

Modes of Dispossession of Indigenous Lands and Territories in Africa

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I. Background and context³

The 2003 Report of Working Group on Indigenous Populations/Communities (WGIP) of the African Commission on Human and Peoples' Rights (ACHPR) recognized the existence of multiple indigenous peoples in Africa primarily consisting of pastoralists (e.g., Pokot, Maasai, Barbaig, Karamajong, Samburu, Turkana, Afar, Borana, Tuareg, and Fulani) and hunter-gatherers (e.g., Batwa, Hadzabe, Ogiek and San). These peoples require access to land and water resources in their ancestral territories to pursue their legally protected ways of life per the 2007 UN Declaration on the Rights of Indigenous Peoples (UNDRIP). However, powerful transnational corporations and conservation organizations—both typically aligned with local political and economic elites—were already identified in the 2003 WGIP report as a threat to indigenous lands, resources and livelihoods:

Dispossession of land and natural resources is a major human rights problem for indigenous peoples. They have in so many cases been pushed out of their traditional areas to give way for the economic interests of other more dominant groups and to large scale development initiatives that tend to destroy their lives and cultures rather than improve their situation. Establishment of protected areas and national parks have impoverished indigenous pastoralist and hunter-gatherer communities, made them vulnerable and unable to cope with environmental uncertainty and in many cases even displaced them. Large-scale extraction of natural resources such as logging, mining, dam construction, oil drilling and pipeline construction have had very negative impacts on the livelihoods of indigenous pastoralist and hunter-gatherer communities in Africa. So has the widespread expansion of areas under crop production. They have all resulted in loss of access to fundamental natural resources that are critical for the survival of both pastoral and hunter-gatherer communities

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such as grazing areas, permanent water sources and forest products. This is a serious violation of the African Charter (*Article 21,1* and *21,2*) which states clearly that every peoples [*sic*] have the right to natural resources, wealth and property... the right to existence (*Article 20,1*)... [and] the right to their economic, social and cultural development with due regard to their freedom and identity and in the equal enjoyment of the common heritage of mankind.⁴

The past two decades, however, have seen a documented increase in violence, illegal evictions, and human rights violations against indigenous peoples occurring in tandem with increased appropriation of their traditional lands, water and other natural resources.⁵ While much media attention has accrued to the somewhat controversially labeled “land-grabbing” phenomenon in the Global South generated by (i) agribusiness interests, indigenous peoples in Africa are additionally suffering widespread dispossession of their land and resources from (ii) conservation initiatives, (iii) extractive industries, (iv) infrastructure projects, and (v) increased competition with cultivators over ever-shrinking land resources. One could also speak to a potential sixth mode of dispossession stemming from increasing numbers of internally displaced peoples (IDCs) across the continent. This affects indigenous communities in two ways: first, when their territories suffer an influx of IDCs fleeing conflict elsewhere (as is currently happening in Gambella Region, Ethiopia, where indigenous Anuak pastoralist communities are having to accommodate Nuer pastoralists from South Sudan); and secondly, when following evictions indigenous peoples meet with rejection, violence and abuse in their search for new places to call home (such as the Barbaig community who were evicted from their ancestral homeland surrounding Mount Hanan’g in Tanzania in the 1980s and who have suffered continuing rounds of eviction from the places where they have tried to resettle ever since). However, for the purposes of this paper, we will restrict ourselves to the five modes of dispossession listed above.

⁴ Report of the Working Group on Indigenous Populations/Communities (WGIP) of the African Commission on Human and Peoples’ Rights (ACHPR), p. 11. Available at <http://www.achpr.org/mechanisms/indigenous-populations/report-working-group/>. (Accessed January 13, 2018)

⁵ Albert Kwokwo Barume, *Land Rights of Indigenous Peoples in Africa* (Copenhagen: IWGIA Document 115, 2010); Ridwan Laher and Korir Sing’Oei (eds) *Indigenous People in Africa: Contestations, Empowerment and Group Rights* (Pretoria: African Institute of South Africa, 2012); Andy Whitmore (ed) *Pitfalls and Pipelines: Indigenous Peoples and Extractive Industries* (Baguio City, Philippines: Tebtebba Foundation, 2012).

This paper has two aims: (1) to describe and analyze the five identified modes of land and resources dispossession experienced by indigenous African communities; and (2) to propose collaborative initiatives involving the three UN mechanisms that serve to sensitize governments, as well as UN agencies and other funding agencies including the World Bank, about how these modes of land and resource alienation negate gains made in the implementation of the UNDRIP. In an earlier presentation to this body, Laltaika called for the establishment of a robust oversight body to bolster the implementation of the UN Declaration.⁶ The need for such oversight and collaboration of UN mechanisms in the face of the above identified trends has never been more acute and urgent.

II. Agribusiness: The Most Prominent Mode of Dispossession

Indigenous peoples' land dispossession resulting from agribusiness in Africa has a long history. A towering example is well documented in the Tanzanian court case of *National Agricultural and Food Corporation v. Mulbadau Village Council*. In this case, indigenous Barbaig pastoralists in Hanan'g District, northern Tanzania, were evicted from their 10,000 acres of pastureland to make way for the National Agriculture and Food Corporation (NAFCO)—a now defunct Tanzanian government-owned corporation—to cultivate wheat with financial support from the Government of Canada. Commenting on the court's remedy, Dr. Tenga indicates that pastoralists lost the case because "they could not prove allocation of the land by previous land authorities," and because "Barabaig pastoralists failed to show that they were natives of Tanzania (despite the public fact that Barabaig pastoralists are found nowhere else on earth, and in court some had to get a translator)."⁷ Despite taking place more than thirty years ago, the Barbaig communities are yet to recover from the negative effects caused by the evictions, including landlessness and poverty, as attested to by bloody conflicts involving them and crop growers in

⁶ Elifuraha I. Laltaika, "Proposing an Oversight Mechanism to Bolster Implementation of the United Nations Declaration on the Rights of Indigenous Peoples," presented to the Expert Group Meeting, Secretariat of the Permanent Forum on Indigenous Issues, Division for Social Policy and Development, Department of Economic and Social Affairs, United Nations, 27-29 January 2015. Accessed on January 12, 2018. Available at: <http://www.un.org/esa/socdev/unpfii/documents/EGM/2015/Experts-papers/Elifurah-Laltaika.pdf>

⁷ Ringo Tenga et al., *A Study on Options for Pastoralists to Secure Their Livelihoods in Tanzania: Current Policy, Legal and Economic Issues. Vol. 1: Main Report* (April 2008), pp. 55-56. Available at: https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwjbsWEIufYAhVLCKwKHWGzDxkQFggpMAA&url=https%3A%2F%2Fwww.tnrf.org%2Ffiles%2Ffiles%2FINFO-RLTF_VOL1_MAIN-REPORT_A_Study_on_options_for_pastoralism_to_secure_their_livelihoods_in_Ta

areas to which they were forced to relocate due to lack of appropriate court remedy, particularly restitution or allocation of alternative lands.⁸

Although the reason for the eviction was business-related, based on the fact that a government corporation cultivated wheat for sale in the face of an acute food shortage that was then prevailing, the eviction epitomizes earlier forms of land dispossession by which the government acquired community land for “public interest,” with the aim of implementing ostensibly broader national objectives (as opposed to leasing it to a private investor). This is partly because Tanzania was practicing a policy of “Socialism and Self-Reliance,” on the basis of which it nationalized foreign-owned private properties, hence becoming unattractive to Foreign Direct Investment (FDI).⁹ Instead, the country designated government corporations to conduct business. However, following a shift in 1985 onwards to a neo-liberal development policy that entails reduced role of the state in the market,¹⁰ a new wave of indigenous peoples’ land dispossession emerged: the government places community land under the control of privately owned business corporations in the guise of FDI, resulting in direct encounters between communities and transnational corporations (TNCs). The case of the Southern Agricultural Growth Corridor of Tanzania (SAGCOT), briefly described below, suffices to exemplify this point.

SAGCOT Introduced

Covering approximately one third of mainland Tanzania’s total land area, including all administrative regions, namely, Morogoro, Iringa, Mbeya, Ruvuma, Lindi and Mtwara regions, SAGCOT links the Dar es Salaam port to Malawi, Zambia and the Democratic Republic of Congo. While the idea behind SAGCOT was adopted during the World Economic Forum for Africa held

⁸ Norman Adamson Sigalla King, “Conflict Management among Pastoralists and Farmers in Tanzania,” *International SAMANM Journal of Business and Social Sciences* [Online], 1, no. 2 (2013): 40-50. Available at: https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwj5xKu3I-fYAhVBQ6wKHf3SCYYQFggpMAA&url=https%3A%2F%2Fwww.researchgate.net%2Fpublication%2F311934623_Conflict_Management_among_the_Farmers_and_Pastoralists_in_Tanzania&usg=AO [Accessed 15/09/2014]

⁹ See Carsten Thomas Ebenroth and Chris Maina Peter, “Protection of Investments in Tanzania: Some New Issues From Zanzibar,” *African Journal of International and Comparative Law* 8, no. 4 (1996): 842-870.

¹⁰ Joel M. Ngugi, (2005) “Policing Neo-Liberal Reforms: The Rule of Law as an Enabling and Restrictive Discourse,” *Journal of International Law* [Online] 26, no. 3 (2005): 513-597. Available at <http://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=1217&context=jil> [Accessed 11/08/2014]

in Dar es Salaam in 2010, it is part of the broader UN General Assembly's 2008 proposal for the "African Agricultural Growth Corridor."¹¹

Yara, a Norwegian fertilizer company, is credited with inventing the idea of an African Agricultural Growth Corridor and for championing its adoption through different levels of the decision-making chain. Thereafter, major international development actors, including the world's major economies (the G8 and G20), the World Economic Forum, the World Bank, and the Food and Agriculture Organization (FAO) supported it. Some of these partners have more recently created the Alliance for Food Security and Nutrition, an initiative that envisions working on the same idea of African agricultural growth corridors.

At the domestic level, SAGCOT fits well with the *Kilimo Kwanza* policy ("Agriculture First"), with the former being the vehicle for implementing the latter. Embodying holistic policy instruments aimed at addressing challenges that stand between the need to commercialize and modernize agriculture, *Kilimo Kwanza* is an ambitious national commitment to bringing about agricultural transformation, which was formed by the Tanzania National Business Council (TNBC). Involvement of the TNBC—comprising of appointees of the president, twenty from the private sector and twenty from the public sector—was based on recognition of the crucial importance of the private sector, termed "engine of growth," in boosting the country's agriculture.

In addition to the government's excitement to institute a smooth policy environment, the potential for SAGCOT to implement *Kilimo Kwanza* is seen through the prism of fertile lands, abundant water for irrigation and reliable rainfall, coupled with good infrastructure including roads and rails that are undoubtedly attractive to foreign investors. According to the SAGCOT Investment blueprint, the aim is to invest \$ 2.1 billion over a twenty-year period for the purpose of tripling the area's agricultural input. In this connection, while commercial farmers mainly for sugarcane and tea production currently farm only 110,000 hectares, SAGCOT expects to raise the number to 350,000 ha., insisting that much of it will be farmed by small-scale farmers.

¹¹ Helena Paul and Ricarda Steinbrecher, "African Agricultural Growth Corridors and the New Alliance for Food Security and Nutrition: Who Benefits, Who Loses?" Econexus Report (June 2013). Available at: http://www.inter-reseaux.org/IMG/pdf/African_Agricultural_Growth_Corridors_New_Alliance_-_EcoNexus_June_2013.pdf

Impacts of SAGCOT on Indigenous Peoples

In their article “Challenges and Methodological Flows in Reporting the Global Land Rush: Observations from Tanzania,” Martina Locher and Emmanuel Sulle outline difficulties encountered by researchers in the quest to get accurate and reliable data on land deals in Tanzania, which includes failure on the part of researchers to take into account the stage of a project.¹² In this, they argue correctly that “when it comes to implications on land deals, there is a significant difference between a land deal that was merely announced and withdrawn before any action on the ground was taken, and an investment project that has been partly or fully realized.”¹³

While the authors’ assertions apply correctly to the SAGCOT (in which only a small area of the intended land has already been fully developed), the distinctive lifestyles of indigenous peoples, and their incompatibility with proposals put forward for SAGCOT implementation, starkly reveal that indigenous peoples start to become losers in the land deals even during the mere planning stage, as they are seen as unworthy of collaborating with the proposed investors by, for example, becoming out-growers.

It is along these lines that while acknowledging that pastoralism is better suited to local conditions if left uninterrupted by outside forces, Helena Paul and Ricarda Steinbrecher warn that pressure on it due to misconception about it will increase. The authors summarize thus: “Current patterns of land use often completely misunderstood may cease to be applicable across wide areas. This would threaten to eliminate the livelihoods of communities that would not want to collaborate with this externally imposed re-ordering.”¹⁴ More importantly, characterization of potential investment areas as constituting lands that are “empty,” “underused,” “idle” or “degraded” makes it evident that the idea behind African Agricultural Growth Corridor from the inception perpetuates common narratives that have been used repeatedly to dispossess indigenous peoples of their ancestral land. Accordingly, pastoralists who use land sparingly have grounds for worrying about SAGCOT implementation.

This has been borne out already in the case of the US\$35 million Kilombero Plantation Ltd. (KPL) rice cultivation initiative within the SAGCOT area. Launched in 2010 as a public-

¹² Martina Locher and Emmanuel Sulle, “Challenges and Methodological Flows in Reporting the Global Land Rush: Observations from Tanzania,” *Journal of Peasant Studies* 41, no. 4 (2014): 569-592.

¹³ *Ibid.*, p.574.

¹⁴ Paul and Steinbrecher, *op. cit.*

private partnership between the Rufiji Basin Development Authority and Agrica, a UK-based agricultural investment company, it encompasses 5,818 hectares and has been the site of large-scale evictions of both pastoralists and small-scale farmers.¹⁵ Another SAGCOT venture, the US\$500 million Bagamoyo EcoEnergy (BEE) biofuel (sugarcane) project involving a Swedish company Agro EcoEnergy and the Tanzanian government, has also seen widespread evictions. Spanning 24,000 hectares of a failed state-owned cattle ranch, the site is home to pastoralists, many of whom are Barbaig who were previously evicted in the 1980s from their homeland of Mount Hanan’g for the previously mentioned Canadian wheat-growing scheme. While BEE acknowledges that people who have been utilizing the land since the closure of the RUZABA ranch in 1994 will have to be involuntarily resettled, and admits to Barbaig and other pastoralists as being among them, they insist that many of these people are ‘invaders’ because the land remained general land and they thus are not entitled to compensation. Moreover, they state that “The ‘involuntary’ resettlement process, occurs all over the world and the choice is never ‘*whether they resettle or not,*’ but their active participation in ‘how’ they resettle”; and that “‘Involuntary’ Land Acquisition is a global reality, not pertaining to Africa, Tanzania or the BEE project alone!”¹⁶

III. Conservation: The Second, and Most Widespread, Mode of Dispossession

While agribusiness has received the bulk of media attention in reports on land-grabbing in Africa and the Global South more generally, conservation goes unrecognized as likely the greatest source of land alienation in the territories of indigenous peoples. Indigenous peoples are known for their careful stewardship of land, water and other natural resources (e.g., forests, animal populations), hence when the Global North seeks more forest cover (for climate change mitigation and carbon emissions offset) or pristine landscapes (for tourism) that it cannot produce in its own territories due to property rights protections, or because all land is already serving residential, commercial, or other purposes, undue pressure arises on the Global South to compensate with their land resources.

¹⁵ Faustin Maganga, Kelly Askew, Rie Odgaard and Howard Stein, “Dispossession through Formalization: Tanzania and the G8 Land Agenda in Africa,” *Asian Journal of African Studies* 40 (August 2016): 3-49.

¹⁶ Bagamoyo EcoEnergy Ltd. (BEE) “Land Grabbing Definition Perpetuated in the BEE Project,” 31 March 2015.

Available at:

[http://www.ecoenergy.co.tz/news/details/?tx_news_pi1\[news\]=13&tx_news_pi1\[controller\]=News&tx_news_pi1\[action\]=detail&cHash=eab3af2bffc470d6c9e61816c5e9eb1d](http://www.ecoenergy.co.tz/news/details/?tx_news_pi1[news]=13&tx_news_pi1[controller]=News&tx_news_pi1[action]=detail&cHash=eab3af2bffc470d6c9e61816c5e9eb1d)

So, for instance, while the 1992 Convention on Biological Diversity proposed a target of 10% of every biome to be protected, this “targeted approach” has expanded in interpretation to be 10% of every country’s surface area.¹⁷ Tanzania is a nation where the amount of territory under protected status has greatly exceeded this (Fig. 1). It is also a country with significant indigenous populations, which include Maasai and Barbaig pastoralists, and Hadzabe, Sandawe and Akiye hunter-gatherer communities.

Year	Terrestrial areas protected to total surface area, percentage	Source
2014	40%	5th National Report on the Implementation of the Convention on Biological Diversity ¹⁸
2014	32.02%	UNdata.org ¹⁹
2000	28.29%	UNdata.org
1990	27.01%	UNdata.org

Figure 1. Terrestrial areas protected to total surface area, percentage, United Republic of Tanzania

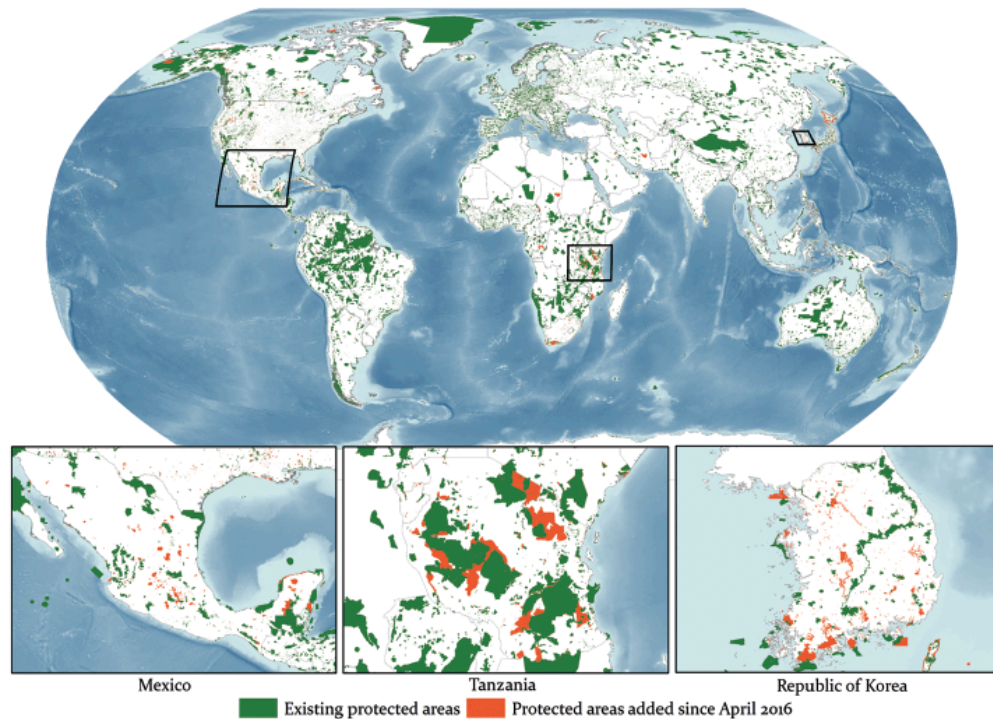
Tanzania, moreover, was one of three countries highlighted in a December 2016 UNEP report documenting substantial increase in protected land within a six-month period of April-December 2016, with an increase of an additional 6.3% of Tanzania’s total territory.

¹⁷ Kathleen Mogelgaard, “How Much Land Should Be Protected for Biodiversity?” Population Reference Bureau (June 2006). Accessed on January 15, 2018. Available at: <http://www.prb.org/Publications/Articles/2006/HowMuchLandShouldBeProtectedforBiodiversity.aspx>

¹⁸ United Republic of Tanzania, *Fifth National Report on the Implementation of the Convention on Biological Diversity*, Vice President’s Office, Division of the Environment (March 2014). Accessed January 15, 2018. Available at: <https://www.cbd.int/doc/world/tz/tz-nr-05-en.pdf>

¹⁹ UN Data, “Terrestrial areas protected to total surface area, percentage.” Accessed January 15, 2018. Available at: <http://data.un.org/Data.aspx?q=terrestrial+areas+protected+to+total+surface+area&d=MDG&f=seriesRowID%3a784>

As of December 2016, 14.8 % of the terrestrial and inland water areas are covered by protected areas. This is an increase of 0.1% (equivalent to 160,000 km²) since April 2016. Some of the most notable increases in the national coverage of the protected area network have been in Tanzania (6.3% increase), the Republic of Korea (3.6% increase) and Mexico (2.0% increase) (Figure 1).



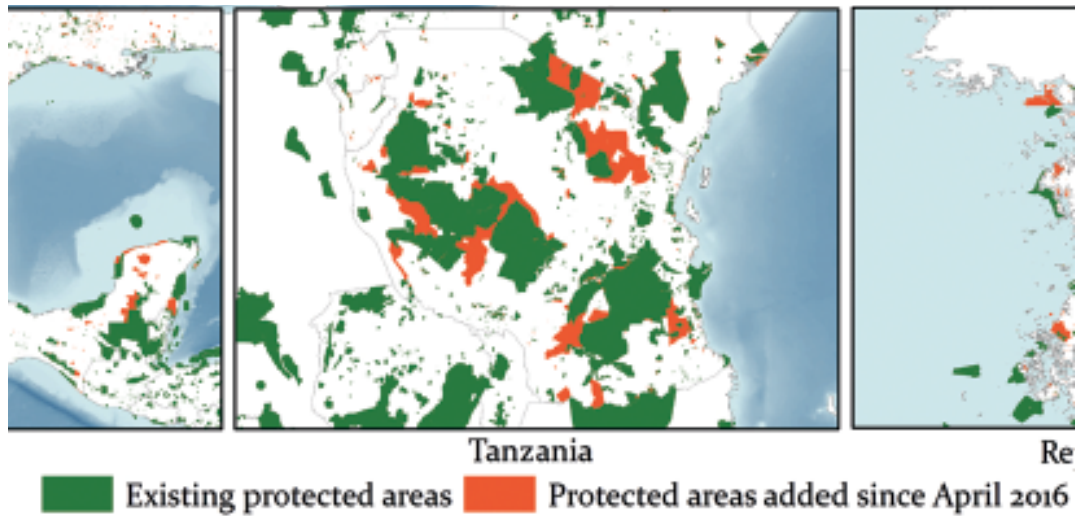
The boundaries and names shown and the designations used on this map do not imply endorsement or acceptance by the United Nations.

Figure 1: Terrestrial protected area coverage. Sites added since April 2016 in red.

Source: *World Database on Protected Areas: Update on Global Statistics, December 2016*²⁰

Close examination of the above image reveals that the increase in reserve land in Tanzania—unlike the two other cases of Mexico and South Korea—is occurring primarily through the mechanism of expanding the boundaries of existing protected areas. The following cropped image shows clearly the relationship between newly protected areas (shown in orange) and existing protected areas (shown in green).

²⁰ UNEP-WCMC and IUCN. *World Database on Protected Areas: Update on Global Statistics, December 2016* (Cambridge, UK and Gland, Switzerland, p.1). Accessed on January 15, 2018. Available at: <https://www.protectedplanet.net/c/protected-planet-report-2016/december-2016--global-update>



Source: UNEP-WCMC and IUCN (2016)

Similar patterns of escalating amounts of land being relegated to conservation purposes can be identified in other nations of Africa, South America and the Pacific that have significant populations of indigenous peoples and for which we have UN data spanning 1990-2014 (Fig. 2).

Country	% land protected (1990)	% land protected (2000)	% land protected (2014)	Indigenous Communities (select)
New Caledonia	6.06	6.78	54.25	Kanak
Venezuela	39.98	53.82	53.86	Manapiare, Autana, Yanomami
French Guiana	0.00	5.55	52.46	Lokono, Téleuyu, Pahikweneh, Teko
Greenland	40.84	40.84	41.16	Inuit
Namibia	11.61	14.87	37.86	San, Nama, Ovahimba, Ovazemba
Nicaragua	15.42	36.73	37.11	Chorotega, Cacaoopera, Ocanxiu, Náhuatl
Belize	26.04	35.20	36.66	Mayan
Congo	1.68	5.25	35.24	Bakola, Batwa, Babongo, Baaka, Mikayas
New Zealand	24.66	28.45	32.53	Maori
Tanzania	27.01	28.29	32.02	Maasai, Barabaig, Hadzabe, Akiye
Guatemala	25.93	29.50	31.77	Achi', Akateco, Chalchiteco, Ch'orti, Chuj
Peru	4.78	7.35	31.44	Quechua, Aymara, Asháninka
Botswana	17.90	29.13	29.15	San, Balala, Nama
Brazil	6.69	14.15	28.44	Yanomani, Terena, Waorani, Xavante, Kayapo
Costa Rica	19.88	24.74	27.44	Huetar, Maleku, Bribri, Cabécar, Brunca
Ecuador	22.04	25.40	25.75	Kichwa, Shuar, Tsáchila, Chachi, Epera, Awa
Equatorial Guinea	7.19	19.21	25.04	Beyele, Bokuign
Bolivia	8.76	18.77	24.83	Quechua, Aymara, Chiquitano, Guarani
Colombia	19.54	19.88	23.06	Muisca, Totoró, Yanacona, Amorúa, Kokama
Panama	18.16	18.97	20.57	Ngäbe, Buglé, Guna Emberá, Wounaan
Gabon	5.36	6.43	20.49	Baka
Ethiopia	17.72	17.72	18.40	Oromo, Majang, Afar, Anuak, Borana
Central African Rep.	17.65	17.90	18.09	Batwa, Mbororo, Baka
Kenya	11.44	11.75	12.37	Maasai, Turkana, Pokot, Ogiek, Enderois
Dem. Rep. Congo	10.11	10.18	12.08	Mbuti, Baaka, Batwa

Figure 2. Terrestrial areas protected to total surface area, percentage, in developing countries with significant indigenous populations (IWGIA,²¹ UN Data)

This documented expansion of protected areas in nations of the Global South is occurring not just at the behest of governments but also international conservation organizations that are often applying great pressure on governments to conserve more. These include organizations such as World Wildlife Fund, The Nature Conservancy, African Wildlife Foundation, World Vision, and Wildlife Conservation Society. This helps explain why—despite a target of 10% of national territory under protection—we have countries like Tanzania with no less than 40% of its total territory protected²² (and likely more, given the 2016 report cited above). It also sheds light on: Venezuela, French Guiana and New Caledonia, that all have over 50% of their total territory

²¹ *The Indigenous World 2017* (Copenhagen: The International Work Group for Indigenous Affairs, 2017). Available at: <https://www.iwgia.org/en/indigenous-world>; UN Data “Terrestrial Areas Protected to Total Surface Area, Percentage,” *op. cit.*

²² United Republic of Tanzania, *op. cit.*

protected; Namibia, Nicaragua, Belize, Republic of Congo, New Zealand, Guatemala and Peru with 30-40% of their total territories under protection, and Botswana, Brazil, Costa Rica, Ecuador, Bolivia, Colombia, Panama, Gabon, Ethiopia, and Central African Republic with 15-30% under protection. All of these countries have significant populations of indigenous peoples.²³

By comparison, data for the ten highest CO₂ emitting countries in the world reveal a rather different situation. Eight out of the ten have less than 20% of their land in protected status, the two exceptions being Germany and Saudi Arabia (Fig. 3).

CO2 emissions ranking	Country	% land protected (1990)	% land protected (2000)	% land protected (2014)
1	China	13.56	15.51	17.03
2	United States	13.7	13.83	13.88
3	India	4.71	5.05	5.35
4	Russian Federation	5.01	10.83	11.36
5	Japan	18.09	18.66	19.35
6	Germany	19.61	28.68	37.4
7	Iran (Islamic Rep)	5.57	5.99	7.26
8	Saudi Arabia	7.58	31.27	31.27
9	South Korea	5.14	5.2	7.6
10	Canada	5.77	7.08	9.38

Figure 3. Terrestrial areas protected to total surface area, percentage, highest CO₂ emitting countries (Global Carbon Atlas²⁴; UN Data)

Furthermore, among these nations the average percentages of change over the 14-year period are notably less as revealed by comparisons of developing countries aggregated together vs. high CO₂ emitters (Fig. 4), and then by developing region vs. high CO₂ emitting countries overall (Fig. 5).

²³ “Significance” is measured here by inclusion in the annual report on indigenous peoples issued by the International Work Group on Indigenous Affairs (IWGIA) in Copenhagen, Denmark. Not all countries in the IWGIA report, however, are included here.

²⁴ www.globalcarbonatlas.org

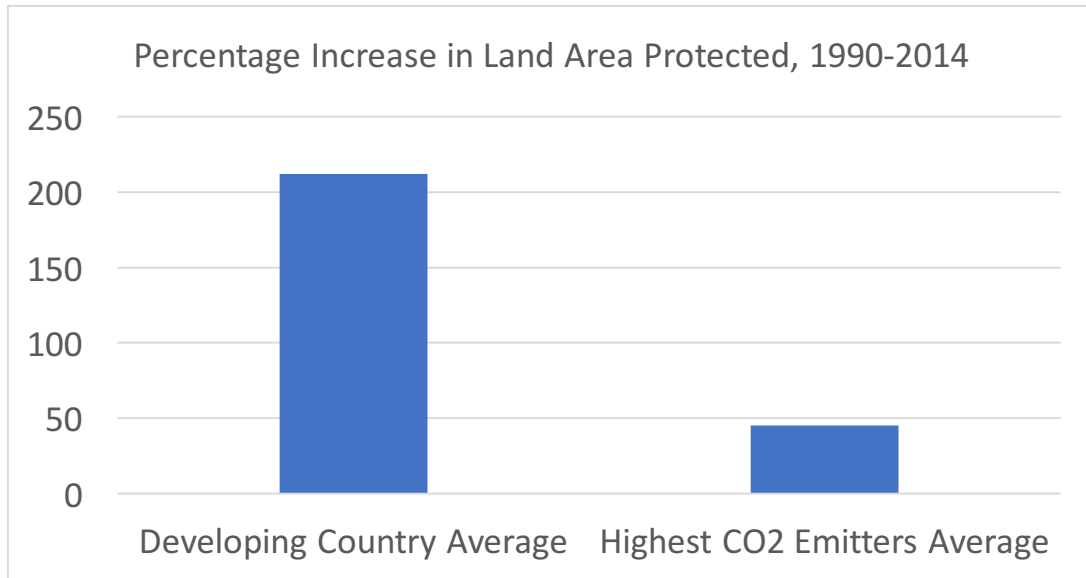


Figure 4. Percentage increase in land area protected, 1990-2014 (UN Data). Excludes Saudi Arabia.²⁵

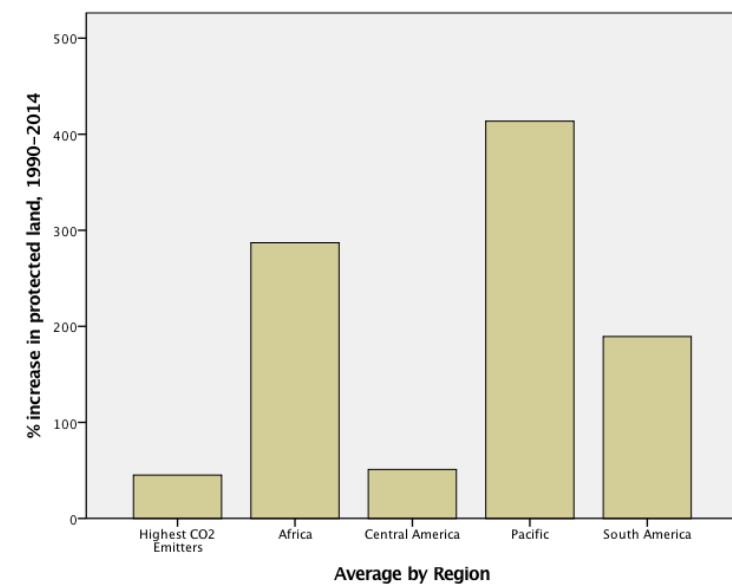


Figure 5. Percentage increase in land area protected by highest CO₂ emitting countries and by select indigenous regions, 1990-2014²⁶

In sum, analysis of UN data showing percentages of land under protected status globally reveals that regions with significant populations of indigenous peoples committed on average an additional 200-400% more land to conservation by 2014 than what had been protected in 1990 whereas the

²⁵ Excludes Saudi Arabia. Chart produced by Allen Hicken, Dept. of Political Science, University of Michigan.

²⁶ Chart produced by Kelly Askew and Josh Errickson, CSCAR, University of Michigan.

top ten CO₂ emitting countries (minus Saudi Arabia) committed on average only 50% more land in the same time period.²⁷

The connection between indigenous populations and indigenous modes of environmental protection has been well-documented.²⁸ Less recognized is that their good stewardship is often their undoing when international conservation interests pressure governments to identify more land to protect from human activities. The fact is that indigenous territories tend overwhelmingly to be havens of diverse flora and fauna, absent of deforestation, and rich in resources from timber and honey to minerals and rare species. Yet rather than be rewarded for protecting their territories while occupying them, they are frequently and increasingly evicted and persecuted due to prevailing insistence on “fortress conservation.”²⁹ A seemingly never-ending push for more land to be converted into pristine wilderness, absent of human activity except tourism or trophy hunting for privileged classes, consigns ever more populations of indigenous peoples to the literal as well as figurative sidelines of their former homelands.

Historical and recent events in Kenya and Tanzania bear this out. Under British colonial rule, Maasai and Samburu communities were disenfranchised from their pasture-rich homelands in Laikipia to make way for white settlers.³⁰ A county encompassing 9,694 sq. km., 40.3% of the land was divided into a mere 48 settler parcels that were assigned 99-year leases—parcels ranging in size from 7,000 to 100,000 acres. To make way for the settlers, Maasai were forcibly resettled in 1903 to a newly created Southern Masai Reserve—a destination that offered far inferior grazing land and water resources. Others were relocated to the Northern Masai Reserve in the most arid part of Laikipia. In 1912, the Maasai filed a lawsuit to regain their original land, but lost.³¹ After

²⁷ Saudi Arabia is ranked number 8 among top CO₂ emitting countries according to the Global Carbon Atlas but is excluded here because it committed vast parts of The Empty Quarter to protected status but this is not relevant for carbon offset or climate change mitigation by virtue of being a desert.

²⁸ Janis B. Alcorn, “Indigenous Peoples and Conservation,” *Conservation Biology* 7.2(June 1993): 424-426; Stan Stevens (ed), *Conservation through Cultural Survival: Indigenous Peoples and Protected Areas* (Washington, DC: Island Press, 1997).

²⁹ Dan D. Brockington, *Fortress Conservation: The Preservation of the Mkomazi Game Reserve* (Indiana University Press, 2002); Hanna Siurua, “Nature above People: Rolston and ‘Fortress’ Conservation in the South,” *Ethics & the Environment* 11.1(Spring 2006): 71-96.

³⁰ Jennifer Bond, “Conflict, Development and Security at the Agro-Pastoral-Wildlife Nexus: A Case of Laikipia County, Kenya,” *Journal of Development Studies* 50, no. 7 (2014): 991-1008; Lotte Hughes, *Moving the Maasai: A Colonial Misadventure* (Basingstoke: Palgrave MacMillan, 2006); Albert Kwokwo Barume, *Land Rights of Indigenous Peoples in Africa*, IWGIA Document 115 (Copenhagen: IWGIA, 2010), pp.86-91; and Ridwan Laher and Koriri Sing’Oei (eds), *Indigenous People in Africa: Contestations, Empowerment and Group Rights* (Pretoria: Africa Institute of South Africa, 2014), pp.1-23.

³¹ Hughes, *Moving the Maasai*, *op. cit.*

independence, some settlers stayed, some left and their colonial title deeds were assumed by others in the postcolonial order. Absentee landlordism became rampant since many owners valued their parcels only for use as collateral to support other investment activities.³² The lack of clarity over ownership encouraged Maasai and Samburu to re-occupy some of the underutilized and/or abandoned farms. The Eland Downs parcel encompassing 17,100 acres reverted *de facto* if not *de jure* to the local Samburu community, with thousands residing on it. Yet unbeknownst to them, the Eland Downs title deed had been assumed by former President Daniel arap Moi who sold it in 2008 to the Nature Conservancy and the African Wildlife Foundation for conservation purposes. Eviction proceedings ensued in 2010 affecting some 3000 Samburu families; their homes were burned down, their livestock confiscated, and violence ensued involving reports of rape, injuries and at least three deaths.³³ The Samburu launched a lawsuit in 2011 to regain their land. Presumably to avoid the negative press, the Nature Conservancy and African Wildlife Foundation quietly transferred the title to the Kenya Wildlife Service to establish a new Laikipia National Park. This case of what some scholars call “green-grabbing”—“the appropriation of land and resources for environmental ends”³⁴—remains tied up in court. Meanwhile the original 99-year leases have been expiring and hope grows among pastoralist communities that they might be able to reclaim some of their lost land. No such outcomes have emerged. Instead in 2017, following two years of failed rains and severe drought, desperate pastoralists started grazing their herds on parts of the private ranches. Swift condemnation followed of the “ranch invasions,” and pastoralists were cast in media reports as criminal bandits, or hired henchmen of local politicians, or mired in inter-tribal warfare and retaliation raids. Tensions remain high today and though some voices are calling for repossession and redistribution of the farms of absentee foreign owners, little action has been taken to find a peaceful and long-lasting solution to the gross inequities of Laikipia and histories of continual dispossession experienced by its indigenous peoples there.

A similar case concerns the ancestral homeland of Enderois pastoralists living around Lake Bogoria, Kenya. Part of their land, the Mochongoi Forest, was taken and gazetted as a protected

³² John Letai, “Land Deals in Kenya: The Genesis of Land Deals in Kenya and Its Implication on Pastoral Livelihoods: A Case Study of Laikipia District, 2011.” Available at: http://landportal.info/sites/default/files/land_deals_in_kenya-initial_report_for_laikipia_district2.pdf

³³ Clar Nichonghaile and David Smith, “Kenya’s Samburu People ‘Violently Evicted’ after US Charities Buy Land,” *The Guardian*, 14 December 2011.

³⁴ James Fairhead, Melissa Leach and Ian Scoones, “Green-Grabbing: A New Appropriation of Nature?” *Journal of Peasant Studies* 39.2(April 2012): 237-261.

forest reserve in 1973 despite a resident community of around 400 families.³⁵ The Enderois were evicted on the justification that the land was needed for tourism development. A lawsuit was filed in 1997 on behalf of the Endorois, and while they initially lost in 2000 in the Kenyan High Court, in a huge victory for indigenous peoples everywhere, they subsequently won at the African Human Rights Commission in 2010.³⁶ The judgement, however, has yet to be implemented.

The case of Loliondo, Tanzania, which abuts the Serengeti National Park, has drawn considerable global attention and support from indigenous and human rights organizations around the globe.



Source: Serge Marti, LifeMosaic. *Barisan Pemuda Adat Nusantara* (Indonesian Archipelago Indigenous Youth Front). Photo taken August 25, 2016.

Two different areas of Loliondo have been granted to foreigners accompanied by evictions of resident Maasai. In one case, 1,500 sq. km. was leased to Ortelo Business Corporation (OBC), a royal Arab hunting outfit beginning in 1992, and in the other 12,617 acres was leased in 2006 to an entity called Tanzanian Conservation Ltd., which was created for the purpose by the owners of a US-based safari operator named Thomson Safaris. Late in 2017, the government announced its intent to terminate the lease with OBC, but has since reconfigured the boundaries of the nine

³⁵ Barume, *op. cit.*, pp.100-105.

³⁶ Barume, *op. cit.*

registered Maasai villages within the contested area and reduced the villages' area considerably by expanding Serengeti. The lesser known and earlier case of the Mkomazi National Park, also in Tanzania, follows the same narrative arc: ancestral land of the Maasai was appropriated for the purpose of a Rhinoceros Reserve, now called Mkomazi National Park. The Maasai were evicted in 1988 and filed a lawsuit in 1994, but lost.³⁷

Conservation has been a primary, if not the primary mode of dispossession of indigenous land, water and other resources in Africa and more broadly. Countless other supporting cases could be drawn from southern Africa with cases involving San hunter-gatherers of Botswana and Namibia; from Uganda involving the Ik and Karamojong (among others); from Ethiopia concerning the Afar and Borana (among others). As one of the authors has noted elsewhere, “the legal principle is not consonant with faulty conservation practices—hinged on ignorance of indigenous peoples’ connection to nature—of exclusion where human beings are viewed as inherently destructive to the environment. Therefore, unless wildlife conservation laws and their attendant perceptions are changed, indigenous peoples’ right to self-determination will remain elusive.”³⁸

IV. Extractive Industries: A Third Mode of Dispossession

Considerable attention is now being trained on extractive industries as a mode of dispossession of indigenous resources. In his final (2013) report as Special Rapporteur on the Rights of Indigenous Peoples, James Anaya attributes the prevalence of the negative impacts of extractive industries on indigenous peoples’ lands and territories, including forced evictions, to the fact that a substantial amount of the remaining minerals and fossil fuels, which are on high demand globally, are found in indigenous peoples’ lands and territories.³⁹ In most African

³⁷ Tenga et al., *op. cit.* Also Sifuni Mchome, *Eviction and the Rights of People in Conservation Areas in Tanzania* (Dar-Es-Salaam: Faculty of Law, 2001).

³⁸ Elifuraha Laltaika, “Extractive Industries, Human Rights, and the Environment in Tanzania: A Framework for Legal, Policy and Institutional Reforms,” Doctor of Laws (S.J.D.) dissertation, University of Arizona, Tucson (2016), pp.232-233.

³⁹ James Anaya, *Report A/HRC/24/41: Extractive Industries and Indigenous Peoples. Report of the Special Rapporteur on the Rights of Indigenous Peoples*, (2013). Available at: <http://unsr.jamesanaya.org/study/report-a-hrc-24-41-extractive-industries-and-indigenous-peoples-report-of-the-special-rapporteur-on-the-rights-of-indigenous-peoples>. See also: Abigail Anongos, *Pitfalls and Pipelines: Indigenous Peoples and Extractive Industries* (Baguio City, Philippines: Tebtebba Foundation, 2012); Cathal Doyle and Andrew Whitmore, *Indigenous Peoples and the Extractive Sector: Towards a Rights-Respecting Engagement* (Baguio City, Philippines: Tebtebba Foundation,

countries, legal frameworks that are relics of colonialism heighten hardships of indigenous peoples. Specifically, laws provide that sub-surface resources are excluded from land rights and that once discovered, surface land rights come to an end, hence landowners must vacate it.

While some countries provide compensation, some indigenous peoples' livelihoods such as pastoralism and hunting and gathering present unique challenges in the computation of payable compensation and in identifying the exact number of persons entitled to the payments. Specifically, indigenous pastoralists and hunter-gatherers use the land communally or collectively. Moreover, the land belonging to these communities may not be under any particular use at a particular time of the year, but that does not mean the land has been abandoned or is not in use.

Accordingly, it is difficult to use "western benchmarks" embodied in the laws, such as basing compensation on "unexhausted improvements," without occasioning injustices. In some instances, market speculators acquire certificates of land holding from the commissioner for lands using fraudulent means, in an effort to position themselves as legal landowners for the purposes of compensation.

One example of loss of indigenous territories to the extractive sector is the pastoralist Maasai homeland of Simanjiro District, Tanzania, which has been appropriated by predominantly South African mining interests for extraction of the gemstone tanzanite. As the only source in the world for this rare blue-violet gemstone, the Mererani hills area of Simanjiro has been overrun by both large-scale commercial mining interests and thousands of artisanal and small-scale miners. The Maasai community has received little to no benefit from the huge sums of profit being made on tanzanite, as documented by Seithy Chachage⁴⁰ and Richard Schroeder.⁴¹

In Eritrea, a high-profile lawsuit has emerged concerning the Bisha copper mine owned and operated by a Canadian company, Nevsun Resources Ltd. The case *Gize Yebeyo Araya, Kesete Tekle Fshazion and Mihretab Yemane Tekle v. Nevsun Resources Ltd. and Earth Rights International* was filed in British Columbia and concerns the agropastoralist Kunama community

2014); and Marcus Colchester (ed) *Extracting Promises: Indigenous Peoples, Extractive Industries and the World Bank* (Baguio City, Philippines: Tebtebba Foundation, 2003).

⁴⁰ Seithy L. Chachage, "The Meek Shall Inherit the Earth but Not the Mining Rights: The Mining Industry and Accumulation in Tanzania," in Peter Gibbon (ed) *Liberalised Development in Tanzania* (Uppsala: Nordiska Afrikainstitutet, 1995), pp. 37-108.

⁴¹ Richard A. Schroeder, *Africa after Apartheid: South Africa, Race and Nation in Tanzania* (Bloomington: Indiana University Press, 2012).

in the area of Barentu, who claim to have suffered the loss of not only their land and livelihoods to Nevsun Resources, but also their liberty. As a result, Nevsun is facing historic legal proceedings in Canada, where the Supreme Court of British Columbia agreed to hear the case rather than refer it to Eritrean courts. After Nevsun appealed, the case went up to the British Columbia Court of Appeal, which in November 2017 ruled against Nevsun and is allowing the case to proceed in Canadian courts. Nevsun is accused of committing human rights violations against Kunama (and other) workers employed in their mining operations by forcing them to work in slavery-like conditions. Ongoing proceedings will determine whether or not Nevsun violated the principle of “Free, Prior and Informed Consent” (FPIC) in its interactions with the Kunama community, in addition to charges of crimes against humanity, slavery, forced labor and torture.⁴²

V. Infrastructure Projects: A Fourth Mode of Dispossession

A fourth mode through which indigenous peoples are being dispossessed of their land, territory and water resources is through large-scale infrastructure projects. These are typically state-led modernization projects of enormous cost, and involve appropriation of territory in the name of “public interest.” However, beyond being efforts aimed at increasing development and political sovereignty, these giant projects often intersect with the three drivers of land dispossession explored above. Three examples from Africa illustrate this, all of which are having deleterious effects on indigenous communities.

The Gibe III Dam was constructed on the Omo River within the Southern Nations, Nationalities and Peoples Region (SNNPR) in Ethiopia. It was built by an Italian firm, Salini Impregilo, and is only one of many dams being constructed in Ethiopia for hydropower generation. Indigenous communities along the Omo River include the Mursi, Bodi, Hamar, Karo and Kwegu peoples, all heavily dependent on the river for sustenance, be it for livestock or for farming and fishing purposes. Experts warn that the Gibe III dam will have serious environmental consequences further afield, in obstructing the natural flooding of the river that facilitates cultivation, and in drying up Lake Turkana, which is the river’s final destination and a critical

⁴² IWGIA, *The Indigenous World 2017* (Copenhagen: IWGIA, 2017). See also Ashifa Kassam, “Canadian Firm to Face Historic Legal Case over Alleged Labor Abuses in Eritrea,” *The Guardian*, November 23, 2017; Business and Human Rights Resource Centre, “Nevsun Lawsuit (re Bisha Mine, Eritrea),”

resource for indigenous communities in northern Kenya. A second driver for the dam project is to provide irrigation for commercial agriculture. Blocks are already being leased for sugar, rice and cotton cultivation along the river.⁴³

The Lake Turkana Wind Power Project (LTWP) on the shores of Lake Turkana in Loiyangalani Division, Marsabit County, northern Kenya, is an equivalent effort by the Kenyan government towards securing energy independence. It is the largest wind farm in all of Africa with 365 turbines and has come at the cost of the livelihoods and 66,000 hectares of ancestral land of indigenous Turkana, Samburu, Rendille and El Molo pastoralist communities, formerly held in trust for those communities by the county government.⁴⁴ It is also the single largest private investment in Kenya to date, exceeding the original \$700 million estimate and now hovering at \$858 million. LTWP is a Dutch-led consortium of multinational interests that include KP&P Africa, Aldwych International, Danish Investment Fund for Developing Countries (IFU), Vestas Wind Systems, Finnish Fund for Industrial Cooperation (Finnfund), Norwegian Investment Fund for Developing Countries (Norfund), Siemens, Daher, and Google with financing led largely by the African Development Bank (AfDB). Although installation of the turbines is complete, the farm is not yet operational because the Kenyan government has not completed construction of the 428km.-long transmission line needed to transport the energy to distribution centers. Some Google shareholders, upon learning of the project's eviction and dispossession of indigenous peoples' land, launched a letter-writing campaign to protest Google's involvement in the project, but this did not have much impact. Of greater significance is the ongoing lawsuit in the Land and Environment Court in Meru, Kenya, in which Turkana and Samburu plaintiffs allege that their land was illegally acquired by the project without prior notice, public consultation or compensation. On November 9, 2016, the Kenyan High Court declined to stop the project, and

⁴³ Human Rights Watch, "Ethiopia: Dams, Plantations a Threat to Kenyans," February 14, 2017. Available at: <https://www.hrw.org/news/2017/02/14/ethiopia-dams-plantations-threat-kenyans>

⁴⁴ "Lake Turkana Wind Power Land Case On After Talks Collapse," *Business Daily*, June 7, 2017. Available at: <https://www.businessdailyafrica.com/corporate/companies/Lake-Turkana-Wind-Power-land-case-on-after-talks-collapse/4003102-3960154-fvibhx/index.html>; Danwatch, *A People in the Way of Progress: Prostitution, Alcoholism and a Lawsuit on Illegal Land Acquisition in the Lake Turkana Wind Power Project* (2016). Available at: <https://old.danwatch.dk/en/undersogelse/a-people-in-the-way-of-progress/?chapter=1>; Power Technology, "Lake Turkana Wind Power Project, Loyangalani" (n.d.). Available at: <http://www.power-technology.com/projects/lake-turkana-wind-power-project-loyangalani/>; "Kenya to Build Africa's Largest Windfarm," *The Guardian*, July 27, 2009. Available at: <https://www.theguardian.com/environment/2009/jul/27/kenya-wind-farm>

instead directed the parties to arbitration within a 90-day period. However, the out-of-court negotiations reportedly collapsed, setting the stage now for a full hearing.

Finally, in another nearby mega-project, the Lamu Port Southern Sudan-Ethiopia Transport (LAPSSET) Corridor traversing South Sudan, Ethiopia and Kenya, will result in construction of a new port near Lamu out of which oil from South Sudan will be transported. The recent discovery of oil in Turkana means extraction will also likely occur there, which in turn means more land dispossession for Turkana pastoralists on top of that which has already occurred from the LTWP project.

These three cases highlight the intersectionality of economic and political interests in these large-scale infrastructure projects and of multiple modes of dispossession falling into alignment. In the cases of the Gibe III Dam and the LTWP, both are presented as energy development projects; however, the first has linkages and motivations tied to commercial agriculture while the second—by virtue of being a “green energy” project—has linkages and motivations tied to climate change mitigation. The case of LAPSSET unambiguously intersects with the interests of extractive industries. It should be recognized that investments in infrastructure, however, serve not merely economic or environmental ends but deeply political ones. Infrastructure is highly visible, whether it assumes the form of an impressive dam or wind farm, or as roads, pipelines and powerlines stretching across vast landscapes. They render the state material and present—a force to reckon with. Secondly, the provisioning of energy, transportation, and water is a means through which nation-states engage their citizenry, develop regional ties with neighboring states, assert their authority, and collect revenue. Analysts who prematurely proclaimed the demise of the state during the era of globalization and neoliberal reform are having to accept that the state—not only in Africa but the world over—is aggressively re-asserting itself. Some cast this as the “return of the state.” Others would argue that it never left.

VI. Competition with Cultivators: A Fifth Mode of Dispossession

Finally, and largely as a resulting consequence of the cumulative effects of all the above modes of dispossession occurring simultaneously across the breadth of Africa, it should come as no surprise that increasing competition between small-scale cultivators and indigenous peoples over land is ever more common and more deadly. It is estimated that ~80% of Africans depend on

land-related activities to survive. Survival is thus inextricably linked to land, thus defending one's access to land becomes a mode of self-preservation.

A ripple effect can be identified once indigenous lands and territories are expropriated through any of the above modalities. The cascading effects of displacement, which necessarily results in the displaced having to seek refuge on the land of others, is conflict and more displacement. This is amplified where indigenous peoples are concerned since they typically meet with disrespect, disdain and a devaluing of their cultures, livelihoods and humanity by majority populations. Conflicts over resources—over land and territory—get transformed in public discourse as “ethnic conflict” or “inter-tribal conflict” as though it were something irrational and primordial and without resolution. This has the secondary effect of diverting attention away from the multinational corporate and state interests involved, and their culpability in land alienation.

Hence conflicts between cultivators and pastoralists especially, but also cultivators and hunter-gatherers, are increasing in number and in violent outcomes across Africa. In the few weeks since the start of this year, more than 100 people have died in Nigeria's Benue, Nasaraw and Taraba states due to conflicts between farmers and Fulani herders over access to land. Tensions and periodic flare-ups of violence continue to occur between farmers and Maasai pastoralists in Morogoro Region, Tanzania, where a number of deaths were reported in 2015-16.⁴⁵ Unsurprisingly, where increasing pressures on, and dispossession of, land result in less land for local residents, we see increased competition among groups pursuing different livelihood strategies.⁴⁶ Widespread insecurity has thus become a common consequence following the evictions of indigenous peoples from their land and territories, inciting further displacement and conflict across the landscape and rendering large-scale endeavors of any variety subject to local resistance and international critique.

⁴⁵ “Ethnic Violence in Morogoro Region in Tanzania,” IWGIA Briefing Note, March 2015. Available at: <https://www.iwgia.org/en/>

⁴⁶ The literature on farmer-pastoralist conflict in Africa is vast, a few examples of which include: Mark Moritz, “The Politics of Permanent Conflict: Farmer-Herder Conflicts in Northern Cameroon,” *Canadian Journal of African Studies* 40, no.1 (2006): 101-126; Matthew D. Turner, et al., “Livelihood Transitions and the Changing Nature of Farmer-Herder Conflict in Sahelian West Africa,” *Journal of Development Studies* 27, no. 2 (2011): 183-206; Abba Gana Shettima and Usman A. Tar, “Farmer-Pastoralist Conflict in West Africa: Exploring the Causes and Consequences,” *Information, Society and Justice* 1.2 (June 2008): 163-184;

VII. Conclusions and Recommendations

The examples discussed here—selected out of many occurring across the African continent—expose the multiplying negative effects on indigenous communities that arise when the interests of agribusiness, conservation, climate change mitigation, extractive industries and large-scale infrastructure projects fall into alignment. At ever growing risk are indigenous peoples' lands, their territories, collective resources like the waters of Lake Turkana and the Omo River, and their basic human rights and sense of security.

Hence it behooves the three oversight mechanisms for indigenous issues within the United Nations to join forces and align *their* agendas so as to better combat the nexus of interconnected forces threatening indigenous peoples' existence. These oversight mechanisms are: (1) the UN Special Rapporteur on the Rights of Indigenous Peoples; (2) the UN Permanent Forum on Indigenous Issues (UNPFII); and (3) the UN Expert Mechanism on the Rights of Indigenous Peoples. The mandates of these three entities seem to sometimes conflict and overlap, hence the need for improved and consistent coordination efforts. Only with concerted collective action can the UNPFII and its partners within the UN and around the world shape a more positive future for indigenous peoples everywhere, but especially in Africa, which faces the highest level of threat.

In an article assessing the complex interrelationships of land privatization, conservation, corruption, resource-grabbing and colliding interests between resident pastoralists, cultivators, and large-scale ranchers in Laikipia County, Kenya, Jennifer Bond reminds us that,

Human security is a condition where people and communities have the capacity to meet their needs, rights and values and manage stress and has the basic concepts freedom from want, freedom from fear, freedom to live in dignity and freedom from hazard impacts. This recognition of dignity and 'freedoms from' aligns human security with human development and sustainable development more broadly through the pillars of society, economics and environment.⁴⁷

In the absence of increased concern for, and protection of, the rights, livelihoods, land and resources of indigenous peoples in Africa, the trends outlined in this paper and in the literature it draws upon will only intensify. That portends a precarious future for us all. Sustainable

⁴⁷ Jennifer Bond, "Conflict, Development and Security," op. cit., p.991.

development requires engaging indigenous communities as fully-recognized and fully-respected stakeholders in the development and conservation initiatives occurring in their territories. Sadly, the predominant preference appears instead to be one that we've seen before over the course of history: removal and eradication. Surely, our global community ought to have learned from its past mistakes. Surely, we can chart a path of sustainable development that holds true to the principles and objectives articulated in the UN Declaration of the Rights of Indigenous Peoples. It is imperative that we do so.