

**THE SIXTH (6) SESSION OF UN-EMRIP HELD FROM 8-12TH
JULY 2013, GENEVA, SWITZERLAND.**

Joint Statement on Item 5 of the Provisional Agenda submitted by:

1. Parakuiyo Pastoralists' Indigenous Community Development Organization-PAICODEO and;
2. Tanzania Network for Indigenous Pastoralists -TANIPE

I thank EMRIP for the study made in regards to Access to justice in the promotion and protection of the rights of indigenous peoples. This study has pointed out the situation of access to justice among indigenous peoples which needs to be addressed.

In Tanzania indigenous peoples suffer forced evictions, land grabbing, extrajudicial killings and further marginalization by government policies of development that do not take into consideration indigenous peoples rights to culture, traditions and life. These cases of increased violations of human rights in Tanzania press the need for more studies to explore the situation of human rights and implementation of human rights mechanisms in the country.

The study has noted need for truth and reconciliation processes to promote indigenous peoples access to justices. This process would bring harmony between indigenous peoples, states and other peoples competing over natural resources in indigenous people's lands. In the recent years indigenous peoples particularly pastoralists have experienced forcefully evictions by authorities. In these evictions pastoralists have lost land, livestock and life. In a span of 8 years from 2006-2013 more than 15,000 pastoralists and agro pastoralists have been evicted and 800,000 livestock confiscated and more than 2billions Tanzania shillings collected by government through forced fines. Most of pastoralist's families evicted are now in abject poverty and psychologically affected. **These actions violate constitutional rights and international laws protecting the human rights of our peoples.**

In Kiteto and Kilosa districts in Tanzania two pastoralist communities took up land cases to High Court in Dares salaam. In 2011 the High Court ruled in favour of indigenous peoples but there was no funding allocated by the government to implement the ruling. **These are just one of the examples of the situations of access to justice.**

Recommendations

1. The government of Tanzania should halt evictions of pastoralists and violation of human rights and animal welfare.
2. We request EMRIP to conduct further studies on violation of pastoralists and agro pastoralists in Tanzania.
3. We request EMRIP to make a study on peace and security of indigenous

peoples.

4. We request EMRIP to initiate a mechanism to support implementation of recommendations made in the studies.
5. We request Special Rapporteur on The Rights of Indigenous Peoples to make a visit to Tanzania and study the situation of indigenous pastoralists and hunter gatherers
6. We urge states parties to ensure the rights of indigenous people by taking into consideration UNDRIP implementation.

Conclusion

In order to facilitate the implementation of access to justice indigenous peoples need political will and funding as well as provision of facilities and legal aid to enable indigenous people's access justice.

I thank you Mr. Chair for your attention.