

MAURITANIA: Initiative to sustain survival in the countryside and save the environment – Technology fosters Tradition (TFT)

Sept. 13, 2001 BBL - presentation

Greetings,

Your cooperation and collaboration – in the design, approach and implementation of your own ongoing projects if they are in Mauritania, is essential in order to save the environment in that country -

Better still:

To help the Mauritanian population to use their natural resources most efficiently – That is with the long-term preservation perspective considered.

The idea behind this new initiative of which the GtZ and the World Bank would be the motors and all other projects and government directorates would join in is rather simple and not new:

Make the Mauritians realize that their survival and the survival of their children will depend on their own actions. Not foreign aid and not the decrees of the central government.

This does not mean to assist in isolation, quite the contrary. The current GtZ project to operationalize the Desertification and the Biodiversity Conventions prove it. But it means to take responsibility for ones actions – those nurturing the environment, and those destroying it, like letting plastic bags fly around everywhere.

If the goal is simpler enough, the implementation is not.

To measure progress against the goal one would need an assessment of the current situation – an overview of all the activity pertaining to the environment going on in the country, because almost the entire territory is covered by activities which have established a <base line> for themselves. Whether these information are compatible and comparable is, however a question.

The outcomes expected are changes in behavior induced by regulations, or rather by the process in which the regulations have been elaborated. The regulations – comprising laws, decrees, Arêtes or Memoranda of Understanding – would respond to the following criteria:

- * Coherence in each text and with the entire body of environmental legislation and the rest to the laws of the country;

- * Brevity, addressing only the relevant issues, not potential cases, thus voluntary incomplete, a perpetual work in progress as new needs arise;

- * Clarity – written in a language everybody in Mauritania can understand, since the normal citizen is supposed to follow the guidelines, as opposed to lawyers and autocrats only.

From these requirements follow the dual obligations that the laws must be written simultaneously in the language of the country, French and Arabic, and not translated, but also that the rules concerning specific groups of the population need to be written in their own idiom, and

That those regulations addressing the rural population need to be written by the addressees themselves.

Overall coherence among the body of legislation would be controlled by compliance with the broad principles laid down in a central Loi Cadre.

The accessibility and permanence of the body of regulations would be archived by their manifestation in print, as usual, and on the Internet, as authentic text (the GLIN – global legal information network) (both print and electronic versions in all the languages the text has been conceived in).

Their daily presence and observance would be fostered through their manifestation on a geographical electronic map of Mauritania. By touching a specific spot on the map, say Ayoun El Atrouss, one would find, layer by layer, all the environmental regulations relevant to that place.

As these regulations would be available on the map and via the Internet in each village – eventually – they could be actively used by the population against intruders – migrants, projects, and the central administration.

This is the overview, but also already the conclusion. Before opening the floor to questions, let me just outline some consequences of this idea, what does it mean in practice:

1) All existing laws and decrees concerning the environment would need to be reviewed and rewritten;

2) All texts intended to influence the behavior of rural populations would have to be initiated and formulated by them, based as starting point on their traditions and customs. That again implies that each ethnic group and each distinct biosphere area would have its own regulations.

What are those areas in Mauritania?

Draw map with distinct areas.

For example the Imraghen at the Atlantic coast:

The Imraghen live in the internationally recognized Parc d'Anguin. Tons of regulations address the Parc, currently in the process of being revised. A large number of national and international NGOs are involved to study the ecology, ethnicity and anthropology of the Imraghen. The Imraghen want to preserve their culture and lifestyle – which, seen from the outside, would appear miserable – but also at the same time enjoy some access to modern amenities, such as safe drinking water, health care and schooling. Which leads to conflicts – for instance they strive for cash earnings by selling the fins of sharks, which they did not use to fish, leaving the rest to rot on the beach.

The Imraghen have been asked many questions about their life, and have been consulted concerning the regulations of the Parc – but they have not been involved in fixing the regulations, which govern their life. The idea here would be to really

negotiate the outline of their future life – through the shaping of their environment – with them, agreeing on clear priorities. With the possible discovery of oil off shore, and the construction of a road link between Morocco and Senegal along the coast such negotiations would have to be deadly serious and make some tough choices.

For example also on the other side of the country, towards the east, towards the frontier with Mali is the Region of the two Hodh's – a vast plain of grassland of approximately 350,000 km², interspersed with wetlands and periodic and perpetual lakes, the *Tamur*. Dirk Thies spoke about the specific biotope of these areas last year. These wetlands, vital for the survival of, among other wildlife the crocodiles – are also crucial for the survival of the herds of camels and cows because they constitute their water resource. They are threatened by farmers planting mil and digging canals to dry out some areas (sometimes with financing form projects).

Part of the regulations apt to govern ecologically sound behavior in this area has already been written by the people concerned – the Code Pastoral. This herder's code differs from all other Mauritanian legislation in approach, structure and language. It should become a model of orientation on how to modify other existing legislation, such as the forestry code, the water code.

To establish regulations governing the space used by villagers around their settlements the idea is this:

An approach, which has been developed by Gregory Lazarev in Mauritania, Niger and Morocco, among other places –

The starting point is the fact that the villagers know exactly who has which use rights where and when and to do what. Experts would try to access this knowledge, record it in word and graphics. This initial work would consist in rendering the tradition, which dictates when specific activities are being undertaken visible. The unconscious, tradition and custom would be verbalized.

The next step would consist in analyzing this behavior: is it appropriate in the sense of long-term survival in our day and time. Traditional behavior pattern may change more slowly than actual circumstances. For instance, if the natural resources of a given place only sustain three hundred people and six hundred are now living in the area, half of them would have to either leave, find a different source of income or everybody would have to drastically change – just going on as usual would have been made apparent to not be an option.

The findings, conclusions options would then, as a third step, be discussed with the villagers – this is the most important phase. An agreement would have to be reached what is appropriate, possibly entailing a negotiation of use rights. An agreement of the current appropriate behavior would have to be reached, and recorded as the henceforth-valid tradition. The text, which would be refined in possibly several meetings – an itinerant process – and should be short, succinct and addressing the principles, would contain the rules acceptable to all – at least a vast majority and thus would constitute the law of the place.

This text would be written in such language, as the villagers understand on first sight. It would still match the priorities of the Loi Cadre, though.

This exercise should, at the same time, result in a detailed land use plan – the data for the establishment of a rural cadastre. A rural register which records the local use rights, which might need definition, but should not be transformed and alienated to fit the Roman Law scheme, but correctly reflect the local tradition. This register then should be recorded in paper with the greffier of the tribunal of first instance, preferably, and reflected on the geo-referenced map, which also collects the environmental laws and all other geo-relative data. This databank should be accessible on village level for information and control purposes.

Once this process has been established in one pilot village, it might be pursued more rapidly in villages around the same area, inhabited by the same ethnic groups - .

It is here that the cooperation of all projects operating on the ground is needed: to join the process of assessment and evaluation of local use rights – once a generic approach to the information gathering process has been agreed upon.

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