

ETHNIC VIOLENCE IN MOROGORO REGION IN TANZANIA



In early 2015, Morogoro Region of Tanzania was the scene of deadly violence targeting minority Maasai and Datoga pastoralist groups,¹ which raised concerns in Parliament that the assaults could descend into ethnic based violence and spread across the country². These assaults are said to be instigated by public figures with interests in acquiring land³. State authorities have not intervened to protect Maasai and Datoga citizens; rather police protection has been provided to others who are illegally cultivating officially registered Maasai village land. The violent episodes experienced since mid-January 2015 follow on from a decade of poor governance in Morogoro Region, with illegal eviction and dispossession of Maasai and Datoga citizens accompanied by human rights violations. None of these offences have been addressed despite high court rulings and numerous commissions of enquiry⁴. This brief provides a review of the violent and often deadly attacks on Maasai and Datoga citizens in Morogoro Region, committed between 15 January and the end of February 2015 as well as recommendations to duty bearers and other stakeholders. The brief is informed by civil society organisations⁵, official records of the Tanzanian Parliament and the media, and reference will be made where possible⁶.

Since January 15, assaults have led to between 6 and 15 deaths (numbers still to be confirmed⁷) and many people have been injured and robbed. Six Maasai women were raped, 38 Maasai homesteads on village land were burned to the ground and 77 cattle were stolen. Currently 266 men, women and children are living in Mabwegere Village (Kilosa District of Morogoro Region) without food, shelter or protection. Because of the ongoing assaults, Maasai and Datoga living in Morogoro Region are frightened to be in public and therefore are not accessing health care, nor travelling on public transport, attending school and university and not carrying out usual economic activities. Despite appealing to the district, regional and national authorities, no protection or recourse to justice has been provided to the affected Maasai and Datoga citizens or communities to date.

Urgent action is called to halt the violence in Morogoro Region and to put a stop to the current culture of impunity. Without strong public action from the highest levels to correct years of malpractice and discriminatory policies and to address these ongoing acts of violence and hate, Maasai and Datoga citizens will continue to be stigmatised and the prospective of nationwide violence will remain a threat to stability, development and peace in Tanzania.



Violence in Morogoro Municipality

Organised assaults on Maasai citizens started in Morogoro Municipality on 18 January 2015 following the burial of a man⁸ from Morogoro municipality. The man was killed on 16 January 2015 during a skirmish on Mgongola wetlands in Kambala Village⁹. The skirmish occurred when the legally registered residents of Kambala Village, who are Maasai, attempted to stop people from Morogoro Municipality from illegally encroaching on Kambala Village lands to cultivate rice without the consent of the Kambala Village authorities. This ended in a fight and the unfortunate death of the young man from Morogoro Municipality. According to reports from civil society, at the man's funeral on 18 January 2015 in Kola hills of Morogoro, the Member of Parliament for Morogoro Municipality (Hon Abdul Aziz Abood) declared that revenge should be taken against the Maasai for this murder.

Since 18 January 2015, many Maasai men and women have been attacked in Morogoro Municipality¹⁰. This includes traders, entrepreneurs, and students at University as well as Maasai entering or travelling through the city. In particular, Maasai are reporting being attacked when walking or at bus stops or markets. As a direct result of these assaults in Morogoro Municipality, between two and ten Maasai people have been killed, around 100 seriously injured, and it is estimated that 50 Maasai are not yet accounted for. Datoga people have also been attacked,

probably because the attackers could not differentiate between Datoga and Maasai as both are pastoralists. Currently there is no detail available concerning the results of attacks on Datoga people.

Violence in villages in Kilosa and Mvomero Districts of Morogoro Region

The violence targeting Maasai communities is not confined to Morogoro Municipality. Currently, two Maasai villages have been invaded by people from nearby towns and villages, as outlined below:

- **Mabwegere Village in Kilosa District:** On 18 January 2015, 38 houses were burned to the ground in Lujenge sub-village of Mabwegere. During this violent attack, six Maasai women were raped and two Maasai elders seriously injured. 160 cattle were taken away and subsequently released, but 10 were stolen. This attack left 266 men, women, and children homeless and without food or shelter. Two Mabwegere Village leaders have been remanded in custody. One month later, on 17 February, one Maasai elder was killed in Mabwegere Village by people encroaching village land, which later triggered a fight and Mabwegere villagers killed four of the men entering the village land.

- **Kambala Village in Mvomero District:** As stated earlier, on 16 January, a 27 year old man from Morogoro Municipality was killed in a fight on Mgongola wetlands in Kambala Village. On 2 February an elected village leader was remanded by the regional authorities, later released on bail. Four residents, all Maasai men, were also remanded in custody. 145 cattle were taken by hired vigilantes and the police, but only 78 cattle were returned to their owners and 67 cattle were stolen.

In these two villages, women, children, the elderly and men sought refuge from the violence in forests, churches and schools. Due to the ongoing ethnically targeted assaults, Maasai citizens from these villages are no longer accessing hospitals for treatment, they cannot attend schools or the university, and they cannot travel by public transport. The residents of these villages are in fear of attacks on their homes by vigilantes hired by people wanting to cultivate the village land. Maasai leaders have not been able to access protection from the district or regional authorities, despite sending delegations to discuss the crises with these authorities¹¹. Meanwhile on 22 January, the Regional Commissioner ordered police to protect farmers who want to cultivate Maasai Village lands, and now police and hired vigilantes¹² are ensuring that encroaching farmers can cultivate on Kambala and Mabwegere Village lands.

Kambala and Mabwegere Villages; officially registered village land

Both Mabwegere Village (in Kilosa District) and Kambala Village (in Mvomero District) are legally registered villages, with recognised boundaries, approved Village Land Use Plans, all the necessary paper work in order and a legitimate and democratically elected village government in place to administer the land and the village. Both villages are so-called pastoralist villages, meaning that they have predominantly Maasai residents represented by Maasai Village government officials. Both villages have legal rulings from the High Court of Tanzania, Lands Division¹³, confirming that the areas of land in question belong to the villages. But since the late 1980s, outside interests want to cultivate rice in the nutrient rich floodplains making up part of the village lands. The people encroaching Kambala Village land are mostly people from Morogoro Municipality while those encroaching Mabwegere are predominantly from Kilosa town. The encroachment of village land is clearly illegal as: a) according to the Village Land Act 1999, any change to village boundaries has to be agreed with the village assembly; b) according to the Local Government (District) Act 1982, anyone wanting to reside in a village has to have permission from the village council and be registered as a resident; and c) changes to the Village Land Use Plans must be agreed with the village government and the District Authorities.

Conflicts over land in the two villages (Kambala and Mabwegere) is an old problem¹⁴, well known to District and Regional authorities as well as Parliament, and the village councils have taken the land issues to court and won their cases. Yet the legal rights of the residents of Kambala and Mabwegere Villages have been and continue to be abused with impunity, a situation which has undermined the authority of the legitimate governments in the villages who find it increasingly difficult to protect the residents' rights.

Instigation of the current crisis

The flashpoint for the current violations has been a series of attempted land grabs, where people have used their political influence to access the wetlands in Mabwegere and Kambala Villages, hiring labour and machinery to cultivate rice¹⁵. In addition, it is reported that the violence against the Maasai is well organized and financed by politicians, public servants and other well-connected people with economic interests in the land currently belonging to the Maasai community. The legitimate governments in these villages (Mabwegere Village in Kilosa District and Kambala Village in Mvomero District) were not supported by their districts in trying to remove illegal encroachment onto their land.

The Maasai leadership are concerned that the violent events in Morogoro and the way this is handled by the authorities, can lead to violence against Maasai spreading further in Tanzania. Because of these fears, a delegation was sent by the community to meet the Prime Minister (PM). On 7 February, the delegation informed the PM that in Morogoro the regional and district authorities are collaborating with commercial cultivator interests to take Maasai lands, creating a culture of impunity and inciting hatred to achieve these ends. The PM said he would visit the region; however, the violence continues and he has not visited to date.

Background of poor governance and stigmatisation of Maasai in Morogoro Region

The process of stigmatisation of the Maasai pastoralists in Morogoro Region and violation of their rights has been building up over the past decade through a series of illegal evictions and other actions carried out in Morogoro Region (as summarised in the timeline below).

Year	Timeline over pastoralist evictions carried out in Morogoro Region over the past six years
2009	Kilosa District - Operation Remove Livestock from Kilosa: 2,000 people & 20,000 livestock evicted; 800 million shillings paid in 'fines' to the district authorities
2009	Kilombero & Ulanga Districts - Operation Remove Livestock from Ulanga & Kilombero: 2,000 people & 20,000 livestock evicted & 105 million shillings paid in 'fines' to district authorities
2012	Kilombero & Ulanga Districts - Operation Save Kilombero Valley: 5000 people & 250,000 livestock evicted & 700 million shillings paid in 'fines'
2011-13	Morogoro Region – violent, sometimes lethal, encounters between TANAPA (Tanzania National Parks Authority) & pastoralists in the vicinity of wildlife protected areas
2013	Kilosa District - 13 Maasai business properties burned & destroyed in Dumila town
2013	Mvomero District - deadly clashes in Kambala between Maasai & hired gangs leaving 7 people dead & 50 injured
2013	Morogoro Region – Regional & District Commissioners declare that illegal pastoralists (Maasai and Datoga) will be removed
2013-15	Morogoro Municipality & Rural District – declare that all pastoralists will be removed from the districts

These evictions of Maasai and Datoga pastoralists have been reported by civil society¹⁶ and the media. All the evictions were accompanied by severe human rights violations, destruction of property and means of livelihoods and loss of life. It should be noted that the agents who carried out the evictions contravened national and international law in their conduct and treatment of Maasai and Datoga citizens. It should also be noted that all evictions were carried out in contempt of court. During the evictions in Morogoro Region, new processes of stigmatisation emerged, e.g. the criminalisation of Maasai and Datoga citizens¹⁷ and the official use of illegal agency to harass and intimidate them within their legally registered village lands. A culture of impunity was established as government officials ignored legal processes¹⁸ and no legal action is taken on reports of crimes committed against pastoralists.

Policies undermining the rights of Maasai pastoralists

Maasai are pastoralists and as such they are dependent on livestock production; as a consequence Maasai communities are strongly affected by policies directed toward livestock production and land. In his inaugural speech to Parliament on 30 December 2005, the President set out his vision for livestock production in Tanzania, saying *'We must modernize animal husbandry. We will have no alternative. We must abandon nomadic pastoralism which makes the whole country pastureland...The cattle are bony and the pastoralists are sacks of skeletons. We cannot move forward with this type of pastoralism in the twenty first century.'* And over the years national policies have reflected the directive to 'modernise' livestock production and do away with pastoralism¹⁹. On the same day, the President also laid out the government conservation agenda saying that pastoralists destroyed wetlands and should be removed from these areas,

and following this, on 1 April 2006, the Vice President ordered Regional and District Commissioners to evict pastoralists from the wetlands. Six years later, the very same reasoning continues to be applied, as made clear by the Regional Commissioner from Morogoro, Joel Bendera, when talking to the press²⁰. In December 2013, Bendera spoke about the Kilombero evictions: *"This matter is very delicate because there are a lot of technicalities involved, but as a Regional Commissioner my work is to implement directives of the Vice President issued in 2006."*

More recently Maasai have been criminalised in order to justify land grabs. For example, in Morogoro on 22 September 2013, Morogoro Municipality officials told the press that they had *'ordered all illegal pastoralists to vacate the area with their livestock because they have caused unending land conflicts with farmers.'* On the same occasion, the Morogoro Municipality District Commissioner Said Amazi stated *'Apart from causing conflict with farmers, the pastoralists and their livestock have invaded Selous Game Reserve, prompting wild animals to leave their natural habitat and wander in neighbouring villages and sometimes attack villagers'* (Daily News, 22-09-2013). In these unsubstantiated statements, the Morogoro authorities infer that pastoralists are illegal, they cause conflict and they must be removed.

Conclusion

In February 2015, Parliament voiced a fear, which is also the fear of Maasai leaders, that the events in Morogoro Region are setting a trend of ethnically based state sanctioned violence which could spread to other parts of Tanzania. To tackle this problem, the first priority must be to halt the violence in Morogoro Region and ensure that there is justice by bringing those responsible for the violence to court. At the same time, action to repair relations and build trust is required from the highest levels to ensure that security is re-established for all citizens.



Recommendations

Recommendations are made to the Government of Tanzania, to the Parliament of Tanzania, to Civil Society in Tanzania and to the international community.

The Government of Tanzania should:

- Ensure that the assaults and Human Rights violations towards the Maasai and Datoga pastoralists are immediately stopped.
- Take prompt action to ensure that criminal proceedings will be carried out towards all perpetrators of the violence and human rights violations, including the incitement to hatred.
- Compensate the affected Maasai and Datoga people for torture and loss of property.
- Make sure that the rights and boundaries of legally registered villages are respected and protected as per the laws in Tanzania, and ensure that land grabbing from the rightful owners is prevented.
- Take action to ensure that public servants abide by national and international laws.
- Ensure that public policies and laws support the continuation and further development of pastoralism and recognize pastoralism as an important and viable livelihood system in Tanzania.
- Immediately implement the court ruling as stipulated in the Court of Appeal ruling for Mabwegere village.

Tanzania's Parliament should:

- With immediate effect, establish an independent and impartial public inquiry commission (with a stipulated timeframe) of the violations committed and publish the final report and its conclusions and recommendations for appropriate actions.
- Establish conflict resolution mechanisms for conflict torn regions like Morogoro in which the affected parties participate effectively to find ways in which they are able to live in harmony under full protection of the relevant authorities.

Civil Society should:

- Ensure timely, transparent and public oversight of the investigation into the recent violent attacks on Maasai and Datoga pastoralists in Morogoro Region.
- Continue to advocate for legal action to be taken against the perpetrators of the violations. This should include both those carrying out the violations and the sponsors of the violence.
- Advocate for just compensation to the individuals and families affected by the violence.
- Lobby and advocate for secure land rights in villages, and for review of policies affecting pastoralist livelihoods with a

view to ensure that laws and policies are fully supportive of pastoralism.

- Lobby to ensure that Tanzania abides by international conventions on human and peoples' rights, including rights of indigenous peoples.

The International Community should:

- Urge the government of Tanzania to investigate, publish and take proper action on the violations that have happened in Morogoro.
- Pressurize the government of Tanzania to comply with its international human rights obligations.
- Advocate for transparency and accountability in governance in Tanzania and support and pressurize for transparency and accountability in public service delivery.
- Encourage appropriate development of a supportive policy framework for pastoralism (done in a participatory manner in collaboration with pastoralists themselves).
- Urge the government to render compensation for property destroyed and provide protection and humanitarian assistance to families affected by the violence and human and legal rights violations.



Notes

- 1 The Datoga are an ethnic pastoralist group made up of several clans. Datoga have lived in Morogoro Region since 1970s. Historical records show that the Maasai have been in the area for at least 100 years (F. Maganga, R. Odgaard, E. Sjaastad "Who is indigenous", B. Derman et al (ed): Land and Water Conflict in Africa. James Curry Publishers, Oxford 2007)
- 2 This was raised by Hon John Momose Cheyo (MP for Bariadi) in a debate in Parliament (6-7 February 2015) led by Hon Christopher Ole Sendeka (MP for Simanjiro). Hon Cheyo was concerned that the assaults on Maasai in Morogoro could lead to genocide affecting the whole country. Ref: Hansard of TZ Parliament, 06-02-2015, page 236
- 3 As reported by informants from Morogoro region as well as by Habari Leo (05-02-2015), Hansard of Parliament (06-02-2015), StarTV (06-02-2015) & TBC TV (06-02-2015)
- 4 E.g. informants report that several Ministers visited Kambala Village in 2013 to investigate the deadly violence of 5-6 November 2013. Kambala residents informed the Ministers about the public figures involved in this violence and named them, providing evidence. It is alleged that government is fully informed about who is behind the violence
- 5 Information and reports that IWGIA has received from organizations and human rights defenders in Tanzania
- 6 Names of informants are withheld as there is fear of reprisals for sharing information about the evictions, which expose corruption and violation of human rights. StarTV (06-02-2015) reports that people dare not be named for fear of their lives
- 7 The dangerous situation in Morogoro Municipality makes it difficult for Maasai people to confirm the numbers of injured or killed, or to assess injuries incurred as Maasai are prevented from attending to those being treated in hospitals
- 8 Named Abdallah Shomari, 27 years old from Morogoro Municipality (Habari Leo 18-01-2015)
- 9 Kambala Village is in the Mvomero District of Morogoro Region
- 10 For example refer to the Hansard of Tanzanian Parliament of 6 February 2015, page 236
- 11 E.g. on 05-02-2015, 60 Maasai representatives met the District Commissioner, District Security Officer, the District Commanding Officer & District Administrative Secretary to ask for protection. Protection was not provided
- 12 Vigilantes hired to patrol in Kambala Village are known as *Mwano*, coming mostly from the neighbouring district, while those hired to patrol Mabwegere are known as UJAKI, coming mostly from Kilosa town
- 13 Mabwegere: Land Case No 23 of 2006 in the High Court of Tanzania
- 14 E.g. in 1991 the chairman of Kambala Village (Paulo Moreto) was murdered by people invading Mgongola wetlands. His killers are still free. Many lives have been lost in Mabwegere since October 2008, which saw the start of the land conflict over the wetland. Both wetlands are confirmed by the High Court of Tanzania to be part of their respective village lands.
- 15 Habari Leo (19-01-2015) reports that former Regional Police Commander for Coast Region (Pwani), Ally Ambilikila, is one of the cultivators. Informants allege that the MP for Morogoro (Hon Abood) is another. Reference is made in the Hansard of 6 February 2015, on pages 236-237. TBC televised parts of the Parliamentary debate on 6 February 2015
- 16 These evictions have been covered in Tanzanian media. There have also been several studies, amongst others. IWGIA brief of 2013 'Forced evictions of pastoralists in Kilombero'
- 17 The RC for Morogoro Region and the DC for Morogoro District stated the need to remove illegal pastoralists, blaming pastoralists for conflict with farmers. The Morogoro DC stated all pastoralists would be removed from the District. The DC for Kilosa said the same. Refer to e.g. Daily News (22-09-2013) *Pastoralists ordered to vacate Morogoro District* & Daily News (08-10-2013) *Morogoro evicts illegal pastoralists*.
- 18 Regional and district commissioners and others ignoring court orders, refer to Daily News (20-12-2012)
- 19 Amongst others, SPILL 2005 (Strategic Plan for Implementation of Land Laws), the National Livestock Policy 2006
- 20 (Citizen 27-12-2012)

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