



STUDY REPORT

ASSESSMENT OF THE SITUATION OF HUMAN RIGHTS VIOLATIONS IN PASTORALISTS, HUNTER-GATHERERS (INDIGENOUS) COMMUNITIES OF TANZANIA

[COVERAGE OF 2006-2012 PERIOD]



Study Coordinated By:
PINGO's Forum
February – March, 2012
Arusha, Tanzania

Printed in 2020 with support from
the Foundation for Civil Society

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[COVERAGE OF 2006-2012 PERIOD]

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Publisher:

Pastoralists Indigenous Non-Governmental Organizations' Forum
(PINGO's Forum)

ISBN
978-9976-89-626-8

Printed in 2020 with funding from The Foundation for Civil Society

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April, 2012

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ACKNOWLEDGEMENTS

The PINGO's Forum appreciates a hard work done by Adv. Clarence Kipobota (Consultant of this work) and his Research Assistant, Mr. Henry Bakaru, of conducting the study and preparation of this report.

We are also grateful for the time spared by all respondents to this study including the offices of Village Councils; District Executive Directors of Hanang, Kiteto, Same and Lindi-Rural; Ministry of Fisheries and Livestock Development; traditional and religious leaders; program officers of CSOs visited; field assistants including PINGO's Forum driver Mr. Majuka; and all other people who the Consultant individually or collectively met during the field work. It is their ideas, comments, documents and recommendations that have formed large part of this report.

To every one of you, including SIDA Tanzania who provided generous financial support for the study and this report, we say *Asante SANA!* Thank you very much for your unremitting support!

ABOUT THIS STUDY AND METHODOLOGY

PINGO's Forum¹ is a human rights and development Non-Governmental Organization (NGO) that seeks to advocate and develop competencies for sustainable development of Pastoralists and hunter-gatherer communities in Tanzania. PINGO's Forum endeavors to foster the interests of pastoralists and hunter-gatherers (indigenous peoples) by advocating for change through good governance, human rights, economic, social and gender justice.

According to international community perceptions, Tanzania is considered a young but stable democracy with strong governance and human rights records. However, pastoralists and hunter-gatherers face gross human rights violations. They are minority in Tanzania coupled with democratic governance which is based on popular vote. In this situation, they are limited and denied of representation in decision making institutions. Thus political, economical, social and cultural decisions affecting these people are made without their involvement. For instance, the decision which was reached and implemented by the government of Tanzania between 2006 to the present (2012) to evict pastoralists from various parts of the country², was without due consultation and involvement of them as main victims. It is a serious problem which needs adoption of effective and appropriate measures to revert the situation.

In this respect, PINGO's Forum finds it appropriate to commission this study, which traces incidents of human rights issues that occurred between 2006 and 2012. The findings of this study would gauge PINGO's Forum to, *inter alia*, and develop a strategy of lobbying and advocacy which would influence for policy change. The change in policies would enable the government to formulate policies that recognize traditional pastoralism which accommodating collective ownership of land. It is also expected that, the findings of this study will enable PINGO's Forum and other stakeholders to lobby for the establishment of livestock grazing zones as a strategic approach to minimize or rather terminate evictions and farmers-pastoralist conflict in the country as well as improving social wellbeing of the indigenous peoples in Tanzania. The scope of the report in terms of issues to be addressed is wide to include all ranges of human rights – political, civil, economic, social, cultural and others.

¹ PINGO's Forum is an umbrella organisation of over 52 pastoralists and hunter-gatherer organisations formed in 1994 and registered in 1996.

² They were evicted from Kilosa, Mvomero, Ulanga, Mpanda, Nkasi, Meatu, Kiteto, Ngorongoro and other districts on different grounds including allegations of environmental degradation, expansion of wildlife protected areas, change of land use and so many other reasons indicated in this report. This report shows various sources of information regarding the evictions.

OBJECTIVES OF THE STUDY

- a) To undertake a study on human rights situation in pastoralist and hunter-gather communities of Tanzania;
- b) To assess the status of violation of human rights in the six sampled districts (Hanang, Simanjiro, Same, Lindi-Rural, Kiteto and Bagamoyo) which are predominantly occupied by pastoralists; agro-pastoralists and hunter-gatherers;
- c) To suggest on ways in which indigenous pastoralism will be recognized by the government in its policy and legal frameworks;
- d) To study possibility of establishment of the livestock grazing zones as a strategic approach to minimize or rather terminate evictions and farmers-pastoralist conflict in the country;
- e) Identify the challenges which inhibit promotion and protection of human and land rights into pastoralists and hunters-gatherer communities; and
- f) To recommend on appropriate mechanisms or approaches to be used by PINGO's Forum to address the identified challenges above.

METHODOLOGY AND DATA ANALYSIS

The nature of the assignment commanded use of qualitative method of collecting data. The research tools used include; face to face interviews and focus group discussions. Both primary and secondary data were used in this assignment. Primary data were obtained from field visitations to the six districts which were selected as samples basing on various criteria stated below. Secondary data was obtained through review of relevant documentations including the reports; policies; laws; newspapers; decisions of the court / international bodies, internet sources and textbooks.

The study team went to the field with general research questions that guided the dialogue and discussions, interviews and focus group discussions. This technique made it possible for different opinion and voices on human rights situations in their vicinities. The methods also enabled the researchers to explore and collect extensive data which was later organised and given coherence during report writing. This report, has tried to present the said voices as they were collected in order to give it the originality of the ideas from the field and othersources.

STUDY AREA AND RATIONALE

The study was conducted in six selected districts namely; Hanang, Simanjiro, Kiteto, Same, Bagamoyo and Lindi-Rural districts. The criteria used for selecting these particular districts included geographical locations in terms of east, west, north and south; presence of different tribes for instance, Hanang district (Barbaig), Simanjiro and Same (Maasai), Kiteto (Akiye), and Lindi-Rural (Sukuma); minority/ majority factors of pastoralists for instance in Bagamoyo and Same, Maasai pastoralists seems to be minority tribe. Within each district, researchers visited local government offices at district level, at least two villages of each district.

SAMPLE AND SAMPLE SIZE

Total of 129 respondents were reached during this study at individual or group levels. Out

of those 129 respondents, women interviewed were 28 (being 21.70%). The timing and duration of the research did not allow ability to reach out more respondents. The respondents represented LGAs officials, village government leaders, ward leaders, traditional leaders, community workers and ordinary citizens all were above 18 years of age. The main language used was Kiswahili but Maasai and Barbaig vernacular languages were also used to translate questions and responses during data collection.

AUDIENCE AND USE OF THIS REPORT

The audience of this report is primarily PINGO's Forum and its members, so as to enable them individually and collectively to take a more informed view of the current human rights situation; then pursue identified advocacy agenda and other issues in order to bring positive changes. The report also targets government, judiciary and legislature. It intends to inform them of all issues raised in it so that they can take actions.

EXECUTIVE SUMMARY

INTRODUCTION

Tanzania has a multi-ethnic population. There are approximately 120 different ethnic groups living in Tanzania, among them are pastoralists, hunters and gatherers who are also recognized under international human rights law as indigenous people because of their distinctive ways of life. The country's population is now (March 2012) estimated at 43.7 Million people, of whom more than 80% are living in rural areas and engaging in pastoralism, agro-pastoralism and pure crop farming. Tanzania's total land area is 945,090 KM² of which 6.15 million hectares are water bodies and the remaining 88.2 million hectares is land area. The land portion for livestock keeping and hunting is about 10% only of the total landmass in Tanzania, while conservation which is mainly wildlife and forestry consume about 30% of the all landmass in Tanzania.

Because of 'greed' need of investment money especially from foreign companies, Tanzania adopts number of policies and laws to favour more investments in crop-farming (plantations), mining and wildlife (tourism). The policies and laws are increasingly pushing away the pastoralists, hunters and gatherers from their traditional lands. For instance, newly enacted Wildlife Conservation Act, 2009 clearly proposes separation of villages from the wildlife protected areas. Even before that law, the pastoralists, hunters and gatherers were already started to be evicted. In most cases, these people are forcefully evicted, process which entails other human rights violations.

While all these happen, pastoralists try their best. They have managed to give this country a record of being a third position after Sudan and Ethiopia in terms of livestock populations. Traditional pastoralism has also contributed about half of the current 45% contribution of agriculture in GDP. About 95% of the meat and milk supplies in Tanzania come from this neglected form of livestock keeping. Therefore, they feed more than 90% of Tanzanians. Livestock diseases are many but just little subsidy is given to vaccination and other livestock health services, not the way crop-farming is currently supported through KILIMO KWANZA. This study makes analysis of all these and other issues in connection to the pastoralists, hunters and gatherers' livelihoods in Tanzania. Six selected districts namely Hanang, Simanjiro, Kiteto, Same, Bagamoyo and Lindi-Rural districts were sampled basing on various criteria shown in previous parts of this report.

KEY FINDINGS OF THE STUDY

- Tanzania has ratified several treaties which have some principles on the rights and duties regarding the indigenous peoples (pastoralists, hunters and gatherers). However, it has not fully domesticated and integrated into the laws of Tanzania so that can be enforceable within the country. Instead, it has enacted laws with bad provisions on pastoralism as this report discusses in details in its main part.
- The size of traditional lands used for grazing, hunting and gathering is shrinking, while that of wildlife and forest research expands from about 26% in 1998 to currently 30% in 2011. Village lands which are nearby wildlife and mining areas are grabbed and face danger of annihilation.
- The new Wildlife Conservation Act, 2009 which came into operational in 2011, suggests enormous powers for the government machineries to grab more village lands for wildlife. It even suggests removal of the villages from the Game Controlled Areas (GCA) which were previously allowed to co-exist with wildlife under the repealed Wildlife Conservation Act, 1974.
- Indigenous peoples are yet to attain their right to self determination. There are myriads of incidences of killings; arbitrary arrests, intimidations, detentions and subjugation; denial of freedom of expression; and so many other types of human rights violations. While all these happen, the civil and criminal machineries fail to deliver justice because of impunity.
- Tanzanian electoral system, which is governed by several laws, is blind of specific needs and representation of these people. That is, it does not provide for specific representation of minorities in political spheres. As such, their interests are overshadowed with those of mainstream society.
- Women are denied of their very basic rights mostly, are not made part of decision making within their families; have a say on property rights; freedom to decide on health issues including family planning; incidences of gender based violence (GBV); and other rights enshrined in national and international legal instruments. Some of Maasai, Barbaig, Akiye and Hadzabe cultural norms totally undermine women and children.
- The Female Genital Mutilation (FGM) is still prevalent in Maasai areas despite the fact that it is decreasing. It is the finding of this study that, the decreasing trend is not attributed by presence of law prohibiting FGM; rather, the spread of Christianity in the villages, whereby, the religious leaders condemn it in churches as a sin. It is also learnt that, pursuing advocacy agenda on FGM in connection to HIV/AIDS, makes it effective than using the law alone.
- Some of cultural norms such as piercing of ears and teeth, worshiping gods are steadily disappearing. Barbaig, Maasai, Akiye and Hadzabe who are born in urban or peri-urban areas adopt urban cultures. Most of these traditionalists are forced to migrate in the cities because of access to land and failure of their traditional activities caused by climate change and other factors.
- There is high level of poverty in all Maasai, Barbaig and Akiye communities ranging from food insecurity; poor social services especially water; health and education; and very poor housing. This is the case in all rural areas visited. The study learnt that, the more the remote is the village, the poor social services. In other words, little development on availability of social services can be found in peri-urban areas only.

- Indigenous pastoralism contributes tremendously into livestock development sector, but they are still 'poor.' For instance:-
 - Currently, there are approximately 21.3 million cattle, 15.2 million goats and 6.4 million sheep in 2010/2011. Other livestock include 1.9 million pigs, 35 million local chicken and 23 million improved chicken.
 - About 90% of the livestock population is of indigenous types. Out of those 21.3 million in Tanzania, only 600,000 are dairy cattle mainly cross of Friesian, Jersey and Ayrshire breeds with the Boran, Tanzania Shorthorn Zebu.
- As it is a case for other economic and non-economic sectors in Tanzania there are laws which govern livestock keeping. However:-
 - The laws just 'regulate' but not 'support' the same.
 - The focus of the laws, which actually reflect the feelings of the decision makers in Tanzania, is mainly commercialization of livestock keeping under the name of 'modernization' in order to, *inter alia*, increase productivity without mainstreaming traditional livestock keeping.
 - The course to modernize livestock industry under the laws is almost blind of the real interests of the indigenous pastoralists or agro-pastoralists who are main actors of this sector as indicated in part one of this report.
- The Livestock Identification, Registration and Traceability Act, 2010; and Grazing-Land and Animal Feed Resources Act, 2010 propose new ideas which some of them totally contradict traditional ways of identifying and tracing livestock.
- Climate change is seriously affecting large parts of pastoralists, hunters and gatherers. Literatures confirm that, other human needs such as firewood as a source of cooking energy are real causes of environmental degradation (which is the main factor of climate change) unlike pastoralism which is adoptive of the situation. For instance, at least 32 Million tons of charcoals are 'harvested' from the forests in Tanzania every year. Irrigational farming drains more than 70% of water in all places it is practiced. The illusion that large herds of cattle ruin the environment, lack scientific proof.
- As for education, it is found by this study that the level of understanding the importance of sending children to schools is generally low but slowly increasing. The level of illiteracy is still very high. But all what is happening against pastoralists provoke them to see importance of educating their children in order to defend their interests.
- As for girl children, it is noted that, most of Maasai, Hunters and Gatherers seem be unenthusiastic to allow their girl children going to school, especially secondary level. They believe that, they are going to be spoiled there by alien cultures of Swahili and other tribes which are not compatible with their traditional norms.
- Regarding access and affordability of health care services, most of the remote rural areas do not have dispensaries at all. Dispensaries and health centres can only be found in peri-urban areas as said above.
- As for HIV/AIDS, it is noted that it still poses a very serious challenge and indeed, it is still a reality. As literatures reviewed confirm, there are some elements which connect it with pastoralism ways of life and which would therefore continue to cause rapid spread of the disease than it has been believed over the last two decades. Cultural norms of 'inheriting' widows and marrying many wives are some of those elements.

- Regarding water supply, it was noted with great concern that water shortage in all villages visited is very serious and therefore, poses a serious problem to human beings and livestock. None of the villages visited had tap water. Few of them are lucky to have rivers and perennial dams nearby their areas.
- Livestock extension deliveries are on hands of the Local Government Authorities (LGAs). Currently (statistic of 2011) there are about 12,111 Villages, 3,383 Wards and 147 LGAs with only 4,172 (20.64%) livestock extension staff countrywide. This brings a deficit of 16,050 (79.36%) staff countrywide. That means, livestock keepers do not get sufficient services to raise their stocks.
- Tick Borne Diseases (TBD) commonly known as '*Ndigana Kali*' in Kiswahili language, especially East Coast Fever, Babesiosis, Anaplasmosis and Heartwater attribute to more than 70% of all cattle deaths in Tanzania and losses of more than Tshs 72 billion annually. But very little effort is seen to control this situation.
- The government claims to put substantial investment in the construction and rehabilitation of dips and provision of acaricides subsidies. For instance, its records show that, currently (statistics of December 2011) there are 2,314 dips out of which 1,556 are operating while 758 are not operating and from 2006/2007 to 2009/2010 the government has spent a total of Tshs. 13.5 billion on acaricides subsidies. But this research found that, most of the available cattle dips were constructed by the government long time ago. Most of them no longer working.
- Regarding the land use, it is established by this study that a number of registered villages in Tanzania was about 12,111 in December 2011. Out of which less than 100 has land registries. Only 853 villages have Village Land Certificates (VLCr). That means a pace to process village land use plan (VLUP) and granting of the VLCr, which would have at least guarantee pastoralists and hunters parcels of land for grazing or hunting is rather slow.
- About the situation of market accessibility, it is found that, indigenous pastoralists can only access primary (local) markets within their localities whereby, he who buys from them is the one who determines the price of the cow or goat or products of the same. Lack of health services for livestock makes them weak and therefore, devalues them when taken to the market.
- Finally, regarding the restocking which has been a claim of CSOs for many years, it is noted that, the government has allocated Tshs 11.2 billion for its restocking project of which 6,128 pastoralists' household, who lost their livestock herds because of drought in 2008-2012 years, will be given between three to five cattle herds. However, the project does not cover the whole country. It covers Longido, Monduli and Ngorongoro districts of Arusha region.

SOME OF THE RECOMMENDATIONS

Basing on those findings, this reports proposed the following to be done:-

- a) The government should set up a commission of inquiry to investigate the mysterious disappearance and killings of the pastoralists and hunters. The government should also put to task those who have been implicated in all arbitrary arrests, mistreatments and imprisonments of these people. Moreover, it should stop intimidating its people through state agencies in order to grab the land from them. It is also recommended that, probe committees reports on Ihefu and

- Loliondo evictions be released for public scrutiny.
- b) The government should provide subsidies on animal drugs and veterinary services and promote more rural based veterinaries the way it does for crop-farmers through KILIMO KWANZA and other agrarian initiatives.
 - c) Sensitization of the importance of formal education to pastoralists, hunters and gatherers need to be intensified by the government and CSOs. This study finds out that, campaigns for land rights in favor of pastoralists and other marginalized groups, would not be effective if those campaigns do not address a need of sending children to schools (to increase enrolment to primary schools and higher education levels).
 - d) Clean drinking water and other social services especially health care and schools should be made accessible to all pastoralist communities by the LGAs. This can be viably done by increasing development budgets of the LGAs and give priorities to the remote areas which are normally forgotten during planning.
 - e) There is a need of following up of what is 'promised' in the MKUKUTA II, Livestock Sector Development Programme and other policies and strategies. Those policies/strategies contain lots of good things which would benefit pastoralists and hunters if they are fully implemented.
 - f) More viable solution is needed in order to control effects of climate change in Tanzania. The solution could include campaigning for environmental conservation (such as what the Maasai and Barbaig have done in Hanang, Kiteto and Mbarali – see case studies in the report); and widening of the range land/areas for instance to allow pastoralists to access wildlife protected areas in certain months of the year.
 - g) Grant of customary right of occupancy to the Akiye, Hadzabe, Barbaig and Maasai villages will help in protecting illegal invasions by the farmers or other peoples. Therefore, the government and other stakeholders should hasten VLUP processes.
 - h) There is also a need to find other means of democratic representation so that all individual voices and concerns are heard and attended to bring about social, political and economic equality, which for so long pastoralists and hunter-gatherers have been denied.
 - i) PINGO's Forum and everyone working on the rights of pastoralists and hunters should ensure that, issues pertaining interests of these people are included in the forthcoming new Constitution of the United Republic of Tanzania.

LIST OF ABBREVIATIONS AND ACRONYMS

ACCORD	African Centre for Constructive Resolution of Disputes
A-GDP	Agricultural Gross Domestic Product
Ag.	Acting/ Deputy
AIDS	Acquired Immunodeficiency Syndrome
ALAPA	Association for Law and Advocacy for Pastoralists
Capt.	Captain
BALFA	Bassotu Peoples Living with HIV/AIDS Association
BNPL	Basic Needs Poverty Line
BSE	Bovine Spongy Form Encephalitis (United Kingdom's system of identifying, tracing and marking and feeding livestock)
B.Q	Black Quota (kind of livestock disease)
CCPP	Contagious Caprine Pleuropneumonia
CHADEMA	Chama cha Demokrasia na Maendeleo (Political Party)
CHES	Charitable Harambee Education Society (NGO of Hanang district)
CHF	Community Health Fund
CORDS	Community Research and Development Services
CRO	Customary Right of Occupancy
DALDO	District Agriculture and Livestock Development Officer
DC	District Commissioner
DED	District Executive Director
DPSC	District Peace and Security Committee
Dr.	Doctor
ECF	East Coast Fever
ER-P	Enrolment Rates Primary School Level
Edu.	Education
GBV	Gender Based Violence
GCA	Game Controlled Area
GDP	Gross Domestic Product
G-LAFRA	Grazing-Land and Animal Feed Resources Act, 2010
ha	Hectares
HIMWA	Huduma ya Injili na Maendeleo ya Wafugaji
HIV	Human Immunodeficiency Virus
Hon.	Honourable
HSCT	Hadzabe Survival Council of Tanzania
ICT	Information and communication Technology
IIDE	International Institute for Environment and Development
IMF	Infant Mortality Rates
IWGIA	International Working Group on Indigenous Affairs
KINNAPA	Kibaya-Kimana, Njoro-Ndaleta, Namerock and Partimbo Development Organization (NGO of Kiteto district)
KM ²	Square Kilometres
LCDO	Longido Community Development Organization
LGAs	Local Government Authorities
LIRTA	Livestock Identification, Registration and Traceability Act, 2010
LSDP	Livestock Sector Development Programme of 2011

MKUKUTA	Swahili language acronym for the National Strategy for Growth and Reduction of Poverty
MLFD	Ministry of Livestock and Fisheries Development
MIMIJA	Muhudumu Mifugo Jamii (Community Para-vet Officer)
MMR	Maternal Mortality Rates
Mr.	Mister
Ms.	Miss
NAFCO	National Agriculture and Food Corporation
NALIRS	National Livestock Identification and Registration System
NGOs	Non-Governmental Organization
NGONET	Ngorongoro NGOs Network
No.	Number
PAICODEO	Parakuyo Indigenous Community Development Organization
ParaVet	Para-veterinarian
PEAP	Poverty Eradication Action Plan of Uganda
PINGO's Forum	Pastoralists Indigenous NGOs' Forum
PLWHA	People Living With HIV/AIDS
PWC	Pastoral Women Council
R.E	Revised Edition of the Laws of Tanzania of 2002
Ref.	Reference
REPOA	Research on Poverty Alleviation
RVF	Rift Valley Fever
TAPHGO	Tanzania Pastoralists, Hunter-Gatherers Organisation
TANAPA	Tanzania National Park Authorities
TASAF	Tanzania Social Action Fund
TBD	Tick Borne Diseases " <i>Ndigana</i> "
TNP	Tarangire National Park
TNRF	Tanzania Natural Resources Forum
Tshs	Tanzania Shillings/ Currency/ Money
TSZ	Shorthorn Zebu (Type of Traditional Cattle)
S/No.	Serial Number
SUA	Sokoine University of Agriculture
U5-MR	Under Five Mortality Rates
UAE	United Arab Emirates
Ujamaa CRT	Ujamaa Community Resource Trust
USD/US\$	United States of America Dollars
URT	United Republic of Tanzania
VEO	Village Executive Officer
VLC	Village Land Council
VLCr	Village Land Certificate
WEO	Ward Executive Officer
WHO	World Health Organization

PART ONE

GENERAL SOCIO-ECONOMIC OVERVIEW AND EXISTENCE OF INDIGENOUS PEOPLES IN TANZANIA

1.1 CURRENT SOCIO-ECONOMIC AND POLITICAL DEVELOPMENTS

1.1.1 POPULATION IN TANZANIA

Tanzania has a multi-ethnic population. There are approximately 120 different ethnic groups living in Tanzania.³ There are, mainly, Bantu-speaking⁴ and Nilotic speaking groups.⁵ Maasai is one of the Nilotic ethnic groups which all speak varied forms of the Maa language. Other groups are the Parakuyo (Il-Parakuyo), Arusha, (Il-Larusa), Samburu, (Il-Sampur) and Njems (Iltiamus).⁶

The current population size of the United Republic of Tanzania (that is Tanzania Mainland and Zanzibar) is estimated to be 43.7 million people⁷ of whom about 2.7 millions are Zanzibarians.⁸ That population size has increased from only 12.3 million people in 1967 when Tanzania carried out its first national census. That means, more than 31.4 million peoples have increased within time space of 50 years of country's independence.⁹ The population annual growth rate is estimated to be 2.9% national wise. However, some of the districts such as Hanang of Arusha region have the growth rate of 4.2% per annum.¹⁰

The high growth rate has socio-economic and political implications. Generally, increased in number of the people, has intensified a scramble for land and land related resources in rural and urban areas. For instance, the records show that, as of 2009, average population density was estimated to be 41 people per square kilometres¹¹ from only 14

³ LHRC (2009) Tanzania Human Rights Report of 2009.

⁴ Comprise of tribes like Sukuma, Nyakyusa, Hehe, Gogo, Chagga, Haya, and Nyamwezi. These are some of the main tribal groups in Tanzania. Note that, the national census does not segregate data in terms of type of tribe. Therefore, it is not easy to ascertain the size of population for each of these and other tribes in the country. The majority and minority can be ascertained by looking available local government records where certain tribe is found in the country.

⁵ Clarence Kipobota 'Report on Access to Land and Land Based Resources among Women in Pastoralist and Forest-dwelling Communities in East Africa: Exploring Multiple Exclusions and their Impacts on Women's Citizenship.' Research Commissioned by the University of Nairobi, November 2011, page 7.

⁶ Ojalamm, Sanna (2006) Contested Lands: Land Disputes in Semi-arid Parts of Northern Tanzania Case Studies of the Loliondo and Sale Divisions in the Ngorongoro District (academic dissertation, University of Helsinki), pages 44 to 50].

⁷ Dr. Prosper Ngowi and Melissa Makwarimba, "Making Land Investment Work for Tanzania: Scoping Assessment for Multi-stakeholder Dialogue Initiative." Draft Final Report, December 2011. Page 7.

⁸ The Speech of the Minister for Finance and Economic Planning, Hon. Mustafa Haidi Mkulo (MP), Presenting in the Parliament the State of National Economy Report for 2008 and Plans for 2009/10 – 2011/12. Dodoma, June 2009, pages 28 and 29 of the Swahili version of the Speech.

⁹ Tanzania gained its independence on 9th December, 1961. Therefore, last year 2011, it was its 50 anniversary of the independence.

¹⁰ Mr. Kianga Mdundo (Hanang District Director of Natural Resources, Land & Environment Department) and Mr. David Ngassa (Hanang District Forestry Officer), Interviewed by PINGO's Forum Consultant on 16th February, 2012.

¹¹ LHRC (2009) Tanzania Human Rights Report of 2009.

people per square kilometre (KM²) in 1967.¹² It can be more than that in 2012.¹³ The reasons for land pressure can also be different depending on the locality. In urban areas, the high density pressure is caused by urbanization (flocking of the people into the cities), while in rural areas, the squeezing of the villagers into smaller land is mainly attributed to land grabbing tendencies for investment reasons¹⁴ as discussed further in coming parts of this report.

1.1.2 LAND SIZE AND MAIN LAND USES

Tanzania has a total land area of 945,090 KM². In terms of hectares, according to Dr. Prosper Ngowi and Melissa Makwarimba,¹⁵ the total surface area of Tanzania is 94.4 million hectares, of which 6.15 million hectares are water bodies and the remaining 88.2 million hectares is land area.

The main land use is as follows:

Figure 1: Land Use

Land Use Type	Area 2002 (Millions Hectares)	Percentage (%)
Urban settlement, agriculture and mining.	16.20	17.00
Scattered village settlements, agriculture and mining.	20.10	21.00
Scattered village settlement, grazing, hunting and non woody product harvesting.	9.80	10.30
Woody and non woody production.	15.50	16.30
Water resources uses.	6.30	6.70
Conservation (wildlife and forest reserves areas).	27.40	28.70

Source: Extract from Dr. Prosper Ngowi and Melissa Makwarimba, 2011.

As the table shown above indicates, land portion for **livestock** keeping and **hunting** which are the main economic activities of indigenous peoples (Maasai, Barbaig, Akiye and Hadzabe) is about 10% only of the total landmass in Tanzania. Conservation which is mainly wildlife and forestry consume a lion share of about one-third of the all landmass in Tanzania. The land portion for conservation is a **largest share of land resources allocated by any country in Sub-Saharan Africa**¹⁶ to imply that Tanzania focuses more on protection of wildlife than hunting and livestock keeping. It should be noted that, a portion of land for grazing and hunting is also shared with agrarian activities.

¹² URT, Tanzania Demographic and Health Survey, December 2005, page 2.

¹³ The next national censor expects to take place in August 2012.

¹⁴ PAICODEO (2011) State of Pastoralists' Rights in Tanzania: Survey of Ten Districts of Tanzania Mainland 2010/2011. Page 13 of the Final Draft Report.

¹⁵ Dr. Prosper Ngowi and Melissa Makwarimba, "Making Land Investment Work for Tanzania: Scoping Assessment for Multi-stakeholder Dialogue Initiative." Draft Final Report, December 2011. Page 7.

¹⁶ Dr. Prosper Ngowi and Melissa Makwarimba, *Ibid*, Page 9.

1.2 RECOGNITION OF INDIGENOUS PEOPLE (IN TANZANIA)

In conformity with the criteria set out by the African Commission on Human and Peoples Rights' (ACHPR) and the United Nations (UN), the indigenous¹⁷ peoples of Tanzania include the Maasai, the Barbaig, Aikye ('Ndorobo') and the Hadzabe. The former two groups are predominantly pastoralists whereas the later comprise of forest-dwelling hunter-gatherers. These groups have inhabited in their (ancestral) land since time immemorial.¹⁸

Ms. Erica-Irene Daes, Chairperson of the UN Working Group on Indigenous Populations (established by the UN Human Rights Sub-Commission on Prevention of Discrimination and Protection of Minorities in 1982),¹⁹ gave four criteria that can be used in identification of indigenous peoples. The four criteria are:-

- a) The occupation and use of a specific territory;
- b) The voluntary perpetuation of cultural distinctiveness, which may include the aspects of language, social organization, religion and spiritual values, modes of production, laws and institutions;
- c) Self-identification, as well as recognition by other groups, as distinct collectively; and
- d) An experience of subjugation, marginalization, dispossession, exclusion or discrimination.

The coming part of this report discusses in details the legal recognition and protection of indigenous peoples at international and national levels. It should be noted that, lack of recognition and protection of specific rights of indigenous peoples and their ways of living, has made them vulnerable to dispossession of their lands and to violations of a wide range of other individual and collective rights.²⁰

¹⁷ According to Barume, Albert Kwokwo (2010) Land Rights of Indigenous Peoples in Africa. IWGIA Document 115, Copenhagen, Page 20, The term *indigenous* derives from the Latin word *indigena* made up of the two words, namely *indi* ('within') and *gene* or *genere* ('root'). It can therefore mean, 'born in' or 'something that comes from the country in which it is found' or 'native of.'

¹⁸ Clarence Kipobota 'Report on Access to Land and Land Based Resources among Women in Pastoralist and Forest-dwelling Communities in East Africa: Exploring Multiple Exclusions and their Impacts on Women's Citizenship.' Research Commissioned by the University of Nairobi, November 2011, Pages 6 - 23.

¹⁹ She is quoted in: ACHRR and IWGIA "Report of the African Commission's Working Group of Expert on Indigenous Populations/ Communities of 2005" Eks/Skolens Trykkeri: Copenhagen, Denmark. Page 93]. Also See: PAICODEO (2011) State of Pastoralists' Rights in Tanzania: Survey of Ten Districts of Tanzania Mainland 2010/2011. Footnote 16, Page 14 of the Final Draft Report. It has more definitions and clarification of the term 'indigenous' people from different authorities including Ms-Tanzania and Professor Chris Maina Peter of the University of Dar es Salaam, Tanzania).

²⁰ UPR Report (Joint Submission of NGOs Report to the Human Rights Council). Submitted on 7th March, 2011 by several NGOs including TAFGO, PWC, ALAPA, LCDO, TNRF, IWGIA, PINGO's Forum, NGONET, PAICODEO, HIMWA and HSCT. SEE: Paragraph 1 and 2 of this UPR Report.

1.3 CONTRIBUTION OF INDIGENOUS PASTORALISM IN COUNTRY'S DEVELOPMENT

1.3.1 TYPES OF LIVESTOCK PRODUCTION SYSTEM IN TANZANIA

The traditional pastoralism is the main and dominant livestock production system in Tanzania in terms of number of people (livestock keepers) engaging in livestock keeping as well as its contributions to the individual (micro-economy) and national income (macro-economy).

According to Dr. Ole-Neselle,²¹ there are three livestock production systems in Tanzania namely commercial ranching;²² (indigenous) pastoralism; and mixed pastoralism (agro-pastoralism) which account for about 4%, 16% and 80% respectively of the livestock production in Tanzania.

1.3.2 APPROXIMATED NUMBER OF CATTLE POPULATION IN TANZANIA

Despite the fact that pastoralism is not effectively supported in Tanzania, this country ranks third in terms of cattle population in Africa, after Sudan and Ethiopia. The official statistics by the government indicate that, there were approximately 21.3 million cattle, 15.2 million goats and 6.4 million sheep in 2010/2011. Other livestock include 1.9 million pigs, 35 million local chicken and 23 million improved chicken.²³ About 90% of the livestock population is of indigenous types.²⁴ Out of those 21.3 million in Tanzania, about 600,000 are dairy cattle mainly cross of Friesian, Jersey and Ayrshire breeds with the Boran, Tanzania Shorthorn Zebu (TSZ).²⁵

Obviously, the number could be bigger than that at the time when this study was conducted in March-April 2012. A large number of livestock is found in districts and villages where indigenous pastoralists are predominantly residing. For instance, Hanang district where Barbaig and Maasai indigenous peoples are found, had about 299,169 cattle as of February 2012, whereby indigenous cattle were 297,383 and dairy cattle were 1,786; goats 119,671 indigenous goats were 119,574, dairy goats were 97; sheep 55,814; donkeys 14,449; pigs 6040; rabbits were 416; dogs 17,641; cats 7813; poultry 132,005, indigenous poultry were 131,931, layers were 74; ducks were 200 and guinea fowls 59.²⁶ The Same district had about 154,352 indigenous cattle in February 2012.²⁷ Other districts such as Ngorongoro and Monduli of Arusha region; Bariadi district of Simiyu region, are estimated to have more than 300,000 traditional cattle in each district.

²¹ Dr. Ole-Neselle, M.B. (ILRI) - Nairobi "Challenges for Pastoralism in Tanzania. The Role of the Livestock and Rangelands Policies and the Evolution of Legislation in Tanzania." Page 11. Paper presented during Joint Pastoralists Stakeholders' Workshop on the Policy and Legal Framework Environment for Pastoralism in Tanzania. Organized by PINGO's Forum, Ereto II Ngorongoro, TNRF and Sand Country Foundation, February 2006.

²² This was previously dominated by the moribund National Ranching Company (NARCO).

²³ URT, Statistical Year Book, 2009. MLFD.

²⁴ URT, Livestock Sector Development Programme (LSDP), December 2011. MLFD. Page 1.

²⁵ URT, Livestock Sector Development Programme (LSDP), December 2011. MLFD. Pages 15 and 16.

²⁶ Hanang District Council Profile of July 2011, pages 10 and 11.

²⁷ Interview with Mr. Mhina Omari, Acting DALDO, Same District Council, interviewed by PINGO's Consultants on 22nd February 2012 at Same District, Kilimanjaro Region.

1.3.3 SHARE OF LIVESTOCK KEEPING TO THE NATIONAL ECONOMY IN TANZANIA

The livestock sector provides livelihood was found supporting a total of 1,745,776 (37%) households out of 4,901,837 agricultural households in 2005 and was/is one of the major economic activities in rural areas²⁸ and many places in Tanzania.²⁹

Generally, the livestock sector is of critical importance to the country's economy and well-being of particularly the rural population. According to the latest information from the MLFD of Tanzania,³⁰ the livestock industry contribution to the Agricultural Gross Domestic Product (A-GDP) is low but of tremendous effect to the National GDP of which agriculture as whole contributes about 45% of the National GDP. For example in 2010 the industry contributed 16% and 3.8% to the A-GDP and National GDP respectively. The envisaged target was 9% by 2010³¹ which could not have been reached for obvious reason of lack of good support to pastoralism. That information contradicts other available information of March 2011, which shows that the said industry contributes about one quarter of A-GDP³² others say that livestock sector/ industry contributes 18% of Tanzania's National GDP and 30% of the A-GDP.³³ The figures are contradicting each other.

This study calls for intensive study to come up with actual value of livestock to A-GDP or national GDP. The calculations proposed here should take into consideration all areas in which income can be accrued such as:-

- Levies collected at primary/secondary livestock markets;
- Taxes paid through purchasing of medicine and other livestock necessities;
- Other income generated from sell of meat/beef, milk, butter, manure, leathers, hides, etc; and
- Other indirect incomes such as those associated to renting of business premises, slaughters, vehicles to ferry livestock, consultancies in connection to livestock researches and so many other indirect costs.

It should be noted that, beef production in Tanzania mainly comes from the traditional sector that is dominated by the Tanzania Short Horn Zebu (TSZ) in which the agro-pastoral system contributes 80% and pastoral system 14%. The remaining 6% comes from the commercial ranches. As for the milk production, currently, annual milk production is

²⁸ URT, Livestock Sample Survey Census, 2005.

²⁹ For instance, livestock is one of the main pre-occupations of the people of Hanang district. Livestock sector provides about 5% of the district economic activities of that district. As for Kiteto district, agriculture and livestock keeping amount into 90% of all economic. The per capita income of ordinary citizen of this (Kiteto) district is an average of Tshs 204,400 per annum, of which large part of it comes from agriculture and livestock activities (NOTE: Both information are from District Profiles of Hanang and Kiteto Districts of 2011).

³⁰ URT, Livestock Sector Development Programme (LSDP), December 2011. MLFD. Pages 1 and 9.

³¹ The livestock industry has maintained a steady annual growth rate of over 2.7 percent during the last decade (2000-2010). This is lower than the rate of human population growth of 2.9 percent.

³² Dr. Prosper Ngowi and Melissa Makwarimba, *Op cit*, Page 9.

³³ Dr. Ole-Neselle, M.B, (ILRI), *Op cit*, Page 11.

estimated at 1.64 billion litres whereby about 60% is produced by indigenous cattle kept in rural areas and 40% by improved cattle mainly kept by smallholder producers.³⁴

If the government decides to support indigenous pastoralists in a more effective ways instead of frustrating and fight against their modes of cattle keeping, there is really a possibility of increasing both livestock production and its contribution to GDP because the land carrying capacity of up to 20 million livestock units has not been fully utilized.³⁵ All what happens is squeezing pastoralists into smaller grazing areas instead of supporting them to exhaust the carrying capacity which the livestock policy talks about.

1.3.4 ESSENCE OF THE INDIGENOUS PASTORALISM IN SOCIAL PATTERNS

Apart from the economic advantages of having indigenous pastoralism in Tanzania, traditional livestock keeping plays multiple roles in the livelihood strategies of rural communities as the LSDP narrates. It is said that, in many livestock farming communities, it is intricately linked to social status through accumulation of wealth and savings.³⁶ It, also, provides a variety of benefits to rural communities such as risk mitigation, food security and improved nutrition. Policy makers can decide to look it through a positive eye to see the reality in it, and therefore, find programmes which would mainstream it instead of fighting it.

This study finds from the field that, majority of pastoralists are not against modernization of their herds. In many parts visited especially Same and Lindi-Rural districts, there are programmes initiated to cross-breed traditional cattle in order to produce semi-modern breeds. This programme is welcomed by majority of people as one of the ways to improve productivity. What is missing though in almost all government initiatives is informed consent, effective participation and recognition of indigenous knowledge.

³⁴ URT, Livestock Sector Development Programme (LSDP), December 2011. MLFD. Pages 15 and 16.

³⁵ URT, National Livestock Policy, December 2006, MLFD. Pages 4-5.

³⁶ URT, Livestock Sector Development Programme (LSDP), December 2011. MLFD. Page 1.

PART TWO

CURRENT LEGAL AND POLICY FRAMEWORKS ON PROTECTION OF INDIGENOUS PEOPLES IN TANZANIA

2.1 LEGAL FRAMEWORK ON RECOGNITION AND PROTECTION OF INDIGENOUS PEOPLE

2.1.1 STATUS OF RATIFICATION OF RELATED TREATIES ON INDIGENOUS PEOPLES

The legal recognition and protection/ promotion of the specific rights of indigenous peoples is of two folds, namely; international and national laws. Tanzania follows dual legal system whereby an international treaty cannot be implemented in Tanzania through judicial process unless it is domesticated into the laws of Tanzania.

This legal technicality has been used as 'hiding route' to dodge international human rights obligations include those relating to indigenous peoples. That is to say, there is good number of key treaties on indigenous people, which Tanzania has, apparently, declined to either ratify or domesticate the same. Some of those key treaties, which Tanzania has so far (April 2012) declined to ratify include:-

- a) ILO 169 Convention Concerning Indigenous and Tribal People in Independent Countries, 1989.
- b) Convention Concerning the Protection of the World Cultural and Natural Heritage of 1972.
- c) Convention on Biological Diversity of 1992.
- d) Convention for the Safeguarding of the Intangible Cultural Heritage of 2003.
- e) Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984.
- f) Convention on the Protection and Promotion of the Diversity of Cultural Expressions of 2005.
- g) Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 1990.

These and other instruments such as the Declaration of the Rights of Persons belonging to National or Ethnic, Religious or Linguistic Minorities, 1993³⁷ and the United Nations Declaration on the Rights of the Indigenous People, 2007,³⁸ require each state take a proactive role in protecting and promoting the identity of minorities.

³⁷ See: UNGA 'Declaration on the Rights of Persons belonging to National or Ethnic, Religious or Linguistic Minorities' (18 December 1992) UN Doc A/Res/47/135.

³⁸ For instance, Article 2 this instruments states that, the indigenous people shall exercise their rights basing on their indigenous origin or identity. Article 5 of the same instruments says that, they shall have the right to maintain their distinct.

2.1.2 STATUS OF DOMESTICATION OF RELATED TREATIES ON INDIGENIOUS PEOPLES

Tanzania has ratified several treaties which have some principles on the rights and duties regarding the indigenous people. However, it is also the observation of this study that almost all of them have not been fully integrated into the laws of Tanzania so that can be enforceable within local or international instruments. The related treaties which are ratified but not fully domesticated in Tanzania include:-

- a) Covenant on Economic, Social and Cultural Rights of 1966.
- b) Covenant on Civil and Political Rights of 1966.
- c) Convention on the Elimination of All Forms of Racial Discrimination of 1965.
- d) African Charter on Human and Peoples' Rights of 1981.
- e) Convention on the Elimination of all Forms of Discrimination Against Women of 1979.
- f) Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa of 2000.

2.1.3 ADHERENCE TO INTERNATIONAL RECOMMENDATIONS ON INDIGENOUS PEOPLE

This trend on non-ratification and domestication of these treaties in order to give legal recognition of existence of indigenous peoples in Tanzania, has been attracting lots of critics especially from the international community.³⁹

For instance, on 31 July 2009 the Human Rights Committee of the United Nations (UN) issued recommendations to the government of Tanzania to, as a matter of urgency, carry out a study regarding minorities and indigenous communities in the country, and adopts specific legislation and special measures to protect, preserve and promote their cultural heritage and traditional way of life. The said committee went further ordering Tanzania to consult indigenous communities before establishing game reserves, granting licenses for hunting, or other projects on ancestral or disputed lands.⁴⁰

Similarly, in 2007, the Committee on the Elimination of All Forms of Racial Discrimination pointed out "the lack of information on certain vulnerable ethnic groups, notably nomadic and semi-nomadic populations, *inter alia*, the Barbaig, Maasai and Hadzabe, on the difficulties they allegedly face due to their specific way of life and on special measures taken to guarantee the enjoyment of their human rights."⁴¹

It is very regrettable that even the Constitution of the United Republic of Tanzania of 1977 does not have any specific provision on the rights of the indigenous people despite

³⁹ Clarence Kipobota 'Report on Access to Land and Land Based Resources among Women in Pastoralist and Forest-dwelling Communities in East Africa: Exploring Multiple Exclusions and their Impacts on Women's Citizenship.' Research Commissioned by the University of Nairobi, November 2011, Page 15.

⁴⁰ Paragraph 26 of the Concluding observations of the United Nations Human Rights Committee, 96th Session of 13-31 July, 2009 (CCPR/C/TZA/CO/4) in Consideration of Tanzania's State Report to the Implementation of ICCPR.

⁴¹ Concluding observations of the Committee on the Elimination of Racial Discrimination, United Republic of Tanzania, CERD/C/TZA/CO/16, para. 16 (27 March 2007).

the fact that it commits itself to abide with the Universal Declaration on Human Rights, 1948⁴² and other instruments.

Moreover, it is on records that the government has been reluctant to respond to normal inquiries regarding affairs of indigenous people in Tanzania. For instance, following serious human rights violations which occurred in Loliondo, Ngorongoro district, Arusha region, whereby houses (*Boma*) of Maasai were set ablaze among other violations, the Special Rapporteur on the Human Rights and Fundamental Freedoms of Indigenous Peoples, James Anaya, wrote the letter dated 23 September 2009, calling the attention of the government of Tanzania to respond to the information and allegations received regarding the forced removal of Masaai pastoralists from their villages in Loliondo. This communication followed an earlier letter dated 23 March 2009 in which the Special Rapporteur transmitted allegations and information received about a similar situation regarding the eviction of Masaai pastoralists in the Kilosa District, the contents of which were included in the Special Rapporteur's 2009 Report to the Human Rights Council Report.⁴³ However, there is no record of response from the government of Tanzania to all letters sent to it.

2.1.4 CURRENT POSITION OF INDIGENOUS PASTORALISM IN LEGAL FRAMEWORK

As it is a case for other economic and non-economic sectors in Tanzania, there are laws which govern livestock keeping. However (in general terms), the laws just 'regulate' but not 'support' the same.

The second general observation is that, the focus of the law, which actually reflects the mindset of the decision makers in Tanzania, is mainly commercialization of livestock keeping under the name of 'modernization' in order to, *inter alia*, increase productivity. However, the course to modernize livestock industry is almost blind of the real interests of the indigenous pastoralists or agro-pastoralists who are main actors of this sector as indicated in part one of this report.

Some of the laws which this study identified as directly related to management of livestock development or industry in Tanzania are:-

- Livestock Identification, Registration and Traceability Act, 2010.⁴⁴
- Grazing-Land and Animal Feed Resources Act, 2010.⁴⁵
- Animal Diseases Act, 2003.⁴⁶
- Veterinary Act, 2003.⁴⁷

⁴² Articles 9(f) of the Constitution of the United Republic of Tanzania, 1977. It stipulates that "[T]he object of this Constitution is to facilitate the building of the United Republic as a nation of equal and free individuals enjoying freedom, justice, fraternity and concord ... Therefore, the state authority and all its agencies are obliged to direct their policies and programmes towards ensuring that human dignity is preserved and upheld in accordance with the spirit of the Universal Declaration of Human Rights."

⁴³ 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 421, page 173.

⁴⁴ Act No. 12/2010.

⁴⁵ Act No. 13/2010.

⁴⁶ Act No. 17/2003.

- Hides, Skins and Leather Trade Act, 2008.⁴⁸
- Animal Welfare Act, 2008.⁴⁹
- Land Act, 1999.⁵⁰
- Village Land Act, 1999.⁵¹

2.1.4.1 Critics on the Land Laws - Generalization of Customary Rights

The Land Act, 1999 and the Village Land Act, 1999 recognize Customary Rights of Occupancy (CROs) of the land⁵² and communal or collective rights to land ownership, which someone can argue as development or process towards domestication of some principles on indigenous people. However, the recognition of CROs does not necessarily and specifically addresses the customary rights of indigenous groups the way the international human rights instruments require.

The laws generalize it while the international instruments listed above, call for specific recognition.⁵³ This generalization has been used to the detriment of minority groups especially the Akiye tribesmen (hunters and gatherers) of Kiteto district, whose land is constantly taken away by other communities.

2.1.4.2 Critics on the 'Livestock Identification' and 'Grazing-Land' Laws

The Livestock Identification, Registration and Traceability Act, 2010; and Grazing-Land and Animal Feed Resources Act, 2010 are highly criticized for, mainly, trying to force pastoralists to abandon their traditional ways of keeping livestock and in lieu thereof, adopt modern ideas⁵⁴ including of how to mark, identify, trace and feed their livestock.

The Grazing-Land and Animal Feed Resources Act, 2010⁵⁵ (G-LAFRA, 2010) brings, *inter alia*, notion of modern feeding of livestock; while the Livestock Identification, Registration and Traceability Act, 2010 (LIRTA, 2010)⁵⁶ which was assented by the

⁴⁷ Act No. 16/2003.

⁴⁸ Act No. 18/2008.

⁴⁹ Act No. 19/2008.

⁵⁰ Act No. 4/1999.

⁵¹ Act No. 5/1999.

⁵² Sections 3(1)(b) and 4(4)(b) of the Land Act, 1999. Also Section 7(1)(c) of the Village Land Act, 1999. These provisions of the laws recognize existence of the customary rights of occupancy, whether the land/village is registered or not registered.

⁵³ For instance, Article 1(2) of the United Nations Declaration of the Rights of Persons belonging to National or Ethnic, Religious or Linguistic Minorities, 1993 requires states to adopt specific legislative measures to ensure legal protection of this group. Article 2 of the ILO's 169 Indigenous and Tribal People Convention of 1989 states that, 'Governments shall have the responsibility for developing, with the participation of the peoples concerned, co-ordinated and systematic action to protect the rights of these peoples and to guarantee respect for their integrity.' Therefore, it is the responsibility of the government to ensure very specific (and not general as it is now) legal protection of these people.

⁵⁴ It is copied from European system called Bovine Spongy Form Encephalitis (BSE) which emerged in Europe in 1990s. The aim was/is to enable animal disease surveillance, disease control, livestock theft mitigation, etc (See: Livestock Sector Development Programme of December 2011, page 38 paragraph 4.5.3 (a)).

⁵⁵ Act No. 13 of 2010.

⁵⁶ Act No. 12 of 2010.

President on the 20th May, 2010 tries to, *inter alia*, regulate movements of livestock in Tanzania.

The LIRTA, 2010 establishes the National Livestock Identification and Registration System (NALIRS)⁵⁷ as its implementing mechanism. Section 5 of this law gives Minister responsible with livestock development powers to compulsorily order national livestock identification and registration area, of which the owner (pastoralist) is compelled to comply with it by using approved national livestock identification technology.⁵⁸ Therefore, traditional ways of marking livestock are restricted or rather not recognized.

Section 6(1) of LIRTA, 2010 goes further to order even registration of livestock premises or establishment, which are used to keep or rear or processing or marketing livestock and its products. The law requires every owner of livestock (pastoralist) to register his/her livestock by the Village Council having jurisdiction in the area in which that livestock is found, and that, that has to be done within 30 days from the date owner acquired the livestock unless he/she intends to slaughter it or the livestock dies.⁵⁹ No transfer of registered mark or livestock is lawful unless otherwise communicated to the Director of Livestock.⁶⁰ Moreover, it is an offence to dispatch, sell, transport, and slaughter or dispose livestock or carcass which is not identified or accompanied by prescribed documents.⁶¹ Everything is concealed and monitored.

This new law is blamed for being barbaric. It requires every pastoralist to report any increase in his cattle. Failure to report such new increase attracts a fine or imprisonment or both. This is too much as the pastoralists see it.⁶² The pastoralists are also of the views that putting mark using modern marks is a total disregard of their traditional marks which have all the time been useful to identify and trace their livestock. Moreover, they consider it as a very expensive exercise because the regulations require them to pay Tshs 3,000 per each mark per animal. Ms. Esta Laban noted that this law shall open up loopholes for corruption because how will these few officers manage to conduct the program of identification whereas there are so many cattle.⁶³

... [W]e, the pastoralists, are really worrying that the registration of livestock as proposed by this law will cause havoc and cost us in many ways. Therefore, we are not ready to implement the law as it is. Moreover, if the government will not take measures against government officials who unlawfully confiscated our cows, torture and liquidate pastoralists in Morogoro, Arusha, Mbeya, Rukwa, Tabora and Kagera regions ... [W]e also insist on the point that because of the current situation, whereby a pastoralist can be mistreated by the government officials whom this bad law proposes to be supervisors of the same, it is obvious that our

⁵⁷ Under Section 4 of LIRTA, 2010.

⁵⁸ Sub-sections (1) and (3) of Section 5 of the LIRTA, 2010.

⁵⁹ Sub-sections (3) and (4) of Section 6 of the LIRTA, 2010.

⁶⁰ Section 6(5) of the LIRTA, 2010.

⁶¹ Section 9(3) of LIRTA, 2010.

⁶² Erasto Keke, VEO Chamakweza village, Bagamoyo District, interviewed by PINGOs consultants on 29th of February, 2012.

⁶³ Esta Laban, resident of Chamakweza village, Bagamoyo District, interviewed by PINGOs consultants on 29th of February, 2012.

community will be forced into poverty and conflicts which will cause unrest situation to pastoralists in the country ...⁶⁴

The Union of Pastoralists of Coast Zone (Morogoro, Tanga and Coast Regions) called 'UWAKAMA'⁶⁵ met in Morogoro region on 14th March 2011. In that meeting, more than 700 pastoralists attended the meeting to discuss the two laws (LIRTA, 2010 and G-LAFRA, 2010) mentioned above. They collectively resolved⁶⁶ that, the some of the provisions of the two laws contain anomalies and therefore not acceptable for them as indigenous pastoralists because:-

- a) The two laws focus on modern ways of livestock keeping and therefore, it is an obvious threat to them who depend on indigenous pastoralism.
- b) The supervision, control and management of the livestock are trickily shifted from pastoralists as real owners of the livestock to the government machineries. It is a denial of the freedom and right to ownership of properties.
- c) The two laws seem to be a legal 'justification' of forcing removal or shifting of livestock from one place to another as the experience already shows that, the government has (since 2006 onwards) been implementing anti-indigenous pastoralism operations in Tanzania – all to the detriment of pastoralists without any compensation but with maximum impunity in favor of perpetrators of human rights violations.
- d) The pastoralists were not involved during the drafting and other stages of the enactment of those laws. Therefore, the two laws do not feature their ideas, feeling and experience as real actors of livestock sector.
- e) That, while the pastoralists fully recognize and appreciate a need to transform into modern husbandry, they are of the views that such 'development' should be a gradual process of transformation which will pay regard to the importance of involving them to state what they really want and seeing possibilities of mainstreaming traditions in modern husbandry.
- f) Tanzania has not reached higher point of livestock development to implement these laws the way they are enacted because about 90% of pastoralists are semi-illiterate or illiterate and that, the rights of pastoralists are not recognized in country's development policies.
- g) The laws are typically pro-investment with total disregard of pastoralists' traditional norms and imply (an illusion) that indigenous pastoralism is a negative form of livestock keeping. It does not appreciate the fact that indigenous pastoralism has employed and benefited millions of Tanzanians in terms of food and other economic benefits.

⁶⁴ Paragraph 11 of the "Statement of the Pastoralists on the Livestock Identification, Registration and Treceability Act, 2010; and Grazing-Land and Animal Feed Resources Act, 2010 of 14th March, 2011 at Morogoro Region."

⁶⁵ Abbreviation for 'Umoja wa Wafugaji Kanda ya Mashariki.'

⁶⁶ Reference: Statement of the Pastoralists on the Livestock Identification, Registration and Treceability Act, 2010; and Grazing-Land and Animal Feed Resources Act, 2010 of 14th March, 2011 at Morogoro Region. Pages 1-3.

Therefore, the UWAKAMA state that the pastoralists will not participate in the implementation of these laws because they believe that traditional ways of marking and identifying their livestock are adequate and have many meanings to them.

2.2 POLICY FRAMEWORK ON RECOGNITION OF INDIGENOUS PASTORALISM

2.2.1 INDIGENOUS PASTORALISM: LOVE TO ITS STUFF, BUT HATING OF ITS WAYS

Previous parts of this report has indicated tremendous contribution of pastoralism and agro-pastoralism to micro and macro economy of Tanzania. However, despite that great contribution, this form of livestock keeping is not sufficiently or appropriately acknowledged in most of the government's policies. Rather, it is often perceived as ecologically degrading, socio-economically backward and as a result most policies have proposed one way or another that it is done away with⁶⁷ as some of the policies and political statements quoted below (copied from different sources) show.

2.2.2 NATIONAL LAND POLICY OF 1995 and ASDP OF 2001

Part of it blames pastoralism as polluter and degrader of environment. It also considers it as a threat to land management. It states that the growth of the livestock population has raised demand for grazing land, and has created serious soil erosion problems in some areas due to overgrazing and therefore that, this has led to increased movement of large herd of livestock to areas which traditionally had few livestock such as Mbeya, Iringa, Rukwa and Coast regions, creating serious land use conflicts.

The Agriculture Sector Development Programme (ASDP) of 2001 also advances the same 'blame' against pastoralism. Part of it clearly states that, while seasonal migration of livestock is an important coping mechanism in times of drought, there are problems of disease control, land degradation due to a lack of sense of ownership of the grazing lands, and occasional conflicts between crops and livestock farmers.

2.2.3 LIVESTOCK SECTOR DEVELOPMENT PROGRAMME (LSDP) OF 2011

The LSDP of 2011 shows lots of challenges engulfing the livestock sector or industry in the country. The tone of it, though, is on modernization of the sector. Apart from indicating the statistics of economic and social contributions of pastoralism, there is nothing in it which could be quoted as government intention to promote pastoralism.

On pages 13 and 14 it states that, Tanzania has a large livestock resource comprising different species majority of which are indigenous type kept in the traditional systems that are not commercially oriented. Constraints to production and productivity include, among others, **low genetic potential of the majority of the existing stock**, limited supply of the improved stock, **production systems which are not commercially oriented**. Therefore, the production and productivity of livestock in the country can be improved

⁶⁷ Dr. Ole-Neselle, M.B, (ILRI), Op cit, Page 11.

inter alia through improvement of the genetic potential of the existing stock, increasing supply of improved stock, **commercialization of the livestock industry**.

2.3 DISCRIMINATION AND DOWNGRADING OF INDIGENOUS MODEL

Apart from legal and policy framework, which sideline indigenous ways of livelihood, in particular pastoralism, this study notes with concern that there have been statements which commands actions against pastoralism in Tanzania.

For instance, while he was inaugurating the Parliament of Tanzania on 30th December, 2005, the current President of Tanzania, Mr. Jakaya Kikwete was quoted by the official parliamentary records saying that:

... [W]e will take deliberate measures to improve the livestock sector. Our people must change from being nomadic cattle herders to being modern livestock keepers. We will take measures to improve pastures, veterinary care, cattle dips and auctions. Mr. Speaker, we must modernize animal husbandry. We will have no alternative. We must abandon altogether nomadic pastoralism which makes the whole country pastureland ... The cattle are bonny and the pastoralists are sacks of skeletons. We cannot move forward with this type of pastoralism in the twenty first century.⁶⁸

The head of the State reiterated his negative stand on pastoralism a week later to confirm his dislike of this model of livestock keeping. Part of this statement of 4th January, 2006 when he was addressing the press to announce the cabinet in Dar es Salaam read that:-

... [W]e are producing little milk, export very little beef, and our livestock keepers roam throughout the country with their animals in search for grazing grounds. We have to do away with **archaic ways of livestock farming**. I therefore create a separate Ministry for Livestock.

It is obvious that, the laws, policies and practice could not go against the statement, feelings and stand of the head of the State. This can be proved by looking at the trends which followed from his first days' statements after being sworn in as head of the State. That is, from that moment (January 2006), series of cruel evictions followed in Mbeya, Arusha, Morogoro, Manyara, Coastal and other regions of Mainland Tanzania.

It is noted that, from that period onwards the politics of native or ethnic identities sprang out on surface and spread sporadically in different parts of the country. Some of the villagers started to discriminate Maasai, Sukuma and other traditional cattle keepers as 'aliens' to their village lands and vicinities. This study has noted this situation in Babati, Same, Lindi-Rural, Mbalali and Bagamoyo districts.

For instance, according to the Fact Finding by PINGO's Forum of 2007, which investigated claims of unlawful evictions of pastoralists from Vilima-Vitatu area in Babati district, Manayara region, ethnic identification was used to sideline pastoralists who were regarded or viewed as being not 'natives' to the area of disputes. In fact there are claims

⁶⁸ President Jakaya Kikwete: 30th December, 2005 (Inaugural Speech to the Parliament) Hansard, December 30, 2005.

that the area originally belonged to the Mbugwe 'ethnic group' and that the members of this group were moved out of the area through a government operation after the area was stricken by bilharzias in 1966. The Pastoralists (here 'none-natives' are said to emanate from Yaeda Chini in Mbulu district and only moved in the area recently in search of pastures for grazing and water and they have a tendency of moving back to their original homes in Yaeda Chini from time to time. Thus non-Mbugwe residents in the village, particularly the Barbarai pastoralists, are viewed as 'immigrants' or 'intruders.'⁶⁹ The evictions were, therefore, to remove 'immigrants' from this area.

The nature of this conflict vividly suggests that, there was a push from the political elites who were, probably, implementing some top-up directives. The fact that this removal operation coincided with statements from top leaders could be used here as anecdotal to prove the assertion.

It is also on records that, the same 'native' syndrome appears to other non-pastoralists tribes just because they have moved somewhere else for search of livelihoods. A case of Hadzabe tribesmen of Iramba district, Singida region of 2011 can give illustration of this. Because of that reason, they are discriminated against even for political positions and leadership. For instance, another study by PINGO's Forum narrates that, Hadzabe from Iramba district are in Munguli village. These people are represented by two men and two women only who are members of the village government. They are not represented at any other higher levels. In the past they used to have a Member of Parliament associated by kinship who used to support them. However, other tribes who are majority campaigned against him during the 2010 general election. Therefore, he was not re-elected. To Hadzabe of this area, this was a loss since they have nobody to support and represent them at higher decision-making levels.⁷⁰

Moreover, it was noticed during the study that, in Same district of Kilimanjaro region, all political leadership positions are occupied by other tribes even in the villages such as Ruvu-Darajani and Ruvu-Mferejini which are predominantly occupied by Maasai. The reasons for this situation, according to the respondents, included the fact that, other tribes are not ready to be ruled by Maasai.

In Mbarali district, Mbeya region, the Maasai and Burushi (Asian origin) tribes are discriminated from politics and governance because of their origin. In this district, some of the people including leaders openly tell the Maasai that they cannot be elected because they are Maasai, to mean that, they are strangers of the district. The effect of this can be seen. For instance, despite the fact that Maasai in this district constitute more than 2,000 residents, only two out of about 100 Village Executive Officer (VEO) are Maasai. There is no Ward Executive Officer (WEO) who is Maasai.⁷¹

⁶⁹ Bernard Baha & Chambi Chachage, "Wildlife Conservation for Tourist Investments or Villagers' Livelihoods? Fact- Finding Mission Report on Vilima Vitatu Village Land Dispute – Babati District." Commissioned by PINGO's Forum, June 2007. Pages 2 and 3.

⁷⁰ Isaya Naini, "The Study of Hunter-Gatherers' Current Livelihood Challenges. The Districts of Karatu, Mbulu, Meatu and Iramba." October 2011, PINGO's Forum. Page 16.

⁷¹ PAICODEO (2011) State of Pastoralists' Rights in Tanzania: Survey of Ten Districts of Tanzania Mainland 2010/2011. Page 25 of the Final Draft Report.

It is the laws, policies and practice which sidelines and impart a notion of discrimination against the indigenous people and their ways of living. Any attempt to improve livelihood of these people should take this situation into account.

PART THREE

SITUATION OF THE RIGHT TO SELF-DETERMINATION, SOCIAL JUSTICE AND POLITICAL GOVERNANCE OF INDIGENOUS PEOPLES IN TANZANIA

3.1 PASTORALISTS' RIGHTS TO SELF-DETERMINATION AND LIVELIHOOD

3.1.1 Stagnated Civil and Criminal Justices: Impunity Prevails

The right to self determination is mentioned by most of the international human rights instruments (see previous part of this report) as one of fundamental rights of the indigenous people and every human being. It has to do with respect of and safeguard on the right to life, freedom of thought, liberties, civic competence and so many entitlements.

Observations from the field and literature review revealed that, more is desired than what have been achieved so far. Indigenous peoples are yet to attain their right to self determination. There are myriads of incidences of killings; arbitrary arrests, intimidations, detentions and subjugation; denial of freedom of expression; and so many types of human rights violations. While all these happen, the civil and criminal machineries fail to deliver justice. For instance, only few land tribunals are established and operating. Moreover, corruption revert what is wrong into rightful to the detriment of poor communities. Those who openly commit these atrocities are not prosecuted and the investigation or probe committees do not release findings to the general public. It is the impunity which prevails.

3.1.2 Frame-up Cases: Arbitrary Arrests, Detentions and Subjugation

Responses from this study indicate that authorities especially at local government levels have been using law enforcers especially the police force to enforce their political agenda against the pastoralists, hunters and gatherers. The so called *Kamatiya Ulinzina Usalama ya Wilaya* ('District Peace and Security Committee) which is comprised of the District Commissioner (DC) and other government officials is blamed of acting arbitrary most of the time.

There are numerous complaints from the pastoralists that they have been arrested arbitrarily and beaten up without legal course. For instance, when interviewed by PINGO's Forum Consultants this is what one of the respondents⁷² had to say:-

When a crime is committed in a nearby village the police arrest and beat every pastoralist suspecting him to have committed such an alleged crime. We are put behind the bars for crimes we have not committed and we cannot question the police over such behavior.

⁷² Mr. Daudi Torio, Pastoralists' Village Chairperson, Ruvu-Darajani village, Same district, interviewed by PINGOs Consultants on 23rd February, 2012.

Other CSOs have also documented recent incidents in its December 2012 research on human rights. In its report, it narrates that, the police officers of Chalinze Police Station Bagamoyo District, Coast Region are famously know as good framers and fabricators of fake criminal cases against pastoralists. Once they frame fake cases, they do arrest and torture the suspects and then, they illegally remand them until when those persons apprehended pay fines of Tshs 500,000 to Tshs 1,000,000.⁷³

Moreover, in Meatu district, seven (7) Hadzabe people were reported missing in 2010 after they were arrested allegedly for illegal hunting in 2009/2010.⁷⁴ It was also noted that, that in 6 villagers of Gibaso Village of Tarime district were reported to have disappeared mysteriously October 2010 at the Serengeti National Parks.⁷⁵ It has not been possible to know where they have gone or taken to⁷⁶ (as of March 2011). Further children have been harassed and arbitrarily arrested every once in a while; some were imprisoned in Manyasura adult's prison.⁷⁷

Media, PINGO's Forum and other civil society organizations have reported lots of similar incidences which prove that, pastoralists and other indigenous people experiences extra-judicial treatments by State organs.⁷⁸

3.1.3 Impunity Prevails Regardless of Gross Human Rights Violations

The pastoralists, hunters and gatherers experience gross human rights violations mainly perpetrated by the law enforces and government officials. Some of the incidences include:-

- a) Forceful evictions from their traditional lands (Kiteto, Babati, Iringa-Rural, Mpanda, Kilindi, Simanjiro and Longido districts);
- b) Emission/pollution of toxic substance to the water sources by investors (Serengeti, Tarime and Hanang districts);

⁷³ PAICODEO (2011), *Op cit*, page 17.

⁷⁴ PINGO's Forum Study of Hadzabe Livelihood at Sungu in Meatu, Mang'ola in Karatu, Yaeda Chini Valley in Mbulu, and Kipamba in Iramba, study of 20 June – 7 July, 2010. See page 6 of the Report. It is available at www.pingosforum.or.tz

⁷⁵ Letter of Gibaso's Village Executive Officer, Mr. Paulo Mariba Sagirai to the District Commissioner of Tarime, dated 16/11/2010.

⁷⁶ PINGO's Forum, "A Report on Eviction and Resettlement of Pastoralists from Ihefu and Usangu-Mbarali District to Kilwa and Lindi Districts." The report can be accessed available at www.pingosforum.or.tz (re-checked on 22nd and 27th February, 2012).

⁷⁷ UPR Report (Joint Submission of NGOs Report to the Human Rights Council). Submitted on 7th March, 2011 by several NGOs including TAFGO, PWC, ALAPA, LCDO, TNRF, IWGIA, PINGO's Forum, NGONET, PAICODEO, HIMWA and HSCT. See: Paragraph 14 and 15, page 5 of this UPR Report.

⁷⁸ For example, the police arrested 14 villagers and locked them at Babati police station in Manyara region in April 2008. The said individuals were alleged to be main wrongdoers who induced other villagers to undermine efforts of the district authorities in encouraging foreign investments in the traditional lands. These individuals were later on released and no charges have been preferred against them in courts of law of course, after close follow-ups of PINGO's Forum and other CSOs in Tanzania. This is an indication that indigenous people of Tanzania do experience subjugation, marginalization a situation which is not the same to the mainstream society (Source: PINGO's Forum Human Rights Shadow Report, June 2009, Page 8. ALSO SEE: "Barbaig resist arrests, now vow to stick to leased land" in the Sunday Citizen, 6th April, 2008).

- c) Threats to displace from village land (Hadzabe of Mbulu district, Maasai of Loliondo and Kilosa district);
- d) Land grabbing (all districts); and
- e) Discrimination against them by reasons of ethnicity (Karatu, Iramba, Mpanda, Bagamoyo and Lindi-Rural districts).

Regardless of all what has been happening around and despite public outcry from local and international communities, including the embassies, special rapporteurs, media and others, none of the perpetrators of human rights violations have been taken into task.

It is noted that, whatever administrative actions taken so far were merely ways of mitigating public pressure as there was no any action against the perpetrators. For instance, the special commission of inquiry chaired by Hon. Judge Othman Chande,⁷⁹ probed the Mbarali evictions indicated in this report. This was Between April and June 2007.⁸⁰ The Chande's Commission submitted its report on 6th June 2007 to His Excellence President Jakaya Kikwete, who for reasons not communicated to the public, remained mute do date (April 2012). A little analysis of this situation can tell that the atrocities occurred in Mbarali (just like other places mentioned above) are organized moves to discourage pastoralism.⁸¹

3.2 PARTICIPATION OF INDIGENOUS PEOPLE IN POLITICAL GOVERNANCE

3.2.1 Electoral System is Blind of Specific Interests of Indigenous People

Tanzanian electoral system,⁸² which is governed by several laws,⁸³ is blind of specific needs and representation of these people. That is, it does not provide for representation of minorities in political spheres. The Constitution of the United Republic of Tanzania of 1977 provides for universal franchise and puts requirements for minimum representation of women special seats only – allocated to political parties in proportion to their votes/ number of elected constituent Members of Parliament.⁸⁴ Other vulnerable groups

⁷⁹ Judge (Justice) Mr. Othman Change is now the Chief Justice of Tanzania.

⁸⁰ On the 20th April 2007 the then Prime Minister, Mr. Edward Lowassa (now remained as Parliamentarian for Monduli Constituent of Arusha region) announced to Parliament that the government is forming a special commission to investigate the eviction process and make recommendations.

⁸¹ For instance, on 23 November 2006, the then Vice President of Tanzania, Dr. Mohamed Sheini (now President of Zanzibar) while in Mbarali district for official tour, was quoted by media saying that "... I have come here today to see how the eviction was implemented and its success, I am happy and impressed with the success and we will not turn back ..." Therefore, probing of the incident which the government itself considered it a 'success' to its mission, was almost wastage of time and resources. It was not possible for Tanzanian governance style to shame the top profile leader or implicate anyone because the level of impunity is quite high.

⁸² According to: APRM (July 2009) Tanzania Country Self-Assessment Report (Final Report): APRM, Tanzania, Paragraph 149 at P. 36, the 'Electoral System' is the process, which determines the way in which votes cast in an elections are translated into seats in the legislature. An electoral system is therefore is an electoral arrangement that places priority on the degree to which the elected reflect (or represent) the beliefs and preferences of the electors.

⁸³ The principal legislation governing elections are; the National Elections Act, 1985; Local Authorities (Elections) Act, 1979; Political Parties Act, 1992; and the Election Expenses Act, 2010. There are other several subsidiary legislation.

⁸⁴ Articles 66 (1), 67, and 78 of the Constitution of the United Republic of Tanzania of 1977.

(somehow) recognized for special representation in the Parliament and Councillorship are persons with disabilities. This implies that indigenous and minority groups are 'not vulnerable' groups in Tanzanian context. Just few of them are included in decision making bodies to defend their interests. In most cases, the majority (mainstream society) overshadow the minority.

The electoral system should be reformed to ensure affirmative measures by designating specific political positions in decision making bodies for pastoralists, hunters and gatherers just the way it has done for women and persons with disability. They are all vulnerable groups.⁸⁵

3.2.2 Willful Denial and Low Civic Awareness on Leadership Positions

This study collected a number of evidences which can prove that, pastoralists, hunters and gatherers are willfully discriminated against and denied of leadership in political and non-political positions. This argument is partially highlighted in previous parts of this report.

For instance, the pastoralists in Ruvu-Mferejini village, Same district, Kilimanjaro region, have not been participating fully in the leadership of the village. They have often left that to the farmers. The lack of involvement is attributed to low level of education and negative attitudes towards pastoralists. There is no pastoralists' representative in the decision making bodies to challenge such decision. It was paining to note that in the Village Land Council there are 4 (16% only) pastoralists out of 25 members constituting the VLC while the majority of the villagers are actually Maasai pastoralists.

As for Barbaig pastoralists who are mainly residing in Hanang district, it was noted with concern that they generally not like politics. A reason to this could be low level of education and civic awareness.

Even if you call for the Village Assembly, which is a supreme decision making organ at village level, they (Barbaig) not turn out. Most of who attend are Iraqw and other people ... [t]herefore, what will be decided in the meeting even if would be against the best interests of Barbaig, will be implemented! It seems that more efforts is need to boost their 'political appetite.' They are just busy with their animals in the forests around here ... just see, who will defend their issues while they are away?! ...⁸⁶

Moreover, most of the Barbaig do not turn up during voting days because they are usually in forests grazing their herds of cattle. Civic awareness is highly needed to regress

⁸⁵ 'Vulnerable' or 'Vulnerability' in the context of this report is what is defined in: Leach, Valerie (2007) Children and Vulnerability in Tanzania: A Brief Synthesis. REPOA and UNICEF: Special Paper 07.25, Page 1. In this text, the 'vulnerability' refers to the risk of adverse outcome, such as impoverishment, ill health, social exclusion. The vulnerability reflects not only the likelihood that an untoward event occurs, but also capacity to cope with it. It is therefore the result not only of individual mishap, but also the social conditions which follow from systematic differences in the flow of resources and opportunities which themselves influence capacities.

⁸⁶ Mr. Samuel Kaoga, Bassotu Councilor, Hanang District, Hanang district, interviewed by PINGOs consultant on the 18th of February, 2012.

this situation. There is no way their interests will be defended if no one is there in decision making bodies to do that for them.

3.3 SOCIAL JUSTICE: WOMEN AND CHILDREN IN DOUBLE VULNERABILITY

3.3.1 Cultural Norms and Disempowerment of Women and Children

The Maasai, Barbaig, Akiye and Hadzabe women who have little bit awareness of their rights have started to complain of mistreatments within their communities attributed to some of their cultural norms.



During the study, researchers heard several testimonies on how women are denied of their very basic rights mostly, not being part of decision making within their families; have no say on property rights; no freedom to decide on health issues including family planning; incidences of gender based violence (GBV); and other rights enshrined in national and international legal instruments. Generally, the traditional or cultural norms of these tribes make women at inferior position in almost everything. The heads of the family are men who have ultimate decisions of everything. This sub-part of the report presents some issues gathered from the field and literature reviewing.

3.3.2 Women and Property Ownership: Mixed Opinion on Improvements

The Land Act, 1999 and the Village Land Act, 1999 provide for equal rights in ownership and control of the land.⁸⁷ The level of awareness seems to be on increase, however, the cultural bondage is still very strong to allow the changes at recommendable level. As such, a large percentage of women were found by this study still complaining of lack of equal opportunities on property ownership. It was also strange to note that, a good number of them do not see importance of owning properties as they are wives under husbands' management.

A group of women interviewed in Hanang, Same and Kiteto districts said that they are still not allowed to sit together with men. They do farming activities but they are not

⁸⁷ Section 3 of the Land Act, 1999 and Section 3 of the Village Land Act, 1999.

allowed to have any control over the harvests/ produce. They cannot sell anything without the consent of men. The only thing which they have direct control are clothes and chicken. When the marriage breaks up a woman is left to go empty-handed except those cows which were brought during her wedding.

The District Land Officer of Hanang District Council said that, the level of awareness and confidence of women to own and control land is still very low in Hanang district. Both Irawq and Barbaig tribes share common cultural trends. That is, women are not entitled to own land. The land officer said that, during sensitization and awareness sessions in the villages, they normally tell them that women have rights to own land the same way like. He said:-

When you tell them that women have equal rights to land ownership, they normally laugh because it is uncommon phenomena! ... [B]ut, when you take time to educate them, they understand and apparently change.⁸⁸

The Chairperson of Hamlet and Acting VEO of Mrero village, Hanang district, Mr. Daudi G. Arajiga gave his views⁸⁹ on this that, Barbaig women are allowed to own land at Mrero village (Hanang district). But this entitlement is limited to widows who benefit from the estates of their deceased husbands. Those who are not widows are regarded that they stay with their husbands who are heads of the households, and therefore they earn living through husbands and male members of the family. This is the same situation for the Barbaig youths. However, according to this village leader, things are changing nowadays. He said that, they have received at least 15 applications for land ownership from women applicants. The applications were pending in the village office for determination in March 2012 when this study was conducted. He says that, the more these women are educated, the more they become confident to apply lands under their names.

Their counterparts Akiye and Hadzabe communities have slight different cultures. It seems that women from hunting and gathering communities are stronger than those from pastoralist communities.⁹⁰ A Hadza or Akiye woman for instance, can 'command' her husband to construct a house and bring food home. Women from these tribes have guts to challenge their husbands/ men.

More and more Maasai women are engaging in business activities unlike the previous situation whereby, their husbands and fathers restricted them for domestic chores only. I have noted through experience that, if these women form themselves into groups and if they are really facilitated, they can do wonders. They can also be empowered. It is almost common nowadays for a Maasai or Akiye lady to question her husband '*baba hela iko wapi ...*'

⁸⁸ Mr. Donald Lyimo, Land Officer, Hanang District Council, Interviewed by PINGO's Forum Consultant on 16th February, 2012.

⁸⁹ Information shared to PINGO's Forum Consultants on 17th February, 2012 at Mrero village, Hanang district.

⁹⁰ Clarence Kipobota 'Report on Access to Land and Land Based Resources among Women in Pastoralist and Forest-dwelling Communities in East Africa: Exploring Multiple Exclusions and their Impacts on Women's Citizenship.' Research Commissioned by the University of Nairobi, November 2011, page 17.

(husband, where the money is ...) when comes from auction where he went to sell cows ... women can now talk in the meetings in front of men. They can stand and talk confidently ...⁹¹

In most cases, a Hadza man cannot make any decision without full consultation with his wife or wives. A Maasai woman cannot do the same. All decisions come from men. However, things have started to change. There is good number of Maasai men who at least inform their wives of their intended plans. As Ms. Paulina Ngurumwa of KINNAPA quoted above says, economic empowerment and of course, civic awareness could do better for them. It is the empowerment which will give them voice and confidence to fight against bad cultural practices which undermine them.

3.3.3 Gender Inequality and Gender Based Violence (GBV)

Incidents of Gender Based Violence (GBV) were stated in all districts visited during this study. For instance interviews with women from Ruvu-Darajani village, Same district, revealed that women are beaten up by their husbands. It was absurd to note that men regard women as children. As stated above, women are not involved in decision making at the family level by their husbands. One Maasai women, Mrs. Rehema Taleki said that, she understands that almost every woman in her village does not have a say to what their husbands decide. She said that it is a taboo to question a husband of what he has done or about to do.

Sometimes they (husbands) take cows to the market, sell them and use money obtain for their own known things. When you ask about it, he can slap up badly. So many of us normally keep quite to make peace in our families ... yes, we know that this is not good at all, but it is a culture that we have to abide with ...⁹²

It is amazing that even when a man wants to remarry another woman; there is prior communication given women are simply surprised to accept another woman in the family as a second or third wife as the case may be.

It was found that, beating up of women and children by male members of the family is increasingly regarded as bad thing not because the laws of Tanzania prohibit; but because it is against the Bible. That is to say, little is known about the prohibition of the law on GBV incidents.

...*Kipigo ni kama kawa* (beating is as usual)! The only change these days is that we are born-again Christians and this has reduced beatings. The Pastor tells that God prohibits violent behavior as it is a sin ... Our husbands are also becoming devoted Christians (born-again) these days. Hence we are no longer beaten severely as it was in the past ...⁹³

⁹¹ Ms. Paulina Ngurumwa, Program Officer – Women and Children, KINNAPA Development Organization. Interviewed by PINGO's Consultant on 20th February, 2012 at Kiteto district, Manyara region. Note: KINNAPA = Kibaya-Kimana; Njoro-Ndaleta; Namerock; and Partimbo Development Organization.

⁹² Ms. Rehema Taleki, Maasai lady of Ruvu-Darajani village, Same district, interviewed by PINGO's Consultants on the 23rd February, 2012.

⁹³ Anonymous, Barbaig woman from Mururu village, Hanang district, interviewed by PINGO's Forum Consultant on 17th February, 2012.

It is a spread of Christianity which can claim a great success on the reduction of GBV incidents in pastoral and other areas.



Maasai ladies are singing while going out of the church.

The churches are steadily spreading to the rural areas and they have changed the viewpoints of so many Maasai, Barbaig, Akiye and Hadzabe communities.

3.3.4 Gender Inequality: A Testimony of Ms. Maria Ong'idi, Akiye Woman

Mama Maria Ong'idi, an Akiye lady and mother of 4 children of Napilikunya hamlet, Kiteto district said that, the way things are moving, affect Akiye women hundred times than men because they are the one who stay at home, look for the children and old persons in the families, fetching water and other domestic activities. When the men go far away to hunt, the women remain back with the families.

The scarcity of animals, roots and honey around, makes it uncertain of when the men will come back. Therefore, a woman or mother of the family has to use any possible means to feed her family. This is entirely cultural responsibility of women according to Akiye community. Ms. Maria Ong'idi said, on 21st February, 2012 that:-

[W]e carry heavy burden of taking care of the family as I said before ...but we (women) do not have anything to support us economically. But I think we are becoming strong, when a man beats me, I revenge more strongly than his hit on me. We are at par with men, and then we can do anything. Therefore, we need support from government and these society groups (NGOs) such as KINNAPA. Other women especially Maasai are supported but certainly not us! Why? We can form income generating groups which you people can support us through them. For instance, something like milling machine ... [W]e are less than 300 women here at Napilikunyaa or whole village but we do not have even one group! We need same support like ones you give to Maasai. We need to be independent and develop like any other women ...

3.3.5 Female Genital Mutilation (FGM)

The Female Genital Mutilation (FGM) is still prevalent in Maasai areas despite the fact that it is decreasing. Research analysis for this report indicates that, it is not the law which has forced people to revert the situation; but rather, the spread of Christianity in

the villages, whereby, the religious leaders condemn it in churches as a sin. For a Maasai girl to graduate into adulthood ready for marriage it is no longer a prerequisite factor and men do not consider it necessary nowadays.

It seems to be effective if this is addressed as HIV/AIDS issue as most of pastoralists are really frightened by it because of the stigma attached into it. Using law to fight against it would not bring positive results apart from antagonism. Advocacy agenda on HIV/AIDS and FGM can be penetrated in religious or traditional teachings which Maasai, Barbaig and Akiye communities seem to pay much loyalty at the moment.

3.3.6 Other Forms of Cultural Injustice to Women: Marriage and Divorce

Some of Maasai and Hadzabe/Akiye cultural norms such as piercing of ears and teeth, worshipping gods are steadily disappearing. The modernization of their livelihoods is to the detriment of those norms. Maasai who are born in urban or peri-urban areas adopt urban cultures. This study found that, they have even changed the ways of dressing and speaking. However, those who work for gain in urban areas still send monies to the villages for their parents, guardians or siblings to buy herds of livestock for them. The gap of detaching from cultural norms expands widely as they continue preferring urban lifestyles.

Other forms of social injustice are documented by separate studies include one by Mr. Emmanuel Saringe.⁹⁴ In his report, he narrated that, there Maasai and Barbaig women experience myriads of GBV incidents including the following: -

- a) There is no free choice of a wife or husband in pastoral communities of Maasai and Barbaig in Tanzania. In these communities a marriage can occur in three ways, namely; when parents of both sides agree their children to get marriage even without their decisions; by forcefully picking up a girl for a man; and when a boy and a girl come into mutual agreement to marry but even though they have agreed, still the consent of parents is essential.
- b) The Maasai culture also allows or somehow force a married woman to sleep and have sex with any male visitor of the family who has the same age like her husband. This is what is called 'Olaji.' The Olaji norm is highly praised and therefore women are obliged (but not forced) to abide to it. Note that, Maasai do not use condoms. This implies that Olaji exposes women and men into danger of contracting HIV/AIDS.
- c) The Maasai women are also not part of traditional leadership. All traditional leadership positions including 'Oloibon' (traditional spiritual leader); 'Ilaigwanak' (executors and advisers of difficult decisions); and 'Ingoppirr oo Loigwana' (assistants of Ilaigwanak) are solely for men from time of immemorial.

⁹⁴ Emanuel Saringe, "Young Boys in Hadzabe Community Are Trained Hunting Techniques Before, During and After School Age as Their Gender Role in Life" (PINGO's Forum). Pages 2 – 10.

3.3.7 Children: Also Part of the Circumstances?

The scrambles for access to natural resources have never left out children because they are part of the community's labour force according to pastoralists, hunters and gatherers. There are several reported incidents whereby children have also been unknowingly falling victims of the circumstance when they drive herds of cattle in the wildlife protected areas.

For instance, in 2008 some of the children⁹⁵ aging between 10 to 18 years were arrested, prosecuted and found 'guilty' of trespassing into Grumeti Game Reserve located in Bunda and Serengeti districts. The boys were trying to access water source (Rubana River), which cut across or demarcate the villages, some parts of Serengeti National Parks and Ikongoro/Grumeti Game Reserves. In August 2008, they were arrested by the Game Scouts and after court process, they were imprisoned but later on released in 2010 after PINGO's Forum interventions.⁹⁶

⁹⁵ The boys included Juma Sylvester, who was 17 years when arrested and was studying at Mariwanda 'B' Primary School of Bunda district; Juma Nyakire, who was 13 years when arrested and was in standard seven at Kuzungu Primary School. On the material day, the child Juma Nyakire, was arrested when he was grazing his father's calves. He took the calves by the Rubana River so that they could drink some water. He was standing on the side of the village land bordered by the river but when the park officials saw him, they called him across the river to the reserve land and forced him to herd livestock they had. It was a ploy meant to make him cross to the forbidden territory and thus he was summarily arrested (Ref.: PINGO's Forum, "The Report of Imprisoned Pastoralists' Children (*undated*), pages 4 and 9).

⁹⁶ PINGO's Forum, "The Report of Imprisoned Pastoralists' Children (*undated*), pages 3 to 11.

PART FOUR

RIGHTS TO DEVELOPMENT, ACCESS TO LAND AND OTHER NATURAL RESOURCES

4.1 RIGHT TO DEVELOPMENT: INDIGENOUS ARE STUCK IN POVERTY

4.1.1 Current Poverty Stance at National Level

Tanzania is among the world's least developed countries, ranked 128th out of 169 in 2010/2011 human development index.⁹⁷ The Gross Domestic Product (GDP) has remained below 7% of the expected 10% in 2010 according to MKUKUTA's⁹⁸ targets set in 2000s. More than 33% of the Mainland Tanzanians are living below the Basic Needs Poverty Line (BNPL), while about 16.6% below the food poverty line. The number of poor people has increased in recent years by 1.3 million and the rate of unemployment is raising to more than 11 million people. The gap between the poor and the rich is getting wider.⁹⁹

The economic open door policy of this country to attract more foreign investors has not been a blessing to the local communities to improve their livelihoods. The concessions are engulfed with corruption scandals to imply that, large part of what is obtained from the investments benefit few elites who are in decision making levels. This is why, despite the fact that Maasai and other indigenous people are living within or along rich natural resources areas, where five stars hotels are constructed and operating, they have remained to be poor.

4.1.2 Situation of Poverty among Indigenous People in Tanzania

This study observed high level of poverty in all Maasai, Barbaig and Akiye communities ranging from food insecurity; poor social services especially water; health and education; and very poor housing. Pastoralism, farming and agro-farming as main socio-economic activities employing about 80% of the rural population are stagnated because of lack of sufficient land, prolonged draught,¹⁰⁰ markets, facilitation from the government and other reasons. This situation causes them to migrate in a big numbers to the cities where they engage in sell of traditional medicine, plating women hair in salons, and providing cheap security services in residential and business premises.

⁹⁷ Armando Swenya, Martina Kabisama and Clarence Kipobota 'Tanzania: Stuck in Poverty' in Social Watch Report of 2012 – Sustainable Development and the Right to a Future. At pages 178 and 179. This report can also be viewed online via www.socialwatch.org.

⁹⁸ 'MKUKUTA' is a Swahili language acronym for the National Strategy for Growth and Reduction of Poverty.

⁹⁹ URT, Maoni ya Watanzania Kusuhu Ukuaji wa Uchumi na Upunguzaji Umaskini na Kipato, Hali yao ya Maisha na Ustawi wa Jamii na Utawala Bora na Uwajibikaji, (2007).

¹⁰⁰ The Uganda Land Alliance (August 2007) Indigenous Pastoral Communities and the PEAP: Implication for Equitable Poverty Reduction at page 12, mention draught as the main causes of poverty amongst pastoralists in East Africa. The draught causes crop failure due to prolonged dry spells. Often women, children and the elderly are the most affected because the men migrate in search of better livelihoods for themselves and their animals.

The Akiye communities argued during this study that, the main cause of their economic hardship is the destruction of nature which they totally depend on. To them when a nature is destructed, it means their survival is at stake. They say that, a Maasai or Barbaig man can sell his cow and get money; farmer can sell his crops and get money to pay for the necessities. But, unfortunately, Akiye do not have anything to see or exchange for necessities they want at particular moment. This is because they depend on nature to give them honey, roots and meat of which, they do not have good access to it nowadays.

Therefore, among indigenous peoples in Tanzania as it is a case in all other East African countries, the pastoralists are seen as rich and indeed, they are because they have animals and milk.¹⁰¹ But they are still poor and some of them were found by this study living below BNPL. One of the solutions to this distinctive phenomenon is to guide them understand that, the herds of livestock they have are not only security; they can also be used as capital to invest in education and other economic activities.

4.2 ACCESS TO GRAZING, HUNTING AND CROP FARMING LANDS

4.2.1 Land Tenure System: Allocation of Land for Grazing and Hunting

The tenure system of Tanzania is governed by the Land Act, 1999 and the Village Land Act, 1999 as started earlier on. The land laws provide for individual or communal land ownership but on a lease basis. That is, no one can 'own' land as it is all in the hands of the President as trustee. This system is unfavourable to poor pastoralists, hunters and gathers who cannot lease land. Moreover, it ousts the notion of owning traditional (communal) lands, to give the President power to take or allocate it at anytime for 'public' use or grab it for conservation or investment reasons as this report indicates below.

As for land allocation in terms of lands for grazing, hunting and other activities or uses this study finds out that Tanzania is endowed with abundant natural resources, which include land, water, forage and a large livestock resource base. Out of the total 94 million hectares (*ha*) of land resources, 24 million *ha* are used for grazing.¹⁰²

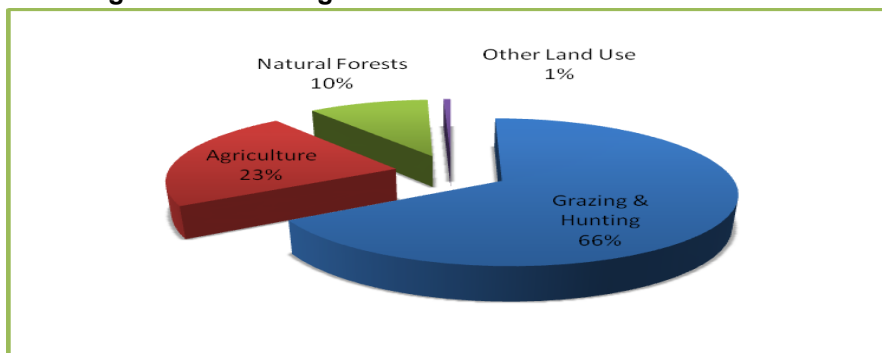
In every district visited, the District Councils have allocated certain portion of land for livestock keeping and hunting. For instance, the total landmass of Kiteto district is 16,685 KM² whereby, grazing and hunting takes total of 11,111 KM²; agriculture 3,800 KM²; natural forest 1,674 KM²; and other land use 100 KM².¹⁰³

¹⁰¹ Uganda Land Alliance (August 2007) Indigenous Pastoral Communities and the PEAP: Implication for Equitable Poverty Reduction, page 19.

¹⁰²URT, Livestock Sector Development Programme (LSDP), December 2011. MLFD. Page 1. Note: Table one of part one of this report shows, land size allocated for livestock keeping and hunting is about 10% only of the total landmass in Tanzania, while conservation is allocated with about 30% of the total landmass in Tanzania. That means, large part of Tanzanian land is allocated to non-pastoralism or hunting activities despite the fact that at least 80% of the rural populations depend on pastoralism, agro-farming and farming in their livelihoods.

¹⁰³ Kiteto District Council's Notice Board at DED's Office, 20 February 2010.

Figure 2: Percentage of Land Allocation and Use – Kiteto District



Source: Designed from Information Above – Kiteto District Council.

Hanang district, which seems to have bigger number of livestock than Kiteto district, has allocated 138,535.20 *ha* (being only 37.5%) of its total landmass (368,942.50 *ha*). The allocation per other land uses is as follows:-

Figure 3: Land Use in Hanang District in Hectares

Arable Land	274,884.00
Land under Cultivation	108,757.80
Area under Irrigation	3,000.00
Area under Livestock	138,534.20
Total Usable Land	368,942.50

Source: Hanang District Council Profile of July 2011, page 10.

It should be noted that, despite the fact that grazing and hunting areas are allocated with larger portion of the Kiteto's (and even Hanang's) landmass, fast increasing of agrarian activities has continued to be real threat to the pastoralists, hunters and gatherers. The said 66% of the land for grazing and hunting of Kiteto (or Hanang) districts is not legally protected in terms of labeling it with beckons and others marks. Moreover, the population growth rate of 5.2% per annum of this district¹⁰⁴ like many other districts brings obvious challenge of land pressure and scramble for access to and utilization of limited natural resources. Those who are fittest (educated and rich) can easily push away the illiterate and poor indigenous people.

4.2.2 Status Land Conflicts and Displacements in Indigenous Areas

It was expected that, the repealing and replacing of the then colonial Land Ordinance, Cap. 113, which was made applicable in Tanzania up to 1999 when the two land laws namely Land Act of 1999 and Village Land Act of 199 were enacted, would have reduced land conflicts. A decade of implementation of the new land laws proves otherwise. Land conflicts are increasing and the effects of it are magnified.

¹⁰⁴ The Kiteto district's population size according to 2002 national census was 152,296 of whom 76,291 were men and 76,005 were women. Eight years later, that is, 2009, the population size of this district increased to 228,296 of whom 114,459 were men and the remaining 114,003 were women. Total number of households is 45,692 (Source: Kiteto District Council's Notice Board at DED's Office, 20 February 2010). Therefore, about 76,000 people increased.

It is stated that, economic liberalization, the land law reforms and a renewed focus on formalization of the land ownership appear to be combining to intensify existing disputes and create additional disputes including those between investors and existing land holders/users.¹⁰⁵ A deep love to investment money especially from foreign companies necessitates the government to find ways of taking away lands from the local communities.

The *displacements tricks* are of two folds. One, it through hidden force of 'legal justification' and the other one is through open manifestation of the greediness, of which, physical forces are used to grab the land. Moreover, in order to apply those tricks, the government has been using the following ways, namely:-

- a) Expansion of the wildlife protected area;
- b) Granting of concession with restricted hunting blocks and;
- c) Removal of the pastoralists in favor of agriculture/ other activates.

4.2.3 Expansion of Wildlife Protected Areas: An Old 'Orthodox'

Tanzania Mainland has tremendous wildlife resources and has established 15 national parks¹⁰⁶ and 17 game reserves.¹⁰⁷ In order to ensure that large part of Tanzanian land is 'reserved' for investment reasons so that to obtain more foreign currency out of it, the government has been on frontline to expand those wildlife conservation areas towards pastoralists' villages, which are legal villages established under the laws¹⁰⁸ of Tanzania.

¹⁰⁵ Dr. Prosper Ngowi and Melissa Makwarimba, Op cit, Page 2.

¹⁰⁶ Large national parks include the Serengeti in the Serengeti District (14,750 sq. km), Ruaha in the Mbarali District (13,000 sq. km but it is now estimated to have 22,000 sq. km after annexing Usangu Game Reserve on 25 July 2007), Ngorongoro in the Ngorongoro District (8,320 sq. km), Mikumi in the Morogoro Region (3,230 sq. km); others are Tarangire in the Manyara Region, Katavi in the Mpanda District, Saadani in the Tanga Region, Udwungwa in the Morogoro Region, Kilimanjaro in Kilimanjaro Region, Rubondo, Kitulo, Mahale Mountains in Kigoma Region, Manyara in the Arusha Region, Arusha in the Arusha Region, and Gombe Stream in Kigoma District.

¹⁰⁷ These are Selous in the Lindi region (50,000 sq. km), Ruangwa in the Ruangwa district (9,000 sq. km), Kigosi in Shinyanga district (8,000 sq. km), Moyowosi in Kibondo district (6,000 sq. km); others are Uwanda in Sumbawanga district, Burigi in the Biharamulo and Karagwe districts, Maswa in Maswa district, Kizigo in the Manyoni district, Uмба in the Lushoto district, Biharamulo in the Biharamulo district, Mkomazi in the Lushoto district, Mount Meru in the Arumeru district, Ibanda in the Karagwe district and Saa Nane Island in the Mwanza region.

¹⁰⁸ The villages are registered under the Local Government (District Authorities) Act, 1982. Section 7 of the Village Land Act, 1999 recognizes lands within village boundaries and places the management of the village land in the hands of the VLC and Village Assembly.



Some of the National Parks created between 1950s and 2012.
 Picture: Courtesy of 'Base Camp Tanzania'
 (http://www.basecemptanzania.com/tanzania_map.htm)

It should be noted that, Serengeti, Tarangire, Lake Manyara, Arusha, Mkomazi national parks as well as Ngorongoro Conservation Area in Tanzania and Maasai Mara Reserve, Samburu, Marsabit, Amboseli, Nairobi, Tsavo East, Tsavo West, Lake Nakuru and many more national parks in Kenya are in and adjacent to what is the territory of Maasai pastoralists.¹⁰⁹

The removal of Maasai Pastoralists from some of these areas is continuous from colonial period. For instance, in 1958 the colonial government signed the contract with Maasai leadership and promised not to disturb the Maasai again should they voluntarily quit Serengeti for Ngorongoro reserves. However, this accord did not save any good purpose for Maasai, it is disregarded. Therefore, the Maasai are continuously removed from everywhere they choose to settle after being evicted. Their pastoralism model is looked at as marginal economic activity; thus, deserves no good attention and protection.

Moreover, exclusion of pastoralists from wildlife protected areas for conservation reasons lacks social justification and brings hatred to wildlife. According to Mr. Tundu Lissu this is an old 'orthodox' and it is wrong to separate man from his natural environment¹¹⁰ including wildlife within which, he has co-existed for centuries without any threat to each other. Professor Chachage also argued the same. He said that, land tenure issues cannot be treated technically. They are social issues to be considered including the co-existence of different land users.¹¹¹ Therefore, a land tenure system should reflect the reality in which a society or a community is organized socially and politically.

The new Wildlife Conservation Act, 2009 which came into operational in 2011, confirms the old 'orthodox' which Mr. Lissu and Professor Chachage argued against it. This law suggests

¹⁰⁹ Ndaskoi, Navaya (August 2009) Pastoralism on the Horns of a Dilemma: Report of Consultancy Commissioned by PINGO's Forum, page 2.

¹¹⁰ Lissu T, 'Policy and Legal Issues on Wildlife Management in Tanzania's Pastoral Lands: The Case Study of the Ngorongoro Conservation Area' 2000 (1).

¹¹¹ Prof. Chachage C.S. L Chachage "Land Policy and Tenure in National Parks, Game and Forest Reserves in Tanzania" (1999), page 1.

enormous powers for the government machineries to grab more village land for wildlife.¹¹² It even suggests removal of the villages from the Game Controlled Areas (GCA) which allowed human activities when the repealed Wildlife Conservation Act, 1974 was operational.

4.2.4 Expansion of National Parks Towards Pastoralists' Village Lands

Ruaha National Park has expanded from 10,300 sq. km (KM²) in 1964 to between 22,226 sq. km¹¹³ and 24,000 sq. km¹¹⁴ in 2012 (being 96.39% increase within 48 years). Lake Manayara National Park has also been expanded from 330KM² in 1960 to the current (year 2012) size of 648.7KM² (being 96.57% increase within 51 years). All these expansions are directed (curving) towards surrounding villages, which most of them are pastoralists' areas.¹¹⁵

[I]f a cow enters in the wildlife protected area, TANAPA seizes it. TANAPA arbitrarily takes law at its hands while it is fully aware that the thousands of wild animals enter into our village land, including Kimotorok, most the time during the year. But, don't we confiscate their animals the way they do to ours? We do not want to be oppressed by any person or institution in any way. We have formally declared enmity against TANAPA.¹¹⁶

The villagers questions the essence of TANAPA's *Ujirani Mwema* ('Good Neighbor') program while it continuously grabbing neighbors' lands, destroying their houses and other properties. To them, this is a situation which sets at odds relationship between pastoralists and wildlife, which they enjoyed for centuries before enactment of the laws to restrict entry and sharing of resources.

4.2.5 TANAPA's Scam to Grab Kimotorok Village of Simanjiro District

Tarangire National Park (TNP) was declared as a National Park in 1970 by evicting pastoralists, without knowledge and involvement of the villagers especially of Kimotorok village (Orkessument/Simanjiro district) who were living in the area. However, they had to accept it because it was the order by the government and 'requirement' of the law. At the time of this declaration in 1970, it was stated in government notice that the TNP covers 2,600 KM² but today, the increase of it towards village land expects to result into

¹¹² See Sections 14, 15 and 16 of the Wildlife Conservation Act, 2009.

¹¹³ The creation of a national park in this area was first proposed in 1949 by the Senior Game Ranger in Mbeya, George Rushby. In 1951 it was gazetted by the British colonial authorities as an extension of the neighbouring Rungwa Game Reserve. People living in the new protected area were subsequently forced to move out. In 1964 it was excised from the game reserve and elevated to full park status. In 2008 it was extended to incorporate the former Usangu Wildlife Management Area, in the upper Ruaha catchment, making Ruaha the largest National Park in Africa (Reference: Wikipedia, the free encyclopedia 'Ruaha National Park' http://en.wikipedia.org/wiki/Ruaha_National_Park viewed on 17th May, 2012).

¹¹⁴ Note that, the initial size of Ruaha National Park was 10,300 sq. km. On 25 July 2007, the government annexed Usangu Game Reserve's area of 4,700 sq. km into Ruaha National Park. The Mbarali District Investment Profile of 2010 (see page 2) also states that, the district council authority has decided to annex total area of 9,000 sq. km to Ruaha National Park in order to benefit from potential tourism activities taking place within the park. Therefore, it seems that size of Ruaha National Park is now 25,000 sq. km.

¹¹⁵ Press Release of 21st December, 2011, signed by Mr. Daniel Kunyae Melau, Chairperson of Kimotorok Village, Orkessumet/ Simanjiro district, Manyara region.

¹¹⁶ Press Release of 21st December, 2011, *Ibid*.

2,800KM². There has been gradual expansion of the national park's boundaries without involvement of the villagers.¹¹⁷



The remaining of one of the Maasai house burnt by TANAPA officials at Kimotorok village, Simanjiro district, Manyara region in 2011.

The TNP and TANAPA officials have gone further to re-arrange the beckons and draft a new sketch (availed to the villagers by TNP on 20th November 2011) which twists the southern part of the TNP boundary by curving it inside the Kimotorok village boundaries as the picture below shows.



The gray triangular shape is the original size of the village. There is a blown line cutting this shape on its left hand side (where Tarangire National Park and Dodoma Region are located). That is an area which is proposed to be annexed to Tarangire National Park.

On 18th November 2011, TANAPA official (game wanderers) ambushed Kimotorok villagers, set some of the villagers' houses on fire (ablaze), assaulted 5 villagers and forces one youth known as Isaya Nabana to eat a bark/ carapace (outer skin) of the snake.¹¹⁸ The Kimotorok village authority explains to the Minister for Lands and Human Development that, the grabbing of that piece of village land (of more than 200 KM²) will

¹¹⁷ Source: The letter with reference numbers HAL/KIJ-KMT/ARD-BR/F.01/44 dated 23rd September 2011 from Mr. Daniel Kunyae Melau, Village Chairperson, Kimotorok Village to Minister for Lands and Human Development. See, page 2 of the said letter.

¹¹⁸ Press Release of 21st December, 2011, *Op cit*.

certainly disturb part of the village which has total of 775 households; grazing area for more than 33,443 herds of cattle, 62,673 goats and sheep, and 405 donkeys.

That grabbing will also totally absorb hamlets within this village namely Kisondoko, Arkasupai and Engailupai. Kimotorok village borders Makami village, TNP, Loiboersiret village and Kiteto/Kondoa districts on east, west, north and south respectively. All these sides struggle to maintain their boundaries, situation which causes land pressure in Kimotorok village. The village authority argues that Kimotorok village is disadvantaged in a sense that, its soil is 'engusero' or 'mfinyanzi' (black-cotton soil) which covers about 2/3 of the remaining lands. The other part of the village is marsh especially during rainy seasons and also 'oltotoi' (stony soil). Therefore, villagers could not do anything productive if that other 200 KM² is grabbed again.¹¹⁹

4.2.6 Six Years of Constant Evictions and Hatred of Pastoralism

As it is stated in part one of this report, the fourth phase government has designed, implemented and supported a number of actions against pastoralists and hunter-gatherers that denied the rights to livelihoods. Manifestation of these actions can be seen in the 2006 to 2011 pastoralists evictions (some of them) summarized below from various reports:-

- a) In the period from May 2006 to May 2007, large numbers of Sukuma agro-pastoralists and IIParakuiyo, Taturu and Barabaig pastoralists and their livestock were been evicted from the Usangu Plains in Mbarali district, Mbeya region on ground that, their activities in the basin threatened water source. It is estimated that more than 400 families and 300,000 livestock have been moved, and that a high number of livestock have died or been lost in the process.¹²⁰

¹¹⁹ Source: The letter with reference numbers HAL/KIJ-KMT/ARD-BR/F.01/44 dated 23rd September 2011 from Mr. Daniel Kunyae Melau, Village Chairperson, Kimotorok Village to Minister for Lands and Human Development. See, page 3 of the said letter.

¹²⁰ This is in accordance with consortium of Tanzanian organizations comprised of PINGOs Forum (Pastoralists Indigenous Non-Governmental Organizations' Forum), Hakiardhi (Land Rights Research and Resources Institute), HIMWA (Huduma ya Injili na Maendeleo Kwa Wafugaji), Legal and Human Rights Centre (LHRC), ITV (Independent Television Limited) and the newspaper Majira (See: Report on Eviction and Settlement of Pastoralists from Ihefu and Usangu-Mbarali District to Kilwa and Lindi Districts (March 2007), compiled by HakiArdhi, LHRC, HIMWA and PINGO's Forum. Pages 10-11).



Evictions disturb everyone especially women and children.

- b) Between December 2008 and 2011 there were forceful evictions of pastoralists from pastoral villages in Kilosa, Mvomero and Monduli districts of Morogoro region.



Children 'resting' at a tent below the tree after been forcefully evicted by military officials from their previous settlement in Loosimingori village, Monduli district, Arusha region in 2011.

Speaking about this tendency, two Barbaig traditional leaders told the PINGO's Forum Consultant that, the government fights pastoralism for unknown reasons while, the way they see it, it contributes tremendously to the country economy. Part one of this report gives account how much does pastoralism and agro-pastoralism contribute to micro and macro economy in Tanzania.

4.2.6.1 Mr. Matayo Sighista: "Where should we graze our Cattle?"

Mr. Matayo Sighista is one of the traditional elders known as *Gwergwamureda* in Barbaig language. He is wondering why the government undermines pastoralism and always exalting farmers. He is of the opinion that, the government, laws and policies should not restrict pastoralists from entering into wildlife protected areas because those are areas

which they also depend on pastures for their livestock. His original thought of all this is worth to be quoted as follows: -

...[t]here is something important which should be underscored here and that is, the importance of pastoralism in Tanzania. It seems that the government invests a lot in other activities but certainly not pastoralism. I am completely amazed at the tendency of the government in undermining the pastoralists and always exalting the farmers. Tanzania has a vast area of bare land and forests but none has been allocated to the pastoralists. We continually harassed by the government whenever we take our cattle in the so called forest reserves ... Where should we graze our cattle? It is like the government does not recognize the presence of pastoralists. I have never seen our cattle causing a threat to other animals which are said to be protected by the government. All animals and our cattle should be left to be grazed in the same areas as there will be no harm caused. We do not intend to shift and reside in the game reserves but let our animals be allowed to be grazed in the reserves and we shall tell our children not to do any unauthorized activity in the reserves. It is not our intention to grab land from the government but we want equal recognition in this country as it is to the farmers ...¹²¹

4.2.6.2 Mr. Gelopa Ginaye: “Our Cows Pay Taxes, How About Wild-animals?”

Mr. Gelopa Ginaye of Mrero village, Hanang district is also a traditional or influential leader called *Gwergwamura* in Barbaig language. He is of the strong observation that at least their cows contribute to the national economy as the government obtains lots of taxes and levies from cows themselves, drugs for these animals, levies when taken to auctions, meat, milk, skins and so many areas. To the contrary, he sees nothing of economic value comes from the lions and other animals which are highly favored in protected areas. Secondly, just like the Mr. Sighista, he does not find justification of restricting them to graze with other animals – after all they are all animals eating same stuff. Part of his observation is quoted as follows: -

Thank you [m]any researchers have been coming to this village and have not been bringing back the feedback of the reports to us. This is paining us so much ... I understand that our cows are just like other animals in those protected areas ... [W]e used to live together and share the resources in a very amicable ways. But today, the government sees wild animals important than our cattle herds! The wild animals do not pay taxes nor provide food to the people the way our animals do but they are overprotected and we are not respected. How much do they contribute more than our animals? The economic value between cattle and other (wild) animals is quite different because our cattle contribute greatly to the national income and economy at large. It is amazing to see that the government is reserving large areas of land for animals of no economic value and completely forget to do so for cattle which contribute highly to the economy! Why can't we graze in the so called protected areas while we do not hunt, kill or eat those animals? ... [W]e think that, this is something which you will need to address in your report. It is one of the main challenges we are facing nowadays ...¹²²

¹²¹ Mr. Matayo Sighista stated this on 17th February, 2012 at Mrero village when speaking to PINGO's Consultants.

¹²² Mr. Gelopa Ginaye stated this on 17th February, 2012 at Mrero village when speaking to PINGO's Consultants.

4.2.7 Politicking Boundary Conflicts: Case of Chamakweza and Pingo Villages

The land conflicts between Chamakweza and Pingo villages of Chalinze, Bagamoyo district, Coastal region, have persisted for a long time for seemingly political reasons. Chamakweza village is ordinarily and legally occupied by the Maasai pastoralists for quite sometimes¹²³ whereas Pingo village is predominantly occupied by the farmers (not even agro-pastoralists). Each side claims that the other encroach its boundaries despite the fact boundaries are clear according the information footnoted in this paragraph. This study noted that, the conflicts were finally resolved by the then Bagamoyo District Commissioner Mr. Mlongo Magesa (now Arusha Regional Commissioner). The pastoralists from Chamakweza village were asked to offer 1 and half hectares and they consented. The memorandum of understanding (MoU) was signed by parties from the two villages on 24th November, 2010¹²⁴ as the picture below shows.



Representatives of Chamakweza and Pingo Villages who witnessed the MoU

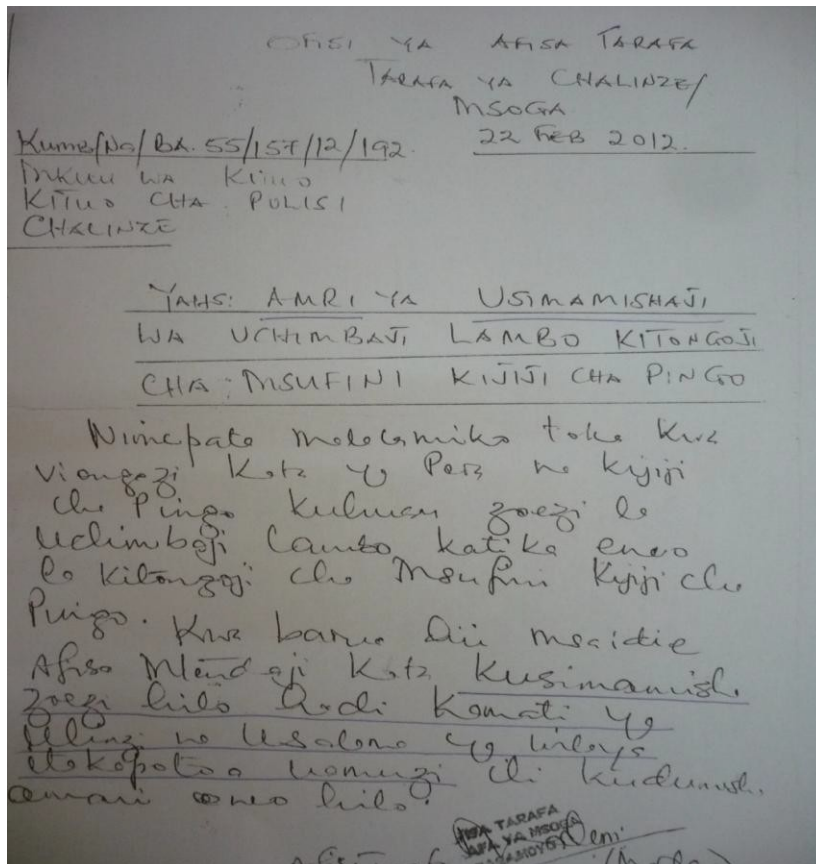
Even after that, the problem persisted. For instance, the beacons were put in place clearly demarcate the boundaries of the two villages. However, Pingo's villagers have continually been removing the beacons and invading Chamakweza's land. It is said that, they are backed by the political leaders who use these land 'conflicts' as their lure for political gains.

¹²³ Chamakweza is the registered village. It was registered on 29th June, 1976 and given registration number PW.KIJ.25 by the Registrar of Villages. There is also lots of administrative communications and records which specifically affirm that Chamakweza is pastoralists' village. For instance, on 9th September 1998, the District Agriculture and Livestock Development Officer (DALDO) of Bagamoyo district wrote a letter with reference number VY/WAF/BG/92/16 to the Primary Court Magistrate of Chalinze Bagamoyo to clarify that, Chamakweza and other villages including Mkonge, Mikongolo and Masuguru are pastoralists' villages since 1975. Earlier on, January 24th 1997 the District Commissioner of Bagamoyo district (DC), Capt. J. M Mwambi, had already issued an order through a letter with reference number BG/A.30/1/Vol.II/23 that Chamakweza, Mindutulieni and Lulenge villages were actually areas planned for pastoralism.

¹²⁴ On 16th March, 2011, their agreement was re-documented by the District Executive Officer (DED) of Bagamoyo district, who through a letter with reference numbers BAG/1102/4, communicated the agreement documents to the leadership of the two villages.

The political leaders especially the Councilor for Pera ward has led to the ongoing land conflicts as the farmers are promised that they will get more land if they continue to demand and grab the same.¹²⁵

Through these conflicts, it is alleged that, the leaders propagate tribalism and they use their influence to give biased decisions and order against pastoralists who are regarded as 'aliens' of this district. For instance, on 22nd February 2012, the District Division Officer, Mr. Madeni, issued an 'order'¹²⁶ to stop construction of water dam which was constructed at Msufini hamlet within Chamakweza village, until when the District Peace and Security Committee (DPSC)¹²⁷ meets to adjudicate the matter.



The 'order' of the District Division Officer, Mr. Madeni as explained above.

¹²⁵ Seketo Ndege, Mjimwema Village Chairperson, Bagamoyo District, interviewed by PINGO's Forum Consultants on 29th of February, 2012.

¹²⁶ The 'order' was issued through a letter with reference number BA.55/157/12/192 (22nd February 2012) addressed to head of police station – Chalinze, Bagamoyo district asking him to team-up with the Ward Executive Officer (WEO) in order to suspend construction processes. Note that, such kinds of 'orders' are illegal as it is only court of competent jurisdiction which could issue lawful order. This is in accordance with the spirit of Article 107A of the Constitution of the United Republic of Tanzania of 1977 which states, inter alia, that it is only the judiciary which can legally determine the rights of conflicting parties.

¹²⁷ The DPSC is a political organ set by the government to adjudicate and give orders when it considers it appropriate especially when, to its consideration, peace is at stake. It is comprised on the DC, some leaders from local government and police at district level. The organ is also alleged to be used by the ruling part when it goes in the district for campaigns to assist it on security issues.

4.2.8 Land Confiscated: Situation of NAFCO and Kapunga Farms

Farms belonging to the former National Agriculture and Food Corporation (NAFCO) in Hanang district, Manyara region and Kapunga Rice Project in Mbarali district, Mbeya region were confiscated by the government from local communities in 1970s onwards. They were meant to be utilized for farming; NAFCO farms (wheat farming)¹²⁸ while Kapunga Farms (rice farming). Kapunga farms are still in the hands of foreign investor – but the investor does not have capacity to utilize it all. Therefore surrounding villagers face land shortage while big chunk of land remains unutilized.

Land was taken from the pastoralists by the government and given to NAFCO in 1968/69. It is really strange to not that, after causing all these suffering from that time, pastoralists are still denied of the first right of refusal (first priority) to reallocate the farms from NAFCO ownership. Pastoralists were first owners of NAFCO's farms before confiscation in 1960s and 1970s.¹²⁹

The NAFCO project in Hanang failed and the farms are now leased to other investors. The only farm which 'can' be suitable for ranching is Gawal according to Hanang District Council Profile of July 2011 and interview with District Land Officer in February 2012. Others are allocated for crop farming only. Just small pieces of land are returned back to the villagers after 1970s and 1980's confiscations. But those pieces are still under the NAFCO. The land titles have not yet revoked by the President¹³⁰ to give villages power of managing the said pieces.

Table 1: Former NAFCO Farms and Current Uses

S/No.	NAME OF THE FARM	SIZE (ha)	NAME OF THE INVESTOR	COMENTS
1	Bassotu Plantation	5318	No investor	It need investors
2	Murjanda Farm	5160	Ngano Limited	Invested
3	Mulbadaw Farm	5490	Hydom Lutheran Hospital	Invested
4	Setchet Farm	6,300	Ngano Limited	Invested
5	Gidagamowd	6330	Ngano Limited	Invested
6	CMSC	205.5	Hydom Lutheran Hospital	Invested
7	Gawal	200	No investor	It need investors
8	Warret	120	No investor	It need investors

Source: Hanang District Council Profile, July 2011. Page 9.

It seems that Hanang District Council has a last say on the investment to those NAFCO farms. It has included in its investment profile as potential investment area. Thus, consider these farms as its 'land bank.' The village authorities do not have control of those farms.

¹²⁸ The farms are Bassotu plantation; Setchet; Mulbadaw; Murjanda; Gawal; Gidagamod; and Warret all located in Hanang district. (Ref.: Isaya Naini Olesabulu, Dirma Land Case Study and NAFCO Farms (Gawal & Warret) Land Redistribution Process to Affected Pastoralists and Status, July 2009. Page 5).

¹²⁹ Samuel Kaoga, Bassotu Councillor, Hanang District, Hanang district, interviewed by PINGO's Consultant on 18th February, 2012.

¹³⁰ Samuel Kaoga, Bassotu Councillor, Hanang District, Hanang district, interviewed by PINGO's Consultant on 18th February, 2012.

Separate research needs to find out how the farms have been reverted to district authority because under the current land laws, district authorities do not have inherent powers to control or manage lands within its boundaries. Note that, foreign investors can acquire granted right of occupancy or derivative rights to land in accordance with provisions of the Land Act, 1999 and Tanzania Investment Act, 1997. The foreign investor cannot acquire CRO for investment in the village land unless such piece of land is transferred to general land first.

4.3 EFFECTS OF LAND GRABBING AND ENCROACHMENTS TO AKIYE COMMUNITY

4.3.1 Akiye Community and Threat of Extinction

Akiye tribesmen or community is found in Kiteto district and some parts of Meatu district. It entirely depends on what the nature provides. According to Akiye elder who was interviewed by PINGO's Forum Consultants on 21st February 2012:-

Akiye are original Tanzanians. We have been here for many years earning our living through hunting small animals; eating *anaisho* (honey), *mapera/walemesera* (baobab fruits), *warkiserembwa* (roots of plants). Because of the nature of our living, which is shifting from place to place, our lands have been falling in the hands of other people ... many years has gone now and here we are – with lots of difficulties especially on how and where to get our traditional food. Things are quite different nowadays ... we used to get fruits throughout the year. But now, we can only get in April. Because of cutting of trees, bees do not make honor as they could not get flowers from the bushes, which are all cleared as you can see. We thought of starting to protect our areas against invaders in 2006 by requesting the government to grant us land title. This has never been possible and we do not know what goes on ... but, of course, the government recognizes that this (Napilikunya hamlet in Kiteto district) is our land.

The main economic and traditional activities to support their survival are hunting and gathering of fruits, roots and honey. Because of different reasons, their existence as indigenous groups in Tanzania is at serious threats of extinction. The reasons include grabbing of their land; intermarriage with other tribes especially the Maasai;¹³¹ climate change which brings problems of food shortage,¹³² lack of water and deteriorated natural resources for Akiye to go for hunting or collection of roots and fruits.

¹³¹ It is true that the main community which 'absorbs' Akiye is Maasai. The simple reason on this is that, these two tribes have been living together as indigenous people for over years. They share common traits. For instance, they all wholly and exclusively depend on nature especially land for their survival. Secondly, they all shift from one place to another to follow favorable natural conduction. Thirdly, they depend on each other. For instance, Akiye hunters get good hunting position to target a prey if hide between the flock of cows. In that way, they can fool, target and kill an animal easily than chasing it between bushes. Therefore, they need Maasai and their cows in order to get wild animals.

¹³² The Community Research and Development Services (CORDS) of Kiteto district, has been donating food aid. For instance, it has recently donated 15 tons of food to Akiye of Ngapapa, Lerug and Napilikunya villages. However, their donation is still not adequate because more food is needed. For instance, in Lerug village, CORDS have been able to donate food aid to only 129 (16.13%) families out of 800 in need of this aid (Ref.: Josh Adama, "Hunger Threatens to Wipe out Kiteto's Akiye Communities", Guardian on Sunday, 26th February to 2nd March, 2012, page 5. The journalist quotes Ms. Grace Mselle, Program Officer – Gender, CORDS, Kiteto district).



Maasai and Akiye elders at Napilikunya Village, Kiteto District, Manyara Region Tanzania

According to CORDS, at least 45% of the Akiye's members of the community have moved to other areas as a coping strategy.¹³³

The Napilikunya¹³⁴ hamlet within Kimana village, Kiteto district could be a good illustration. This place is known as indigenous land of Akiye community. They have been living there for hundreds of years according to the elders of this place. The whole of this village and neighboring places were hunting spots of Akiye and that, during the time, they made their survival in a more easy ways because fruits, roots, honey and other stuff were found just within the forest they dwelt in.



Napilikunya mountain (means 'sharp mountain') is one of the areas where Akiye are found. Large part of this area is invaded by other people. Trees are becoming sparse because of environmental degradation.

¹³³ Josh Adama, "Hunger Threatens to Wipe out Kiteto's Akiye Communities", Guardian on Sunday, 26th February to 2nd March, 2012, page 5. The journalist quotes Ms. Grace Mselle, Program Officer – Gender, CORDS, Kiteto district.

¹³⁴ "Napilikunya" is Maasai word to mean 'mountain with harp peak.' At this place, there is a mountain with very sharp peak. It is around or nearby this mountain where Akiye are mostly found in Kiteto district.

But today, everything has changed. The whole of this village is surrounded by farms and other human activities. Hunting is almost impossible. One has to move far away to other villages such as Ndedo which is about 5 hours walking from Napilikunya hamlet for search of a wild animal and fruits. The assurance of getting those stuffs there is minimal. Therefore, the Akiye families starve.

In an effort to address this situation, the KINNAPA Development Organization of Kiteto district, Manyara region, has assisted Akiye communities to cultivate some food crops in order to make them settle. About 92 families of this community were each helped to cultivate 3 acres. Then, they bought goats from the monies obtained from selling the agricultural produce. KINNAPA has also constructed a nursery school classroom at Ngababa village, Kiteto district and facilitate them to design bee halve at their homestead.



A bee halve at Ngapapa Village, Kiteto district.

All these were strategies to keep them remaining at home for their families which starve because of lack of hunting areas, wildlife animals, honey and fruits around.¹³⁵

4.3.2 Co-existence with Hadzabe and a Danger of Extinction

The Hadzabe communities in Iramba district are found in Munguli village at Kikaranga and Kipamba sub-villages. They are invaded by Sukuma agro-pastoralists and Barbaig pastoralists. According to them the migrants started in 2002 and their number kept increasing to date. The impact brought by the two tribes is described by them as destruction of the environment through massive tree cutting in creation of farms, charcoal making together with keeping large numbers of livestock consequently destroying soil cover and vegetation, water sources and forest resources where wild animals stays therefore negatively impacting their food availability and livelihoods in general.¹³⁶

¹³⁵Ms. Paulina Ngurumwa, Program Officer – Women and Children, KINNAPA Development Organization. Interviewed by PINGO's Consultant on 20th February, 2012 at Kiteto district, Manyara region.

¹³⁶Isaya Naini, "The Study of Hunter-Gatherers' Current Livelihood Challenges. The Districts of Karatu, Mbulu, Meatu and Iramba." October 2011, PINGO's Forum. Page 14.

Moreover, mixing up with the Sukuma dominant tribe in Sungu hamlet, Iramba ndogo village, Meatu district of Shinyanga region, has threatened their existence. Because of poverty and undue influence caused by high level of illiteracy they easily sell out their lands to Sukuma tribesmen. They are now pushed to interior areas living behind big chunk of their lands to Sukuma. They are also encroached by tourism activities within their areas.¹³⁷ The Maswa Game Reserve, which is now transformed into Makao Village WMA, has hunting blocks which restrict entrance into wildlife protected areas. Therefore, the Hadzabe are now 'forced' by the situation to abandon their traditional ways of life and, in lieu thereof, adopt modern ones including earning their living through provision of cheap labour to Sukuma agro-pastoralists and some of them have started small scale farming.

4.3.3 Summary of Challenges Facing the Akiye and Hadzabe Communities

The Akiye (and Hadzabe) communities face extinction because of number of reasons including the factthat:-

- a) Their traditional land is increasingly grabbed and therefore, they remain landless without access to their traditional food;
- b) They are mixed with other tribes some of them from mainstream society. For instance, 'invasion' of Maasai in their lands, have assimilated into Maasai culture including ways of dressing, speaking, and other kinds of transformation. They do not speak Akiye language anymore;
- c) They have also adopted other tribes' culture of property ownership and are now trying to settle in one place. Some of the do keep livestock herds especially goats. But they are called 'Ndorobo' to mean that they are poor. That is, they are regarded as Maasai but who is poor – do not have many cattle herds;
- d) The change of nature – climate change forces them to abandon traditional activities of hunting and gathering because they could not catch animals around their vicinities; and
- e) Commercialization of natural resources which limits access to the same on grounds of environmental conservation and attraction of foreign investments.

4.4 ENVIRONMENT PROTECTION AND 'MYTHS' OF CLIMATE CHANGE

4.4.1 Status of Climate Change: Reality and Traditional Copping Strategies

The climate change is real and irreversible. It is already happening across Tanzania both urban and rural. According to different sources it is believed that if global carbon levels continue to increase as they have, the earth's climate will become unmanageable and intolerable, with frequent natural disasters, loss of lives and livelihoods, and conflicts over depleting resources that might erupt out of control.¹³⁸

¹³⁷ Seif Mangwangi, "The Study on Hadzabe Livelihood at Sungu in Meatu, Mang'ola in Karatu, Yaeda Chini Valley in Mbulu and Kipamba in Iramba" Commissioned by PINGO's Forum, June to July 2010. Page 5.

¹³⁸ Dr. Ole-Neselle, M.B "Climate Change and Pastoralism in Simanjiro and Kiteto Districts, Manyara, Tanzania: A Study to Understand the Reality of Climate Change." September 2009. Page 3. Note that, the climate change which prevails over period of time disrupts the normal functioning of the ecosystem that

This study confirms other previous studies on climate change that large part of the country is seriously affected by the impacts of climate change because of prolonged draughts in 1990s and 2000s. The effects of it include prolonged draughts and death of livestock.



Lack of rain led gross death of livestock at pastoralist areas. Millions of livestock died at pastoralist district in 2008-2009 due to shortage of grazing areas.

The way the situation is, commands pastoralists to adopt alternative survival strategies especially by using mobility to cope with uncertainties.



Prolonged draught forces pastoralists to walk long distances for search of pasture and water.

Other strategies according to Dr. Ole-Neselle include building up herd sizes as insurance against times of hardship, splitting herds across different locations to spread risk, keeping different species and breeds and loaning surplus animals to family and friends – ensure the rational use of the natural resource base and also develop and strengthen social relations as a form of social capital.¹³⁹

interacts with humans, and affects how they access certain vital resources for their survival. It plays a great role in the shrinkage of key natural resources especially water and land. Ref.: ACCORD (2011) 'Conflict Trends: Environment, Climate Change and Conflicts', pages 5 and 6.

¹³⁹ Dr. Ole-Neselle, M.B, *Op cit*, Pages 3, 12 and 14.

4.4.2 Blaming Pastoralism on Causes of Climate Change – Fighting Wrong Enemy?

Pastoralism in Tanzania has been blamed of being main source of climate change¹⁴⁰ as its mobility and overgrazing tend to erode soil. The fact is, there are other real main factors for climate change in Tanzania. Deforestation seems to be number one. According to the government sources, it is estimated that 412,000 hectares of forests are destroyed by different causes every year.¹⁴¹ Pastoralists do not clear any bush to secure a grazing land. They actually need bushes and forests to get pastures. Farmers to clear bushes in order to get spaces for farming.



The Farmers do cut lots of trees to clear areas for farming; but, the Pastoralists need those trees and bushes for pasture.

Other sources indicate that despite about 30%-40% of the territory being preserved in parks (where pastoralists are prohibited to access resources), forests 'conserved' in those parks are rapidly shrinking in some places. For instance, it has fallen by 15% between 1990s and 2000s.¹⁴² Marine habitats are also threatened by damage to coral reefs caused primarily by the use of dynamite for fishing¹⁴³ (and not at all livestock). Other studies confirm that soil erosion (which other people said is caused by overgrazing) and pollution are of particular concern in mining sites. In January 2009 for example, North Mara Gold Mines piled up about 2,000 tonnes of toxic debris without any precaution or assessment of its impact on surrounding communities. When the rain came, the debris was washed into River Tighite, which serves the villages of Nyakunsuru, Nyamone and Weigita in Mara region, causing fish and trees to die.¹⁴⁴

Moreover, a study report conducted by Machibya and Mduma (2005) on the Comparison Assessment of Water Use and Damage between Modern and Traditional Rice Irrigation Schemes in Usangu Basin (of Mbarali district, Mbeya region) pinpoints understanding of users' inter-dependence in relation to location, water demand and the duration of water

¹⁴⁰ PAICODEO (2011), *Op cit*, Page 52.

¹⁴¹ URT, National Framework for Reduced Emissions from Deforestation and Forest Degradation (REDD), August 2009, page 2.

¹⁴² Armando Swenya, Martina Kabisama and Clarence Kipobota 'Tanzania: Stuck in Poverty' in Social Watch Report of 2012 – Sustainable Development and the Right to a Future. At pages 178 and 179.

¹⁴³ Encyclopaedia of the Nations, Tanzania – Environment. Available online via www.nationsencyclopedia.com/Africa/Tanzania-ENVIRONMENT.html (re-viewed on 22 February, 2012).

¹⁴⁴ LHRC (2009) Tanzania Human Rights Report of 2009.

needed. It is however, argued that water in the basin is overused and wasted. It is clear that agriculture consumes more than 70% of the available world water resources.¹⁴⁵

Similarly, in Usangu basin, where Pastoralists were removed in 2006 on allegations of environmental pollution and destruction of water sources, surveys indicate that irrigation takes the lion's share of water in the basin. It is estimated that the total annual water use for livestock for livestock stand around 3285 million liters, a demand of about 0.1 cubic meters per second. This is a tiny proportion of available water and insignificant in any calculation of water balances. According to Machibya and Mduma (2005) in the basin more than 10 large and medium irrigation schemes were developed between 1960 and 1990 with Assistance from CIDA, FAO, World Bank (WB) and ADB. It is argued that apart from improving reliability of water supply to expanded area, less was improved in terms of irrigation and water use efficiency in the schemes. Inefficiency of water is also backed by high authority given to schemes with regards to non-binding terms to water abstraction as they were fully government funded in terms of operation, maintenance and staffing.

Other human needs such as firewood as a source of cooking energy are also real causes of climate change. The Minister for Natural Resources and Tourism was quoted by media (radio) on 23rd March 2012 lamenting that, at least 32 Million tons of charcoal are 'harvested' from the forests in Tanzania every year. Many homesteads in Tanzania use charcoal or firewood. For instance, according to Lindi-Rural District Council Profile of December 2011, firewood use has dominated all locations of the district at 98,82% in rural areas and 91.91% in urban centres. The average rate for this district is 97.77%.¹⁴⁶

Table 2: Percent Distribution of Sources of Energies for Cooking – Lindi Rural District

Location	Kerosene/ Paraffin	Firewood	Charcoal	Gas	Electricity	Other	Total
Rural	0.11	98.82	0.73	0.06	0.00	0.28	100.00
Urban	0.27	91.91	6.69	0.15	0.12	0.86	100.00
Total	0.14	97.77	1.64	0.07	0.02	0.37	100.00

Source: Lindi-Rural District Profile, December 2011, page 49.

Therefore, electricity and gas were very minor contributors in both the rural and the urban areas as the table above shows.

One of the sampled districts for this study was Hanang district. The interview with district officials had revealed that, the rate of deforestation in Hanang district is relatively high. It not sole caused by pastoralism. There are other factors including increased population, whereby the annual growth rate is now ranked at 4.2%; increased human activities such as crop farming and charcoal without adhering to conservational requirement which requires, *inter alia*, 'cut-tree-plant-tree', rotational grazing/harvest in or of forests to allow natural regeneration of trees and so on. The district officials said that, control of this situation is rather challenging because, the number of Forestry Officials is quite small. There is only seven (7) of them for 65 villages.

¹⁴⁵ Both in Africa and Asia irrigation water make up more than 80 percent of the continents abstractions.

¹⁴⁶ Lindi-Rural District Council Profile, December 2011. Page 49.

Hanang district has not done any research so far on deforestation in the district but on what we see we cannot deny the issue of deforestation taking place in our district. Forests are cut haphazardly and no clear plan in the entire process of cutting trees especially for charcoal and other uses. Those who have come to this district from other regions such as Dodoma are very resistant to the program of forest conservation and cause much deforestation in the district.¹⁴⁷

The effects of climate change affect pastoralists more than farmers because a farmer can survive it by saving some bags of crops or have a water reservoir for irrigating but certainly an indigenous pastoralist cannot do that.

Hanang district council implements the national forestry initiatives to mitigate the effects of climate change. It involves both crop farmers and pastoralists. The villages are encouraged to demarcate certain portion of village land as village forest reserves (VFR) under the participatory forest management (PFM) schemes, which encourages villagers to be conservers of their own forest.

4.4.3 Mitigation of Effects of Climate Changes: Dirma and Mrera as Exemplary Villages

Forest areas are identified and marked in the VLUP. Grazing in forest areas is allowed but on rotational basis (rotational grazing depending on seasonal/ weather conditions). The PFM also encourages each household to plant tree. Note that, the VLUP is fully implemented in 25 villages in Hanang district, but only 10 villages have PFM schemes.

The Dirma and Mrera¹⁴⁸ villages have gone further to formulate the Forest Management Plan (FMP), By-laws¹⁴⁹ and Village Natural Resources Committee, in which women are also included. All these were done through a support of Tanzania Social Action Fund (TASAF).¹⁵⁰ The Dirma and Mrera arrangements on forest conservation can be used as evidence to prove that pastoralists are good environmentalists. They can conserve and utilize the nature in a very sustainable way.

¹⁴⁷ David Ngassa, District Forests Officer, Hanang district, interviewed by PINGOs consultant on the 16th of February, 2012.

¹⁴⁸ Mrero village has Senga and Kotudomu village forest reserves, within which water sources are also found. The forest areas have beckons since 2006. TASAF facilitated this exercise.

¹⁴⁹ Mreru village's By-laws provide for punishments against polluters. The punishment include fines, whereby, for first offence, polluter pays Tshs 15,000; Tshs 30,000 – 50,000 for second offence; and taking polluter to court of law if repeat the offence for the third time (Information shared to PINGO's Forum Consultants on 17th February, 2012 by Mr. Mathayo Gisada (MIMIJA and Village Council member); Yohana Mussa (Village Public Health Officer); Ibrahim Malomba (Ten-cell leader); Mussa Mathayo (ordinary villager); and Daudi G. Arajiga (Chairperson of Hamlet and Ag. VEO). Note: MIMIJA = Mhudumu Mifugo Jamii; Ag. VEO = Acting Village Executive Officer.

¹⁵⁰ Mr. Kianga Mdundo (Hanang District Director of Natural Resources, Land & Environment Department) and Mr. David Ngassa (Hanang District Forestry Officer), interviewed by PINGO's Forum Consultant on 16th February, 2012.

PART FIVE

RIGHTS TO ACCESSIBLE AND RELIABLE SOCIAL SERVICES

5.1 AVAILABILITY OF SOCIAL SERVICES AND 'REMOTENESS' FACTOR

Social services comprised of basic requirements for human survival. They include roads networks, market premises, schools, health services and water. Experience has shown that social services are easily available for settled communities. A less mobile pastoralist or hunter and gatherer population is, the easier the delivery of services. The remoteness influences service delivery. This is why most of pastoralists, hunters and gatherers villages lack social services. They are 'disadvantaged' by their remoteness location. Of course, a government with serious plans could understand it and make the services available to everyone regardless of the remoteness.

The decentralization of governance down to the village and hamlet levels would have been a good mechanism of reaching out everyone. However, owing to remoteness and other factors, including lack of political will to develop areas where indigenous people are residing, availability of social services especially schools, hospital/dispensaries and water has been a very big challenge as this part of the report discusses.

5.2 ACCESS TO EDUCATION OPPORTUNITIES

5.2.1 Level of Awareness on Importance of Education: Mixed Sentiments

The level of understanding the importance of sending children to schools is generally low but slowly increasing. In each village reached by this study, it was observed that every parent is struggling to send his/her child to school. In all villages visited including Mrero (Hanang), Bassotu (Hanang), Kimotorok (Simanjiro) and Mjimwema (Lindi-Rural) there are schools constructed nearby the villages and there are school committees at school and village levels. Parents are eager to send their children to school and have managed to fight the myth that, sending a child to school means giving him or her away to others.



The Children are going to school in Hanang District, March 2012.

As it is said above, the progress is still low to imply that level of illiteracy is still very high. For instance according to Lindi-Rural District Profile of December 2011, the literacy rate for persons aged five years and above for Lindi-Rural district (where pastoralists from Ihefu-Mbarali district were transferred to in 2006/2007) is the second lowest in Lindi region being 53 percent. The literacy rate among heads of households is higher for males at 64% than for females at 44%. The literacy rate was 56% for males, 42% for females and 49 percent for the combined population. The combined literacy rate for the region was higher at 54%. Approximately 93,640 people are illiterate in the District.¹⁵¹

Table 3: Illiteracy Rate: Lindi-Rural District

Sex	Total Population	Target	Target Population Literate	Percent Literacy Rate	Target Population Illiterate
Males	86,246		48,506	56	37,740
Females	96,833		40,928	42	55,905
Total District	183,077		89,437	49	93,640
Total Region	661,415		359,869	54	301,546

Source: Extracted from Lindi-Rural District Council Profile of December 2011, Page 46.

The raising of that awareness among the Maasai, Barbaig and Akiye communities is attributed to a number of factors. Firstly, sensitization programs by the government and civil societies and secondly, economic the hardships which force them to turn around and consider other available opportunities. For instance, they see that everything around their communities is almost failing because of climate change and pressure from the government on the surrounding natural resources. Therefore, they consider education as only lasting solution not the way it used to be in the past whereby, livestock or hunting meant 'everything' to them.

However, it is yet to claim victory. A good number of children still remain at home for different reasons.



Children are involved in grazing instead of going to school.

¹⁵¹ Lindi-Rural District Council Profile, page 46.

For instance, the Maasai and Barbaig say that pastoralism is very involving economic activity. Commenting on this particular point, one person of Mrero village said that:-

Pastoralism needs lots of attention at home and grazing areas especially when for families with many cows and goats. The way the nature commands, force us to trek more than 30 KMs from here (Lagaujanda hamlet, Mrero village, Hanang) for search of pasture and water. This activity can't involve one person. Therefore, we have to allow few of our children to go to school, and others should remain at home for domestic chores including grazing¹⁵² ... those who have finished Standard Seven are very few. Many of them do not stay at home after their studies. They tend to go to the cities nowadays or secondary schools. Therefore, we can't get alternatives apart from using these young children who still depend on parents ...¹⁵³

The hunters and gatherers also claim the same. They say, hunting and gathering require lots of energies and manpower especially nowadays where wild animals are found far away from the residential areas. Therefore, parents are teaching their children hunting skills right from their childhood stages.



Hadzabe children are taught how to hunt animals as a way of preparing them means of survival.

It seems that, there is a need of reforming the education system especially at primary level by making it adoptive of the pastoralism or hunting/gathering lifestyle. Other countries like Uganda and Sudan tried to initiate mobile classes, to follow the pastoralists and hunters/gatherers to the areas they have shifted to in order to respond to draughts.

Despite the fact that most of the families of this communities are settle in permanent areas, a good number of family members especial male youths do migrate between June and November for search of pastures and water in remote areas.

¹⁵² Mr. Marco Duduu, Chairperson of Primary School, Lagaujanda hamlet, Mrero village, Hanang district. Interviewed by PINGO's Forum Consultant on 17th February, 2012.

¹⁵³ Mr. Ghade Gidamargwega, ordinary village, Lagaujanda hamlet, Mrero village, Hanang district. Interviewed by PINGO's Forum Consultant on 17th February, 2012.

5.2.2 Girls Child and Education: Negative Perceptions and General Challenges

As for girl child, most of these indigenous communities seem not to be comfortable to allow their girl children going to schools, especially secondary level. They believe that, they are going to be spoiled by alien cultures of other tribes, which are not compatible with their traditional norms. Moreover, they need a girl child for dowry which will be paid if they marry her to someone according to their culture.¹⁵⁴



Therefore the government has to use force against the parents for them to send their (girl) children to schools. Some of the parents do hide their children and allege that they are lost. Still, others would claim that their children did not pass standard seven examinations.¹⁵⁵ They just do not want their children to go to school.

The Barbaig pastoralists believe that people go to school in order to acquire wealthy at the end of it. Therefore, there is no need of sending a child to school as long as that child could inherit family cows (wealthy).

¹⁵⁴ Information shared to PINGO's Forum Consultants on 17th February, 2012 by Mr. Mussa Mathayo (ordinary villager), Mrero village, Hanang district.

¹⁵⁵ For instance, this is a case in Endabodege, Dirnang', Dalirogik and Laja hamlets of Bassotu village, Hanang District. The four hamlets are predominantly occupied by Barbaig pastoralists. One of the solution for this is to have Primary School in every hamlet so that village/ hamlet government could have opportunity to monitor progress of children and investigate any tricky arrangement by the parents.



Barbaig girls normally remain at home for reasons stated below.

The traditional norms also make the pastoralists to think that if you educate a girl child, you are in fact giving 'wealth' to another family where she will be married. After all, a girl is a 'capital' for dowry.

... [f]or instance, last year one school girl fled from her home in Basodeji ward to Daneda village because her parents wanted to get her married to a man. She went directly to the school teacher. The school admitted in Basode primary school. She was very bright in such a way that the teachers skipped her to higher classes. She passed standard seven and joined secondary school. No one was there to pay for her further studies ... [b]ut I heard that she is at Gitini studying. She does not want to go back to her parents because of what they did for her ...¹⁵⁶

Generally, as it discussed further in subsequent parts of this report, access to education pastoral, hunting/gathering communities is marred by several challenges as here-in-under summarized:-

- There is still a low level of awareness of the pastoralists to take their children to school.
- Lack of permanent settlement.
- Cheating and deceit on the part of the parents to their children that they will be granted probate on the death of their parents; hence if they go to school none will inherit the estates of their parents. Other parents 'encourage' their children to make blunders in schools so that they can fail and remain at home.
- Bad attitude of not giving a girl child an opportunity to go to school because she will be married and depend on the husband.
- Parents give false information on the missing of their children so that they may not be followed up by the teachers or local government authorities.

¹⁵⁶ Ms. Lucy Athman, Ward Councillor, CHADEMA Special Seat, Bassotu ward, Hanang district. Interviewed by PINGO's Forum Consultant on 18th February, 2012.

- Absence of dormitories at schools has greatly contributed to eroding the morals of girls hence parents and guardians consider school business as destructive force of their traditional morals.
- Inadequate facilities including teachers' houses, classrooms, laboratories, books and other learning materials. The grants from the government are insufficient to meet all needs of education department – district level.
- Abscondism.
- Shifting of parents especially during draught seasons for search of pasture and water. The parents usually shift with their families including children even if they are enrolled in schools.
- Land conflicts between schools and members of the communities.

5.2.3 Education Facilities - Number of Schools and Teachers

District profiles of at least ten districts of pastoral areas reviewed during this study show that in almost every (but not all) village, there is a primary school. However, one primary school for whole village is inadequate. Pastoral villages are vast and homesteads are scattered. Therefore, children are commanded by the situation to trek very long distance and dangerous ways to attend schools.¹⁵⁷ They walk between 5 and 15 or 20 KMs everyday from their homes to schools.

There is no Primary School in the village the children have to walk about 7 KMs to go to school in a nearby village. This is a great disappointment and a burdensome to the pastoralists' children. The distance travelled by our children on their way to school is quite long. This is tiresome to our children. Moreover, during the rainy season our children cannot go to school due the geographical nature of our village.¹⁵⁸

The situation is weird even in the 'promised land.' That is Lindi-Rural district, where the government ensured pastoralists from Ihefu – Mbarali district that all is well to all places where they are transferred to. This study noted that, in Mjimwema/ Mkwajuni village (main village where pastoralists were accommodated from Ihefu), there is only one primary school which is located at Kingulungundwa Prison. It is about 10KMs away from the place where the pastoralists reside. The long distance plus very bad road during rainy seasons cause children to remain at home.

Our children cannot go to school especially during the rainy season because there are no roads due to flooding of the paths that are used to go school. None of families around here has managed to send children to school from 2007 when we finally settled here from Ihefu. All these small children cannot read or write ... we heard that the government wants to evict us again from here ... we recently visited by the DC to tell us to accept concession that has to come. We saw an aeroplane roaming around the village. In this kind of situation, we cannot even construct classes on our own for small children ...¹⁵⁹

¹⁵⁷ PAICODEO (2011), *Op cit*, Page 40.

¹⁵⁸ John Samuel, Darajani Nursery Teacher, Samedistrict, interviewed by PINGOs consultants on the 23rd of February, 2012.

¹⁵⁹ Pawa Laluka, Sukuma pastoralists, in Mjimwema village, interviewed by PINGO's Forum Consultants on 27th February, 2012.

It is also noted with concern that despite this challenge of remoteness of primary (and secondary) schools, just few districts have boarding schools for primary schools and indeed, very few schools of that nature within each district. For instance, the Hanang district has total of 111 primary schools of which 2 are privately owned. Out of those 111 schools, only 4 (being 3.6%) are boarding school.¹⁶⁰

The deficit of schools and classrooms or other facilities is also very high in many parts of the country. For instance, Kiteto district had a deficit of total of 98 schools of different levels as the table below shows:-

Figure 4: Number of Schools – Kiteto District

LEVEL OF SCHOOL	AVAILABLE	REQUIREMENT	GAP
Nursery Schools	67	81	50
Primary Schools	81	101	20
Secondary Schools	11	16	5
Adult Edu. Centres	94	117	23

Source: Kiteto District Council's Notice Board at DED's Office, 20 February 2010.

Lindi-Rural district has also a very critical shortage of classrooms and teachers' houses. The requirement of classrooms for primary schools is 11,124 while what is available is only 750 classrooms (2010 statistics). The table below summarizes requirements and deficits of classrooms and teachers houses.

Table 4: Distribution of Major Facilities in Primary Schools, Lindi Rural District, 2010.

STATUS	CLASSROOMS	TEACHERS' HOUSES	TOILETS	OFFICES	STORES
Required	1124	1064	3275	438	229
Available	750	268	3024	237	119
Deficit Number	374	796	251	201	110
Percent Deficit	33	75	8	46	48

Source: Lindi District Council Education Department 2010 Annual Report.

The residential houses for teachers are also inadequate to motivate teachers going to work in rural areas. For instance in Lindi-Rural district as the table above shows, of the requirement of 1,064 houses only 268 were available leaving a huge deficit of 796 houses or 75 percent.¹⁶¹

Hanang district, on the other hand, has total of 1,067 primary school teachers of whom 556 (52.1%) are men and the remaining 504 (47.9%) are women. The ratio of teacher-pupil is 1:48 (general calculation of the district, it can vary if assessed in terms of each school). Secondary schools have total of 404 teachers, of whom 323 (79.9%) are men and 81 (20.1%) are women.¹⁶²

Therefore, Hanang district seems to have more improved situation comparing to Lindi-Rural district. Hanang district's level of enrolment is also higher than any other district

¹⁶⁰ Source: District Education Office/ Primary Schools Department, February 2012. Hanang District Council.

¹⁶¹ Profile Lindi-Rural District, December 2011, page 103.

¹⁶² Source: District Education Office/ Primary Schools Department, February 2012. Hanang District Council.

visited during this study. The enrolment rates – primary schools (ER-P) for both girls and boys is high. For instance, according to February 2012’s statistics availed to PINGO’s Forum by the District Education Officer (Primary School), the ER-P has been usurping the targets for past five year. In 2007, the district planned to enroll total of 7,735 pupils in its primary schools, but eventually it enrolled 7,948 pupils (102%) being 2% above the target.¹⁶³

However, the performance level is average and varying every year in this district. Number of girls failing standard seven national examinations (Std VII Exams) is higher than that of boys in Hanang and other districts as well. For instance, as the figure below shows, out of 2,604 boys who sat for Std VII Exams in 2007, 1,787 (68.6%) passed the exams; while on the same year, out of 2,770 girls who sat for the same exams, only 1,604 (57.9%) passed that examination. That means total of 1,166 girls failed the examination. In 2011, the rate of passing for girls increased to 64.8% while of the boys dropped to 63.0%.

Figure 5: Performance Level Primary Schools, Hanang District

Year	Sat for Exams			Passed Standard IV				Joined Secondary School			
	Boys	Girls	Total	Boys	Girls	Total	%ge	Boys	Girls	Total	%ge
2007	2604	2770	5374	1789	1604	3391	63	1661	1528	3189	94
2008	3601	3865	7466	2119	1927	4046	54	1730	1582	3312	81.8
2009	2980	3354	6334	1816	1863	3679	58	1816	1863	3679	100
2010	2722	3271	5993	1664	1976	3640	61	1664	1976	3640	100
2011	2839	3502	6341	1789	2269	4058	70.29	1789	2269	4058	100

Source: Hanang District Education Office, February 2012.

5.2.4 Education Flexibility of System, Affordability and Dropouts

It is already stated above that the nature of pastoralists, hunters and gatherers do command lots of movements which hinders the government from facilitating them all to access education opportunities. During drought seasons, some of the villagers tend to shift from village to other areas where they could get water and pasture for themselves and animals. This situation tends to disturb children who attend schools. It is hereby urged that, the education system should be flexible to adopt this situation.

There was also a concern of affordability of schools’ requirements. Some of the parents told this study that the costs for secondary school are very high and therefore unaffordable to ordinary poor indigenous peoples. For instance, some of the parents in Hanang stated that, the school wants parents to pay Tshs 20,000 plus maize and beans for his/her child or children. Most of the villagers are now very poor because of the persistent drought.¹⁶⁴

¹⁶³ In 2008 the expectations were 7,359 pupils but enrolled 7,350 pupils (99.9%); in 2009 targeted 7,488 pupils and managed to enrol 7,904 (105%) being 5% above the target. In 2010 the target was 7,471 pupils but succeeded to enrol 7,635 pupils (102%) being 2% above the target. In 2011 the target was 7,523 pupils but eventually managed to enrol 9,000 pupils (121%) being 21% above the targets. The gender ratio between boys and girls is almost 50:50 (Ref.: Hand Notes to PINGO’s Forum Consultants from District Education Officer of Hanang District Council, February 2012).

¹⁶⁴ Information shared to PINGO’s Forum Consultants on 17th February, 2012 by Mr. Mussa Mathayo (ordinary villager), Mrero village, Hanang district.

Moreover, the level of drop-outs is also very high in some of pastoralists' villages. Mr. Marco Duduu, Chairperson of the Primary School at Lagaujanda hamlet, Mrero village, Hanang district, says that, at least 10 (20%) out of 50 pupils drop-out every year due to pregnancy, domestic chores and shifting to other remote areas. Other factors include lack of food/ lunch at schools to motivate children going there; belief of pastoralists that educating a boy child means losing him; educating a girl child means benefiting her prospective husband's family; and views that there is a lot to do at home which need children assistance.

Figure 6: The rates of Drop-outs and Reasons in Hanang District

Reasons	Sex	Class Level							Total
		I	II	III	IV	V	VI	VII	
Abscond (than 90 days)	Boys	12	55	48	89	96	90	79	406
	Girls	11	54	33	60	74	38	55	325
	Total	23	109	81	149	169	128	134	793
Pregnancy	Girls	0	0	0	0	0	0	3	3
Deaths	Boys	0	1	1	1	2	0	0	5
	Girls	0	1	1	3	1	0	0	6
	Total	0	2	2	4	3	0	0	11
Illness	Boys	0	1	0	0	0	0	0	1
	Girls	1	0	0	1	0	0	1	3
	Total	1	1	0	1	0	0	1	4
Other reasons	Boys	0	0	0	0	0	0	3	3
	Girls	0	0	0	0	0	0	1	1
	Total	0	0	0	0	0	0	4	4

Source: District Education Office (Hand Notes to PINGO's Consultants), Hanang District, February 2012.

Having boarding schools in pastoralists' areas could be one of the viable solutions. Indeed, the government and non-governmental organizations (NGOs) have tried to establish such kinds of schools in some places to accommodate pastoralists' children. For instance:-

- Mrera and other pastoralists' villages around Balangda ward, Hanang district use Balangda's primary and secondary boarding school, located between 5 and 50 KMs from those villages;
- Ngababa, Naparakunya and other Akiye villages, Kiteto district, use Ndedo primary boarding school located between 70 and 150 KMs from those villages; and
- Charitable Harambee Education Society (CHES), Hanang district's based NGO, supports more than 300 girl children from Maasai, Barbaig and Hadzabe communities by paying for their fees and provide accommodations (dormitories).

5.2.5 Importance of Boarding Schools for Indigenous People

5.2.5.1 How Akiye Children Suffer from Lack of Schools Around: Napilikunya Case

Absence of school in the village has greatly affected Akiye children of Kiteto district, Manyara region. The Napilikunya and Ngapapa villages where most of Akiye tribesmen are originally found do not have schools. The nearby school is Ndedo Primary (Boarding)

School located between 70 and 150 KMs from these villages (depending on the route one takes to that school).

Ngapapa village has a two room nursery school one of the rooms is used as village office. The nursery school was constructed by CORDS. It has only one voluntary teacher who is paid allowance through parent's contributions. Napilikunya does not have any school around (even nursery school). Parents interviewed during study said that, most of the parents are now awake and willing to send their children even far away to Ndedo. They said that the two NGOs namely, KINNAPA and Ujamaa Community Resource Trust (Ujamaa CRT) have been their main sponsors. However, it seems that something is wrong in their sponsorship because their children send to Ndedo Boarding School are increasingly fleeing and absconding classes.

.... [b]ecause they (children) have been escaping and absconding from school as they are far away from their parents. Our children are maltreated at school by their fellow pupils as they envy them because they are supplied everything by Ujamaa CRT. There are 6 students so far who have absconded from school because of these problems. Inability to meet the increased contributions at that school has caused some of these children to come back. Sometimes the school administration pressurizes parents to pay those contributions. I think Ujamaa CRT pays everything for our children, but somewhere someone is misusing the funds offered by this organization. Probably, money should be given to respective parents of sponsored children so that they can buy some stuff for their children ...¹⁶⁵

The arrangement of paying the requirements directly to school is recommendable. It is not 'safe' to give the channel the funds to the parents or guardians. The important point here is how to monitor usage of monies paid for schools necessities. Ujamaa CRT can find more viable techniques of doing that just to give their support a value/ meaning it intended.

5.2.5.2 How Renting Rooms on Streets Affect Pupil's Progress: Bassotu Case

The environment in which the pastoralists are living is very challenging. The Bassotu Ward Secondary Schools (Bassotu Ward, Hanang district) do not have dormitories. Therefore, children have to rent houses in the township nearby the schools as their parents are residing several kilometres away. Those houses have lots of temptations especially for girl children. They are easily tempted by the Waswahili (fishermen) just by decoying them with trivial gifts. Then, they are impregnated. The boys are also joining bad groups. All these disturb their ability to continue with studies. Another challenge is the tendency of some of the Barbaig of shifting their cattle and settlements from one place to the other. In most cases, they go away with their children. Therefore, they drop schools in that way.¹⁶⁶

¹⁶⁵ One Respondent (name withheld) when was speaking to PINGO's Forum Consultants at Napilikunya village, Kiteto district, in February 2012.

¹⁶⁶ Mr. Paul Lessy, Ag. VEO, Bassotu village, Hanang district. Interviewed by PINGO's Forum Consultant on 18th February, 2012.

5.2.5.3 Advantages of Boarding School: CHES's Best Practice

The Charitable Harambee Education Society (CHES), is a NGO founded by Ms. Naomi Saulo and others in 1992. It initially started as a 'rescue' of neglected girl children of Mrero village, Hanang district, whereby because of various reasons, Barbaig pastoralists girl children were not sent to schools. It was a primary mapping involved 10 pastoralists' villages of Hanang district. Therefore, the role of CHES was to sensitize parents of these communities to send their children to school.

We started by going deep into the villages to identify girls who were not attending schools ... we found several of them missing both primary and secondary schools ... (Said Ms. Naomi Saulo on 18th February 2012 when interviewed with PINGO's Consultants at Hanag district. She is currently the Director of CHES).

The reasons included poverty; early marriages; parents' believe that educating a child means losing her/him; and lack of food at schools. Therefore, CHES started a lunch program and later on constructed dormitories, whereby identifies girls are now sponsored by CHES and accommodated in its hostels.



Part of the dormitory/hostel building of CHES

As of February 2012, more than 600 Barbaig, Maasai and Hadzabe girls are graduates of different schools and collages including universities. The graduates have established their alumni in a form of NGO called *Champion of Young Women of Hanang Association*, which has more than 600 members at the moment. The graduates are now used to tell good examples of the importance of educating a girl child. More parents are induced in this way and mitigate their reluctance of sending their children to school. Moreover, girls who attended schools have been instrumental to impart self-determination and confidence clouts to others.

Ms. Saulo strongly believes that, the best way of ensuring a pastoralist or hunter/gatherer education, is to lock him or her in a boarding school where he/she will exhaust all abilities they have just for studies and not domestic chores. She said that, CHES wants to send a very strong message to the decision makers that, all is possible if affirmative measures like this of CHES would be adopted with serious sense.

5.3 ACCESS TO REALIBLE HEALTH SERVICES AND FACILITIES

5.3.1 Access to Reliable Health Facilities

Because of the reasons stated above on the availability of social services, it is found that most of the remote rural areas do not have dispensaries at all. Dispensaries and health centres can only be found in peri-urban areas. But, again, the face challenges of inadequacy in number of health worker and facilities. Below are some of the testimonies from the respondents to this and other studies.

5.3.1.1 Mrero village: Nearby Dispensary at 15 KMs Away

Mrero village (of Hanang district) does not have a dispensary. The nearby dispensary is the one located at Balangda village, 15 KMs from Mrero. That dispensary is owned by private individuals. One has to pay money in order to access any health care services there. Some of months during the year are known as 'malaria period.' The villagers do suffer a lot during that time especially women and children who cannot easily walk to that long distance.¹⁶⁷

5.3.1.2 Bassotu Village: 'Costs' of Depending on Private Health Facilities

Depending on private hospitals or dispensaries is, sometimes, 'costful', says one village leader of Bassotu village/ward. For instance, just recently (February 2012), the management of the Hydom Hospital (of Lutheran Church, Mbulu District) which is their only nearby hospital decided to collectively 'punish' them all.

There was a land conflict. The village chairperson of Mwanga village sold part of Danega village's land which is pastoralists' land to Hydom Hospital agrarian company. The pastoralists were mad on this situation and rioted by destroying tyres of the tractor belonging to Hydom. The management of this hospital reacted back to cut off services to everyone. Women lamented by sleeping outside the premises of the hospital to beg the management to lift that collective punishment as they were the one who are mostly affected. The management conditionally accepted to resume providing services to them if they pay Tshs 11 million.¹⁶⁸

There is agreement between Bassotu villagers and the hospital to pay for the damages if at all they want to continue accessing services from this private hospital. They have to do that because they do not have alternatives.

5.3.1.3 Ailing Akiye Lady Survived Death by Two Aspirin Tables from Visitors

There are no health facilities in the Napilikunya village as stated above. There is neither a dispensary nor health centre in the village. When a person is sick she/he is either taken to Kibaya Township which is 50 or 60 KMs away from the village or somewhere else.

¹⁶⁷ Information shared to PINGO's Forum Consultants on 17th February, 2012 by Mr. Yohana Mussa (Village Public Health Officer), Mrero village, Hanang district.

¹⁶⁸ One village leader and ward councillor of Bassoutu ward, Hanang district. Interviewed by PINGO's Forum Consultant on 18th February, 2012.

Many people have died because of this problem. There is no mobile phone or any kind of network here, therefore it is not easy to call for any assistance from anywhere if we get an emergency. For instance, as we speak here in this discussion, I have a lady at home who is seriously ill! ... I'm here to see you people can help something since you are here with that car ... I think she has malaria. We do not have any medicine at home and not hospital around here ... you may advise us what to do in this kind of situation ...¹⁶⁹

The sick Akiye lady was real luck on that day to get Aspirin tablets from the visiting Consultants. When the Consultants went at her home, she was very sick and badly confused because of high temperature. Two tablets of Aspirin saved her life. She was then rushed to Kibaya (Kiteto) township district hospital for further medical checks. Obviously, tens or hundreds of villagers do face similar or more serious problems because of lack of health facilities around their vicinities.

5.3.1.4 Hadzabe of Gangded Village Use Traditional 'Doctors' to Heal Malaria

In Murus hamlet, Gangded village, Mang'ola area around Lake Eyasi, Karatu District, Arusha region, where Hadzabe live there is no health facility. They have to travel many kilometers to another village of Barazani to access health facilities. The Roman Catholic Church at critical times provided them with transport to the health centre.

They also depend much on Traditional healers who treat them with common diseases in the area such as Malaria, pneumonia because of poor or no housing, and eye diseases and trachoma, and headache generally resulting from poor hygienic conditions.¹⁷⁰

5.3.1.5 Mjimwema/Mkwajuni Village Relies on Kingurungundwa Prison's Dispensary

The village has no dispensary in Mkwajuni village (Lindi-Rural district) where Ihefu – Mbarali pastoralists were shifted to in 2006/2007. They 'beg' for health services from the dispensary located at Kingurungundwa Prison which is far off from the village. This dispensary was meant for prisoners and prisons officials of that prison. According to the field information, pregnant women are getting problems because they are to be taken to the district hospital which is about 70 KMs from the village. The interviewees of this place said that, normally when they see days of delivery are near, they normally take their wives to Lindi urban where the district hospital is found. However, they said that, this is possible only for those with money. Sometimes pregnant women deliver while on the way to the district hospital.

5.3.1.6 Kiteto, Hanang and Lindi-Rural Districts – Inadequacies Everywhere

According to World Health Organisation (WHO) standards, the availability of health facilities in Lindi-Rural district falls below standard up to 2010. The district had 36 health facilities in 2002 increased to 48 in 2010, of which one is a hospital, six health centres and

¹⁶⁹ Said one villager of Napilikunya hamlet, Kiteto district during the group discussion between the villagers and PINGO's Forum Consultants on 21st February, 2012.

¹⁷⁰ Isaya Naini, "The Study of Hunter-Gatherers' Current Livelihood Challenges. The Districts of Karatu, Mbulu, Meatu and Iramba." October 2011, PINGO's Forum. Page 10.

41 dispensaries. However, some of them are not in good condition due to lack of regular maintenance and inadequacy of living houses for health staff.¹⁷¹

Figure 7: Distribution and Ownership of Health Facilities by Division, Lindi-Rural District, 2010

Division	Number of Hospitals			Number of Health Centres			Number of Dispensaries		
	Public	Private	Total	Public	Private	Total	Public	Private	Total
Mchinga	0	0	0	0	0	0	7	0	7
Mipingo	0	0	0	1	0	1	3	0	3
Nangaru	0	0	0	0	0	0	3	0	3
Sudi	0	0	0	1	0	1	5	0	5
Mtama	1	0	1	0	1	1	6	0	6
Nyangamara	0	0	0	1	0	1	4	0	4
Milola	0	0	0	1	0	1	4	0	4
Rondo	0	0	0	1	0	1	2	1	3
Mingoyo	0	0	0	0	0	0	4	0	4
Ng'apa	0	0	0	0	0	0	2	0	2
Total	1	0	1	5	1	6	40	1	41

Source: Health Department (HMIS) Report, 2010. Copied from the Lindi-Rural District Profile, December 2011 (Pages 77-80).

Shortage of health facilities is more significant in most of divisions, of which a District has a ratio of 1.7 facilities per ward. Ng'apa and Nangaru divisions had worst ratio of a facility per ward each, while Sudi was the best division since each ward had an average of 3 facilities.

Kiteto district has deficit of 57 health facilities as the table below shows. It has more than 60 villages at the moment but it has only 17 dispensaries which are normally meant for village levels. The only reliable place for admission and general check up is district hospital which is located at Kibaya township hundreds of kilometres for some of the Maasai and Akiye villages such as Ngapapa, Napilikunya, Lesoit and Orkitikiti.

Figure 8: Health Facilities Kiteto District, Manyara Region

Type of Service	Available	Requirement	Gap
District Hospital	1	2	1
Health Service	0	15	15
Dispensary	17	58	41

Source: Kiteto District Council's Notice Board at DED's Office, 20 February 2010.

Hanang district has total of 25 health facilities whereby 18 of them are owned by the government, five owned by the Faith Based Organizations (FBOs) and 2 privately owned.¹⁷²

The recent study (December 2011 and January 2012) by PAICODEO to ten districts where pastoralists are residing, which is already quoted several times in this report came out with the following chart which indicates the distance from some of pastoral villages to the hospitals:-

¹⁷¹ 'Health Facilities Lindi-Rural District' (Pages 77-80 of the Lindi-Rural District Profile, December 2011).

¹⁷² Mr. Simbamwene Benito, Ag. Secretary of the Hospital, Hanang District Hospital, shared this information on 16th February 2012.

S/No.	Village Name/ District	Nearby Hospital	Dispensary/	Distance in Kilometres or Hours
1.	Mabwegere (Kilosa)	Dumila Dispensary		18 KM or more.
2.	Lugoba (Bagamoyo)	Bagamoyo or Chalinze		About 1.30 Hours drive.
3.	Kambala (Mvomero)	Tuliani Hospital		30 KMs.
4.	Wame-Sokoine (Mvomero)	Morogoro or Dakawa		30 KMs (Moro.); 17 KMs (Dakawa).
5.	Mela (Mvomero)	Kololo/Melela-CCM		2 Hours drive; 4 Hours walking.
6.	Mbwande (Kilosa)	Kimamba		4 KMs.
7.	Matebete (Mbarali)	Chimala		15 KMs.
8.	Twatwatwa (Kilosa)	Kimamba or Kilosa		8 KMs (Kimamba); 16 KMs (Kilosa).
9.	Orkitikiti (Kiteto)	Lesoit		18 KMs.

Source: PAICODEO (2011) State of Pastoralists' Rights in Tanzania: Survey of Ten Districts of Tanzania Mainland 2010/2011. Page 42 of the Draft Report.

From the information above, it is clear that, pastoralists, hunters and gathers plus other rural communities in Tanzania do suffer a lot because of lack of health facilities around. The effects of this situation are quite obvious. They include presence of high infant and maternal mortality rates (IMR and MMR) because of giving birth without technical support of specialized practitioners. Below are some of the incidents or records on IMR and MMR as collected during this study.

5.3.2 The Situation of Infants and Maternal Mortality Rates

5.3.2.1 Hanang District – Struggles to End Mortality Rates is Ongoing

The Maternal Mortality Rate (MMR) of Hanang district is 140 deaths per 100,000 lives. Infant Mortality Rate (IMR) of this district is 7 deaths per 1000 lives. The neonatal Mortality Rate is 17/1000; the Under Five Mortality Rate (U5-MR) is 71/1000.¹⁷³

Due to the scarcity of health facilities in rural areas, mothers deliver at home. Mreru villagers of Hanang district say that, they do not have even traditional midwives let alone the specialized nurses. Women help each other during delivery and have no delivery instruments. They do not have even gloves and this makes women likely to be infected with other communicable diseases such as HIV/AIDS. There is one ambulance for two wards which is not adequate to serve the purpose for the women in this village

5.3.2.2 Lindi-Rural District – Orphans as a Result of Mortalities

Lindi-Rural district's U5-MR stands at 79/1000 slightly above the rates of Hanang district. The doctor-patient population ratio for this district was 1 doctor for 13,430 patients in 2002. IMR was also very high to the tune of 44 deaths per 1,000 lives comparing to 7/1000 of Hanang district.

Table 5: Important Primary Indicators Of Health Status, 2010 – Lindi Rural District

Total population 2010	248,800
Average Annual Population growth rate (percent)	2.0

¹⁷³Mr. Simbamwene Benito, Ag. Secretary of the Hospital, Hanang District Hospital, shared this information on 16th February 2012.

Births in 2009	8,978
Children < 1 year	7,000
Children < 5 years	33,187
Women: 15 – 49 years	65,129
Maternal Mortality Rate	226.2/100,000
Under Five Mortality Rate	2.2/1,000
Total Fertility Rate (Percent).	4.1
Infant Mortality Rate	20.3/1,000
Latrine coverage of population (Percent)	48.0

Source: Data based on Population Census Tanzania 2002, Demographic and Health Survey 2004/2005.

However, it should be noted that, Lindi-Rural District Council Profile of December 2011 quotes 2002 and 2004 figures. The reality could be different but, probably, not big difference because there is no any notable improvement in terms of increasing access to health facilities.

The situation of these two districts (picked here as illustrations) triggers number of arguments one being the fact that, Hanang district has lesser IMR and MMR because it has improved its health facilities. That is to say, there is no cross cutting mechanism to end or reduce IMR, U5-MR and MMR without investing in health facilities.

5.3.3 Situation of Community Health Fund (CHF)

The Community Health Fund (CHF) is established under the Community Health Fund Act, 2001¹⁷⁴ as a voluntary community based financing scheme whereby households pay contributions to finance part of their basic health care services to compliment the government health care financing efforts¹⁷⁵ which obviously seem to be inadequate to meet the raising needs of increased population in Tanzania.

Hanang district has total of 45,843 households. However those who use Community Health Fund (CHF) scheme to access health facilities are less than 2,000 at the moment.¹⁷⁶ The CHF is insurance scheme by the government which was initiated about ten years ago to enable ordinary citizens especially in rural areas to insure their health and therefore ensure accessibility of health services all the time. However, owing to number of reasons including weakness in provision of health services caused by inadequacy of health workers, medicine, and other facilities, those who paid for the CHF do not see the value for their money. Therefore, withdraw from this scheme every year. For instance, in 2006, this fund (CHF) had 1,006 members; 2007 were 3,125 members; 2008 had 2,662 members; but in 2009 and 2010 dropped to 1,356 and 1,692

¹⁷⁴ Act No. 1 of 2001.

¹⁷⁵ Section 4(1) of the CHF Act, 2001. The objectives of the CHF are stated under Section 5 (a)-(c) of this law to include, mobilizing financial resources from the community for provision of health care services to its members; provide quality and affordable health care services through a sustainable financial mechanisms, and to improve health care services management in the communities through decentralization by empowering the communities in making decisions and by contributing on matters affecting their health.

¹⁷⁶ Mr. Simbamwene Benito, Ag. Secretary of the Hospital, Hanang District Hospital, shared this information on 16th February 2012.

respectively.¹⁷⁷ It was not easy to obtain similar information from other districts visited during this study. They do not even include this aspect in their District Profiles.

5.4 HIV/AIDS AND TUBERCULOSIS SITUATION

5.4.1 Current Status and Reality of HIV/AIDS and TB

According to PINGO's Forum and JOLIT study, HIV/AIDS is still a reality and that, there are some elements which connects it with pastoralism ways of life, which would cause rapid spread of the disease than it has been believed over the last two decades.¹⁷⁸

According to media information, the current national status of HIV/AIDS shows that, about 60% of people living with HIV/AIDS (PLWHA) are boys and girls aged 15 and 24¹⁷⁹ (Note that, 32% of Tanzanian population is between this age). Despite the fact that the awareness on this is continues to increase through education, the PLWHA and others have been stigmatized and discriminated against in educational settings in many countries including Tanzania.¹⁸⁰



Some of HIV/AIDS awareness boards displayed in Hanang and Bagamoyo districts visited.

As in relation to pastoralists, hunters and gatherers, the prevalence rates HIV/AIDS and Tuberculosis (TB) is still high in all pastoralists' areas reached for this study. In fact, in other areas, it has increased even further instead of improving the situation. For

¹⁷⁷ Mr. Simbamwene Benito, Ag. Secretary of the Hospital, Hanang District Hospital, shared this information on 16th February 2012.

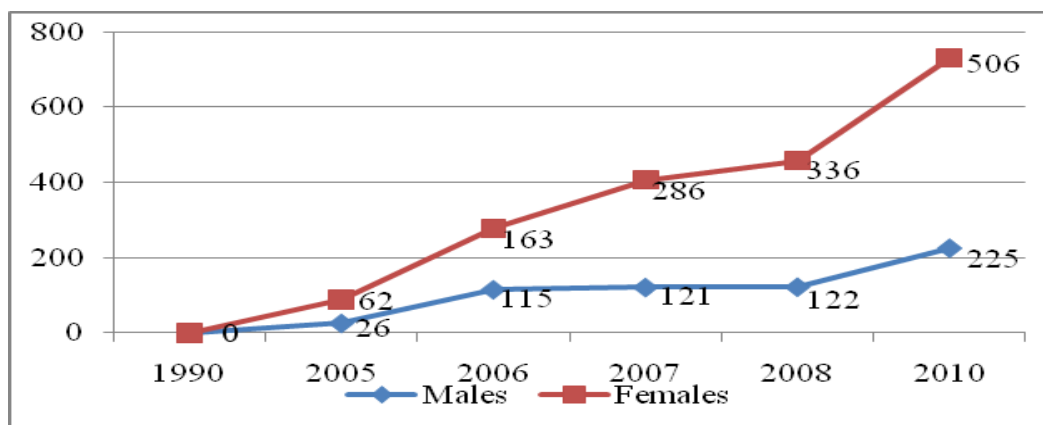
¹⁷⁸ JOLIT and ACCORD - HIV/AIDS and Pastoralism Workshop Held in City Link Hotel, Arusha Tanzania, 27th–28th February, 2006. Co-organized by Joint Oxfam Livelihood Initiative in Tanzania (JOLIT) and Agency for Cooperation and Research in Development (ACORD). Page 6 of the Report.

¹⁷⁹ Polycarp Machira "Ignorance Fuelling HIV Infections", The Citizen, 4th March 2012, page 6.

¹⁸⁰ The stigmatization deprives the people of the opportunity to learn more about the disease. Most of the people still lack skills and adequate information that could influence their behaviour and lessen their vulnerability, include ability to protect them from HIV/AIDS infection, early pregnancies, reduce incidences of GBV and for them to rightfully exercise their reproductive rights. This situation is worse for people belonging to marginalized groups and those in most risk situations.

instance, the HIV/AIDS prevalent rate for Hanang district in 2009 was 1.2% per annum. It decreases to 0.9% in 2010; it goes up to 1.3% (being 0.4% increase) in 2011.¹⁸¹ Lindi-Rural district has also experienced same situation. For instance, the percentage of HIV/AIDS positive in 2005 was 27.2%. It steadily decreased to 20% in 2006 and 1.9% in 2007. But, it raised again to 5.0% in 2008, fallen down to 4.1% in 2009, but increased by 1.1 (that is up to 5.2%) in 2010. Number of accumulated new cases has increased from 131 peoples in 2005 to 3,546 in 2010.¹⁸²

Figure 9: New HIV/AIDS Cases by Sex, Lindi Rural District, 1990, 2005 – 2010



Source: Lindi-Rural District Council Profile, December 2011.

Women are main victims of the circumstance because they are the ones who are married by more than one partners; who do not access information because of higher level of illiteracy (shown above on education section); they are ‘inherited’ like normal commodities; attend pregnant women; sick persons at home; and they are subjected to FGM and other harmful traditional practices.

Intensive sensitization sessions can work out. For instance, following series of seminars in Kiteto district, nowadays, the traditional midwives do not accept to assist delivery of pregnant women if there is no groves and new razor blade. Unlike the past, they do not also sit on embryos and do not open child’s nose by their mouths. Nowadays, when the Maasai prepare themselves for delivery, they are ordering presence of goat (for soup), gloves and razorblades.¹⁸³

5.4.2 Attributing Factors to High Prevalence of HIV/AIDS and TB

Some of the factors attributing to high prevalence of HIV/AIDS are polygamy and other bad traditional practices including FGM, sharing of partners and ‘inheritance’ of widow. Some of the widows as this research found are ‘inherited’ by the siblings of the deceased husband. They cannot resist as all estates revert to the male relatives of the deceased

¹⁸¹ Source: Mr. Simbamwene Benito, Ag. Secretary of the Hospital, Hanang District Hospital, shared this information on 16th February 2012.

¹⁸² Source: District Executive Director’s Office (District Medical’s Office), Lindi Rural District, 2010.

¹⁸³ Ms. Paulina Ngurumwa, Program Officer – Women and Children, KINNAPA Development Organization. Interviewed by PINGO’s Consultant on 20th February, 2012 at Kiteto district, Manyara region.

husband. Then, the widow remains poor and unable to make living without depending from men. Lack of that ability knots her into unwilling and unsafe sexual relationship.¹⁸⁴

Moreover, intertribal and 'urbanization' or 'modernization' of their lives and other traditional norms is blamed of being current main cause of HIV/AIDS. Barbaig and Maasai communities believe that, HIV/AIDS is widely spread because of increased intrusion of other tribes within their communities which do not respect their norms. For instance, in Hanang district, Bassotu village has very high prevalence rate because there are 'Waswahili' (other tribes) who go there to fish at the Bassotu Lake. The Waswahili induces small girls and boys with monies when they go to the lake for fetching water.

It was very uncommon for a Barbaig girl or boy to have pre-marital affairs in the past ... [T]he virginity of a girl was a gift for her prospective husband. But, ooh! the Waswahili have changed everything here! ... [n]o man asks virginity as a symbol of faithful woman anymore. These small children sex in the bushes and everywhere before marriage. They sex with anyone regardless of the age. What matters is money, just simple gifts! They do not have condoms of sexual orientations to keep them safe. In this way, HIV/AIDS spread like wildfire ...!¹⁸⁵

Speaking of the urbanization and modernization as factors for spread of HIV/AIDS, most of the respondent for this study said that, the economic situation forces youths to migrate in urban areas. They secure petty jobs and easy monies for instance, just by plating women's hairs. The town lifestyle is quite tempting especially for first comers. Therefore, the boys find themselves in unsafe sexual relationship with hawkers and other urban women. Sometimes, they contact HIV/AIDS; when they go back to the villages, the resume marital life without safety measures. Moreover, the urban business persons who are increasingly going to and from the villages hook with village girls. Those girls are vulnerable, they cannot negotiate safe sex. For instance, NAFCO plantations were mentioned by the respondents to be one of the causes of rampant spread of HIV/AIDS in Hanang district. The NAFCO plantations necessitated the coming of the said urban business persons into this district.

TB is rampant in Hanang district where Barbaig pastoralists are residing because of sharing a cup/jag of traditional liquor. The Barbaig pastoralists drink "*piwa*" (traditional strong alcohol) mostly after selling their cattle during auction days. The *piwa* is normally sold at common bars where men and women sit separately around the table to drink the liquor from one cup/jag. The cup is rotated around to everyone after sipping until when it finishes.¹⁸⁶ The round goes on and on. When one or two of the drinkers is TB positive, then, a possibility of others contacting the same is quite obvious.

Other causes are low level of awareness on HIV/AIDS; high level of illiteracy especially on part of women who cannot access information on the disease. Climate change has also

¹⁸⁴ Information from Mr. Abdul Hussein, Home Based Care (HBC) Committee Member, BALFA, Bassotu ward, Hanang District. Interviewed on 18th February, 2012 by PINGO's Forum Consultant. Note: BALFA is an acronym for Bassotu Peoples Living with HIV/AIDS Association.

¹⁸⁵ Mr. Abdul Hussein, Home Based Care (HBC) Committee Member, BALFA, Bassotu ward, Hanang District. Interviewed on 18th February, 2012 by PINGO's Forum Consultant.

¹⁸⁶ Mr. Abdul Hussein, Home Based Care (HBC) Committee Member, BALFA, Bassotu ward, Hanang District. Interviewed on 18th February, 2012 by PINGO's Forum Consultant.

its hand in spread of this disease. For instance, it commands the youth to travel long distances during drought seasons to search for water and pastures. While they are away, their wives meet biological needs by opting sexual relationship with others. Moreover, the youths who are in far away do also opt for (unsafe) sex.

HIV/AIDS pandemic has negative impact to the families and national income. For instance, Lindi-Rural district HIV/AIDS has impacted into high rate of morbidity, mortality, orphanhood and widowed people in the community. The orphanhood rate of 10.5 percent is the highest in the region.¹⁸⁷

5.5 SITUATION WATER FOR HUMAN BEINGS

5.5.1 Serious Water Shortage in All Pastoralists and Hunters Villages

Again because of the same reasons stated at the beginning of this chapter, water shortage in all villages visited poses a serious problem to human beings and livestock. None of the villages visited had tap water. Few of them are lucky to have rivers and perennial dams nearby their areas. Those with river or dam water sources share water utilities with their domestic and of course wild animals. Therefore, the question of clean and safe water is immaterial there.



Water in Bassotu Lake, Hanang district, is for cooking, washing clothes, bathing, animals and everything at the same time.

Few cases are picked from the field to narrate some positive and negative trends on water availability in pastoral, hunting and gathering communities. In Hanang district, there are only two villages namely Ghandalalu and Raujaida which have adequate water supply. The rest of the villages are far away from the water sources about 30 KMs away. There is no clean water as the villagers share water wells with their cattle. There were water pumps for instance at Mrero village, but they are no longer functioning and no measures have been taken to repair them.

¹⁸⁷ Lindi Rural District Council Profile, page 45.

Women fetch water from long distances. It takes almost two hours to reach the wells and this leads to some of the women being beaten up when they are suspected to be late by their husbands.

In Kiteto district, it was noted that there is a more serious shortage of water supply and no clean water in the Napilikunya and Ngapapa villages. There are no tanks or wells to facilitate the availability of water. During the dry season the Akie women travel for over five hours to fetch water.

In Same district, despite the fact that Ruvu River passes across the district in many villages including Ruvu-Mferejini, Ruvu-Darajani and Kibaoni, villagers (mostly Maasai pastoralists) still crying of water shortage. Farmers have circumvented the river with fenced plots. The district council seems to lack capacity to drain water from Ruvu River. Women use most of the day time riding donkeys to the water sources, where they queue for hours before getting few gallons of unsafe water.



Women use donkey to trek long distance to fetch some waters in Ruvu areas, Same District. Pictures of March 2012.

Mkwajuni/ Mjimwema village has also a serious water shortage. The government has not yet put in place infrastructures necessary to curb this problem despite its promises when forced Sukuma tribesmen to shift their cattle herds from Ihefu – Mbarali district to Lindi and other regions. The water dam for cattle in this village was poorly constructed and is now no longer functional. Human beings and livestock depend on Mbwenkuru River located about 10 KMs from Mjimwema pastoralist hamlet. Like it is a case in Ruvu villages of Same district, the Mbwenkuru River banks are invaded and occupied by the farmers who limit freedom of access to this only water source. The government authorities have not taken any measures to control this invasion of the farmers. It is the pastoralists who suffer most on this continued neglect to solve the problem of water shortage.

Chamakweza village, Bagamoyo district in Coastal region faces same problem. It is strange that the main water line which supplies water to the rest of Bagamoyo villages is not allowed to do the same for Chamakweza residents (more than 90% of them being Maasai pastoralists). There is a water project that ended in neighbouring Pingo village

but did not reach Chamakweza village. The Japanese donors are now funding a project of constructing a well for the village. The government has often been giving empty promises on bringing the water project to Chamakweza village. As a result the village has no clean and safe water for both domestic and livestock use.

5.5.2 Access to Bassotu Lake: When Barbaig 'gods' Causes Suffering to Others

In Bassotu village/ ward, there is Bassotu Lake. It is said to have been there since 1926. The word 'Bassotu' means 'Black Water' in Barbaig language. The residents say that, the Lake Bassotu is miraculous as it originated from two twin brothers known as '*Sarahoga*' who were travelling from/to unknown places; when the two brothers reached the gorge (which had no water by then), suddenly water spring emerged and the twins died in the gorge/Lake. They were immersed in it. Therefore, the Barbaig believe that there are gods in that Lake and they do conduct traditional rituals and send sacrifices (meat and milk) every year.



Part of Bassotu Lake of Hanang District. Picture of March 2012.

This believe of having their gods in that lake causes them to resist and 'prohibit' any water project which involves that lake as only source of water in Bassotu and neighbouring villages/ wards. Sometime in 2000s, the Catholic Church wanted to install water pipelines to different parts of this village/ ward after a survey. This project was totally frustrated as the Barbaig vehemently denied it asserting that, the water project's pumps and generators will disturb or agitate or hurt their gods residing in the Lake.

The myth about their gods in that lake has caused lots of troubles to others who depend on lake. For instance, Girka villagers (Hanang district) trek about 30 KMs, 5 hours walk to Bassotu Lake to fetch water. The government fails to work on this myth as it avoids chaos and intrusion of community's norms. Moreover, there are mucks (debris) and chemicals from National Farm Corporation (NAFCO)'s plantations and farming activities flowing into this Lake.



Farms cultivated near Bassotu Lake, threaten existence of the Lake also causes pollution (of harmful chemicals) into it.

The debris and chemicals are harmful. The ward councillor¹⁸⁸ of this place believes that, high prevalence of cancer and related health problems are caused by those chemicals. Moreover, according to the findings of PINGO's Forum of 2011, the surrounding environments of the Lake were recently invaded by onion farmers from different parts of the country mostly from Singida region, Babati and Mbulu districts. They were buying 'plots' of land nearby it and cultivated onions using harmful chemicals such as DIT, Théoden, Decis and Caret.¹⁸⁹

¹⁸⁸ Ms. Lucy Athman, Ward Councillor, CHADEMA Special Seat, Bassotu ward, Hanang district. Interviewed by PINGO's Forum Consultant on 18th February, 2012.

¹⁸⁹ PINGO's Forum, "Fact Finding Report on Pastoralists – Farmers Conflict on Continuing Destruction and Polluting of Lake Bassotu." (*Undated*) 2011. Pages 2 and 3.

PART SIX

LEVEL OF GOVERNMENT TARGETS AND SUPPORTS TO PASTORALISM, HUNTING AND GATHERING

6.1 GOVERNMENT POSITIVE PROMISES ON LIVESTOCK SECTOR DEVELOPMENT

6.1.1 Livestock Sector Development Programme of 2011

As a way of recognizing the importance of the livestock sector in Tanzanian micro and macro economies, the government decided to formulate the Livestock Sector Development Programme (LSDP) in December 2011. The LSDP is regarded as implementing mechanism of the National Livestock Policy (NLP) of 2006. It tries to coordinate pieces of directives and 'promises' regarding livestock sector as stated in other policies and strategies including the MKUKUTA, Rural Development Strategy of 2001 and Tanzania Development Vision 2025.

The LSDP sets the following targets (some of them are picked here) as expected benefits to be accrued from its implementation between 2011 and 2016.¹⁹⁰

- a) Overall livestock sector growth will improve from the current 2.7% per annum in 2010 to 5 % per annum by 2016;
- b) Overall livestock contribution to the GDP will increase from 4.7% equivalent to 789 million US\$ (947 billion T.shs) in 2008 to 7% worth 1.27 billion US\$ (1,440.30 billion Tshs);
- c) Calf mortality in the traditional sector will decrease from the current 30-45% due to TBD to less than 10%;
- d) The traditional cattle herd will increase by 3.5% per annum to 21.5 million, 10% of which will be improved beef breeds or Tanzania Shorthorn Zebu finished in commercialised feedlots;
- e) Cattle off take from the traditional smallholder sector will improve from 8-10% to 12-15% leading to meat production increasing from 422,230 MT to 809,000 MT;
- f) Commercial ranching in NARCO and privatized satellite ranches will increase from the present 83,160 cattle to 127,000 cattle with an off-take rate of 22-23% supplying about 10,000 steers equivalent to 1500 MT of beef per annum Number of improved dairy cattle will increase from 605,000 cattle kept by about 150,000 farm households through annual insemination of about 100,000 doses to about 985,000 cattle kept by about 300,000 farmers; and
- g) Milk production growth will increase from current 5-6% per annum to 7% per annum reaching 2.25 billion litres.

6.1.2 National Strategy for Growth and Reduction of Poverty Phase II

The National Strategy for Growth and Reduction of Poverty Phase II (MKUKUTA II) states and makes the following targets as far as livestock development is concerned:-

¹⁹⁰ See page 59 of the LSDP 2011.

- a) GDP growth accelerated from 6.0 percent in 2009 to 8percent-10 percent per annum by 2015 especially in areas where the poor have strong links.
- b) Income poverty incidence reduced (national: from 33.6 percent in 2007 to 24 percent (MDG 19.3percent) in 2015; rural areas: from 37.6 percent in 2007 to 26.4 percent (MDG 20.4percent) in 2015 and under employment especially in rural areas effectively addressed.
- c) Unemployment reduced from 10 percent in 2008 to 5 percent by 2015.
- d) Agricultural growth increased from 3.2 percent in 2009 to 6.0 percent by 2015.
- e) Growth of livestock sub-sector increased from 2.3 percent in 2009 to 4.5 percent by 2015.

Some of the relevant MKUKUTA II Cluster's Strategies to accomplish those targets are:-

- a) Undertaking further land reforms to support access and expansion of land for livestock development;
- b) Introducing and strengthening investments in livestock, including farm level agro-processing, physical market infrastructure (market places), and large scale livestock storage facilities;
- c) Strengthening agro-processing and service sector and marketing baseline information to support livestock;
- d) Promoting and adopting the use of science and technology in livestock, including R&D for quality and nutritious food, livestock products as well as **ICT** to provide information on prices, markets, and advisory services;
- e) Developing and equitably deploying and retaining human resources especially livestock extension services;
- f) Mitigating and adapting to climate change by supporting research programs to improve and develop new technologies, quality seeds, pest control, and agronomic practices e.g. livestock management practices, information collection and dissemination for early warning;
- g) Promoting measures to cushion livestock farmers from famine/droughts impacts, including piloting and scaling up livestock insurance;
- h) Promoting longer shelf life of livestock products;
- i) Strengthening livestock keepers associations and cooperatives; and
- j) Establishing livestock diseases free zones to promote export of livestock and livestock products.

6.2 SITUATION ON THE GROUND - LIVESTOCK SECTOR DEVELOPMENT

6.2.1 Number of Livestock Extension Officers at National and District Levels

Livestock extension services deals with transfer of knowledge and skills to pastoralists/ farmers and sharing of information and experiences amongst stakeholders in order to increase production and productivity. The extension service currently is mainly provided by public service providers with gradual increase of private sector participation in delivery of the services, livestock extension delivery to end users is the responsibility of Local Government Authorities (LGAs). Currently there are about 12,111 Villages, 3,383

Wards and 147 LGAs with only 4,172 livestock extension staff countrywide. This brings a deficit of 16,050 staff.¹⁹¹

At district level the deficit of livestock extension services trickle down quite negatively. For instance, Lindi-Rural district had 3 livestock/veterinary officers and 12 livestock field officers in February 2012 when this study was conducted. Thus, there were 15 senior livestock officers. On the other hand, there were 28 livestock field assistant officers, one for each ward. The district therefore, had 43 combined senior and junior livestock officers. When these personnel are compared to the number of major livestock we have a ratio of one officer/assistant for every 385 livestock units. One cattle, donkey or pig is equal to one livestock unit while five goats or sheep make one livestock unit.¹⁹²

Table 6: Livestock Personnel Among Major Livestock Units, Lindi Rural District, 2010

	Number of Livestock	Number of Livestock Units	Number of LOs/LAs	Average Number of LUs per LO/LA
Cattle	11,607	11,607	43	270
Goats	19,685	3,937	43	92
Sheep	4,697	939	43	22
Pigs	267	53	43	1
Donkeys	16	3	-	-
Total	-	16,539	43	385

LO= Livestock Officer; LA= Livestock Assistant; LU= Livestock Unit.

Source: District Executive Director's Office (Livestock Department), Lindi Rural District, 2010

There is also a big shortage of transport facilities especially motor cycles and bicycles to provide mobility to the extension officers, who currently have among them only 5 have motorcycle and 3 bicycles.

Kiteto district has about 36 Para-Veterinary Officers (also known as WAMIJA¹⁹³ in Kiswahili language) who work for the district and village councils as volunteers to try to fill the deficiency of professional veterinary officers. Their duties include monitoring of health issues and mobilizing the communities for health services such as vaccination when a need arises. The WAMIJA are not effectively working because the government does not give them financial support to facilitate them moving around to pastoralists within their vicinities. They are working on voluntary basis. As for the Extension Officers, who are supposed to be certificate or diploma holders, Kiteto district has only 32 of them at the moment out of required 55 in order to cover all villages. The deficit is about 41.2% of the required number.¹⁹⁴

¹⁹¹ URT, Livestock Sector Development Programme (LSDP), December 2011. MLFD. Page 28.

¹⁹² Lindi-Rural District Council Profile of December 2012, page 138.

¹⁹³ MIMIJA = *Mhudumu Mifugo Jamii* (Para-Veterinary Officer).

¹⁹⁴ Dr. Lunonu Sigalla, District Livestock Officer, Kiteto district. Interviewed by PINGO's Consultant on 20th February, 2012 at Kiteto district, Manyara region.

6.2.2 Challenge Livestock Diseases – High Mortality Rates

Tick Borne Diseases (TBD) commonly known as '*Ndigana Kali*' in Kiswahili language, especially East Coast Fever, Babesiosis, Anaplasmosis, Heartwater and others¹⁹⁵ attribute to more than 70% of all cattle deaths in Tanzania and losses of more than Tshs. 72 billion annually.¹⁹⁶

For instance, the recent media survey shows that at least 600 cows died of *Ndigana Kali* in 2011 at Ivuna-Kasamba ward (Mbozi district, Mbeya region) alone. One pastoralist, Mr. Gervas Siwanga of this ward stated that 98 out of 100 of his cows, were perished because they do not have medicine which prevent or cure *Ndigana Kali*. Another pastoralist of the same ward said that, 200 out of his 360 cows died of the same disease. The loss of all these livestock herds has direct bearing to the national income as well. The media report shows that, the government has suffered a loss of at least Tshs 100 billion per annum because of the deaths of the livestock herds.¹⁹⁷ Therefore, subsidizing in appropriate medicine to fight it means giving pastoralists more money through their livestock herds.

6.2.3 Government Efforts: Availability and Accessibility of Vaccination/Drugs

In order to mitigate the losses, the government has been putting substantial investment in the construction and rehabilitation of dips and provision of acaricides subsidies. Currently there are 2,314 dips out of which 1,556 are operating while 758 are not operating and from 2006/2007 to 2009/2010 the government has spent a total of Tshs. 13.5 billion on acaricides subsidies. The Government is also coordinating an East Coast fever (ECF) vaccine delivery and immunisation programme.¹⁹⁸

The drugs for *Ndigana Kali* are subsidized whereby the pastoralists are required to 'contribute' Tshs 7,500 per injection for every cow regardless of its age.¹⁹⁹ This fee is paid directly to a person who provides services at that particular moment. Most of pastoralists interviewed do not see any lesser burden by having this arrangement.

Veterinary services are now for private gain, benefiting few elite who use their expertise to drain monies from the pastoralists in need of their noble services because of lots of challenges they (pastoralists) face.²⁰⁰

¹⁹⁵ Others include CDPP (Lung Fever); Contagious Caprine Pleuropneumonia (CCPP); Rift Valley Fever (RVF); Black Quota (B.Q) – which communicable disease between animal and human being.

¹⁹⁶ URT, Livestock Sector Development Programme of December 2011, MLFD. Page 33. ALSO See: Brandy Nelson, "Shs 100 Bilioni Zapotea Kwa Vifo vya Mifugo" Mwananchi, 24th February 2012, page 11. The journalist was quoting Dr. Henry Mbwilo of Ronheam Company of Mbeya.

¹⁹⁷ Brandy Nelson, "Wafugaji Waeleza Mifugo Ilivyokufa kwa Ndigana", Mwananchi, 27th February 2012, page 14. ALSO: Mashaka Mgeta, "Tuokoe Mifugo Yetu Kukuza Uchumi", Nipashe, 23rd February to 3rd March, 2011, page 7.

¹⁹⁸ URT, Livestock Sector Development Programme of December 2011, MLFD. Page 33.

¹⁹⁹ Mr. Shukumu Tuke Lemoringata, Program Officer – CORDS, Kiteto District. Interviewed by PINGO's Consultant on 20th February, 2012 at Kiteto district, Manyara region.

²⁰⁰ Says Mr. Shukumu Tuke Lemoringata, Program Officer – Livestock, CORDS Kiteto district in February 2012.

As for other drugs or treatments, pastoralists 'contribute' Tshs 100 per cattle herd for CCPP and CDP. The rest of required monies are subsidized by the government; and Tshs 500 per cattle herd for B.Q. The government does not give any subsidy on this. But, what is claimed to be offered as subsidized drugs or vaccination seems not to reaching majority of pastoralists.



Livestock drugs are sold during auctions by non-pharmacists.

Mr. Shukumu Tuke Lemoringata quoted above said that, the government does not offer any drugs or vaccination free of charge as it used to be in the past or as it claims now. Pastoralists are forced by the circumstance to purchase required drugs for their livestock from private shops. For instance in Kiteto district, there were 6 veterinary shops in February 2012. Villagers have to come there for drugs or go to Ndedo, Ndosindosi, Kijungu, Lengetei or Sunya auctions to buy drugs from the petty vendors there. According to his experience in Kiteto district, the only drug which government provides subsidy in it is CYBERDIP which is used for cattle dipping. However, experience shows that, it is sold in the market without subsidized prices.

All veterinary pharmacies are owned by private veterinary services providers. Only one out of those can qualify to be veterinary centre. All pharmacies are in the township. There is one District Veterinary Centre in Kiteto district, which does not have facilities in it. The ward health facilities established in seven different areas are not functioning.²⁰¹

Pastoralists of Mrero village, Hanang district purchase veterinary drugs from private shops. There is only one cattle dip for the two villages of more than 2,000 cattle herds. Therefore, most of the pastoralists tend to use their own pumps for their animals.²⁰²

6.2.4 Availability of Cattle Dipping Services: Case of Kiteto, Hanang and Lindi-Rural

Most of the available cattle dips were constructed by the government long time ago. But they are (most of them) no longer working. It was noted that, most of what are

²⁰¹ Dr. Lunonu Sigalla, District Livestock Officer, Kiteto district. Interviewed by PINGO's Consultant on 20th February, 2012 at Kiteto district, Manyara region.

²⁰² Information shared to PINGO's Forum Consultants on 17th February, 2012 by Mr. Mathayo Gisada (MIMIJA and Village Council member).

operating at the moment were constructed by private individuals and NGOs such as CORDS and KINNAPA. For instance, CORDS constructed six cattle dips of Orkitikiti, Lengatei, Lesoit, Lambapuli, Amei and Kuropoponi villages/ areas in Kiteto district. Other cattle dips at this district such as Nalang'tomon, Ndarata and Lalamero were constructed by individual persons, who charge some service fees from the users for every cattle entering in the dip.²⁰³

The main challenges facing services of cattle dips are lack of sufficient water and repairs to make them in good order. For instance, the Amei area's dip (Kiteto) is not working because of lack of water. The Orkitikiti dip (Kiteto) is not operating because it requires repairing. Out of 23 cattle dips in Kiteto district, only 13 are somehow working (mostly those constructed and operated by private institutions and individuals).²⁰⁴

Construction cost for one cattle dip is between Tshs 15,000,000 and Tshs 25,000,000. The government can mobilize community members to contribute so that to mitigate the construction costs. However, it is unfortunate that little attention is given to all these important initiatives. Lack of these facilities has been to the detriment of pastoralists. Experience shows that, areas with cattle dips and other facilities favour increase of heard of livestock and productivity of the same.

Hanang district has the following veterinary services. It has 19 cattle dips of which 9 are functioning, 4 veterinary centers of which 3 are working. 11 crushes, 1 abattoir and 18 water dams.²⁰⁵

In Lindi-Rural district, there were only 2 dips, one spray race, one dam/charcos and a livestock market for all the wards of the district. Therefore, the district had a serious shortage of dips, charcos/dams and livestock markets as well as having no veterinary centres, crushes, hides/skin sheds and abattoirs. Of the 154 villages only five villages had livestock facilities.

6.2.5 Livestock Resources: Availability of Grazing Land

According to the LSDP 2011, the main livestock resources in livestock production in Tanzania are grazing land, water and pasture. To date there are no proper arrangements to allocate land and give ownership of grazing areas to livestock farmers according to traditional or legal procedures. This has been the reason for uncontrolled movements of livestock from one place to another in search of pasture and water thus causing conflict with other land users.²⁰⁶

The LSDP 2011 also states that, over the past three decades the rangeland in Tanzania has been decreasing in size. This is due to; increase in human and livestock population, for

²⁰³ Mr. Shukumu Tuke Lemoringata, Program Officer – CORDS, Kiteto District. Interviewed by PINGO's Consultant on 20th February, 2012 at Kiteto district, Manyara region.

²⁰⁴ Dr. Lunonu Sigalla, District Livestock Officer, Kiteto district. Interviewed by PINGO's Consultant on 20th February, 2012 at Kiteto district, Manyara region.

²⁰⁵ Hanang District Council Profile of July 2011, page 12.

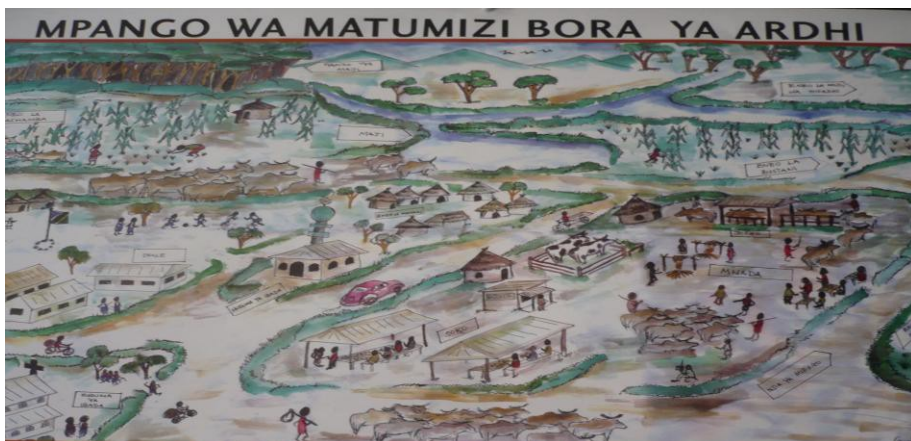
²⁰⁶ URT, Livestock Sector Development Programme (LSDP), December 2011. MLFD. Page 10.

example, the number of traditional cattle has increased from 3 million in 1961 to between 19 and 21 million in 2010, in the same period, human population has also increased from 9 million to about 43 million hence the demand for more land for settlements and cropping increased, conversion of traditional grazing lands into big state farm, mining (Mwanza, Shinyanga and Mara), infrastructure development (Kilimanjaro international airport and others), expansion of cities and towns and conservation has reduced grazing land. Also, some of the grazing lands have been annexed into national parks and game/forest reserves.

6.2.6 Status of Village Land Use Planning – Specific Land for Grazing and Hunting

The study found out that, the number of registered villages in Tanzania was about 12,000 in December 2011. Out of which less than 100 has land registries. Only 853 villages have Village Land Certificates (VLCr).²⁰⁷ That means the pace to process village land use plan (VLUP) and granting of the VLCr is rather slow. Only few villages have managed to designate VLUP which clearly demarcate lands for grazing and hunting.

For instance, Hanang District has total of 65 villages, out of those, only 30 (46.15%) have been surveyed and granted VLCr. Some of the villages such as Dirma and Mreru have gone further to formulate and adopt the VLUP, whereby, village land has been demarcated in to grazing, residential and other areas. But only few villages have VLUP, others could not adopt it because of the geographical size. Villages with small areas such as Mara (with only 1,600 hectares); and Endasak (with only 1,028 hectares) could not do the same. It cannot be compared with Dirma and Mreru villages with more than 25,000 hectares.²⁰⁸



The ideal of Land Use Plan, village level.

Procedures for acquisition of the VLCr are quite cumbersome and tedious. One has to follow about ten steps for the village to get VLCr and therefore, be able to grant Customary Right of Occupancy (CRO). The procedures include survey which is very expensive as it needs surveyors, valuer, cartographer, land officer and others; then,

²⁰⁷ Dr. Prosper Ngowi and Melissa Makwarimba, "Making Land Investment Work for Tanzania: Scoping Assessment for Multi-stakeholder Dialogue Initiative." Draft Final Report, December 2011. Pages 24 and 25.

²⁰⁸ Mr. Donald Lyimo, Land Officer, Hanang District Council, Interviewed by PINGO's Forum Consultant on 16th February, 2012.

boundaries are identified; construction of the village registry; village land register; seal; cabinet; and so on. All these cost between Tshs 15,000,000 to Tshs 25,000,000 depending on number of factors including geographical size and location of the village.²⁰⁹

Because of this failure, the potential grazing spots are increasingly becoming far away from the residential areas. In Mrero village, Hanang district for instance, the Barbaig pastoralists of Lagaujanda hamlet walk more than 30 KMs for search of pasture and water. Sometimes, cows and goats die along the way because of the distance, hunger and thirst.²¹⁰

Most of the Maasai and other pastoralists find it important to adopt the VLUP for effective management of resources especially by identifying grazing spots. For instance, Irg'abolo, Lerug and Emessera villages of Kiteto district have established the village LUP to demarcate grazing areas from others within their villages.²¹¹ The survey for this report finds out that, LUP mitigates pressure and scrambles for arable land. Note that, same soil which supports crop farming is suitable for grazing. But in most cases, pastoralists are sidelined because the agro-business policies mentioned above do favour crop farmers than pastoralists.

Ruvu-Mferejeni village of Same district, can give a good example on this. The VLUP at this place started since 2002/03 with the aim of designating areas for both grazing and agriculture so as to resolve the conflicts between pastoralists and farmers. The village has been previously occupied by pastoralists but when the farmers came in; they wanted to grab the whole land at the expense of the indigenous pastoralists.²¹² With the help of PINGO's Forum the village was surveyed and mapped and beacons were put accordingly.

Recently the village formerly known as Ruvu-Mferejeni has been divided leading to the birth of Ruvu-Darajani and Ruvu-Marwa. The problem has been that the beacons which were put by the district land authorities have not been respected by the farmers. There are endless conflicts between farmers and pastoralists over the exact location of the boundaries. The farmers are now invading even the small area that was set for grazing purposes. Moreover, the cattle pathway to the river usually called Lang'ata is also invaded by the farmers. This was an indication of the complaints by the pastoralists over the continued and unchecked invasion and grabbing of the grazing land by the farmers which has not been properly handled by the proper authorities because of reluctance to hasten VLUP.

²⁰⁹ Mr. Donald Lyimo, Land Officer, Hanang District Council, Interviewed by PINGO's Forum Consultant on 16th February, 2012.

²¹⁰ Mr. Ginani Gidahwida, ordinary villager, Lagaujanda hamlet, Mrero village, Hanang district. Interviewed by PINGO's Forum Consultant on 17th February, 2012.

²¹¹ Ms. Paulina Ngurumwa, Program Officer – Women and Children, KINNAPA Development Organization. Interviewed by PINGO's Consultant on 20th February, 2012 at Kiteto district, Manyara region. Note: KINNAPA = Kibaya-Kimana; Njoro-Ndaleta; Namerock; and Partimbo Development Organization.

²¹² Isaya Olekunya, village chairperson, Same district, interviewed by PINGOs forum consultants on the 23rd of February, 2012.

6.3 INFORMATION, MARKETS AND INFRASTRUCTURES ON LIVESTOCK

6.3.1 Access of Livestock Markets

Marketing of live animals in the country takes place in primary, secondary and tertiary livestock markets.²¹³

In the year 2009/10 a total of 857,208 cattle and 682,992 goats and 122,035 sheep were sold of which 2,970 cattle and 302 goats were exported to neighboring countries and Middle East. Likewise, in the year 2009/10, milk production was estimated at 1.65 billion litres of which 10% was marketed in both formal and informal markets which are largely dominated by processors and informal vendors respectively. Processed milk products account for about 20% of marketed raw milk and the rest falls under the informal markets. Most of the milk from urban and peri-urban areas, because of proximity to reliable market, is sold directly to consumers [LSDP, 2011].

This study found that, indigenous pastoralists can only access primary (local) markets within their localities whereby, he who buys from them is the one who determines the price of the cow or goat or products of the same. Lack of health services for livestock makes them weak and therefore, devalues them when taken to the market. This is notwithstanding the fact that, costs for keeping livestock are very high without good support from the government.

It takes more than Tshs 400,000 to pay for vaccination, drugs, water, etc for one cow until when it is at the stage of being sold as big cow in the market. But when you go to the market, that same cow is sold at Tshs 250,000! You cannot negotiate with strong voice because you have a cow which is very weak because of lack of food or something. Then, it is the buyer who dictates the terms ...the government is not seen all the way during the upbringing of this cow, you will see it coming to collect levies and taxes from us when the cow is taken to the market ...²¹⁴

6.3.2 Lack of Facilities to Access Secondary Markets

The secondary markets, which would have benefited more the pastoralists, are not accessible because of insufficient infrastructures to support them. For instance, according to the LSDP 2011 (at page 40), as of December 2011:-

- There were about 48 small and medium milk processing plants with the installed capacity of 394,600 litres per day, however, majority of the plants are operating at very low capacities. On the average these processing plants currently process about 105,380 litres per day, which is equivalent to 27% of the installed capacity. The current processing capacity accounts for 2% of the annual milk production. This situation has led to increased milk imports.
- The processing of meat and meat products in Tanzania is also generally limited. Most of meat consumed in the country is unprocessed mainly sold directly from

²¹³ URT, Livestock Sector Development Programme of December 2011, MLFD. Pages 35 and 36.

²¹⁴ Anonymous Interviewee, Chamakweza village, Bagamoyo District, Coastal Region, interviewed on 29th February, 2012.

the slaughter slabs /butcheries/abattoirs to consumers (without added value). Apart from the seven (7) modern abattoirs (Dodoma, SAAFI, Sakina, Tanzania Meat Pride, Inter-chick, Mkuza and Manyara) there are three meat processing plants with installed capacity of 2.6 tons per day. The volumes produced by these plants are generally small to meet the domestic demand, necessitating some importation of meat and meat products to bridge the gap. Currently, most of meat is sold without registered brand name except that of Kongwa beef from National Ranching Company.

6.4 RESTOCKING AFTER DROUGHTS

The government has allocated Tshs 11.2 billion for its restocking project of which 6,128 pastoralists' household, who lost their livestock herds because of drought in 2008-2012 years, will be given between three to five cattle herds. Unfortunate, the project does not cover the whole country. It covers Longido, Monduli and Ngorongoro districts of Arusha region.²¹⁵



President of Tanzania, Mr. Jakaya Kikwete handles cattle to Maasai of Longido in February 2012.

Most of pastoralists believe that destocking for any reason is not appropriate now because everyone aims at high. To them, having more cattle means more secured life as livestock is their traditional banking system. However, some of them have started to co-opt other socio-economic activities including crop farming and business to supplement pastoralism. Others have changed the breed from indigenous cattle to cross-breeding.

²¹⁵ John Ngunge, "Wafugaji Wamwagiwa Mabilioni", Nipashe, 20th February 2012, page 4. Recently, some of the pastoralists of these districts received 'their share' at Longido district when the President of Tanzania presented the 'share' to 16 households.

PART SEVEN

ADVOCACY ISSUES, RECOMMENDATIONS AND CONCLUSION

7.1 MAIN ADVOCACY/ CHALLENGES ISSUES IDENTIFIED

There are several issues which PINGO's Forum and other CSOs working on the rights of pastoralists, hunters and gatherers can pick and pursue in order to advocate for the betterment of these groups of people. Main issues identified during the field are:-

- a) The illiteracy level among Pastoralists, Hunting and Gatherers is relatively high situation which limits them to access information or have confidence to defend their interests.
- b) The level of understanding of legal and policy issues is still very low in such a way that they are easily mistreated – some of the unscrupulous law enforcers take this ignorance into granted.
- c) There are lots of human rights violations taking place without prosecuting the perpetrators. The level of impunity is high and endangers civil and criminal justice systems.
- d) There are vivid and intentional discriminations against pastoralists, hunters and gatherers in political governance a fact which cause them to lack representation in decision making bodies.
- e) Social services such as water, schools and health care are quite inadequate and unavailable in most of the pastoralists and hunters areas because of number of factors including neglect of their affairs and remoteness from the main offices of the government.
- f) There are disintegrated and uncoordinated efforts or interventions by government and among CSOs themselves (no common agenda) on the issues relating to these groups – sometimes this lead to duplication of efforts. For instance, in Kiteto district, several organizations address issues of Maasai and Akiye but there is no forum to coordinate the interventions. Because of this, some of the villages receive little attention than the rest and that; some of the tribes are seen more favored than Akiye.
- g) Akiye tribe faces a danger of extinction because of number of factors including mixing up with stronger societies and grabbing of their traditional lands.
- h) Concentration of the CSOs working on pastoralists' rights is more on the northern part of the country, while living the rest of the areas such as Lindi-Rural district unsupported by anyone.
- i) Most of the CSOs current advocacy agenda focus on matters connected to civil and political rights. Little attention is given to economic and social rights which would have addressed issues like poverty among indigenous people which very severe, accessibility of livestock health services, availability of market information/ infrastructures, access to soft loans to develop this economic subsector.
- j) There are loose connections between CSOs areas/issues of interventions and those which are detailed in main government policies and strategies including the MKUKUTA II of 2010, Tanzania Development Vision 2025 and the Livestock Sector Development Programme of December 2011.

- k) Pastoralists have continued to remain 'poor' while they are living in 'plenty' of prosperities especially large herds of cattle and goats. They lack ability to transform part of their herds of livestock into other kind of saving to mitigate risks and enable them to start benefiting from their cows and goats.
- l) Social issues such as gender inequality, HIV/AIDS and FGM are still realities in most of Maasai areas and efforts to fight them are limited by persistence of some of bad cultural norms which perpetuates the same.
- m) The issue of climate change still poses very serious effects to the livelihoods of pastoralists, hunters, livestock and other resources which they depend on.
- n) To a large extent, the policy and legal frameworks do not favor pastoralism, hunting and gathering and that, government uses justification of laws and policies to grab lands from the people and other forms of mistreatments/ human rights violations.

7.2 PROPOSED APPROACHES TO ADDRESS CHALLENGES

The twelve advocacy agenda identified above can be effectively addressed or pursued if the government, PINGO's Forum and other institutions would take the following suggestions into account:-

7.2.1 Expand Package of Advocacy Issues

The current situation, which is very complex and uncertain, commands use of holistic approach to address issues. A single-hand approach is now taken by event. Therefore, much as this suggestion appreciate a need of being specific on one agenda at the same time, it is high time that one agenda is multisided into wider perception to include all associated issues. For instance, it is suggested that, one cannot advocate for the right to vote if he/she has not advocated for the right to education in order to realize the importance of voting. Also, one cannot successfully advocate for the right to access natural resources without addressing a question of influx of foreign investments which basically targets same resources the pastoralists and hunters depend on.

7.2.2 Expand Stakeholders Base

Basing on the same reasons mentioned above, there is a need of expanding types of stakeholder to enhance advocacy agenda. For instance, as it is stated in the report, some of the issues such as HIV/AIDS and FGM can be effectively addressed by religious leaders that using force given under the laws. Another example could be that, despite the fact that Pastoralists have would have their own representatives in Presidential Constitutional Commission, it is important that they team up with other bigger networks especially the Jukwaa la Katiba.

Moreover, most of the CSOs do not also give the villagers/ stakeholders feedback of what they have done or gathered from them e.g feedback of this study. This disconnects their interventions (from the communities) once they move out from the areas they were working.

7.2.3 Change of Ways of Delivering Message

Most of the CSOs think that best ways of transmitting knowledge is trainings and workshops. Social media brings in alternative ways. Moreover, CSOs can use other methods such as films, human rights clubs and so on. It is important to start building 'social movements' from levels of primary or secondary schools on issues which CSOs think should be addressed.

7.2.4 Reform Methods of Moving Advocacy Agenda

Experience shows that, advocacy agenda can be more effective and sustainable if it is commenced from the lower level by involving ordinary citizens. There are lots of potential advocacy opportunities at hamlet-village-ward-division or district levels than at national levels. For instance, one can lobby LGAs to increase a budget for VLUP which would guarantee grazing areas, than dealing with the Minister for Natural Resources to relocate the game controlled area boundaries.

7.3 OTHER RECOMMENDATIONS

In addition to what have been stated above and elsewhere in this report, it is hereby recommended that:-

- a) The government should set up a commission of inquiry to investigate the mysterious disappearance and killings of the pastoralists and hunters. The government should also put to task those who have been implicated in all arbitrary arrests, mistreatments, and imprisonments of these people. Moreover, it should stop intimidating its people through state agencies in order to grab the land from them. It is also recommended that, probe committees reports on Ihefu and Loliondo evictions be released for public scrutiny.
- b) The government should provide subsidies on animal drugs and veterinary services and promote more rural based veterinaries the way it does for crop-farmers.
- c) Sensitization forums of the importance of education, civic awareness and the like should be intensified by team-up with CSOs which are specifically working on those associated issues.
- d) Clean drinking water and other social services especially health care and schools should be made accessible to all pastoralist communities by the LGAs. This can be viably done by increasing development budgets of the LGAs and give priorities to the remote areas which are normally forgotten during planning.
- e) There is a need of following up of what is 'promised' in the MKUKUTA II, Livestock Sector Development Programme and other policies and strategies. Those policies/ strategies contain lots of good things which would benefit pastoralists and hunters if they are fully implemented.
- f) There is a need of unifying advocacy agenda by identifying most important issues to be addressed sporadically by every CSO. There is also a need of expanding package of the advocacy agenda and stakeholders' base as sated above.

- g) More viable solution is needed in order to control effects of climate change for pastoralists, hunters and gatherers. The solution could include having in place specific areas for grazing and harvesting rain water.
- h) Grant of customary right of occupancy to the Akiye, Hadzabe, Barbaig and Maasai villages will help in protecting illegal invasions by the farmers. Therefore, the government and other stakeholders should hasten VLUP processes.
- i) There is a need to find other means of democratic representation so that all individual voices and concerns are heard and attended to bring about social, political and economic equality, which for so long pastoralists and hunter-gatherers have been denied.
- j) PINGO's Forum and everyone working on the rights of pastoralists and hunters should ensure that, issues pertaining interests of these people are included in the forthcoming new Constitution of the United Republic of Tanzania.

7.4 CONCLUSION

The incidences of human rights violations and other forms of mistreatments against the pastoralists, hunters and gatherers are many. Information from the field and various literatures confirm that, they real suffer from land grabbing, restrictions to access natural resources, killings, assaults, discriminations, and lack of social services (for human and livestock). The perpetrators of all these are not taken into task because the impunity prevails.

PINGO's Forum and other CSOs have done tremendous job of empowering the local communities to, inter alia, defend their lands and other interests. But, the pressure from government to grant concession on commercialized natural resources is so high to contain. It uses the laws, policies and force to evict pastoralists, hunters and gatherers from their traditional land. Moreover, the policies, laws and political directives clearly indicate that, pastoralism is viewed as primitive way of life to be abandoned by any cost. While this happens, official records shows that, pastoralism contributes to about half of the 45% of agricultural sector share to GDP. The modernization of livestock keeping is done without mainstreaming traditional knowledge which existed long time before so called modern ways. In most case, decisions are made for pastoralists without them being consulted.

As this situation gets worse, this report proposed ways of intensifying advocacy strategies to include expansion of nature and advocacy packages plus adoption of more holistic approach to address these complex issues. The struggles to emancipate these groups have not yet achieved intended victory and therefore, more is desired than what have been achieved as of March 2012 when this report was prepared.

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