

Policy Brief

Policy Landscape for the Scaling-up of Agroforestry in Mali

INTRODUCTION

“successful adoption of agroforestry is dependent not only on designing appropriate technologies but upon ensuring an enabling policy, legal and institutional environment to underpin the scaling-up process”

Agroforestry encompasses a variety of agroecological land use management methods and technologies. It integrates trees and shrubs into farming and pastoral systems, which complement and enhance the sustainability, productivity and resilience of those systems. It is practiced by an estimated 1.2 billion rural people in the developing world for its benefits for soil fertility, water availability, microclimate buffering (e.g. shade and wind breaks), and greenhouse gas mitigation, and has been shown to enhance rural food security, income, and health.

This policy brief is developed to highlight key findings and recommendations of the research report “Policy Landscape for the Scaling-Up of Agroforestry in Mali”. The research report, completed between 2019 and 2020, is intended to support Regreening Africa (2017-2022) in Mali. This project aims to promote agroecological farming practices of agroforestry among 80,000 small scale producers and restore 160,000 hectares of land. This initiative promotes the practices of tree planting, farmer-managed natural regeneration (FMNR), and ridge tillage along with contour lines¹ in Koutialia and Yorosso (Oxfam), Koutialia (CRS), San (World Vision) and Tominian (Sahel Eco).

Policy engagement is an explicit objective of the Regreening Africa Program, which asserts that: “successful adoption of agroforestry is dependent not only on designing appropriate technologies but upon ensuring an enabling policy, legal and institutional environment to underpin the scaling-up process.”²

Therefore, the objective for the research report was to conduct an analysis of the national policy landscape in Mali, identify policy and implementation gaps

¹Aménagement des courbes de niveau—literally, “installation in contour lines”.

² Bernard, F., M. Bourne, D. Garrity, C. Neely, and S. Chomba. 2019. Policy gaps and opportunities for scaling agroforestry in sub-Saharan Africa: Recommendations from a policy review and recent practice. World Agroforestry (ICRAF), Nairobi.

and challenges that constrain the upscaling of agroforestry practices, and provide recommendations. The intention is to inform the policy advocacy opportunities of Oxfam, its partners and other actors working to promote agroforestry in Mali.

KEY FINDINGS

Mali does not have a stand-alone national policy or strategy to guide legislation and programs designated to support agroforestry or related practices. This is considered an obvious gap. Without a policy instrument to coordinate the integration of agroforestry across various key domains, it is no surprise that an enabling institutional and regulatory environment for agroforestry is hindered. On the other hand, **many policies supportive of agroforestry already exist, but the implementation and integration of these existing policies is lacking and the disconnect between national policies and local conventions pose a significant challenge to the effectiveness of current and future policy initiatives.** The agroforestry policy landscape across various domains reviewed for the research report can be grouped into 3 characterizations:

1. **Foundational Weaknesses:** Conditions that encourage farmers to invest in managing land and natural resources for sustainable long-term use are foundational to agroforestry adoption. Therefore, although land rights and decentralization do not directly address agroforestry, they are key domains where gaps in policy and implementation critically impede foundational enabling conditions. Farmers who are considering implementing agroforestry systems must face a relatively higher delay on returns, but they lack secure long-term control over land and their roles as decision-makers over land management. Although policy solutions have been enacted in these areas, advocacy is needed to push for their thorough and thoughtful implementation.
2. **Unique opportunities:** Agroforestry is integral within Mali's well-defined Climate and Sustainable land management frameworks, yet these frameworks themselves face difficulties in mainstreaming. Advocacy to support the mainstreaming and integration of policy frameworks in these domains presents a unique opportunity to leverage international finance and also mainstream the important role of agroforestry.
3. **Contradicting priorities:** In the domains of Forestry and Agriculture, policies do make space for and very much acknowledge the importance of agroforestry to rural lives and incomes. However, competing interests

and priorities within these sectors sometimes contradict enabling conditions for agroforestry. In forestry and agriculture, incomplete implementation of the policies (sometimes driven by the competing interests but other times driven by policy ambiguity) serve to weaken the overall result of the policies.

Foundational weaknesses

LAND RIGHTS

Insecure land tenure is a major disincentive to the long-term commitments to the land required for sustainable resource management and agroforestry. Threats to rural land tenure are driven by rapid population growth, urban expansion, and agricultural development (both due to pressure from growing smallholders and to national initiatives that aim to attract foreign large-scale and long-term agricultural land leases). Legally, women have the same access to land as men, but in practice most rural women obtain permission to use land via male relatives and are often excluded from decision making on land management matters. There are two concurrent systems of land tenure that hold power: one anchored in customary practices, and another based on the post-colonial legal system in which land ownership revolves around titles and registration. Against this complex backdrop, multiple policies, laws, and agencies have emerged around land. The resulting policy landscape underlying farmers' access to land is complicated, fragmented, and contradictory—giving overlapping authority to different actors, leaving rural land tenure issues largely ambiguous, and leaving farmers vulnerable in the face of poorly-informed local or State administrators. The majority of farmers' customary land holdings are not legally recognized, and farmers face serious barriers to the administrative processes for land registration. As a result, smallholder farmers are vulnerable to land-grabbing by other interests such as urban land developers, large-scale agricultural land leases, and other actors purely seeking to profit from speculation on the land market.

The Agricultural Land Law (*LFA*) of 2017, is hailed as the long-awaited policy initiative for resolving rural land challenges.

- It took lands recognized under customary rights out of the state's domain, ensuring that untitled land which is part of the village can't be taken without proper consent and compensation . It also allows entire villages to now register communal rights to their territory by adding village land as a legal land type.

- It birthed two new land registration tools which are in pilot development: The “*Attestation de détention coutumier* and *Attestation de position foncier*”, allowing heads of family to register land claims for the family.
- It further reinforces the crucial land conflict resolution system by establishing rural land commissions at the local level. The land commissions are critical in protecting rural people from land-grabbing and mediating conflicts between herders and farmers that threaten tenure security and pose a threat to tree-growing. Their roles are codified in the process for recognizing customary land claims in the statutory and judicial system .
- It includes a measure to allocate at least 15 percent of land in the state or collective domain specifically to women and youth associations. However, this objective requires further clarity and scope since it only applies to developed agricultural land and grants a fee-based permit rather than a title.

The pursuit of subsequent decrees to operationalize the LFA, and policy dissemination to give rural people a clear understanding of these policies is an important need not to be ignored.

DECENTRALIZATION

Even while customary legal systems may have been imperfect, the displacement of traditional land stewardship systems by centralized rule left a gap in local governance, which resulted in a relationship of neglect and exploitation between farmers and the resources they depend on. Mali’s decentralization process initiated in the early 90s introduced reforms to reverse centralized rule. Law 95-034 of 27 January 1995 *Portant code des collectivités territoriales en République du Mali* confers on the Municipal Council the responsibility to deliberate on the protection of the environment and the organization of rural activities and agro-sylvo-pastoral production. Under this law the municipality and their elected councils as well as the village councils are responsible for natural resource management. However, **until today, important components of Mali’s decentralization exists only in text. Many aspects of governance, including legislative decision-making authority over the environment, remain centralized, and transfer of authority to local governments is incomplete.** Perhaps the biggest challenge is that although the law mandates that transfer of responsibility to the subnational governments must be accompanied by a concomitant transfer of resources necessary to execute those responsibilities, financial

resources were never redistributed to local governments for the most part. Local government increased reliance on land developments, land tax and higher fines for revenue. Increased land speculation, and struggles between local factions to control public resources have led to mistrust of local governments. As a result, **lapse in governance resulting from major gaps in the decentralization process has ironically further enabled degradation of forests and rangelands.**

Nevertheless, it is often regarded that Mali's effort for decentralization, while still facing longtime difficulties in its realization, presents opportunities for sustainable local stewardship of natural resources. Reforms of government structures to enable greater decentralization and local control of natural resources have been significant enablers of agroforestry. Local conventions, a tool used by the community are an important example of how local-level governance can be incredibly successful in natural resource management and the mediation of conflicts to ensure the enabling conditions for agroforestry.

Unique opportunities

SUSTAINABLE LAND MANAGEMENT

The Strategic Investment Framework for Sustainable Land Management in Mali (CSI-GDT) establishes agroforestry practices as crucial elements of sustainable land management (SLM). The CSI-GDT precisely embodies the type of agroecological transformation that agroforestry is meant to achieve, stating the importance of its aim towards land degradation reversal, agricultural productivity, climate change adaptation, poverty reduction, and local-level natural resource management. Approved in 2014, this framework coordinated by the Agency for Environment and Sustainable Development (AEDD) specified how Mali, with the support of external partner institutions, aims to implement priority investments under six strategic pillars that address scaling-up of SLM projects in the field and strengthen the technical and financial institutional capacities of the actors to integrate SLM into national development policies. Under the first strategic pillar of the CSI-GDT ("scaling up implementation of activities in the field") nine priority investment programs embody agroforestry either directly or indirectly. **FMNR is the first and highest priority of these national priority investment programs.** The second priority investment is soil protection and restoration and soil and water conservation programs. This includes System of Rice Intensification and promotes the use of practices used in agroforestry systems such as Zäi pits, contour trenching, stone lines/bunds, leguminous companion planting, and dune stabilization. The third priority program aims to reforest 500 000 ha

(100 000 of which will be under the Great Green Wall initiative³). The remaining six priority programs may implicitly promote agroforestry.

By strengthening the favorable environment for SLM, a favorable environment for agroforestry can also be supported. **Despite the very inter-sectoral approach demonstrated by the CSI-GDT, it acknowledges that integrating SLM into sectoral and inter-sectoral policies is the main policy weakness.** SLM is not well mainstreamed into general understandings of environmental protection and natural resource management, and subsequently not taken into account in their objectives and investment pillars. The CSI-GDT cites a public expenditure review that confirms this financing gap. It affirms that legislative reform to address policy weaknesses is “essential” and needed to better integrate SLM into sectoral policies. In particular, it points to revision of the national forest policy, the “*Code Dominal et Foncier*”, the Pastoral Charter, and the need for a land component to be added to the Agricultural Orientation Law (AEDD, 2010).

CLIMATE CHANGE

At the national and international policy level, the government has demonstrated a strong engagement in the fight against climate change. Climate change policy offers a major opportunity and entry point for the infiltration of agroforestry into the policy landscape as well as frameworks to leverage finance opportunities under international climate efforts. Increasingly, agroforestry is given attention in national climate change adaptation and mitigation strategies. The Ministry of Environment identifies sustainable agriculture (FMNR, agroforestry, conservation agriculture), stone lines/bunds, contour trenching, and Zai as amongst the most pertinent climate adaption options for Mali. There is a collection of policies and frameworks specifically targeted towards climate change.

The importance of preserving soils and forests as solutions for climate change is reflected in Mali’s Nationally Determined Contributions (NDCs) where energy, agriculture, forestry and land-use change are identified as the main sectors emitting greenhouse gasses (GHGs) in Mali, and targets 32, 29, and 21 percent emissions reductions in each sector respectively by 2030 . While the NDC recognizes agroecological solutions towards climate adaptation and mitigation, it stops short at including agroforestry amongst

³ A large, trans-national Sahelian afforestation and land restoration program launched in 2007.

other sustainable solutions, and appears to favor forest plantation and State forests over trees integrated on farmlands.

The National Action Plan for Adaptation to Climate Change (PANA) drives a strong integration of agroforestry solutions under national climate change adaptation measures. Five out of its 18 priority project options are directly designed to implement agroforestry activities, and three others support agroforestry indirectly. Of the PANA4's total 18 projects, 15 are also included in the CSI-GDT.

The National Policy for Climate Change (PNCC) of 2011 and the accompanying Climate Change Strategy (SNCC) towards the year 2025 demonstrates support for agroecological solutions to climate change, but gives deference to conventional farming systems favored in national agriculture policies. The PNCC points to the PANA as the key vehicle for its adaptation and resilience objectives, but does not otherwise directly mention agroforestry. Similarly, the SNCC does not mention the potential role of agroforestry. Both policy and strategy lean towards mitigation objectives, but misses the opportunity to acknowledge agroforestry's potential to achieve reforestation targets for emissions mitigation.

While the potential is there for climate policy to strengthen its integration of agroforestry as a climate solution and to be a port of entry for agroforestry actions, climate policies themselves struggle with mainstreaming and implementation. Inclusion of women stakeholders and gender analysis on how climate change impacts relate specifically to women's economic, political and social status is also identified as a gap.

Contradicting Priorities

FORESTRY

In the forestry policy domain, there is tension between the need for conservation in the context of extreme human-driven deforestation and rural people's access to and tenure of trees, which is a critical gap in incentivizing agroforestry adoption. Numerous revisions to forestry policy and legislation since Mali's independence have attempted to better recognize the heavy dependence of rural communities on forests and trees and respect their roles as important customary managers of these valuable resources. At the same time, these same policy actions maintain the important role of central government to ensuring the protection of trees in the absence of effective local

⁴ One of these is a *Jatropha* production project that may or may not constitute agroforestry

management but this is sometimes in contradiction to the rights given to community resource management institutions. Notably, while communities are defined as the sole managers of agricultural land, the law also allows for the State's role in regulating natural resources like trees on agricultural lands. The State's oversight is operationalized in the form of impractical and cumbersome permitting procedures that weaken its effectiveness.

Lack of more coordination between the State and community managers also contravene the effectiveness of management measures; both State and local management authorities are plagued by a need for more capacity and finances; and both are hindered by the effective dissemination of policies to stakeholders.

Rural women traditionally rely on non-timber products from agroforestry parklands and are engaged in various tree product value chains in ways that men are not. Through women, the benefits from trees reach the entire household, yet their access to trees and decision-making power on their management relies on men. This is another important issue for which policies struggle to find the solution.

AGRICULTURE

Food security and poverty reduction are the main political concerns of the agriculture sector. In this policy domain, the Agriculture Orientation Law of 2006 (LOA) and the Agricultural Development Policy (PDA) 2011-2020 highlight a key role for sustainable agro-ecological smallholder agriculture, specifically indicating agroforestry practices, and the production and market development of agroforestry products, in its vision for Mali's agricultural development. However, intensification via "Green Revolution" technological solutions is in practice prioritized for both smallholder and industrial-scale farming. This is to the detriment of and in the absence of parallel State investment to drive sustainable practices such as agroforestry and support the requisite research and extension support critically missing in these areas. The State spends a large portion of the agricultural budget on mineral fertilizer subsidies which play a central role in increased yields and production of cash crops like cotton, rice, peanut and corn (with a quarter of the total agriculture budget going to rice). The policy emphasis often favors developed agricultural areas that are irrigated. Smallholders on rainfed lands that critically suffer from land erosion or climate change, or areas not suitable for rice are thus likely excluded from investments. In recent years, 32% of agriculture-specific expenditures (which make up close to 80% of total agriculture expenditures) went to input subsidies (i.e. seed, fertilizer,

machinery, equipment, on-farm irrigation, veterinary services). These investments contradict the fact that Mali's NDC identifies mineral fertilizer to contribute 74% GHG emissions for the agriculture sub-sector. Critics also point out that this dependence on mineral fertilizer results in additional detriments to natural capital. In turn, subsidized mineral fertilizer sometimes disincentivizes farmers from turning to agroforestry for soil fertility. Finally, many policy actors acknowledge a weakness in policy implementation; Mali's execution rate of public expenditure in agriculture lags behind at 70-90 percent.

RECOMMENDATIONS

1. The decentralization process must be fully administered with an emphasis given to enabling local capacity for sustainable land management

While gaps in the decentralization process have weakened local resource governance, decentralization remains an opportunity to optimize land management through locally-based solutions. Financing, revenue generation and management capacities are a priority for the operations of the land commissions (COFO) and municipalities. The recognition of *convention locales* between municipal governments and local traditional leaders around collaboration and responsibilities for resource management is needed, and could greatly benefit from stronger local government. The collective elaboration of Social, Economic, and Cultural Development Plans (PDSEC) present an important opportunity to strengthen local natural resource management.

2. Women's inclusion in natural resource management decision making, and stronger integration of gender analysis is needed in policies across the board

While forestry policy efforts have been made towards greater local-level autonomy over trees as an agricultural resource, it inadequately acknowledges how women and men do not benefit in the same way from trees, nor the lack of decision-making power that women tree-users have over said resources. Customary land rights systems should be considered for their benefits and drawbacks for women and integrated with concepts of gender inclusive land use planning and management. A key need is to ensure that land policy includes women and recognizes their perspectives in land-use decision making. Reinforcement of women's inclusion in groups like

the COFOs and PDSEC development can help ensure that land use changes protects the prominent value of trees to women.

3. Policies governing the various forms of land titling and registration must be clarified and streamlined, and support for proper administrative management complying with those policies prioritized.

The statutory system administering land tenure threatens farmers' land rights and systematically enables land speculation and the exploitation of vulnerable people. Solutions should consider: clarifying policies to define and streamline the authority of different government entities to administer land titles; clearly defining and communicating the process and costs of registration and titling; harmonizing land conflict arbitration mechanisms within judiciary systems; and strengthening the requirements around social and environmental safeguards for land titling. Customary land rights must be reconciled with the statutory system. Continued advocacy to ensure the sound roll-out of the Agriculture Land Law (LFA) is necessary.

4. Forestry policies and regulations should be clarified, and implementation texts rolled out

The Code Forestier and forest regulations should continue to clarify explicitly the roles and responsibilities of managers for trees on farmlands and agroforestry parklands as well as rules around permitting systems, especially in regard to protected species. Pruning, harvesting, and other use of trees on agricultural lands should not be impeded by prohibitive and cumbersome authorization-of-use requirements. Farmers' role as tree managers on agricultural lands should be reinforced in connection to the addition tenure security promised by recent rural land policy. Particular attention should be given to tree-based resources that are important to women's resilient livelihoods. Finally, better dissemination of the policies at the local stockholder level is crucial gap that must be addressed for these policies.

5. Agriculture program finance and policies need to shift towards greater alignment of purported social and environmental objectives

Agricultural development policies favoring irrigated regions do so because such areas have the highest productive and market-side potential, however, this needs to be reconsidered in light of the excluded geographies. More attention should be redirected to neglected rainfed/dryland regions. While agriculture policy emphasizes sustainability, production systems that lead to soil erosion are prioritized in practice. Sustainable agriculture systems

to better align government investments in agriculture for food security, with goals for poverty alleviation and environmental protection need to be better prioritized.

6. Additional focus should be made towards realizing fiscal and market policies that support agroecological production, women, and equitable supply chains for farmers

Investments in agroforestry research must be increased, and financing for subsidies and should give greater incentives to agroforestry products and integrate incentives for agroforestry. Market development for sustainable forest products are priorities because of their potential impact on women's livelihoods. Increased income from more opportunities to sell such agroforestry products may be a powerful financial driver for tree protection, management and regeneration.

7. Prioritize agroforestry solutions within climate adaptation efforts

Climate change policy holds promising potential as a vehicle through which agroforestry can be better supported. However, advocacy efforts are needed to overcome the challenges in implementation and mainstreaming of the climate policies, which remain a barrier to its ability for impact in the wider policy landscape. Overall, agroforestry could be better integrated into climate policies and recognized as one of the most important ways to meet adaptation and reforestation goals.

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