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Ndèye Coumba Diouf

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Abbreviations and acronyms

CLCOP	*Cadres locaux de concertation des organisations paysannes* Local consultative frameworks for farmer organisations
CNCR	*Conseil National de Concertation et de Coopération des Ruraux* National council for rural consultation and cooperation
CNRDT	*Commission Nationale de Réforme du Droit à la Terre* National Land Law Reform Commission
IPAR	Initiative Prospective Agricole et Rurale – a research institute that focuses on proposals for agricultural and rural policies in West Africa
LOA	*Loi d'Orientation Agricole* Framework Agricultural Law
LOASP	*Loi d'Orientation Agro-Sylvo Pastorale* Framework Agro-sylvo-pastoral law
LDN	Law n°64-46 of 17 June 1964 on public lands
MAE	Ministry of Agriculture and Livestock

Introduction

This paper looks at the ways that farmer organisations influenced the formulation of the Agro-sylvo-pastoral framework law (LOASP) in Senegal between 2002 and 2004, and considers similar public policy formulation initiatives by non-governmental actors in Senegal.

We used two methodological tools to conduct the study: documentary research, and interviews with various stakeholders who were involved in the process of developing the LOASP. The information gathered from the documentary resources was cross-checked with what we were told by farmers' leaders, especially those from the national council for rural consultation and cooperation, the CNCCR (Conseil National de Concertation et de Coopération des Ruraux), which is the most representative farmer platform in Senegal.

1. Socio-historical background

After regaining national sovereignty in 1960, Senegal revised the land system it had inherited from the colonial authorities in order to promote economic and social development across the country. This process culminated in the formulation of the law on public lands, Law n°64-46 of 17th June 1964 (LDN), which was supposed to encourage rational and productive land use by overriding traditional regimes and harmonising the land tenure system with the nation's development needs. After several years it became apparent that the LDN had not been enforced in rural areas and that a land reform was needed. This led to the introduction of a new agricultural policy that saw the State start to disengage from land affairs in the 1980s.

The economic situation continued to deteriorate, and various structural adjustment plans were put in place under the auspices of the World Bank and the IMF, along with new agricultural policies and strategies favouring private investment and liberalisation of the agricultural sector. Many of these policies were formulated under the guidance of donors. They often failed to address local people's concerns and proved ineffective when implemented, and it became clear that a new political procedure was needed to modernise Senegalese agriculture in a sustainable manner.

Successive governments then set about reforming the land legislation. Between 2002 and 2008, the government of President Abdoulaye Wade[1] initiated several processes relating to agriculture and land matters. During a 'rural affairs day' in 2002, he announced that the country needed a law that "*defines a long-term vision for sustainable agricultural development. What is needed is a change in logic through a framework law that will reflect agricultural policy by affirming the priority given to agriculture as the engine of the economy.*"[2]

Some of these processes were parallel or interlinked: thus, the Framework Agricultural Law (LOA) subsequently became the Agro-sylvo-pastoral Framework Law (LOASP) and 'proposals to reform rural land management' prepared by the National Land Law Reform Commission (CNRDT).[3] The top-down approach adopted by many initiatives was counterbalanced by the involvement of civil society actors, particularly from the farmers' movement.

"*The emergence on the national scene of an umbrella organisation for producers, the national council for rural consultation and cooperation (CNCR), has been very helpful in structuring the debates. From 2000 onwards, the need to secure family farmers' land rights emerged as a key issue in the land reform.*"[4] The results of the

1. President of the Republic of Senegal from 2000 to 2012. His accession to power marked a change from a socialist to a liberal regime.
2. Senegal's Agro-sylvo-pastoral framework law (LOASP), the culmination of wide-ranging consultations, *Grain de Sel* N°30, March 2005.
3. IPAR, 2014.
4. IPAR, 2014.

work done by producers associated with the CNCR helped build solid arguments to support family farmers, "*which enabled the CNCR to push for legislative change that would help modernise and transform family farming*".[5]

Extract from the quarterly review *Grain de Sel* n°30, March 2005

The formulation of a framework law broke new ground by enabling all rural development actors to reappropriate the agricultural policy design process, and ensure national representation through the vote on the draft law in the National Assembly. This law will also serve as a framework for the long-term development of agriculture in Senegal by providing a reference for the design and implementation of workable agricultural development programmes.

At the end of 2002 the Presidency of the Republic submitted a draft agricultural framework law to the Department of Analysis, Forecasting and Statistics, in order to "provide a long-term vision for the sector".

This paper focuses on the process used to formulate the LOASP rather than its content. It all started with the agricultural framework law, which was intended to reform land legislation in order to help create the conditions needed to support rural development, secure agricultural operations and revitalise agricultural production.

A memo sent to the President of the Republic in August 2002 shows that producer organisations within the CNCR had been calling for a new agricultural policy since the early 2000s. They restated their case in the Farmers' Manifesto that the CNCR presented to the State during a day of action in Dakar on 26th January 2003 (see extract below), which set out their vision for agriculture.

Key points in the Farmers' Manifesto of 26th January 2003

Today's event at the Léopold Sédar Songhor Stadium in Dakar brings together the most representative farmer organisations within the Conseil National de Concertation et de Coopération des Ruraux. On 26th January 2003 we are taking this unique opportunity in the history of Senegal to:

(…) call upon the political authorities who are responsible for defining and implementing agricultural and rural development policies. Small-scale farming has been in crisis since the end of the 1970s. The policies of State disengagement, privatisation and liberalisation pursued through the New Agricultural Policy, the devaluation of the franc CFA and the Structural Adjustment Programme for the agricultural sector have not led to the sustainable recovery of Senegalese agriculture. Poverty and food insecurity are now endemic in rural areas. Over 70 per cent of the rural population live below the extreme poverty line. Our agricultural productivity remains weak, not because we are unable to improve our production systems, but because we are so poorly paid for our labour, and because of the lack of public investment in rural infrastructures and public services (…):

As members of the CNCR, we are asking the State to initiate frank and sincere negotiations that result in decisions on the following points:

5. IPAR, 2014.

(…) the formulation of an agricultural and rural development policy based on a long-term vision for the future of small-scale agriculture and rural affairs. Developing agriculture and non-agricultural activities is the only sustainable strategy for alleviating rural poverty in our country.

In order to do this, we call for:

– (…) national conferences involving all the political, economic and civil society actors concerned, to define a vision and strategy for the rural world, followed by

– a vote on the agricultural framework law and a land reform law.

It is worth noting that farmer organisations and State actors started the process with a common desire to formulate a framework agricultural law. It was not only the State that wanted to develop an agricultural policy – all rural actors saw it as imperative in order to address the agricultural setbacks, crises and droughts that were undermining their efforts to achieve food security. "*What was needed was to put agriculture back at the centre of society and the Senegalese economy*."[6]

6. Grain de sel no30 March 2005.

2. Preparing the ground for farmer input into the LOASP

The formulation of an agricultural law was an important milestone for farmer organisations, as it would define a clear vision for the future of agriculture in Senegal. Having been working to articulate their vision since 1997, the CNCR set out their ideas in the Farmer Manifesto of 26th January 2003.

State strategy for formulating the Framework Agricultural Law and consulting non-governmental actors

The Government of Senegal responded to the unanimous agreement on the need for a framework agricultural law among State officials, donors and farmer organisations by preparing draft legislation setting out national guidelines for agriculture. As was the practice at the time, this was done using a top-down, interventionist approach. The draft was prepared "without consultation, by a small committee within the Presidency composed of technical advisors from the President's office and the Ministry of Agriculture."[7]

"The draft text had previously been presented to different departments, companies and projects within the ministry. Their written observations were incorporated into a second version that was circulated among development partners, who sent a joint letter containing their observations and detailed comments to the Ministry of Agriculture and Livestock (MAE)."[8]

Only then did the President instruct the MAE to contact agricultural and rural development actors and consult them on the draft LOA. As they were only given a month to submit their comments on the text, the farmer organisations asked for more time to allow for broader consultations with members at the grassroots level so that they could consider the important issues involved in the adoption of such a law.

Preparatory phase of farmer consultations[9]

The CNCR, which is the most representative rural organisation in Senegal, decided to consult its member organisations to ensure that the producers who would be most affected by it would have greater knowledge and understanding of the new law.

An initial analysis of the draft LOA was shared at a CNCR board meeting in Dakar in April 2003, and a methodological note specifying how farmer organisations would prepare for and participate in the consultation on the draft LOA was presented to

7. Op.cit.
8. Op.cit.
9. This section is based on notes prepared by Jacques Faye, one of the experts mobilized by CNCR, and interviews with actors from IPAR and CNCR.

senior officials in the CNCR and its economic arm, the Association Sénégalaise pour la Promotion du Développement à la Base (ASPRODEB).

The CNCR board decided to (i) implement a reflection process involving every level of the CNCR (local, regional and national) and all of its member organisations and agricultural supply chains; (ii) define a methodology for coordinating and running the reflection process; (iii) seek support from an expert in agricultural and rural development strategies.

The CNCR identified two main principles and a clear methodology for this task, drawing on its recent experience in formulating farmer proposals for the land reform. It set in motion a huge nationwide process of collective reflection that lasted for several months and involved elected local and regional officials and all farmer organisations, whether or not they belonged to CNCR.

The conditions for meaningful participation defined by the CNCR were shared with the State and development partners, who acknowledged that they were well thought out and would contribute to a successful process. The government accepted the methodology for internal consultation, the timetable for execution and the funding mechanism proposed by CNCR, and the Swiss Cooperation, French Cooperation, World Bank and Ministry of Agriculture and Livestock provided financial support to enable CNCR to conduct the consultation process.

3. Grassroots consultation as a tool for bottom-up legislative processes

Extensive bottom-up consultations by the CNCR[10]

The CNCR quickly moved into action to consult local actors on the legislation, knowing that the country needed an LOA that set out a clear vision for agriculture, and that producers would not be well served by a top-down procedure.

After its board meeting, the CNCR started the process with an information and training workshop for local and regional facilitators, which was held in Thiès in April 2003. This was attended by (i) the presidents of local producer consultation frameworks (CLCOPs), (ii) extension agents working on land matters, (iii) presidents of regional frameworks for consultation and cooperation on rural affairs (CRCR), and (iv) representatives of regional communication channels. The workshop enabled the CNCR to produce a detailed study of the draft LOA and a guide to organising and running reflective workshops.

A total of 33 local workshops took place in the ten days between April 15th and April 25th 2003, with three workshops per region held in rural communities with a CLCOP. These workshops were also open to neighbouring rural communities that did not have a CLCOP, which considerably extended their potential reach. One regional workshop was then held in each region between 25th April and 15th May 2003.

The CNCR also ran workshops for federations of supply chains during this period. To help generate more detailed and systematic contributions, it mobilized rural leaders and sought expert assistance in running this bottom-up reflection process.

It was conducted in three main stages:

– organising local workshops in rural communities for local farmer organisations and rural councillors;

– holding regional workshops to produce a regional synthesis of the reflections and proposals from the local workshops;

– a national workshop for each major supply chain.

Stage 1: Capacity building for farmers' leaders

This stage mainly involved:

– sharing information to enable rural people to develop a broad common understanding of the draft law and pass judgement on it;

10. This section is based on notes prepared by Jacques Faye, one of the experts mobilized by CNCR, and interviews with actors from IPAR and CNCR.

– organising community-level reflection in order to develop a common framework for analysis and gather all rural actors' proposals and concerns.

Stage 2: Facilitating local-level reflection in rural communities[11]

A series of local workshops held over a ten-day period enabled facilitators to reach most rural communities, and participants to appoint their representatives for the regional workshops. There was no doubt about the serious nature of the exercise: as one participant noted, "*these workshops are not political meetings or a platform for criticising the government. It is important that we recognise and respect this. We must work hard to assume our responsibilities and demand equality so that Senegalese producers can thrive*" (Local workshop in Sindian, 2003).

Each workshop consisted of several activities, including:

– an introduction to the draft LOA: its origin and formulation, and the internal consultation process organised by the CNCR;

– reading and discussion of the LOA;

– discussion of each section of the LOA.

Stage 3: Regional consultations and workshops for major agricultural supply chains[12]

The CNCR led two parallel consultation processes over a period of 20 days: three teams composed of an elected national official and an expert ran regional workshops attended by CNCR's elected regional officials and the producers' representatives appointed at the local workshops; while organisations from the rice, horticulture, cereal, livestock, fishing and groundnut supply chains held their own workshops to consult and reflect on the LOA.

The purpose of these workshops was to:

– refine and consolidate the results of the local consultations and reflection, and define the strategic themes and specific priority actions for different regions;

– build consensus by opening up the consultation to large agricultural and livestock supply chains.

Stage 4: The national workshop

After consulting their members at the grassroots level, farmers' leaders discussed and agreed the points to be negotiated with the State, and adopted a document setting out alternative proposals for a revised draft framework agricultural law. Experts who are committed to the farmers' movement supported this process, which

11. This section is based on notes prepared by Jacques Faye, one of the experts mobilized by CNCR, and interviews with actors from IPAR and CNCR.
12. This section is based on notes prepared by Jacques Faye, one of the experts mobilized by CNCR, and interviews with actors from IPAR and CNCR.

was followed by a three-day national workshop in Dakar to discuss and formulate the overall vision for agriculture and rural issues.

The farmers' leaders at this workshop had wide-ranging discussions about the synthesis documents presenting the regional positions and concerns of actors in various supply chains. Participants included representatives of the State and various development partners that had supported the process, most notably the Swiss Cooperation Support office, the French Embassy's Cooperation and Cultural Service and the World Bank. The counter-proposals formulated during local reflections were presented and validated at this workshop, and CNCR was mandated to negotiate on this basis of these proposals.

Points from the final declaration at the national workshop[13]

In their final declaration, producers attending the national validation workshop confirmed CNCR's vision and called on the government to "*work through every stage of the process with the participation of all development actors […] development is not a race but a coherent and concerted process.*"

This is reflected by CNCR's position that the law should be "*re-examined by the National Assembly within three years of its promulgation*" in light of "*a prior assessment conducted with all the professional organisations concerned.*"

The CNCR's board of directors adopted the document containing a critical analysis of the draft framework agricultural law and alternative guidelines that reflected the producers' vision of agriculture. Armed with these proposals for a 'draft agricultural and rural framework law' (the POAR), the CNCR then started the process of negotiating with the State.

Negotiations with the State

Negotiations with the State led to consensus on many of the strategic themes in the POAR proposed by the CNCR – but not on the land reform. It was decided to allow more time for consultation on this issue and, even more importantly, to remove the chapter on land from the LOA.

Farmer organisations within the CNCR and development partners (the Swiss Cooperation, French Cooperation and World Bank) felt that insufficient care and attention had been given to land matters, prompting "*an intense lobbying campaign led by CNCR with support from other civil society organisations and political parties*".[14] The strong pressure exerted by rural civil society groups in collaboration with development partners compelled the authorities to change the content of the LOA and adopt another procedure, which led to the elaboration and adoption of the 'Agro-sylvo-pastoral framework law' (LOASP).

13. This section is based on notes prepared by Jacques Faye, one of the experts mobilized by CNCR
14. IPAR, 2014.

4. Other CNCR consultation processes

In the early 2000s the CNCR began a wide-ranging consultation process to reflect on land and land-related issues. The lessons learned from this initial, rather laborious exercise enabled it to organise local consultations over a much shorter timeframe during the formulation of the LOASP, which ultimately produced the farmer proposals for the land reform in 2004.

In 2011 the CNCR updated these proposals in order to take account of the growing number of large-scale land acquisitions in Senegal. This was done with support from IPAR and the same inclusive participatory procedure used during the consultations on the LOASP – although on this occasion there was insufficient funding to engage with members at the grassroots level. Therefore, consultations and workshops to update the farmer proposals for the land reform were held in the five main agricultural areas of the country, each of which has its own particular agro-ecological characteristics: the Delta, the Niayes, the groundnut basin, the southeast and the sylvo-pastoral zone. The process and resulting revised proposals are further evidence of the organisation's desire to participate effectively in public policy formulation and negotiate with the State on issues that are close to producers' hearts.

In 2012, the newly elected government set up a National Land Law Reform Commission (CNRF). It was initially composed of 75 individuals from various professional sectors, but did not include the farmer organisations grouped around the CNCR. The fact that they were not mentioned in the decree instituting the Commission was seen as heralding a return to the top-down type of procedures that had been avoided when formulating the LOASP.

Backed up by other civil society actors from CRAFS,[15] farmers' leaders in the CNCR sent a letter to the President of the Republic (copied to the Commission) criticising the new setup and reaffirming the need for the land reform to be participatory and inclusive if it was to succeed. Their point was perfectly illustrated by the ineffectiveness of the Law n°64-46 of 17 June 1964. During a workshop to present a study on the framework for analysis of land governance, a tool developed by the World Bank, the President of the Commission announced that the CNCR would be included as a member of the CNRF and have six representatives on the Commission.

Following the resignation of the former President of the CNRF and the nomination of Moustapha Sourang as his replacement, it was hoped that the Commission would avoid technical approaches and use more inclusive and participatory procedures that take greater account of the needs of local communities. When he took office President Sourang contacted different civil society actors working with and for local

15. The Cadre de Réflexion et d'Action sur le Foncier au Sénégal, a platform for reflection and action on land in Senegal

communities under the auspices of the CNCR, and held a workshop on 19th November 2014 to launch the national land reform and share the strategic guidelines and roadmap for the reform with actors at the national level. The fact that the Commission decided to organise departmental meetings in order to engage more closely with local actors and their concerns, following a very similar process to the one developed by the CNCR during consultations over the LOASP, shows how much the CNCR has influenced reflection on land matters.

5. Results and reflections

Strengths of the consultation process

One of the positive aspects of the LOASP formulation process was the fact that the State took the counter-proposals generated by CNCR's local and national consultations as the starting point for negotiations. The CNCR was well prepared for this kind of negotiation, having already conducted several reflection processes since its inception:

- reflections on family farming (1993 and 1994);
- input into the design of the Agricultural Services and Producer Organisation Support Programme;
- involvement in the joint Federation of Senegalese NGOs/FAO agricultural policies project (1998/1999);
- participation in strategic reflection on agricultural and rural training (1998/1999);
- internal reflection on the land reform (2000/2003).

It is also worth noting that the Prime Minister had persuaded President Wade to withdraw the authorities' proposals for the land reform before the consultations started. This was due to CNCR's interventions in the media, which were supported by various political parties (including the ruling coalition), elected officials and civil society groups. The CNCR got its way on most of the points under discussion for several reasons: (i) it led a participatory process with representation at every level; (ii) all existing CLCOPs and surrounding rural communities were systematically invited to the local workshops, as were elected local officials; (iii) all the regions held a reflection workshop, and finished the process by (iv) appointing a negotiator for the national seminar.[16]

Weaknesses

Despite these strengths, the consultations surrounding the formulation of the LOASP fell short of expectation in a number of ways. Some of the experts who supported the process felt that the national farmers' leaders could have done more to influence the negotiations with the State. One source told us that "They let the experts assume a role that was not theirs to play. As a result, they did not ensure that the outcomes of the negotiations were followed up and monitored".

16. Information based on interviews with resource persons.

Most of the other shortcomings were due to the poor promulgation of the enforcement orders that were supposed to accompany the law. None were prepared before the LOASP left the National Assembly, and some have yet to appear. We were told "*the problem is that the State had to accept almost all of the farmers' proposals because it didn't come to the negotiations with any of its own suggestions. Things may not have gone the way it wanted, which may explain the lack of political will to issue decrees that could facilitate the enforcement of the LOASP. Now the State is using the fact that the law is not being applied to develop certain special projects, such as the cassava and sesame programmes, GOANA, etc.*"

Another source observed that the LOASP process had been an interesting experience, but that it did have some technical limitations:

"*We reached some rather shaky compromises. When I read the LOASP I feel that it contains two overlapping visions of agriculture, and it's not clear where its priorities lie. I think people worked really hard to reach compromises, possibly telling themselves that they will be able to do more when they get to the enforcement tools stage. But you can't move forward in situations like that because there's too much confusion. You can't design enforcement tools that will help clarify the options in the core document if these options are ambiguous. If we want enforcement tools, there have to be clear choices in the core document. If it doesn't specify where we want to go, we can't define how we're going to get there.*"

In this person's opinion, "*There needs to be a critical analysis of the proposed options in the LOASP so we can understand why there is no longer the political will to prepare the enforcement orders, and learn from this process.*"

6. Lessons learned and recommendations

Lessons learned from the experience of formulating the LOASP

While it is important not ignore the gap between what the State initially wanted to do and the actual outcome of the formulation process, we were told by one of the people we spoke to that the LOASP is "*a good lesson in participatory and inclusive formulation, a model procedure which shows that if different actors are brought together and given sufficient time and resources, they can make a valuable contribution to good, broadly consensual policies*."

This experience is instructive in terms of the conditions needed to enable farmer organisations to influence public policies. One of the experts that accompanied the process identified five necessary conditions.

First, the need for strategic participatory reflection within farmer organisations. The State and development partners have their own vision of development, which is not necessarily the same as that of the rural world. It is at this level that farmer organisations need to "develop their own participatory vision so that they can defend the interests of the family farmers that they represent."[17]

Second, the need to strengthen the capacities of leaders at every level. The reflective workshops held during the consultation process were run by farmers' leaders. CNCR made sure that they received training before the workshops, and sought expert help to deliver it. "The reflections led by CNCR provided a unique opportunity to identify and train leaders within the organisation."[18]

Third, it is important to mobilize expertise to help train participants, encourage more systematic reflection and provide advice during negotiations.

Fourth, develop good methodological procedures that "enable largely illiterate agricultural producers to reflect on issues that may initially seem beyond their comprehension. Farmers are perfectly able to participate in abstract debates if the topics are presented in a way that relates to their daily lives and practices."[19]

The fifth and final condition is the need to "familiarise leaders with negotiating and monitoring procedures",[20] to ensure that the processes are properly managed and increase their chances of success. Farmers' leaders in the 'rural land' thematic group that was created to support the enforcement of the LOASP found it difficult to negotiate with the State. Although the CNCR was represented within this thematic group, it also included other platforms for farmer organisations with different and

17. agridape n°7 xp préflash – AgriCultures Network
18.agridape n°7 xp préflash – AgriCultures Network
19. agridape n°7 xp préflash – AgriCultures Network
20. agridape n°7 xp préflash – AgriCultures Network

sometimes divergent interests. Finally, it is important to clarify everyone's roles and responsibilities in the process. In this case, the farmers' leaders did not contribute in the way that they had hoped because their role and that of the experts supporting the process were not clearly defined, which is regrettable.

Recommendations

This study has shown that initiatives to enable key stakeholders to influence public policies should not limit the process to consultations at different levels; they should also include meaningful negotiations with the other party or parties, in this case, the State. In addition to negotiation, monitoring the implementation of agreements and commitments is also crucial for a successful process.

It is not easy to raise the funds needed for the kind of reflection process that the CNCR led on land and the LOASP. Mobilizing sufficient financial resources is a key issue that needs to be taken into account to ensure that communities are consulted at every level in this kind of process.

And last, but by no means least, the State needs to have the political will to appropriate bottom-up procedures.

Bibliographic References

Agridape n°7 xp préflash – AgriCultures Network
Brayer J *et al*. (2005) 'La loi d'orientation agro sylvo-pastorale sénégalaise, résultat d'une large concertation', Grain de Sel n°30
Chaboussou A *et al*. (2006) Étude d'un processus de concertation pour l'élaboration d'une politique publique: le cas de la Loi d'Orientation Agro-Sylvo-Pastorale (LOASP) sénégalaise,
CNCR, Manifeste Paysan, 26th January 2003
Minutes of farmer consultations in the process of influencing the LOASP.
Unpublished notes by Jacques Faye, the expert mobilized by the CNCR in the process of influencing the LOASP.

21. agridape n°7 xp préflash – AgriCultures Network.

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