



Study on the threats to women's land tenure security in Mongolia and Tanzania

WOLTS Tanzania

Phase 5 Community Facilitation Notes Mundarara

Section A: Community introduction

Hello. My name is _____. I am working with HakiMadini, an NGO from Arusha that works to support small-scale miners and their communities in mineral-rich areas, including on natural resource management and gender equality issues. We have been conducting a long-term study in Tanzania to find out about issues for people's land rights in areas where mining and herding are important to livelihoods. We are conducting our study together with an organisation from the UK called Mokoro. People from Mokoro work to promote gender equality and support people's land rights all over the world.

After visiting different places in Tanzania we chose your village as one of two villages for our study. We introduced ourselves properly to the district and local authorities and got their permission for our research.

Our study aims to work with people of this area to find ways to resolve issues over land and natural resources and to support local people's land rights, especially to promote gender equality and support rights of vulnerable people.

Our first activity, last October, was to carry out a small survey to learn more about people's land and livelihoods in the village. We conducted a questionnaire in 10% of households in all vitongoji of Mundarara. It included 71 households, of whom 57 were randomly chosen and 14 were additional female-headed households. In total, we interviewed 21 female-headed and 50 male-headed households. We surveyed 18 households in Olorien, 11 in Kitarini, 10 in Les Mundarara, 11 in Oleng'elu and 21 in Injalai.

We then continued our research in February with some participatory fieldwork with different groups and individuals from across all vitongoji. We held 13 focus group discussions (FGDs) and 12 biographic interviews with individuals (BIs), involving over 92 people. We looked for different types of people for these discussions and interviews, so as to represent different characteristics of people

in the whole village (e.g. widows, polygamously/monogamously married men and women, young people etc.).

We have now finished analyzing our research results and have written two community reports for your village as well as for Naisinyai village, in Simanjiro district, where we have also been conducting our study. We are translating the report into Kiswahili and next time we come we will bring some copies of it to give to district, village and vitongoji leaders, as well as leaving copies with schools in the village, so that anyone in Mundarara can go to look at the report there in full for themselves. Our findings can also be shared with the children if you wish.

We have now come back to share and discuss the main findings from our research at public meetings with people in all vitongoji. Today we are happy to be here in _____.

I am here together with my colleagues _____,
_____, _____ and _____.

We would like to start by giving you a summary of our main findings so far and give you a chance to ask questions about that. Then we will share some of the suggestions that some of you involved in our survey and participatory meetings and interviews already made about how to resolve some of the land, mining and natural resource issues that came up in our research. We will also offer you some suggestions from our own analysis, especially concerning issues for the most vulnerable people in this village.

We would like to then split up everyone into two big groups – one for men and one for women – so we can facilitate a discussion about our findings and the suggestions for what should come next. Then we will bring both groups back together and share our discussions with each other. At the end we will talk about the next steps for our study and share some snacks and drinks together before we go.

We hope that after today's meeting, as well as the other vitongoji meetings, we will have some more concrete ideas about how to continue our engagement with people in Mundarara village in order to help improve land tenure security of the most vulnerable members of the village population and help to reduce the land-related and mining-related conflicts.

Section B: Key findings from the baseline and participatory research

Demographic information

Please take a look at the pie charts for the marital and family situation of Mundarara people. *[team holds up pre-prepared pie charts of marital status of MHH and FHH drawn on large flip chart]*

- From our survey data, we estimate that 12% of households in Mundarara overall are female-headed, and 88% are male-headed. That means, out of 701 households in Mundarara when we started our research last year, about 84 households would be female-headed. This includes widows and cases of wives in polygamous marriages where the husband is listed as household head with another wife.
- We estimate that 7% of all households in Mundarara are widowed female-headed households – that would mean around 50 households in the whole village headed by widows.
- Only very few households were headed by a single (never married) or separated person.
- Most married household heads had customary/informal marriages; there were only two cases of formally married households in our baseline survey (where the marriage was registered).
- 46% of those who were married had monogamous marriages and 54% had polygamous marriages at the time of the survey – for polygamous cases the average number of wives was 2.

Please take a look at the next pie chart for where Mundarara people come from. *[team holds up pre-prepared pie chart of age of moving to Mundarara drawn on large flip chart]*

- 79% of all household heads were born in this village.
- 9% moved to the village as an adult and 12% moved as a teenager (ages 13 to 18)
- Reasons given for moving to Mundarara were almost all for marriage.

Please take a look at the pie charts about education of Mundarara people. *[team holds up pre-prepared pie charts of highest education of household members in MHH and FHH drawn on large flip chart, which should be grouped in fewer categories than in the community report, so it is clearer]*

- ‘Primary school completion’ was the highest education level attained by adult female members in 54% of the randomly sampled households in our baseline survey and by adult male members in 65% of the randomly sampled households.
- Adult females in 40% of randomly sampled households and adult males in 33% of randomly sampled households either had no education at all or had started but not completed primary school.

- Only one of our randomly sampled households had an adult male member who had gone beyond primary school education, and only three had an adult female member who had gone beyond primary school.

Livelihoods information

Livelihoods seemed to be getting a bit more diverse in Mundarara than in the past, but 54% of randomly sampled households said they only relied on one source of cash income in the 12 months before our survey and for 46% it was only two sources of cash income.

- In our survey, 96% of the randomly sampled households mentioned that their household included ‘herders herding own livestock’, and herding activities were the top source of cash income for 79% of the randomly sampled households.

90% of female-headed households relied on herding as their main source of cash income, compared to 78% of male-headed households, which shows importance of continuing the pastoralist lifestyle especially for widows.

- 96% of randomly sampled households were using livestock for subsistence (own consumption and use).
- No-one in our baseline survey reported that they were growing any crops at all, and many people in the FGDs and BIs said that because of the drought there had not been much farming in Mundarara for the last three or four years, even though farming was also important for livelihood diversification if the rains could come.

Division of labour in the household

Labour divisions seemed to be very strict and traditional.

- Women were doing most domestic tasks but also involved in herding work.
- Men could not collect fuel wood and could only collect water on a motorbike, not in person.
- Most people in the FGDs agreed that women had a heavy workload, and many people thought men should do more.

Mining

It seemed during our fieldwork that almost every household in the village had some involvement in activities relating to ruby mining, but many people didn’t like to talk about it in the survey. For example – only 19% of households in our survey said that anyone in their household had been involved in ruby mining in the previous 2 years, such as mostly rubble collection, trading and broking minerals, or a few cases of jobs with mining companies.

- 83% of all female respondents in our survey and 50% of all male respondents said they agreed with the statement that: “The majority of people in this community depend on mining for their survival”.

There were three mining companies in Mundarara – Mundarara Ruby Mining Company, Paradiso, and the village mine – but only Mundarara Ruby Mining Company was operating at the time of our fieldwork.

According to the Arusha Zonal Mining Office records, there have been 8 mining licences issued in Mundarara, to these three companies and one other called EURO Exploration Tanzania Ltd. All the licences were for gemstones (ruby).

Most participants in our FGDs and BIs said that they had never been invited to any meetings to discuss these companies' mining operations in Mundarara and they seemed to know little about their operations. But there were a lot of issues raised about them – such as lack of benefits to the community, poor and unsafe working conditions, and some past violence.

- But, in our survey, only 1 of 71 respondents agreed to the following statement: “In your community, companies have been able to come in and take people’s land without consulting ordinary people.” 20 people didn’t know about consultation, and all the rest (the majority) thought there had been some consultation with the village.

Effects of mining in Mundarara

During our survey, 18% of the randomly sampled households reported that mining had affected their household in the previous two years.

- In the survey, no-one mentioned any worries about the impacts of mining on local natural resources.
- 7% of respondents said that ‘mining activities took some part of household land without compensation’ – and we learned that 13 farms were specifically affected by the expansion of Paradiso.
- But mostly positive aspects of mining were mentioned: 18% of randomly sampled households said that mining had ‘increased household income’ and that it had ‘provided work place for some members of the household through artisanal/small-scale mining’. In all except one of these cases the mining had ‘provided formal mining company employment for some members of the household’.
- In our FGDs and BIs people mentioned about being able to get cash income from mining, for example from rubble sorting and from brokering of minerals. But problems were mentioned about difficulties for vulnerable people like widows to get good waste materials to sort through, and not knowing enough about the value of the rubies to get a good price from the brokers. People also thought that it was not easy for local people to get proper jobs at the mining companies.
- Generally people seemed happy to have mining in Mundarara as a source of cash income but wanted to get more benefits from it.

Environmental issues

The overall picture to emerge from our fieldwork in Mundarara was one of increasing land scarcity, population growth and environmental issues from the recent prolonged drought but also from longer-term climate change pressures.

- We heard reports of conflicts over grazing areas, and we learned that people were having to migrate their livestock further from the village than in the past because of the environmental/climate issues.

National parks

During our survey, 39% of the randomly sampled households reported that national parks had affected their household in the previous two years – so more than twice as many who reported being affected by mining.

- The vast majority of these households were living in Injalai and Olorien – equivalent to 53% of households in Injalai and 64% of those in Olorien.
- 37% of all randomly sampled households reported that national parks had ‘reduced household income’, but there was one case where the national parks were reported to have ‘provided informal work for some members of the household’.
- 12% of all randomly sampled households reported that protected areas ‘restricted access to communal grazing land’.

About decision-making and involvement of everyone in land management

Only 25% of all male respondents in our survey and 51% of all female respondents thought that women played a big role in decision-making about natural resources in Mundarara.

67% of all male respondents and 63% of all female respondents thought that all people were involved and consulted in decisions about community land management.

We also learned that Mundarara has a Village Land Use Plan to help regulate land management.

Access to land

96% of the randomly sampled households in our survey reported that household members owned the household’s main housing plot in Mundarara, i.e. the place where the majority of household members usually lived; no-one seemed to be renting or borrowing a house in the survey.

Most people seemed to know the process for applying to the village government for housing or farmland. Some people considered the fees to be too high for them and this was big problem for poorer people.

- It was also very hard for women to apply for land without the support of a man (husband, brother or adult son), and this was a particular problem for female-headed households such as widows.

In total some 68% of the randomly sampled households in our survey reported that they had land for non-residential purposes – in 13% of these cases it was in a different (neighbouring) village, in 82% of them it was in the kitongoji they lived in in Mundarara (and 5% of cases did not answer). Some of this was for farming and some was grazing land that they had acquired for their own use.

- Generally people considered that the family jointly owned the house plot, but very few people had any kind of documents for their land.

Please take a look at the next pie chart about ways of getting non-residential land in Mundarara.
[team holds up pre-prepared pie chart of types of ways of getting land drawn on large flip chart]

- 31% of randomly sampled households had inherited their land; 63% had got their land from the village government. 3% had bought land and 3% had just taken land and built on it.
- Only a quarter of randomly sampled households reported thinking that land disputes were a big issue in Mundarara.
- There were also not many disputes reported in our survey about land, and the only ones we heard about concerned land boundaries. People were more concerned about access to land, especially for poor people.

Please take a look at the next pie charts about grazing land in Mundarara. *[team holds up pre-prepared pie charts of grazing patterns in MHH and FHH drawn on large flip chart]*

- 2% of all male-headed households in our survey didn't have any livestock at all and nor did 5% of all the female-headed households. A further 5% of all female-headed households didn't have any livestock that needed grazing, they just grazed at the boma.
- 88% of all male-headed households reported to be giving some of their livestock to other people to graze, compared to 71% of all female-headed households – as the main method of grazing.
- 94% of all female respondents and 100% of all male respondents in our survey agreed with the statement that: "The majority of people in this community depend on herding livestock for their survival"
- 32% of female respondents and 63% of male respondents were concerned about access to grazing areas.
- 59% of all female respondents and 63% of all male respondents were concerned about access to water.

- Migration patterns have also changed – it seemed nowadays that only some of the family migrated with livestock while others stayed at the boma. This seemed to be partly to protect the boma area as people saw land as having more value now, and also there were fewer areas left that could be allocated for new settlements or farms because of population pressures and the demarcations of the Land Use Plans.

Understanding of the law

Most people did not seem to have a good understanding of the relevant Tanzanian laws. For example:

- 44% of all female respondents and 50% of all male respondents in our survey correctly knew that women were allowed to own land.
- 48% of all female respondents and 50% of all male respondents correctly knew that discrimination between men and women as regards land ownership was illegal.
- And, 49% of all female respondents and 75% of all male respondents thought that according to Tanzania law men's rights to land take precedence over women's rights, which is not correct.

Furthermore, 52% of all female respondents and 25% of all male respondents believed, incorrectly, that having rights to the land also meant having the rights to the minerals under the land; while many did not know whether that was the case or not.

Summary of Conclusions

Climate change and population growth have both contributed to making pastoralist livelihoods in Mundarara less predictable than they used to be.

- The uptake of farming activities (despite the drought of the last few years) has coincided with land tenure becoming more formalised and land management more regulated.
- The establishment of a Land Use Plan has demarcated the areas set aside for pasture, and thereby reduced the availability of land for the expansion of housing and farming.

As a result, many people have started trying to diversify their livelihoods, and mining has provided one avenue for diversification – even though expansion of the mining sites has also contributed to pressures on overall land availability in the village.

While some employment has been created by the mining companies, the main beneficiaries from mining appear to be the many male traders and brokers, some of whom have become relatively wealthy from selling rubies.

- Mining has also provided women (and especially widows) with some opportunities to generate a small cash income through the collection and sale of left-over rubble.

- However, the benefits to women have been minimised due to their lack of knowledge about the value of the minerals they are collecting, as well as the gender-specific discrimination they face in accessing the rubble, which ranged from verbal abuse to direct violence in the accounts we heard in our research.

Even though mining and related activities have clearly contributed to the local economy in Mundarara, there have also been some negative issues raised.

- We learned that many local people were unhappy about the limited engagement of the mining companies with the local community, and that improvements were needed in terms of consultation, compensation and the provision of more benefits from mining to the community.
- These issues have contributed to resentment building up and have led to some violence and protests.

The increased involvement of local men in mining, as well as the general trend towards livelihood diversification, have led local women to take on more roles outside the household.

- While women were increasingly engaged in herding, and many also engaged in various cash income-earning activities, women still continued to be responsible for all domestic work and were often not allowed to keep any money they made from their small businesses.

We found that decision-making within the community remained largely male-dominated at all levels, despite the involvement of women in formal government institutions as required by law.

- However, changes seemed to be visible within at least some households.
- For example, although polygamy was still more common than monogamy, monogamous marriages appeared to be becoming more common and were characterised by more equity of household decision-making, for example about household budgeting and expenditure.
- Even in polygamous households, it appeared that some women may have held more power than was openly acknowledged, and it was often mentioned that the favoured wives were more involved in decision-making and had more rights than other wives.
- It also seemed that what people said they did, and what they actually did, was not always the same, and some men seemed very open to changes that would support women's rights and benefit everyone in the household while also being respectful of culture and traditions.

The increasing formalisation of land tenure in theory has provided women in Mundarara with equal rights to access land and to have formal joint ownership of household land, thereby ensuring their tenure security.

- In practice, however, we were regularly told that men did not allow women to own any land and that the village government only granted land to widows with adult sons.
- Furthermore, most livestock belonged to men only.

With these two important assets concentrated in men's hands, women therefore had fewer opportunities to independently generate wealth or to contribute cash income to their household economy.

Widows (and the very few separated women), especially those with children to look after, also seemed to often be left with few assets, limited access to resources and little male support.

- Although we also encountered some very poor men, these women thus appeared to be among the most vulnerable people in Mundarara.

Climate change, drought and mining have also led to conflicts over increasingly scarce pasture and water resources.

These external threats were thus changing pastoralist livelihoods and the roles of women in Mundarara, while the internal threats many women faced within the community seemed at the same time very difficult to overcome.

- Educating women and men about land rights, providing leadership training to women, and assisting with group formation to help women gain access to land and livestock came up during our research as possible solutions to these issues, although the enormous time burdens faced by most women remains a key obstacle to overcome.

Ensuring all people in the community have a forum to meet and discuss key land and natural resource issues in a participatory way would help to address the various issues that came up in our research around land, gender, mining and pastoralism and therefore support sustainable development in Mundarara – including men and women, young and old, rich and poor, and with specific support to vulnerable groups to ensure their concerns can be heard and acknowledged and addressed.

Tunashukuru sana!

Section C: Possible recommendations from our research

[each set of issues to be written up on a flip chart beforehand, and our suggestion also written up on a flip chart – ready to be held up during the presentation of each one and also to refer back to during the discussions]

During our research so far, people came up with several possible solutions to address some of the problems and issues that came up. They fell into four main groups:

1. One of the big issues that came up was about **supporting women more within the community**.

People made five main suggestions about this:

Education and awareness-raising activities are needed in order to help both women and men to know their rights.

Women should be included more in decision-making positions at various levels (kitongoji, village, district) – not just the quota positions but in a more meaningful way.

Women should organise themselves in groups in order to be more united and become more politically active, including through regular mobilisation/group building meetings for women.

Having joint titles to land can help women to secure land in case their husband dies. Also, unmarried women and widows should be supported to get access to farmland as individuals or groups.

Women strongly felt that the workload should be shared more equally between women and men and especially that men's support is needed when women are ill or pregnant, including with herding, collecting water and farming. Young men said they could do more to support women with their heavy workload and most men said they could help with tasks that were not taboo. For those tasks that are taboo, the husbands should pay someone to help their wives instead. Women also felt that men should contribute money towards buying food for the children.

2. The second big issue that came up was over the **collection of rubble in ruby mining**. People made three main suggestions about this:

People should be informed about the value of the minerals, especially women, so that they cannot be cheated by traders and brokers who buy the stones from them.

There should be fewer restrictions with regards to accessing the rubble, as well as more equality in who is able to collect the best material, and women should be allowed equal access to this with men.

There should be a local market for ruby (i.e. companies/individuals purchasing directly in Mundarara) to help the local economy, as more people could become traders and brokers too.

3. The third big issue that came up concerned the **general operations of mining companies and possibilities for engaging in small-scale mining under licence**. People made five main suggestions about this:

People wished to be informed about the process of applying for a primary mining licence.

Mining companies should hold meetings with the whole village before licences are granted and also regularly inform the village about their future plans.

The district authorities should play a bigger role in monitoring the operations of mining companies and making sure that the proper procedures are followed.

Mining companies should employ more locals, while also improving the working conditions in the mines (with regards to rest time, health and safety measures, as well as monthly salary payments). Local people should have the possibility to be in better positions, including management positions. Women should also be given access to jobs in mining companies

Mining companies should share a percentage of their profits with the community, for example they could give loans to women so they can engage in different income-generating activities (apart from just rubble collection).

4. The fourth big issue that came up concerns **protection of customary land use rights and issues around pastureland and migration**. People made three main suggestions on this:

Formal rights to land should be granted (i.e. land documents like CCROs) so as to provide more protection against encroachment of mining companies or other farmers.

Existing customary rights could be better protected if CCROs were based on expert surveys and measurements, in order to avoid conflict over the land boundaries of plots between neighbours.

There should be more regular meetings of all traditional leaders across the district to help avoid conflicts over the use of grazing areas and migration.

We feel that some of these are very good and substantial suggestions, which could help to address some of the issues that have come up in our research in Mundarara.

We would like to add **one final suggestion from ourselves**. We have seen that a big part of many of the issues that came up in our research relates to the uniqueness of Mundarara as being a traditional Maasai village. It means that sometimes approaches used in other areas of Tanzania to resolve land and natural resource issues might not work here.

So for Mundarara, we think a very unique and integrated approach is needed to address the issues that have come up, and this should include all different stakeholders coming together – a bit like today – for dialogue about these things altogether, including local men and women, government people and mining companies and organisations.

- And this needs special attention to ensuring good participation levels by all people, men and women, rich and poor, young and old, and including particularly vulnerable people like widows and poor people.
- In fact, we would especially like to highlight the importance of integrating the most vulnerable people in the community more into decision-making, especially women such as widows and wives in polygamous marriages who are not their husband's favourite wife.

Therefore, **our suggestion from our team is that in order to reduce conflicts between different land users, it may be advisable to have regular kitongoji level meetings where different land users can come together to discuss the various issues relating to land tenure governance and land management and find local solutions together.**

- Such meetings would need to take place on regular basis and take place in very participatory way, perhaps using participatory exercises a bit like we have used in our research.
- They would be an opportunity to share information, to raise awareness about laws and procedures, to discuss about the rules for using different resources to see where some changes could be needed, and to ensure participation of all people of Mundarara in sustainable development of the village.
- For example, one of the first issues that could be tackled is for the whole community (including the mining companies and mineral brokers and traders) to come up with clear rules and regulations about rubble collection, to minimise conflicts and ensure fairer distribution of benefits.
- And there can be many other issues that can be successfully addressed in this way over time.

Tunashukuru sana!

Section D: Key issues to frame the community conversation

[each issue (and questions about it) to be written up on a flip chart beforehand, ready for explaining to the meeting and for them to refer back to during the discussions]

Issue 1: Poor and vulnerable people's access to land

- How can we make the land allocation process work better for poor people? Is there a way to make for some clearly agreed and well publicised exceptions on fees?
- Are poor and vulnerable people discriminated against over land? How could that be changed?
- Is it more difficult for poor people and vulnerable people like widows to get access to housing plots and farms? Or grazing land? What could be done to change this?
- What can be done to help more people in Mundarara to know and understand the Tanzania laws and regulations about land (and about mining)?

Issue 2: Special difficulties facing female-headed households

- How do widows manage to continue herding? Is it acceptable for women on their own to engage in herding? How else can they survive?
- How can practical difficulties be overcome, such as lack of livestock, time constraints and dangers when going to pasture? Especially, what can be done to reduce the risks of rape or violence if women are away from the boma herding?
- How are conflicts relating to herding and migration usually solved? Who is involved? Are women involved in dispute resolution? Why? Why not?
- What could be done to ensure that widows can keep livestock and land so that they don't have to rely on dangerous and low-earning activities like rubble collection? How can female-headed households be supported to be successful herders or farmers instead?
- What can be done to help women to know their rights and help them to claim their rights successfully? Who can be most supportive in this? What role can traditional leaders have and what role can the village government have?

Issue 3: Mining companies and rubble collection

- For mining companies, what changes can they make which would benefit more people in Mundarara? How easy would it be to make those changes and what would need to be done?
- Are there any social issues (health problems, alcoholism, GBV etc) around mining in Mundarara? How do social issues around mining affect families? Are there positive effects of negative ones? Why? What could be done?
- Are there any environmental issues around mining in Mundarara? How do environmental issues affect families? What could be done?
- What could be done to improve local people's relationships with the mining companies in Mundarara? What could be done to improve awareness and share more information?
- What solutions are there to the issues around rubble collection? What especially could be done to help widows and poorer people who rely on this for income? Would it help if they build small groups, so they could negotiate better with brokers and mining companies?

Section E: Time frame for WOLTS next steps

After we have conducted all the vitongoji meetings, we will go back to Arusha and to the UK to discuss how best we can continue our activities in Mundarara so as to support you in trying to address the main land-related issues in this village that came up in our research, so as to help improve the situation of the most vulnerable community members.

We will be holding a national stakeholder meeting with government officials and NGOs in November in Arusha, where we will also share our findings from both Mundarara and Naisinyai villages.

We would like to invite representatives from both villages to attend the meeting, and we would like to particularly ask you, who you would like to represent the community at the meeting?

We then hope to return to your village to help to implement some of the recommendations that we have elaborated together today. We would like to ask you, how do you think we could help to implement some of the recommendations?

Section F: Specific follow up questions to be asked to key local leaders

- Has there been any further resolution of, or worsening of, the issues with the mining companies in this village, especially concerning the compensation for the plots of Paradiso and the issues of Paradiso?
- Can you tell us anything about ruby mining in neighbouring Kisereni village as we found on official mining office data that there are more primary mining licences issued for gemstones in that village than for Mundarara village? Are Mundarara people also going to Kisereni to mine?
- Following the surveying of plots that was carried out by the NGO before us, have they come back to issue any certificates to people for their land yet?
- Is Mundarara Ruby Mining Company still the only company operating or have there been any new companies coming to start mining, or new licences granted, since we were doing our participatory research in February?
- Are there any other issues that have come up in Mundarara village or in Longido district that could be relevant to our research about gender, land, pastoralism and mining? Or any other organisations that have come to do any other research or activities on these topics with people in Mundarara village?
- Last, is there anything you think we have missed out from our presentation and discussions on this visit to the community that we should include in our final report?
- Tunashukuru sana!