (*nioniosé*), except in cases where the Mossi have established themselves in territories abandoned by the native people (Ouédraogo 1994, p.9).

even though the real forestry potential of this Sahelian region is very limited. For this reason, the management of protected public forests in these areas must integrate agricultural, grazing and woodland production systems, while ensuring that natural resources are conserved. Agreements or local codes drawn up by and with the local communities are a key element in working out more appropriate village land management strategies (see Sulser 2000, p.17 ff.). In the following pages, we present the example of Goada.

THE PROCESS OF FORMULATING A LOCAL CODE

Taking the initiative

The village of Yalka first expressed the idea of “saving” the Goada bush area at the time of the 1995/96 farming season. This area of bushland is one of the last major wooded areas in Bam Province (see Figure 1). It is located roughly 20 km north of Kongoussi, the main town of Bam Province, on the Djibo road. The villagers of Yalka found their first attempt to improve its management was not very successful, and that “exclusive management” of the bush area was in fact impossible. Such a management system would oblige them to forbid access to their friends and relations from neighbouring villages. They did not think they were in a position to exercise such authority. Recognising the limitations of their mandate to manage this area of bush, the villagers of Yalka decided to work for an inter-village approach. An overview of the process is given on the following page (Figure 4).

The approach adopted

Given the many different expectations associated with the conservation of bush areas in Bam Province, the approach adopted was based on “action research” principles, with the provisional objective that an on-going sustainable system for managing the Goada bush area should be established by the users themselves.

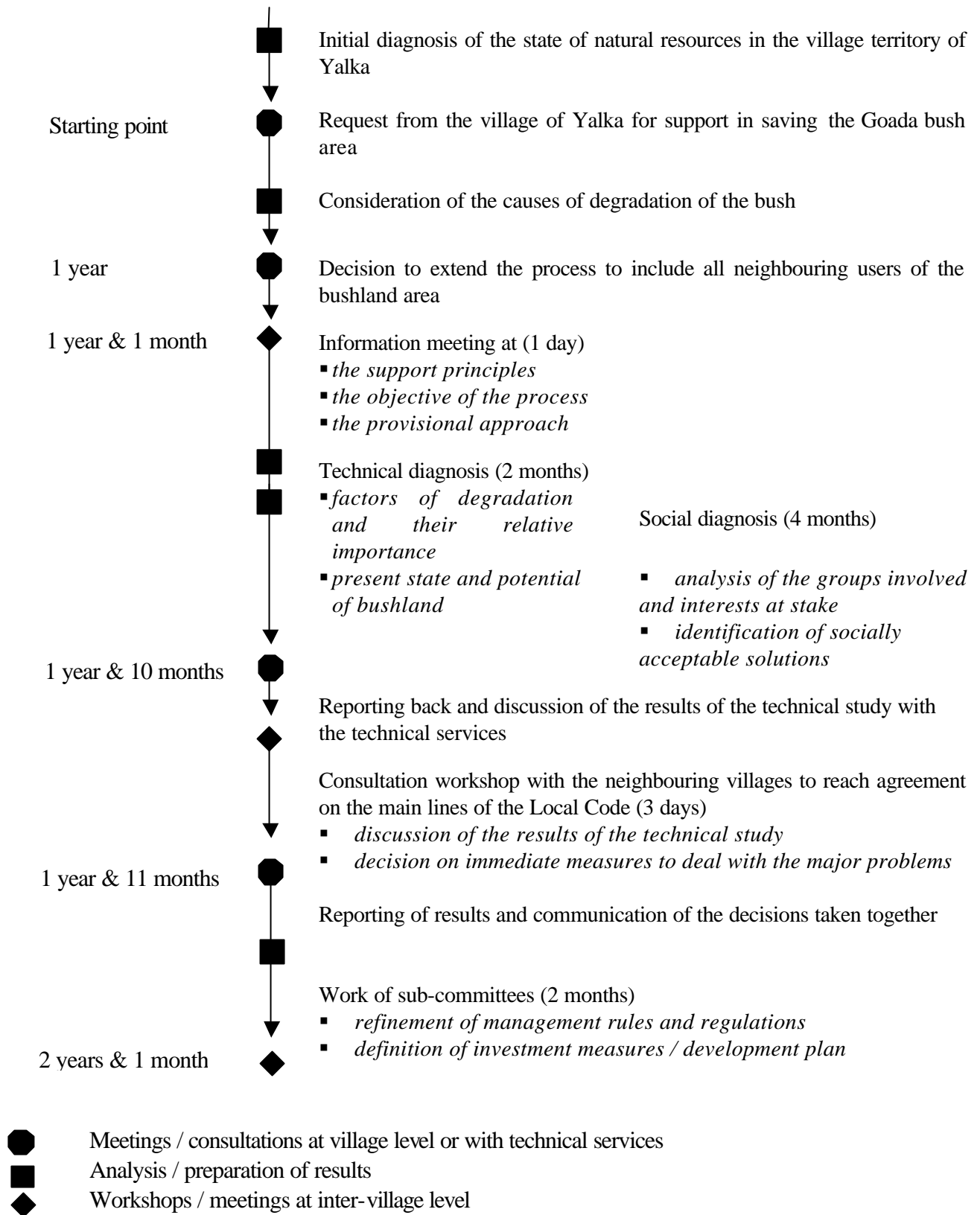
The three essential principles were:

- involvement of all the persons concerned;
- rejection of blue-print technical solutions;
- negotiation of a compromise socially acceptable to all parties.

These three principles show that the approach was not chosen with a view to introducing what might seem to us to be the most efficient technical solution. Although the objective of sustained management was not entirely abandoned, our approach was based on finding a compromise acceptable to all parties. It was

essential to reject pre-defined technical solutions and involve all parties in order to make a distinction between the new approach and the measures adopted in the past, and signal the fact that the project now wished to play the role of mediator.

Figure 2: Stages in the process of formulating a Local Code for Goada



Identifying the parties concerned

At the beginning of the process, our knowledge of the “bush” area was fairly limited, in both technical and sociological terms. Various sources of information, such as a map drawn by the Yalka villagers at a preparatory meeting, were therefore used to draw up a list of all the parties with an interest in the area. This map indicated the uses made of resources and the categories of user, as well as including information obtained from the traditional chiefs of the area, in particular the chef de canton of Dattenga and the Fulani chief of Nakindougou.

In launching this exercise, two major difficulties had to be overcome: the large number of potential actors and how they were to be represented. To reduce the number of actors involved, an initial list was drawn up including both direct and indirect users of the bush area. Those groups making indirect use of the bush, for instance villagers who entrusted their animals to herders, were discounted on the grounds that their interests were well represented by the herders themselves, who qualified as direct users. Villages in the vicinity of the bush area not mentioned as users were also excluded from the list.

Strongly influenced by earlier experiences⁹, the herd-owners of the Fulani community living in the Goada bush area tended to see the exercise to identify interested parties as the beginnings of a strategy to oust them from the area. Consequently, some herders expressed their concerns at a meeting held in Yalka, triggering a sharp dispute with some of the Yalka farmers. Not until the Fulani chef de canton lent his support could a climate of co-operation be restored. The “expulsion theory” in fact persisted within the Fulani community throughout the process of formulating the Code, and was only finally discredited with the adoption of a compromise solution for managing the bush area in a new way.

There were two possible models for choosing representatives to debate the issue at the inter-village level: one based on “interest groups”, the other on the concept of “resident community”. The disadvantage of the first option was that users have multiple interests where production systems are concerned, and no formal associations exist to represent distinct professions.

So, while recognising that there would be a degree of heterogeneity within one and the same community, it was decided to choose one representative from each village or hamlet. The question of how the different interest groups could best be represented was thereby shifted to the level of the communities themselves.

⁹ Some of these herd-owners had been forced to leave the neighbouring village territory of Kiendyendé when a protected area was established there.

There was a degree of risk attached to the option chosen, associated with a group of *djelgobé* Fulani, transhumant herders from the neighbouring province of Soum, and with a group of Bella wood-cutters who did not live permanently in the area. In the case of the first group, the risk was reduced somewhat by the fact that their interests were partly shared by the resident Fulani community, which normally acted as their hosts. In the case of the Bella, a group of four families who lived for roughly five months of the year in a farming village, the risk was greater. They did not in fact participate on an equal footing,¹⁰ except when consultation sessions were held in the host village¹¹. When it came to the meetings at inter-village level, the host village refused to let the Bella be represented in their own right.

Involving the state technical services

The Goada bush area is managed partly by the State, acting through the provincial department for the environment, rivers and forests (SPEEF). Therefore, before the process of formulating a Local Code could begin, a framework agreement setting out the principles and main stages of the Goada procedure had to be established with the head of the SPEEF¹². This agreement was respected, despite a large number of changes in personnel within the SPEEF. Other governmental services associated with the management of the bush area were also identified: the departments responsible for farmer organisations and the co-operative movement (SPOFPP), for livestock (SPRA), and for agriculture (SPA). They all were involved on certain occasions, depending on their technical specialisms and individual mandates.

Information meeting

Fifteen or so villages and hamlets were included in the list of users as a result of the identification process. The chief public figures of these settlements were invited to attend an initial information meeting. The chef de canton of Dattenga, having taken on the duty of issuing the invitation, agreed to take charge of the

¹⁰ Even limited consultation proved difficult because, with one exception, no one amongst the Bella spoke the *mooré* language.

¹¹ It had not been intended that involvement in representation at village level should be a project task.

¹² The SPEEF's collaboration in this process was initially the result of a "moral" obligation towards the PATECORE project, which had previously funded a range of activities undertaken by the technical services. Engagement in the process was to make the services far more open to co-operation with a range of actors.

meeting. It was attended by the village representatives (village headmen, people in positions of administrative responsibility or land chiefs), as well as members of the State services (SPEEF, SPA, SPOFPP), and the prefect.

The purpose of the meeting was to inform the participants of the identification process and the reasons for it, the principles governing our approach, and the proposed procedure. At the same time, the two key elements of the approach –1) The complementary nature of herding and arable farming in the production systems of the province, and 2) the difference between the present approach and earlier ones, such as the protection measures of the early 1990s – were explained, to help all the participants understand and interpret the proposals in the same way.

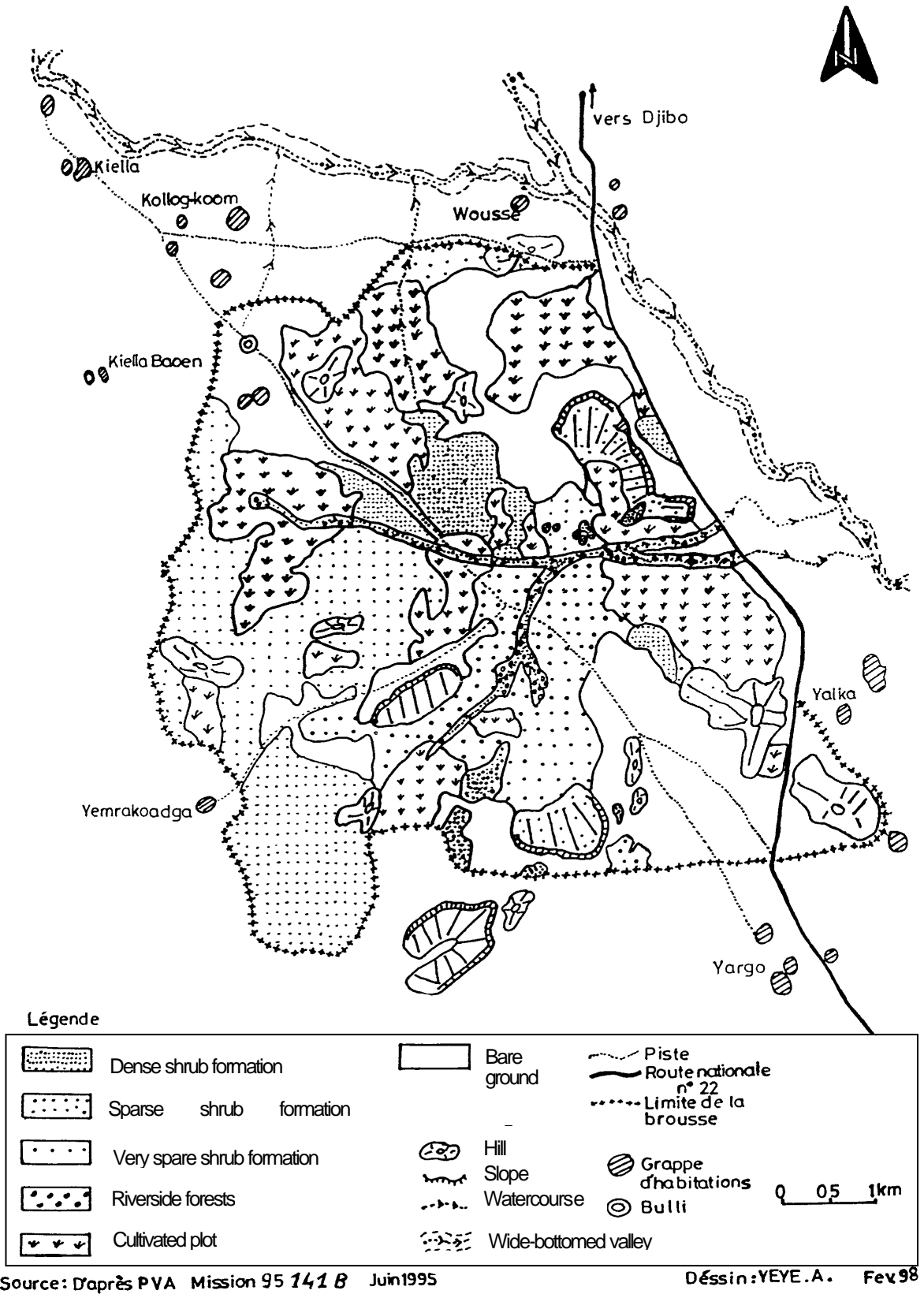
Participatory diagnoses

Two participatory diagnoses were conducted in parallel:

- a diagnosis of the interests at stake (referred to as the “social diagnosis”)
- an inventory of the bush area and its wooded resources (referred to as the “technical diagnosis”).

The purpose of the two diagnoses was to gather the information needed to identify the true state of the bushland area and the causes of its degradation. In addition, identification of the actual users of the area’s resources and the interests at stake would make it possible to establish the room for manoeuvre, with a view to establishing a new system of management. The social diagnosis should ideally have preceded the technical inventory. However, for practical reasons and because of their positive impact, the technical results were used to focus the debates leading up to the social diagnosis.

Figure 3: Map of vegetation distribution in the Goada bushland area in 1995



The inventory of the area's wooded resources

The technical diagnosis was based on an analysis of aerial photographs and an inventory of the area's wooded resources. There were three main reasons for adopting the inventory method:

- To establish an objective description of the initial situation which is sufficiently precise to be used as the basis for negotiation and decision-making¹³.
- To avoid basing a management strategy on farmers' estimates of yields; from experience elsewhere, these have often proved to be far too optimistic (cf. Wirth et al 1996, annexe 2 p.3).
- To gather data for a monitoring and evaluation system to check the implementation and effectiveness of protection measures.

Ground surveys were carried out by two teams, each consisting of two technicians and six young people appointed by the surrounding villages. The villagers played an active part in drawing up the inventory and, at the same time, were trained in using a slide calliper and counting trees and shrubs using appropriate criteria.

The sampling of the survey units¹⁴ and evaluation of the total surface area were performed using a map derived from aerial photographs taken in 1992, combined with on-the-ground verification of the borders of the bush area. Data gathered during the survey phase included the soil type, tree species (their diameter and number of stems), the main types of herbaceous plant and the extent of ground cover, the cutting and removal of different parts of trees (branches, bark, roots) and the importance of grazing resources (estimated on the basis of lopping, browsing, marks left by livestock and farmers' knowledge of the area).

The active participation of people from surrounding villages in carrying out the inventory had positive consequences. For instance, in systematically exploring the bush area, the villagers acquired a better understanding of the cause-and-effect relationship between the degradation that was occurring and the various factors contributing to it. Moreover, the young people were able to discuss their experience in their respective villages on a daily basis. As a result, the activities performed by the project team were evident to all, and the fact of working together to draw up the inventory had a positive psychological impact. This

¹³ This mediation-based approach derives from the Havard concept (cf. Troja 1998, p.90). The idea is to avoid negotiations based solely on an exchange of divergent positions.

¹⁴ Circular areas of 4 ares (0,04 ha, radius 11.28 metres) were chosen as survey units. A north-south, east-west grid system was established, starting from an easily identifiable point on the ground. Each square of the grid corresponded to an area of 16 ha.

created a sense among the villagers and inhabitants of neighbouring hamlets that the new approach was trustworthy. The Goada bushland area covers approximately 3,768 ha (Traoré 1997, p.4). It is used for several purposes: agriculture, grazing, and as a source of firewood for the chief town of the province.¹⁵

The process of degradation is speeding up. There are three reasons for this:

1. the transformation of bush into farmland. The changes are quite clear from maps based on the aerial photographs taken in 1992 and 1995 (see Figure 2). Cultivated land has increased by 60% in three years. The area of bushland destroyed in 1995 to make way for agricultural expansion, estimated to be 1,200 ha, or 32% of the total area, shows the rapid nature of the process.
2. destruction of woodland resources as a result of cutting to meet the urban demand for firewood. The inventory of woodland resources highlights the fact that tree-felling to meet the needs of commercial wood cutters and the inhabitants of the neighbouring villages is far in excess of the annual growth of woody plants and trees. In 1997, 47% of firewood requirements were met by destruction of woodland resources in the bush area (Traoré 1997, p.24).
3. the slow regeneration of woody plants, following the periodic clearing of land left fallow and the lopping, pollarding, etc. of woody plants to provide fodder for livestock.

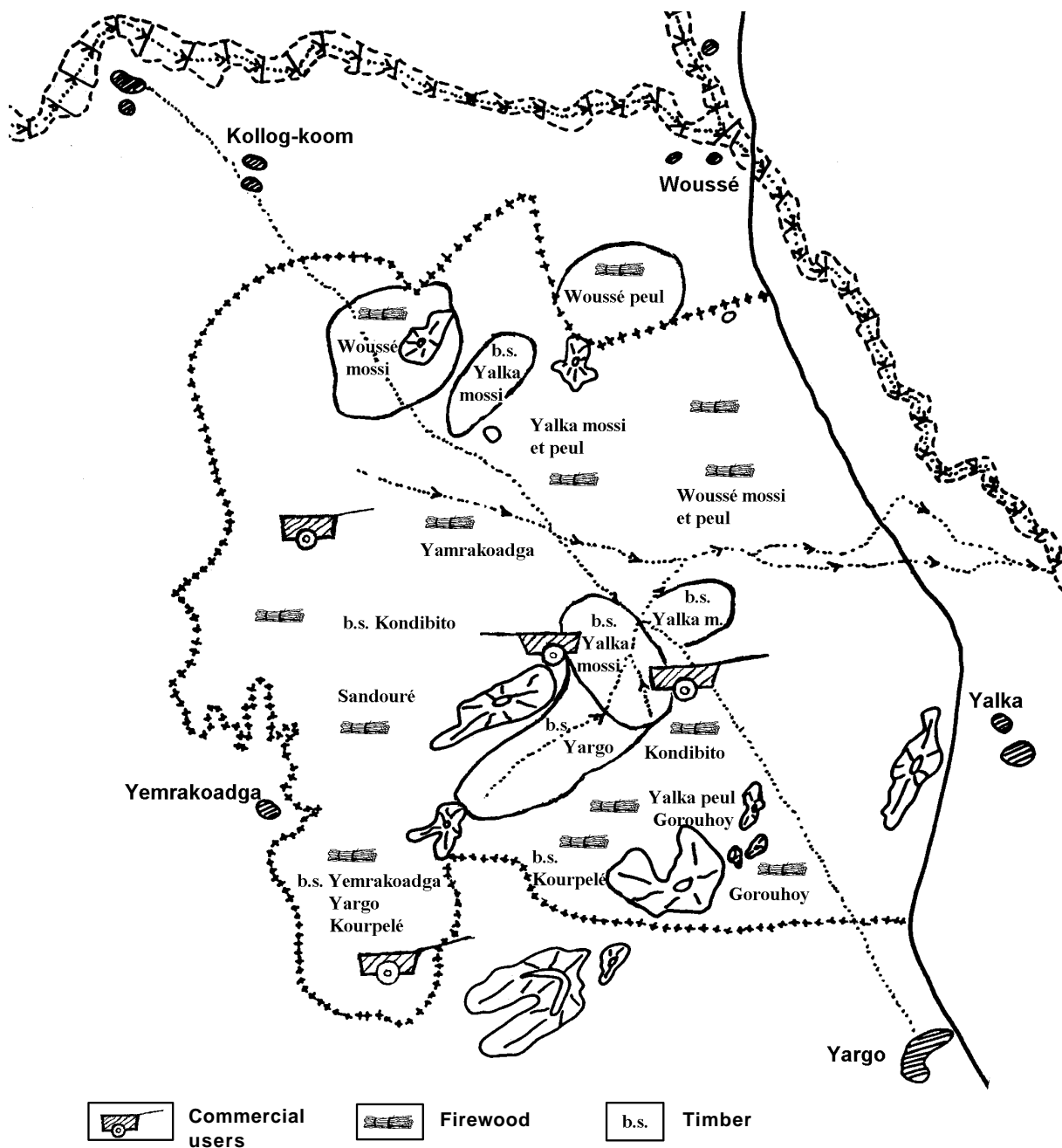
Analysis of the interests at stake

The social diagnosis was carried out in stages:

1. *an in-depth information campaign was carried out in each village, covering the points raised during the initial information meeting.*
2. *a meeting was held in each village and hamlet to identify the interests of the inhabitants.* The participants from each community were divided into two working groups: men and women. The extent and borders of the bushland area were displayed on a supporting map, drawn in advance on paper. Landmarks such as hills, valley bottoms and settlements (Fulani and Bella hamlets) were used to help the two groups get their bearings.

¹⁵ According to a study conducted by Bado and Somda (1996, p.83), 23% of the firewood consumed in the chief town of the province comes from the northern part of the district, i.e. mainly from the Goada and Bourzanga bush areas.

Figure 4: Map showing how woodland is exploited in the Goada bushland, by area and by type of user



The participants were gradually able to work out how their community used the woodland resources and in what areas. Users who were not members of the community were also identified, and potential conflicts between different users sharing the same areas noted. This was followed by an initial discussion of desirable measures to restore the bush in the short, medium and long term. This was a useful way of checking whether the recommended measures really

reflected the interests mentioned during the earlier stage of the process. The results of the two working groups were combined at the end of the session.

The information obtained at this second stage was transcribed onto paper and was verified by cross-checking with the information obtained at village and hamlet level (groups of men and women). Using this method, it was possible to draw up usage maps according to activity and interest group (see Figure 3). It was also a way of evaluating the degree of interest and involvement of each village and hamlet in exploiting the bush area. As a result, three villages involved in the diagnostic process were excluded from the subsequent procedure.

As a result of the technical investigations and preliminary results of the inventory, it was possible to identify three main problems of bushland degradation:

- the conversion of woodland/grazing areas to agricultural use,
- the poor rate of regeneration of woody plants, and
- exploitation of the bushland timber beyond its capacity to replace itself.

3. *Conducting enquiries in the 12 selected villages and hamlets*, to clarify people's desire for change, and particularly the users' capacity to change their methods of exploiting the bushland.

The discussion sessions were concerned with possible solutions to the three problems that had been identified and their consequences for the village and other interested parties. However, no village or hamlet was prepared to deal with problems which did not concern it directly, preferring to debate those problems which seemed most important from its own point of view. For example, most of the herd-owners only wanted to talk about the problem of the slow rate of tree regeneration. On the other hand, villages with precarious land tenure rights and those which had borrowed land adopted the same position as villages with traditional land ownership rights. Only two villages were in a good position to discuss all three of the problems identified.

As well as debating these strategic issues, the villages and hamlets were asked to appoint delegates for the next stage in formulating the Code – the concertation workshop.

Further to the direct results obtained at each stage of the process, the social diagnosis enabled the project team to analyse the “balance of power”: the positions adopted in each village or hamlet with regard to the various problems

were analysed in terms of the margin of manoeuvre available to each party, their social and political status, and the relative homogeneity of the community itself.

Dialogue with the forestry service

In practical terms, it was not possible for the local actors to solve all the problems connected with the degradation of the Goada bushland at their own level, in particular the exploitation of timber, which was under State control. It was therefore necessary, in the first instance, to arrive at an agreement with the forestry services. The results of the inventory of woodland resources were presented at a meeting attended by representatives of all the State services concerned with this sector, representatives of NGOs, the prefect and the chef de canton of Dattenga. This meeting was an ideal forum in which to discuss measures for regulating the exploitation of timber. The risk of seeing this vital woodland and grazing reserve disappear completely in the next six or seven years concentrated everyone's mind. All the participants, including the SPEEF representative, came down vigorously in favour of halting the issue of permits to cut wood for sale until the process of bushland regeneration had made real progress.

Seeking compromise

The process of dialogue among the neighbouring communities took place in stages. The first important step was a consultation and decision-making workshop bringing together all the delegates from the villages and hamlets.

The aims of this workshop were, on the one hand, to agree on measures to tackle the three problems previously identified and, on the other, to sign a document representing a consensus of the views of all the villages neighbouring the bushland area. Further matters to be discussed and decided at the workshop were the first draft of a legal basis of association, a system for following up and monitoring the decisions taken, and a timetable of the tasks to be performed. The results of this workshop were further refined at the sub-committee stage and approved by all the delegates at a General Assembly meeting.

The results of the technical study were used as a basis for discussing ways of solving the major problems of the bush area. Three working groups were set up to deal individually with the three problems identified and to come up with concrete proposals. These proposals were then presented and discussed at a plenary session in the hope of reaching a compromise. Despite the fears of the organising team, only two matters gave rise to serious controversy.

The first issue was the conversion of bush into farmland. After discussing a number of possible solutions, the working group opted for calling a halt to the extension of cultivation for a period of fifteen years. At the plenary session, the delegates from Kologkoom fiercely opposed this proposal. The main reason for their refusal was the demand for farm land being made by migrants returning from Côte d'Ivoire. According to the Kologkoom representatives, the village had no more land available to meet these additional demands. However, since all the villages were facing the problem of returning migrants, the proposal to ban further clearances for a period of fifteen years was finally accepted by most of the delegates.

The second issue was the management of livestock within the bushland area. Two contrary positions were established at the outset. On the one hand, the herd-owners defended their right to graze their animals throughout the area; on the other, the Yalka delegates wanted 2/3 of the area to be given protected status. This confirmed the worst fears of the herders that they would be expelled from the Yalka district. During the working group's deliberations, the idea of banning grazing was rejected and a proposal to give protected status to a small part of the area was abandoned in favour of an alternative solution suggested by the herd-owners. Their proposal, which was completely unexpected, was that there should be no cutting of trees and shrubs for fodder for a period of five years. This proposal was unanimously agreed to at the plenary session.

As regards the third issue, the workshop participants agreed that there should be a fifteen-year ban on cutting wood for commercial purposes. At the same time, wood for personal consumption should be taken only with the technical support and under the control of the SPEEF, using selective cutting techniques.

The results of the consultation workshop were subsequently reported to all the villages and hamlets involved, and to other interested parties¹⁶. A sub-committee set up at the time of the workshop drew up a management plan for the bush area and supervised the work of establishing boundaries by installing boundary markers for cultivated plots and for the bush area itself.

Three working sessions were held to enable the delegates to put the finishing touches to the Local Code. At the same time, regulations were established for other uses of the bushland, in particular the taking of plants for medicinal

¹⁶ These parties included a village of blacksmiths, who were forbidden to use timber for any purposes, and the Bella and Fulani djelgobé communities which normally passed through this area in the harvest season.

purposes, an important consideration for the women. The system for policing use of the bush area was decided on, and a catalogue of fines for different forms of misuse drawn up. Finally, articles of association and internal regulations were sketched out so that an inter-community structure could be set up in the medium term to manage the bush area in accordance with the agreed rules and regulations.

Results and future prospects

In assessing the results, we need to make a careful analysis of how the different interest groups had fared in the negotiations. Who had gained, and who had lost? Of the communities represented, only one village showed dissatisfaction, at the consultation workshop and subsequently, with the ban on cultivating new plots. Following discussions at committee level, a compromise was reached whereby plots of fairly limited size were granted to two families threatened by the ban. To avoid creating a precedent, it was agreed that these should be the last measures of this kind before the adoption of the Local Code. Each village was given the task of informing its migrants of the finality of this decision. Thanks to this compromise, it was possible to bring the dissenting village in question back on board. This example demonstrates the fragile balance between strategies for conserving natural resources and maintaining peaceful social relations, which will be a real challenge for the future management structure.

The real losers at village and hamlet level were the Bella. As a result of the decisions taken at the workshop, their means of livelihood – cutting wood in the Goada bush area for sale in town – was called into question. The four families were forced to leave the village. It might have been possible for them to obtain a majority in favour of their interests if they had been directly represented at the workshop. However, the status of the Bella is weak, obliging them to accept the terms and conditions agreed with their hosts, who were almost unanimously in favour of a ban on commercial wood-cutting.

For their part, the arable farmers were prepared to respect the status quo, there being no proposal to do away with existing cultivated plots. This facilitated the acceptance of a compromise. The sub-committee immediately marked the boundaries of their plots and defined the farmers' obligations in managing them, to guard against any clandestine enlargement of the arable area. It is nevertheless possible that, as a result of the decisions taken, some families may experience difficulties resulting from a shortage of land in the short and medium term. Access to PATECORE project services, in the areas of land management and biological measures to improve soil fertility, provides an alternative to extending the area under cultivation.

Table: Gains and losses of each interest group involved in the process

Actor	Gain	Loss
All	Prospect of a future right to exploit woodland resources (timber/firewood) Legitimisation of usage rights in the Goada bushland area and over its various resources Re-establishment of ancient rights	
Arable farmers (land owners)	No longer under obligation to share reserves of land with needy families from other villages	
Arable farmers (in general)	Acceptance of the status of their fields within the bushland area	No further extension of cultivated plots within the bushland area
Herd-owners	Legitimisation of their presence in the Goada bush area Recognised importance of their presence for agriculture	Restriction on the use of tree and bush fodder for a period of five years
Women	Legitimisation of wood collection, but under controlled conditions Conservation of medicinal plants and prohibition of their commercial use	
SPEEF	Reinforcement of their role as supervisory agency	Loss of income previously obtained from the sale of wood cutting permits

The fear of the herd-owners that the area would be given protected status and that they would be “expelled”, i.e. forbidden to continue to use the bushland for grazing their animals, did not come to pass. Thanks to the Local Code, the herders gained recognition of their right to reside in the area and use its resources. The fact that the proposal came from the herders themselves is a good indication that they thought that abstaining from taking tree and bush fodder for a period of five years was a price worth paying.

The extent to which the process has involved a significant change in attitude can be observed at several levels. An internal evaluation held after one year confirmed people’s approval of the Local Code, and that the rules and regulations decided on by the delegates were being strictly followed. In particular, the commercial wood-cutters who operated in the area were being kept under careful surveillance.

Some initial difficulties, for instance the case of a wood retailer who came to Goada with a fake permit, were immediately sorted out with the help of our new

ally, the SPEEF. The evaluation also showed that the rules agreed to by the local population were well accepted. Some rights, for instance the right to cut wood for subsistence purposes were not exercised at all during the first year. According to the women, the dead wood available would be sufficient to meet their needs following the ban on commercial cutting.

The new Local Code has sparked both pride and enthusiasm. During a broadcast on the local radio station “Voix du lac” proposed by the villages concerned, the workshop delegates were invited to present the achievements of their inter-village venture to a wider audience. One delegate encouraged other villages to follow their example, with the words: “*A child gets angry when he sees another with a calabash more beautiful than his own*”. He urged the other villages in the province to get involved in conservation and managing what was left of their bushland areas by taking decisions together. “*I invite them to seek solutions in the interests of future generations.*”

Although these examples show that an important step has been taken in the direction of sustainable development, a great deal still remains to be done. For instance, in order to anchor the Code in an official structure, steps need to be taken to ensure that some of the procedures outlined in the Forest Code are implemented, in particular:

1. The organisation which represents the villages taking responsibility for a neighbouring woodland area needs to have proper legal status.
2. There needs to be a forest management plan drawn up under the guidance with the forestry service, and a framework of rules regulating the relationship between the new structure and the forestry service.
3. Local government can entrust management of the forest to the structure representing the neighbouring villages by way of an administrative order.¹⁷

These procedures will have to conform to the current legislation and forthcoming administrative reforms. As yet, the relationship between the inter-village structure and the communes to be set up in future is very unclear. Although the principal law concerning decentralisation (Law 041/98/AN) has been approved, there are

¹⁷ According to information received from the National Director of Village Woodlands and other directors of UNDP/FAO projects during the rainy season of 1997, no other project in Burkina Faso has been able to put in place these three elements.

still ambiguities as to how the territorial administration of Burkina Faso will be actually organised.¹⁸

CONCLUSION

As regards methodology, we can draw a number of important lessons from this case study for future guidance in similar situations. The staged approach to mediation, structuring the process so as to clarify matters within the group before initiating negotiations between the actors and then working out a compromise, clearly worked well. The mediating role of the project, translated into three principles that were expressed in language that everyone could understand, calls into question the traditional role often played by projects of this kind. The fact that the actors could negotiate on the basis of a common inventory of woodland resources, lent objectivity to the debate and took the heat out of individual claims. However, the method of appointing representatives according to place of residence tended to put minority and mobile social groups at a disadvantage. Ideally, one would have to find a better way of taking the interests of these groups into account on future occasions. The heterogeneity of some of the communities themselves does not seem to have been a problem, because all elements of the population were fully involved in the two diagnostic exercises, and throughout the process of formulating the Local Code a flow of information was obtained from the grass roots.

Whether this management arrangement endures will depend on the involvement of the traditional chiefs. They are a vital factor. A Code based first and foremost on people abstaining from using resources will be adopted only if the decisions not to use resources have been taken by the persons directly concerned, and if the future consequences are realistic and obvious to all the groups involved.

Looking at the wider picture, Local Codes are a factor contributing to the system of village land management and so ensuring more sustainable use of natural resources. To ensure the survival of the last remaining woodland reserves in Bam Province, it will be essential to devise other strategies, such as and finding ways

¹⁸ In section 3, which is concerned with the competence and means of action of local authorities, articles 74 and 75 of § 3 lay down rules regarding the responsibilities of provinces and rural communes in respect of the environment and the management of resources. While a province is authorised to intervene in the protection and management of protected and listed forests, a commune is only authorised to be involved in reforestation operations and the setting up of green spaces and forests.

of meeting the domestic energy needs of the province's rapidly expanding main town.

Where public protected forests are concerned, the example of Goada clearly demonstrates how useful they are to neighbouring communities, in many different ways, and this tends to lead to competition between users. The forests fulfil important social functions which have not yet been taken into account by the State. The existing national legislation is still largely inadequate for controlling real-life situations. Local Codes provide a way of negotiating a balance between the interests of different users, and can therefore fill the gap between national legislation and "traditional" local management regimes. Decentralisation is a key factor in creating the necessary long-term legal framework for natural resource management. In Burkina Faso, this is still far from being realised: there are still incompatibilities between different pieces of legislation, and the respective decrees for implementation which often remain suspended for years at a time. Local Codes help tackle the issues here and now.

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