

TOR Consultant to elaborate a legal instrument for securing pastoral activities and managing conflicts between pastoralists and farmers in Africa

1. Background

The Executive Council of the African Union In January 2011 approved a pastoral policy initiative aimed at securing, protecting and improving the lives, livelihoods and rights of pastoral communities. Drawing on extensive regional expert consultations conducted since 2007, The Framework emphasizes the need to fully involve pastoralist women and men in the national and regional development processes from which they are supposed to benefit. The framework also emphasizes the regional nature of many pastoralist ecosystems in Africa and, therefore, the need to support and harmonize policies across the Regional Economic Communities and Member States. The increase in human pressure on natural resources and the questioning of pastoral uses of certain strategic resources create dramatic conflicts, with sometimes an emotional burden even to different ethnic communities. In recent years, following the advocacy activities undertaken by several national, regional and international institutions, the problem of rehabilitating the pastoral farming system and equitable access to resources are now included on the agenda of the debates in most African countries. For example, Niger has begun the implementation of a rural code promulgated since 1993 and has adopted an Ordinance on pastoralism in 2010. Likewise, Mauritania, Mali and Burkina Faso have developed new legislation specific to pastoralism that includes important innovations. From this point of view, there is a significant shift between the African context and that prevailing in those countries where the legal framework governing the management of pastoral resources has seen a number of notable improvements

The land reform projects initiated by the African Union for more than ten years have not always taken into account the stakes of pastoral land. Because pastoralism spans the boundaries of nation states, it has a cross-border and regional dimension. This cross-border and regional dimension necessitates harmonizing policies that affect all aspects of pastoralism and forging regional approaches, cooperation and implementation of cross-border initiatives. These

initiatives include regional trade, promotion of peace and reconciliation initiatives, animal health, and development of infrastructure to enhance pastoralists' resilience in the Sahel and the Horn of Africa. The African Union Policy Framework for Pastoralism in Africa and the currently drafted Inter-Governmental Authority on Development (IGAD) Protocol on Transhumance and the Permanent Interstate Committee against Drought in the Sahel (CILSS), current work on strengthening the regional animal markets and coordination of regional livestock movement, are encouraging steps forward. Both documents recognize pastoralists' economic, social and cultural contributions, both historically and in the future. They call for national and regional processes that empower pastoralists and that involve pastoralists and their institutions in policymaking, securing and protecting their livelihoods, and strengthening the pastoral economy. There is a critical need to strengthen the capacity of pastoralism to operate in more sustainable pathways. Such a task requires in-depth understanding of the socioecological challenges and opportunities in Africa's drylands. It also requires long-term engagement and broad partnership among the diverse actors involved in the drylands at the local, regional and international levels

Therefore, The African Union's SAFGRAD office in collaboration with the Division of Rural Economy of the Department of Rural Economy and Agriculture (DREA) and the Conflict Prevention and Early Warning Division (CPEWD) of the Peace and Security Department (PSD) of the African Union Commission (AUC) is seeking the services of One (01) qualified professional to elaborate a Continental Pastoral Code for the promotion of Pastoralism and the management of the conflicts between Pastoralists and farmers in Africa.

2. Qualifications/Experience

- At least a Master level university degree in a field related to Pastoral law, conflict management or other relevant discipline
- At least 10 years relevant work experience in Pastoralism and Rural development
- Excellent and proven analytical skills
- Excellent and proven English/French writing skills
- Relevant experience in related or similar assignments
- Excellent organizational and communication skills, ability to prioritize and work with minimum supervision
- Good Understanding of the continental and international development agendas which include the Agenda 2063 of the AUC and the United Nations Sustainable Development Goals (SDGs) to be used as reference documents.

3. Scope of Work

The consultant will be required to develop a Continental Pastoral Code with specific focus on the prevention and management of conflicts in Pastoral Communities. The document must address the situation of pastoralism challenges in Africa within the context of the Continental and international development agenda. The consultancy is expected to draw from any best practices within/outside this area.

Based on the above, the consultant will prepare and complete the Continental Pastoralism Code. This will entail, among other things the following:

- A situational analysis of the pastoralism development challenges in Africa
- Key Issues affecting Pastoral development in Africa
- Herders right of access to pastoral resources and their duties in terms of sustainable management of the environment.
- Collect proposals and reformulations for the purpose of finalizing the code
- Conflict Prevention and Management
- Prioritized areas of intervention, programmes and activities
- Current relevant policy frameworks, approaches and implementation plans
- Create awareness and recognition through state and local authorities of the important role of traditional and religious leadership and structures in governance in conflict resolution
- Development of early warning systems at communal levels
- Time-frame for the delivery of the different milestones
- Any other relevant topics that could add value to the document

The consultant is expected to plan meetings with relevant partners as part of the consultation and finalization process for the code.

The consultant is expected to facilitate Continental validation workshop that will be organized at the end of the consultancy work at a convenient date and venue to be determined.

4-Deliverables:

A well written document addressing all the various tasks listed in the scope of the work in a logical sequence determined by the consultant. The document shall be submitted in appropriate software and appropriate hard copy.

5-Expected outputs:

1. The assignment will take two months from the signing of the consultancy contract.
2. It is expected that the consultant will submit the following reports and updates to AU-SAFGRAD at the specified periods as agreed on between the two parties during the full duration of the assignment:

(i) Inception Report: This report is to be submitted to AU-SAFGRAD one week after commencement of the assignment (signing of the contract). The report shall contain the approach and methodology that the consultants will apply in the execution of the assignment and a detailed work plan specifying key activities to be performed covering the duration of the assignment.

(ii) Draft Report: This report will be submitted 6 weeks after the submission of the Inception Report. It will provide an update of the key findings based largely on literature review and possibly interviews.

(iii) Final Report: This will be submitted at the end of the assignment period and it would have integrated all comments received on the draft report.

6. Remuneration

The Consultant will be paid Professional fee as lump sum of fourteen thousand USD (14,000 USD) (as follows: 30% after submission of the inception report and approved by the Coordinator of AU-SAFGRAD, 40% after submission the draft report and Approved by the Coordinator of AU-SAFGRAD and 30% after submission of the final Report and approved by the Coordinator of AU-SAFGRAD. AU-SAFGRAD will also pay for any mission or meeting (economy ticket and DSA) that may be needed and authorized by AU- SAFGRAD.

7. Application

Potential candidates are invited to apply by sending letter of Interest and CV at AU-SAFGRAD office through the following address:

261, rue de la Culture

BP: 1783 Ouagadougou, Burkina Faso

Email: SayahE@africa-union.org

For any urgent clarification, please contact these numbers

Tel: +22625306071 or 22678855122

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The deadline for application is: April 30, 2019