

CONSERVING OUR RIGHTS

UNCOVERING HUMAN RIGHTS VIOLATIONS
IN TANZANIA'S CONSERVATION SECTOR





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**STRATEGIC
LITIGATION**

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List of Abbreviations

AICC	Arusha International Conference Centre
ANAPA	Arusha National Park
CBD	Central Business District
CCM	Chama Cha Mapinduzi
CCWT	Tanzania Livestock Keepers Association (Chama cha Wafugaji Tanzania)
CDA	Capital Development Authority
CITES	Convention on International Trade in Endangered Species
CSO	Civil Society Organisation
DFO	District Forest Officer
DRC	Democratic Republic of Congo
GDP	Gross Domestic Product
GN	[Government] Gazette Notice
HC	High Court
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICU	Intensive Care Unit
JKT	National Service (Jeshi la Kitaifa la Tanzania)
KCMC	Kilimanjaro Christian Medical Centre
KMKM	Special Anti-Smuggling Unit (Kikosi Maalum ya Kuzuia Magendo)
KNCU	Kilimanjaro Native Cooperative Union
LGA	Local Government Authorities
NCAA	Ngorongoro Conservation Area Authority
OCS	Officer Commanding [Police] Station
OHCHR	Office of the United Nations High Commissioner for Human Rights
PF3	Police Form 3
RCO	Regional Crime Officer
RPC	Regional Police Commander
SACCO	Savings and Credit Co-operative Society
SADC	Southern African Development Community
SDG	Sustainable Development Goals
SUMA JKT	Shirika la Uzalishaji Mali la Jeshi la Kujenga Taifa
TANAPA	Tanzania National Parks Authority
TAWA	Tanzania Wildlife Management Authority
TAWIRI	Tanzania Wildlife Research Institute
TEF	Tanzanian Elephant Foundation
TFS	Tanzania Forest Services Agency
TIC	Tanzania Investment Centre
TPDF	Tanzania People's Defence Force
Tsh	Tanzania Shilling
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Sea
UNESCO	United Nations Educational, Scientific and Cultural Organisation
US\$	US Dollar
WMA	Wildlife Management Area

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Center for Strategic Litigation

Executive Summary

The United Republic of Tanzania, which consists of Tanzania Mainland and Zanzibar, enjoys a world renown status as the home of three UNESCO World Heritage sites -- Serengeti National Park, Nyerere National Park and the Ngorongoro Conservation Area. There are many other national parks, game reserves, marine parks, and forest reserves that are managed as protected areas. Nearly a third of Tanzania Mainland is protected land or waters -- designated as a national park, game reserve, marine park or forest. The 840 protected areas, spread across 7,330 square kilometres of ocean and 361,594 square kilometres of land, are adjacent to or ringed by settlements, setting the stage for conflict between human beings and nature.

Zanzibar, the other part of the republic, has a number of forest reserves that further extend the conservation footprint, such as Jozani Forest Reserve, Masingini National Forest Reserve and Jozani-Chwaka Bay National Park. These conservation areas provide an important source of livelihood for the people living within their perimeter. Their utility springs from the availability of energy, timber, building materials, traditional herbal medicine, food, fruits, shade, access to clean air, habitats for birds, animals, and bees, among others.

In general, the conservation areas have been crucial to preserving and protecting the environment for the development of fisheries, seaweed farming, ecotourism and marine natural resource conservation. Great effort has gone into conservation and maintenance of protected areas.

On the other hand, Tanzania has adopted and ratified several key international human rights treaties including the Universal Declaration of Human Rights as well as the international Covenant on Civil and Political Rights and the African Charter on Human and People's. All these treaties guarantee the right to life, liberty and security of the person, affirm freedom from torture, cruel, inhuman, and degrading treatment or punishment, the right to an effective remedy by a competent tribunal for acts violating the fundamental rights granted by the Constitution or the law, freedom from arbitrary arrest or detention, and the right not to be arbitrarily deprived of property, among others.

Conservation areas have emerged as sites of serious human rights contestations in Tanzania, which take the form of deaths, injuries, forced eviction and non-compensation of displaced people, illegal seizure and confiscation of livestock and property, besides non-consultation before displacement of people residing in or near conservation areas. Across the length and breadth of the country, evidence abounds of how many Tanzanians have suffered violations in the course of enforcing conservation laws and regulations. Residents of areas adjacent to conservation reserves have borne the brunt of torture, harassment, arrests, kidnapping, murder, forced eviction, seizure of property, non-inclusion prior to eviction processes and non-compensation after the eviction. Authorities have not always used the mandate bestowed upon them by laws, regulations, and by-laws appropriately, resulting in the violation and abuse of rights through unfair acts and the commission of atrocities.

Tanzania's Ministry of Natural Resources and Tourism has attempted to resolve conflicts over the demarcation of conservation areas. A total of 1,728,057.91 acres of land have been degazetted allocated back to communities -- including 707,962 acres by abolishing 12 game reserves; 46,715 acres by abolishing seven (7) forest reserves; and 973,380.91 acres by demarcating areas previously reserved as national parks, game reserves, forest reserves, and cultural heritage sites.

Back in 2016, the Ministry of Natural Resources and Tourism announced a ban on live wildlife exports in an attempt to deal with irregularities in the trade of live wildlife.¹² Residents of Tanga have complained about the ban on trade in butterflies, which had once been their source of livelihood. The United Nations Sustainable Development Goal 1: End poverty in all its forms everywhere, which aims to eradicate poverty in all forms by 2030, requires the implementation of social protection systems, equal rights to economic resources, access to basic services, ownership and control of land, natural resources and building resilience. The ban on live wildlife exports raised questions about the implementation of this goal.

Tensions persist in relationships between human beings and nature in Tanzania. Human-wildlife conflicts are rife; hence various initiatives to address issues such as wildlife invasion of farm lands and human settlements, which results in the loss of lives and damage to property. In addressing such wildlife invasions, the Ministry of Natural Resources and Tourism, in collaboration with the Tanzanian Elephant Foundation (TEF), started fitting transmitters on elephants in the Mkomazi National Park to track their movements. Transmitters are fitted on the lead elephant in a herd to monitor its movement as it leaves the reserve and enters areas inhabited by people or farmlands to enable authorities to respond quickly and guide the elephants back to the reserve. The initiative targeting elephants is an important innovation, but it falls short of the need to address the issue nationwide with respect to other wildlife such as reports on a buffalo invading a village in Arusha, and lions invading a village in Iringa. Responses to human-wildlife conflict need to blend enhanced security with financial compensation for victims.³

In recent times, the government has elected to evict communities from land in Arusha, Iringa, Katavi, Lindi, Mbeya, Mtwara, Rukwa, Singida and Songwe. Beyond releasing land for economic activities, this initiative sought to empower citizens to undertake activities that support their livelihoods. The initiative, however well-intended, has resulted in the loss of livelihoods. Forced eviction has a knock-on effect on a number of rights, including the right to adequate housing, right to security of the person, right to water, right to health and right to work, as well as freedom of movement and freedom from cruel, inhuman, and degrading treatment. The Office of the United Nations High Commissioner for Human Rights defines forced eviction as: ‘the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/ or land which they occupy, without the provision of and access to, appropriate forms of legal or other protection.’¹⁴

The Committee on Economic Social and Cultural Rights, through General Comment No. 7 on forced eviction, specifies the procedure to be adopted prior to an eviction (only the first recommendation out of the three was applied). This includes:

- a. “Genuine consultation with those effected.
- b. Adequate and reasonable notice for all affected persons prior to scheduled date of eviction.
- c. Provision of legal remedies and legal aid for those who require the courts intervention.”¹⁵

The Olkung’wado Village evictions in Arusha, Sao Hill and the Mbozi Meteorite Conservation Area evictions infringed Articles 3 (security of the person), 5 (freedom from cruel, inhuman

1 Rédaction Africanews with AFP, *Tanzania backpedals on lifting ban on wildlife exports*. Africa News (2022). <https://www.africanews.com/2022/06/06/tanzania-backpedals-on-lifting-ban-on-wildlife-exports/#:~:text=Tanzania%27s%20Natural%20Re-sources%20and%20tourism.on%20exports%20of%20wild%20animals>.

2 AllAfrica, *Tanzania: ‘No Permit to Export Live Wild Animals’* (2022). <https://allafrica.com/stories/202206070196.html>.

3 Evodius Waziri Rutta, *Conflict between Humans and Wildlife in Tanzania is being poorly managed and climate change is making things worse*, The Conversation (2023). <https://theconversation.com/conflict-between-humans-and-wildlife-in-tanzania-is-being-poorly-managed-and-climate-change-is-making-things-worse-210332>

4 United Nations Human Rights, *Forced evictions: Special Rapporteur on the right to adequate housing*, <https://www.ohchr.org/en/special-procedures/sr-housing/forced-evictions> (last visited June 11, 2024).

5 United Nations Human Rights, *Forced evictions: Special Rapporteur on the right to adequate housing*, <https://www.ohchr.org/en/special-procedures/sr-housing/forced-evictions> (last visited June 11, 2024)

and degrading treatment), and 12 (interference with one's home) of the Universal Declaration of Human Rights (UDHR); as well as Article 11 (para 1) (adequate standard of living including housing) of the International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 17 (interference with home) and 27 (right to enjoy one's culture) of the International Covenant on Civil and Political Rights (ICCPR). The evictions and the accompanying degrading treatment also resulted in the deprivation of the residents of their livelihood. The right to work, outlined in Article 8 (para 3) of the International Covenant on Civil and Political Rights, is also guaranteed in the Constitution of the United Republic of Tanzania under Article 22. The ICESCR obligates state parties to uphold the right not to be deprived of work unfairly.⁶

Confiscation of property leads to loss of livelihoods. Seizing livestock trespassing into protected areas has deprived residents of their source of livelihood. Similarly, seizing fishing gear has deprived individuals of the right to work and the arbitrary arrest of fisher-folk deprived them of their liberty. Significantly, an alarmingly high number of convictions in the Bariadi magistrate's court have been overturned on appeal, but state officials appear extremely reluctant to comply with court orders to return seized livestock.

The right to work, as provided for in Article 8 (para 3) of the International Covenant on Civil and Political Rights, is also guaranteed in the Constitution of the United Republic of Tanzania under Article 22. Additionally, the ICESCR obligates state parties to uphold the right not to be deprived of work unfairly.⁷ The right to work as per Article 8 (para 3) of the International Covenant on Civil and Political Rights is also guaranteed in the Constitution of the United Republic of Tanzania under Article 22. The ICESCR obligates state parties to uphold the right not to be deprived of work unfairly.⁸

The establishment of the Mnemba Island Marine Conservation Area and investment initiatives by the Revolutionary Government of Zanzibar, i.e. land leased to investors, have directly impacted the livelihoods of the fisher community which depends heavily on fishing. This therefore violates the fishermen's right to work as per Article 8 [para 3] of the International Covenant on Civil and Political Rights. The ICESCR obligates state parties to uphold the right not to be deprived of work unfairly.⁹

The extension of the conservation areas' boundaries, and the accompanying actions of the Suma JKT officers on behalf of TFS, directly impacted the livelihood of the local communities, which depend heavily on farming and livestock rearing. And at times, such as in Olkung'wado Village, the actions of these officers led to loss of life, contrary to Article 3 of the UDHR. The UN Special Rapporteur on Adequate Housing presented, in 2007, the UN Basic Principles and Guidelines on Development-based Evictions and Displacement (hereafter UN Guidelines) aimed at minimising the impact of evictions and displacements by providing alternatives.

The UN Guidelines set the ground rules: eviction can only be carried out in exceptional circumstances. Evictions must be authorised by law, be reasonable and proportional, and ensure full and fair compensation and rehabilitation. The UN Guidelines provide for the steps to be adopted before, during and after an eviction. This report surfaces numerous allegations of violations that strongly suggest that these steps were not considered during eviction.¹⁰

6 United Nations. COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS. *International Covenant on Economic, Social and Cultural Rights*, Article 6 (2005). <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=4slQ6QSmIBEDzFEovLCuW1a0Szab0oX-TdImnsJZZVQfUKxXVid7Dae%2FCu%2B13J25Nha7l9NlwYZ%2FTmK57O%2FSr7TB2hbCAidyVu5x7XcqjNXn44LZ52C%2BkX8AGQrVy-Ic#:-:text=In%20article%206%2C%20paragraph%201.steps%20to%20safeguard%20this%20right%E2%80%9D>

7 *Ibid*

8 *Ibid*

9 *Ibid*

10 Housing and Land Rights Network, *In Case of a Forced Eviction: What are the International Guidelines that should be*

Everyone is entitled to resettlement, including having the right to alternative land and housing which is accessible, affordable, habitable, secure of tenure, adequate in terms of culture, suitable in terms of location and accessible to services such as health and education. Across the country, communities' right to secure tenure and adequate housing without discrimination has been repeatedly violated when they have been forcibly evicted without following due process.

Contact between paramilitary forces managing the protected areas and residents within and adjacent to them has also been characterised by tension, resulting in numerous human rights violations ranging from killings, enforced disappearances to arbitrary arrests, torture, and degrading and inhuman treatment. Although it is fair to acknowledge that not all the security officials working for conservation authorities violate human rights, there is an apparent break in the chain of command, evident in cases of insubordination and officers acting outside the law.

Officials working for conservation agencies have been accused of rights violations that include killings, enforced disappearances, torture, cruel and degrading treatment, arbitrary arrests, confiscation of livestock within and outside reserve areas, threatening and harassing citizens, damaging properties and extorting bribes through the imposition of hefty fines as well as covering up these crimes. These allegations are grave and require thorough investigations by an independent and credible commission as a first step towards delivering justice and restoring the rule of law. Those found to be culpable in perpetrating these violations must be held to account in order to deter recurrence and begin to build a culture of respect for human and people's rights.

Torture is prohibited under Article 5 of the UDHR as it dehumanises both victim and perpetrator.¹¹ Though the United Republic of Tanzania has not ratified or signed the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, it provides for it under its 1977 constitution, under Article 13(6) e. Tanzania has been urged to ratify the convention.¹² Freedom from cruel, inhuman and degrading treatment or punishment is a right that cuts across many spheres, even in the event of arrest. The Universal Declaration of Human Rights bestows this right on all, under Article 5.

While the Zanzibar special anti-smuggling unit (KMKM) is mandated to protect the people, territorial waters and natural resources.¹³ This mandate must be carried out in strict observance of the United Nations Code of Conduct for Law Enforcement Officials (Article 3), which directs that force may be used 'when strictly necessary to the extent required for the performance of their duty'. Though KMKM were exercising their authority in protecting territorial waters and natural resources at Mnemba Island, they have allegedly severely injured the offenders, resulting in the need for medical attention. The force employed in removing the fishermen is deemed excessive, particularly for the reason of trespassing land owned by investors in the hotel business.

Paramilitary and police officers must use proportionate force in performing their duties. They must strictly adhere to the UN Code of Conduct for Law Enforcement Officials (Article 3), which directs that force may be used 'when strictly necessary to the extent required for the performance of their duty'. This was not evident in the evictions at Olkung'wado, in Kamsisi and Kaseganyama villages, among others.

followed? https://hlrn.org.in/documents/Forced_Eviction_International_Guidelines.htm (last visited June 11, 2024). See also https://www.ohchr.org/sites/default/files/Guidelines_en.pdf

11 United Nations. *FREEDOM FROM TORTURE 'FUNDAMENTAL HUMAN RIGHT', SAYS SECRETARY-GENERAL* (2001). <https://www.ohchr.org/en/statements/2009/10/freedom-torture-fundamental-human-right-says-secretary-general>.

12 The Citizen, *Tanzania called on to ratify convention against torture* (2021). <https://www.thecitizen.co.tz/tanzania/news/national/tanzania-called-on-to-ratify-convention-against-torture-2581290>

13 KMKM Zanzibar, *Majukumu na Kazi za KMKM*. <https://www.kmkmzanzibar.go.tz/pages/kazi.php#> (last visited June 11, 2024)

The state is required to take all measures to prevent loss of life occasioned by law enforcement officials by, among other measures, providing them with adequate training and ensuring that they adhere to the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.¹⁴

Arbitrary arrest and detention amounts to depriving one of liberty.¹⁵ Arbitrariness in this regard includes the fact that such detention is inappropriate, lacks predictability, due process and in essence is an injustice. Violations exposed in Ifuma, Misugusugu, Yombo and Kiegea villages are in direct contravention of international norms and standards. Article 9 of the ICCPR provides that a person be informed at the time of arrest the reason for the arrest, the charges and brought promptly to a judge to determine whether the arrest was lawful. Arbitrary arrest lacks predictability, due process, breeds injustice and is inappropriate.

Public trust allows the government to execute policies and deliver services for social and economic progress.¹⁶ Where public trust has been betrayed or broken, it is critical to restore it, for example, through dialogue with communities within reserves and around conservation areas. Such public dialogue would be followed by initiatives to address the people's concerns. In the present circumstances, public trust in state authorities, agencies and institutions has been severely eroded by the lack of accountability, abuse of power, excessive use of force, and infringement of human rights by officials. The conduct of a few officials has tarnished the image of government agencies and law enforcement authorities.

Communities in and around reserves do not have awareness of their rights, or conservation issues in general. Civil society organisations (CSOs) need to collaborate with government authorities mandated with conservation to raise awareness and educate the communities within and around reserve areas on issues of compensation, human rights, eviction, and conservation and protection as well as placing boundary markers and access to justice.

The Minister for Natural Resources and Tourism, Hon. Mohamed Mchengerwa, told Parliament in 2023 that his Ministry had provided education on conservation and management to local communities in protected areas. The ministry had targeted to provide conservation education to 864 villages that surround all national parks, as well as instituting a legal procedure for early and swift resolution of cases around the intrusion of livestock into protected areas to avoid the costs of caring for and maintaining confiscated animals. Despite many such good initiatives, there is still a need for greater community awareness on their rights, which can only be augmented after conducting a needs assessment to ascertain all areas of focus.

Generally, officials have not satisfactorily addressed violations occurring in conservation areas, which are administered by Tanzania Wildlife Authority, the Tanzania Forestry Service, the Tanzania National Parks Authority, and the Ngorongoro Conservation Area Authority.

The Commission on Criminal Justice Reforms, headed by former Chief Justice Mohamed Chande Othman, on 15 July 2023, reported that wildlife conservation forces had used excessive force against suspects during arrests, searches, and interrogations. The

¹⁴ *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials* (1990); UN General Assembly, *Resolution 34/169: Code of Conduct for Law Enforcement Officials*, UN Doc. A/RES/34/169 (1979); see Human Rights Committee, *General Comment No. 36: The Right to Life*, UN Doc. CCPR/C/GC/36 (2018), para. 13; see also Office of the UN High Commissioner for Human Rights, *Minnesota Protocol on the Investigation of Potentially Unlawful Death* (2016): *The Revised United Nations Manual on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions* (2017), para. 34.

¹⁵ United Nations. *FREEDOM FROM TORTURE 'FUNDAMENTAL HUMAN RIGHT', SAYS SECRETARY-GENERAL* (2001). <https://www.ohchr.org/en/statements/2009/10/freedom-torture-fundamental-human-right-says-secretary-general>.

¹⁶ United Nations, *UN/DESA Policy Brief #108: Trust in public institutions: Trends and implications for economic security* (2021). <https://www.un.org/development/desa/dpad/publication/un-desa-policy-brief-108-trust-in-public-institutions-trends-and-implications-for-economic-security/>

Commission further found that wildlife conservation forces were also found to have used military weapons; worn uniforms that resembled those of the Tanzania People's Defence Force (TPDF), and exhibited a desire to match the status of a police force. This had resulted in citizens' refusal to cooperate with the authorities on the basis of complaints of abuse and torture.

This report, therefore, aims to create awareness and understanding, as well as to spur debate and action by acknowledging the challenges faced by the Tanzanian people in the conservation of natural resources. Increased public awareness about the violations of human rights in conservation areas will inform discussions in which stakeholders such as civil society organisations, international organisations and government agencies can contribute to a future where conservation efforts merge seamlessly with human rights.

Introduction

Tanzania is party to a number of conventions that call for the protection of conservation areas. Conservation of protected areas in Tanzania Mainland falls under the mandate of the Ministry of Natural Resources and Tourism.¹⁷ The ministry has special divisions dedicated to tourism, wildlife,¹⁸ forestry and beekeeping and antiquities. The tourism division comprises sections for tourism development, tourism services and quality control, while the wildlife division has sections for wildlife development, wildlife utilisation and anti-poaching. The forestry and beekeeping division has a section each for forest development and beekeeping development, while the antiquities division has a monuments and sites conservation section, and a cultural heritage and museum development section.¹⁹ Specialized authorities, agencies and departments under the ministry have been mandated to oversee and manage wildlife, forest reserves and national parks. These are the Tanzania Wildlife Management Authority (TAWA), the Tanzania Forest Services Agency (TFS), the Ngorongoro Conservation Area Authority (NCAA) and Tanzania National Parks Authority (TANAPA).

Type of Conservation	Total Available Number
National Parks	22
Ngorongoro Conservation Area	1
Game Reserves	22
Game Controlled Areas	27
Wildlife Management Areas	38
Wetland Areas	3
Natural Forest Reserves	465
Forest Environmental Conservation Areas	20
Government Forest Plantation	24

Source: Statement of the Ministry of Natural Resources and Tourism

Tanzania Wildlife Management Authority

The Tanzania Wildlife Management Authority (TAWA) was established under Section 8 of

¹⁷ The semi-autonomous island of Zanzibar maintains a separate legal regime since natural resources is not a union matter under the Tanzanian constitution.

¹⁸ Wildlife management in Tanzania is guided by the National Wildlife Policy of 2007 and is regulated by the Wildlife Conservation Act, Chapter 283; National Parks Act, Chapter 282; Ngorongoro Conservation Area Act, Chapter 284; and the Tanzania Wildlife Research Institute Act, Chapter 260.

¹⁹ "Organisational Structure of the Ministry of Natural Resources and Tourism." *Ministry of Natural Resources and Tourism*, 2023. [Online]. Available: <https://www.maliasili.go.tz/administration/structure> [Accessed July 2023].

the Wildlife Conservation Act of 2009 (Cap 283) via Government Notice No. 135 of 2014 and became operational on July 1, 2016. It is responsible for biodiversity conservation and sustainable management of all wildlife resources, including game reserves and game-controlled areas, as well as the Ramsar site open areas, save for the Ngorongoro Conservation Area. It also manages wildlife in farms, zoos, ranches, sanctuaries, and orphanage centres as well as wildlife management areas.²⁰ Tanzania Wildlife Management Authority is charged with improving the management and administration of game reserves and game-controlled areas. It collects revenue from various sources to improve wildlife management; seeks to realise optimal wildlife economic potential; conserve wildlife population more efficiently and effectively; and improve human, physical, financial, and information resources required for managing wildlife and natural resources. It also has the responsibility to improve conditions for field staff by providing adequate salaries, good living standards, and fringe benefits so as to make the personnel more effective and efficient.²¹

Tanzania Forest Services Agency

The Tanzania Forest Services Agency (TFS) was established under the National Forest and Beekeeping Policies of 1998 and is administered through the Forest Act No. 14 of 2002 and the Beekeeping Act No. 15 of 2002. It was effected vide the Executive Agency Act, Cap 245, RE: 2009. TFS is responsible for closed forests, woodlands, mangroves, coastal forests and plantations. Its mandate includes establishing and managing national natural forest and bee reserves; establishing and managing national forest plantations and apiaries; managing forest and bee resources in general land; enforcing forest and beekeeping legislation in areas under TFS jurisdiction; providing forest and beekeeping extension services in areas under TFS jurisdiction; monitoring and evaluating TFS activities; developing TFS human resources; collecting forestry and beekeeping revenue; safeguarding TFS assets; and marketing forest and bee products and services.²²

Ngorongoro Conservation Area Authority

The Ngorongoro Conservation Area (NCA) was designated in 1959 and listed as a UNESCO world heritage site in 1979. The NCA was once a part of the Serengeti National Park (established by the 1948 National Park Ordinance) but after 1959, Ngorongoro was recognised as an individual protected area. The NCA is home to the Ngorongoro Crater, Empakaai Crater, Olmoti Crater, the Northern Highland Forest Reserve (including the Endoro Waterfalls and Endoro Elephant Caves), Olduvai Gorge, the New Olduvai Gorge Museum, Dr Mary Leakey Living Museum, Laetoli Footprints, Shifting Sand, Lolmalasin Mountain, Olkarien Gorge, Nasera Rock, Ndotu Plains and Gol Mountain and Sale Plains. The NCA is mandated to conserve and develop the natural resources of the conservation area, promote tourism within the conservation area, and provide and encourage the provision of facilities necessary or expedient for the promotion of tourism, as well as to safeguard and promote the interests of the Maasai in cattle ranching and dairy industry within the conservation area.²³

Tanzania National Parks Authority

The Tanzania National Parks Authority (TANAPA) was established under the Tanganyika National Parks Ordinance, Cap 412 of 1959, and is currently governed under the National Parks Act, Cap 282 RE: 2002. It has a total of 22 national parks across Tanzania mainland under its mandate. TANAPA is mandated to manage and regulate the use of national parks.

²⁰ Tanzania Wildlife Management Authority, About Us: Establishment of TAWA. <https://www.tawa.go.tz/about-us> (last visited June 11, 2024).

²¹ Tanzania Wildlife Management Authority, About Us: Establishment of TAWA. <https://www.tawa.go.tz/about-us> (last visited June 11, 2024).

²² Tanzania Forest Service Agency (TFS), ABOUT TFS. <https://www.tfs.go.tz/index.php/en/about/category/about-us> (last visited June 11, 2024).

²³ Ngorongoro Conservation Area Authority (NCAA), ABOUT US. <https://www.ncaa.go.tz/about-ncaa/> (last visited June 11, 2024).

Its functions include protecting natural resources, park facilities and tourist visits to the park, monitoring ecological and wildlife health, developing tourism and enhancing community involvement in conservation efforts.²⁴ Beyond the Ministry for Natural Resources, some of the mandate for the conservation of natural resources is assigned to other specialised ministries and departments. Notwithstanding, under the current framework, there has been a limited role for local government authorities in the management of natural resources.

Marine Conservation – Tanzania Mainland

The Ministry of Fisheries and Livestock is responsible for the overall management and development of livestock and fisheries resources. The fisheries sector includes fisheries and aquaculture and is regulated by the Fisheries Act of 2003. Its mandate envisions a progressive sector where fisheries resources are developed, managed, conserved and utilised sustainably for economic growth and improved human livelihood while conserving the environment.

Marine Conservation – Revolutionary Government of Zanzibar

The Blue Economy in Zanzibar is defined as the 'sustainable use of the sea, coasts and other water bodies as well as related resources, including underground and undersea waters, for socio-economic development while preserving the environment.'²⁵ The Zanzibari Blue Economy Policy is guided by the principle of benefit sharing, which includes citizens in order to 'share the benefits from the use of common marine resources and the responsibilities for their continued health and productivity.'²⁶

The Zanzibar Ministry of Blue Economy and Fisheries is mandated to 'safeguard the rights of fishers and their respective fish landing sites from the potentially adverse impacts of integrated economic activities'²⁷ The ministry is responsible for marine protection and has a mandate to oversee and manage all marine conservation areas.

Methodology

This report focuses on protected landscapes or seascapes, natural monuments or features, national parks, and wilderness areas and the infringements on human rights prevalent therefrom. A group of monitors were trained and deployed throughout the United Republic of Tanzania to collect data between September 2022 and March 2023 under the supervision of experienced mentors. The data was back-checked and re-authenticated by analysts with legal training to ensure compliance with legal and ethical standards. Further verification and editing of the data was conducted between March and September 2023.

24 Tanzania National Parks, History. <https://www.tanzaniaparks.go.tz/pages/history> (last visited June 11, 2024).

25 Zanzibar Planning Commission, *Zanzibar Blue Economy Policy at 2* (2020). [https://www.zanzibardiaspora.go.tz/uploads/Zanzibar Blue Economy Policy 2020.pdf](https://www.zanzibardiaspora.go.tz/uploads/Zanzibar_Blue_Economy_Policy_2020.pdf)

26 *Ibid*

27 *Ibid*

National Policies and Legislation

Policy	Legislation	Regulations	International Conventions
The Wildlife Policy of Tanzania, 2007	Wildlife Conservation Act No. 5 of 2009 Ngorongoro Conservation Area Act of 2002	Wildlife Conservation (Management of Wildlife Captive Facilities) Regulations The Wildlife Conservation (Special Wildlife Investment Concession Areas) Regulations, 2020 The Wildlife Conservation (Wildlife Management Areas) (Amendment) Regulations, 2019 The Wildlife Conservation (Tourist Hunting) (Amendments) Regulations, 2017 The Wildlife Conservation (Tourist Hunting) (Amendment) Regulations, 2019 The Wildlife Conservation (Tourist Hunting) Regulations, 2015 Wildlife Conservation (Prospecting, Mining of Uranium, Exploring and Production of Oil and Gas, 2017 Wildlife Conservation (Game Meat Selling) Regulations, 2020. Wildlife Conservation (Financial Contributions to Tanzania Wildlife Protection Fund) Regulations, 2019 Wildlife Conservation (Dealing in Trophies) Regulations, 2010 Wildlife Conservation (Wildlife Corridors, Dispersal Areas, Buffer Zones and Migratory Routes, 2018 Wildlife Conservation (Dangerous Animals Damage Consolation), Regulations, 2011 Wildlife Conservation (Payment of Rewards) Regulations, 2020 Wildlife Conservation (Wildlife Management Areas) Regulations, 2012 The Wildlife Conservation (Closed Season) Order, 2012	The United Nations Convention on the Law of the Sea (UNCLOS) Signed in 1982 The Ramsar Convention on Wetlands (1971) The Convention on International Trade in Endangered Species of Wild Fauna and Flora Cites Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (The Nairobi Convention) and Related Protocols (1985) Convention on Biological Diversity (1992) Convention on the Conservation of Migratory Species of Wild Animals (1979) Convention on UN Fish Stocks Agreement (2001) The Convention on Climate Change (1992) Convention Concerning the Protection of the

		<p>Wildlife Conservation (Non-Consumptive Wildlife Utilisation) Regulations, 2016</p> <p>Wildlife Conservation (Convention on International Trade in Endangered Species of Wild Fauna, 2018</p>	<p>World Cultural and Natural Heritage (1977</p> <p>United Nations Framework Convention on Climate Change (1996);</p> <p>Southern African Development Community (SADC) Forestry Protocol (2002).</p>
National Policy for National Parks of 1994	National Parks Act Cap 282 of 2003	<p>National Parks (Amendments) Regulations GN No. 666 Of 2018</p> <p>National Parks (Control of Drivers of Public Service Vehicles) Regulations</p>	
National Forest Policy, 1998	Forest Act No. 14 of 2002	<p>The Forest (Eco-Tourism Facilities Concession) Regulations, 2020</p> <p>The Forest (Production, Transport and Selling of Briquettes) Regulations, 2021</p> <p>The Forest (Amendment) Regulations, 2022</p> <p>The Forest (Sustainable Utilization of Logs, Timber, Withies, Poles or Charcoal) Regulations, 2019</p> <p>Forest (Manner and Criteria for Awarding Grants) Regulations, 2021</p> <p>Forest (Amendments) Regulations, 2017</p> <p>Forest Regulations, 2004</p>	
National Fisheries Policy of 2015	Fisheries Act No. 22 of 2003 (As Amended by The Written Laws	<p>Fisheries (Laboratory Fees) (Amendment) Regulations, GN 491a of 2020</p> <p>Fisheries Regulations, 2009</p> <p>Regulations (Fees) Laboratory 2012</p> <p>The Fisheries (Amendment)</p>	

	<p>Miscellaneous Act No. 1 of 2020)</p> <p>Marine Parks and Reserves Act No. 29 of 1994</p>	<p>Regulations GN 478b of 2022</p> <p>The Fisheries (Laboratory Fees) (Amendment) Regulations GN 478e of 2022</p> <p>The Fisheries (Amendment) Regulation, GN 492 Of 2020</p> <p>Fisheries Regulations of 2003</p> <p>Fisheries Regulations of 2018</p>	
<p>Fisheries Policy of Zanzibar of 2014</p> <p>The Zanzibar Blue Economy Policy of 2020</p>	<p>Zanzibar Fisheries Act No. 7 of 2010</p>	<p>Zanzibar Fisheries Regulations of 1993</p> <p>Marine Conservation Unit Regulations of 2014</p>	

Arusha



Arusha National Park

Photo credits: Kabira Safaris and Tours

Arusha is one of the 31 regions of the United Republic of Tanzania. It consists of six districts: Arusha, Arumeru, Longido, Monduli, Karatu and Ngorongoro. It has seven administrative councils, one for each district except Arumeru, which has two —Arusha and Meru (the Arusha district council has the status of a city council). The region covers 34,515.5 square kilometres and has 158 wards, 393 villages, 154 streets and 1,471 hamlets. It is located in the northern part of Tanzania, bordering the Kilimanjaro region to the east, Manyara to the south, Mara and Simiyu to the west and the international border with Kenya to the north.

According to the 2022 Population and Housing Census

Arusha is the eleventh most populous region in Tanzania, with a population of 2,372,255. Its economy depends on tourism, mining, livestock keeping, agriculture, and small-scale industries and businesses. The tourism sector contributes 17.5 per cent of the national income and provides 25 per cent of the country's foreign exchange earnings. Arusha has many tourist attractions, including the Tarangire, Lake Manyara, Lake Natron, Arusha and Ngorongoro national parks, as well as the Loliondo and Longido game reserves. There are also reserves such as Meru-Usa Forest Reserve, Mount Meru in Arusha National Park and Oldonyo Lengai Mountain in the Ngorongoro Conservation Area.

Ofisi ya Taifa ya Takwimu, 2022 Population and Housing Census (2022). <https://www.nbs.go.tz/index.php/en/census-surveys/population-and-housing-census/852-2022-population-and-housing-census-administrative-units-population-distribution-and-age-sex-reports> (accessed July 2023)

Despite the benefits accruing from the natural resources in Arusha, such as employment, individual and national income, status and reputation, the parks have been centres of land conflicts between investors and farmers, on the one hand, and between herders and conservation areas as well as between herders and farmers, on the other. The absence of land surveys and a proper land use plan present a major challenge. There have been long-standing land conflicts between the people living in the areas surrounding national parks. These conflicts have been most evident in the Arusha National Park (ANAPA), where 400 residents of the Momela hamlet in Ngarenanyuki Ward of Arumeru District complain of having more than 600 acres of their land taken. This has fuelled several human rights violations around the conservation of natural resources in Arusha.

Extrajudicial killings have been recorded around the Meru Forest plantation. The suspects in these incidents are reported to be Shirika la Uzalishaji Mali la Jeshi la Kujenga Taifa (SUMA JKT) soldiers, working as agents of the TFS. The plantations, which are guarded by SUMA JKT soldiers, are located in Arumeru District and cover 8,170 hectares. The forest is divided into eight areas for conservation purposes including Olmotonyi, Nading'oro, Flota, Oldonyosambu, Narok, Ngongengare, Themis and Sakila.²⁸

Oriais Oleng'iyo, 80, was reported to have disappeared from his Ololosokwan home on June 10, 2022. He had been shot in the leg near his house during a confrontation between the police and local residents. His relatives unsuccessfully tried to rescue him, but he disappeared in the commotion. The family does not know where he is.

Several other incidents in Arusha are highlighted here for illustrative purposes:

a. On the evening of June 9, 2022, security officials arrested nine councillors from the Ngorongoro District Council alongside Nderango Laizer, the chairman of the ruling party, Chama Cha Mapinduzi (CCM), in Ngorongoro District, while they were attending a meeting at the Ngorongoro District Council headquarters which had been called by the Arusha Regional Commissioner, John Mongella, and the Ngorongoro District Commissioner, Raymond Mangwala. It is alleged that the Regional Commissioner ordered uniformed police officers to arrest the leaders. They were not allowed to communicate with their relatives, friends or lawyers after their arrest. They were held at a small police station in Kisongo, Arumeru District, Arusha. Their lawyers subsequently filed an application for them to appear in the High Court on June 13, 2022. On June 16, 2022, a week after their arrest, the accused (and some other additional people) were charged with the murder of Police Constable G 4200, Carlus Mwita, who was killed on June 10, 2022. The accused were released after six months. This incident coincided with the boundary dispute over the placement of beacons in Loliondo over a 1,500 square kilometre area.

b. On June 30, 2022, when the case was mentioned in the Arusha Resident Magistrate's Court, Councillor Saimon Saitoto of Ngorongoro greeted the accused. The following day, police arrested him alongside Joseph Lukumay. Councillor Saitoto had been following up on the killing²⁹ of livestock in villages around the crater – including Ngorongoro, Nainokanoka, Misigo, Irikiepusi and Bulati. Councillor Saitoto was arrested on July 1, 2022, in the Ngorongoro District. He was later released alongside the aforementioned (in the same case).

c. Some 62 villagers from the Loliondo area in Ngorongoro District were charged with illegally entering Tanzania. An anonymous witness told researchers that the seven cases against the 62 were filed separately after June 9, 2022 as a strategy to silence villagers who were complaining about the annexation of 1,500 square kilometres of land for the Arusha National Park. The court dismissed all the

28 "Meru Usa Forest." *Tanzania Forest Service Agency*, Meru USA Forest (2023). <https://www.tfs.go.tz/index.php/en/forests/meru-usa>. [Accessed July 2023].

29 These livestock died between mid-December 2021 and February 2022.

immigration cases between November 14 and 17, 2022 after prosecutors failed to present witnesses for over five months after the arrest of the villagers in June and July 2022. The cases had grave effects on the accused:

- i. A fifth year student, Simeli Parmat, 19, and a doctoral degree student in the United States, Fred Victor, 39, were denied their right to education. After lawyers raised the issue in court, the prosecutor sought to terminate the case by filing a *nolle prosequi*, leading to their release.
- ii. Four accused persons were denied access to medical care while they were in detention. Mathew Siloma could not get to hospital for the removal of a metal lodged in his leg. Every time he needed to appear in court, he relied on the help of other accused persons to assist him to move. Kijaalu Kakiya and Joseph Lukumay, who are both diabetic, and Taleng'o Twambei, who had post-surgery complications after a caesarean section, were denied access to medical treatment. Between June and November 2022, while the case dragged on, the three were in custody, denied access to medical care and treatment. During this period, the Director of Public Prosecutions told the court that investigations into the cases were still on-going.



Legal counsel speaks with the suspects in the courtroom.

Human Rights Violations in Arusha

“

The land they used for farming, animal husbandry, and honey harvesting had been taken away, leaving them destitute and turning them into beggars, even to the extent that they cannot afford to educate their children.

– Witness

”

Forced Eviction and Illegal Arrest in Olkung'wado Village

On May 13 and 14, 2017 at around 8 am, rangers from Arusha National Park (ANAPA) arrived at plots 40 and 41 on Momela Road in Olkung'wado Village, Ngarenanyuki Ward of Arumeru

District in the company of officers, in police and national parks authority (TANAPA) vehicles. They were uniformed and armed. The officers set up new beacons, away from those that had previously demarcated the park from the village. Community members suspected that the officers aimed to take over village land, most of which consisted of farms covering an area of 608 acres. Senyaeli Nnko says the officers explained that they had been sent the then District Commissioner of Arumeru, Alexander Mnyeti, to erect beacons. The villagers questioned them on why they were not involved, and in the ensuing confrontation, police discharged teargas canisters and arrested 11 people.

Senyaeli Nnko, 61, the chairman of Momela hamlet, who farms and keeps livestock, recalled seeing Peter Serukayo run to the Evangelical Lutheran Church of Tanzania, Meru Diocese, Momela Parish, and lock himself in. Police broke down the door and arrested him. Another resident, Malake Seyaloi, was also arrested and taken to the Usa River Police Station. The two were released after two days. Esther Joseph Nnko, Andrea Arasululu Nnko, Jackson Kinavari Mbise, Japhason Severua Ayo, Elirehema Kishauki Nnko, Rajab Omary Kiange, Kiwandai Daniel Nnko and another livestock keeper whose name could not be ascertained, were arrested and held at the Arumeru District Police Station for seven days before being taken to court. These residents were held in police custody for more than 24 hours in violation of the Tanzania Criminal Procedure Act, Cap 20 RE: 2022, and had been denied legal representation or information on the charges against them. They were subsequently charged with obstructing police from performing their duties and causing injury. They were denied bail and remanded to Kisongo Prison for 14 days.

Police shot five cows and three goats, and seized 86 cattle and six goats, which were transported to the ANAPA reserve. Villagers were required to pay a fine of Tsh20,000 (approximately US\$8) per head of livestock. Some of the seized livestock died due to poor care after being held in the ANAPA reserve for a long time because their owners could not raise the fine. Villagers were further prevented from harvesting crops on the land, resulting in an estimated loss of Tsh264,000,000 (approximately US\$114,783). For more than three months, the police continued to pursue leaders and citizens who had forcefully opposed the boundary marking. Terrified citizens went into hiding, with some sleeping in the wild as ANAPA Assistant Chief Park Warden Mary Mtenga, police officers, and ANAPA officials continued to set beacons on the land.

Nnko explained that the Arusha National Park was established in 1960 after the purchase of an area that belonged to a white settler in 1962, 1964 and 1967 when the boundaries separating the park from the village were completed, leaving the Momela suburb with only 966 acres. Residents had been living on the colonial farms undisturbed since 1925 while farming and keeping livestock. In 1975 and 1977, when Operation 'Vijiji'³⁰ was proclaimed, the villages were surveyed, and areas for livestock, agriculture, business, social services and housing demarcated. An area near the park was designated for villagers to graze their animals during the day and for wild animals to pass through at night. The village has been left with 358 acres, but official reports filed with the authorities claimed that the land was uninhabited, information Nnko disputes since the area is designated for residential purposes.

A committee of eight ministers, led by the Minister for Lands,³¹ visited the area in 2021 and found that the 358 acres of land alleged to be unoccupied was, in fact, filled with residents' houses. Subsequently, the village leadership, ward councillors, and the chairman

³⁰ Vijiji is a Kiswahili word meaning village. Section 15(1) of the Village Land Act, Cap 114 RE 2002, states; 'An allocation of land made to a person or a group of persons residing in or required to move to and reside in a village at any time between the first day of January 1970 and the thirty-first day of December 1977, whether made under and in pursuance of a law or contrary to or in disregard of any law, is hereby confirmed to be and to have always been a valid allocation capable of and in law giving rise to rights and obligations in the party to whom the allocation was made and extinguishing any rights and obligations vested in any person under any law which may have existed in that land prior to that allocation.'

³¹ 2023/2024 Budget Speech by the Minister for Natural Resources and Tourism, op cit P 30. "The government formed an Eight-Minister Committee to assess and provide recommendations countrywide, which received the approval of the Cabinet. The Cabinet's decision has been communicated to all Regional Commissioners to involve the communities in the process of demarcating new boundaries between villages and conservation areas to reduce conflicts."

of the Meru Council, met with the then Minister for Natural Resources and Tourism, Pindi Chana,³² in Dodoma on June 24, 2022. He undertook to meet with the Minister for Lands to organise discussions with the residents, but this has not happened.

Forced Eviction and Denial of Access to Livelihood in Olkung'wado Village

Agness Ernest Mbise, 47, lives in Momela Hamlet in Olkung'wado, Ngarinanyuki Ward of Arumeru District. On May 13, 2017, at around 11 am, a group accompanied by armed police and rangers from the Arusha National Park (ANAPA) arrived at farms No. 40 and 41. They used cement and sand to set beacons for a new boundary on the land. When police noticed villagers approaching the group, they lobbed teargas at them, and chased them down to make arrests. Some of the villagers sought refuge in a nearby church, but the police broke down the door and apprehended them.

"I was pregnant at the time, and as I was running, I fell and got sick because of the smoke from the teargas explosions. I had to go to the hospital," Mbise explains. After the new beacons were placed, residents found themselves inside the conservation area. ANAPA officers informed the villagers that farming, keeping livestock or any other activities were prohibited since it was a part of the conservation area. Residents claim the areas had been surveyed during Operation Vijiji and they had inherited it from their parents.

The villagers were advised to move their livestock and seek assistance from their relatives outside the conservation area. After the hamlet leadership held discussions with the park authorities, villagers were allowed to graze livestock, but roaming or settling was strictly forbidden. The villagers had no pasture for their livestock, and were forced to transfer their animals to a swampy area (*tindiga*).

Mbise saw police alongside rangers from TANAPA and ANAPA led by Mary Mtenga arrive in official vehicles on February 1, 2018 to announce a ban on farming activities in the area. The villagers were forced to leave behind tomatoes, cabbages, bell peppers, and maize in the fields. No one could take anything. Those who had taken out crop development loans from Ngarenanyuki Savings and Credit Co-operative Society (SACCO) fell behind on their repayments since they did not harvest anything. Mbise owes Tsh3 million (approximately US\$1,200), on which interest continues to accrue.

Residents were not involved in establishing new boundaries between Olkung'wado Village and the ANAPA area. Threats and the use of force on the orders of the Arumeru District Commissioner at the time, Alexander Mnyeti, saw some 608 acres hived off from the village.

Mbise lives in fear of the authorities because she can identify some of those who were involved in the eviction. Residents of Momela believe that the authorities supported an operation to grab land and attack them, resulting in injuries, instead of fulfilling their duty to protect them and their property.

Fanuel Mbise, 68, was born in Momela and has lived there all his life. He was present during the eviction and claims that villagers lodged complaints at the hamlet office but when their chairman went to the district commissioner's office on February 1, 2023 to request that the forced signing of compensation forms be suspended, his request was declined.

Eliakunda Julius Nko, 46, missed church District on the morning of May 14, 2017 to attend to her child, who was nursing an injured leg. Around 11 am, she saw Mary Mtenga, the ANAPA Assistant Chief Park Warden, passing by her home in Momela hamlet of Olkung'wado Village, Ngarinanyuki Ward, escorted by armed soldiers. Although many of the residents were out at church, some were still in the village. A commotion ensued during which the soldiers lobbed teargas canisters at fleeing villagers. Police and the rangers forcibly evicted the residents from the land.

³² The Minister for Natural Resources and Tourism is Angellah Kairuki.

A police vehicle ferried some young men from the village towards the Usa River District Police Station. A few days later, Eliakunda saw new beacons being erected, which annexed a portion of the village as part of the protected area. Mtenga passed through the village again and warned that it was prohibited to graze livestock in the fenced off area. Eliakunda, a widow, now has to graze her animals at a swamp because there are no safe areas left for her livestock. She has not been able to farm for the past six years and has no means of generating income to keep her son in school.

Every day, Mtenga passed through the village under armed escort to ensure that no villager set foot in the area from which they had been forcibly evicted. Eliakunda no longer grows her maize and bean crops and has no land to graze her livestock. "I used to own just under two acres of land around my house, with the farming area being over two acres," Eliakunda adds, and now has no source of income.

Six years later, on February 2, 2023, armed police officers from the Usa River, accompanied by a new ANAPA officer, passed through the area again, issuing compensation forms to be filled out, but provided no explanations of what the compensation was for or where the residents were required to go. "When we asked where we were supposed to go, the police officers and ANAPA rangers held us at gunpoint, telling us to sign," Eliakunda adds.

The villagers were promised a token payment as consolation for leaving the conservation area. "They required us to open a bank account, and we had to pay Tsh13,000 -- with Tsh10,000 for account opening and Tsh3,000 for a photo," she adds. There was no discussion of how much money each villager would receive.

Loss of Livelihood after Forced Eviction in Olkung'wado Village

Police lobbed teargas canisters at residents Momela hamlet, Olkung'wado Village, Ngarenanyuki Ward of Arumeru District who were protesting against the annexation of their land by the Arusha National Park on May 14, 2017. Angelina Lazaro Nassary, 44, recalls uniformed police and park officials forcibly evicting residents from 608 acres of land and setting down beacons to mark the new conservation area.

The security officials erected beacons on the orders of District Commissioner Alexander Mnyeti and booted out residents without discussing the process or options for their relocation. Angelina's 3.5 acres of land, on which she used to grow maize, tomatoes and cabbages, was annexed to the park. She was injured in the stomach by shrapnel from a teargas canister, while her child and a herder died from inhaling teargas. She had surgery in hospital to remove the shrapnel.

Every evening, at around 8 pm, armed park rangers patrol the border while police pass by the villagers' homes to keep residents indoors. Angelina was arrested thrice and held at the Usa River Police Station without being informed charge. The officers who arrested her on the three different occasions were identifiable from their uniform and vehicles. During the entire boundary-setting period, the village was practically under siege, and residents were not allowed to leave. They tried to organise themselves to see the Regional Commissioner, but they were prevented by the officers on patrol. Due to the frequent harassment of villagers and their violent eviction from their homes, Angelina has lost many of her important documents needed to assert her property rights.

She is now an itinerant labourer, doing laundry in people's homes for a living. With the severe drought, the situation has become even more difficult as food provision is a challenge. She adds, In the past seven years, Angelina has been forced to withdraw her 17-year-old child from the English-medium school because of her inability to pay the fees.

"I don't have the PF 3 form because when I went to seek medical treatment, the doctors

first called my husband, thinking maybe he had beaten me. So, I had to tell them the truth to get help. Since it was a private hospital, they wanted the PF 3 form, but I explained to them what had happened, and they understood. They performed surgery on me and removed something (like a metal) from my abdomen. I was unconscious for seven days," she explained.

She remembers a young man, named Imma, suffered injuries and was treated for a long time before eventually dying in 2020. Imma was herding his seven cows when they were killed. "You know, in May, the cows graze on the outskirts of the farms. You know, on Sundays, the young men we employ to herd the cows take a rest [and] our children do their work instead," she explains. Her 12-year-old son, Samson, has hearing difficulties and was traumatised by the explosion of teargas canisters. Whenever he hears a loud sound, he begins to convulse and collapses.

Angelina works as a day-wage labourer in the neighbouring village of Sondrio. She explains that they are living like refugees, and even the people who have provided them shelter are running out of patience in hosting them. There are times when a small house has to accommodate up to 10 people, which exhausts the homeowner to the point of saying hurtful things. "You have to come back around 9 pm or 10 pm, quietly sneak in to sleep, and then leave again at 5 am," she says.

Anna Vinyasa, 63, recalls leaving church at around 12 pm on May 14, 2017, when she heard explosions in the village. Four uniformed police officers chased and arrested Peter Serukayo, who had taken refuge in the church.

In the meantime, workers continued to erect the beacons on village land at plot No. 40 and 41 in the Momela hamlet. The following day, the officers erected a boundary on her land and told her that she was inside the protected area. When she married in 1980, her husband's family was already living in the area now claimed to be part of the Arusha National Park. When her father-in-law passed on, he was buried on the land. She was never informed that the three-acre plot she was allocated was part of a protected area until 2017 when park officials came to demarcate boundaries.

Angelina now farms a very small portion of her land, preyed on by monkeys and other wildlife after park authorities stretched boundaries to engulf a large part of the village. Park officials pass by daily and taunt her that she and the others will eventually leave. "They came in 2022 and told me they were assessing the value of the house so that I could find a place to move, but they haven't returned," she says.

"When they bring a police officer and point a gun at you, you get scared and comply, but I didn't sign anything. Where were they when I was building? Weren't they passing by here? They are using force to evict us," she laments. She is one of 17 citizens whose land was encircled by the park boundaries during the demarcation but declined to sign compensation papers.

Unjust Compensation in Olkung'wado Village

In January 2023, ANAPA officials asked residents of Olkung'wado Village to fill out compensation forms in preparation to leave the area. The residents refused to comply because they had not been shown alternative space to relocate to. On February 1, 2023, the District Security Committee summoned leaders from the Momela hamlet to a meeting where Emmanuela Kaganda was taking over from the outgoing District Commissioner, Richard Ruyoga.

Nnko recalls that the leaders were questioned about why they were refusing compensation. District leaders said the residents would go to the allocated 358 acres, even though they had not been shown the land. The village leaders were instead asked to make sure that

the residents went to the hamlet office the following day to fill out compensation forms. Residents were only being offered compensation for their houses, and not for the land.

Some 15 of the 17 villagers whose homes were within the new ANAPA boundary in 2017 had filled out compensation forms, while two fled during the border conflict of that year. Nnko explains that the land (Naula) they used for farming, animal husbandry and honey harvesting had been taken away, leaving them destitute.

Isaya Mollel's Painful Death Two Years after Being Shot in the Spine

Gunshots rang out as Thomas Endeshi, 37, was out in the field with Isaya Mollel cutting grass for their cattle in Madukani hamlet of Oldonyosambu Village on the evening of February 24, 2017. Both were frightened, and Endeshi urged Isaya to stay quiet as the latter was jabbering in panic. He saw Isaya suddenly fall to the ground. When he asked what had happened, Isaya said he had been shot in the back. Thomas tried to lift Isaya, but he could not stand. He called for a motorcycle taxi (*boda boda*), which transported him to the Oldonyosambu Police Station. There were other injured people at the station, and a vehicle took them to the Oltrmet District Hospital where they were briefly examined before being referred to the Mount Meru Regional Hospital.

Isaya was in critical condition: he was vomiting and could not eat. After a day, he was referred to the KCMC Referral Hospital, where he was told that he needed Tsh200,000 for tests and treatment. After calling his relatives and friends to help raise the money, the examination revealed that a bullet was lodged in his back. He stayed in the hospital for a month and then contacted Councillor Lairumbe, who visited with officials from the TFS. TFS took responsibility for the hospital bill, but the family had to cover the other costs.

A caretaker who minded Isaya at the hospital and after discharge had to be paid. Isaya's condition deteriorated. He was returned to Mount Meru Hospital, discharged shortly after, but relapsed again. His condition required him to be readmitted to hospital, where he stayed briefly before being allowed to go home. He was later admitted to Selian Hospital.

Isaya had been shot by SUMA JKT soldiers contracted to provide security services for the park. The bullet was lodged in a dangerous area near the spinal cord, making it difficult and risky to attempt its removal. Isaya was at KCMC Hospital for almost two years before returning home, but he would be admitted to Selian Hospital whenever his condition got worse. TFS did not provide any substantial support for Isaya's home-based care.

TFS initially supplied the family with cooking oil, about 10 kilogrammes of maize, one kilogramme of sugar, a bar of soap, and glycerine lotion every two or three months, but eventually stopped. The family went to complain at the TFS office in Olmotonyi. After Isaya's death, no one from the forestry department came to visit the family. Before being shot, Isaya used to work as a casual farm labourer earning Tsh5,000 daily, which he would use to provide food for his mother as he waited to study accountancy. His mother, Josephine Mollel, 49, decided to dispose of all the medical documents and PF3 forms after his death on December 31, 2020 because she did not want to keep any of the painful memories.

Loss of Livelihood and Harassment in Oldonyosambu Village

On February 24, 2017, around noon, SUMA JKT soldiers guarding the Olkokola forest area assaulted Naishiye Megilienanga, 59, a widow residing in Madukani hamlet, Oldonyosambu Village, Arumeru District while she was in her farm. The soldiers, who are responsible for guarding the forest on behalf of TFS, were herding cattle through the area and shooting randomly, prompting the women to scream and shout in terror. Naishiye explains that gunshots were being fired indiscriminately. Suddenly, she saw in the distance a soldier dressed in a green SUMA JKT uniform pointing a gun at her.

She recalls seeing a soldier fire a shot that hit a neighbour's child, Isaya Thomas Mollel.

When she turned to look at the injured child lying on the ground, she was shot in the leg and fell. The child was lifted by his relatives and taken to her home. The following day, she was taken to the Mount Meru Regional Hospital, where an X-ray examination revealed one bullet in her leg. The bullet was not removed immediately, and every time she went back to the hospital, more than four times, she did not receive proper treatment. Eventually, she decided to seek treatment at home and recovered sufficiently to be able to walk.

The doctor at Mount Meru hospital had told her that the bullet had been removed and the wound cleaned, but the poison had not been eliminated. The injury in her leg rendered her incapable of working, and so she was unable to provide for her 10 children. She and others went to the Forest Manager's office at the Meru Usa Plantation owned by the TFS. A female soldier at the entrance ordered them to leave when she learnt that they had been shot at the Oldonyosambu area. Owing to the ill-treatment they received at the office, Naishiye became afraid and did not pursue her rights at that office again.

She did not report the incident to the police because the leaders restrained her. When the family went to see the hamlet chairman at the time, Lazaro Orpuko, he said, "We were beaten because we went to provoke people. But now, I cannot go and provoke the government. I didn't have any weapons; we were just surprised." TFS did not assist her in any way. Although her health has improved, unlike previously when her leg was numb.

"Now I can no longer work. I have a child who is going to Form Five, and I had planned to earn money to pay for his education. Can you tell me, will he be able to continue studying?" Naishiye asked rhetorically. The attacks, which disabled Naishiye and eventually led to the death of Isaya, occurred on their farmland and not in a conservation area. Melio Lomnyaki, 70, recalls the day of the incident when he saw Naishiye injured by gunshot while he was taking his daughter, Evaline Melio Lukumay, to the hospital.

Loss of Life of Emmanuel Reuben Nnko

On May 14, 2017, at around 10 am, Itikisaeli Japheti Nnko was at church when he saw people erecting beacons in the farm area a farmer and herder residing in the Momela hamlet of Olkung'wado Village, Ngarenanyuki Ward, Arumeru District. The children called him to witness what was happening. Police officers and officials from the Arusha National Park were erecting beacons on the farmland. Villagers swelled at the scene, and the officers started firing teargas canisters at them instead of explaining why they were creating a new boundary without involving them. Some villagers were arrested and taken to the Usa River Police Station. Itikisaeli says a young man named Emmanuel Reuben Nnko was injured. Emmanuel, who was in his mid-20s, later died. Itikisaeli states that after the teargas canisters were fired, one hit Emmanuel on the left side of the stomach. He nursed the injury for a long time until he died in 2020. He had been hit while standing near the cows he was herding. The cows and goats were shot and killed, and some officers carried away three goats.

Emmanuel was from a poor family and did not receive any assistance from the authorities. Itikisaeli estimates that half of his land, approximately two acres, has been taken over by ANAPA. Park rangers have been regularly passing through the area and warning residents against farming or grazing their animals on the annexed land. The road the villagers used has also been blocked, making it difficult for them to access transportation as vehicles coming from Ngarenanyuki to Arusha were prevented from passing through the area. Due to the closure of the road, residents are forced to walk long distances to find transportation, which puts their lives at risk as there are wild animals, including buffaloes that have come close to their village.

On February 2, 2023, armed police accompanied an ANAPA officer named Yustina Kiwango to the village and asked residents to sign forms from the National Microfinance Bank to receive compensation for leaving the area. However, there have been no discussions about

the payment process, and residents do not know how much money ANAPA intends to pay them or what it is specifically for.

Villagers feel they are being forced to open bank accounts and sign forms that do not provide any details about the planned payments. Itikisaeli says that during this new process, ANAPA officers called their hamlet chairman to instruct him on the requirement for residents of his area to sign forms. He explains that, upon seeing the officers in two vehicles armed with guns, the leaders complied with the order to sign the forms, especially considering the suffering they had already endured in the past at the hands of the same officers.

“I don’t know how much they will give us, and I don’t know where to go because our parents are buried here, and I cannot leave their graves. They told us they were sent by higher authorities,” Itikisaeli says. For many years, Itikisaeli has been farming crops such as maize, cabbages, and tomatoes on his land. In favourable weather conditions, he used to earn between Tsh2 million and Tsh3 million per season. Currently, he has nothing except a few chickens and a cow he struggles to feed with only *tindiga* (a type of grass). He used to have 12 cows, but they have died, leaving him with only two (one cow and a calf).

Before the rangers and police officers arrived in their village and started placing beacons, Itikisaeli did not receive any prior information about the operation. The officers informed the villagers that they were acting on the orders of the then Arumeru District Commissioner, Alexander Mnyeti. It was during this operation that the police used force to evict him and other villagers from their land. Several livestock were confiscated, and the owners required to pay a Tsh20,000 fine for each animal.

Like other residents of the Momela hamlet, Itikisaeli lives in fear because armed park rangers regularly pass through his area, claiming to be protecting the borders. Furthermore, ANAPA, despite knowing that they do not have legal ownership of the land based on various court decisions, instructed armed police to oversee the border demarcation. The borders have engulfed 17 houses in the villagers, including Itikisaeli’s. Similarly, villagers recognised the people who came to the village to collect signatures for compensation forms as police and ANAPA officers, all armed and dressed in their official uniforms. ANAPA Warden Yustina Kiwango was also present, and the vehicles used had recognisable police and ANAPA licence plates.

Human-wildlife Conflict at Olkung’wadu Village

Elirehema Philemon Palangyo, 41, was leaving home for his farm in Momela hamlet, Olkung’wadu Village, Arumeru District, Arusha, when he saw a buffalo on Ngarenanyuki Road around 7:40 am on Thursday, March 3, 2023. The buffalo went into the bush and then re-emerged. The buffalo had already positioned itself by the roadside but Elirehema’s thoughts were on the school children he had seen ahead of him.

Before he could reach the children, the buffalo attacked him. He fell to the ground and was face-to-face with the animal. The buffalo lifted him on its horns and threw him up, and next, he found himself standing against a tree. He got around the tree, but the buffalo was circling the trunk, trying to find him. The buffalo struck the tree with its head before circling it twice, and then left. Elirehema was severely injured, and his clothes were torn. He broke his left rib, suffered other injuries from thorns during the struggle, and needed stitches in his private parts.

He went to the Momela hospital for an ultrasound and X-ray examinations at the AICC hospital in Arusha. He was ordered not to work and rest until his broken rib healed. He reported the incident at the Ngarenanyuki Police Station, recorded a statement, and was

issued with a PF 3 form. The doctor informed him that a certificate³³ was to be filled out at the district wildlife office, but despite informing the hamlet chairman, it has not been prepared. The Senior Assistant Commissioner of Communication for ANAPA, Catherine Mbena, said since the incident occurred in the village, the district wildlife officer is responsible for the case.

The expansion of the Arusha National Park boundaries into the village has seen many animals move closer to human habitation. Although rangers regularly patrol the area to ensure that villagers do not reclaim the land, they have failed to prevent the animals from harming residents. Since the incident, no ranger has visited the scene.

Senyaeli Nnko, 61, confirms receiving information about the buffalo attack on Elirehema Palangyo and rushing to the scene. He parked his motorcycle on the roadside and joined villagers to chase the buffalo with their dogs. The buffalo, which was in the bushes, charged at Nnko's motorcycle and destroyed it. The incident occurred some two or three kilometres away from the park. Before 2017, animals did not frequent settlements but started coming after ANAPA took 608 acres of village land the residents had been using for agriculture, pasture, and beekeeping as a buffer against animals reaching their settlement.

After ANAPA took over the land, Elirehema says, deliberate strategies have been employed to attract animals to the area in an effort to entrench it as a wildlife corridor, resulting in animals being drawn into the human settlements. He recalled the hamlet chairman informing him that a wild animal had been seen in the area and had attacked a villager on a motorcycle. "They told me that the animal attacked the cyclist, so I sent for the rangers who were closest to the scene to assist."

The Minister for Natural Resources and Tourism told Parliament that the human-wildlife conflict is largely caused by land use that does not adhere to proper plans, particularly when some of the land allocation officials fail to follow the guidelines in place. Other contributing factors include increased human activities, especially in areas adjacent to wildlife reserves and wildlife corridors, and communities encroaching dispersal areas, grazing livestock in protected areas, and climate change leading to prolonged droughts, causing some wildlife to venture outside protected areas in search of food.

33 The Wildlife Act, No. 5 of 2009, provides for compensation to be paid to a victim of a wildlife attack, with the amount depending on the doctor's report on the extent of injuries suffered.

Coast



Saadani National Park
Photo credits: Africa Travel Forum

The Coast region is part of the eastern zone, which comprises Dar es Salaam, Morogoro and Coast. The region borders Tanga to the north, Dar es Salaam and the Indian Ocean to the east, Lindi to the south and Morogoro to the west. The region's headquarters is located at Kibaha in the Kibaha Town Council. It covers 32,407 square kilometres and has a population of 2,024,947 -- according to the 2022 population and housing census. Administratively, Coast is divided into seven districts: Bagamoyo, Kibaha, Kisarawe, Mkuranga, Mafia, Rufiji and Kibiti. Additionally, the region is divided into nine local government authorities, which also serve as constituencies. These are Bagamoyo, Chalinze, Kibaha Town Council, Kibaha District Council, Kibiti, Kisarawe, Mafia, Mkuranga and Rufiji. Coast region's indigenous people include the Kwere, Zaramo, Ndengereko and Nyagatwa.

Coast region is located on the coast of the Indian Ocean. Rufiji District is divided into two parts -- the Islands and the mainland. The inhabitants of the islands are mainly from the Nyagatwa tribe, while those on the mainland are from the Ndengereko. The main economic activities are fishing and rice farming, growing of cashews and fruits such as pineapples. Cassava and maize farming are also essential to the region, especially for the neighbouring region of Dar es Salaam, where most of the produce is sold. Other cash crops grown in the region include sesame and cashews, which thrive in almost all the districts.

The region is famous for tourism activities, especially in the town of Bagamoyo. A large number of tourists who visit the Zanzibar islands, particularly the area of Stone Town, also visit Bagamoyo, where there is also an old town. Zanzibar's Stone Town, which has the international status of a World Heritage town and is culturally managed by the United Nations Educational, Scientific and Cultural Organisation – UNESCO, has a natural and cultural connection with the old town of Bagamoyo. These towns were linked in the slave trade era, which was globally abolished in the eighteenth century.

People who had been captured to be sold in the slave market in Stone Town, Zanzibar, would have a break in Bagamoyo, where there was a resting point. Slaves with greater potential of being sold for a high profit to the owner were selected here. The slave market was located in the Mkunazini area, which is now the headquarters of the Anglican Church. People meant to be sold, mostly from the hinterland of what was then Tanganyika, and some from the Democratic Republic of Congo, previously called Zaire, were taken to Bagamoyo before being shipped to the major slave market along the East African coast in Zanzibar.

Tourists, especially from Europe, the United States and Australia, as well as some experts in ancient history who follow the history of the slave trade, aspire to visit both towns to complete their learning tour about how slave trade was conducted. Until now, the debate over who was fully involved in running the slave trade continues, which also drives tourists to visit Zanzibar and Bagamoyo to experience the actual environment in which the trade was conducted. Another area that contributes to the growth of tourism activities in the region is the Saadani National Park, which is also located in Bagamoyo -- about 100 kilometres north of the city of Dar es Salaam, and a similar distance southwest of the port of Tanga.

The park, which covers an area of 1,062 square kilometres, is located in Mkange Village at the mouth of the Mvavi (Mvave) River. It was officially established in 2005 and became the thirteenth park under TANAPA. It is located on the highland and along the seaside. There is also the Julius Nyerere National Park in the Rufiji District, as well as the Pugu Kazimzumbwi Forest Reserve in the Kisarawe District.

The coast has beautiful mountains such as Chikoo, Kihita, Kiloeko, Kisangire, Kisura, Kurwa and Doto, Luhombero, Makindu, Mnungwi, Mtundussi and the plains of Umatumbi Mountain. Additionally, the region has rivers that are used for agriculture and fishing activities, such as the Bumba, Chatota, Chombe, Gumba, Kiassi Mouth, Kibonji, Kilagasa, Kilomboni Mouth, Kisuka, Krombona, Lambo, Luhute, Lukuiro and Lugonya. Others include the Mbezi, Mbiki, Migasa, Mkombezi, Mkusa, Mlandizi, Mligaji, Mpiji, Mssala Mouth, Msua, Msumbiji, Rufiji, Ruvu and Wami rivers.

Human Rights Violations in Coast Region

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The situation in this forest is bad. There are people who claim to have been beaten when they enter to collect firewood; others have had their means of transportation, including bicycles, confiscated, but there's also the issue of bodies being found in this forest.

– Witness.

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Torture and Degrading Treatment in Misugusugu Village

Coast is among the regions facing land conflicts, especially in areas occupied by farmers and pastoralists, as well as the Saadani National Park and the Ruvu North Forest Reserve. In Saadani National Park, a conflict is simmering between the local community and the Sea Salt Company investor who has been preventing the villagers of Makupani from building permanent houses on their land. Residents of Makupani Village in Saadani have been demanding the investor's departure for failing to provide employment opportunities for the population in the project area, and harassing employees over wages.

Residents of the area adjacent to the Ruvu North Forest Reserve in Pangani, Kongowe, Misugusugu and some areas of Bagamoyo District complain about frequent beatings and incidents of torture whenever they enter the forest. Residents of Changwahela in Bagamoyo had agreed to comply with the government's order to vacate a mangrove area they had occupied. Regional Commissioner Abubakar Kunenge had directed TFS to supervise conservation of the mangrove trees and restore the environment damaged by residents. Kunenge mentioned some 90 houses built within the mangrove reserves which were to be demolished.³⁴ Residents also complained about frequent discovery of dead bodies dumped in the forest, which creates fear among those nearby who use the forest for passage. The conflict, which has been escalating, pits the local people against the forest reserve managers, who reportedly refuse to issue permits for taking wood from the forest fearing its destruction due to excessive charcoal production.

People living nearby are disinclined to help put out frequent outbreaks of fires because of the way they are treated by the forest reserve managers. They claimed that some of them have been beaten and had their means of transportation confiscated by uniformed forest guards.

Arbitrary Arrest and Torture in Yombo Village

Hamis Nguya and his colleague were in the Ruvu North Forest reserve when park rangers in a vehicle chanced on them on August 9, 2022 at 12 pm. At first, the two residents of Kiegea Hamlet, Yombo Village in Bagamoyo District attempted to flee but they were threatened with gunshots, stopped and obeyed the rangers' commands. One ranger they knew as Chacha set upon them with sticks, beating them all over their bodies as other rangers watched.

They were then bundled into the vehicle and driven to the forest office in Kongowe, where they were taken to a wall and ordered to make hand stands – hands on the ground and feet up -- for 15 minutes. "Later Chacha arrived and started beating us again, hitting our buttocks and other parts of the body. I still have marks on my body and back from the beating," Nguya explains. After the beating, which gave them severe injuries, they were all allowed to leave.

"We go to this forest to collect firewood, and if they catch you with a motorcycle, bicycle, or anything else, they confiscate and auction them. Anyone who is caught knows that he/she will receive a beating that will leave him/her with injuries."

Nguya and his colleague did not go to hospital for treatment because they did not have money for medical expenses. They also feared that they would be denied services for lack of a medical form (PF 3) obtained from the police station and the possibility of being charged in court.

"The biggest disappointment is being arrested and beaten to the point of injury. The property we are arrested with, such as bicycles or motorcycles, is confiscated and sold at auctions. This is done when one fails to pay the fines," says Nguya.

34 Daily News. *Residents agree to vacate mangrove reserve to preserve environment* (June 10, 2023). <https://dailynews.co.tz/residents-agree-to-vacate-mangrove-reserve-to-preserve-environment/>

The area's Chief Medical Officer clarifies that it is not necessary to have a PF 3 form to receive medical treatment, and that there are no reports of citizens being denied medical treatment for lacking the form.

David Abel, who was arrested alongside Nguya, says they identified the perpetrators as park rangers from their uniforms and the names they called one another, including Rajabu, who was said to be their leader. One ranger, whom the others referred to as Chacha, was the one serving up the beatings. The pair tried to plead their innocence to no avail. It was only the other rangers who stopped Chacha. The beatings continued on the way to the forestry office in Kongowe. When they arrived, they could not walk because of the pain and the injuries they had suffered.

Salum Mponda, the chairperson of the Mwambisi locality, which borders the forest, acknowledges that villagers report incidents of harassment, including assault and confiscation of their property when found in the forest. Mponda says he visited one of the victims, who explained that he did not go to the hospital but was instead treating himself from home for fear of legal repercussions.

The head ranger of the forest in the Ruvu North Forest Reserve, Ibrahim Mwanga, denies that villagers are beaten and says that those caught are subjected to legal action. Mwanga says that some culprits receive minor punishments such as cleaning the forest offices in Kongowe. He says conservation laws stipulate that when a means of transport is seized, the offender must pay a fine before its release or it would be auctioned. Although Mwanga acknowledges that a ranger known as Rajabu works for the service, he explained that he was receiving training outside the region, while a forest guard known as Chacha works in his office and could not have been involved in arresting trespassers in the forest. Coast Regional Police Commander Pius Lutumo repeatedly said he needed time to investigate the reported incidents.

Inhumane and Degrading Treatment in Kiegea Village

Sadoki Chabaliko, 80, a resident of Kiegea Village of Yombo in Bagamoyo District, accompanied three other villagers to cut trees in Ruvu North Forest Reserve for charcoal on June 5, 2022 at 11 am. They encountered uniformed park rangers who apprehended them and physically assaulted them. Chabaliko recalls that they were thereafter all bundled into a vehicle belonging to the conservation authority and driven to Kongowe, Kibaha District, near the forest office, where they were beaten with sticks before being taken to the police station. They were charged with entering the forest unlawfully. Police informed them that they would be charged with trespassing on the reserve, and they were subsequently sentenced to two months of community service.

Despite reporting their assault to the police, they were not allowed to seek treatment. Even after being released on bail, they returned home and resorted to traditional remedies for lack of money to obtain medical care.

Hery Lufyagile, also of Kiegea in Yombo, witnessed the incident involving Sadoki Chabaliko. Lufyagile and his companions were in the forest when they encountered a vehicle ferrying employees of the conservation service in the Ruvu North Forest Reserve, which is located near a government timber plantation. The rangers disembarked from the vehicle and immediately started beating them. They were then taken to an area used for burning charcoal and ordered to collect the ready charcoal and bag it while being photographed to create the impression that they had made charcoal.

Lufyagile, who had been injured on the head, could not do any work at that time. When they finished loading the charcoal, they were ordered into the vehicle and driven to the police station where they were charged with burning charcoal in a conservation area.

The villagers were charged in the Mailimoja magistrate's Court in Kibaha under Case No. 227/2022, and sentenced to two months' community service.

Salum Mponda, the chairperson of Mwambisi area, which borders the forest, acknowledges that residents have often reported tales of suffering and abuse, including being beaten and having their means of transport confiscated in the forest. Victims avoid hospital treatment for fear of being arrested and detained by the authorities.

Loss of Livelihood due to Confiscation of Property in Kongowe

Vincent Robert, 53, had gone to collect firewood for household use from the Ruvu North Forest reserve with two others on July 17, 2022 at around 1 pm. Each of the three residents of Kongowe had a bicycle. They were stopped by armed rangers in the company of uniformed SUMA JKT soldiers. The rangers confiscated the bicycles and loaded them onto their vehicle. They then began to insult and berate the villagers, unwilling to listen to their explanation that they were not there for business purposes. After their equipment was seized, they were ordered to clear 60 metres of road as punishment before they could be allowed to repossess their bicycles.

Seif Mashaka, 57, also a resident of Mwambisi hamlet, Kongowe, confirms that he accompanied Robert to the Ruvu North Forest reserve to collect firewood for household use. They dared not flee for fear of being shot.

Salum Mponda, chairman of Mwambisi hamlet, which borders the Ruvu North Forest reserve confirms that there are many bodies found in the forest. "The situation in this forest is bad. There are people who claim to have been beaten when they enter the forest to collect firewood, there are also those who claim to have had their means of transportation, including bicycles, confiscated, but there's also the issue of bodies being found in this forest."

"We buried a body that had already decayed. After receiving the report, I informed the police, who came with a doctor, and we decided to bury the body because it was impossible to transport it due to its decay," he said in a September 2022 interview. By June 2023, seven bodies had been discovered in the forest and some had been buried in collaboration with the police.

Dar es Salaam



*Signage of Pande Game Reserve
Photo credits: Msafiri Travels*

Dar es Salaam, which translates to “safe harbour”, has been rapidly growing since it was declared a city in 1949. It later became the largest city, bordered by the Coast region and the Indian Ocean to the east.³⁵ The city measures approximately 1,800 square kilometres, which is 0.15 percent of Tanzania’s total area, 1,350 square kilometres of which consist of land, including eight islands in the Indian Ocean. The population of Dar es Salaam is 5,383,728, according to the 2022 population and housing census, with 2,600,018 males and 2,783,710 females. Dar es Salaam is the most populous region in the country. The annual population growth rate is 5.6 per cent, according to the National Bureau of Statistics (NBS),³⁶ and it is estimated that by 2030, the city will have 9.7 million people, and 15.6 million by 2050.

A regional commissioner appointed by the President is the administrative head, and the city is administered through the five districts of Temeke, Kinondoni, Ilala, Ubungu, and Kigamboni. The city is divided into six municipalities: Dar es Salaam City (Ilala CBD) as well as Temeke, Kinondoni, Ilala, Ubungu and Kigamboni districts. The mayor is the chief elected leader, and the city director is the chief executive officer of local government. Dar es Salaam has 565 streets and 102 wards.³⁷ The Dar es Salaam region has nine constituencies, namely Temeke, Ukonga, Segerea, Kigamboni, Ubungu, Ilala, Kinondoni, Kawe and Kibamba.

³⁵ Ministry of Lands, Housing and Human Settlements Development. <https://www.lands.go.tz/> (last visited June 11, 2024)

³⁶ Tanzania National Bureau of Statistics. <https://www.nbs.go.tz/index.php/en/>. (last visited June 11, 2024)

³⁷ Ofisi ya Rais - Tawala za Mikoa na Serikali za Mitaa. <https://www.tamisemi.go.tz/>. (last visited June 11, 2024)

A number of natural resources, such as clean beaches along the Indian Ocean, the forest reserves of Miombo Woodlands, and mangrove along the coast, define Dar es Salaam region. There are a number of small islands that are hotspots for tourist activities; and coral reefs are magnificent features that spread along the coast to form sanctuaries for fish breeding.

Dar es Salaam has many economic activities that make it the centre of the country's economy. Apart from the port, used by Tanzania Mainland and also by hinterland neighbouring countries to transport their exports and imports, other activities include hundreds of industries and international services, fishing in the deep sea, and tourism. The port has become a catalyst for the economy not only within Tanzania Mainland but also for large-scale trade in various goods to neighbouring countries such as Zambia, Malawi, Uganda, Rwanda, Burundi and DRC.

The city's rapid growth is largely due to the huge influx of people from various regions, especially youth from rural areas who believe that it is a place where anyone can succeed because of the many commercial activities and investments by various institutions. Dar es Salaam is often used as a benchmark of how other cities in Tanzania will grow in future. This rapid rural-urban migration has presented several challenges, such as the need for better housing, water, health and infrastructure.

Pande Game Reserve

Pande was declared a forest reserve in 1952 and gazetted in 1990 as a game reserve under Government Notice No. 461. It is located in the Kinondoni municipality and is home to six main vegetation types, namely the eastern African coastal dry forest, legume-dominated dry forest, east African coastal scrub forest, woodland or wooded grassland, induced weedy communities and thickets. The reserve's ecosystem has been disturbed over time by fire spreading from residents' farms adjacent to the reserve lit to clear the fields, annual burning of some areas of the reserve by grass cutters to stimulate growth of new grass, arson caused by boundary disputes owing to conflicts between two villages (Msumi and Mpiji Mago) and the authorities, as well as forest uses such as collection of firewood and charcoal, and hunting of animals such as bush pigs.³⁸

Human Rights Violations in Dar es Salaam

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'When they arrived, they started demolishing, and what's worse is that they were choosing which houses to demolish,' said one witness.

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Loss of Land, Housing and Property due to Conflicts Outside Pande Game Reserve

Land is at the centre of human rights violations that present challenges for various areas of Dar es Salaam. Some policies as well as the poor implementation of urban planning have resulted in haphazard construction, sparking disputes over land between citizens, citizens and the government, and between citizens or the government and investors. Haphazard urbanisation is increasing rapidly, with Dar es Salaam being one of the examples. Policies

on land ownership rights have failed to bring positive results, as demonstrated by the University of Dar es Salaam 2012 study, 'Modelling Informal Settlement Growth in Dar es Salaam'. Notwithstanding the government land regularisation strategy, it is estimated that 70 per cent of the city's residents live in slums, with between 15 and 20 people sharing one piece of land, without permanent ownership rights.

One of the main causes of land conflicts in Dar es Salaam is the ownership system, which is seen as complicated and costly for many people. The government introduced a land ownership system in 1999 that provides for three types of tenure: customary, residential, and freehold. Customary land ownership is based on traditional or customary practices and is held by communities or individuals. Residential land ownership, introduced by the government in 2004, allows middle income individuals and small-scale miners to own land for a period of five years. The highest form of land ownership is freehold, which grants the owner the right to own land for 33, 66 or 99 years. However, the process for this last option is seen as difficult and expensive for many people.

The government has provided around 220,000 plots of land in Dar es Salaam alone, with plans to demarcate more. Despite this, conflicts still arise, particularly over land owned by investors in the city. Investors also fail to utilise the land they have been allocated while residents in the area have no land to farm. This has contributed to land conflicts, which result in the violation of human rights, specifically the right to own property under Article – 17 of the UDHR.

Compensation claims also fuel land conflicts in Dar es Salaam,³⁹ particularly when land compulsorily acquired from individuals needs to be transferred to an investor, or to develop infrastructure. Many complaints have been raised over inadequate compensation, which does not reflect the true market value of the land, or no compensation at all. For example, during the expansion of the Morogoro road in the fifth phase, many land owners felt that the government had not compensated them adequately for their land. Complaints have been raised against the Tanzania Investment Centre (TIC) for bringing investors to areas where people already own land, thus provoking conflicts.

Residents of Mwabepande 'Mji Mpya', adjacent to Pande Game Reserve, have criticised the government for violating the agreement to provide them with the right to live and instead labelled them as invaders before demolishing 5,000 houses in July 2012 and August 2022 to create space for the reserve. The land in dispute measures 1,226 acres and covers 15 square kilometres. For several years, the Pande Forest, which is about 40 kilometres from the centre of Dar es Salaam and is surrounded by the suburbs of Mbezi, Mpiji-Magoe, Kibesa, Msakuzi and Mbopo, has had a notorious reputation as a hideout for violent criminal gangs.

On July 6, 2022, at 11 am, Amina Maulid saw workers from the Kinondoni Municipal Council arrive in a vehicle escorted by armed uniformed police officers. They began demolishing homes in an area deemed to be a part of the Mwabe Pande game reserve. "We were not informed, and they did not say why they were demolishing our homes. When they arrived, they started demolishing, and to make matters worse, they chose which houses to demolish. That's why, if you look at the entire area of 70 hectares of Mwabepande-Mji Mpya

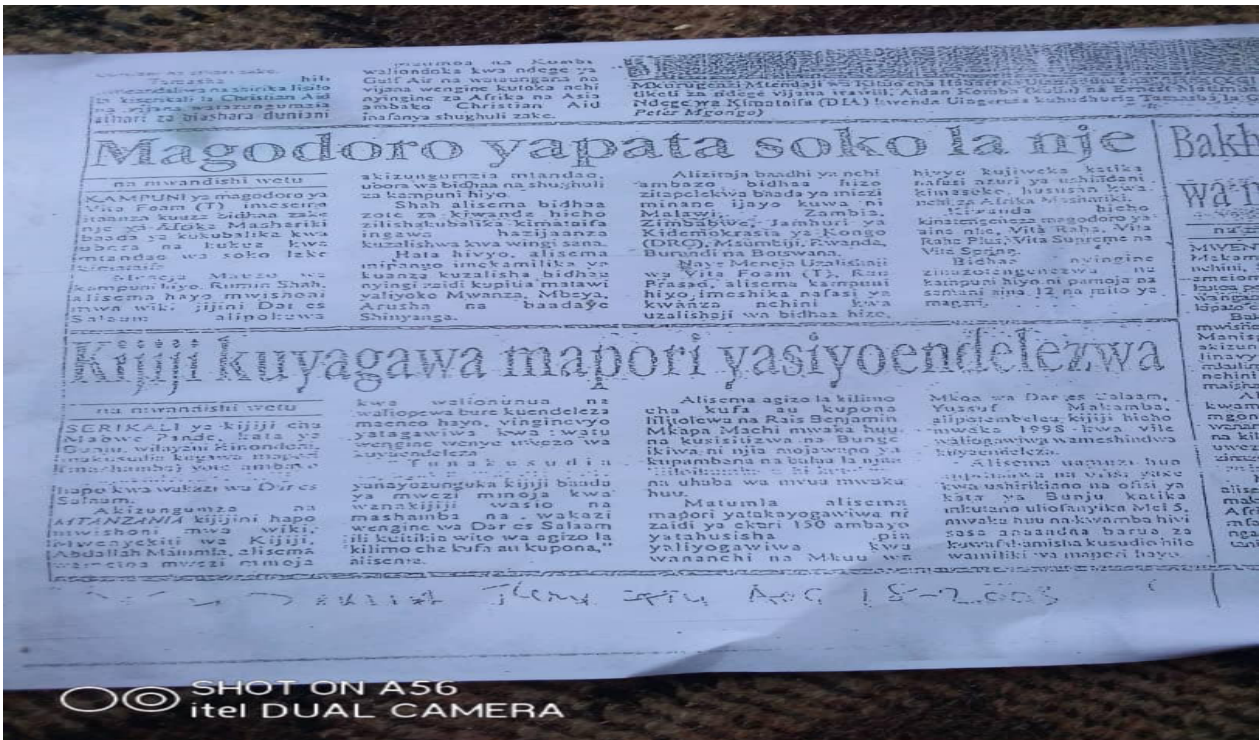
³⁹ Compensation is provided for under the Land Acquisition Act (Cap 118) RE.2019, under Section 14; 'Assessment of compensation: In assessing compensation for any land acquired of under the provisions of this Act, the Minister or the Court, as the case may be, shall, subject to section 12–

- (a) take into account the value of such land at the time of the publication of a notice under section 8 without regard to any improvement or work made or constructed thereon thereafter or to be made or constructed in the implementation of the purpose for which it is acquired;
- (b) when part only of the land belonging to any person is acquired, take into account any probable enhancement of the value of the residue of the land by reason of the proximity of any improvements or works made or constructed or to be made or constructed on the part acquired;
- (c) take into account the damage, if any, sustained by the person having an estate or interest in the land by reason of the severance of such land from any other land or lands belonging to the same person or other injurious effect upon such other land or lands;
- (d) not take into account any probable enhancement in the value of the land in future;
- (e) not take into account the value of the land where a grant of public land has been made under the provisions of subsection (2) of section 11;
- (f) assess such compensation in accordance with such principles, in addition to and not inconsistent with the principles specified in this section, as may be prescribed.

and 10 hectares of the area called Butiama in the Mwabepande Ward, you will see that some houses have been demolished, while a few remain standing.”

In the past, the area known as Bunju School had no settlements and was deserted. Residents complained to the Regional Commissioner, Yusuf Makamba, about people being attacked on the road to the Pande Game Reserve. Makamba formed a team comprising the People’s Defence Force, the Police, the National Intelligence Security Service and citizens to investigate. The team found that between 90 and 100 people had been killed and their bodies thrown into the wilderness. Amina says the team stopped their inspection when they came across foul-smelling dead bodies. The following day, Makamba held a meeting, which Amina attended, where he announced a six-month grace period for people to clean up their lands, and later officially distributed land through a newly formed commission.

In August 2012, the area was marked for demolition, and residents were asked to leave. Amina’s ailing father had to leave his home. The family was, however, given legal ownership of the land by the commission Makamba had formed together with the former District Commissioner for Kinondoni, Ritha Mlaki. It was later noted that an employee of the Ministry of Lands reportedly claimed ownership of the land, the allocations notwithstanding. The conflict went to the High Court of Tanzania (Land Division) under case No. 57 of 2012, and the residents won the right to return and rebuild their homes.⁴⁰



A newspaper report with details of Mabwe Pande land distribution from August 18, 2003.

40 Evidence include: A banking slip from CRDB confirming payment for a plot of land, ;Amina Maulid’s form to join Mabwepande village; Receipt for one of the payments in Mabwepande village; newspaper clipping of a report on Mabwepande; confirmation number for waiting for land to be surveyed.

Dodoma



*Mkungunero Game Reserve
Photo credits: Wild Safari Guide*

Dodoma is at the centre of the country and borders the Manyara region to the north, Morogoro to the east, Iringa to the south, and Singida to the west. The region covers 41,310 square kilometres and is largely made up of the central plateau, with altitudes ranging from 830 to 2,000 metres. The population of Dodoma region was 3,083,628, according to the 2022 population and housing census, making it the fifth most populous region in the country. The region has seven districts: Bahi, Chamwino, Chemba, Kondoa, Kongwa, Mpwapwa and Dodoma districts. Dodoma was declared the capital of Tanzania in 1973, but it was not until 2016 when the fifth President, Dr John Pombe Magufuli, announced the government transfer of official activities to the city. On April 26, 2018, during the 54th anniversary celebrations of the Union of Tanganyika and Zanzibar, President Magufuli announced the elevation of Dodoma Municipality to city status. Dodoma is a hub for trade in groundnuts, beans, sunflower and grapes.

Additionally, Dodoma is famed for the harvesting of natural fruits such as baobab, and has various livestock activities. The road from Dodoma city to Morogoro and onto Dar es Salaam is paved, as is the main route to the north-western part of Tanzania on to Rwanda, Burundi and the Democratic Republic of Congo (DRC). The original Great North Cape Town-Cairo Road passes through Dodoma. The road runs from Iringa to Dodoma to Kondoa and then on to Arusha. Several human rights violations have been noted in Dodoma, and there is a large number of street children who are out begging or working in itinerant labour.

Child labour, female genital mutilation and early marriage undermine girls' aspirations to complete school, sometimes with the complicity of parents. In cases where a boy in a family intends to marry, his parents feel obliged to marry off a daughter to raise dowry for their son's dowry for his bride. Bahi District is notorious for child marriages in Dodoma. Dodoma is among the regions that has been facing various challenges around land conflicts. Since the establishment of the Capital Development Authority (CDA), responsible for fast-tracking the region to city status, many people have complained about their land being seized and allocated to politicians. During the expansion of the airport, some people were ordered to leave their homes on the promise that they would be compensated.

Some were never paid even as their houses were demolished and they lost their homes. Citizens who gave up their land for the modern standard gauge railway have found themselves in a similar situation. In Chamwino District, citizens were asked to leave their homes to make way for the construction of the Uhuru Hospital. Some citizens in both projects' sites are yet to receive their compensation.

Mkungunero Game Reserve is located in Kondoa District and stretches to the Manyara region. Many human rights violations, such as murder, torture, injury, looting and land grabbing have been recorded in this reserve. Many individuals have suffered permanent disability from injuries at the hands of officers of the Tanzania Wildlife Conservation Authority (TAWA) for suspicion of engaging in illegal activities because of their proximity to the reserve.

Human Rights Violations in Dodoma

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A fine of Tsh 100,000 per cow is not legal as no law has been passed by Parliament allowing it to be used.
– Witness.

”

Loss of Livelihood due to Confiscation of Livestock in Kinyasi Village

On February 23, 2020, wildlife conservation officers from TAWA in the Mkungunero Game Reserve entered Kinyasi Village in Pahi Ward, Kondoa District, at around 4 pm and seized 38 cattle, claiming that they had been grazing in the reserve. They took the animals into the reserve and continued to insist that the villagers pay a fine before they could release them. Officers frequently impose fines⁴¹ on villagers for grazing in the reserve and threaten to auction the animals if the fines are not paid. Officers have also been known to destroy crops in the fields, and women have reportedly been subjected to acts of harassment by conservation officers. These threats prevent the villagers from exercising their right to generate an income to sustain their lives.

Nuru Iddy, whose cattle were confiscated as he was grazing in the village, said the officers also arrested him and took him to the police station in Kondoa town, charging him with

⁴¹ Some villagers have been fined for allegedly letting their livestock into the conservation area and have been slapped with fines ranging from Tsh1.4 million to Tsh1.8 million depending on the number of livestock seized. These include Abubakari Ramadhani and Yusufu Hamisi, who claim that officers often drive villagers' livestock into the conservation area in order to impose fines on them. Sometimes, the livestock are seized in areas with disputed boundaries, especially near water sources.

grazing in a protected area. Before confiscating the livestock, the officers ordered him to release the cattle, and then drove them into the reserve. Nuru recognised the officers from their uniforms, vehicles, and the official logo on their vehicle and uniform. The wildlife officers accused the villagers of invading the Mkungunero Game Reserve.

The officers did not involve any village leaders or independent witnesses to corroborate their claims that the livestock were grazing in the reserve. The incident was reported to the chairman of Kinyasi Village, Abraham Kasawale. Nuru went to the offices of the Mkungunero Game Reserve along with other villagers to reclaim the seized livestock. Upon arrival, they were forced to sign a false confession stating that they had been grazing livestock in the reserve. Since they were dealing with law enforcers, they felt compelled to acquiesce for fear that they may be falsely accused of other crimes. The TAWA officers also reportedly went to the residents' homes and warned them to stay away from the area and not to engage in any activities. Warning leaflets were also distributed in eight other villages on the outskirts of the park.

Elisante Salaki, vice chairman of the Tanzania Livestock Keepers Association (Chama cha Wafugaji Tanzania -- CCWT), said people living adjacent to conservation areas had been oppressed for long. Livestock keepers have had their animals confiscated on the pretext that they were grazing in the protected areas. Salaki observes that the problem is exacerbated by government officials who sell land to citizens and issue them with payment receipts. He explains that there is a great fear among livestock keepers in dealing with the Ministry of Natural Resources and Tourism. Conservation authorities prevent people from carrying out economic activities such as farming and livestock keeping. "A fine of Tsh 100,000 per cow is not legal as no law has been passed by Parliament allowing it to be used."⁴²

Abraham Kasawali, the Kinyasi Village chairman, says he went to the Kondoa Police Station to bail out Nuru. During the trial, witnesses from TAWA were not truthful and claimed that the cattle were seized on January 3, 2020, when they had actually been seized on February 23, 2022 and on village land. Midway through the trial, the presiding judicial officer was changed, resulting in an adverse decision⁴³ against Nuru.

Additionally, TAWA guards had been reportedly seizing animals even when they were in home enclosures. Twalib Omar Suleimani was fined Tsh400,000 or required to serve a one-year prison sentence and his 20 head of cattle confiscated. He appealed the sentence and Judge George Masaju overturned the previous decision and ordered, on September 9, 2022, that Twalib's cattle be returned to him or he be compensated with the equivalent of the value of the cattle. However, in a surprising turn of events, TAWA guards declined to sign the letter acknowledging the ruling.

The Mkungunero Game Reserve has been expanding its borders and encroaching on village land without following due process. When the Committee of Eight Ministers was sent to resolve land conflicts in various parts of the country, its members found that Kagera and Msumbuji were inhabited by citizens but TAWA had continued to seize their land and evict residents.

Sadick Lungulu, the chairman of Keikei Sangini Village, said residents have been killed⁴⁴ on the pretext of entering the reserve, and many have had their livestock confiscated by TAWA officers. A herder from Kibarbeigi was killed by officers who demanded Tsh2 million as a fine for grazing his livestock in the reserve.

Lungulu was herding his father's livestock in the area between 1957 and 1959 when he was

42 Such fines are provided in the by-laws.

43 See criminal appeal Case No. 34/2022

44 The citizens/herders shot by the officers and receiving treatment include Mzee Saidi and Hassan Juma, who were issued Police Form 3. Their X-ray images show the damage to the victims' bones.

a young boy. The British colonialists had established several villages in the lower Irangi area after it was deemed unsuitable for human use, especially for livestock keeping because of its barrenness. Since then, until the establishment of the Ujamaa villages in the 1970s, the people have inhabited those areas with the land designated for five uses: residential, agriculture, pasture, beekeeping and alternative energy. Unfortunately, the plan was abandoned and the villagers' land was forcibly acquired without compensation or residents being relocated to an alternative settlement. "What is being done here is theft," Lungulu says. Community land has been seized and livestock die year after year due for lack of pasture and farmland.

The Mkungunero Game Reserve has expanded its boundaries without any notification in the Government Gazette, thus engulfing many areas designated for villagers to graze their livestock. Government officials, including district leaders and TAWA officers, used force and intimidation to evict residents. Often, the villagers have been unable to obtain justice even when they report these abuses. Lungulu recalls that in 2021, despite the visit by the Committee of Eight Ministers seeking to resolve the conflicts, and their announcement that some villagers had been wrongly dispossessed of their land, calling on TAWA to remove their beacons and restore ownership, no steps have been taken to implement their recommendations. Lungulu mentioned the names of several herders who had been killed by TAWA officials.

Former Lands, Housing and Human Settlements minister William Lukuvi, who was a member of the Committee of Eight Ministers, told a gathering at Kisodoko Village adjacent to the Mkungunero Game Reserve that President Samia Suluhu Hassan had sent them to deliver the message that no single village's registration certificate would be revoked. He said that in the initial stages, President Hassan had instructed that the entire 500-metre-wide area that separated the villages from the game reserve be returned to the villages, and the villagers could plan its best use.

The President had ordered that the Ndaja hamlet in Keikei Village remain as part of the village, and that the Mkungunero Game Reserve release the area. Mauno, Ipengwa, Keikei, Idibila, Kisondoki, Imani and Pandeni were to remain as villages, and the special areas of the Kagera and Msumbuji hamlet of Kisodoko Village, which are the main sources of water for residents, would also remain as villages. The arrangement of these hamlets would be reorganised, however. Land occupied by 103 households was a source of conflict between villagers and TAWA officers. Lukuvi said that Kondoa District had 40 villages embroiled in land conflicts with the Mkungunero Game Reserve. Land experts from the central government, the district, and TAWA were expected to reorganise these areas and resolve the recurrent conflicts. After the committee's departure, TAWA officers continued to harass the villagers and taunt them, saying that the minister's pledges would not necessarily be implemented.⁴⁵

45 Evidence: Video footage of the chairperson of Kinyasi Village, Abraham Kasawale, the vice chairperson of the Tanzania Pastoralists' Association, Elisante Salaki; video footage of the chairperson of Keikei Sangini Village -- Sadick Lungulu, video clip of Minister William Lukuvi, video of the Land Commissioner speaking to citizens and the formation of a joint committee with villagers. Various fines receipts against herders, judgment against Twalib, judgment of the appeal against the Republic, fine payment receipts, X-ray images.

Geita



Rubondo Island National Park

Photo credits: theunitedrepublicoftanzania.com

Geita is in the north-west of Tanzania and is among the six regions that form the Lake Zone. It is one of the new regions established through Government Notice No. 72 of March 2, 2012. It borders Kagera to the north and Lake Victoria, Mwanza to the east, Shinyanga and Tabora to the south and Kigoma region to the west. Geita has a population of 2,977,608, according to the 2022 national census, and covers 21,879 square kilometres, making it the seventh most populous region in the country. Out of this, 19,933 square kilometres is land while 1,946 square kilometres is water. It has five districts: Geita, Bukombe, Chato, Mbogwe and Nyang'hwale.

The region receives sufficient annual rainfall ranging from 900 to 1,200 millimetres and has an average temperature of 22 to 30 degrees Celsius, which supports the growth of natural vegetation. The residents engage in agriculture, livestock keeping, beekeeping, fishing, mining, and small-scale business. The agriculture sector contributes approximately 70 per cent of the region's economy, while other activities account for 30 per cent.

Geita has several conservation areas such as Rubondo National Park, Burigi-Chato National Park, as well as game and forest reserves such as Nkweni and Biharamulo. However, like

other areas in Tanzania, Geita has also experienced human rights violations, especially in conservation areas. Many cases of human rights violations are linked to the exploitation of natural resources, particularly the use of forests, resulting in deaths, injuries, harassment, and destruction of property.

Human Rights Violations in Geita

“

When I was arrested, I was taken to a camp where they keep cows and logs. It is also used to torture people arrested in the wilderness or even found in the village with just one bag of charcoal. When I arrived, I saw two other people who were tied up with ropes and then tied to bicycles, and I was treated the same way, and we [were] tortured together.

– Witness.

”

Arbitrary Arrest and Torture in Ifuma Village

On February 22, 2022, at around 9 am, TFS officers, including about 10 uniformed and plainclothes forest guards, arrested Matiku Patrick Issa, 32, in Ifuma Village, Masumbwe Ward of Mbogwe District on the edge of Nkweni Hills Forest Reserve. He was carrying a bag of charcoal he had collected in the morning for domestic use.

He was bundled together with his bicycle and the sack of charcoal in the back of the vehicle and driven to a TFS camp in the middle of the Nkweni Hills forest reserve. At the camp, he was stripped naked, tied him to his bicycle with a rope, and assaulted. The officials also branded him with a hot machete on his back and legs. He was tortured throughout the night. Matiku met other people at the camp who were being similarly tortured through beatings, branding and being forced to swallow sand. The officers were heard saying, “Your days are over; you cannot recover. We have already prohibited cutting or buying charcoal unless you have a special permit.”

Matiku and those he found at the camp were tortured for a whole day, and kept without food or water for several hours. He had no means of communicating with his family or informing his wife, who had seen him off as he left to look for charcoal.

Matiku was fearful when he was taken to the camp, and explains, “When I was arrested, I was taken to a camp where they keep cows and logs. That camp is also used to torture people who are arrested in the wilderness or even if you are found in the village with just one sack of charcoal: you are arrested and taken to that camp. When I arrived, I saw two others who were tied up with ropes and then tied to bicycles, and I was also treated the same way, and we began to be tortured together.”

Matiku began to nurse hopes of being released after the two individuals he found at the camp were let go. He did not know if they had paid a fine to buy their freedom.

Matiku says: "I pleaded with the TFS officer to release me. I didn't know that having a sack of charcoal was a crime. I don't trade in or burn charcoal; I work as a casual labourer digging for gold in the mines." The TFS officer was unmoved and left him languishing in pain under guard.

The following day, around 7.30 pm, Matiku was approached by a motorcycle rider and taken on the back of the motorcycle. The driver told him, "Your wife's efforts have saved you because she has been looking for you everywhere, and since some people noticed her efforts, they showed her where you were. She recognised you and went to the TFS office to inform them that they had arrested her husband."

"I left the bush on February 23 at 7.30 pm after my wife traced me and found out that I was with TFS Mbogwe. She went to their office to ask if they had me, but they denied any knowledge of me. After persisting and showing them my identification, they asked her to pay a fine of Tsh200,000," adds Matiku. Before his release, Matiku noticed that the TFS officer left camp to follow a herd of cattle that had been seized. More than 100 cattle, a pile of bicycles, and sacks of charcoal were detained at camp.

Matiku's wife, Chausiku Juma, said she had waited for him to return home in vain. The following morning, she informed her neighbour about her husband not returning home and found people to accompany her to Mbogwe Police Station to look for him. The police denied that he had been arrested. "I instructed my neighbours to go and look for him in the forest because I feared that perhaps he had been arrested and killed there. They went, searched, and then called me to say they had found his belongings." Chausiku, who was nine months pregnant, returned to the police station, where the officers again denied holding her husband. "I started crying and told them: 'If you haven't arrested him, then give me his body so I can bury him because we found his slippers in the forest ...'" Police later admitted that her husband had been arrested and booked under the name of Mwalimu. The police called Kanegere and confirmed that he was there.

"The TFS manager told me to remain where I was. I waited until noon, and then they asked me to pay Tsh200,000. I didn't have the money. They wanted me to pay at least Tsh150,000 but I did not have that either, and they asked me to give them Tsh100,000. They told me that if I didn't pay the money, my husband would not be released. I called my brother in Kahama and asked him to lend me Tsh50,000 to bail out my husband, and my husband's friend, Salumu. They all came and gave me the money, and we went to pay TFS through the bank."

Chausiku was told to go home after making the payment since her husband was being brought back on a motorcycle from Kanegere. They found him in the bush, badly beaten and injured. Chausiku was shocked when her husband was brought home in a terrible condition, crying and in pain.

She stayed with him on Wednesday, trying to take care of him, but his eyes had turned yellow. On Friday at dawn, she went to the police station and asked to see the station commander. The officers mocked her that if he [the commander] was responsible for her pregnancy they would strip him of his rank. She was later invited into the commander's office where she made her complaint. The commander called the TFS manager, to seek an explanation. He asked Chausiku to bring her husband to his office. She told him that she would not be able to carry him in her condition because his legs had been branded and scalded, and only she could move him.



Matiku Issa receives treatment at Masumbwe Health Centre in Mbongwe District

A motorcycle (boda-boda) rider ferried the couple to the Mbogwe Police Station to record a statement and were issued with a PF 3. Matiku was sent to Mbogwe Hospital nearby where he was admitted. A TFS officer, by the name Roja, attempted to trick Chausiku into taking her husband home to avoid hospital documentation of his injuries but was thwarted by the interest medical staff had taken in Matiku's case insisting that he be admitted to care. The TFS officer also took away the PF3 document from Chausiku, who had to trick him to repossess it.

While her husband was still hospitalised, Nicodemus Maganga, the Member of Parliament for Mbogwe, came and pledged that the money the family paid as a fine would be refunded because Matiku was unable to work. "So, I was advised to go to the District Commissioner's office and request assistance. When I went there, I didn't find him, so I had to go to the TFS manager. They were giving me different amounts, Tsh10,000, Tsh20,000 and Tsh30,000, but none of it was enough for my situation."



Nicodemus Maganga, the Member of Parliament for Mbogwe, visiting Matiku Issa at Masumbwe Health Centre after the latter was beaten by TFS officers.

Chausiku says her family is facing financial difficulties because her husband is not able to work after the beating he received, even though the burn injuries have healed.



Matiku Issa displays a large scar on his back from the hot machete wounds inflicted by TFS officers.

“I decided to let go of this matter because here at home, it is a common thing for government officials to come and go, and sometimes there were threats. In the end, I decided to stop pursuing it,” says Chausiku. The hospital documents and PF3 were taken by the police investigation unit.

Loss of Life of Clement Lubinza

Clement Lubinza, 35, died after being beaten by TFS officers and their guards. His widow, Yurita, explains that her husband left home on the morning of February 24, 2022 and was arrested at 6 pm when he met TFS officers. They took him to their camp where they started beating him. He was held at the camp for three days and was only released when his condition grew visibly worse. They ordered him to leave, and he struggled to walk because he had not eaten for three days. He crawled out of the camp and got to the main road at 6 am. He started flailing his hand up and down to signal that he needed help. A man found him and took him to his home in Mwamanyiri, Ushetu District, Kahama. He slept through the day and was taken to hospital the following day, where he died of injuries suffered during his torture in the wild.

Yurita says her husband told her that there were 10 people who were torturing him. They would put a weapon in the fire to heat it before using it to stab him in the back. Yurita paid for her husband's

medical expenses but after his death, TFS covered the funeral expenses. TFS bought a coffin and 50 kilogrammes of rice, and said they would help the family, but when she followed up, they said that her husband had already died, so they could only give a small condolence gift after the funeral. She has six children, three of whom are in school.



Kazimili Lubango Doctor Incharge at Masumbwe Health Centre.

Dr Kazimili Lubango from the Masumbwe Health Centre states, “The deceased arrived yesterday at around noon. He had some injuries, including burn marks on his back. He said he had been burnt by fire but he could not come to the hospital earlier as he was too weak.

“When a patient comes to us with a Police Form 3 (PF3), we assume they were beaten and we treat them accordingly. We start with the legal documents and then proceed with the treatment. Unfortunately, at around six o’clock in the evening, he passed away, due to the injuries he sustained. The other patient’s (Matiku) condition has been improving since March 26, 2023. We are giving him medication and injections, and he is improving,” said the doctor who received Clement Lubinza.⁴⁶



⁴⁶ Evidence: Video clip of the District Commissioner for Mbogwe, Said Mkumba, as well as video footage of the Doctor *Kazimili Lubango* at Masumbwe Health Centre; video of the Member of Parliament for Mbogwe, Nicodemus Maganga; video of the TFS Manager for Mbogwe, Ezekiel Mbilinyi; video of Matiku Issa; video of Yurita Kubingwa, widow of Clement Lubinza; video of Robert Manyilizu, Lubinza’s brother.

Yurita Kubingwa, the widow of Clement Lubinza, outside her home in the Makiri A suburb of Masumbwe Ward, Mbogwe District.



Mourners listen to proceedings at Clement Lubinza's home during his funeral.



Nsami Isuna said, "Let us bury the deceased properly as citizens. We demand that the relevant institution takes responsibility."

Witnesses claim that TFS officers do not just subject their victims to violence but also

confiscate their medical records. Police have not taken any action to redress these human rights violations since the murder and injury of the two civilians. The TFS manager for Nkwani Hills Forest Reserve, Ezekiel Mbilinyi, conceded that the incidents took place and that TFS officers were involved in the attacks. “We received complaints that our officers were involved in these incidents and the first step we took was to ensure that all those who were on patrol in the forest were taken to the security agencies for questioning. Now we have left it to the relevant authorities to investigate, and later the results will be released,” he added.

Nkwani Forest Reserve crosses borders and is managed by two districts, Mbogwe (in Geita) and Kahama (in Shinyanga). The District Commissioner for Mbogwe, Said Nkumba, issued a statement on May 7, 2022 after the council received complaints about TFS officers beating and torturing civilians: “There have been challenges with TFS and I have ordered that we meet. But I reiterate that TFS officers are not allowed to go on patrols without the knowledge of the District Security and Safety Committee. From now on, when you go on patrols, the security committee must know what you are going to do and what activities you will be conducting. You will give us a report after the activity you are doing there. The report will show that the exercise was conducted in a safe manner and you will continue to do so because the government is one and these complaints cannot continue if we continue to control each other in that manner.”

Some of the councillors strongly condemned the incidents and called on the government to take stern action against those involved in human rights violations. They demanded that the TFS officials in Mbogwe be removed and replaced by others who will respect human rights. “Mr Chairman, this deceased person was a Tanzanian, a voter of the President and a voter of a Member of Parliament. The rules of the country prohibit such cruelty. There are other things that do not require politics, like who is expected to die before we take action against such things, Mr Chairman, it’s really sad,” said Paul Ngusa, the councillor for Nyakafuru Ward.

“After seeing the injuries sustained by that person at the hospital, it’s better to encounter a lion than to encounter those TFS officials who wear a beastly nature. Imagine, even if the chairman were their relative, he would still be subjected to such treatment by others. You are told to chew on a stick that has been set on fire and eat burning charcoal, or stand on a heated machete. It’s really sad, let’s just say enough is enough with these things. Let’s ask the District Commissioner to bring us others. When the TFS officials in Bukombe were replaced, why weren’t there any protests? Mr Chairman, if you had been there on that day, when people from the Masumbwe and Nyakafuru wards rose up to surround the TFS office, we would have been grateful for the police’s intervention. The Member of Parliament stood up, and the police stood up. If the police had not been present, what do you think would have happened? We need Mbogwe to be calm,” added Councillor Ngusa.

After the brutality of March 3, 2022, the Mbogwe Member of Parliament spoke to the residents of the Masumbwe Ward when the issue was raised by citizens demanding stern action to end human rights violations by TFS officials:

“Honourable Member of Parliament, I am here, but I am very saddened by the fact that TFS has become a group of people who beat and even kill our citizens. Yesterday, one of my constituents died at the health centre and another was beaten on the legs and back. It is very sad. Honourable Member of Parliament, these people came here to help us, not to harass and hurt people. Today they have created a hideout where people are being hidden, even cows are being hidden there, and people are being killed. MP, this is your issue, and we request that you take this matter to the central government so that our citizens can have freedom. These citizens are living without freedom; it’s as if our country has never gained independence. This country gained independence in 1961, and today it is 2022 and people are expected to walk in their country with pride, but now our citizens are being killed. Where will peace come from? We, as councillors, are having a hard time speaking

the truth because we are told that we are causing trouble and inciting the experts, but I will not turn a blind eye to this. There is a mother who has been left with five children, the youngest of whom is breastfeeding and has already become an orphan, and the mother has become a widow. How do we help her? With your arrival, I request that they (TFS) help with the funeral and other expenses. MP, I will not allow these citizens to take drastic action -- we are trying to explain to them not to take drastic action. But one day, they will take drastic actions and we will find ourselves in trouble, and our country will be tarnished," said Councillor Khalid of Masumbwe.

The MP said the TFS issue is a legal matter, and the service is a legally recognised authority that oversees the country's forests. "And you trusted me to go and make laws in Parliament. We did not make laws to beat and kill people. There are laws to arrest people who are in the protected areas and all other government areas related to conservation, but this issue has become a matter of murder. I ask this meeting, since this issue is with the central government and our boss is the Prime Minister, I will bring it to his attention as it is -- that he (Clement Lubinza) was arrested, beaten and killed. My task will have been accomplished. The act of killing someone is a crime; the court will know what to do with those involved. I join you in offering condolences to the bereaved family and all relatives."

Iringa



Sao Hill Forest Reserve
Photo credits: Tanzania Unforgettable

The name Iringa means “a place surrounded by a wall”, in reference to a fort. The region is home to the Ruaha National Park, which covers 20,000 square kilometres of land. It is the second largest national park in Tanzania after the Nyerere National Park (Selous). Iringa is in the Southern Highlands and borders the central dry zone of Tanzania to the north. The region had a total area of 58,936 square kilometres in 2012. On average, 74 per cent of this area is suitable for agriculture, which is equivalent to 43,935 square kilometres. The remaining area of 15,001 square kilometres is water, wildlife reserves, mountains, and forests.

Iringa borders Dodoma and Mbeya to the north and the west, respectively, Morogoro to the east, and Njombe to the south. Since 2012, three southern districts have been carved from Iringa to form a new region (Njombe), reducing its area by 21,347 square kilometres. Iringa has a population of 1,192,728, according to the 2022 population and housing census. The economy depends on business, livestock keeping, and agriculture. Livestock keeping is traditional and relies on taking animals to pasture to graze, while agriculture mainly involves cash and food crops such as tea, maize, beans, tomatoes, onions, trees, sunflower,

rice and peanuts.

Ruaha National Park is famous for its abundant large and small antelopes. The park's ecosystem largely depends on the Great Ruaha River, which is the main source of water during the dry season. Ruaha National Park borders two wards, Idodi and Pawaga, with a total of 21 villages inhabited by farmers and livestock keepers. The major conflict arises from wildlife entering farmlands and destroying crops. For example, Omar Salehe, a resident of Pawaga who grows rice, said that there have been challenges around wildlife grazing on farms and causing significant losses. On average, a one-hectare field of rice can yield 20 to 28 sacks, but compensation for a destroyed crop is paid at only Tsh100,000, which is not enough to cover the cost of preparing the field. Sometimes, farmers do not receive any compensation at all, and they are also at risk of being injured by wildlife.

Ruaha River is one of the four basins that make up the Rufiji River Basin, with the others being Kilombero, Luwegu and Lower Rufiji. The Ruaha River Basin covers 85,554 square kilometres, which is 47 per cent of the entire Rufiji River Basin. It spans seven regions, namely Iringa, Njombe, Mbeya, Morogoro, Dodoma, Singida and Tabora. The Ruaha River Basin is formed by major rivers such as Mbarali, Ruaha, Kimani, Kisigo, Lukosi, Ruaha Mdogo, Ndembela and Chimala. The basin is known for various economic activities, including agriculture, livestock keeping, fishing, small-scale mining, small industries, conservation and tourism. Additionally, the Ruaha River Basin is used for irrigation, with over 45,626 farmers using irrigation on 77,187 hectares out of the 126,816 hectares suitable for farming (according to the President's Office Regional Administration and Local Government). Moreover, the water is used for hydroelectric power generation at the Mtera and Kidatu dams, with the latter generating 204 megawatts and Mtera 80 megawatts. The water from the basin is a crucial source for the ecological well-being of the Ruaha National Park. The water from the Great Ruaha River is used to meet household needs for people living in the basin. There have been conflicts between farmers and managers of the Ruaha River Basin reserve, which cuts through Iringa, especially when the managers want farmers to stop cultivation and any other production activities near the river. Residents have been complaining of significant losses due to reduced harvests of onions, tomatoes, rice, beans and other crops that rely on irrigation.

The Iringa region covers 35,503 square kilometres, with an average of 74 per cent considered suitable for agriculture. The remaining 26 per cent consists of water bodies, wildlife reserves, and natural forests. The forest conservation in the Iringa region is divided into two main areas: one is the natural forest reserves such as the Kigogo Forest Reserve in the Mufindi District, the Udizungwa mountain reserve in the Kilolo District, the Nyang'oro South reserve in Holo Village, the Gangalamtumba reserve in Mfyome Village and the Kihosamino reserve in Makombe Village, all of which are in the Iringa district. The second is the Sao Hill plantation forest, which is the largest government-owned plantation forest in the region, covering more than 135,903 hectares, and located in the Mufindi District.

These forests are surrounded by villages that have been registered and recognised by the government for many years, and their inhabitants have been engaged in various economic and cultural activities to meet their needs through the forests, such as firewood, charcoal, hunting, traditional medicine, and rituals before and after being designated as conservation areas. These forests and reserves have been under the management of the TFS and other government agencies, whose goals are to ensure effective and efficient management of forests and bee resources, increase their quality and financial value in providing public services, and continue to develop and improve the ability to provide public services. However, the people living adjacent to the forest reserves have encountered various challenges from the institutions entrusted with overseeing them. Human rights abuses and violations arising from conflicts over land boundaries between villages and reserves are a source of major concern. Some residents have been forcibly relocated, beaten, and charged in court when found in the forests. The violation of human rights, especially for the citizens, arises from the misconception that they are invaders. While conservation authorities regard

citizens around these areas as intruders, on the one hand, the government has recognised their settlements by establishing villages with elected leaders in all elections held and providing them with social amenities like electricity, water, roads, education and health.

Since June 13, 2023, lions have entered Maboga and Kiponzelo (close to Ruaha National Park). Citizens have been advised by their leaders to be back in their homes by 5 pm while efforts to search for lions continue. Chairman Ezekiel Mhhehe has requested that efforts to track the lions be intensified to dispel fear among the citizens. “In our village, they have eaten two cows, we are praying efforts will be increased. Truly we are very afraid,” Mhhehe said. The District Commissioner for Iringa, Veronica Kessy, has reported that lions have killed an estimated 25 cows, injured five goats, five sheep, three pigs and one chicken.⁴⁷

Human Rights Violations in Iringa

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...He was hit by a [teargas canister, which exploded on his] chest and we have been struggling with his medical treatment. He has not been able to take his primary school leaving examinations.
– Witness.

”

Forced Eviction in Kibengu Village

Conservation is a source of tension and conflict between citizens and government institutions responsible for managing forests, which resulted in the injury of 15-year-old Alpha Mgimba,⁴⁸ a seventh-grade pupil at Kibengu Primary School who was preparing for his examinations. On his way home from school, at noon on September 30, 2022, he found the police surrounding the Ubwao hamlet where his family lives. The police were using teargas to control residents protesting against being listed among those who would be relocated from the hamlet. The forced eviction of Ubwao residents to make way for the expansion of the Sao Hill Forest Reserve had generated strong emotions. Alpha was fleeing to safety when a teargas canister landed on his chest and exploded, injuring him.

“Many students were returning home for lunch before going back to school. Suddenly, I saw people running, and I heard the sound of gunfire or explosions. We started running, too. Suddenly, I felt something smoking on my chest, and I was in intense pain. I fell, and my siblings came to pick me up. I thought I had been shot, but I’m grateful that I’m recovering well,” Alpha said. After the incident, his brothers took him to hospital. Alpha was unable to take his seventh-grade national examinations, which were in four days’ time. He and his family have not received any compensation or assistance from the government for medical expenses.⁴⁹

Andason Mgimba, Alpha’s brother, had been digging graves on Thursday, September 29, 2022, when he saw government vehicles ferrying officials and armed soldiers into their village. “They came to register the houses of residents who were supposed to move out because

47 June 26, 2023, Mwananchi Official. <https://www.instagram.com/p/Ct8v9-4NudH/?igshid=MTc4MmM1YmI2Ng%3D%3D>

48 Audio recording of Alpha Mgimba on the incident.

49 Hospital documents for Alpha Mgimba.



Alpha Mgimba shows his scar.

they had reportedly encroached on the Sao Hill Forest reserve. After the residents refused to cooperate, the officials left without taking any action and returned the following day.

“On Friday, September 30, 2022, at 12 noon, they returned with armed soldiers and teargas,” Andason adds. The residents gathered to find out why the officials had come, and the soldiers started lobbing teargas at them. “My younger brother Alpha was leaving school to come home for [lunch] since they were preparing for their primary school leaving examinations. He was hit in the chest, and we have been struggling with his medical treatment. He has not been able to take his primary school leaving examinations, and we do not know what will happen now,” says Mgimba.

Kibengu Village was established in 1974 and officially registered in 1976. Its boundaries enclose the Ubwao hamlet. Henry Gwelino

Dugange, 40, says his parents worked in the forest and were given trees to use in their farms. The hamlet has over 900 residents and more than 200 houses. Residents were brought together from diverse areas to easily access basic services such as health, education, transportation and other necessities. The boundary dispute between Kibengu Village and the Sao Hill Forest reserve goes back to 1984. The villagers claim that the boundaries indicated by Sao Hill Forest reserve are incorrect, while Sao Hill argues that the entire Ubwao Village has encroached on the reserve.

Village chairman Ignasi Msungu says the villagers continue to receive various services, such as places of worship, cemeteries, schools, health facilities, and agricultural areas, but they are required to relocate, which would result in the loss of their basic rights. On September 30, 2022, at around noon, while he was working in the cemetery, Msungu heard gunshots and explosions. He went to the scene and found police officers trying to disperse villagers. “I saw villagers [pelting] police cars with stones while the police were firing teargas and shots in the air. After calm was restored, I received information that a 15-year-old boy named Alpha Mgimba had been injured by a teargas explosion, and taken to hospital,” Msungu

explained.

The explosions disturbed senior citizens who are still in shock about teargas canisters being fired at them.⁵⁰ “The regional commissioner of Iringa visited the area in early November 2022 with a delegation of officials from the ministry who claimed they were sent by the top leadership. After they left, the regional commissioner told us to calm down and continue with our activities while the conflict was being addressed,” Msungu adds.

Fausta Mgimwa, 72, and Sidelina Nyaulingo, 80, were dismayed by the accusation that residents had invaded the Sao Hill Reserve, considering that their families had owned the land for generations. Nyaulingo adds that she could not leave the area due to her age because it holds sentimental memories, including the graves of her ancestors and children. Ezekia Idfonsi Msungu has lived in Kibengu for the past 30 years. He inherited his land from his father and was annoyed by the action of the guards to lob teargas at the residents. Eda Mtisi remarked that her grandparents lived in the area since the era of Mwalimu Julius Nyerere and added that she could not leave her investments in her farms and houses.

For almost five years, a boundary dispute has raged between Sao Hill and the villagers. Gedion Msungu, 46, is unable to understand why the conflict has resurfaced, especially since President Magufuli had resolved it by ordering that the villagers should be allowed to continue with their lives. Over 3,000 villagers would be affected by the eviction, and stood to lose many of their rights, such as their customs and traditions, as well as access to their sacred shrines.

Nashoni Shikalilongo, 42, a resident of Kibengu Village, says that the forced eviction will negatively impact agriculture since all the villagers in the area rely on farming for their livelihoods, including trees and other food crops.

“How can we be told to leave today when our parents had been here since the 1960s, and the government, together with other leaders, registered the village?”⁵¹

The eviction from Sao Hill exacerbated other human rights violations, including the injury caused to the minor Alpha Mgimba.

50 Audio recording of Ezekia Idfonsi Msungu explaining the incident.

51 Audio recording of Anderson Mgimba (Alpha's brother), the chairman of Ubwao sub-village, Ignas Msungu, residents of Ubwao, Ezekia Idfonsi, Mama Fidelia Nyaulingo, Fausta Mgimwa, Nashoni Shikalilongo, Gidion Msungu, Lulu Kihongosi, Henry Gwelino Dugange, Sidelina Nyaulingo, Eda Mtisi; various medical documents and a photo of Alpha Mgimba.

Kagera



Lake Victoria

Photo Credits: African Travels

Kagera is one of the 31 regions of Tanzania. It is in the Lake Zone and was named after its main river, Kagera. It borders Rwanda and Burundi to the west and Uganda to the north. Geita region sits to the south and Lake Victoria is to the region's east. Kagera is divided into seven districts, namely Bukoba, Karagwe, Misenyi, Muleba, Biharamulo, Ngara and Kyerwa. Kagera has 2,989,299 inhabitants, according to the population and housing census of 2022, ranking it as the sixth most populous region in the country.

Major economic activities in Kagera include agriculture, fishing, livestock keeping and business. Kagera is also endowed with a range of natural resources such as national parks -- Burigi-Chato and Ibanda-Kyerwa, forest reserves, land reserves and Lake Victoria, which stretches over the region's entire eastern border. Kagera's natural resources have been both a blessing and a curse for human rights in light of the expense of protecting the conserved natural resources.

Human Right Violation in Kagera

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“I have been persecuted. All my fishing gear was confiscated; I was fined and not given a receipt to show the legitimacy of the fine...”

– Witness.

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Loss of Livelihood after Confiscation of Fishing Gear and Arbitrary Arrest on Lake Victoria

On August 17, 2022, at around 10 pm, a fisheries officer, an Officer Commanding Police Station, and a police officer known as Khamis from Izigo Police Station apprehended fishermen on Lake Victoria, beat and harassed them, and confiscated their nets before imposing fines on them without providing any receipts for the payments made. The officers had accused the fishermen of fishing in Lake Victoria illegally, beat them, and fined them between Tsh300,000 and Tsh1,000,000 each. They also confiscated fishing equipment such as nets and canoes from others.

Jumbe was fishing on Lake Victoria on August 17, 2022 at around 11 pm when he saw a boat approaching and begin to circle him and his colleagues. A fisheries officer from Izigo Division, a police officer known as Khamis, and the OCS for Izigo Police Station, ordered them to stop fishing and board their boat. They accused the fishermen of engaging in illegal fishing activities, even though they were using legally approved nets of six and seven inches.

“When we saw the boat, we did not [flee] because we knew that we were not engaged in illegal fishing. There were two of us in our boat, my colleague and I. Then the police officers asked us what size of nets we were using, and we told them that we had legal six and seven-inch nets on our boat. They took out a ruler and measured the nets and said that they were not six inches, but a quarter-inch larger. I told them that if the nets were not the correct size, it was not our problem, but that of the factory. He then ordered us to get into their boat and they handcuffed us. They then started patrolling the lake with us, while our nets were also on their boat.

“While patrolling, we came across two other fishermen who were also fishing that night. They had about nine nets, which measured six inches, and they were told to drop their nets and get into our boat. They found more fishermen whom they pursued and captured. They had nets made of wire, and they were the ones the police were after. We thought they were joking because we did not expect to be arrested since we had legal nets. Other boats were passing us by without any issues.

Those apprehended with ‘malumalu’ nets were forced to bend into the water to receive a beating while still in the lake. They were unable to disentangle the traps, so Jumbe was ordered to help them. The officers got into another boat and started looking for more fishermen as they left Jumbe with one police officer. The officer assured Jumbe that he would be set free if they could get some money for beer.

“While moving around the lake, the government boat ran out of fuel, and they saw other fishermen calling them. By that time, we had reached the Kyamkwikwi landing site. The fishermen gave them three litres of fuel after the officers identified themselves as being on patrol. When we arrived at the landing site, we found other fishermen pulling out nets, and the officers arrested them. We were ordered to step out and lie on the ground. That was when they started to beat us with wires, causing us to cry out in pain. The officers, soldiers, and OCS then mocked us and told us to stop [crying] because there was no clinic there.”

“When we reached the Izigo Police Station, there were 12 people. The OCS left us with Officer Khamisi and told us that our equipment had been stored in Kyamkwikwi. Each of us was required to contact our relatives and inform them that they could come to bail us out. We asked how much money was needed, and they said they would let them know. We did as instructed but we were still kept in custody. The following day, at around noon, the OCS and the fisheries officer said that we were caught with two defective fishing gears and were now required to pay a fine.”

They pleaded with them, explaining that they did not have money, and that their fishing

gear was no illegal. Instead, we agreed to pay a fine of Tsh300,000 instead of the Tsh500,000 they were demanding, while others were required to pay a fine of Tsh1 million each. We paid the money but no receipts were issued. Our canoes were returned to us, as well as our nets, but they had been cut. The other fishermen who had been arrested in other areas were asked to leave without their canoes or their nets because they had been reportedly burned. According to their statement, no report was made because when they were arrested, no one remembered to demand evidence or documentation.”



Fishing gear burns at Magarini landing site in Muleba District, Kagera.

Ephulaz Mkama, a fisheries officer in Kagera, said fishing in the region continues to be one of the important sectors providing employment, income and contributing to development. The government has implemented various measures to protect the country's resources, including Lake Victoria.

“From June 2021 to September 2022, we conducted 197 patrols and seized 225 illegal fishing traps for catfish, 1,184 fishing nets, 123 small nets for ‘dagaa’ with holes below 8 millimetres, 48 ‘kimeya’ nets, 32 ‘katuli’ nets, and more than 8.2 tonnes of juvenile fish. Additionally, 93 canoes were confiscated for being used in illegal fishing. We also arrested 116 suspects who were taken to court and are serving jail time, or have paid fines according to fishing laws,”

he said.

“All the equipment we seized has a value of more than Tsh 100 million, and we destroyed them according to the law to prevent them from being used to cause further damage in the lake. Our entire system of imposing fines complies with government documents, and the government collects all revenue through the EFD machine system. Therefore, all fines paid go directly to the government,” he added. Mkama explained that they had not received any complaints on non-issuance of receipts.

But Francisco Kitambi’s account contradicts the fisheries officer’s claim. He says that he began to experience harassment from fisheries officials when he started working with three canoes at the Chonge landing site in Bukoba District. “After arriving here, I started working, but there was a leader known as Malimbali who cut up my nets and burned them, besides fining me Tsh500,000, which I paid, but got no receipt for,” he explains. His fish business collapsed after officials seized all his fish and equipment.

After Kitambi’s 18 metal canoes were seized by a marine officer, referred to by only one name Linus, and prevented from fishing, he surrendered all his licences to the fisheries officer at Bukoba District Council to avoid being fined for fishing.

“Everything was taken, and I was left with nothing, which made it difficult to continue my business.

“I have been persecuted. All my fishing gear was confiscated; I was fined and not given a receipt to show the legitimacy of the fine. Even my legitimate canoes, registered under the name Katepa LMT, were seized, and I was left with nothing. My family and my financial situation were greatly affected, as I had nowhere to turn to,” he laments.

Kitambi had been using the same fishing gear as his colleagues, but he was singled out for arrest.

“After that, I quit fishing and focused on farming. Through farming, I was able to make enough money to build one canoe, which I still use today. Despite all the losses, I have never received a receipt for the fines. I suffered heavy losses,” he says.

Another witness who did not want to be named recalls that between 2015 and 2016, a notorious patrol officer in Bukoba Municipality known only as Malimbali used to conduct patrols in Lake Victoria. Every time he found them in the lake, their canoes would be confiscated and their nets destroyed without being offered any explanation. It was claimed that they were fishing illegally and not following the laws and regulations.

“My house was made of mud and sticks because many fishermen in the landing sites prefer to use such kinds of houses. One day, I had gone to repair my motorbike at the garage when a friend called me and told me not to come back home because he had seen fisheries officers and a police car from the Bukoba Marine Police led by Malimbali demolishing my house. Inside my house, there were six-inch fishing nets, which are acceptable. They took all of them and my two canoes to the fisheries office. Then they started looking for me. I ran away to Karagwe Village and stayed there for two years. They found fishermen who used to work for me and took them to court.

“I returned in 2018 and started to figure out how I would survive since fishing was the only job I knew. I borrowed money and made two more canoes, but I found that the same fisheries officer was still there, and when he found out [I had returned], he came to where I had moored my boats and destroyed them. In the end, I was bankrupt. Until now, I have nothing, not even a hundred shillings, and I’m working for rich people doing sardines fishing as a casual labourer. I used to own property and employed people. Through my work, I was able to support my family and send my children to school. However, after those incidents, I ran out of money, and my family left me due to poverty.”

Katavi



*Katavi National Park
Photo credits: Millia Safaris*

Katavi has three districts -- Mpanda, Mlele and Tanganyika -- and five councils, namely Tanganyika, Mlele, Nsimbo, Mpimbwe and the Mpanda Municipal Council. The region has 10 divisions, 58 wards, 172 villages, 43 streets and 535 hamlets. It covers 47,527 square kilometres, equivalent to 4,752,700 hectares. Some 932,136 hectares of the land are suitable for agricultural and pastoralist activities, while 2,801,163.7 hectares constitute the Katavi National Forest Reserve and Rukwa/Lwafi Game Reserve, with water bodies taking up 168,400 hectares, while the remaining area is used for settlement and other economic activities. The region is in western Tanzania and shares borders with Tabora to the east,

Kigoma to the north and Lake Tanganyika and Kigoma to the west, while Rukwa and Songwe regions are to the south. The Lake Tanganyika water mass also forms a natural border with the Democratic Republic of Congo. Katavi was officially established in 2012 after being hived off from the Rukwa region.

The greater proportion of the region, around 58.9 per cent of the total area, is covered by forest reserves. Agriculture and livestock activities take up 19.6 per cent of the land. Katavi has a population of 1,152,958, according to the 2022 population and housing census, making it the twenty-fifth most populous region in the country. It is located at an average altitude of between 1,000 and 2,500 metres above sea level. Temperatures range between 13 and 16 degrees Celsius in June and July, while from September to November, the temperature can rise to between 26 and 30 degrees Celsius. On average, the region receives between 1,000 and 1,300 millimetres of rainfall, which falls between November and April. Katavi is divided into four climatic zones, namely, the Lake Rukwa Basin, the Katumba, Inyonga and Mwese Miombo Woodlands, and the shores of Lake Tanganyika.

The economy of the region revolves around agriculture, livestock keeping, and crop production -- all of which contribute up to 90 per cent of Katavi's GDP. Agriculture also employs more than 95 per cent of the population. Residents keep cattle, goats, sheep, chickens, ducks, guinea fowl, pigeons, rabbits, pigs, cats, dogs and donkeys. They grow tobacco, groundnuts, sunflower, coffee, sesame, cotton and cashew nuts. Tobacco farming contributes significantly to the region's GDP. Food crops include maize, rice, cassava, beans, sweet potatoes and bananas. A large surplus of maize, rice and beans is sold for cash. Other economic activities in the region include fishing, beekeeping, small-scale mining and small businesses.

The livestock sector plays a significant role in providing nutrition, employment and income for the residents while contributing to the national income through trade in live animals and their products. Additionally, the livestock significantly contributes to increasing crop production through the use of draft animals and manure to enrich the soil. As of December 2022, the region had 562,888 cattle, 181,826 goats, 59,726 sheep, 1,037 donkeys, and 1,132 rabbits.

Some of the region's attractions include the Katavi National Park, the Rukwa Game Reserve, the Majimoto hot springs, and large forest reserves such as Katavi, Inyonga, Msaginya, Mlele Hill, Nkamba, Mpanda Northeast, Rungwa, Tongwe, and Ugalla. These resources, many of which are national conservation areas, have been at the centre of conflicts between the local population and conservation authorities. Katavi National Park and the areas under the management of TAWA and TFS are specially affected. The conflicts have resulted in killings, torching of homes, and destruction of crops by clearing fields, as well as setting fields on fire in some cases. The conflicts are more prevalent in Mlele and Tanganyika districts.

Ownership and control disputes in various areas fuel conflicts between communities and conservation authorities. While the communities claim that the government gave them those areas by establishing and registering villages with elected leaders through legitimate government-supervised elections, the conservation authorities counter that residents have invaded the areas and must be forcibly removed without any alternative settlements being provided for their economic activities.

In forcibly evicting citizens, conservation authorities in collaboration with other law enforcement agencies have been burning down villagers' houses and destroying their crops in Mishamo Village of Tanganyika District and in the villages and hamlets of Kakwale, Kaseganyama and Lyamgoloka in Kapalamsenga Ward. Similar incidents have been recorded in the Ikuba and Ilunde villages of Mlele District. More than 100 houses were burned down in February 2022 in Tanganyika and June 2022 in Mlele.

Human Rights Violations in Katavi

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TAWA security personnel warned villagers that if they were found in those areas, their homes would be burned down again.

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Forced Eviction in Kamsisi Village

On September 6, 2022, residents of Kamsisi Village in Inyonga Ward of Mlele District, Katavi, were forcibly evicted from their homes by TAWA officials who claimed that those areas were forest reserves. The villagers were suddenly attacked by uniformed TAWA officers from the Kamsisi station, assaulted and their homes and crops burnt down in an attempt to force them out of the area. There was so much panic and anxiety among the residents that they were unable to work.⁵²

Beda Alfred Katani, the chairman of the ruling Chama Cha Mapinduzi (CCM), Katavi region, filed a complaint with the regional commissioner, Mwanamvua Mrindoko, on behalf of the villagers over the torching of homes, which prompted her to visit the affected village and to hold a public meeting. The regional commissioner strongly condemned the violation of human rights and formed a team to investigate. TAWA official Mayanzi Kidanha said the authority wanted to build an office in the area.⁵³ Villagers claimed they had been living in the area for many years. Some children were denied their right to education due to the economic hardships their parents were suddenly faced with.

Kwimba Masanja Miaka, 35, does not know the whereabouts of her husband, Shija Magadola, 42. He fled during the eviction operation and has not been seen since. No villager was issued with any notices or in any way involved in the operation.

Use of Excessive Force in Kaseganyama Village

A full security operation, including officials from the National Parks Authority, the Tanzania People's Defence Force (JWTZ) and the police, burnt down homes and crops in the Visima Viwili hamlet in Kaseganyama of Kabungu District on February 12, 2022. The officials sought to evict residents from the village arguing that it was a conservation area for the Nkamba Forest, even though it had been surveyed by the Tanganyika district authority in 2019. Mwandu Shigela, a resident of Visima Viwili, saw uniformed soldiers arriving at 5 am to forcibly evict residents.

TAWA officials went from house to house warning the villagers that their homes would be burned down if they were found in the area. The residents were prohibited from engaging in any economic activities, or rebuilding their homes. TAWA and TFS officers routinely arrest citizens for carrying even two cans of charcoal without a permit, and impose hefty fines on them. They often seize motorcycles and bicycles, which they auction when the fines imposed are not paid.

52 Pictures of burnt down houses and audio recording of voices of victims as they express their grievances.

53 Pictures and audio recording of voices of the regional commissioner, TAWA officer and villagers.

There was no community involvement in the decision-making process, nor were the media allowed to report on the matter. The councillor for Kapalamsenga Ward, Jefu Lameck, attempted to take pictures of the burned houses but was arrested and ordered to delete the photographs. The Katavi Regional Commissioner, Mwanamvua Mrindoko, said she had no information about the operation in the Visima Viwili. However, the Chama Cha Mapinduzi (CCM) chairman in Katavi, Alfred Beda Katani, admits that the operation was carried out by government officials who had sold land to the residents and issued them with payment receipts.

The Committee of Eight Ministers established by President Samia Suluhu Hassan to resolve land conflicts visited Visima Viwili and ordered the villagers to vacate the area because it is part of the Nkamba Forest Reserve and was also a wildlife corridor.⁵⁴ The committee was led by Mashimba Ndaki, the Minister for Livestock and Fisheries.

Citizens were deprived of their right to access food and shelter as their crops and houses were torched and destroyed. Additionally, they were not provided with alternative places to settle or to continue with their agriculture activities, which are their main source of income.



A burnt house in Katavi.

⁵⁴ Evidence: Photographs of burnt houses and audio recordings of victims expressing their grievances. An audio recording of the chairman of the Committee of Eight Ministers, Livestock and Fisheries minister Mashimba Ndaki, who visited the village to investigate the conflict on December 10, 2022. Audio recordings of villagers in Visima Viwili and a picture of the chairman of the Committee of Eight Ministers, Mashimba Ndaki.

Kilimanjaro



Mkomazi National Park
Photo credits: Tracks4africa

Kilimanjaro borders Kenya to the north, Tanga to the south, and Arusha and Manyara to the west. The region is named after Kilimanjaro, the highest mountain in Africa. The region covers 44,522 square kilometres. Kilimanjaro has a population of 1,861,934, according to the 2022 census, which ranks it as the eighteenth most populous in the country. It has six districts with nine constituencies. The districts are Hai, Siha, Moshi, Rombo, Mwanga and Same. There are 30 wards, 169 villages, 519 hamlets and 600 streets in Kilimanjaro. Subsistence and commercial agriculture as well as livestock keeping are the region's economic mainstays. Some crops, such as coffee, are grown commercially. Coffee has been a major source of income for the region for many years, leading to the establishment of cooperative unions like Kilimanjaro Native Cooperative Union (KNCU) in 1994. Ginger is also grown in Same District, and it is a popular worldwide export. Other crops include bananas, maize, beans and rice, among others.

Kilimanjaro has many economic activities that contribute to the national income. Data from the National Bureau of Statistics (NBS) in 2021⁵⁵ show Kilimanjaro leading in providing a high quality of life to its residents, with 90 percent living above the poverty line. The region is the eighth largest contributor to national income. Kilimanjaro, the mountain, is a major contributor to the region's economy as it attracts a large number of local and international tourists every year. It is estimated that more than 20,000 tourists climb the

mountain each year.

The 'Nyumba ya Mungu'⁵⁶ dam is another important contributor to the region's economy. The dam has been used for fishing for many years, supplying the local community as well as neighbouring regions with fish. Ranwel Mbukwah, the Commissioner for the Operation to Eradicate Illegal Fishing in Nyumba ya Mungu Dam, said it generated revenues of Tsh95,720,000 for the government in 2018.

Kilimanjaro region has been beset by human rights violations, which include killings arising from conflicts between pastoralists and national park authorities.

Human Rights Violations in Kilimanjaro

“

...Those rangers were talking to the herdsman. They asked him to hand over his 'simi' and phone. He did so, and the rangers took the cows and left with them, [but] the herdsman protested this decision and that's when they shot him...

– Witness.

”

Loss of Life of Ngaitipa Marias Parmao

On June 6, 2022, 17-year-old Ngaitipa Parmao was grazing his family livestock near the Mkomazi National Park at Pangaroo Village in Mwanga District when he got into a confrontation with park rangers.

The Secretary of the Mwanga District Livestock Owners Association, Peter Martine, explained that after uniformed TANAPA rangers claimed that Ngaitipa's animals had entered the park, they seized them and demanded that he surrender his traditional weapon and mobile phone. "When they [seized] the cows, they left with half of the herd and were fighting with the herdsman over cows found inside the park. Those rangers were talking to the herdsman, after a while they asked him to hand over his simi and phone. He did so, and after a while, those rangers took the cows and left with them," he adds.

Ngaitipa sought assistance from his fellow pastoralists, who arrived armed, with spears and arrows. The rangers fired over 15 shots in the air but one of the bullets struck Ngaitipa and killed him. Mwanga District Commissioner Abdallah Mwaipaya said: "We have received reports that this child has died, but the preliminary information we have shows that they grazed cattle in the park, and the rangers seized them. After they apprehended this child, he called his companions, who came with spears, which made the rangers fire shots in the air about 15 times because the pastoralists were following them."

Shortly thereafter, livestock owners, accompanied by police officers, arrived at the scene

56 Nyumba ya Mungu is a Swahili phrase that translates to House of God.

and took Ngaitipa, who was critically injured, to the Same District Hospital.^{57,58} His condition deteriorated, and he was transferred to the KCMC Referral Hospital where he died on July 8, 2022 in the Intensive Care Unit (ICU).⁵⁹



Ngaitipa's coffin is lowered into the grave.

Ngaitipa's father, Marias Parmao, says a medical examination on his son's body showed that he had two bullet wounds in his right arm and stomach. A manslaughter case has been instituted against Elija Kamani Joseph at the Moshi Resident Magistrate's Court, under File No. 322/2022. He is being detained at the Karanga Regional Prison in Kilimanjaro.⁶⁰ The Assistant Commissioner for Conservation at the Mkomazi National Park, Emanuel Moirana, said that after the five rangers seized the livestock, the villagers, who were armed with machetes, attacked them, forcing the rangers to defend themselves by firing into the air. Kilimanjaro Regional Police Commander Simon Maigwa issued a statement on the incident, as did TANAPA, saying they had initiated an investigation.

57 Hospital records from Same.

58 Evidence of this treatment is documented in a Ministry of Health, Community Development, Gender, Elderly, and Children (before it was split) record with reference number IB 1249, including electronic payment receipts for services received by Health Worker Halima on July 8, 2022, with electronic document numbers 12384822. Emergency surgery payment for Ngaitipa at Same District Hospital is also included in the payment records, supported by a payment receipt document with reference number 161253. The health worker who received the payment of Tsh110,000 has been identified as Namkunda Msolo.

59 KCMC hospital records.

60 Certificate of major surgery for Ngaitipa, livestock handover certificate, receipt for fine for bringing livestock into the park, letter confessing to bringing livestock into the park, newspaper/link to newspaper articles in Mwananchi (series of events) on the death incident, hospital prescription forms while Ngaitipa was receiving treatment, official report from TANAPA on the death of the child, medical expenses for Ngaitipa's treatment and pictures of Ngaitipa's funeral.

HIFADHI ZA TAIFA TANZANIA



TAARIFA KWA VYOMBO VYA HABARI

Shirika la Hifadhi za Taifa Tanzania (TANAPA), linatoa pole kwa familia ya marehemu Ngaitepa Marias Lukumay (17) mkazi wa kijiji cha Pangaro Wilaya ya Mwanga Mkoani Kilimanjaro kwa kumpoteza kijana wao kutokana na mvutano uliotokea kati ya askari wa Hifadhi na wananchi baada ya mifugo ya wananchi kukamatwa ndani ya Hifadhi ya Taifa Mkomazi Julai 5, 2022.

Shirika kwa upande wake limeanza kulifanyia uchunguzi wa kina tukio hilo ili kuhakikisha kuwa mahusiano mazuri kati ya wananchi na hifadhi yanaendelea kuwapa kama kawaida.

Aidha, Shirika litaendelea kutoa elimu ya uhifadhi kwa wananchi wanaoishi kandokando ya hifadhi kupitia Mradi wa Ujirani Mwema kuhusiana na Sheria za Hifadhi za Taifa na taratibu za kufuatwa kwa wanaokiuka ikiwa ni pamoja na kufanya shughuli za kibinadamu ndani ya maeneo ya Hifadhi za Taifa ili kuepuka madhara yanayoweza kutokea kunapokuwa na mvutano usiofuata taratibu za kisheria.

Imetolewa

Catherine Mbeni
Idara ya Mawasiliano
TANAPA Makao Makuu

12.07.2022

Statement from TANAPA on Ngaitepa Marias Lukumay's killing.

Kigoma



Malagarasi Wetlands
Photo credits: Shaaban Makaka

Kigoma is in the western zone of Tanzania, bordering Lake Tanganyika, the deepest lake in Africa, to the west, as well as the Democratic Republic of Congo and Burundi. It also borders Kagera to the north, Tabora and Geita to the east, and Katavi to the south. The region is ringed by Lake Tanganyika from the northeast to the southeast. Kigoma, which covers 45,075 square kilometres, has six districts: Kigoma, Uvinza, Buhigwe, Kakonko, Kasulu and Kibondo. Within these districts, there are six councils (local authorities), one town council and one municipality. Kigoma is inhabited by 2,470,967 people, according to the 2022 population and housing census. It is the ninth most populous region in the country.

Kigoma's main economic activities are agriculture, livestock keeping, fishing and small-scale trade and industry. Part of the region's land has also been set aside for conservation -- ranging from national parks, forest reserves to game reserves. The wildlife reserves include the 71-square-kilometre Combe National Park, which was established through Government Notice (GN) No. 234 of 1968 and No. 228 of 2013, and Mahale Mountains National Park, which covers 1,577 square kilometres, established in 1985 through Gazette Notice No. 262. Mahale partly eats into Katavi region. The Moyowosi Game Reserve, which is headquartered in Kifura Village, Kibondo District, covers 6,000 square kilometres, and

was established through Government Notice No. 01 of 1981. Additionally, there are forest reserves under the supervision of the TFS.

Makere South Forest (Kagera Nkanda)

Makere South Forest is one of the protected reserves in Makere Division of Kasulu District. It occupies 59,747 hectares of land and was established by Government Notice No. 250 of 1956. Within the Makere South Forest, there are two villages, Kagera Nkanda measuring 14,262 hectares with a population of 12,422, and Mvinza measuring 14,056 hectares with a population of 13,883, established in 1973 and registered in 1983.

Residents of the two villages are farmers, herders, fishermen who also harvest honey and engage in small-scale businesses. The villages are surrounded by the Makere South Forest, with only one road in and out. The Malagarasi wetland is to the south of the village, while to the east is the Muyowosi Kigosi Game Reserve, where the Safari Hunting Company has been granted a hunting licence in a concession to manage tourist hunting and fishing.

Conflicts over the large and fertile land being used by many people, 75 percent of whom come from areas outside the two villages, have given rise to widespread human rights violations. Sukuma herders from Mwanza and Shinyanga regions have been bringing large herds of cattle into the area, alongside carrying out farming activities, which sets them in conflict with villagers. Despite the Makere South area being recognised as a forest reserve in 1956, it has continued to be used for farming, and its management has remained under the jurisdiction of the Kasulu District Council, whose natural resources and agriculture officials conduct small-scale operations to prevent its improper use.

In 2003, the government relocated ethnic Tutsi herders from their area and moved them to the Uvinza ranch in an effort to reduce crowding in the area and emphasise conservation and environmental preservation. Starting in 2002, conflicts with and human rights violations against citizens increased after the government officially handed over these areas to TFS and TAWA. The two authorities prohibited people from passing through forest reserves into certain villages. TAWA and TFS have continued to strengthen their security and erect barriers to prevent people from engaging in farming and livestock rearing, leading to major conflicts with citizens who complain that they do not know where the boundaries are and believe that the land they are working is not part of the reserve.

In 2019, a total of 74 cases were filed in the Kasulu Magistrate's Court against people accused of engaging in prohibited activities in the Makere South Forest reserve and the Malagarasi wetland area in hunting blocks. A large number of villagers in the Makere South district of Kasulu, as well as herders from the Shinyanga and Mwanza regions, have been using the area for farming and livestock rearing despite notices prohibiting these activities in the area. Border relocation has been a sore point between citizens and the authorities managing the area, with each group accusing the other of moving and distorting the true boundaries.

In 2017, while on a tour of Kigoma region, then President John Magufuli announced the allocation of 10,012.61 hectares from the Makere South Forest Reserve (Kagera Nkanda forest) for agriculture and plans for the Kasulu District Council. Of this, 2,174 hectares (5,435 acres) were allocated to the Mvinza Village, and 2,496 hectares (6,240 acres) to the Kagera Nkanda Village while the Kasulu District Council was allocated 5,342.61 hectares (13,356.525 acres). After the allocation, a survey was conducted in 2018, and new boundaries established. Because the new demarcations were not conspicuous, conflicts erupted.

The allocation did not resolve the land conflicts in the area as the TFS and TAWA stepped up the protection of their territories and established a monitoring and forest protection station from where they would conduct operations to evict farmers and herders. TFS stepped up the confiscation of livestock and destruction of crops, but sometimes conducted operations during the harvesting season and confiscated farmers' produce.

Seizure and confiscation of livestock, crops, motorcycles and bicycles is also accompanied by human rights violations, including torture. In 2021, herders from the community pursuing their 2,000 seized animals attacked a TFS camp and killed two people. The confiscation of livestock has been criticised for allegedly being conducted to personally benefit TFS officials rather than to uphold legal procedures for seizure, auction, or prosecuting suspects. Government officials complain that criminals hide in the forest under the pretext of carrying out agricultural activities. Residents often employ foreign citizens, including refugees, in farming work without following the laid down procedures for obtaining work permits for them.

The Minister for Natural Resource and Tourism issued a statement on three incidents involving citizens attacking wildlife and forestry conservation officers:

- i. On August 31, 2022, inside Makere South Forest Reserve in Kasulu District, citizens attacked wildlife conservation officers and killed two Suma JKT officers. Furthermore, in this incident, the citizens burned down the officers' camp, destroyed six motorcycles, one tractor, and agricultural produce (70 bags of maize, 30 bags of cassava, 20 bags of sorghum, and 20 bags of beans) belonging to TFS.
- ii. On September 8, 2022, inside Makere South Forest Reserve, citizens attacked the officers' camp and set fire to tents, tractors, and sprayed poison on seedlings in the nurseries.
- iii. On September 11, 2022, inside Makere South Forest Reserve, citizens invaded the officers' camp and burned part of the tree plantation, destroying 119 hectares.

On January 31, 2023, a patrol team from the Uvinza District Council consisting of 22 individuals, including the District Forest Officer (DFO), was attacked by herders in Chakulu Village Forest Reserve. The herders were intent on reclaiming livestock that had been seized in the reserve. During this incident, three individuals, including District Forest Officer Adam Halenga, Game Warden Ibrahimu Seba, and Shaban Kidonya were killed. Four others were seriously injured and hospitalised.

Human Rights Violations in Kigoma

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The officers continued to torture him alongside other unidentified individuals. Later at around 6 pm, they left him alone in the wilderness, unable to walk due to injuries he suffered.

– Witness.

”

Arbitrary Arrest, Torture, Cruel and Inhumane or Degrading Treatment in Kagera Village

On October 13, 2021, at 11 am, Amos Bubaha Nkuki was working on his farm in Kagera Village when he was attacked and arrested by TFS guards from Kasulu District. The guards were accompanied by village militia (*wanamgambo*) from Kagera, Nkanda. There were 12 people -- five TFS guards and seven militiamen -- who arrested him on suspicion of carrying out farming activities in the Makere South Forest Reserve in Kagera, Nkanda Village. He was



Amos Nkuki displays the scar on the sole of his foot.

ambushed while working on his 10-hectare farm with hired labourers. Nkuki's companions fled but he was severely beaten with sticks and clubs all over his body until he bled. After his arrest at around 11 am, he was taken to a nearby farm where a fire to cook food for the labourers was going.

Nkuki was forced to pick up burning coals with his bare hands as the TFS officials and militiamen kicked him with their boots. While he was picking up the burning firewood, he scalded his hand and was in severe pain, but the guards ordered him to carry on as they continued to insult him. They also forced him to step on the fire with his bare feet, resulting in severe burns on his feet and legs. The guards continued to torture him along with other unidentified individuals. Later in the evening, at around 6 pm, his tormentors abandoned him in the wilderness, unable to walk owing to the injuries he had suffered. They also seized his two bicycles and mobile phone. Alone in the wilderness and in severe pain, he could not do anything until around 11 pm when a cyclist appeared and helped him to Kagera, Nkanda Village. Later that night, he was taken to Kasulu.

Nkuki said he would not report the incident anywhere because the district commissioner's office had already announced that anyone found in the area would be considered a criminal. He believed that reporting to the police would only add to his problems and expose him to legal action. For five months, he received traditional treatment and medicines brought to him but he was unable to work or earn a living. A year after the incident, he was still in pain and two fingers on his right hand were bent from burns, while a scar on his right foot still gives him fever and chills in the cold weather.⁶¹ Selemani Wandwi, a well-known businessman in Kasulu District, who is also one of the citizens who had been farming in the Kagera-Nkanda area, provided medical care for the victim at home after hearing about his situation.

Kigoma regional police commander Philemon Makungu explained that there was a large number of refugees and foreign nationals (Burundians) entering the forest and engaging in farming and mining activities without proper documentation. The Regional Commissioner for Kigoma, Tobias Andegenye, clarified that the area was designated as a conservation reserve where farming, livestock rearing as well as any other human activity was prohibited.⁶² The perpetrators are suspected to be forest guards from TFS in Kasulu District and Kagera Nkanda forestry plantation, village game scouts from Kagera-Nkanda and Mvinza, who are hired as casual labourers to assist in operations to capture people in the Makere South Forest Reserve.

61 ⁹⁰ Pictures of the injuries.

62 Report from the non-governmental organisation TAWEA describing the human rights violations in the villages of Kagera and Mvinza, which border the Makere South Forest Reserve managed by the Tanzania Forest Service Agency (TFS); a video clip of the victim (Amos) explaining what happened to him, pictures of the victim (Amos) showing the injuries he sustained, a video clip of the Regional Police Commander (RPC) of Kigoma, Philemon Makungu, describing the security situation in the area and what the government was doing through its security agencies and a video clip of the Regional Commissioner (RC) of Kigoma, Tobias Andegenye, explaining the operation to remove all people engaged in farming and livestock keeping activities in the Makere South Forest Reserve.

Lindi



*Selous Game Reserve
Photo credits: Leopard Tours*

Lindi is in the southeast of Tanzania. In 1961, when Tanganyika gained independence from Britain, this region was not yet established and was part of the Southern Province, which included the current Lindi, Mtwara and Ruvuma regions, with its headquarters in Lindi Town. Lindi borders the Indian Ocean to the east, Coast to the north, Morogoro and Ruvuma to the west, and Mtwara to the south. It covers 67,000 square kilometres, which is equivalent to 7.1 per cent of the area of Tanzania Mainland. However, almost 27 per cent of the region's area (18,000 square kilometres) is within the Selous Game Reserve, which is west of the Liwale district. In 1971, the region had three districts: Lindi, Kilwa and Nachingwea. Liwale District was hived off Nachingwea District in 1975, while Ruangwa was established by splitting Lindi District in 1995.

Lindi has six councils, namely the Lindi Municipal Council, Mtama (Rural Lindi), Kilwa, Nachingwea, Liwale and Ruangwa. The region has a total population of 1,634,947, according to the 2022 population and housing census, making it the twenty-third most populous in the country. Nearly 80 percent of the population are farmers. Lindi relies heavily on the agriculture sector, with cashew nuts, sesame, cassava, beans, tomatoes, and onions as the main cash crops, while rice, maize and millet are the main food crops. Other sources of income include fishing, beekeeping, mining, as well as small and medium-sized industries.

The region has several natural resources and attractions, including the Indian Ocean, the Selous Game Reserve, and major rivers such as Lukuledi, Matandu and Mavuji, which flow into the Indian Ocean. The historical town of Kilwa Kisiwani on the East African coast, the ancient ruins of several towns, and the Selous Game Reserve, one of the largest reserves

in Africa and the world, are some of the major tourist attractions. Lindi also has natural gas reserves that are extracted in large quantities on Songo Songo Island in the Indian Ocean.

The region has also suffered wildlife invasions, including by elephants. TAWA and the Tanzania Wildlife Research Institute (TAWIRI) have recently completed an exercise to install communication equipment on animals in Nachingwea and Liwale districts to monitor their movements and thus control invasions.⁶³ Lindi is among the regions recording numerous human rights violations in several areas, especially those bordering the Selous Game Reserve, where people reportedly involved in wildlife poaching or fishing have been shot dead or injured. Encroachment on wildlife reserves is one of the sources of conflict between citizens and law enforcement agencies, resulting in significant human rights violations.

Human Rights Violations in Lindi

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...While on the road, they were attacked and arrested by rangers identified as working for the Selous Game Reserve and others who were not in uniform...

”

Forced Eviction in Mtepera Village

Seven-armed game reserve officers from Selous Game Reserve arrived at Mtepera in Miguruwe Ward of Njinjo Division in Kilwa on July 24, 2021 at noon and ordered residents to leave within two days, claiming that the area they had settled was part of the Selous Game Reserve. They did not provide or show any documents to support their claims, such as previous border demarcations between the reserve and the village. Abdulkarim Abdallah Mhindi, 47, had lived in Mtepera for eight years and the order did not see any document or evidence to support the claim that he and the other villagers had encroached on the Selous Game Reserve. He reported the incident to the government offices in Mtepera Village. Subsequently, 14 guards visited Mtepera and asked Abdulkarim why he had not left yet. A female guard urged him to consider his wife's condition as her pregnancy could be harmed. The guards left after a heated verbal exchange with Abdulkarim, but the threats had frightened him, so he left his home in Nakalonji Village to seek temporary refuge near the government offices, where he still resides.



63 June 25, 2023, Habariclouds. <https://www.instagram.com/reel/Ct6EVbUNerD/?igshid=MTC4MmM1YmI2Ng%3D%3D>.



A government receipt showing the fine Abdulkarim paid after serving a one-year suspended sentence.

Abdulkarim and his family took refuge in the house on the right after Selous Game Reserve guards ordered them out of their home.

However, he was arrested on July 25, 2021, alongside 17 others, and charged with obstructing the police from carrying out their duties. He was fined Tsh 100,000.

Witnesses said the police were dressed in uniform, while those accompanying them were kitted in TAWA uniforms. Some residents recognised some of the officers from previous excursions into the village when they were ordering people to leave. Sophia Charahani Nguku, a resident of Mtepera Village, says she saw officers from Selous going into homes and farms several times to issue ultimatums for residents to vacate the land or face unspecified consequences. It was these constant threats that forced them to seek refuge near the village government office. The chairman of Mtepera Village, Iddi Kassim Mbebei, concedes that serious human rights violations have occurred. He confirms that Mtepera Village was officially registered in 1978 and that no new borders have been created since 1974.⁶⁴

Forced Eviction and Torture in Mtepera Village

Selous Game Reserve guards harassed and later arrested Omari Rashid Lipau, 42, a resident of Mtepera Village in Miguruwe Ward, Njinjo Division, Kilwa District, between 2020 and 2021. He was prevented from farming on his land, ordered to leave the area on the pretext that he was farming in the reserve, and assaulted.

Guards from the Selous Game Reserve arrived on July 22, 2021 just before noon, while Lipau was farming his land and ordered him to leave immediately since he was on the reserve. They arrested him and took him to the village government office in Mtepera, where the leadership assured them in his hearing that his farm was not part of the Selous Game Reserve. However, on the night of August 4, 2021, Lipau was arrested together with his colleagues and taken to the Kilwa District Police Station, and then on to the Lindi region. After their arrest, they spent seven (7) days in custody before being charged in court. Omari Rashid Lipau and his companions were charged in Criminal Case No. 7/2021 but were unable to obtain bail early because the police station is far from the courthouse. Their relatives did not know what was required of them to secure their release on bail.

Although they were ultimately granted bail, they continued to attend court for four months before they were convicted and collectively fined Tsh9 million as the cost of damages on two government-owned car and motorcycle mirrors, which were alleged to have been broken during a meeting between the villagers and district leaders. Each defendant was also fined Tsh100,000 or required to serve a year in jail. Lipau and his colleagues each paid TSh100,000, making a total of Tsh2.1 million, and still owe Sh7.9 million in fines for the broken mirrors on the car and motorcycle. They were sentenced to one year probation, which was served until November 11, 2022. Lipau says he recognised the officers because they often came to order him to stop farming on his land, claiming that it was in the Selous area.

Salum Mlipenye is Omari Rashid Lipau's neighbour. He saw the guards arresting Lipau alongside other people on the night of August 4, 2021 and beating them. He went to the scene after hearing their screams. Village chairman Iddi Kassim Mbepei was one of the 21

⁶⁴ Video statement of Abdulkarim explaining the entire incident and the mistreatment he received. A copy of the receipt for a fine of Tsh100,000 paid for obstructing the police from carrying out their duties. (A copy of the judgment issued by the Lindi Resident Magistrate's Court, along with his 20 co-accused, for the offence of obstructing the police from carrying out their duties. A copy of the letter from the chairman of Mtepera Village to the President of Tanzania regarding the grabbing of villagers' land by the Selous Game Reserve.

defendants in the case charged with obstructing police officers from carrying out their duties in relocating citizens from an area in Selous. He said there were gross violations of human rights against the citizens and supplied documents backing his claims that the Mtepera Village boundaries were officially registered in 1978. He said that no new borders had been created since 1974.⁶⁵

Arbitrary Arrest and Inhumane Treatment in Mtepera Village

On July 24, 2021, Ally Abdallah Lipenga⁶⁶ was arrested at 3 am from his home by wildlife authority officers from the Selous Game Reserve. The officers knocked on his door and arrested him when he opened for them. Lipenga explains that when the officers knocked on the door, they identified themselves as police and asked him to step outside. He went outside with his wife, but the officers arrested him and started beating him. He was later joined by his brother, Said Hemed Mkwanga. He was beaten continuously until 6 am when he was bundled into a vehicle with 17 others and transported to the regional police headquarters in Lindi. At the police station, they were beaten some more and denied food for three days.

After seven days in custody, the brothers were charged in court to with obstructing the police from carrying out their duties. They were granted bail and ordered to attend court once every month until the conclusion of the case. They were sentenced to one year of community service on November 11, 2021, and fined Tsh100,000 each. The defendants paid the fine but need to pay an additional Tsh7.9 million as compensation for the damage to the mirrors of a car and a motorcycle. Ally Lipenga's wife, Asha, says she saw police officers arresting and beating her husband but did not know which police station he and the other arrested people were taken to as she was not informed.

Arbitrary Arrest and Torture in Mtepera Village

Fitina Mohammed Nguku was arrested on July 25, 2021, between 2 pm and 3 pm in the Miguruwe area on the road that cuts through Mtepera Village to Selous Game Reserve. Wildlife rangers from Selous Game Reserve, as well as officers from the Tanzania Wildlife Management Authority (TAWA) confronted him while he was with his friend, Said Hemed Mkuramuno, and arrested them. Fitina says he was coming from visiting his sick relative in Njinjo, and when he got to the Miguruwe area, which is close to the TAWA offices, he met Said Hemed Mkuramuno on the main road. They were confronted by un-uniformed guards who accused them of venturing into the Selous Game Reserve and arrested them. The men were then forced into a car and driven to one of the tourist hotels inside Selous Game Reserve where they were beaten, tortured and humiliated while Fitina was forced to take off his leather shoes worth Tsh50,000.

Fitina also recognised the faces of some of the officers because they had previously visited his village and ordered residents to leave. Fitina Nguku was able to recognise the Officer in Charge of Criminal Investigations at the Kilwa District Police, whom he knew from Madali. Between 8 pm and 9 pm, the two men were taken to the Kilwa Police Station where they were detained in a cell. Even there, they were severely beaten by the officers on duty. Said Hemed Mkuramuno collapsed and lost consciousness several times but was not given any medical attention or treatment. On the third day in custody, their friend Kassim Ally Likweta came to bail them out on the instructions of their village mates in Mtepera. However, Likweta, too, was arrested and locked up at the police station, bringing the number of victims to three.

⁶⁵ Video of Omari Rashid Lipau narrating the ordeal he went through at the hands of the police; Government receipt showing payment of a fine of Tsh100,000 after sentence; Copy of the judgment of the one-year suspended sentence. Village land title deeds and letter of complaint from the village chairman.

⁶⁶ Video of Ally Abdallah Lipenga describing the ordeal he went through after being arrested and beaten by the police officers. (Government receipt showing the payment of a fine of Tsh100,000 after sentence in the Lindi District Court.

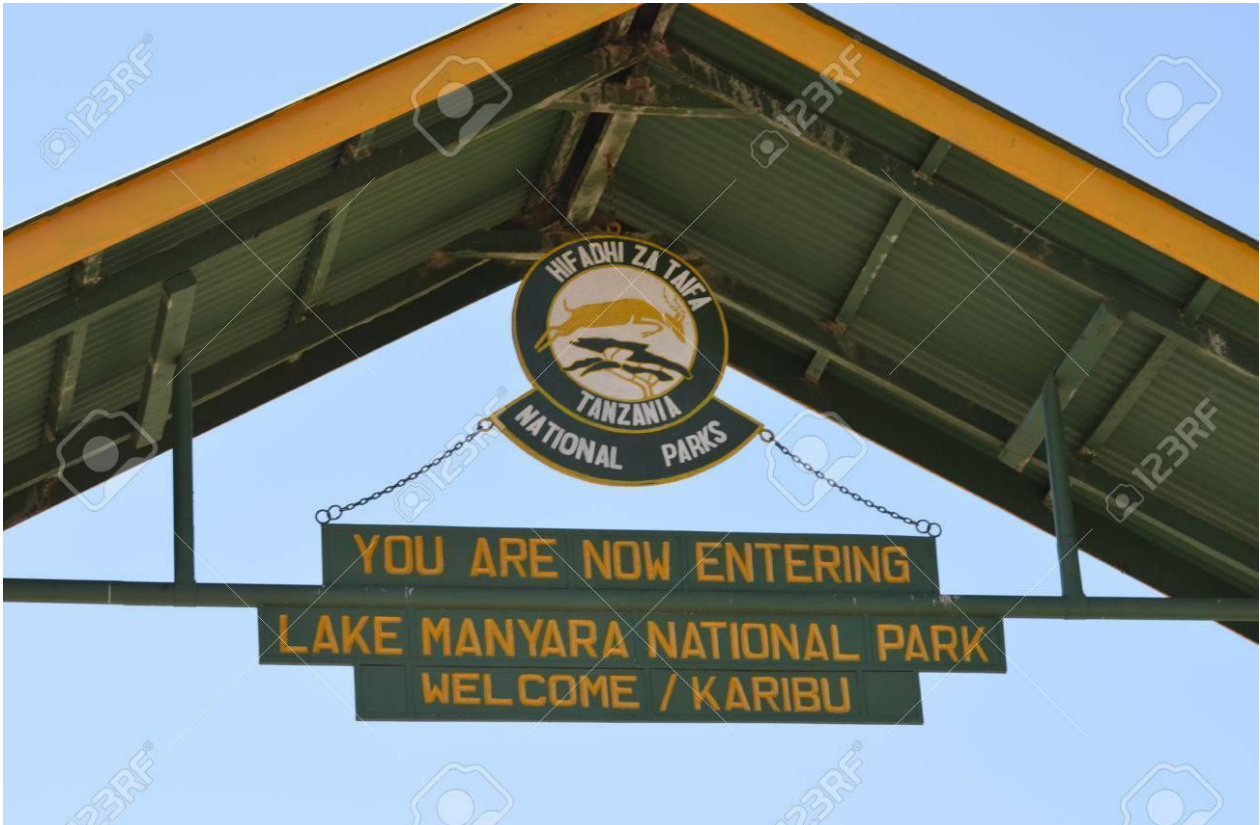
They remained in police custody in Kilwa for 14 days until August 7, 2021, when they were charged at the Kilwa District Court with obstructing police from carrying out their duties.

The magistrate acquitted them, but on their release, they were re-arrested outside the courtroom and joined with 17 others who had been apprehended in Mtepera Village, bringing the total number to 21. Their case, on charges of obstructing police attempts to relocate people from the Selous Game Reserve, as well as breaking the windows of a vehicle and a motorcycle belonging to the Acting Director of Kilwa District Council, was transferred to the Lindi Resident Magistrate's Court. They spent three days in the Lindi Regional Prison before being granted bail. They were required to report to court on different dates. Their case was repeatedly adjourned until November 11, 2021 when they were convicted without any evidence being tendered. They were sentenced to serve a one-year non-custodial sentence and fined Tsh100,000 each.

Said Hemed Mkuramuno says on the day of his arrest, he had gone to the Miguruwe area to buy sisal ropes for thatching his house. While preparing to return home to Mtepera Village at around 3 pm, he met his friend Fitina Mohammed Nguku, who was coming from visiting a sick person in the neighbouring village of Njinjo. They were suddenly accosted by wildlife guards from the Selous Game Reserve and the Tanzania Wildlife Management Authority (TAWA) who told them, "You are among the people who are giving us a lot of trouble in Mtepera Village." The guards began beating them with gun butts and sticks. At 8 pm, they were handcuffed and stuffed under the car seats to be transported to the Kilwa Police Station. When they arrived at the Mbata area, the officers put a sack of charcoal on Mkuramuno's back and stood on it.

At the Kilwa Police Station, Mkuramuno and Fitina were beaten once again before being sent to a remand cell. He passed out and was helped by fellow remandees to regain consciousness. They were released in court the following day, only to be re-arrested and charged with other suspects for obstructing police. Fitina Mohammed Nguku did not go to the hospital despite complaining of pain in his right leg because of financial constraints.

Manyara



*Lake Manyara National Park
Photo credits: 123RF, Lidia Longobardi*

Manyara is one of the four regions in the Northern Zone of Tanzania. It was part of Arusha until 2002 when its total area of 46,359 square kilometres was hived off. The region borders Arusha and Kilimanjaro to the north, Tanga to the east, Dodoma to the south and Singida and Simiyu to the west. Manyara has 1,892,502 people, according to the population and housing census of 2022, ranking as the seventeenth most populous of Tanzania's 31 regions.

Manyara is divided into five districts, namely Babati, Hanang', Mbulu, Simanjiro and Kiteto; it has seven (7) Local Government Authorities (LGAs) -- Babati Town, Babati, Hanang', Mbulu Town, Mbulu, Simanjiro and Kiteto councils. There are 27 divisions, 142 wards, 449 villages, 35 streets and 2,030 hamlets. The region receives an annual average rainfall of between 450 mm and 1,200 mm.

The region is endowed with three distinct agro-ecological zones of about 1,446,800 hectares (14,468 km²) suitable for agriculture. The land use pattern is highly influenced by the three distinct agro-ecological zones based on altitude, soils and climate. These include Rift Valley highlands, semi-arid midlands and the bushed Maasai steppe. Agricultural production, livestock keeping and mining are the main economic activities in Manyara. The major food and cash crops cultivated by small scale farmers (peasants) include maize, beans, pigeon peas, sunflower, onions, garlic, coffee, paddy and finger millet. Maize, beans, pigeon peas, wheat and sunflower are the major contributors to the region's economy.

Livestock keeping in Manyara is the second most important economic activity after crop farming, employing 11 per cent of the population. The land designated for livestock production is approximately 2.4 million hectares (24,000 km²) while ranches, which can optimally accommodate approximately 13,000 cattle, take up 9,248 hectares (92.48 km²). Manyara has seven (7) lakes where fishing is the economic mainstay for the surrounding community. Fishing activities are mostly carried out in Lake Manyara, Babati and Burunge (in Babati District), Bassoutu, Balang'dalalu and Basodesh (in Hanang' District) and Tlawi (in Mbulu District) as well as Ruvu/Pangani Fabel, Kiongozi and Tarangire rivers and Nyumba ya Mungu Dam (in Simanjiro District).

Manyara is rich in minerals, which include Tanzanite, ruby, green garnet, green tourmaline and rhodolite, Tsavorite and Tremolite. Majority of these precious stones are mined in Simanjiro District. The region is endowed with a variety of wildlife species -- from big game to small antelopes. Wildlife in Manyara is distributed in different categories of protected areas: from open areas, game-controlled areas (GCAs), wildlife management areas (WMAs) and national parks. Lions, cheetahs, monkeys, mongooses, baboons, caracals, honey badgers, dik-dik, gazelle, wildebeest, zebras, impala, water bucks, buffaloes, elephants, giraffes, leopards, hippos, crocodiles, wild dogs, and more than 550 bird species can be found in Tarangire and Lake Manyara national parks.

This endowment is a blessing and a curse – where great wealth and beauty is also accompanied by gross human rights abuses and suffering over many over years. Human rights violations have been reported around conservation areas under TANAPA, TAWA and TFS. For many years, boundary disputes have pitted local residents of Vilima Vitatu, who have been fishing in the lake, against wildlife managers of the Lake Manyara National Park. On December 17, 2022, for example, TANAPA rangers seized Ismail Muna's canoe when it was being used by six fishermen. Muna and his colleagues surrendered as ordered.

In another incident, park rangers were accused of drowning three fishermen after a confrontation during one of their patrols on the lake when they caught the latter harvesting fish within the reserve. A confrontation with residents of Mto wa Mbu ensued. Regional Police Commander Mwakilema claimed that chaos had erupted when local fishermen marched in protest, claiming that their colleagues were missing because they had been drowned in the lake. An attempt to disperse the protesters in Mto wa Mbu ended in the arrest of 12 suspects. Another investigation was launched into the death of another fisherman, Hassan Said, near the gate to the Lake Manyara National Park in May 2023.⁶⁷

Human Rights Violations in Manyara

“

Confiscation of livestock, as well as the seizure of equipment, has become more frequent after a statement by the Minister for Natural Resources and Tourism, Pindi Chana, who ordered the seizure of all livestock found in protected areas.

”

Loss of Livelihood after Confiscation of Fishing Gear in Vilima Vitatu Village

Six fishermen surrendered when confronted by rangers for fishing within the Lake Manyara

⁶⁷ The Citizen News paper. Police TANAPA Probe Lake Manyara National Park Chaos: <https://www.thecitizen.co.tz/tanzania/news/national/-police-tanapa-probe-lake-manyara-national-park-chaos--4246280>.

National Park, were fined Tsh200,000 each, and their canoe impounded. TANAPA rangers have been routinely seizing and confiscating canoes and gear for allegedly fishing in reserve areas but the villagers living in Vilima Vitatu have protested, claiming that no boundary has been set on the lake to show where the villagers' territory stops and where the park starts. Some 20 canoes were seized and confiscated by TANAPA officials between 2019 and 2022.

The District Commissioner for Babati, Lazaro Twange, ordered Manyara National Park to return the seized fishermen's canoes. In the Mkungunero Game Reserve area, in Kimotorok Village, conflict has been simmering between pastoralists whose cattle have been seized for reportedly grazing in the park. Lazaro Melau's livestock was seized in January 2022 in the Kimotorok Village. It was one of many incidents arising from border disputes between residents and the management of the Mkungunero Game Reserve. A former Regional Commissioner of Manyara, Makongoro Nyerere, acknowledged these incidents during an interview with Azam TV and promised to take action, including returning all the seized cattle.⁶⁸

Boundary disputes, which have been depriving citizens of their property rights, prevalent in the Mkungunero Game Reserve and Lake Manyara National Park, have also been a sore point in Libosireti and Chubi villages, which are adjacent to the Tarangire National Park. The confiscation of livestock also affected Murio Likasi, Moringe Mpeleke, Sabaya Suluni, Lebusi Laika, Terengo Konekif and Saluni Lesiro between December 14 and 24, 2022. The herders, who live in Lebosiret Ward of Simanjiro District on the border with Tarangire National Park, lost 3,083 cattle when they were seized on suspicion of grazing inside Tarangire National Park. The head of the park, Mathew Mombo, reported the seizure of livestock to the police, who took the matter to court. The livestock owners were fined Tsh100,000 for each head of cattle, which the pastoralists paid before being allowed to leave with their animals.

Border disputes have escalated in recent times without resolution. Following an order by the Minister for Natural Resources and Tourism on seizure of livestock found in protected areas, incidents of livestock confiscation, as well as the seizure of equipment, have become more frequent.

68 <https://www.youtube.com/watch?v=cLpa915DPYg>. Last Accessed July 2023

Mara



Serengeti National Park
Photo Credits: Alamy Stock Photos

Mara covers the area of 21,760 square kilometres and borders Mwanza and Simiyu regions to the south, Arusha to the southeast and Kagera. It is home to natural resources such as the Serengeti National Park, Ikorongo Game Reserve and Crumeti Game Reserve. Mara comprises Musoma Town, Bunda Town, Tarime Town, Bunda District, Butiama District, Musoma District, Rorya District, Serengeti District and Tarime District. It is known for mining, livestock, crops such as finger millet, rice and maize, tourism, and fishing. Fishing is conducted at Lake Victoria where the Mara sardines (*dagaa*) are prominent.

Human Rights Violations in Mara

“

They started punching us, kicking us and beating us with sticks. We were beaten to the point where I couldn't even feel the pain anymore. My body went numb and we were covered in mud.

”

Loss of Livelihood due to Unjust and Disproportionate Compensation in Nyantwali

Protests erupted in Nyantwali Ward after the government announced the relocation of 12,000 people and their 42,300 livestock. The then District Commissioner of Bunda, Joshua

Nassari, told a public meeting attended by residents of Kariakoo, Serengeti, Nyantwali and Tamau that the government would pay Tsh8 million for each house. The relocation would also affect 2,800 primary school pupils and one secondary school with 470 students. Jacob Machama protested against the proposed compensation for his house, explaining that it was worth Tsh18 million.

Another resident, Janipha Makoye, described the sudden relocation from her home, where she had lived since 1976, as a cruel and unfair act. Janipha, who owned an eight-acre farm, contested the government's compensation proposal of Tsh16 million, which she said was much lower than the actual value of her property. Janipha is widowed and cares for nine children. She said the proposed compensation was insufficient to meet her needs, let alone approximate the value of her home, which also holds the graves of her family members.



Janipha Makoye's house in Nyantwali, Mara.

Malongo Mashimo, the councillor for Nyantwali Ward, explains that the relocation was abrupt and did not follow laid down procedures. The Member of Parliament for Bunda Constituency, Chacha Maboto, insisted that he would ensure the compensation of citizens who were complaining about being evicted to make way for the Serengeti National Park.

Then most recurrent human rights violations centre revolve around residents' complaints about their livestock being shot by wildlife rangers around the Serengeti National Park. Serengeti and Tarime districts are the most affected by human rights violations and abuses in Mara, only exceeded by Bunda. Residents of Boronga, Kehancha and Nyanungu wards in Tarime District are bitter that the management of the Serengeti National Park has made them live like slaves in their own country. Despite the violations and attacks against the residents, the Minister for Natural Resources and Tourism issued a statement from inside Serengeti National Park on January 21, 2023 saying citizens from Nyahungu Village in Tarime District, Mara, had attacked wildlife officers with traditional weapons and fatally shot an officer with a poisoned arrow.

Arbitrary Arrest, Inhumane and Degrading Treatment on Lake Victoria

Majura (Juma) Nyamarege, Josephat Chikonya and Riziki Mustapha stopped for the traffic

lights to change so that they could continue with their journey to their home in Musoma Town, Mara. They were attacked on December 25, 2022, at around 9 am at Nyasho Mataa area by individuals who turned out to be naval soldiers. The soldiers claimed that the three had invaded a conservation area near Lake Victoria. They forced the three out of their vehicle and accused them of entering a restricted area near the Musoma Port, which is guarded by the Tanzania Naval Command. Majura Nyamarege and Josephat Chikoma had gone to the area to look for grass for their cows but they did not find any.

They turned their car around to find a suitable parking spot. A person suddenly appeared in front of them and demanded to know what they were doing. Nyamarege, who was driving the car, answered that they were only looking for grass for their animals but had not found any and were thus turning round to leave.

The person asked, "Are you telling the truth?"

Majura replied, "Yes, it's true."

"He ordered us to get out of the car and make frog jumps. We faced each other, and realised that this was now an attempt to humiliate us, so we decided to drive away without getting out of the car, especially because we had been stopped by someone we could not identify," he said. Nyamarege says that while the unidentified person was asking them to make frog jumps, there were other people playing soccer in an open space nearby.



From left to right: Majura Nyamarege, Riziki Mustapha, Josephat Chikonya

"We drove to the traffic lights junction at Nyasho and stopped. We were not worried because we knew we were in a safe place," he said. They were suddenly attacked by people they had seen playing soccer at the port area. Their attackers were dressed in civilian clothes and were riding on four motorcycles.

The men started beating Majura and pulled him out of the vehicle. A crowd began to mill around and called out to him. "Majura, get out or they'll kill you," one person shouted. When he got out of the car with Josephat, the soldiers started beating them. The attackers robbed him of Tsh3 million and took them back to the Musoma Port, where they were received by more than 16 people who had gathered many sticks.

"They started punching us, kicking us and beating us with sticks. We were beaten to the point where I couldn't even feel the pain of the sticks anymore. My body went numb and we were covered in mud," Majura said. Josephat, who was with Nyamarege throughout the incident, gave the same account and added that besides being beaten, their assailants

caked their private parts in mud.

“We left the port for the first time without knowing if we had offended those men who followed us and beat us, smeared us with mud from the ditches, and shoved it into our mouths and private parts. They subjected us to other cruelties that are shameful to even mention,” he added. Josephat explains that while they were being beaten, some of their assailants could be heard saying, ‘Let them disappear without a trace. Do not let them be seen today. I do not know what luck you have.’ Josephat added that a soldier took his Tsh3,000,000 which was meant to buy cattle. On his part, Riziki, who claims to have been heading to work from his home at the time, arrived at the Nyasho junction and found a large crowd gathered.

He moved closer to investigate. “I parked my motorbike on the side [of the road] and approached a *boda boda* rider near me who told me there had been an accident. I was forced to move closer and that’s when I found my boss (Majura) crying ... I asked him if he had hit someone, and he replied in the negative.

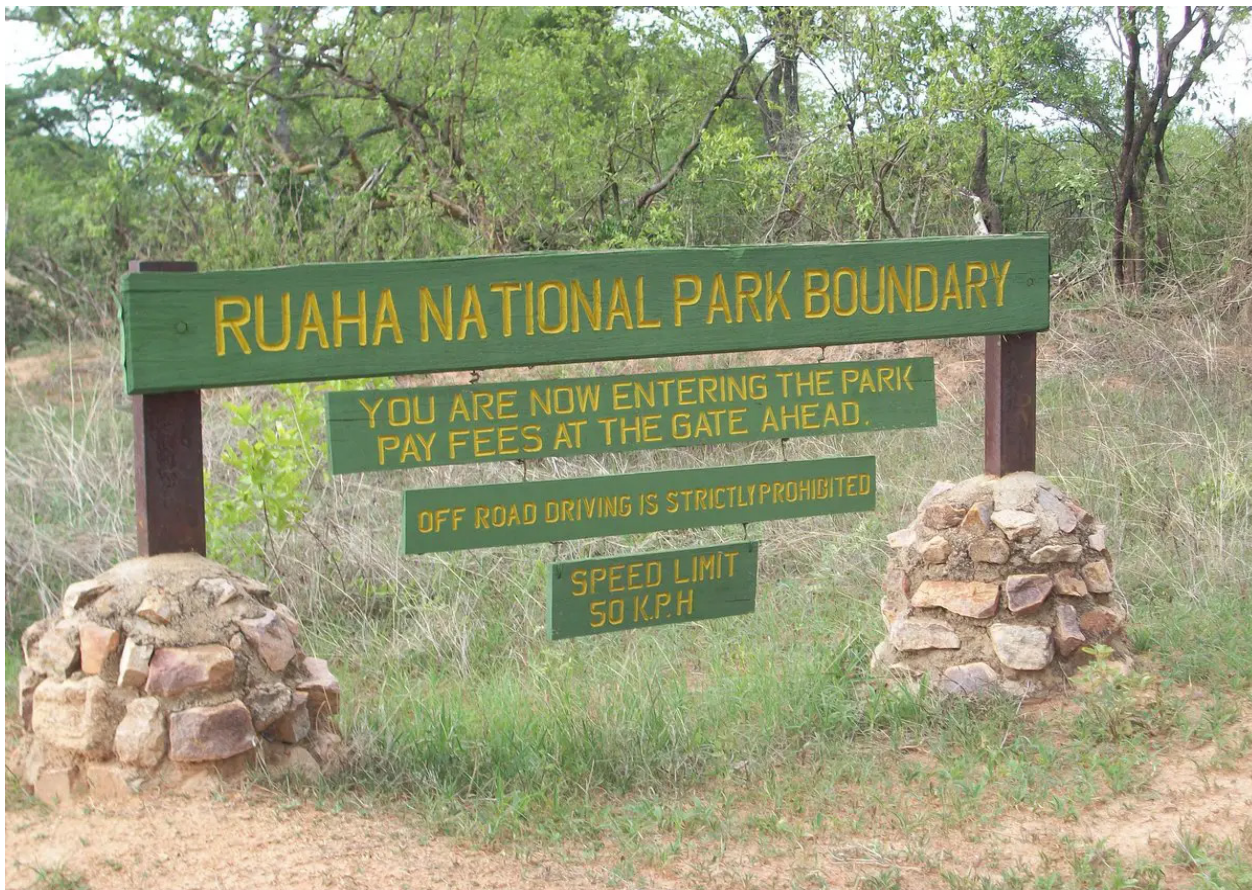
“As I was questioning him, I saw another person who was in my boss’ car being slapped as he struggled to start the car. My boss was saying that the key had broken,” said Riziki. Two other people appeared behind him and asked him what he wanted there. “They asked me if the man in the car was my boss, and I said Yes. Then I was hit and thrown into the car, and they said, ‘He’s one of them, too,’” Riziki recalled. He was surprised when the car started, and drove towards the port.

At the port, they were taken out of the car and beaten with sticks, fists, and trampled on. “When I saw that, I said, ‘My God, I’m going to die.’ I told them that I didn’t know anything, and I heard one of them reply, ‘You came here to defend your boss, and you’ll see.’ One of them was my tenant, and I recognised him as a soldier. I heard him say that those who went to the area never returned; it becomes history,” he said. Riziki lost hope and knew that their fate was sealed. Majura, Riziki and Josephat recall hearing a phone ring while they were being assaulted. They could not tell whose phone it was, but it seemed to belong to their assailant’s leader, who ordered the beating to stop.

The three were then released and went to the Musoma Police Station after the Mara Regional Police Commander Longinus Tibashubwamu called them and asked them to record their statements. Later, they went to the Mara Regional Hospital and were admitted to Ward No. 8 with severe injuries. They were covered in dirt after being smeared with mud. The Mara regional health officer, Dr Othimoond Dyegura, confirmed knowledge of the incident involving Majura, Riziki and Josephat, who came for treatment and were allowed to leave without being admitted. Juma Igwe, the councillor for Iringo Ward, explained that the brutal punishments inflicted on the three were the result of mistaken identity. The Mara Police Regional Commander, Longinus Tibashibwamu, said he would not go into details of the incident since the issues were not in his jurisdiction. The Head of the Navy, Ally Mzuma, declined to make any comment on the grounds that he was not a spokesman.⁶⁹

69 Evidence: A Video recorded at the Nyantwali Ward.

Mbeya



*Ruaha National Park Boundary
Photo credits: Wild Safari Guide*

Mbeya is in the Southern Highlands and gets its name from the Safwa tribe, who pronounce it as “Ibheya”, meaning salt. Traders visited the area to exchange their goods for salt. Mbeya is home to Lake Nyasa, Mount Mbeya, Mount Rungwe, Uporoto Plateau and Usangu Plains. Mbeya was established in 1961, and was known as the “Southern Highland Province”. Some areas were hived from Iringa and Rukwa regions. Mbeya has a total population of 2,343,754, according to the 2022 census, and is the seventeenth most populous region in Tanzania.

It comprises five districts -- Mbeya, Chunya, Mbarali, Kyela and Rungwe -- and is divided into seven electoral constituencies, namely Busokelo, Kyela, Lupa, Chunya, Mbarali, Mbeya Urban and Mbeya Rural. There are 178 wards and 533 villages in the region. In Chunya District, residents mine for gold and other precious stones. Mbarali is renowned for livestock farming and rice cultivation.

The region’s economy depends on agriculture, livestock keeping, mining, harvesting of natural resources, business, industrial production, civil service and employment in the private sector. As of December 2022, according to the President’s Office for Regional Administration and Local Government, agriculture employed 80 per cent of all able-bodied

people and contributed 68 per cent of the region's annual GDP. Forestry and fishing employ 6.4 per cent of the population, followed by business and industry, which employ 4.9 per cent of the region's residents.

Mbeya residents are largely engaged in livestock farming, the second most important economic activity in the region, with 3,095,116 head of livestock. Of these, 653,304 are cattle, 195,569 goats, and 79,850 sheep. Commercial livestock keeping is a mainstay of residents of Mbarali and Chunya districts.

Agriculture employs different farming systems, depending on the area's climate and economic activities. Farmers have been advised to move into commercial farming to grow the country's economy. Tourism is also thriving because of Mbeya's natural and man-made tourist attractions, including national parks, nature reserves, mountain ranges, sandy beaches on the shores of Lake Nyasa, the Rift Valley and cultural activities. Attractions such as the Malamba Waterfalls, the Kitulo National Park, Lake Ngozi, God's Bridge, among others, also draw visitors to Mbeya.

Land conflicts are prevalent, especially in areas adjacent to national parks, including Ruaha National Park (RUNAPA) in Mbarali District. Mbarali District has many pastoralists who graze their livestock in the Ruaha National Park, precipitating conflicts with park authorities, and resulting in several deaths. Pastoralists have complained about park authorities confiscating their livestock and fining them Tsh100,000 for each animal deemed to have trespassed into the park. The pastoralists argue that their livestock graze outside the park.

The conflict pits the Ruaha National Park against pastoralists from over 21 villages surrounding it on the Mbarali side. Government Notice No. 28 of 2007, which defined the park boundaries, is said to have triggered these conflicts. Villagers rejected the notice, claiming that it encroached on their homes and farmland. They claim that park authorities have assaulted some of them when they are found in the park, leading to deaths. The pastoralists say they lack pasture and have asked the government to revoke notice, which expanded the Ruaha National Park and reduced their grazing areas.

On May 11, 2023, the Member of Parliament for Mbarali introduced a Motion in Parliament over five people in his constituency who were injured by rangers, which led to heated debate. He claimed that some people had been sexually harassed. The park rangers reportedly arrived in Mwanavala Village in a helicopter and attacked residents, beating them and confiscating 250 livestock. One of the citizens was so deeply affected that he had been on suicide watch since. Mwanavala Village is some 20 kilometres inside Ruaha National Park, which is within the boundaries of TANAPA, with clearly visible beacons.

The Minister for Natural Resources and Tourism, in a formal government statement,⁷⁰ declared that he had visited the site and held discussions with the people, including those whose 250 livestock had been seized or killed. The minister said he had found that:

1. Indeed, on May 6, 2023, TANAPA rangers, while on regular patrols, arrived in Mwanavala Village by helicopter, which is approximately 20 kilometres inside Ruaha National Park, and where people are not allowed as it is close to the Ruaha River, a critical source of water for Mwalimu Nyerere Dam, essential for various purposes, including electricity generation and agricultural irrigation. The rangers had discovered the illegal construction of two new livestock enclosures inside Ruaha National Park.
2. The citizens resisted attempts to arrest suspects by throwing stones, sticks, arrows, and other weapons at the rangers, thus endangering their lives. One of the rangers' firearms was damaged as he attempted to protect himself from harm. Rangers were forced to defend themselves and the use of force resulted in people

70 Speech of the Tanzania Minister of Resources and Tourism: <https://www.parliament.go.tz/uploads/documents/1684241508-15.05.2023%20KAULI%20YA%20SERIKALI%20BUNGENTI%20WIZARA%20YA%20MALIASILI.pdf>

being injured.

3. After the skirmishes, all injured citizens were taken to hospital and received medical treatment, whose cost was covered by TANAPA. The victims are said to be recovering and had resumed their normal activities. Additionally, the Government provided Tsh1 million to each affected citizen as a gesture of goodwill.

4. The incident occurred inside an area near the boundary of Ruaha National Park, where in the past, citizens attacked and killed 15 rangers and injured 51 others as they were performing their conservation duties.

5. The claim about citizens being sexually harassed by the rangers, as stated in Parliament by the MP, was unfounded and baseless.

6. No evidence of any citizen being sexually harassed was found, and there was no evidence of any citizen's livestock (including 250 cattle) being confiscated or goats being killed, as reported by the MP. Moreover, there is no evidence of any individual expressing a desire to commit suicide.

7. All rangers involved in the incident provided statements to the police as instructed by the Minister and the Government.

The Minister then declared that:

1. All conservation officers nationwide should exercise professionalism in controlling encroachments into protected areas and avoid using excessive force in the performance of their duties. This includes apprehending suspects and bringing them before the appropriate legal authorities for due process.

2. The incident in Mbarali occurred approximately 10 kilometres inside the new boundary of the Ruaha National Park and 20 kilometres inside the old boundary, near the Ruaha River, a crucial water source for Mwalimu Nyerere Dam and various other water users. It was evident that the citizens inadvertently entered the park, unaware of the legal restrictions. Farming, livestock grazing, or human movement is not permitted in the area to protect the wetland and ensure the natural flow of water in rivers for various purposes, including irrigation schemes.

3. Citizens should adhere to all laws and regulations regarding protected areas for the benefit of current and future generations, and all Members of Parliament need to support the education of citizens on the importance of protected areas.

4. Conservation officers should involve party and government leaders in resolving conflicts between citizens and authorities in protected areas, including providing conservation education to the citizens living adjacent to these areas. It is crucial for the officers to maintain good relations with citizens and the villages surrounding the protected areas.

5. Conservation officers nationwide should continue to strengthen patrols, demarcate boundaries, install signs, and develop buffer zones to control encroachments in protected areas to ensure the sustainability of the nation, including securing water supply for various purposes, such as human consumption, livestock, electricity generation, and irrigation schemes.

6. TANAPA should begin the construction of a Rangers Post in Ruaha National Park to enhance security in the area.

The Assistant Commissioner of Lands for Mbeya, Syabumi Mwaipopo, told Parliament's Standing Committee for Lands, Natural Resources and Tourism that the government had returned 74,432 hectares of land to citizens of Mbarali for farming and rearing animals. Previously, these areas were under the Ruaha National Park. Mwaipopo was submitting a report from a visit he made to Kapunga Farm in Mbarali to assess the implementation of the on-going boundary marking on Mbarali and Chunya districts in Mbeya. The Minister for Natural Resources and Tourism, Mohamed Mchengera, said the committee would present recommendations on changes to Government Notice No. 28 after visiting the field.⁷¹

71 June 23, 2023, Nipashe Digital. https://www.instagram.com/p/Ct0rP6BMzet/?img_index=1.

On August 7, 2023, the High Court in Mbeya issued a judgment annulling and revoking the orders and instructions of the Government to evict citizens from Mbarali in Case No. 02 of 2023. The case had been instituted by Heneri Mwadupa, Charles Mwanyimbwa and Josephat Edson of Ukwavila and Iyala villages against the Minister for Lands, Housing and Human Settlements Development, the Permanent Secretary in the same ministry and the Attorney General. The minister had issued an October 25, 2022 order for villagers in Luhanga, Madundasi, Msanga, Iyala, Kalamambo and 47 other areas of Mbeya to vacate their homes immediately. The registration of the areas was also cancelled to allow for the expansion of the Ruaha National Park boundaries. The villagers opposed this decision, stating that they were not served with notices or granted the right to be heard. They challenged the legality of the eviction in the absence of compensation. No information was provided on where the government would relocate them. The villagers explained that they had lived in their homes for 20 years and reiterated President Magufuli's January 15, 2019 order that the villages be not eradicated, and specifically that citizens be allocated land while preserving forest areas for conservation.⁷²

Human Rights Violations in Mbeya

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After enduring all the torture, they made us run through a field of thorns (half a kilometre long) without shoes.
– Witness.

”

Detained and Tortured in Mbarali

On Monday, September 23, 2019 at 11 am, Ruaha National Park rangers in Mbarali District arrested Kalashi Mkwira, 66, as he was grazing his 200 head of cattle in the park. They seized his animals and took him to their camp in Mbarali where they detained him. Kalashi pleaded with the rangers to release him and return his cattle once he had paid the fine, but they declined and began to subject him to violence.



Kalashi Mkwira.

He was subjected to various forms of torture, including being forced to drink peppered water. “They would pound pepper into powder and mix it in a large container and in the morning when we woke up, they would tell us to come and drink it, and there was no refusing because they were very violent.” The rangers would not release Kalashi despite his pleas.

“Sometimes when it was hot, which as you know is common in Mbarali, they would tell us to take off our clothes and lie on the hot sand. I will never forget the torture I went through there.” The rangers paid no regard to his age, and tortured him, even though he was willing to pay a fine for the cattle found in the park. “After enduring all the torture, they made us run through a field of thorns (half a kilometre long)

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The Chanzo <https://www.instagram.com/p/Cv7kbwSNSeQ/?igshid=MTc4MmM1YmI2Ng%3D%3D>.

without shoes.”

He was held at the camp for seven days, and then allowed to leave after paying a Tsh20 million fine for all his 200 cattle, with each head of cattle costing him Tsh100,000. The rangers from the Ruaha National Park based had been on patrol to arrest herders grazing animals in the park. The rangers are notorious for their cruelty against herders and are, therefore, familiar faces. Kalashi said he had been fined by the same rangers many times when they found his cattle in the park.

Kalaila Msehe, Kalashi Mkwira’s son,⁷³ witnessed his father being subjected to torture, including being forced to lie on hot sand and to run over thorns the park rangers had laid on a path. “When I saw my father being tortured to that extent, I begged the park rangers to release him on paying a fine, but they refused,” Kalaila explained. Unable to bear the sight of his father being tortured, Kalaila offered to take his place, but the rangers insisted that they only had a problem with his father, and not him.



Kalaila Msehe.

“ I asked myself a lot of questions because I did not understand why the rangers were mistreating my father. When I suggested that I take his place and pay the fine, they refused. I was deeply hurt, Kalaila says. ”

His father remained in the camp for a week before the rangers allowed him to pay a Tsh20 million fine. Kalaila says the park rangers in Ruaha National Park routinely mistreat herders and seize their cattle even when they are outside the conservation area in order to extort fines.

Makeresia Pawa, chairman of the Mbarali district herders, says knew about Kalashi’s arrest and his being forced to drink peppery water. He called a meeting of leaders to discuss how to end the mistreatment of herders. Despite petitioning government officials to help the herders, the harassment and torture continues.

Makeresia says he has received reports of 11 herders being shot dead, hanged, drowned and run over by rangers’ vehicles at Ruaha National Park between 2017 and 2021. A report of Kalashi Msehe’s arrest and torture was made to the chairman of Ikanutwa Village, but no action was taken because the chairman has no power over the park rangers.⁷⁴

73 Audio recording of Kalashi Msehe; photo of Kalashi Mkwira Msehe and photo of Kalaila Msehe.

74 <https://mbaralidc.go.tz/new/wafugaji-wapata-suruhi-ya-muda-mgogoro-wa-mpaka-wa-hifadhi-ya-taifa-ya-ruaha>.

Idadi ya mifugo hiti, na idadi ya wafugaji hawa waliopo Mbarali ukilinganisha na eneo la malisho lililojaa changamoto nyingi unona usalama wa Macha ya wafugaji hawa kiuchumi upo hatarini kwa zaidi ya 75%

Mhe. Waziri, mwaka 2006 – 2008 wafugaji na wavuvi tulipoteza haki ya Elimu kwa watoto wetu kwa kuondolewa kwenye shule za Mwingi kumi (10) bila kuwekwa tona miundo mbinu ya elimu. Hakukuwa na mfumo wowote mizuri wa wakimafanya watoto waendeleo na Masomo.

ORODHA YA WALIOKUFUFA KWA KUPIGWA RISASI KATIKA HARAKATI ZA KUTAFUTA MALISHO YA MIFUGO NI:-

TAREHE YA YUKIO	JINA MAREHEMU	LA	UMRI	WAHUSEKA	ENEO TUKIO	LA TUKIO
JUNE 2017	Dick Mkahala			TANAPA Rujewa	Rujewa	Kupigwa risasi
	Ndula Ugelima	Maduka		Mbarali Estate	Mbarali Estate	Kupigwa risasi
10/06/2019	Wozu Self Choloni		26 yrs	Polisi	Songwe Madibira	Kupigwa risasi
10/10/2019	Mahidi John Mabheja		20yrs	TANAPA	Igava	Kupigwa risasi
31/10/2019	Jidamabi Iwenge	Machia	16 yrs	Polisi	Madibira	Kukimbizwa na Polisi na kufa maji
15/01/2020	Magaka Washi	Machia	20 Yrs	TANAPA	Miyombweni	Kupigwa Risasi
01/08/2020	Urundi Kungila	Doto	28 Yrs	TANAPA	Igava	Kupigwa Risasi
	Lisule Nyari			TANAPA	Madibira	Kukimbizwa na kukanyagwa na Gari
23/04/2021	Ngusa Salawa		14Yrs	TANAPA	Rujewa	Kunyongwa Shingoni
23/04/2021	Sandu Masanja		25Yrs	TANAPA	Rujewa	Kunyongwa Shingoni
23/04/2021	William Nundu		39 Yrs	TANAPA	Rujewa	Kupigwa Risasi

NB: Mauaji haya yanatendeka kwa sababu ya kukosa maeneo ya Ufugaji, Malicho, Maji na Uvuvi.
Na hakuna hatua zozote za kisheria dhidi ya wauwaji hao zilowahi kuchukuliwa.

List of 10 pastoralists killed by park rangers, as listed by the Mbarali Pastoralists Association in a petition to the Tourism minister.

Displacement in Luhanga, Mbarali

On Wednesday, October 26, 2022, the then Minister for Lands, Housing and Human Settlements Development, Angelina Mabula, instructed all residents of Luhanga Ward (about 48 villages) to leave their homes, claiming that they had encroached on the Ruaha National Park. She was on a tour of duty in Mbarali District, Mbeya.

Andason Mpale, 54, who is the chairman of Luhanga Village, explains that the area was registered in 1977 and the conservation law passed in 2008 (actual citation is 2009), so the villagers did not encroach on the park. In 2008, the government asked residents of Luhanga Village to receive 300 households that were displaced from Ukwaheli Village and Msangaje Ward, claiming that they had encroached on the Ruaha National Park. In this context, he is surprised that the government does not have a clear position because when they asked the residents to receive the 300 households, they did not say that the village was inside the park.

“The government knew that we in Luhanga had not encroached on the park, which is why they asked us to receive the displaced households.” There is a high likelihood that students will not continue their schooling and families will be torn apart by the eviction. Luhanga Village is more than 100 kilometres from the Ruaha National Park, making it impossible for residents to live in the park.

Mage Melick, a mother of six, was born in Luhanga Village, and says that her parents were also born in the area. Mage explains that the minister did not come to the ward to explain where they would go and how they would live after leaving their homes.

She recalls that in the past, most people who were evicted from their homes died due to lack of food, so the same problem could recur for residents of Luhanga. “I have never been to the reserve, and I did not know about it. Our parents used to tell us that it is far away, and it would take them a week to get there if they wanted to hunt.”

Salehe Melele of Sangu was born in 1968 and installed as chief after his father, Alfeo Melele, passed on. He was surprised by the news of his ward’s residents being relocated. He spoke to the residents and appealed for calm as their leaders pursued the matter with the government.

“There [have been] no such issues since 1968, but began in 2008. There was a boundary, but even that is said to be within the reserve.” Chief Salehe says that the government should listen to the people’s views because they know the country’s history well, and the current situation could lead to serious consequences. “After the announcement of the relocation from the reserve, some of our elders have suffered high blood pressure and were hospitalised. These are some of the problems that we may face, and we may lose our loved ones,” he added.

Five villages in Mbarali District were required to relocate. Some German donors had promised to renovate Chief Alfeo Melele’s house for remembrance purposes, but after the relocation order, he had to contact them and ask them to hold off. “They promised to come in September, and they came and inspected the building, which means that even the chief’s authority is now being interfered with.”

The then Minister for Natural Resources and Tourism, Dr Damas Ndumbaro, had announced that residents of the five villages in Mbarali District had to move out of the Ruaha National Park as they were occupying land illegally. He explained that the government planned to use the land for conservation and to enhance the country’s tourism sector. The minister had warned that those who refused to comply would face legal action.⁷⁵

Loss of Livelihood due to Ban on Farming Activities in Ruiwa, Mbarali

On 24 June 2023, Arnold Shoo, the Chief Conservator of the Kawetire Forest Reserve in Mbeya told a public meeting in the Machimbo Village of Ruiwa Ward, Mbarali District, that encroachment and unauthorised agricultural activities, including uncontrolled burning, would not be allowed. The TFS intended to target the farmers who had encroached on the reserve. Shoo emphasised that the land, measuring more than 3,485 hectares, belonged to the government. Farmers expressed dissatisfaction with the ban since they had been farming and residing in the area for over 40 years. They requested the government to reconsider its decision as they depended on agriculture for their livelihoods and had made investments in the area.⁷⁶

Loss of Life of Mahidi John Mabheja

On Thursday, October 10, 2019, at noon, rangers in Mbarali shot Mahidi John Mabheja, 20, after finding him within the boundaries of Ruaha National Park. The rangers then took

⁷⁵ Video of Makete Member of Parliament Festo Sanga delivering a speech in Parliament. News about the visit of eight ministers on the Mbarali District Council website: <https://www.google.com/url?sa=t&source=web&rct=j&url=https://mbaralidc.go.tz/new/mawaziri-8-wat-ua-mbarali-kwa-ajili-ya-mpaka-wa-hifadhi-ya-taifa-ruaha&ved=2ahUKewjZhMCY7LL7AhWObKQEHaPvC58QFnoECAGQAQ&usg=AOv-Yaw1SrMr-91PZythde7JhCQVW>, Video of Angelina Mabula, video of Mage Melick, video of Chief Salehe Melele, photo of Chief Alfeo Melele’s house, video of Samson Sapi, tweets from Mbarali resident and activist Liberatus Mwangombe (who lives outside the country).

⁷⁶ Mwananchi. TFS Yapiga Marufuku Shughuli za Kilimo Kwenye Hifadhi Kawetire Mbeya. <https://www.mwananchi.co.tz/mw/habari/kitaifa/tfs-yapiga-marufuku-shughuli-za-kilimo-kwenye-hifadhi-kawetire-mbeya-4282544>

Mahidi to the Mbarali District Hospital, where he was pronounced dead from excessive bleeding. Mahidi was passing through the park on his way to a neighbouring village where there was a traditional drumming event when he encountered the rangers. They started chasing him and eventually shot him in the shoulder.

The rangers who shot Mahidi were on patrol to apprehend herders who allowed their livestock into the park. The rangers were implementing the government's directive to prevent herders from entering the park with their livestock as part of the campaign to combat poaching.

Mahidi's father, Samweli Mabheja, received a phone call in October 2019 while he was in Mwanza informing him that his son had been shot and killed. The rangers reportedly found cattle inside the park, and when they saw Mahidi and his companion, they began chasing them and eventually shot him. Mabheja learned that after his son was shot, the rangers took him to their camp before transferring him to the hospital, where he died.

Mabheja relied on his son's help to carry out agricultural and livestock activities, and his death had left a big void in the family. "I was deeply hurt when I received the news that my child was killed. While I was still mourning, they arrested me on allegations of economic sabotage and put me in custody." He was detained by Mbarali; beaten and kept in custody for 28 days before being released.⁷⁷

Information about Mahidi Mabheja's death was relayed to the chairman of Fikai Village and the Executive Officer of Igava Ward. Subsequently, a burial permit was issued by the Mbarali District Hospital after his family's persistent demands. Initially, the doctor was unwilling to issue the permit, and even when it was released, it appeared incomplete because certain sections were left blank. Some of the missing information was the name and position of the person who issued the permit, the hospital's number, and the signature of the issuing authority.



Mahidi John Mabheja's burial permit, issued by the Mbarali District Hospital.

⁷⁷ Link to a news article by EATV station about park rangers framing citizens: <https://www.eatv.tv/sw/news/current-affairs/polisi-mbarali-yadaiwa-kubambikizia-kesi-wafugaji>.



Photo of Samweli Mabheja, Mahidi's father.

Morogoro



Image of Kilombero Valley

Photo credits: Kilombero and Lower Rufiji Ecosystem Management Project

Morogoro covers 72,939 square kilometres, making it one of the largest regions in the country. It has a population of 3,197,104 according to the 2022 population and housing census. Morogoro is the fourth most populous of the 31 regions in Tanzania. It is in the Eastern Zone, which consists of Dar es Salaam, Coast (Pwani) and Morogoro. There are low plains such as Ifakara (Kilombero) and the high mountains of Uluguru, including Mount Kimhandu, whose peak is 2,646 metres above sea level. Nearly half of Morogoro's area is covered by three national parks and game reserves such as Mikumi, Udzungwa, the Nyerere National Park (formerly part of Selous Game Reserve) and Kilombero Game Reserve.

Nyerere is the largest national park in Tanzania and is also among the largest game reserves in the world. The park was established in 2019. Before being upgraded to a national park, it was a game reserve called Selous. It measures 54,600 square kilometres, estimated to equal the size of Costa Rica (in Central America) and nearly twice that of Belgium, and touches five regions: Coast, Morogoro, Lindi, Mtwara and Ruvuma.

Morogoro has major rivers, such as Wami and Ruvu, which spring from the Uluguru mountains. Ruvu provides all the water for Dar es Salaam. The region is the ancestral home of the large Waluguru tribe, who gave the name to the city of Morogoro and the Uluguru Mountains. Other major tribes include Wangulu, Wakaguru, Wasagala,

Wapogoro, Wandamba, Wabena, Wambungu, Wakutu and Wavidunda. The region has fertile soil suitable for many crops, but agriculture is mainly rain-fed. Nearly half of all farmland is used to grow maize, while cash crops are raised in the mountains. The region grows cane for sugar production in the Kilombero and Mtibwa factories. Another sugar factory, Mkulazi, is under construction.

The region is divided into seven districts: Kilosa, Kilombero, Morogoro, Mvomero, Ulanga and two others -- Gairo and Malinyi, which were created in 2012. There are 11 constituencies, namely Kilosa, Gairo, Morogoro Urban, Morogoro South, Morogoro South-East, Malinyi, Mlimba, Kilombero, Mikumi, Mvomero and Ulanga. Many human rights violations have been reported in the region -- mostly related to land disputes and child marriage, which prevents girls from achieving their educational outcomes. There are also conflicts in areas where habitations border legally protected reserves, which engender fear and violence.

Kilombero Game Reserve

The Kilombero Game Reserve in Morogoro, which measures 6,989.30 square kilometres, was established by Government Notice (GN) No. 64 of 2023, issued on February 17, 2023 elevating the former Kilombero Controlled Area. A long-standing conflict is evident in a number of incidents in Malinyi District, Ipera Asilia Village, in the Njiwa Ward. TAWA officers, who are responsible for protecting the borders of the Kilombero River Reserve, have been cited as perpetrators in many of the human rights violations. River Kilombero runs through Ipera Asilia Village.

Two boundaries separate the village from the Kilombero River Reserve. One boundary was established in 2012 when Prof Anna Tibaijuka was Minister for Lands, Housing, and Human Settlements Development. The establishment of this boundary was fully participatory, with various leaders from the district, region, village and a large number of citizens being consulted. However, in 2017, the TAWA leadership, while involving only some village leaders, moved the boundary to a different location from its previous site. The Ministry of Natural Resources and Tourism was under Dr Khamis Kigwangalla.

Since the boundary change, tensions between TAWA authorities and citizens have exploded into open conflict. Citizens are in a state of turmoil and great fear, to the point where they are unable to carry out their daily economic activities of farming, herding livestock, fishing and crossing the Kilombero River for rituals and other cultural activities. TAWA officers have been assaulting citizens and confiscating their livestock and farming tools while imposing fines for trespass.

On November 17, 2022, the Tanzania Wildlife Management Authority (TAWA) reported the deaths of three people during a clash between rangers and a group of people described as "bandits" who had gone to repossess cattle held in the park. The TAWA statement explained that at around 4 pm in the Senga area of Ulanga District, some 40 people, armed with traditional weapons, assaulted the rangers. The rangers fired warning shots into the air to disperse them but the attackers were undeterred and drove away some 200 cattle and injured two rangers.

A statement issued by the Minister for Natural Resources and Tourism declared that on November 17, 2022, inside Kilombero Game Reserve, a group of herders estimated to be between 50 and 60, armed with sticks, machetes, and swords, attacked conservation officers in an attempt to seize cattle that had been confiscated within the reserve. Two conservation officers were seriously injured in the head and legs.

A ranger was cut on the head by a sharp object, bled profusely and lost consciousness: when he regained consciousness, he realised that he had lost his firearm. Another ranger was injured on the head and leg. Both were taken to hospital and treated. The TAWA statement added: "An inspection led to the recovery of a lost weapon and the discovery of

three bodies, which were examined by the police and a doctor, and then handed over to their families for burial.”

The TAWA statement said the incident was the second on that day after an earlier one at 1 pm in the Malinyi District within the Kilombero Controlled Area. A group of 60 people armed with sticks, machetes, spears and swords reportedly attacked rangers in the Furua River area in an attempt to reclaim 150 cattle being held there. “The rangers managed to stop the theft, and shot one person in the leg. The suspect was taken to hospital for treatment and is still under guard. This incident was reported to the Malinyi Police Station,” the statement added.

MAMLAKA YA USIMAMIZI WA WANYAMAPORI TANZANIA



MATUKIO YA ASKARI WA PORI TENGEFU KILOMBERO KUVAMIWA NA KUSHAMBULIWA NA WATU KWA LENGU LA KUPORA MIFUGO ILIYOKAMATWA NDANI YA HIFADHI

Mamlaka ya Usimamizi wa Wanyamapori Tanzania (TAWA) imepokea kwa masikitiko makubwa taarifa za matukio mawili (2) ya Askari wa Uhifadhi kuvamiwa na kushambuliwa na vikundi vya watu wanaoashiria kuwa wafugaji kwa lengo la kupora mifugo iliyokamatwa. Matukio hayo yalitokea tarehe 17 Novemba 2022 katika Wilaya za Malinyi na Ulanga ndani ya Pori Tengefu Kilombero ambalo ni chanzo muhimu cha maji yanayotegemewa kwa ajili ya kuzalisha umeme katika bwawa la Mwalimu Nyerere.

Tukio la kwanza lililotokea tarehe 17 Novemba 2022 majira ya saa saba mchana ambapo askari wakiwa maeneo ya Mto Furua ndani ya Pori Tengefu Kilombero, walivamiwa na kundi la watu takriban 60 wakiwa na silaha za jadi ikiwemo fimbo, sine, mikuki na mapanga kwa lengo la kupora ng'ombe 150 waliokuwa wanashikiliwa. Askari walifanikiwa kudhibiti uporaji huo, huku mtu mmoja akijeruhiwa kwa risasi mguuni. Mthumiwa huyo alifikishwa hospitali kupatiwa matibabu na bado yupo chini ya ulinzi. Tukio hili lilipotwa Kituo cha Polisi Malinyi.

Tukio la pili lililotokea tarehe 17 Novemba 2022 majira ya saa 10 jioni katika eneo la Senga Wilaya ya Ulanga ndani ya Pori Tengefu Kilombero ambapo takriban watu 40 wakiwa na silaha za jadi walivamia na kushambulia askari. Katika kujihami, askari walifyatua risasi hewani kwa lengo la kuwatahadharisha na kuwatawanya watu hao ambao waliendelea kuwashambulia na kutokea mapigano kati yao. Aidha, watu hao walifanikiwa kupora mifugo takriban 200 iliyokuwa inashikiliwa na kujeruhi askari wawili. Askari wa kwanza alijeruhiwa kichwani na kitu chenye ncha kali ambapo alivuja damu nyingi na kupoteza fahamu, alipozinduka alijikuta akiwa hana silaha. Askari wa pili alijeruhiwa kichwani na mguuni. Wote walipelekwa hospitali na kupatiwa matibabu.

Ukaguzi uliofanyika eneo la tukio kwa kushirikisha Jeshi la Polisi uliwezesha kupatikana kwa silaha iliyopotea na kubaini miili ya watu watatu ambayo ilifanyiwa uchunguzi na Jeshi la Polisi na Daktari kisha kukabidhiwa kwa ndugu zao kwa ajili ya mazishi. TAWA inashirikiana na Jeshi la Polisi kuhakikisha inawabaini na kuchukua hatua za kisheria kwa watu wote waliohusika na vurugu hizo. Aidha, TAWA inawaomba wananchi kuwa watulivu kwa kuwa Jeshi la Polisi linaendelea na uchunguzi wa matukio hayo.

Vilevile, TAWA inatoa rai kwa wananchi kutoa ushirikiano katika ulinzi wa maeneo ya hifadhi na vyanzo vya maji. Aidha, TAWA inawataka wananchi kufahamu kwamba kuingia ndani ya maeneo ya hifadhi na kufanya shughuli za kibinadamu bila kibali ni kosa la jinai na inaomba wananchi kuheshimu sheria ili kuepuka mitafaruku isiyokuwa ya lazima.

Imetolewa na Idara ya Uhusiano kwa Umma-TAWA

Image of the TAWA statement.

“

Now you, brothers and sisters, we trust you will speak up for us on the matter of the people of Kilombero River Basin Conservation Area (Kilombero Game Reserve), so that TAWA officers don't oppress us ... Sometimes they seize livestock, sometimes they seize hoes, tractors; sometimes they ask for bribes. My goodness, we are tired of this TAWA, we need peace in our village to be free.

– Witness.

”

Torture, Cruel and Inhumane Treatment in Misamambali

In December 2020 at around 12 pm, TAWA officers arrested an elderly man, Bwana Mgonjwa, who had gone with his family to search for rice seeds on the outskirts of the Kilombero River Conservation Area in Misamambali. After obtaining the rice seeds, TAWA officers beat him with batons and injured his right hand and left ribs, which forced him to remain at home for a month. Officers accused him of trespassing on the conservation area.

“At around 8 o'clock in the morning, my family and I left home to look for rice seeds in the fields across the Kilombero River Conservation Area. Fortunately, my family and I were able to find rice seeds. The young ones thought we had found them quickly and decided to go ahead while I stayed behind,” explains Mgonjwa.⁷⁸

He began his journey back home at around noon and met TAWA officers sitting in a vehicle under a mango tree in the reserve area. The rangers called out to him, “Hey old man, come here.” He approached them without fear. He was ordered to sit down, and then they began interrogating him. “Do you know this is a reserve?” He replied, “Yes, I know, but I did nothing more than come for the rice seeds.”

One ranger continued to question him on whether he was accompanied by anyone, to which he replied in the affirmative. The ranger then asked him, “Do you think you can get rice seeds without people, or do you think there are animals here?” He replied, “There are people here; that's why I went to get rice seeds.” One of the rangers, whose name he does not remember, said, “No, it's not possible that you are alone. There might be people here doing illegal activities. Sit down.” He went back to sitting. The ranger said, “Stretch out your legs,” and he did. The rangers started beating him with batons, hitting him on his left shoulder and left ribs. “One of the rangers, whose name I cannot remember, asked his colleagues, ‘Why are you beating Mgojwa?’”

“The rangers who arrested me, continued to beat me, asking me to tell the truth. I told them as I had before that I only went to get rice seeds. Then, the ranger who defended me said, ‘Old man, get up and go.’ One ranger said, ‘Run, old man’, but the ranger who told him to stand up said, ‘Don't run, just walk slowly.’ He crossed the river and returned home at around 3 pm. His shoulder was sore and the left rib area was in pain. He did not go to the hospital but treated himself with home remedies.

He did not report the incident anywhere, however. "I could not report the incident because where would you go to sue them (the TAWA officers), while they are the government? An officer can beat you up, even if you report to the relevant authorities, they can turn around and say that they beat you up because they found you doing something, which is not true because these officers have many excuses..."

"The report of my arrest and beating was sent to the village government before I even got home. It was delivered by one of the former village government officials, Olugini Ngafunika, who passed by on his bicycle and found me being harassed. He did not take any action. Later, I heard him tell the officers that they were making a mistake, and that they should have informed me first so that I would know that I was not supposed to pass through the reserve. But after that incident, no leader followed up to find out why this old man was beaten up, and that's why one doesn't see the need to report anything to the leaders because they can't stand up for you."

Olugini Ngafunika, who in 2020 was a member of the Ipera Asilia village government, admits to witnessing Mgonjwa's assault at around noon when he was riding his bicycle through the border between the Kilombero River Basin Conservation Reserve and the Ipera Asilia Village. He saw TAWA officers holding sticks and another one seated in the car. He approached them to see what was happening. "I was moving with fear because those officers might arrest me. I saw them beating Mgonjwa. Honestly, because of how those officers were, I could not intervene, but while they were beating him, one officer who was in the car appealed to them and started defending him, and that's when I got the courage to speak up. His words calmed the officers and then the officer in the car stepped out and ordered Mgonjwa to leave. "Now, because I had a bicycle and Mgonjwa was on foot, I couldn't give him a ride, so I left him to make his way slowly and I reported the incident, but no action was taken. I realised that no one was following up on it, so I didn't have the ability to go anywhere else."

One government officer in Ipera Asilia, who preferred anonymity for safety reasons, said similar incidents occur frequently and the villagers suffer greatly. "It is better to tell the villagers that they should not trespass or to evict them. However, the officers seize their livestock and beat them," says the officer.⁷⁹

"Moreover, when these TAWA officers come to the village, they do not go to the office. Often, we receive reports that they have arrived, but there is no official record in the office. We have previously reported this to the district council, but they said it is impossible for them to report to the office because if they do so, the village officials (who have good relationships with their people) will warn them. They move around the park to find livestock and seize it in a corrupt manner. Also, often when a villager is beaten, the victims do not come here to report. But we, as officials, cannot write every day. And you know we are within the government. If I inquire too much and I am within the government, what will they do to me? And do you think that the leaders do not know what is happening here? They know, but they remain silent. And if someone knows and remains silent, what does that mean? It means that it is deliberate," he added.

79 Audio recording of the Executive Officer for Mpera Asilia Village.

Mtwara



*Image of Makonde Plateau
Photo credits: Wikipedia*

Mtwara is in the southern part of Tanzania, with the regional capital at Mtwara Municipality. It covers 16,720 square kilometres and has 1,634,947 inhabitants according to the 2022 population and housing census. Mtwara is the twentieth most populous region in the country. It consists of Masasi, Mtwara, Mtwara-Mikindani, Nanyumbu, Newala, and Tandahimba districts, while the town councils are Masasi, Nanyamba and Newala.

It borders Mozambique to the south, Ruvuma to the west, Lindi to the north and the Indian Ocean to the east. Mtwara is renowned for its large-scale production of cashew nuts and is home to the Makonde, Yao and Makua tribes. Mtwara boasts many natural resources such as the Mnazi Bay-Ruvuma Estuary Marine Park, Mtiniko proposed forest reserve, Mtuli Hinju proposed forest reserve, Ziwani Forest Reserve, Mamani Forest, Naliendele Forest, Chilangala Forest Reserve, Mahuta Forest Reserve, Makonde Scarp II proposed forest reserve, Mkunya River proposed forest reserve, Kambona Forest Reserve, Makonde Scarp I proposed forest reserve, Ndechela Forest Reserve, and the Makonde Scarp III proposed forest reserve.

Human Rights Violations in Mtwara

“

We asked them: We have our income-generating activities such as cultivation of crops, cashew nuts, and that is where we get money to educate our children and support our livelihoods. How can we leave without compensation?

– Witness.

”

Loss of Life of Jabir Malindi

Forest reserve guards shot Jabir Thabih Malindi, a farmer from Chilangala Village, on February 28, 2022 while he was working on a farm in the Makonde mountains. He had reportedly entered the farm, which was previously owned by the villagers along with many other farms in the Makonde Mountains. Malindi was taken to Nyang'ano Hospital in Lindi region for treatment but died and was buried on March 1, 2022.⁸⁰

Sadiki Bakari Nayuwa received news that his relative had been shot by forest guards on February 28, 2022, at around noon. He rushed to the scene to take Jabir Thabih Malindi to Nyang'ao Hospital in Lindi for treatment, but he died. The family tried to seek help from various authorities, including calling the then-Inspector General of Police Simon Sirro, to get justice but their efforts did not yield any results. “Some government officials such as the village executive officer, the chairman, ward councillor, sub-district officer, and even the district director, witnessed the incident and we asked for their [help] to ensure justice was served, but our efforts were unsuccessful,” states Nayuwa.

Loss of Livelihood due to Unjust Compensation in Chilangala

Nayuwa explains that the area had been used for economic activities for years before villagers were asked to leave. “We asked them, ‘We have our income-generating activities such as cultivation of crops, cashew nuts, and that is where we get money to educate our children and support our livelihoods. How can we leave without compensation?’” he asks.

In 2021, the government changed the land use for the Chilangala to a water catchment area and ordered villagers to leave without offering any compensation. Jamal Nandonde, the councillor for Chilangala Ward, explains that the decision to turn Chilangala into a water catchment area was made in 2010 and the villagers had agreed to move but they have been demanding to know the fate of their property. “Currently, it’s like investors who are preserving water sources have paid some people and left others behind. So, there is no conflict; the villagers have agreed to leave and have registered their names and the number of trees (on their land), and we have sent this to the village council, the ODC, and the district council to forward it to the district commissioner,” Nandonde adds.

“If they have agreed to leave, there is no other way but to compensate them and they are ready because it is written in the minutes. And they did it voluntarily to avoid problems. The problem is they have not been paid,” he adds.⁸¹

⁸⁰ Reports of the death were conveyed to government officials from the village level up to the district council, citizens participated in the funeral. There is a death certificate.

⁸¹ Voice recording of the deceased’s relatives. Death certificate and the statement from the councillor of Chilangala Ward speaking about the conflict that led to the death.

Mwanza



*Signage of the Sayaka Forest Reserve
Photo credits: Tuntume Media*

Mwanza was officially established in 1963 with four districts: Ukerewe, Geita, Mwanza and Kwimba. In 1972, following the decentralisation policy more districts were established, starting with Magu in 1974. Sengerema, which was established in 1975, was originally a division of Geita District. Misungwi, established in 1995, was previously a division of Kwimba District. Ilemela and Nyamagana districts were established in 2002.

The region borders Geita to the west, Shinyanga and Simiyu to the south, and Mara to the east. Lake Victoria (Nyanza) is to the north and in the northwest, Mwanza borders Kagera. Mwanza has a population of 3,699,872, according to the 2022 population and housing census, making it the second most populous region after Dar es Salaam. Currently, Mwanza consists of Ukerewe, Magu, Sengerema, Misungwi, Kwimba, Nyamagana and Ilemela districts. The city of Mwanza has Nyamagana and Ilemela districts within it.

Mwanza, like other regions in the Lake Zone, has access to a large portion of Lake Victoria, the largest freshwater lake in Africa, where small-scale fishermen carry out various activities. Tanzania has 49 per cent of Lake Victoria, which measures 33,700 square kilometres, while Uganda controls 45 per cent, and Kenya 6 per cent.

Lake Victoria is the third largest lake in the world and borders Mwanza, Geita, Kagera, Mara, and Simiyu in Tanzania. The major economic activities include fishing around Lake Victoria, large and small-scale trading, agriculture practised in Magu and Kwimba districts, as well

as mining and tourism. Business activities are mainly carried out in the two districts that form the City of Mwanza, which are Nyamagana and Illemela.

There is a wildlife park on Sanane Island, in Lake Victoria, which has more than 100 islands. Impala, peacocks, lions, and zebras can be found on the island. Natural vegetation is abundant in various parts of the region, including Kwimba, Sengerema, Ukerewe and the Sayaka forest reserve in Magu. Lake Victoria was estimated to have 500 fish species, but now it is reported that 200 species, or 40 percent of them, may have disappeared.

Mwanza's natural resources have been a source of conflict, which has given rise to human rights violations. Incidents of authorities destroying crops, confiscating livestock, and fining residents for farming or grazing livestock in conservation areas are widespread. Areas with a high number of such incidents include the Sayaka Forest Reserve, which is controlled by the TFS. Numerous cases of villagers being beaten, injured, and having their livestock confiscated by TFS officers have been reported. Additionally, there are conflicts between conservation area authorities and villagers, especially regarding land ownership.

Human Rights Violations in Mwanza

“

...On November 9, he was fined Tsh500,000, but he was only given a receipt for Tsh300,000, which means that the rest of the money was taken by someone. They have made herders part of their economy...

– Witness.

”

Violation of the Right to Livelihood in Misungwi Village

On November 9, 2022 at around 4 pm, TFS officers guarding the Sayaka Forest Reserve arrested Abel Kamata, a resident of Misungwi hamlet, Misungwi Village, Bhumi Ward, Magu District. He was arrested together with another man on suspicion of bringing livestock into the forest. Abel explains that forest conservation officers have been driving villagers' livestock into the forest in order to impose fines on the owners. Some herders have been fined between Tsh300,000 and Tsh6,000,000 without regard to the number of livestock seized. Abel has a receipt⁸² for the fine he paid after TFS officers seized his livestock.

On the day Abel was arrested by uniformed conservation officers, his livestock were outside the forest so he was surprised to see the officers herding the animals into the forest. He recalled that since the 1990s, his grandparents and great-grandparents had been using the Sayaka Forest Reserve to grow beans and other crops. The Sayaka Forest Reserve, from which the villagers and herders are being evicted, is surrounded by 14 villages. The government has banned all farming activity in the area. Abel explains that they have been moving closer to the forest, with some people grazing their livestock in the forest because of lack of pasture. “If you want to see that the government has no mercy for its people, instead of finding us pasture, they keep on imposing fines on us. I have been fined more than three times, and all the times I was fined, they did not issue a receipt, except once,” Abel complains. TFS officers have been harassing farmers, and herders, asking them to

82 Abel Kamata's TFS payment receipt after he was accused of grazing his livestock in Saayaka Forest.

leave the area and prohibiting them from grazing their livestock.

Mathias Chongela, Abel's uncle, recalls the day his nephew's livestock was seized by the conservation officers: "On November 9, 2022, Abel and two young men were grazing livestock when they were surprised to see the armed conservation officers following them. The officers started driving Abel's livestock into the park. The practice of officers seizing livestock and fining the owners is now commonplace.

"You know, this issue has found us here in these villages where we have lived our whole lives. However, in 2017, the government began to prevent people from farming and grazing there, but why didn't they prevent it all these years? Now, they have found us doing these activities, and where do they expect us to go?" Chongela rhetorically asks.

Mathayo Zakayo, chairman of Misungwi Village in Magu District, opines that the government's ban on grazing in the forest has caused disquiet since some farmers have refused to adhere to it. People have lost their farming and grazing land, and some have been beaten and fined large amounts of money. There are more than 2,000 head of livestock in the village, and the grazing land is decreasing every year because of the increasing number of livestock on one hand, and a decrease in their traditional grazing and herding areas being turned into conservation areas, on the other.

"I know about Abel's case of November 9 when he was fined Tsh500,000 but only got a receipt for Tsh300,000, which means that the rest of the money was taken by someone else. They have made herders part of their economy," he added.⁸³



Image of an electronic receipt generated for Abel Kamata after he paid his fine.

The chairman of Ubwao sub-division in Kibengu Village, Ignasi Msungu, said: "The District Commissioner for Magu visited the area in early November 2022 along with leaders from the district, and told the residents of Misungwi and the neighbouring villages that they should continue grazing their livestock in the forest area while the government continues to look for ways to assist them. However, TFS officers continued operations to seize livestock whenever they entered the conservation area."

Njombe



*Image of Kitulo National Park
Photo credits: Map Carta*

Njombe is in the southern highlands and the twenty-seventh most populous region in the country. It covers 21,347 square kilometres and borders Iringa to the north, Mbeya to the west, and Ruvuma to the east. Njombe consists of four districts: Makete, Njombe, Wanging'ombe, and Ludewa. Agriculture is the region's main economic activity, split into large-scale tree farming, fruit and vegetable farming, as well as livestock keeping, alongside fishing, and the hospitality business. Crops that thrive in Njombe include maize, sweet potatoes and avocados. Lake Nyasa covers a large part of the Ludewa District, where fishing thrives.

Some of Njombe's natural attractions include Lake Nyasa, Kitulo National Park, Mpanga/Kipengere Game Reserve, Nundu Forest, Makowo Forest, Njilikwa Forest, Utengule Forest, Iditima Forest and Kilimahewa Forest, Ruhudji Waterfall, Ninga Waterfall, Makwengwe Waterfall, Nyalumuli Waterfall, Kimani Waterfall, Hagafilo River, Mount Fulanyingi and the Livingstone Mountain Range. Significant conflicts have erupted over the failure to balance conservation and the rights of the communities adjacent to these areas. Boundary disputes, as well as grievances over wildlife entering village areas and causing significant damage to property and sometimes even death, characterise the region.

Human Rights Violations in Njombe

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“Gunshots have been heard when people run to avoid arrest. But murders happen and bodies are not found. The same park rangers hide them.”

– Witness.

”

Enforced Disappearance in Misiwa Village

On July 29, 2022, at around 6 pm, Kyenge Kamaghe and his wife Juliet, 41, entered the Kitulo National Park in Makete, Njombe, to dig for *chikanda*, (a tuber that resembles a sweet potato) which is sold for Tsh1,200,000 (approximately US\$500) for a 20-kilogramme tin in Zambia and the Democratic Republic of Congo. Residents of Misiwa and other villages in Ipelele Ward of Makete District adjacent to Kitulo National Park often enter the park to dig for *chikanda*. *Chikanda* is used to cook bread, and when added to vegetables, boosts the body's immune system.

Juliet recalls that she and her husband saw seven other people similarly engaged in digging for the tubers. The roar of a motorcycle was approaching, and they saw two people they recognised as park rangers on patrol. The rangers arrested two people as the others fled. Juliet and her husband decided to flee, running in opposite directions. A few minutes later, Juliet heard three gunshots from the direction where her husband had run to. About 25 minutes later, the ranger who had chased her husband returned and found Juliet and the other suspects in custody. The ranger who had been guarding Juliet and the other suspects asked his colleague if he had caught the suspect. His colleague replied that the man got away.

Juliet and the other suspects were taken to the Matamba Police Station in Makete District. She requested to call her husband but she could not reach him. The suspects were charged in the district court⁸⁴ and fined Tsh 600,000 (approximately US\$260) or in the alternative serve a two-year jail sentence. Juliet's relatives paid the fine, but the police did not release her early as they suspected that she might know her husband's whereabouts. She was freed after villagers exerted pressure on the police. Returning to the village and failing to find her husband, Juliet led the villagers in seeking permission to enter the park to search for Kyenge. Despite their efforts, he was not found. He is still missing to date.

Vumilia Mbola, whose husband also went missing in the park and has not been found, explains that she, too, heard three gunshots from the side where Juliet's husband, Kyenge, fled to but when the park ranger was asked by his colleague if he had caught the suspect, he claimed that the suspect had vanished into thin air.

Kitulo National Park staff, the police, and the village government have no answers on Kyenge's whereabouts.⁸⁵

84 The suspects were charged in Criminal Case No. 46/2022 for entering the park illegally under Section 21(1)(a)(2) of the Wildlife Parks (CAP-282 RE2002) Act.

85 Case record number 46/2022. Shells of bullets. Investigation report from the park warden. Letter (permit) from the government to search for Kyenge Khamaghe. Audio recording of the village chairman and Ward Councillor for Ipelele.

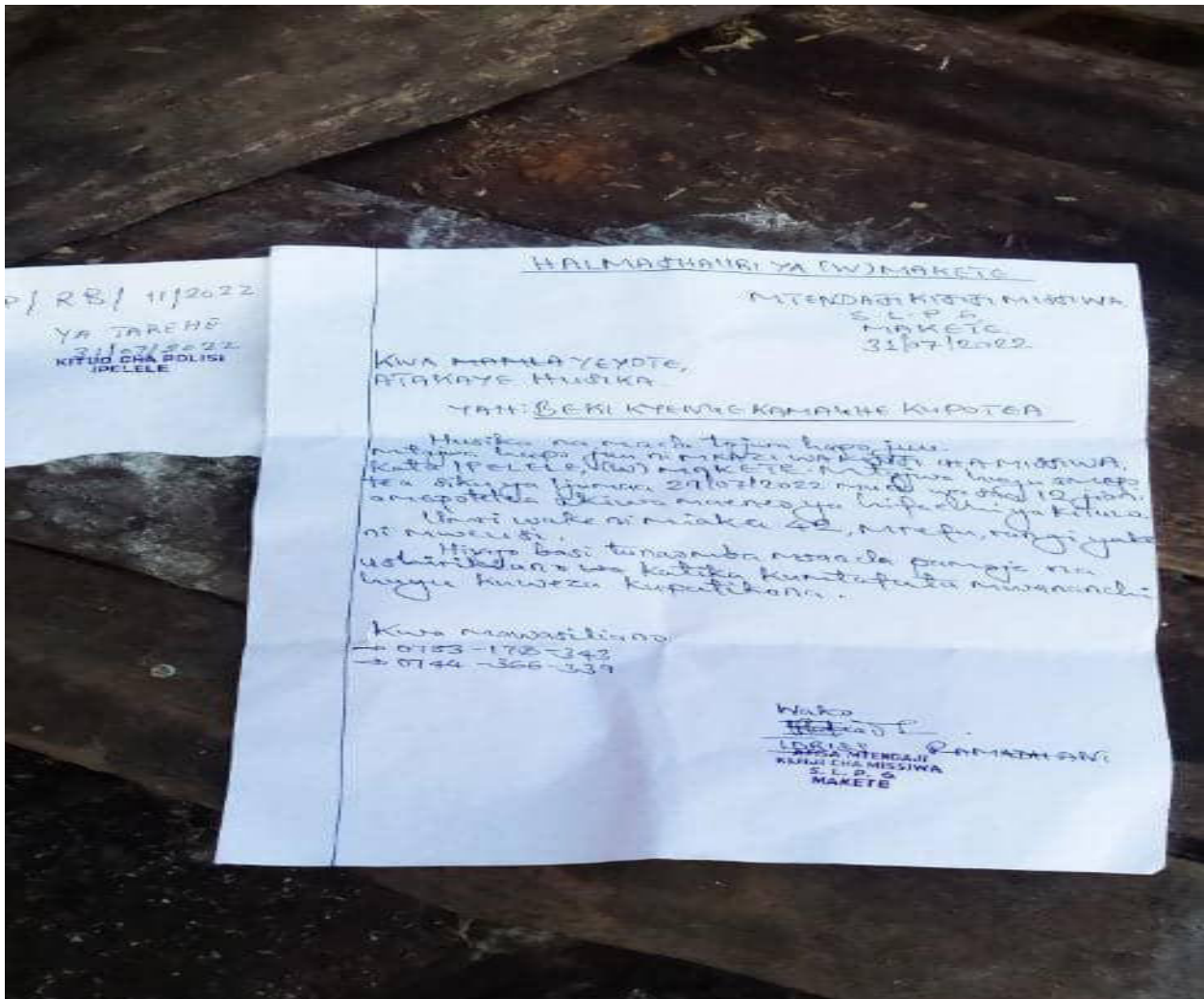


Image of a letter from the local government requesting public cooperation in the search for Kyenge Kamaghe.

Enforced Disappearance in Kinyika Village

On May 10, 2022, Anthony Sanga disappeared inside the Kitulo National Park at around 6 pm. Joachim Kyando recalls that Anthony, a resident of Kinyika, Makete District, Njombe, went into the Kitulo National Park with him and fellow villager John Mbilinyi at around 1 pm to dig for *chikanda*.

Once they entered the park with their bags -- as is custom for people to wear the bags on their backs and stomachs to carry the harvest -- and brought out their hoes, they heard gunshots.

They followed the sound of the gunshots and after a while, they found themselves surrounded by park rangers. They heard a voice saying, "Put your hands up." They ran in different directions -- two ran in one direction and the other in another.

They heard three gunshots and screams from the side where Anthony fled to. Later, they heard more gunshots close to where they were and thought to surrender. A park ranger approached and asked them if they knew Anthony Sanga's whereabouts. The other ranger responded that he had been pursuing him but failed to catch him. Joachim had often entered Kitulo National Park to dig for *chikanda*. He and the other suspect were taken to the park headquarters and later to the police station in Matamba, where they were detained for two days. They were then transferred to the police station in Makete Town

and charged two days later at the district court.⁸⁶ Magistrate Ivan Msacky explains that the courts have been receiving such cases and issuing judgments on the spot because they do not require the tendering of long evidence before rendering a decision.⁸⁷

Typically, cases of people arrested in the park do not take long since prosecutors are deemed to have *prima facie* evidence, and the accused are either sentenced to imprisonment or fined. Each paid a fine of Tsh600,000 (approximately US\$260) and were released. After returning to the village and informing their relatives and friends about Anthony Sanga, they went to the district council to request permission to search for him in the park. Despite the efforts of 20 villagers, accompanied by park rangers, they did not find him. “We found nothing except Anthony’s jacket and bullet shells.” Anthony Sanga is still missing.

John Mbilinyi remembers the faces of the rangers who arrested them but does not know their names. He believes the officers shot Sanga when he was running to save himself. He believes that the sounds of gunshots and screams of Sanga indicate that he may have been shot and killed within the park. “Gunshots are heard when people run to avoid being arrested. But murders happen and bodies are never found. The same park rangers hide them,” he explained. The chairman of Kinyika Village, John Ntulo, confirms receiving a report about Anthony Sanga and says the circumstances of the incident are a common occurrence.

Disputes between authorities and residents recur because there are no clear boundaries to indicate the areas for farming and grazing and those for the protected park. Ntulo called on the government to expedite the demarcation of boundaries and provide compensation for the displaced.

⁸⁶ John and Joachim were jointly charged under Case No. 16/2022 with illegally entering the national park contrary to the National Park Regulations, Section 21 (1)(a)(2) (CAP-282 RE2002), and were each sentenced to either serve one year in prison or pay a fine of Tsh600,000.

⁸⁷ The indictment document for Criminal Case No. 16/2022 of the Republic s. John Mbilinyi and Joachim Kyando. Bullet casings; investigation report from the park ranger; and audio recording of the chairman of Kinyika Village.

Rukwa



*Image of Mbizi Forest Reserve
Photo credits: Trip Advisor*

Rukwa was carved from Mbeya and Tabora regions in 1974. It is in the south-western part of Tanzania and occupies 27,765 square kilometres. The region is divided into three districts -- Kalambo, Mkasi and Sumbawanga. It has four district councils -- Sumbawanga Municipal Council, Sumbawanga District Council, Kalambo District Council and Mkasi District Council. Rukwa has 16 divisions, 64 wards and 318 villages. It is home to the Fipa, Mambwe and Nyamwanga peoples, among many others. It borders Zambia to the southwest, the Democratic Republic of Congo to the west, Katavi region to the north and Mbeya to the southeast.⁸⁸

Human Rights Violations in Rukwa

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“...Residents were not consulted or given the opportunity to express their concerns...”
– Witness.

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⁸⁸ The United Republic of Tanzania. Rukwa Regional History. <https://rukwa.go.tz/history>.

Displacement in Matoto Village

On June 3, 2023 at Matoto Village, Zimba Ward, Sumbawanga District, residents were evicted from the Mbizi Forest Reserve after the government declared it a conservation area. The villagers expressed surprise at the Sumbawanga District Council's decision to put up banners directing them to vacate from the Mbizi Forest Reserve where they had been living and farming for years.

The villagers claim that their forebears had been using the area for various activities, including farming and settlement. They were puzzled by TFS's decision to evict them without any consultations. The forest area had been beneficial to them as a source of food from agriculture, and their population had been increasing every year.

When the eviction order was issued, the residents were neither consulted nor given the opportunity to express their concerns. The villagers only became aware of the eviction through the banners placed by TFS instructing them to leave voluntarily. They say they felt intimidated when they were warned against being seen in those areas. Angered by the turn of events, some villagers set fire to the forest.

The Sumbawanga District Security and Safety Committee, led by District Commissioner Sixtus Mapunda, visited Matoto Village on June 3, 2023 and held a meeting where the villagers were urged to comply with the order to vacate the area. He was accompanied by TFS officials. The area councillor stated that the village is located within the Mbizi Forest conservation area and, therefore, the law would not be bent to allow the residents to continue living and working in it. However, the villagers insisted that the area belongs to them as they have been living there for a long time.⁸⁹

Alfred Mavuja of Matoto Village complains that he was surprised to see TFS officers arriving at his residence and asking him and his family to leave. He claims that his grandfather, who died at the age of 85 years, had been living in that area and they had never been informed that it was part of the forest reserve.

Paschal Helandogo, a resident of the Matoto Village, states that he and his family were equally surprised to find their farmland and residential areas marked as being within the Mbizi Forest Reserve.

Another resident of the village, Clalius Pascal, argues that TFS's explanations are untrue since they have been living in the area for a long time, and no leader had ever informed them that it is part of the forest reserve.

89 Audio recording of the affected individuals expressing their grievances. There is also an audio recording of the District Commissioner for Sumbawanga when he visited and listened to the conflict.

Ruvuma



*Image of Gesimasowa Game Reserve
Photo credits: Alex Sonna*

River Ruvuma is the natural boundary between Tanzania and Mozambique in the south and demarcates the Ruvuma region, which borders Lake Nyasa to the east, Lindi and Mtwara, to the west, and Morogoro and Njombe to the north. Ruvuma comprises five districts, namely Songea, Nyasa, Tunduru, Mbinga and Namtumbo. Ruvuma has 1,848,794 inhabitants, according to the population and housing census of 2022, and is the nineteenth most populous region in Tanzania. It is one of the dependable areas for food security because it has arable land with high yields of maize, rice, sunflower, cashew nuts and cassava.

Like many other regions of Tanzania, Ruvuma is well endowed with natural resources, necessitating the establishment of different types of conservation areas. The Ruvuma landscape is dominated by miombo woodland and has an abundance of large forest blocks that serve as important biological links for wildlife to migrate between the Selous Game Reserve (a UNESCO World Heritage Site) and the Niassa Game Reserve of Mozambique. Out of Ruvuma's 67,550 square kilometres area, some 63,968 square kilometres is land while the remaining 3,582 square kilometres is water mass consisting of Lake Nyasa, rivers and swamps. Natural forests cover 41,567 square kilometres, which is almost 65 per cent of the entire region. There are 39 village forest plantations covering 30,110.7 square kilometres.

Nonetheless, the landscape presents huge challenges in balancing conservation with human rights because of disputes over land between the communities adjacent to conservation areas and authorities. Such disputes have created an abiding tension between communities adjacent to conservation areas and authorities entrusted with maintaining and developing these resources. Issues of pastoralists encroaching on reserves, shifting agriculture, illegal logging, poaching and gemstone mining have triggered conflicts that have seen state officials violate human rights.

Human Rights Violations in Ruvuma

“

I asked them to show me the body through WhatsApp if they had pictures, and when I saw the pictures, I recognised it as my brother, although his body had been cut into pieces.

– Witness.

”

Loss of Life of Noah Kaguye

Preliminary reports after Noah Kaguye, 56, went missing showed that he was killed between August 9 and 18, 2021. Rashid Lukindo, his younger brother, explained that Kaguye was killed by unknown people near the Gesimasowa Game Reserve. He left his home on August 9, 2021 to go to his farm just outside the residential area in Ngadinda Village.

Kaguye regularly went to his farm, which was a distance from the residential area, and would stay there for five days before returning home. When Kaguye left home, he did not return after five days' absence as was his habit. On August 15, his son Othman went to the farm to check on him but did not find him. He only found a pot of stiff porridge and another pot of dried fish.

Othman called his mother, Bupe Noah, who then reported her husband missing at the Gumbiro Police Station. Since the family did not receive any assistance from the police, including issuance with an RB number, Bupe filed a fresh report at the Madaba Police Station but also received no assistance. On August 18, the family visited the Ruvuma Regional Police Commander (RPC), Joseph Konyo. The regional head of investigations handed the family over to his assistant, named Majidege.

“Majidege questioned my relatives, and they told him that they wanted to know the whereabouts of their brother. He told them to leave and look for him in the bush; and if they found him, they should call him,” Lukindo says.

“The family returned home and asked the villagers to help in the search, but they did not find him. The Regional Crime Officer (RCO) called me and asked for my late brother's phone numbers. Later, Officer Majidege also called me and informed me that a body had been found in the Kitanda bush in Namtumbo. “I asked them to show me the body through WhatsApp if they had pictures, and when I saw the pictures, I recognized my brother, although his body had been cut into pieces,” he says.

Lukindo then sent the pictures to his brother's widow, who recognised her husband. Police told them that the body was buried in the bush in Namtumbo. The family agreed to accompany the police to the site. On August 22, Lukindo and his three relatives went with the police in an official vehicle to Namtumbo.

At the Namtumbo police station, the officers under Majidege refused to accompany them to the scene, claiming that they needed to take DNA samples to confirm the identity of the body. However, Lukindo and his family demanded to see the deceased man's finger the officers claimed to have before agreeing to any tests. The officers declined and instead offered to show them pieces of flesh, which they claimed to be from the same body. The officers could not say who permitted them to bury the body. The family was unable to reach an agreement with the police on what to do, and so returned home to Madaba.

Shinyanga



*Image of Kigosi Game Reserve (Now changed to Forest Reserve under TFS)
Photo credits: Wildlife Safari Guide*

Shinyanga is in the north-western part of Tanzania, south of Lake Victoria, and has a population of approximately 3,840,000 people. It borders the regions of Mwanza, Simiyu and Geita to the north and Simiyu to the east. To the west, Shinyanga borders Geita and Tabora to the south. It sits between latitude 30°12' - 40°27' south of the Equator and longitude 31°29' - 34°18' east of Greenwich. The land area is 18,555 square kilometres.

Shinyanga was part of Lake Province until 1963 when it was officially established with the three districts of Maswa, Shinyanga and Kahama hived from Tabora. New administrative units were created, including Bukombe, Kishapu, Bariadi and Meatu, bringing the total number of districts to seven. In 2012, the government established new administrative areas, including the two new regions of Simiyu and Geita. Bariadi, Maswa and Meatu districts were hived off from the Shinyanga region to form the Simiyu region, while Bukombe District was moved to the new Geita region. Additionally, the Shinyanga region increased its administrative units by establishing new councils of Kahama Town in 2012, and Msalala and Ushetu in 2013, which resulted from splitting Kahama District.

Human Rights Violations in Shinyanga

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After the seizure of their livestock, the herders were threatened with arrest and prosecution for economic sabotage if they attempted to reclaim their animals.

– Witness

”

Loss of Livelihood after Confiscation of Livestock in Kigosi Game Reserve

On June 16, 2017, individuals believed to be government officials seized more than 1,600 cattle belonging to Daud Ngh’oga outside the boundaries of Kigosi Game Reserve in Ushetu, Kahama District. The animals were forcibly taken into the game reserve. Over 474 cattle disappeared while in the custody of government officials in the reserve.

After the seizure, Daud Ngh’oga was charged in the High Court of Tanzania, Tabora Zone, in consolidated Criminal Appeal No. 126, 129 and 131 of 2017, where the court verified the number of cattle confiscated. Only 1,126 cattle out of the 1,600 seized were found. Ngh’oga appealed the decision in Criminal Appeal Case No. 48 of 2018 on March 22, 2022. The Court of Appeal ruled that his livestock should be returned to him and awarded him the costs of the suit. However, the court order has not been complied with.

Gabriela Kimaro confirmed that the livestock was seized outside the boundaries of Kigosi Game Reserve and then taken inside the reserve. A TFS official in Kahama District, Ester Josephat, said she doesn’t know who seized the livestock or the specific location where they were kept.

Simiyu

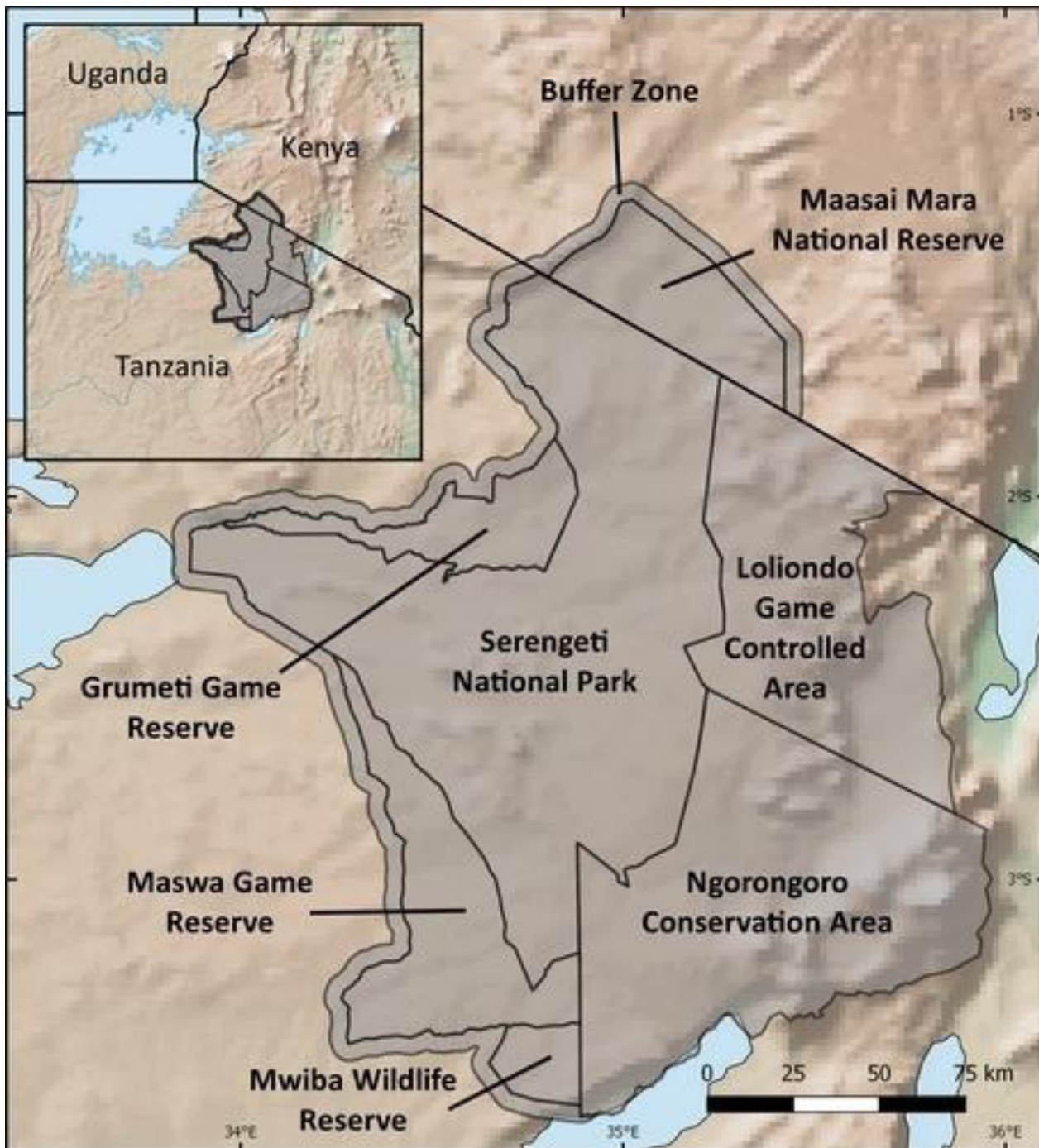


Image of Maswa Game Reserve⁹⁰
 Photo credits: Wiley Online Library

90 Anthropogenic Modification to Fire Regimes in the Wider Serengeti- Mara Ecosystem <https://onlinelibrary.wiley.com/doi/full/10.1111/gcb.14711>.

Simiyu was carved out of the eastern part of Shinyanga in 2012. The region was formally established through Gazette No. 72 of March 2, 2012. The name Simiyu is derived from the large Simiyu River, which flows from the east and pours its waters into Lake Victoria. To the north, Simiyu borders Mara, while Arusha and Singida lie to its east. To the south, it borders Shinyanga and Tabora, and to the west, Mwanza.

Simiyu occupies 23,807.70 square kilometres, with up to 11,479.10 square kilometres considered suitable for agriculture and livestock keeping while another 11,723.60 square kilometres is reserved for the Serengeti National Park, Maswa Game Reserve, Kijereshi Game Reserve, Mwiba Game Reserve, and Makao Reserve, which are among the reserves managed through special community involvement -- Wildlife Management Areas or *makao* (WMAs) located in the Meatu District. Lake Victoria in the region covers 605 square kilometres. Simiyu has a population of 2,140,497, according to the 2022 national population and housing census, making it the fourteenth most populous region in the country.

Rainfall in Simiyu is moderate, ranging from 600 to 900 millimetres a year. In some areas, such as Meatu District, the rainfall can be as low as 400 millimetres. The temperature ranges from 18 to 31 degrees Celsius. With two rainy seasons -- the short rains from October to December and the long rains from February to May -- the economy of Simiyu relies on three main sectors: agriculture, livestock keeping, and fisheries.

Simiyu has seen a rise in the number of human rights violations. Patriarchal norms have driven a rise in incidents of women being murdered, raped, and subjected other forms of gender-based violence. Murders of women suspected of involvement in witchcraft are prevalent in the Maswa, Itilima, and Meatu districts.

The region has national parks and game reserves, which are managed through community-based conservation initiatives (WMA). This has increased the region's revenue from tourism-related activities. The Serengeti National Park, stretching from Manyara to Mara and Simiyu, the Kijereshi Game Reserve, and the Maswa Game Reserve are some of the protected areas in the region. Park rangers have been cited for killings, injuries, and torture, as well as the seizure of community lands and livestock. Wildlife invades homes and destroys people's property.

Allegations of livestock and residents being shot when they enter protected areas, as well as residents' homes and farms being burned down, are rife in the conservation areas. Bariadi, Meatu, Busega and Itilima districts are faced with numerous land conflicts, especially among residents living adjacent to conservation areas. Government officials under the authority of national parks have been conducting regular operations to monitor the movement of residents suspected of encroaching on conservation areas and game reserves.

The conflicts largely emanate from the change of boundaries or landmarks, where beacons have been moved into people's homes, sparking loud protestations. A case in point is the conflict in Matongo Village in Bariadi District as well as in several other villages in Meatu District adjacent to the Mwiba Game Reserve. Government authorities have been accused of harassing citizens under the pretext of preventing trespass in conservation areas. Many incidents of livestock being seized by park rangers have been reported, with the most recent case involving 4,000 cattle allegedly seized inside the Maswa Game Reserve. Some residents who had their livestock seized in 2017 filed a case in the Tanzania High Court and obtained orders for the return of their animals, which has not been complied with.

On August 13, 2017, in Chanza Village of Maswa District in Simiyu, TAWA officers seized cattle belonging to Nzenzo Kusekelwa, 59, which were grazing in Nyanza Village, 10 kilometres from the border with Maswa Game Reserve. Wildlife officers, armed with submachine guns, drove the cattle into the reserve and announced that the animals had been seized inside the conservation area. The following day, Kusekelwa and his colleagues -- Sijandika Masaka and Sambai Deke -- were arrested and transported from their village of Nyanza

to Bariadi District where they were charged with grazing livestock within Maswa Game Reserve in Case No. 162 of 2017.⁹¹ They were convicted and each sentenced to 15 months in prison on August 18, 2017.

A number of cases instituted on account of unfair treatment meted out on pastoralists have succeeded in the appellate courts. However, execution of such decisions has been ignored by government institutions for compensation and return of livestock. A case in point is Appeal No. 98 of 2017 (HC), which challenged the decision in Case No. 162/2017 of the Bariadi District Court in Simiyu. Appeal No. 98 led to the acquittal of the accused on March 23, 2018 and an order for restoration of their livestock. This decision has, however, not been complied with fully. Additionally, in the Criminal Appeal No. 100 of 2017 (HC), which challenged the decision in Case No. 165 of 2017 of the resident magistrate of Bariadi District Court led to the restoration of confiscated livestock of the accused (Masunga Muhamali and Subi Maduhu).

Another appeal in Criminal Case No. 339/2018 filed in the High Court at Tabora, and heard by three judges, succeeded with the bench handing down a judgment on October 30, 2019 in favour of pastoralists from Meatu: Kishinadiri Degeshi, Mamati Manoga and Oljora Arijab. The judges ordered that the seized livestock be returned to the pastoralists. In another appeal, No. 340/2017, Justice JA Lila of the High Court in Tabora was handed down a judgment granting the pastoralists orders for the return of their seized livestock. The appeal was filed by Kilo Kidang'ai, Maria Honga and Seksta Dewita.

Yet another appeal, No. 36/2019, was filed in the High Court of Tanzania in Shinyanga Region, challenging the decision of the Bariadi District Court in Criminal Case No. 208/2017, which concerned Ndaturu Mololo. Since the High Court of Tanzania in Shinyanga and Tabora ruled in favour of the pastoralists and ordered the relevant government authorities to return seized livestock, the orders have not been complied with. The livestock seized from the pastoralists of Nyanza Village in Meatu District totals up to 2,643 cattle and nine donkeys.

The Livestock Officer for Meatu District, Dr Hussein Nyenye, confirms that the villagers' livestock in Nyanza Village was seized by officials from the Wildlife Department of Maswa Game Reserve, and that the villagers' appeals in the higher courts succeeded. He claimed that he was informed that all the livestock confiscated by wildlife officials had already died. Shemsa Mohamed, the leader of the Chama Cha Mapinduzi (CCM) party in Simiyu urged the government to take responsibility for protecting the pastoralists because it is the economic sector that enables them to earn a livelihood.

Gwishida Hunge, the chairman of the Meatu District Pastoralists' Association in Simiyu asserts that officials from the Wildlife Department of Maswa Game Reserve illegally and violently seized livestock. Hunge said government officials had been perpetrating acts of violence against pastoralists in conservation areas at gunpoint, in violation of the country's laws. All these incidents led to a series of lawsuits and appeals, which the pastoralists won because they had been denied their right to defend themselves in the district court.⁹² Officials from the Department of Wildlife have declined to comment on the decisions of the High Court, some of which ordered the return of illegally seized livestock to the herders.

⁹¹ Charged with the offence of grazing livestock contrary to Section 21 (1) (2) and 111 (1) (a) of the Wildlife Conservation Act No. 5/2009 and Section 15 (1) and (2) and Government Notice No. 275 of 1974.

⁹² Case No. 162 of 2017 -- Bariadi District Court, Simiyu Region; Appeal No. 98 of 2017 -- High Court of Tanzania, Shinyanga Zone;

Appeal No. 36 of 2019 -- High Court of Tanzania, Shinyanga Zone; Appeal No. 100 of 2017 -- High Court of Tanzania, Shinyanga Zone; Appeal No. 339 of 2018 -- High Court of Tanzania, Tabora Zone; Appeal No. 340 of 2017 -- High Court of Tanzania, Tabora Zone.

Singida



*Image of Mgori Forest Reserve
Photo Credits: Wikipedia*

Singida is in the central part of Tanzania. It is part of the Central Zone and shares borders with Arusha to the north, Manyara to the northeast, Dodoma to the east, Iringa and Mbeya to the south, Shinyanga and Tabora to the west, and Simiyu to the northwest. The region covers 49,341 square kilometres, approximately 6 percent of Tanzania's total area of 930,000 square kilometres. Administratively, Singida is divided into five districts: Iambi, Mkalama, Singida, Ikungi, and Manyoni. The region has a population of 1.4 million people, according to the latest population and housing census of 2022.

Singida is characterised by a diverse workforce, involved in various economic activities, including agriculture, trade, livestock keeping, and entrepreneurship. The region is estimated to have 1.4 million cattle and is known for producing millet, sorghum, and maize as staple food crops. Cash crops include sunflower, onions, lentils, sesame, and groundnuts. Beekeeping and honey production are also significant economic activities in the region, which also has several large sunflower processing factories and numerous small ones. However, the production of sunflower seeds has not been sufficient to meet the demand from the processing plants, indicating a need for increased production.

Singida also has various mineral resources, including gold, copper, and salt. Large-scale mining is conducted by Shanta Mining Company's branch in Singida, and its gold mining operations are expected to commence soon. Small-scale mining is also prevalent in the region.

Tourism is an area with untapped potential because of the area's attractive natural landscapes, such as the Rift Valley. Forests cover a significant area in Singida, with Mgori and Minyughe forests being important natural resources. Poor management of land and conflicts over its use have undermined the potential of the forests. Conflicts between communities and authorities over forest resources have resulted in loss of lives and destruction of property. Water resources, including rivers and lakes, are limited in Singida due to its dry climate. The region has a few small lakes, such as Kindai and Singidani in Singida Municipality, and Lake Kitangiri in Iramba District. The region also has several small water reservoirs used for fishing.

Human Rights Violations in Singida

“

The boundaries were shifted, encroaching on the land of the villagers, which they perceive as not beneficial to them currently, although the government's intentions are good.

– Witness.

”

Eviction over boundary disputes in Msai Village

On June 6, 2023, residents of Msai Village, Mtoa Ward, Iramba District, Singida, expressed concerns about the potential for revolt if the government did not listen to them regarding a project aimed at restoring natural vegetation and tree planting, including gum trees, in their village. The residents said the project, which is managed by the Tanzania Forestry Services (TFS) under the former TFS manager of Iramba District, Shaban Nyamasagala, has encroached on their land because of misrepresentation of boundaries. They demanded that the government listens to their grievances and the land from which they were evicted be restored to them.

Charles Lutanda, a livestock keeper from the Wembele Wetlands, said he was evicted from his land after new boundaries were established, placing him within the Wembele Wetlands, where he had been living for over 14 years. He lost his land, home, and ability to continue with his agricultural activities.

In 2022, the then Deputy Minister for Natural Resources and Tourism, Mary Masanja, visited the village and met with the residents, leading to the formation of a committee to address the boundary conflicts in the Wembele Valley conservation area. The committee completed its report, but it is yet to be submitted or made public.

Masanja said at the time that the committee would advise the government on the need to adjust the boundaries and determine whether or not the area is suitable for human activities.

Mwigulu Nchemba, the Member of Parliament for Iramba West, who is also the Minister for Finance, urged citizens to cooperate during the process of demarcating the boundary between the villages and the Wembele Valley conservation area at a meeting in Ujungu Village in Iramba District. Masanja, on her part, urged citizens to respect the law and refrain from encroaching on conservation areas, emphasising that they should be guardians of the

conservation area once the assessment is completed. She also added that the government would explore the best approach to resolve the challenge of herders passing through the conservation area to water their livestock so that citizens do not interfere with conservation matters. She also urged people to stop indiscriminate tree cutting and support the tree planting project introduced as a response to climate change. Rehema Mwinyimkuu, the TFS manager for Iramba District, and Innocent Msengi, the chairman of the Iramba District Council, said they are awaiting the report from the investigation committee.

The councillor for Mtoa Ward, Samuel Tumba, acknowledges that the project has presented challenges and greatly affected the residents. The expansion of Wembele's boundaries into the villagers' land has adversely affected many villagers' economic activities. "The boundaries were shifted, encroaching upon the villagers' land, which they perceive as not beneficial to them currently, although the government's intentions are good," he said.

Had the project been inclusive, he adds, there would be no problem since there is enough space for it without encroaching on the land villagers use for their residential needs and economic activities. He admits that there were misrepresentations in demarcating the project's boundaries for purposes of tree planting, and added that everyone was waiting for the government committee established to address the issue. If the previous boundaries are restored, he reckons that there would be no issue, and the villagers would cooperate in the project but warned that the situation could escalate if the concerns raised by the villagers were not addressed.

Songwe



Image of Mbozi Meteorite

Photo credits: Ngorongoro Conservation Area Authority

Songwe is in the southern highlands of Tanzania. It was officially established through Gazette No. 461 of January 29, 2016. It comprises four districts, namely Mbozi, Momba, Ileje and Songwe (Mkwajuni, with four district councils: Mbozi, Momba, Ileje, Songwe, and one town council in Tunduma. Currently, the region has 12 divisions, 94 wards, 307 villages, 1,493 hamlets and 71 streets. Songwe has a population of 1,344,687, according to the 2022 population and housing census, ranking it as the twenty-second most populous region in Tanzania. The region borders Mbeya to the east, Tabora and Katavi to the north, Rukwa to the west, and neighbours Zambia and Malawi to the south.

The region covers 27,598 square kilometres and has a largely tropical climate with the west and northern arms of the Rift Valley running from the north of Lake Nyasa. At the bottom of the Rift Valley, hot seasons are experienced from early September to late April, and cool seasons follow from May to late August. The highest temperatures reach 25 degrees Celsius in the lowland around Lake Rukwa, Songwe and Momba, and 16 degrees Celsius in the highlands of Mbozi, Tunduma and Ileje. Majority of the residents carry out agriculture, livestock keeping and fishing, while a minority are businessmen and pastoralists. Crops cultivated include maize, coffee, sunflower, beans and sorghum.

Songwe is home to many forest reserves around which many clashes have occurred between conservation authorities and residents. A meteorite that dropped in Mbozi in 1930 continues to stir conflict over communal and individual ownership of land.

Human Rights Violations in Songwe

“

This is our home. We will be buried here. We have nowhere else to go.
– Witness.

”

Forced Eviction in Isela Village

On February 7, 2022, uniformed and plain clothes police used teargas to disperse residents of Isela Village of Ndolezi in Mbozi District and threatened to beat and arrest them. Villagers had convened a meeting to take a collective stand against forced eviction from the area to make way for the expansion of the reserve. Police fired rubber bullets at villagers fleeing from violence and injured several.

The Ngorongoro Conservation Authority, which manages the Mbozi Meteorite, had ordered over 1,300 residents to vacate the area to give the government an opportunity to use it for the expansion of the Mbozi Meteorite Wildlife Reserve.



Image of the aftermath of the police teargas assault on Isela Village in Ndolezi.

The residents' protests have been conducted through meetings and demonstrations, demanding the right to reside in the area and to continue with their income-generating activities, including farming. When the police were ordered to remove the residents, the NCAA stated that it would compensate those who would leave voluntarily. The deployment

of police was seen as a ploy to ensure that the Ngorongoro Conservation Authority would not pay compensation because the evictions had been forcible.

Athanas Andrea Cheyo, the chairman of the Isela-Ndolezi area, explains that police arrival in the residential areas and their firing rubber bullets and teargas canisters to disperse the villagers caused serious injuries and extensive damage to property, including loss of livestock. “We have been living here for almost a century now, if you count our parents who are buried here,” explains Emmanuel Mwamwezi, who watched as officers broke down his door, destroyed water buckets, and flooded his mattresses with water.



Image of damage to property caused by teargas canisters at Isela-Ndolezi.

Mwamwezi adds, “This is our home. We will be buried here. We have nowhere else to go.”

Charles Mwashambwa claims that the police officers often invaded their homes at night and sometimes took away their livestock to harass them into leaving the area. “There is no peace here [in the village]. There is no security in our homes,” Mwashambwa added.



Charles Mwashambwa after the police attack on Isela- Ndolezi village

Speaking at a village meeting to oppose the order to vacate, Emmanuel Kanyika and Gilbert Nsojo maintained that they would not leave the area because it was their ancestral land, which held not only their homes but also the graves of their relatives. Sauna Mbembela expressed similar sentiments.

On June 30, 2018, the Member of Parliament for the Vwawa Constituency in Songwe, Japhet Hasunga, said the villages would be developed to turn into the Meteorite Conservation Area, hence the requirement for some villagers to be relocated.

“The government is still in talks with the villagers about removing them from the conservation area, but the villagers have little understanding of the Meteorite and conservation in the area. As

a result, there has been a small group of people who are opposing it," Hasunga said.

David Mboya, who attended the village meeting, said tensions between government authorities and citizens would escalate if there was no agreement between the villagers and the NCAA.

Jemima Richard, a former park warden at Meteorite Conservation Area (who has since transferred to another station) says that villagers approved the decision to expand the conservation area during a meeting, and had agreed to receive compensation. The citizens, on the other hand, say the agreement has been frustrated by the violations against them -- including torture, deprivation of their right to own their natural resources, loss of their homes, being forced to abandon their cultural practice of honouring the dead by maintaining graves, as well being deprived of their right to honour their worship sites, and the use of resources such as water and forests for energy as well as being put at risk of harm.

On June 29, 2023, Mbeya celebrated the World Meteorite Day by convening a symposium to educate the community on the meaning, effect, cultural and religious significance of meteorites. The symposium was organised by the NCAA in collaboration with the Open University of Tanzania. Joshua Mwankunda, Senior Assistant Commissioner of the NCAA, said the Authority was responsible for protecting and conserving the Mbozi Meteorite Conservation Area and providing the community with the opportunity to learn about space tourism since many are only familiar with tourism linked to wildlife, mountains and valleys.⁹³

93 Mwananchi. NCAA Yatoa Elimu ya Utalii wa Kimondo Mbeya <https://www.mwananchi.co.tz/mw/habari/kitaifa/ncaa-yatoa-elimu-ya-utalii-wa-kimondo-mbeya-4287944>

Tabora



*Image of Igombe Dam Forest Reserve
Photo credits: Mwakulila*

Tabora is named after a sweet potato called ‘matoborwa’ in the language of the indigenous people of the region, the Nyamwezi. The name also has a positive connotation, referring to a region with development and progress, as it is called ‘Taa Bora’, meaning ‘good light’ in Kiswahili. Tabora is known for its lakes and honey production. It covers 76,151 square kilometres and has a population of approximately 2,200,000, according to the 2022 population and housing census. Tabora is divided into seven districts: Tabora, Sikonge, Urambo, Kaliua, Igunga, Nzega and Uyui. It is renowned for agriculture and livestock keeping, with tobacco as the main cash crop, and is a significant contributor to the national economy. Crops such as peanuts, cotton, maize, sunflower, beans, and cassava are also cultivated in Tabora.

Tabora is one of the top three regions with a large number of livestock (cattle, goats, pigs and chickens) in the country. There are over three million livestock, primarily consisting of more than two million cattle, goats, sheep, dogs, chickens and ducks. The majority of the population belongs to the Nyamwezi tribe, which is the largest indigenous group of people in Tabora. Other ethnic groups include the Sukuma, Sumbwa, Bende, Waha and a few other smaller tribes.

A large portion of Kaliua District is covered by forests and is home to over 500,000 residents and many livestock, requiring areas for living and grazing animals. Some 40 out of 99 villages in Kaliua District are within the protected area, and even after the ejection of residents, many of their villages are still adjacent to the protected area. There are recurrent conflicts where citizens complain about their livestock being forcibly brought into the protected areas by park rangers. Some villages, including Lumbe in Ukumbisiganga Ward, were prevented from building a health centre because their area is reportedly within a protected forest managed by the Tanzania Forestry Service (TFS). The residents have, therefore, been denied access to healthcare close to their homes and some have to travel up to 120 kilometres to seek medical services in the town of Kaliua. Traveling for this purpose is a round trip of 240 kilometres.

Raphael Lufungija, the chairman of Kaliua District Council, says boundary disputes in Kaliua and those outside would be forwarded to the responsible authorities. On her part, the Tabora Regional Commissioner, Dr Batilda Burian, said that educating citizens is critical for people to understand the benefits of conservation. “Educating the public will prevent conflicts between them and the conservation officials,” she explained. Dr Burian added that action would be taken against those who breach regulations after they have been educated. Justin Ndyanabo, a conservation officer in the Igombe area, explained that conservation activities were managed in adherence to the law and advised the public to follow the law instead of their negative feelings towards conservation officials. Ndyanabo told a public meeting that the government was keen to receive information about conservation workers who breach the rules in performing their duties so that disciplinary action can be taken against them. She believes that a good neighbourhood is the only way for the two parties to coexist.

On December 20, 2022 around 2 am, a group of livestock keepers estimated to be 100, launched a retaliatory attack against TAWA officers who had confiscated their cattle for allegedly grazing within Nyahua Game Reserve in Sikonge District. Some 18 TAWA officers were reported injured and admitted to the Tabora Regional Referral Hospital (Kitete). Two vehicles were burnt and 1,345 head of cattle were stolen.

Human Rights Violations in Tabora

“

Educating the public will prevent conflicts between them and the conservation officials.

– Dr Batilda Burian.

”

The Isawima Wildlife Reserve in Kaliua District, Tabora, was established from 11 villages with the aim of conserving the environment and wildlife. The reserve borders the Igombe Wildlife Reserve, which was hived off the Isawima Wildlife Reserve. In 2021, the government divided the area and gazetted it as a game reserve managed by TAWA, while the remaining area was left to Isawima where procedures are underway to turn it into an authorised conservation area.

No human activities are allowed in the area after the demarcation, which is one of the operating conditions for areas managed as an authorised area. During the transition, the villages benefit from community development projects, including the construction of classrooms using the revenue generated. However, deaths have resulted from clashes

between security forces and residents. Such incidents are usually not reported and public authorities often deny that they occurred. Instead, authorities usually report the death of security forces as occasioned by invaders or poachers, and often promise to conduct a search that is accompanied by punitive expeditions. During such searches, people found in wildlife reserves are attacked before they are heard, and without any determination of whether or not they were involved in any criminal activities.

Killing at Igombe Reserve

On March 7, 2022 in Igombe Game Reserve in Tabora, fighting broke out when villagers resisted TAWA guards attempting to seize their cattle. An official statement issued by the then Minister of Natural Resources and Tourism, Pindi Chana, in February 2023, stated that one TAWA officer suffered a bullet injury to his left shoulder and a government vehicle was destroyed.

Two months later, on May 6, 2022, in the same game reserve, villagers resisting the seizure of their cattle by 11 TAWA officers reportedly opened fire on them and their 32 militia counterparts. During the incident, two militia guards were killed, according to Minister Chana. Security forces killed included Gilbert Mayunga, who was shot and killed while on patrol with his colleagues inside the Igombe Reserve, which borders the Isawima Reserve. Mayunga died at the scene while his colleague, Adam Meshack, was injured by the gunshot and died later in hospital.

Loss of Life for Family of Eight

In 2019, eight members⁹⁴ of one family were killed and burned in a shack by individuals suspected to be poachers in the Isawima Game Reserve. The authorities declined to confirm these killings, stating that the victims refused to obey the armed poachers' orders. The perpetrators, who were reportedly part of a criminal group called Sanjo, are said to have come from neighbouring countries. The increase of attacks resulting in the killing of civilians and many injuries forced the government to deploy forces against the group, and eventually dismantled it.

In November 2022, a wildlife officer, Chacha Mwita, drowned in a waterhole in Isawima Wildlife Reserve while pursuing a suspected poacher.

94 Article: Eight People Have Been Found Dead in Isawima Game Reserve in Kaliua District. https://www.facebook.com/TheGuardianLTD/photos/news-eight-people-have-been-found-dead-in-isawima-game-reserve-in-kaliua-district/3501741566504752/?paipv=0&eav=A-fapZ75fVB71J5nIS5437NSiUP_uf9RNSHzYwTpa91nXF2zBxcdB9Rp7fBZn8OqrKTU&_rdi

Tanga



*Image of East Usambara Forest
Photo credits: Claudia Hemp*

Tanga is in the northeast of Tanzania and is one of the five coastal regions. Tanga borders Kenya and Kilimanjaro region to the north, the Indian Ocean to the east, Morogoro to the south and Manyara to the west. It covers 27,348 square kilometres and has a population of 2,615,597, according to the 2022 census.

It is the eighth most populous region in the country. Tanga is composed of Tanga, Korogwe, Lushoto, Bumbuli, Muheza, Handeni, Pangani and Kilindi districts, with municipalities including the Tanga City Council, district councils in Bumbuli, Handeni, Kilindi, Korogwe, Lushoto, Mkinga, Muheza and Pangani as well as town councils in Korogwe and Handeni.

The residents cultivate food and cash crops such as maize, rice, beans, bananas, and cassava, primarily for subsistence, and any surplus is sold for cash. The cash crops are cotton, coffee, tea, coconut, cashew nuts and seaweed. Vegetables also thrive in the mountainous districts of Korogwe, Lushoto and Muheza. Tanga grows many fruits, including oranges, pineapples, avocados, papayas, mangoes and passion fruits.

Muheza, Amani and Lushoto districts are home to dense forests, which are the primary source of water. They produce rain and help to clean the air by absorbing carbon dioxide. Wildlife reserves are also abundant in the Tanga region, including the Saadani and Mkomazi wildlife reserves. A tourist attraction, Amboni Caves, is managed by the Ngorongoro Conservation Area Authority (NCAA).

The Mkomazi National Park, Saadani National Park and the Amani Forest have posed challenges for residents. Elephants and baboons invade farms and homes causing damage to crops in Handeni, Korogwe and Lushoto. The animals -- especially elephants -- are also known to injure or kill people. The consequences of these invasions are significant, as they have prevented residents from engaging in economic activities; some students are afraid of attending school, which entails walking through forested areas from their homes. Elephants come out of the Mkomazi reserve in search of food and water in places where the residents live. Often, leaders advise residents to take precautions regarding these animals, but they do not explain how they can prevent the animals from leaving the conservation areas.

Citizens of Korogwe District lost crops on 1,251.6 acres of land to an elephant invasion. The government has paid Tsh123,000,000 as compensation to citizens who lost their crops. District wildlife officer Lina Nyange said that in 2022, some 18 elephants invaded villages and destroyed 612 acres of farmers' crops.⁹⁵

Human Rights Violations in Tanga

“

...Our income has decreased,
and we have no money for
medical care or education.
We are struggling...
– Witness.

”

Loss of Livelihood after Ban on Export of Live Animals in Kisiwani Village

On May 25, 2016, the then Minister for Natural Resources and Tourism, Jumanne Maghembe, announced a three-year ban on the export of live animals. After three years, the minister at the time, Hamisi Kigwangalla, permanently banned trade in live animals. Butterfly farmers hoped to be exempted from the ban and to be allowed to continue their business, but they, too, were prohibited from exporting butterflies.

The government said flaws in the trade, including the export of protected animals such as giraffes (in Kilimanjaro International Airport), zebra, elephants and tortoises that were caught at the Julius Nyerere International Airport in Dar es Salaam, justified the ban. There were many complaints and suggestions that the export of a select few animals be allowed. Advocacy for leniency on the export of selected species such as butterflies was unsuccessful as the minister ruled out any exception to the general rule and emphasised that no permit would be issued for the export of animals.⁹⁶

Butterfly farmer Karage Alphons Kadugu of the Fanusi group in Kisiwani Village, Muheza District, explained that his group had prepared caterpillars for shipment on March 5, 2016 to the United States of America, Russia and France. They were informed of the ban on the export of animals when they arrived at the Julius Nyerere International Airport. Fanusi group was unable to export the caterpillars.

On May 25, 2016, a statement by the Minister for Natural Resources and Tourism, Prof Jumanne Maghembe, banned all exports of wild animals. Kadugu explained that the butterfly trade was important for environmental conservation in the seven wards that had

95 June 23, 2023, Nipashe Digital <https://www.instagram.com/p/Ct03xmbAwp5/?igshid=MTc4MmM1YmI2Ng%3D%3D>.

96 Speech by Minister Hamis Kigwangalla on the government's position.

groups involved in planting trees and harvesting butterflies.

The butterfly trade had earned the residents a decent income: with an international market price of US\$1 per caterpillar, butterfly farmers could earn between Tsh300,000 and Tsh1,200,000 every month. Through the trade, farmers could support their families and pay for social services such as water supply. Karage said residents were unable to build or renovate their houses or pay for their children's education.

Amir Said Sheghembe, the manager of the Amani Butterfly Project, says it was initiated in 2003 to boost financial incomes for residents of Amani. An American researcher, Ferahim Morgan, proposed the idea and suggested that local residents benefit from engaging in projects that would support environmental conservation, given the geographical location of the area. Butterfly farming was environmentally friendly and would promote the economy while encouraging conservation of the Usambara East Forest Reserve. The project had three main goals: to improve the economic status of the residents and steer them away from environmentally destructive activities such as cutting down trees and charcoal burning, to support conservation efforts, and to distribute butterfly farming activities to other parts of the country. The project, therefore, helped to promote and develop natural forests since planting trees and preserving them was a prerequisite for butterfly breeding. Sheghembe explained that when the project started in 2003, it had generated an income of US\$20,000 annually, and by 2011, the income for all 20 participating groups had reached US\$100,000. The funds were distributed on a 65:28:7 ratio -- with farmers receiving 65 per cent of revenues, 28 per cent going to project expenses and 7 per cent being channelled to social development activities.

From these funds, 2,000 residents of Amani were provided with clean water, bridges and classrooms were constructed, toilets improved and many improved their housing by building better homes with iron sheet roofing. The butterflies were sold every week, with a life cycle of one month and the demand for exhibitions out of the country made the business fast-paced and profitable. The breeding of butterflies in other areas besides the Usambara Forest Reserve is costly and would inevitably lead to a ten-fold increase in the cost of the butterflies. The ban on the export of butterflies in 2016 frustrated the residents' ability to earn a living.

A food vendor from the Fanusi Village, Salma Hassan, says the lives of the residents were improving as there was a good supply of water, building of infrastructure, modern toilets, modern homes and schools; there was an increase in the number of classrooms and an improvement of the classrooms, all which came from the butterfly business. Significant changes were noted in Kiswani, Kisiwani and Fanusi where the environment was conserved as butterflies were harvested from the forest. The people were keen not to cut down trees so as to ensure a conducive environment for butterflies to thrive. As a result of the success of the business, many youths were attracted to butterfly farming.

A butterfly farmer, Salim Said Manofu, explains that one could not rear butterflies without forests, and so protection and conservation of the forest was guaranteed. Manofu noted that the youth were still interested in the butterfly trade. Currently, most of the youth are involved in groups that were associated with illegal logging and mining activities for lack of a choice or other sources of income.

"We are left to run from the police in the Amani forest and water sources. All of this is due to unemployment. We had changed the appearance of our village, and things were beginning to change as we changed our mindset and started building brick houses and using iron sheets, but now we no longer can. We have gone back to building houses with wood and thatched roofs. Even when someone walks by, they can see you lying inside. We no longer see any tourists coming to see the butterflies, and more than 10 villages were benefiting from the butterfly trade. Now, our income has decreased, and we have no money

Zanzibar

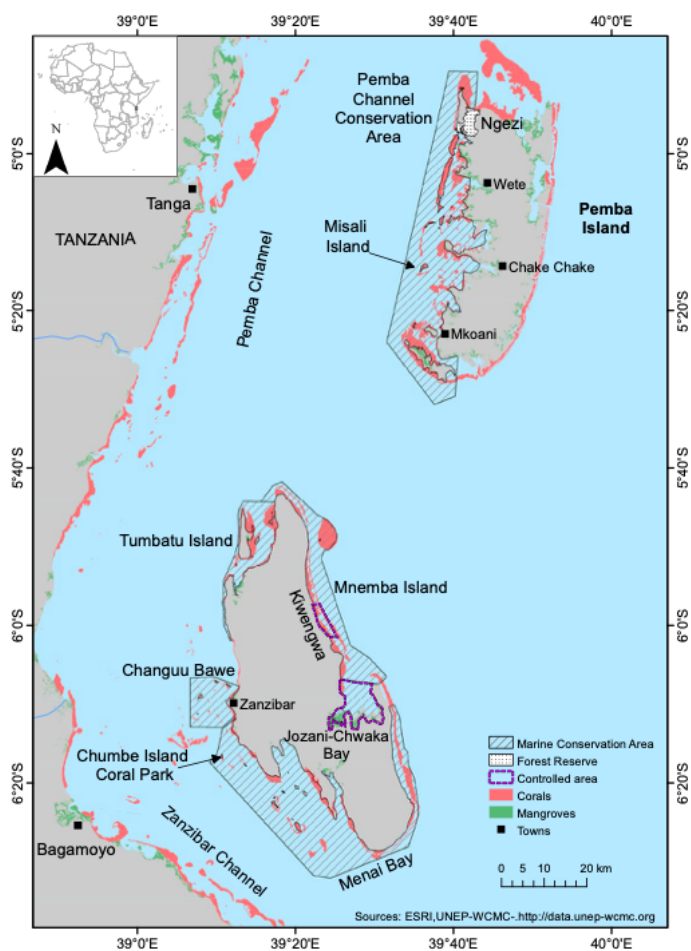


Image of Zanzibar Marine Protected Areas

Photo credits: Western Indian Ocean Marine Protected Areas Outlook: Towards achievement of the sustainable development goals. Country chapter: United Republic of Tanzania: Zanzibar. Saleh Yahya

1,889,773 according to the 2022 population and housing census.⁹⁸

Generally, Zanzibar encompasses a marine ecosystem where fishing activities, seaweed farming and supply of fish are the main sources of income for the population. The archipelago is home to the endemic Zanzibar red colobus, the servaline genet and the now-extinct Zanzibar leopard. It is renowned for its specialty in spices and raffia, which make a significant contribution to its economy. The Indian Ocean is the main pillar of

for medical care or education. We are struggling," he said.⁹⁷

Zanzibar is a semi-autonomous island that united with Tanganyika in 1964 to form the United Republic of Tanzania. Tanganyika had attained independence on December 9, 1961 and Zanzibar on December 10, 1963, followed by a revolution on January 12, 1964. Zanzibar, an archipelago in the Indian Ocean about 50 kilometres off the coast of Tanganyika, is known for its involvement in slave trade and pre-colonial spices trade. It consists of many small islands and two major ones, namely Unguja and Pemba, which have shaped its society and politics. Zanzibar is structured into five administrative regions and 11 districts.

Unguja is divided into Urban West, North and South regions, while Pemba has North and South regions. The districts making up Pemba are Micheweni and Wete in the north and Mkoani, and Chake Chake in the south. The districts that make up Urban West are West West B and Urban; those making up the South region are South and Central, and in the North region, North A and North B. Sometimes referred to as the Spice Islands, Zanzibar measures 2,461 square kilometres, with a population of

97 Video footage of Minister Kigwangalla, and beneficiaries of the butterfly trade.

98 National Bureau of Statistics. <https://www.nbs.go.tz/index.php/en/census-surveys/population-and-housing-census>.

tourism, transportation and movement of goods and people. Tourism is a standalone major economic activity and indeed the spine of Zanzibar's revenue stream.

Currently, Zanzibar has five marine reserves, namely, the 1997 Menai Bay Conservation Area (717.5km²), the 2002 Mnemba Island Conservation Area (337.3km²), the 2014 Tumbatu Island Conservation Area (162.9km²), the 2014 Changuu and Bawe Islands Conservation Area (118.2km²), the 2005 Pemba Channel Conservation Area (1,000km²), and the Chumbe Island Coral Park/ Sanctuary (0.55km²). Other coastal protected areas are the 1995 Jozani-Chwaka Bay National Park, the 1959 Ngezi-Vuma Wimbi Nature Forest Reserve, and the 2002 Kiwengwa Controlled Area.⁹⁹

Zanzibar has beautiful white sandy beaches, bays, rocky shores, mangroves, coral reefs, seagrasses, estuaries and lagoons, and seaweed. These assets provide important habitats for breeding, feeding and nesting of various environmentally, economically and socially important fish species such as dolphins, whales, sharks, lobsters, crabs, squids, sea cucumbers, sea urchins, sea turtles (including the green turtle) and octopuses, among others.

Pemba Island, a home of hills, is more fertile than Unguja, and is dominated by small-scale farming. Additionally, there is large-scale farming of cash crops such as cloves. Zanzibar thus stamps its relevance in the diverse biodiversity of the entire western Indian Ocean region.

Human Rights Violations in Zanzibar



Security Forces' Use of Excessive Force

An excerpt from a thesis titled 'An Investigation into Community Fishing Practices around Mnemba Island, Zanzibar, Tanzania' by Mohammad Ziyaad Allie¹⁰⁰ on page 8, describes a fisherman's account of fishing on Mnemba Island. It highlights the recorded risk of congestion of fishers and tourists in the Mnemba Island Marine Conservation Area, leading to potential damage of coral reefs, as well as the loss of alternative income-generating activities.¹⁰¹

Mnemba Island Lodge, in partnership with other development donors, tried to provide assistance to local fishermen through the placement of an offshore fish aggregating device (FAD). This device is a type of buoy designed to attract and cluster pelagic fish and make offshore fishing easier, thus increasing local fish-catches and reducing fishing impacts on near-shore reefs. The local fishermen were highly opposed to this stating, "Hatutaki boya!" ("We don't want a buoy!"). Villagers associated the FADs with the

99 https://www.nairobiconvention.org/clearinghouse/sites/default/files/MPA%20Outlook_Zanzibar.pdf.

100 'An Investigation into Community Fishing Practices Around Mnemba Island, Zanzibar, Tanzania by Mohammad Ziyaad Allie https://uir.unisa.ac.za/bitstream/handle/10500/26536/dissertation_allie_mz.pdf?sequence=1&isAllowed=y.

101 Western Indian Ocean Marine Protected Areas Outlook: Towards achievement of the sustainable development goals. country chapter: United Republic of Tanzania: Zanzibar. Saleh Yahya https://www.nairobiconvention.org/clearinghouse/sites/default/files/MPA%20Outlook_Zanzibar.pdf.

placement of buoys used by conservation programmes to mark no fishing zones. While this seeming refusal of development assistance surprised the hotel and development agency representatives funding the project, the villagers were suspicious and found it difficult to connect conservation and development assistance. They had already lost access to Mnemba Island as a fishing ground, and they feared the programme was trying to expand its boundaries to make additional areas off-limits to fishing, using deception as a means to obtain their approval.

As it turned out, these fears were not entirely unfounded. The protected area boundaries did in fact expand subsequently. The island was leased to an Italian investor whose plan was to develop the island into a tourist resort. The investor strictly prohibited fishermen from fishing around the island and entering onto the island. This resulted in conflict between the local fishermen and the investor. A solution was offered to the fishermen in the form of two motorised boats to be used to undertake deep-sea fishing. The fishermen reluctantly accepted the offer. However, after a very short time, they found that they had no knowledge on how to use the boats and the bigger fishing nets. As a result, they abandoned the boats and reverted to their original fishing practices. Consequently, the local fishermen being banned from fishing around the island, resorted to the destruction of properties on the island. It was clear that some sort of agreement would have to be reached in order to satisfy the local people, as well as establishing a tourist resort on the island.”

--Excerpt from Levine, A 2007 (*Staying afloat: State agencies, local communities, and international involvement in marine protected area management in Zanzibar, Tanzania. Conservation and Society, 5(4), 562-587.*)

In May 2020, the Special Anti-Smuggling Unit (KMKM) attacked and arrested eight fishermen, including Vuai Nahodha, for trespassing into the Mnemba Island Conservation area where fishing is prohibited. The fishermen, who consider the area their ancestral fishing ground and a site for traditional ceremonies, were severely beaten, resulting in the admission of some to Kivunge Hospital for treatment. Their fishing equipment was confiscated during arrest. The fishermen were taken to a district court in Mkokotoni and charged with trespass. In their defence, they asserted their customary right to fish in the area. Villagers from Bumbwini and Mkokotoni lodged complaints about the arrest with the District Commissioner, which resulted in the release of the fishermen. The fishermen were warned not to enter the conservation area as it had been leased to a hotel owner who claimed that fishing activities inconvenienced his guests.

The Revolutionary Government of Zanzibar declared the entire area, once known for fishing camps called 'Dago,' to be the Mnemba Island Marine Conservation Area in November 2002. This declaration, made without prior consultation with the fishermen, led to the banning of all fishing activities within 200 metres of the island.¹⁰²

However, the Blue Economy and Fisheries ministry took the initiative to resolve fishermen conflicts under its maritime security committee in Ukunjwi, Pemba, on July 24, 2023. The ministry also provides for community consultations to address challenges in the blue economy sector. On April 8, 2023, the ministry provided education on the blue economy to environmental officials from Tanzania mainland. However, despite several initiatives, there is a need to strengthen efforts to reach a wider group of people and to surface challenges the ministry is unaware of. Dialogue with the people, particularly fishermen, will expose challenges such as the limitations of fishing areas.

102 A disappearing Island: An Impact Assessment of Coastal Erosion on the Mnemba Island House Reef, Zanzibar. Kat Grellman (2018) https://digitalcollections.sit.edu/cgi/viewcontent.cgi?article=3892&context=isp_collection

Conclusion and Recommendations

This report has focused on unreported and reported incidents of human rights violations in conflicts emerging from protected areas of Tanzania. It has surveyed violations emanating from protected areas in the 31 regions and it is evident that the problem does not concern an isolated one or a few regions. Human rights violations around protected conservation areas are a widespread and systematic nationwide phenomenon.

The report has established compelling evidence of violations committed by security forces under government authorities such as the Tanzania Forestry Services Agency (TFS), the Tanzania National Parks Authority (TANAPA), the Tanzania Wildlife Management Authority (TAWA) and Tanzania Police Force (TP). Many of these incidents arise from the naked abuse of power when officials act beyond their legal mandate. Security forces have been cited repeatedly for damaging property, including buildings, livestock, and crops. In a unique pattern of brutality, some forces have been cited for routinely harassing and torturing villagers perceived to be trespassing on protected areas, grazing livestock or harvesting produce. Torture and arbitrary arrests have been noted as choice tools for officials in more than one region, with sometimes graphic descriptions of its extent and impact on its victims. A thread of trickery and dishonesty runs through the numerous protests over unfair and unjust compensation for residents who are deceived into acceding to demands to relocate only to be visited with killings, forced evictions, detentions and enforced disappearances.

Complaints about forced eviction without proportionate compensation are spread across the republic, and the government has not provided adequate compensation; it has also been economical with information. Where compensation has been provided, payments have been delayed, or selective so that not all the people in affected areas are compensated. The use of force in evictions, besides contravening international conventions and norms, to which Tanzania is a signatory, have caused residents great harm by depriving them of livelihoods and rendering them destitute.

The report also highlights incidents of the violations against authorities with a conservation mandate in Tanzania such as TAWA and TANAPA. This acknowledgement is meant to take a holistic approach to the challenges around security for conservation areas in light of the serious human rights violations enumerated. A special focus of such mentions was provided in the Igombe Game Reserve, Makere South Forest Reserve, Kilombero Game Reserve and Serengeti National Park, which have been victim to such incidents.

In light of the foregoing, we offer the following recommendations:

1. A commission of Inquiry should be appointed to inquire into human rights violations around conservation and protected areas in Tanzania with a view to making recommendations on policy and legislative review and changes to the country's conservation policy legal framework.
2. Agencies charged with the management and protection of conservation areas -- TFS, TAWA, TANAPA and NCAA -- should provide adequate training and capacity building including a human rights based approach for their security personnel, as well as the legislation and policy governing conservation and forestry management.
3. The Ministry of Natural Resources and Tourism in collaboration with the Ministry of Home Affairs should conduct a thorough investigation into claims against security

personnel and thereafter hold those culpable for violations to account.

4. The Government of Tanzania should increase communicative efforts aimed at enhancing public trust, engagement and participation in natural resources conservation .
5. The Ministry of Natural Resources and Tourism specifically in collaboration with TAWA should increase initiatives to address human-wildlife conflicts.
6. The Ministry of Lands, Housing and Human Settlement should ensure compliance with the United Nations Basic Principles and Guidelines on Development Based Evictions and Displacement.
7. The Tanzania Government should ensure the provision of alternate sustainable livelihood projects or programmes and new economic opportunities in order to empower the local communities bordering and inside conservation areas.
8. The Ministry of Natural Resources and Tourism should review the ban on the export of wild animals with a view to allowing butterfly exports as this business promotes conservation amongst the communities engaging in such trade.
9. The Ministry of Blue Economy and Fisheries should strengthen dialogue with stakeholders to ascertain challenges in marine conservation while providing for and enhancing education and raising awareness on marine conservation.
10. Civil society organisations should boost initiatives targeted towards the provision of legal education, legal aid and legal awareness campaigns to communities in collaboration with the government.

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