



Recent violations of pastoralists rights, their impacts on pastoralists with a special focus on women and girls

September 2022

1.0 Background

The Maasai are an indigenous ethnic group of Nilotic origin mainly residing in the rangelands of Kenya and northern Tanzania. The Maasai are largely dependent on pastoralism for their livelihoods and their culture, identity and existence is therefore intertwined with their livestock and land.

“Our land is means life to us; it is where our livestock graze and drink; it is where our our sacred ritual areas are situated like *Irpuli* (temporary camps where people feed and take herbs for various reasons including healing of the sick and rejuvenation after long hard droughts) and *Irmasin* (shaving rituals during ceremonies like child-naming, initiation of youth into adulthood, graduation of the Moran to become elders ceremonies and so forth); and it is the most valuable thing our children will inherit from us.’ *K.Timan, Women champion from Ngorongoro District, 2015.*

The Tanzanian government does not legally recognise the presence of indigenous groups and therefore considers all its over 100 tribes in the same way. As a result, there are no specific laws to accommodate and protect the unique forms of production that these communities have carried on for generations.

The Tanzanian land laws for instance provide limited security of tenure for communally owned lands and actually favours individual land ownership which undermines mobility of livestock and the traditional communal land use plans of the pastoralists. This has been a significant loophole leading to the repeated alienation of pastoralists land across the country to pave way for elite tourism, trophy hunting and agriculture.

1.1. The forceful evictions of the Masaai of Loliondo, Ngorongoro District.

In Loliondo division of Ngorongoro district, over 70,000 Maasai people have struggled for the last 30 years resisting of the Tanzanian government’s multiple eviction attempts and recurrent leasing of 1500km² of legally registered and titled village-land and the only grazing lands for these communities, to the UAE based Ortello Business Corporation (OBC) for trophy hunting.

In early June 2022, the Tanzanian Government vigorously renewed its efforts to forcefully demarcate the 1500km² of village land as a Game Reserve without meaningful consultant and prior and informed consent of the people indigenous to the area. The government went further and deployed around 700-armed military and paramilitary forces including; police, park rangers and military, and the following human rights violations transpired;

- Prior to the demarcation, Maasai political leaders from across the district were summoned, interrogated and detained.
- A head hunt of activists and human rights defenders led to majority fleeing for their lives.

- Upon resisting the unlawful demarcation, the community faced hostility from the paramilitary forces including gunshots to women, men and youth causing serious injuries to at least 31 people.
- Rampant arrests and trumped-up criminal charges of the Maasai, their leaders and human rights defenders then followed. 27 people including 2 women were detained on a trumped-up murder case and over 100 people were arrested in Loliondo as ‘illegal Kenyan immigrants.’
- Thousands of pastoralists and their livestock were displaced from their home and grazing lands, their homes and property destroyed and separated from families.
- Over 2000 pastoralists including 1,000 women and 200 children were reported to flee to neighbouring Kenya to seek asylum and medical treatment.
- After the demarcation, police seized hundreds of cattle from some of the affected households demanding heavy fines i.e.: 100,000TSHs (about 43 USD) and 25,000TSHs (about 10USD) for the release of each cattle and sheep respectively. This is ongoing to date.
- Systemic suppression of media outlets, threats and detainment of any whistle blowers was also enforced to control publicity on these atrocities against the Maasai.

Where is our father? The missing case of Ole Ng’iyo.

Ole Ng’iyo who was most likely in his late 80s was a traditional Maasai leader from Mairowa, Ololosokwan village. As a traditional leader, he was a highly respected man, a husband to six wives with over 50 children and grandchildren.

On the fateful day when the paramilitary forces opened fires against the residents of *Osero*, the disputed land in Loliondo, he was in the area of conflict and while the other injured people were all found and rushed to the hospital, Ole Ng’iyo was never found. Youth from his and neighbouring homesteads even went out on a search despite the danger of going back into the area of conflict but they never found him nor his body.

While some speculate that he was probably killed and buried, nobody really knows and his family mourn him dearly.

‘It has been three months now, and with my father being old, I don’t know if he is still alive. Sometimes I wish that we had the opportunity to give him the burial he deserved as a good father and a respected traditional leader.’ Said one of his sons as he reflected on his missing father.

1.2 Involuntary Relocation of pastoralists from Ngorongoro Conservation Area (NCA), Ngorongoro District.

The Maasai of Ngorongoro Conservation Area (NCA), Ngorongoro district struggle with the government’s plan to change the Multiple Land Use Plan (MLUP) to ban human settlement and activities in the area and to assimilate more pastoralist land to expand the proposed exclusive conservancy that would only accommodate elite tourism. If carried out, the plan would warrant the eviction of over 90,000 Maasai and their livestock from the area.

Majority of the NCA community members have strongly resisted this and the government has in turn resorted to making their lives in the area unbearable by; placing budgetary sanctions on all essential social services;

placing strict policies to impede people's mobility; and enforcing more no-go zone areas limiting access to water and pasture in addition to the pre-existing cultivation ban.

"These people have lived in NCA for over 60 years, it is indeed a nightmare to uproot them overnight. The Endulen hospital for instance used to receive 500 Million Tanzanian shillings from the NCA Authority for provision of healthcare of NCA residents, this allocation has now been dismissed. Children and women will die due to lack of essential services. What government does this to its people?" *Hon. E. Ole Shangai, Parliamentary representative of Ngorongoro District in a parliamentary session, April 2022.*

1.3 The confiscation of 1,785 pastoralists' livestock in Elerai village, Longido District.

Like most other villages across northern Tanzania, the residents of Elerai village, Longido district are now struggling with a difficult drought that is taking a toll on their livestock and their overall wellbeing. This is worsened by various government sanctioned initiatives that increasingly limit land suitable for pastoralism and increase conflicts over resources. In July 2022, 27 households of Elerai village were forced into extreme poverty following the confiscation of 1,785 livestock following the destruction of crops in an investor-ran farm in the nearby Siha district.

"On the 9th of July 2022, we were surprised government officers arrived with orders to round up and detain livestock who were grazing in our village. A total of 1,785 livestock taken away leaving 27 households in my village with nothing. I later learned that a nearby farm leased to an investor from abroad had been invaded by animals and crops destroyed and that our livestock where thought to have caused this damage." *S. Ole Naasalei Elerai Village Chairman narrates.*

It should be noted that this area is at the foot of the Kilimanjaro mountain with a considerable presence of wild animals like antelopes, gazelles and zebras and that the villagers are well aware that the farm is off limits during the farming-harvesting season.

On the 12th July 2020 the livestock were officially confiscated and announced for auction. The community appealed leading to the auction being denounced on the 15th of July 2022 only to be overruled on the 20th of July on the grounds that the livestock had illegally immigrated from Kenya and did not belong to the residents of Elerai.

"They took our livestock leaving me with children that I can no longer take care of. Without cattle how do we feed the 20 cattle in our boma? The little ones who are in school now how have to drop out. The authorities of our district have disgraced us before our children by denying us justice and making us extremely poor overnight." *N. Leng'ire, Middle aged woman, resident of Elerai village.*

2.0 The impact of these conflicts on the lives of the pastoralist women, girls and communities residing in Ngorongoro and Longido Districts

With thousands of pastoralists being forced to relocate from their ancestral homes and grazing lands, their properties destroyed and unlawfully taken from them, significant disruptions have been observed ranging from immediate effects like insecurity and distress from physical and psychosocial trauma to long-term effects like livelihood loss and restrictions as well as psychosocial damages which the pastoralist community members will have to endure for generations before fully recovering, that is if they recover. The threat for cultural and identity loss is also quite eminent given that livestock and land are central to the traditional Maasai way of life. The major impacts of these evictions on the lives of women and girls are discussed below.

2.1 Overall community impacts of the land-related injustices in Ngorongoro and Longido Districts

- The injured individuals and their families have had to incur significant costs for their treatment and care. Some are still struggling to clear their debts amidst the sudden economic downturn.
- In the aftermath of the eviction, thousands of Maasai women, children, youth and men were forced into homelessness, displacement, separation from their families and destruction of property.
- With community leaders and representatives from across the district in prison, the voice of the Maasai people of Ngorongoro district remains repressed. Local elections are even in progress to replace some of these leaders in a rather non-transparent manner.
- Food insecurity and impoverishment has gone high as grazing areas have become more limited; households have been forcefully de-stocked through killing of livestock during the eviction as well as confiscation by the government.
- With limited grazing areas, livestock are now generally undernourished fetching very low prices in the market. This is further worsened by the ongoing drought season.
- Internal conflicts are also increasing as clans fight over the limited remaining resources (pasture and water). This struggle for resources will also increase the risk for further conflicts between pastoralists and local farmers as well as conservation authorities.
- There's also a risk for severe environmental degradation as the relocated livestock are forced to graze in the remaining piece of land that supports pastoralism.
- Sharp increase of school-dropout rates due to the ongoing unrest and as families have to choose between having a meal on the table or taking their children to school.
- In NCA, the government also dismissed the Ngorongoro Pastoralist Council the only body within the NCA that was advocating for the inclusion of interests of the natives of NCA in budgetary plans and

implementation. Over 500 pastoralist children from the poorest families in the area that were being sponsored by this body are now stranded and cannot go on with school.

- Budgetary sanctions have also meant that health facilities and schools within NCA are understaffed, understocked and the infrastructure cannot be enhanced.
- With water supply having being cut off in some areas, villagers from Misigiyo, Oloponi and Loongoijoo have to travel up to 40km from their homes in search of water.
- This in addition to restriction of grazing in some potential areas has led to the loss of a significant number of livestock during this dry season, something that is usually uncommon within NCA.

2.2 Highlight on pastoralist women and girls in relation to the recent land injustices in Ngorongoro and Longido Districts.

As is the case with other crises, women and girls amongst other vulnerable groups are disproportionately affected. The highly patriarchal nature of the pastoralist Maasai community that deems women incapable of decision making, owning or meaningfully managing resources means that pastoralist women and girls are less equipped to respond and adapt to these situations.

2.2.1 Direct impacts the conflicts have had on pastoralist women and girls residing in Ngorongoro and Longido Districts.

- In the Loliondo evictions, the paramilitary hostility led to the harassment of thousands of pastoralists to drive them away from their homes, injuring **31 people including 10 women**.
- The **10 badly injured women reported to have been attacked with** gunshots and spikes/knife bayonets.
- They were all rushed to Kenya for immediate treatment and although are doing well physically, **2 women** are still going on with out-patient visits and **4** opted to permanently relocate to Kenya to recover from the traumatic experience.
- **10 women** reported to have spent all family resources in caring for their husbands who were also injured as well as in relocating to find peace away from home even if temporarily.
- **2 women champions** and council representatives have been imprisoned for over 3 months now alongside 22 other community leaders and civilians with a fabricated murder case. These prominent defenders of pastoralist women's rights are also PWC board members. With one being a widow and the other one currently expecting and a second wife to an elderly drunkard man, their **13 children, including 9 school-going children**, are now at the mercy of their relatives who are already struggling to care for their own families.
- The wives of the imprisoned **22** male community leaders and civilians also have to support their extended families without the support of their husbands.

- Over **10** Maasai women were arrested and accused of being ‘illegal Kenyan immigrants’ despite some having been born, bred, married and raising their own children in the same villages.
- **12 women** community leaders, champions and activists were sought out and had to flee their homes in fear of their lives leaving their families unattended.
- **133** girls from NCA and over **50** others from the most marginalised families in Ngorongoro district whose fees were footed by the Ngorongoro Pastoralist Council and Ololosokwan Village Government respectively are now in cross roads as the former has been dismissed while the latter is disorganized with key leaders either in prison or in exile. The numbers are generally higher as even the previously able families struggle in the aftermath of the evictions, drought and livestock detainment.
- In Elerai village in Longido district, the confiscation and auctioning of the 1785 livestock directly affected **79** women who are members of the 27 directly affected households that currently have no alternate livelihood source.
- Women micro- credit groups (VICOBAs) and businesses have disintegrated due to the conflict leaving women and their families with no or little income to meet basic needs.



16-year-old **Nengai** was enjoying her long holiday at home in oloipiri village, Loliondo with her parents and siblings after graduating from O’Level Secondary School in November 2011. Things suddenly changed early in June 2022 when her mother who is a pastoralist women representative councillor was summoned together with her colleagues by the Ngorongoro district commissioner.

“Mama left for Wasso that morning and I thought it was just another one of her usual meetings. She never came back home that day.”

For a whole week Nengai, her family, families and friends of other detained community leaders sick with worry as the whereabouts were not disclosed for about 1 week until when they were reported to be in Kisongo prison, Arusha town with a fabricated murder case.

“My father’s alcoholism has worsened since and he is barely at home, we now depend on relative and people of goodwill to provide us with food and our needs. I see glimpses of my mother on videos when people go to court to listen to their case and even though it hurts me, I believe she will be released because she is innocent.”

Nengai is questioning her future now that her mother is away and although the idea of leaving her younger siblings at home in such a difficult situation is not appealing to her, she understands and wishes to go on to college.

“My mother would be heartbroken if I dropped out and I hope that PWC will support me and my siblings to go on with school.”

3.0 Support for affected communities

The following actions are necessary to support the affected communities, including women and children, recover from the eviction crisis.

1. Solidarity amongst all Indigenous Peoples' Human Right Defenders and organizations, development partners and embassies across the globe to influence the Tanzanian government to stop all violations against the Maasai of Ngorongoro District including the immediate release and acquittal of the 64 unlawfully detained and accused community leaders, activists and civilians, the unlawful sanctions on essential social services for the people of NCA and the eviction of over 16000 pastoralists from their ancestral land.
2. Engagement and meaningful dialogue with top government authorities on long-term win-win solutions, push for the amendment of oppressive legislations and laws e.g: the Ministry of Natural Resources and Tourism having the mandate to change village lands to conservation areas. We only have 4 Maasai parliamentary representatives out of 350 hence the need for strong external influence. reinstate and provide essential services, and support for rehabilitation and recovery for communities forcefully evicted, including guarantees for secure access to and use of natural resources on the affected territories by community members.
3. Support of the ongoing community-led litigation to pushback on all plans to evict 160,000 pastoralists of Ngorongoro District disregarding their prior free and informed consent.
4. Sustaining legal support and advocacy for the immediate release of the 24 leaders and human rights defenders imprisoned with trumped charged of murder since June 2022.
5. Medical support, debt relief and support for the most affected households through restocking.
6. Livelihood diversification to encourage optimal use of the very small remaining land resources in the short run. This would be in the form of strong microcredit schemes, supporting value chain addition, viable tourism options within and beyond protected areas as well as enhancing essential social services.