

Commitment of traditional leaders to prevent community conflicts along the river

Komadougou, around the Lake Chad basin and the oasis basins of the Diffa region in Niger

Preamble

We, the Traditional Chiefs of the Diffa region, signatories to this Agreement;

Aware that tensions between farmers and breeders have always existed during harvesting season along the Komadougou river, around the Lake Chad Basin, and oasis basins;

Aware that the series of disparate confrontations between farmers and breeders between December 2016 and May 2019 in several of the region's municipalities, resulting in the death of several people, is likely to turn into conflicts;

Aware that the sharing of natural resources around Komadougou, the Lake Chad Basin, and the oasis basins is a source of tension between farmers and breeders in our respective communities and that it risks turning into conflicts during the annual transhumance of animals ;

Convinced that the knowledge and respect by the Traditional Chiefs and communities of the rules regarding access to shared natural resources are essential for the prevention and concerted management of disputes;

Remembering that for several decades the relationships between the communities we represent were based on the principles of solidarity, brotherhood, and mutual understanding;

Determined to work to pacify coexistence between our communities;

Meeting in Diffa as part of the mediation undertaken since June 2019 by the national and regional authorities, and supported by the Center for Humanitarian Dialogue (HD);

Agree as follows and undertake to implement the provisions of this Agreement in full and in good faith, recognizing our primary responsibility in this regard

Chapter I: General

Article 1: With this agreement, the Traditional Chiefs agree to do everything possible to ease tensions between the communities they represent and thus help prevent the emergence of conflicts.

Chapter II: Causes and consequences of tensions

Article 2: The signatory Traditional Chiefs agree that the tensions between their respective communities along the Komadougou river, in the Lake Chad basin and around the oasis basins in the Diffa region are the result of the following elements:

- a) The reduction of cultivation and grazing areas due to terrorist attacks and measures limiting access to certain production areas, and in a context of increased livestock population and demographic pressure;
- b) Lack of knowledge and / or non-compliance with the rules and rights governing rural land;
- c) The lack of coherence and communication between those in charge of land management and the overlap of their skills in a context of increasing pressure;
- d) Damage to rural areas;
- e) Theft of animals;
- f) The slowness of justice in processing the cases submitted to it;
- g) The feeling of injustice and the use of violence to resolve disputes.

Article 3: The signatory Traditional Chiefs agree that the tensions between their respective communities along the Komadougou River, around the Lake Chad basin and the oasis basins in the Diffa region have had the following consequences since 2016:

- a) Dozens of dead and a hundred injured;
- b) The deterioration of social cohesion between farmers and breeders but also the decline in the identity of these;
- c) An increase in illegal possession of firearms;
- d) The arrest and detention of several people.

Chapter III: Commitments of the signatory Traditional Chiefs

Article 4: The signatory Traditional Chiefs jointly commit to

- a) Promoting peaceful coexistence and national unity among the communities they represent;
- b) Condemning any act likely to undermine social cohesion;
- c) Respecting and ensuring respect for the rules of access to shared natural resources as stipulated by the rules governing rural land in force;
- d) Encouraging community leaders to commit themselves to peace by spreading only messages of cohesion and appeasement;
- e) Increasing awareness of the rules of access to shared natural resources and the content of this Commitment;
- f) Reporting to the local Chiefs, as far as possible, the arrival of any breeders during the transhumance season and help denounce the perpetrators in case of damage;
- g) Respecting the dates of the release of fields, set by the authorities;
- h) Asking the citizens settled in territories other than theirs to respect the relevant head of jurisdiction and his acts of conciliation in the event of disputes.

Chapter IV: Recommendations addressed to the State

Article 5: The Traditional Chiefs, signatories of this Agreement, ask the State to support their efforts of pacification along the Komadougou river, around the basin of Lake Chad and the oasis basins in the Diffa region. More specifically, the signatory Traditional Chiefs ask the State to:

- a) Facilitate, through its partners, awareness-raising missions with communities on all the rules governing rural land;
- b) Strengthen the powers of Traditional Chiefs and mayors regarding the rules governing rural land;
- c) Speed up the processing of cases pending before the courts;
- d) Accelerate the establishment of a special security unit in the commune of Chétimari and increase permanent patrols along the Komadougou;
- e) Instruct its representatives, in particular those of the justice, defense and security forces, as well as the prefects and the mayors, to adopt an irreproachable behavior in the treatment of land files;
- f) Ensure that non-governmental organizations (NGOs) and development associations (DAs) respect their statutory missions and the protocols for their activities, without undermining the State.

Chapter V: Implementation monitoring

Article 6: The Traditional Chiefs, signatories of this Agreement, agree to meet three times during the first year following the signing of this Agreement, in order to take stock of its implementation and, if necessary, to renew and adjust its content.

Article 7: A Monitoring Committee will be set up, whose mission is to:

- a) Regularly update the signatory parties on the progress made in implementing the commitments made under this Agreement in order to strengthen its scope;
- b) Prevent and manage disputes between the Parties that may lead to non-compliance with this commitment;
- c) Identify, if necessary, additional measures necessary for the process of inter-community reconciliation.

Article 8: The composition of the Monitoring Committee will be formalized by the order of the Governor. Eleven (11) members will be appointed to the Monitoring Committee. They will be the Governor or his representative, the president of the regional council or his representative, a prefect, two Traditional Chiefs, a mayor, a key member of the secretariat of the Rural Code, two representatives of civil society organizations (a woman and a young person) and two Chiefs who acted as mediators in this process.

Chapter VI: Dispute management

Article 9: The traditional chiefs, signatories of this Undertaking will do their utmost to settle amicably and through negotiation any dispute arising between them, in the spirit of cooperation, friendship, and brotherhood which underlies this Agreement.

Article 10: In the event of a breach of the application of this Agreement or the event of a dispute relating to its interpretation, the Parties will refer the matter to the Monitoring Committee so that a consensual solution is identified and applied

Chapter VII: Final provisions

Article 11: The Traditional Chiefs sign this Agreement in three copies in French and, if the need is subsequently expressed by the communities they represent, commit to translating it into Kanuri, Fulfuldé, and / or Hausa.

Article 12: This Agreement shall enter into force from the date of its signature by the Traditional Chiefs.

Done in Diffa, September 12, 2019