

URGENT ALERT

New serious threats towards the Maasai people of Loliondo in Tanzania

13 June 2022

According to reliable information received by IWGIA, the Tanzanian state is currently moving ahead to grab 1,500 km² of ancestral and legally registered village land belonging to the Maasai Indigenous people in the Loliondo division of Ngorongoro District in northern Tanzania. This land grab will forcefully evict the Maasai from their land. This is happening despite the fact that the East African Court of Justice is expected to issue a ruling on this matter on 22 June 2022.



Violence and serious human rights abuses

On 7 June 2022, a paramilitary group of around 700 people (mainly police, park rangers, military and other security forces) arrived in Loliondo to demarcate the 1,500 km² area of land as a Game Reserve¹. This land is the ancestral land of the Maasai people who have formalized land tenure rights to this land as per the Village Land Act No.5 of 1999. The demarcation of this land as a Game Reserve will effectively dispossess the Maasai people of their ancestral land since people and livestock will not be allowed to live in a Game Reserve.

The arrival of the paramilitary group immediately instigated social unrest and public panic among the Maasai since for a while now there have been rumors that the government will deploy a military unit to demarcate the land. The military force arrived in Loliondo without informing the public or local authorities, such as village chairmen or councilors, about their purpose, which increased the worries and panic among the community.

In the period from 8-12 June, there are documented reports of gross human rights violations, including intimidation, harassment, injury, rape, forced eviction, denial of medical care, destruction of property, disappearances and arbitrary illegal arrests. Two people died during this period, one Field Force Unit (FFU) soldier who was shot by arrows and one local man who was run over by an official's car.

The violence started on 10 June, when the FFU and police fired tear gas and live rounds at community members who were trying to remove illegally placed demarcation beacons from their land. On this day alone, 29 people suffered gunshot wounds, many with serious injuries. Since then, the FFU and police have continued to fire live rounds at the Maasai communities and many injuries have been reported. However, the wounded do not dare seek medical treatment in the local hospital as they fear they will be detained by police, so they



IWGIA URGENT ALERT June 2022

are forced to treat their wounds themselves. Those with critical gunshot injuries are transported to hospitals in Kenya, where, to date, 31 people (18 men and 13 women) are being treated .

Since 10 June, the FFU and police have been using force to remove people from their homesteads by firing live rounds to drive people away before forcefully entering houses, beating those who remain and burning homes to the ground. Around 300 people, mostly women, children and the elderly, are now hiding in forests, sleeping roughly with little food or water to sustain them and no protection against wild animals or the elements. It is also alleged that during the eviction process some women and even children have been raped, but numbers are not being reported yet due to the associated shame felt by victims. People have been lost in the chaos: one 80-year-old

was later found in police detention with an untreated broken leg.

Currently it is reported that it is difficult to access or leave the area as police and the FFU have blocked road access. It is also reported that they have destroyed and burned more than 290 motorcycles.

At least 19 people, including a lawyer, have been detained by police without being charged and without access to family or legal assistance. This figure includes 9 political leaders who were arrested on 9 June and who have not been seen or heard of since. Silencing the media has also been reported and little information is getting out of Loliondo to the rest of Tanzania.

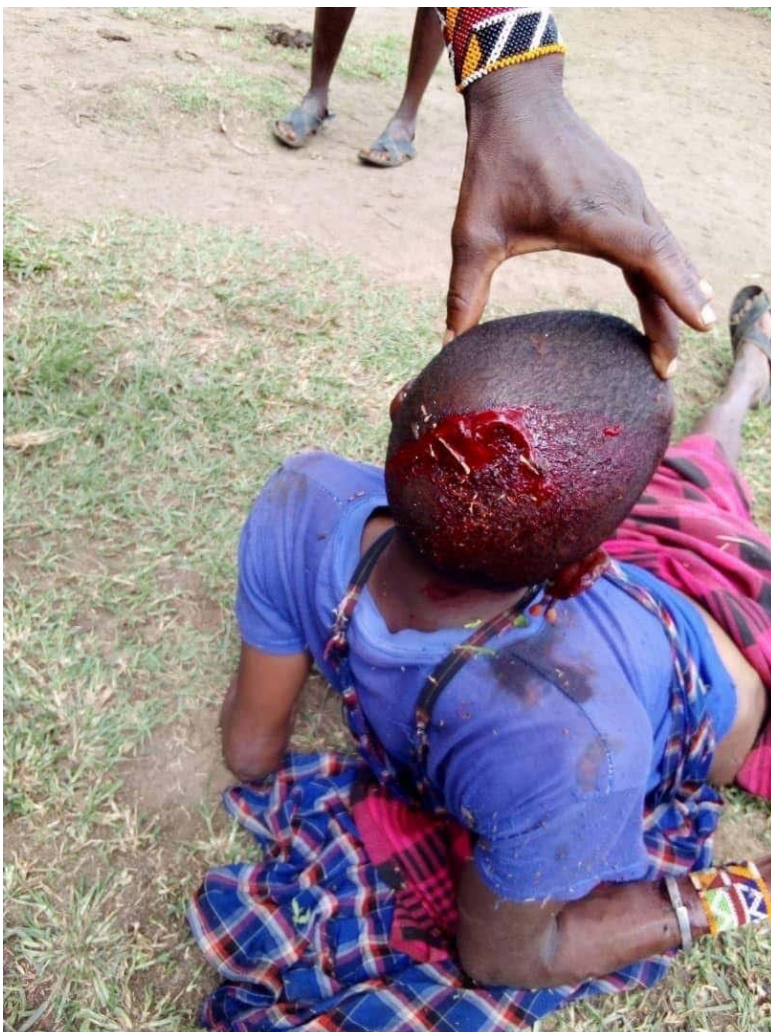
Third attempt of forced evictions

This is the third attempt by the Government of Tanzania to evict the Maasai people from their land in Loliondo. In 2009 and 2017 the Maasai were also victim of illegal military operations and attempts of forceful evictions where they suffered numerous human rights abuses including mass beatings, rape, torture, burning of homes and illegal confiscation of livestock. For further information see previous IWGIA Urgent Alerts:

[IWGIA Urgent Alert concerning Gross Human Rights abuses towards Pastoralists in Loliondo, Ngorongo district in Tanzania \(2009\)](#)

[Forced evictions of Maasai people in Loliondo, Tanzania \(2017\)](#)

[Around 70,000 Maasai in Loliondo, Tanzania, face another forceful eviction, gross violation of human rights and breach of Rule of Law \(2022\)](#)





Contempt of court

Following the 2017 eviction operation, a court case was filed in September 2017 before the East African Court of Justice (EACJ) by four Village Councils namely Ololosokwan, Oloirien, Kirtalo and Arash (the Applicants) against the Government of Tanzania. The Pan-African Lawyers Union (PALU) is acting on behalf of the Applicants who alleged that the Government's actions are a direct contravention of Article 6(d) and 7(2) of the East African Community (EAC) Treaty, Article 15(1) of the Protocol on the Establishment of the EAC Common Market, Article 14 of the African Charter on Human and Peoples' Rights, the Constitution of Tanzania and the Village Land Act, No 5 of 1999.

Separately, the Applicants also filed an application to restrain and prohibit the Government of Tanzania from evicting and beating the Maasai, confiscating their livestock and burning their homesteads. In its Ruling of 25 September 2018, the EACJ issued Orders, which included the following explicit directions:

- a) That the Government of Tanzania and any persons or officers acting on its behalf, cease and desist from evicting the Maasai in the 1,500 km² of land belonging to them; destroying their homesteads or confiscating their livestock on that land, until the determination of Reference No. 10 of 2017, the case filed in September 2017.
- b) That the Office of the Inspector General of Police restrains from harassing or intimidating the Applicants in relation to Reference No. 10 of 2017 pending the determination thereof.

The current operation in Loliondo goes against this EACJ order and is in contempt of court.

Blatant disregard of community recommendations

On 25 May 2022, [the people of Ngorongoro submitted a comprehensive report](#) to the Prime Minister on the concerning issues in Ngorongoro. During the submission of the report, the Prime Minister assured the Maasai village and traditional leaders that he would consider the opinions and recommendations outlined in their report, and that he planned to interact and have an audience with the Maasai in Loliondo and the Ngorongoro Conservation Area (NCA) after he had read the report. This official statement by the Prime Minister was a relief for the Masai people regarding the uncertainty of imminent eviction threats. Village and traditional leaders issued a press statement in Arusha after they returned from Dodoma commending the Prime Minister for





IWGIA URGENT ALERT June 2022

meeting them and for his promise to open up a space for engagement and dialogue based on their recommendations. The current human rights violations and attempt of forceful evictions completely disregard this process.

Furthermore, while a formal response from the Prime Minister to the community proposals of the report was pending, the Minister for Natural Resources and Tourism on 3 June tabled the Ministry's budget for the 2022/2023 fiscal year in Parliament. And very unexpectedly, the Ministry included evictions in Loliondo and NCA in its budget. The Minister plainly said that the 1,500 km² of village land in Loliondo and additional land in the Lake Natron area (Simanjiro and Monduli Districts) would be upgraded to Game Reserves. The Minister avoided talking about evictions. However, changing village lands to Game Reserves implies a change in land tenure and land use and prohibition of socio-economic activities and habitation – meaning evictions.

On 2 and 6 June, the Arusha Regional and Ngorongoro District Security Committees met in Arusha and Karatu respectively. After these high-level, closed meetings, the Arusha

Regional Commissioner, John Mongella, issued a public statement about the resolutions of the committees: "The Loliondo Game Controlled Area was established in 1951 with 4,000 km². Recently, because of population growth and social development, the government out of love to the citizens decided to retain 1,500 km² for conservation and 2,500 km² will be given to the villages." He said that the remaining 1,500 km² is important for the sustainability of the Serengeti ecosystem. He further said that the decision to demarcate the area has been approved and now the government is set to start the process. He warned those who are enflaming the public about the demarcation process, saying that the government will use security forces to peacefully ensure the process will be implemented without interference and that the community should be cooperative.

Violation of Tanzanian and international law

The attempted evictions in Loliondo will be a violation of the Village Land Act of 1999, which makes provisions for information and consultation procedures with the Village Council and Village Assembly in cases where evictions are deemed necessary and/or where the President orders the transfer of village land into general public or reserved land. The Village Land Act also includes provisions and procedures for full, fair and prompt compensation.

[For further information see IWGIA's report on evictions and human rights violations towards pastoralists in Tanzania here \(2016\)](#)





IWGIA URGENT ALERT June 2022

.....

Under international law, forced evictions are considered a gross violation of human rights that can only be justified in the most exceptional circumstances, and only then if they comply with specific standards and respect specific legal processes. None of this is the case for the emerging forced and violent evictions in Loliondo, which constitute a clear violation of numerous international human rights instruments, including, among others, the African Charter on Human and Peoples' Rights; UN Declaration on the Rights of Indigenous Peoples; Covenant on Economic Social and Cultural Rights, which includes the Right to Food and the Right to Adequate Housing; and Covenant for the Elimination of Racial Discrimination.

IWGIA makes the following recommendations to the Government of Tanzania and the international community:

Recommendations to the Government of Tanzania:

1. To immediately halt the violent evictions of the Maasai people in Loliondo and withdraw all paramilitary and armed forces from their legally registered village land.
2. To immediately stop the intimidation, brutal mistreatment and human rights violations and bring to justice the perpetrators of the violence.
3. To ensure that the affected community members have access to emergency support, health care and psychosocial support.
4. To allow journalists, human rights observers, lawyers and civil society organizations to access Loliondo, speak with affected Maasai pastoralists and report on the situation freely and without intimidation and harassment.
5. To ensure that the land tenure security of the eight villages in Loliondo is protected as per their status as legally registered villages, and

guarantee that there will be no further attempts of land grabbing and forced evictions. The Government of Tanzania should recognize and respect that the 1,500km² of land in question is legally registered village land and should be managed by the villages according to the Village Land Act No.5 of 1999 and the Local Government (District Authority) Act No.7 of 1982.

6. To refrain from interfering with the case at the East African Court of Justice (EACJ) pending the decision of the court.

Recommendations to the international community

1. To urge the Government of Tanzania to immediately stop the ongoing human rights violations and attempts of forced evictions.
2. To support the protection of the rights of the Maasai people to their ancestral and legally registered village lands in Loliondo, including their right to live in peace and to practice their distinct cultures.
3. To stand in solidarity with the Maasai people and provide urgently needed global pressure to the Government of Tanzania to avert the planned land dispossession and eviction of the Maasai pastoralists.
4. To urge the Government of Tanzania to implement all of the above recommendations directed to the Government of Tanzania.

End.

References

¹For more information see: <https://www.oaklandinstitute.org/police-loliondo-threats-mass-evictions-maasai>