

UNCLASSIFIED

PROJECT PAPER

MAURITANIA

LAND TENURE
(625-0937)

(ACCELERATED IMPACT PROGRAM)

USAID/MAURITANIA
1981

AGENCY FOR INTERNATIONAL DEVELOPMENT

UNCLASSIFIED

memorandum

DATE: 11 September 1981

REPLY TO
ATTN OF: Allan E. Reed/CPDO (1)SUBJECT: Authorization of the Accelerated Impact Program Project Paper
for Land Tenure 625-0937

to: Mr. John A. Hoskins/DIR

1. Attached is the PP for the Land Tenure AIP, 625-0937, for your review. Since the A/PID was a substantial document and there were no AID/W recommendations for major changes in the PID approval cable, the PP includes much of the PID document with the following required additions for a PP:

A. Addition to text (attached as addendum).

(1) Feasibility Analyses:

The normal economic, social, administrative, and environmental feasibility analyses required for a PP have been added. These analyses also address points mentioned in the PID approval cable, including women's concerns and the role of GIRM Land Office cadre, trained by the project, beyond their functions in the Ministry of Rural Development.

(2) Financial Plan:

A sources/uses of funds table and a table projecting expenditures have been added.

(3) Evaluation Plan:

An evaluation plan has been added.

B. Additional Annexes:

(1) The PID approval cable has been added as Annex 9.

(2) The text of President Haidalla's address on land reform and the GIRM efforts in finding a just solution to this problem has been added to Annex 5 as further evidence of the GIRM commitment to this project.

(3) The required statutory checklist has been added as Annex 10

2. Recommendation: Based on the inclusion of the above material in the PP for this project, it is recommended that, by your signature on the PP facesheet, you approve the Land Tenure Project, 625-0937 for funding of \$500,000 in FY 1981.



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AGENCY FOR INTERNATIONAL DEVELOPMENT

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PP

2. DOCUMENT CODE
3

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FY [8] [5]

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A INITIAL FY [8] B. QUARTER [4]
C FINAL FY [8] (Enter 1, 2, 3 or 4)

10. ESTIMATED COSTS (\$000) EQUIVALENT \$1 -

A. FUNDING SOURCE	FIRST FY			LIFE OF PROJECT		
	B. FX	C. LC	D. TOTAL	E. FX	F. LC	G. TOTAL
AID APPROPRIATED TOTAL						
IGRANT	450	50	500	450	50	500
ILOAN						
OTHER 1.						
OTHER 2.						
HOST COUNTRY		75	75		75	75
OTHER DONOR(S)						
TOTALS	450	125	575	450	125	575

11. PROPOSED BUDGET APPROPRIATED FUNDS (\$000)

A. APPROPRIATION	B. PRIMARY PURPOSE CODE	FIRST FY				H. 2ND FY		K. 3RD FY		
		C. GRANT	D. LOAN	E. TOTAL	F. GRANT	G. LOAN	I. GRANT	J. LOAN	L. GRANT	M. LOAN
(1) SH	230	055		500						
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(3)										
(4)										
TOTALS										

A. APPROPRIATION	N. 3RD FY			LIFE OF PROJECT		12. IN-DEPTH EVALUATION SCHEDULED
	O. GRANT	P. LOAN	Q. TOTAL	R. GRANT	S. LOAN	
(1)				500		MM YY
(2)						
(3)						
(4)						
TOTALS				500		

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14. ORIGINAL SIGNATURE AND TITLE

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TITLE: Mission Director

DATE SIGNED: 09 11 81

15. DATE DOCUMENT RECEIVED IN AID/W. OR FOR AID/W DOCUMENTS, DATE OF DISTRIBUTION

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LAND TENURE

Project Identification Document (A/PID) for
Accelerated Impact Project (625-0937.5)

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LAND TENURE

ACCELERATED IMPACT PROJECT

I. INTRODUCTION

The Government of the Islamic Republic of Mauritania (GIRM) is, like other Sahelian countries, attempting to restructure its rural economy in the face of an increasing population living off a deteriorating environmental base. USAID and other international donor agencies have been willing to assist Mauritania in this effort through the design and financing of rural development projects.

Many of these projects are experiencing acute land tenure constraints. A major component of this problem is the historic social inequality of control over land and water by feudal-like economic institutions, which enables nearly all excess production to be absorbed by the resource-controlling elite. As development projects attempt to bring the land into more productive use, the problem of conflicts over the control of the newly-created resources emerges. Projects cannot succeed without modern systems of land management that are consistent with new technology and economic institutions, and also provide fair rewards of economic return, both for the labor expended and for the investment made by those who actually work the project land.

For example, the Gorgol Project, financed by the World Bank and other donors, which is attempting to make irrigated land available to the cultivator, remains only half-utilized because of the opposition of the former land-owning group. Even in the utilized portion, there are major equity issues concerning how many of the participants are really working for themselves and how many are, in reality, shade-dropping for one or another of the traditional land-owning families. Project administration has been forced so far to turn a blind eye to this important question in order for anything to be done at all. This would be less of a problem if it were an isolated case. It is, however, general to many projects. The neighboring Louche Project has attempted from the start to avoid these difficulties, with only marginal success. Elsewhere, flood control and projects designed to control and conserve run-off lie unused, suspended or unstarted due to conflicts over who has the rights to the new benefits.

This is not a problem that will disappear with time and it will be part of most future projects. On the other hand, it is not something that is happening in a vacuum. All levels of the GIRM are aware of the problem and it is reported on regularly in the national newspaper, Chaab. Several high-level commissions have been appointed to study the problem. None of these commissions have been able to present an acceptable solution. This is not necessarily due to a lack of willpower, for it is generally recognized that not only will rural development not take place without a solution to the land tenure problem, but political stability is also ultimately at stake. One root cause lies in the fact that Mauritania, like many Sahelian countries, lacks the trained manpower to establish the institutional framework needed to provide a predictable policy environment for project participants and administrators alike.

There is no body of expertise in land tenure administration and land policy development available to the GIRM. Until the GIRM can develop this capacity, future projects will face the same potential institutional constraints surrounding the very resources they hope to improve. The problem is both general and project-specific and the GIRM needs the institutional capacity to deal with it as a rural development policy problem. The place to begin such institution-building activity is within the Ministry of Rural Development. It is here, in the various Directorates of Agriculture, Livestock, Rural Works, and the Protection of Nature Service, that the problems of project implementation must be met.

Therefore, USAID proposes to assist the GIRM with the rapid establishment and application of a trained cadre capable of providing the continuous technical inputs needed for resolving land tenure problems on both a local and national level. The proposed project is purposely designed to be simple and USAID proposes to assist the GIRM to effect a specifically-focused effort towards analyzing and resolving land tenure problems in the context of one or two on-going development projects whose ultimate success is presently compromised by such difficulties, and where reform is required to assure that the largest possible number of poor agricultural laborers, and not just the local elite, benefit from project efforts. The proposed A.I.P., in the course of benefiting the specific project participants in question, will establish both a prototype for an eventual national solution and, most importantly, a trained cadre of Mauritanian land tenure specialists who will operate out of a newly created land tenure bureau in the Ministry of Rural Development to replicate the project's activities on an ongoing permanent basis. The training provided through the project will not simply be training in the legal aspects of land tenure problems, but will focus as well on resource management and applied social science research.

The Accelerated Impact Project mode was chosen by USAID as a vehicle for this project activity because of the need to demon-

strate quickly a resolution to a major constraint for a wide range of rural development activities, the limited amount of funding and time required to carry out the activity, and the broad scope of rural beneficiaries of a revised land tenure system. The result of this A.I.P. will be to create for the first time a capacity for the GIRM to deal professionally with one of the major constraints to the country's development. The proposed A.I.P. is purposely designed to be simple and focused. While only a step in the complicated process that will lead to a national solution, USAID believes it will result in a quantum advance in the GIRM's capacities to deal with the issues at hand and will result in immediate service to ongoing development activities by contributing to their fundamental chances of success, enhancing production, and ensuring more equitable distribution of project benefits to low-income farming/laboring rural populations.

II. PROJECT BACKGROUND AND DESCRIPTION

A. Description of Proposed Project

The project will be composed of three carefully synchronized activities: (1) the training and establishment of a cadre of land tenure specialists in the Ministry of Rural Development; (2) a direct intervention to analyze and resolve land tenure problems in the context of a major rural development project; and (3) the organization of two colloquiums, one national and one regional, on land tenure and development problems.

As the focus of its applied field intervention, there will be chosen one or two existing development projects that contain relevant issues of land and resource management and questions of the allocation of rights and duties. One of several USAID projects - Rural Land Reclamation or Renewable Resources Management, for example are foreseen as possible candidates. However, given the pressing questions regarding land tenure that exist in many non-USAID projects (such as the irrigated perimeters along the Senegal River and the proposed dam at Fom el Gleita), the final choice will be made by the GIRM and USAID six to eight months after the beginning of the project (See implementation plan and calendar below), based on the most pressing development need at the time. The ground action itself will be carried out by the Mauritanian cadre being trained in association with a consultant team from an appropriate U.S. university with relevant qualifications in land tenure studies.

The cadre which will be trained in the course of the A.I.P. will have as its final objective the staffing of a division of the Ministry of Rural Development capable of: (1) analyzing and recommending land tenure policies on the national level; (2) intervening in specific situations to analyze the germane social, economic, and legal factors existant; and (3) working as a sophisticated technical link between affected communities and GIRM adjudication authorities to establish mutually acceptable resolutions to land tenure problems consistent with both social equity and production needs. The training of this cadre will consist of academic and field experience, both of which will be an integral part of the applied intervention.



To achieve this, a series of specifically-timed alternations are planned between in-country activities and U.S. studies. At the beginning of the project, before the cadre departs for the U.S., a representative of the U.S. university will come to Mauritania and will meet with representatives of the GIRM and USAID to outline the projected plan of study. A significant portion of the first six months will probably be devoted to English language studies, supplemented by a general orientation to land tenure problems, and collaboration in establishing the proposed national colloquium program. The cadre will then return to help put on the national colloquium (July, 1982). After the national colloquium, the cadre, U.S. university representatives, and the GIRM and USAID will decide which rural development projects will be the focus of the group's field intervention. The cadre and the U.S. university consultants will acquaint themselves with this project and gather relevant information and documents before returning to the U.S. The next nine months will represent the cadre's intensive training in land tenure/management issues with a specific focus on the type of problem existing in the chosen project intervention. During this time, as part of their studies, the cadre will establish the exact methodology they will use in the field.

The following July (1983) the cadre and two U.S. university supervisors will return to Mauritania for site-specific analysis and problem resolution. This period will begin with a colloquium in the project region to sensitize regional personnel and integrate them into the resolution process. Thereafter, a majority of the team's time (estimated twenty days per month) will be spent in the field. The proposed resolution will be presented five months later, to permit a month's review and evaluation before the university supervisors depart. At this point, the cadre itself will become a functioning unit of the Ministry of Rural Development.

Several important qualifications are necessary to assure project success:

- (1) Field work will have to take place between July and December, since at other times a large number of people, even those living in sedentary communities, leave their areas in search of pasture for animals or urban employment. To abide by this schedule means the project itself must start in January, 1982.
- (2) Because the cadre's time in the U.S. will involve a specifically tailored program during which they must not only learn but also set the basis for the in-country intervention, a part-time coordinator, with secretary and document procurement budget, will be needed at the selected U.S. university while the cadre is there.
- (3) The U.S. university consultants who supervise the cadre's work in Mauritania must have an FSI-3 capability in French, or, even better, French and Arabic. At least one will also have to have a significant orientation to Islamic law.
- (4) While the project will be completed in two years, it is recommended that funds be made available to allow each of the

cadre, on a staggered basis which does not interfere with the new division's ministerial work, to complete studies for a Master's degree (estimated six months' additional study). This is made necessary by the specific focus of the initial fifteen months training and the need for an M.S.-level degree to establish a solid credibility base for high echelon placement of cadre members (see GIRM issues below).

B. Surrounding Social Circumstances

The spectrum of ethno-linguistic groups that compose Mauritania's population (Hassaniya, Peuhl, Soninke, and Wolof) are reviewed in depth in A. Manzardo's study (see Annex 1). Each of these groups' classic way of life revolves around specific types of productive systems well adapted to their traditional environment and technological system (example, the nomadic feudalism of the desert groups as contrasted with the land-owning oligarchy of the river groups.) Land rights and use naturally vary among them, and awareness and sensitivity to traditional practices and the ability to discern what must be changed from what remains appropriate in the context of the nation-state will be one of the skills the cadre will have to develop.

All the systems, however, result in a de facto situation whereby the majority of those who till the land, either as sharecroppers, tenants, or tributaries, have insecure title and must yield up most of their surplus gains to others. These people comprise the majority of the poor rural producers who are the target beneficiaries of most rural development projects and whose complete cooperation is instrumental to most rural development success. Such cooperation will never be obtainable to the extent necessary unless these people receive more secure land rights and a larger share of benefits. It is a primary aim of this project that such a reform occur in the context of the development projects on which it will focus, which in turn will establish a precedent for an eventual national solution. Therefore, a specific criterion for selection of the intervention site(s) will be the social equity needs and a favorable prognosis as to the possibility of reform.

Ironically, present circumstances make much rural production so minimal that traditional interests often have less of an economic than political stake in maintaining the traditional system. As a result, while the worker does not invest in long-term improvements because they will not accrue to him, the owner does not invest because the return is so minimal compared to alternative possibilities such as commerce and urban real estate speculation. A major hypothesis is that in fact land reform is socially and politically possible in the Mauritanian context because, if coupled with new concepts of land and resource management, it would so significantly increase production that all parties would benefit (see Manzardo paper.) The realization that not only is this possible but that the country has no other practical alternative is becoming more the accepted view and is a major reason why assistance is immediately needed to help transform such speculation into operational reality.

C. Description of Land Tenure Situation

An in-depth analysis of land tenure systems in Mauritania has been done by University of Wisconsin Land Tenure Center consultant A. Manzardo (see Annex 1). The situation can be summarized as follows:

(1) Problems of land tenure and use in Mauritania are recognized by the GIRM, foreign donors, and the general population as a major block to development. These problems are naturally complex and stem from both Mauritania's own unique cultural situation and its physical environment as a Sahel country. It would be a mistake to think these are either easily understandable or solvable by generalized stereotyped solutions that have originated in other contexts (eg., Latin America or Asia).

(2) In Mauritania the basic problem is not only land but water and access to it. The principal categories of lands and the nature of tenure can be summarized as follows:

a) Land that under normal conditions are regularly flooded by the Senegal River and are suitable for recessional agriculture. These are owned, depending on the area, either by individuals or a few large families. They may be cultivated by the owner or his family, rented to others, sharecropped, or sold.

b) Lands in wadis (intermittant dry streambeds) or flood-basins that are also suitable for recessional agriculture. These are mainly in areas traditionally dominated by pastoral groups whose tributaries worked them in the past. Today most of these former tributaries work the land for themselves, but conflict and ambiguity exist as to whether they own the land or whether they only have rights to its use.

c) Oasis areas where crops, mainly dates, are irrigated from wells. These are the private property of the owner, who acquired his rights by digging the well and planting trees. However, sale to outsiders or other social classes may be restricted by social pressure or by a recognized right of preemption whereby other members of the controlling group are given first opportunity to purchase.

d) Dryland areas where agriculture is dependent on rainfall. These, except for a few special cases due mainly to proximity to settled communities, are available to all on a first-come basis. There is no permanent vesting of property rights beyond that of continued use.

e) Grazing lands open to all without restrictions to access.

f) Forests, either unprotected, classified, or protected. There is now a general national prohibition on tree-cutting; otherwise unprotected areas are free to all; classified areas are subject to use by permits (for charcoal production); while protected areas are to remain untouched.

g) Urban land (including garden areas) where occupation rights, both provisional and permanent, must be officially allotted by the GIRM. These usually require the payment of a fee, are thereafter taxable, and, once owned, are alienable.

h) GIRM-sponsored project areas. These represent a new phenomenon for Mauritania. Generally, projects try to work with the people on the spot or redistribute land with priority rights to former users. However, no meaningful compensation has been provided for confiscated land.

Tenure problems exist in regard to the above situations both in terms of limited privilege access and excess use. For example, as regards forests, regulations are often simplistic or single-focused with no understanding of planned management. In some areas there are across-the-board prohibitions against cutting trees that prevent farmers from fencing fields, while in other areas entire forests are being decimated for charcoal production. In some areas farming groups are being denied the right to build dams because of traditional claims to the land by pastoral groups who do not use the land themselves. At the same time, the creation of public wells has opened access to grazing lands previously restricted by the control of watering points by particular communities, and has resulted in extensive rangeland degradation. In the case of development projects, problems have arisen both because of attempted government confiscation of land that has resulted in boycotting of activities by traditional users, such as that encountered on the World Bank-financed Gorgol Project irrigation scheme at Kaedi, while in other cases the recognition of traditional rights has resulted in the underutilization of potential due to the de facto subsidization of massive low-production sharecropping operations that offer little incentive to intensive exploitation or investment of capital.

The fact that a practical resolution of land tenure problems should focus on development projects is somewhat inherent in the country's unique situation. The situation in Mauritania is not that of a few very wealthy parties controlling vast resources which are in need of redistribution. Rather to the contrary, productive resources are so few and productivity so low that "haves" and "havenots" often find themselves in a desperate competition over the few limited opportunities available. In many cases, potential conflicts lie dormant until new development possibilities provide cause for conflict. It is this situation that makes land tenure considerations an integral part of almost any development action proposed.

D. Legal Background, Project Development, and Proposed Actions

The present system operative in Mauritania is based on French law. However, policies are authorized by laws and then effected in specific cases by decrees. This system and its on-going modification in terms of Islamic law are more fully discussed in Part III below. In terms of rural lands there is the basic law, No. 60.139 of 2 August 1960 (see Annex 4). This law declared unused land the property of the nation, but at the same time recognized traditional (customary) claims based on usage. Given the country's traditional nomadic society, it is almost impossible to find any plot of land that cannot be claimed by numerous parties based on purported past use for grazing or temporary habitation. The result has been continuous ambiguity as to land policy. In this way, the law has not so much blocked progress as it has failed to provide a meaningful guide to action. The result has been ad hoc attempts to adjudicate disputes.

In many cases on the local level, authorities have tended to follow the easiest course of maintaining the status quo. This has meant not only upholding the feudal rights of traditional owners, but often taking valuable land out of production. Thus in cases where tributary agriculturalists have built retention dams which have led to conflict with former ruling groups who claim to wish to construct their own dam, local authorities have ordered the dams destroyed to remove the immediate source of conflict. The result is that all parties, including the nation desparate for food, are the losers. While sometimes such decisions represent partisanship by officials and traditional power groups, often it is a case of harassed low level authorities feeling that the best they can do is keep the peace until a more coherent national policy is instituted.

In cases where national level authorities have intervened, such as the Ministry of Rural Development or SONADER (National Rural Development Corporation, a paras+atal organization) officials, results have also proven inefficacious. Manzardo's report analyzes these in depth, but fundamental to the problem has been the fact that attempts at resolution have been based on expediency rather than knowledgeable analysis and decision making. For example, at different moments, affected parties to the Gorgol irrigation scheme have been promised compensation prior to anyone determining the amount, who was entitled, and where the funds would come from. At other times, traditional owners' rights were recognized in terms of preferential distribution of project lands without prior determination of their concomitant duties, resulting in replication of traditional exploitation systems on project land or intentional obstructionism whereby lands are "planted" to maintain claims, but not really worked.

Project Development:

Such failures on the problem resolution level coupled with continuing failure of policy making on the national level have lead to openness to suggestion and increased introspection on the part of the GIRM. One result of this was the request for the services of consultants from the University of Wisconsin's Land Tenure Center to supplement the RAMS Project (USAID Project 682-0211, Rural Assessment/Manpower Survey) in developing Mauritania's upcoming Fourth Development Plan. This took the form of an initial survey of the problem by LTC consultant A. Manzardo and a subsequent project development three-man team visit upon which this A.I.P. is based.

Manzardo Conclusions:

A. Manzardo's study provides a broad outline of the present land tenure situation (see Annex 1). Fundamentally, it shows how the traditional practices were closely tied to the nature of the production systems of the different groups in Mauritania. These differences are very real and from a technical point of view must be taken into consideration in determining legal rights. For example, the rights of completely sedentary communities can be seen in terms of the lands where they live. However, pastoral communities cannot survive unless they have rights not only to the lands where they live, but to other grazing areas on which they depend, even if for only short periods of time. Therefore, the first problem to be dealt with is to define

the actual resource needs of different communities.

While there are disputes between groups, this will always occur and represents the type of problem that must be adjudicated as with any other conflicting legal claim. The unique problem in terms of land tenure is the fight within groups between the rights of different members, particularly the laboring class versus the traditional ruling class. Therefore, Manzardo suggests the solution as recognizing the rights of traditional groups but only on condition that they re-structure themselves internally to give all members more equal access to community resources. The cooperation of community members to go along with this could be obtained by giving development assistance only to those communities that cooperate. However, this also means that real, meaningful assistance must be made available. As an example of how this might be done, Manzardo cites efforts in Syria using traditional Islamic concepts of community grazing lands, known as "Hema".

Second Land Tenure Center Team Conclusions:

A second, three-man LTC team followed Manzardo in early 1981 to develop his recommendations into an action program. Rather than suggesting a major effort at determining an all-encompassing land tenure policy at the national level, after reviewing the situation the team recommended a modest training effort coupled with a sensitization program for relevant GIRM authorities and one or two demonstration efforts directed at determining new land use practises in conjunction with ongoing development efforts. Their assessments and recommendations were as follows:

1) Because of the drought and modernization, the country is undergoing major changes, the outcome of which cannot be totally determined at this point. In rural areas, many conflicts are examples of people working out new rules to the game. This is considered a necessary process and it would be counterproductive to try and stop this by a fixed and simplistic set of laws that the GIRM would apply across the board. If this was done, the result could be problems similar to the Gorgol Project, where progress is stymied by disputes between SONADER and traditional interests.

2) In fact the effects of land tenure on the country's production is limited to those areas presently or potentially productive in a large sense, rather than the entire country, including its marginal areas. Therefore, rather than seek a national solution, it would be wiser to concentrate on specific development areas and deal with the problem on a case-by-case basis.

3) In terms of social justice many traditional relations concerning land have been highly exploitative and seem in need of reform. This, however, is a political rather than a technical decision.

Therefore, the LTC team recommended the training and formation of a mixed policy/action group in the Ministry of Rural Development that would be capable of analyzing and suggesting land use policy in terms of ongoing rural development needs. As part of the formation and training of the team, there would be conducted an applied inter-

vention in conjunction with a USAID rural development project, both to resolve specific problems in question and to establish a prototype example that could be expanded to development actions in general.

The LTC team's recommendations were acceptable to the GIRM, subject to qualifications. The GIRM, as represented by the Ministry of Rural Development, felt that one or more colloquiums on the subject were necessary to initiate wider understanding of what was being attempted. The GIRM also expressed the clear qualification that a multiple number of agents have to be trained (preferably four), and that the training had to culminate in a recognized academic degree in order to establish the cadre's qualifications both in terms of their standing in the civil service and as experts in the eyes of others. Given the GIRM's serious budgetary problems and limited capacity to absorb new employees, the Ministry of Rural Development also requested that the cadre be composed of people already in government service. In this way there would be no problem of integrating the cadre into the GIRM since they would already be functioning members. The cadre would be based in the Ministry of Rural Development as a special unit which would assist other sub-sections (example, Agriculture, Livestock, Rural Works, Protection of Nature Service) and advise the Minister on questions of land reform and land tenure.

Proposed Actions:

The actions proposed by both the second LTC team and the GIRM seem practical, appropriate and realistic both in terms of the problems existant and the limited immediate assistance USAID is capable of providing at this time. There fore, it is proposed that:

1) USAID will provide funds for the training of four members of the Ministry of Rural Development at an appropriate U.S. university who will form the core of a new action/policy group within the Ministry for land tenure reform, and who, together with assistance from the U.S. university consultants, will be responsible for resolving land tenure problems within the context of a rural development project-targetted for assistance by this A.I.P.

2) USAID will finance, as a prototype for national reform and as an immediate aid to ongoing efforts, a field intervention to design a new system of land use in connection with one or two ongoing projects in which land tenure problems are of direct relevance.

3) USAID will finance two colloquiums on land tenure, one at the ENA in Nouakchott (National School of Administration) and one at the regional level where the project to be assisted is being implemented.

E. Beneficiaries:

The beneficiaries of this project fall into two groups:

1) The most immediate direct beneficiaries of the project will be the local population of the project that will be assisted. While the specific project will not be chosen until six months into the A.I.P., all of the foreseeable candidate projects (such as Rural Land Reclamation, Renewable Resources Management, the Gorgol Irrigation Project, etc.) involve, in general, approximately 500 people in any individual

sub-activity and several thousand in terms of the entire action. Much smaller in number, but of major significance in terms of both the contribution they may make and the institutional expertise they will provide the GIRM, are the four candidates who will be trained in the course of the project.

Indirect beneficiaries of the project will be the nationwide members of the class of small rural producers, sharecroppers and former tributaries whose major hope for meaningful and equitable participation in augmented production activities is dependent on the establishment of new land tenure practices. (This group has been clearly identified in terms of both need and USAID program objectives in the FY 1983 CDSS Annex, "Summary of Need, Capacities/ Resources and Future Prospects of Mauritania's Population", which is included as Annex 6 of this A.I.P.).

2) In terms of institutional beneficiaries, the most immediate will be the specific project that is targetted for the team's field intervention efforts. In the future such benefits should accrue to a large number of rural projects, both those funded by foreign donor (among which USAID should figure significantly) and those instituted by the Mauritians themselves. This should include private as well as public sector development actions since a major hindrance to private sector investment in rural areas is the lack of a clear legal and policy framework conducive to private investment. Again, on a smaller but not insignificant level, will be the institutional benefit directly accruing to the Ministry of Rural Development, which will obtain an in-house capacity to deal with land tenure and land management problems on a much more sophisticated and long term planning basis.

III. PROJECT FEASIBILITY:

A) SOCIAL FEASIBILITY

The project has been designed to be realistically adapted to Mauritania's cultural milieu both in terms of the ultimate solutions sought and the mechanisms that will be used to achieve these. The salient features of the situation are: 1) the overall poverty of agricultural production on all social levels resulting in an overriding need by almost all parties to comprise if offered a truly promising opportunity; 2) the desire and need for group solidarity despite both "intra" and intergroup conflicts; 3) the recent social and environmental upheaval of the last decade which has either weakened or destroyed rigid past relations and practices and has thus created a "moment of opportunity" for innovation and 4) a very strong cultural emphasis of law and private contract arrangements between both individuals and groups as a mechanism of social and economic regulation.

In this sense many of the processes and actions required by the project to succeed are already occurring but largely in an embryonic and uncontrolled way. The project's ultimate purpose will be to allow the government on an ongoing basis to 1) adjust its own policies, laws and activities to encourage and support progress-

ive changes in the direction of land tenure and resource regulation, 2) to give modern, efficacious direction to the changes now occurring; and, especially; 3) to establish a legal and administrative permanence to land rights and benefits that will be conducive to longterm investment of labor and capital and equitable distribution of benefits.

The structure of the society is such that it is neither practical nor desirable politically, economically or socially to seek to encourage the formation of any large-scale government regulatory bureaucracies. Rather needed is a minimal level of government capacity to give direction and encouragement to the modernization of local populations' practices, capacities and initiative. It is for this reason that the establishment of a small but highly competent government cadre of specialists is seen as the appropriate action at this time and this will also have wide spread social ramifications.

The project's goals are both increased production and equitable distribution of resources and production. Given that the majority of the nations' agriculturalists are poor class members and of these an increasing number are women, circumstances themselves will require the targetting these elements of the population as major beneficiaries of land reform. The problems of both are the poor and women and the need for granting them sufficient vested interests will be a major focus of both the training and research components of the project.

B) ADMINISTRATIVE FEASIBILITY

The project requires no dramatic change or addition in terms of personnel, costs or practices that should present administrative problems to the GIRM. The proposed Land Bureau will be situated in the Ministry of Rural Development which already has primary responsibility for Development Projects in Agriculture, Livestock and Forest, Range and Water Management. Thus no new lines of authority are necessary. The Ministry of Rural Development not only recommends policies but it is its agent who implements practices in the field. Therefore administratively the bureau will also have immediate and direct links to local populations.

National laws themselves are made at the level of the Presidency and local administrative regulations are promulgated and enforced under the authority of representatives of the Ministry of the Interior: governors, prefectures and district chiefs. A major characteristic of both these units is fluidity of personnel. It is therefore difficult and would be impractical to train personnel at this time for a permanent function at these levels. However past experience indicates that local administrative positions and advisors to the President are often chosen from specially trained cadre. There is therefore likelihood that those trained by the project may, as individuals, be called upon to fulfill roles at these levels at different times. The training of four individuals will provide sufficient personnel to allow the Land Tenure Office at the Ministry of Rural Development to function even if some of the cadre are temporarily assigned other functions.

C. TECHNICAL FEASIBILITY

The technical feasibility of this project is closely allied to its cultural and administrative feasibility since it basically represents an additional capacity in already established administrative structures and practices. The basic mechanism - "law" and "contracting" are, as noted, also already firm characteristics of the cultural environment. The major remaining technical question is whether there exists available knowledge and training to achieve the desired results. The answer is affirmative because of the institutional and professional skills of the Land Tenure Center at the University of Wisconsin. Due to what appears to be this institution's overwhelming predominant capability, the project's projection is to seek to conduct the projects' training and research phase through the Land Tenure Center. The precise means (e.g., cadastral surveys, aerial photo's, historical reconstruction of claims will have to be developed at the Center during the training period and this is why a specific studies coordinator is necessary.

D. ENVIRONMENTAL FEASIBILITY

The project itself will have no immediate environmental impact but the training program and field intervention will place a high priority on the evolution and recommendation of new land use regulations that promote long-term restoration and preservation of the country's fragile grass and forest cover. Since a fundamental condition for environmental regeneration is the creation of perceived longterm interests on the part of cooperatives individuals and communities, a modern land tenure system commensurate with the creation and protection of such rights is a necessity. This would include the gravity of rights in return for positive acts such as tree planting, and the decrease in present use (forest cutting, grazing) in exchange for the guarantee and protection of longterm exploitation, and flexible regulations adjusted to annual demand and climatic conditions.

E. ECONOMIC FEASIBILITY

In terms of projected and recurring expenses, the proposed activity represents little additional burden for the GIRM since it represents more the real location of existing resources (salaries, office space, conference facilities) than the creation of new ones. Cost-benefit analysis is almost impossible since one is dealing not with a particular set of productive investments but an attempt to change the basic rules by which the system operates to permit and encourage more productive investment of both labor and capital. Any major reform that would result in the more secure vesting of title of agricultural land and resources in the hands of the primary producers should have major positive effects on both individual income and total production. Toupet (Annex 3, p 359) estimated 38% of Toucouleur land is shrecropped. Figures are unavailable for areas of Moorish culture but we estimate that in general the figure is even higher. This means that a larger percentage of the country's agricultural producers (est. 38-50%) pay a significant percentage of their earnings from agricultural production (33-50%) to absentee parties -- many of whom actually only have tenuous claims.

A redefining of land tenure rights that vested all profit in the producer could result in an immediate defacto increase of over 33% in the earnings of 1/3 to 1/2 the country's producers. Such a change in earnings for the farm workers would provide expanded motivation to increase agricultural production.

There are many projects which have been well designed technically, but remain poorly implemented because of land ownership disputes. Examples are the Gorgol Project where the land is only half-utilized because of the opposition of the farmer land owning group and the Chogar dam area near Magta-Lahjar where land disputes between two opposing groups were so intense that fighting broke out and the dam was destroyed. With so many examples of project sites throughout the country, where dams or equipment are unrepaired and new land unutilized because of conflicts over land, progress toward more secure land tenure arrangements would dramatically lift crop production in many areas.

F. COST EFFECTIVENESS

Two alternatives were considered to the proposed project. The first was the ongoing provision of consultant services. This was rejected because the problem demands on ongoing GIRM institutional capacity that can deal with the problem as it changes over time. It would be prohibitively expensive to bring in outside consultants on a regular basis over the next ten to twenty years. Moreover, experience has indicated that a country specific solution had to be evolved rather than the imposition of foreign practices. The second alternative was to sponsor a major national land reform at this time. This was determined as politically unwise in light of the lack of practical experience in terms of what actually could be done and the disastrous consequences the failure of a nationwide attempt would have on future efforts at reform.

IV. RELATION OF PROJECT TO OVERALL USAID STRATEGY AND PROJECTS

A. Relation to CDSS Strategy:

USAID's FY 1983 CDSS for Mauritania identifies three areas of primary focus: environmental restoration, increased food production, and rural primary health. This project directly addresses food production and environmental restoration, which themselves are inextricably linked since the deteriorating environment is contributing to food shortfalls and, conversely, increased production efforts on marginal areas can contribute to further degradation, if not properly managed.

The seriousness of the problem is attested to by the fact that of the estimated 180,000 metric tons of food needed per year, in the last five years an average of only 48,000 metric tons per year has been met by local production (FY 1983 CDSS, page 3). In 1980 Mauritania received 72,000 metric tons of food supplies from donor nations in the form of relief, of which 23,000 m tons was U.S. bilateral aid and an additional 4,000 m tons from other U.S. sources. For 1981 the country will need another 62,000 m tons from the international donor community. It will also have to buy an additional 50-60,000 m tons on the world market. The agricultural sector is thus expected to meet only one-third of Mauritania's cereal needs in a modest production year

The planned and ongoing USAID projects, taken in their combined efforts, represent a broad front in helping the GIRM transform its rural economy. Needed are environmental stabilization and restoration, rehabilitation of renewable resources and new ways to increase productive capacity of the land through water resource development (CDSS page 45). USAID has responded by initiating assessment studies and important development projects to help the GIRM accomplish these goals. Unfortunately, projects in each of these areas have definite land tenure problems that must be resolved if they are going to achieve their ends. To some extent USAID has been able to postpone these problems through judicious site selections, but in terms of project replication and the country's general development, the problems must be solved, not just avoided. The following is a general outline of the types of situations that the trained cadre will face in terms of their applied field training intervention. In the context of this project they will address problems in one or two project areas, but as the sample demonstrates, the need for multiplication of this prototype effort exists in all areas and in both USAID and non-USAID projects.

B. Illustrative Areas of Possible Project Involvement

1. Rainwater-runoff Retention Dam Projects (examples, USAID Rural Land Reclamation Project, 682-0203):

Dam projects to improve recessional agriculture have grown in importance since the drought and subsequent years of lower rainfall. The purpose of the projects is to harness more available water resources by building small dams across dry stream beds (oueds) that fill with rainwater runoff following the rains. Such dams are traditional in certain areas. The French colonial administration tried to encourage improvements in the way they were built, but since livestock rather than agriculture was the mainstay of the majority of the population, the response was modest. However, the decimation of livestock by the last drought forced people to turn to cultivation. The interest in dams is high, but not without conflict.

It is recognized on all sides that there are numerous land and water tenure rights that must be determined before there is hope of general success. For instance, dams that have been recently built have created a shortage of water for those using the land downstream. There is a need for a policy of spacing of dams, based not only on a general rule (now being that 12 kilometers must be left between sites), but on a careful site-specific determination of water flow and needs. Site-specific ownership must also be established. Some dams that were built by the French have been allowed to deteriorate because of the insecurity over who controls the new land that is brought into production. It is not difficult to find a village behind a neglected and washed-out structure, farming about one-tenth of the area it could farm if the system were in full operation. There is a further problem that is found in existing sites and that concerns the policy on grazing rights in the newly watered areas as the dams lengthen the growing season and because powerful herding families often hold residual grazing rights to the village's lands.

All these areas and many more are currently in need of specific policy research. The problem is that Mauritania's only water code

was drafted in 1921 and conditions have altered drastically in the intervening years. In 1964, Decree No. 64.111 authorized a committee to form a new code. To date there has been no new code written. What is needed is a detailed policy research effort coordinated with the Rural Works Department in the Ministry of Rural Development which is, with external assistance, just beginning to develop large-scale plans for the dryland zones north of the Senegal River Basin. Given the lack of precedent, policy will have to emerge as the projects are implemented. Such research could be conducted by the cadre during their field intervention and thereafter on a permanent basis.

It should be noted that a very limited use of community contracts in a development context already exists. This may be possibly one element in an approach to resolve land tenure questions in a rural development project context. Regional authorities regularly make contracts with communities specifying what they will contribute in terms of labor and money in return for government assistance in such actions as small dam construction and well digging. The USAID Rural Land Reclamation Project (682-0203) will extend this to help specify the rights of particular beneficiaries to assure equitable distribution of gain in dam-based recessional agriculture communities. While such actions indicate the progress and potential of the community contract approach, they require extensive expansion to help deal with more complex issues like resource management, and more sophisticated analysis to deal with the majority of problematic social situations that characterize many communities which are now ignored because no administrative capacity to deal with these issues presently exists.

2. Oasis Projects (example, USAID Oasis Development Project, 682-0207)

Oases have for centuries been an important source of food production in Mauritania. The USAID RAMS project has estimated that approximately thirty five percent of the current monetary value of crop production originates in oases (Kraiem, 1980, RAMS). Land tenure rights are clearer here than in any other rural sector of Mauritanian society, with land contracts dating back a century or more. USAID is financing a \$5.9 million integrated development project in this important sector.

Except for the newly established oases, which are covered under Decree No 66.047 of 1966, there is a highly restricted land market. Sales generally occur between members of the same tribal factions and this exclusivity is jealously guarded. Outsiders with capital to invest are largely restricted, therefore, to the new oases in the south.

There are two principal types of land tenure impediments to reaping full benefits from oasis project efforts. The first is that the bulk of the labor is done by Haratine and other persons of servile status who have the most limited access to ownership rights in land. The use of land by these people is on a sharecropping basis, the level of which has to be renegotiated as the land is put to new uses. This leaves many of the actual tillers reluctant to make any long term investments, since these will only accrue to the landlord.

The second problem has to do with the use of the institution of habous. Traditionally in Islamic land law there is the provision for setting certain portions of the land, habous, in trust for the maintenance of the poor. In the Mauritanian context, the habous has been adapted as a means of removing the possibility of any alienation of family property. A person declared or wills the land habous for his issue and it remains inalienable family property. This is analogous to fee tail in English land tenure law and hence is not exclusive to Islamic code. In both cases, it represents a problem in determining just who has rights in any improvements, and indeed who can give permission for improvement. These facets of the system act as negative incentives to the enlistment of rural participation in such things as dune stabilization that benefit everyone in the oasis, not just individual owners.

3. Environmental Restoration Projects (example, USAID Renewable Resources Management Project, 682-0205)

Environmental restoration projects, especially when they involve the creation and programmed use of renewable resources (trees, grass) will require the evolution of locally adaptive mechanisms for resource management. These projects have the double problem of trying to develop natural resources in a deteriorating environment and then trying to stimulate rural participation in the maintenance of these resources for the common good. The negative effects of existing land tenure arrangements on community spirit in the area of dune stabilization in oasis areas has already been mentioned. USAID is also attempting reforestation and redevelopment of the gum arabic (Acacia senegal) groves which were an important source of income in the past. Major problems in controlling the use of these resources have existed for decades, including overexploitation of forest reserves to the point where they become denuded of trees.

The problem is complicated by numerous conflicting practices and standards. Planting trees such as palms is a traditional means of claiming land, but wild trees are generally open to use by all. However, traditionally, while anyone could gather gum arabic, its commercialization was highly controlled by an elite group. A major problem, therefore, especially where community participation is sought in creating the new resource (eg., tree planting), is the question of who will define the rights of use of the resources that are created. Who, for instance, has the right to collect firewood, gather the gum arabic or to use the tree branches for animal fodder?

These problems prompted the French colonial government to declare all unowned forests national property. The GIRM has attempted to bolster to 1934 colonial decree by legislative initiative. Decrees No. 116 (1973) and No. 77054 (1977) are designed to strengthen the hand of the GIRM to enforce usage rules in the forested areas. In specific project implementation it will be the Directorate of the Protection of Nature Service (Min. of Rural Development) that will be the agency responsible for formulating a working policy in the project zone. To do this efficiently will require the creation of far more sophisticated forest management and regulation techniques than the simple system of permission or prohibition that now exists.

4. Livestock and Range Management Projects (example USAID Renewable Resources Management Project, 682-0205)

Livestock and range management projects hold special importance given the fact that animal sales are a major contributor to Mauritania's GNP (greater than cultivated crops). As is the case with most resource conflicts in Mauritania, the fighting is over control of resources that can only be described as marginal and can be made productive only through sustained and coordinated efforts by everyone. It is, therefore, the relative value, not absolute value, that makes them important.

Traditionally, the range was divided into definite grazing zones that were established by conquest and negotiation. Control over grazing was exercised through control over watering points. A particular group reserved by dint of force the exclusive right to dig wells in an area. Outsiders made use of the wells only by permission. The situation was never completely stable but changes began to accelerate after 1930. In 1934 the French colonial administration passed a decree that all unowned, that is unimproved or not part of a village, forest resources were national land. While the decree did not specifically include range, it did open the possibility that some resources were owned by all. Since Sahelian herders cut tree branches for animal fodder in the dry season, trees are part of the livestock management strategies and are part of grazing land resources. Still, up until the mid 1950's, the competition was mainly between Moor groups. After this date, the Peuhl began to enter into formerly exclusively Moor pastures (Wadoud, RAMS report). In 1960 a law was passed making all vacant or unimproved land state land (Law 60, 139: Article 1). This law is consistent with Islamic precedent. Range is Ardh Mawat (dead land) and is open to all because it is made productive by rain which belongs to everyone. Range management projects find themselves in a dilemma trying to discover some sort of principle of exclusivity of range use just after such a system, with all its attendant inequalities, has ceased to operate and to try to do so with a range and herd composition completely altered by the drought. The Livestock Division (Min. of Rural Development) estimates that sheep and goat populations have fully recovered their pre-drought numbers. The difference is that they are using a smaller range and are owned largely by sedentary groups. Some form of policy will have to be developed defining rights to range resources, with all the competing historical claims, before anything in the way of development can take place.

5. Senegal River Basin Projects (example, USAID/OMVS activities)

The problems in the area of land tenure associated with the development of irrigated perimeters along the Senegal River represent the one area extensively studied. The overall design for the river's development efforts to transform the whole river basin with a special emphasis on irrigation. Although the plan is in its infancy, problems of equity have already arisen in the transition from traditional rights to the differing kinds of river edge land to those newly created by irrigated perimeters. In an arid region

like the Sahel, land that is predictably watered each season is extremely valuable. The equity dimension arises in the fact that traditionally controlling families allowed others to enter into villages and use desirable land in exchange for labor, payment or some other consideration. In some areas, especially among the Soninke, the productivity of the best land was a function of the amount of labor, and powerful families participated in the slave trade. Some of these traditional villages have, as more than half of their members, descendants of these slaves. Although freed by legal decree, their de facto access to land is still through the traditional forms of payment.

Since the irrigated perimeters are on that land closest to the river and hence the most valuable land, a real problem emerges as to how the new land brought into cultivation is to be divided. These problems are multiple and require a redefinition of land tenure in these communities. This has not proven easy. The Gorgol Project is just one example. A relatively large project with the agricultural potential to help meet Mauritania's food needs and significantly raise the incomes of the participants presently lies about half utilized because of conflicts between the Project and the former land-owning families.

IV. AID ISSUES

A. GIRM Efforts:

All of the foregoing background data on land tenure problems are recognized by officials on all levels of government. Moreover, since its inception at the time of independence, the GIRM has tried to begin to deal with land ownership practices.

1) The 1960 law was passed to provide a broad legal base for redoing the country's land tenure system (see Annex 3, Toupet article). This never occurred, indicative of the reality that a broad national policy is meaningless without a realistic mechanism for implementation.

2) In 1979, faced with land tenure problems on the Gorgol Project, the GIRM created National Commission for Promotion of Agro-Pastoralism. This Commission attempted to work out a solution on an ad hoc basis (see Annex 2, Chaab article on Gorgol). No meaningful resolution was achieved due to a combination of factors among the most important of which were the unrealistic promises made based more on local political than technical realities and the lack of a more specific national policy framework to apply.

3) In the background to both these events was the appointment of a general Commission for the Study of Judicial Reform in 1978 to begin to formulate a reform of the whole judicial system. Land law is only a part of the Commission's activities and so far legal reform has mainly occurred through the introduction of the Sharia (Islamic Law) into criminal proceedings. The fact that the Military Council Decree No. 95 (1980) established the Sharia as the country's legal system may have begun to provide a new framework for

redoing the country's land tenure system, but, in fact, provides few real technical guidelines to resolving the type of questions that the country faces in development terms. These still must be worked out, beginning at the level of local realities.

A brief discussion of the nature of Islamic land law is necessary to understand this point of view. First it should be pointed out that Decree No. 95 does not directly affect land legislation. The decree established the Sharia only in the criminal court. Land law is still covered by Law No. 60.139 which recognizes that customary rights and usage constitute ownership (Article 3). Further, traditional communities can seek compensation if these rights are threatened (Articles 9 and 10). This means that the present law recognizes the legality of communal holdings along the Senegal River and elsewhere. This would not be supportable within the Sharia which is based on private property (Eberty 1979 interview with Supreme Court Justice, AID/Nouakchott files). However, many people have seen this as a way to eliminate old feudal forms of labor-land relations. The founding principle of Islamic land law is that land is owned by the person who puts it into production. That is, land passes from Ardh Mawat (dead land) to land in use and is owned by the person who does so (Melk). Would this not mean then that the Haratine who actually till the land (bring it into production) should receive title to the land? Unfortunately, it is not that simple. Outlining two reasons why will help illustrate the problems faced by the GIRM in trying to use Islamic law as the vehicle for land reform.

First, there is the problem of just what constitutes bringing land into production. The descendants of the founding noble families can justly claim that it was their management skill that accomplished this through labor compensated for in kind, sharecropping or by some other arrangement. This is an argument with a great deal of precedent behind it in Islamic legal tradition. The second argument is that many of the communities were in possession of their lands before they were conquered and made to pay tribute. Since there is no dispute as to who put these lands into production, should they not be given title to their land? The problem here is really quite complex but in essence once tribute is paid the land is not melk but kharadj (tribute land). In the first years of the Islamic tradition it was decreed by the Kalif Omar that once land is kharadj, it cannot ever become melk. This is a very important principle of land law in the Malikite Rite, the school of the Sharia followed in Mauritania. Therefore, the road to the much needed legal reform in land law will be a difficult one whether the Islamic or the French-derived systems are used. Each will require detailed studies into history, social organization and ecological adjustments on a case-by-case basis. Thus, it again becomes evident that one of the indispensable steps toward formulation of a new land policy is the creation of a technically-trained cadre of land tenure administrative personnel who can distinguish for political decision-makers the range of options available from an economic, social, legal, and developmental point of view.

Even the laws by themselves will not be enough. A problem associated with the lack of present capacity to identify land policy issues is the fact that the exact forms and variations in Mauritanian land tenure systems differ by regions, or for that matter within regions, and few are sufficiently documented. The government needs within the Ministry of Rural Development the capacity to carry out such studies so that policy makers will have before them the critical variables. Studies are also needed with a view toward land reform, and in order to assess the effects drought or new conditions have wrought on the traditional system of land tenure. Land reform legislation which has not benefited by the results of concrete studies fails to carry its audience and remains phantom legislation. In this regard, there is a crying need to fill the gap in institutional capacity for applied research.

B. GIRM Capacity to Administer and Continue the Proposed Action:

In communication with USAID, the Minister of Rural Development has specifically requested not only the actions outlined but that the trainees if possible be parties already employed by the Ministry, thereby guaranteeing their integration into the civil service. The program, as outlined, therefore, should not involve either extensive new administrative reorganization nor extensive new financial burdens on the GIRM. USAID agrees that this is the most practical assurance of acceptance of the cadre, given bureaucratic realities. While the primary GIRM entity involved in the implementation of the project will be the Ministry of Rural Development, it will be necessary to keep other ministries, such as Justice and Interior, informed of project activities and also involve them appropriately, perhaps in the national colloquium.

C. The Need for Further Degree Training for Proposed Cadre:

The Ministry of Rural Development has impressed upon USAID the necessity that the cadre's training result in the awarding of a recognized academic degree. While such a degree may not, in some circumstances, be considered necessary for the achievement of the initial task at hand, the establishment of the cadre and its operational commencement for the pressing problem at hand, in order for the cadre to play a significant role in terms of recommending national policy as well as analyzing local situations, a high level of professional expertise must be perceived by others. The Minister of Rural Development has emphasized that this will be difficult unless the cadre received a degree along with its training. Likewise, without a degree certification, the trainees will not be able to advance to a new level in the civil service, a situation which will make more difficult the recruitment and retention of high quality candidates in this role.

As a result, USAID is proposing six months of further training after the normal two year life of an A.I.P. action. The extra six months is necessary because of the very practical focus of the cadre's initial training which will probably require their postponing some course requirements needed for a degree. While this is not usual, it appears totally in keeping with the purpose of the project. At the

end of two years. This project will result in the existence of an ongoing cadre already engaged in problem resolution. The additional six months of training on a staggered basis (half the cadre stays in country to man the division, while the other half is gone) would represent an insurance of the permanent institutionalization and influence the basic action.

V. IMPLEMENTATION PLAN

The project will have three principal action components: (1) Training for four Mauritians in the U.S. at an appropriate U.S. university specializing in land tenure; (2) A field intervention in the context of one or more ongoing development projects experiencing, or likely to experience, land tenure problems as a major constraint to success; and (3) The organization of two colloquiums in Mauritania, one national and one regional, to sensitize senior administrators and technical personnel on the relationship of land tenure and rural development and the proposed field intervention.

1. Training

The goal of this phase will be both to provide the cadre with the necessary skills for the immediate field intervention they will conduct, as well as to form a small permanent division of land tenure specialists within the Ministry of Rural Development. The cadre will be responsible for recommending appropriate actions to be taken in specific development projects in progress. In the long term it is also necessary that the cadre will also assist the staff of the regional and national project interventions, to formulate a new national land tenure policy.

Training objectives for the people selected to form the cadre will be to receive formal training at a major U.S. university with a diversified program in land administration policy research and resource management. The direct objective of this training will be for the cadre to receive training in:

- a. Land tenure systems
- b. Principles of land use administration
- c. Resource management
- d. Land identification and registration systems
- e. Land dispute settlement and adjudication
- f. Policy science
- g. Social research methods

The principle aim of this formal training will be to give the cadre a broad technical and theoretical background in areas which will require analysis in the formulation of needed policy. The cadre, at least initially, will not be able to make final policy decisions, so it must be able to formulate and articulate policy alternatives available to the final decision makers.

It is expected that each cadre member will return with basic analytical skills which will be used in the actual project work. The actual project work will have a high priority and the experience of each candidate will be a major factor in the selection of a person for the project. A low would not need an introductory

course in legal procedures, but may need course work in agricultural land economics, social research analysis, etc.

The training component is of a relatively short duration and hence will be intense. It is recommended, if possible, that the people selected for the cadre be members of the Ministry of Rural Development so that no new positions will have to be created for them when they return. However, it is anticipated that qualified candidates already possess a French licence (B.A./B.S.) degree in one of several relevant fields, such as human geography, law, agricultural economics, etc. The Minister of Rural Development has stated that if it is necessary to find such qualified candidates, people in service outside his own Ministry would be selected.

An initial 18-month training will suffice to permit the cadre to commence field operations under the supervision of senior training personnel. After its six-month field experience the cadre will be operational on its own. However, in order to assure the cadre's members receive the necessary civil service recognition and status necessary for success on a national policy-making level, an additional six academic months are foreseen after the normal two-year project deadline.

2. Field Intervention:

Six months into the project, with the input of both U.S. university representatives and the cadre being trained, the GIRW and USAID will identify the specific project or projects that will be the focus of this A.I.P.'s field action. This delay is recommended not because there are no present candidate projects (to the contrary, there are too many), but because the cadre will need six months of general language training and land tenure orientation and during this period the exact status of several of the most likely projects may significantly alter to affect the final choice. (For example, several prospective projects may not have yet received final funding, so that a choice at this time would be premature.)

The final selection will have a major impact on the cadre's next nine months training at the U.S. university selected where they will work out the methodology required in the field. For example, a single specific dam site or sites may be amenable to cadastral survey. On the other hand, potential river irrigation perimeters may be better surveyed by the use of existing aerial photos. If the question is one of the regulation of nomadic pastoralism, satellite imagery and resource mapping now being done by the USAID Renewable Resources Management Project may be utilized. In many cases, the use of such sophisticated techniques can greatly simplify final national decision-making, provided those responsible have the proper preparatory training. The U.S. educational component therefore is not just designed to provide the cadre with basic professional credential but is very definitely a necessary prelude to the field intervention itself.

Upon returning to Mauritania, the cadre, under the supervision of two U.S. university consultants, one a social science specialist and the other a resource management/administration specialist, will

engage in in-depth project site field work. This time will be devoted both to applying the worked out methodology and in intensive interaction with project participants/beneficiaries so that the local population becomes an integral part of the resolution process and assists in evolving the solution to their own problems. This period will require a majority of work to be done in the field. A four-wheel drive vehicle and supplies will be needed. Given the short, but crucial time envisioned, it appears that to rent a vehicle would be more practical than to purchase one.

3. Colloquiums on Land Tenure:

This action will supplement the establishment of the cadre by sensitizing GIRM officials on the national level and in the specific region where the field intervention will be implemented. For the former, a national colloquium will be held in conjunction with the E.N.A. (National School of Administration). The USAID contribution will be to provide four experts in land policy, resource management, land problem adjudication, Islamic law and land tenure, one of whom, from the U.S. university contracted for the training, will be the colloquium organizer. It is not necessary for all of the experts required for the national colloquium to come from the contracted U.S. university, if recognized expertise is available from other sources. The regional colloquium will be conducted by the cadre themselves, assisted by their supervisors.

VI. IMPLEMENTATION CALENDAR, ESTIMATED BUDGET, AND PROJECT PREPARATION STRATEGY:

A. Implementation Calendar and Itemized Budget:

<u>Action</u>	<u>Date</u>	<u>Cost</u>	
1. Representative of U.S. university comes to Mauritania to prepare training program	Dec., 1981	1) Airfare	\$ 3,000
		2) Salary (15 days)	2,250
		Per diem	1,560
2. 4-member cadre goes to U.S. to begin language training & orientation	Jan.-June '82	1) 6 mos.' training x 4 trainees	54,000
		2) pt.-time prog. coordinator	3,000
		3) Secty & document Svcs. (colloq. planning)	1,000
		4) Airfare	6,000
3. 4-mbr. cadre + 4 consultants return to Maurit. for colloquium	July 1982	1) Airfare	9,000
		2) Salaries	6,000
		Per diem	4,680
		3) Logistics	1,750
		4) Supplies	2,000
5) Cadre stipends	2,000		

<u>Action</u>	<u>Date</u>	<u>Cost</u>	
4. Cadre, U.S. univ. reps., GIRM, and USAID review situation and choose target field project	August 1982	1) Salaries per diem 2) Logistics 3) Cadre stipends	₡ 7,500 4,836 1,750 2,000
5. Cadre returns to U.S. for land tenure and proj.-related training	Sept., 1982	1) Airfare 2) Training costs 3) Pt.-time coord. 4) Secty/supplies	9,900 102,000 6,000 2,000
6. Cadre and 2 U.S. univ. supervisors return to Maurit.; conduct reg'l. colloq., and conduct 5 month proj. intervention	July - Dec., 1983	1) Airfare 2) Salaries per diem 3) Logistics 4) Supplies 5) Cadre stipend	9,900 45,837 36,080 32,250 2,000 7,200
7. Team submits report; joint USAID/GIRM assessment	Dec., 1983		
8. Cadre members finish any work needed to complete M.S. degree requirements over staggered period	Jan. - Dec. 1984	1) Airfare 2) Training	7,800 69,600
		Sub-total	₡ 442,893
		Estimated 50% overhead on U.S. univ. costs (consultancies)	35,294
		Contingency, c. 5%	21,813
		TOTAL USAID CONTRIBUTION	₡ 500,000

B. Summary Estimated Budget:

USAID Contribution:

Short-term technical assistance (c. 20 person-months):		
Salaries	₡	70,587
Per diem		58,356
Logistical support (vehicle, P.O.L.)		35,750
Supplies and secretarial services		7,000
International travel		45,600
Training costs (4 Mauritians in U.S. 22 months each)		225,600
U.S. university overhead (est. 50%)		35,294
Contingencies		21,813
		<hr/>
TOTAL USAID CONTRIBUTION	₡	500,000

GIRM Contribution:

Estimated costs for GIRM salaries, logistic support for colloquiums, and office space:		75,000
		<hr/>
TOTAL ESTIMATED PROJECT COSTS:	₡	575,000

SUMMARY COST ESTIMATE FINANCIAL PLAN (U.S.\$)

SOURCES	AID		HOST COUNTRY	
	FY	LC	FY	LC
Salaries for Technical Assistance	128,943			
Logistical support (vehicle and P.O.L.)		35,750		
Supplies and Secretarial Services	3,000	4,000		
International Travel	45,600			
Training Costs	225,600			
Office Space & Equipment				15,000
Conference Facilities & Support				15,000
GRM salaries and Per Diem				45,000
U.S. University Overhead (est. 50%)	35,294			
Contingencies	12,000	9,813		
	450,437	49,563		75,000

PROJECTION OF AID EXPENDITURES BY FISCAL
YEAR

	FY 82 -----	FY 83 -----	FY 84 -----
Per Diem & Salaries for Technical Assis- tance	39,816	89,127	
Logistical Support (Vehicle & P.O.L.)	3,500	32,250	
Supplies & Secretarial Services	5,000	2,000	
International Travel	27,900	9,900	7,800
Training Costs	156,000		19,600
University Overhead (est. 50%)	12,385	22,909	
Evaluation			
	244,601	156,186	77,400

Contingencies = 21,813

PROJECTION OF EXPENDITURES
BY FISCAL YEAR
(U.S. \$000)

LOP DATE
December 31, 1984

FISCAL YEAR -----	AID ---	HOST COUNTRY -----	TOTAL -----
FY 82	244,601	15,000	259,601
FY 83	156,186	45,000	201,186
FY 84	77,400	15,000	92,400
Contingencies	21,813		21,813

Totals	5,000,000	75,000	575,000

ANNEX 1

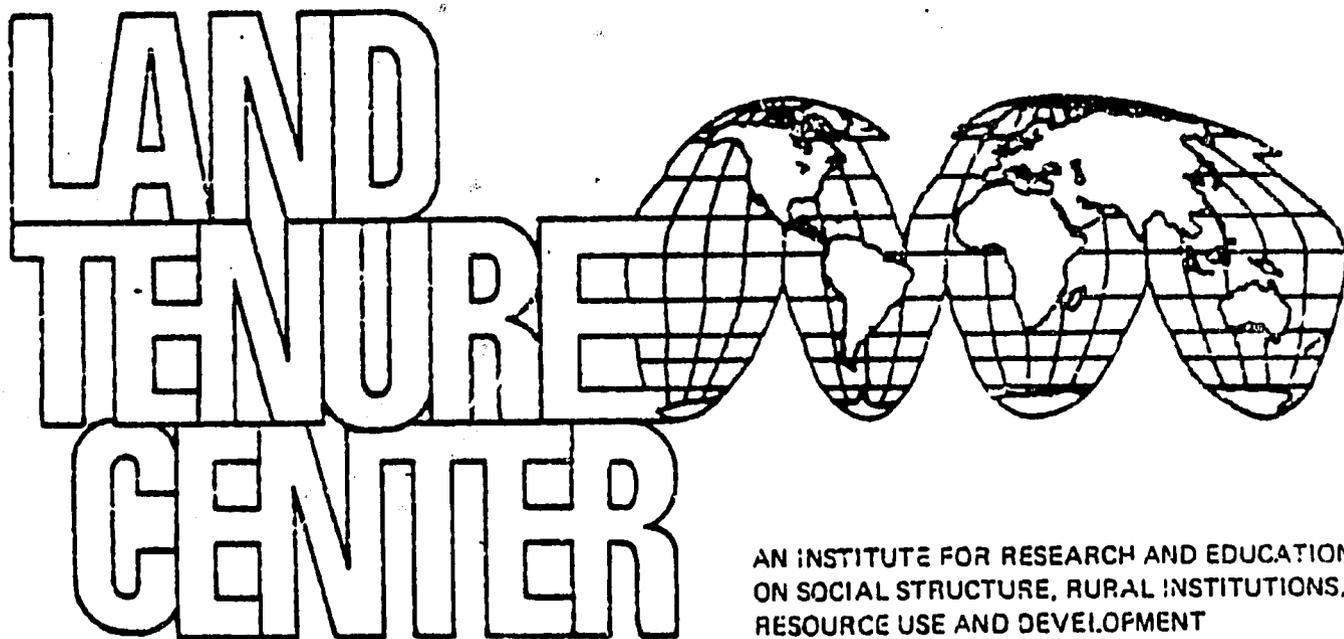
A. Manzardo Report on " Land Tenure and Development in Mauritania "

January 1981

**LAND TENURE AND COMMUNITY DEVELOPMENT
IN THE ISLAMIC REPUBLIC OF MAURITANIA**

By

ANDREW E. MANZARDO



**AN INSTITUTE FOR RESEARCH AND EDUCATION
ON SOCIAL STRUCTURE, RURAL INSTITUTIONS,
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MADISON, WISCONSIN 53706**

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Summary

This report reviews the traditional land tenure systems of the Islamic Republic of Mauritania within the contexts of the ecological zones of which they are a part and of the systems of exploitation utilized by the people living in those zones. It discusses attempts to change those systems of land tenure through various legal means, as well as through the intervention of specific development projects. Finally, the paper presents a set of recommendations as an alternative strategy for the recognition of landholdings and a means by which that recognition can be used to promote local programs to improve the rural sector.

The paper opens with a discussion of land tenure within the context of resource allocation and the competition for resources. The general divisions of Mauritania into agro-environment zones are presented and grouped into two major systems of exploitation: dryland and wetland. The traditional land tenure systems of each group are described for each ecological zone.

Intergroup conflict over attempts to gain resource control in areas where the two systems of exploitation overlap represents the biggest administrative headache for local government officials, yet is where government participation is most required in the resource allocation process.

The GIRM and various parastatal organizations (such as SONADER) have attempted to change the traditional systems of resource allocation. The Law of 1960, which in effect expropriated for redistribution all land "which was not in use," ignores the fact that land may appear unused when it is actually being exploited, especially in pasture zones, and is often part of the actively used resources of a village during some portion of the year. The dangers of this type of expropriation are discussed. A differential in ownership patterns between rural and urban areas was created by the Urban Section of that law, and had an effect on rural labor movements. The Large Perimeter program of SONADER and the role of that program in breaking up the traditional Toucouleur communities in the Kaedi region is critiqued. Attempts to reorganize traditional labor patterns are discussed in the section on the State Farms at Rosso. A discussion of the various small perimeter schemes found in Senegal and southern Mauritania follows. The analyses of each of these projects stress their attempts to reorganize resource allocation, even though that may not have been the primary purpose of the project. This helps us to gain insight which could help lead to meaningful land tenure reforms in Mauritania.

The HEMA system of Syria is described as a model for a potential system of reform for Mauritania with the following recommendations:

- 1) That the traditional communities of Mauritania with their traditional systems of land tenure be used as a basis for a new system of land reform within the various agro-ecological zones.

- 2) That the land of a traditional community be recognized by the government as the property of the community as a whole.
- 3) That the community be asked to select a leader (on whatever basis it chooses) who would be informed of the new technologies available to the community.
- 4) That the government defend community claims to its recognized share of the resources against claims of those outside the community. In return, the community must practice stewardship, that is, it must exploit the resources under its control using sound management practices, including environmental restoration if necessary. Support for this will be supplied by the government in the form of inputs, training, and advice to communities. Additional programs of support and community development can also be introduced through this system, utilizing community leadership as a bridge.
- 5) That the government will act so as to promote increased egalitarianism within the traditional community and closer relations between communities, recognizing that traditional societies are hierarchical in nature and often insular.
- 6) That this system should be enacted by legal means and decreed simultaneously throughout the country; programs of support, however, both for conservation measures and for local improvement should be increased as facilities become available. Although the system needs to be legally decreed, it does not have to be administered through a judicial apparatus; a liaison office between government offices and community leadership is one administrative alternative.

1. Introduction

Land tenure is basically a system for allocating resources within a particular geographic area. It is a form of shorthand, a symbol system that legitimizes a group's access to particular resources essential to the food supply and thus to life. Land tenure systems emphasize the holding of scarce resources. Since the configuration of scarcities changes from area to area, so do the land tenure patterns; but the tenure system will always reflect the configuration of resources. Land tenure is therefore related to the ecological system inhabited by a group.

Land tenure, a single element in a group's overall exploitation strategy, is constrained by the environment, as are the cultivars, animal husbandry strategies, and irrigation techniques open to the group. One must therefore approach change in land tenure patterns with the understanding that change, though possible, is often severely constrained by environmental necessity. Change cannot occur in isolation. Any change in tenure patterns will bring changes in other aspects of agricultural systems expected, some unexpected, some wanted, and some unwanted which will often require support to ensure the local exploitation system to conduct.

A land tenure system involves an allocation process that operates with a set of rules or codes. These rules enable a society to share resources in such a way that they can be efficiently exploited with a minimum of waste. For this reason, land allocations generally reflect local power structures. When power fluctuates, even at a slower pace than one group is competing for a set of resources, these rules become less important.

Rules are respected either because the competing groups fear one another on another level (as between agriculturalists and herders), or because neither group can afford the costs of open conflict. Groups and individuals within groups are always looking for situations where they can expand their share without serious conflicts. A government, by putting itself in the role of arbiter, may become the goal of these individuals. A local leader enhances his prestige and increases his ability to lead by providing for the group. A government is influenced by these local leaders, and hence its ability to resolve disputes is affected by its own political composition at a given time.

This makes real land reform a most difficult and delicate task and one demanding compromise at some level between ideals and reality. Reform demands that the government consciously sacrifice its dynamic balance and take away resources from those who may have helped bring it to power. This in first analysis seems unlikely.

At the same time, however, we will show that current patterns of landholding and current relationships between the government and the

farmers can make up a degenerating system, where skilled farmers are leaving the land, disputes are increasing, production is falling, and the environment is deteriorating. In such cases land reform should be considered not as it might be in Latin America as a means for redistributive justice, although that must always be a consideration, but rather as a means of removing production bottlenecks caused by a system which cannot respond to changes in environment and has become an administrative burden.

It is desirable to make the agricultural sector more attractive to the farmer and make investment in necessary agricultural change possible. To do this one has to make that investment secure, and to do that one's relation to the land must change.

In the Islamic Republic of Mauritania (RIM), most individuals have membership in a community. Each of these communities has a hierarchical structure. With regard to land, this means that each group has rules of allocation which give individuals an unequal chance of obtaining resources within the community. On the other hand, the systems specify duties and privileges for members at each level of society and the nature of the formal distribution of the goods within each system.

In the past, these communities existed within separate territories and clearly represented adaptations to different environments. Over time, however, changes in the environment (through desertification and drought) have brought these communities closer to each other and they have begun to compete for diminishing resources. With a few exceptions, the competition for resources is between groups, not within them. The groups themselves, as we shall demonstrate, have remained relatively stable. This makes the situation very complex, for although there are systems for settling allocational disputes within groups, there are few methods for settling problems between groups. Thus when a river farmer finds his crops eaten by the cattle of a herdsman, he finds himself on very uncertain ground.

This report discusses certain elements of the physical environment and relates them to the organization of land tenure in the RIM. We discuss the relationship of traditional land tenure systems to the organization of labor within each system. We analyze alternate options in land tenure reform attempted in the RIM and elsewhere. Finally, we recommend certain changes in the government's fundamental relationship to farmers to help minimize resource management difficulties yet give the government a practical lever for encouraging communities to organize for social change.

2. Physical Environment

Mauritania is not a single environmental system. There are in fact several environmental zones, each containing a different resource configuration, each presenting different opportunities for exploitation and different constraints.

Generally, it has been the practice to divide Mauritania into separate agro-environmental zones (including an urbanized and a transitional area). Map 1 locates each of these zones within the system suggested by USAID. We are most concerned with the oasis (Zone 3), the pastoral grasslands (Zone 6), the dry agricultural areas (Zones 2, 4, and 5), and the riverine systems (Zone 1). The first three groups are exploited in the drylands system, the last two in the wetlands system. Part of what is termed the dry agricultural area (especially Zone 2, but also Zone 4) is part of both exploitation systems.

This analysis is basically concerned with the rural sections of Map 1, although we will analyze the effect of the urban sector on rural land tenure in a later section of this report. These zones should be seen as sources of potentially exploitable resources. Their features are summarized in Table 1.

3. Traditional Land Tenure Systems in Mauritania

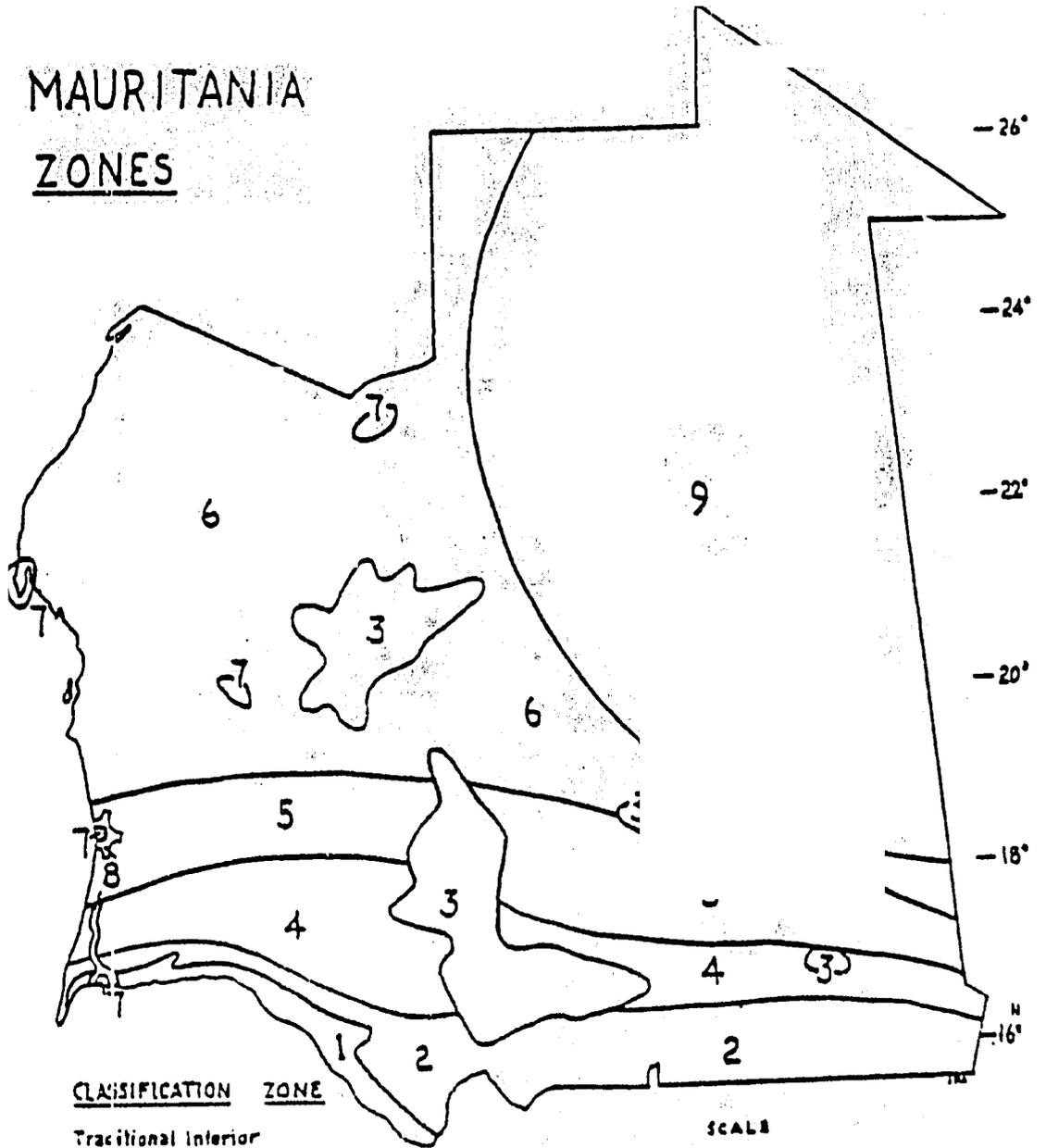
The discussion which follows is the product of a very short period of field work. An understanding of the actual day-to-day operation of a land tenure system can be obtained only through long-term field work and careful analysis. Although one can collect certain basic rules for operation of a system through interviews with participants, the actual operation of a system may depart from the stated rules. For example, actual portions of a crop yield paid by sharecroppers might differ greatly from stated norms. Percentages may be calculated after seed is deducted or may involve measurements which are quite imprecise. The attitude of one group toward another is important as well. One must observe, for example, whether individuals within a group treat each other honestly or not to determine to what degree a system operates according to its own rules. These intangibles take time to evaluate and are necessary if a local situation is to be fully understood. These factors might totally invalidate any analysis based on abstract rules elicited through interview techniques.

Unfortunately, in this preliminary analysis we have only interview data with which to work and thus what is reported here is presented as a preliminary analysis, one which should be accepted with care.

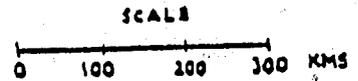
We assume that there are essentially two systems of exploitation in the RIM. The first is the dryland system which exploits a combination of dryland and oasis agriculture (Zones 2-6) and has a heavy reliance on animal husbandry. The second is wetland exploitation of Zones 1 and 2. This type combines dryland agricultural techniques with riparian recession techniques practiced along the Senegal River basin. By combining holdings in one or more of the zones within each exploitation area, farmers provide themselves a range of resources throughout the year. Since the general resource level is low throughout Mauritania, and no one area is completely reliable, a system of this kind maximizes flexibility by allowing the farmer to select the best combinations of work areas as conditions change from year to year.

MAURITANIA

ZONES



<u>CLASSIFICATION</u>	<u>ZONE</u>
Tradicional Interior	
River	1
Dry Land	2, 4, 5, 6
Cases	3
Modern	7
Transitional	8
Empty Quarter	9



R. D. USAID NGAUKHOTT 1979

16° 14° 12° 10° 8° 5°W

Table 1
Environmental Profile of Mauritanian Zones

Characteristics	SAHARA Zones 6 and 9 (Atar)	SAHEL Zones 2, (3), 4, and 5 (Kiffa)	RIVER Zone 1 (Kaedi)
PRECIPITATION AND WINDS	<p>No particular rain season. Fewer than 10 rainy days/year. Average rainfall below 150 mm./yr. Rainfall varies from less than 1 mm. for 3 months in the north-east to over 25 mm. for 2 months in the south. Many areas without rainfall for several successive years. Annual rainfall deviation from mean +/- 60%. Atar, which has an average annual rainfall of 110 mm., recently went 5 years without rain. In 1927, it received 250 mm. Rainfall usually erratic cloudbursts. Relative humidity varies from less than 10% in interior to more than 70% along Atlantic. Evapotranspiration over 2,000 mm. per year. Winds light, 3-5 km./hour from northeast.</p>	<p>Rainy season June to early October. Between 10-15 days of rain/year. Average rainfall 150-600 mm./yr. Annual rainfall deviation from mean +/- 30-40%. Rainfall more reliable in occurrence than in the Sahara, but still highly variable. Rainfall earlier in winter from less than 1 mm. in east to over 100 mm. in summer in south. Rainfall occurs chiefly as thunderstorms. Relative humidity varies from less than 10% in interior to more than 70% along Atlantic. Evapotranspiration ranges from 1,500 mm. to 2,000 mm. per year. Winds of the wind, averaging 5-16 km./hour, often from north and northeast.</p>	<p>Rainy season May-October. Between 25-50 days of rain/year. Average rainfall 150-600 mm./yr. Reliability of rainfall better than in Sahel, but still very unreliable. See chart for 34-year monthly rainfall record for Kaedi. August rainfall ranges from 30 to 200 mm. Rainfall commonly occurs as localized thunderstorms--sometimes violent, causing flash floods and rapid erosion. Frequent river mists. Relative humidity 20% in winter 80% in summer. Evapotranspiration ranges from 1,600 mm. to 1,700 mm. per year. Winds average 5-10 km./hour and vary from northeast in winter to north and west in summer and fall.</p>

(continue)

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(Table 1, Environmental Profile cont.)

Characteristics	SAHARA	SAHEL	RIVER
	Zones 6 and 9 (Atar)	Zones 2, (3), 4, and 5 (Kiffa)	Zone 1 (Kaedi)
TEMPERATURE, ATMOSPHERIC PRESSURE, AND FRONTS	Daily winter temperature range: 0°-33° C. Daily summer temperature range: 16°-49° C. Average minimum temperature range 10°-25° C. Average maximum temperature range 20°-40° C. Average monthly temperature extremes from 20° C. along Atlantic in March to 25° C. in interior. HIGH atmospheric pressure system dominates region most of year. Clear dry air; dusty when windy. Under intertropical front July-September.	Daily temperature variations range 11°-21° C. Average minimum temperature range 12°-28° C. Average maximum temperature range 28°-40° C. Average monthly temperature extremes from 10° C. along Atlantic to 15° C. in interior. HIGH atmospheric pressure system dominates region 6-7 months from November-May, resulting in no rain. LOW atmospheric pressure brings high sun convectional thunder- storms during June-October.	Daily temperature variations range 8°-10° C. Average minimum temperature range 12°-20° C. Average maximum temperature range 30°-42° C. Average monthly temperature extremes from 20° C. along Atlantic in January to 33° C. in Selibabi in June. HIGH atmospheric pressure system dominates region for 6 months October-April, resulting in dry season. LOW atmospheric pressure brings high sun convectional thunder- storms from May-September.
TOPOGRAPHY AND GEOLOGY	Northern 2/3 of Mauritania com- posed of basement granites, schists, and metamorphic rocks 1.7-2.7 billion years old, largely covered by dunes oriented northeast-southwest. Some sandstone/limestone plateaus up to 500 m. high. Plains of low relief character- istic, broken by a few plateau escarpments.	Extensive low plains and basins surrounding a core of sandstone plateaus up to 450 m. high. Iron oxide-rich sandstones cap the plateaus of Tagant and Nema. Sand dunes, oriented northeast- southwest, mantle western and eastern plains and basins. Rocks are 225 million to 1 billion years old.	Dark alluvial sediments, deposited by Senegal River, overlies quaternary sedimentary rocks 225 million years old.

(continues)

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(Table 1, Environmental Profile cont.)

Characteristics	SAHARA	SAHEL	RIVER
	Zones 6 and 9 , (Atar)	Zones 2, (3), 4, and 5 (Kiffa)	Zone 1 (Kaedi)
SOILS	Largely sands mixed with some clay --frequently wind blown dunes. Some rock surfaces covered by dark gritty soils.	Plateaus--soils coarse, mineral- ized, sandy, acidic. Plains--sandy with clay in basins. Some brown-red sandy soils in east. Soils generally shallow except in basins.	Dark alluvial clays or hydromorpha Halomorphic and marshy soils in Senegal River delta.
NATURAL VEGETATION AND FAUNA	Low, thorny trees such as <u>Acacia tortilis</u> ss <u>raddiana</u> chiefly in west and on plateaus or in the wadis. <u>Stipagrostis pungens</u> occupies sand regions. Areas of sparse low grasses: <u>Panicum turgidum</u> . Snakes, rabbits, fox, insects.	<u>Acacia senegal</u> (Gum arabic), <u>Acacia tortilis</u> , <u>Zizyphus mauritania</u> , <u>Commiphora africana</u> , <u>Combretum glutinosum</u> , <u>Adansonia digitata</u> (baobab), and common trees on the sandy soils. Grasses include <u>Chloris prieuri</u> , <u>Cenchrus biflorus</u> (cram cram). Occasional gazelles (Gazella dama, Gazella dorcas), oryx (Oryx algazel), jackal, lion, leopard, cheetah, hyena. Insects. Many birds--ducks, doves, bustard, guinea fowl, ostrich.	<u>Acacia nilotica</u> in forests along the Senegal and its tributaries Other trees include <u>Acacia sieberiana</u> , <u>Acacia seyal</u> , <u>Zizyphus mauritania</u> , <u>Bauhinia rufescens</u> , and <u>Crataeva religiosa</u> . Grasses-- <u>Vetiveria nigritana</u> cover much of unwooded areas. Occasional snakes (python), wild pigs, numerous birds, insects. Some crocodiles. Grain-eating birds (Quelea quelea) common. Fish.
WATER	Occasional showers with runoff in wadis or from dissected sedimentary plateaus to springs and wells.	Summer rainfall with runoff. Some water trapped in depressions and behind earthen barrages.	Summer rainfall plus flood waters of Senegal River provide chief water supply.

(continued)

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(Table 1, Environmental Profile cont.)

Characteristics	SAHARA	SAHEL	RIVER
	Zones 6 and 9 (Atar)	Zones 2, (3), 4, and 5 (Kiffa)	Zone 1 (Kaedi)
WATER RESOURCES (cont.)	Most well water--shallow and deep --of fossil origin. They are concentrated in Tirhersioum and Trarza aquifers 15-100 m. deep. Impermeable granites, gneisses, schists, and greenstones hold little water.	Good shallow aquifers in sedimentary rocks (sandstone) 15-100 m. deep. These are the Cenozoic basins--Trarza, Anechttil, Brakna, Affolé.	Senegal River crests at 14 m. at Bakel in mid-September and 4 m. at Rosso in mid-October. Senegal River floods 25-30 km. w Valley filling temporary ponds, lakes, wadis, and marshes. Abundant ground water.
LAND-USE	Nothing in eastern desert. Fishing along western coast. Camel, sheep, goat rearing. Some dates, wheat, vegetables along plateau margins.	Recessional and dryland agriculture. Sorghum, millet, beans, dates, wheat, charcoal, gum arabic. Camels, cattle, donkeys, sheep, goats. Gorgol River and Marigot fishing.	Recessional, irrigation, dryland agriculture--rice, millet, sorghum, beans, vegetables, fruits, gum arabic. Fresh water fishing, poultry, charcoal. Cattle, donkeys, sheep, goats.

Source: R & D (Nouakchott: USAID, 1979).

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Table 2 presents an estimated breakdown of the ethnic composition of each of the zones presented in Map 1. Zones 4, 5, and 6 are made up entirely of Moorish groups (Bidan and Haratin), while 95 percent of Zone 3 are Moors (the other group, the Peuhl, is another dryland-oriented group). Zone 1, made up of several groups, is 80 percent non-Moorish. Zone 2, the overlap zone, is evenly divided with 55 percent Moors, 45 percent non-Moors. The systems of exploitation and land tenure present in our two major exploitation areas are characteristic of the ethnic groups which populate them. Essentially a Moorish tenure system and a series of non-Moorish tenure systems coexist within the RIM.

3.1 The Dryland Exploitation System (Moorish Land Tenure)

3.1.1 Dryland Pastoral Zone (Zone 6)

Much of the overall rationale of the dryland tenure system comes from the exploitation strategies of the pastoral adaptation. Pastoralists need to control great amounts of land, not because they need territory, but because they need access to different kinds of pasture in the proper sequence each year. A pastoralist, therefore, is not only thinking in terms of space, he is thinking in terms of time sequences as well. If the pastoralist loses control of one key pasture for a particular period in a year, he can lose his entire herd in spite of large holdings in other zones.

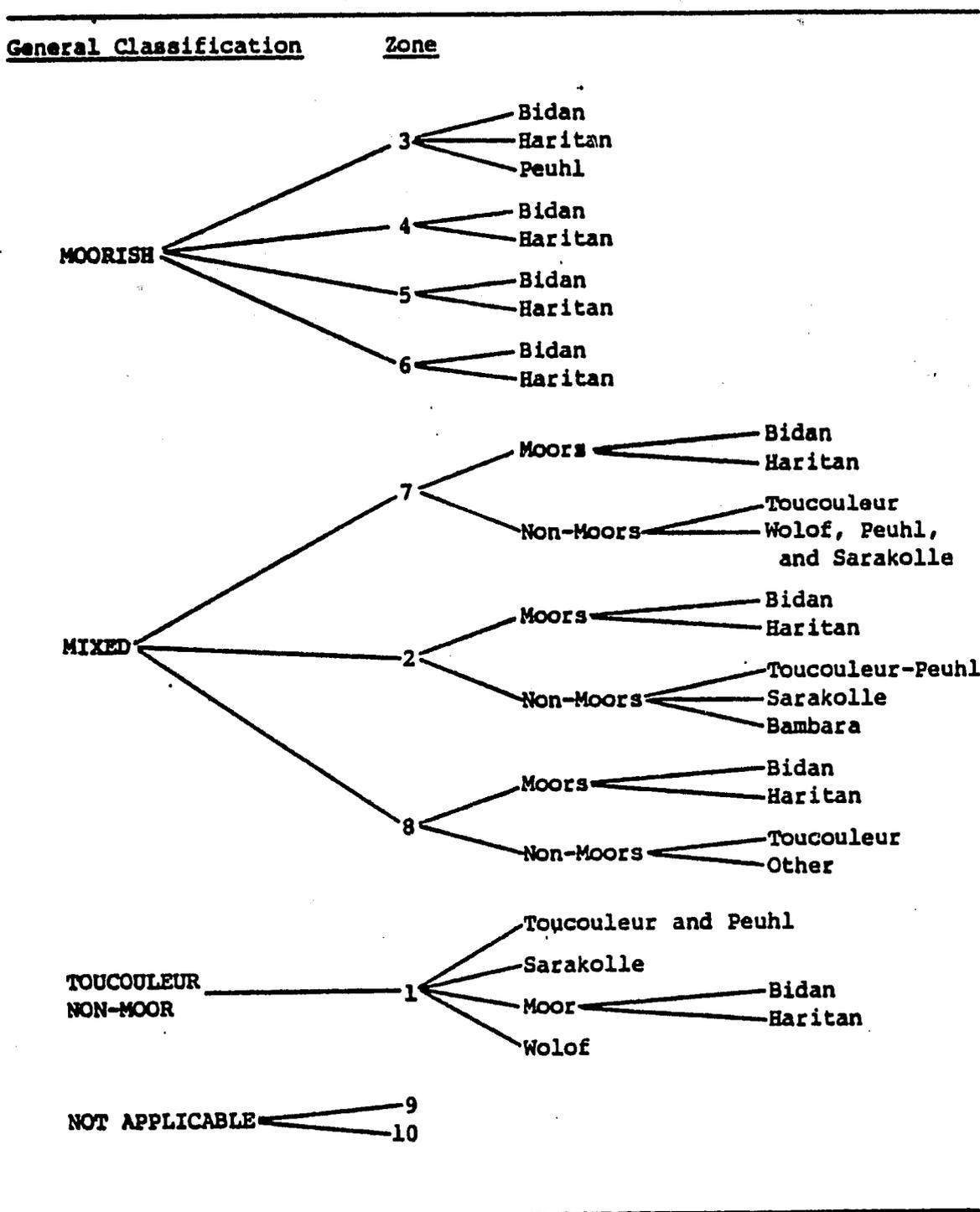
Pastoralists are generally organized in some type of segmental kinship system which enables them to unite quickly in order to defend these large territories. The remains of this type of segmental structure is present among the land-owning/capital-owning Moors (the Bidans), although the remaining system permits unification only at the lowest organizational levels. Moorish society is unusual from the standpoint of pastoral societies in that it is strongly hierarchical. Moorish society contains several occupational levels with different social standings.

For this analysis Moors can be divided into the capital-owning or patron groups made up largely of Bidan, and the laboring, non-owning client groups made up largely of the Haratin (dependent agriculturalists). The laboring group provides labor for the system, but is unable to acquire capital as a result of that labor. On the other hand, the capital-owning group is unable to labor (and in fact lacks much of the specific knowledge necessary for agricultural work and skilled labor), yet by causing work to be done can acquire ownership under certain circumstances. Although one can speculate how this hierarchical system came to be grafted onto a pastoral society, one obviously can relate it to Moorish farming activities.

According to Grayzel (personal communication), the highest level of organization of direct relevance to production is the fraction (a group of extended families); therefore, the control over specific areas of pastureland cannot be very firm. It would be interesting to see the

Table 2

Estimation of General Ethnic Composition of the Zones



Source: Research and Development Office (Nouakchott: USAID, 1979).

effect of this decline of traditional control on land management effectiveness. In the past the higher levels of organization provided a means of solving disputes within larger kinship units. These larger units can occasionally still be drawn upon for some specific political actions. One hypothesizes, however, that this facility is now largely gone.

Moorish pastoralists migrate in generalized yearly cycles between ecological zones, as each zone becomes exploitable during some portion of the year. In Mauritania, as in other places, pastoralists may become agriculturalists during some portion of the year. Map 2 presents a schematic of the movements of various pastoral groups throughout the RDM. The Peuhl transhumant patterns, which are part of the systems in Zones 1 and 2, extend into Mali and Senegal and will be discussed in another context. The proximity between Moorish winter encampments and Zone 1 agriculture will also be discussed.

Dry grassland is largely unowned in the sense that individual tracts do not belong to single individuals. Large rather hazily bounded areas are controlled by specific kin groups. Rights to a territory are through first exploitation or conquest.

More important than control of land in this context is the control of water. Here the ownership patterns are quite sharp. Land may be controlled by the fraction, but wells are controlled by those individuals who have them built, even though they are on the territory owned by the fraction as a whole. The laborer who builds the well, however, is not the owner. He cannot own property because of his station. Since wells are central to pastoralism, he who controls the wells basically controls the system.

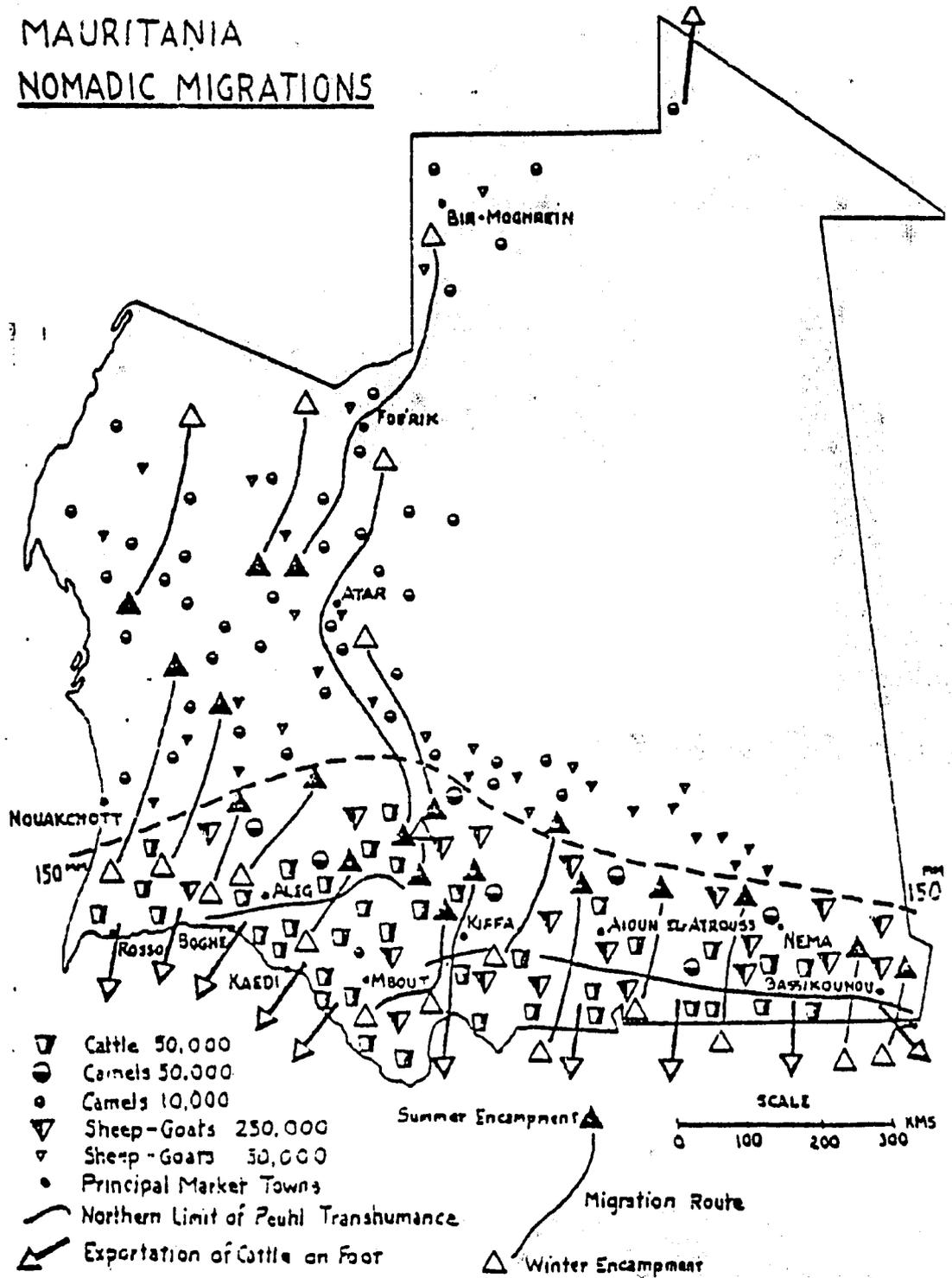
Herds in movement have the right to a single watering from another's well, but after that they must move on unless the well's owner allows them to remain. Wells can be sold and inherited. In the traditional system, however, a well has to be sold to a member of the fraction on whose territory the well has been dug. This maintains the territorial integrity of the fraction's land. Today, a member of one's fraction still has right of first purchase.

The problem of overgrazing of government-built boreholes is largely one of ill-defined well ownership rights. Since nobody owns the boreholes (for the government is nobody in this context), everyone wishes to use the well before somebody else overexploits it. This is termed the problem of the commons. This problem does not occur in traditional pastoral societies because rights to specific pastures and specific well ownerships are clearly defined.

3.1.2 The Oasis (Zone 2)

Since oasis agriculture is dependent on the creation of wells, the status of an oasis is clearly related to the well ownership patterns discussed above. However, successful exploitation of an oasis requires a continuous source of labor even after bringing in the well. Thus new patterns of ownership and management emerge.

MAURITANIA NOMADIC MIGRATIONS



SOURCE: Mauritania - Atlas Jeune Afrique 1977

R.-O. USAID NOUAKCHOTT 1979

Briggs notes that: "Under Moslem law, only land that is adequately watered can be privately owned. Ownership of water rights is vested in him who brings the water to the land, and ownership of the land thus cultivated passes to him in consequence."* The rule of well ownership in the agricultural situation has been extended to include the land around it.

Several types of contracts are possible to assure that the yearly labor is done in the palm groves. In each of these contracts the laboring groups are treated as if they are attached to a particular fraction. They are of the fraction without being in the fraction. The laborers therefore have the right to work land which is within the territory of the fraction of which they are a part. The Haratin gets a percentage of his crop each year and must manage his own household. The 'abid is fed out of the household of his master, his labor contributing directly to that supply. The 'abid therefore owns nothing and may control land only under very special circumstances. He is wed to the household of his master. Haratins may retain ownership of possessions, but it is unlikely they will be able to acquire any on the territory of their patrons. The Haratin can leave during some portion of the year (to take advantage of temporary opportunities) or permanently if he so chooses.

A. The Creation of the Grove: In planting a new grove the landholder supplies the water and therefore the land, while the laborer supplies the plants and the necessary labor. After five years of continuous work, a grove will begin to produce dates and is then divided equally between the landholder and his laborer.** This is the only case where laborers (either the haratin or the 'abid) can actually possess property in return for their labor.

Grayzel points out that this type of contract is traditionally more common with 'abid or slaves. Although an 'abid gets control of half of the newly created grove for his lifetime in return for his work, slaves cannot own property and the land will eventually revert to the owner. A Haratin, on the other hand, is able to pass on property to his heirs. Therefore, we must carefully differentiate between classes to determine the actual status of ownership. In either case, the landholder has the advantage of having a new resource created for him, one which he can exploit, pass on, or alienate at his pleasure. He also has the continuing labor of his client in exchange for a portion of the resource.

Ownership of an established grove remains in the hands of the owner of the well.

* Lloyd C. Briggs, The Tribes of the Sahara (Cambridge, Mass.: Harvard University Press, 1960), p. 12.

** In the Adrar, one-third is given to the laborer rather than one-half.

B. Maintenance Contracts: Once an oasis has been established, the landholder must assure that his grove will be cared for on a continuing basis. Since he generally does not do agricultural labor himself, a contract must be agreed upon to assure the maintenance work is done.

A contract exchanges labor (watering the trees 36 times per year, planting a hedge around the grove, clearing away dead fronds, fertilization, and harvesting the dates) for a portion of the produce. According to one source, a farmer may select one-fifth of the harvest or a portion of the produce of every tree either as a percentage or as a fixed measure. He may also opt to glean what falls from each tree. Each of these particular options should have advantages given particular fluctuations in production from year to year. Whether the laborer can take advantage of these variations depends on when he has to select his payment mode. This, unfortunately, is still unknown and should be the subject of future inquiry as it could be a major factor in local farmer decisions.

C. Intercropping is practiced in certain oasis areas, although the dates are of major concern to the landowner. Several regional variations are possible. In some cases, the farmer may keep the entire supplementary crop. In the Tagant, however, the supplementary crop is divided fifty-fifty. In both cases, however, a fee is paid to the owner of the land.

3.1.3 Dryland Agriculture in the Dryland System (Zones 2, 4, & 5)

The dryland zone is essentially a multi-ethnic zone, especially Zone 2 where both wetland and dryland exploitation systems overlap. In dryland agriculture, as in pastureland or in the oasis, the owners retain overall control of the territory under the influence of the fraction. Ownership of particular areas is invested in the fraction and the use of that land is related to membership in that kin group or via the sufferance of that kin group. Since the laboring classes are attached either to a fraction or to a household, their rights to the land flow to them through the rights of the Bidan who is a member of the fraction that controls the land. Traditionally, laboring groups could not own land in the territory of a Moor Bidan fraction, so they returned 10-50 percent of the crop (in exchange for use of the land), depending on the type of land and the relation of the laborer to the landholder. This is now a source of contention where Haratin claim they own land because they are members of the fraction. This is currently an issue which will have to be resolved in a rejuvenated system.

The Moors maintain pastureland even in areas where they practice agriculture. There are two levels of land control: communal and individual holdings. Communal land is distributed by the "chief" (the fraction head) to the heads of member families. These in turn distribute it to the laborers under their control. Receipt of land involves only usufructuary rights; actual ownership or, more accurately, overall control is retained by the fraction itself as represented by its chief. Persons outside the system may use land only with the permission of the chief.

A yearly fee (most often 10 percent of the crop) is assessed from each member of the fraction and paid to the chief. The accumulation of these fees is not owned by the chief; rather they are the property of the fraction as a whole. The chief acts as an administrator of this fund which is then redistributed within the group for various social and religious purposes.

Land can be redistributed each year when conditions are variable, or less frequently when weather conditions are stable.

Land in excess of one's normal allocation could be given by the chief to a fraction member as a reward for political services. Likewise, a local Bidan can reward one of his laborers in a similar fashion. Political leaders reward loyalty in this way and land becomes the medium for patronage rewards. A man who controls a great deal of land will therefore control much political power. To develop resources and create land is therefore to increase one's political power. Thus even land which is collectively owned is still a means for individuals to enhance their own local position and, in some cases, to form a power base in the national sphere. This rule also applies to land belonging to the fraction which has its own natural water supply, such as in depressions where techniques of recession agriculture can be practiced.

A well and the land that surrounds it belong to the person who causes it to be built. A similar rationale is used when recession dams are built. In both cases the landowner increases his wealth from the production due to his investment, and also increases his political influence by having an increased amount of better quality land at his disposal to distribute to his loyal followers.

Although laborers cannot own land under most circumstances in the traditional areas, private land worked by laborers for five years, as in most oases, must be evenly divided between the former owner and the person who has worked the land. However, only the Haratin would retain ownership and pass the land on to heirs. A slave would lose the land at his death.

It is possible to obtain the labor of Haratins on private land without losing control of the land. One method is the system of habous. Habous is essentially a trust that can be used to prevent the transfer of ownership in land worked by a Haratin. In one form of habous, for example, usufructuary rights are given to a laborer for his lifetime in exchange for his labor. The land is returned to the descendants of the original owner at the death of the Haratin. Although habous was set up as a means of assigning land for charity (by assigning the profits of the land to essentially charitable purposes, such as feeding the destitute), it has become a means through which ownership of specific parcels can be maintained.

Fikry (personal communication) points out that in the Moorish system, control is retained by the fraction or the individual (in the case of water-fed land) whether or not the land is cultivated. Thus, under the Moorish system, there is no land which is unclaimed.

3.2 Wetland Systems of Land Tenure

Wetland agricultural systems exploit both the dryland areas of Zone 2 and the riverbank recession areas of Zone 1. Riparian agricultural systems are dependent on the yearly flooding of the Senegal River basin. Each year, the wet season rains cause the river to soak the surrounding banks and flood depression areas. As the waters recede, crops are planted on the damp banks as the residual water will permit their growth. This system must contend with the fact that differences in flooding from year to year result in differences in the amount of land available to farmers each year. The tenure system must therefore allow each holding to be adjusted to this yearly fluctuation. Riverine tenure systems recognize different types of land according to the frequency with which they are flooded.

Labor is assigned to each system according to the availability of labor within the community at any one time and to society's assessment of the value of the crops which can be produced on the land. Since there is a variable demand for labor each year and different types of labor to be done, a distribution scheme must see to it that everybody gets fed, even in years where minimal flooding offers little work for certain members of the community. This is solved by creating a tightly organized system of community-held land to be apportioned on a yearly basis according to the degree of flooding. A redistribution system apportioned the require of that labor to community members.

Map 3 gives an approximate distribution of various ethnic groups by zone. These groups represent the major ethnic groups inhabiting the river basin areas and use the community-based methods of redistribution.

3.2.1 The Halpoularen (Halpoularen)

The Halpoularen are concentrated in the south-southwest and southeast sections of Zone 1 and the central sections of Zone 2. They recognize three major types of wetland:

- 1) Walo, or fertile recession land, is flooded every year. A limited land resource, walo produces on the average the most certain yields. Thus it is considered a valuable land resource and is subjected to careful control.
- 2) Falo, or fertile but steep land located directly on the bank of the river, is often utilized for vegetable and other marginal crop production.
- 3) Ebnee is land which is flooded only in the years when the rivers reach their highest crest.

These types represent a continuum of land which is flooded with decreasing frequency depending on altitude and distance from the river. All of these are seen in opposition to the dryland or diell which is very lightly regulated and considered a relatively valueless

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resource. In a good rain year, however, the dieri does produce a great deal as its potential fertility is so high; in wet years the walo is often deserted to allocate more labor for production on the dieri. The constraint on dieri is not land quantity, however, but rainfall.

Access to the land is related to the hierarchical structure of Halpoularen society. Their society is divided into three main categories: the freemen, the artisans, and the captives or slaves. The freemen are themselves divided into three groups (agriculturalists, herders and marabouts or warriors, and fishermen). Each group has different access to the land of its community, but communities can be either heterogeneous or made up from a single group.

Much of the land open to any group is made up of dryland or dieri parcels. The Halpoularen treat dieri land quite simply. Dryland is open and available to all. One claims the land by clearing it and planting a crop on it. One's presence on the land is sufficient to maintain a claim. Unlike the Moorish system, one ceases to have a claim when one ceases to cultivate a parcel of land. It then becomes available for somebody else.

This is not the case for the three types of riparian recession land. The land types in the wetlands are all coveted and thus closely guarded. The lands are owned collectively and transmitted through lineage. These lands are inalienable. Authority over the land is given to the lineage chief,* but he is clearly acting as steward, not owner--the representative for the lineage as a whole. As distributor of the land to lineage members, the lineage chief receives a tenth of the crop (assakal) in return for assigning the use of the land. This accumulation of the land's production is not considered the property of the lineage chief. Instead, the chief's share is meant for redistribution to those who cannot work, or for feeding guests at lineage-wide functions.

The lineage chief demands a percentage of the yield in this system (as in the Moorish system), not a fixed fee, so that the farmer and the lineage share the risk. If there is a bad year, individual shares are smaller. In a good year, however, the same percentage produces a greater amount for all.

Lineage land can be reassigned each year to reflect changes in the amount of land made available by flooding or by fluctuations in the labor supply. Thus the Halpoularen system is flexible enough to meet the variability inherent in the ecosystem on which it operates.

The Halpoularen system also recognizes private landholdings operating on land which only occasionally floods, the fonde. In this system

* In the Toucouleur system there are actually three relevant groups: the lineage, the galle or compound family, and the individual household. Depending on the area, either the lineage or the galle can have authority over land distribution to its members.

the "proprietor of the land" (dyon leydi) may lease, sell, or temporarily assign land (such as for rewarding political services or as an inducement to an artisan).

Leases or rental agreements reflect the productivity potential of the land. Although the renter may use for 30-50 percent of the crop, depending on what inputs he might contribute, special agreements are often made so that rentals or leases are based not on years but on numbers of adequate floods.

3.2.2 The Soninke (Sarakola)

The Soninke are divided into a complex social hierarchy in which class membership determines access to the land. The society is divided into free and unfree classes, the relative sizes of which are yet to be determined.

Of the free classes, the warriors, the marabouts, and the counselors each get a portion of the community's land. Artisans and unfree classes have no right to the riparian lands except through their patrons.

The chief of a Soninke village is the eldest member of the founding lineage, a warrior family. It is this lineage which holds all basic rights to the village land through the right of first clearing (gine). Because of this the chief has the right to divide the village land between the heads of the eligible lineages. Each lineage chief then reassigns the land to members of his own group.

The Soninke have an extremely complex system of land classification which need not be discussed here. The most important distinctions are between the labe or khambala ninye or labe lands (which correspond to the wa or the salpouliaren system) and the daylands or dyamankafu ninye or lands with free access.

The family head (kagouma), generally the eldest member, of that particular household, supervises production. As head of the extended family (ka), he is assigned land to assign to his household (often more than 100 individuals). One-half of this assigned land goes directly to grain production for the household. It is called the collective field (te khora) and is supervised directly by the household head. Each household member will work on this field from 7 a.m. to 2 p.m. each day (including household slaves and family members present in the village, particularly in peak demand periods). Production from this field is stored in a special area accessible only to the head of the family. The entire staple grain supply of the family comes from this production.

* Cf. P. Bradley, C. Raymont, and J. Torrealba, "The Gaidicaka Region of Mauritania," War on Want (1977), pp. 68-69, for the complete nomenclature.

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Only when this supply has been assured* do the Soninke consider other forms of production. The recession land which remains in the family allotment after the te khore has been taken out is divided among the various members of the family for individual production. Each member works on a rotating basis on the fields of the others. Younger brothers work on the fields of the elders, never the other way around. Friday afternoons are set aside for one to finish work on one's own land. One-tenth of this production is given to the household head for redistribution within the family system. The rest, presumably, belongs to the individual to dispose of as he likes.

Women have their own assigned fields. They are free to work in them after work on the community field has been completed. Women specialize in growing non-subsistence crops, such as peanuts, rice, and indigo, and are free to dispose of their crops as they choose, keeping the profits to purchase cloth for themselves or to buy jewelry both as decoration and as a hedge against future adversity. The customary tithe from the women's fields also goes to the family head for redistribution.

Although unlikely given the household size of the Soninke, the extinction of a family line returns land to the founding family of the village for redistribution among the families which remain. A single surviving woman could pass on land to her sons, although these heirs belong to a different family group. Otherwise, women have no inheritance rights to land.

Excess land may be assigned to village members whose families may not have access to sufficient land. Special arrangements are possible including leases or contracts. Fikry reports sales of fonde land among the Soninke; I found no sign of this and my informants were adamant in insisting that Soninke wetlands were inalienable.

The principle of free dieri is retained for dryland areas surrounding Soninke villages. Drylands are often found at some distance from the village and are generally farmed by the servile classes.

In the Soninke dryland system, the head of the founding lineage keeps track of all the village dryland. Anyone desiring use of a piece of the dryland must request it of the village chief. Although the request is refused only if the land is being used by another, the need for the request implies a certain level of territoriality not found among the Halpoularen.

3.2.3 The Wolof

Less is known generally about the Wolof than about other groups in the RIM. To exacerbate the situation, I was not able to travel in the

* The Soninke store three years' production in these granaries and sell grain only after the harvest of the fourth year is stored. Grain for sale is then taken from the oldest stock in storage.

Wolof area and so can reproduce only a few important points from others' observations.

The Wolof are hierarchically divided into the nobles (gelowar), freemen (gor), artisans (nenyo), and slaves or freed slaves (jam). Each class has its own elected representative acting as an intermediary between his group and the chief of the nobles. The women of the community have their own representative as well.

The situation of the Wolofs is potentially full of conflicts. The traditional pattern (and there are many variations) seems to give first choice of land to the chief of the nobles (damel) who then has the authority to settle land disputes between others within the group. The rest of the group then selects land according to their rank within the society. People from outside the community are allowed to cultivate any land which remains, although in densely populated areas there is seldom any surplus land available and so the Wolof control all the land within those village areas. In some situations, lower-class Wolof are themselves relegated to dieri land far from the village itself. What is unclear, however, is how often this land distribution takes place. A yearly redistribution would fit into the pattern of the other riverine groups.

Men and women work together in the Wolof system, but the men concentrate on growing millet and sorghum, while women concentrate on rice. The Wolof also use paid laborers, especially in peanut production.

3.3 Traditional Land Tenure Systems and Inherent Conflicts

I have presented this material on traditional forms of land tenure as well as data on labor patterns of several ethnic groups to make several points. First, all groups have clearly defined concepts of their land requirements and how to manage them. Second, these land management concepts are defined largely by ecological constraints which determine the need for land and affect the means for distributing it, in the same way that they determine what crops can be grown or what animals raised. Third, land tenure is a means of resource allocation, and resources are severely limited. The most valuable resources are therefore the most closely guarded. Fourth, each group possesses a means of settling its own intragroup squabbles by assigning absolute authority to certain members of the group. The authority of the decision-maker is supported by his power to assign land. For this reason most land tenure problems in the RIM are not within groups, but are between groups competing for a single set of resources.

The dryland strategy, practiced in the northern three-quarters of the country, combines animal husbandry on a large scale with dryland recession and oasis agriculture. This system is opposed to a wetland strategy which involves riverine recession agriculture, dryland cropping, and small amounts of animal husbandry. The major problem area is traditionally in Zone 2, where the two systems overlap and therefore

practitioners make multipurpose claims to the same land. Since the traditional local authority has influence only within a group and no real influence between groups, there is no means to settle local intergroup disputes. Here is an area where the government needs to exert its authority.

The situation has been made worse by the concentration of population in the south due to increased desertification and drought. The traditional routes of transhumance have been moving south along with the encroaching desert so that in some areas what was once the southernmost limit of a yearly transhumant cycle is now its northernmost extreme. This has the consequence of cattle arriving at the wrong time each year, and has thrown off the timetables of centuries. Cattle now arrive in the period of harvesting and planting--when labor is otherwise occupied and so fields cannot be guarded--rather than when the fields are not being used.

The competition for water has become acute between herdsmen on the move and villagers who depend on small seasonal ponds (marigots) for water. In many cases, the cattle foul the water they do not drink and villagers are left without. Furthermore, villagers need pasturage around their village for a small number of animals that supply animal products. Some villagers spoke of a law which remained from the colonial period which forbade herdsmen to bring cattle within a 5-kilometer radius of a village. This law, if it existed, is no longer enforced and herdsmen now make short work of village pastures. At the same time, however, it is not clear how such a law could continue to be enforced given the high concentration of animals within the area.

This competition is further increased by the introduction of Peuhl herdsmen who use pasture in the RIM as part of a transhumant cycle which crosses over into Mali and Senegal. There are problems of conflicting claims over resources not only between farming groups and herdsmen, but between Moorish and Peuhl herdsmen as well. These conflicts extend past the southern limits of Mauritania on into Mali. Eventually a solution to this problem will have to be sought on a regional basis. While the Moors are in the north, the Peuhl are in what the Moors consider their southern pastures, eating the grass and preventing the regeneration of those pastures.

Many marginal herders survive, even flourish, through occasional labor in the farming areas, even on the new irrigation rice perimeters. This means that cattle groups that might have folded in the past have a supporting income which may even give them enough to purchase extra cattle, further increasing overgrazing on the land.

Local political administrators and village chiefs stated that they spent between 60 and 80 percent of their time settling resource disputes. However, village leaders said that very few potentially serious disputes ever actually reached government. This was due to several factors. First, the cost of transport to the government center was often prohibitive, as was the cost of remaining in the government center until the case was settled. Second, the procedure of settlement

often resulted in neither party receiving compensation although one individual might be fined. Thus, although one party may be punished, neither party receives any financial replacement for his loss. Third, neither group wished to become involved with impersonal bureaucracies. Their fear of an unknown system overcomes their need for justice. Finally, many of these disputes come at crucial points of the year when peak labor is needed. Individuals are needed elsewhere and, by the time they are free to travel to the government center, the offender (such as a herdsman) may be difficult to find.

Often the solution for villagers has been to seize the offender's property and bring the case to the village council (djamaa). These cases, however, are inter-village and often inter-ethnic, and there is a problem as to whose authority outsiders will accept. Still, many cases are solved this way because the only alternative is miles away in an administrative center.

Although there are many similarities between these systems,* there are also crucial differences. In the Moorish system, based as it is on husbandry, land not used for agricultural purposes is maintained as part of the group territory. Thus Moorish claims to dryland, in fact to all territory, may be perpetual. The same is true for the Soninke. Other black groups, on the other hand, claim that unused land is open to all. When land value increases, however, such as in cases where land becomes irrigated through development programs, multiple claims can be made, each justified within its own system.

In fact, as Grayzel points out (personal communication), many claims are made and justified within their systems on the hope that the act of making the claim might in itself bring a new resource into the group.

As resources diminish, conflict over what remains is certain to increase. It is hard to imagine that any type of development program

* Fikry notes that all of these systems feature: (a) inalienability of the best lands; (b) yearly payments for the privilege of usufruct; (c) rigid controls on the sales of lands; (d) a strong identity between the extent of one's territory and the extent of the kinship group living upon that territory.

Although these systems are based to a large extent on the exploitation of a laboring group, as Fikry claims (personal communication), and much effort is spent by upper-class groups in maintaining their social position and thus their power to influence decisions inside the group and between groups, the major function of these communities remains as resource management units reallocating scarce resources to the group's membership and assuring the exclusion of non-members from the allocation wherever necessary. Thus a change of emphasis is needed when resources are as scarce as they are in Mauritania to see these communities as defensive systems (in the medieval sense) rather than as purely exploitative systems.

in Mauritania would open up any significant new resources not already under exploitation. In a marginal situation, any development program must shift resources--moving them from one place to another, concentrating them, or spreading them out. The grave danger is that in shifting resources from one place to another one might move them from one group to another. This is a political decision and should not be considered without a full understanding of the consequences for particular groups. In a country as resource poor as Mauritania, land tenure disputes are merely an arena for groups to solve resource-control problems central to their very survival.

4. Land Tenure Laws in Mauritania: Attempts to Create a Balance

Several attempts have been made in the history of Mauritania to handle resource allocation on a level higher than the local community. In the section which follows I will discuss several attempts to try to create change in the systems of resource allocation. In most cases, however, these systems address specific problems within specific areas and, with one exception, have not created a basis for tenure decisions at the national level. At the same time, these individual attempts are important as experiments which lend insight into what could be done in the RIM.

4.1 The Law of 1960 (60.139)

The Law of 1960, passed in the closing days of the French colonization of Mauritania, recognized traditional claims to the land, but nationalized all land which was not then under recognized use. Although there is little evidence of this law having had much effect on the RIM, coming at a time when the government was changing hands, one still finds references in villages and administrative centers to the permis issued in support of individual working claims.

The law displayed a basic misunderstanding of land tenure in the RIM, especially in the areas devoted to husbandry--which appear unused and unclaimed through most of the year. Pastoral land does have fairly strict territorial dimensions. This type of law can spell disaster in a pastoral setting and it was only the lack of enforcement that kept the Mauritanian range alive.

The Syrian Arab Republic enacted a similar law in the late 1940s, declaring that all vacant land belonged to the state. Although this law was intended to avoid disputes over land which was to be cultivated through irrigation from the Euphrates River, the effect was to negate tribal claims on pasture areas. This meant that the range was nationalized and therefore open.

A situation called the "commons problem" occurred where each individual began adding to his herd size. Since the range was open, each individual felt it was his right to exploit the range resources. For

if he did not, someone else would. Thus, enlightened self-interest for the individual spelled disaster for the range. Herd populations soared as traditional systems of management disappeared. There was overgrazing, overpopulation, and destruction of rangeland. Since the range belonged to everyone, it really belonged to no one and so no investments were made in water supply management or conservation. The problem is similar to the smaller-scale destruction of rangeland around the nationally owned boreholes dug in the Sahelian countries.

Two lessons were learned by the Syrians: first, that a law, especially an all-encompassing law, often has unanticipated effects; and second, that laws which compete with or supercede the long-developed systems already accepted by communities often result in chaos. In the Syrian case, a law was created where it was not needed since traditional methods of management were operating quite well.

The Law of 1960 had no such serious effects on the pastoral lands in Mauritania. As there were no resources comparable to the Euphrates river basin in the northern section of the RIM, there was no motivation for the government to enforce its claim on the "unused" portions of that area. As a consequence the land situation continues as in the past. On the other hand, the enactment of this type of law demonstrates that traditional systems of subsistence were not understood and the related system of allocating resources was being ignored.

4.2 The Urban Section of the Law of 1960

The urban sector of the Ecological Zone schema shown in Map 1 is relevant to land tenure in the RIM, especially since one of the unforeseen results of this law was to encourage migration into the Nouakchott area and to create labor shortages in certain agricultural areas.

The section of the Law of 1960 concerning urban lands provides for the division of Nouakchott into lots, giving legal ownership to those who were occupying them and a means to sell off the rest. The law provides that subsequent alienation of either improved or unimproved lots would be through private contract (gré à gré) and therefore subject to cash sale to anyone presenting himself as a customer.

As a law it is unremarkable and reasonable within an urban area; but from the point of land tenure it does represent a source of attraction to the city for low-status groups who can get money to invest.

In the traditional systems, low-status individuals have access to the land only through their patrons: thus they cannot acquire capital through their own efforts. Through the urban law, it suddenly became possible for a low-status individual to buy property with cash and therefore to transform himself from a laborer into an owner. Thus land values in Nouakchott skyrocketed as individuals began to buy and sell lots as a speculative investment.

In many cases low-status individuals began to seek work that produced a cash income, rather than an income in the form of produce.

They began to look toward sectors outside their traditional world and their original areas of specialization.

We visited an oasis village not far from the main road in the Assaba region. A local farmer told us that he was paying a daily wage to his laborers and that they had gone either to the city or to areas where they could work for cash. He had to replace these workers with salaried employees. In some cases, Bidan landowners had to work their own farms. The net result in either case was lowered production levels, for neither the Bidans nor the paid laborers had enough skill to maximize the crop potential. The traditional laborers had taken with them the skills that they had learned from years of experience. These skilled agriculturalists lost to the oasis sector were now doing other kinds of work for which they were only minimally prepared. The quality of work in several sectors was therefore diminished.

At issue is the differential effect between sectors in a country where capital can be accumulated in one area of the country and not in another. Where individuals have the freedom to move and to choose, many will opt for opportunity over security. One cannot disown the city populations by nullifying private ownership in urban areas, but one has to improve the condition of the laborers in the rural sector to make the uncertainties of the city far less attractive. If experienced rural laborers continue to be attracted to the city, production will continue to fall in the rural sector because their skills are lost. Many owners see this, but more can be made to understand that it is to their advantage for the rural subsistence level as a whole to be increased.

4.3 The Large Rice Perimeters: SONADER (Société Nationale pour le Développement Rurale) and Land Reform

The SONADER enclosure for irrigated agriculture (périmètre) at Kaedi and the planned périmètre at Boghe have been the subject of many reports. Since so much has been produced on the program, I see little to be gained by repeating it here, except to discuss certain specific aspects of land tenure from a slightly different point of view.

SONADER is a parastatal organization charged, among other things, with the development of both small and large-scale irrigation projects along the basin of the Senegal River. The Kaedi project is the largest, most outstanding of these programs so far.

This report focuses on farmers in the vicinity of the SONADER projects because their ideas have had so little exposure in the official reports. These ideas represent a kind of political truth which those who work with the farmers will have to understand. Much of what follows is based on interviews with these local farmers.

The region of Kaedi which houses the SONADER perimeter was originally in the hands of Halpoularen groups practicing wetland agricultural techniques. The exact region in question is said to have been in the hands of the fishermen, although some deny this.

According to farmers, the project site is located on a piece of walo land. According to one villager, SONADER offered to rent the vil-lage land. Others said SONADER agreed to let the villagers profit from the scheme in exchange for using the land. At any rate, there was no agreement signed between the villagers and SONADER and, at some point, the land use scheme changed anyway.

A system of expropriation was set up whereby land held by the vil-lagers was roughly divided into thirds. Two-thirds of each holding was given to SONADER for placement of equipment and redistribution to out-siders. The remaining third was retained by the original holder.

Although the increased production under the rice perimeter program was supposed to offset the loss of land, several things occurred which were not foreseen by the farmers:

- 1) Land was distributed to people outside the community. Farmers felt that what they were agreeing to was a system that would improve the local community. In fact, the scheme served as a means of breaking it up.

- 2) Land which had belonged to the lineage under control of an individual household could, under the old system, be reassigned to a sharecropper if individual householders were too old, too sick, or otherwise unable to work it. Under the SONADER system, ownership could be maintained only by the person working the land. Even the retained one-third portion could be counted on as a community resource only for as long as the present householder could work on it. After that, the land was reassigned to individuals outside the community.

- 3) Although an individual farmer retained possession, he lost all control over his land. Basic production and marketing decisions were put in SONADER's hands. Refusal to comply resulted in eviction. The number of crops grown each year was determined by SONADER; thus the amount of labor required was controlled by outsiders. In addition to farming, individuals allocated their time to other occupations, such as petty commerce and gathering wild products. Under the SONADER system, the need to pay the yearly fee for services (UM 18,000 per year per 0.5 hectare) left little alternative but to spend most of one's time farming to get cash for SONADER.

- 4) In some cases the retained landholdings were not large enough to support the Toucouleur household. The number of actifs on which the SONADER allocation was based did not necessarily relate to the number of people supported by the land; hence the quality of life deteriorated in some situations as household incomes declined.

- 5) The fees for services under the SONADER system were not realistic when one considers the problems of farming in Mauritania. All traditional systems are based on a percentage of the crop, not on a fixed fee. If there is a bad year, both the landholder and the farmer share equally in the risk. In the SONADER system, the fee for services is fixed; thus if there is a bad year or an equipment failure, the farmer

pays the penalty. He has to come up with the fee regardless of the size of the harvest. When one considers that SONADER is the farmer's only market for his crop and it is SONADER that sets the market price, one begins to understand the farmer's resentment in that region.

Farmers contend that the quality of life as measured by the subsistence level has not improved for local farmers in the Kaedi region despite higher production levels achieved by SONADER. Improving that subsistence level is basic to stemming the tide of urban migration. The farmer under SONADER works twice as hard to achieve the same level of household production (not gross production, for the balance goes to SONADER) as he did when working one crop of walo land each year. He has less time for alternative economic enterprise, less security because the community system of redistribution has been broken up, and he has lost control over his land and his production decisions.

If this is the case, then why support SONADER? This type of project results from poor thinking about what development means in a scarce resource context, such as that found in Mauritania. An increase in absolute production of a crop that is only minimally salable is achieved at the cost of lowering the standard of living of the producers of that crop.

Farmers asked how they would solve the problems of SONADER replied with possible solutions to the tenure problems of Mauritania as a whole. Farmers do not want the SONADER system ended because they fear the resulting chaos. The existence of the dike, for example, means that their walo land is valueless without a pump. There are many outsiders on their land now and there is no guarantee that they could even maintain the land they have if SONADER were to leave. Farmers feel that they should be compensated for the land which they lost through a reduction in the yearly fees they have to pay to SONADER. Those who receive land through the SONADER system should pay higher fees to make up the difference. People who hold land in the SONADER system should be given some form of title to it, and be permitted to determine who works the land in certain specified cases such as sickness or old age of the holder. In return, farmers are content to allow land ceilings to remain, but of course those who have given land to the system would like an ownership status different from those who have received land.

In essence, the farmers are asking for a means to return the land to its original community of owners a little at a time and to return to their old pattern of work. Although this is probably impossible, it indicates a solution to problems elsewhere.

4.4 The State Farm for Rice in Rosso

The State Farm in the Trarza region was built by the Chinese in 1967-68 for rice production. All the walo land of several communities was expropriated and members of those communities were expected to work on the state farm. Farmers were given irrigated land on the State Farm in proportion to that taken from them. The landless were given a

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minimum of 0.05 hectare from the surplus. The farm was worked by several groups. No group was ethnically mixed, but several ethnic groups were represented. Thus, there were no serious problems caused by intergroup disagreements.

As time went on, however, individual group patterns began to emerge. Bidans stopped working and began to send their Haratins in their place, collecting a share of the Haratin's earnings as their traditional share of the crop, even though this was illegal. This and the fact that the salinity of the perimeter began to rise, I am told, ended the State Farm system in that area.

This particular system demonstrates that it is very difficult and, in the short run, unnecessary to enforce the organization of new work patterns in a community. At the same time, it is difficult to impose an outside definition of a cooperative on a single community, let alone several communities and expect them to suddenly coalesce. The best one can hope for is to provide credit facilities, education, and other supports and hope that the community will form its own cooperative.

4.5 The Petit Périmètres

The large-scale SONADER operation can be summarized as one where

[l]arge-scale agricultural intensification projects run the risk of becoming enclaves of agro-industrial production methods having little interchange with the range of subsistence methods practiced around them. This is especially the case for irrigation projects which require capital investment for development far out of the reach of even the most ambitious cultivator.*

But what about smaller-scale operations where investments can be made for goods too expensive for individuals, but in the reach of the community as a whole? What type of farmer organization should be recognized and how should a government agency or other organization articulate with the community? Again the goal is to improve the subsistence level of villagers.

Some of these questions can be answered by looking at the recent history of pre-cooperatives and petit-perimeters in the Senegal River basin in both the RIM and Senegal.**

* A. Waldstein, "Development for Whom?" in Sahelian Social Development (Abidjan, Ivory Coast: Regional Economic Development and Services, Office for the West Africa, USAID), p. 513.

** For a detailed study of the social aspects of these pre-cooperative communities, cf. OMVS, Etude Socio-Economique du Bassin du Fleuve Sénégal, Partie C, Introduction de la Culture Irriguée, Edition Provisoire (OMVS, Avril 1980).

66.

The pilot experiments of FAD SAED and SONADER are based on a contract between the organization and villagers living together within a specified area. The population of that area is formed into a voluntary collectivity termed a pre-cooperative. This pre-cooperative enters into a formal relationship with an outside agency or corporation which provides both credit for purchasing capital to improve local farming and technical guidance for the pre-cooperative. Appendix 1 is a copy of this type of contract between SONADER and a motor pump group. These schemes are aimed primarily at converting riverine farmland into irrigated rice agriculture under a particular method of intensive production.

The outside agency relies on farmers to supply land and labor, and to eventually repay the money lent them to buy pumps. The corporation shows the farmers how to choose and clear land, dig canals, and parcelize land so that each pre-cooperative member gets an equal share. In addition, the corporation helps in the community organization which is part of the participatory system.

The pre-cooperative is run by a "bureau" which consists of a president, a vice-president, a treasurer, and three or four other board members elected from the pre-cooperative membership. Often, however, the president is chosen by the village chief or other authority. The village hires one of its members to run the motorpump, paying him a salary or a share of the crop yield.

The pre-cooperative bureau is responsible for organizing collective work, organizing the distribution of water, passing on orders, and distributing the harvest. Most important is that the bureau acts as a liaison between the community and the agency or corporation.

It is not our purpose to present an extended analysis of the pre-cooperative system in the Senegal River basin. Such analyses do exist and require further consultation in the detailed formulation of a land reform program for Mauritania. A few points, however, should be made in this context.

First, the very notion of a cooperative is related by the nature of the particular organizational methodology. The strength of a cooperative is in its ability to pressure sellers and buyers of production. Since all of the support corporations (such as SAED or SONADER) are essentially monopolistic, they determine both the buying price of inputs and the selling price of commodities. Thus, the

1. US. Guy Bellonche, Cooperatives et Développement en Afrique Noire Sahélienne, CEDEP no. 10 (1976); also W. Derman, "Cooperatives, Initiative, Participation and Socio-Economic Change," in Sahelian Social Development (Abidjan, Ivory Coast: Regional Economic Development and Services, Office for West Africa, USAID); also Waldstätt, "Development for What?"

Best Available Document

"cooperative" has no leverage and no function except to organize a labor force for the corporation.*

A second problem is similar to those which plagued the State Farm system in Mauritania. The organizers of the petit perimeters cut up the land into small, equal parcels and set farmers to work, one family to a parcel. Although this method may be ideal for some individuals, it does not take into account the satisfactory allocation and work methods already present in the village areas. Tension was created when people actually resisted giving up their collective work habits. In addition, the creation of an artificial board which was answerable to traditional authority, delayed the transfer of information and became an inefficient liaison between the corporate authority and the group leaders.

5. The Organization of Land Reform in the RIM

The preceding examples were attempts to organize new production systems for the RIM. Central to these programs was the realization that something had to be done about allocating resources within the different agricultural systems. Allocations for one type of exploitation may not solve the problems of the other. Furthermore, villages may not have access to enough resources to effectively exploit an entire ecological zone. Thus, one group in a dryland zone might subsist entirely on oasis agriculture, while another subsists entirely on husbandry.

The systems attempted so far are applicable only to certain regions of the country and cannot be applied to other regions without disastrous results. Systems designed to be relevant to the entire country, such as the Law of 1960, cannot be applied to pasturelands, for example, for these lands are claimed even though they do not appear to be in use. The systems of SONADER have no meaning outside the riverine area.

There are traditional systems of resource and labor allocation now in use in rural Mauritania. That these systems do operate is attested to by the nature of the most common land disputes. Far from being only intra-community disputes, they are in large part inter-community disputes which take place out of the realm of traditional authority. Thus, it should be the first order of business for any land reform measure to determine the boundaries of these traditional systems. To do this one has to create a uniform code which can be consistently applied throughout the country. In this way, loss by an ethnic group in one area can be made up by gains in another by the same group.

* Waldstein, "Development for Whom?" pp. 532-33.

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Mauritanian societies are hierarchical and are based to varying degrees on exploited labor. Although the Mauritanian government has legally abolished slavery, experience has shown (such as in the case of Indian untouchability) that making a social status illegal does not necessarily eliminate its continuing social reality. If a man continues to do the work of a slave for the compensation of a slave, then he is a slave in spite of new titles or in spite of the law. At the same time, bad conditions for slaves and Haratins promote migration to areas where they can work for higher wages. The result is the relegation of valuable agricultural land to inexperienced wage laborers and former owners, with resulting production decreases. It is, therefore, to the advantage of the owners to improve the condition of workers living in their area.

Traditional systems which remain exchange land, water, capital inputs, and some management and political authority for labor. There is some economic redistribution as well. Each system is based on collecting a percentage of crop yield, not fixed fees, so that increased production reaches all the members of the community.

If a cooperative is defined "as a voluntary, open, and permanent association of egalitarian structure in which members secure for themselves certain economic interests through communal self help,"* these communities are far from cooperatives, but they do represent a structure to build on, a social resource which has been grossly underestimated in past attempts at allocational reform. It is this resource which I propose as a basis for establishing a land reform in Mauritania. While these societies are not egalitarian, one ultimate aim of a system based on community ownership is to eventually open up the community and make it more egalitarian.

5.1 The HEMA System in the Syrian Arab Republic: A Model for Social Development

The Syrians present a possible solution to resource allocation within Mauritania's various ecological zones and among its various social groups.

Realizing that they did not have the power to constantly enforce new range management regulations, the Syrians returned to the traditional system of range management and resource control. They recognized original tribal boundaries and returned the steppe to the tribes. In return, the government made the following demands:

- 1) The tribal area was no longer to be considered inhabited by a tribe; instead, the government would treat the area as a cooperative.

* Derman, "Cooperatives and Change," p. 137.

- 2) The cooperative would select a cooperative leader, in their own way,* and that leader would receive training in cooperative management and on the new technologies to be made available to the cooperative.
- 3) Cooperatives which elected to make changes in their agricultural and husbandry programs were given support from revolving funds (set up by FAO) as well as support from the various government ministries through liaisons between cooperative leadership and field representatives. In this way there was localized planning and coordination of institutions on cooperative land.
- 4) In return for services, the government demanded that cooperative residents maintain good management practices on the land assigned to them, including controlled grazing and participation in environmental restoration programs.
- 5) Although the government recognized that the land of the cooperative was for the exclusive use of that cooperative and defended that land against intruders in case of a dispute, the Syrians recognized the need of an eventual shift of emphasis from tribal identification, still basic even to cooperative membership, to one of membership identification in the cooperative. Although it was not very far along in 1978-79, the conclusion of everyone was that as the cooperative be made more successful and as new openings were available on the land or as demands were felt for individuals with special skills, that people from outside the tribe would be allowed to become members of the community itself. This would of course begin with health workers, teachers, and veterinary workers as these became available to the cooperative.

Not all facilities were immediately available to all cooperatives. When I did my work in the Syrian Arab Republic,** many cooperatives had fodder storage facilities and had borrowed money for other capital expenditures. Other tribes requested recognition as cooperatives in order to gain access to credit. A public school, the first on the steppe, was built on the Essyrieh Cooperative, and plant nurseries were formed by the government to give the cooperatives the seedlings needed for restoration projects.

* The cooperative leader was in this way often the same person as the emir of the tribe under the old system.

** A.E. Manzardo, "Bedouins in Agriculture," Working Paper no. 4, Human Resources for Rural Development in the Syrian Arab Republic (Madison: Midwest Universities Consortium for International Activities, and Land Tenure Center, University of Wisconsin, June 1980).

The Syrian tribal society was relatively egalitarian. As a consequence, members of the cooperative were assured of getting equal shares of the products made available. The Syrians allowed the Bedouin to continue working in their own fashion, except where they themselves chose to change, and where existing behavior was not in conflict with necessary conservation methods.

5.2 The Maintenance of Community for the Improvement of Life: A Proposal for the Islamic Republic of Mauritania

Given that Mauritania is still a nation of communities which emphasize traditional communal patterns of work, land distribution, and redistribution, these community systems become possible resources which could lead to a better standard of living for all Mauriticians. The first step is to find ways to maintain these communities and use them.

Because most resource disputes are inter-community disputes, one must recognize the community and find a way to establish the size of its holdings. Once established, these holdings must be recognized by the government as the property of that community as a whole. The government must also guarantee the community the right to choose what is produced and how to produce it; to choose its own organizational methods; to assign land as it wishes; and to work in groups, by lineages, or by individual parcels. Most importantly, the group must be free to market its crops as it pleases, subject only to the export laws of the RIM.

Communities may exist through the utilization of all or any portion of one of the two major systems of exploitation. Since communities differ in size, territorial needs must be determined on both a macro- and a micro-level. By simultaneously developing and enacting a system for making the determination, one has a chance of carrying it off with a minimum of complication if the legal terms are clear to everyone involved.

One might, for example, follow the Syrian method in pastoral areas, defining the community as being equal to the fraction. In this case the community land is treated as if it were the same as the traditional grazing area of the tribal unit. Since the boundaries are for the most part already recognized by surrounding tribes, there should be few problems, and those can be resolved in an ongoing judicial fashion. Similarly, the walo and fonde parcels of each village are well known and are not likely to be under dispute. Since most of these are already recognized as community land by the group, the government would merely be recognizing the status quo on an official level.

Private property within a community presents no special problem. The government recognizes the land that belongs to the community and the right of the community to organize its land as it pleases. Furthermore, the community is free to recognize private property within its boundaries. The government will recognize the holder of a large isolated private holding (of which there are very few in Mauritania) as a community of one.

The dryland areas of ecological Zone 2 where there are conflicts in usage between various groups of dryland agriculturalists and herdsmen present the greatest problem. Even more difficult is the looseness with which this zone has been organized. For most groups, the dryland is free and open to whomever wants to farm it. Expert advice is needed to find a basis for fixing the allocation and allotment of dryland for various sizes and types of agricultural villages, local herdsmen, and transhumant herdsmen. To determine a fair system of allotments for each of several competing purposes will be difficult, but not impossible given some basic research.

Providing more certainty in this uncertain situation will help everyone. Compromises in resource allocation should be fairly simple to achieve as long as everyone sees that the system is fair. Settling the inter-ethnic disputes solves two other major problems: It destroys a barrier to investment, for the farmer can see the value of investment only if he controls the fruits of his own work. Second, the law should free local government officials from the constant headaches of solving land disputes, and give them more time to deal with the problems of regional development.

The government of Mauritania, in return for its official recognition and defense of community land rights, would expect a quid pro quo from the community under the proposed system. The community does indeed own the territory in question and is free to determine its use, but it is also responsible for the treatment of that property. Farming and grazing must be properly managed. The community should be given grants, inputs, or credits to undertake environmental restoration programs on their recognized territory.

The territorialized community will be the point of articulation between the government development agents and the farmers or herdsmen. There are several steps through which this can be done. The community selects a representative, who may be its traditional chief or even a wealthy merchant. The community may also decide on a free election.

The leader is given a course on what materials, personnel, and credit are available to his community. He is shown what is expected (in terms of environmental programs) and what is merely optional and available. He is introduced to the government counterparts in his area.

The government can choose whether to use the regional prefectures as a means of affecting the system or it could establish a single cooperative service office to act as an interface between government agencies and the community. The advantage of the latter is that community representatives get used to working with known cooperative service agents. It is the job of these agents to know where to get needed services. By making it easier for the village leader to find what he needs, the village leaders are more likely to initiate new programs in their areas. (See Figure 1.)

The charge that this system would support so-called "reactionary elements" in Mauritanian society and would further entrench slavery and

sharecropping should be answered at the outset. The system recognizes local leadership as it exists in the belief that transactions occur at all levels of society. A wealthy Bidan, for example, will not work the land. Instead, he provides land for Haratin. A new type of seed, fertilizer, or a recession dam are of no direct use to the Bidan. They can be used only through the traditional laborer. It is only by giving these inputs to the Haratin that the Bidan can make use of them. Giving these items to the Haratin has three effects on the Bidan. First, by raising production, the absolute amount of the Bidan's income increases, although the percentage of the crop given him remains the same. Second, by bringing new resources to his followers, his own political power and prestige increase. Finally, by bringing increased production, the Bidan is more likely to dissuade his followers from seeking wage labor elsewhere, thus keeping the most skilled farmers on the land.

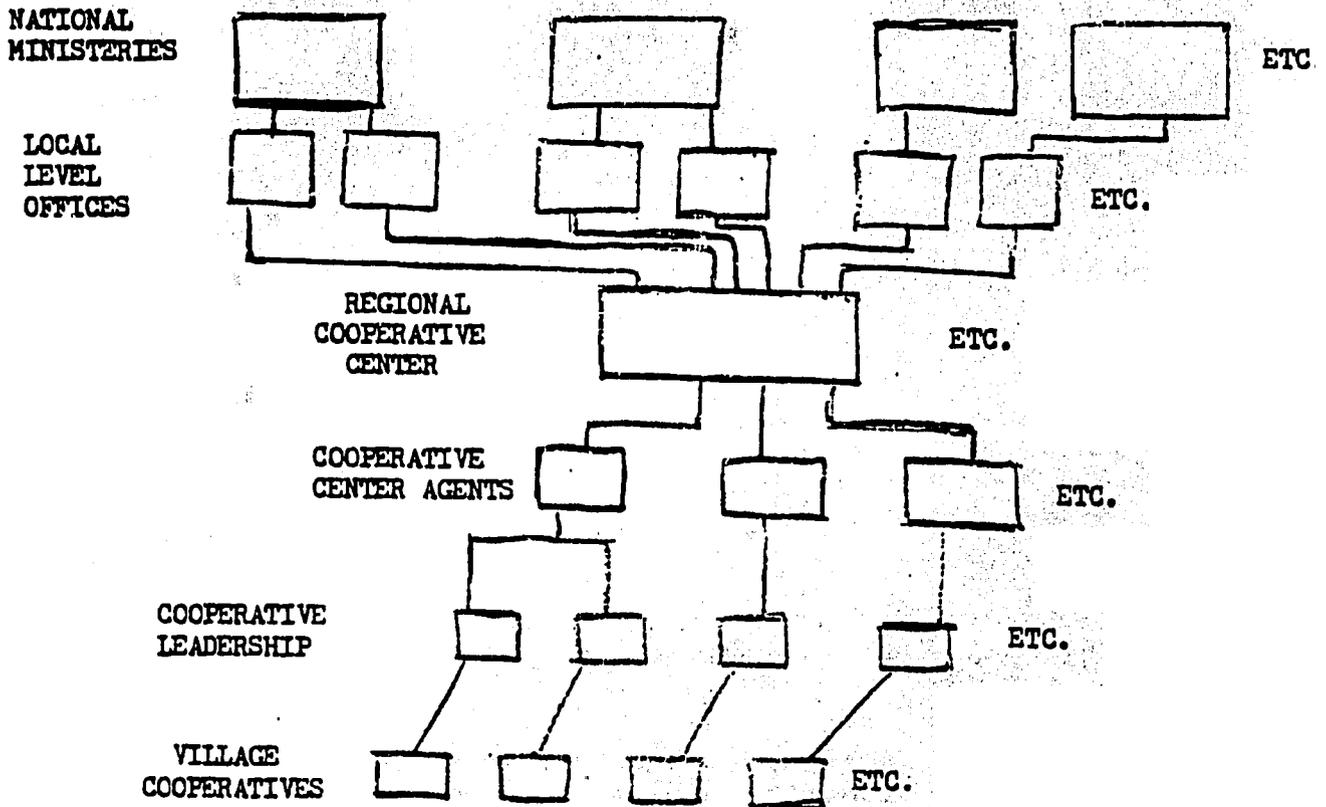
The government recognizes all members of the cooperative as equals and partners in a joint venture. Thus the government can insist that inputs, credit, and other improvements made on community land must redistribute profits so that all members of the cooperative share equally.

Although the government operates with these communities as separate entities and although a great deal of institution-building and training has to take place before these envisioned services can actually be delivered on a nationwide scale (let alone the decision made for what these services will be), the country must think ahead toward organizing inter-community integration. In the Syrian Arab Republic cooperative formation was operating at a different pace in each section of the pastoral sphere. Even though all services were not available in all places and some services were not available at all, the law was still enacted and the process begun. Each new cooperative was encouraged by the success of the last.

Two essential problems remain: the determination of fair allotments and enactment. The first must be approached through the context of exploitation areas or ecological zones. This work requires a great deal more research to understand the types of resources needed by individual villages within these various systems.

A good example of this can be seen in discussions with various village leaders to understand what forest resources were considered most valuable by most villagers, and what resources they were willing to trade for firmer control of the desired areas. The villagers were willing to give up larger sections of dryland to neighboring herdsman, but desired to maintain control over the nearby woodlands. The villagers considered the woodlands as valuable a resource for the community as the wetland agricultural areas. They spent a great deal of time guarding this resource from others. The villagers were reluctant to consider any program which would take that resource out of their hands and place it under government control. Other similar resources may be hidden to the outsider but essential to the economy of the community. These too must be placed under local control. Research in each

Figure 1



ecological zone must determine what mix of resources will maintain successful local systems. This is even more important where several groups compete for the same set of resources with different exploitation patterns. Research is needed to determine how much land should be assigned to each group based on population and use. In some areas overlapping ownership rights could be assigned to give one group the right to use a particular piece of land during one portion of the year but not another. Local formulas must be developed within the spirit of the national law and applied evenly throughout a particular ecological zone.

The allocation of community areas for exploitation can also be effected by national agricultural policies. For example, a decision on the national level to encourage husbandry over agriculture in a particular ecological zone can be reinforced by the kinds and sizes of resource allocations given to the communities within that zone. These policies will have to be determined and applied to the system before the law is enacted. Research will include the application of proposed national policies to these systems.

The problems of enactment should not be underestimated. There is no mechanism for solving inter-ethnic disputes within a given area and one will have to be developed. Some insight into this process can be found in the day-to-day operations of larger multi-ethnic communities like Mbut.

The land around Mbut was split between Moorish and Peuhl groups and each operated its own land under the traditional rules of its group. The French-built military base in the town had two effects. First, the presence of the French base encouraged slaves in the north to escape their masters (giving the region the name "Mbut liberté") and settle as landless in the shadow of the fort. Second, the French provided rewards for veterans when they retired. For the ex-slaves, the French government confiscated land from the autochthonous groups and established the "terre administratif," which is still controlled by the government and is allotted by them to the descendants of the former slaves. A second piece of land, developed into a semi-irrigated system called the "jardin," was given in parcels to veterans and remains in the control of their descendants. It is therefore possible to find four separate land tenure systems operating within a single locality around Mbut. Research involving this type of village can teach us a great deal about the day-to-day interactions which one would find nearly everywhere in Mauritania. If our suggested land system were applied, the understanding of locally successful solutions might lead to insights about applying such laws at the national level. This must be done if the government's "guarantee" is to be meaningful.

The Syrian experience has shown that cooperative recognition is meaningful only in the context of services delivered to other spheres. This requires national planning and inter-office cooperation on an unprecedented level. Although the complete system could never be delivered to the entire country at one time, some level of meaningful programming will have to be delivered to some parts of the country when

the law is introduced. Thus planning and priorities must be set before any law is introduced. Several areas of interest come to mind.

Stewardship is suggested as a proper quid pro quo for recognition of community ownership of the land, but to have meaning the concept must be part of a program. For example, plant nurseries and extension services must be set up before environmental restoration can take place. This program can be limited at first to a particular area or to a particular type of intervention, but it has to be enacted along with the new approach to tenure if that system is to have any meaning. This has to be reinforced in other areas as well. Many communities are suffering severe environmental degradation due to overexploitation of forest products. It has been recommended that some of these areas be turned into forêts classés. Local villagers are reluctant to accept this and feel that the government is supporting these merchants by ignoring the traffic in illegal forest products and by issuing permits for the exploitation to take place. The government must swing its support over to the villagers, not by setting up forêts classés in which the government places itself between the forest and the community, but by supporting community efforts to preserve its own resources. To do this requires interventions such as stringent enforcement of laws against the large-scale commercial exploitation of forest products. Although distant from the area of government directly involved in land reform, this action would reinforce the act.

Certainly many direct interventions can be considered for various areas: oasis improvement packages, livestock breeding programs and feed storage programs, range management programs, seed distribution, and so on, all handled through linkages established by this act. Schools and medical facilities can also be included in the plan. To be successful requires thinking systematically: not in single program interventions, but in many areas at once. This requires a huge planning effort, even within small intervention areas, but the Syrian experience, however tentative, shows it can work.

In the Syrian example, only the pastoral sector is organized as a voluntary community resource group. The rest of the Syrian economy varies from traditional villages to state farms. This resource cooperative system was tried in desperation to reestablish quickly vanishing rangeland. Community control was reestablished under the assumption it was the only antidote to the anarchy of the commons.

The hierarchical nature of Mauritanian society makes it impossible to organize cooperatives in the usual sense and makes it difficult to organize systems which equalize the shares of individuals within the community. Although many desire the leveling of social differences and the equalizing of unequal shares, experience has shown that this is impossible to do by government fiat. The system begun by the Syrians recognizes the relationship between traditional systems of labor and resource allocation and the needs of the environmental system in which they operate. It also provides a means of eliminating a large percentage of the intergroup land disputes, thus leaving more time for other activities. Finally, it provides a basis for dialogue and recognition between the government and the local community.

SOCIETE NATIONALE POUR LE DEVELOPPEMENT RURAL

DEPARTEMENT DE LA MISE EN VALEUR ET DE LA PRODUCTION

BUREAU CREDIT ET COMMERCIALISATION

CONTRAT DE PRET POUR UN GROUPE MOTOPOMPE

Entre la Société Nationale pour le Développement Rural (SONADER)

représenté par le Chef du bureau Crédit et Commercialisation

d'une part

et le groupement

du village

représenté par MM

.....

.....

.....

d'autre part,

il a été convenu et arrêté ce qui suit :

ARTICLE 1

La SONADER s'engage à vendre à crédit un groupe motopompe

..... (type et marque) No.

pour la somme de

..... (en lettres).

ARTICLE 2

Cette somme est remboursable sur une période de

Les annuités sont exigibles au plus tard le 15 Janvier de chaque année

à partir de la campagne d'hivernage qui suit la livraison. Un taux

d'intérêt annuel de 8,5 % (huit virgule cinq pourcent) est appliqué.

Le remboursement annuel est donc:

au 15/1/8	UM	au 15/1/8	UM
15/1/8	UM	au 15/1/8	UM
15/1/8	UM	au 15/1/8	UM

Ces sommes sont remboursables en argent ou en paddy.
La contrevaieur du paddy est le prix de référence déterminé par le
Gouvernement Mauritanien et en cas de remboursement en nature, le
chargement et l'escorte du paddy à la rizerie est à la charge du
groupement.

ARTICLE 3

En cas de mauvaise récolte (sécheresse, calamité, malheur) le
remboursement peut être déferé d'une année.
Pour toute autre raison de non remboursement, des sanctions allant du
paiement d'intérêts supplémentaires à la reprise du groupe moto pompe
seront appliquées.

ARTICLE 4

Toute autre demande de prêt faite par le groupement à une institution
de crédit doit être soumise à l'appréciation de la Sonader.

Fait en trois exemplaires à
le 198

Pour la Sonader :

Le Chef de Secteur

Pour le GROUPEMENT

- Président
- Vice-Président
- Secrétaire
- Trésorier

ANNEX 2

Chaab newspaper article on Land Tenure problems on the Gorgol
Irrigation project.

Propriétaires fonciers - pouvoir public.

Négociation en cours

Bien qu'il affiche un air assez banal, l'une de ces productions indiennes qui ont ces dernières années lancé le marché mauritanien, l'unique cinéma de Kaédi, connu ces après, n'a eu une influence inhabituelle.

Il faut préciser que cette affluence a eu pour élément les pièces n'étaient pas payantes, les arrivants, pour l'essentiel des paysans qui ont été attirés par la réussite possible par le secteur du Développement Rural et de l'Aménagement.

quelques 700 ha, appartenant à plusieurs centaines de propriétaires indigènes qui y subissent des expropriations depuis des années le sorgho, fondement de la vie et de l'économie de toute la zone.

Dès le lancement des travaux d'aménagement à l'échelle du projet, il a été prévu que les terres seraient réservées à ces propriétaires. D'ailleurs, ces derniers, inquiétés par la fréquence des réquisitions techniques sur les terrains, ont posé la question au gouvernement de leur rôle dans l'aménagement.

du Walo. L'accord est porté, entre autres, les points suivants:

— L'Etat s'engageait à verser, le plus tôt possible le montant des indemnités correspondantes dans la seconde moitié de 1977.

— L'Etat s'engageait également à matérialiser par un acte administratif la circulation des terres, c'est-à-dire l'attribution définitive de ces terres aux bénéficiaires.

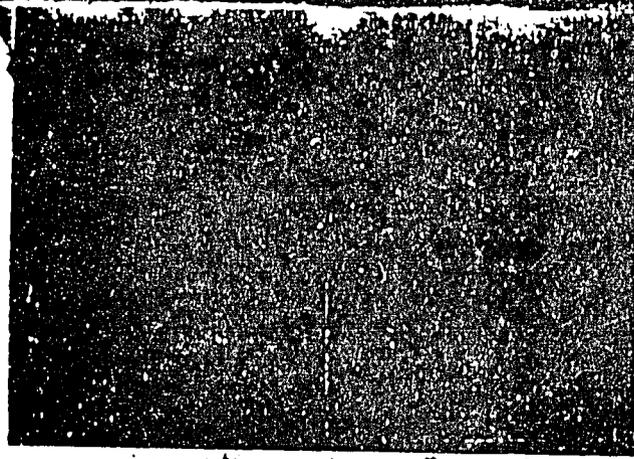
des propriétaires fonciers, au nombre de 18.

Une année plus tard, et à la veille de la campagne agricole 77-78, le problème que l'on avait réglé renaît. Les propriétaires refusent d'entamer la campagne, prétendant que l'Etat les avait trompés, les avait amenés, par la ruse et par la menace, à signer ce qu'il n'a pas honoré ses engagements.

Un dépêche, en cette époque, une délégation pour servir de médiateur, l'inspecteur Desgou-

asse année ne prévoit rien pour les propriétaires de Kaédi. Toutefois, selon certaines sources bien informées, le Ministère du Développement rural est en mesure de dégager sans grande difficulté, les fonds nécessaires. Il s'agit en effet d'un million et demi d'ouguiyas.

— L'Etat s'engage à matérialiser les terres; — Les propriétaires fonciers reçoivent un tiers des terres qu'ils ont cédées à l'Etat, à charge pour eux de délimiter des attributions à raison d'une parcelle d'un demi hectare par exploitant.



est spécialement avec les paysans du périmètre révisé.

Il faut dire que le projet Gorgol dont l'idée a été lancée depuis déjà une vingtaine d'années et qui est entrée dans sa phase pratique en 1977 a été débattu plusieurs fois au bureau d'études techniques à Nouakchott une plateforme de dialogue entre les propriétaires du Walo et les pouvoirs publics.

On le sait, l'Etat pour réaliser le projet avait été obligé d'aménager

deux délégations ministérielles qui devaient dialoguer avec les propriétaires fonciers du secteur qui allait être le leur au niveau du périmètre, et jeter les bases de l'exploitation des terres aménagées.

Après plusieurs semaines et 2 années de négociations soutenues, on est parvenu en 1977 à dégager une plateforme d'accord qui devait en principe régler d'une manière définitive la convention entre les pouvoirs publics et les propriétaires fonciers.

L'Etat prendra en charge à titre transitoire et exceptionnel les facteurs de production nécessaires à l'exploitation de la première tranche du projet (300 ha environ).

En échange, les propriétaires fonciers, pendant un délai déterminé, s'engagent à verser à l'Etat, dans la limite de leurs capacités, une somme équivalente à la somme versée par l'Etat.

Un procès-verbal est signé par les 3 parties concernées à savoir, l'Etat mauritanien, représenté par le Ministère du Développement rural de l'époque, les représentants des propriétaires fonciers et ceux

des négociations contentieuses.

Après des discussions serrées, on parvient à dégager un nouvel accord, au terme duquel:

— Les paysans renoncent définitivement à toute perception d'un quelconque droit coutumier, en particulier le « Azekal » et le « Rem-pabène » sur l'étendue du périmètre aménagé.

— Le gouvernement accepte d'indemniser les anciens propriétaires de 650 ha du cercle pilote de Gorgol qui n'ont pas été mis en culture au cours de la campagne agricole de l'hivernage de 1977, et ce, dès la mise en place du budget de l'Etat en 1978. Soit de cette somme, le budget

Un cahier de charges définissant les obligations du paysan et de l'organisme de gestion a été approuvé.

Grâce à cet accord, on parvient, in extrémis, à sauver la campagne.

La récolte (2000 tonnes environ de paddy) fut, semble-t-il, excellente. Les rendements moyens obtenus — 4,5 tonnes par ha — sont ténus, selon les spécialistes de la chose, des rendements que l'on ne trouve en Afrique de l'Ouest n'est encore parvenu à atteindre... Comme on le voit donc c'est presque un grand succès.

A. O. SBAI (à suivre)

C. Evaluation Plan

Original U.S.A.I.D. interest in land reform in Mauritania was stimulated by AID Policy Determination PD-72 (HB, Sup. A, 1:19 of January 16, 1979). As the PD spells out a wide range of programs and assistance is possible in regards to land reform directly relevant to increased production. While in no way mandatory, it is possible that the present A.I.P. could lead to further U.S.A.I.D. assistance in this area and this will probably be one of the major questions to be determined by an evaluation team at the end of the project.

As already noted, it is felt that the institutional resources and personnel competent to work in this area is very limited. The major resource is the Land Tenure Center of the University of Wisconsin, and experience to date has shown most individual consultants in the field have some contact with this institution. One negative result of this is the difficulty of obtaining completely objective - non-involved experts in the field to judge the work of the Center itself. Since any new project might involve further involvement on the part of LTC it is felt any evaluation of it, which might well result in significant additional financial assistance would best be done by in-house U.S.A.I.D. personnel.

ANNEX 3

C. Toupet article on Mauritania with section on land tenure and agricultural production.

MAURITANIA

by C. Toupet

SEE P. 359 - LAND TENURE

1. Physical environment and communications

The Islamic republic of Mauritania occupies the western part of the Saharan zone of north Africa, between the Arab-Berber Maghreb on the north and the Sudanese African Senegal on the south. With an area of 1,036,000 km², its latitudinal extent is roughly from 16°N to 27°N. Its coastline stretches from the mouth of the river Senegal in the south to the point of the peninsula it shares with Spanish Sahara in the north, where its main port, Port Etienne stands. The republic stretches some 1,500 km from north to south and 1,100 km from west to east. A very large part of the country is desert, but only a narrow zone across the south has an annual rainfall of 250mm or more, and both relief and hydrography are closely related to the semi-arid or arid conditions.

Much of the relief of this large desert republic is very flat. The coastal plain is generally below 50m; interior plains average about 200-250m in altitude though extensive plateau surfaces reach greater heights and are linked by broad, gently graded slopes. The monotonous upland stony deserts (*hamada*) are diversified by the lines of escarpments which sometimes reach 300m in height or by numerous inselbergs of which the highest is Kedia d'Idjil (915m), an enormous block of pure haematite of very high iron content.

The chief characteristic of the drainage pattern is its lack of integration. Only in the extreme southwest is there seaward drainage, where a few seasonal tributaries flow towards the river Senegal, with ephemeral floods in summer. Elsewhere conditions are of endoreic drainage; in the north, even areic conditions exist. The plateaux are cut deeply by wadis which very occasionally carry torrents that are quickly absorbed in lake depressions or mud flats. In the north and east (Majabat al-Koubra), rain is so rare that there is almost no surface flow. A few seasonal lakes in the south carry water until the middle of the dry season, mainly lake Rkiz (Trarza) which is fed by the Senegal river and covers on average 70 km², lake d'Aleg (Brakna), and lake Kankosse (Assabé, west of Affolé).

There are three major geological divisions in Mauritania. Pre-Cambrian basement forms the Regueibat ridge in the northwest and the Akjoujt plateau, vast peneplains dotted with inselbergs. Plateaux of Primary rocks, chiefly sandstones, are formed by the Tindouf syncline in the north, continuous into southwest Algeria, and by the vast synclinal basin of Taoudeni in central Mauritania (plateaux of Adrar and Tagant). Into the southern edge of this is cut the large erosion "window" of Hodh, of which the core is the Infra-Cambrian anticline of Affolé. Lastly, the Senegal-Mauritanian sedimentary basin of Tertiary age (Eocene and Continental Terminal) stretches from the Baie du Lévrier in the north through to Trarza, Brakna and the lower Senegal valley. The sedimentary outcrops in these vast structure basins give

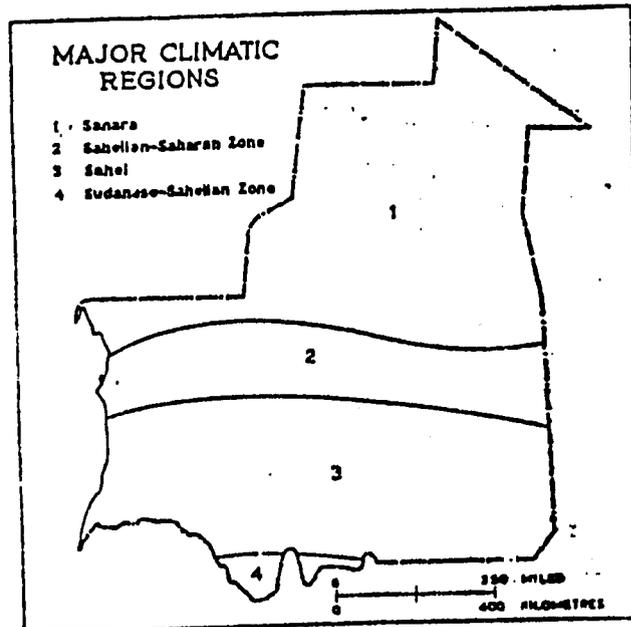
rise to striking cliff features along their escarpments.

During the Quaternary period there developed immense stretches of skeletal soils typical of arid conditions. In many places desert patina, calcrete and saltcrust (on the Sebkhias) have formed. There are vast accumulations of red and yellow sands in dune fields, covering over half of the total area of the country, and there also occur lithosols and regis formed either *in situ* or of transported material. Brown steppe soils containing 2-3 per cent of organic material are found only south of the 250mm isohyet, as are hydromorphic soils, located in clayey depressions. In the extreme south of Guidimakkia, at the northern limit of the Sudanese zone, there occur ferruginous tropical soils. Only a few fragments of cemented laterites of Quaternary age have been identified.

The persistence of the northeasterly trade winds and the drying effect of the easterly harmattan wind are responsible for the aridity of Mauritania's climate. Apart from some slight rainfall that results from occasional northerly depressions, precipitation is essentially derived from the summer monsoon that gradually advances over the southern part of the country

RAINFALL AND RAINY SEASON

Sélibaby (15°N)	649mm	June-October
Kiffa (16°N)	356mm	mid-June-mid-October
Tidjikja (18°N)	152mm	July-September
Atar (21°N)	109mm	mid-July-September



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in the middle of the summer. The length of the humid season and the total annual rainfall diminish from south to north.

Rain comes most often in the form of stormy showers and fairly vigorous squalls, giving some 4mm in an hour; sometimes more than 100mm in one day. However, the variability of fall from year to year is most marked. For instance, received 142mm in 1941, but 663mm in 1933.

range temperatures are high everywhere in the country in the interior, because of the intense diurnal heating and the aridity, they are higher and have a greater range. Evaporation rates (of the order of 400mm a year) are higher than those in the coastal areas which are affected by maritime influences, which greatly reduce temperature ranges compared with those of the interior. The diurnal range in the coastal zone is between 11°C and 16°C while inland it is 17-19°C.

TEMPERATURES °C

	Lowest monthly average	Highest monthly average
Nouakchou (18°N)	January: 10.7	September: 29.3
Port Etienne (21°N)	January: 19.3	September: 25.7
Nema (16°N)	January: 23.3	May: 35.4
Fort Trinquet	January: 15.8	August: 32.5

The climatic regime broadly controls the way of life in Mauritania and determines the regional divisions. The saharan desert region, where life is restricted to a few favoured oases contrasts with the semi-arid sahelian steppe to the south, where a more regular rainfall permits extensive livestock and the cultivation of some crops. Although the transition from one to the other is gradual, these two major regions can conveniently be separated by the 100mm isohyet. The administrative divisions accord with the traditional regional divisions that resulted from various physical factors (distribution of sand dunes, regs, plateaux and water resources) and historical factors (tribal settlement, and the constitution of the emirates of the Adrar, Tagant, Trarza and Brakna). The Trab-el-Hajra — country of stones — forms the heart of the country and is composed of the vast plateaux of Adrar (about 500m in altitude) and Tagant (300m).

The more elevated parts receive a little more rain than does the rest of this Saharan region. Oases are found in different situations; some of these were well-known cities in the Middle Ages — Chinguetti, Ouadene, Tichit, Tidjikja and Atar. In the dry season very deep wells often have to be dug to reach the water table.

To north and west of this region lie the vast desert peninsulas of Pre-Cambrian rocks, monotonous landscapes diversified only by inselbergs and active sand dunes, such as those of Akchar and Azefal. The mineral exploitation around Fort Gourand and the industrial development of Port Etienne have changed this formerly barren area into the centre of economic development in Mauritania.

Trarza bordering on Senegal in the southwest is transitional in climate towards the moister conditions of the river valley. Numerous parallel lines of sand dunes cover the scrubland plains. This is a region of livestock raising and is also the traditional territory of arab-berber cultivation of date palms introduced by the great marabout families, such as the Ahel Cheikh-Sidia.

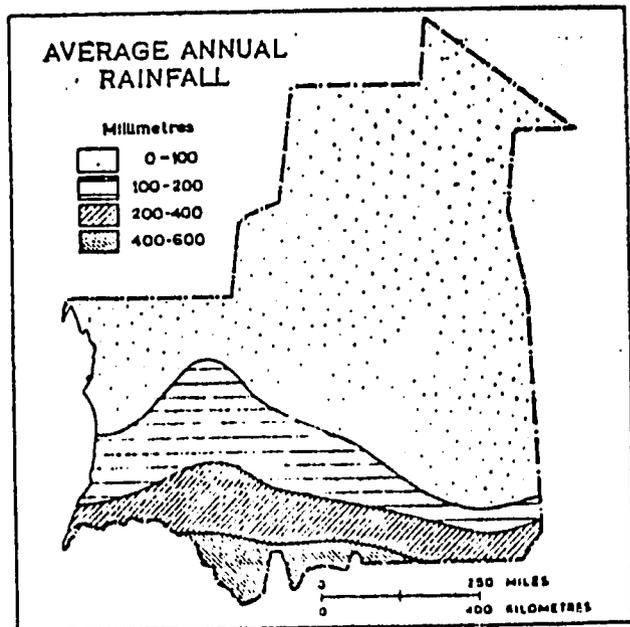
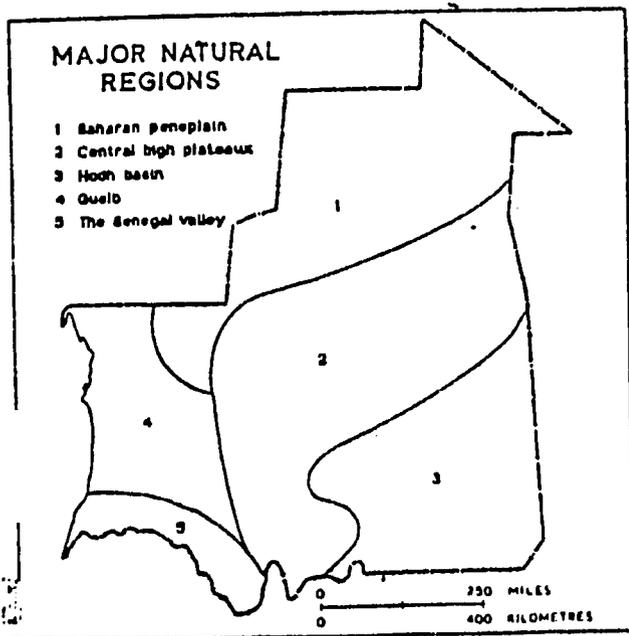
In the sahelian south-central region, Brakna, the Gorgol valleys and the Assaba scarp country combine stock raising and cultivation, the latter occupying the riverine land, the seasonal wadis and the oases. It is peopled both by Mauri and Fulani.

The most southerly region, Guidimakha, has sudanese climatic conditions with a longer rainy period in the summer. Here large villages are surrounded by fields of millet.

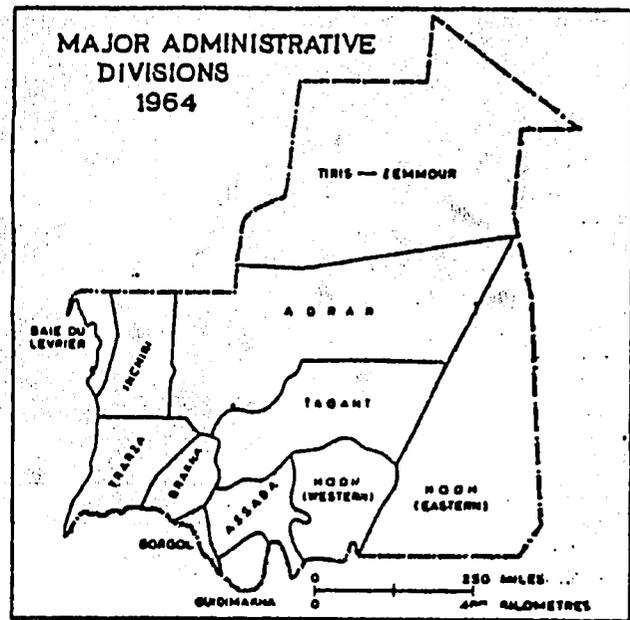
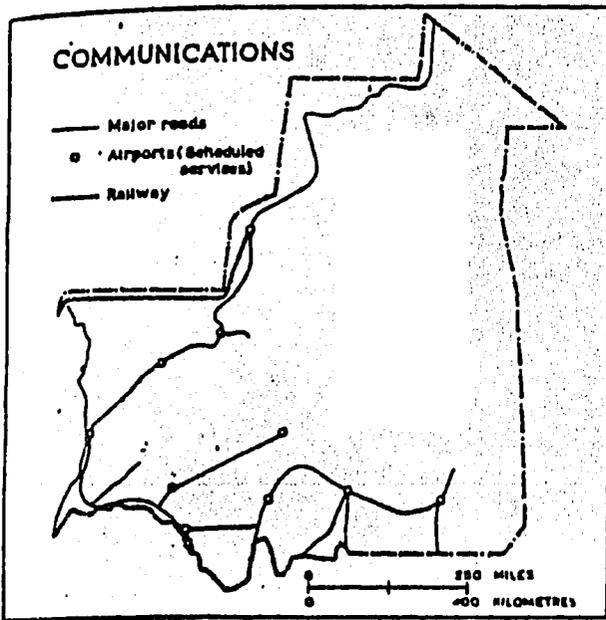
The vast basin of Hodh, in the southeast, includes, among its much dissected sandstone plateaux, the sandy desert of Aouker and extensive regs. This large area given over to livestock has many economic links with the neighbouring districts of Mali.

Modern methods of communication are very limited in this enormous desert country. The traditional pack animals are still used very extensively in the family communities, tribal groups and villages where a subsistence economy and barter are the basis of life. Camels are most common in the north but are also kept in the south and hired to traders in neighbouring countries. Oxen are used as draught animals in the south and donkeys are common in better-watered areas. Lorry transport is increasingly coming into use for long-distance traffic between cities and towns.

The development of a road system has many obstacles to



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come, both physical (in the form of unstable sand dunes, steep, cliffed escarpments and climatic conditions ranging from extreme aridity to summer floods) and socio-economic, because the people are so thinly scattered across the country and both money and traffic are scarce. A major west African route (Dakar-Casablanca) crosses the west of Mauritania from Rosso on the river Senegal via Nouakchott the capital and Atar, an ancient track focus. This route, usable throughout the year is nearly 1,900 km long. Other track routeways which are liable to be interrupted by floods in summer, traverse the country eastwards, from Rosso to Néma, a distance of almost 1,200 km. A major transverse road linking Nouakchott, Kaedi and Néma is projected. In 1965 no roads were asphalted.

The only railway in the country is a specially constructed line connecting the iron ore exploitations in the Kedia d'Idjil (Fort Gouraud) with Port Etienne, built since 1960 at great expense and overcoming the difficulties of active sand dunes. Although the coast is low-lying and straight, access from the sea is difficult because of heavy surf and offshore shoals. The

Baie du Lévrier in the north offers the possibility of harbour development and in the 1960s port facilities at Port Etienne have been greatly improved since the opening up of the mineral resources in the interior and the building of the rail connection.

Navigation on the Senegal is restricted because of the seasonal regime of the river. During the season of high water Rosso can be reached by sea vessels and Boghe by riverboats. Most of the towns have airfields.

2. Population

The statistical services of the republic estimated the population to be 1,034,850 in 1965, a low total for such a large country. Some 80 per cent of the population lives in southern Mauritania, south of 17°N (roughly south of Bouilimit and Tamchakett).

Ethnically, the Mauritanian population comprises 'white' Africans, 'black' Africans and a proportion of persons of mixed arab-berber and negro race, resulting from the intermarriage, over several centuries, between these peoples from north and south of the Sahara respectively. The Maures (Moors) are by far the most numerous (some 80 per cent of the total population); they are very largely nomadic pastoralists as are the Fulani (about 5 per cent of the population). The black African sector of the population — the Toucouleurs of the Senegal valley area (9 per cent), and the Soninké of the southeast (4 per cent) — are usually sedentary cultivators. As in other sahelian-sudanic countries of west Africa, pastoralism and cultivation have traditionally been separate activities carried on largely by people of different ethnic origins and traditions, some of the cultivators are people who were formerly employed by the Moorish pastoralists. Most of the people are Muslim in religion.

The birth rate varies with the ethnic group, being as high as 5 per cent among Toucouleurs and Soninké, 3.4 per cent among the 'black Moors' and 3 per cent among the 'white Maures' though the last estimate probably does not apply to the nomad groups who live in the healthier, drier steppe lands and are probably more fertile than the sedentary groups. According to an estimate made by the Mauritanian government in 1964 there were 100,000 in the country

MOTOR VEHICLES, 1958, 1960 AND 1965
(thousands)

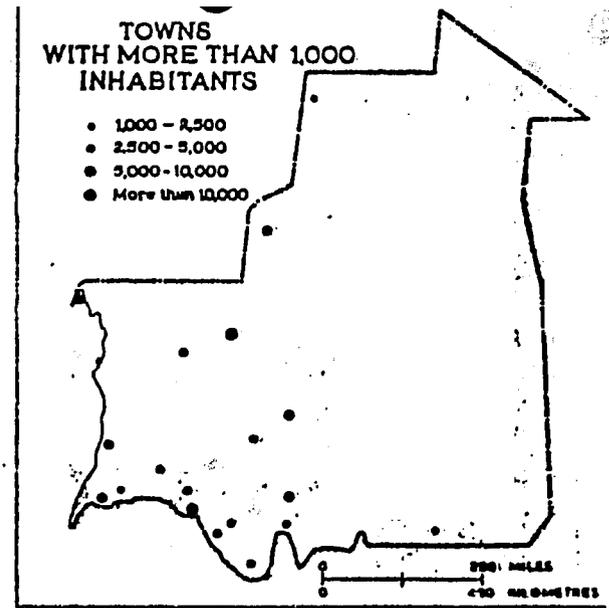
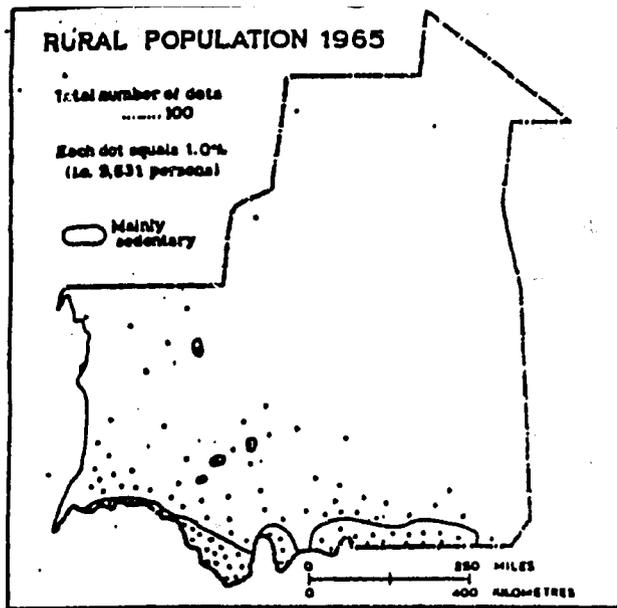
	1958	1960	1965
Passenger cars	0.2	0.4	1.4
Commercial vehicles	1.4	1.6	2.7

United Nations Statistical Yearbook 1967, New York, 1968.

CIVIL AVIATION, 1961 AND 1965

	1965	
	1961	1965
Passenger-carrying aircraft (1-1000)	200	1,400
Passenger-carrying aircraft (1-1000)	2,700	11,100
Passenger-carrying aircraft (1-1000)	800	3,000

United Nations Statistical Yearbook 1967, New York, 1968.



POPULATION BY ADMINISTRATIVE AREAS, 1965

Administrative area	Area (km ²)	Nomads	Sedentary population	Urban population	Total population	Density (persons per km ²)
Afar	456,000	63,000	—	11,400	74,400	0.19
Tiris-Zemmour		11,000	—	5,050	16,050	
Baie du Lévrier		53,555	6,000	—	4,900	
Inchiri	41,700	21,000	—	2,500	23,500	0.56
Tagant	98,535	81,000	—	6,500	87,500	0.89
Trarza	70,000	165,000	18,400	12,200	195,600	2.79
Brakna	35,415	73,000	41,500	6,400	120,900	3.41
Gorgol	15,380	12,000	39,600	1,200	52,700	3.43
Amaba	42,000	90,000	12,100	8,300	110,400	2.63
Guidimakha	10,644	23,000	40,300	2,600	65,900	6.56
Western Hodh	57,500	89,000	4,000	5,300	98,300	1.64
Eastern Hodh	196,000	168,000	5,200	5,500	178,700	0.91
Mauritania	1,036,129	802,000	161,100	71,750	1,034,850	1.00

valley, the death rate was 23 per thousand, and that for infant mortality 200 per thousand. Average annual increase of the population is reported to be 1.8 per cent, though varying between 2.4 per cent among negroes and 0.7 per cent among Maures. The latter are usually highly literate.

Vast areas of northern Mauritania are virtually empty, nomadic tribes being thinly scattered among the oases and occasional wells. Further south the density of population in the oases villages increases, as does the number of villages, as water supply increases both in quantity and reliability. Highest densities occur in the Senegal valley (Chemama) and in the savannas of Guidimakha, where large Toucouleur and Soninke villages are located.

The size of the urban population is very limited. In 1965, there were only two towns with populations of 10,000 or more, nine with 5,000-10,000 and nineteen between 1,000 and 5,000. The sedentary rural population, which includes the cultivators living in villages in the north and the oasis cultivators of the oases and desert regions represent about 25 per cent of the population, and increase 77 per cent.

Over 90 per cent of the population live on a subsistence basis outside the money economy of the country. Within this large agricultural population there are distinctive ethnic and

differences. Toucouleurs, Fulani and Soninke undertake cultivation or stock herding without any class or caste distinctions. Among the Maures, however, there are, even today, social divisions that reflect their Arab-Berber origin. The castes include an aristocracy of nobles, marabouts (holy men, warriors and other groups such as tributaries, story tellers and blacksmiths), and a servile class, usually of enslaved black Africans. The nobility and most of the tributaries are expert livestock breeders while the marabout tribes introduce the specialized cultivation of dates. Most of the agricultural labour is done by the slave castes, such as drawing water from wells and watering the herds, the cultivation work in the date palm groves and oasis gardens, and all the production of millet which, with milk, forms the basis of the nomad food. This traditional social pattern of the Moorish pastoral is gradually breaking down, with the introduction of technology and social changes, the suppression of slavery and the increasing participation of the livestock owners who take up crop cultivation. Living conditions are both simple and poor throughout the country. Diseases such as malaria and typhoid are common, and malaria is epidemic in the north. The dwellings of the nomads are built for protection rather than

They have worked their lands for many generations and consequently have come to consider themselves as landowners. Nevertheless 48 per cent still pay some form of rent to their overlords (or former overlords), 14 per cent pay to marabouts, 10 per cent pay a Koranic tithe to the poor and 8 per cent a rent to Toucouleur landlords; only 14 per cent pay no rental.

Private ownership on the date palm groves can be stated to be as high as 80 per cent. In the palm groves and the cultivated fields in the seasonally flooded wadis the aristocratic landlords are forced, when family or domestic labour is not available, to make agreements with Haratin cultivators similar to sharecropping leases (*khomsas*), entitled *sirks fa-i-kereia*. If the crop in production is millet, the landowner receives a share of the harvest (varying from 10 to 50 per cent according to the district), while the cultivator receives from the landlord either cash payment for food and has to supply the seed. For crops grown beneath the date palms, the landowner supplies the seed, provides the cultivator's food and receives 50 per cent of the harvest. In the palm groves themselves, the farm workers undertake the care of the trees — watering, enclosure, fertilizing of the flowers — and receive about one-fifth of the harvest, according to the terms of their agreement. Should an owner wish to extend his palm grove, he makes an agreement with a Haratin worker similar to a plantation lease, by which he provides the land, a well and the date shoots. When the plantation reaches fruit-production age, it is divided into two parts (equal in Tagant, but unequal in Adrar) and the Haratin cultivator, who has provided the labour, may thus come into possession of land.

Grazing land is in collective ownership; the rights of use for pasturing and occasional watering of stock are free. The right to sink a well, however, depends on distance from wells belonging to other tribes. Even wells that have been sunk by the government for the use of all herders are in practice considered to be the property of the tribe on whose land they have been sunk.

It seems likely that such restrictive customs as these will only slowly break down. However, the government promulgated a land reform law on 2 August 1960, according to which vacant land, without an overlord, belongs to the state, while the customary rights of individuals arising from visible evidence of ownership, such as buildings, enclosures, wells, plantations and crops, can be registered. The progressive application of this reform would permit a more rational regional planning for the land (!).

4. Land utilization, crops and animal husbandry

For lack of fuller, accurate information it is impossible not to give a slightly distorted statistical report of land use in Mauritania. Mapping is insufficient to give precise areas of the unexploited zones in the arid areas, or those of the mud flat, desert regions or ironpan formations. Moreover the area of land actually in use varies from year to year because of rainfall variability which, with consequent changes in flood level in the wadis which are cultivated after the flood waters have gone down. The amount of water stored behind barrages can vary by up to three times and the area flooded by the Senegal river varies from 100,000 ha to 1,000,000 ha. In such conditions the extent of the available land is sharply defined in the available equipment and labour force.

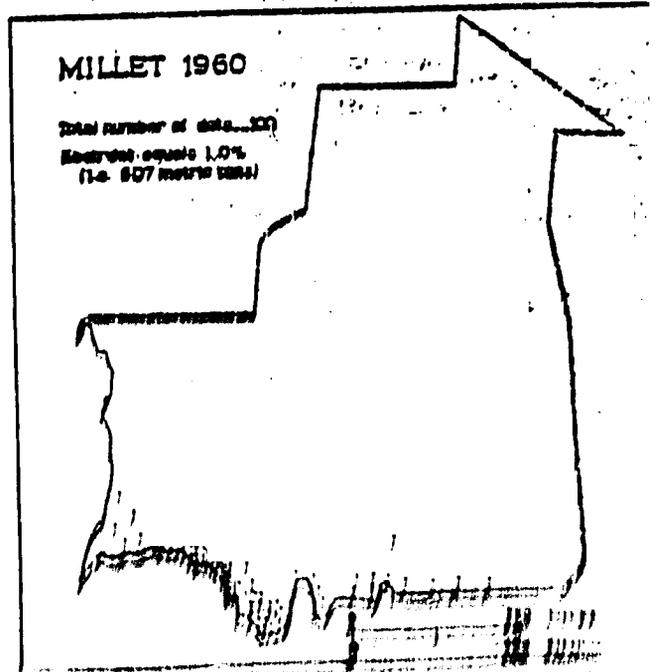
	Area (1,000 ha)	% of total area
Arable land	185	0.1
Fruit trees and orchard land	5	—
Non-agricultural land and rough grazing land	49,640	48.2
Non-agricultural land	52,870	51.7
Water	98	—
Total	103,898	100.0

In this desert country, with large areas of rocky terrain and a predominantly pastoral economy, the extent of the arable land is extremely limited and it is also highly localized.

The arable land lies essentially in a relatively narrow zone along the southern border, where annual rainfall amounts are over 450mm, and within the basin of the north bank of the Senegal river, but significant areas occur in the Sahelian zone further north and in the oases of central and northern Mauritania.

Three types of cultivation can be distinguished. In the south crops are sown after the recession of flood waters on the lower interfluvies and slopes (*oueds*) of the valleys of the Senegal and seasonal rivers in Gorgol and Anaba, in the wadis in the Sahelian zone and adjacent to barrages in other valleys and depressions of the more humid south. In the Chemsama (lower Senegal valley) food crops (millet, sorghum, maize, cowpeas) are sown in April as the waters recede, to be harvested in July-September. A second crop of millet can be grown now that water is stored behind barrages during the rainy season. A 'hungry season' lasts from January to July, awaiting the first summer harvest. Similar food crops are produced in the dry-farming areas of the south (the *dyer* of the Toucouleurs) where rainfall is sufficient without recourse to irrigation or flood waters (generally south of the 450mm isohyet).

No crop rotation is practised under these cultivation methods. Fallowing is not necessary on the fields that are flooded annually since the soil fertility is renewed each year in the floods. But the *dyer* fields have to be left fallow after cropping.

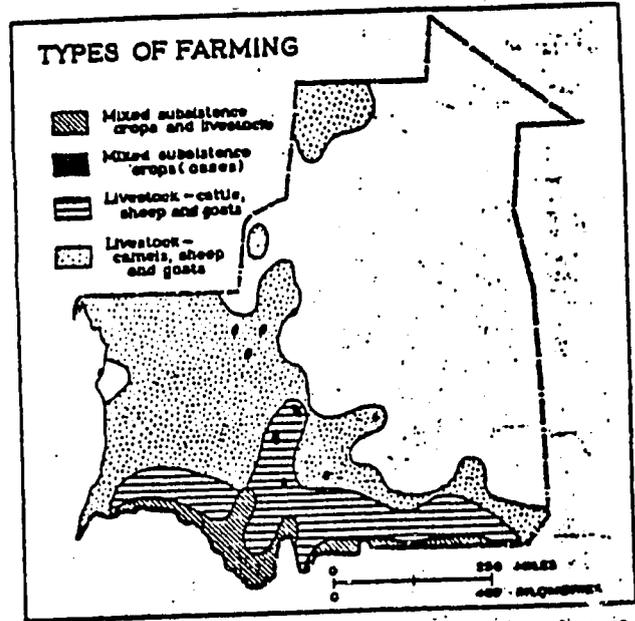


MAURITANIA

Forest proper is relatively rare in Mauritania, occurring along the Senegal valley, where it is largely composed of *Acacia senegal* (gommier) and in the sahelian wadis, chiefly composed of *Hyphaene thebaica* (dum palm) and *Acacia nilotica* (amouss). Such forests cover some 108 thousand ha. Woodland savanna is very much more extensive, the trees thinning northwards. The wooded steppes of the sahel supply a considerable amount of tree and shrub grazing for camels and goats as well as extensive dense stands of *Acacia senegal*, the gum tree whose bark yields gum arabic which has long been an export of the country. Most of the production is derived from the zone between 15°N and 17°N, in Trarza and Brakna.

No food processing industries have yet been developed in Mauritania, apart from the fish-drying and curing factories at Port Etienne. An experimental factory for processing dates has been installed at the date palm research centre at Kankosse, though date production does not as yet supply any export trade, the crop being used to supply domestic consumption. Four slaughterhouses exist, at Rosso, Boghe, Moudjeria and Tidjikja.

The two chief crops are millets and dates. Over 82 per cent of the millet production comes from the Senegal valley and the area under the crop is approaching 120,000 ha. The oases of the Adrar and Inchiri provinces produce a small amount.



MILLET PRODUCTION BY DISTRICTS, 1960

District	Production (1000)
Adrar and Inchiri	650
Tagant	1,000
Trarza	5,000
Brakna	13,000
Gorgol	18,000
Assaba	5,000
Guidimakha	10,000
Hodh	7,000
Total	60,650

Source: La République Islamique de Mauritanie, La Documentation Française, no. 669, 1960.

The chief date producing areas are in Adrar, Tagant, Assaba and Affolé, the total number of palm trees being estimated as over 800,000.

PALM TREES, 1960

District	1,000 trees
Adrar	199
Tagant	894
Assaba	189
Affolé	89
Hodh and others	39
Total	1,330

Source: La République Islamique de Mauritanie, La Documentation Française, no. 669, 1960.

AREA, PRODUCTION AND YIELD OF PRINCIPAL CROPS, 1948-52 AND 1963-65 (Annual averages)

	Area (1,000 ha)		Production (1,000 tons)		Yield (tons/ha)	
	1948-52	1963-65	1948-52	1963-65	1948-52	1963-65
Millet	75	80(?)	45	65(?)	6.0	8.1(?)
Maise	8	7	5	4	6.3	6.8
Cowpeas	10	20	3	5	3.0	2.5
Sweet potatoes	2	2	2	2	10.0	10.0
Dates	10	7

Source: FAO Production Yearbook 1968, Rome, 1969.

In 1965, 1,500 tons of water melons were produced, along with 800 tons of groundnuts, 700 tons of rice, 300 tons of wheat (produced only on oases) and 20 tons of tobacco (also on oases). The average annual production of gum arabic between 1954 and 1963 was around 2,400 tons; in 1965 it reached 3,380 tons. Some Soninké farmers grow a little cotton.

Livestock products are substantial but difficult to assess. Apart from milk, of which average annual production is around 2 million hl, the chief products are meat, hides and skins, and wool. The Service d'Elevage estimated the totals for meat exported and consumed domestically in 1965 as being 10,000 tons of beef, 12,000 tons of mutton and 1,500 tons of camel meat. Of these amounts all the camel meat was for home consumption, along with 2,000 tons of beef and 8,000 tons of mutton.

In general crop farming and livestock rearing are separate enterprises though in some regions both may be carried on in the same area. However, some crop farmers own livestock for the use themselves and the herd, while some livestock holders also undertake periodic cultivation in a small plot near the homestead. The soil and type of farming system may be recognized by whether one of crop farming grows chiefly millet, wheat or sorghum, or whether one of livestock rearing grows chiefly camels, sheep and goats. The latter system is the most common.

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ANNEX 4

Law No. 60-139 of 1960 regulating land ownership

N° 00-134. — Loi relative à la prestation de serment des membres du Tribunal Supérieur d'Appel lors de l'ouverture de cette juridiction.

L'Assemblée nationale a délibéré et adopté,

Le Premier Ministre promulgue la loi dont la teneur suit :

Article premier. — Lors de l'ouverture du Tribunal Supérieur d'Appel, les magistrats et le greffier de cette juridiction prêteront serment devant le Garde des Sceaux, Ministre de la Justice.

Art. 2. — Les magistrats prêteront serment de bien et fidèlement remplir leurs fonctions, de garder religieusement le secret des délibérations et de se conduire en tout comme de dignes et loyaux magistrats.

Art. 3. — Le greffier prètera serment de bien et loyalement remplir ses fonctions et d'observer en tout les devoirs qu'elles lui imposent.

Art. 4. — La présente loi sera exécutée comme loi de l'État.

Fait à Nouakchott, le 25 juillet 1960.

Le Premier Ministre,
MOKTAR OULD DADDAH.

Le Ministre de la Justice et de la Législation,
Cheikha Ould Mohamed LAOUAR.

N° 00-139. — Loi portant réorganisation domaniale.

L'Assemblée nationale a délibéré et adopté,

Le Premier Ministre promulgue la loi dont la teneur suit :

Article premier. — Les terres vacantes et sans maître appartiennent à l'État. Il en est de même des terres non immatriculées ou non concédées en vertu d'un acte de concession régulier qui sont inexploitées ou inoccupées depuis plus de dix ans.

La vacance sera suffisamment établie par l'absence de constructions, cultures, plantations ou puits.

Art. 2. — Toute personne voulant prétendre à la propriété d'un terrain domaniale, à moins que ses prétentions ne portent sur un terrain nécessaire à la réalisation de travaux d'intérêt général, pourra obtenir un acte de concession à titre prévisionnel, qui deviendra définitif après réalisation des conditions imposées par le cahier des charges.

Des décrets pris en Conseil des Ministres préciseront les modalités d'attribution des terrains domaniaux.

Art. 3. — Sont confirmés les droits fonciers coutumiers comportant une emprise évidente et permanente sur la terre. Nul ne peut cependant en faire un usage prohibé par les lois et règlements.

Art. 4. — Les droits coutumiers indivisibles comportant une emprise évidente et permanente sur la terre sont reconnus et garantis. A l'exception de la concession à titre prévisionnel, tous les autres actes de concession sont nuls et de nul effet.

Art. 5. — Les droits coutumiers indivisibles comportant une emprise évidente et permanente sur la terre sont reconnus et garantis. A l'exception de la concession à titre prévisionnel, tous les autres actes de concession sont nuls et de nul effet.

Art. 5. — Le Chef de subdivision ou le Maire pour les localités arégées en communes devra adresser au Ministre compétent (Domaines) dans un délai de deux mois à compter de la réception de la demande, outre le certificat, un procès-verbal de mise en valeur établi par une Commission composée comme suit :

- le Chef de la circonscription administrative, (Président);
- les représentants des services techniques compétents (Travaux publics, Agriculture, etc...);
- le Chef de la collectivité;
- le Cadi;
- le requérant.

Le procès-verbal devra être revêtu de la signature de toutes les parties ou d'une empreinte digitale dont l'authenticité sera certifiée par le Président de la commission.

Art. 6. — L'emprise évidente et permanente devra consister en constructions complètement terminées, plantations, cultures ou puits.

Dans les agglomérations non soumises à des dispositions particulières, seront considérées comme suffisantes les constructions en tous matériaux agréés par le Ministre des Travaux publics y compris le banco.

Art. 7. — En fonction des critères de mise en valeur sus énoncés, les terrains pourront être immatriculés pour des superficies maxima déterminées ainsi :

- 1° Constructions : 1.000 mètres carrés ;
- 2° Puits : cercle d'un rayon égal à deux fois la profondeur ;
- 3° Culture nécessitant une jachère : 4 fois la superficie ;
- 4° Cultures pérennes (arbres fruitiers y compris les palmiers dattiers) : Superficie mise en valeur à raison de 100 unités à l'hectare ;
- 5° Culture de cases : Superficie mise en valeur.

Art. 8. — Lorsque le terrain à vocation agricole sera entouré d'une clôture infranchissable aux animaux domestiques, la mise en valeur sera considérée comme réalisée en totalité, quelle que soit l'importance des constructions et cultures. La clôture devra, soit être en matériaux, soit consister une haie vive et dense.

Art. 9. — Le régime de l'expropriation pour cause d'utilité publique est applicable aux droits coutumiers. Nul individu ou nulle collectivité ne peut être contraint de céder ses droits et on n'est pour cause d'utilité publique et moyennant une juste compensation.

Art. 10. — Seul dans les cas d'application des textes réglementant l'expropriation pour cause d'utilité publique ou le régime de l'immatriculation, toutes les contestations sont de la compétence de la juridiction administrative.

Art. 11. — Sont abrogés toutes les dispositions contraires à la présente loi qui ont été prises avant le 17 août 1960.

Pour le Premier Ministre absent :
Le Ministre chargé de l'Intérieur
Moussa Ould Mohamed LAOUAR

Le Ministre de la Justice et de la Législation
Cheikha Ould Mohamed LAOUAR

ANNEX 5

Letter from GIRM MINISTER OF RURAL DEVELOPMENT Requesting Project

MINISTERE DU
DEVELOPPEMENT RURAL

№ 00312

No. /MDR

نواكشوط في 21 MAI 1981
Nouakchott, le

Le Secrétaire Général الكاتب العام

C & R. USA.D/MAURITANIA
ACTION TO <u>Moskine</u>
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إلى السيد المدير العام للوزارة

Ref. : Lettre n° 397/MDR
du 24 Février 1981.

Comme suite à votre lettre sus-référenciée et aux contacts qu'a eus notre conseiller technique avec l'équipe du Centre de droit foncier de l'Université de Wisconsin qu'elle annonçait, j'ai l'honneur de vous informer pour toutes fins utiles de mon accord sur la formation de quatre mauritaniens aux Etats-Unis (Sociologie, en droit, en Economie Agricole, gestion de ressources et en géographie humaine).

Nous vous sélectionnerons soit des Bacheliers, soit des Agents de même niveau au Ministère du Développement Rural soit des licenciés. A cet effet, nous retenons comme débouché à ces étudiants le principe de la création d'une cellule d'études, de planification et d'action. Par ailleurs, nous donnons notre accord sur le principe de la tenue d'un colloque sur le thème "régime foncier, réalité foncière". Le gouvernement mauritanien se chargera de l'invitation des participants nationaux à ce colloque et des salles de réunions.

Notre département ne fait état des propositions de Coe de droit foncier de l'Université de Wisconsin à nous faire de nos propositions. Veuillez nous en tenir au courant par lettre recommandée, nous en tiendrons compte. (Ceci est une copie de la lettre de votre conseiller technique, nous en tiendrons compte.)

surgir de l'aménagement du territoire, en études des problèmes de gestion de terre. Cette assistance du Centre de droit foncier sus-cité est d'une grande utilité pour notre pays. Nous en prenons acte et soin.

Veuillez agréer, Monsieur le Directeur, l'expression de ma profonde gratitude.

P. LE MINISTRE DU DEVELOPPEMENT RURAL
ABSENT, LE CHARGE DE L'INTERIM

LE MINISTRE DE L'EDUCATION NATIONALE

HASNI ^{alt} OULD BIDI



ADDENDUM TO ANNEX 5:

President Haidalla's Speech
that touches on Land Reform

A L'OCCASION DE LA SAISON DES PLUIES

Le Chef de l'Etat s'adresse à la Nation

A l'occasion de la nouvelle saison des pluies le Lieutenant-Colonel Mohamed Khouna Ould Haidalla, a adressé à la nation un message dans lequel il invite la population au travail et à la solidarité. Voici le texte intégral de cette importante adresse à la nation.

«Mauritaniens,
Mauritaniennes,

Les conséquences catastrophiques de la sécheresse qui sévit

dans notre pays depuis plusieurs années ainsi que les effets néfastes de la crise économique mondiale m'amenaient il y a un an, à faire appel à votre courage et à votre esprit d'initiative afin que vous mettiez tout en œuvre pour que la campagne agricole 1980, soit une réussite. En dépit d'une pluviométrie médiocre la production a été très encourageante.

La direction nationale a apprécié hautement les efforts déployés et les résultats en-

registrés au cours de la campagne de l'année dernière.

C'est la raison pour laquelle je vous adresse cette nouvelle et cet appel afin que les efforts considérables accomplis soient poursuivis cette année, suivant en cela l'exemple édifiant de nos ancêtres qui grâce à leur volonté et leur génie propre, guidaient presque exclusivement des produits de la terre malgré un climat aride et hostile.

(Suite en page 8)

Le f.
Khouna
Président
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A L'OCCASION DE LA SAISON DES PLUIES :

Le Chef de l'Etat s'adresse à la Nation

Suite de la page 1

Je voudrais m'adresser plus particulièrement aux grands propriétaires terriens en leur demandant de faire preuve de solidarité envers leurs frères qui ont le droit, eux aussi, de travailler et de vivre dignement.

Comment peut-on pousser l'égoïsme au point d'être fiers d'acquiescer d'énormes domaines au détriment des intérêts de ses frères et compatriotes, qui, totalement dépourvus, vivent dans la misère ?

L'égoïsme et l'individualisme sont, comme chacun sait, contraires aux enseignements de notre sainte religion, l'Islam.

Je tiens ici à rendre hommage aux trois collectivités de « Sabou Allah », qui, faisant preuve d'une très grande solidarité, ont réglé par un arrangement à l'amiable le litige qui les opposait et ont décidé de vivre dans la concorde et la fraternité retrouvées.

C'est dans cet esprit de justice et d'équité que le CMSN a mis à l'étude un projet de réforme foncière qui sera définitivement adopté dans un proche avenir.

Il faut, en effet, que chaque citoyen mauritanien prenne conscience de la situation réelle que nous vivons et du rôle qui lui est dévolu dans le combat exaltant que mène le CMSN pour atteindre les objectifs qu'il s'est assignés et en premier lieu la maîtrise totale des ressources inépuisables de notre sol.

Il nous faut donc rompre totalement avec l'immobilisme et le désespoir dans lequel se débat notre génération. Nous devons dans tous les cas nous garantir notre survie, et réaliser pleinement et rapidement notre autosuffisance alimentaire, nous en avons les moyens mais la volonté fait malheureusement défaut.

Cette volonté doit nécessairement renaitre avec la saison des pluies et la prochaine campagne agricole.

Nous devons plus que jamais compter sur nos propres forces et créer nous mêmes les conditions de notre existence et de notre survie car un peuple qui attend ses moyens subsistances de la générosité des autres est voué soit à la subordination perpétuelle ou au dépérissement inévitable.

Chaque citoyen mauritanien, qu'il soit civil ou militaire, est invité à apporter sa contribution à la réussite de cette campagne. Cet appel s'adresse certes aux éleveurs et aux paysans mais s'adresse également au soldat au fonctionnaire, à l'ouvrier au commerçant et à l'homme d'affaires.

Chaque foyer doit avoir son champ et chaque Citoyen son jardin et son palmier.

Chacun doit redoubler d'efforts pour accroître et améliorer la production et la productivité.

Le ministère du Développement Rural, le Commissariat à l'aide alimentaire, les autorités militaires et administratives où qu'elles se trouvent doivent dès à présent se préparer pour travailler avec l'aide des populations le maximum de l'hiver 1981.

Tout effort et toute initiative engagés dans ce sens bénéficieront de l'aide et du soutien du CMSN et du gouvernement qui ont conscience de l'importance du secteur rural et de la nécessité de traduire dans les faits les priorités qui lui sont accordées.

LE MINISTRE DE L'EDUCATION NATIONALE VISITE

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ANNEX 6

"Summary of Needs, Capacities/Resources and Future
Prospects of Mauritania's Population" (FY 83 CDSS)

SUMMARY OF NEEDS, CAPACITIES/RESOURCES AND FUTURE PROSPECTS OF POPULATION

ANNEX	RANK (Male)	RANK (Female)	NEEDS	CAPACITIES AND RESOURCES	DIRECTION IN FUTURE
1M -Urban Property Owner -Large Scale Merchant		<ul style="list-style-type: none"> -Regular needs satisfied -Limitation more one of available quality than quantity (s.g. medical treatment) -Consumption patterns are in realm of luxury goods 	<ul style="list-style-type: none"> -Geography presents no problem of access to services and markets -Financial resources permit acquisition of goods and services out of country if necessary -Sufficient capital to invest in diversified activities in both traditional and modern sector -Little effected by climatic situation since as sellers they often profit from high prices of scarce goods 	<ul style="list-style-type: none"> -The wealth of this group will probably increase as it profits from the creation and expansion of new services and markets necessary to the country's evolution as a modern nation state. -The size of the group is severely limited by the need to have access to large quantities of capital. 	
	1F -Wife of 1M	<ul style="list-style-type: none"> -Same as 1M except even greater desire for luxury goods -On the part of a few, a desire to break with traditional behavioral molds and constraints 	<ul style="list-style-type: none"> -Group divides into those who live off 1M, and those who actually engage in similar activities. -Resources general originate with 1M or husband, child, brother, or father -Opportunities are more limited than 1M; generally restricted to women goods, (cloth, jewelery, and real estate.) 	<ul style="list-style-type: none"> -As a group 1F's future is closely tied to 1M. -As an individual 1F's position is dependent on her ability to accumulate and invest capital as rapidly as possible, given often unstable marriage situation. -Greater tendency of elite River Black women to invest in their own education tends to provide them with more secure status in this class, once they have achieved this position. 	

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ANNEX SUMMARY OF NEEDS, CAPACITIES/RESOURCES AND FUTURE PROSPECTS OF POPULATION

RANK (Male)	RANK (Female)	NEEDS	CAPACITIES AND RESOURCES	DIRECTION IN FUTURE
2 M-Upper Echelon Political Figures (minister-up)	2F-Same if obtainable, but none at present and only a token few in the past	Same as 1M	-Immediate ability to satisfy needs is high due to powers and prerogatives of office -No basic skills required as an absolute prerequisite to obtaining this position.	-Position is extremely insecure in terms of being able to rely on its continuation. -Future status depends on ability to rapidly convert privilege of power and position into more permanent advantages by acquiring personal capital for use in case of loss of position.
	3F-High Level Civil Servant or similar position in semi- governmental, international or non-profit organization	-Needs regularly satisfied plus extensive ability to satisfy modern luxury tastes.	-Has advantage of respected social position not as powerful but more stable than 1F and 2F -Obtaining positions on this level generally tied to superior education which serves to allow position holder to be among best informed members of society -3F generally married to equal or superior status male giving her access to his resources for daily needs	-Among most stable positions since generally largely based on skills actually possessed and in short supply -Education allows for continuous adaptation in the face of modernization -While positions occupied may be political they generally fit into a bureaucratic model not directly attached to the fate of particular people in power, and in many cases skills possessed are transferable to foreign settings through emigration.
3M High Level Civil Servant, etc same as 3F		3M's needs and burden generally greater than 3F since burden of basic support of family is his responsibility. Therefore has large number of necessary expenses for himself and others that he must meet prior to enjoying discretionary income.		

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ANNEX SUMMARY OF NEEDS, CAPACITIES/RESOURCES AND FUTURE PROSPECTS OF POPULATION

RANK (Male)	RANK (Female)	NEEDS	CAPACITIES AND RESOURCES	DIRECTION IN FUTURE
<p>4M -Very Large Rural Based Herdowner (camels-cattle) -Religious Leader</p>		<p>-position inherently carries with it major responsibility for assisting as necessary large number of less well off family and community members -Geographic base of position requires extended periods in areas with minimum or no fundamental services (health, education, extension) or adequate water or housing.</p>	<p>-4M's resources in terms of capital and influence over people can obtain for him what he needs, providing it is available. However even his substantial resources cannot overcome many constraints of time and distance.</p>	<p>-4M was and still largely remains the basis of viable traditional life. He generally possesses significant enough resources to weather major climatic strains. However the breakup of the traditional hierarchically labor system is now increasingly depriving him of much of the labor he traditionally exploited. Those with better opportunities tend to desert his circle of influence while those in need stay-increasing his obligations but not his resource base. At the same time, life in the rural area deprives him of participating in urban services and luxuries. The clear tendency, therefore is for him or his children to attempt to convert their traditional status and wealth into new urban-modern sector activities-especially commerce, or advanced training (law, administration, medicine.) The prognosis for him and his immediate family is to eventually convert to immediately higher or lower rank (1M, 2M, 5M, 6M) depending on their individual abilities. The prognosis for the greater unit that depends on him is downward.</p>

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ANNEX SUMMARY OF NEEDS, CAPACITIES/RESOURCES AND FUTURE PROSPECTS OF POPULATION

ANNEX RANK (Male)	RANK (Female)	NEEDS	CAPACITIES AND RESOURCES	DIRECTION IN FUTURE
SM-Well placed Wage Earning Migrants (e.g. Soninke factory workers in France, Toucouleur hotel workers in Senegal, Moor workers in Arab countries).		<ul style="list-style-type: none"> -Everyday needs vis-a-vis food and health often superior given superior conditions in country of employment. -Housing is usually marginal but temporary. (Significant percentage of earnings sent home to construct above average housing in home community) 	<ul style="list-style-type: none"> -In terms of disposable income such migrants are in a favorable situation -Their ability to find such positions is often more dependent on community solidarity, even overseas, than specialized training prior to work experience. Village and ethnic networks are the newcomers major resources to obtain the money to travel, support himself while looking for work and to be recommended to employers. -Traditionally training was on the job. Today more and more new opportunities are appearing requiring special skills (i.e. electrician, petroleum worker). 	<ul style="list-style-type: none"> -Those occupying such positions are in a relatively good position as they are less affected by the weak economic situation in country and climatic problems. Their fate however is tied to riding the crest of the European or Senegal economy. Economic stagnation and unemployment in these countries is beginning to threaten the future prospects of Mauritanian migrant works. Those occupying positions will probably hold on. New openings will become scarcer with the possible exception of some Arab countries (e.g. Libya). In past, SM's returned to Mauritania to retire as village patriarchs. Should they be forced to return during middle-age productive years, how they will adapt is open to question.

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ANNEX SUMMARY OF NEEDS, CAPACITIES/RESOURCES AND FUTURE PROSPECTS OF POPULATION

RANK (Male)	RANK (Female)	NEEDS	CAPACITIES AND RESOURCES	DIRECTION IN FUTURE
<p>6M- Skilled, Semi-Skilled Service Personnel, both public and private (teachers, nurses, secretaries, accountants.)</p>	<p>4F - same as 6M</p>	<p>-Generally have good access to services as they themselves work in this sector. (Often they will refuse to work in an isolated rural area.) -What privileges richer people obtain by paying, they often obtain through job related benefits and peer relations. -They are however, often cash poor, especially in light of extended family demands that are made on them -They also have modern expectations that cannot be met. This is especially true vis-a-vis housing. Generally they don't have housing benefits of higher grade employees; they cannot afford good housing on their salaries; they are burdened with other family and friends living with them; and more than most others desire minimal standards of convenience, sanitation, etc.</p>	<p>-greatest resource for this group is their education and openness to modernization -Marriages tend to be between somewhat equal level parties which often gives the family a shared perspective and shared financial resources lacking among some other classes. -Because of the country's incredible lack of trained people income differentiation between the skilled and semi-skilled is less than might be expected.</p>	<p>-The group is in a relatively good position in terms of security and minimal needs satisfaction, but somewhat trapped between their growing aspirations, growing inflation and lack of major opportunities for advancement, (a teacher is always a teacher.) -The ability of the country's economy-both public and private-to absorb large numbers of new entrants to this group is questionable and presents major problems in terms of those being trained and those who want to be trained for similar jobs that may not exist.</p>

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ANNEX SUMMARY OF NEEDS, CAPACITIES/RESOURCES AND FUTURE PROSPECTS OF POPULATION

RANK (Male)	RANK (Female)	NEEDS	CAPACITIES AND RESOURCES	DIRECTION IN FUTURE
<p>7A-Midlevel Trader - Retailer, either in shop, market or ambulatory</p>		<p>-7M operates as independent agent. Has none of prerogatives of govern- ment or modern sector employees. His ability to function as small time capitalist often requires marginal living conditions especially during early years when he is beginning. Often considers himself doing alright because he doesn't possess modern aspirations of 8M, and values his independence.</p>	<p>-Just sufficient capital to make small investment and offer small credit to steady clients. -Often attached by kin ties to richer party for whom can work to build up his own experience and credit or for whom he can operate as agent. -Generally attached to functioning rural situation permitting him to make small diversified investments in animals and sometimes oasis or dam recession agriculture -Has access to "wholesale" sources for his family and dependent's needs.</p>	<p>-7M is a crucial interme- diary between most activities and individuals in daily Mauritanian life. He will continue to thrive as long as numerous small marginal opportunities exist which exploit scarcity, isolation, need for small time credit, and poverty culture (e.g. people can only buy small quantities as immediately needed). Since this situation is likely to continue so is 7M's niche. -Major problem for 7M is continuous competition of ever growing number of competing 7M's -Greatest threat to 7M's prosperity is excessive formalization and government regulation of commercial sector and control of small detail imports.</p>
	<p>5F-Midlevel Importer Retailer- generally selling from own house or by visiting others, rarely from shop</p>	<p>-Generally married to 6M, 7M, 8M individual and shares situation. Her earnings are additional discretionary income. -The capacities and resources needed by 5F are generally available in very limited quantity, which makes her chances of longterm success marginal. -Generally lives in urban milieu and has more open adaptive spirit than traditional rural females.</p>	<p>-5F's ability to function depends on possessing a minimum of capital, market information and freedom of movement.</p>	<p>-As an economic niche this will probably continue and even expand as new types of goods and services enter Mauritanian life. However any individual 5F will continue to engage in these activities only sporadically as they harmonize with other life events (marriage, geographical location, etc)</p>

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ANNEX SUMMARY OF NEEDS, CAPACITIES/RESOURCES AND FUTURE PROSPECTS OF POPULATION

RANK (Male)	RANK (Female)	NEEDS	CAPACITIES AND RESOURCES	DIRECTION IN FUTURE
<p>84- Urban-Town Artisan (metalworker mason, local mechanic)</p>		<ul style="list-style-type: none"> -Basically similar to 7M but less secure due to cyclical nature of earnings -Often in credit crunch 	<ul style="list-style-type: none"> -Limited quality ability dependent on "on-the-job" training. -Tools severely limited -Basic raw materials often very expensive or lacking -Often poor understanding of potential but unexploited markets. -Little capacity to engage in longterm development of new products or to invest in building reputation -Poor managerial ability even in relation to limited managerial needs of his occupation 	<ul style="list-style-type: none"> -This economic niche, somewhat the laboring class equivalent of 7M, faces a paradoxical situation. While there is a severe lack of top quality workers, actual opportunities are seasonal and sporadic. -Many activities in this realm carry negative social connotations because of low status of artisans in traditional society and such opportunities that exist are often dominated by foreigners (Senegalese) -Cannot compete with cheaper and more durable foreign manufactured goods.

Best Available Document

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ANNEX SUMMARY OF NEEDS, CAPACITIES/RESOURCES AND FUTURE PROSPECTS OF POPULATION

RANK (Male)	RANK (Female)	NEEDS	CAPACITIES AND RESOURCES	DIRECTION IN FUTURE
<p>94-Rural River River-Fisher Fisherman</p>		<p>-Actual quality of government services (health, education, extension) poor. -Drought has in recent years affected river flooding, and fishing -Difficulty of marketing perishable produce at all, and non-perishables at attractive price.</p>	<p>-The Senegal River per se -Possession of recessional agriculture areas along river provides fundamental resources and security (even for fishermen). -Generally good cultural emphasis on family cooperation and work, (especially strong among Soninke).</p>	<p>-The Senegal River System has undergone tremendous stress during the drought years. -Major influence in future is planned OMVS development -As planned, the area should experience significant expansion of production and employment opportunities plus general increase in benefits from improved transportation -Major question remains as to actual benefits new development will bring for individuals as contrasted with government or parastatal societies. -Old fishing and recessional farming systems will be destroyed by planned development. -Outcome depends to a large degree on whether development schemes depend for their development on bureaucratic decisionmakers or 94's own initiatives.</p>

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ANNEX
RANK
(Males)

SUMMARY OF NEEDS, CAPACITIES/RESOURCES AND FUTURE PROSPECTS OF POPULATION

-9-

RANK (Female)	NEEDS	CAPACITY AND RESOURCES	DIRECTION IN FUTURE
<p>6F-Wives of 4M (migrant workers); 2M (rural river farmers) hardmen, and river fisher- men)</p>	<p>-Same qualitatively as 2M, but greater need as more and more males emigrate leaving 6F behind to shoulder burden -Generally supportative production services (i.e. SONADER) are oriented to helping males rather than females -Needs more permanent rights and control of basic land and water resources now used with temporary permission of men</p>	<p>-Strong individual work capacities plus excellent ability to form informal mutual assistance associations</p>	<p>-Present direction is down because more and more males are leaving 6F to shoulder formerly shared burdens. While 6F needs immediate help ultimately unless male outmigration is reduced, the viability of community per se may be destroyed. 6F therefo- re will probably benefit per se from river development if it reverses male out- migration. 6F prospers in urban situation by becoming 5F</p>

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Best Available Document

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ANNEX SUMMARY OF NEEDS, CAPACITIES/RESOURCES AND FUTURE PROSPECTS OF POPULATION

RANK (Male)	RANK (Female)	NEEDS	CAPACITIES AND RESOURCES	DIRECTION IN FUTURE
10M-Rural Small Herder Nomad, Oasis Farmer		<p>Among most geographically isolated and mobile</p> <ul style="list-style-type: none"> -Generally no access to gov't services. Often minimum access to private sector supplies or market for his animals -Extreme fluctuations between periods of want and satisfaction of food needs, based on season -No reserve capital to rebuild operation if wiped out by catastrophe. -Rapidly deteriorating rural community and labor base from which to get assistance as needed. -Rapid deterioration of natural resources on which he depends (water, grass, trees) 	<ul style="list-style-type: none"> -Major capacity is tenacity, mobility, minimal aspirations, and material austerity -Major resource is the natural environment 	<ul style="list-style-type: none"> -The present circumstances all point to further decrease in the viability of this traditional major productive system. -Only hope for reversal is restoration of environmental resources and replacement of basically extensive uncontrolled management with more systematic longterm production strategy
	7F-Wives of 7M (small traders) 8M (artisans) 10M (rural herder-oasis farmer)	<ul style="list-style-type: none"> -Same as 10M except not as mobile. Often left alone in isolated community with children for extended periods. -Generally totally dependent with little or no capacity for independent production Exceptions are some artisan women with traditional skills. However they lack access to market and raw materials 	<ul style="list-style-type: none"> -Almost no resources in either materials or skills -Immediate living unit only real social base. (lacks ability to form informal mutual help association like river women) 	<ul style="list-style-type: none"> -With a few exceptions the situation of this group is downwards as they are strongly handicapped by a cultural heritage of physical and material dependence. Choice is more and more between an almost intolerable rural isolation or going to urban areas to live off temporary male alliances.

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ANNEX
RANK
(Male)

SUMMARY OF NEEDS, CAPACITIES/RESOURCES AND FUTURE PROSPECTS OF POPULATION RANK (Female)

		NEEDS	CAPACITIES AND RESOURCES	DIRECTION IN FUTURE	
Seasonal or "Opportunity"	10N	8F			
	Poor Rural Farmer/Herder	Poor Rural Farmer-Herder	<ul style="list-style-type: none"> -Few skills except elementary herding/agriculture (much less than sub-saharan groups) -No capital for investment -Constant need for credit -Daily needs barely satisfied -Access to government services poor because of low status, and no finances. 	<ul style="list-style-type: none"> -General flexible by necessity, very mobile -willing to do whatever is necessary to earn living -Strong capacity for physical labor (both sexes) -General tendency among family members and group members to cooperate as necessary -Access to resources of land-water is often only by permission 	
	':	Wife or			<ul style="list-style-type: none"> -This group is already experiencing a minimal existence. Future prospects are largely dependent on future labor-agriculture opportunities -Certain social factors do present them with some future upward mobility (e.g.- desertion of rural area by wealthier parties opens up some new marginal opportunities (oases) -Can migrate to African countries to south and integrate into those populations -Are open to any physical task-No hampering cultural values to accepting new roles
	':	Widow			
	Rural-Urban	Rural-Urban			
	Daily-Laborer	Daily Laborer			
	':	':			
Dependent Agriculturalist	Dependent Agriculturalist				
':	':				
Petty Vendor	Petty Vendor				

ANNEX SUMMARY OF NEEDS, CAPACITIES/RESOURCES AND FUTURE PROSPECTS OF POPULATION

RANK (Male)	RANK (Female)	NEEDS	CAPACITIES AND RESOURCES	DIRECTION IN FUTURE
11N Dependant Domestic		-Generally minimal material survival needs are provided (clothing, food) at lowest possible standard. With rare exception no "luxury" needs like education.	-Generally no trained skills. Only capacity is labor -Traditionally no material property rights and resources of own. -Major survival resource is moral obligation of family to provide for as necessary	-This is a rapidly changing relationship with 11N faced with choice of relinquishing minimal security as dependent for freedom as free agent. Speed of this occurring directly tied to available economic alternatives, which are not very attractive.
12N-Charity Existence	9F	-Everything Marginal	-Nil	-Nowhere but down -Presently survives because of strong social pressure to give to less fortunate. This pressure is likely to decrease with modernisation

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PROJECT DESIGN SUMMARY
LOGICAL FRAMEWORK

Life of Project:
From FY 1981 to FY 1981
Total U.S. Funding 500,000
Date Prepared: 12 June 1981

Project Title & Number: LAND TENURE, Accelerated Impact Project, 625-0937

NARRATIVE SUMMARY	OBJECTIVELY VERIFIABLE INDICATORS	MEANS OF VERIFICATION	IMPORTANT ASSUMPTIONS
<p>Program or Sector Goal: The broader objective to which this project contributes:</p> <p>To assist the GIRM establish a modern but adaptive system of land tenure that will overcome present constraints to increased production and rural development</p>	<p>Measure of Goal Achievement:</p> <ul style="list-style-type: none"> - newly established GIRM policies in land tenure - new project level guidelines - discernable reduction in rural development land conflicts - increased productivity in rural devt; projects where land tenure previously a constraint 	<ul style="list-style-type: none"> - GIRM statements and actions - National Plan statements - Decrees - Judicial records - Chaab, Radio Mauritania reports - experiences reported by project personnel 	<p>Assumptions for achieving goal targets:</p> <ul style="list-style-type: none"> - GIRM will exhibit political will to enact new policies - GIRM & foreign donors will provide minimally necessary concomitant inputs for rural devt: (transport, extension, technology, seeds, etc;) - Land tenure problems are a major constraint to expanded rural development & production
<p>Project Purpose:</p> <p>To establish a permanent GIRM institutional capability to analyze land use and resource management problems and to make recommendations for the resolution of land tenure problems at the national and local level and for specific policy changes in the land tenure system in Mauritania</p>	<p>Conditions that will indicate purpose has been achieved: End of project status. A functioning division within the Ministry of Rural Devt; which can relate to all levels of the GIRM, analyze land tenure problems and recommend solutions at the national and local levels and recommend policy options at the national level</p>	<ul style="list-style-type: none"> - GIRM records - GIRM organizational structure - Project records - Field visits to project sites where land tenure questions addressed 	<p>Assumptions for achieving purpose:</p> <ul style="list-style-type: none"> - There will be coordination and collaboration between the land tenure unit & other GIRM authorities at various levels - The rural population is prepared to participate in a just and reasonable reordering of Mauritania's present confusing land rights system
<p>Outputs:</p> <ul style="list-style-type: none"> - trained personnel in land tenure management and development - forum for broad discussion of land tenure & devt problems - resolution, in a project-specific context, of prototypical land tenure problems which are a major constraint to implementation of rural development activity 	<p>Magnitude of Outputs:</p> <ul style="list-style-type: none"> - 4 Mauriticians trained at a U.S. university - 2 colloquiums, one at national level & one at regional level - land use & tenure problems resolved for 1 or 2 USAID or other donor-assisted rural development projects 	<ul style="list-style-type: none"> - GIRM records - U.S. university records - AID project records - Colloquium reports - Project records, GIRM reports, interviews with personnel associated with assisted field intervention project 	<p>Assumptions for achieving outputs:</p> <ul style="list-style-type: none"> - M.S. level training sufficient to staff and retain professional land tenure unit in Min. of Rural Development - GIRM officials will be mobilized and interested in land tenure colloquiums - Rural authorities, local population, and project personnel will cooperate with field intervention team efforts
<p>Inputs:</p> <p><u>USAID</u> Training, technical assistance, logistical field support, colloquium support</p> <p><u>GIRM</u> Candidates for training, permanent positions for trained cadre 20-30 participants for each colloquium</p>	<p>Implementation Target (Type and Quantity)</p> <p>See project budget for quantitative breakdown</p>	<ul style="list-style-type: none"> - PIO/Pa and other Project documentation - USAID records - Colloquium records - GIRM records 	<p>Assumptions for providing inputs:</p> <ul style="list-style-type: none"> - U.S. universities capable of providing needed training - Sufficiently competent and qualified Mauriticians for training will be available - U.S. universities can provide adequate expertise with requisite language skills for field work guidance

INITIAL ENVIRONMENTAL EXAMINATION
OR
CATEGORICAL EXCLUSION

Project Country: Mauritania
Project Title and Number: A.T.P., Land Tenure (625-0937)
Funding: FY 1981, \$ 500,000
IEE/CE Prepared by: Allan Reed, CPDO, USAID/Nkchtt
Environmental Action Recommended:

Positive Determination _____
Negative Determination _____ X

or

Categorical Exclusion _____

Action Requested by: [Signature] Date: July 6, 1981
Mission Director

Concurrence:
Bureau Environmental Officer

Approved: James S. Hester
Disapproved: _____
Date: 6 August 1981

Clearance: GC/AFR [Signature] Date: August 6, 1981

- 1 -

I. Examination of Nature, Scope and Magnitude of Environmental Impact

A. Description of Project

The land tenure system currently in practice in Mauritania presents an obstacle to rural development and leads to low production and the failure of efforts to improve the current system because people who work the land do not reap the primary benefits of their labor. Therefore, the current land tenure system, with its uncertainties and confusion, presents a disincentive to the kind of efforts appropriate to turning marginal resources into productive resources. The Government of the Islamic Republic of Mauritania (GIRM) recognizes this problem and has attempted unsuccessfully to deal with it since independence. However, the GIRM lacks both a structure and a trained cadre to help establish a national land tenure policy and to administer it in such a way that it could become an effective tool for rural development. While the GIRM, assisted by the international donor community, including USAID, is promoting rural development through a portfolio of development projects, the lack of an effective system of land tenure will continue to stymie most of these efforts.

USAID, through the Land Tenure Accelerated Impact Project, will assist the GIRM to establish a capability to come to terms with its land tenure problems through the following three actions financed by this project:

1) A cadre of four Mauritians will be trained at the M.S. level in inter-disciplinary aspects of land tenure policy formulation and implementation appropriate to the conditions specific to Mauritania. This training will take place over a two-year period at an appropriate U.S. university with a specialty in land tenure issues. This cadre will form the core of a new action/policy group within the Ministry of Rural Development and will be responsible for land tenure reform in the context of a development project targetted for assistance by the A.I.P. project.

2) A field intervention will design a new system of land use in connection with one or two ongoing projects in which land tenure problems are of direct relevance (e.g., USAID Rural Land Reclamation, 682-0203; USAID Renewable Resources Management, 682-0205; USAID Oasis Development, 682-0207; World Bank Gorgol Project, etc.).

3) Two colloquiums will be held on land reform and land tenure problems, one at the national level and one at the regional level, at which the development project chosen in intervention number two described above is located. The colloquiums will supplement the establishment of the cadre trained through the project by sensitizing GIRM officials at the national and regional levels to the complexities and possibilities of land tenure and reform.

B. Identification and Evaluation of Environmental Impacts

The interventions in this project are intended to assist the GIRM in overcoming a major impediment to successful rural development

activities which are aimed at increasing food production and improving rural life. While the project itself will not directly bear on the environment, to the extent that it succeeds in eliminating the barrier to rational use of Mauritania's rural resources represented by the present system of land tenure, the project will assist other development projects to meet their objectives. The results should be a better managed system of rural production consistent with an improved rural environment on which such production depends.

Discussion of Impact Identification

Land-Use: Inherent in a land tenure system based on the benefits of production accruing to the producers is a long-term improvement in resource management, since the interests of the producers, whose right to the land they work will be recognized in the context of a revised land tenure system, lie in the long-term security of production represented by development harmonious with environmental conditions.

Water-related Impacts: The same impacts that apply to land use, described above, will relate to water conditions since this is one of the primary resources that defines the limits of development in the rural areas. To the extent that the development project assisted by the field intervention of this A.I.P. is a water resource-related project, such as the USAID Rural Land Reclamation Project which seeks to improve recessional agriculture based on small rainwater-runoff retention dams, the A.I.P. will enhance rational management of water resources as it eliminates an obstacle to project implementation.

Atmospheric: The project will have no effects on the atmosphere.

Natural resources: The establishment of a land tenure system should benefit the improved management of natural resources by establishing rights to use and responsibilities in regard to natural resources.

Cultural: The project could result in long-term changes in cultural attitudes toward land and water resources through the clear definition of a land tenure system which should diminish disputes over such resources.

Socio-Economic: The project could have significant effects on socio-economic conditions by enabling producers of rural resources to more directly benefit from their labor. To this extent, the project should increase rural production and improve the economic status of rural people. It may also affect the rate of urbanization by making rural development more attractive.

Health: The project will have no direct impact on health conditions.

II. Recommendation for Environmental Action:

Negative Determination.

ANNEX 9

State 222721

PID Approval Cable

UNCLASSIFIED
Department of State

OUTGOING
TELEGRAM

PAGE 01 STATE 222721 3027 056060 A104071

STATE 222721 3027 056060 A104071

ORIGIN AID-35

ORIGIN OFFICE AFW-04
INFO AAF-01 AFDR-06 PPCE-01 PDPR-01 PPPB-03 GC-01 GCAF-01
PPEA-01 GCFL-01 AAST-01 STAG-02 STRD-02 AFDA-01 AGRI-01
RELO-01 JC-00 /028 AB

INFO OCT-00 SS-15 AF-10 EB-08 MMO-01 L-03 AGRE-00
/072 R

DRAFTED BY AID/AFR/SWA: CROBERTSON: VD
APPROVED BY AID/AA/AFR: FSRUDDY
AID/AFR/SWA: LWERLIN
AID/AFR/SWA: JWOODS
AID/AFR/SWA: FGILBERT
AID/OAA/AFR: WHNORTH
AID/AFR/DR/SWAP: GWANDERSON (DRAFT)
AID/AFR/DR/ARD: BSEPAS (DRAFT)
AID/AFR/DR/ARD: GSTEELE (DRAFT)
AID/AFR/SWA: HMAREAS (DRAFT)
AID/ST/RAD: NSOUTHERLAND (DRAFT)
AID/PPC/PDPR/RO: JATHERTON (DRAFT)
AID/AFR/SWA: JSHAMPAIN

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E. J. 12065: N/A

TAGS:

SUBJECT: PID REVIEW - LAND TENURE A. I. P. (625-0937)

1. PID REVIEW HELD AT 2:00 P.M. ON JULY 24 WITH REPRESENTATIVES OF SWA, DR, AND S AND T/RAD (FORMERLY OS/RAD) IN ATTENDANCE. USAID/MAURITANIA WAS REPRESENTED BY MISSION SOCIOLOGIST GRAYZEL. MISSION MAY PROCEED WITH FINALIZATION OF PP FOR SUBJECT PROJECT BUT SHOULD BEAR IN MIND THE FOLLOWING POINTS RAISED DURING THE REVIEW:

(A). REVIEW COMMITTEE FELT THAT, GIVEN EXPLORATORY NATURE OF PROJECT AND MISSION'S TIGHT BUDGETARY CONSTRAINTS, TRAINING OF ONLY 4 MAURITANIANS WAS ACCEPTABLE. HOWEVER, COMMITTEE STRESSED THE CRITICAL IMPORTANCE OF ENSURING THAT THE 4 TRAINEES ARE PROPERLY UTILIZED BY THE GIRM AS ON PAGE 19, NOT ONLY TO PROVIDE A SUPPORTIVE BASE TO THE GIRM'S SCARCE CADRE RESOURCES, BUT ALSO TO SAFEGUARD AGAINST A POSSIBLE EVENTUAL RETURN TO THE TRADITIONAL METHODS OF RESOLVING LAND TENURE ISSUES. THE COMMITTEE RECOGNIZED THAT THE TRAINEES WILL HAVE NO ACTUAL POLICY-MAKING AUTHORITY BUT WILL SERVE IN A KEY ADVISORY CAPACITY TO THE GIRM. THEREFORE, THE PROAG SHOULD CONTAIN A COVENANT THAT THESE TRAINEES WILL BE ASSIGNED TO THE MINISTRY OF RURAL DEVELOPMENT FOR AT LEAST ONE YEAR AFTER THE

COMPLETION OF THEIR TRAINING IN THE U.S.

2. THE PROJECT MAY ALSO BE VIEWED AS HAVING APPLICATION FOR LAND MANAGEMENT AND USAGE, GIVEN THE RE-DISTRIBUTION OF LAND RESOURCES AND SUBSEQUENT CHANGES IN HOW THESE RESOURCES WILL BE USED THAT WILL RESULT BECAUSE OF THE PROJECT. THEREFORE, MISSION SHOULD CONSIDER FEASIBILITY OF INCORPORATING USAGE OF THE LANDSAT MAPS FROM THE ONGOING RENEWABLE RESOURCE MANAGEMENT PROJECT INTO THE A. I. P. AS A POSSIBLE FUTURE RESOURCE FOR BOUNDARY IDENTIFICATION.

PERHAPS A QUALIFIED CADRE OF MAP READING SPECIALISTS COULD BE TRAINED TO IN TURN TRAIN OTHERS FURTHER ALONG INTO THE PROJECT. THE INITIAL GROUP COULD JOIN FORCES WITH THE LAND TENURE TRAINEES AFTER THEIR RETURN TO MAURITANIA TO INITIATE DEVELOPMENT OF THE LANDSAT MAP REFERENCE SELECTION.

3. WHILE ANNEX 5 OF PID CONTAINS OFFICIAL REQUEST BY GIRM MINISTER OF RURAL DEVELOPMENT FOR THIS A. I. P., REVIEW COMMITTEE FELT THIS WAS INSUFFICIENT EVIDENCE AS TO THE GIRM'S COMMITMENT TO SUPPORT THE NEW SYSTEM THAT WILL BE DEVELOPED UNDER THE A. I. P. AND SUGGESTS THAT MISSION EXPLORE OTHER TACTICS THAT COULD BE UNDERTAKEN TO ASSURE THAT THE GOVERNMENT WILL ADHERE TO THE NEW POLICY AS PLANNED. ONE VERY USEFUL STEP THE USAID COULD TAKE IN THIS DIRECTION WOULD BE TO ENCOURAGE THE GIRM TO MAKE ALTERNATE ARRANGEMENTS FOR THE PROVISION OF INPUTS AND SERVICES LANDLORDS TRADITIONALLY FURNISH TO FARMERS.

4. REVIEW COMMITTEE EXPRESSED A CONCERN THAT FINAL TEAM SELECTION SHOULD BE REPRESENTATIVE OF THOSE SEGMENTS OF MAURITANIAN SOCIETY MOST STRICTLY AND ADVERSELY AFFECTED BY LAND TENURE COMPLICATIONS AND, WHILE SELECTION PROCESS WILL BE THE RESPONSIBILITY OF THE GIRM, USAID SHOULD PURSUE APPROPRIATE MEASURES TO ASSURE EQUITABLE REPRESENTATION.

5. PID DID NOT INDICATE WHAT MEASURES WILL BE TAKEN TO ENSURE THAT WOMEN'S INTERESTS ARE SERIOUSLY TAKEN INTO CONSIDERATION IN DEVELOPMENT OF REVISED LAND TENURE POLICY GUIDELINES. WOMEN FARMERS CONTRIBUTE SIGNIFICANTLY TO MAURITANIA'S FOOD SUPPLIES AND HAVE THE SAME SPECTRUM OF

RIGHTS THAT THE MEN HAVE ALTHOUGH THEY DO NOT OWN AS MUCH LAND. HOWEVER, WHERE THE LAND IS FAMILY-OWNED, THE LAND IS GENERALLY MALE CONTROLLED AND WOMEN HAVE LESS AUTHORITY OVER IT. IF GIRM IS SERIOUSLY COMMITTED TO INCREASING FOOD PRODUCTION, WOMEN MUST BE GIVEN SECURITY THROUGH LAND OWNERSHIP AND MUST BE ALLOWED TO HAVE CONTROL OVER THEIR FARMING ACTIVITIES. PP SHOULD ADDRESS THIS ISSUE AND SHOW IMPACT OF PROJECT ON STATUS OF WOMEN. PP SHOULD ALSO INCORPORATE MEASURES TO SENSITIZE POLICY-MAKERS ON THE CRITICAL NEED TO RECONSIDER LAW REGARDING WOMEN'S OWNERSHIP OF RESOURCES, INCLUDING LAND. ALSO, WOMEN MUST BE ALLOWED REPRESENTATION AND PARTICIPATION IN BOTH THE REGIONAL AND NATIONAL COLLOQUIA TO ASSURE EXPRESSION OF THEIR PROBLEMS AND CONCERNS.

6. IEC HAS BEEN REVIEWED AND CLEARED BY GC/AFR AND AFR/DR ENVIRONMENTAL OFFICE.

7. TO EXPEDITE OBLIGATION PROCESS, ALLOTMENT OF DOLS \$80,000 HAS BEEN REQUESTED. USAID SHOULD CABLE MISSION DIRECTOR'S APPROVAL OF FINAL PP ASAP. LAND TENURE A. I. P. TECHNICAL NOTIFICATION EXPIRED AUGUST 11 AND MISSION SHOULD PLAN TO OBLIGATE FUNDS NLT REPEAT NLT FIRST WEEK IN SEPTEMBER. IF MISSION DETERMINES THAT THIS IS NOT POSSIBLE, IT SHOULD NOTIFY AID/W ASAP SO THAT THE FUNDS MAY BE REPROGRAMMED. HAIG

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ANNEX 10

STATUTORY CHECKLISTS

5C(2) - PROJECT CHECKLIST

Listed below are statutory criteria applicable generally to projects with FAA funds and project criteria applicable to individual fund sources: Development Assistance (with a subcategory for criteria applicable only to loans); and Economic Support Fund.

CROSS REFERENCES: IS COUNTRY CHECKLIST UP TO DATE?
HAS STANDARD ITEM CHECKLIST BEEN REVIEWED FOR THIS PRODUCT?

A. GENERAL CRITERIA FOR PROJECT

1. FY 79 App. Act Unnumbered; FAA Sec. 653 (b); Sec. 634A. (a) Describe how Committees on Appropriations of Senate and House have been or will be notified concerning the project; (a) Congressional notification process followed and completed on August 11, 1981
(b) is assistance within (Operational Year Budget) country or international organization allocation reported to Congress (or not more than \$1 million over that figure)? (b) Yes
2. FAA Sec. 611(a)(1). Prior to obligation in excess of \$100,000, will there be (a) engineering, financial, and other plans necessary to carry out the assistance and (b) a reasonably firm estimate of the cost to the U.S. of the assistance? (a) Yes
(b) Yes
3. FAA Sec. 611(a)(2). If further legislative action is required within recipient country, what is basis for reasonable expectation that such action will be completed in time to permit orderly accomplishment of purpose of the assistance? n/a
4. FAA Sec. 611(b); FY 79 App. Act Sec. 101. If for water or water-related land resource construction, has project met the standards and criteria as per the Principles and Standards for Planning Water and Related Land Resources dated October 25, 1973? n/a
5. FAA Sec. 611(e). If project is capital assistance (e.g., construction), and all U.S. assistance for it will exceed \$1 million, has Mission Director certified and Regional Assistant Administrator taken into consideration the country's capability effectively to maintain and utilize the project? n/a
6. FAA Sec. 209. Is project susceptible of execution as part of regional or multilateral project? If so why is project not so executed? Information and conclusion whether assistance will encourage regional development programs. No

A.

7. FAA Sec. 601(a). Information and conclusions whether project will encourage efforts of the country to: (a) increase the flow of international trade; (b) foster private initiative and competition; (c) encourage development and use of cooperatives, credit unions, and savings and loan associations; (d) discourage monopolistic practices; (e) improve technical efficiency of industry, agriculture and commerce; and (f) strengthen free labor unions.

Project will foster private initiative in the rural sector by assisting in reducing uncertainty regarding usufructory and ownership rights to land.

8. FAA Sec. 601(b). Information and conclusion on how project will encourage U.S. private trade and investment abroad and encourage private U.S. participation in foreign assistance programs (including use of private trade channels and the services of U.S. private enterprise).

n/a

9. FAA Sec. 612(b); Sec. 636(h). Describe steps taken to assure that, to the maximum extent possible, the country is contributing local currencies to meet the cost of contractual and other services, and foreign currencies owned by the U.S. are utilized to meet the cost of contractual and other services.

Mauritania will contribute local currencies to pay for employees to be assigned to the land tenure unit, office space and logistical support for colloquiums.

10. FAA Sec. 612(d). Does the U.S. own excess foreign currency of the country and, if so, what arrangements have been made for its release?

No

11. FAA Sec. 601(e). Will the project utilize competitive selection procedures for the awarding of contracts, except where applicable procurement rules allow otherwise?

Yes

12. FY 79 App. Act Sec. 608. If assistance is for the production of any commodity for export, is the commodity likely to be in surplus on world markets at the time the resulting productive capacity becomes operative, and is such assistance likely to cause substantial injury to U.S. producers of the same, similar, or competing commodity?

n/a

B. FUNDING CRITERIA FOR PROJECT

1. Development Assistance Project Criteria

a. FAA Sec. 102(b); 111; 113; 281a. Extent to which activity will (a) effectively involve the poor in development, by extending access to economy at local level, increasing labor-intensive production and the use of appropriate technology, spreading investment out from cities to small towns and rural areas, and insuring wide participation of the poor in the benefits of development on a sustained

(a) Project designed to assist Mauritanian authorities to develop mechanisms for assuring more equitable access to land, particularly by the poorest elements of the population. With assured access and use of land, the rural poor are capable of obtaining the economic benefits of production from the land

B.1.a.

basis, using the appropriate U.S. institutions; (b) help develop cooperatives, especially by technical assistance, to assist rural and urban poor to help themselves toward better life, and otherwise encourage democratic private and local governmental institutions; (c) support the self-help efforts of developing countries; (d) promote the participation of women in the national economies of developing countries and the improvement of women's status; and (e) utilize and encourage regional cooperation by developing countries? (b) n/a Sahel funds are being used

b. FAA Sec. 103, 103A, 104, 105, 106, 107.
Is assistance being made available: (include only applicable paragraph which corresponds to source of funds used. If more than one fund source is used for project, include relevant paragraph for each fund source.) (b) n/a Sahel funds are being used

(1) [103] for agriculture, rural development or nutrition; if so, extent to which activity is specifically designed to increase productivity and income of rural poor; [103A] if for agricultural research, is full account taken of needs of small farmers;

(2) [104] for population planning under sec. 104(b) or health under sec. 104(c); if so, extent to which activity emphasizes low-cost, integrated delivery systems for health, nutrition and family planning for the poorest people, with particular attention to the needs of mothers and young children, using paramedical and auxiliary medical personnel, clinics and health posts, commercial distribution systems and other modes of community research.

(3) [105] for education, public administration, or human resources development; if so, extent to which activity strengthens nonformal education, makes formal education more relevant, especially for rural families and urban poor, or strengthens management capability of institutions enabling the poor to participate in development;

(4) [106] for technical assistance, energy, research, reconstruction, and selected development problems; if so, extent activity is:

(i) technical cooperation and development, especially with U.S. private and voluntary, or regional and international development, organizations;

(ii) to help alleviate energy problems;

(iii) research into, and evaluation of, economic development processes and techniques;

(iv) reconstruction after natural or manmade disaster;

B.1.b.(4).

(v) for special development problem, and to enable proper utilization of earlier U.S. infrastructure, etc., assistance;

(vi) for programs of urban development, especially small labor-intensive enterprises, marketing systems, and financial or other institutions to help urban poor participate in economic and social development.

c. [107] Is appropriate effort placed on use of appropriate technology? n/a

d. FAA Sec. 110(a). Will the recipient country provide at least 25% of the costs of the program, project, or activity with respect to which the assistance is to be furnished (or has the latter cost-sharing requirement been waived for a "relatively least-developed" country)? Strict adherence to the 25 percent rule is not required of SDP funded projects

e. FAA Sec. 110(b). Will grant capital assistance be disbursed for project over more than 3 years? If so, has justification satisfactory to the Congress been made, and efforts for other financing, or is the recipient country "relatively least developed"? n/a

f. FAA Sec. 281(b). Describe extent to which program recognizes the particular needs, desires, and capacities of the people of the country; utilizes the country's intellectual resources to encourage institutional development; and supports civil education and training in skills required for effective participation in governmental and political processes essential to self-government. The problem of land tenure is recognized by the Mauritanian government as a serious impediment to agricultural and rural development. The question has been addressed by government commissions and legal authorities. This project encourages the formation of an institution within the government, staffed by individuals trained under the project, who will assist in developing and implementing solutions to particular land tenure problems.

g. FAA Sec. 122(b). Does the activity give reasonable promise of contributing to the development of economic resources, or to the increase or productive capacities and self-sustaining economic growth? (g) Yes

2. Development Assistance Project Criteria (Loans Only)

a. FAA Sec. 122(b). Information and conclusion on capacity of the country to repay the loan, including reasonableness of repayment prospects. n/a

b. FAA Sec. 620(d). If assistance is for any productive enterprise which will compete in the U.S. with U.S. enterprise, is there an agreement by the recipient country to prevent export to the U.S. of more than 20% of the enterprise's annual production during the life of the loan? n/a

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B.

3. Project Criteria Solely for Economic Support Fund

a. FAA Sec. 531(a). Will this assistance support promote economic or political stability? To the extent possible, does it reflect the policy directions of section 102? n/a

b. FAA Sec. 533. Will assistance under this chapter be used for military, or paramilitary activities? n/a

COUNTRY CHECKLIST

Country checklist submitted for Rural Land Reclamation
Project paper (682-0203) approved by AA/AFR on June 2, 1981
remain in effect, with the following modification"

Section B.1.6 of checklist
FAA Sec. 104 (d) (1), IDC Act of 1979

n/a

5C(3) - STANDARD ITEM CHECKLIST

Listed below are statutory items which normally will be covered routinely in those provisions of an assistance agreement dealing with its implementation, or covered in the agreement by imposing limits on certain uses of funds.

These items are arranged under the general headings of (A) Procurement, (B) Construction, and (C) Other Restrictions.

A. Procurement

- | | |
|--|-----|
| 1. <u>FAA Sec. 602.</u> Are there arrangements to permit U.S. small business to participate equitably in the furnishing of goods and services financed? | NO |
| 2. <u>FAA Sec. 604(a).</u> Will all commodity procurement financed be from the U.S. except as otherwise determined by the President or under delegation from him? | YES |
| 3. <u>FAA Sec. 604(d).</u> If the cooperating country discriminates against U.S. marine insurance companies, will agreement require that marine insurance be placed in the United States on commodities financed? | N/A |
| 4. <u>FAA Sec. 604(e).</u> If offshore procurement of agricultural commodity or product is to be financed, is there provision against such procurement when the domestic price of such commodity is less than parity? | N/A |
| 5. <u>FAA Sec. 608(a).</u> Will U.S. Government excess personal property be utilized wherever practicable in lieu of the procurement of new items? | N/A |
| 6. <u>FAA Sec. 603.</u> (a) Compliance with requirement in section 901(b) of the Merchant Marine Act of 1936, as amended, that at least 50 per centum of the gross tonnage of commodities (computed separately for dry bulk carriers, dry cargo liners, and tankers) financed shall be transported on privately owned U.S.-flag commercial vessels to the extent that such vessels are available at fair and reasonable rates. | YES |
| 7. <u>FAA Sec. 621.</u> If technical assistance is financed, will such assistance be furnished to the fullest extent practicable as goods and professional and other services from private enterprise on a contract basis? If the | YES |

A.7.

facilities of other Federal agencies will be utilized, are they particularly suitable, not competitive with private enterprise, and made available without undue interference with domestic programs?

8. International Air Transport. Fair Competitive Practices Act, 1974. If air transportation of persons or property is financed on grant basis, will provision be made that U.S.-flag carriers will be utilized to the extent such service is available? YES

9. FY 79 App. Act Sec. 105. Does the contract for procurement contain a provision authorizing the termination of such contract for the convenience of the United States? YES

B. Construction

1. FAA Sec. 601(d). If a capital (e.g., construction) project, are engineering and professional services of U.S. firms and their affiliates to be used to the maximum extent consistent with the national interest? N/A

2. FAA Sec. 611(c). If contracts for construction are to be financed, will they be let on a competitive basis to maximum extent practicable? N/A

3. FAA Sec. 620(k). If for construction of productive enterprise, will aggregate value of assistance to be furnished by the United States not exceed \$100 million? N/A

C. Other Restrictions

1. FAA Sec. 122 (e). If development loan, is interest rate at least 2% per annum during grace period and at least 3% per annum thereafter? N/A

2. FAA Sec. 301(d). If fund is established solely by U.S. contributions and administered by an international organization, does Comptroller General have audit rights? N/A

3. FAA Sec. 620(h). Do arrangements preclude promoting or assisting the foreign aid projects or activities of Communist-bloc countries, contrary to the best interests of the United States? YES

4. FAA Sec. 636(i). Is financing not permitted to be used, without waiver, for purchase, long-term lease, or exchange of motor vehicle manufactured outside the United States, or guaranty of such transaction? YES

C.

5. Will arrangements preclude use of financing:

- a. FAA Sec. 104(f). To pay for performance of abortions or to motivate or coerce persons to practice abortions, to pay for performance of involuntary sterilization, or to coerce or provide financial incentive to any person to undergo sterilization? YES
- b. FAA Sec. 620(g). To compensate owners for expropriated nationalized property? YES
- c. FAA Sec. 660. To finance police training or other law enforcement assistance, except for narcotics programs? YES
- d. FAA Sec. 662. For CIA activities? YES
- e. FY 79 App. Act Sec. 104. To pay pensions, etc., for military personnel? YES
- f. FY 79 App. Act Sec. 106. To pay U.N. assessments? YES
- g. FY 79 App. Act Sec. 107. To carry out provisions of FAA sections 209(d) and 251(h)? (Transfer of FAA funds to multilateral organizations for lending.) YES
- h. FY 79 App. Act Sec. 112. To finance the export of nuclear equipment, fuel, or technology or to train foreign nations in nuclear fields? YES
- i. FY 79 App. Act Sec. 601. To be used for publicity on propaganda purposes within United States not authorized by the Congress? YES