



IWGIA URGENT ALERT

FORCEFUL EVICTIONS OF PASTORALISTS IN KILOSA DISTRICT, MOROGORO REGION, TANZANIA - CARRIED OUT FROM 29/01/2009

IWGIA has recently been informed by local partners in Tanzania that a government operation aimed at forcefully removing pastoralists from the Kilosa district in the Morogoro Region in southern Tanzania started on the 29.1.2009. The Tanzanian government wants to remove all pastoralists from Kilosa district and, according to some sources, the whole of Morogoro Region, and force them to other areas of Tanzania. Such areas have though, according to IWGIA local partners as yet not been specified, and the affected families do not know where to go to. The targeted pastoralists are mainly Parakuiyo Maasai but also Barbaig and Sukuma pastoralists.

The forceful evictions take place in a context of overall anti-pastoralist government policies where permanent settlement of nomadic pastoralists is emphasized. The anti-pastoralist attitude of the government is for instance reflected in recent statements made by President Kikwete in November 2008 where he visited seed farms in Kilosa and warned that if the conflicts between farmers and pastoralists were not resolved the government would “*make decisions that could be bitter to one party*”(Daily News, November 27, 2008). Based on the evictions the government has now demonstrated that the bitter decisions were targeting only the pastoralists.

The government seemingly wants to intervene in violent conflicts between farmers and pastoralists by way of simply evicting the pastoralists. Conflicts over land and other natural resources are increasing at an alarming rate in Tanzania and an increasing number of people are being killed due to this. The Tanzanian government bears a considerable responsibility since government ministers, members of parliament and local government officials are grabbing land at an enormous scale, and at the same time leasing large chunks of land to private investors in areas which have been used by pastoralists for decades and in many cases even for centuries, including in Kilosa where pastoralists have been residing for more than hundred years (see for example F. Maganga, R. Odgaard and E. Sjaastad, chapter 10, pp. 203-205, in: B. Derman, R. Odgaard and E. Sjaastad: “Conflicts over Land and Water in Africa”, Oxford 2007). These developments should be seen in the light of the fact that the Government is extending National Park boundaries, establishing new National Parks and imposing more restrictions on local people’s access to natural resources through more strict conservation policies and legislation. The most recent example of this is The Wild Life Conservation Act of 2008 (GOT, 2. January 2009), which, if implemented in its present form, will have a devastating impact on the livelihoods of pastoralists and several other groups all over Tanzania. All this adds to land scarcity and increased conflicts among local populations.

Looking at the constitutional rights granted to Tanzanian citizens in “The Constitution of the United Republic of Tanzania of 1977 (version 1998)” and especially the following facts:

1. Tanzania is a signatory to many human rights treaties, including the African Charter on Human and Peoples’ Rights; 2. the Government states in its own SPILL Plan (Strategic Plan for the Implementation of the Land Laws, GOT 2005) that “Discrimination of land access to vulnerable groups is a violation of human rights” and “Long standing occupation of land leads to legally accepted land rights” (pp. 43); 3. The intentions expressed in the objectives of the National Land Policy of 1995, and in the Land Acts of 1999, it is hard to find any constitutional or legal justification for the forceful evictions.

The present evictions in Kilosa link back to the similarly forced evictions of pastoralists from the Usangu Plains that started in 2006. For further information about this we refer to the IWGIA briefing that was issued on the 8th February 2008, and which is also posted on this website.

The Kilosa district eviction operation has targeted every single pastoralist in the district – pastoralists who were residing in their legal villages and sub-villages. According to local sources the eviction is unlawful and excessive force has been deployed.

The eviction force comprises of:

1. FFU- Crime Prevention Force
2. Mgambo (Local force)
3. The police
4. TANAPA (Tanzania National Park Authority)
5. JWTZ (TPDF) Tanzania Peoples’ Defense Force
6. Ambulance (doctors)
7. Kilosa District Authorities
8. Farmers leaders

The operation is causing gross human rights violations towards pastoralists including:

- Forceful eviction of pastoralists from their land and loss of land and property
- Internal displacement of pastoralists
- Confiscation of livestock
- Capture and torture of pastoralists
- Imprisonment of pastoralists
- Insecurity and possible fights between pastoralists and farmers
- Possible killing of pastoralists

IWGIA is receiving information from our partners in Tanzania that the situation of pastoralists is getting worse day by day. According to the information received about the evictions in Kilosa almost 8.000 livestock have now been seized by the government and brought to so-called holding centres. In order to get their livestock back, the pastoralists are forced to pay a fine of 30,000-45,000 Tanzanian shillings (US\$ 30-45) per cow and 10,000 Tanzanian shillings (US\$ 10) per goat, sheep and donkey, and a so-called “rental fee” per day of 5.000 Tanzania shillings. If they fail to pay the fines, the livestock is automatically confiscated by the district council. If the pastoralists manage to pay the fines for having their confiscated livestock released, they are forced to transport

their livestock on trucks, which costs 450,000 Tanzanian shillings per trip and to pay permit fees to transport the livestock.

The evicted pastoralists do not know where to move to and where to move their cattle to – that is if they manage to pay the high amounts for fines and transportation. There seem to be no plans in place for the re-location and the situation among the already impoverished pastoralists is desperate.

According to the information IWGIA has received, the evictions are being carried out in a way that leads to numerous human rights violations. The pastoralists are being deprived the foundation for their entire survival, and many families do by now not have any food. The eviction process is thus completely impoverishing an already poor and vulnerable population.

A Barabaig pregnant woman lost her baby during the eviction because she had to give birth outside in the rain and there was no home to make her and her baby warm after delivering. There are also rumors that two Wasukuma people have committed suicide because of the evictions. Hundreds of children are going hungry and in affected areas children have stopped attending schools.

There are by now no water and health provisions in pastoralist areas in Msowero, Kimamba, Chanzuru, Kikumi and Malangali wards. However, farmer villages in the same wards are all provided with essential social services.

The cultural life of the pastoralist communities is being highly disrupted and it might have devastating effects for the future of these communities.

The situation is tense and on the 4.2.2009 pastoralists and local human rights organizations tried to meet the Kilosa and Morogoro regional authorities, but the pastoralists were only given very limited opportunity to speak. The authorities reportedly said that they will continue with the evictions and that they will not allow the existence of pastoralists in the district, even if the pastoralist villages are more than 100 years old. The government seems to directly support the farmers and put all the blame on the pastoralists.

At a regional pastoralist meeting held on the 30.1.2009 the pastoralists came up with a number of resolutions and a task force. This task force comprises 8 members and is mandated to deal with the ongoing human rights violations. The task force plans to meet the Prime Minister, the Tanzania Pastoralists Parliamentarian Group, the Council of Churches of Tanzania, the Legal and Human Right Centre and PINGOs Forum.

According to reports received the Prime Minister shocked the pastoralists in his speech in the Parliament on the 5.2.2009 saying that there should be no more pastoralism in Tanzania.

The forceful evictions of pastoralists from the Kilosa district is a clear example of how the government of Tanzania is negatively biased and actively discriminates against her pastoralist population. It is well documented by extensive scientific research that pastoralism is a rational and economically sound form of production and a sensible utilization of vulnerable arid and semi-arid lands. Pastoralism also contributes substantially to national economies, and in Tanzania the livestock sector provides about 30% of the Agricultural GDP (National website for The United Republic of Tanzania, as per 24-02-09), and only engages 2.2 mill people (National Strategy for Growth and reduction of Poverty, GOT 2005). However, such facts are being ignored by the Tanzania government and the media in Tanzania, which generally portray pastoralism as an

outdated, useless and environmentally destructive form of production and pastoralists as backward, primitive and a cause of conflicts.

There are increasing and highly disturbing trends in Tanzanian policy making to emphasize permanent settlement of pastoralists – something that would completely destroy the cultures of pastoralists. This is a violation of international law protecting cultural diversity and the rights of all peoples to maintain their own identity and culture and to be properly consulted on issues affecting their future.

IWGIA is seriously concerned about the situation and the disastrous consequences that the Kilosa district evictions have for the pastoralists. They are being deprived the means of their economic survival, they are being forced to pay huge amount as dubious “fines”, they are being forced out of their villages in which they are born and which have been inhabited by pastoralists for decades – and in some cases more than a century. They do not know where to go to since there seem to be no re-locations plans in place. No consultation processes have taken place concerned the planned evictions, and the manner in which the evictions are carried out are in blatant violation of internationally recognized minimum standards for free, prior and informed consent.

The situation must be of serious concern to the Nordic governments which have for many years supported Tanzania in areas of human rights and good governance and which are internationally recognized as strong defenders of the rights of indigenous peoples.

IWGIA therefore calls on the Danish, Norwegian, Swedish and Finish governments as well as the EU, the World Bank, the UNDP, the UN Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous Peoples and the Representative of the Secretary General on the human rights of internally displaced persons to urgently discuss the Kilosa evictions with the government of Tanzania and among others to urge the Tanzania government to:

- Immediately stop the evictions
- Form an independent commission to investigate the manner in which the evictions have been carried out and if human rights abuses have taken place during the evictions
- To quickly make public this report and its recommendations
- Provide victims of the evictions with compensations
- Put proper plans in place for people to return or to be re-located to other areas.
- Ensure that all pastoralists affected by the evictions will immediately have access to the means of their economic survival and to fundamental social services

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