

LAW AND JUSTICE | TANZANIA

Tanzania: Maasai community lose land dispute

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09/30/2022

The East African Court of Justice has rejected a petition by the Maasai community in a case involving a land dispute between them and the Tanzanian government. The land is located in the famous Serengeti.

Tanzania's Maasai community say the government forcefully evicted them

Image: DW

The Maasai petitioners wanted the East African Court of Justice (EACJ) to stop the Tanzanian government from removing them and their livestock by force from the border of the Serengeti Reserve and Loliondo Wilderness.

They argued that the government had violated the terms of the agreement for establishing the East African Community.

However, reading the court's decisions, judge Charles Nyachae on behalf of judge Monica Mgenyi, said that the petitioners, livestock keepers of the Maasai community, failed to prove their claims that they were tortured and beaten.

Nyachae also said the petitioners could not provide evidence that their property was destroyed by people they described as soldiers of the police force.

"We are unable to receive sufficient evidence from the petitioners and we dismiss the reference," the judge said while reading the verdict.

The East African Court of Justice judges said the Maasai petitioners failed to prove their claims

Image: Veronica Natalis/DW

In their defense, the attorney general of the [Tanzanian government](#) pointed out that they did not use force or torture to remove the herders who invaded the Serengeti National Park which borders the Ngorongoro area in the north.

Long-standing case

In the cash opened in 2017 at the East African Court of Justice, the Maasai people had hoped for a declaration stating that the Tanzanian government violated the set laws.

They also wanted an order from the court to stop the citizens' evictions, arrest, detention, prosecution and damage to their homesteads, livestock, and other property.

They were also seeking an order for restitution and reinstatement from the government, their members, and residents to their lawful property and full reparation and general damages of one billion Tanzanian shillings (€446,000, \$428,000).

Attacked by police officers

The statements by the petitioners that were read in court said that witnesses saw the citizens being beaten by people believed to be Tanzanian police officers. They also witnessed vehicles carrying police officers, homes and other property being destroyed.

"We were the ones who suffered harm in Loliondo, we were [evicted from our villages](#), our houses were burnt, and we were outside the jurisdiction of the Ngorongoro Conservation Area," said Kasare Mwana, who is one of the citizens living in the Loliondo area.

Mwana added that they plan on appealing the verdict and are "not satisfied with the answers."

Government rejects allegations of human rights violations

The Tanzanian government argued that it had the right to take the land and did not use force or violate any human rights during the exercise.

Moreover, the government claims that those 14 villages are registered within the country, and the minister for natural resources and tourism is empowered by law to review game control areas.

The land dispute involves the world famous Serengeti National Park

Image: Veronica Natalis/DW

Lawyer Ester Mnaro, who represents the plaintiffs' lawyers, says they have not given up hope and will appeal in the same court.

The area is 14 villages located in two divisions of Ngorongoro district in Loliondo and Sare divisions and has a size of 1500 square km.

However, the lawyers on the side of the prosecutors said that they are not entitled to those decisions and will appeal because, until now, human rights violations are still happening in those areas.

Edited by: Okeri Ngutjinazo
