

Tenure Facility Pilot in Mali

Before Tenure Facility Support

- Conflict over land and resources in Mali is rooted in the country's colonial past. Before colonization by the French, communities enjoyed codified rights under empires spanning much of modern-day Mali. After these empires fell to French colonial rule in 1892, the French declared all "unproductive lands" to be under the control of the state, under the guise of increasing productivity. Communities were dispossessed of their customary homes.
- In 1959, the Mali federation—encompassing contemporary Mali and Senegal—became an independent sovereign state. In 1960, Mali became a sovereign nation under President Modibo Keita. Under his rule, the state continued to assert ownership of communal lands. While a military coup deposed Keita in 1968, state ownership of lands continued until Amadou Toumani Toure led a transition to democracy in 1991.
- In 1991, Mali began a process of decentralization to allow communities to assert their tenure rights, culminating in the Land Reform Act of 2006. The act recognized communities' customary land, sought to inventory customary rights and use throughout the country, and established the first land commissions to address land-related conflict. The 2006 Agricultural Orientation Law (Loi d'Orientation Agricole), which established the foundation of land governance in Mali, reflected the government's ambition to make Mali an agricultural powerhouse in the region. The 2017 Agricultural Tenure Law represented a further important step in the process of decentralization, and demonstrated the government's commitment to clarifying tenure rights and resolving land-related conflict.
- Yet despite the government's decentralization effort, natural resources and land governance remained centralized, with overlapping statutory and customary rights resulting in frequent land conflicts. Migration from the north due to land degradation caused by climate change and insecurity in the region, as well as large-scale land acquisitions, exacerbated land conflicts and tenure insecurity throughout the country. These conflicts fueled the armed conflict and insurgencies that have plagued Mali for the past decade as well as localized conflicts that hamper development, foment unrest, and sow mistrust between communities and the government.
- In 2012, a military coup toppled the government and a military junta took power. Shortly after, Tuareg rebels took control of much of the north including the historic city of Timbuktu. **Conflict between the central government and insurgent groups continued until the United Nations established a peacekeeping mission to stabilize the country and encourage national political dialogue and reconciliation.**
- In 2015, the Government of Mali and the Tuareg rebels signed the Accord for Peace and Reconciliation. **However, continued land disputes between and within communities, large-scale privatization of arable lands, and climate change continue to exacerbate land conflicts and tenure insecurity throughout the country.**

Tenure Facility Success

- The Tenure Facility pilot project in Mali developed, tested, and demonstrated scalable approaches and tools that rural municipalities and local communities can use to resolve conflicts among themselves and with government, investors, migrants and settlers. The project—the Tenure Facility’s first in an arid environment—positions local communities as agents who can protect land, forest, and water rights and improve livelihoods, thereby contributing to global climate change and development goals. **It builds trusting and collaborative relationships between communities, government, civil society, and private sector that show the way forward in a post-conflict environment.**
- CNOP and HELVETAS organized and trained 17 local land commissions, including nine new land commissions that were among the first to be organized at the village level. Designed to provide a legitimate way of peacefully resolving tenure disputes without resorting to the court system—which many community members cannot easily or inexpensively access—the **land commissions have already reduced conflict by 25% at the municipal level and 35% at the village level in the areas where they have been piloted.**
- **The pilot sets the stage for scaling the success of land commissions across the country.** By supporting and learning from the experiences of land commissions in the south—where conflict is more localized—the project plans to scale to areas where conflict is more prevalent and widespread, particularly in the country’s central and northern regions.
- The project conceives and demonstrates a new approach to foster collaboration between communities, NGOs, and mining companies to reduce conflict and foster development.
- The project is led by the National Coordinating Body of Peasant Organizations in Mali (CNOP) and HELVETAS Mali. CNOP is an association of 13 federations of small rural producers of agricultural goods. HELVETAS is a Swiss international NGO that has been working on rural development in West Africa for over 30 years.

Spotlight on Sikasso

- In the region of Sikasso, 80% of the population lives off the land. Facing pressure on their lands due to climate change and land grabs in the surrounding areas, three communes collaborated to develop Mali’s first-ever inter-communally held and managed forest with the support of CNOP and HELVETAS Mali. The inter-communal nature of the forest allows the community to work together to strengthen the productivity of these 4220 hectares of forest.
- “Of every 100 land conflicts in the Region of Sikasso, 70 come from Ganadougou, an area of Sikasso composed of 10 municipalities, including the municipality of Nièna. These conflicts are often brought before the courts in Bamako. The COFOs [land commissions] are helping to end this situation. There have been recommendations to send back the cases that are pending before the courts, given that the COFOs can help resolve these conflicts in a more permanent way.” Mohamed Barry, Secretary General of the Mayor, Nièna Municipality