

**Submission to the 47th Session of the Committee on Economic, Social and Cultural Rights in relation to the combined initial, second and third periodic Report of TANZANIA (E/C.12/TZA/1-3)**

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This report was prepared by:

1. Pastoralists Indigenous Non Governmental Organizations –PINGOs Forum
2. Maasai Women Development Organizations-MWEDO
3. Ujamaa Community Resource Team (U-CTR)
4. Community Research and Development Services (CORDS)
5. Association for Law and Advocacy for Pastoralists (ALAPA)
6. Ngorongoro Youth Development Association (NYDA)
7. Tanzania Intellectual Property Network (TIP-NET)
8. Tanzania Pastoralists and Hunter Gatherer Organization (TAPHGO)
9. Pastoral Women Council (PWC)
10. Parakuyo Indigenous Community Organizations (PAICODEO)
11. Ngorongoro NGO Network (NGONET)
12. Hadzabe Survival Council (HSC)
13. Umoja wa Wafugaji Mpanda (UWM)
14. Loliondo Development Organization

**Contact organization**

Executive Director

Pastoralists Indigenous NGOs Forum (PINGOs Forum)

P.O. Box 14437

Arusha

Email: [pingostz@yahoo.com](mailto:pingostz@yahoo.com) or [info@pingosforum.or.tz](mailto:info@pingosforum.or.tz)

[www.pingosforum.or.tz](http://www.pingosforum.or.tz)

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<sup>1</sup> In this printed version, two typos on page three have been removed

Phone: +255 27 2508965 or +255786542525

### **Introduction of Pastoralism and Hunter Gathering in Tanzania**

Pastoralism is a livelihood practice involving indigenous livestock grazing by making use of sparsely distributed resources such as pastures, salt licks and water sources. To this end, it requires mobility or unrestricted movement of livestock from a point of resource abundance to the point of resource scarcity. Pastoralism is commonly practiced in arid and semi-arid environments where resources (mainly water and pasture) are not constantly available in time and in space. Mobility is central to this system to both access resources across variable environments, and also allow for different pastures to rest at different times of the year. In Tanzania 10% of the population of the country practice Pastoralism as a livelihood system. Hunting and gathering in a livelihood system practiced by about 7,000 indigenous hunters and gatherer in Tanzania

In conformity with the criteria set out by the African Commission on Human and Peoples Rights' as well as the United Nations, the indigenous peoples of the United Republic of Tanzania (*hereinafter* 'URT') include the Maasai, the Barbaig, Akie, Taturu and Hadzabe. The former two groups are predominantly pastoralists whereas the latter comprise of forest-dwelling hunter-gatherers. The Sukuma, Nyaturu, and others belong to tribal groups also practicing pastoralism. Generally speaking, pastoralists are people organized in tribal groupings whose livelihood comes from herding domestic animals for subsistence across thinly-populated arid lands, and who practice communal land tenure system. Pastoralists and hunter-gatherers depend on access to land and water for their livelihoods.

### **Issue of Land**

In its report in paragraph 28- 31, in relation to article 1 of the Covenant on Economic, Social and Cultural Rights, the Government of Tanzania mentions the Land Act and land ownership. The Government regularly expropriates land of pastoralists and hunter-gatherers, who depend on this land for their livelihoods. Despite the information in the report, the "adequate, prompt and fair compensation" is not paid.

The government of the United Republic of Tanzania for the last five years has been implementing different programs that dispossess pastoralists and hunter-gatherers their land and livelihood.

### **Evictions**

There have been continuous evictions of indigenous peoples, pastoralists, hunters and gatherers to give way to other economic activities such as tourism, hunting, farming, and mining in pastoral and hunter-gatherers land without these people being adequately compensated or given alternative settlements. For instance, in July 2009 the government ordered forceful eviction of Maasai pastoralists from their homesteads in Loliondo division, Ngorongoro District in northern Tanzania for the benefit of hunting companies namely Ortello Business Corporation Company (OBC). Earlier on in 2007/8, the land of the Hadzabe people in Mbulu District, Manyara region, was allocated to an investor. Moreover, the Barbaig grazing land at the Vilima Vitatu village close to Lake Manyara in the Babati District, Manyara Region has been leased to a foreign investor to set up a tourist camp. Similar incidences were also reported from Iringa region (Pawaga and Idodi divisions).

Apart from the evictions there are incidences of other forms of harmful actions. For example, the effluent of harmful chemical substances from the Bunda Oil Company into the indigenous peoples' farms, water sources and grazing lands of the Miguguni and Tairo villages in Bunda District, Mara region, which has caused several effects to pastoralists and other villagers including miscarriages, children born lame; and animals such as sheep and goats experiencing grotesque deformation. The National Environmental Council (NEMC)<sup>2</sup> has ordered re-assessment of the situation but evidently nothing was done to serve the livelihoods of the surrounding community members.<sup>3</sup>

### **Apprehension of livestock**

At least 8,000 livestock were apprehended by the government following the evictions in the Mbarali District in 2006/2007.<sup>4</sup> In Kilosa District, over 149 cattle and 20 goats were seized and killed by the Mikumi Game Rangers between April and August 2010 on allegation of trespass to the Mikumi National Park.<sup>5</sup> In Loliondo, Ngorongoro District, over 50,000 cattle were left without

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<sup>2</sup> The environmental monitoring body established under provisions of the Environmental Management Act, 2004.

<sup>3</sup> Statement by Bunda elder to the President of Tanzania on 11/8/2006. This information is also covered by the 'Effluent Affliction of Bunda Oil Company (Bunda Oil Industries Ltd), Report of July 2010 by PINGO's Forum.' See pages 4, 7, 8 and 9. Available online at [www.pingosforum.or.tz](http://www.pingosforum.or.tz)

<sup>4</sup> Report by the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, James Anaya, [Ref: A/HRC/15/37/Add.1, 14/9/2010], paragraph 427, pages 177 and 177.

<sup>5</sup> Information from one of the villagers who attended a workshop of the pastoralists' (indigenous peoples organizations) CSOs on 22<sup>nd</sup> February, 2011 at Arusha. Information is also collaborated by 'A Fact Finding Mission

grazing land or water due to the burning of the said land, exclusion from traditional grazing areas, and burning of more than 200 Maasai homesteads (*Bomas*). In Losimingori village, Monduli District, Arusha region pastoralists were evicted in 2011 from their ancestral land by the Tanzania People Defense Force on claims that the land belongs to the latter.<sup>6</sup>

As a result of above atrocities, evicted families in different parts of the country are landless, homeless and subjected to conflicts with other land users, making them more vulnerable to poverty and making it even harder for them to access fundamental social services such as education and health facilities.

The Government deprives pastoralists and hunter gatherers from their means of subsistence. It also affects the right to an adequate standard of living.

### ***Right to Health and Right to Education***

Due to their mobile lifestyle, it is more difficult for pastoralists and hunter-gatherers to access education and health care. Despite universal free primary education in Tanzania, 50% percentage of pastoralist' children is enrolled. The literacy level among pastoralists is much lower than the national average.

### **Questions**

1. What actions and measures have the government conducted with regard to the pastoralists evicted in Ihefu, Kilosa, Loliondo and other areas, including bringing the perpetrators of human rights violations to justice?
2. What is the position of the government with regards to eviction or relocation of indigenous peoples to give room for investment or other government projects contrary?
3. How does the government ensure the means of existence of pastoralists and hunter gatherers in light of the evictions of these groups from their lands?

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Report on Cattle Shot Dead in Mikumi National Park, Kilosa District District . ' Report of August 2010, pages 2-8. Available online at [www.pingosforum.or.tz](http://www.pingosforum.or.tz)

<sup>6</sup> Information from testimony of some of the residents of the areas, in Arusha on 22 February 2011, during the UPR consultative meeting organized by pastoralists' (indigenous peoples' organizations) CSOs.

4. What is the position of the government with regards to the Taturu who are currently facing threats of eviction in Meatu by Meatu District council
5. What measures will the government take to ensure access and benefit sharing on resources found in world famous pastoralist areas such as Ngorongoro, Serengeti, Tarangire, Manyara and Mkomazi?
6. Can the Government give examples how it ensured the means of existence of evicted pastoralists and hunter gatherers?
7. Which steps will the government take to ensure access to education and health care for pastoralists and hunter gatherers?