

Observations on the State of Indigenous Human Rights in Tanzania

Prepared for

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Review**

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Cultural Survival is an international Indigenous rights organization with a global Indigenous leadership and consultative status with ECOSOC. Cultural Survival is located in Cambridge, Massachusetts, and is registered as a 501(c)(3) non-profit organization in the United States. Cultural Survival monitors the protection of Indigenous Peoples' rights in countries throughout the world and publishes its findings in its magazine, the *Cultural Survival Quarterly*; and on its website: www.cs.org

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The American Indian Law Clinic of the University of Colorado, established in 1992 as one of the first of its kind, represents individuals, Indian Tribes and Tribal entities in a variety of settings involving federal Indian law and involving the law and legal systems in Indian Country, as well as work with the United Nations.

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1. Executive Summary

Indigenous Peoples in Tanzania face a multitude of issues including, but not limited to, forcible removal from traditionally Indigenous lands in the name of conservation and energy industry development, climate change, and water scarcity. Indigenous women are uniquely affected by each of these issues due to gender discrimination. Additionally, Indigenous women are disproportionately excluded from education systems in the country. Of particular concern is the continued forced removal of Indigenous Peoples from their ancestral lands by the Tanzanian government. The forced evictions cause the sustainability of traditional livelihoods to be put in jeopardy, and has led to human rights violations, including illegal arrests and detainments, harassment, and abuse. The lack of access to traditional lands has increased poverty and hunger in Indigenous communities. The Tanzanian government has consistently failed to accept recommendations on the rights of Indigenous Peoples over the previous two cycles.

2. Background

Tanzania is home to 125-130 different ethnic groups. While there may be more ethnic groups who identify as Indigenous, there are four distinct groups who have explicitly organized themselves as Indigenous Peoples and fall into four categories: the Bantu, the Cushite, the Nilo-Hamite, and the San. Within these groups, the Akie and Hadzabe (hunter-gatherers) and the Barabaig and Maasai (pastoralists) identify as Indigenous. The Akie (Ndorobo) are estimated to number around 5,000, while the Hadzabe total to about 1,000 people. The Barabaig belong to the Datoga group, who number almost 90,000, while the Maasai number around 430,000. Most Indigenous Peoples live in the northern region of Tanzania as hunter-gatherers and pastoralists. Because of the growing scarcity of land and natural resources, many Indigenous people have yielded to pressures from the government to cultivate crops, leaving their traditional lifestyles behind. There exist various governmental programs, strategies, and policies that are not taken in consultation with Indigenous Peoples, resulting in a loss of access to land, natural resources, basic services, and justice, which results in an often antagonistic political relationship between Indigenous Peoples and the government.ⁱ The country of Tanzania supported the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and signed various international human rights treaties but has yet to ratify the ILO Convention 169. Furthermore, the country does not explicitly recognize the existence of Indigenous Peoples, which contributes to a lack of official disaggregated data on the specific experiences of Indigenous Peoples as compared to the general population, and Indigenous organizations have denounced a “lack of legal and administrative measures that address the intrinsic link between land, identity and traditional culture.”ⁱⁱ

3. Previous relevant UPR recommendations

Over the first two cycles of the UPR, Tanzania declined to accept nine recommendations that specifically referenced the rights of Indigenous Peoples. In the previous cycle,

Tanzania accepted the following recommendations that have some relevance to the rights of Indigenous Peoples, which have not been fully implemented:

- a. *Proceed with the finalization of the draft constitution and take steps to make its provisions related to women's rights in matters of inheritance, succession and land rights, applicable* (Burkina Faso)
- b. *Adopt measures of a political and legislative nature, including positive measures in favour of vulnerable groups in order to protect them from discrimination based on belief and cultural stereotypes* (Honduras)
- c. *Facilitate access to education and land rights, in particular for women and people in rural areas* (Haiti)
Take steps to clarify land rights and the land use situation, taking into consideration all stakeholders that are affected by the decision-making related to land ownership and use (Finland)
- d. *Facilitate access to education and land rights, in particular for women and people in rural areas* (Haiti).

4. Ongoing Violations against Indigenous Peoples in Tanzania

a. Violations to the rights of Indigenous Women

(CEDAW Articles 6, 11, 12, 14, 16; CESC Articles 3, 10, 13; UNDRIP Articles 1, 2, 14, 15, 18, 21, 22, 44)

Indigenous women in Tanzania are uniquely impacted by climate change, land rights, conservation efforts, and a lack of access to education. There are ongoing efforts led by Indigenous women to combat several of these challenges. For example, the Pastoralists Indigenous Non-Governmental Organizations Forum (PINGO's Forum), of Tanzania, has provided a training program to pastoralist women in order to increase their access to social services and improve economic empowerment.ⁱⁱⁱ However, despite these efforts, problems persist.^{iv}

A report conducted by the Indigenous Navigator revealed that 36% of Indigenous women face discrimination based on gender, as compared to 0% of Indigenous men.^v Furthermore, Indigenous women held 20% less title deeds to land than the male population,^{vi} but the difference in access to education for the two genders was the most staggering; while over 60% of Indigenous boys completed primary school, only a little over 40% of Indigenous girls were able to do the same.^{vii} For secondary school completion, 20% of Indigenous girls were able to complete their secondary education, in comparison to 40% of Indigenous men.^{viii} Many girls reported early adolescent pregnancy as a barrier to the completion of their secondary education.

In March of 2020, the World Bank approved a \$500 million loan for Tanzania's Secondary Education Quality Improvement Program (SEQUIP); however, concerns have been raised regarding the government's willingness to ensure that the funding is used to improve

education for both boys and girls:^{ix} in 2017, the Tanzanian president, John Maguguli, declared that pregnant schoolgirls would be permanently expelled from school.^x As a result of Maguguli's Administration's stance on the schooling of pregnant girls, school officials conduct regular intrusive, compulsory pregnancy tests and expel those who are pregnant.^{xi} According to Human Rights Watch, an estimated 5,500 pregnant students stop going to school every year, although previous reports have estimated numbers closer to 8,000 students per year.^{xii} Additionally, there have been reports of arrests of school girls for becoming pregnant, a clear human rights violation.^{xiii} The World Bank loan includes funds to build a system of alternative education pathways for students who drop out of school, but alternative education pathways often do not provide equivalent education to formal public education programs.^{xiv}

Because Indigenous women face greater barriers when securing education due to the distances to schools, lack of access to health care, higher rates of pregnancy, and higher rates of sexual assault than non-Indigenous women,^{xv} the ban disproportionately affects them. Additionally, the ban does not match the public opinion about education of pregnant school girls: "[a] 2016 study by Twaweza, one of the leading East African civil society groups that focuses on education and data, showed that 71% of Tanzanians were in favour of pregnant girls continuing with their education."^{xvi}

In addition to a lack of access to education, climate change has posed new problems for Indigenous women in Tanzania. In the previously mentioned report, 100% of respondents reported that the perceived importance of women's traditional occupations has been diminished, and the same percentage reported that the biggest cause of this shift has been climate change.^{xvii}

Indigenous women's access to land rights continues to pose problems. Only 30% of Indigenous women report having land rights, and only 8% claim they have land rights independent of men.^{xviii} The land titling process has been criticized for being too centralized on the executive branch of government, by allowing the President to have a large amount of control over the allocation, categorization, and transfer of land,^{xix} and for giving too much power to commercial and foreign interests which allows for broad land acquisition without consideration for the rights of Indigenous Peoples, especially Indigenous women.^{xx} The land rights scheme of the 1999 Land Act creates three categories of public land: general land, village land and reserved land.^{xxi} As mentioned earlier, the Land Act also provides for equal protection of both genders under the law and a nullification of customary norms which are discriminatory towards women, and thus, in conflict with the statute. However, due to poor implementation of the anti-discriminatory framework, discriminatory land rights practices continue to be prevalent.

Conservation efforts have also negatively impacted the traditional livelihoods of Indigenous women in Tanzania. The Ngorongoro Conservation Area is a source of much dispute between authorities and Indigenous communities,^{xxii} with women, once again, being uniquely affected.^{xxiii} Despite the amount of money tourism draws to the area, Indigenous people in this area continue to have extremely high rates of poverty and hunger. This causes the men to leave the area for better paying jobs in the cities, leaving the women to secure food and water for themselves and their families.^{xxiv}

Indigenous women in the conservation area in Ngorongoro have created a Pastoralist Women Council which assists Maasai women in getting their demands heard in governmental bodies.^{xxv} Melau Alais, the project officer and legal advisor for the Council, says that women are slowly succeeding in securing more representation, but the government must be receptive to creating more space for Indigenous women in the decision making processes affecting their lives.^{xxvi}

b. Violations of Indigenous Peoples Rights as a result of disproportionate impacts of climate change: CESC Articles 1, 6, 7, 11, 12, 15; UNDRIP Articles 3, 7, 8, 10, 11, 15, 18, 20, 21, 23, 24, 25, 26, 27, 28, 29, 31, 32

Indigenous communities in Tanzania face a wide range of intersecting issues as a result of climate change.^{xxvii} Because Indigenous often communities rely heavily on nature for their livelihoods, live in rural areas, have poor political representation, and higher poverty rates, they are especially threatened by the impacts of climate change.^{xxviii}

Warming sea temperatures in the area contribute to extreme weather conditions, which lead to flooding, disease outbreaks, and destruction of crops and infrastructure.^{xxix} Parts of Tanzania have also experienced severe droughts, causing water levels at Lake Victoria, Lake Tanganyika, and Lake Jipe to be reduced dramatically. Because many Indigenous communities rely on rain-fed agriculture and pasture, they are almost immediately impacted by the changing rainfall patterns.^{xxx}

As extreme weather and weather variability increases, weather and climate patterns become harder to predict affecting the hunter-gatherers and pastoralist Indigenous communities' ability to practice traditional methods of securing food. Because of the rapidly changing ecological conditions, there has been a loss of traditional knowledge, increased food insecurity, decreased access to water supplies, and forced relocations from traditional lands.^{xxxi} Forced migration and relocation due to climate change has the potential to cause significant conflicts between Indigenous communities in the area as well, creating new competition over natural resources.^{xxxii}

c. Violations of Indigenous Peoples Land Rights (especially related to conflicts with conservation) Relevant Treaties: CESC Articles 1, 2, 11, 12, 15; UNDRIP Articles 3, 7, 8, 10, 11, 15, 18, 20, 21, 23, 24, 25, 26, 27, 28, 29, 31, 32

In addition to a loss of traditionally Indigenous lands due to climate change, Indigenous Peoples in Tanzania are experiencing further land loss as a result of forced evictions perpetrated by the government in the name of conservation.^{xxxiii} According to PINGO, the expansion and establishment of protected areas such as National Parks, Wildlife Management Areas, Game Control Areas, and Game Reserves represents an "encroachment of Indigenous pastoralists land and expansion of boundaries of protected areas without taking due respect to the right of

Indigenous peoples.” They note that this has become the main source of land conflicts associated with violation of human rights and loss of livelihood to Indigenous peoples in Tanzania.^{xxxiv}

For example, the government continues to expand the boundaries of the Mkungunero Game Reserve in the Dodoma Region. The boundaries now encroach on Indigenous villages, with boundary beacons being placed at the boundaries of the Game Reserve without consultation or consent regarding the traditional boundaries of ancestral land of Indigenous Peoples. The Game Reserve places restrictions on livestock grazing and human activities, which has resulted in pastoralists being illegally arrested, persecuted, detained, beaten, humiliated, and harassed and their livestock captured by game scouts.^{xxxv} According to PINGO, the Indigenous Peoples in these conservation lands are victims of “dispossession, impoverishment, eviction, deprivation of rights through the law enforcement and the judicial system.”^{xxxvi} Without protection of Indigenous Peoples’ rights in these areas, all aspects of traditional life within these communities are severely threatened.

Although the Tanzanian government is creating parks designated as conservation zones in order to protect critical habitats and key species, poor planning has caused the protected areas seized to include little or no habitat for about 90% of protected species. PINGO notes that “In a rush to access funding, some governments are using conservation as a pretext to evict Indigenous Peoples from their lands and limit access to the animals they have coexisted with for generations in order to make room for tourism, industry, and at least notionally, wildlife.”^{xxxvii}

According to community testimonies, not only are pastoralists losing traditionally Indigenous lands “through government endorsed evictions and land encroachments, but these eviction processes and conflicts lead to loss of livelihood and loss of property.”^{xxxviii} Furthermore, the community testimonies “alleged that serious human and legal rights violations are committed during eviction processes, none of which have been addressed.”^{xxxix} Because many Indigenous communities do not have private property land rights mechanisms within their cultures, securing legal titles to land within existing legal frameworks in Tanzania can be difficult to achieve.^{xl}

Despite this, local conservation groups have worked with the Ministry of Lands to create a different approach to land rights: one that secures legal tenure to communal lands, rather than individual ownership. However, many Indigenous activists who have been defending their lands from land grabs have experienced harassment and arrest on the part of the government, which alleges that the activists “pose a threat to national security.”^{xli}

Furthermore, Indigenous Peoples have managed to successfully use their lands in a sustainable manner for thousands of years, a fact affirmed by a body of scientific evidence, making defined land rights for Indigenous Peoples an effective way to ensure conservation.^{xlii} However, the Tanzanian government has failed to consider this alternative method of conservation and has continued land grabbing practices, which shift land rights from Indigenous communities to local and national authorities.^{xliii}

d. Extractive Industries and Agribusiness

Relevant Treaties: CESC Articles 1, 2, 11, 12, 15; UNDRIP Articles 3, 7, 8, 10, 11, 15, 18, 20, 21, 23, 24, 25, 26, 27, 28, 29, 31, 32

As the government seeks to increase investment in oil and gas pipelines and other energy infrastructure projects, it has failed to consider the negative environmental and human impacts of these projects. The projects do not obtain the Free, Prior and Informed Consent (FPIC) of the Indigenous communities affected and many land tenure policies enacted in relation to the extractive industry expansion disfavor Indigenous Peoples.^{xliv}

The East African Oil Pipeline is ready for construction and is set to pass through forest preserves, endangered species habitats, lakes, and rivers without adequate FPIC from the Indigenous Peoples whose lands and livelihoods will be impacted.^{xlv} Although the companies in charge claim to have resolved environmental and social issues associated with the pipeline, independent assessments conducted by both local and international NGOs report that the discussions with Indigenous Peoples was nothing more than “box-ticking” without actual implementation of the suggestions made by these communities.^{xlvi} To be more specific, reviews of the impact assessments conducted by the Netherlands Commission for Environmental Assessment (NCEA), “an independent body set up by the Dutch government... found the assessments unquestioning on environmental issues, biased in balancing positive and negative impacts, ‘vague’ on land ownership, and, in the case of the pipeline, ‘not fit for purpose.’”^{xlvii}

As the country continues to be opened up for large projects and business, deals between multinational corporations and national governments are being made and Indigenous Peoples are being left out of the conversation.^{xlviii} In order for these surges in investment to be inclusive of Indigenous Peoples rights, the government must take into account human rights, environmental issues, and customary land use of Indigenous Peoples, which has largely not been done.^{xlix} For example, the Tanzanian government requested that the World Bank waive FPIC requirements for a project titled Southern Agricultural Growth Corridor of Tanzania (SAGCOT), which is a Tanzanian government initiative meant to increase foreign investment in industrial-scale agricultural projects in the country.^l The waivers were granted, causing concern over dangerous precedents set allowing the government to bypass consultation with Indigenous Peoples.^{li}

e. Impacts of Large Renewable Power without Free Prior Informed Consent of Indigenous Peoples

Relevant Treaties: CESC Articles 1, 2, 11, 12, 15; UNDRIP Articles 3, 7, 8, 10, 11, 15, 18, 20, 21, 23, 24, 25, 26, 27, 28, 29, 31, 32

As renewable energy projects become more prominent in the country, there is a growing concern over the lack of Free, Prior and Informed Consent of Indigenous Peoples whose lands are affected by this industry. In many cases, land slated for these projects has traditionally belonged to Indigenous Peoples, leading to forced evictions, “diminished or destroyed resources, reduced access to grazing pastures, lack of access to clean water and culturally sacred areas, and

other rights violations.”^{lii} After displacement, there is a lack of meaningful compensation for Indigenous lands taken for these projects.^{liii}

The Lake Turkana Wind Power Project (LTWP) affects Lake Turkana, a large freshwater African lake shared by four countries, including Tanzania.^{liv} Located in the Great Rift basin, Lake Turkana is part of a water system that provides water to many rivers and freshwater sources that run into Tanzania and are utilized by Indigenous communities. The problems presented by this project include a lack of free, prior, informed consent and the taking of traditionally Indigenous owned lands into government or private energy company ownership.

For many rural Tanzanians, solar power is the greatest source of electricity,^{lv} although access to electricity is still difficult for Indigenous Peoples in rural areas.^{lvi} Although it is necessary to take steps to bring clean energy to Indigenous communities in Tanzania, this must be done in a way that respects Indigenous Peoples rights and gains their right to free, prior informed consent.

f. Access to Water

Relevant Treaties: CESC Articles 5, 6, 10, 11, 12, 13, 15; UNDRIP Articles 1, 21, 23, 24, 25, 26, 27, 29, 32

Lack of access to water is a major issue in Tanzania as a whole, but Indigenous communities are particularly vulnerable as they live in more remote areas with less access to clean urban water sources and as climate change causes traditional water sources to be severely depleted. Over 24 million people in Tanzania, almost half the population, do not have basic access to safe water, and over 43 million people are unable to practice proper sanitation as a result of the water crisis.^{lvii}

As previously mentioned, climate change has caused severe droughts and changing rainfall patterns, which has diminished the water levels of many water sources used by Indigenous communities.^{lviii} This greatly impacts the traditional livelihoods of pastoralists who rely on these natural water resources for their livestock.

In 2018, the Green Climate Fund (GCF) granted funding for a climate resilience project aimed at making peoples in Northern Tanzania more resilient to the water issues caused by climate change by creating a pipeline and water distribution centers which would allow access to clean drinking water for many communities.^{lix} However, the pastoralist communities in these regions express concern of discrimination because the project does not provide water for their livestock, which is essential for these Indigenous Peoples traditional livelihoods.^{lx}

In 2019, the government launched a task force aimed at preserving the Great Ruaha river, which has been increasingly at risk of drying since 1993. Although the final report of the task force was not made public, a leaked copy showed that the report characterizes that river degradation as a result of intensive use by agriculture and recommended the eviction of small-scale farmers and pastoralists from some areas. In an interview with the Thomson Reuters Foundation, January Makamba, minister of state in the Vice President’s environment office, said

“We are going to take stern measures against [farmers] regardless of their status or position in order to save the river ecology...We feel it is necessary to be very aggressive and uncompromising in enforcing the laws.”^{lxi} Although the government indicated plans to compensate those with ‘legitimate land claims’ this practice may prove harmful to Indigenous people who lack formal title to their lands. Meanwhile, in contrast to the report commissioned by the government, local environmental groups report that drought, rather than the actions of small farmers and herders, is a much greater factor threatening the river. The government’s characterization of small-scale farming as the primary source of the problem ignores the history of industrial agriculture drawing on the river, including a 3,000 ha Kapunga private rice farm which was built in the Usangu wetland catchment area of the Great Ruaha River, upstream of Ruaha National Park, established in 1988 years before the initial drying of the river through a loan from the African Development Bank.^{lxii} Prior to construction, an environmental impact assessment was not completed, but a project completion report identified it retrospectively as contributing to the drying of the Great Ruaha, loss of wildlife habitat in the wetlands downstream from the project and pollution from agricultural chemical run-off.^{lxiii}

Across Tanzania, water scarcity means that the health of the ecosystem that is critical to the survival of the Indigenous Peoples is in danger.^{lxiv} The prolonged droughts in the country have caused livestock to die due to lack of water and pasture. The Wami Sokoine Village in the Morogoro region has reported increased hunger due to these issues, but the government continues to deny the fact that there is drought and hunger in the region.^{lxv}

5. Recommendations

Cultural Survival and the American Indian Law Clinic of the University of Colorado advise member states to urge the government of the Tanzania to:

1. Acknowledge the presence of Indigenous Peoples in Tanzania and commit to an implementation process for the UN Declaration on the Rights of Indigenous Peoples.
2. Ratify ILO Convention 169.
3. In consultation with Indigenous Peoples, strengthen policies and processes for communal land rights titling, including decentralizing the approval process from presidential authority.
4. End the practice of forced evictions of Indigenous Peoples from their traditional lands and immediately halt intimidation and arrests of Indigenous human rights defenders working to protect their land rights.
5. Require the gaining of Free, Prior and Informed Consent of Indigenous Peoples and local communities before beginning any extractive industry or renewable energy projects in their traditional lands.
6. Establish a policy of Free, Prior and Informed Consent regarding the implementation of conservation efforts on lands traditionally used and occupied by Indigenous Peoples.

7. In consultation with Indigenous Peoples, establish mitigation efforts for climate change and drought that also uphold Indigenous Peoples rights.
8. Increase availability and access to clean water sources on Indigenous lands with collaboration and Free, Prior, Informed Consent of the Indigenous communities in those areas.
9. Establish processes to consult with and gain consent of Indigenous women on policy making that affects their lives especially regarding expanded access to education for Indigenous women and girls.
10. Invite the UN Special Rapporteur on the Rights of Indigenous Peoples to visit Tanzania.
11. Implement the World Conference on Indigenous Peoples Outcome Document, beginning with drafting a National Plan of Action to achieve the ends of the UN Declaration on the Rights of Indigenous Peoples.

End notes:

i *Indigenous peoples in Tanzania*, IWGIA, <https://iwgia.org/en/tanzania.html>.

ii Shadrack Kavilu, *Indigenous Peoples' Rights Ignored as Tanzanian Government Protects Foreign Investors*, Intercontinental Cry (Feb. 21, 2012), <https://intercontinentalcry.org/Indigenous-peoples-rights-ignored-as-tanzanian-govt-protects-foreign-investors/>.

iii *Indigenous women's realities*, Forest Peoples Programme (Oct. 2020),

<https://www.forestpeoples.org/sites/default/files/documents/Indigenous%20Women%20EN%20Pub.pdf> at 9.

iv *Id.* at 12.

v *Id.* at 22. Note: Discrimination based on identity as an Indigenous person was equal in both genders (50%).

vi *Id.* at 25

vii *Id.* at 22

viii *Id.* at 35.

ix Maria Sarungi Tsehai, *World Bank must support rigorous independent monitoring of discrimination against girls in Tanzania*, Brettonwoods Project (Apr. 7, 2020), <https://www.brettonwoodsproject.org/2020/04/world-bank-tanzania-education-loan-approved-amid-human-rights-violations/>.

x *Id.*

xi Michael Igoe, *Tanzania education loan tests World Bank's influence*, Devex (Feb. 11, 2020),

<https://www.devex.com/news/tanzania-education-loan-tests-world-bank-s-influence-96531>; *Tanzania: World Bank Okays Discriminatory Education Loan*, Human Rights Watch (Apr. 2, 2020),

[https://www.hrw.org/news/2020/04/02/tanzania-world-bank-okays-discriminatory-education-loan#:~:text=\(Washington%2C%20DC\)%20%E2%80%93%20The,Human%20Rights%20Watch%20said%20today.&text=The%20authorities%20have%20arrested%20some%20schoolgirls%20for%20becoming%20pregnant.](https://www.hrw.org/news/2020/04/02/tanzania-world-bank-okays-discriminatory-education-loan#:~:text=(Washington%2C%20DC)%20%E2%80%93%20The,Human%20Rights%20Watch%20said%20today.&text=The%20authorities%20have%20arrested%20some%20schoolgirls%20for%20becoming%20pregnant.)

xii *Tanzania: World Bank Okays Discriminatory Education Loan*, Human Rights Watch (Apr. 2, 2020),

[https://www.hrw.org/news/2020/04/02/tanzania-world-bank-okays-discriminatory-education-loan#:~:text=\(Washington%2C%20DC\)%20%E2%80%93%20The,Human%20Rights%20Watch%20said%20today.&text=The%20authorities%20have%20arrested%20some%20schoolgirls%20for%20becoming%20pregnant.](https://www.hrw.org/news/2020/04/02/tanzania-world-bank-okays-discriminatory-education-loan#:~:text=(Washington%2C%20DC)%20%E2%80%93%20The,Human%20Rights%20Watch%20said%20today.&text=The%20authorities%20have%20arrested%20some%20schoolgirls%20for%20becoming%20pregnant.)

xiii *Id.*

xiv *Id.*

xv *See generally Indigenous women's realities*, Forest Peoples Programme (Oct. 2020),

<https://www.forestpeoples.org/sites/default/files/documents/Indigenous%20Women%20EN%20Pub.pdf>.

xvi Maria Sarungi Tsehai, *World Bank must support rigorous independent monitoring of discrimination against girls in Tanzania*, Brettonwoods Project (Apr. 7, 2020), <https://www.brettonwoodsproject.org/2020/04/world-bank-tanzania-education-loan-approved-amid-human-rights-violations/>.

xvii *Indigenous women's realities*, Forest Peoples Programme (Oct. 2020),

<https://www.forestpeoples.org/sites/default/files/documents/Indigenous%20Women%20EN%20Pub.pdf> (p. 41, 43).

- xviii Maria Sarungi Tsehai, *World Bank must support rigorous independent monitoring of discrimination against girls in Tanzania*, Brettonwoods Project (Apr. 7, 2020), <https://www.brettonwoodsproject.org/2020/04/world-bank-tanzania-education-loan-approved-amid-human-rights-violations/>.
- xx *Implementing the Tenure Guidelines for Women and Small-scale Food Producers: an analysis of Mozambique, Tanzania, Senegal, and Haiti*, Action Aid, <https://www.actionaidusa.org/wp-content/uploads/2016/09/Implementing-the-Tenure-Guidelines-for-Women-and-Small-scale-Food-Producers.pdf> (at 33).
- xxi See ActionAid *supra* note 22, at 7.
- xxii For further discussion on how this issue affects the Indigenous population in general, see Part (c).
- xxiii *Maasai women take leadership in Ngorongoro*, IWGIA (Feb. 15, 2017), <https://iwgia.org/en/tanzania/2484-maasai-women-take-leadership-in-ngorongoro.html>.
- xxiv Maria Sarungi Tsehai, *World Bank must support rigorous independent monitoring of discrimination against girls in Tanzania*, Brettonwoods Project (Apr. 7, 2020), <https://www.brettonwoodsproject.org/2020/04/world-bank-tanzania-education-loan-approved-amid-human-rights-violations/>.
- xxv *Id.*
- xxvi *Id.*
- xxvii Indigenous Peoples in Tanzania https://seors.unfccc.int/applications/seors/attachments/get_attachment?code=G8PXVNI6PWI12019IFUXFZEV3O98LNZO (at 2).
- xxviii *Id.* at 1.
- xxix <https://www.migrationpolicy.org/article/tanzania-climate-change-migration-conflict>
- xxx *Id.*
- xxxi Indigenous Peoples in Tanzania https://seors.unfccc.int/applications/seors/attachments/get_attachment?code=G8PXVNI6PWI12019IFUXFZEV3O98LNZO (at 2).
- xxxii Julia M. Blocher, Emmanuel O. Kileli, *In Relatively Peaceful Tanzania, Climate Change and Migration Can Spur Conflict*, Migration Policy Institute (Nov. 13, 2020), <https://www.migrationpolicy.org/article/tanzania-climate-change-migration-conflict>.
- xxxiii Katrin Redfern, *Securing Hadza Land Titles, Securing Futures in Tanzania*, Cultural Survival (June 2018), <https://www.culturalsurvival.org/publications/cultural-survival-quarterly/securing-hadza-land-titles-securing-futures-tanzania>.
- xxxiv *Pastoralists' Challenges in Tanzania*, PINGO's Forum, <https://www.pingosforum.or.tz/index.php/component/content/article/88-latest-developments/109-persistence-of-human-rights-violation-to-pastoralist?Itemid=437>.
- xxxv *Id.*
- xxxvi *Id.*
- xxxvii *Id.*
- xxxviii *Tanzania Pastoralists threatened: eviction, human rights violations and loss of livelihood*, IWGIA (Jan. 20, 2016), <https://iwgia.org/en/resources/publications/308-human-rights-reports/3206-tanzania-pastoralists-threatened- eviction-human-rights-violations-and-loss-of-livelihood.html?highlight=WyJ0YW56YW5pYSJd>.
- xxxix *Id.*
- xl Katrin Redfern, *Securing Hadza Land Titles, Securing Futures in Tanzania*, Cultural Survival (June 2018), <https://www.culturalsurvival.org/publications/cultural-survival-quarterly/securing-hadza-land-titles-securing-futures-tanzania>.
- xli Press: Indigenous land rights defenders intimidated after protesting sale of Maasai land for tourism, Forest Peoples Programme (July 27, 2016), <https://www.forestpeoples.org/en/topics/rights-land-natural-resources/news/2016/07/press-Indigenous-land-rights-defenders-intimidated>.

- xiii Katrin Redfern, *Securing Hadza Land Titles, Securing Futures in Tanzania*, Cultural Survival (June 2018), <https://www.culturalsurvival.org/publications/cultural-survival-quarterly/securing-hadza-land-titles-securing-futures-tanzania>.
- xiiii *Id.*
- xliv Agnes Leina, Clean vs. Dirty Energy: The Disregard of Indigenous Peoples in East Africa, Cultural Survival (Mar. 2017), <https://www.culturalsurvival.org/publications/cultural-survival-quarterly/clean-vs-dirty-energy-disregard-Indigenous-peoples-east>.
- xlv Fred Pearce, A Major Oil Pipeline Project Strikes Deep at the Heart of Africa, YALE ENV'T 360 (May 2020), <https://e360.yale.edu/features/a-major-oil-pipeline-project-strikes-deep-at-the-heart-of-africa>.
- xlvi *Id.*
- xlvii *Id.*
- xlviii Agnes Leina, Clean vs. Dirty Energy: The Disregard of Indigenous Peoples in East Africa, Cultural Survival (Mar. 2017), <https://www.culturalsurvival.org/publications/cultural-survival-quarterly/clean-vs-dirty-energy-disregard-Indigenous-peoples-east>.
- xlvi *Id.*
- i Sasha Chavkin and Dana Ullman, World Bank Allows Tanzania To Sidestep Rule Protecting Indigenous Groups, INT'L CONSORTIUM OF INVESTIGATIVE JOURNALISTS (June 2016), <https://www.icij.org/investigations/world-bank/world-bank-allows-tanzania-sidestep-rule-protecting-Indigenous-groups>.
- ii Angus MacInnes et al., Free, prior and informed consent: how to rectify the devastating consequences of harmful mining for Indigenous peoples', *Perspectives in Ecology and Conservation*, Vol. 15, Issue 3, 152, 153 (2017), <https://www.sciencedirect.com/science/article/pii/S167900731730004X>.
- iii Agnes Leina, Clean vs. Dirty Energy: The Disregard of Indigenous Peoples in East Africa, Cultural Survival (Mar. 2017), <https://www.culturalsurvival.org/publications/cultural-survival-quarterly/clean-vs-dirty-energy-disregard-Indigenous-peoples-east>.
- iiii *Id.*
- liv The Rift Valley, FAO, <http://www.fao.org/3/w4347e/w4347e01.htm>; Friends of Lake Turkana, <https://www.friendsoflaketurkana.org/index.php/en/about> (last visited Mar. 11, 2021).
- lv *Solar power dominates in rural Tanzania, says report* (Apr. 27, 2017), <https://www.esi-africa.com/regional-news/east-africa/solar-power-dominates-rural-tanzania-reveals-report/>
- lvi Energy Access Situation Report, 2016 Tanzania Mainland, <http://www.rea.go.tz/NewsCenter/TabId/130/ArtMID/639/ArticleID/91/Energy-Access-Situation-Report-2016-Tanzania-Mainland.aspx>.
- lvii *The Tanzania Water Crisis: Facts, Progress, and How to Help*, Lifewater (Oct. 23, 2019), <https://lifewater.org/blog/tanzania-water-crisis-facts/>.
- lviii Julia M. Blocher, Emmanuel O. Kileli, *In Relatively Peaceful Tanzania, Climate Change and Migration Can Spur Conflict*, Migration Policy Institute (Nov. 13, 2020), <https://www.migrationpolicy.org/article/tanzania-climate-change-migration-conflict>.
- lix *Indigenous World 2020: Tanzania*, IWGIA, May 11, 2020, <https://iwgia.org/en/tanzania/3594-iw-2020-tanzania.html>.
- lx *Indigenous World 2020: Tanzania*, IWGIA, May 11, 2020, <https://iwgia.org/en/tanzania/3594-iw-2020-tanzania.html>.
- lxi Kizito Makoye, Farmers pushed off their land to save Tanzania's Great Ruaha River, (July 18, 2017), <https://www.reuters.com/article/us-tanzania-environment-wetlands/farmers-pushed-off-their-land-to-save-tanzanias-great-ruaha-river-idUSKBN1A31D5>
- lxii <https://www.ecowatch.com/great-ruaha-river-tanzania-2523947047.html>
- lxiii <https://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/ADB-BD-IF-97-257-EN-SCANNEDIMAGE.101.PDF>
- lxiv Samburu Trust, <https://www.samburutrust.org/new-index> (last visited Mar. 11, 2021).
- lxv *Video Report: Voices from Wami Sokoine*, PINGO's Forum, <https://www.pingosforum.or.tz/index.php/programmes/climate-change/item/306-video-report-voices-from-wami-sokoine>