



International Work Group for Indigenous Affairs

IWGIA URGENT ALERT

CONCERNING

GROSS HUMAN RIGHTS ABUSES TOWARDS PASTORALISTS IN LOLIONDO, NGORONGORO DISTRICT IN TANZANIA

IWGIA is deeply concerned about the forceful evictions of Maasai pastoralists from their homes and grazing lands in Loliondo Division, Ngorongoro District in Northern Tanzania and the gross human rights violations that are being committed.

The eviction operation started on the 4th July 2009 and was conducted by the notorious riot police, the Field Force Unit, with assistance of private guards from the Otterlo Business Cooperation (OBC). They entered the villages by shooting in the air and using teargas before pouring petrol on the Maasai homes and setting them on fire.

According to the information received from reliable sources, eight villages in Loliondo have had their houses and property destroyed. The villages are Soitsambu, Oloipiri, Arash, Maaloni, Oloosoito, Olorien/Magaiduru and Nguserosambu. According to the information IWGIA has received, the following gross human rights violations have been committed:

- More than 200 Maasai bomas (homesteads of extended families) have been totally burnt.
- Food stores and maize fields have been burned.
- It is estimated that up to 3,000 people have been made homeless without food and shelter.
- Several maize farms, which were ready for harvest, were set ablaze exacerbating an already alarming hunger situation.
- More than 50,000 cattle have been pushed into areas hit by extreme drought with no water and grass. Some cattle have been lost and some burned to death.
- Property worth millions of Tanzania Shillings has been destroyed.
- The Field Force Unit police has committed serious physical assaults on pastoralists. 12 men have been beaten and 3 seriously injured.
- Several women have been raped by policemen.

- Other women who were chased from their homes have had miscarriages.
- Family units have been broken and some children have been lost in the bush due to the chaos and panic during the evictions.
- Communal and traditional worship places have been destroyed.
- Many people are now suffering from psychological traumas.

The testimonies from the victims of the horrific events including the two following examples:

Mr. Orkoskos Yiele is an elderly traditional leader whose fore-fathers have been buried on the land that the people are now being chased away from. His family comprises over 60 members and they have been left destitute when all their property went up in flames. During the chaos and panic his pregnant granddaughter miscarried an 8 months old child who subsequently died. 100 of his herd of cattle also got lost in the chaos and to-date he has not been able to locate their whereabouts.

Mr. Masambe Nguya was standing outside his burning homestead when he was spotted by a police officer who poured petrol over him and pushed him towards the flames. Luckily, he stumbled and fell and managed to flee whereby he survived. However, he recalls the sound made by his two goats and four puppies who were burning in the flames whilst he could not rescue them.

No actions have been taken by the responsible government authorities to assist the victims of the evictions who find themselves in a desperate situation amidst the ravaging drought with no food, water, shelter and grazing land for their livestock.

Local NGOs are discussing what can be done and are trying to assist the affected communities. However, the NGOs themselves are facing harassment for allegedly inciting the public and IWGIA is being informed by our partners that their staff and their families are receiving death threats. NGOs in Dar Es Salaam are alarmed about the situation and plan to make a visit to Loliondo in the middle of August.

The forceful evictions and the human rights violations committed by the Tanzania Field Force Unit police are a serious violation of the legal and constitutional rights of all citizens of Tanzania and of the land laws of Tanzania. The evictions also constitute a gross violation of the international human rights conventions to which Tanzania is a party, including the African Charter on Human and Peoples' Rights and the Convention on the Elimination of all Forms of Racial Discrimination. It is furthermore a blatant violation of the recently adopted UN Declaration on the Rights of Indigenous Peoples that Tanzania voted in favor of in the UN General Assembly. Key human rights provisions in international human rights law such as the right to life, the right to dignity, the right to protection

of property and the right to free, prior and informed consent have been violated during the forceful eviction process.

The evictions are the culmination of a conflict which has been going on between the local pastoralist communities and the Otterlo Business Cooperation (OBC) since 1992 where the company - which is owned by a member of the Royal family from the United Arab Emirates - was allocated hunting rights on the land of the local communities. This land allocation was done by the Wildlife Division of the national Government of Tanzania and with no local community involvement and without seeking their free, prior and informed consent. The allocation of hunting rights to the OBC has not given the company ownership rights to the land, but the villagers are evicted nonetheless. The local community has been struggling to resist this land grabbing and forced domination in their legally owned land but the government responses have been dismissive and brutal with repeated actions leading to loss of life, injuries and destruction of property. The government authorities have over the years repeatedly refused to listen to the outcries and appeals of the communities. The government has not wanted to enter into constructive dialogue with the concerned communities and their organizations and no actions have been taken to address the concerns of the villagers.

On 15th of July, 2009 the Minister of Natural Resource and Tourism made a sudden visit to Loliondo to assess the situation, and she managed to meet a few local leaders, but she refused to meet the villagers saying that she did not have time. During the meeting she condemned the operation and said it should be stopped immediately. However, no actions have been taken to stop the eviction operation and no legal proceedings have been taken against those who have conducted the human rights violations. On the contrary, only one day after the Minister's visit more Maasai homes were burnt and people were beaten and harassed – and the harassments continue to date.

There have been some media reporting about the evictions. However, according to the information IWGIA has received the national television is being used to misinform the public and covers the issue in a manner which puts the blame on the pastoralists themselves.

The forceful evictions take place in a context of overall anti-pastoralist government policies where permanent settlement of nomadic pastoralists is emphasized. This appears clearly from among others the “Strategic Plan for Implementation of the Land Laws”, page 14-15, which was published by the United Republic of Tanzania in April 2005. The anti-pastoralist policies and government rhetoric mean that the rights and livelihoods of pastoralists are under constant threat and that their constitutional rights as citizens of Tanzania are being undermined – which might ultimately result in the extinction of pastoralist cultures and livelihoods in Tanzania.

IWGIA is seriously concerned about the situation and the disastrous consequences that the forceful evictions have for the pastoralists in Loliondo and we call on the international community to raise the issue with the Government of Tanzania as a matter of urgency. IWGIA has appealed to the following institutions to address the situation:

- The UN Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous Peoples.
- The African Commission on Human and Peoples' Rights.
- The Representative of the Secretary-General on the human rights of internally displaced persons.
- The International Labour Organization (ILO).

- The Danish Minister for Development Cooperation
- The Foreign Ministries and/or Embassies of Denmark, Sweden, Norway, Finland and Switzerland.
- The EU.

IWGIA calls on these institutions to urge the Government of Tanzania to:

- Immediately stop the evictions.
- Immediately put an end to the human rights violations and put measures in place that guarantees the fundamental constitutional and human rights of the pastoralists in Loliondo/Ngorongoro.
- Bring those responsible for the human rights violations to justice.
- Ensure that the harassment of the pastoralists in Loliondo/Ngorongoro and the organizations trying to assist them is being stopped.
- Immediately form an independent commission to investigate the evictions and the human rights violations and make recommendations for action to be taken.
- Quickly make public a report with recommendations from the mission of this commission.
- Immediately provide the victims of the evictions with humanitarian assistance.
- Provide victims of the evictions and human rights violations with compensations.
- Establish constructive dialogue with the pastoralist communities and their representative organizations in Loliondo/Ngorongoro regarding their deeply felt concerns over the OBC lease.
- Guarantee that the land, natural resource and livelihood rights of the pastoralist communities are respected as per national and international law.

Copenhagen, 20th August 2009