

Letter to the United Nations Special Rapporteur concerning Prevention and Resolution of Rights Violations Against Pastoralists of Northern Tanzania.

Dear UN Special Rapporteur,

Pastoralists, particularly Maasai women and children, of Ngorongoro District remain among the most marginalized communities of Tanzania. As a member of this community, I respectfully request that you consider the following injustices in your investigations into the ongoing land use conflict, rights violations, resource deprivations and abuses inflicted upon the pastoralist communities of Loliondo and Ngorongoro Conservation Area (NCA) under the direction of the Tanzania government.

INDEPTH ASSESSMENT OF NATIONAL AND INTERNATIONAL LAND USE REGULATIONS, LAWS, RIGHTS AND PROTECTIONS FOR INDIGENOUS PEOPLES.

A full and detailed assessment of community land ownership in accordance with provisions of country laws, international guidelines, UN mechanisms on Indigenous Peoples and their rights, international human right laws etc. will reveal unlawful demarcations of land previously demarcated for community use. It will also shine a light on unjustified abuses, arrests, corruption, and lack of due process by authorities.

One example of such ongoing abuse is the government sanctioned actions of an armed Special Forces unit operating in Loliondo, intimidating and making reckless arrests of innocent Tanzanian citizens. This unit earns illicit income from fines it imposes on release, as evidenced by a sub village chair who recently visited the police to determine why his relative was arrested. He was also arrested and both had to pay 3,000,000 TZS to be released. Despite multiple similar occurrences and the issue being repeatedly reported to the District Commissioners Office, nothing has been done to address it or prevent it reoccurring.

BURNING OF LOLIONDO RESIDENTS' PASSPORT AND NATIONAL ID CARD.

Pastoralist residents of Loliondo have had their passports and other identification cards destroyed by authorities, in clear violation of their basic rights as citizens of Tanzania. In addition, Loliondo residents are being denied a new or replacement passport and National ID number. This is a totally discriminatory act of, and is being denied by, the authorities despite recent nullification of a court case claiming these individuals to be citizens of Kenya.

FORCEABLE CAPTURE AND DEPRIVATION OF LIVESTOCK IN DISPUTED VILLAGES

Cattle, the main asset of pastoralist families, are being forcibly locked in pens by authorities and prevented from accessing grazing and water, causing inhumane suffering and significantly reducing the cattle's marketable value. In the NCA, a special magistrate will jail herders for 6 months and elsewhere unaffordable fines are demanded before cattle are released.

During a drought, there is nowhere else to graze these starving cattle and the disputed area is only dry season grazing available. Even the Maasai Mara ecosystem and rangeland is becoming

depleted. Tanzanian cattle herds taken to Kenya for grazing will soon be forced to return to the threatening environment of Loliondo where young herders may be beaten, harassed and jailed by armed security forces.

Over 1000 pastoralist ranches in NCA, Serengeti National Park and newly (illegally) demarcated Loliondo Game Reserve are uniting against the forced confinement of their cattle. Addressing this is an absolute priority for pastoralists as these malicious acts increase community food insecurity, hunger, poverty, and the physical and mental suffering of many families.

STARTING MEANINGFUL DIALOGUE WITH THE GOVERNMENT OF TANZANIA.

Meaningful dialogue between pastoralists and government officials is currently unavailable. An external independent third-party international mediator should be commissioned to bring peace and a sustainable solution to this recurring conflict of the past 30 years.

The current government policy is “fortress” conservation (as promoted by conservation agencies in Tanzania) which funds ever larger wildlife corridors and management areas that specifically exclude pastoralists and their cattle. This comes at the expense of the indigenous minority, who benefit little from income generated from their surrounding natural resources, making them even more vulnerable, creating more conflict, more deprivations and risking further loss of rangelands and biodiversity. It leaves women in particular in a weak position since they are completely excluded from the management and staffing of these areas.

The situation requires fully transparent permanent resolution to prevent more alienation of pastoralist lands. In reality, the wildlife management areas are community managed and income should benefit the community. More sustainable, inclusive and equitable range lands management is needed and must be codified into law.

A model of community-led development, equitable land-use plans and indigenous people protections is an alternative model that would give Village Leaders responsibility to determine land use and distribute financial benefits directly to communities on the ground.

RECOGNITION AND ENFORCEMENT OF PASTORALIST RIGHTS WITHIN THE LEGAL FRAME WORK.

Following land and village acts it is critical to resolve ongoing conflicts with the state and to ensure pastoralist and indigenous peoples rights are recognised and enforced within the national legal framework. Pastoralists are significant contributors to the Tanzania economy with potential for sustainable growth. The pastoralist way of life should not be considered a threat by the state, since pastoralists rely on the sustainable use of natural resources, especially rangelands, and have been custodians of their environment for many years.