



VIOLATIONS OF RIGHTS OF PASTORALISTS IN MOROGORO REGION, TANZANIA

Summary

The purpose of this Briefing Note is to bring urgent attention to the human rights violations being carried out currently in Morogoro Region of Tanzania, where specific ethnic groups namely the pastoralist Maasai, Datoga and Sukuma communities are targeted with forceful eviction from the Morogoro Region and dispossession of livestock and other property. In addition, human rights violations have occurred and many pastoralist men and women are being held in police custody, without access to lawyers and without charge. Civil society and media have been denied permission to investigate and report on the situation in Morogoro Region. Relevant authorities are called upon to address the current situation in Morogoro Region, where many pastoralists are without food, shelter or protection from further violation of their rights.

Announcement ordering forced eviction of pastoralists from Morogoro Region

The operation to evict pastoralists from Morogoro Region was ordered by the Morogoro Regional Commissioner and the Kilosa District Commissioner on the 31st of December 2016 at Parakuyo village in Kilosa District. Later, on the 3rd of January, the Minister of Home Affairs confirmed the order for evictions at meetings held at Tindiga, Kimamba and Dumila villages in Kilosa District.

The eviction operation was announced after an incident, which took place on the 27th of December 2016, where a Maasai herder speared a farmer. This farmer (residing in Dodoma Isanga village in Kilosa District) had attempted to help another farmer on whose farm livestock had entered, injuring 17 cattle by hacking at them with a machete. When a Maasai herder saw the farmer attacking his cattle he approached him. The farmer thereafter threw his spear at the Maasai herder but missed him. The Maasai herder picked up the spear and threw it at the farmer, seriously injuring him. The farmer survived, but the incident was widely covered by media at local and national level, portraying the alleged brutality of the Maasai people (As for instance reported in the HabariLeo Newspaper of January 2, 2017: <http://www.habarileo.co.tz/index.php/habari-za-kitaifa/19390-vijiji-vinavyochonganisha-wakazi-vyatajwa>)

At the meeting in Parakuyo village, a pastoralist village in Kilosa District, on the 31st of December 2016, the Morogoro

Regional Commissioner and the Kilosa District Commissioner allegedly declared that Maasai pastoralists are criminals and that they should be forcefully evicted from Morogoro Region. At the same time, pastoralists were banned from moving livestock in the annual grazing regimes practiced by pastoralists. Later, on the 3rd of January 2017, the Minister of Home Affairs visited non pastoralist villages of Tindiga, Kimamba and Dumila in Kilosa District, where crop cultivation is the dominant livelihood, and the farmers living in these villages were able to present written and verbal testimonies to the Minister. However, the Minister did not visit any pastoralist villages so the pastoralists had no opportunity to present their concerns to the Minister. At the meeting in Kimamba village the Minister declared that the Maasai and other pastoralists should be evicted by force, and he allegedly said that if the police forces in Morogoro Region were unable to carry out the exercise, he would order police forces from Iringa, Singida and Dodoma Regions to assist and teach the Maasai pastoralists a lesson.

The eviction operation started on the 4th of January 2017 at the Dumila livestock market, targeting Maasai pastoralists. The evictions spread to the villages of Mabwegere, Kwambe, Maguha, Madoto (Nguvukazi), Doma, Mikumi, and Mbwade in Kilosa District and to the villages of Magogoni, Dakawa, Kisaki, Gomero, Dutumi and Mngazi in Morogoro District. The affected pastoralists are Datoga (Barabaig) and Maasai as well as Sukuma agro pastoralists. Livestock and food have been confiscated, livestock kraals have been burned and pastoralists have been forced out of their homes and lands, including their legally registered village lands.

On the 11th of February 2017 the District Commissioner for Kilosa and the Kilosa District Executive Officer came to Parakuyo village and declared that Kilosa District was now entirely a farmers district. Pastoralists requested the District Commissioner for a reversal of this declaration since it contravenes their constitutional rights, and they furthermore asked him to ensure that farmers who had invaded pastoralist villages should be removed. No responses were given to these requests.

Media reporting about the situation in Morogoro Region has allegedly been biased, portraying pastoralists in a negative way and not reporting the violations committed against them. On 9th February a team made up of civil society organisations and media was forbidden to investigate the situation in Morogoro Region by the Morogoro regional authorities.

Violations of rights of pastoralists

During the eviction operation, many human rights violations were committed against pastoralists by government officers, farmers and the police implementing the operation. These violations are continuing and getting more aggressive.

Pastoralists are targeted in the evictions, and by now the Maasai, Datoga (Barabaig) and Sukuma pastoralists are living in great fear of more attacks, arrests, huge fines and land and livestock confiscations. The strength and resilience of the pastoralist communities is being weakened and undermined, they are increasingly impoverished and their safety is not being protected. On the contrary, pastoralists experience that police, farmers and local militia groups are attacking them and taking away their livestock. In addition, pastoralists have been ordered to stop their strategies of moving livestock to dry season grazing pastures, an order which has devastated herds as cattle are now dying from starvation. This order, coupled with an order to comply with and pay for government officials to earmark all livestock, due to start on 13 February 2017, has impoverished many pastoralist families. The pastoralists are traumatized and face a shortage of food caused by the eviction operations exacerbating the drought that has wiped out 60% of their livestock. Now they are in desperate need of humanitarian relief assistance and protection from further abuse, illegal violent attacks, fines and confiscation of livestock.

Many pastoralists, mainly Maasai, have been arrested in the Morogoro Region eviction process, including men, women, pregnant women and children. As of now 46 pastoralists, in-

cluding 9 women, are in custody, and there are reports of more day to day arrests. Those pastoralists put in custody have been denied access to legal support.

Pastoralists are being systematically dispossessed of their livestock. For example, in Kilosa and Mvomero districts alone, more than 800 head of livestock have so far been confiscated and put in two holding grounds in Doma, Mateteni and Madoto villages by the authorities. There is a continued and rapid increase in the confiscation of livestock throughout Morogoro Region. The livestock (mainly cattle) are kept in camps by the authorities till pastoralists pay them a fine (around 20,000 Tanzania Shilling per cow/head) for their release. This amounts to organized dispossession and impoverishment of the pastoralists, thereby weakening their economic strength.

Cattle have also been stolen by the Mwano militia¹, who either kill the cattle or extort large sums of money from livestock owners to return their stolen cattle. The increase of militia in the region is a threat to pastoralists, especially as the authorities do not provide pastoralists with any protection against the illegal activities of these militia groups. For example on the 16th of January 2017 the Mwano militia attacked pastoralists and seized 80 cattle in Mbogo village in Mvomero District, and no action was taken by the authorities against the militia. Attacks against Maasai are carried out with impunity, for instance, three Maasai men were attacked by a mob in Mikumi town, who accused the Maasai tribe of being a criminal tribe. The three men were hospitalized at St. Kizito Hospital in Mikumi town.



Impoverished pastoralists and starving livestock – Photo: IWGIA archive



A pastoralist house burnt by farmers at Msaje village on 2nd February 2017 – Photo: IWGIA archive

Attacks on pastoralists are now also occurring outside of Morogoro Region. A recent serious incident is the attack on and killing of 4 Maasai pastoralists in Arusha region that took place on the 24th of January 2017. In this case a group of army officers from the SUMA JKT camp who are guarding a government owned forest of Meru Tree Forest USA Plant in Arumeru District, opened fire and killed four Maasai men and injured four others, one of whom is a primary school student. (<http://www.mwananchi.co.tz/habari/Watu-wanne-wauawa-kwa-risasi-Meru/1597578-3786572-xprlofz/index.html>)

On the 2nd of February 2017, another attack on pastoralists occurred at Msaje village in Handeni District, Tanga Region and 4 houses, food and house utensils were burned. On the 7th February 2017 cattle watering wells were destroyed in the same village.

Pastoralists held in police custody without charge or access to legal support

The eviction operation in Morogoro Region has led to numerous arrests of pastoralists, including of women. These include 8 men from Kwambe village, one man from Mwade village, two men from Maguhu village, 12 men from Dumila livestock market and Mabwegere village, three men from Mkundi village and nine women, currently held at Dumila police station. The names of those being held at police stations are available.

Women, including pregnant women, have been put in custody and there are unconfirmed cases of rape. Many women left their children, old people and sick people back home unattended. One woman from Mabwegere village gave birth at her

eighth month of pregnancy on the 5th of January while in police custody in the Dumila police station.

The people arrested have been held in custody from the 4th of January 2017 without mentioning of what they have been accused of. They are held at Dumila and Kilosa police stations in Kilosa District, and some are held in the Morogoro regional police station and the Chalinze police station in Bagamoyo District, Coast Region. The people arrested have been denied access to lawyers and human rights defenders, and on 6-9th of February civil society organisations and the media were refused permission to investigate and report on the situation.

Recommendations

1. We urge the international community to intervene and help prevent the situation from escalating into an ethnic based conflict.
2. We urge the authorities to ensure that the rights of citizens in Tanzania are equally protected regardless of ethnic or tribal affiliation.
3. We urge the authorities to stop the eviction operation, which violates human rights, constitutional rights, property rights and animal welfare.
4. We urge the government to ensure that the confiscation of livestock, issuing of unlawful fines, burning of houses and attacks on/killings of pastoralists are halted immediately.
5. We urge the authorities to allow for free and equal access to media to report on the evictions.
6. We urge authorities to allow those held in police custody have access to legal representation, and to en-

sure that charges are brought against those arrested, or that they be released immediately.

7. We urge the government to assure that the arbitrary and illegal fees and fines are refunded to those pastoralists who have had to pay to have their livestock returned.
8. We urge the authorities to provide food relief to the pastoralists and agro pastoralists who have

been affected by the eviction operation and the drought.

9. We urge the government to hold responsible all those government officials, politicians, farmers, mobs of farmers, town dweller mobs and militia groups who have seized and killed livestock, attacked pastoralists and attempted to fuel ethnically based hatred.

Notes

- 1 Mwano is a local militia group formed by farmers and supported by some members of the political elite to fight Maasai pastoralists. They among others engage in seizing cattle of pastoralists and demanding high fines for the release of the livestock.

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