

Land governance lessons from the relocation of Loliondo people

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International attention

Loliondo division, in the Ngorongoro District of Northern Tanzania, has been in the news lately. There's been a flurry of protest notes and statements released on social media, email, local and international news outlets. The content developed on Loliondo within less than two weeks is amazing. It continues.

Non-state institutions, particularly Civil Society Organisations, have moved with speed to draw international attention to the matter. The government of the United Republic of Tanzania was reported to be evicting the Maasai of Loliondo from 1500 square kilometers, just about 370,000 acres, of their ancestral land in disregard of their rights. This is aimed at making way for a game reserve within the Ngorongoro Conservation Area, which is said to be part of a UNESCO World Heritage site. Allegedly, an international investor is interested in developing safari tourism within the subject site.

Relocation

On the other hand, the government decries the misrepresentation and asserts that this is not an eviction, but the voluntary relocation of the affected families to Handeni in Tanga Region. Handeni district is about 600 kilometers to the South of Ngorongoro. At Handeni, some 400,000 acre swathe of land has been reserved for the relocated households. Given the possessory rights that inform the relationship between man and land in most of Africa, this matter could escalate and therefore calls for careful management. Importantly, it comes with land governance lessons for states within the region, and for prospective investors targeting investments on customary land for which the conventional investor-proprietor negotiation models do not apply.

Transboundary issues

Some of the Maasai in Loliondo are reported to have just crossed over to the Kenyan side. Indeed, some Maasai leaders in Kenya quickly expressed solidarity with their kinsmen. Effective land governance impacts transboundary owing to the natural resources and communities spread across national boundaries. Governments therefore find themselves drawn into bilateral discussions to address spillover effects whenever issues relating to human settlements, pasture, migration of animals or environmental degradation emerge. Where issues of large-scale investments in sectors such as agriculture, mining, forestry, infrastructure development or tourism as in Loliondo arise, governments and investors must beware the existence of a wide range of applicable instruments and principles.

Land rights issues

The instruments may be at global, regional or national level. They spell obligations to human rights, respect for indigenous land rights and provide guidance on the management of relationships and negotiations with communities. Expert pre-consultations will therefore be necessary to plan suitable engagement approaches to ensure that the right decisions and processes are in place for community sensitization, participation, buy-in and support. This helps to forestall likely community-investor or even community-government confrontations. While quite demanding, such pre-engagements often define the success or failure of such investments around Africa.

In the Loliondo case, non-state voices have been most responsible for the escalation of divergent messages. If they had adequate information, perhaps they would have engaged differently. As the local stakeholders, they're well placed to intervene with communities if adequately involved early enough.

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