

Lessons Learned
**Inclusive
Mechanisms to
Mediate Land and
Water Use Disputes
in Northern Nigeria**



Introduction and Background

Contests over land and water use (LWU) endanger peace and stability in many states in northern Nigeria. Conflict arises both over rights of land ownership and over rights of use among multiple stakeholder groups, though conflicts *between* farmers and pastoralists have predominated and turned the most violent in recent years. This is particularly prevalent in the North East and North Central zones, where conflicts between settled farmers and settled and nomadic cattle-keepers are widespread. Farmers typically accuse pastoralists of allowing animals to damage their crops and pollute domestic water sources, while pastoralists complain of encroachment on their traditional cattle routes and grazing land. Access to and use of water is another major source of conflict and readily escalates tensions during the dry seasons.

Entrenched positions by stakeholder groups along religious and ethnic fault lines, and the longstanding 'settler-indigene' issue prominent in the region further exacerbate the risk of conflict.

Limited inclusion in local dispute resolution mechanisms, which are typically the domain of elderly male traditional leaders, who are often regarded as partisan and politically aligned, provide few opportunities for other affected stakeholders to have a role in resolving LWU disputes. State agencies, where involved at all, tend to deploy a legalistic approach, using the

criminal justice system to maintain law and order. Women have few claims to the land of their birth, with young men brought up to see the land as their inheritance which needs to be protected. As a result, young men mobilise, including through violence, to protect land with negative impact on all community members. Drug use, unemployment and a willingness on the part of politicians to mobilise young men for political violence add 'fuel to the fire'.

The result of the gradual demise of conflict resolution mechanisms is that small disputes over land or water can quickly escalate into violent conflicts between ethnic or religious groups. By far the most incidents of deaths resulting from land and water disputes have occurred in Plateau State, which explains why NSRP's interventions on conflicts over land and water use have targeted Plateau. In the five years from 2009-2014, 1,543 deaths in the State were attributed to conflict over land, grazing rights or settler-indigene conflicts.¹ In the first quarter of 2014 alone, some 16 incidents resulting in 139 deaths were recorded.

The NSRP Intervention

Against this background, component 2.2 was designed to support target communities in Northern Nigeria to manage conflict around the use of land and water. The intended **outcome** of the component is that *NSRP will have contributed to a measurable improvement in the functioning of policies and structures that enable communities to agree rules around land and water use, and that mediate disputes when they break out, and before they turn violent.*

In 2014, Mbar village in Bokkos LGA was attacked by unknown gunmen leading to the death of five people and the burning of farmlands. The Special Task Force in the State arrested a Fulani man who was the suspected mastermind of the attacks. There were other similar cases where Fulani pastoralists were suspected for crimes committed by unknown persons which further strained the already poor relationship between both parties.

The pathway to change

'If NSRP can support initiatives that encourage users of shared natural resources to work cooperatively to address access, distribution and use issues, and if agreements are institutionalised in government reforms (e.g. the demarcation and enforcement of new grazing routes and reserves), then it will contribute to reduction of grievances over land and water use and the frequency of violent conflicts between user groups.'

¹ NigeriaWatch data, disaggregated for deaths reported as due to land, grazing rights or settler-indigene conflicts.

NSRP conducted research to identify the specific drivers and consequences of conflict in target LGAs in Plateau, Kano and Kaduna States. Further research into rural banditry identified multiple triggers leading to violence within the rural economy, including the **breakdown of local conflict management mechanisms**. This provided the entry point for NSRP intervention, and CSO partners were identified to implement an intervention that would focus on strengthening or building local institutions to engage in conflict resolution on water and land use issues. NSRP and its partners undertook extensive consultation meetings with LGAs and other stakeholders, as well as awareness raising within communities on laws guiding land, water and mineral resource use. NSRP provided capacity strengthening support to its partners to foster an inclusive approach to conflict resolution, and partners in turn provided training to key community members on dialogue, mediation and negotiation skills. Dialogue meetings gave rise to the establishment of the first Dialogue Committee (DC) in August 2014. By the end of 2015, nine DCs were established in Plateau State, and 15 by June 2017. Repeat and refresher training on inclusion and dialogue was conducted throughout, contributing to some very noteworthy results.

Results Achieved

Since 2014, some 17 Dialogue Committees have been established, with 15 in Plateau State alone. Strikingly, nine have been established outside of NSRP target LGAs, with further communities interested to learn from the experience. Annual perception data collected by NSRP reveals that respondents stated they have seen an improvement in the way that conflicts over land or water have been managed and resolved compared to a year earlier. In Plateau State, where Dialogue Committees have been functioning for over 3 years, responses were more positive still, showing a 26% point increase on the 2014 baseline.

Cumulatively, Dialogue Committees in Plateau State have: met 89 times, involving over 3,000 community participants, **35% of which have been women; prevented, managed or resolved 40 specific conflicts**; set new and widely recognised procedures, **rules and policies** for allocating and sharing resources; and **increased the empowerment of women** through increased participation in community dialogue and dispute resolution forums. Some notable achievements of the DCs include:

- At least six occasions where DCs facilitated agreements to demarcate cattle routes
- At least six occasions where DCs facilitated agreements on stream access and use, including introduction of rotational timetables for water use and the demarcation of streams
- Securing an agreement among traditional leaders to prevent pastoralists moving around with bags while grazing their cattle (and damaging crops as a result), in May 2015
- Drafting the security agencies as participating members of the DC in Bokkos, in 2015
- Women becoming active members of DCs in late 2015, and the first example of women mediating a conflict in early 2016
- Women's rights to land ownership and inheritance pronounced by the traditional leader of Bokkos, in March 2016
- Creation of a desk office on LWU at the Bokkos LGA Police Station, with a permanent staff member assigned
- Production by Bokkos LGA of a bye-law on the use and management of shared natural resources, in early 2017

Agreement on Water Rotation

Bokkos LGA has always experienced shortages of water for irrigation farming which, over time has led to violence and killings among farmers. Sensitisation and dialogue were held in some key districts encountering the problem and among the stakeholders in the community, resulting in a resolution by farmers to begin to rotate the use of water sources. A timetable for water usage was drafted in Manguna district covering 6 communities, in Daffo district covering 4 communities, and in Bokkos district covering 2 communities.

Additionally, in Kafanchan, Kaduna State, where conflict over land use and access to it has been endemic, Fantsuam Foundation, a NSRP partner, facilitated the establishment of a dialogue mechanism which contributed to apportioning a grazing reserve between farmers and pastoralists; and in Bichi LGA, Kano State, heads of five local communities reached an agreement to demarcate and expand cattle routes to provide pastoralists with a greater expanse of land for herding and grazing their cattle.

Lessons Learned

The component has delivered many results, and has shown clear evidence of having potential for sustainability beyond the lifetime of NSRP. The intervention has yielded most of its achievements in Plateau State, to where it has been restricted in its final year of implementation. The lessons and reflections are therefore mostly derived from the experience of engagement in Plateau State.

Inclusion Strengthened Programme Impact

Before the NSRP intervention, although there were customary dispute resolution mechanisms for land and water disputes in the target communities, in most cases these were the preserve of traditional leaders, with limited, if any, participation by other affected stakeholder groups. Youth, women, religious and other community leaders were typically excluded from decision-making and dispute resolution forums. Traditional leaders, widely viewed as partisan and politically aligned, would hand down judgement and verdicts without consultation, further fuelling grievances. Acceptance of decisions was low because so many important groups were excluded from the process, including local government, who typically avoided engagement other than to report to the security agencies.

Dialogue Committees were designed to be non-violent and inclusive mechanisms to resolve disputes, with NSRP providing technical support to its implementing partner in this. Typical DCs have a composition of 30 members, drawn from traditional leaders, farmers and pastoralists and their representative groups, religious and community leaders, youth and women's groups, security agencies and the local government council, among others. With a genuine stake in the process, parties to the conflict felt more confident of being heard, and of having a fair and proportionate judgement. The effectiveness of the inclusive approach is manifest in the many examples of community conflicts resolved cited in this and other reports.

Through intervention by the Bokkos Dialogue Committee, women have now been recognized by the traditional leader of Bokkos District as having rights to own land and inherit property, increasing women's agency and livelihoods. This change in a deep-rooted local custom was announced as the a 'declaration of women inheritance of land in Bokkos LGA' in March 2016. This arose through NSRP and its implementing partner's advocacy and influence with traditional and community leaders. This has since been applied in other communities in Plateau.

Inclusion of women in the DCs led to several **unplanned outcomes**, including empowerment of women in some LGAs characterised by social norms that limit women's participation.

However, despite anecdotal evidence of the benefits of greater inclusion of women and youth, overall levels of participation remained low. DCs will need to factor into their evolution how marginalised groups, particularly women and youth, can play a more substantive role in conflict management in their communities. Moreover, issues of population growth and youth unemployment will need to be accommodated in the mechanisms going forwards and more strenuous engagement with youth will be necessary. Future efforts should also consider more nuanced monitoring of the quality of engagement of marginalised groups, and the specific outcomes for those groups. Without a clear 'dividend' (or incentive) for participation,

it should not be taken as read that youth, particularly young men, will continue their engagement.

Working with the Grain Secured Local Commitment and Ownership

NSRP research identified that one of the drivers of violent social conflicts in Northern Nigeria, particularly with reference to land and water use, was the weakening or collapse of traditional conflict resolution mechanisms. Research recommendations included “reviving and supporting community based conflict management mechanisms” and “develop[ing] a strong community approach to conflict management”.

NSRP and JDPC embraced these recommendations, establishing and strengthening existing structures, and facilitating a variety of local fora to bring stakeholders into closer contact with one another. Initiatives included, for example, improving citizen dialogue with their leaders and government representatives to discuss issues of concern to them; and initiating fora between the security agencies, CSOs and traditional leaders, which built mutual trust and provided a platform to report emergencies, serving as an early warning mechanism.

The trust that these mechanisms and fora helped to establish have contributed significantly to the community-wide support for DCs, empowering people to take local ownership over the Committees. This is manifest by the number of DC meetings that have been staged outside of direct NSRP support or facilitation.

Understanding Incentives

The loss of life, assets and livelihoods experienced by direct and indirect parties to conflicts place a great strain on the communities. NSRP research identified that women and children were disproportionately affected by the violence. The increase in the number of violent incidents was also placing excessive burden on the traditional leaders, who were resolving, or attempting to resolve, multiple conflicts.

There were strong incentives for change across almost all stakeholder groups, and inclusive dialogue as an approach was readily accepted by most groups, including traditional leaders. Research by Upper Quartile suggests that traditional leaders who had been trained in dialogue and mediation by NSRP’s implementing partner (JDPC) in 2014 began to noticeably change their practice, mediating between parties more regularly from late 2014 onwards. In one case, a chief even revisited a historical case and mediated a settlement between two parties that had been taken to court for redress.

Importantly, this intervention did not face resistance from political or economic elites, and provided an opportunity for all parties to engage in conflict resolution and peacebuilding practices, mostly to the **collective benefit** of the community. Whilst some actors remain outside of the DC mechanism by their own choosing (e.g. local councillors), there have been no significant spoiler groups. A strong contextual understanding of stakeholders’ incentives has enabled NSRP to institutionalise dialogue as a replacement for violence on many occasions in Plateau.

However, many structural issues that fuel conflicts in Plateau and northern Nigeria states remain unresolved, particularly those relating to longstanding grievances between settlers and indigenes. Population growth is also placing increased pressure on land for cultivation, fuelling conflict between farmer and herder groups, which can ignite deeper ethnic and religious-based conflict. Additional pressure points relating to youth employment, drug use, and susceptibility to being mobilised for political violence add further challenges.

Community Sensitisation Built Consensus

Concerted efforts to sensitise communities to the DC approach paid off in Plateau. The DCs themselves, with technical input from NSRP and its implementing partner, undertook

substantial sensitisation efforts, to build acceptance of dialogue and mediation as non-violent approaches to resolving land and water use conflicts. Community members, who were already sick of the ongoing violence, were open to the message that dialogue would be an effective approach. Pushing at this open door enabled dialogue and mediation mechanisms to become quickly accepted amongst all parties.

Building on community sensitisation, direct interaction with major stakeholders enabled the DCs to gain their support in intervening in a conflict situation. In this way, the DCs were able to respond to conflicts proactively to reduce tensions before they escalate, rather than reacting to each case as it emerged.

Context is critical; form should not be prioritised over function.

The engagement with communities and stakeholder groups in Plateau has been extremely positive, and Dialogue Committees have become well established entities, which are even replicating away from NSRP locations. However, it remains vital to consider the importance of context before attempts to “replicate at scale” are made. In Plateau, a number of factors appear to have contributed to the success of the intervention, including:

- A deep understanding of the local problem, grounded in empirical research
- Widespread support for an alternative to the status quo
- Strong drive and support from local government, especially so in the case of Bokkos LGA, which catalysed interest from other LG partners, and wider stakeholder groups
- A strong implementing partner

In other target locations, such as Kano, local government actors were less engaged, restricting themselves to attendance at occasional meetings, and in Kaduna whilst there were some achievements (notably the establishment of a grazing reserve), the DCs lacked the strength of their counterparts in Plateau. In Yobe, the insurgency limited scope and, despite some engagement with local government and CSO partners, it proved impossible to deliver the DC approach. A weaker local partner was also an important factor in Yobe.

Future efforts to develop the DC approach must be built around an understanding of the local context, the problems that are to be addressed, gaining firm local government support and adequately capacitating local delivery / implementing partners. Importantly, it is the inclusive approach to conflict resolution which has greatest potential for replication and growth, and not necessarily the structural of the Dialogue Committee. The local context and local stakeholders’ preferences and solutions should be the starting basis, not the platform.

Building relevant capacities supports sustainability of the initiative.

NSRP and JDPC’s consistent capacity strengthening approach, and the quality and relevance of training provided were important aspects of the success of the intervention.

“My capacity has been developed; it has helped me to personally know my responsibilities within my community” [Chairman, Bokkos Dialogue Committee]

Strengthening the technical capacity of its implementing partner to address inclusion, and training community stakeholders on mediation and dialogue as non-violent approaches to conflict resolution were mutually reinforcing approaches which enabled participation from previously excluded parties, including women. NSRP’s Regional Manager for Plateau cites that the trainings “*enhanced participants’ understanding of their expected roles, thereby improving performance...*”. NSRP’s approach to repeat and refresher training is important to build more durable and sustainable platforms. Inclusion of parties such as the security agencies, LGA official and councillors, who receive limited capacity support from the Government, should always be included in training on dialogue, mediation, and gender sensitive conflict resolution. Recognising some of the NIEP critique of the quality of

conveners and facilitators of other NSRP platforms, emphasis on supporting conflict-sensitive participation in dialogue processes is key.

Conclusion

As the DFID Annual Review 2016 noted, Dialogue Committees have proved to be an example of best practice in addressing conflicts around land and water use. Forty separate conflicts in Plateau State have been directly prevented, managed or resolved as a consequence of NSRP's investment in this mechanism, and it has resulted in the development of a by-law governing shared resource use; the development of practices to rotate access to water; the demarcation of cattle routes in conflict-prone locations; prohibition of under-age grazing; and even the granting of land ownership and inheritance rights for women.

The success of the approach has been predicated on the inclusiveness of the Dialogue Committees, which are locally empowered conflict management mechanisms comprising affected stakeholder groups within the community. This has brought additional voices to the conflict prevention and peacebuilding table, including those of women and youth, the security agencies, local government, CSOs, and traditional and other community leaders. Critically, the intervention works with the grain of local interests and incentives to reach consensual resolution of conflicts that can otherwise rapidly escalate.

The capacity strengthening support provided by NSRP and its implementing partner, to build principles of inclusivity, and to train community members in dialogue and mediation skills, have been a critical factor in success, along with extensive advocacy and community sensitisation.. A highly committed, knowledgeable and capacitated implementing partner has also contributed to success. Key informant feedback suggests that the willingness of local government authorities, particularly the LG Chairmen, in Plateau to embrace the approach has been important.

A significant outcome in the evolution of the Dialogue Committees has been their replication in at least 9 communities that were not included in NSRP programming. In LGAs that were included in NSRP programming, a number of DCs have begun to meet using resources from sources other than NSRP, indicating that this could be a sustainable mechanism in the locations where it is already operational, and readily adaptable to other locations in Nigeria where contests over shared resource utilisation drive violent conflict. Sustainability should be addressed from the very outset of any future programmes that support evolution of the DC mechanism.

Whilst it can be argued that NSRP's work in land and water use grievances has not impacted policy at higher (State or Federal) levels, there is clear evidence of a shift both in policy and practice at local levels, with new rules and procedures being introduced, with agreed sanctions for breaking those rules. These in turn are shaping behaviour change, albeit at very localised levels.

Future programmes should focus on ensuring that the Dialogue Committee **approach** is disseminated in conflict-prone locations in Nigeria, to build demand for *similar* conflict management mechanisms. However, in every circumstance, efforts to understand the local context must be undertaken first; a 'cookie-cutter' approach should be avoided. Notwithstanding the evident effectiveness of the approach for resolving localised disputes over land and water use, it cannot alone address conflict drivers in Northern Nigeria, and should be viewed as a contributing mechanism that must be part of a much wider joined up conflict management approach.