

Free, Prior and Informed Consent and Protected Areas The Experience of Tanzania



May 2009

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Acronyms

ACHPR	African Commission on Human and People's Rights
CBR	Community Based Reserves
CIDA	Canadian International Development Agency
FPIC	Free, Prior and Informed Consent
GCAAs	Game Controlled areas
GR	Game Reserves
HIMWA	Huduma ya Injili na Maendeleo kwa Wafugaji-Evangelical and Services for pastoralist organization
ITV	Independent Television
JOLIT	Joint Oxfam Livelihood Initiative for Tanzania
LARRI	Land Rights Research Institute
LEAT	Lawyers Environmental Team
LHRC	Legal and Human Rights Centre
MNRT	Ministry of Natural Resources and Tourism
NARCO	National Ranching Company
NCAA	Ngorongoro Conservation Area Authority
PINGOs	Pastoralists Indigenous Non Governmental Organizations Forum
RC	Regional Commissioner
UNDP	United Nations Development Programme
WMAs	Wildlife Management Areas

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Abstract

This paper analyses upsetting top-down development approaches coupled with disrespect for the rights of indigenous pastoralists, hunter gatherers and other local communities, including the lack of free, prior and informed consent (FPIC) practices, in two districts of Tanzania, Mbarali and Kilosa districts, where eviction exercises have left many families in abject poverty. The orders for eviction, forced settlements and prohibited livestock movement are against the Constitution and did not consider education, health, proper relocation with prompt and fair compensation and alternative lands and resources.

The paper shows that modes of conservation are seriously contradictory when you compare the actual situation before and after the implementation of the notions of protected areas. Indigenous pastoralists and hunter gatherers and other local communities are denied access to their natural resources in their traditional lands and there are no adequate returns from what the government gains from, among others, the tourism industry. These communities are not listened to and are denied their rights to access their resources. Parakuiyo Maasai, Iraqw, Barbaig, Kamba, Sukuma, Hadzabe, Taturu, and Akie communities who all depend heavily on their natural resources for their mere existence and survival, have been marginalized by the government of Tanzania. When we talk of protected areas, what do we mean: protection by guns or by wisdom? In name of 'conservation', pastoralists have been evicted out of their lands over the past years and must pay fines for 'damaging the environment' as well as rental fees for livestock kept by the government at holding camps and for pastoralists courts.

There is need of holistic development approaches that consider free, prior and informed consent and better understanding of the impacts of governmental policies on the rights and sustainable human development of peoples in the country. The paper calls for elimination of top-down approaches of 'development' and 'nature conservation' in Indigenous peoples lands. This paper will recommend that the concept of FPIC has to

take roots and indigenous peoples' rights respected now if sustainable development is to be realized.

Keywords: Development policies; Human security; Indigenous peoples; Pastoralists' livelihoods; Full, Prior and Informed Consent; Human rights; Animal rights; Usangu plains; Kilosa; Kilombero; Sukuma, Kamba, and Iraqw agro-pastoralists; Parakuiyo Maasai, Taturu and Barbaig pastoralists; and Akie and Hadzabe hunter gatherers.

1. Introduction

Tanzania is a country with a population of more than 40 million persons from more than 120 ethnic groups. The country is divided geographically into mainland and island. Tanzania mainland has an area of 942,832 km². Tourism is an important sector that generates income in protected areas in Tanzania. Protected areas in Tanzania are on the increase; in the year 2002 the Ministry of Natural Resources and Tourism (MNRT) listed 15 National parks in Tanzania covering 4% of the land surface, the Ngorongoro conservation area 1%, 31 game reserves, including Selous 15%, and 38 game controlled areas 8%. The country's area under protection is 28% of the total land surface.

Indigenous peoples in Tanzania are mainly pastoralists and hunter gatherer communities. They are from the Maasai and Barbaig pastoralists and Hadzabe, Sandawe and Akie hunter gatherers. The hunter gatherers constitute a small population e.g. the Hadzabe number approximately 1,500 and living in 1,500 km² in Manyara and Shinyanga regions. The Maasai pastoralists population is more than a million, a big population but marginalized politically. Hadzabe, Sandawe and Akie pursue a semi nomadic hunting gathering lifestyle but in recent years most of the indigenous lands have been taken away for small-scale and large scale agriculture and tourism activities. The Parakuiyo Maasai are scattered into 9 regions of Tanzania namely Tanga, Kilimanjaro, Morogoro, Iringa, Mbeya, Coast, Dodoma, Manyara and Rukwa. The other Maasai sections are found mainly in five (5) districts in northern Tanzania. These districts are Ngorongoro, Longido and Monduli (Arusha), Kiteto and Simanjiro (Manyara region) that expanded in the semi arid and arid lands to the central part of the country. The Barbaig are mainly found in Hanang District in Manyara region but they were evicted out of Basotu plains early in 1970s to allow large scale farming of wheat supported by CIDA and implemented by the Tanzanian government.

In Tanzania pastoralists' livelihood is threatened by the imposition of development policies created and adopted by the government without the participation of Indigenous peoples. These policies are supposedly intended to support conservation and resolution of

conflicts between pastoralists and farmers, pastoralists and protected areas authorities, pastoralists and investors, pastoralists and military. In many cases, areas with pastoralists are regarded 'vacant' and they can be allocated by the Government to individuals who can effectively utilize them. Pastoralists livelihoods systems are not respected and do not occur in the mind of policy makers for protection. The UNDP human development report of 1994 defined human security as "safety from such chronic threats as hunger, diseases and repressions, protection from sudden and hurtful disruptions in the patterns of daily life". Livelihoods insecurity of any society may result from diseases, hunger, unemployment, political repressions, social conflicts and environmental insecurity. The variety of blames on pastoral production systems for environmental insecurity has recently become an important pastoralists' livelihoods conflict in Africa (Daniel *et al*, 2000; Farouk, 2003; Tonah, 2002). The government of Tanzania in recent years developed an argument that Maasai pastoralists are warlike people and Sukuma agro-pastoralists are a threat to the environment because of their habit of cutting down trees, as they do both farming and livestock keeping. Pastoralists are also labeled 'wandering tribes' since colonial time to current administration, creating more negative stereotypes against them in Tanzania.

The issue of who is indigenous started to take roots when the eviction of pastoralists and agro-pastoralists got support from Tanzania's higher level leadership. On 5th February 2009 Hon. Mizengo Kayanza Pinda, the Prime Minister of Tanzania, announced in the parliament that "pastoralists and agro-pastoralists should go back home because they know where they have come from". They should stop perturbing farmers and damaging the environment". Even if the pastoralists go to court to stop the eviction currently carried out in Kilosa district, the government will not obey because it is a legal action" The pastoralists and agro-pastoralists reacted by saying that if they go to Mwanza, Shinyanga, Tabora, Manyara and Arusha regions the first thing is to expel people of southern regions where the Prime Minister comes from and take over the mining areas, national parks, conservation areas and game reserves. The incomes generated from the tourism and mining industries should not be allocated to the national treasury; instead it will be used for pastoralists and agro-pastoralists' developments. The pastoralists also complained that during the inauguration of the Prime Minister in 2007 he said "I am a son of the farmer"

therefore he is now publicly supporting his peoples. The issues of *wenyeji* and *wageni* used generally by local people in Tanzania to refer literally to ‘those who are in their home area’ (*wenyeji*) and ‘guests’ (*wageni*), may require a national debate for the development of policies that could ensure livelihood security for all citizens.

The term indigenous peoples (IPs) is very sensitive in Africa, especially in Tanzania. Until recently most African countries claimed that there are no IPs in Africa. This is a double standard because on 17 September 2007 Tanzania was one of the UN member states that voted in favour of the UN Declaration on the Rights of Indigenous Peoples. Pastoralists and agro-pastoralists opted not to revenge to what the government is forcedly imposing on them to avoid violent conflicts. Instead they have opted for the creation of a dialogue space as a tool for problem-solving rather than creating problems on top of others. They are of the opinion that the government is torturing their families and livestock that were kept in holding camps for several days without grazing and drinking till some of the livestock died of hunger and torture while the same livestock fed the military during the war of Uganda and Tanzania in 1978-1980.

The recent notorious evictions of 2006/2009 saw many members of Parakuiyo Maasai, Barbaig, Sukuma, Iraqw, Kamba, and Taturu communities being left without source of livelihood, and these peoples lost hope and trust in the government in Morogoro, Mbeya and Rukwa regions. As a result of the prejudiced government policy most of the Regional and District Administrations in Mbarali district of Mbeya region, Mpanda and Nkasi districts in Rukwa region, and Kilosa and Kilombero districts in Morogoro region, tortured livestock to death, confiscated thousands of livestock, harassed, fined, arrested and expelled by force the pastoralists and agro-pastoralists. In Tanzania, the policy of transforming the land tenure systems of the common property by collective village groups under the state ownership has heavily affected the pastoralists (Shivji, 1997). Communal land tenure and use systems of sedentarisation of pastoralists as a prerequisite of “modernisation” (Lane and Moorehead, 1995; Shivji, 1997). The pastoralists collectively lost the best lands and were restricted in their movement as a way of risk coping strategy since village boundaries divided pastoralists were affected through

communal pasturelands into discrete administrative units. The effect on pastoralists lives were exclusion from access to livestock watering points and grazing land with pastures during the dry season and ultimately to their outmigration from the areas (Lane, 1990; Kirk, 1999). These policies undermined the local pastoral production and land resource management systems and institutions on which livelihoods of pastoralists depend, leading to their dislocation and deprivation (Lane, 1990). The productive use of land under pastoral systems often depends on land and water as complementary resources (Kirk, 1999). The policy makers, planners and aid agencies have failed to recognize and understand these needs, institutions, diversity and complexity of the pastoral land use systems (Lane, 1990). Consequences of these failures are widespread dislocation, deprivation and impoverishment, and ultimately lead to the problems of long standing pastoralists' livelihoods conflicts in Africa (Kirk, 1999).

Tanzania policies clearly favor crop growers' practices in expense of pastoralists' production systems. Several studies show that in Tanzania the state policies favor farming in expense of pastoral ways of livelihood (Lane, 1990; Lukumbo, 1998; Susan, 1996). For example, farmers are offered individual land user rights while grazing land is communal and open to all (Lukumbo, 1998). The studies have shown the link of pastoralists-farmers conflicts to the unfavorable country's policies. The policies of converting grazing lands into conservation areas or agricultural lands and those encouraging extensive cultivation cause the land and water shortage for pastoral production. The studies by Batter-bury (1998), Tonah (2002), and Faurok (2003) showed that shortage of productive land due to depleted soil fertility caused by the extension of cultivation into bush farms, the cattle corridors, grazing land and watering points for the pastoralists' cattle have been squeezed into small portions. The herders-farmers livelihoods conflicts over land and water resources have been reported by the EDC News, 2001 in Morogoro, Tanzania; Brockington (2000) in Rukwa valley, Tanzania; Lukumbo (1998) and Mpinga (1999) in the Usangu plain, Tanzania. The pastoralists' evictions were used by the authorities as a way of teaching pastoralists how to speak "*Kiswahili*," the national language in Nkasi, Mpanda, Mbarali, Kilombero and Kilosa districts, thereby unsettling their social, economic and cultural life. This research was taken to assess and analyze the situations of pastoralists and agro-pastoralists in the Mbarali and Kilosa

districts with respect to adherence to the right of free, prior and informed consent in any development activity undertaken in their homelands.

2. Objective of the Case Study

The objective of this case study is to provide in-depth information and analysis on the abovementioned topic for use by Indigenous Peoples and other sectors in the continuing efforts to strengthen the principle of **free, prior and informed consent**. The paper will give background information on the situation of the Indigenous peoples of Tanzania, their legal status relating to lands and territories, the usual practice of establishing protected areas and the involvement of indigenous peoples. It will also study the impacts of such protected areas on the indigenous peoples. It will compare experiences of establishing protected areas and draw recommendations for future use.

3. Background Information of the Study Area

Mbarali and Kilosa districts have been selected to be the study area of this research because of the eviction exercise that left many pastoralists and agro-pastoralists' families in abject poverty. The two districts have different populations of pastoralists and agro-pastoralists in the country. The study has taken a look into top-down development approaches coupled with lack of Free, Prior and Informed Consent (FPIC). These cattle herders have been affected by the "orders". The orders for eviction, forced settlements and prohibited livestock movement are against the Constitution and they did not consider education, health, proper relocation with prompt and fair compensation and alternative lands and resources. In the past years from 1950s to 1980s the government used to expel pastoralists out of their lands for conservation but today they are expelled out of their lands, and livestock and other property confiscated for district budgets and individuals' own pockets. Mbarali and Kilosa districts in Mbeya and Morogoro regions respectively are in the five national priority regions designated to boost food security in the country. The Africa Green Revolution program aimed at boosting agriculture in Africa, initiated a few years ago, and biofuel projects, are threats coming up that will grab as much as possible the so-called marginal and vacant lands that are mainly occupied by pastoralists in semi-arid and arid lands.

The study covered villages adjacent to the Usangu plains namely Matebete, Manawala and Iwalanji in the Mbarali district, Mbeya region; and Mabwegere, Ngaite and Msowero villages in the Kilosa district in Morogoro region. The Usangu plains are located in the Mbarali district, south-western Tanzania. Rural livelihood is mainly dependent on smallholder agriculture and pastoral subsistence production. The plains are part of the great north-south rift valley characterized by the savannah vegetation. The Usangu plains are made up of the upper drier and well-drained land and the seasonally flooded wetlands in the East that drains into the Great Ruaha River. The Great Ruaha and Little Ruaha rivers join and flood water through Rufiji River which drains into the Indian Ocean.

Mbarali district has a total population of 234,908, of which 115,280 are male and 119,628 are female (Census 2002). There is a number of different ethnic groups who are predominantly cultivators, agro-pastoralists and pastoralists; these include the Sangu, Nyakyusa, Hehe, Bena, Wanji, Barbaig, Sukuma, Taturu, Parakuiyo Maasai and other groups.

Kilosa district is in the eastern part of the country. It is one of the six districts in Morogoro region. The district covers a total area of 14,245 km² of which 536,590 ha are suitable for agriculture, 483,390 ha under natural pasture, 323,000 ha Mikumi National Park, 80,150 ha forest and 14,420 ha urban areas, water and swamps. The district is endowed with good geographical factors that support both pastoralism and agricultural activities: fertility of land, rivers that flow throughout the year and presence of grazing areas and valleys that are ever green throughout the year. The district has an animal population of 300,000 cattle, 40,000 sheep and 60,000 goats, and a human population of 489,513 of which male constitute 244,201 and female 245,312 (national census 2002). Inhabitants of the Kilosa district are Kaguru, Sagara, Parakuiyo, Barbaig, Sukuma, Gogo and Ruguru, among other ethnic groups.

4. Methodology of the Research

The collection of data was done through literature surveys, discussions with the villagers and other stakeholders, and use of a questionnaire survey. The questions guided the discussions with key informants from women and men, elders and young peoples. These included problem-focused discussions and problem-analysis in a more traditional way, with translation of the questions in local languages and in Kiswahili national language. The village meetings and individual interviews allowed everyone a possibility to give her or his views regarding development systems and approaches in their homelands. The data collected was analyzed and interpreted to ensure presentation of situation of peoples involved and the development policies affecting their lives.

5. The Cases of Protected Area Establishment

Tanzania signed a number of international laws. The country has laws for the creation of protected areas such as the National Parks Ordinance, Cap. 412, the Wildlife Conservation Act 1974 with amendments of 2008, the Ngorongoro Conservation Ordinance, Cap. 413, the Antiquities Act Cap. 333, the Forest Ordinance, Cap. 389, the wildlife regulations of 2003, the Wildlife Management Areas Regulations of 2002, and the Tourist Hunting Regulations of 2000. There are a number of protected areas categories in Tanzania including national park, conservation area, game reserve, game controlled area, partial game reserve, wildlife management areas popularly known as WMAs, and community based reserves. Tanzania has more than 15 protected areas.

Many initiatives of conserving the natural environment have been taken in Tanzania but in a rather conflicting manner. The model of conservation supported by the international conservation lobbyists and promoted by the government of Tanzania, namely “conservation without people” has led to the eviction of pastoralists in the process of creating national parks, game reserves, wetlands, and hunting blocks, from the 1950s to the present. The consequence of this has been the loss of land and productive resources and cultures of the indigenous peoples of these regions. Another threat to Indigenous peoples’ livelihoods and culture is the promotion of cultivation. The government of Tanzania promotes cultivation at the expense of pastoralism and this forces pastoralists to move elsewhere in search of pasture and water for the survival of their herds and people. The research done in Mbarali and Kilosa districts show that steps taken to halt the negative eviction of pastoralists did not stop further displacements in their homelands. The government is currently using orders driven by stereotypes against pastoralists to displace them. Between 2006 and 2009 a big number of pastoralists and agro-pastoralists have been evicted and their lands and livestock confiscated, and they were forced to pay fines for ‘damaging’ the environment. The cases of creation of protected areas of Serengeti, Ngorongoro, Mkomazi and Ruaha saw continuous evictions that created conflicts between farmers and pastoralists, and between pastoralists and government.

This paper gives an overview of the recent eviction to allow expansions of Ruaha national park in the south-western regions of Tanzania. This led to another eviction in Morogoro region and will probably continue to other regions. The establishment of protected areas has negatively affected the rights, livelihood, interests and desires of indigenous peoples and subsequently resulted in persistent conflicts which would have been averted if the rights of Indigenous peoples, in particular the right to free, prior and informed consent (FPIC), were considered in the process. Protected areas and tourism promotion services have encroached upon and overlap with the lands and territories of indigenous peoples. The overall objectives of protected areas violate the FPIC rights of indigenous peoples. Indigenous peoples are not involved in participation or decision making processes as a consequence of which there are violations to their rights and interests over the lands and territories they live in. There are also case studies showing that indigenous peoples have suffered human rights abuses in connection with protected areas in the past; in some cases they continue to suffer such abuses still today.

Internal demands were for a land tenure which secures land of the rural small-scale producers, and resolving disputes over land. None of these have been adequately addressed by the new land laws of 1999 as disputes over land, old and new ones, keep recurring. Land alienation in rural areas continue and at a heightened speed. The fate of land rights of the rural producers remains uncertain despite reliance on the state authority to shield the rural producers from land grabbers. While this is happening, ‘investors’ continue to acquire land from the rural areas, and the laws have put in place a mechanism which facilitates this. Such mechanisms include ‘privatization’ of land (through individualization and titling), commoditization (by declaring and defining it legally that land has value), and the free use of extralegal forces to speed up alienation. In this regard the role of the state as an agent of alienation is important, and the state can play this role on the legal pretext that land is public and the president (executive branch of the state/government) is the custodian of land on behalf of the public. The state does this on behalf of the ‘investors’ and politically well-connected personalities who enjoy gifts from high rank friends. This intricate role of the state is increasingly being revealed as new demands for land for biofuel projects and hunting blocks in Tanzania keep on escalating.

In case of plans for the development of protected areas, the right to give free, prior and informed consent (FPIC) of indigenous peoples in Tanzania must be adhered to and FPIC must first be given. Traditionally Indigenous peoples are taught to ask for and get permission, when they are contemplating any activity that might disrupt the stability of a place where any of our Natural World relations are living, including when we make agreements with outside parties about plans for “development” that may affect our lives as well as the lives and survival of other living things. They have been instructed to defend them and be responsible for them, not just as “resources” that we use but as living beings who themselves have rights to survive and prosper, and to give their consent. The UNDRIP defines that it is an obligation to respect the FPIC of indigenous peoples as stipulated in articles of the declaration. The right to FPIC of Indigenous peoples in relation to protected areas is clearly stipulated in the UN Declaration on the Rights of Indigenous Peoples. Many of the relevant provisions of the Declaration directly underscore the right to Free, Prior and Informed Consent in relation to rights affirmed in treaties, agreements and other constructive arrangements between States and Indigenous Peoples as well as other rights. They are quoted in Article 19, addressing the adoption of legislative and administrative measures, and Article 32, which addresses development activities affecting Indigenous Peoples’ Lands and Natural Resources. The Declaration contains some of the broadest affirmation of the right to FPIC for Indigenous Peoples. The provisions spelling out the terms and criteria for restitution, redress and compensation in cases of land and resource rights violations are equally relevant. Article 10, which affirms that Indigenous Peoples shall not be forcibly removed or relocated from their lands or territories without their Free, Prior and Informed Consent, is also of direct relevance to land as the central issue in most treaty rights violations being carried out around the world. The UNDRIP highlights some of the most critical ways that treaty rights as well as the related right to FPIC are systematically violated, not only historically but also in the present day.

5.1. Evictions in Usangu plains

The evictions carried out to remove pastoralists were just as a scapegoat maneuver because no scientific evidence exists that proves that pastoralists caused water shortage in the Usangu plains. The creation of Usangu game reserve was not participatory and increased poverty in the pastoral communities. Pastoral societies use livestock sales to purchase cereals and they use milk and meat from livestock. The assessments of livestock numbers showed increasing and declining trends over a 30-year period. On average, there was an increasing trend from the 1970s to 1980s, which decreased from the 1990s to 2000s. Livestock biomass declined sharply from 1998/1999 values and were constant in 2000 to 2002 ($R^2 = 0.785$, $p < 0.05$). This sharp decline may be explained by livestock keepers' out-migration from the plain in 1998 and 1999 as a result of a government decision to convert dry season grazing areas into wetlands. This was linked to a period of eastern wetlands conversion into the Usangu game reserve in 1998, causing emigration of pastoralists and their livestock from the Usangu plain. According to villagers, prohibition of grazing in the wetlands area resulted into high mortality of livestock and declining birth rates due to shortages of water and pastures. The wetlands area was important to pastoralists' adaptive mechanisms during the dry season and drought years caused by climate changes.

The eviction has not only taken their land but also took their livestock and brought new threats to cultures of pastoralists and agro-pastoralists. In October 2006 to May 2007 more than 400 pastoralist societies with an average of 4,000 members have been evicted. Herders have been evicted with thousands of their livestock being confiscated by the government causing separation of family members, hunger and trauma. These herders from Parakuiyo, Taturu, Barbaig and Sukuma communities were evicted from Usangu plains in Mbarali district, Mbeya region, allegedly to allow conservation of wetlands and game reserve in Usangu plains. Livestock were starved to death and others were buried alive in mass graves at Igawa holding camp. Young calves were separated from their mothers and left unattended and they also perished. More than 300,000 cattle and 20,000 sheep and goats were lost in the operation without compensation. The few remaining livestock were driven by the owners to Lindi and Coast regions, a distance of more than 1,000 km. On the way, they had to pay government and village officials to be allowed to

pass. Many people were forced to sell their livestock to traders selected by government officials at a very low price of Tsh 10,000 to 50,000 (US\$ 10-50). Such livestock later found their way to ranches owned by government officials. The government imposed restrictions on livestock movements which forced many pastoralists to transport their stock by designated trucks at a price of Tsh 3 millions (US\$ 3,000) per truck. Further, they were forced to pay a fine of Tsh 10,000 (US\$ 10) per cow allegedly for damaging the environment. It was not clear which law was being violated by pastoralists. This operation was conducted collectively on both pastoralists and agro-pastoralists in Usangu plains and those outside the proposed areas to be declared as a game reserve. Pastoralists were moved to areas without social services and which were unsuitable for livestock rearing since they had poor pastures infested with tsetse flies and other livestock diseases.

The government has created a number of wildlife protection zones such as Wildlife Management Areas (WMAs). The WMAs were considered to be the participatory mechanism of conservation and poverty alleviation, and it would be reasonable to expect that the laws and regulations supporting the creation of WMAs would have been designed to give local people maximum control and decision-making power over natural resources in their community. To quote Alan Rodgers (2006), who has worked with the Tanzanian government on wildlife and conservation policy for nearly 40 years: “The national Village Land Act of 1999 is quite clear that village governments have jurisdiction of land use in these areas. Villagers can decide to cultivate or not cultivate, to lease land to outsiders or not lease such land”. The Wildlife Policy of 1998 is quite clear on this issue: “Wildlife benefits must flow back into the village communities who bear the costs of living with wildlife; only when communities gain benefit from wildlife will people practice conservation.”

The WMA Regulations do in fact emphasize the role of the village in independently resolving to create a WMA and in having the capacity and the legal authority to manage it (URT 2005). And yet, villager after villager in our survey indicated that they did not have the power to decide whether or not to cultivate or to lease their land to outsiders. Villagers, including village officials, claimed that they had been brought into the WMA

without their knowledge or consent. Furthermore, there is significant evidence that wildlife benefits rarely flow back to communities, and usually only reach a handful of well-placed village elites when they do flow back. The creation of protected areas is seen by pastoralists as places for the government to indicate its nature of governance. There are also problems of venues for redress when pastoralists take government to court; the rulings always favor the government. The herders' communities have seen tortures and confiscation of their livestock being returned to them instead of funding of their social development. The pastoralists who have been evicted in Mbeya tried to look for venues to get their plight addressed. They used the media and organized a workshop to inform parliamentarians about the operation on 15th April 2007. On 20th April 2007 the government appointed a commission to enquire about the plight of pastoralists in Mbarali district, Mbeya region. In May 2007, the Commission made a visit to Mbeya, Lindi and Coast regions and a report was handed to the government on June 6, 2007. The government promised to act on the matter soon. In October 2007, instead of providing the affected families with relief food and shelter, the government gave Tsh 195 million (US\$ 195,000) to those who carried out the operation allegedly as refund of the amount they spent in undertaking the operation. However, the affected families were neither compensated for eviction nor provided with essential needs in the new areas in Lindi and Coast regions. Meanwhile, they are completely destitute and they have not received any assistance even as refugees.

The eviction of Usangu plains is a continuation of historical injustices perpetrated against pastoralists in Tanzania. In 1988 pastoralists were forcefully evicted from their grazing lands on the border of Tanga and Kilimanjaro regions in the process of creating Mkomazi Game Reserve formerly known as "Alaililai le Mwasuni" in Maa language. The area has important cultural sites with sacred places and clan sites such as home for Parakuiyo "Iloibonok" Parakuiyo clan of spiritual leaders and "Olturoto lo Lemai", the Pond of Lemai clan. The pastoralists took the matter to court in 1994 and 1995. Eventually, some 38 people out of a whole community received a meager US\$ 450 each as compensation for what they lost. The indigenous pastoralists were evicted without the benefit of resettlement and were abandoned in abject poverty. The case has exhausted all local legal

remedies and should now be brought to regional and international courts. The matter was brought to the 42nd Ordinary Session of the African Commission on Human and People's Rights in 2007 in the Republic of Congo. The 43rd session of ACHPR took place in Swaziland in 2008, and the ACHPR in its 44th session in 2009 held in The Gambia, cited that the government of Tanzania as a state party has violated human rights as stipulated in the African Charter on Human and People's Rights and other international instruments protecting the rights of indigenous peoples.

5.2. The Pastoralists Eviction in Kilosa District

Kilosa district eviction started on 29th January 2009 with a connection to Usangu plains eviction. Elements of hatred related to conflicts between farmers and pastoralists in the district fueled notorious actions. The regional, district, wards and villages authorities combined their orders and forced evictions of pastoral communities in the district. The Morogoro Regional Commissioner, Major General (Rtd) Said S. Kalembo and Kilosa District Commissioner (DC) Athuman Mdoe admittedly said that one of the factors orchestrated the fighting between farmers and pastoralists is the unregulated pastoralists movement from Ihefu to Lindi, misbehavior of village chairpersons and village executive officers for their corrupt behavioral. However, it was learnt that there was a problem with the enforcement mechanism of the legal framework regulating livestock movement in Kilosa district. The district bylaws mention "Sheria Ndogo za Udhhibiti wa Uchungaji na Njia za Kupitishia Mifugo za Halmashauri ya wilaya ya Kilosa ya 2001 Sehemu ya 7(2) inasema Mfugaji haruhusiwi kuingiza mifugo yake ndani ya wilaya bila kibali cha maandishi cha kukubaliwa kuingiza mifugo hiyo toka halmashauri ya wilaya", meaning that according to section 7(2) "no entry of cattle in Kilosa district is allowed without a written permission of the district council authority". This is a kind of law enacted at district level without the participation of pastoralists. Pastoralists residing in their grazing lands were the targets in the eviction and nothing like it was enacted for strangers invaded the district land. The District Executive Director Mr. Ephreim Kalimalwendo was himself quoted to have grabbed a land in Malangali village after driving away pastoralists.

The eviction involved excessive force resulting in the destruction of the economy and wellbeing of pastoralists in the district. The eviction left more than 100 families with more than 2,000 members barely without food and refugee assistance when government confiscated 20,000 livestock. The affected pastoralist families have been left without means of survival. The Anti Pastoralists Operation Force tortured livestock in the holding camps at Msowero, Kimamba, Mikumi, Dumila, Kivungu and Malangali, through separation of calves from cows, and livestock were kept in holding camps for weeks without water and grass. The family of Parkuris Kalaita lost 340 livestock in the eviction while he was residing in his own 200 acres of land utilized by his family for grazing and settlement. Pastoralists have also suffered punishments in the form of beatings, payment of high fines, and unnecessary imprisonments. They were not assisted to move peacefully, no compensation was given and there was no alternative land made available for them. Later on the evicted pastoralists were forced to transport their livestock to Pugu market in Dares salaam where they were forced to sell lactating cows, calves, pregnant cows and entire herds of cattle at very low prizes of Tsh 10,000-70,000. The pastoralists have been forced to transport their livestock on trucks which were very expensive with hiring prices ranging from Tsh 450,000 to Tsh 1,500,000; transport permit fees of Tsh 300-750 per livestock, and police escort while transporting livestock away from the district at a negotiated price. The sheep and goats have been abandoned by the pastoralists at the holding camps where the authorities were keeping the confiscated livestock because the fines for getting back the sheep and goats and the rental fees for having the sheep and goats in these camps are too expensive compared with the normal prices of sheep and goat which is around Tsh 30,000-80,000. The operation force sold and slaughtered confiscated sheep and goats for their own use. The money that the pastoralists obtained from the forceful selling of their cattle was used to pay people who lent money to pastoralists during the eviction. The money that the pastoralists had to borrow during the eviction process was spent on fines amounting to Tsh 30,000 per cow and Tsh 10,000 per sheep and goat, and holding camps rental fees of Tsh 5,000 per livestock per day.

The government wanted pastoralists to move to Lindi, Mtwara and Coast regions that were not prepared for them. The government collected fines from pastoralists depending on the number of livestock owned by the family from Tsh 82,000 to Tsh 42 million. The Kilosa district authorities have collected more than 400m and the Kilombero district authorities collected more than Tsh 105m for the council budgets. The pastoralists find it totally unacceptable that the district authorities use the dispossession of the pastoralists as a source of furthering district income.

The Sukuma, Barbaig, Parakuiyo Maasai, Kamba and Iraqw communities who have been the target for the evictions sought for help through diplomatic means. A delegation of Pastoralist Task Force on Eviction has informed the authorities about the ongoing eviction that involves grabbing of land and livestock. The delegation met the Tanzania Pastoralists Parliamentarian Group and Tanzania Council of Churches on 10th February 2009 in Dodoma but nothing happened to stop the eviction. Women planned for a demonstration in March 2009 in Morogoro municipality but they were refused a permit by the regional authorities. Hon. Lucy Nkya, the Deputy Minister for Community Development, Gender and Children, met more than 200 women who camped at Sokoine village in Mvomero district from 28th February 2009 to 7th March 2009 demanding for a stop order of the eviction. The women struggle was very important. As Yasoi, a woman of nearly 100 years old from a family that lost 385 livestock in the eviction put to me when I met her at her home in Mabwegere village in Kilosa district: “My son, come and join your brother and go to Morogoro to fight back your cattle”. The situation is tense since grabbing of livestock is continuing and farmers are helping the government by seizing the pastoralists’ livestock and calling the police to come and confiscate them. In a number of venues pastoralists proposed an urgent need to initiate a high level dialogue on the recognition of pastoralism as a source of livelihood and culture among the Pastoralists in Tanzania. On 25 April 2009, NGO delegations and pastoralists’ representatives met Tanzania Pastoralists Parliamentarian Group in Dodoma for possibly halting of the eviction. The members of parliament agreed to table a private motion in the national assembly against violation of human rights in the displacement but the speaker of the national assembly required another approach. The Prime Minister decided to send a team

of expert to investigate the matter in Kilosa and other parts of the country affected by the eviction. The team of four experts visited Kilosa district in Morogoro region but there is little hope of redress because of historical country actions against the pastoral indigenous peoples.

5.3. The Impacts of evictions

The negative impacts of eviction have been seen. The pastoralist families were left without means of survival. The Anti Pastoralists Force seriously tortured pastoralists who tried to prevent their livestock from being taken away for confiscation and paying high fines. Herders' children and calves were left to die of hunger. Many pastoralists' children stopped going to school because of lack of school fees and bursaries. Pastoralists are now trying to feed their families by cereals, food that most of the children are not used to. Calves left are also under family care by feeding them porridge. Many families are separated because of lack of food and trauma.

The Machau family demonstrated how much sufferings have been caused by the government in the pastoralist families after all kinds of torture and loss of land and livestock happened. The family lives at Ndagani sub-village in Mabwegere village in the Kilosa district. In November 2008 the family lost 50 cows to the "Sungu Sungu" militia group that invaded the village with support of the police. On 21st February 2009 the same family lost 126 cattle taken away by the Anti Pastoralists Operation Force. The family together with other families lost a number of livestock during the eviction. The livestock were taken to Msowero holding camp and held for six days without water and grazing. The family was forced to pay a fine of 30,000 per cow with a total of Tsh 9m spent on fines, transport and camp rentals fees. The family opted for selling the whole herd of cattle. The Force gave Machau family two days to sell all livestock. The family managed to sell only 33 cows within the two days at a throwaway price of 40-50,000 (eq.40-50 US\$) per cow. A total of 30 calves were left at home without milk. Machau family comprises of 46 members including 36 children, 9 mothers and Machau himself as the head of the family. Relatives under his care constitute 6 mothers with a total of 23

children. The whole family has a total number of 59 children, 15 mothers and 6 men (head of family) bringing it to a grand total of 80 members. The family is now under care of relatives, among which the Mzindakaya family contributed 13 milking cows. The family is currently relying on buying of cereals foods. The food prices are too high for the families to afford; 100 kgs of maize is sold at Tsh 70,000 and 1 kg of beans sold at Tsh 1,200.

5.4. The Land in Pockets of the Haves

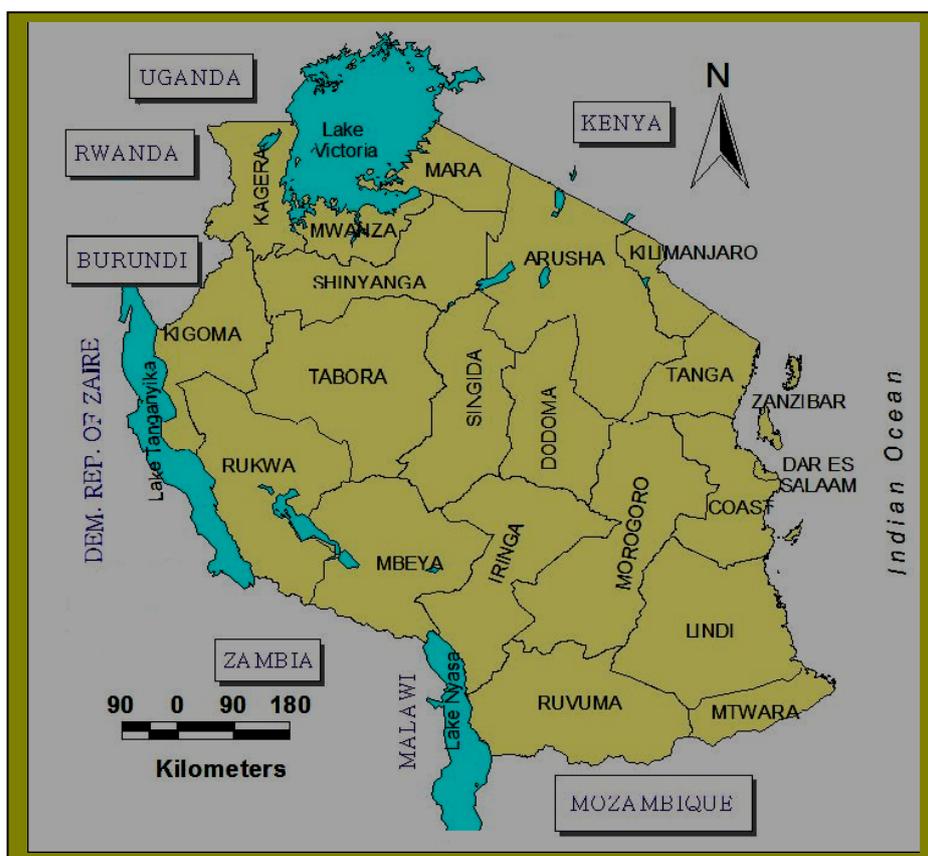
In 2003 the government decided to privatize ranches owned by the National Ranching Company (NARCO) for individuals who can develop the lands into modern uses of livestock keepings. The pastoralists were the target for this kind of land use but most of their requests did not meet the required qualifications. The politicians collaborating with individuals accumulated these lands, leading to more pressures for pastoralists in relation to land uses. The recent eviction was not supposed to take place because most of these lands would have been allocated to pastoralists' uses. Morogoro region is one of the regions with big plots of lands occupied by politicians and other investors. On 2nd February 2009 Hon. Said S. Kalembo at his office in Morogoro and again on 4th February 2009 at a meeting in Kilosa town, mentioned that there are 102 pastoralists villages in Morogoro region. But when pastoralists counted there were only around 10 villages designated for pastoralists in the region of which most have competition between pastoralists vs. farmers and pastoralists vs. protected areas. Between 2003 and 2009 the government privatized ranches without considering pastoralists. Pastoralists' villages that benefited from the ranch allocation were Twatwatwa and Ngaite in the Kilosa district and Sokoine and Luhindo in the Mvomero district, Morogoro region. These small ranches were part of Mkata Ranch in Kilosa and Dakawa Ranch in Mvomero districts. The land was allocated to various investors but pastoralists were the least in land allocation as listed in the table below:

Table No 1. Showing land allocation to various investors in Kilosa and Mvomero districts in Morogoro region between years 2003-2009

S/N	Name of Ranch	Holder	Block No.	Area covered	District
1.	Bagamoyo	Abdalaha Sheweji	420	4,000 ha	Kilosa
2.	Manyatta	Mbuya	491	4,000 ha	Kilosa
3.	Nicodemous Banduka	Nicodemous Banduka	418	4,000 ha	Kilosa
4.	Rubidha	Mahenda Rubidha	423	4,000 ha	Kilosa
5.	Nam	Lukumay	417	4,000 ha	Kilosa
6.	Asian origin investor	Asia origin investor	Not known yet	10,000 acres	Kilosa
7.	Ephraim Kalimalwendo	Ephraim Kalimalwendo	Not known yet	10-100 acres	Kilosa
8.	Ereto	A group of pastoralists	422	4,000 ha	Kilosa
9.	Wafugaji asili	A group of pastoralists	421	4,000 ha	Kilosa
10.	Twatwatwa	Twatwatwa Village	Not specified yet	8,000 ha	Kilosa
11.	Superdol company	Superdol company	Not specified	30,000 ha	Mvomero
12.	Mvomero district Headquarters	District Council	Not specified	3,000 ha	Mvomero
13.	Wafugaji asili (traditional pastoralists)	Not allocated yet	Not specified	5,000 ha	Mvomero
14.	Group Ranches	Pastoralists of Sokoine village	Not specified yet	5,000 ha	Mvomero
14.	Luhindo village	Village council	Not specified yet	2,000 ha	Mvomero

5.5. Eviction of Pastoralists and Agro-pastoralists in Tanzania in 2006-2009

Table No 2. Map of Tanzania Showing Regions Evicting Pastoralists



The eviction of indigenous peoples from their lands for protected areas and other activities is clicking in the mind of every individual with power, either because of politics or because of wealth hunger, contemplating how to grab land. In every corner of the country the cry of hunter gatherers, pastoralists and agro-pastoralists has been heard on the TVs, radios and newspapers, yet there is no national debate for a comprehensive agreement for peace and recognition of indigenous peoples in Tanzania. The evictions of pastoralists and agro-pastoralists in Tanzania are spreading into different regions and have been of great concern. In the Ngorongoro Conservation Area, pastoralists were re-evicted in 2008 with a token of compensation and alternative land allocation, where 119 families with 538 members have been taken to Oldoinyo Sambu in Arusha region as a strategy of the Ngorongoro Conservation Area Authority (NCAA) to control human population pressure in the conserved area. In April 2009 a group of parliamentarians visited NCAA and they were informed of possible loss of the status of Ngorongoro as one of the world's eighth natural wonders because of human activities. The current human population in the Ngorongoro area stands at 64,842 while the carrying capacity is said to be only 25,000 people, and according to the NCAA census of 2007 there are 136,000 cattle and 136,550 goats and sheep. In 1959 the human population was 8,000.

The district and regional administrations accumulated wealth by impoverishing pastoralists and agro-pastoralists. The table below illustrates the situation facing these indigenous communities.

Table No 3. Showing Evictions of Pastoralists and Agro-pastoralists in 2007-2009

S/N	Region	District	Ethnic group	Category	Year	Livestock population	Human population	Fines accumulated '000
1.	Rukwa	Mpanda & Nkasi	Sukuma	Agro-pastoralists	2009	20,000	3,000	Not specified yet
2.	Mbeya	Mbarali	Sukuma, Taturu, Parakuiyo & Barbaig	Agropastoralists & Pastoralists	2006-2007	320,000	4,000	400,000
3.	Morogoro	Kilosa	Sukuma, Parakuiyo, Barbaig, Iraqw & Kamba	Agropastoralists & Pastoralists	2009	20,000	2,000	400,000
4.		Kilombero	Parakuiyo & Sukuma	Agropastoralists & Pastoralists	2009	20,000	2,000	105,000
5.	Arusha	Ngorongoro	Maasai	Pastoralists	2008	-	538	Not specified yet

Total	380,000	11,538	905,000
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Pastoralists, agro-pastoralists and hunter and gatherer communities in Tanzania are suffering as a result of forced integration and elimination policies implemented by the government of Tanzania. The current president, His Excellency Jakaya M. Kikwete, at Nyumba ya Mungu village in Simanjiro district; September 21, 2008 had this to say to Manyara regional authorities “You should devise a program to transform the lives of the Hadzabe (hunter and gathering indigenous peoples) and other minority tribes from subsisting on wild fruits, roots and hunting to conventional modern livelihood ... Allowing them to continue living in such lifestyle would be an expression of failure on our part. They have to be transformed”. At the same meeting the president warned NGOs operating in the Hadzabe areas, purporting to be defending their human rights and safeguarding their traditions and cultures by saying that “Let’s not dwell on the NGOs working in the areas. Our task, as government, should be to devise strategies of transforming their lives for the better; for how long are they going to subsist on roots and wild fruits?” He continued saying “It was unfortunate that when the world’s pace to modernity was faster, some people thought the Wa-Hadzabe, Wa-Barbaig and the Wa-Tindiga should remain static”. He said that even in Europe and elsewhere in the modern world mankind has gone through a metamorphosis for the better, citing the Gypsies who also lived a primitive lifestyle but most of whom are now transformed. At the same time the government allocated the land of Hadzabe in Mbulu district Manyara region to a foreign investor but NGOs aired the cry of hunter gatherers and later the investor had to abandon his investment.

6. Injustices Against Pastoralists in the Name of Conservation

The injustices towards the indigenous peoples in Tanzania date back to the advent of colonialism popularly known as ‘Scramble for Africa’ in 1885. The colonialists that came to Maasai-land for example, saw this in their corrupt minds as land to occupy, and that perception was inherited by the successive regimes early in 1960s. Conservation Managers and a large number of government officials still hold strong stands that human activities, especially mobile pastoralism, enhance land degradation and desertification, and there are concerns that: Pastoralists have poor/irrational utilization of land, water and forests resources and must reduce their herds of stock and there are rapid increases of population and overgrazing and these situations lead not only to lack of trusts but also lack of collaborative management of protected areas.

The forceful eviction of pastoralists from Mbeya, Rukwa and Morogoro regions has provided a concrete picture of historical injustices facing pastoralists in the country. Pastoralists, and particularly the Maasai, suffered from two particular aspects of colonial policy. In addition to the loss of some of their most important lands, the colonial administration regarded them as savages needing to be civilized. The extracts below illustrate the perceptions of Sir Charles Eliot, Colonial Governor in East Africa in 1905: *"The only hope for the Masai is that under intelligent guidance, they may gradually settle down and adopt a certain measure of civilization. Any plan of leaving them to themselves with their old military and social organisation untouched seems to me fraught with grave danger for the prosperity of the tribe as well as for the public peace"* (Eliot 1905). *"I cannot admit that wandering tribes have a right to keep other and superior races out of large tracts merely because they have acquired the habit of straggling over far more land than they can utilize"*

The current administration is not accommodating the rights of Indigenous peoples in Tanzania. His Excellency Jakaya M Kikwete, the current president of Tanzania, once said *"Pastoralists are making me not sleep well, we can not allow the whole of Tanzania to be*

a grazing land”. “Maasai with their robes can not get into parliament without education; they must be changed to mainstream development” (16 November 2006).

A Parakuiyo woman from Mgone hamlet in Iwalanji village who walked more than one hour, carrying her baby, to attend a village meeting on eviction, had this to say: “Eiterutwa apa aya Ingishu kake ore taata na Iltung’ani eidurieki maiyolo enasuju”, meaning that: At the beginning they have taken our livestock away but today they are evicting us. I do not know what will happen to us tomorrow (Iwalanji Village, Mbarali district meeting 18th January 2009). The government is currently re-evicting pastoralists to expand Ruaha National Park at the expenses of pastoralists in Mbarali district.

Pastoralist communities face many problems in Tanzania, ranging from land loss to lack of recognition and violation of human rights. The common property resource of pastoralists is increasingly in jeopardy because of the nature of current government policies in Tanzania. Conservation activities, inappropriate policies and increased population needs are threats to pastoralism, the only means of livelihood of pastoralists in semi-arid and arid lands. The pastoralists eviction from Usangu plains was referred to by Hon. John Mwaikipesile, Mbeya regional commissioner as a “noble operation”. The eviction was carried out through the use of excessive force that caused great violation of human rights. Pastoralism has been portrayed as destructive activity to the environment and the source of animal diseases, conflicts, as well as a threat to wildlife heritage and sources of water. There are a number of stereotypes that are disseminated, portraying pastoralists as war-like people who practice an economically unviable mode of livelihood.

On 19th February 2007 a pastoralist meeting was held at Sokoine village in Morogoro to discuss the aftermath and strategy of dealing with eviction throughout the country. It was decided to support the redress of affected pastoral communities in Usangu. It was also recommended that civil society groups meet with the government to discuss the impact of evictions. On 15th April 2007, the Pastoralists Indigenous Non Governmental Organizations Forum (PINGOs Forum) organized a seminar in Dodoma for Tanzania

Parliamentarian Pastoralists Group with 57 participants to inform them about the operation results. The parliamentarians were shocked to hear about serious violations of human rights and subsequently pressured the Tanzanian government to appoint a Commission of Enquires into the Usangu evictions on 20th April, 2007. On 6 June, 2007, the commission reported back to the government for appropriate actions. The government, through the Ministry of Livestock Development, admitted to having committed a mistake by not providing alternative land for evictees. As a result, the government officially announced that the evicted pastoralists were to move to Kisarawe and Mkuranga districts in the coastal region, Kilwa, Lindi and Nachingwea districts in Lindi region and Chunya district in Mbeya region. The alternative lands for the evictees were supposed to also provide appropriate services such as dips and dams and other social services for the community. However, this did not occur. Instead, the pastoralists were simply instructed to go to the allocated regions without proper preparation of land allocation, social services and without the informed consent of the regions' inhabitants.

A collection of findings filmed, recorded and reported, have subsequently shown gross violations of human rights according to the fact-finding team comprised of the organizations LARRI, PINGOs, LHRC, PAICODEO and HIMWA. In Mbeya region, particularly in Mbarali district, the mission found out that another eviction was taking place to allow expansion of Ruaha National Park. Approximately Tanzania shillings 2.7 billion was needed for social services in Ubaruku, Mawindi and Lusanga wards to be allocated within the Mbarali district. In addition, more than Tsh 2 billion was allocated for compensation of demolished villages. A compensation ranging from US\$ 6-US\$ 30,000 was paid to villagers who lost their property. When the team asked Mbeya Regional Commissioner Mr John Mwakipesille why pastoralists were not compensated in the Usangu eviction he replied "*It depends on the legality of existence and a pastoralist may say he lost 2,000 cattle, but how could one prove yes or no*". According to George Kagomba, Mbarali District Executive Director, it was learnt that the bylaws used to compel pastoralists to pay fines of Tsh 10,000 per cow was not clear, and receipts used to collect the fines of damaging Usangu environment were not approved legal documents. Mbarali District Council was also complaining of the district act of irregularities spearheaded by former Mbarali District Commissioner, Ms. Hawa Ngulume; and

expansion of Ruaha national park, that Mbarali District Council was not well informed. In Lindi and Coast regions, the situation of pastoralists was quite poor, as they lack proper relocation, veterinary and social services. The local inhabitants were complaining of incoming of pastoralists in their regions. The regions of Lindi and Coast that received pastoralists were again the same regions that received bio-fuel companies such as SEKAB, D1, Sun and Bioshape.

The Maasai as one of the indigenous peoples have only recently begun to organize for this struggle for land rights. Their organizational skills have been lacking. They have not united or networked with other indigenous peoples in their area or in other countries to press for their cases. While a few have attended international conferences on indigenous peoples' rights, they have not been a consistent figure in the international scene, mostly due to a lack of funds. Although they bring cases to the courts, most laws can be interpreted against the rights of the communities, and they lose. They have also raised public campaigns, and while this has instigated hostility between the communities and the government, it has, at least, raised some awareness to the public and to the government. Some have even threatened to not conserve the area in order to lessen the tourist value. The main solutions to the problems plaguing the Maasai tribe is that the governments should secure prior informed consent from the communities that exist in these areas before beginning a development project, and then give them more control over the implementation of the project. The former, according to Roy Taylor of the North American Indigenous Peoples Biodiversity Project, should be "decisions based on knowledge about both the pros and cons of development...We are tired of hearing about the 'enterprise concept' which usually promotes only the benefits of 'development' and we need to know the potential downside too. That is the hallmark of informed consent" . Local control would give benefits back to the community and would lessen the negative impacts of development because the locals would have more interest in preserving something they are actually benefiting from. However, with all the tour companies that exist today, local communities do not have the political or economic force to compete with these other corporations and their government.

There are many interested groups in investing in pastoralists areas to attract cultural tourism. In Mbarali district, Mbeya region, a tourist company called Tatanca Safari & Tours received guides on tours operating in the area of Matebete village. The guides stated for the company and tourists to abide with the following rules:

(1). Do not disturb any animal (2). Do not start a wildfire (3). All hunting and collection of any plant or animal samples is strictly prohibited (4). Never enter the area without a village official guide/ranger (5). Do not feed any animal (6). Do not feed children with sweets (7). Do not litter in the village environment and look for the specified dumping areas (8). Alcoholic beverages are highly prohibited for the natives (9). It is encouraged that moral behaviors including dressing mannerisms are highly recommended for the sake of harmonization and preservation of good relations between the foreigners and the native peoples (10). Naked photographs are prohibited in the villages (11). Story telling should only be provided by the Village Elders.

7. Recommendations for More Respectful Conservation Activities

1. There is a need for a protected areas code of conduct and a tribunal court for human violations.
2. The government should refrain from the use of force, supposedly in the interest of conservation, since this is against the human rights of pastoralists.
3. The government should recognize pastoralism as a major, sustainable and environment-friendly livelihood system which employs a large number of Tanzanians. In addition, the immense contribution of pastoralists to the existence of biodiversity resources in their areas must be recognized..
4. The government should act against corrupt government officials involved in the operation of evicting pastoralists from Mbarali district in Mbeya region, Kilosa and Kilombero districts in Morogoro region, and Mpanda and Nkasi districts in Rukwa region.
5. The government should provide emergency relief food, supplies and shelter to displaced families in Mbarali, Kilosa, Kilombero, Nkasi and Mpanda districts.
6. The government should take into account the recommendation of the commission of inquiry on Usangu plains evictions in Mbarali district, Mbeya region, and the recent report of investigation by a team of experts in Kilosa district.
7. The government should reinstate pastoralists and agro-pastoralists in their land as a right in Mbarali district, Mbeya region, Nkasi and Mpanda districts in Rukwa region and other regions in Tanzania.
8. The government should compensate those pastoralists and agro-pastoralists willing to be moved, for eviction, loss of land and property in Mbarali district in Mbeya region, Kilosa and Kilombero districts in Morogoro region; and Mpanda and Nkasi districts in Rukwa region.
9. The government should provide social services to pastoralists' areas.
10. Pastoralists must increasingly raise their concerns to relevant local, regional and international human rights bodies, and challenge the evictions in law courts.
11. Pastoralists call for the formation of a Reconciliation Commission that will table a debate for a **Comprehensive Agreement for Peace and Recognition of Indigenous**

Peoples in Tanzania, for recognition of indigenous peoples as such, recognition as equal citizens, and preservation of traditional knowledge on biodiversity conservation.

12. There is need to make sure that the government allows training and access to public records to facilitate transparency aimed at ensuring that Indigenous Peoples have the necessary skills and knowledge and are empowered to take the responsibility of co-management of protected areas.
13. Protected areas should employ and invest in the personal development of indigenous people living inside and adjacent to protected areas.
14. The government should ensure that tourism as one of the targets in conservation contributes to economic development of indigenous peoples by reducing poverty and diseases, and respects the rights and cultures of indigenous peoples and their territories.
15. Tanzania should respect and support the implementation of United Nations Declaration on the Rights of Indigenous Peoples, ILO Convention 169 and other relevant instruments on indigenous peoples' rights, as well as agreements and guidelines related to the co- management of protected areas.
16. The government and other development players should recognize the rights of the indigenous peoples by enabling their effective participation in the management of the protected areas established in their lands or territories and obtaining their FPIC on the adoption of any decision that affects their rights and interests over those lands and territories.
17. The government should ensure a transparent FPIC process with indigenous peoples in relation to any plans to establish or expand protected areas systems, so that their lands, waters, sacred sites, territories and natural resources are preserved and decisions affecting them are taken in a mutually agreed terms that respect their rights.
18. The Indigenous peoples urge for the ban of hunting and poaching in wildlife migratory corridors that are reserved grasslands and watering points for wildlife, livestock and domestic uses.
19. The pastoralists urge that all development activities implemented in the country have to follow human rights based approaches.

20. The pastoralists emphasize that since climate change is a big problem now, pastoralists' access to grazing lands and water has to be ensured, even in protected areas, in the same way that the wild animals are treated in conserved areas, as a way of providing humanitarian aid during serious droughts.

8. Conclusion

The situation of pastoralists in Tanzania is worsening day by day because of the policies and orders of the current government that came into power in December 2005, resulting in forceful evictions and displacements of communities and illegitimate confiscation of their property. The research shows that the only option for indigenous peoples in Tanzania is to resist this kind of neocolonialism by standing firm and defend and protect their rights. Another way is to raise their concerns to relevant local, regional and international human rights bodies, and challenge the evictions in law courts. The pastoralists are blamed to be the cause of conflicts in the country, environmental degradation, and keepers of low quality livestock, and the pastoralists and hunter gatherers are seen as primitive peoples. Since its coming into power, the current government has issued orders for forced evictions of pastoralists and hunters gatherers in the period 2006-2009, without proper relocation and compensation. In some of the affected areas pastoralists have social facilities like schools that they constructed by themselves apart from the grazing land and other property they had to leave.

The notorious evictions of pastoralists were accompanied by orders prohibiting movement of livestock and prohibition of hunting in and adjacent protected areas. However, protected areas can only be fruitful to pastoralists and hunter gatherers living in or adjacent to these areas if they are recognized as citizens with all citizenship rights in the Constitution and their rights recognized, including customary rights over and use of their territories, with full application of the right to free, prior and informed consent of the peoples affected by conservation policies.

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