



# Land Governance in an Interconnected World

ANNUAL WORLD BANK CONFERENCE ON LAND AND POVERTY  
WASHINGTON DC, MARCH 19-23, 2018



## THE CAPTURE OF THE COMMONS: MILITARIZED PASTORALISM AND STRUGGLES FOR CONTROL OF SURFACE AND SUB-SURFACE RESOURCES IN SOUTHWEST CENTRAL AFRICAN REPUBLIC

**MARK FREUDENBERGER and ZÉPHIRIN MOBGA**

Tetra Tech

[Mark.Freudenberger@tetratech.com](mailto:Mark.Freudenberger@tetratech.com)

[Zephirin.mogba@pradd2.org](mailto:Zephirin.mogba@pradd2.org)

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## **Abstract**

Deep seated political and economic instability in the Central African Republic (CAR) is linked to the migration of militarized pastoralist groups from surrounding countries into the southwest long occupied by sedentary peoples engaged in farming, forest product extraction, and artisanal mining of rich alluvial diamond and gold deposits. Pastoralist herds owned by urban elites of the surrounding countries are attracted to the rich water and pasture resources of the southwest, but also, the gold and diamond deposits, a major source of income from illicit mining. Traditional and statutory land management institutions have collapsed over the past decade, thereby rendering large parts of the country a de facto open access resource tenure regime. The situation may appear intractable, but this paper suggests that Local Pacts, negotiated conventions advocated by the Bangui Peace Forum, may resolve deep seated struggles over surface and sub-surface resources while contributing to peace building and social cohesion.

**Key Words:** pastoralism, desertification, customary tenure, conflict, local conventions



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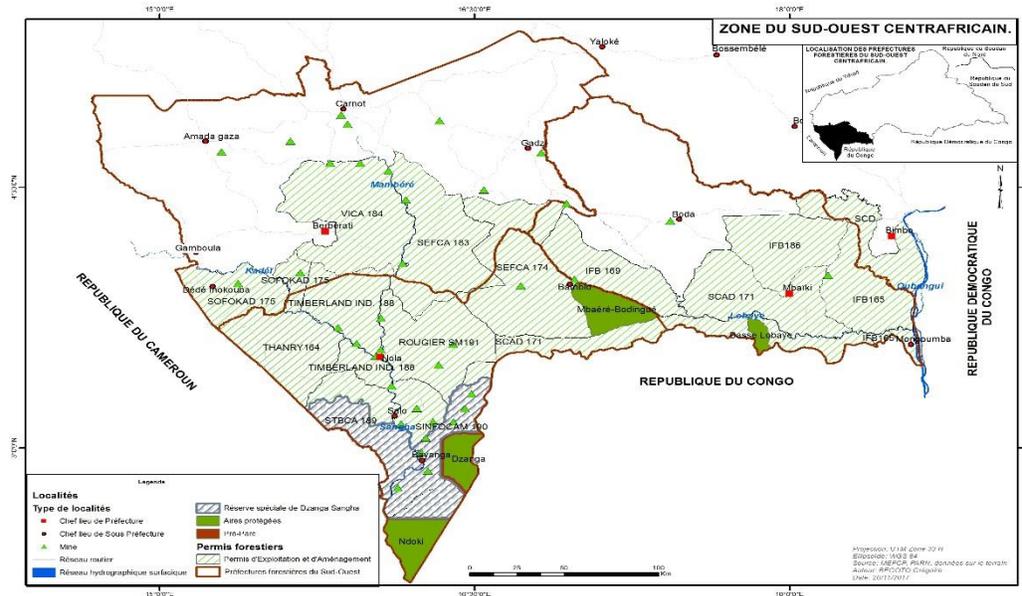
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The Central African Republic is a land-locked country in the heart of Africa with hardly a tradition of pastoralism. Until the 1920s, cattle raising was largely unknown in what the colonial French power called the Oubangui Chari (Suchal, 1967: 137-149). Yet, the vast grasslands and a dense network of streams and rivers have long attracted pastoralist peoples, and especially, those from neighboring Central African countries, and also, from Sahelian West Africa. Documentary sources suggest that the first Mbororo Fulani came to the region in the early 1920's (Chauvin and Seignobos, 2013). After this initial arrival, Fulani progressively penetrated the Oubangui Chari towards the plateau of the northwest, and by the 1970s, they were further disbursed throughout the southwest and southeast parts of the country in small encampments formally recognized by government authorities. From 1960-1973, the government actively supported the expansion of transhumant pastoralism by providing veterinarian services and other technical support to livestock raising "communes" throughout the country. At the time, many estimated that 16 million hectares of grasslands could support as much as 5 million heads of cattle (INRAM, 2017: 21).

The expansion of transhumant pastoralism into the forested areas of south-west Central African Republic is quite recent. These more humid areas are less propitious for livestock production because of the higher rainfall and the presence of tsetse flies. Fulani are attracted to the south in search of new grasslands due to environmental pressures to the north, but also because of the high demand for meat from the many artisanal diamond and gold miners around the towns of Carnot, Berberati, Nola, and Boda as well as the communities working for the forest concessionaires (See Figure 6 below). Artisanal and small-scale mining (ASM) refers to mining conducted by individuals or groups, often motivated by poverty, or taking place in the context of poverty, using rudimentary or low-tech extraction and ore-processing techniques. Worldwide it is estimated that there are 40 million artisanal miners, with a further 100 million people depending indirectly on the activity for their livelihoods. ASM continues to grow in scale and economic importance throughout the world, from communities to countries to multi-national supply chains. From our experience of conducting participatory research in the western diamond mining areas of the country in 2017 and 2018, we find that the transhumant pastoralist systems of the past are



rapidly changing from one that complemented quite well the agricultural, mining, and forestry economies of the southwest to one



**Figure 1: Map of Southwest Central African Republic**

today largely dominated by powerful armed transhumant cattle herders. The presence of these armed transhumant cattle raisers is leading to profound changes in the resource tenure arrangements that long governed the southwest of the country. The rules of access, use, and control of grazing lands and water points effectively negotiated in the past by representatives of the agrarian societies and the transhumant pastoralists are today rapidly breaking down.

This paper draws upon fieldwork and observations from the USAID-funded Property Rights and Artisanal Diamond Development (PRADD II) project implemented in the Central African Republic between 2016 and 2018.<sup>1</sup> The points of view presented here are of great practical relevance to ASM

<sup>1</sup> The Property Rights and Artisanal Diamond Development II (PRADD II) Project supports governments to implement mining best practices in Côte d’Ivoire and the Central African Republic, and promotes good governance of the mining sector at the international level through the Kimberley Process, the international mechanism that prevents rough diamonds from fueling conflict. The objective of the project is to increase the number of alluvial diamonds entering the formal chain of custody, while improving the benefits accruing to diamond mining communities. Drawing upon the fields of property rights, economic development, governance, and behavioral change, PRADD II bases its approach on the premise that secure property rights create positive incentives for miners to be good stewards of the land. When an artisanal miner’s rights to prospect and dig for diamonds are formal and secure, they are more likely to sell through legal channels, enabling the government to track the origin of diamonds and prevent them from fueling conflict.



practitioners elsewhere, as paying explicit attention to property rights arrangements has demonstrably created positive good governance and local development results rarely observed in other ASM contexts.

From the international perspective, we observe that the Central African Republic is becoming what neighboring countries view as a vast open access resource open for opportunistic gain, and indeed, plunder of the country's grasslands, mineral resources, and forests. At the local level, this unfolding capture of the commons translates into the imposition of new rules of access largely shaped by the militarized power of transhumant pastoralists herding livestock owned by urban elites of Nigeria, Chad, and Sudan (International Crisis Group, 2014: 15-16). Imposition, and indeed domination, by these external armed forces unfolds in highly conflictual ways with threats of violence always underlying the occupation of rural territories.

### **Characteristics and Potentialities of South-West Central African Republic**

The southwest of the Central African Republic englobes the prefectures of Lobaye, Sangha Mbaéré, and Mambéré Kadéi (See Map 1). From the north, the typical Sahelian-Sudano ecosystem gradually changes to the more humid Guinean ecosystem of forests interspersed with open grasslands. Underneath these surface resources of high biodiversity are immense gold and diamond deposits. Diamond and gold mining is carried out by workers using rudimentary tools and equipment to dig for mineral deposits in and along the many river courses of the regions (See Map 6). During the colonial period, diamond mining was tightly controlled by the French authorities and local peoples were banned from digging. At independence, the president David Dacko abolished the colonial interdictions and let rural peoples dig freely so long as customary land holders controlled use and access to the sub-surface resources (Chirico, 2017). Ever since, diamond and gold mining has drawn in thousands of migrants the southwest, not only from the Central African Republic, but from throughout Central and West Africa (Obalehttps, 2016; Freudenberger and Mogba, 1998; Weyns, Hoex, Spittaels, 2014).

The south-west of the Central African Republic has become a deeply contested space because of the richness of its surface and subsurface resources. Excellent summaries of the root causes are well described in the general literature on the country (Agger, 2015; Global Witness, 2015, Chauvin and Seignobos, 2013; Hilgert and Spittaels, 2009, International Crisis Group, 2014 and 2015). As a result of growing competition for natural resources, the Central African government recognized years ago the importance of planning for the rational exploitation of these resources. The *Plans d'Exploitation et d'Aménagement* (PEA) were established to delineate the country into protected areas, mining zones, and hunting areas. Unfortunately, these territorial plans have fallen into disuse because of the politico-military



crisis of 2013-2014 when the country fell under the control of the Séléka military command (Weyns, Hoex, Hilger, and Spittaels, 2014). In the southwest, the ramifications were felt immediately with control over diamond mines transferred from the long-standing control of local communities to those of the Séléka, and later, to the armed Anti-Balaka (Agger, 2015). Both entities facilitated the acquisition of arms through relations with the transhumant pastoralists (Schouten and Kalessopo, 2017). Sanctions on diamonds exports were slapped on the country in May, 2013 by the Kimberley Process Certification Scheme (Kimberley Process, 2013). With the return of the democratically elected regime, the government reestablished a semblance of state authority over the southwest part of the country, complied enough with the Operational Framework conditionalities of the Kimberly Process, and as a result, diamond sanctions were lifted in June, 2016. But, to this day, the threat of violence lurks behind the transition back to peace in the southwest. Propped up by the presence of United Nations MINUSCA military forces, a fragile state presence hides the reality that armed pastoralist actors are profoundly restructuring the rules of access, use, and control of both surface and subsurface resources in this part of the country (United Nations Group of Experts, 2017). To better understand how resource tenure arrangements are changing in the country, one must take a long historical view of how transhumant pastoralism has evolved over the decades.

### **Pastoralism in Historical Context in South-West Central African Republic**

The complex and largely unwritten history of pastoralism and the transformation of customary tenure systems in the southwest of the Central African Republic is summarized in only the most cursory fashion below. Much more field research and rigorous historical analysis is needed to generate new knowledge about a part of the world largely hidden from analysis due to the remoteness and insecurity of the country. For the purposes of our discussion, we divide the history of complex transformations of the pastoralist sector into three quite distinct phases.

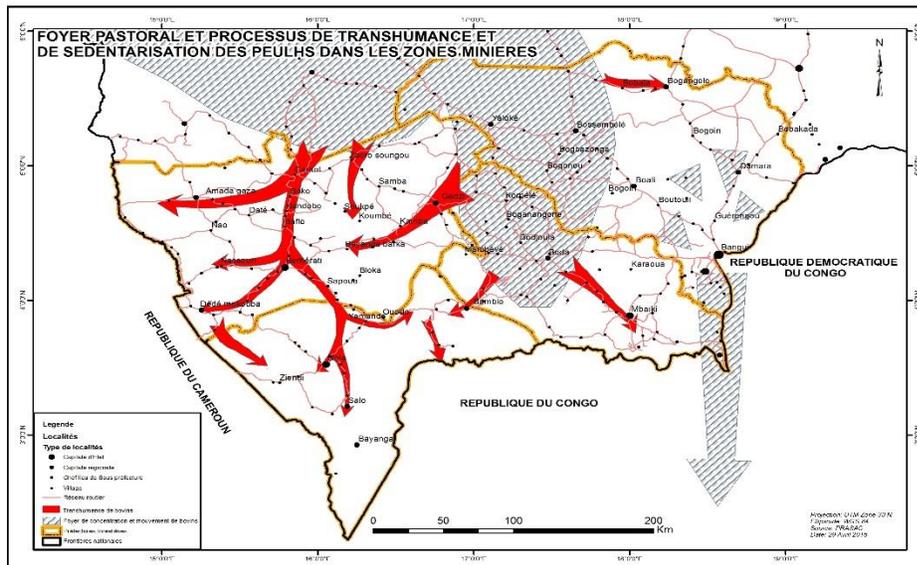
#### *The First Phase: Pre-Colonial and Colonial*

During the pre-colonial history of the Oubangi-Chari, the transhumant pastoralist populations were primarily located in the northwest of the country near Yadé (Bocaranga, Bouar, Baboua, Aba, Amada-Gaza). This part of the country received the first waves of migration of Fulani pastoralists fleeing exactions from the plateau Adamaoua area of northern Cameroon (INRAM, 2017; Chauvin and Seignobos, 2013). Historians have noted that the emergence of the Fulani state of Ngaoundéré in northern



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**Figure 2: Initial flow of pastoralist peoples into southwest Central African Republic. USAID PRADD II diagnostic, 2016.**

Cameroon in 1840 led to profound socio-political changes resulting in slave raids and resulting insecurity throughout the area (Coquery Vidrovitch, 1970; Copet-Rougier, 1998). People fled from the Sultan of Rei-Bouba of Ngaoundéré and the war of Kongo Wara (Yakoma, 1975). By settling in the northern reaches of what is now the Central African Republic in the early 1920s, these Mbororo Fulani became the foundation of the country’s pastoralist economy, and for this reason, the government invested in development interventions like the provision of veterinary services and the creation of the milk processing Sarki company.

Throughout this period of progressive expansion of transhumant pastoralism from the north toward the south, the organizational structure of the Fulani seasonal herders appears to have been relatively stable. The key authority was the Ardo, or male representative of clan and family units who negotiated with the sedentary peoples they found through their movements in search of good pastures, water points, and trading opportunities for meat and milk. Cattle herds were small, probably about 100 or so per Ardo. Territorial spaces were negotiated to minimize conflicts between herders and the surrounding agricultural communities. Livestock transhumant paths were well known and well respected by both the pastoralists and the agricultural peoples (International Crisis Group, 2014). During the dry season, herds moved southwards along well established transhumance corridors and with the return of the rains, moved back northwards to more favorable seasonal conditions.

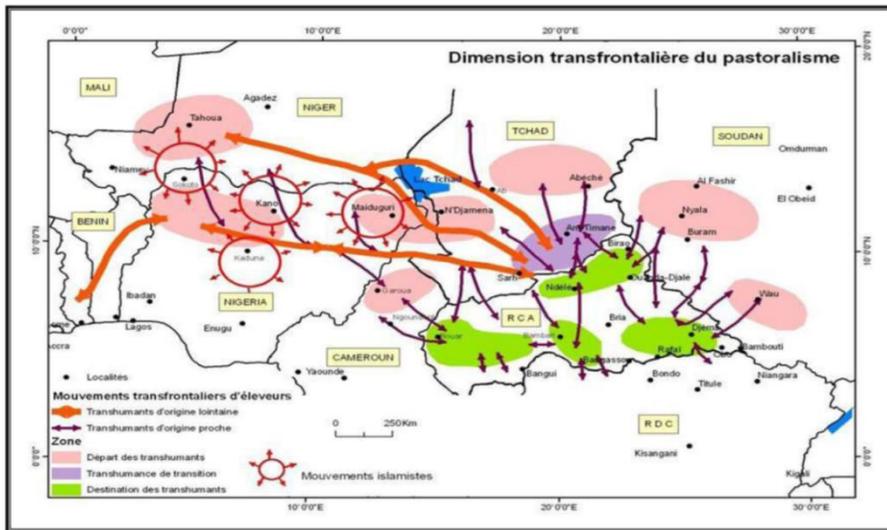


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The first Mbororo Fulani pioneers grazed their livestock primarily in the areas north of Gamboula, Sosso Nakombo, Dédé Mokouba, and the surroundings of Berberati. Forays were made



**Figure 3: Regional flow of pastoralist groups. INRAM, 2016, p. 30.**

further south, but these were temporary and probably a result of the attractive trading possibilities linked to diamond and gold mining camps where meat and milk was in high demand during the dry season. Over the years, these transhumant pastoralists moved further and further south in the dry season until they reached Carnot, Boda, and Béa far south of what is today known as the Tri-National Park of Dzanga Sangha. While the progressive expansion of diamond and gold mining probably contributed to this migration, the distinctive periods of drought in the Sahel in the 1970s, 1980s, and now on an even more frequent basis pushed many pastoralists into the northern reaches of the Central African Republic (Chauvin and Seignobos, 2013).

Field research carried out by the authors in the late 1990s showed that symbiotic relations were negotiated between these pastoralists and the agrarian communities of these localities (Freudenberger and Mogba, 1998). Like in many parts of Sahelian West Africa, the sedentary populations of Bantu origins had the upper hand in determining where Fulbe encampments would be located so as not to damage diamond mining operations or seasonal agricultural activities. Often the seasonal settlements were located at the distant outskirts of sedentary villages, but many cultural and economic exchanges built tight relations between the two communities through inter-ethnic marriages, trading, and other commercial transactions. Tensions and conflicts did surface from time to time. Fulani complained in the study that the prime lowland grazing areas in the Dzanga Sanga National Park were being damaged by the diamond

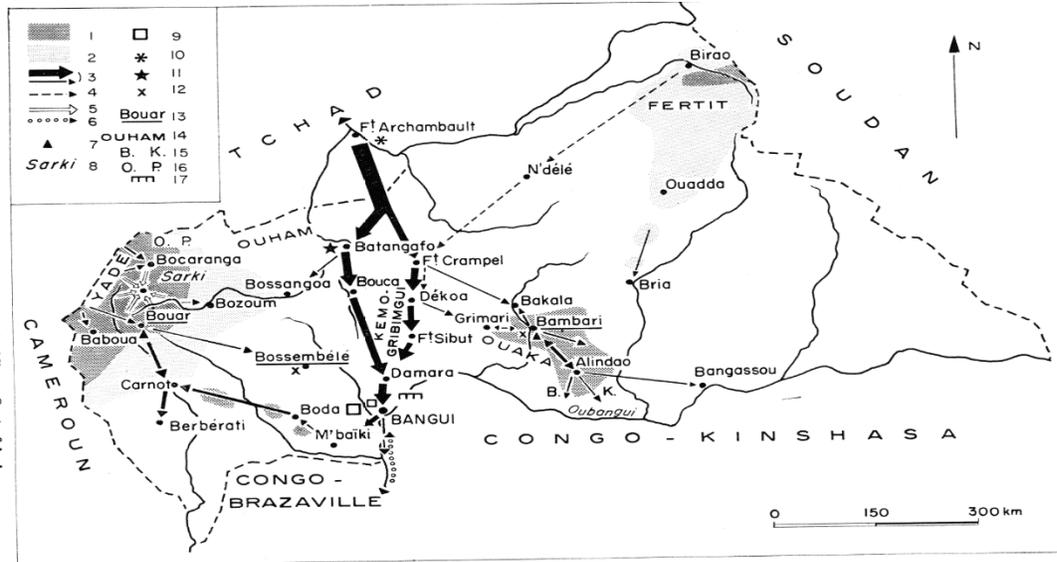


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miners. Moonscapes of destroyed dry season pastures were of concern to the Fulani not only because of loss of good grasses, but also because cattle fell into deep and uncovered diamond pits.



**Figure 4: Initial migrations southward of pastoralist groups. Discussions from Nassolé. USAID. PRADD II, 2016.**

Some Fulani settled permanently in these villages to become petty traders, and more importantly, financiers of the backbreaking work of diamond and gold mining. In effect, capital accumulation by the Fulani through the sale of livestock and milk products was reinvested in diverse segments of the diamond economy. Often, Fulani provided credit to the *collectors* buying diamonds in these remote areas. Others supported teams of diamond and gold diggers; other Fulani became traders themselves in gold and diamond and passed these high value but low volume products through their extensive regional and international networks.

### *The Second Phase: Early 1990's to Present*

From the early 1990's, transhumant pastoralism commences major transformation. This is the era, continuing to this day, in which pastoralists from the surrounding countries of Chad and Sudan enter into the country heavily armed and equipped with the latest arms, vehicles, and communications (See Figure 5) (International Crisis Group, 2014). Several factors explain the progressive arrival of these new armed livestock herders. Certainly, the successive years of drought and accompanied degradation of pastures and water points in the Sahelian north, push pastoralists into the south in the search of better conditions. But, the cessation of hostilities in the long civil war in Chad and the coming to power of president Déby Itno,

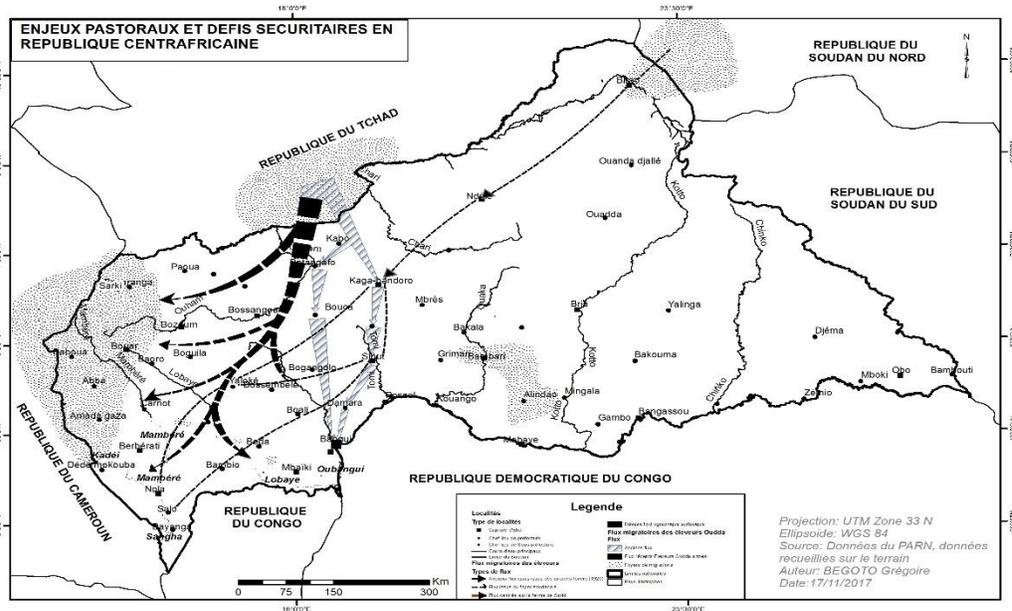


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opened up the door for his military entourage to obtain the capital to invest in livestock production in thousands of heads of cattle and small ruminants. These high-ranking officers hire Fulani herders



**Figure 5: Recent modifications in transhumant routes**

to manage their herds. In the end, through the “push” factors of drought and environmental degradation, and the “pull” factors of a lightly populated Central African Republic with rich pastures and water points, these herders invade the country. With arms and munitions, the herders are well positioned to move freely throughout the country in search of the best livestock raising environments.

In the past, the transhumant pastoralists from Chad, known locally as “Ouada” and “Akou,” and those from Sudan sent their livestock directly to Bangui, the national capital of the Central African Republic. Livestock merchants originated primarily from Chadian Arabic ethnic groups (Memat, Missiriré, Rachid, and Salamat) (Arditi, 2009: 37-51). Over time, these transhumant pastoralists progressively modified their livestock corridors by shifting them to the southwest of the country because of the heavy and illegal exactions placed on them by Central African government administrative and security officials (Schouten and Kalessopo, 2017). Gradually, the transhumant livestock corridors moved to the west and then progressively further south. At the same time, the Chadian elites owning these herds hired ex-combatants from the civil war in Darfour, as well as those herders who had lost livestock during

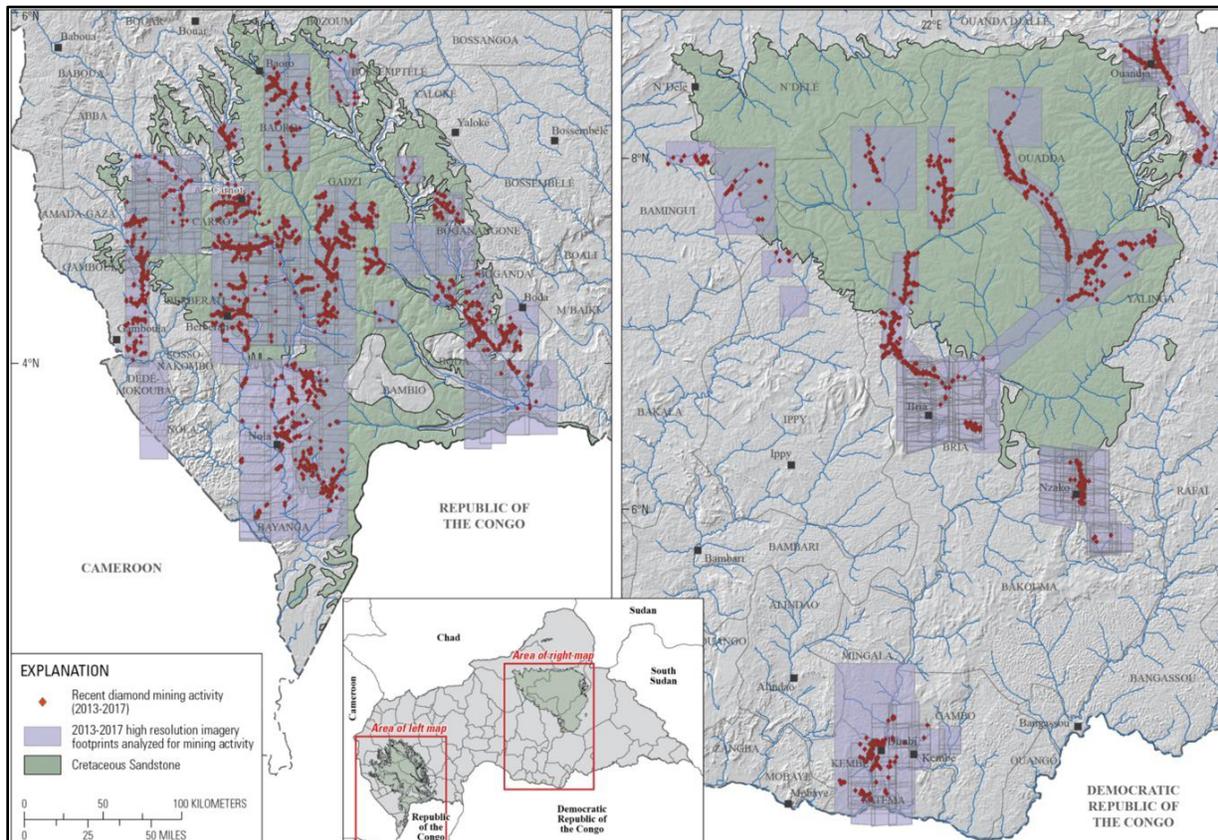


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the Sahelian droughts, to manage their cattle. In effect, the traditional grazing sticks known as the



**Figure 6: Concentration of artisanal diamond mining in Central African Republic. Peter Chirico et al., US Geological Survey, 2017.**

“Sahooro” were replaced by Kalachnikov machine guns, cell phones, and Toyota 4 X 4s. When the Séléka rebel movement invaded the both the east and the west of the country, the commanders engaged and forced the Fulani who had settled previously around diamond mining areas to help them carry out incursions, patrols, and manning of the road blocks. These Sango speaking Fulani who had built up long-standing ties with local communities through commercial relations and marriage became interpreters and informants for their new masters. The Seleka leaders set up many mechanisms to generate the cash needed to pay for arms, ammunitions, and local informants but one of the most prevalent was to institute cash payments for a wide array of arbitrarily imposed infractions.

### *The Third Phase: The Current Situation and Concerns for the Future*

The third phase is characterized by the amplification of predation by non-conventional military forces often linked with the pastoralist dynamics discussed above. The political and military coups and



take-overs by rebel forces in 2003 and again in 2013 have greatly weakened the ability of central government to exercise control over vast parts of the country, especially to the east. The collective memory of these predations remains vivid in the minds of many due to the high loss of life and property (Mogba, 2015). Initially, the Seleka coalition rebel forces utilized the heavily armed Fulani livestock herders to help them invade the capital city of Bangui and the hinterlands of the east and the west. During this period, the Seleka coalition raised funds to pay for these military incursions by taking control of many diamond mining areas, establishing road blocks, and taxing the flow of diamonds and gold out of the country. After the Seleka were pushed back from the western part of the country, another group of armed actors entered into the picture – the Anti-Balaka – who themselves took over diamond mining sites once controlled and financed by the Muslim community of diamond merchants and itinerant collectors. Such sites once associated with the Muslim community and Fulani pastoralists in such places as Sosso Nakombo, Carnot, Gadzi, Ngotto, Loppo, Ngoula, SCED-Ndèlenguè are now under the control of the nominally Christian Anti-Balaka (USAID, 2016).

### **Impact of Armed Pastoralism in the Southwest Central African Republic**

The traditional pastoralist-agriculture interface known in the southwest from the colonial through the early years of independence is a memory of a more pleasant past. Armed pastoralism now contributes significantly to the insecurity of large parts of rural Central African Republic. The forest, grasslands, and water resource commons are now the object of violent contestation between armed external actors defending their own economic interests around livestock production against the auto-defense forces of largely agrarian populations. While this explanation holds true to a great extent throughout the country, the nature of the conflicts between the sectorial interests of pastoralists, diamond and gold miners, and agrarian communities varies considerably. Complex and rapidly shifting coalitions emerge and disappear with great rapidity (Chauvin and Seignobos, 2013). Profiting from the near absence of state institutions in the southwest of the country, an economy of predation has surfaced, one closely linked to the expansion of pastoralism progressively southwards. The state is largely absent from this space. The administrative and military apparatus remains incapable of exercising legitimate and respected authority over much of the southwest. The presence of an extensive network of road blocks is an alarming expression of this situation (Schouten and Kalessopo, 2017). Rampant smuggling of diamonds and gold across the long and porous borders to neighboring countries with the complicit involvement of state authorities is a reality (Agger, 2015). Indeed, the state itself has become a predatory force as government functionaries themselves expand rent seeking practices through often arbitrary and questionable fines and other illegal exactions (Schouten and Kalessopo, 2017). The traditional rules of access, control, and transfer of use



rights is evaporating as new resource tenure arrangements are negotiated, though often imposed through the threat of violence, through unequal power relations.

#### *Natural Resources and Tenure*

The geography of pastoralism has been profoundly altered by the last crisis of 2013-2014. Even though the transhumant pastoralists from neighboring countries advanced far to the south when the Seleka were in power, today they confront challenges from the armed Anti-Balaka forces. Pushed into defensive positions, these two armed forces are on high alert with threats of outbreaks a common concern to government of Central African Republic authorities and United Nations MINUSCA peace keeping forces. In the places where livestock production has been active for decades in southwest Central African Republic (Nassolé, Nao, Babaza, Nandobo, Carnot, Boda), the applied research carried out by the PRADD II project describes the breakdown of the pillars of community-led management of natural resources (USAID, 2016). The rules and governance structures that once existed to negotiate spatial access to natural resources between agrarian communities and transhumant pastoralists are no longer functioning. The armed pastoralists working on behalf of the elites of neighboring countries, well-armed and well organized, utilize the threat of violence, to impose their will. These actors do not hesitate to utilize their armed might to advance their economic interests and impose their presence. For these reasons, the vicious cycles of massacres, assassinations, theft, and other forms of depredations reproduce themselves and especially during the dry season when diamond and gold mining is at its height.

For local communities, the consequences of this breakdown of the traditional rules of resource access express themselves in many ways. The most immediate impact is felt on nutrition because the traditional meat markets no longer function smoothly. In the past, butchers bought cattle and small livestock from the Fulani living in near proximity, but today those Fulani brave enough to return with their animals live in remote areas far from the meat markets because they fear theft of livestock by the Anti-Balaka.

#### *Security and Local Communities*

The politico-military crisis of 2013 has generated enormous internal migration in the Central African Republic. It is estimated that in the Berberati region alone, 16,000 internally displaced peoples struggle to survive and around towns like Kentzou, 8000 may be displaced (INRAM, 2017). The livestock sector is in disarray. Significant losses in livestock have occurred from theft, disease, and lack of sufficient food. During public dialogues in the Berberati region, pastoralist communities noted that only one in seven now own cattle herds (INRAM, 2017). During the community dialogues, Fulani



citizens living in neighboring Cameroon indicated a strong desire to return to their traditional territories of Babaza, Nao, Berberati, Amada Gaza and Nandobo, but feared predations at crossing points like that of Nassolé and Noufou. Young Fulani with historical attachments to the southwest of the country are involved in numerous violent attacks against the armed Anti-Balaka forces seeking vengeance or simply theft of Fulani livestock.

The systematic pillage of both rural and urban areas of the Central African Republic by the Seleka forces in 2013 has left deep scars in the consciousness of the local peoples. Reprisals by the Anti-Balaka auto-defense groups has also brought loss of life and property. During the crisis, widespread human rights abuses were carried out by the Seleka (pillages of public and private property, rapes, beatings, and torture), but as is often in the case in war, with the complicity of local actors. Often the Fulani merchants and shopkeepers with long-standing local ties became the sources of vital information for the Seleka military leadership who targeted the non-Muslim communities. Through the establishment of roadblocks and many other forms of taxation, these Seleka forces of mostly Muslim religious identity were deeply feared by the agrarian communities who were primarily Christian. Very quickly, the conflict turned into a religious confrontation.

The PRADD II field research shows that to this day, the arrival of armed transhumance pastoralists in a village creates so much fear that villagers flee into the bush, even those Fulani with longstanding local ties. Often, the threats of violence and other exactions grows during the dry season because this is when the herders from the surrounding countries bring their livestock down through livestock corridors no longer monitored by the government agency *Agence Nationale de Développement de l'Élevage* (ANDE). These livestock corridors have become the transit points for the illegal traffic in arms, gold, and diamonds. Roadblocks and other checkpoints are often situated in these transhumance pathways (Schouten and Kalessopo, 2017).

#### *Community Social Cohesion*

Whether it is the Seleka or the Anti-Balaka, both sides are caught up in a vicious spiral of mistrust, especially in those areas where diamond and gold mining remains prevalent. The social cohesion that once existed around the common objective of mining diamonds and gold has broken down. The secular interdependencies between the commercial sector largely dominated by merchants of Muslim persuasion and the labor force engaged in artisanal mining of peoples of all religious backgrounds, but especially Christian, has been ruptured by the political and military instability reigning in the country since 2014. Reciprocal mistrust poisons social relations at the local level in diamond and gold mining



sites of the southwest. Unemployed and poor youth of the Anti-Balaka groups join together to seek vengeance for the ills of the recent past, but also, position themselves to gain from extractive activities.

The auto-defense spirit emerging in the southwest is deeply concerning. The PRADD II studies found that youth are arming themselves knives, and school teachers report that children arrive to school with knives in backpacks to defend themselves against real or perceived threats. Government disarmament initiatives are difficult to mount when young people themselves so deeply fear each other.

### **Challenges for Community Control and Management of Natural Resources**

Breaking the cycle of fear of violence in the southwest of the Central African Republic will require long and sustained initiatives by a variety of actors working in close consultation and at different regional, national, and international scales. While the challenges may seem insurmountable because of the fragility, and indeed, predatory nature of the state bureaucracy in the Central African Republic, the 2015 Bangui National Forum represents a common vision for the return of peace and stability throughout the country (Copely and Sy, 2015).

In light of the foundational premises of the Bangui National Forum, the authors suggest that this framework established with much civic engagement, is the basis for reconstructing the rules of access, use, and transfer of the rich surface and sub-surface resources of the southwest part of the country through the following measures:

- 1) **Establishment and Empowerment of Local Committees for Peace and Reconciliation:** The policy of the government of the Central African Republic is to put in place Local Peace and Reconciliation Committees to provide institutional legitimacy for elected and respected local actors to identify root causes of local conflicts, resolve as much as possible these issues through dialogue and conflict mediation, and plan for the consensual use of natural resources. Through the Ministry of Humanitarian Action and National Reconciliation, the government has adopted the central premise of the Bangui National Forum to devolve peace building to local actors. While many may question whether this strategy is feasible, the harsh reality is that the central state and its regional representatives lack the authority and trust to mediate conflicts, and for this reason, must turn to local peacemakers to manage complex conflicts. The challenge for the government and its international development partners is to train these local committees for their daunting peace building tasks at a time when the technical competencies of the state are so weak and when international donor assistance is declining for a country that rarely attracts international attention.



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- 2) Negotiation of New Resource Tenure Architectures through Local Pacts:** The Local Committees for Peace and Reconciliation are intended to be the place where new rules and procedures, known often in West Africa as “local conventions” (Granier, 2006) and in CAR as “Local Pacts,” are proposed by local communities and debated among themselves. The Local Peace and Reconciliation Committees conceive the rules, sanctions, and enforcement procedures. Enforcement of progressive sanctions starts locally, but then moves up the judicial and administrative levels. The exact mechanics must still be worked out to avoid the “shopping” tendencies whereby contestants utilize a multiplicity of institutions to resolve conflicts. While a pilot experiment is currently being launched by the Ministry of Humanitarian Action and National Reconciliation in the Berberati region with the technical assistance of USAID’s PRADD II project and the Swiss Center for Humanitarian Dialogue (HD Center), no one entertains illusions about the difficulties that will be encountered in negotiating with multiple actors, including armed transhumant pastoralists, new arrangements governing access to resources and proper social comportment.
- 3) Creation of Commissions of Trust, Justice, Reparations, and Reconciliation:** The recent waves of pillage and loss of life has created deep distrust in rural and urban populations. The Central African authorities are trying to set up a peace and reconciliation process leading to restitution of property, payment of damages, and recognition of roles played in loss of life. The PRADD II field diagnostics in 2016 showed that this process has already started at the local level with innovative procedures put in place by local administrators working hand-in-hand with the contesting parties. Local solutions for reparations and reconciliation are possible when the state authorities, or other mediators, play an honest role in bringing contesting parties together with a spirit to try to resolve local disputes. However, properly financed and authoritative Trust, Justice, Reparations, and Reconciliation Commissions need to be set up in regional capitals at a minimum and ideally down to the sub-prefectural level.
- 4) Strengthening of the Kimberly Process Certification Scheme and Other Due Diligence Mechanisms around Conflict Minerals:** The Kimberly Process Certification Scheme and other due diligence mechanisms attempt to trace and monitor the flow of gold and diamonds into the international economy and to steer illicit sales away from the purchase of arms and ammunitions by non-conventional military forces. Certification and due diligence regimes share the common flaw in the view that the state possesses the capacity and institutional to enforce compliance. But, when the state is weak, and indeed predatory, this may not serve the interests of vested



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government and private sector elites. The rich literature on the Central African state suggests that the reestablishment of state authority in the southwest of the country simply reproduces, and perhaps deepens, the predatory behavior of the functionary class. Nevertheless, the experience of the USAID PRADD II project suggests that the international focus on supporting implementation of traceability and due diligence systems maintains international pressure to monitor the flow of diamonds and gold from the point of extraction into the international economy.

## Conclusions

The armed transhumant pastoralism of contemporary Central African Republic is not unique to this country alone. The southward movement of livestock from the Sahelian north occurs in other countries as well. This may be the cause of many of the current extremist events in Nigeria, Niger, Burkina Faso, and Mali (Benjaminsen, Alinon, Buhaug, and Tove Buseth, 2012; Salomé, Bronkhorst; and Sala, 2014). The situation in the Central African Republic is even more problematic because not only are environmental factors pushing southwards the livestock owned by the elites of surrounding countries, but the pull of the subsurface wealth of the country attracts the interests of many external actors. The political and economic elites of the neighboring countries look upon Central Africa as an open access resource largely free for the taking. While traditional customary rules and state legislative frameworks existed for the management of the surface and sub-surface commons, the civil conflicts of the past decades have largely destroyed the governance structures needed to protect, adjust, and enforce rules of access to the surface and sub-surface natural resources of the southwest. Local Pacts, or resource management conventions need to be conceived, negotiated, and enforced at the local level, but with support from an honest state administrative and judicial system. The new conventions may not meet criteria of justice and fairness because negotiations will likely be inherently unequal due to the power of the armed pastoralist actors now part of the country's rural landscape. Yet, dialogue and negotiation is needed using the best values and ethical precepts so long embedded in the social consciousness of Central Africans. New institutional structures currently being piloted in the southwest Central African Republic offer an opportunity to experiment with new rule making and enforcement, the foundation of turning open access resources into newly negotiated bundles of resource tenure rights and obligations.



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## Tables and Figures

Figure 7: Map of Southwest Central African Republic

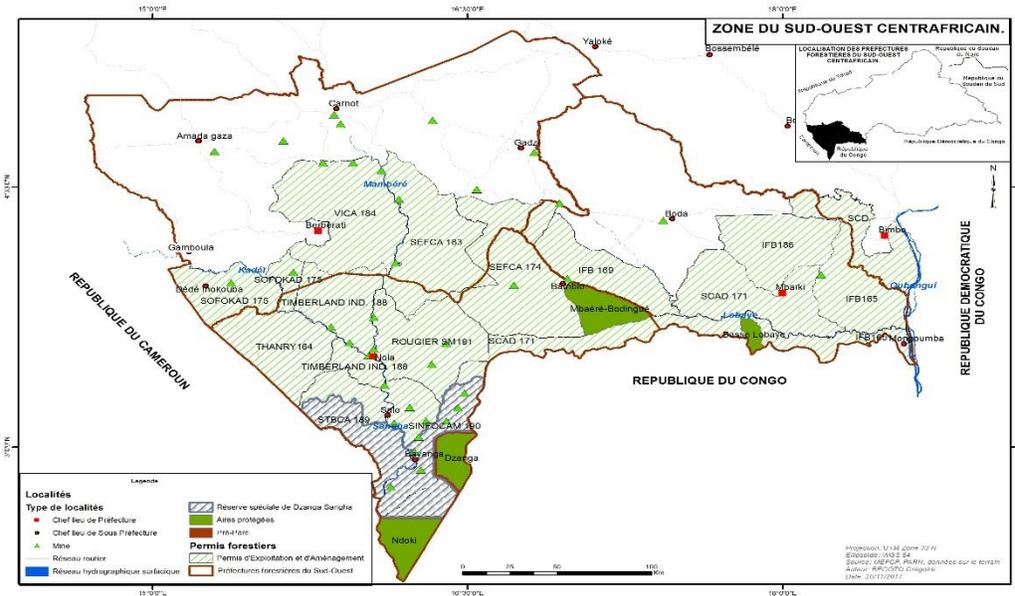
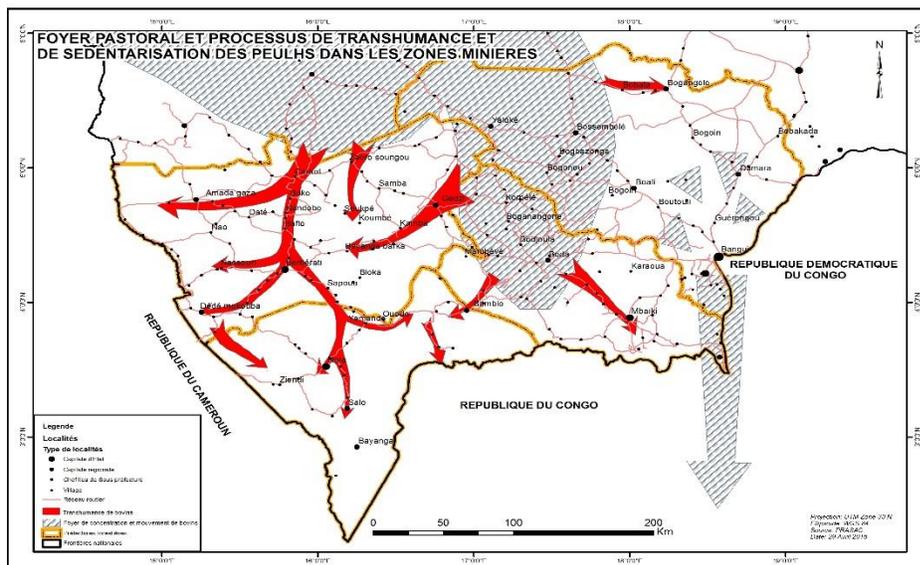


Figure 8: Initial flow of pastoralist peoples into southwest Central African Republic. USAID PRADD II diagnostic, 2016.





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Figure 9: Regional flow of pastoralist groups. INRAM, 2016, p. 30.

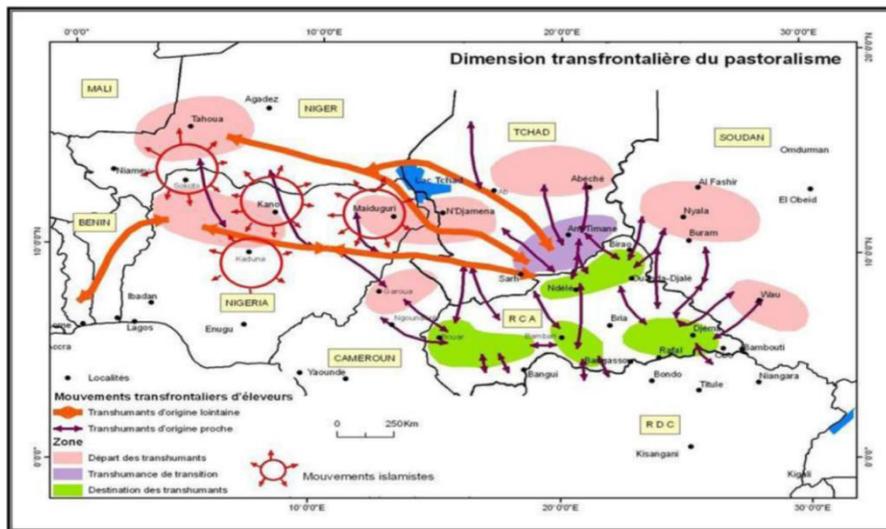
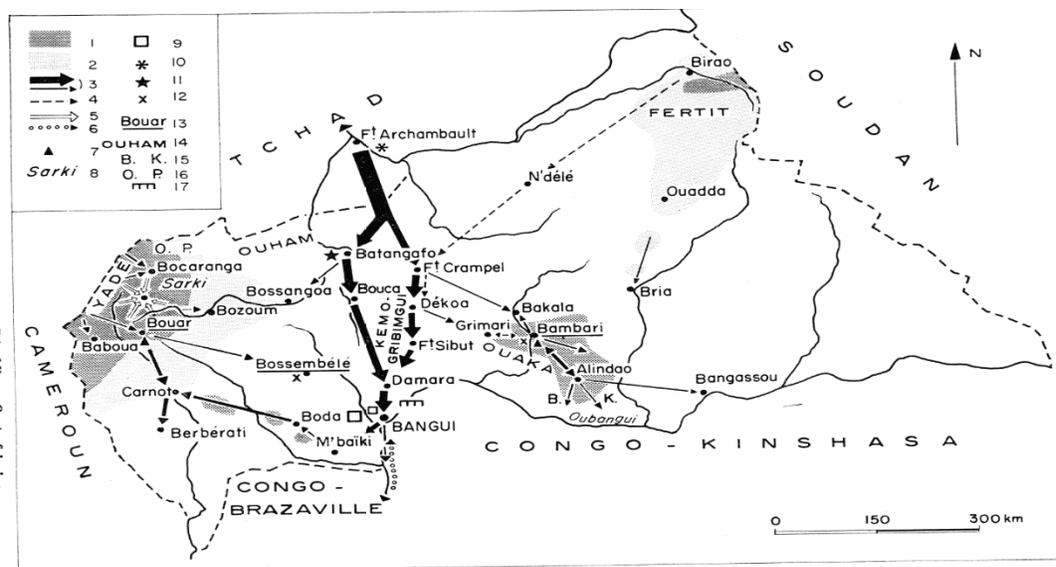


Figure 10: Initial migrations southward of pastoralist groups. Discussions from Nassolé. USAID. PRADD II, 2016.







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**Figure 6: Concentration of artisanal diamond mining in Central African Republic. Peter Chirico et al., US Geological Survey, 2017.**

