

JOINT DECLARATION BY NON GOVERNMENTAL ORGANISATIONS ON THE ONGOING HUMAN RIGHTS VIOLATIONS IN LOLIONDO

Background

For several weeks now there has been an alarming situation and mistreatments to residents of Loliondo in Ngorongoro District along with the claim that most of them are not citizens of Tanzania. Some citizens living Loliondo area have been arrested by police, tortured, humiliated, intimidated and detained on the grounds that they are not citizens of Tanzania.

Our joint declaration aims at condemning and making a call to the government in Loliondo to immediately stop violations foisted to the people of Loliondo asserting on the issue of citizenship. It should be noted that various operations in the country such as Tokomeza, have been conducted with hidden agendas and without respect to laws and human rights.

These incidents of arrest of citizens in Loliondo is a continuation of a longlived conflict between Loliondo, Sale villagers and investors associated with the government's intention of giving away an area of square kilometers 1,500 to Otterlo Business Corporation from Dubai (OBC)

The History of the Area of Conflict: Loliondo Gate Scandal

Loliondo area which is known today as the Division of Loliondo and Sale is an area that has been domiciled by pastoralist since time immemorial. In 1993 the government illegally issued a wildlife hunting permit to Prince Brigadier Mohamad Al-Ali illegally for only companies ought to be issued with a hunting permit and not an individual.

Since then conflicts between citizens and the government have persisted with the government using its power and resources to protect its taxpayers, OBC. The Ministry of Natural Resources and Tourism and the leadership of the Arusha Region Ngorongoro District have been on the forefront to ensure OBC continues to occupy the villagers' land without villagers' consent.

In July 2009 police force in collaboration with the OBC raided pastoral villages, torched homes and destroyed valuable property of millions of shillings. Rape cases have been reported together with other serious violations of human rights. A 7 years old child namely Nashipai Gume of Arash village went missing and is nowhere to be found.

Human rights activists as well as the media raised their voices to condemn the criminal acts. This scandal reached the parliament. Speaker of the National Assembly, Samuel Sitta, commanded the Parliamentary Standing Committee on Land, Natural Resources and Environment under the leadership of Job Ndugai to visit Loliondo and investigate on the scandal. To this day, despite using taxpayers money in this operation, the committee has not publicized the report.

In 2010; OBC company used more than 100 million shillings to sponsor a plan on the 'better use of land' (District Land Use Framework Plan 2010-2030) which removes the whole area of 1500 square kilometers from the village. However, councilors Ngorongoro District Council flatly refused to approve the deal, which was intended to loot land from villagers and handle it to OBC.

After the program back fired the government came up with a different plan whereby on March 21, 2013 the Minister of Natural Resources and Tourism, Khamisi Kagasheki, issued a public statement with the headline "The Ministry of Natural Resources to fix limits of the size of the area of the Controlled forest of Loliondo from km 4,000 square up to 1500. " In the statement the Minister publicly declared that the Government has reduced the size of the area to resolve the conflict. Yet the fact remains that the government is trying to grab a village land size of 1,500 square kilometers from 4000 and to leave the villages with only 2,500 square kilometers.

Villagers strongly defended grabbing of their lands. In a bid to resolve the matter, the Prime Minister, Mizengo Pinda, went to Loliondo in September 2013 and officially declared that the 4,000 square kilometers of land in the Division of Loliondo and Sale villages is legally endowed to the village.

In 2014 the Minister of Natural Resources and Tourism Hon. Lazaro Nyalandu visited Loliondo several times even on weekends, in an effort to develop tactic of acquiring land for OBC. During all this time villagers strongly condemned the Government's new approach. AVAAZ, a campaigning community bringing people-powered politics to decision making worldwide helped to voice up the villagers in a document signed by millions of people from all over the world. The President, Jakaya Mrisho Kikwete through his twitter account denied despotic government initiative to relocate pastoralists from their land inheritance.

In this land grabbing pursuit, government instruments have been used to threaten the people of Loliondo. Community leaders, activists and civil society organizations opposed these land grabbing measures. These threats include, intentions to deregister Nongovernmental Organizations, arrest of civic group leaders, using citizenship as a way of silencing accused citizens and their leaders, to use the police to harass citizens, etc.

This problem has increased to the extent that citizens, advocacy organizations and activists feel intimidated to follow up on same because of possible threats from the Immigration Department, police, District Head Office and Regional Head Office.

Recent Incidents

Recently an operation was introduced to evacuate people who were suspected to have illegally migrated to Loliondo from the neighboring Kenya; this operation was conducted in a manner that was against human rights and division of power within various organs of the government. During this operation there occurred incidents of violations of human rights whereby at the earlier stage 17 citizens were arrested and among them 11 are not Kenyans and six of them admitted to be Kenyans and were placed in custody at the Loliondo police station and taken to court where all six were sentenced to 6 months each one.

In another incident; violence occurred at the market or auction of Ololosokwan on May 2, 2015 where angry citizens attacked soldiers who were confiscating motorcycles and arresting persons who were accused to be Kenyans. After the incident, the public and their leaders started being arrested and taken to the police station in Loliondo. In such arrests about 24 people were arrested in the presence of two councilors, two councilor, 2 village

chairmen and 2 chairmen of local government were held in custody for several days. It was surprising that all were denied bail without legal reasons, with police claiming they are implementing the orders of the District Commissioner.

In an unusual circumstance, police took the leaders who were in custody at the Loliondo station and put them together with citizens who were arrested from the village of Ololosokwan, about 9 kilometers from the town of Loliondo and made them walk barefooted to the Loliondo police post. On another incident Former Ngorongoro Member of Parliament Methew Taki Oletiman was also arrested and charged for organizing the so called unlawful assembly at his guest house. The arrested victims after being granted bail met with journalists at the Former MP Guest house to express their feelings to the journalist. This was only an in-house meeting between journalists and victims of human rights violations and not a public assembly.

In order to ensure this is happening, National Human Rights Organizations from Dar es Salaam will visit Loliondo to monitor the situation human rights violation, including that of soldiers assaults, HRDs and leader's harassments.

We urge the Government to make the following;

1. To stop immediately the harassment, repression and oppression of the people instead to listen to them and enforce the law impartially.
2. The program will directly affect more than 60,000 people and more than 100,000 livestock.
3. To immediately cancel its intention to grab the public land for the benefit of Loliondo investment tourism hunting company (OBC) in the area of residues of wild animals.
4. The government should immediately cancel all fabricated cases and free the people who were arrested in the recent loliondo conflicts.
5. The government should respect human rights, the law and the constitution when executing its duties.
6. The government should Respect boundaries and separation of power and implementation of government responsibilities in order to avoid confusing the

public and to ensure effective and efficient performance of civil servants. Example, the police should stop exercising power of the immigration office and the District Commissioner to stop playing a law enforcers role.

7. To stop the abuse of the District Defense and Security Committee that has been used to frighten public, to discipline and to order the public.

THIS STATEMENT HAS BEEN RELEASED ON 12 MAY 2015 BY;

1. Kituo cha Sheria na Haki za Binadamu- LHRC
2. PINGOs Forum
3. Tanzania Land Alliance- TALA
4. Haki Ardhi
5. Tanzania Human Rights Defenders Coalition together with other 50 members who are not listed
6. Tanzania Gender Network Program (TGNP)
7. Tanzania Natural Resource Forum -TNRF
8. Cords
9. Ujamaa Community Resource Team- CRT
10. Pastoralists Women Council -PWC
11. Ngorongoro NGOs Network -NGONET
12. Tanzania Pastoralists Community Forum-TPCF
13. Tanzania Centre For Research and Information on Pastoralist
14. SIKIKA
15. Lawyers Environmental Action Team (LEAT)
16. Under the Same Sun
17. Jamii Media
18. Haki Madini
19. Tanzania Natural Resource Forum
20. TANLAP



Police Brutality in Loliondo -Villagers forced to walk about 10 km while under arrest