

**Workshop on “Making Laws at the Grassroots Level”,  
describing the joint GtZ / World Bank initiative  
Mauritania Technology Fosters Tradition (TFT)**

**Washington DC, 27 November 2001**

**Summary of proceedings**

(prepared by HW Wabnitz)

*Content:*

1. Advertisement inviting Bank staff and outsiders to the workshop, abstract and agenda as published;
2. Summary of proceedings
3. Summary of recommendations,
4. Members in the audience;
5. Earlier presentations on the TFT,
6. About the speakers,
7. List of films/videos played simultaneously, to rent with Hans W. Wabnitz (8-1583), and
8. Next steps & calendar of envisaged events

**WORKSHOP invitation to BRAINSTORM  
Making Laws at the Grassroots Level  
Mauritania - rural environment - Initiative  
"Technology fosters Tradition" (TFT)  
a joint WB/GtZ pilot presentation**

**A LEG-VP Continuing Education Event  
sponsored by the Staff Development Committee**

**Tuesday, November 27, 2001**

**9:00AM – 5:00 PM**

**MC 8 - W-150**

Abstract:

The Bank's mission to reduce poverty can be accomplished in rural areas, and particularly in drylands such as the Sahel only through effective environmental protection. The Bank's 2001 environmental report "Environment Matters" states that some poor countries lose 4 to 8% GDP to productivity and natural capital losses caused by environmental degradation. "The land" feeds people only if these share diligently among various uses and allow natural regeneration. Local people's use rights are based on tradition and custom and are slow to adjust to exterior change. To influence behavior, value patterns need to be discussed, shared, and reformed rights negotiated in open participatory discussions, including all right holders. The emerging new use patterns would form the "code" governing this specific site, this village, this environment, drafted in local language, embodied in locally drawn maps

- reproduced on internet based GIS - centered geographic data and recorded in an electronic land registry.

This is the *vision* the TFT Initiative tries to test in eastern Mauritania. Participants in the Workshop, which is composed of distinct, yet interrelated 90 minute sequels, are invited to voice criticism, ideas, proposals so as to improve the design. The Initiative will depend on government- and donor cooperation, acting as initiator and coordinator only.

Electronic Archive at : <http://www.worldbank.org/legal/legaf.html>

The GtZ team and the World Bank team have more than ten years working experience in Mauritania. They know the environment for having lived there - and know what does not work for having it tried all. Andrew Stancioff has established satellite composed poverty maps for Niger under the Bank's PRSP and agricultural projects there.

### **Agenda**

**9:00 AM - 10:30 AM**: Lakhsara Mint Die, Dirk Thies (GTZ team Project Synergy CDD/CBD) and Jean-Roger Mercier (WB-Lead Env. Specialist).

Specifics of Mauritania's environment: The Desert: a threat ?  
Economic and cultural assessment as translated into CDD guidelines (community driven development / Bank's safeguards)

**11:00 AM - 12:00 AM**: Andrew Stancioff, Stone Env. Inc:

Satellite imagery - tool for environmental planning and implementation monitoring.  
Example: Niger- Atlas préliminaire de la Pauvreté -

**12:30 PM - 2:00 PM**: Lakhsara Mint Die, Dirk Thies (GTZ team), HW Wabnitz, (country lawyer):

Technology fosters Tradition (TFT) : Improving natural resource exploitation through grassroots legislation - concept, assumptions, components - a Mauritanian pilot initiative ; GLIN - the global legal information network as indispensable tool.

**2:30 PM - 4:00 PM**: Lakhsara Mint Die, HW Wabnitz: Herders need the law: why ?  
Communication in traditional societies, participatory law making (Code pastoral), modern technology tools to assist in ascertaining the law's application, such as GLIN - the global legal information network.

**4:30 PM - 6:00 PM**: all: Wrap-up discussion, summary of proposals collected, outline of operational action plan.

## 2. Summary of proceedings

### Introduction

The workshop opened at 9:15. HW Wabnitz welcomed the participants, explained the events planned for the day and how they complemented the central idea of empowering local population in a selected rural area in Mauritania to take the regulation of the natural resource management in their area back into their own hands. He introduced the speakers (see summarized CV attached) and excused the absence of Bank members working on natural resource management in Mauritania due to their conflicting travel schedules. They had assured him before, though, that “they were on board”. Indeed, the carrying out of the first pilot will be financed by the Bank’s PGRN – (Rainfed agriculture) of the Bank.

### First Session Specifics of Mauritania's environment

**Dirk Thies** presented an animated slide show outlining the importance of a credible, efficient legal framework for the protection of the environment in Mauritania and the economic development in the country. No law equals no security equals no investment – in the rural areas as well as in industry. He outlined the characteristics of that various totally different environmental zones for the population and their livelihood, but also for flora and fauna – wildlife refuge for migrating birds in the east (Tamurt) and at the sea coast, which also is the spawning ground for the entire West African coast. The speaker highlighted that the wetlands in the east of the territory, the *Tamurt* are essential for the profitable use of huge grasslands areas, and that their fencing for planting destroys wealth. The speaker emphasized that currently existing regulations are ignored in Mauritania because there is no way for the population to access to the written law, nor the Shari ‘a rules. The envisaged initiative would remedy this shortcoming at least in a limited special and ethnic context.

The speaker furthermore outlined that the establishment of the Global Legal Information Network in Mauritania, one tool inside the Initiative to ascertain that the local rules are coherent with the rest of the legislation – or to identify where an exemption would be required) – will go a long way to bring the entire country closer to the Rule of Law principle, which it’s President proclaims, but which is not implemented due to this inaccessibility of the existing regulations.

A lively discussion ensued, centered on questions pertaining to more information on: (i) the environmental distinct zones; (ii) the legal constitution of the state; (iii) the functioning of the judiciary; (iv) how the population were expected to react to the Initiative, and (v) whether the prospect that a villager would have access to a computer was reasonable.

The team responded, in essence, by providing more details of the Mauritania landscape – also reminding the audience that six films were being shown (and would be available in the future) depicting distinct biotops); by indicating that whereas on paper the Mauritanian nation state was an ordinary state drawn from European models, in practice the transition from a tribal society towards a modern society was still in full progress, and the administration and the judiciary rather ineffective; by outlining that the populations reaction had to be tested – hence the “pilot”; that already in remote locations cyber cafés were doing brisk business.

Economic and cultural assessment as translated into CDD guidelines  
(community driven development / Bank’s safeguards)

**Jean-Roger Mercier** presented an overview of the Bank's ten environmental and economic safeguard issues which all operations supported by the Bank have to comply with. These concern notably the protection of natural habitat (and it was indicated that the *Tamurt* would qualify with more than ten percent of the world's population of certain birds resting there at certain times, while the Ramsar Convention requires only three percent), the protection of the values of indigenous peoples, compensation in kind for resettlement, protection of cultural heritage sites (and the pre-historic and historic sites in the desert of Mauritania qualify here – protection against vandalism by the rising tourist trade, and locals induced to sell artifacts).

These safeguards also apply for subprojects and initiatives financed only indirectly through World Bank resources. An overriding principle now actively enforced is the full publication and transparency policy of the Bank, which, of course, fits very nicely with the intended Initiative to make existing and new laws known, and thereby ascertain their compliance.

The speaker emphasized that the strict and professional adherence to the Bank's safeguard principles is in the staff's interest for three reasons: (1) they incorporate the best currently known practice and methodology to achieve long lasting success for any operation on the ground: disregard of values, of natural treasures, peoples rights or cultural sites creates strife in the long term; (2) the Inspection Panel system may come back to haunt staff if they disobey the rules – for civil society on-site now becomes aware of the power the procedures lend them; and (3) an NGO move to boycott World Bank bonds might gain very high visibility, in parliamentary circles, and thereby become a powerful menace, if not counteracted with credible evidence of good compliance.

In the ensuing discussion it was outlined that the TFT Initiative strives not only to comply with the safeguard rules, but actually will make their application the core of its interventions. The speaker was assured that thereby his concern, “to have presented the brakes of the Bank's procedures before the motor” was not to be feared: this Initiative will foster the “brakes”. Indeed, it will not promote or finance any “subprojects” in the form of wells, roads, wheel barrows – but try to assist the local population to formulate their rules. The equipment and infrastructure needed to better carry out the objective of those rules should come from other “projects”.

### Second Session      Satellite imagery - tool for environmental planning and implementation monitoring

**Andrew Stancioff** presented a lecture comprising five components:

(1) The ability of aerial photography to render various landscapes and its uses visible, through the photo of a specific area in Niger, where he outlined the competing local interests and resulting uses of natural resources and showed the negative results on the landscape (barren): (i) farmers, (ii) herders, (iii) fishermen, (iv) wildlife, (v) historic sites being vandalized (or flooded).

(2) The stress-belt of the Sahel: the change in the average 350mm yearly rainfall isohyete over time to the South. The line draws the border between pastures (to the north) and perennial farming (to the south). Over the last fifty years it has migrated south of Mauritania's borders (with the exception of the area around Kaedi) and Niger. The map alone explains the increasing conflict between herders and

farmers in the area – which result in daily deaths – since there is no sense of rainfed farming without regular rain, and herders are compelled to migrate ever more south.

(3) The pervasive soil formation in Mauritania, seen through aerial photographs, indicating where agriculture was feasible and where not, and where damage through wandering dunes was likely, and which activities might promise results (not those leeward).

(4) The fascinating treasure to be tapped in the form of historic ecological maps in Mauritania. Traditionally the families have noted the vegetation and other features on their annual wanderings following the herds, on maps and in poems. These sources go back over a thousand years. They would provide valuable comparators to modern findings.

(5) The planning tool aerial photography can provide when all available data for a given zone are superimposed on one map and the resulting parameters classified and color coded – in the case of the first slide shown concerning the area of Niger villages with or w/o up to five amenities (such as access to drinking water, market, road, school, health facility). It became clear that the devastation and deforestation in some areas was no accident, and that the reason for some areas being poorer than others was also obvious.

In the ensuing discussion it became also clear that the map does not fall from heaven: to get the data, make them compatible and get them “right” onto the map requires work. It also required further work analyzing why people live where they do, how to approach them to induce change, and what may be proposed in form of mitigation of shortcomings. In many instances emigration appears to be the only realistic solution.

The presentation illustrated that the technology shown should be a helpful tool for the proposed Initiative twofold: at the beginning to provide a baseline of fact, target the most vulnerable areas where to intervene, ascertain the areas where there might be hope, and those clearly beyond relief, and finally, at the end of the proposed intervention (rule making) make those rules accessible on the satellite generated map for reference.

### **Third Session**

Technology fosters Tradition (TFT) : Improving natural resource exploitation through grassroots legislation - concept, assumptions, components ; GLIN - the global legal information network as indispensable tool .

**HW Wabnitz** summarized the purpose and objectives of TFT to the BBL audience, briefly outlined the shortcomings of the state administration and judiciary requiring alternative practical solutions to address the problem of a degenerating environment, as outlined by A. Stancioff, and welcomed the Country Director, A. David Craig, inviting him to introduce the presentations.

**David Craig** underlined that he welcomed the initiative to cooperate between GtZ and Bank in the sector of the environment in Mauritania and pledged the support of the Bank’s operations there, in the absence of its task managers, traveling in the field. He thought it unusual that such endeavor be initiated by a lawyer, but nevertheless worthy of support. He expressed his opinion that the environmental and judicial sector would certainly figure prominently in the forthcoming PRSP (poverty

reduction strategy paper) and CAS (Bank's country assistance strategy) for Mauritania.

**Lakhsara Mint Die** introduced the audience to the global legal information network (GLIN) and its' essential benefits for the work to be carried out under the TFT. The GLIN, a non-profit foundation and network of currently about 40 countries, led by the US Library of Congress Law Department and NASA (the US National Aeronautic and Space Agency) as technical partner, aims at providing access to all the laws of the world through the internet. The texts are (i) authentic, (ii) complete – including decrees and circulars, and (iii) timely. They are visible in the original language(s) and prefaced by an English summary, which uses pre-defined words of the GLIN thesaurus, which also constitute the retrieval words. Such prefaces in other languages (Spanish, Arabic) are being developed, and the team intends to begin the work in French. (For an overview of the GLIN network and system see references at the end).

Providing efficient access to the law in itself is a public good appreciated by all citizens. Die provided a number of examples where ignorance of the law had hurt the vulnerable. The tool would also however prove to be most valuable in the proposed pilot work, as otherwise the evaluation of conformity of the new rules developed by the local people with the existing legislation would be all but impossible.

The ensuing discussion was very lively, centering on the feasibility of an electronic, internet based data transmission system in the desert – Die and Thies responded that cyber-café's were sprouting all over the country, including Tichit and Aioun al Atrouss; why such network would not be established by government – the team responded that such had been the intent over the past five years under the Bank financed legal component of the Project "Assistance to the Private Sector (Credit 2734-MAU), but that the government staff of the Official Gazette, despite training, had not seem either capable or motivated to bring the system towards "cruising speed". Equipment and basic infrastructure is in place, information sharing has been undertaken and the new ministry of new technologies is eager to engage a local GLIN station as content provider for the local Global Gateway services. The start-up of the GLIN station would need foreign expert supervision, the maintenance and constant updating are considered feasible under local management. Questioned whether there was any reliable

### **3. Recommendations**

### **4. Participants**

Among the members of the audience were the Chargé d'affaires of the Mauritanian Embassy, members of the local Mauritanian community, of Howard University, the Library of Congress, colleagues from the World Bank's Legal Department, Africa and Legal Reform and European Divisions; from the Africa Region in the Bank (Mauritania and Niger), the Social and Environmental Development Group, among others.

## **5. Earlier presentations of the TFT**

This workshop was the fourth in a series which started with D. Thies' presentation of the "Crocodyles in the Desert" – the fragility of the wetlands in eastern Mauritania and their decisive importance for pastoralists, at Bank headquarters in November 2000; and continued with a joint GtZ/WB presentation to Mauritanian officials and members of NGOs in Nouakchott in June 2001, and a presentation by HW Wabnitz of the central ideas of the TFT Initiative in a BBL on September 13, 2001.

## **6. On the speakers**

**Dirk Florent Thies.** Born in France in 1958, German nationality. Primary and high school education in France, Cameroon and Germany. Studies in agricultural sciences with emphasis on plant production (M.Sc). Dissertation at the Institute for Water Resource Development and Landscape Ecology on the "improvement of the Efficiency of Traditional Irrigation Systems in Tras-os-Montes - Portugal at the University of Kiel, Germany (Ph.D.).

Thies has more than fifteen years of professional experience in the management of projects for conservation and sustainable use of natural resources. Special emphasis on the implementation of international agreements such as the Convention to Combat Desertification and the Convention on Biological Diversity, as well as on the improvement of national policy and legal frameworks relevant to natural resources management. He was project manager in regional rural development and forestry projects in the Maghreb Region, West Africa, Europe and Latin America.

Thies' mother tongues are German and French. He speaks, writes and reads English and Portuguese fluently.

Contact information:

Address: c/o Bureau de la GTZ, BP. 5217, Nouakchott, Mauritania

Email: [100660.107@compuserve.com](mailto:100660.107@compuserve.com) / Tel.: +222 631 2324(cell), +222 529 8505

**Lakhsara Mint Die.** Born in Paris, France in 1965, Mauritanian and Danish nationality. Die received her primary and high school education in Denmark, Mauritania and Nigeria. She studied modern languages at the University of Bordeaux, France, specializing in communication and documentation techniques. At the University of Nouakchott, Mauritania, Die received a B.A. in English and an M.A. with a thesis on women and AIDS in Africa. In recent years she has gone through trainings in various subjects, including marketing (Switzerland Hormeta Laboratory in Montreal, Canada), management, project planning, accountancy and computer sciences (German Technical Cooperation, GtZ), decentralization in Francophone Africa (GtZ, Abidjan, Ivory Coast), and communication, public relations and politics (GtZ, Frankfurt, Germany).

Currently Die is member of the GtZ team responsible for a project advising the Government of Mauritania on implementing the Conventions of Biological Diversity and Desertification. Her responsibilities and tasks include: (1) Analysis of traditional communication systems, (2) Setting up a communication system and bringing together modern and traditional sectors, (3) Implementing and mainstreaming the Convention on Biological Diversity, and (4) Making environmental laws accessible.

Die' mother tongues are Arabic, Danish and French. She speaks, writes and reads English fluently, and has some familiarity with Italian, German and Spanish.

Contact information:

Address: c/o Bureau de la GTZ, BP. 5217, Nouakchott, Mauritania

Email: [lakhsara@bits.mr](mailto:lakhsara@bits.mr) / [lakhsara@mindspring.com](mailto:lakhsara@mindspring.com)

Tel.: +222 630 7007 (cell), +222 529 8505

## **7. Films and videos**

The following videos / films were shown simultaneously in a separate room:

Videos about the different environmental aspects of Mauritania will be shown - biotopes requiring different, specialized legislation:

- The sea shore with the International Heritage Site/Park "Banc d'Arguin" - nesting place to migratory birds - from the Northern and the Southern hemisphere;
- The Oasis and their age-old villages;
- The Senegal River Valley - irrigated agriculture, recession flood sharing among farmers, fishers, herders;
- The desert with its grasslands and wetlands, resource for nomads with their camels, but also birds and reptiles.

The film "The Cow Jumped Over The Moon" - a 52 minutes Icarus production by Christopher Walker shows how Satellite technology helps Mali herders find pasture and water for their cattle - "(it) documents the interaction between the tradition based knowledge of West African nomads and the advanced technological capabilities of the United States, represented by agencies such as NASA and NOAA.... (the film) asks whether it is possible to create a symbiosis between (the two) as a means of saving our environment."

The videos are SECAM System (European), the film is PAM (American). They may be borrowed through Hans W. Wabnitz (x 8-1583; room MC -5-351)

## **8. Next steps – Proposed calendar**

- (1) December 2001 (Nouakchott). Meeting between project personnel of GtZ and WB active in the natural resource and common property management (GIRNEM; PAC; PGRNM and PDIAM) to agree on pilot area and sharing of existing experiences and documentation (including profiles of consultants past & present active in the eastern parts of RIM),
- (2) End January 2002 (Nouakchott). Meeting among same group to agree on common understandings of results of experience, ToR for work to begin under the TFT Initiative and criteria for the selection of pilot area; Sharing of results with HQ staff involved in the projects and the TFT Initiative,
- (3) March 2002 (Nouakchott). Work and action plan, ToR and pilot site selection agreed upon among partners and presented to government officials and representatives of NGOs,

- (4) June 10 & 11 (Nouakchott). Update on TFT design, other Project results concerning natural resource and common property management, and activities undertaken to prepare the pilot Initiative, with local project managers and officials, donor & NGO representatives and donor HQ' project managers present,
- (5) June 17-21, 2001 (Victoria Falls, Zimbabwe). Presentation of TFT Initiative at the biannual IASCP Conference,
- (6) November 2002 (Washington DC). Workshop discussing results, and
- (7) November 2002 (Eschborn, Germany). Presentation of TFT to GtZ and KfW staff.

### Tasks

1. Assessment of currently operating satellite imagery tools in RIM and their respective software; comparison with similar tools and software elsewhere and presentation and proposals to ONS,
2. Assessment of needs to get GLIN going in the field of the environment, as pilot,
3. Summary of activities of the Cultural Heritage project (WB) in the area of historic desert site protection and historic manuscript interpretation,
4. Assessment of sources detailing traditional management of marginal resources and proposition of their exploitation (poems, songs, stories, colonial archives),
5. Assessment of natural resource management interventions by other donors, NGOs, in RIM and their relevance – positive and negative – for the TFT Initiative, and
6. Assessment of natural resource management interventions by other donors, NGOs, elsewhere in the Sahel or other parts of the world with comparable ecosystems and their relevance – positive and negative – for the TFT Initiative.