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**Land Related Conflicts Among the Communities Adjacent to Mine Areas in Tanzania: Focus on Buzwagi Gold Mine in Kahama District.**

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**ABSTRACT**

This study examined the relationships between gold mining and land conflicts in Kahama District. Specifically, it aimed at identifying the challenges experienced by the communities in the implementation of mining and land laws and policies with regards to mining and land related conflicts. The study employed a case study design in which, both qualitative and quantitative methods of data collection used. A total of 398 respondents were involved in the study. Data were collected using questionnaires, interview as well as personal observations. Descriptive statistics and content analysis were used to describe the results. The findings revealed some of the problems affected the local communities have been also associated with involuntary relocation which has led to the risks of homelessness, food insecurity, loss of access to public services communities and social breakdown in Kahama District especially the adjacent local communities to the BGM. Other challenges that experienced by the communities are loss of farmland, establishment of unplanned settlements, employment levels, lack of coordination, movement of people and compliance to national rules and regulations by the mining companies. Among others, the study recommends that regulations should be made to enable the companies' incomes are used for corporate social responsibility including building roads, schools, health services, safe water and electricity supply. Equity regulations should be formulated so as to support the small scale and artisanal who belong to former (taken land) by the larger-scale miners so as to avoid the outbreak of conflicts.

**Keywords:** *Land Conflict; Mining; local communities; land laws and policies*

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**Introduction**

Globally, in the 1990s, the global mining industry experienced unprecedented expansion, establishing a presence in countries with no prior history of commercial mining, particularly in the global South. According to Keenan, Echave and Traynor [1] the boom has imposed high environmental and social costs on communities in the global South. In some cases, mining threatens the very survival of local subsistence economies. Consequently, conflict between mining companies and communities has grown in parallel with the industry. This poses enormous challenges for communities, who often lack the skills and tools that are needed to address conflict adequately and constructively.

In Latin America, to some extent mining and land related conflicts have been reported in some countries. According to Sandt [2] Guatemala provides such a case where by indigenous communities have been affected by mining projects. Such conflicts have been due to the demand of land titles and communal tenure, indigenous collective land rights and illegality of land acquisitions by the mining projects. Not only that, those conflicts have been happening due to mining projects but also due to land-agricultural factors. Deininger [3] explained that in 1879, communal lands were *de facto* expropriated by a law giving proprietors three months to register land titles, after which the land would be declared abandoned. Most of the “abandoned” land was then allocated to large coffee growers. Although there were attempts at redistribution in the early 1950s, these were stopped and reversed following a military coup in 1954. Since then, struggle over land has continued, leading to violent conflict time and again.

Moreover, Adario et al. [4] pointed out that as global demand for resources rises, extractive companies are increasingly pushing their operations' frontiers into new, more remote areas. The expansion of mining activities in and around areas of indigenous, community-held or contested land has given rise to many grave conflicts. The environmental effects of mining are well-documented and violence against these opposing projects is increasing, for example in Mexico and Central America. At least 150 killings have taken place in the context of struggles with mining and extractive projects. Many of these have taken place during protests. In Peru, for example, between 2002 and 2013 there were 46 extrajudicial killings of demonstrators at mining sites around the country.

In Africa, the existing land conflicts are associated with global land tenure structure. For instance, in West Africa the colonialists concentrated on agricultural export economies while in Central to South Africa, people were alienated of their land and placed into native reserves as labor reserves to the established settlers' farms, plantations and mines. The other category of land conflicts arises out of the areas where concessionary companies used the alienated land for resource plunder as exemplified in the mining complexes in Zambia, Zimbabwe and Zaire [5]. Not only the above-mentioned countries but also land has contributed to mistrust among many African countries such as in South Sudan.

Tanzania is a relatively new mining country. Therefore, various land related conflicts have been reported in different regions. These conflicts involve communities and mining companies, small- and large-scale miners, mining companies and the government, the Government and communities, mining companies and the environment. This is due to unclear

land and mining rights, and conceptual differences in how land and mining rights are perceived. “Presently, Tanzania is a significant producer of gold, diamonds and a variety of colored gemstones including tanzanite. Tanzania is Africa’s third leading gold producer, after Ghana and South Africa, with several major and junior companies producing and exploring for gold” [6]. Most of these companies are found in the North - Western Tanzania, South of Lake Victoria, in an area informally known as the Lake Victoria gold belt.

The establishment of the Buzwagi Gold Mine in Kahama District has created conflict between mining companies and the adjacent local communities especially those affected by the mining projects. Conflict has been frequent and at times has boiled over into violence. In Tanzania, communities lose their lands not only through takeovers but also through degradation. By trans-forming community lands into ‘hazardous’ lands, mining companies have been tactfully driving away communities from their lands [7]. Therefore, due to the deficient of the Government of Tanzania to implement and enforce mineral and land laws and policies properly among the main stakeholders, the researcher was inspired to examine the relationships between gold mining and land conflicts in Kahama District by assessing the existing gaps in mineral and land laws and policies management.

## **Material and methods**

### ***Study area and Target population***

The study was conducted in Kahama district which is one of the eight districts of the Shinyanga Region of Tanzania. It is bordered to the west by the Bukombe district, to the south by the Tabora region, to the north by the Mwanza region, and to the east by the Shinyanga rural and Shinyanga urban districts. Therefore, this study was conducted in the following four (4) wards; Kahama mjini, Mhongolo, Malunga and Mwendakulima with a target population of 100,000 inhabitants according to 2012 Tanzania national census.

### ***Sampling Procedure***

The study involved both probability sampling and non- probability sampling techniques. Both two techniques were used to select the appropriate respondents to be dealt with under this study for quick data collection and in order to satisfy the research objectives in Kahama District. Therefore, the number of respondents to be interviewed from the group of large-scale miners, small-scale miners, government officers and NGOs leaders were obtained through the use of non- probability sampling approach in order to satisfy the study (purposive sampling) whereby the number of respondents to be interviewed from the group of pastoralists, farmers and both men and women were obtained (picked) through the use of probability sampling especially through stratified random sampling.

### ***Sample Size***

The sample size was obtained through the use of the Solven’s formula from the population of the four wards of Kahama mjini, Mhongolo, Malunga and Mwendakulima which was estimated to 100,000 inhabitants.

Formula;  $n = \frac{N}{1 + N(e^2)}$ ; where, n=Sample size, N=Total population, and e=Degree of error for research (0.05).

Therefore;  $n = \frac{100,000}{1 + 100,000(0.05)^2}$

$$n = 100000/251$$

$$n = 398.4063745\dots$$

$$n = 398.$$

### ***Data collection instruments***

Data was collected using the following techniques; questionnaire, interview, focused group discussion (FGDs) and observation approaches.

### ***Data Analysis***

In this study both quantitative and qualitative analytical procedures were used to analyze data. The specific analytical procedures for quantitative data analysis constituted statistical measures namely frequencies and percentage distributions. Computations of scores on questionnaire responses answering the study objective were done using IBM SPSS Statistics (Version 20). The presentation of data was made using tables. While for qualitative data analysis, thematic analysis was employed to supplement findings derived from quantitative data.

## ***Results and discussions***

The data was analyzed according to the objective of the study which was: To identify the challenges experienced by the communities in the implementation of mining and land laws and policies with regards to mining and land related conflicts.

### **The challenges experienced by the communities**

This section presents finding on the objective of the study. It starts with quantitative findings from questionnaire and ends with qualitative findings from interviews and FGDs.

**Table 1: Response on the challenges experienced by the communities in the implementation of mining and land laws and policies with regard to mining and land related conflicts**

The challenges experienced by the communities	SA	A	N	D	SD
Home displacement of people, land relocation, unfair compensation and land eviction.	60%	30%	2%	5%	3%
Inadequate Social Corporate Responsibility of mining companies.	55%	40%	1%	3%	1%
Poor planning and coordination at the national level.	54%	36%	3%	5%	2%
Misconception among local people with regard to both land ownership and legal rights over mining.	30%	65%	1%	2%	2%
The increase of illegal mining and environmental damage.	25%	70%	3%	1%	1%
<b>Response's average in percentage (Mean)</b>	44.8%	48.2%	2%	3.2%	1.8%

Key; response-SA=Strongly Agree, A=Agree, N=Neutral, D=Disagree and SD=Strongly Disagree

Source: Field data, (2019).

### Home displacement of people, land relocation, unfair compensation and land eviction

The study findings from table 11 shows that 60% of the respondents strongly agreed and 30% of the respondents agreed, while 2% were not sure (neutral), 5% disagreed, and 3% strongly disagreed. This implies that 90% of the respondents agreed that home displacement of people, land relocation, unfair compensation and land eviction are the main challenges faced by the Government of Tanzania in the implementation of mining and land laws and policies with regard to mining and land related conflicts.

Moreover, some of the interviewed respondents on the issue of the challenges experienced by the communities in the implementation of mining and land laws and policies with regard to mining and land related conflicts agreed that they have been experienced by the displacement of local communities and through unfairly compensation. One of the respondents who interviewed said that;

*"...the land that left by my grandfather and grandmother has been taken by the mining companies for mining projects, and my family left with no enough land for farming and other activities like livestock keeping, poultry keeping and others, yet my family has not been paid anything..."*

Therefore, the above quote complement with the background of the study that in a number of cases, the poor local communities have been forced off their land by mining projects, local communities are least empowered in demanding fair compensation. In some areas mineral officials have forced small scale miners to accept and sign value agreements with large-scale miners thereby losing their properties by being bought off by mining companies many of them at very low prices.

### Inadequate Social Corporate Responsibility of mining companies

The study findings from table 1 shows that 55% of the respondents strongly agreed and 40% of the respondents agreed, 1% of the respondents were not sure (neutral), 3% of the respondents disagreed while 1% of the respondents strongly disagreed. The results imply that 95% agreed that inadequate social corporate responsibility of mining companies is one of the challenges experienced by communities in the implementation of mining and land laws and policies with regard to mining and land related conflicts.

In addition to the above, some of the findings from the key informants and other interviewed respondents revealed that *"the BGM planning processes was found not participatory with the targeted communities or beneficiaries. As a result, some community members were completely not aware of what BGM was doing in the area. The community seemed not participating to its activities as BGM was implementing activities which appeared not on the top priorities of the community hence, the implication of the importance of participatory approach. For example, almost every visited village were in high demands of water and health services which in most cases were located very far to the community. However, with respect to the discussions with BGM informants, BGM also complained against the acknowledged community's negative perception for what BGM was doing for the community"*.

Therefore, it can be concluded that communities adjacent to the BGM have been suffering from the absence of adequately social services including safety water supply, healthy services, education services, electricity connection and transportation networks especially poor roads that has no better services in most villages surrounding the BGM.

#### **Poor planning and coordination at the national level**

The study findings from table 1 show that 54% of the respondents strongly agreed and 36% of the respondents agreed that lack of proper land planning and coordination at national level has been one of the challenges experienced by the local communities in Kahama District. However, 3% of the respondents were not sure (neutral) about poor planning and coordination at the national level, 5% of the respondents disagreed while 2% of the respondents strongly disagreed about poor planning and coordination at the national level as one of the challenges experienced by the communities. Therefore, these results imply that most of the respondents strongly agreed that poor planning and coordination at the national level has been one of the challenges experienced by communities in the implementation of mining and land laws and policies with regard to mining and land related conflicts in Kahama District. Moreover, the results indicate that few of the respondents disagreed and others strongly disagreed that poor planning and coordination at the national level has not been one of the challenges experienced by communities in Kahama District.

In addition to the above, concerning poor planning and coordination at the national level, one of the key informants during the discussion in one of the Mwendakulima ward villages said that “...most of the areas near to gold mines in our District have not been planned well and it is because of the lack of proper coordination, connection and communication from the national level to regional level, district level up to the villages level (communities level)...”  
*Also, due to capacity problems, this coordination has been insufficient in the mining sector and has resulted in many conflicts, particularly related to land.*

Therefore, from these findings it can be concluded that little has been done to the side of the communities in the implementation of mining and land laws and policies in order to avoid the related conflicts that might occur among different stakeholders.

#### **Misconception among local people with regard to both land ownership and legal rights over mining**

The study findings from table 1 shows that 30% of the respondents strongly agreed and 65% of the respondents agreed that misconception among local people with regard to both land ownership and legal rights over mining is one of the challenges most people experienced in Kahama District. 1% of the respondents were not sure (neutral) whether misconception among local people with regard to both land ownership and legal rights over mining is one of the challenges they experienced. 2% of the respondents disagreed while 2% of the respondents strongly disagreed that misconception among local people with regard to both land ownership and legal rights over mining is not one of the challenges they experienced in the implementation of mining and land laws and policies with regard to mining and land related conflicts.

However, the key informants who interviewed in some villages found in Kahama District said that;  
*“Procedures for acquiring land titles are found to be very cumbersome, costly, and very inconsistent and marred by corruption. Also, lack of knowledge and awareness about land rights and the appropriate legal procedures of acquiring land titles are the main barriers facing most of us.”*

Generally, from the study findings it can be concluded that most of the respondents agreed that misconception among local people with regard to both land ownership and legal rights over mining is the challenges experienced by the communities in Kahama.

This has been due to the fact that many people from villages that surround BGM they do not understand more about the procedures and processes on how to own land, ownership of mines and how to get the mining legal rights especially mining licenses and the boundaries of mining licenses. In many cases, the small-scale miners have been the most vulnerable since majority of them are the youths with no permanent employments.

#### **The increase of illegal mining and environmental damage**

The study findings from table 1 show that 25% of the respondents strongly agreed, 70% of the respondents agreed, 3% were not sure (neutral), 1% of the respondents disagreed, and 1% of the respondents strongly disagreed. This implies that most of the respondents agreed that the increase of illegal mining and environmental damage are the challenges experienced by the communities in the implementation of mining and land laws and policies with regard to mining and land related conflicts.

However, the findings from the key informants from some of the villages revealed that “BGM activities are highly detrimental to the environment especially in villages adjacent to BGM. Even some of the BGM staffs admitted that it had

*been difficult to control environmental problems resulting from blasting which cause noise pollution, dust pollution, vibrations, cracks of houses and others".* These problems were reported to be the causative agents of various diseases related to respiratory like TB, and skin rash diseases.

Therefore, it can be generally concluded that failure on the parts of both the government and mining companies to communicate with affected communities and fairly to compensate affected communities is likely to lead to greater social instability, including increased illegal mining and environmental damage.

### **Other challenges experienced by the communities**

During the study survey in different villages adjacent to Gold Mines in Kahama District, some of the challenges experienced by the communities were mentioned by some of the respondents. These include;

**Loss of farmland;** expansion of mining activities in farmland increases environmental destruction risks especially in areas that are already vulnerable even before the starting of mining operations in Kahama District. The local communities in these regions are largely dependent on crop and livestock production for their livelihoods. The long-term implications include accelerated food insecurity, generation of a landless class, increased poverty and rapid environmental degradation (Respondent's field data).

**Establishment of unplanned settlements;** many mining projects are relatively short-lived. Thus, it is no accident that "ghost towns" are a common problem associated with mining sites. Even where a mine proves profitable over decades, rather than years, the profits of mining tend to be deployed in opening up new prospects, rather than consolidating existing ones (Respondent's field data).

**Employment levels;** when claim holders enter into agreements with large-scale miners, they are restricted to a few development activities within the holdings. In many cases such restrictions have affected negatively the employment of members of the village communities in mining areas (Respondent's field data).

**Lack of coordination;** almost all mining proponents indicate a commitment towards social and economic development for the surrounding communities. Sometimes a budget is provided in the report. However, little is known about whether these commitments are fulfilled. This is partly because there is no proper follow up by the relevant authorities due to low capacity and lack of mechanisms to force them to abide by their commitments. Dealing directly with local communities is difficult as there is no proper institutional set up this creates high transaction costs for investors and may deter them from helping the local communities. Often investors have used local NGOs where they exist to try to channel investors' support to the local communities. Where these NGOs are not in place investors are reluctant to provide money direct to the local authorities for reasons that include low capacity and corruption.

**Movement of people;** movement of people into mining areas is another area of concern. Mining projects are also accompanied by social problems such as prostitution and sexually transmitted diseases (STDs) have tended to increase following the intensification of mining activities. The risk of incidence has been high in mining communities adjacent to the BGM (Respondent's field data).

**Compliance to national rules and regulations;** most of the large-scale mining companies comply with national rules and regulations of the mining sector but they are reluctant to go beyond compliance because this is not a legal binding requirement. The mining companies argue that they pay all the required taxes and royalties to the government and therefore it is the government's responsibility to return some of the mining revenues back to the local communities for development. Thus, little is done to help the surrounding communities despite the fact that they are the most impacted by the mining activities (Respondent's field data).

### **Conclusion and recommendations**

Based on the study findings the study concluded that some of the problems affecting the local communities have been also associated with involuntary relocation which has led to the risks of homelessness, food insecurity, loss of access to public services communities and social breakdown in Kahama District especially the adjacent local communities to the BGM. Other challenges that experienced by the communities are loss of farmland, establishment of unplanned settlements, employment levels, lack of coordination, movement of people and compliance to national rules and regulations by the mining companies. Therefore, indigenous people have been particularly vulnerable due to their strong cultural and spiritual connections with the land on which they live. Also, the study findings revealed that land administration and state land management are the widespread problems that lead to a high number of land conflicts. This show how there is deficient and no transparent legal and regulatory framework for land issues.

Moreover, the study recommends that gold mining and land related conflicts should be resolved and not settled; establishment of the early warning system in gold mining areas and adjacent communities (this should be done by the conflict resolution experts and peace builders); creation of the mining and land special tribunals and courts; emphasize to land planning and classification; adjacent communities to gold mines should not directly depends only on the mining sector for their livelihoods instead of establishing other alternative sector such as agriculture – farming, trading, petty business, casual labor, livestock keeping and poultry; the government’s collected revenues have to be equally distributed among the national wise and the local communities adjacent to the gold mining companies. Regulations should be made to enable the companies’ incomes are used for corporate social responsibility including building roads, schools, health services, safe water and electricity supply. Equity regulations should be formulated so as to support the small scale and artisanal who belong to former (taken land) by the larger-scale miners so as to avoid the outbreak of conflicts.

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