

Call for inputs: Mobile Indigenous Peoples by Special Rapporteur on the rights of Indigenous Peoples

Input on the rights of the Fulani pastoralists in West Africa -specified to Nigeria/Benin/Ghana/Burkina Faso

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Note the below input is based on still ongoing field research.

Land and resources rights

A. Priority use right and other rights

- Cross-border seasonal movement is a coping strategy for Fulani pastoralists, who make use of spatiotemporal environmental variability to their advantage. Along with being a coping mechanism, this movement is also a way of preserving social ties with their fellow brothers over the border and about culture. However, one significant obstacle has been the growing agricultural encroachment into pastoral zones. Local management has implemented strategies to regulate farming activities so that livestock can move unhindered. The purpose of these measures is to guarantee land and resources usage rights for the Fulani livestock keepers. These measures tend to remove obstacles that could make it difficult or impossible for Fulani to move their livestock throughout the planting and harvesting seasons.
- Local authorities in Niger and Benin have set aside certain areas for the sole use and mobility of pastoralists. Fulani enjoy collective use rights of officially demarcated pastoral areas. Planting and farming are prohibited there. Additionally in Benin, a farmer must leave a 25-meter space between farmlands and grazing areas. Farmers are not permitted to file a lawsuit, report, or seek compensation for damages to non-authorized fields in the pastoral zones. In Niger, it is no longer possible to privatize land in pastoral zones in a way that could restrict the movement of livestock.
- In Northern Benin and Nigeria, Fulani can seek "priority use right" of natural resources (water, land, pasture). This right, which is granted to Fulani pastoralists in dry season, is about relocating farmers who produce crops close to water points, such as vegetation and yam. These farmers are asked to leave the land for pastoralists in order to move their livestock for watering.
- In Benin, Niger and Nigeria, Fulani have the right to move and graze their animals in agricultural areas after the rain-fed produce usually in the months of November, December, and January. A large number of farmlands today used to be their grazing areas or passage that lead to where they find pasture. After harvest, it is appropriate and crucial for farmers to welcome Fulani pastoralists onto their land. But in other areas, these rights are disregarded, and Fulani people are refused access along with their livestock.

B. Impact of conservation on Fulani pastoralists

- In Nigeria and Benin, environmental resources have declined drastically. One issue stuck out in our interactions with the local authorities in these two countries: Fulani pastoralists are still blamed for environmental degradation. Local government established reserves and encouraged Fulani pastoralists to adopt ranching practices, to commit to a sedentary lifestyle, in response to this environmental concern. Fulani are granted hectares of land for grazing in several Nigerian localities. The Beninese government is also encouraging pastoralists to acquire land and plant greenery by providing them with seeds.
- Fulani voiced concerns about this development. They were not taken into consideration for this project's implementation processes. Local chiefs and security personnel are in charge of overseeing this area and how it is used; yet, they occasionally demand money from them, making it challenging to access the resources. Later, certain activities such as farming were permitted in the area.
- The Fulani people view this initiative as a means of limiting their freedom of movement and as a tool to alter their customs and traditions. They may be forced to think about modern life, which some of them claim is discriminatory, and they will become idle. Some Fulani boys in Benin who had previously attended school have returned to herding cows because they experience discrimination from other kids. The same thing happened to the adults who, after being disappointed, in search of work in the city returned to the bush..
- The governments of Benin and Nigeria are putting pressure on Fulani to reduce their herds if the reserves are going to be sustainable. The government feels that the environment has been ruined by an increase in cattle, so if reserves will not die, there's no need to raise more herds. This is likely going to have an impact on the employment of hired Fulani, many of whom are foreign nationals. Additionally, reserves may easily lead to an epidemic of animal diseases since they will bring together cattle from various locations.

C. Impact of climate change on Fulani pastoralists

- Fulani pastoralists are among the people groups in West Africa who depend on lands and natural resources for livelihoods. Already facing socio-political disadvantages, Fulani pastoralists are more vulnerable to the impacts of climate and environmental change. Example of the impacts of climate change on Fulani pastoralists include rainfall variability, droughts and loss of vegetation.
- Constant movement in response to environmental changes has led to not having a permanent place. Furthermore, despite the fact that they arrived before the so-called indigenous people, they are still denied land rights and ownership in areas where they are the first settlers. Their children now lack access to decent education and other social amenities, which is a right shared by all West African citizens, as a result of the ongoing movements made in reaction to climate change. Their primary source of income, cattle, has either been lost or reduced as a result of climate and environmental change. Their culture of mobile practices is gradually depreciating and changing from one generation to another as a result of climate and environmental changes.

Political and social rights

- Because of their animals, Fulani pastoralists have historically chosen to live in relative isolation. These have drawn many challenges that call for the state to take focused action. Local chiefs and indigenous people in the village keep a careful eye on them out of concern that they may provide shelter or entertainment to terrorists. In Nigeria, without the local chief's knowledge and consent, they are not permitted to host guests. Since they are frequently associated with terrorism, vigilantes or leaders from the neighborhood keep a watch on them while they settle in the remote bush. They have been denied access to essential services and facilities such as decent roads, power, water, health care,, and schools because they have chosen to live in voluntary isolation. Also in Nigeria, government- or non-governmental organizati-sponsored borehole projects intended for such Fulani communities are diverted to other locations by the community's indigenous members, leaving the Fulani pastoralists vulnerable.
- National borders have impact and distrupy families and cultural structures. In dry season, Fulani pastoralists have the culture of moving to a more wet areas in search of better pasture and water. If they will not be staying long (like four months) in the new areas, they go alone with their livestock. But if they will be staying for more than six months to one year, they go with thier wives and children. This practice of going with household members has, however, become increasingly difficult. For instance, in the border between Nigeria and Benin Republic, it is more problematic when Fulani pastoralists move with wives and children. They are seen as migrants who committed an offense in their home country and are seeking for a hideout in another country. They are often asked to go back to where they are coming from.
- In this same border, Fulani pastoralists face extortion and exploitation. Even when they have all the necessary documents needed to cross border, they are often harassed and suspiciously interrogated as terrorists. Because of their low level of Western education, they are made to pay huge amount of money or give a cow to get permit papers. When they fail to pay, their permit documents can be delayed for weeks (and sometimes denied), leaving some of them stranded or taking a longer route in oder to escape the problem.

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