



Final Report

Institutional analysis on pasture management in Tajikistan

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Institutional analysis on pasture management in Tajikistan

Client: GIZ

Author: Andreas Wilkes



UNIQUE forestry and land use GmbH

Schnewlinstraße 10

79098 Freiburg, Germany

Tel: +49 - 761 - 20 85 34 - 0

Fax: +49 - 761 - 20 85 34 - 10

unique@unique-landuse.de

www.unique-landuse.de

Content

Summary	4
Introduction	6
Part I: Pasture management arrangements in Tajikistan.....	7
1.1 Legal arrangements for pasture management before the 2013 pasture law.....	7
1.1.1 Institutional roles and responsibilities in allocation of pasture access rights	8
1.1.2 Institutional roles and responsibilities in use and management of pastures	9
1.2 Contents of the 2013 Pasture Law	10
1.2.1 Regulations on pasture lease fees	16
1.3 Issues in implementation of the 2013 Pasture Law	17
1.3.1 Issues of concern to stakeholders.....	17
1.3.2 Additional issues	22
Part II: Current and future focus of the donor community.....	24
Part III: Potential options for policy or technical support.....	28
3.1 Overarching considerations	28
3.2 Entry-points for future donor-funded activities	29
3.2.1 Direct support to pasture users	29
3.2.2 Building and sharing the evidence base.....	30
3.2.3 Strengthening institutions.....	33
3.2.4 Potential roles for the Pasture Networking Platform	34
Part IV: Outline structure of a pasture management resource book for use in Tajikistan	37
4.1 Outline structure of the resource book	37
References.....	40

Summary

This report summarizes results of a short-term assignment with four objectives:

- 1) to analyze the institutional set-up and distribution of roles and responsibilities in the pasture management sector of Tajikistan, both currently and those outlined in the 2013 Pasture Law;
- 2) to scope the current focus and future direction of activities of donors and NGOs active in pasture management in Tajikistan;
- 3) to suggest potential entry-points for future donor-supported activities that could strengthen the institutional basis for sustainable pasture management in Tajikistan; and
- 4) to outline a resource book on pasture management in Tajikistan.

Main findings:

Current issues: Until the 2013 Law on Pastures, access to pasture resources was governed by the Land Code (2008). Primary pasture use rights over the majority of pastures have been allocated to individuals, often on a first-come-first-served basis. Common issues arising from this situation include: lack of secure pasture use rights for the majority of livestock keepers, high rental fees, loss of short- and long-distance transhumance corridors, underuse of remote pastures and overuse of pastures near villages, and weak incentives for land use right holders and pasture users for sustainable management of pastures. While the 2013 Law on Pastures was intended to address some of these issues, it is also noted that the Government of Tajikistan has no broader strategy or policy to support sustainable development of the sector.

The 2013 Pasture Law has not created a clear institutional environment: There is broad agreement that the Pasture Law has not created a clear institutional environment for pasture management. Past practices that are the cause of some of the current problems (e.g. allocation of exclusive pasture use rights, high rent fees) have not been discontinued; village level pasture management institutions have been created, but they are not empowered to perform key management functions (e.g. pasture planning and monitoring) and their relationship with representative community organizations is not clear; a newly created Commission on Pastures has a wide range of functions but may have neither funds nor capacity to perform those functions; a “government authorized body” will have regulatory and policy implementation functions, but more than one year since passing the Law, the government has not designated which agency is the “government authorized body”. There is also broad agreement that further elaboration of by-laws and possibly revision or clarification of the 2013 Law will be required. Generally it is not expected that any further clarity will come from the Parliament (majlis) or government very soon.

Donor-supported pasture management activities: In the current context, most donors, INGOs and other stakeholders are adopting a ‘wait and see’ attitude to implementation of the 2013 Law, and most see that the greatest opportunities for change lie at the village level. Seven current donor projects are identified that work on pasture management issues. All but one of them work at the village level, and all but one explicitly address policy issues in their design. In December 2013, an informal Pasture Networking Platform was established which aims to support joint learning among members, identify and promote good practices and contribute to policy development. The Platform is genuinely well received by members, as it provides access

to relationships, information and opportunities outside their normal scope of work. Members are aware of the potential of the Platform for enabling coordinated action among those involved.

Options for the Pasture Networking Platform: Three overarching considerations inform strategies for the Platform:

- (1) The 2013 Pasture Law has not created a clear institutional environment, and most stakeholders do not think that more clarity will come from government very soon;
- (2) Pasture management is a new topic (since 2007-8) for the donor community in Tajikistan, and much can be learned through practice to inform policy development;
- (3) There is a need for donor coordination on pasture management because of the growing number of projects on the topic, geographical overlap of several projects, approaches and tools for pasture management are being developed through the experiences of several projects, and donor support to policy development will require coordinated action.

In this context, donors can support progress on pasture policy and legislation through:

- **Direct support to pasture users**, through which practical experiences of policy relevance will be gained;
- **Building and sharing the evidence base on policy-relevant** issues where there are existing knowledge gaps, specific topics of concern or lessons from practice that provide evidence on what does or does not work;
- **Strengthening institutions**, through donor coordination, support to a 'community of practice' among pasture sector stakeholders, and support to institutions providing key support services to the sector, including human resources development.

The Pasture Networking Platform can play the following particular roles:

- **Sharing of documentation and experiences** across projects and organizations. The Platform may consider establishing topic- or issue-focused sub-groups to support more targeted documentation and sharing.
- **Documentation of good practices and** dissemination across projects and organizations. The Platform may consider specific mechanisms to encourage members to document and share practices.
- **Supporting collation of policy-relevant evidence**, and discussion among stakeholders to form policy positions and messages.

Some generic and more specific options within these three streams of action are suggested in the report.

Introduction

The new Pasture Law adopted in Tajikistan in March 2013 has not provided stakeholders in the sector with a clear institutional framework, and projects and stakeholders face uncertainty about implementation strategies, and the responsibilities of partners and beneficiaries. At the same time, the Ministry of Agriculture faces challenges in development of a policy framework to support implementation of the Pasture Law. Thus, there is a need for strong coordination and knowledge exchange among pasture management related stakeholders, donor projects and donors in Tajikistan. The GIZ-implemented FLERMONECA project, which aims to promote active national and regional dialogue on environmental management issues, has supported the establishment of an informal networking platform on sustainable pasture management to exchange knowledge and experiences, to identify and disseminate good practices, and to support pasture management policy development in the country.

This report summarizes results of a short-term assignment with four objectives:

- 1) to analyze the institutional set-up and distribution of roles and responsibilities in the pasture management sector of Tajikistan, both currently and those outlined in the 2013 Pasture Law;
- 2) to scope the current focus and future direction of activities of donors and NGOs active in pasture management in Tajikistan;
- 3) to suggest potential entry-points for future donor-supported activities that could strengthen the institutional basis for sustainable pasture management in Tajikistan; and
- 4) to outline a resource book on pasture management in Tajikistan.

The contents of this report were written on the basis of a brief (12-day) mission by the consultant in Tajikistan, involving interviews with 24 people, mainly from donor agencies and implementation organizations (NGOs), but also including staff of state institutions and villagers.¹ In particular, given the short duration of the mission and limited number of field sites visited, the diversity of practices and issues across the country is not well reflected in the report. Considering these shortcomings, the purpose of the report is not to provide definitive analysis and recommendations for resolving issues, but to reflect key issues and stakeholders' concerns, and to outline potential options for further consideration. The target readership is members of the Pasture Networking Platform. How these options are to be implemented would depend on the specific opportunities available to these members, both individually and collectively, and are not specified in this report.

The report is structured as follows. Part I gives an overview of pasture management arrangements in Tajikistan prior to the 2013 Pasture Law (1.1), describes the main features of the 2013 Law and recent draft by-laws (1.2), and lists a range of issues related to implementation of the Law as reflected by those interviewed (1.3). Part II summarizes the current activities and main future directions of a number of key donors in the pasture sector in Tajikistan. Drawing on the previous contents, Part III suggests some potential entry-points for future donor-supported activities that would supplement those already being undertaken or planned. As a contribution

¹ Following comments by some interviewees, it is decided not to produce a list of interviewees in this report. However, particular thanks are due to Willem van Weperen (Agriculture and Livelihood Ltd.), and Sabrina Ulmasova and Kathrin Uhlemann (GIZ) for comments on earlier drafts of this report.

to knowledge exchange within the pasture network, Part IV outlines the structure of a resource book on pasture management that is intended to be useful to government and donor projects and NGOs operating in Tajikistan.

Part I: Pasture management arrangements in Tajikistan

1.1 Legal arrangements for pasture management before the 2013 pasture law

All land in Tajikistan is owned by the State.² Pasture is held in the State Land Reserve, State Pasture Reserve and the State Forest Fund. The Land Code (2008) applies to lands held in the State Land Reserve. Under the Land Code, individuals and entities can obtain land use tenure certificates to become 'primary land users' (which may confer "lifetime inheritable use rights", "perpetual use rights" or "time-limited use rights") or 'secondary land users' with lease agreements, if they obtain use rights under a lease from the primary land user. Primary use rights are confirmed through registration by the Committee for Land Management Geodesy and Cartography (CLMGC), which issues Land Use Right Certificates. The Land Code (2008) allows for lease, mortgage and inheritance of tenure but not the sale of land.

Since implementation of the Land Code and the land reforms, the resulting distribution of pasture between different tenure types is unclear. According to ADB (2012), the majority of pasture has been allocated to private dehkan farms, with ca. 11% of pasture retained in State Land Reserve and 9% in the State Forest Fund.³ Private dehkan farms have "lifetime inheritable use rights". It appears, therefore, that most pasture is under private tenure, often in large plots, and that the majority of landless households access pasture through leases from the State Forest Fund or from private holders of primary land use rights. Annual leases are common, many lease arrangements are informal and unregulated, and rental fees may be expensive. However, in some areas, farmers have mainly applied for land use rights to arable land, and pasture largely remains in the State Land Reserve. Thus, the proportion of pasture under different tenure rights is unclear, and the specific arrangements through which villagers access pasture use rights vary. Common arrangements vary by region, but may include:⁴

- (a) traditional community grazing rights, respected by authorities, with no documented use rights, where mahallas or tea-houses may play active roles in management;
- (b) secondary land use lease agreement with Jamoat or district for 10-20 years, on which villagers pay both land tax and land use fees;
- (c) primary land use right certificate issued by the district giving perpetual land use rights, and land tax only is paid;
- (d) common use of pasture to which a dekhan farm has obtained primary use rights;
- (e) annual lease from the State Forest Agency or State Land Reserve, on which only user fees are paid.

² Constitution (1994) and Land Code (2008).

³ No figure is given in ADB (2012) for the area or proportion of land that is owned or managed by communities.

⁴ An unpublished document by Willem van Weperen (formerly of CARITAS) describes common arrangements in Muminabad, and Robinson et al (2010a and b) describe arrangements in one part of GBAO.

A number of specific issues appear to be common,⁵ including:

- **Lack of access to pasture:** the majority of rural households who own the vast majority of livestock do not have clear or secure pasture use rights and face obstacles in obtaining access to pasture, including high rental fees;⁶
- **Loss of transhumance corridors:** Long- and short-distance transhumance corridors may be blocked by the allocation of user rights to particular pastures to individuals;
- **Under- and overuse of pastures:** Remote pastures may be underused, while pastures near villages are overgrazed; there is a perception that in some cases households with few livestock retain large areas of underused pasture, while those with livestock are excluded from access, though the specific reasons for underuse may also have other causes (e.g. economic factors);
- **Weak incentives for sustainable management:** With short-term leases as the dominant form of access, both land use right holders and lessees have short-term incentives to maximize profit from land use, without considering long-term sustainability impacts of land use practices; where local government charges user fees on a per livestock head basis, they may also have incentives to encourage overuse.

1.1.1 Institutional roles and responsibilities in allocation of pasture access rights

1.1.1.1 Identification and delineation of pasture boundaries

Following the 2001 Land Use Planning Law, the State Project Institute on Land Management is responsible for assessing land resources related to economic activity. In theory, this should include determination of land use types (e.g. distinguishing pasture from arable land or forest). However, in practice it appears that identifying land use types is not a major activity compared to identification of tenure rights within lands designated for specific economic activities. Thus, the legal status of arable land opened on former pasture, or forest that no longer has woody vegetation cover is unclear. In current practice, the boundaries of pasture appear to be decided on the basis of several factors, including:

- Soviet-era land use maps held by the former kolkhoz;
- Soviet-era land use maps of the enterprises of the State Forest Agency;
- Land use certificates issued to individuals or entities; and
- Customary use of land for pasture on land managed as part of the State Land Reserve or State Forest Fund.

For the most part, this may be unproblematic, but conflicts may arise over land use conversions, e.g.

- **Forest-pasture:** Former forest land on which vegetation does not meet the forest definition⁷ with recent grazing use may be considered pasture by livestock keepers, or land suitable for afforestation by forest management agencies;
- **Pasture-arable land:** Both pasture and arable land are considered agricultural land, and transformation of pasture to arable land is not defined in the Land Code (Article 9) as land use conversion. Conversion of pasture to arable land reduces the area available for livestock grazing, and is a growing issue in some areas of Tajikistan.

⁵ Based on literature reports and issues raised in interviews.

⁶ ADB (2012) reports that rental fees can reach up to TJS 20 per ha per month.

⁷ Defined in the 2011 Forest Code as land with “no less than 10% of the area ... covered by wood-forming plants, with a total area not less than 0.5 hectares and a width not less than 10 metres”.

The State Land Inspection is responsible for cadastral activities and a number of donor projects have been supporting improved cadastral systems in recent years, with a focus on arable land.

1.1.1.2 Allocation of pasture tenure rights

In recent years, primary use rights to pasture land has been distributed mainly in two ways (Halimova 2012), with the district government being the dominant actor:

(1) **Restructuring of the kolkhoz:** Arable land was distributed to kolkhoz members with “life-time inheritable use rights” in equal shares. The area distributed to individual households depends on population:land ratios and is small (0.1 ha - a few hectares), but the land is often farmed jointly with other land use right holders.

(2) **Allocation of pasture land from State Reserve based on application:** Tenure has often been given by the district chairman for a “timed use right” based on the number of animals the applicants could prove they owned. This process was reportedly not transparent, and was done on a first-come-first-served basis.

In addition, Presidential Decrees of 1993 and 2003 allocated some pasture formerly managed by the State Forest Agency to the kolkhoz, which were then allocated to dekhon farms upon dissolution of the kolkhoz (see Text Box 1).

In terms of political decisions, the Land Code (Articles 7 and 26) gives the power to assign land rights to district (hukumat) executive bodies from among lands in the land reserves or farming land, and to Jamoats (Article 8).⁸ Land Committees at district and Jamoat levels are established to maintain ‘efficient and fair’ land relations (Article 26). In line with powers to assign land use rights, the district (hukumat) executive body also has the right to withdraw land use rights if lands are not used properly. The Jamoat mainly issue time-limited leases to pasture users, i.e. secondary land use rights.

From a technical angle, the State Land Inspection agency is responsible for issuing and registering land use right certificates, undertaking cadastral surveys, enforcing the Land Code, and adjudicating in land tenure disputes (Land Code, Article 6).

1.1.2 Institutional roles and responsibilities in use and management of pastures

The Land Code (2008) empowers a range of institutions with roles in land planning:

- The State is responsible for developing and implementing state plans on land use and land management; for drafting state land use and protection budgets; and for drafting procedures for land management and monitoring (Article 5);
- The State Land Inspection is responsible for monitoring implementation of the Land Code and land use (Article 6);
- District governments are responsible for protecting land users’ rights and applying state control over land use (Article 7);
- Jamoats also control land use and land protection within their jurisdictions (Article 7);
- Primary land users are empowered to use land and to lease out land (Article 19) and to apply rational and efficient land use and to implement land protection measures (Articles 51 and 52);

⁸ Reportedly, there are also examples where land use rights are given on the basis of decisions made in Dushanbe, thus circumventing the legal powers given to district and Jamoat institutions. W. van Weperen, pers. comm.

- Secondary land users are empowered to use land and also to implement land protection measures (Articles 21, 51 and 52).

The Ministry of Agriculture and their departments at oblast and district level formally have a mandate for ensuring that pastures are used effectively. The Ministry has a department for management of the State Pasture Trust (i.e. pastures in border areas and transhumance corridors), which also conducts pasture inventory and monitoring of pasture condition. The Committee for Land Management Geodesy and Cartography (CLMGC) also monitors pasture use and evaluates land, ensuring the articles of the Land Code are upheld (ADB 2012). District level Ecology Departments (subordinate to the Committee of Environment Protection) are also mandated to regulate conversion of pasture to arable land in order to prevent erosion, but the extent to which they actually do this is likely to be variable.

Primary land use rights incur an obligation to pay a land tax (Land Code, Articles 33-36). The sums raised are mostly (85%) allocated to district executive bodies, and partly (15%) to the State Land Inspection agency. The funds are to be used to finance land protection and land development measures, and cadastral and monitoring work. Collection of land tax from individual holders of pasture use rights is reportedly a strong incentive for local governments to allocate lands to individual land users (Robinson et al. 2010b).

Box 1: Pasture under management of the State Forest Agency

The State Forest Agency (SFA) is the holder of management rights over about 1 million ha of pasture. However, Presidential decrees in 1993 and 2003 transferred about 600,000 ha of these lands temporarily to the kolkhoz, but upon disbandment of the kolkhoz land use rights were allocated to dekhan farms. The SFA now administers about 400,000 ha of pasture. In some areas, a portion of these pastures are leased to villages or individuals for grazing use, mostly on annual written or unwritten leases. The users pay a grazing fee often on a per livestock head basis, as well as fees for fuel wood use and use of other forest products. According to SFA internal regulations, the fees collected are distributed between staff salaries (30%), reforestation activities (50%) and transport costs (20%). Management of grazing activities varies between local SFA administrations. In one location visited in Rasht, it was reported that a proportion of pastures is leased out each year, with specific locations rotating from year to year in order to ensure rest and rehabilitation of the pastures, and stocking levels are monitored and enforced. In other areas, it appears that herders continue with customary use of pastures within SFA lands, and specific use is not regulated beyond collection of user fees. Instances of unclear delineation of pasture borders, and unclear distribution of rights between SFA and local government to collect taxes and fees are reportedly common.

1.2 Contents of the 2013 Pasture Law

In March 2013, a Law on Pasture was adopted by the national parliament. Consistent with previous legal arrangements, pasture remains the property of the State, and agencies that can allocate pasture use rights are the government, authorized state agencies (including agencies managing pasture in the State Forest Fund), district government and self-governing bodies (jamoat). In particular, the law sets out a new set of **institutions** for management of pasture allocation and pasture management, and new regulations on **pasture use fees**.

In addition to existing institutions, three new institutions are created by the Law, and at the time of this mission, consultations on by-laws specifying the structure and function of these institutions were still ongoing.

(1) Pasture User Unions (PUU): PUUs are to be public independent activity bodies, established by pasture users for joint use of pastures. They may apply for and hold pasture lease rights from the state. PUUs may be established by individuals or other legal entities (e.g. dehqan farms, companies). The Law does not prescribe a minimum number of members or make prescriptions regarding relations between a PUU and other self-governance organizations such as CBOs. PUUs may be established by whole villages or by groups of households within a village, i.e. there is no criteria or restrictions on the composition and number of members. PUUs thus will co-exist with other existing pasture user types (e.g. individuals, joint farms) and are intended as a legally recognized institution for cooperation in pasture use by more than one pasture user. The functions of PUUs include obtaining pasture lease rights and carrying out effective use of pastures; capacity building for members; and dispute settlement related to the leased land area. PUU members participate in annual and medium-term pasture management planning, and are obliged to report on pasture condition, but planning and monitoring are primarily the mandate of the Commission on Pastures. As public independent bodies and in correspondence with the “Law on Public Organizations”, PUUs will be liable for income tax.

(2) Commission on Pastures (CoP): The Law prescribes that the assembly of people’s representatives (majlis) at district level shall establish a Commission on Pastures (CoP). The CoP reports to the assembly. The CoP shall have representatives of local government bodies, local self-governing bodies, local experts on land management and representatives of pasture users. (The by-law on PUUs suggests that the chairman of each PUU has the right to represent the PUU in the local CoP.) The CoP has a number of functions, including:

- **Regulatory functions**, including delineation of pasture boundaries and control of pasture use;
- **Judicial functions:** settlement of disputes related to pasture use and distribution;
- **Advisory functions:** recommend (for approval by district government) the pasture lease fee level, and other advice to support decision making by the district government;
- **Management functions:** preparation of annual and mid-term pasture use plans, monitoring of pasture condition.

The draft statute of CoPs also suggests that the CoP is responsible for implementing and controlling decisions of the district majlis, and for organizing pasture related activities of the Jamoats.

The CoP is a new institutional innovation of the Law. Considering that (a) it is a public body with representation of stakeholders, (b) it has a diverse range of functions and (c) it is established under the district assembly, it is not clear how the CoPs may operate in practice. In particular, given that the average district in Tajikistan has an estimated 67,000 ha of pasture,⁹ a fully functioning CoP would have a large programme of work. Allocation of a portion of pasture user fees to the CoP is one potential source of revenue to cover their operational expenses, but the Law gives the district majlis the power to decide how user fee revenue is divided between different institutions. Furthermore, in law the CoP reports to the majlis, but it is possible

⁹ Pasture covers 27% of Tajikistan’s total land area, and the average district has an area of 2466 sq km, and it is assumed for simplicity that 27% of this is pasture. This will obviously vary by region.

that in practice its activities are dominated by the district government, in which case the value of stakeholder representation may be limited, and the CoP may be treated as an implementation agency of district government.

(3) Government pasture agency: The Law mandates various functions to a “government authorized body for regulation and use of pasture”. A by-law currently under consultation proposes the creation of a Pasture Utilization Department under the Ministry of Agriculture. However, the government has not yet issued a decree establishing a new pasture agency, so it is not certain whether a new agency will be created or whether the existing ‘Pasture Trust’ within the MoA will take on the specified functions. The Law specifies several functions including:

- **Regulatory functions**, including
 - i. development of standard norms and methods (e.g. pasture monitoring methods), approaches and technologies for pasture protection, rehabilitation and utilization, and control of implementation of these norms; the by-law under consultation also mentions approval of rules for inventory and state registration of pastures, though registration of land use rights is not mentioned in the Law as within their scope of powers;
 - ii. monitoring of pasture utilization plans and control of conformity of pasture utilization with pasture management plans;
 - iii. maintenance of state pasture inventory and reporting on pasture utilization.
- **Implementation** of state pasture management programmes and organization of pasture management activities by local communities and **technical support** to PUUs, CoPs and to local governments and international projects; conduct of geobotanical surveys.
- The by-law under consultation also suggests **policy functions**, such as contributing to development and implementation of sector policy, though this is not mandated in the Law.

The Law mandates the state to allocate resources for pasture management, and the government authorized agency would play a major role in developing and implementing the related programmes. To date, the Government of Tajikistan has developed a “Program on improvement and rational use of pastures in the Republic of Tajikistan (2009-2015)”, which reportedly focuses on improving pasture productivity and forage production,¹⁰ but this program does not significantly address drivers of pasture degradation of other supporting investments in livestock management (UNECE 2012, PALM n.d.). Beyond this, the government currently has no comprehensive policy on pasture management (ADB 2012) and no policy addressing linkages between pasture management and other natural resource management areas such as forestry (UNECE 2012). The by-law proposes that policy development is one of the proposed functions of the government authorized agency.

Collectively, the 2013 Law and associated by-laws outline the distribution of pasture management functions among the various institutions involved in pasture management (Table 1). Figure 1 summarizes the distribution of roles and responsibilities in pasture use right allocation. Both individuals and PUUs can apply for use rights to the Jamoat, which submits the application to the district (hukumat), which approves applications in consultation with the district Land Committee. The CoP may have roles in demarcating borders and dispute settlement, but otherwise these arrangements are consistent with current practice under the Land Code. Fig-

¹⁰ According to UNECE (2012) the programme has funding of US\$ 340,000

ure 2 summarizes the distribution of roles and responsibilities in pasture management. The CoP has the primary mandate for pasture management planning and for monitoring the condition of pastures. The government authorized agency on pastures is responsible for monitoring the implementation of pasture management plans produced by PUUs. PUUs participate in planning and are obliged to report on pasture condition, but are not empowered as the primary actor in planning or monitoring. Norms and standards governing planning and monitoring are the responsibility of the government authorized agency at national level.

Figure 1: The main roles in pasture allocation in the 2013 Pasture Law

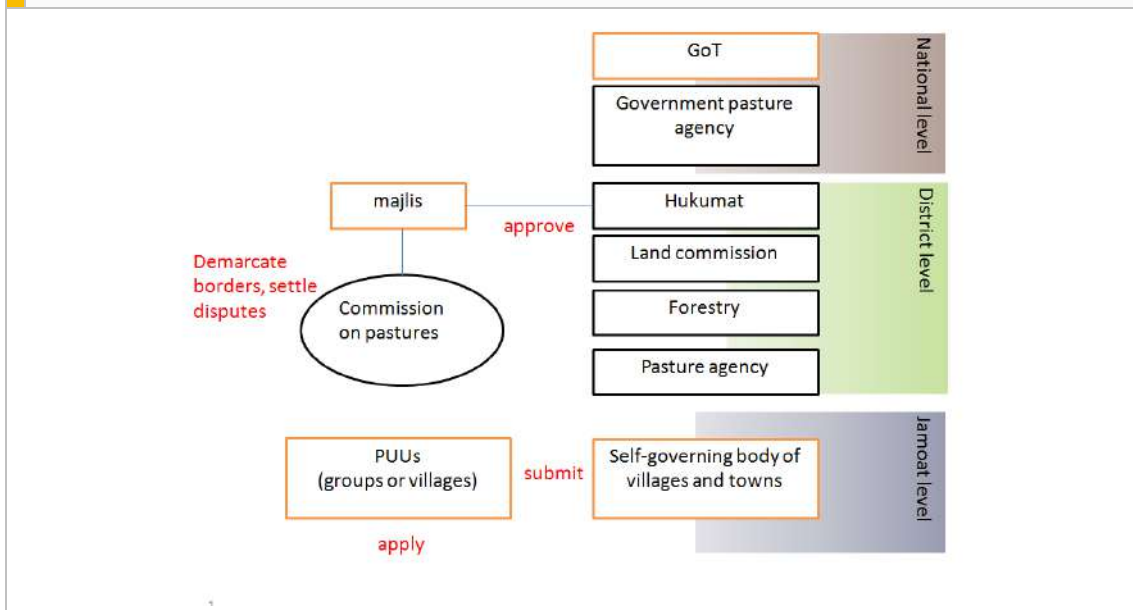


Figure 2: The main roles in pasture management in the 2013 Pasture Law

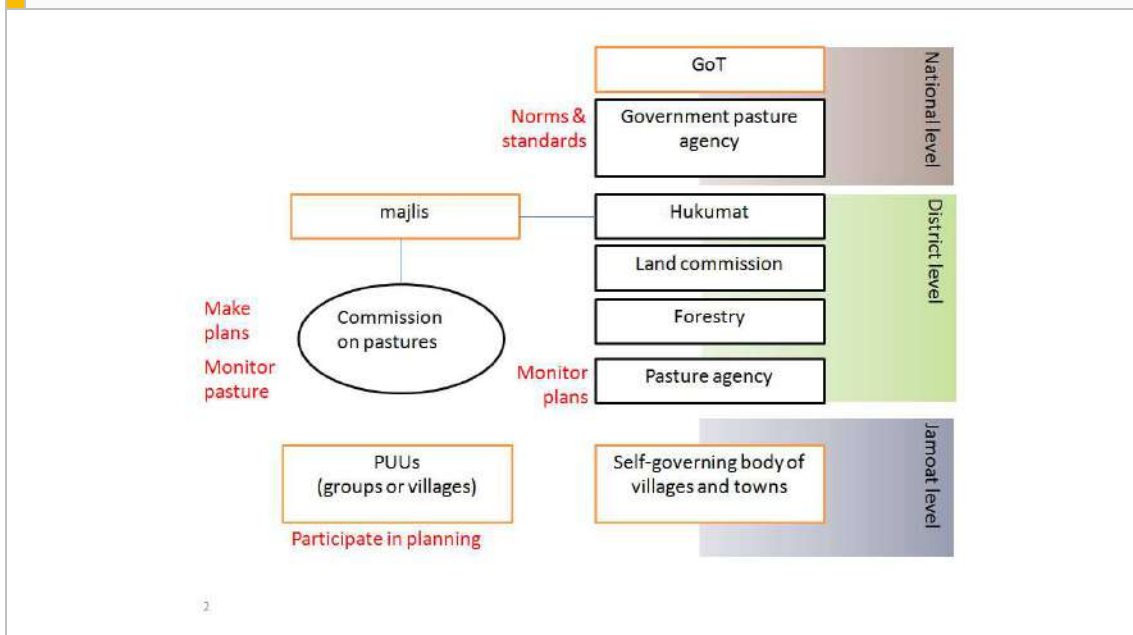


Table 1: Roles and responsibilities in pasture management

Function	Government	Government pasture agency	Local bodies of state power	Commission on Pasture (CoP)	Self governing bodies (Jamoat)	Pasture users
Creation of land use rights						
Demarcation of pasture land	State land agency			Delineation of pasture borders		
Allocation of pasture use rights	Registration of use rights, issuing certificates		Approve use rights in consultation with Land Commission	Demarcate pasture borders, adjudicate disputes	Submit applications to district govt.	Apply for use rights
Planning pasture use		_2	District approves pasture plans	Prepares mid- and annual plans	(Participates in CoP)	Participate in mid-term & annual planning (PPUs) ¹
Pasture use and improvement						
Setting norms & regulations for use	Approving procedures & standards	Development of standards & methods	District approves Jamoat pasture regulations	_3	Jamoat can suggest regulations	
Pasture use						Use in accordance with terms of lease,
Monitoring pasture use		Monitor implementation of pasture plans; Geo-botanical surveys	Enforcement of monitoring requirements	Monitor pasture condition	(Participates in CoP)	Provide information on pasture condition

Enforcing pasture management		Enforcement of use by PUUs in accordance with pasture plans		Control effective use of pastures		
Regulation of pasture lease rents			Majlis approves lease fee rates	Recommend lease fee rates		
Collection of pasture taxes			Collect fees		Collect fees for local govt	Pay fees
Adjudicating pasture disputes	✓		Higher level govt adjudicates between two or more lower levels	✓	✓	
Implementing pasture improvements	To fund & implement state-supported pasture programmes	To implement pasture programmes				

¹: the Law does not require other holders of primary or secondary use rights other than PUUs to participate in pasture planning; ²: the government pasture agency has a general role in developing standards, norms and methods, but no specific role in developing guidance on planning is mentioned. ³: assemblies (majlis) may make local regulations, and the CoP as subordinate to the assembly may support development of regulations, but no specific roles are mentioned.

1.2.1 Regulations on pasture lease fees

In accordance with the Land Code and Tax Code, primary land users must pay land tax, which is levied on a per hectare basis. There is no land tax liable on land used on short-term lease from the state land funds (e.g. State Forest Fund, reserve fund). The intention of the drafters of the 2013 Pasture Law is to limit the incentive for sub-letting of land leases, which is seen as akin to profiteering, and promoting short-term, unsustainable decisions on land use. However, this intention is not very clear from the wording of the Law on Pastures.

Article 22 of the Law requires secondary land users to pay land use fees, which may vary depending on the type of pasture and the number and type of livestock (i.e. payment per head of animal). The fee rate is to be set by the CoP in each district. Article 22(5) requires that the fee rate may not be less than the base tax rate. Presumably, this means that when a fee per head of livestock has been converted to a per hectare rate on the basis of stocking limits, the pasture lease payment must be greater than the base tax rate. For example, if stocking limits are set at 0.7 sheep units per ha, and the base tax rate is TJS 4/ha, then the fee per head of sheep must be not less than TJS 2.8 per head. Article 22(6) states that the “minimum limit of payment amount for the lease of pasture shall not exceed twice the base tax rate”. This would seem to imply that the *minimum* pasture lease fee must be less than the equivalent of TJS 8 per ha, and no maximum is specified in the Law.

However, according to one drafter of the law, the intention of that article is to set a *maximum* level for the pasture lease fee (e.g. TJS 8 in the example), such that pasture lease fees are restricted to a range between the land tax rate and twice the land tax rate. The interviewee explained that if the primary land user must pay TJS 4 per ha, and sub-leases for not more than 8 per ha, after costs (e.g. maintenance of water supplies or other infrastructure), the primary land user would no longer have an incentive to sub-let the pasture. With no incentive to sub-let and insufficient livestock assets to effectively use the pasture, the pasture use rights would then be able to be confiscated by the CoP and the land made available for allocation to PUUs or other pasture users.

If this is the intention of the Law, it appears that several additional specifications are required, e.g.:

- Distinctions between primary and secondary land users are not made in the relevant text;
- No specific mention is made of sub-letting of secondary land use rights, so it is not clear whether the limits on pasture lease fees apply only to fees collected by government agencies or also apply to rent fees charged in sub-letting agreements.

Box 2: Pasture under management of the State Forest Agency in the 2013 Pasture Law

About one third of pastures in Tajikistan are under management of the SFA. One intention of the drafters of the Law was to ensure that pasture under management of SFA is available for effective use by livestock keepers. The Law confirms that the State Forest Agency exercises control over pastures in the State Forest Fund, and that pasture from the State Forest Fund may be leased to PUUs and individuals in accordance with the terms and conditions of lease agreements. One of the draft by-laws under discussion concerns “Joint Management of Pasture and Forest” or rather management of utilization of pastures belonging to the Forestry Agency. It is proposed that pasture and forest users sign a joint management agreement with the forestry agency, specifying the rights and responsibilities of both Parties. Annual operational plans for joint management should include both forest and pasture management plans, with pasture management plans being in line with annual and medium-term plans drawn up by the district Commission on Pastures. The State Forest Agency would be responsible for control functions such as monitoring compliance with the terms and conditions of the lease. The main innovations of this proposed by-law are (i) leases may be multi-year, and (ii) land management should consider pasture and forest use in an integrated fashion.

1.3 Issues in implementation of the 2013 Pasture Law

1.3.1 Issues of concern to stakeholders

The 2013 Pasture Law is the first dedicated law on pasture management in Tajikistan. It may serve as a galvanizing factor in focusing attention on suitable institutional arrangements and practices for pasture management. The law also mandates the state to support pasture management and many interviewees consider that the government should eventually develop supportive policies (see 1.3.2.8 below). While the law has not created a clear institutional framework, it has created a legally recognized form of institution for joint utilization of pastures by villagers – Pasture User Unions (PUUs) – which many see as a positive development. PUUs, formed by groups of villagers or whole villages may apply for clear, long-term user rights, and may support members in adopting good management practices. The Law potentially enables landless livestock keepers to jointly apply for pasture use rights and thus enable joint use – including community use – of pastures. However, the law does not ensure that communities have the right to collectively manage pastures, and with an unclear operational environment created by the legislation, most interviewees indicate that they are taking a ‘wait and see’ attitude regarding implementation of the provisions of the law.

1.3.1.1 Unclear institutional structures implied by the Law and by-laws

Reportedly, a general feedback from stakeholders in the consultations on the Law was that the arrangements set out in the new Law are not clear.¹¹ In some cases, wording is general and

¹¹ A full report on stakeholder consultations is under preparation by a consultant to the GIZ-implemented FLEMONECA project and should be available in Russian language in the second half of 2014.

open to multiple interpretations, and in other cases, stakeholders had difficulty in understanding how the institutions set out in the Law would operate in practice. There are a number of areas of potential unclarity, including:

- Unclear institutional mandates for implementation of the Law: The Pasture Law designates a “government authorized body” to be involved in pasture management on behalf of the state. Although there is an existing Pasture Trust within the Ministry of Agriculture, the government has not clearly allocated new responsibilities under the 2013 law to that body. Furthermore, while a government authorized agency is mentioned in the law, that agency is not the owner of pasture land, so its powers in implementing regulatory functions are limited. Other government agencies involved in pasture management include the Committee on Land Management and Geodesy (on land resources), the State Forest Agency (on pasture in areas owned by the forestry agency), and the Committee on Environment Protection Committee (pasture and protected natural areas). The overlaps in mandates and mechanisms for coordination between these agencies are not well specified in the 2013 Law.
- Functioning of the CoP: Firstly, the Law presents a top-down pasture management planning process. The CoP is established at the district level. It is charged with a number of functions, including making pasture management plans and pasture monitoring, two functions that are seen as critical to improving pasture management. Pasture users participate in, but have no responsibility for, making pasture management plans. It is difficult to envisage how a district level agency can make a large number of such plans in realistic ways and with full community participation. It is noteworthy that most internationally supported efforts to develop PUUs include pasture management planning and monitoring activities at the village level. Secondly, the funding for CoP activities is uncertain, as the Law gives the right to decide allocation of revenue from pasture lease fees to the district majlis. There is concern that this arrangement provides opportunities for allocation of the funds to activities other than pasture management. Thirdly, although the CoP is to have representatives of a range of stakeholders, including pasture users, many people are concerned that the CoP can be heavily influenced by powerful local or national interests. Thus, the CoP may not serve as a mechanism to represent ordinary pasture users’ interests.
- Normative regulations governing pasture management: If normative regulations governing pasture management are absent, vague, general or otherwise not specific to pastures in a given region, there is a risk that pasture management plans developed through procedures outlined in the Law will not represent good practice, and that the legally mandated process will result in ‘rubber-stamping’ of poor pasture management practices. The Law gives powers to a government authorized body to develop normative standards relating to pasture planning and management. It seems reasonable that national standards are developed at central government level to ensure standard pasture management planning, monitoring and assessment methods and procedures, although capacities to do this effectively are not well developed at present. However, given the diversity of pasture resources throughout the country and the existence of transhumance grazing patterns that cross village boundaries, it would also seem relevant to empower local authorities to set some normative regulations governing pasture management, such as dates for use of summer pastures, regulations governing use of transhumance corridors, or stocking rates for the main pasture types in a locality. Yet, these responsibilities are not well specified in the Law at local level.

Some interviewed expect that there will be further revisions to the Law and by-laws, and possibly a supplementary clarificatory law, to address both lack of clarity and deficiencies in current arrangements.

1.3.1.2 Individual vs collective user rights

Allocation of exclusive pasture user rights to individuals or other entities is seen as potentially causing fragmentation of pasture and restricting access to pasture and transhumance corridors. The main issue is that allocation of exclusive user rights in the past prevents community members from collectively determining pasture use and management, and thus precludes the possibility of rotational grazing over larger areas within a community.¹² In the 2013 Pasture Law, just as PUUs can apply for pasture use rights, individuals or other entities can also apply for pasture use rights. Small groups of individuals can also form a PUU and apply for pasture use rights (see below). There is some concern among the donor and INGO community that the Law will therefore not prevent further fragmentation of pastures and barriers to accessing pastures or transhumance corridors. In situations where pasture use rights are not widely dispersed (e.g. where no or few user right certificates have been issued), establishment of PUUs to manage pastures collectively is likely to be unproblematic. But some interviewed commented that communities are most concerned to retain collective management of pastures when allocation of pastures to individuals in an area has already become a prominent issue.

Sub-letting of pasture by pasture use right holders is also seen as a problem. If a pasture use right holder does not have sufficient livestock to make use of the land allocated to them, they may sub-let (i.e. rent out) the pasture to landless livestock keepers in return for a rental fee. Given that the land was allocated to them for grazing use, it is seen as unfair that other herders can only access pasture by paying the rent, which reduces the profitability of livestock keeping for poor households. The Pasture Law does not explicitly prohibit or otherwise regulate sub-letting.

On the other hand, some interviewed expressed concern for a better understanding of the specific situation and implications of individual use rights in the current situation. For example, cases are known where all of a community's pastures are leased to an individual community member, but that individual allows all community members to freely use those pastures. Thus, if large areas of pasture in a region are known to have been allocated to individuals, it is not a priori clear what this implies for the access of other livestock keepers to pasture. Another issue is that land use right holders with large herds may also provide beneficial services to community members (e.g. livestock breeding, veterinary services, employment etc). The balance of pros and cons and impacts on other livestock keepers needs to be better understood.

1.3.1.3 PUUs and community-based institutions

Some interviewees in the donor and NGO community express concern that the PUU is established in law as an entity that is independent of existing community-based organizations (CBOs) and that PUUs are not required in law to be representative of the local community or livestock keepers within a given area. The main concern is:

¹² Reportedly, continuation of Soviet-period contracts is also an issue in some areas, and where these involve use of pastures by herds from outside the district, this prevents also district government officials from addressing pasture management issues. W. van Weperen, pers. comm..

- Requiring PUUs to register as an independent institution undermines the ability of communities to manage natural resources through representative organizations such as CBOs.

Furthermore, there are concerns that

- establishing parallel organizations increases the risk of conflicts between community organizations;
- the additional transaction costs and capacity requirements of running parallel organizations
- the implications for financial sustainability of PUUs if they are required to register in a legal form that makes them liable for income tax.

One alternative suggestion would be that PUUs should be established sub-ordinate to CBOs, so that PUUs are accountable to organizations that are legitimate representatives of community (rather than private) interests. However, according to advice reportedly received by MSRDP from the Ministry of Justice, it is not legal for CBOs to establish sub-ordinate organizations, and therefore the only legal alternative would be to establish PUUs as independent organizations.¹³

Some internationally-supported projects have developed informal institutional arrangements for collective management, and other formal alternative arrangements. For example, some of the PUUs established in the ADB Rural Development Project were established as entities that are subordinate to the Jamoat self-governing body. CARITAS staff report that they have been supporting some CBOs to obtain long-term, secure pasture use rights, with the possibility that PUUs may be established later to utilize the CBO's pasture. To date, there has been no systematic assessment of the implications of alternative institutional forms (e.g. for representative-ness, accountability, effectiveness, financial sustainability etc).

1.3.1.4 Discontinuation of pasture user rights

One precondition for PUUs to be able to support collective grazing management is the availability of pasture resources. In some areas, allocation of land use rights has focused on arable land, and there are unallocated pasture resources available. In other areas, unallocated pasture resources are limited and can only be increased if existing pasture leases are terminated and the land returned to the State Land Reserve for reallocation. The intention of the Law makers is that the provisions of the Law empower local authorities to terminate pasture use rights where the rights holder does not use the pasture for grazing. A 2014 inventory of pasture resources has been completed, and reportedly includes data on whether pastures are used or not. However, it is reportedly unlikely that this data will be released, and few people interviewed think that it is a realistic possibility for local authorities to exercise their powers to terminate existing use rights. There is currently very limited quantitative data on the extent of unused and sub-let pastures in different regions of the country, so the relevance of these provisions is difficult to judge.

¹³ Interview, UNDP, June 2014.

1.3.1.5 Transhumance corridors

Allocation of pasture use rights for exclusive use in former transhumance corridors is a major obstacle to livestock mobility, and a cause of overgrazing in pastures near communities. Several interviewees stated their assessment that the Law is better at addressing area-based management of pastures (e.g. pastures within a given district); the district CoPs only have local competence, but the Law does not effectively address pasture management where summer and winter pastures are in different administrative districts; the institutional arrangements envisaged by the law probably would benefit local herders at the expense of migratory herders; and the Law does not effectively address management of transhumance corridors where these pass through several communities. Article 24 of the Law states that these corridors are under the control of the authorized government body,¹⁴ but there is no further specification of how the decisions of this body relate to those of other bodies or of how their management of these pastures should relate to the management of other pastures. There has been no review to date of the existing transhumance corridors and their overlaps with exclusive tenure rights or other customary grazing rights (ADB 2012).

1.3.1.6 Methods and technical skills for sustainable pasture management

The Law mandates the government authorized body to regulate standards and norms for pasture assessment and monitoring (and although planning is not mentioned, the same should apply), and improved pasture management would only result from better planning and use informed by monitoring and assessment. Some interviewed are concerned that there is no single, widely-accepted method for pasture planning, monitoring or assessment, and that considerable development of such methods in the field is required before a standard approach can be identified. Much of the current discussion focuses on methods for calculating carrying capacities and stocking rates, but there is currently very limited capacity at all levels to translate such information into improved management practices. There is thus concern that with the legal mandate, inappropriate methods may be set at national level that are not easily applicable by herders, or that are not suited to informing improved grazing management practices; and that considerable development of technical skills at all levels will be required in order to effectively implement the arrangements set out in the Law.

1.3.1.7 Financing sustainable pasture management

It is widely acknowledged that improved pasture management requires not only improved grazing management skills, but also investments in infrastructure, livestock management and breeding, animal health and livestock product processing and marketing. At present, such investments are primarily financed by pasture users and by donors. Yet, there is significant potential for increased investment through appropriate use of land tax and pasture lease fees. As an illustration, consider that if TJS 6.8 is levied on each of 3.8 million ha, the annual revenue is TJS 25 million (i.e. ca US\$ 5 million). Article 23 of the Law states that pasture lease revenues are to be used for the implementation of annual and mid-term pasture management plans. It will be critical to ensure that this happens. Some interviewed also suggested that the Law's

¹⁴ At the time of this study, the identity of the government authorized body had not been declared, but one option is that the existing Pasture Trust is empowered as the government authorized body.

provisions giving district majlis the power to determine pasture lease fees is a missed opportunity to reform the fee structure, since differentiated or sliding fee schedules could be used to provide better incentives for sustainable pasture management.

1.3.1.8 National strategy and policy on pasture management

The Government of Tajikistan currently has no explicit strategy for development of pasture-based animal husbandry. A “Program on improvement and rational use of pastures in the Republic of Tajikistan (2009-2015)” was established by Presidential Decree, but has very limited financing and is not embedded in a broader vision of how the government can support change in the country. The ongoing development of the legislative basis for pasture use provides an opportunity to assess a range of supportive actions that would be required in order that implementation of the law can lead to profitable and sustainable outcomes. Recent reviews have been conducted by ADB (2012) and the World Bank (2012), providing some analytical and conceptual basis for developing policies to support improved pasture management, livestock management and livestock enterprise development. In addition to pasture and livestock management, such a strategy might address closely related sectors, such as off-farm income generation, land, credit, extension, vocational and higher education, livestock product processing, marketing and trade. Some interviewees suggest that at present the Government of Tajikistan is focusing on agrarian reform in irrigated arable land areas and currently has limited interest to develop further pasture-based livestock sector policy strategies. Nevertheless, the recent emergence of pasture management as a national issue and the recent, ongoing and pipeline donor-funded projects in the sector provide an opportunity to ground future national strategy and policy in practical experiences and approaches that have been (or will be) proven through on-the-ground experience.

1.3.2 Additional issues

Some further issues emerged from the interviews that have not been directly discussed.

1.3.2.1 Politics of pasture sector reform

According to one interviewee, the initial drafts of the Law on Pasture were much more similar to the 2009 law in Kyrgyzstan that gave more powers, roles and responsibilities to PUUs at the village level with the intention of empowering pasture users to manage pastures. However, reportedly, this met significant opposition among politicians, including high level politicians, and was subsequently revised. Several interviewees commented that there is not significant support from a high level for addressing small holders’ needs in the sector, although senior policy advisors are reportedly aware of the many issues at the grassroots. It is not clear how intractable political interests are, and whether political positions are open to change as dialogue on policy and regulatory issues go forward.

1.3.2.2 Economics of improved pasture and livestock management

There appears to be strong awareness among grassroots actors (e.g. villagers, NGOs) that further adoption of improved pasture and livestock management practices requires improvements in market-driven incentives. There is interest in improving market linkages and develop-

ing processing activities to increase income from pasture management and provide incentives for better livestock management. It appears that at present, there is little evidence on the financial costs and benefits from investment in improved pasture and livestock management, and although there have been some value chain studies and interventions, there appears to have been very limited consideration of their implications for sustainable pasture management. At the same time, it should be cautioned that livestock play multiple roles in livelihoods, and maximizing profits from marketing is rarely likely to be the main incentive for livestock production and management. The multiple functions of livestock should be considered in assessing the feasibility of changes in pasture and livestock management.

1.3.2.3 Role of herders in land management outcomes

With regards to pasture access rights and pasture management, most attention is being given to land use rights and discussions with land user right holders, or with ‘communities’ in general. Although community members in some areas herd their own livestock, it appears to be common in many areas of Tajikistan that livestock are herded by hired herders, and thus herders are often the actual pasture managers. Yet no experience was heard of where pasture management activities, needs assessment or technical training was conducted with herders rather than land use right holders. The potential relevance of herders as the actual managers of land will vary from community to community, but should be borne in mind.

1.3.2.4 Gender

Most international and NGO pasture management initiatives appear to focus on ‘communities’ and households. Men play active roles in public affairs in Tajikistan, and it appears that discussions on pasture management and institutions are mainly conducted with men. Particularly when livestock are kept in winter pastures, it seems likely that women are more actively involved in livestock management, yet animal health and nutrition are directly related to pasture management. One brief study of gender roles in Panjikent was identified¹⁵ in which it was noted in passing that women are responsible for cattle management, but no other studies could be identified focusing on gender issues or on women’s perspectives related to pasture management. Studies in Kyrgyzstan suggest that in a context of increasing gendered migration, changing gender roles are likely to be relevant to practice change in pasture-based livestock management activities.

¹⁵ “Assessment in the villages Paghna, Ven and Porven, area of Penjikent”, unpublished internal GIZ report

Part II: Current and future focus of the donor community

Historically, pasture management as a specific topic has not received much attention in either policy or technical terms in Tajikistan. Interviewees reported specific instances since 2000 where the government has specifically declined to focus on pastures, expressing higher priority for addressing irrigated arable land management. It is only in recent years that some donor projects have begun to focus exclusively on pasture management or to include significant explicit pasture management components. As is clear from the preceding sections of this report, pasture management also relates to a number of other policy domains, including off-farm employment, land reform and land management, forestry and agri-business development. Within the donor community, climate change is one recent focus, but few related activities have been closely linked with pasture management.¹⁶

Tables 2 and 3 summarize some of the key donor-supported projects active in pasture management and closely related sectors. In addition to large projects, a number of domestic and international NGOs have been or are becoming increasingly active in pasture management, some of which are summarized in Table 4. One key result shown in Table 4 is that the scale of staff numbers of NGOs – many of whom implement the large donor projects – is very limited compared to the scale of potential needs for extension support in Tajikistan.

Most donor investment in the forthcoming period is focusing on pasture and livestock management at the household and village level. Among projects with a policy component, the ADB Rural Development Project will end in 2014 but the IFAD Livestock and Pasture Development Project is just about to recruit a policy specialist. Few other projects have a specific pasture policy focus. Among projects active at the grassroots, each project adopts a slightly different approach, with some focusing on whole communities, some on PUUs (which may consist of groups of households within a community) and some on individual households or small groups of households (e.g. ‘common interest groups’). Given that transhumance is common in the country and with the 2013 Law, it is inevitable that some of these projects will also have to support the development of pasture management institutions at higher levels (e.g. Jamoat, district). With the current state of legislation development, most existing projects (which were designed during the legislation development process) appear to be treating support for pasture management institutions in a pragmatic way, stressing the synergies between their community-based strategies and the provisions of the Law where appropriate, and (at least for now) not directly engaging with the other provisions of the Law. Interviewees mostly see the village level as the level with the highest potential to be a driver of change at present. Many of those interviewed are taking a ‘wait and see’ attitude to the relevance and pros and cons of the Law as its by-laws become further refined and the laws go into implementation. Lack of clarity and apparent inappropriate contents of the law and draft by-laws, ongoing consultations on the draft by-laws, apparent lack of support from high levels of government for particular lines of action and relative inactivity of the MoA on pasture law issues, and pre-set project approaches were all cited as reasons for this ‘wait and see’ attitude.

¹⁶ Concurrent with this ToR, GIZ is elaborating procedures for integrating pasture management into guidelines on climate change adaptation in the forestry sector. Also, a Central Asia Adaptation and Mitigation Project is about to be developed by the World Bank in which pasture linkages with climate change may be addressed.

Table 2: Key donor projects active in pasture management

Donor agency /	Project name	Main topics	Level of engagement
ADB	Rural Development Project	Policy & institutional reform Pasture & livestock management Rural business devt. Rural infrastructure	Village to legislation & policy
IFAD	Livestock and pasture development project	Institutional development (PUUs, policy); pasture management & veterinary services; women's income generation	Village to legislation & policy
World Bank / CEP	Environmental Land Management and Rural Livelihoods Project (ELMARL)	SLM, pasture user groups, water management Community / NGO capacity building	Village to district
BMZ & DfID / GIZ	Framework and Finance for Private Sector Development in Tajikistan (FFPSD)/ Growth in the Rural Economy and Agriculture: Tajikistan (GREAT)	Rural business & trade Financial services Land use planning	Village to district and national private sector policy dialogue
BMZ / GIZ	FLERMONECA	Forest law & governance Biodiversity conservation Environmental mgt.	National institutions, inter-agency collaboration, regional dialogue
BMZ / GIZ	Adaptation to climate change through sustainable forest management (financial component)	Joint forest management	Village to national within the State Forestry Agency
SDC / CARITAS	Natural Disaster Risk Reduction and Integrated Watershed Management: Muminabad	Capacity development in watershed management and SLM Village livestock committees, Muminabad Livestock Association	Village to district

Source: Based on tables prepared by Hilmar Foellmar.

Table 3: Selected donor projects in closely related sectors

Donor / agency	Project name	Main topics	Level of engagement
World Bank	Land Registration and Cadastre System for Sustainable Agriculture Project	Land administration and management, farm restructuring, land use rights registration and information management	Village to national institutions and policy
USAID	Land reform and farm restructuring project	Land administration and management, farm restructuring, land use rights registration and information management	Village to national institutions and policy
EU	Enhanced competitiveness of Tajik agribusiness	Value chain development	Throughout value chains & policy

Table 4: NGOs active in field support to community pasture management

Potential Facilitators	Technical expertise	Technical staff resources
ACTED	Pasture, livestock, agriculture, agro-processing, private sector development, social inclusion, income-generating activities, food security.	Core staff: 4 livestock specialists, 14 community facilitators.
MSDSP	Water, agriculture, livestock, agro-processing, private sector development, income-generating activities.	Core staff: 25 specialists in various areas (community development, NRM, infrastructure, 4 livestock, etc.)
Caritas Switzerland	Watershed, water, agriculture, livestock, agro-processing, private sector development, income-generating activities.	Core staff: 9 NRM/ agric. specialists, 10 community facilitators.
German Agro-action	Micro-watershed work, pasture rehabilitation, alternative energy supplies, seeds, private sector development.	Core staff: 7 professionals and 17 regional officers
Oxfam	Watershed, water, agriculture, livestock.	Core staff: 50 officers in various areas (community development, NRM, infrastructure, livestock, etc.)
CESVI	Water and sanitation, agriculture and enterprise development	Core staff: 9 expatriates and 45 national staff

Sources: IFAD (2013). *Livestock and Pasture Development Project Project Implementation Manual*. CESVI (n.d.) *CESVI Tajikistan: Working for cooperation and sustainable development*.

In addition to those projects listed in Tables 2 and 3, some relevant forthcoming projects under preparation include:

- World Bank Central Asia Adaptation and Mitigation project (CAMP), which reportedly will include a focus on pastures as a regional priority;
- World Bank animal health project, currently at very early stages of inception;

- IFAD Livestock and Pasture Development Program Phase II, currently under conception.
- GIZ/UNDP/GEF CACILM 2nd phase project

In addition to the projects listed above, in late 2013, during a Round Table on pasture management organized by the SDC funded IWSM Muminibad project, staff of national and international agencies, project managers, state officials and scientists established a Pasture Networking Platform. The Platform is currently facilitated by GIZ. The Platform has initially identified 3 targeted outcomes and a range of generic activities for each outcome:

- **Outcome 1: Platform provides for continued and consistent exchange of knowledge and experiences and joint learning.** Activities include field visits for cross-learning among members, regional exchanges to other countries, learning events on specific topics, learning events involving local scientists and academics, training events and conferences;
- **Outcome 2: Platform provides for systematic and standardized identification and documentation of good practices and promotes dissemination.** Activities include documentation of projects and activities in the country, sharing relevant documents through a common website, making media products to share good practices, development of criteria and formats for documentation of good practices, publishing and disseminating extension materials
- **Outcome 3: Platform contributes to the development and implementation of pasture management policy in Tajikistan.** Activities include coordinating pasture planning and management approaches and tools, provide feedback from experience to inform the legal framework, undertake surveys on specific issues and provide information to decision-makers, produce policy briefs, and organize press conferences on regulatory issues.

It is envisaged that the Platform would be organized at three levels:

- ‘Triangular’ meetings of field specialists, pasture users and local management institutions (e.g. mahallas) to consolidate information and positions on policy-relevant issues at the local level;
- Quarterly meetings of NGOs, INGOs, donors and other stakeholders to consider lessons from the ‘triangular’ meetings and distill messages to be provided through the Donor Coordination Council and national decision-makers;
- Annual Platform conference involving members from all levels.

The Platform is very recently established. To date, it has provided a forum for discussion of issues related to the legislative process, and for building personal relationships among staff of different agencies, mainly based in Dushanbe. The Platform appears to be genuinely well received by those involved, as it provides access to relationships, information and opportunities outside the normal scope of work. Members are aware of the potential of the Platform for enabling coordinated action among those involved.

Part III: Potential options for policy or technical support

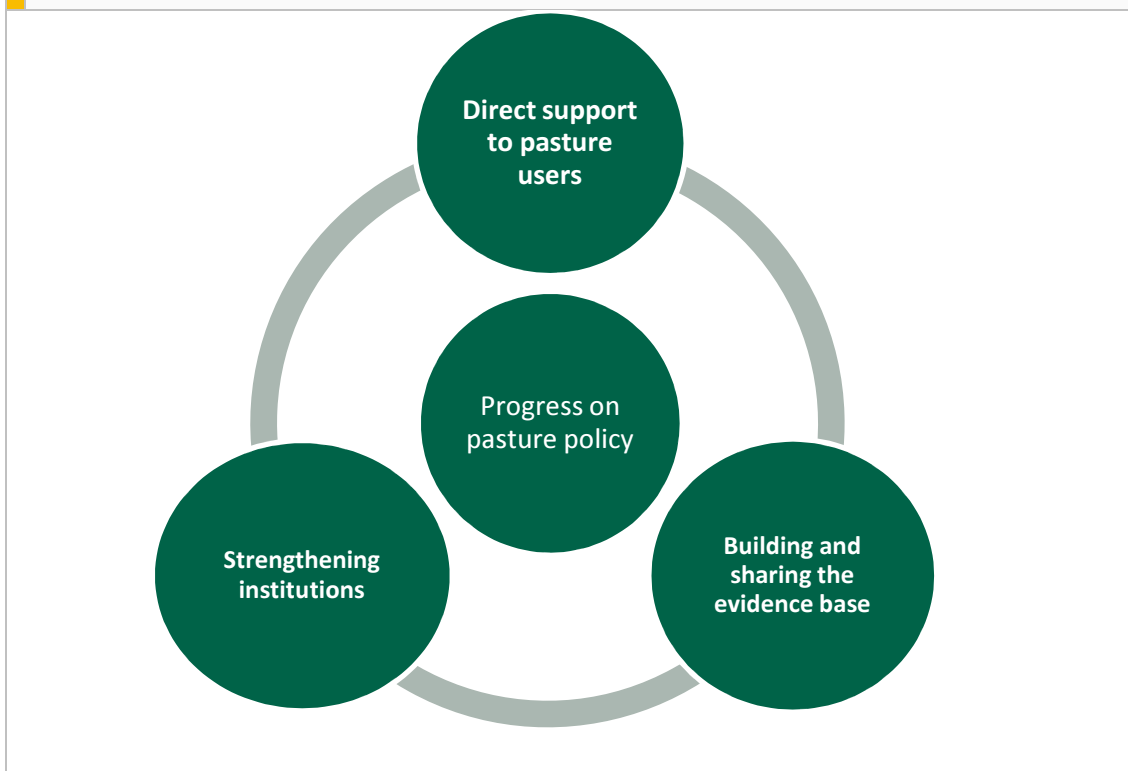
3.1 Overarching considerations

(1) Pasture management is a new and emerging topic for donors: Although pasture management has been going on for centuries in Tajikistan, pasture management as a specific topic has not received much attention in either policy or technical terms in Tajikistan. Donor-supported pasture management projects are relatively recent (mostly since 2007-2008), relatively few in number and with limited geographical coverage in the nation. The main implication of these observations are that there are few well-proven technical practices and institutional arrangements, and all stakeholders – including donors and their staff and contractors – have a lot to learn through practice. In addition to technical capacity building of implementation partners, facilitating knowledge exchange on the basis of emerging practices among stakeholders at different levels and on different aspects of pasture management issues would have great benefits for building technical capacities and for laying the groundwork for policy development.

(2) The 2013 Pasture Law has not created a clear institutional environment: There is broad agreement that the Pasture Law has not created a clear institutional environment for pasture management. Past practices that are the cause of some of the current problems (e.g. allocation of exclusive pasture use rights, high rent fees) have not been discontinued; village level pasture management institutions have been created, but they are not empowered to perform key management functions (e.g. pasture planning and monitoring) and their relationship with representative community organizations is not clear; a newly created Commission on Pastures has a wide range of functions but may have neither funds nor capacity to perform those functions; a “government authorized body” will have regulatory and policy implementation functions, but more than one year since passing the Law, the government has not designated which agency is the “government authorized body”. There is also broad agreement that further elaboration of by-laws and possibly revision or clarification of the 2013 Law will be required. Generally it is not expected that any further clarity will come from the majlis or government very soon.

(3) Several reasons for donor coordination: With a growing number of large-scale projects in the sector in Tajikistan, coordination among donors and individual projects will be increasingly important. Firstly, there is already significant geographical overlap among some of the projects, so coordination of field activities will be important to avoid duplication, confusion and conflict at the community level. Secondly, the 2013 Pasture Law mandates a government agency to develop national standards, norms, methods and approaches for pasture management planning, monitoring and assessment. Since several donor projects are developing practical experiences with these topics, development of these standards will be able to draw on the experiences of more than one donor project. Thirdly, although there is currently limited political will, there is awareness in government and the donor community of the relevance of developing a national strategy and policies to support pasture and livestock development. Initially it would help if donors speak with one voice on the need for strategy and policy in this sector. Subsequent specific policy advice should be coordinated among donors.

Figure 3: Generic options for donor support to pasture management



3.2 Entry-points for future donor-funded activities

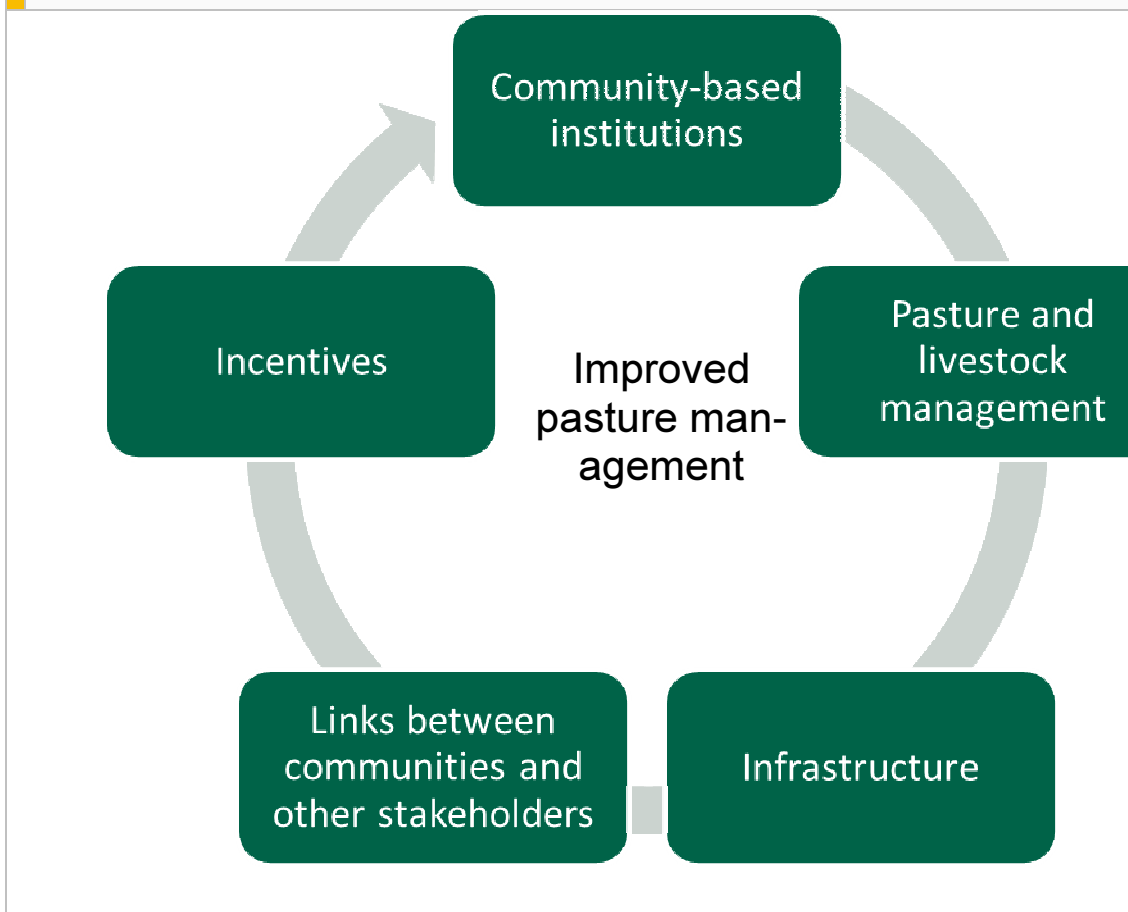
Three broad types of activity are identified: direct support to pasture users, building and sharing the evidence base and strengthening institutions (Figure 3). The options identified are oriented around support for the eventual development of pasture policy in Tajikistan. Within each generic type of activity, some specific entry-points and their rationale are outlined below.

3.2.1 Direct support to pasture users

A number of ongoing and pipeline projects strongly focus on providing direct support for pasture management to rural households and communities. This is likely to continue given the lack of clarity given by the 2013 law. In the coming years, there will be a plethora of practices, methods and approaches that are tried, tested, learned from and adapted. This will provide the evidence base for future development of policies, standards and norms in pasture management. Figure 4 indicates that support to pasture management is not a narrow question of grazing management and pasture management institutions. Livestock grazing is the main direct tool through which pastures are managed, which requires supporting infrastructure and technical aspects of livestock management and animal health. Incentives for improved management depend to a great extent on markets for livestock products. Support from other stakeholders, such as service and input providers and local governments, and market actors form an important part of livestock keepers' operational environment. Continued innovation in practice supported by donors will provide important lessons about how these interrelated components of grazing systems can support better outcomes for livelihoods and pasture condition. Most donor supported projects directly address several or all of these domains. One

option that appears not to have attracted much attention is the potential relevance of engaging with hired herders, since in some (though not all) places they are either the direct managers of pastures or responsible for pasture management with actual herding operations conducted by households. However, the relevance of hired herders as a partner in pasture management varies from place to place.

Figure 4: Integrated dimensions of pasture management



3.2.2 Building and sharing the evidence base

To build the evidence base to support policies and practice, three generic types of activities are envisaged: filling current knowledge gaps, building the evidence base on specific topics of concern, and learning from practice.

- **Filling knowledge gaps:** Current practices and policy relevant knowledge are formed on the basis of existing knowledge, which is as yet far from complete. Some key areas where addressing knowledge gaps can support practice change and policy development include:
 - *Grazing management as a restoration tool:* Current opinion suggests that a large proportion of Tajikistan’s pastures are degraded (itself a statement that requires more detailed specification). Pasture assessment as an initial activity in pasture management planning will provide more detailed information. At present, little is known about the potential for transitions between different pasture states across the country. In general, livestock keepers are aware of the potential impacts of continuous grazing and rotational grazing, and in some areas pilot activities in-

volving monitoring of change in pasture condition as a result of change in grazing practices will provide relevant knowledge over time. However, in many areas current practices appear to focus on forage cultivation and other engineering methods, but there appears to be little knowledge among project staff of the effects of grazing management as a restoration method.¹⁷ Given the high level of grazing pressure on many pastures, and possibly limited potential for long-term rest of degraded pastures, improved knowledge of grazing as a tool to manage transitions between pasture states appears to be a key knowledge gap. While there may be indigenous knowledge that can provide some clues, robustly designed long-term grazing intensity experiments¹⁸ are a proven – though slow – way to provide key scientific knowledge to guide practice in the restoration of pastures through grazing.

- *Economics of pasture and livestock management:* It appears that at present, there is little evidence on the financial costs and benefits from investment in improved pasture and livestock management, and these costs have rarely been compared with the costs of alternative land management options. Similarly, analysis of options for incentivizing improved pasture management through livestock value chain interventions has been limited. Robust evidence on costs and benefits of alternative management options would not only help guide cost-effective donor support but also provide an evidence base for considering linkages between pasture and livestock management, policy mechanisms, rural credit and business development.
- *Gendered roles in pasture and livestock management:* Improved knowledge of current gendered roles not only in pasture and livestock management but also in NGO and donor supported pasture management activities may be of direct use in improving the equity and effectiveness of support to pasture and livestock management.
- **Building the evidence base on specific topics of concern:** Donor project staff are often absorbed with implementing field-level activities, coordinating with national partners and other tasks. Although issues of policy-relevant concern arise, there is often limited empirical evidence on the nature, scale and impacts of these issues, so discussions of policy relevance are not evidence-based. Some examples of specific topics emerging from this brief study include:
 - Where are the geographical locations where pasture user right allocation is presenting a barrier to transhumance and where transhumance is presenting a barrier to effective management of pastures by communities?
 - Allocation of exclusive pasture use rights is often portrayed as a negative development, yet in some locations communities collectively use freely these allocated pastures. Where are the hotspots where exclusive use rights are impeding access to pastures, preventing communal management of pastures or significantly raising the costs of access to pasture for small-scale livestock keepers? And what are the

¹⁷ Discussions with INGO field staff confirmed that most staff trained in the Soviet period focused either on livestock production and health, forage cultivation or other aspects of agronomy, and that grazing ecology was not a focus of specialized training.

¹⁸ i.e. each experimental treatment has a different stocking rate, so the effects of each treatment on plant, soils and livestock can be compared.

institutions (e.g. agencies, certifications, tenure rights) involved in creating the resulting issues?

- Large herd owners are often portrayed as a major cause of problems, yet they may run profitable enterprises, may invest more in sustainable pasture management, and provide employment, support services and other benefits to smaller scale livestock keepers. There is almost no empirical evidence on these issues.
- What is the impact on other community-based institutions of establishing separate pasture management institutions?
- What are the impacts at community level of poor coordination among donor projects?

The Pasture Networking Platform could provide a forum for identifying topics of policy relevance where an improved evidence base can improve donors' and stakeholders' ability to understand issues, form positions and formulate options.

- **Learning from practice:** Experiences of facilitating, implementing and evaluating practice change are important sources of knowledge for a variety of support activities, from technical training to policy development.
 - *Documenting experiences:* Many valuable (successful and unsuccessful) experiences go undocumented, or are not shared beyond the implementing agency. In addition, places where change has happened without donor intervention go undocumented. Attention should be paid to documentation of specific experiences across the range of interventions (e.g. community engagement approaches, technical interventions, institution development processes) as well as outside donor project areas. Project-based M&E systems often serve project-specific purposes, and documentation and sharing may require allocation of dedicated funds. Where appropriate, scientifically robust methods should be used to provide evidence for evaluation.
 - *Sharing experiences:* A variety of approaches can be used to share experiences, including project site visits, and exchanges between project sites and across projects; production of written or audio-visual material; workshops etc. Three specific suggestions of particular relevance at the current time are:
 - **Sharing experiences on PUU development:** Several projects already have experience of forming community-based institutions for pasture management, and new experiences will soon emerge from the IFAD and WB projects. While different agencies and experts each have their own opinions on how such organizations should be structured, policy makers, donors and other stakeholders would benefit from hearing directly from the participants in village level pasture management organizations and their direct stakeholders (e.g. Jamoat or local government partners) about their experiences.
 - **Focused learning by project staff through the pasture networking platform:** The Pasture Networking Platform appears to be genuinely welcomed by participants. To date, discussions appear to have been dominated by the legislative process. Sub-groups based on specific topics could be established based on voluntary interest, to share experiences, methods and results between staff of different projects. These sub-groups would also help form the personal relationships and partnerships that would be necessary for further sharing and collaboration.
 - **Learning from international experiences:** Several countries in the region are undergoing related change processes in the pasture sector. Study tours to Kyrgyzstan are already being organized. Other countries may also have useful experiences. For

example, Mongolia has recently undergone a long process of developing a new national system for pasture monitoring and assessment¹⁹ that might provide relevant experiences for Tajikistan. Pasture health assessment methods used by farmers in North America and Australia may also be of practical relevance.²⁰

3.2.3 Strengthening institutions

The lack of clarity on institutional arrangements provided by the 2013 legislation and apparent inactivity of relevant ministries and political bodies hinders analysis of how support to institutional strengthening can be targeted. In particular, although a number of new functions and capacities can be envisaged for a government authorized body, it is not clear whether that body will be the existing Pasture Trust or a newly created Pasture Department. Nevertheless, the need for a comprehensively considered strategy and set of policies on pasture and livestock management is clear. At the present stage, at least three areas can be identified where institutional strengthening can contribute without falling foul of potential changes in the law or grassroots practice.

- **Donor coordination:** Pasture management is a relatively new and emerging topic among donors. It has close links with – and is even central to – several other topics that donors are currently focusing on, including land reform, climate change and agribusiness development. While donors may not yet at this stage have a clear position on what particular policies should be adopted, there seems to be unanimous agreement that pasture management should be put on the agenda in discussions with government. At present, pasture management does not appear as an explicit topic in the Donor Coordination Council (DCC), the main institutional framework through which donor coordination and donor-government dialogue occurs. Pasture management cross-cuts the existing working groups on land and water, and environment and climate change. A first step towards donors “speaking with one voice” on this issue would be for donors to discuss how to position pasture management within the DCC.
- **Support to a ‘community of practice’:** The Pasture Networking Platform appears to be widely appreciated. It plays several key functions, including building personal relationships, facilitating institutional collaboration and knowledge exchange. Further development of the Platform and its functions should be seen as a key means of strengthening institutions in Tajikistan.
- **Institutions providing key support services:** A number of support services will be key to effective implementation of pasture management. Two that stand out are veterinary services and forage seed supply (though fuller assessment may also identify others). IFAD and FAO are currently supporting work related to veterinary services and disease management. FAO previously supported extension of some legume seeds, but while monocrop cultivation of lucerne and sainfoin appears to be expanding in some areas, mixed grass-legume cultivation is not occurring, and reportedly grass seed is not widely available. Some NGOs (e.g. CARITAS) have also been working to promote access

¹⁹ <http://www.ars.usda.gov/Research/docs.htm?docid=24173>

²⁰

E.g.

<http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084>;

http://archive.agric.wa.gov.au/objtwr/imported_assets/content/fm/rangeman/monitoring_manual_for_land_managers_rcm.pdf

to seed. Options for support to public and/or private sector institutions in these two support sectors could be assessed.

- **Human resources development:** Pasture management and grazing ecology are reportedly not included in the main curriculum of Tajik Agrarian University, and outside NGO and donor projects there appears to be no vocational or practical training available in related topics. Many technical staff facilitating pasture activities for the small number of NGOs that implement donor projects have training in animal science or agronomy, and while they may be generally familiar with pasture, lack specialist knowledge of pasture and grazing management. Addressing the large-scale of needs in the country will be a long-term task, which will also require the development over time of specialists at all levels. Options for support to higher and vocational education institutions could be assessed.

3.2.4 Potential roles for the Pasture Networking Platform

Drawing together some of the preceding options, the Pasture Networking Platform has the potential to play a number of roles. This is clearly recognized in the range of activities proposed for the Platform. The options identified below build on the existing ToRs for the Platform, but are intended to highlight more specific activities in line with the Platform's objectives.

- **Outcome 1:** Platform provides for continued and consistent exchange of knowledge and experiences and joint learning:

The Platform may facilitate sharing of documentation and direct sharing of experiences. Part IV below contains the outline of a resource book, which could be based on existing documentation, including studies, manuals, guidebooks, training materials etc. Members could be invited to share in a meeting their experience of a particular issue or project activity. The use of UCA website as a repository of information and documented experiences is mentioned in the ToRs for the Platform.

Sharing and learning can become more focused if interest groups are formed around sub-topics (e.g. monitoring methods, community-based institutions, animal health practices etc). A variety of methods can be used to support learning across projects and organizations, including site visits, mini-workshops, seminars etc. In addition, where Platform members have demand for knowledge on particular topics, trainings or studies could be conducted to fill knowledge gaps, e.g. gender issues in PUU formation and pasture management.

At the present stage, one activity of relevance would be a mini-workshop at which the Platform invites leaders of existing PUUs (and community-based pasture groups with other names) to share experiences and explain how their institutions work in relation to other stakeholders and institutions.

- **Outcome 2:** Platform provides for systematic and standardized identification and documentation of good practices and promotes dissemination:

Platform members could identify priority topics of interest; identify and share existing documentation; identify important experiences that have not been documented; document experiences, or encourage members to provide missing information, or support dedicated studies (e.g. on the economics of improved practice adoption, or ecological impacts of pasture management activities). If the Platform has access to a small grants facility, this may help enable such documentation to happen.

Where donor projects lack specific experiences, scoping of good practices outside donor project areas may be useful.

- **Outcome 3:** Platform contributes to the development and implementation of pasture management policy in Tajikistan:

Until the DCC has taken up pasture management as an issue, the Platform is a suitable place to discuss a strategy for how to position pasture within the DCC and how to get pasture onto the DCC agenda.

Platform members could discuss and jointly identify priority policy-relevant topics where improved evidence base can help stakeholders to understand issues, form positions and assess options. Once issues have been identified, relevant information could be collected by members or dedicated studies supported to provide the evidence-base, with results shared and discussed among members. E.g., members might consider gathering evidence to identify geographical locations where particular policy issues are prevalent or to better understand impact of PUUs on CBOs, or other topics decided by Platform members.

As a networking organization, the comparative advantage of the Platform is in supporting sharing and collaboration across organizations. As a rule, the Platform should not undertake activities that are already undertaken by its members, because then the Platform would compete with its members.

As a new network, the main focus to date has been on the important task of building personal relationships among members. As relationships and trust are developed, members may wish to consider specific structures and mechanisms through which the Platform's activities can be implemented. Specifically, forming sub-groups based on mutual interest in topics or issues could provide a structure for self-organized action among members. A further option to consider would be developing a small grants facility to support activities (e.g. policy-relevant studies, documentation of experience, joint learning events) among sub-groups, where supported activities must involve members from more than one organization. Support could be given to organizations hosting each sub-group to ensure that specific outcomes are achieved.

Some interviewees mentioned whether the Platform should be formalized. At this stage, formalization of the Platform may facilitate some types of activity, but might also weaken some of the Platform's functions, e.g. if the Platform becomes perceived as an organization with its own interests. Many networks persist in the form of a project facilitated by one organization but jointly owned by all the members. In particular, if sub-groups are developed with the intention of supporting decentralized activity among members, it may be appropriate to discuss

further the principles of operation of the Platform to avoid future conflicts among facilitating organizations and members, and to ensure that the Platform can perform its functions fairly and effectively.

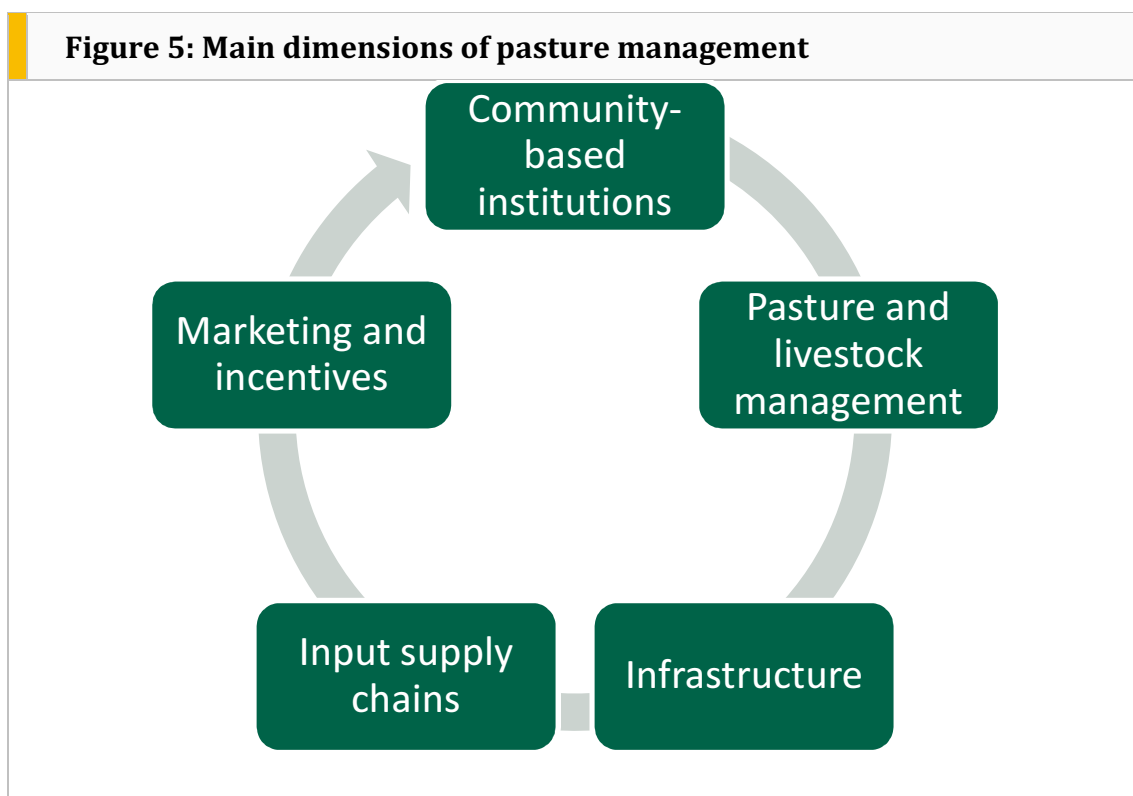
Part IV: Outline structure of a pasture management resource book for use in Tajikistan

The ToR for this mission specifies to produce an outline for a manual on pasture management for use in Tajikistan. In the current period, there is a wealth of experience that is currently being generated. It is suggested not to produce a manual – which may in any case be produced by some donor projects – but to consider collectively producing a resource book to which resources produced by members can be continually added. The intellectual property rights over the contents should remain with the organizations that produced the material, and permissions to disseminate in the form of a resource-book (e.g. as CD-ROM, or on a web-portal) may be required.

4.1 Outline structure of the resource book

The structure of the resource book could follow Figures 4 and 5, with annotated sections as below.

Figure 5: Main dimensions of pasture management



1. Community based institutions
 - a. Current pasture management arrangements (e.g. published studies describing current institutional arrangements and issues)
 - b. Provisions of the 2013 Law
 - c. Community mobilization approaches (e.g. facilitator guides)
 - d. Training materials on institution formation and management
 - e. Assessments, evaluations and 'lessons learned' of community-based pasture management institutions
 - f. Relevant international experiences (e.g. Kyrgyzstan)

2. Pasture and livestock management techniques
 - 2.1 Pasture management
 - a. Basic information on pasture ecology and grazing ecology
 - b. Pasture management manuals and training materials
 - c. Pasture utilization and management planning (including land use planning, grazing plans)
 - d. Pasture assessment and monitoring manuals and training materials
 - e. Technical materials on erosion prevention, rehabilitation of degraded pasture, fertilization, seeding etc

 - 2.2 Feed and forage
 - a. Basic information on livestock nutrition
 - b. Forage supply and demand estimation
 - c. Forage production
 - d. Feeding management
 - e. Economics of feed and forage management

 - 2.3 Livestock management
 - a. Reproduction & breeding management
 - b. Health management and disease control
 - c. Livestock housing

3. Infrastructure for pasture management
 - a. Water points
 - b. Driftways
 - c. Resting places
 - d. Animal shelters
 - e. Herders' huts

4. Input supply
 - a. Veterinary services
 - b. Forage seeds
 - c. Feed and feed supplements
 - d. Hay making equipment

5. Marketing and incentives

- a. Value chain assessment methods
- b. Value chain assessments in Tajikistan
- c. Value chain interventions in Tajikistan
- d. Non-market incentive mechanisms

6. List of organizations and individuals that can serve as resource-persons on various topics

References

- ADB, 2012. *Sector Assessment*. Rural Development Project, Sustainable Arable, Pasture and Forest Land Management. ADB Loan 2313 TAJ. ADB, Manila.
- Halimova N, 2012. Land tenure reform in Tajikistan: implications for land stewardship and social sustainability: a case study. In V Squires (ed) *Rangeland Stewardship in Central Asia: balancing improved livelihoods , biodiversity conservation and land protection*. Springer Dordrecht.
- IFAD, 2013. *Livestock and Pasture Development Project Project Implementation Manual*. IFAD, Rome.
- Robinson S and Whitton M, 2010a. Pasture in Gorno-Badakhshan, Tajikistan: common resource or private property? *Pastoralism*, Vol. 1, No. 2, pp. 198-217
- Robinson S et al, 2010b. The impact of land-reform legislation on pasture tenure in Gorno-Badakhshan: from common resource to private property? *Mountain Research and Development* Vol. 30, No. 1: 4-13
- UNECE, 2012. *Tajikistan Environmental Performance Reviews: Second Review*. UNECE, New York and Geneva
- World Bank, 2012. *Priorities for Sustainable Growth: a strategy for agriculture sector development in Tajikistan. Technical Annex 3: Livestock Sector Review*. World Bank and State Secretariat for Economic Affairs, Government of Tajikistan.

