





Land grabbing in Tanzania: The truth, fallacies and fights- part 1

Published: 24 Mar 2015

Short URL: <http://farmlandgrab.org/24686>

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The Citizen | 24 March 2015

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By Songa wa Songa

Dar es Salaam. For years now, the decision by the government to invite and accommodate investors in large scale farming has divided the nation into two main groups —those who view this move as legalizing land grabbing and the other group that sees this move as a modern way of introducing commercial farming in Tanzania.

Following the division, large-scale investors, both foreign and locals, equipped with their granted right of occupancy papers issued by the government are dubbed villains.

On the other side of the story, are the indigenous—those who have lived in those areas for years —mainly small-scale farmers, who defend themselves with their customary right of occupancy. This group has become and is viewed as the helpless victims.

The warring alliances

Evidently, there are two warring alliances: the government-investor versus NGO-smallholder farmers. Both alliances scramble for the arsenal with which to thwart the enemy—the media.

NGOs working in the country to promote and protect human rights and those dealing specifically with land rights conduct studies, announce the findings to the media that reveal 'abuses and violations' in land acquisitions by investors.

Analysis by this paper has shown that such findings tend to tell only one side of the story—the ills committed by the government and the investors. To make the reports more powerful, testimonies from the victims are also thoroughly recorded.

But such 'offensive' does not go without a 'defensive' counterattack. The government-investor alliance would also gather an army of reporters, present all documents showing that all due procedures were followed and that such investments are key to the development of not only the country but also the locals—the smallholder farmers and villagers, few of whom are unfortunately used to oppose progress. Beneficiaries from the village testify before reporters that the project is actually a God-sent blessing to that lucky community.

Of course, these accounts also tell one side of the story—how procedures were followed and the potential benefits of the project to the country and local community.

If the definition of land grab is looked at the other way round, it appears that in some cases, it is the government-investor alliance that accuses NGO-smallholder farmers of grabbing its land, with documents to prove so.

To find out who is telling the truth and who is telling lies and where, this reporter studied some of the reports and visited a number of disputed projects with the view to presenting an objective analysis of the subject that is deeply dividing the nation.

The blame game

The land grab topic is divisive because NGO-smallholders alliance has convinced a large section of Tanzanians to believe that large-scale agricultural investors are bad. They are inconsiderate people who care less about the plight of poor peasants as what they are interested in is the poor man's land that they are out to grab.

Another message is that we have a bad government. Yes, the government that helps foreigners in the name of investors or whatever, to grab poor villagers' land.

Ms Tumaini Kipesile, 67, a villager and farmer, said she and fellow villagers were enraged when they woke up to the reality that their movements were now restricted by someone they never knew. "Now that we were forced to use only one path which is closed after 4pm, we found ourselves in an intolerable jail-like situation," she said.

Another farmer, 39-year-old Mr Msigwa Maengo, who attended the peace meeting convened by the regional commissioner's office, said at the meeting, the investor was told to slow down even if he legally owned the land and villagers were also asked not to vandalize the property. In short, the two parties were asked to live amicably as their grievances were being addressed.

The result was that the investor was promised another land to compensate the one taken by villagers and the latter assured that they would not be evicted nor harassed by the investor. Speaking on behalf of the company's chief executive officer, the Kapunga Rice Project Limited's Finance Manager, Mr Vinod Kumar Kode, said what mattered for the company, as of now, was peaceful coexistence between the firm and the village.



Tanzania's then minister for Lands, Housing and Human Settlements Development, Prof Anna Tibaijuka, listens to Kapunga Rice Project Limited managing director Justin Vermaak when she visited the farms in Mbarali. (Photo: The Citizen)

The **Dakar declaration against water and land grabbing**, drafted and endorsed by the African Social Forum in October 2014, is now open to sign-ons. Please read it, add your organisation's name and get involved!

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Asked about another contentious issue that was widely reported by a section of the media that toured the estate last year, the allegation that the firm leased the land to poor farmers for profit by charging them a staggering Sh1.8 million per six hectares per season; far higher than what Nafco used to charge them for the same parcel—Sh300,000, he said that is pure falsification of facts meant to tarnish the image of the firm. “Sh1.8 million is not lease fee but a registration fee that willing farmers pay to cater for land preparation, seeds, fertilizer, water and harvest,” he said, adding that the service is for willing farmers and it’s only after harvest that the company deducts four tonnes per hectare from the produce.

On the other hand, the government-investor alliance is implying that such NGOs are bad because they buy desperate wananchi and use them to frustrate investments in the country. They go to that extent to advance the agenda of their foreign-based masters—donors, who know next to nothing about the real situation on the ground here in the country.

Another message from this alliance which could have dire consequences to Tanzania’s efforts to attract more large-scale investments in agriculture is that Tanzanians are troublesome people who tend to oppose, fight and even grab land legally acquired by investors.

But of serious concern is the deteriorating relationship between the government and the NGOs that are involved in such kind of advocacy, some of which are international entities whose voices are heard by the international and donor community.

The govt vs NGOs

On Tuesday last week, the government made an unsuccessful attempt to stop ActionAid from publishing a report that accused Agro EcoEnergy (T) Ltd, subsidiary of a Swedish firm that is implementing a sugar cane plantation and factory project in Bagamoyo District, Coast Region, of grabbing more than 20,000 hectares of the project land and coercing victims into a resettlement scheme.

Officials representing the government that owns 25 shares in the project questioned the motive of the NGO, arguing that “the research process was flawed and did not involve representatives of farmers from the villages in the project area nor did it involve the local government leadership in Bagamoyo District.”

On the same day, at a dialogue forum held in Dar es Salaam ahead of the release of the report titled: “Take Action: Stop Ecoenergy’s land grab in Bagamoyo, Tanzania”, ActionAid brought tens of “representatives of the farmers” from the villages in the project area including local leaders who testified that they were indeed involved.

In his remarks, Bagamoyo District Council chairman Shukuru Mbatto expressed doubts on the authenticity of the “representatives” ferried in from Bagamoyo by ActionAid.

“These people do not come from the project area; I believe you picked them from places such as Magomeni and Miono,” Mr Mbatto said after scanning the audience and asked the study not to be published.

Despite a strong-worded appeal from the government not to do so, however, the NGO stood its ground, went ahead and published the report on its website, arguing that it acted in the interest of the poor smallholder farmers and not that of the government and investor.

A day later, ActionAid launched a petition in which it called upon people from all over the world to email the Tanzanian president to suspend the EcoEnergy project and get the company to conduct a full consultation with the communities.

Are the NGOs biased?

To begin with, ActionAid study on “Ecoenergy land grab in Bagamoyo” found that “approximately 1,300 people will lose some or all of their land or homes in the initial phase of the project. More are likely to be displaced as the project develops.”

What was lacking and which made government officials, who attended the dialogue mad, is the background of the land—the fact that it belonged to the government since 1970s and was known as Zanzibar ranch in Bagamoyo (Razaba) before the current “owners” —villagers settled on it.

Whereas the scientific study found the government and its investor guilty of a host of misdeeds, doesn’t the latter have some rights over the property any way?

The Citizen has seen another study also on ‘the impact of large scale agro investments to smallholder producers’, jointly conducted by Land Rights Research and Resources Institute —HakiArdhi, and the network of smallholder farmers in Tanzania, known by its Kiswahili acronym as Mwiwata. The study found out massive irregularities in land acquisition by large-scale investors.

One of the cases that feature prominently in the study is how the investor questionably acquired the Kapunga Rice Project estate in Mbarali District, Mbeya Region. The report reads:

“Wananchi approved only 5,400 acres (true measurement is hectare) to be given to the investor, instead the investor was given 7,130 hectares.”

To find out who is telling the truth, The Citizen reporter visited the rice estate recently and interviewed Kapunga village leaders, villagers and management of the company that runs the estate.

The Citizen findings

The Citizen investigation established that the farm was the property of the National Agriculture and Food Company (Nafco), which was privatised in 2006 after the collapse of the state-owned firm.

But, in the study published by various rights groups, this fact does not appear in their findings.

However, long before the privatization, villagers had already moved in the then-unutilised estate since in the early 1990s when Nafco was slowly dying; they settled in the area, living happily and tilling the land that they now considered theirs.

The new owner (investor), claims that he didn’t know that some 1,870 hectares out of 7,370 in the deed would be fiercely contested by villagers. He also claims that he didn’t know that soon after the takeover, their status would change to trespassers!

Kapunga village, a settlement of 4,400 residents as per 2012 census, sits on 1,070 hectares and the villagers engage in smallholder farming on some 800 hectares but both parcels are property of the investor, legally.

Soon after moving in new staff and equipment, the new owner was soon doing what any investor would

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do; protect the property. Restrictions included blocking four of the five passages to and from the farm and village.

But even the one path that was left open was not so for 24 hours; by 4pm a guard was on the lookout to prevent "intruders." That is when the hell broke loose!

Mediation efforts

In recent years, rights groups and journalists have been on the ground with reports indicating that the investor "grabbed the land" and was now bullying and intimidating locals, trying to kick Tanzanians out of their ancestral land!

Villagers were up in arms in defence of their land and the investor was also ready to protect his property. Peace was becoming a rare commodity, day in, day out. Hostility reigned in the area.

In 2012, a meeting was held to reconcile the two hostile neighbours with some degree of success: the paths that were closed were let open and villagers promised to be the protectors of the investor's property. Also, the villagers were promised that they would not be evicted from the 1,870 hectares. Instead, the government promised to compensate the investor by providing another piece of land of the same size.

But the storm was not over yet. In a series of reports by a section of the media published last year, stories and editorials urged President Jakaya Kikwete to urgently use the 1971 Land Act to repossess the land from the investor conveniently 'forgetting' to mention that the former Nafco farm was legally acquired by the investor, Export Trading Group.

Furthermore, a lot of politics seems to be at play. For instance, some local leaders feel that they were not involved in mediation that took place in Mbeya City. Kapunga village now falls under Itamboleo Ward and both the ward Executive Officer, Mr Athumani Sakunja, and Ward councillor, Mr Lwitiko Mwangosi, said they were not invited.

"We were not invited nor were we given feedback after the meeting," said Mr Sakunja, adding: "I think it is because they think we are small people but we are the ones who live with the people."

According to Mr Mwangosi, who is also a farmer with a plot in the contested estate, the bigger problem lies in the fact that villagers were left in the dark since 2006 when the farm was being handed over to the new owner.

As residents who got used to the idea that the farm, traditionally, belonged to them for the purpose of living and farming, they were shocked to see a foreigner move in and treat them like intruders just the same way the investor was shocked to find them comfortably living in his land.

"The process of privatising this farm did not involve villagers who at the time lived and tilled this land," he said. But the councillor expressed optimism that as long as eviction was out of question, there would be peace between the investor and the villagers.

The Kapunga Village chairman who took the seat in last year's polls, Mr Brighton Mwinuka, shared the same sentiments. He said since the government promised the investor another piece of land to compensate the 1,070 hectares and the opening of paths by the investor, things have normalized and the relationship between the two parties has tremendously improved.

But Mr Mwinuka implied that the villagers were not even aware that they were residing in and farming a private land, which led to the fury when they first encountered the "invader".

"When the investor came, he started putting up boundary beacons that showed that villagers and their farms were within his property and that stunned everyone," he said.

Ms Tumaini Kipesile, 67, a villager and farmer, said she and fellow villagers were enraged when they woke up to the reality that their movements were now restricted by someone they never knew. "Now that we were forced to use only one path which is closed after 4pm, we found ourselves in an intolerable jail-like situation," she said.

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