

· PINGOS FORUM STATEMENT TO THE SECOND SESSION OF THE  
FORUM ON MINORITY ISSUES

## INTRODUCTION

Pastoralists and Hunter-Gatherers Communities in Tanzania have been exposed to massive evictions countrywide beginning the year 2006 to date. The national wide campaign to evict pastoralists implemented under the government strategy to protect the environment targeted only Maasai, Barbaig, Sukuma and Tatoga as well as Hunter-Gatherers, the Hadzabe and Dorobo<sup>1</sup>. In all areas where the evictions were implemented (Usangu-lhefu, Kilosa, Mvomero, Ulanga, Nkasi, Mpanda, Same, Mwañga, Yaeda chini-Mbulu, Chalinze, Bagamoyo and Loliondo pastoralists and hunter-gatherers are a minorities<sup>2</sup>.

The evictions took place based on the fact that political representation of pastoralists and Hunter-Gatherers at local and national levels does not exist or if exists it is weak. Political representations at local government authority and parliaments level is based on majority vote, hence absence of political representatives' at ward and parliamentary levels' for pastoralists and hunter-gatherers<sup>3</sup>.

The political arrangement in Tanzania made it difficult for pastoralists to influence political, economic as well as socio-cultural decisions of interest to their survival as a people in the contemporary Tanzanian society. Lack of political influence among pastoralists and hunter-gatherers of Tanzania subjected them to marginalization and discriminative practices in accessing social-cultural and economic resources for their development. A number of political statements have been made high level national leaders that further political, economic and social cultural discrimination<sup>4</sup>.

## ABSENCE OF POLITICAL WILL ON THE PART OF THE STATE CREATING AN ENVIRONMENT OF EFFECTIVE POLITICAL PARTICIPATION THROUGH OBSERVATION OF HUMAN RIGHTS

The minority and marginal position that pastoralists and hunter-gatherers communities occupy in the political system of Tanzanian state has made it difficult for pastoralists to effectively participate in the political process of Tanzania. The lack of such processes led into gross human

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<sup>1</sup> These communities are a minority in the mainstream Tanzanian society and they do face discrimination due to their means of livelihood particularly pastoralism and hunting gathering, they considered backward and hence engagement by the state to force changes on to them without giving them the necessary support for effective integration into the mainstream Tanzanian society.

<sup>2</sup> It is estimated that there is a little bit more than 3,000,000 Pure pastoralists and less than 3,000 Hunter-gatherers communities in Tanzania

<sup>3</sup> In the southern part of Tanzania Morogoro, Mbeya, Iringa, Rukwa, Eastern part Tanga and Pwani there is an estimated population of 1,000,000 pastoralists but there have neither representation in the local government authorities nor in the Tanzanian parliament. In the Northern part of Tanzania; Arusha and Manyara considered as a stronghold of pastoralists and hunter-gatherers with a population of about 2,000,000 pastoralists and hunter-gatherers there is only 6 members of parliament representing these minority communities. Given their small number in parliament of more than 300 parliamentarians it is not easy to have a political clout in a parliament run under the majority vote.

<sup>4</sup> In 4<sup>th</sup> CCM government the president first inauguration speech as the head of state on 30th December 2005, the President of the United Republic of Tanzania stated while addressing parliament: "Mr. Speaker, 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." (Hensard, December 30, 2005). In yet another speech, the president on 22nd February 2006 stated, "It is better for a few pastoralists to be angry, but protect the lives of the next generation." In another speech he clearly stated "I am committed to taking unpopular steps to pastoralists in order to protect the environment for the benefit of the nation and future generations." (Guardian [Dar es Salaam] March 2, 2006).

rights violations and freedom to participate into political and democratic engagement that determines the destiny of minorities in Tanzania. Minority issues of concern therefore could not be addressed adequately and effectively between 2006 to date. Example; burning pastoral houses, rapping of women, beating of innocent pastoralists, while on the other hand the government allocates pastoral land and grazing resources to Ortello Business Corporation(OBC) and Thomson Safari for Tourism and wealthy farmers, In of such processes minority pastoralists denied access to education, employment (engagement into traditional pastoral activities), confiscation of pastoralists' properties<sup>5</sup>, most of such state sponsored human rights violation left many pastoralists poorer than they were before, health service, imprisonment without fair trial and freedom of speech, all these violations were implemented during and after the eviction process by government police forces and OBC game rangers<sup>6</sup>.

Evidence of lack of political will to address pastoral human rights violations include silence of the government, discriminative and biased position towards pastoralists in the Loliondo. The reasons behind political behavior of the state around Loliondo pastoralists human rights violation is the insignificance of the Ngorongoro constituency and overall pastoral community have in determination of the political direction of the nation<sup>7</sup>.

The state have always, since July 2009 to date, been on the defensive side against the plight of pastoralists Loliondo, while at the same time protecting the interest of the investor particularly OBC and Thomson Safaris with a financial muscle able to corrupt high level political leaders to defend their hunting tourism businesses at the expense of minority pastoral community livelihoods in the area.

#### OBSTACLES TO PASTORALISTS AND HUNTER-GATHERERS PARTICIPATION IN POLITICAL PROCESS

Pastoral communities together with their representative CSO's and the Tanzanian Pastoralists Parliamentary Group (TZPPG) engaged into a process influence the parliament to take up actions against the government supported pastoral and hunter-gatherers human rights violation around the country . The initial political engagement through the parliament failed due to a number of reasons;

1. High level corruption
2. High level government leaders political statements stereotyping pastoralists and hunter-gatherers communities
3. The small number of parliamentarian supporting pastoralists in the parliament
4. Limited capacity of pastoralists parliamentarian on how to take advantage of the United Republic of Tanzania Parliamentary Guidelines to influence for favorable decision on behalf of affected pastoralists and hunter-gatherers.

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<sup>5</sup> The following example reflects the human rights violations and impoverishment that took place during the evictions: Doto Dofu is a 51-year old Sukuma pastoralist from the Mlangali Village in the Kilosa District. He was first forced to pay TSh.390, 000 and was issued with a receipt with number 0426653 on January 31, 2009. Three days later he was forced to pay TSh.6, 660,000 and TSh.4, 250,000 and issued with receipts number 0426676 and 0426677 respectively. The same reckless government officials now went ahead to impound his 1,500 cattle worth TSh.1, 200,000,000 in the Mfilisi Village. 80 calves worth TSh.8, 000,000 died in the process. On February 4, 2009, Dofu was once again forced to pay a fine of TSh.75, 000,000 and issued with receipt number 0426824 showing TSh.42, 780,000 only. The next day he was again forced to pay TSh.1, 000,000 and issued with receipt number 0445602. Six days later he was forced to pay another TSh.40, 000,000 and issued with receipt number 0428024 showing TSh.15, 180,000 only. At the time of interviewing him in Dodoma he said he had so far spent another TSh.6, 000,000 in his quest for justice (personal communication. July 5, 2009)

<sup>6</sup> Please review a video on pastoral human rights violations in Loliondo

<sup>7</sup> Pastoralists being a minority community have very little influence in general election for the president and members of parliament. Therefore, state decisions unfavorable to pastoralists have no influence to the election and hence decision on policies and laws formulation of the country. Example the recently formulated Wildlife Act 2009 was designed purposeful to change current land use under pastoralism into Game reserves the effects already seen in Loliondo even before the law is scheduled for implementation.

5. Political statements, threats issued by the government as well use of excessive force focused at weakening CSO's, diplomatic Corps and pastoral communities supporting the political processes against the evictions<sup>8</sup>
6. Lack of formal recognition of institutions like TZPPG by the parliament and the executive as well as power to represent issues of concern to pastoralists in different political processes and institutions

#### THE IMPACT OF PASTORALISTS POLITICAL PARTICIPATION

The impact of political process to address issues of concern among pastoralists, to include the evictions, in Tanzania is limited and could be said to be ineffective to some extent due to biased nature of the structure and means of representation in political institutions and processes to protect the basic human rights of pastoralists and other minority communities of Tanzania.

For instance the political process to intervene on the eviction of pastoralists in Loliondo by the government forced the Member of Parliament for the Ngorongoro constituency to table a *private motion* in the parliament. The private motion has to be debated by the parliament and decision be made on actions to be taken by the parliament.

There is likelihood that a parliament will form a parliamentary committee to investigate on the alleged human rights violation in Loliondo. The government did everything they can through the ruling party to stop the parliament from forming parliamentary committee which has the power to impinge the government based on evidence generated. This being the case the ruling party influenced the Ngorongoro Constituency parliamentarian to change the issue from a *private motion* to *personal statement*. This political process in parliament<sup>9</sup> gives the government an opportunity to escape and being taken to task by the parliament. Hence rights denied to pastoralists who suffered the eviction.

Although, in this political process through the parliament aiming at seeing justice being served to Loliondo pastoralists did not manage to influence the parliament to form a parliamentary committee of enquiry. The speaker of the National Assembly instructed the permanent parliamentary committee on Lands, Natural Resources and Tourism to investigate to investigate on the allegations and report to the parliament in January 2010 parliament session.

#### RECOMMENDATIONS FOR EFFECTIVE POLITICAL PARTICIPATION OF PASTORALISTS AND OTHER MINORITY COMMUNITIES IN TANZANIA

##### TANZANIA GOVERNMENT

1. To formally recognize and empower national institutions and CSO's that represent minority communities in Tanzania such as the Tanzania Pastoralists Parliamentarian Group (TZPPG) and Pastoralists Indigenous Non Governmental Organizations (PINGO's) Forum, Legal and Human Rights Centre and Land Resources Research Institute.
2. Tanzania State to deliberately design and implement policies and laws that will increase formal and permanent representation of Pastoralists and Hunter-Gatherers communities in political process and institutions such as local government authorities, the

<sup>8</sup> Imprisonment of pastoralists representatives, torture, attempted deregistration of CSO's, the government refusal to support the representatives of diplomatic corps when they visited Loliondo as well as threats to close their diplomatic mission, some CSO's Leaders received death threats (PINGO's Forum Executive Director) being one of them.

<sup>9</sup> Refer to the 17<sup>th</sup> session of Tanzania national Assembly November 2009.

parliament<sup>10</sup> and government institutions such a ministry of Natural Resources and Tourism as well as the ministry of Lands and settlements, and Ministry of Livestock and Fisheries were minority communities of Tanzania have interest.

3. Tanzanian state to effectively involve minority communities in the design and implementation of policies, strategies, campaigns and plans that will affect their livelihoods and culture; example the national wide campaign to evict pastoralists, the crafting of new laws example the recent Wildlife Act 2009 that openly discriminate pastoralists and hunter-gatherers. This can be done by deliberate inclusion of minority communities in state decision making institutions.
4. The parliament of United Republic of Tanzania to form a parliamentary committee to investigate on the alleged human rights violation pastoralists and hunter-gatherers in Tanzania. The engagement should be focused at opening up opportunities and setting precedent on how to observe economic and social rights of pastoralists and hunter-gatherers.
5. The state to remove restrictive procedures and practices for pastoralists and hunter-gatherers communities to hold peaceful public meeting the case. Example of such restrictions put in Kilosa, Loliondo, Mpanda and Nkasi during and after the national wide eviction of pastoralists in those areas.
6. The state to enhance the ability of Pastoral and hunter-gatherers CSO's in supporting processes that lead into improved political participation of pastoralists and hunter-gatherers, rather than putting restriction, threats of deregistration CSO's, and threat to CSO's leaders.

#### UN

1. To put more effort to pressure the Tanzania government to recognize existence of indigenous people and protect their rights based on international laws that Tanzania has ratified.
2. To support Tanzania CSO's in efforts to improve political engagement of minority communities in processes to defending their rights. Particularly now that pastoralists and Hunter-Gatherers of facing massive eviction country wide to give way for conservation, tourism and mining investments.
3. To keep up the pressure to the government through national leadership to eliminate structural barriers to effective participation of minority communities such as the electoral process that require political party affiliation, majority representations in electoral constituencies that discriminate and exclude minority communities from participation. The focus should be in areas inhabited by pastoralists and hunter-gatherers Usangu-Ihefu, Matebete, Kilosa (Ngaiti, Mabwegere), Mvomero, Mpanda, Loliondo, Same, Nkasi, Mbulu-Yaeda Chini and Mangola and Mwanga.

#### INTERNATIONAL CSO's

1. To engage into capacity building programs for national CSO's dealing with minorities issues in Tanzania
2. To engage their Embassies to influence for increased political participation of minority communities on issues of their interest.

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<sup>10</sup> Representation of minority communities should not be based on the majority vote which the current democratic processes have been using but still discriminate these communities.