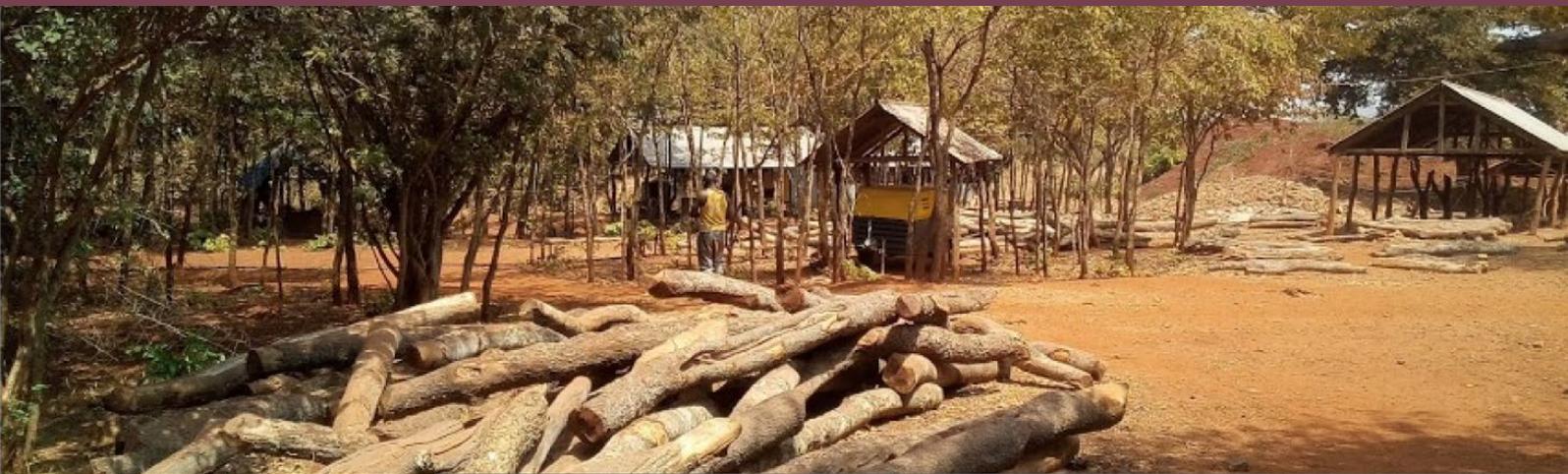# ANNUAL REPORT 2

18th of March 2020, Dar Es Salaam, Tanzania

REPORT OF THE SECOND MULTI-STAKEHOLDER CONFERENCE ON BUSINESS AND HUMAN RIGHTS IN TANZANIA

BHRT
BUSINESS AND HUMAN RIGHTS TANZANIA

IPIS

TANZANIA
COMMISSION FOR HUMAN RIGHTS AND GOOD GOVERNANCE

Annual report II

"Report of the second multi-stakeholder conference on Business and Human Rights in Tanzania"

Conference held on the 18th of March 2020 in Dar es Salaam, Tanzania

Antwerp/Dar es Salaam, January 2021

TABLE OF CONTENTS

EXECUTIVE SUMMARY

The second multi-stakeholder conference was held on 18th March 2020 at Seascape Hotel, Dar es Salaam. The event is part of the EU-funded project "Improving monitoring, research and dialogue on Business and Human Rights in Tanzania", implemented by Business and Human Rights Tanzania (BHRT), the Commission for Human Rights and Good Governance (CHRAGG) and the International Peace Information Service (IPIS).

This forum was attended by 57 participants and brought together representatives from the government, local communities, CSOs and industrial actors, from Tanzania Mainland and Zanzibar.

The conference's objectives were to raise awareness on the relevance of the Business and Human Rights (B&HR) agenda and to create a setting that stimulates discussion and debate on business and human rights related issues. This dialogue aimed at reducing the barriers between the different stakeholder groups as well as to encourage further engagements and focus for work on B&HR. Participants discussed key challenges, priority topics and actions within the framework of the annual theme "land rights and environment", to conclude on a next topic of priority: "the impact of large-scale infrastructure works".

The conference was conducted in 8 sessions, covering welcome remarks, presentations detailing key aspects of Business and Human Rights in Tanzania and the focal topic of "land rights and environment" and a concluding group discussion on the way forward.

The conference was inaugurated by Ms. Flaviana Charles, Director of Business and Human Rights Tanzania (BHRT) and began with a first presentation addressing some key Business and Human Rights principles. This session allowed the stakeholders to share their experience on Business and Human Rights concepts and their implementation in Tanzania. The discussion touched on the definition and scope of human rights, the UN Guiding Principles on Business and Human Rights, the role of National Human Rights Institutions (NHRI), the notion of Corporate Social Responsibility (CSR) and the implementation of grievance mechanisms.

Next, findings from four cases studies on current B&HR issues related to "land rights and environment" were presented. The authors of these "Voices from Tanzania" studies introduced their research and highlighted some of their conclusions and recommendations. The Lawyers' Environmental Action Team (LEAT) presented their research on the immediate effects of the Land Tenure Support Programme (LTSP) to communities in Kilombero District (Morogoro Region). The second case study was introduced by the Land Rights Research and Resources Institute (HAKI ARDHI) and assessed the contribution of land use planning processes in the promotion of good governance in the Kilolo District (Iringa Region). Tanzania Women Empowerment in Action (TAWEA) then presented their study on land and human rights issues among local communities adjacent to protected areas in Kigoma Region through their observations in the Kagera Nkanda and Mvinza villages, adjacent to Moyowosi Game Reserve and Makere South Forest Reserve. Finally, the Community Economic Development and Social Transformation (CEDESOTA) discussed human-wildlife conflict challenges through their research on the impact of Arusha National Park on human rights in Olkung'wado and Ilkirimuni villages, (Arumeru District, Arusha).

These presentations led to a plenary discussion and suggestions were raised to address some of the major challenges highlighted by the four studies. These avenues included encouragements to the government to improve land administration in the country and to simplify land use planning processes in order to support an effective participation of villagers. Similarly, participants stressed the importance of participatory execution of land demarcations. Reflexions were made around new community conservation initiatives and the need for adequate training for conservation officers to execute their duties with respect to human rights, along with awareness raising on the rights and duties of the different stakeholders involved in land conservation.

Finally, group discussions resulted in the identification of key 'business and human rights' challenges and the selection of an annual priority topic for the following year: "Large-scale infrastructure projects in Tanzania and their impacts on human rights".

Overall, the intended objectives of the conference were met thanks to the participation of various stakeholders from different sectors. As a result, this forum constituted a valuable opportunity to share experiences and raise awareness on business and human rights in connection with land and environmental issues. Based on their exchanges, participants could draw recommendations for the way forward, including in particular, efforts towards enhanced information sharing among all the stakeholders.

Picture 1: Participants to the Multi-stakeholder Conference

1. INTRODUCTION

On the 18th of March, 2020, the second multi-stakeholder conference on Business and Human Rights was held at Seascape Hotel (Dar es Salaam, Tanzania). The event is part of the EU-funded project "Improving monitoring, research and dialogue on Business and Human Rights in Tanzania"[1], implemented by Business and Human Rights Tanzania (BHRT), the Commission for Human Rights and Good Governance (CHRAGG) and the International Peace Information Service (IPIS).

The annual multi-stakeholder conferences on business and human rights in Tanzania aim at bringing together civil society, community organisations, industry actors, researchers, governmental bodies and international organisations with an interest in the topic, in order to strengthen the emerging national network of partners for advancing the agenda on business and human rights (B&HR) in Tanzania. During these dialogues, we aim to create an atmosphere that stimulates discussion and debate between different stakeholders, and that creates ownership across different actors to jointly push for progress on B&HR in the country.

The objective of the second multi-stakeholder dialogue was to exchange information on the status of business and human rights in Tanzania, to raise awareness and understanding of key principles of B&HR (including the United Nations Guiding Principles on Business and Human rights (UNGPs)), to report on project outcomes and to select a new focal theme for research and activities for the third implementation year of the project "Improving monitoring, research and dialogue on Business and Human Rights in Tanzania".

"Land rights and environment" was the sub-theme of the second multi-stakeholder conference, as this was the focal theme of the preceding implementation year.

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1   https://ipisresearch.be/project/project_business_and_humanrights_tanzania/

2. PROGRAMME AND PARTICIPANTS

The second multi-stakeholder conference was organized by Business and Human Rights Tanzania in collaboration with CHRAGG (Commission for Human Rights and Good Governance) and IPIS (International Peace Information Service).

2.1. Programme

In order to respect the preventive measures announced by the government with regard to the outbreak of the Covid-19 pandemic, the length of the conference was shortened and the programme was slightly adapted. The meeting covered the following agenda:

1. **Session I: Registration**
   - This session aimed at keeping records of the conference's participants

2. **Session II: Welcome Remarks and Objectives of the Conference: BHRT welcomed the** participants and presented them a clear overview of the purpose and objectives of the meeting,

3. **Session III: Business and Human Right**s
   - The goal of this session was to share key (inter-) national concepts and frameworks of business and human rights and to discuss their implementation in Tanzania.

4. **Session IV: B&HR in Tanzania: "Land Rights and Environment "Voices from Tanzania", Case studies.**
   - In this session, partnering civil society organisations presented their research on "land rights and environment in Tanzania" (focal theme in 2019).
   - The session aimed at sharing the findings and recommendations of four field-based case studies, conducted in the framework of the "Voices from Tanzania" series, in order to raise awareness on business and human rights issues related to land rights and environment.

5. **Session V: B&HR in Tanzania: "Land Rights and Environment", Panel discussion**
   - Following the presentation of the case studies, this session aimed at pursuing the dialogue around "land rights and environment" in relation to B&HR in Tanzania. The session provided a moment for questions and answers and resulted in a concertation around key recommendations and the way forward.

6. **Session VI: Group discussions (Side Sessions)**
   - The main objective of this session was to share more information on key corporate human rights issues and priorities in order to draw recommendations on the way forward. The latter will guide participants in their efforts to improve business and human rights practices in their areas of expertise.
   - In working groups, participants exchanged around the selection of a new theme for last operational year of the project 'Improving monitoring, research and dialogue on Business & Human Rights in Tanzania'

7. **SESSION VII: Selection of the new annual theme**
   - In this plenary session, representatives from each working group shared the priorities for the new annual theme. After a debate, all participants agreed on priority topics and actions within the new selected annual theme.

8. **SESSION VIII: Way forward and closing of the meeting**
   - The conference was closed with some key resolutions aiming at strengthening working relationships between the government, businesses and CSOs, including concrete decisions on the way forward.

2.2. Participants and impact of Covid-19

This second multi-stakeholder conference involved various actors such as; members of the government (Tanzania mainland and Zanzibar), representatives from the National Environment Management Council (NEMC), CSOs, actors from the business sector, journalists as well as representatives from CHRAGG, BHRT and IPIS. A total number of 57 (17 female, 40 male) persons attended this conference and participated in the debates. Some 19 other invited participants cancelled their participation due to concerns regarding the outbreak of Covid-19 and the restrictions announced by the Tanzanian government.

3. METHODOLOGY

The conference was conducted based on principles of dialogue and participation. All participants were asked to engage fully and to air their views and opinions freely and, in this way, to contribute maximally to the conference. Methodologies used were plenary (paper) presentations, question and answer sessions, group discussions and plenary discussions.

4. OPENING REMARKS (SESSION II)

The conference was officiated by Ms. Flaviana Charles, Director of Business and Human Rights Tanzania (BHRT). In her opening remarks, Ms. Flaviana informed the participants about the necessity of dialogue on human rights agendas in relation to business activities, stressing the importance of the contributions of different stakeholder groups in this arena. She further hinted on the role, efforts and duties of the state regarding the protection of human rights in Tanzania, the responsibility of corporations to respect human rights in Tanzania and the importance of access to effective remedy for victims of corporate human rights abuse.

Ms. Flaviana went further to expound on an overview of the purpose and objectives of the conference which is to strengthen national networks of partners for the advancement of human rights in Tanzania.

5. PRESENTATIONS (SESSIONS III & IV)

Presentations during this annual multi-stakeholder conference encompassed findings from four field-based scoping studies, the so-called **"Voices from Tanzania"**[2]. These studies were carried out by partnering civil society organisations Lawyer's Environmental Action Team (LEAT), HAKI ARDHI (the Land Rights Research and Resources Institute), Tanzania Women Empowerment in Action (TAWEA) and Community Economic Development and Social Transformation (CEDESOTA). These organisations shared information, findings, conclusions, recommendations and their overall experiences on local cases of B&HR dealing with the aspect of "land rights and environment in Tanzania". The second presentation session was dedicated to creating awareness on **key international frameworks on B&HR**, such as the UN Guiding Principles on Business and Human Rights (UNGPs)[3].

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2   *https://ipisresearch.be/home/capacity-enhancement/voices-from-the-south/voices-from-tanzania/*
3   Guiding Principles on Business and Human Rights: Implementing the United Nations 'Protect, Respect and Remedy'
     Framework. Office of the High Commission on Human Rights (OHCHR); 2011. *https://www.ohchr.org/Documents/
     Publications/GuidingPrinciplesBusinessHR_EN.pdf*

5.1. "VOICES FROM TANZANIA" PRESENTATIONS

"Voices from Tanzania" studies are devised as small, field-based scoping studies, executed by Tanzanian civil society organizations, which aim to draw attention to pertinent issues on B&HR in Tanzania. These studies are based on the surveys and analysis done by Tanzania civil society organisations firmly rooted in local communities, with a mandate to operate in the area. The "Voices from Tanzania" series offers a platform for local expertise and aims to improve awareness on issues on the ground, by consulting local communities on how they experience effects of business operations. The special theme for the second series of "Voices from Tanzania" was "**Land rights and environment'**, the focal theme of project year 2. IPIS, BHRT and CHRAGG, through their joint EU-funded project on B&HR in Tanzania, provide methodological and editorial support for the execution and publication of the "Voices from Tanzania" studies.

The second volume of "**Voices from Tanzania**"[4] contains four case studies, which report on two key issues which are:

1. How are the initiatives to increase land tenure security and land use planning affecting rural communities, and;
2. How are the conservation efforts impacting land and human rights in villages adjacent to protected areas?

These studies were conducted by Tanzanian civil society organizations namely; Lawyers' Environmental Action Team (**LEAT**), HakiArdhi (**the Land Rights Research and Resources Institute**), Tanzania Women Empowerment in Action (**TAWEA**) and Community Economic Development and Social Transformation (**CEDESOTA**).

Picture 2: 'Voices from Tanzania presenters'; from left to right: Mr. Cathbert Tomitho (HakiArdhi), Mr. Jackson Muro (CEDESOTA), Mr. Alpha Ntayomba (TAWEA) and Mr. Franklin Masika (LEAT)

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4   The second volume of "Voices from Tanzania" is now published at *https://ipisresearch.be/publication/voices-tanzania-case-studies-business-human-rights-vol-2-land-rights-environment/*. The publication includes a summary in Swahili.

5.1.1. Immediate Effects of the Land Tenure Support Programme (LTSP) to Communities in Kilombero District, Morogoro Region. (By LEAT)

Land is a vital instrument for the development of all communities in Tanzania. More than 65 percent of citizens access livelihoods through land-related activities, notably agriculture. Increased population, investments and land ownership insatiability in Tanzania have steered to various conflicts. Major initiatives to improve land tenure security are therefore much needed. The Land Tenure Support Programme (LTSP) is the biggest land regularisation programme to date in Tanzania, implemented by the Government of Tanzania through the Ministry of Land, Housing and Human Settlements Development in Kilombero district, Morogoro region.

The study by LEAT analysed the **immediate effects on business, human rights and environmental rights as impelled by the implementation of the LTSP** in five wards of Kilombero district (Kisawasawa, Signali, Idete, Mlimba and Mang'ula ward). The **key study questions** were:

1. What are the effects of LTSP implementation on land planning and regularisation in selected key villages in Kilombero district? And;
2. What livelihood, economic, land and Human Rights have been affected in these villages as a result of the LTSP?

Overall, both positive and negative effects were found as a result of the LTSP. **Positive effects** include increased village boundary surveys, establishment of geodetic control points, certificates of village land, establishment of district land use framework plans, preparations of village land use plans and increased security of land tenure. **Negative effects** include loss of land and land rights, inequitable control of land and reduced land for pastoralists. Access to land for women continues to be complicated.

Recommendations from this study include increased sensitisation for villagers, capacity building for land institutions at the local level and more accountability mechanisms to enforce transparency, rule of law and participation at the village levels.

5.1.2. Land Use planning as a tool for Promoting Land Governance:
A case study of Kilolo District, Iringa Region (By HakiArdhi)

Various studies have shown the usefulness of land use plans in addressing land rights challenges when these plans are prepared in a participatory manner and all stages are completed. The effective preparation of Village Land Use Plans (VLUPs) is connected with improved strategies in addressing land rights challenges, environmental destruction, effects of climate change, gender inequalities and human rights violations.

The study by HakiArdhi presents findings on village **land use planning processes and their contribution to promoting the good governance of land and natural resources management** in Kihesamgagao and Lyamko villages in Kilolo District in Iringa Region. **The key study questions** were:

1. What is the status of the Village Land Use Plans (VLUPs) in Kilolo district;
2. What are the motives for preparing VLUPs in Kilolo district? And;
3. What are the impacts of VLUPs on land governance and its effects, including land conflicts, investment, environmental management and women's land rights?

The study shows that many issues are dealt with in land use plans, albeit in different ways. For instance, the participatory nature of the land use planning process creates more democratic decision-making on village land governance, which can reduce land conflicts. On the topic of environmental protection, the land use planning process provides an opportunity for villagers to plan the use of their land while protecting resources such as water sources and forests. On women's land rights, land use plans provide an opportunity for women to participate in decision-making processes on land and to obtain customary

title deeds to land. Several challenges were identified (e.g. navigating the different interests of different stakeholders or resolving land conflicts despite VLUPs) as well as several gaps in the process of land use planning itself.

The study's **recommendations** include the simplification of the land use planning process for effective participation of the villagers and sustainability, and adapting the land legal framework to include the presence of an approved village land use plan as a precondition for village land allocations.

5.1.3. Land and Human Rights issues among local communities adjacent to protected areas in Kigoma Region. (By TAWEA)

The study by TAWEA intended to pinpoint land and human rights challenges as experienced by local communities in Kagera-Nkanda and Mvinza villages adjacent to Makere South Forest Reserve and Moyowosi Game Reserve, Kigoma region. Following the growth in population, increased demand for more land for farming and other activities to support villagers' livelihoods, put pressure on available resources within the villages. As a result, villagers undertake some of their economic activities inside the nearby reserves. This creates tensions with government authorities that are mandated to enforce laws and regulations to protect and conserve reserve areas.

The study by TAWEA identified **land and human rights issues experienced by local communities** in Kagera-Nkanda and Mvinza village (Kigoma Region). The **key questions** were:

1. What are the land use conflicts present in villages adjacent to Moyowosi Game Reserve and Makere South Forest Reserve?
2. What are the impacts of land conflict on villages adjacent to Makere South Forest Reserve and Moyowosi Game Reserve?
3. What is the role of community conservation programmes in resolving land issues and conflicts related to Makere South Forest Reserve and Moyowosi Game Reserve?

The study's **main findings** are grouped in three major areas: (1) the presence of land tensions and violations of human rights in Kagera-Nkanda and Mvinza villages due to human activities in the reserves area and subsequent conservation law enforcement. Human rights violations reported include the use of excessive force, including beatings, and confiscation of villagers' properties by conservation authorities; (2) the existence of unresolved land disputes as the results of non-participatory processes of land use planning, land verification and tourism investment; and (3) the role of community conservation initiatives (bee keeping project and environmental education) in supporting livelihoods of villagers and environmental conservation.

Key recommendations focus on the need to increase community conservation initiatives, the need to ensure proper and participatory execution of land demarcation and land use planning processes, the need for adequate training of conservation officers to execute their duties with respect for human rights, and the need for more awareness raising on the rights and duties of different stakeholders in conservation.

5.1.4. The Impact of Arusha National Park to Human Rights in Olkung'wado and Ilkirimuni Villages - Arumeru District, Arusha (By CEDESOTA)

Human-Wildlife Conflict is a serious problem in many areas of Tanzania. Human population growth combined with fixed availability of resources is often the reason for increased interactions between wildlife and communities. For communities living adjacent or close to protected areas, the situation is especially critical.

CEDESOTA's study aimed at **determining the impact of Arusha National Park on Human Rights** in nearby Olkung'wado and Ilkirimuni villages in Arumeru District, Arusha. The study focused on Human-Wildlife conflicts, land issues, relations between communities and conservation authorities and community benefits from the proximity of Arusha National Park.

The study's **findings** reveal that elephants were reported to destroy crops, particularly in 2018/19. This has led to food shortages, thus threatening the right to food as well as to life of communities adjacent to Arusha National Park. Compensations are mostly found to be insufficient to pay for real losses. Land conflicts between villages and villagers are not common. Conflicts do exist between villages adjacent to Arusha National Park and the park's authorities. Communities have complex relationships with conservation authorities of Arusha National Park, often due to insufficient communication and information sharing. Communities also experience benefits from Arusha National Park, including trainings to women groups, opportunities to market goods to tourists, construction of classrooms and a dispensary as well as employment to youth in the tourism industry.

Key recommendations focus on an official review of compensation rates for losses due to human-wildlife conflict, increased awareness in communities on their rights and duties in the conservation cycle and on mechanisms to access redress, simplified communication between communities and conservation authorities, and actions to ensure all can participate in conservation and decision-making processes.

5.1.5. Questions and answers with the audience

- Presentations on the "Voices from Tanzania" case studies were followed by a questions and answers session. The discussions included the following topics;

1. What are the solutions to conflicts over land use?
   Answer
   - The solution is to encourage community members to follow the land use plan.
   - There is necessity to raise awareness and build capacities among the village authorities. The latter hold the mandate to issue tittles to land users and can therefore have a role to play in reducing land disputes.
   - The commissioner for Lands has a duty to provide information on the matters related to land.

2. To what extent have women's land and human rights made progress in Tanzania?
   Answer
   - In regard to gender equality, some improvements and developments can be observed towards women's ability to possess their own land.

3. How far has the government progressed in the resolution of human-wildlife disputes?
   Answer
   - In environmental management, article 16 of the Environmental Management Act (EMA) rules the management of land, article 4 specifies ownership rights and, article 5 frames the right to remedy when a breach of rights does occur.

4. How do project partners take part in the dissemination of information on business and human rights?
   Answer
   - Partners use appropriate forums to share information on business and human rights e.g. during annual conferences, where experience and knowledge are shared among stakeholders who can themselves disseminates the information within their network.
   - Project partners also resort to print and electronic media e.g. B&HR briefings5 and reports

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5   https://ipisresearch.be/briefings/tanzania-briefing/

5.2. International concepts and frameworks of business and human rights and their implementations in tanzania

This second presentation session was steered by invited expert on Business and Human Rights, Mr. Pacience Mlowe. He provided an elaborative account on the framework of B&HR and its implementations in Tanzania. Mr. Mlowe also introduced definitions of different terms and general concepts used in the arena of B&HR.

The main intention of this session was to lay out the scope of B&HR and the chain of implementation of human rights principles to different stakeholders. Moreover, this presentation aimed to ensure that the audience is adequately familiar with the human rights obligations of rights holders, duty bearers and states with the responsibility to prevent violations by third parties (e.g. investors) and with positive actions to facilitate rights enjoyment. In this aspect the three pillars of UN Guiding Principle on Business and Human Rights were adequately addressed.

First of all, Mr Mlowe, provided context on why (inter-)national guidelines on human rights in business activities is needed. Through their activities, companies impact societies in different levels and in various ways. For most companies, maximizing profits is a primary objective. Additional objectives, such as protecting the environment or human rights are often considered secondary. Moreover, in the interest of economic benefits, host states are often reluctant to put strict rules or oversight on companies. Therefore, international guidelines to address the human rights impact of companies and initiatives to regulate business conduct regarding human rights are needed.

The UN Guiding Principles on Business and Human Rights (UNGPs) were introduced in 2011 to provide a framework to address corporate human rights harm. The UNGPs formulate recommendations and guidelines for states, businesses and communities. These guiding principles are divided into three main areas of operations:

- Pillar 1: The State's duty to protect its people from violation of human rights as the result of business activities, through legislation, policies, enforcement and the like;
- Pillar 2: Business's responsibility to respect human rights, through executing adequate due diligence;
- Pillar 3: Access to effective remedy in cases of human rights harm.

The objectives of the UNGPs were thus to enhance standards and ensure the protection of human rights on business. The UNGPs clearly formulate distinct roles for both state and business actors. They also facilitate dialogue which is very important between community members and investors. UNGPs also provide procedures on how to manage and mitigate risks and set standards for accountability.

Picture 3: Training on national concept and framework in B&HR by Mr. Mlowe

The expert continued the presentation with examples of businesses' compliance with human rights principles. The levels of respect to human rights principles by multinational companies differs from state to state and from company to company. An example was given through the East African Crude Oil Pipeline (EACOP) project. The latter foresaw to compensate community members living in the area where the pipeline is designed to pass, from Hoima, Uganda, to Tanga, Tanzania. Another example referred to the use of cyanide in gold extraction and its effects on the environment.

Avenues for accessing remedy in case of harm were also discussed. These can be both judicial or non-judicial, national or international. One of the key principles ruling the access to remedy is that the remedy offered must be effective and timely. A case of environmental pollution in the mining sector was mentioned as an example. More than seven years elapsed between the report indicating an environmental contamination and the case being accepted to go forward.

Different companies now have their own avenues for non-judicial access to remedy, such as company-based grievance mechanisms (e.g. Barrick Gold Mine). Many banks also have their own non-judicial mechanisms for remedy.

An example of judicial instruments was also given to highlight that remedy can be sought through judicial avenues, in the country of operations but also, in the country where the company is officially based. For instance, in 2010, Barrick Gold Mining Company was brought to court in the UK over its operations in Nyamongo (Mara regions, Tanzania). The litigation concerned the spillage of polluted water in land and rivers used for daily water and food consumption. The legal case ordered the payment of significant compensations to affected communities.

Several other issues were addressed in this session, such as the need for continuous awareness raising on Business and Human Rights and the necessity to conduct researches and share information with various stakeholders. Participants concluded that the simplification of central communication materials such as the UNGPs or Environmental Impact Assessments guidelines is key to a better understanding of Business and Human Rights concepts and implementation requirements.

6. GROUP DISCUSSIONS (SESSION V)

The session was designed to let participants share information on corporate Human Rights issues, and specifically on **key "Land and Environment" issues** in Tanzania, to come up with recommendations and a way forward on how their organisations will take part in moving forward on issues of Business and Human Rights in their field.

Groups were formed on a sectorial basis (businesses, members of the government, civil society and journalists). The main topics of discussion and points of action are summarised in the table below.

Picture 4: Group discussion event

SN.	ISSUES RISED IN GROUP DISCUSSIONS	RESPONSE	ACTION
1.	**Land acquisition for investment, the case of the East African Crude Oil Pipeline:** The need for advocacy to convince the investors to reduce the strip of land they are possessing from 30 meters back to 15 meters. Investors have exclusive rights on those areas once they are in their possession. What is the role of the state in the pipeline to Uganda (East African Crude Oil Pipeline project)?	Operations of National Environment Management Council (NEMC) - There are still no environmental tribunals in place to date. According to pillar one of the UNGPs, the state has a duty to protect its citizens against human right abuses.	The pipeline denotes much interest from various people hence key human rights considerations should be taken into account to avoid violations of people's rights. The government, through the Tanzania Petroleum Development Corporation (TPDC), conducted an Environmental Impact Assessment that emphasises on local content. Now all stakeholders involved are urged to act on the Environmental Impact Assessment.
2	**Case of the East African Crude Oil Pipeline:** Why was the pipeline project not started earlier? What is being done to ensure positive impacts?	The government is working on all possible avenues for impact. Experts from the Tanzania Port Authority (TPA) and TPDC are checking on the negotiations, relocations and compensations which should be adequate, prompt and fair for the local communities affected. International standards /international financial corporations want local communities to benefit from investment projects, hence the government is working on the concrete implementation of this goal. The government realised a Community Impact Assessment to interrogate the expectations of the communities and assess how they can be managed.	Efforts are being made to ensure that escalations such as in Mtwara do not occur in the future (outbreak of a conflict over the expectations towards the project).
3.	**Corporate Social Responsibility** is harnessed within law, but which law? Is law different for each sector? Are local investors exempted from corporate social responsibility?	No, all investors whether local or international have to comply with this obligation. Corporate Social Responsibility (CSR) can be defined as communities gaining direct benefit from the operations of investors. CSR is for instance, entrenched in the Mining Laws.	Awareness raising and information sharing on crucial laws and concepts.
4.	**What is the role of women as administrators of land?**	Article 16 of the Environmental Management Act (EMA) provides for management of land and article 4 of EMA stipulates the right to ownership. When a breach of rights occurs, remedies are provided by article 5 of the EMA. The Village land Act and Land Act 1999 provide for the women's rights to own land.	Tanzanian law and policy have provided a space for women emancipation in land through ownership and remedy in case of breach.

5.	**What is the role of Civil Society Organisations (CSOs)/Human Rights Defenders in relation to Business and Human Rights?**	Creating awareness on Business and Human Rights Monitoring human rights compliance by corporate bodies and advocating for change of laws and policies that violate business and human rights.	When writing reports, CSOs must address these challenges and highlight their impacts.
6.	**How do we, as CSOs, stand up for human rights if they are not protected and cannot be challenged in regional and international courts?**	CSOs should raise their voices to advocate for the change of laws, policies and practices that deny someone's rights to challenge any matter before the court of law. Access to justice is ruled and directly linked to the rule of law, so if anyone denies someone rights to challenge any matter of human rights abuse before a court, it becomes unconstitutional.	Continue to provide awareness and capacity building on Business and Human Rights issues.
7.	**To what extent are women benefitting from their land?**	In case of land loss most women do not sue for compensation due to lack of knowledge on land laws but also lack of fund to cater for advocate/lawyer fees .	In succession and inheritance, women are given ownership over land. However, they cannot proceed to any transfer or make decisions related to their land. Awareness raising and capacity building should therefore continue.
8.	**Why does it seem that animals are more valued than humans?** As an example, the government reacted quickly when an elephant was killed, but when a person was killed by an elephant, the issue was not taken that seriously. Has the government progressed in human-wildlife dispute resolution? Why are there so many complaints of human-wildlife issues?	In cases of wildlife problems, most communities do not participate / engage in meetings to discuss their issues because the local government authorities do not call such meetings or evade questions regarding their accountability and responsibilities. Most local councils do not know their authorities and limitation of their power. Communities are ready but have not been prepared by their leaders.	The solution could be to engage communities in making laws which address these issues instead of imposing laws without engagement of communities in the policy making. Awareness on the laws and regulations related to these issues. The village land boundaries must be evidently set out. Community Based Conservation is important; it will improve resource management The government should protect its citizens against human rights violations associated to land, environment and other related areas
9.	**What are the remedies linked to the violation of human rights or, business and human rights?**	Most remedies are stipulated in laws and policies and hence, the penalties for violations are also indicated thereto.	Sharing the information in a simplified way. Awareness raising

7. THE NEXT PRIORITY THEME

Participants were invited to express their thoughts on what they think should be a suitable theme for next implementation year of the EU-funded project "Improving monitoring, research and dialogue on Business and Human Rights in Tanzania". The following topics were recommended;

1. The practicability of a new arrangement on Corporate Social Responsibility in Tanzania.
2. The practicability of Local Content requirements in Tanzania.
3. Large-scale infrastructure projects in Tanzania and their impacts on Human Rights.

Participants agreed to select "**large-scale infrastructure projects in Tanzania and their impacts on Human Rights"** as the new priority/focal topic for action.

8. CONCLUSION AND RECOMMENDATIONS ON THE WAY FORWARD

Overall, the second multi-stakeholder dialogue was productive and valuable as most of the participants appreciated the sharing and dissemination of knowledge, experiences, research findings, information and a general understanding of key principles and issues in the area of Business and Human Rights.

On the topic of "land rights and environment", key conclusions include:

• Participants positively welcomed the right for women to officially own land, especially after the land use plan project enabled them to get the certificate of land ownership. The land use plan also came out with specification regarding the use of land hence reducing conflicts in the community. However, some challenges remain especially in terms of communication. Stakeholders feel that they are not well represented in the land use planning process due to a lack of clear information or awareness on the issue at hand, or due to the interests of stronger participants (such as investors or government officials).

• Some of the land issues raised in need of strong interventions include; (a) conflicts between relatives of the same family clans that compete for land ownership through inheritance; (b) conflicts between conservation practices and economic activities, as exemplified with cases such as the Iluma Wildlife Management Area, located in Kilombero and Ulanga districts (Morogoro Region), the protected areas of Makere South Forest Reserve and Moyowosi Game Reserve in Kigoma and, the Arusha National Park (Arumeru district, Arusha). The presence of land conflicts between individuals, villages and institutions sets the tone for injuries, losses of properties and even losses of lives.

• Different opinions were shared with regard to the way forward. Suggestions included a revision of the land policy in Tanzania and an increase in the citizens', and especially women's participation in land management. Overall, participants emphasised the need for all stakeholders to be engaged in all the levels of the development and decision-making processes related to land use plans. Related information should therefore be accessible and comprehensible for all.

• In addition, the stakeholders present at the conference encouraged a reflection around the relationship between human beings and wildlife and as well as on the effects of the contemporary ecological and economic changes. Furthermore, it was proposed to undertake a review of compensation rates when losses related to human-wildlife interactions occur. Participants agreed on the need to create more awareness among communities on their rights and duties in the conservation cycle and on the mechanisms in place to provide remedy in case of human rights violations. Stakeholders advocated for an overall simplification of communication mechanisms between communities and conservation authorities in order to ease information sharing and the participation of communities in decision-making processes.

WAY FORWARD:

- The case studies published each year in the "Voices from Tanzania" series should be widely disseminated to the relevant stakeholders to allow the effective implementation of the recommendations made by the researchers. This dissemination should include a round table or face-to-face discussions to ensure a good understanding of the issues raised and the recommendations made in the research reports.

- CSOs and CHRAGG should expand their spheres of capacity building and awareness raising on issues related to BH&R such as labour, land and environment and local content.

- Participants recommended a continuous advocacy on legislative reforms related to Business and Human Rights in Tanzania, particularly on the aspects of land and compensations.

- Information related to Business and Human Rights should be shared in a simplified manner with different stakeholders in order to ease the general understanding and scrutiny.

- Participants also recommended to organise more annual conferences/meetings, preferably multi-day events, to share knowledge and experiences on Business and Human Rights.