



HAKIARDHI

LAND RIGHTS RESEARCH & RESOURCES INSTITUTE



A SOCIETY WITH A SOCIALLY JUST AND EQUITABLE LAND TENURE SYSTEM

ANNUAL REPORT 2019

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Acronyms

AYP Plus	Ardhi Yetu Programme Plus
CCROs	Certificate of Customary Right of Occupancy
CSO	Civil Society Organization
DC	District Council
FGD	Focus Group Discussion
HA	HAKIARDHI
LARRRI	Land Rights Research and Resources Institute
LRM	Land Rights Monitor
M&E	Monitoring and Evaluation
MLHSD	Ministry of Land Housing and Human Settlement Development
NGO	Non-Governmental Organization
TALA	Tanzania Land Alliance
TOR	Terms of Reference
VA	Village Assembly
VC	Village Council
VICOBA	Village Community Banking

Acknowledgement

Land Rights Research and Resources Institute (LARRRI/ HAKIARDHI) would like to express its internal appreciation to small-scale producers that is farmers, pastoralists, artisanal miners and hunter gatherers who are the main beneficiaries of the programmes and projects implemented by the Institute. Besides the Institute would like to thanks likeminded organizations for joining hands throughout the year in different interventions such as researches, awareness raising and capacity building on land and natural resources rights, advocacy for the same to initiate changes or/and formulation of policies and laws which defend and protect the interests of small-scale producers.

On top of that the Institute would like to thanks the Government at all levels particularly the Ministry of Land Housing and Human Settlement Development (MLHHSD) and District Councils in the programme areas for the cooperation offered in order to achieve the expected objectives which in one way or another aim at complementing what the Government in the land and natural resources sector. Furthermore, the Members and Staff of the Institute have been part and parcel of the successes which have been reaped by the Institute in the year 2019, their support and commitments are all appreciated.



Message from Chairperson of the Board

Dear general public,

I feel deeply delighted to see that the Institute's works are inspiring different stakeholders particularly the small-scale producers, government, likeminded organizations and the public at large. This implies that the efforts dedicated by the Members of the Institute, Board of Directors and Staff have produced the results which all of us are celebrating for the year 2019. Since the establishment of the of the Institute in 1994 the priority of the programmes and projects implemented has been in ensuring that rural based and peri-urban small-scale producers understand their rights in regards to access, use, control and ownership of the land and natural resources which can only be attained when they have a fully knowledge on their roles and responsibilities as stipulated in the Constitution, Land Laws and related legislation.

For the past 25 years the Institute has diligently working to ensure that the country has a society with a socially just and equitable land tenure system which guarantee equal access to, ownership and control over land and other natural resources for their own and national development. Today am excited to say that even if the ultimate goal has not been achieved but there is green light since the small-scale producers are becoming very active in protecting, defending and put in use the land defeating the notion that cheap land can be accessed in village land.

In fact, the credit to these achievements goes back to small-scale producers themselves who have been ready to learn, discuss and share the knowledge to ensure that the majority are aware of their rights and are making decision to demand and protect their rights to land in order to defend their destiny. Thus, for the year 2019 the Institute continued to raise awareness on land rights among the small-scale producers with a view of building a society that respect and defend the rights of each other while holding accountable the duty bearers.

The year 2020 will begin with the preparation of the new strategic plan after the expiration of the existing plan which began its implementation in 2015. Without mincing the words, the current strategic plan has taken the Institute to another level by managing to implement several programmes and projects in six districts namely Kilindi, Kilombero, Kilosa, Kilolo, Morogoro, Mufindi and Mkuranga. My expectation is the next five years strategic plan will reach out more regions and districts for the interests of small-scale producers.

Besides, I would like to thanks our valued donors namely Horizont3000, Care International in Tanzania, Rosa Luxemburg, International Union for Conservation of Nature and Foundation for Civil Society for their continued support to our programmes in order to achieve the intended goals. In actual fact, the achievements accrued in year 2019 could not be achieved without their substantial support.

Lastly but not least I would like to commend the cooperation within and outside the Institute including the management, members and land rights monitors who are voluntarily working in their respective villages to ensure the rights of their fellow villagers are protected.

Alquine Senga
Board Chairperson
Land Rights Research and Resources Institute



Message from Executive Director

Dear All,

First and foremost, I would like to use this opportunity to wish every one of us a happy New Year 2020 hoping that we will have a successful year in all of our endeavors.

The year 2019 marked the end of the five years strategic plan which its implementation started way back 2015. This strategy focused the Institute's strategic interventions into four main purposes namely increased access to concrete, reliable and up to date information on land and natural resources matters; enhanced citizens engagement and accountability of state and non-state actors on land and natural resources matters; equitable and sustainable use and management of land and natural resources; and effective, efficient and sustainable institutional management. In the last five years a lot have been done in the implementation of this strategic plan and its impacts have been explicitly visible in trying to achieve the Institute's vision which is to envisages a society with a socially just and equitable land tenure system.

In line with this strategy the Institute has implemented a number of activities which relate with awareness raising and capacity building on land rights particularly among the small-scale producers to understand their rights and responsibilities in accessing, using, controlling and owning land resources. Despite the fact that the coverage of the Institute's interventions is countrywide but the concentration has been in the four

programme districts namely Kilindi in Tanga region, Kilolo and Mufindi in Iringa region, Kilombero, Kilosa and Morogoro in Morogoro region, as well as Mkuranga in Coast Region.

It is my pleasure to share with you this annual report which highlights major achievements, success stories and challenges encountered throughout the year. With reference to the main role of the Institute which is research, capacity building and advocacy, for year 2019 the focus was on raising small-scale producer's demands on land rights and natural resources which require attention of the national level decision- and law-making organs. For instance, the Institute has engaged in the evaluation and review of women and gender development policy of 2000 and its implementation strategy of 2005 with the purpose of strengthening the rights of women and marginalized groups in land and natural resources.

The year 2019 was also witnessed the Land Rights Monitors voluntarily establishing the community libraries in their respective villages whereby the villagers can access different publications on land and natural resources. These libraries have not been useful for villagers themselves but also for primary and secondary school students. The evaluation has shown that there a decrease of different types of land conflicts in villages where these libraries have been used by the villagers and their leaders.

With all due respect may I invite you to go through our 2019 Annual Report for more information, we will be more than happy to have your feedback which will be used to improve our programme interventions and subsequent reports.

Cathbert Tomitho
Executive Director
Land Rights Research and Resources Institute

PART ONE:

INTRODUCTION

About HAKIARDHI

Our History

Land Rights Research and Resources Institute (LARRRI/HAKIARDHI) is a non-governmental not for profit organization that was established in 1994 in recognition of the need to facilitate realization of a socially just and equitable national land tenure system that promotes and advances the rights to land of majority rural based small scale producers such as peasants, pastoralists, artisan miners and other related groups.

The Institute has three Units namely Knowledge Generation and Dissemination Unit, Public Engagement Unit and Institutional Management and Programme Support Unit. The Institute has implemented a number of programmes on land rights advocacy for the interest of smallholders in more than 40 districts and almost 1000 villages countrywide. The Institute is the founder member of Tanzania Land Alliance and Sam Moyo African Institute of Agrarian Studies.

Our Vision

HAKIARDHI envisages a society with a socially just and equitable land tenure system.

Our Mission

The mission of the organization is to research into, train, advocate for and promote the land rights of the majority Tanzanian population that is rural based, peri-urban and who are small-scale producers.

Our Strategy 2015 – 2020

GOAL

Socially just and equitable access to, use of, ownership and control over land (and other resources) for production of food and realization of other basic needs of the small producers

PROGRAMME UNIT

KNOWLEDGE GENERATION AND DISSEMINATION (KGD) UNIT

PUBLIC ENGAGEMENT - (PE) UNIT

INSTITUTIONAL MANAGEMENT AND PROGRAMME SUPPORT (IMPS) UNIT

PURPOSE

1. INCREASED ACCESS TO CONCRETE, RELIABLE AND UP-TO-DATE INFORMATION ON LAND AND NATURAL RESOURCES MATTERS

2. ENHANCED CITIZEN ENGAGEMENT AND ACCOUNTABILITY OF STATE AND NON-STATE ACTORS ON LAND AND NATURAL RESOURCES MATTERS

3. EQUITABLE AND SUSTAINABLE USE AND MANAGEMENT OF LAND AND NATURAL RESOURCES

4. EFFECTIVE, EFFICIENT AND SUSTAINABLE INSTITUTIONAL MANAGEMENT SYSTEM

STRATEGIC OUTCOMES

1.1. Reliable, concrete and up-to-date information on land matters is generated, analyzed and published

1.2. Increased access to reliable, concrete, up-to-date information on land matters

2.1. Enhanced knowledge base and participation in policy and decision making processes and hold leaders accountable

2.2. Improved policies, practices and institutional framework governing land and natural resources

2.3. Strengthened strategic partnership with like-minded local and international organizations

3.1. Secured and protected citizen's / communities rights through village land use plan

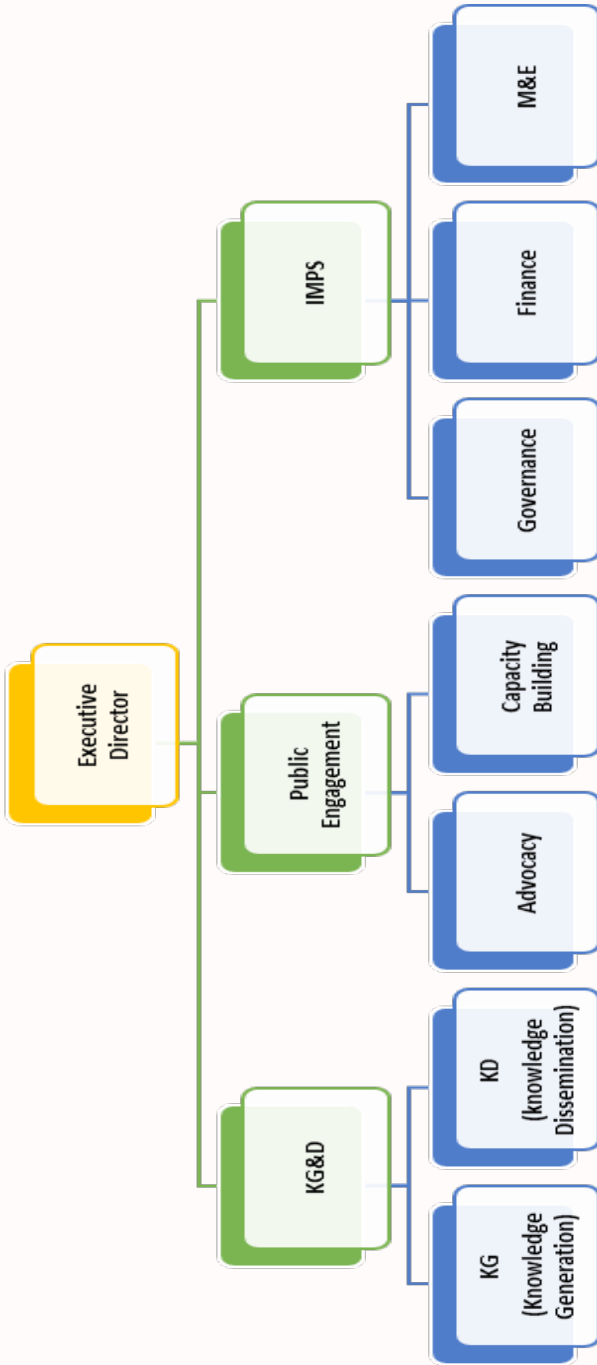
3.2. Monitored and supported citizens/communities engagement in Land based investment processes in rural areas

4.1. Improved Institutional Governance

4.2. Ensured availability of resources

4.3. Improved quality of HAKI-ARDHI interventions

HAKIARDHI ORGANOGRAM



Our key intervention methods

The Institute has a range of intervention strategies with awareness raising and capacity building as key pillars to enable community members to defend their rights.

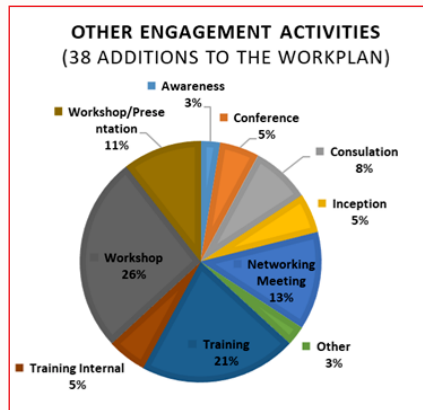
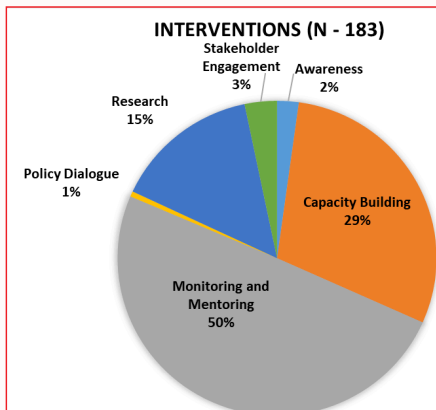
- Awareness creation of land related issues through outreach programmes, media and publications.
- Capacity building of community stakeholder such as local government, leaders, district officials and women groups as well as national stakeholders including partners, government officials and media.
- Capacity building of Land Rights Monitors, our community change agents, and providing support for their community activities, namely community discussion groups, libraries and peer-to-peer learning.
- School of HAKIARDHI for members, Land Rights Monitors, staff and key community stakeholders.
- Legal advice and support concerning land tenure issues for small land users in rural and peri-urban areas and, occasionally, test cases on pro bono basis before relevant judicial, quasi-judicial and administrative bodies.
- Research and dissemination of information (including Institute's library).
- Policy reviews and advocacy.
- Support Land Use Plan development and CCROs.
- Joint advocacy with like-minded organisations and networks.
- Consultancy services to government and non-governmental organizations if request is within the spirit of social and educational objectives of the Institute.

PART TWO: PROGRAMME REACH

Table with Donors, Engagements and People Reached directly

Donor	Engagements	Total No. of Attendees	Female Attendees	Male Attendees	Not specified
Care International Tanzania	42	716	271	421	24
Foundation for Civil Society	13	323	118	205	0
Horizont3000	86	2097	1202	894	1
International Union for Conservation of Nature	25	222	65	137	20
Rosa Luxemburg Stiftung	17	739	374	365	0
Grand Total	183	4097	2030	2022	45
Percentage		100%	50%	49%	1%

Pie chart with percentage of engagements



PART THREE: OUR IMPACT

This part contains the impacts resulted from the programme interventions for the year 2019 as follows;

Women's Struggles Over their Land Rights

The key interventions in 2019 focused on strengthening the women land rights in the communities. Women, being the major food producers and care workers, play a significant role in the management of natural resources and in championing the agenda of food security. Despite this pivotal role, women still face big challenges to access and have equal rights to land. They are also discrimination is due to traditional practices, where women may not be considered for inheritance and sale and purchase of family properties. Being often excluded in the decision-making processes, women are further exposed to serious risk of suffering from land mismanagement and climate change effects.

Hence, the institute worked in 75 villages and directly with 2022



Ikwambi Village women in a group discussion during monitoring visit in Kilombero district.



Ms. Rosina Kaganga of Ijia Village in Kilombero District sharing her experience on women land rights struggles during land matter public dialogue.

women to continually raise awareness and build capacity on gender and land related rights and environmental issues. Most of the women engaged in training and discussion groups were widows who have been denied their land rights by family members and ignorant (ill informed) leaders. In addition, female Land Rights Monitors are engaged in each village and women specific resources, such as the newsletter, Fact sheet, Training manual and calendar which total of 33,556 was produced and widely disseminated.

These interventions strengthened the women and they are now effectively using their new knowledge to demand their rights and improve the situation for women. More women are reporting issues now to the village council in order to obtain and protect their rights. More women discuss the rights within their families and some women started to pro-actively support other women by sharing women land rights and climate change information and what they can do to change their situations. The following stories illustrate some of the many changes. Not only did more women demand for their rights, local leaders, who were trained and attended public debates took measures and implemented procedures to protect women land rights.

Ms. Flora Mgendwa (in the picture) of Lugalo Village in Kilolo District improved her economic situation by challenging the land related discrimination



“I am proud to get two acres of land from my father for my livelihood and to be a change agent in the village, particularly bearing in mind that according to our traditions women are not entitled to land ownership or any permanent assets in the family until you are married. The struggle to get the land was a real hustle. I remember to have approached my father in 1994 to ask for land but I was not given. For all the years to 2015 I used one acre, which belongs to my brother, to farm maize and sunflower. I used to get only 2 or 4 bags of maize.

In 2015 I received a training on women land rights which I later shared the knowledge with fellow women in the village and at the family level. My father was among the beneficiaries, very surprisingly on December 2015 he arranged a family meeting and distribute his seven acres of land three acres to all the children and he remained with one acre for the family. Over the last three years, ever since, my harvests have increased from 8 to 10 bags of maize which gives her income of between Tshs. 480,000/= to Tshs. 600,000/= per year. Moreover, I use the same land to grow beans for food at home and contribute to my children’s school.”

Mr. Isaya Mheni (in the picture), Chogo Village Executive Officer and fellow village leaders took the lead to protect Women Land Rights.



“No [family related] land conflicts were reported to the village council office between December 2018 and March 2019. Years back, decisions on land, in particular land sales were mainly made by men. Men could sell land without involving their wives; they could sell it at a cheap price just to meet temporary needs and without having boundaries agreed with neighbours. This contributed to more conflicts in the village as it was also one of the reasons why we have so many foreigners and non-villagers owning land in our village.

Now we are seriously enforcing land use by-laws and developed proper procedures to limit land sale to protect women rights.

Land Rights Monitors Initiating Change in the Communities

In 2019, LRMs were determined to reach more people with climate and land rights information and they did that through their traditional village debates and additional initiatives such as community libraries and study/discussion groups.



Mr. Renatusi Hanga a LRM of Mngeta village sharing the experience on land rights and climate change in their respective villages in Kilombero district.

The LRMs approach was initiated by the Institute in 2012 and to-date more than 600 villagers have been trained as LRMS and operate in over 300 villages, with new 20 LRMs enrolment in 2019. In each programme village, during a village assembly, fellow villagers elect one man and one woman to take up this role. They receive specific training on land rights, facilitation and conflict resolution and ongoing mentoring from the institute to enable them to assist other villagers in land related matters.

Their activities in 2019 ranged from carrying out conflicts' resolution, leading climate change adaptation activities such as tree planting, community awareness or trainings on land rights, climate change and governance, advising villagers, members of village councils and land administration institutions on matters pertaining to land rights and



Advocate Joseph Chiombola from HAKIARDHI offering legal aid advice to one of the people visited the office.

administration. They referred 20 special cases for legal support to the Institute. They also shared with the Institute updates on their programme implementation and village-level land rights issues during monitoring or implementation visits as well as by using the free phone line. This localised information supported the Institute in its policy advocacy at higher levels and future programming.

The LRMs have also been very active and instrumental force in leading the struggles against the acts of injustices and evictions in areas like Kilombero, Kibiti and Kilosa districts. Their knowledge, skills, innovations and efforts of sheer commitment and devotion have proven to be entirely significant.

Mr. Hamad Mchotama, a LRM knowledge influences law based investment decisions in Michenga village in Kilombero district



“My name is Hamad Mchotama, LRM at Michenga village in Kilombero district. I remember it was early February 2019 when village leaders commanded us to give out 100 hectares of land for building of agricultural inputs warehouse by PETROBENA Company. I could not stand the order; I had to take initiative to make my fellow villagers aware on the right procedures for land allocation as per Tanzania land laws. I informed them on issues of compensations and right procedures to allocate land beyond 50 acres to any one including investors by villagers. On that advice, the villagers through Village Assembly meeting agreed to sale every hectare of land for 8 million and have some shares on the investment. Having given the villagers demands, the Company management decided to abandon the investment plan and hence small-scale producers land was protected.”

Similar kind of incidence happened in Mchukwi B village within Kibiti District, members of group discussion and other villagers were able to resist the demands made by the district council that required the villagers to give up 498 hectares of land to an investor known as Daudi and Brothers.

These efforts though carry personal risks for LRM of being intimidated or even physically attacked. For example, Mr. Sadiki Kibugo of Mchukwi B village raised awareness to community members not to surrender their land of 498 acres to investors Daud and Brothers. He was then threatened by politicians of Kibiti District. Also, Mr. Laurent Libafuka, LRM of Merera Village, Kilombero district was invaded by a group of pastoralists when he was at his farm with his three sons and they were severely injured. The attack was directly related to Libafuka's LRM role as he was stopping pastoralists not to graze in rice farms.

Community Libraries and Village Resource Centres

The HAKIARDHI office has a well-resourced library for researchers and interested parties in Dar es Salaam. In 2018, the institute introduced the community libraries method to improve rural accessibility of information to a larger community as well as ensuring a more efficient dissemination mechanism to avoid misuse or waste of publications.

The LRMs have since then, established 12 community libraries⁵ being established in 2019 (Mbigiri, Lugalo, Kitelewasi and Mazombe villages – Kilolo district; Ipilimo village – Mufindi district; Kisaki and Lundi villages – Morogoro district; Chita and Lukolongo villages – Kilombero district; Mchukwi – Kibiti district; and Kwamazuma village – Kilindi district) with 8 of them located in



Mr. Omari Kindamba a LRM of Kisaki Village in Morogoro District sharing his experience on land rights issues with members of group discussion in Lundi Village.

government offices. The Institute's library approach was also found highly valuable for partner organisations, for example Morogoro Paralegal Center (MPLC) have also adopted the idea for the implementation of their projects.

They are stockpiled with publications on land, natural resources, political economy, climate change and legal matters, most produced by HAKIARDHI like factsheets, newsletters, training manuals and other land related publications. The established libraries within the village localities encouraged the interest and growth of readership amongst the villagers and this further posed as hotspots for discussions.



Mr. Silvanus Tumbo a LRM of Lugalo Village in Kililo District reading some publication in Mbigiri Village community Library.

The respective community libraries have an average of five people visiting them to read and borrow some publications per month and they inform other villagers on their rights and responsibilities. They use the information to build their case before the village, ward and district officials. This applies also



Member of Kimbuga Village study group in Kibiti District with HAKIARDHI Executive Director in Blue Tshet standing near post in a group picture before village community library.

to women, as described above, the changed from being victims of decisions made in their absence or ignorance to citizens who demand their rights. The knowledge is highly valued by villagers as the following testimony shows:

Significance of these libraries was evidenced by Mr. Felix Mwakyembe, a journalist of Raia Mwema, in his article published on 26 June 2019 where he stated that, "Community libraries have built villagers interest to read publications which inculcates the sense of learning and argumentation".

Resource dissemination through libraries and other interventions is a successful way to inform the public. In 2019, 33,500 copies of various land rights publications were distributed to LRMs and other stakeholders. But there is a proven demand for more libraries and resources. The institute estimates that doubling the amount of resources and including publications from other organizations with relevant various topics/themes would support the interest and learning of the community members. Also finding appropriate spaces for libraries would improve the access and a more conducive learning environment.



Ms. Marcelina Charles a Member of HAKIARDHI opening public debate held in Ijia Village in Kilombero District.

Public Debates on Land Rights

Public debates, organized by the LRM in their respective villages and facilitated jointly with HAKIARDHI staff and members, led to heightened awareness and increased phone calls. Between June and October 2019, 3 public debates in Kilombero, Morogoro and Kilolo districts reached 705 people (48% women). The debate has actually become a catalyst for the villagers to understand that they are responsible for their rights and protection of environment for their own course. Following the debates, the LRMs receive on average up to five phone calls per week from people asking for clarification or legal advice.

Study and Discussion Groups

To contribute to a well-informed society on land rights issues among small-scale producers, LRMs established in 2018 learning groups which comprised of their fellow villagers. The group members learn and engage in discussions on land rights, climate

change and other aspects of socio and political economy. The groups being of vibrant character and nature, act as think tanks in many programme communities. They spearhead land rights information exchange in villages and influence local decision making.

The group undertakings are mostly coordinated by the LRMs. Members of the discussion groups usually meet voluntarily and regularly, from once per week to twice per month depending on the group's meeting arrangement.

Since 2018, a total of 50 study groups have been established accounting for a total of 1,016 members (568 Women), of these 20 were formed in 2019. All of them are still active and supported. They contributed highly to demanding the adoption of land rights in their villages.

Another positive side effect of this study group is that members and LRMs have gained community trust and credibility, which was demonstrated during the local government election in November 2019, where at least (20) study group members and (3) land right monitor (LRM) in Iringa, Rukwa and Katavi regions were elected to be members of the village council.

Many of these study groups lack conducive spaces to meet and discuss, for example in Lundi village, Morogoro District, the group is using a roofless hut which is located nearby a noisy road. It was also observed, that during cultivation season the discussion groups are facing poor attendance of members.

Awareness Raising through Media

The Institute uses media, among other approaches to raise public awareness and advocate for different aspects of land rights and climate change in order to influence local and national decisions, policies and laws.

Radio Shows on Land Rights

Radio and television programs have been a useful tool for the Institute to disseminate information to the public, particular radio reaches many rural listeners. In 2019 a total of 25 radio programs were conducted.



HAKIARDHI member and staff in group discussion with members of study groups in Chita village in Kilombero district.

The radio programmes on Land rights, women land rights, climate change and class struggle in the community were facilitated by staff and guest speakers and aired through Abood Radio in Morogoro, Mwangaza FM, A FM in Dodoma, Mpanda radio FM and Ndingala FM in Sumbawanga, reaching an estimated of 20 million people countrywide.

As a result, a total of 611 text messages were received and 120 people called the direct mobile phone line during and after airing of the programs. These questions and comments demonstrated an increase of awareness and interest by community members on land rights issues.

Newspapers Coverage on Land Issues

A total of 10 journalists were trained by the Institute on land rights issues to overcome knowledge gaps and limited publication about this topic. The engagement led to 44 articles and covering stories in the journalists or editors' respective outlets such as The Guardian, Raia Mwema, Uhuru and The Citizen Newspapers. Covering topics from women land rights, climate change, land management to laws and policies. Journalists were free to call and consult anyone who could enrich their stories.

Social Media and Land Rights

For the past five years HAKIARDHI has been using social media platforms such Facebook and Twitter to share information with the public and ignite discussions.

In 2019, the Institute published 48 Facebook and 10 Twitter posts and 222 people have participated in the social media discussions. The most comments (160) related to existing conflicts between farmers, women land rights, pastoralists and quotations on the tyranny of capitalist systems. Other topics raised often (62) focused on gender and environment. Although there are not many people who understand the institute's view on the struggle between classes, it is still impressive to see that there are few people who are still able to engage in these discussions



These discussions have continued to act as channels of educating the public on land issues and enhancing youth's participation in land rights discussions. One of the interesting discussions was on the distance between the District Land and Housing Tribunals from villages was posed on 2nd May 2019. With an example of Villagers from Tanganyika Village, Mlimba Division in Ifakara District villagers who have to travel 220km to reach District Land and Housing Tribunal the fact which makes many villagers giving up when struggling for their land rights. A total of 52 comments were given by the discussants on the said tribunal topic.

Linking Climate Change and Land Rights

The environmental, economic and humanitarian risks posed by climate change present a pressing need for substantial action by stakeholders like LRMs and Partner Organizations. The main action taken by the Institute to address climate change impacts was to create awareness about the problem. Villagers were informed through village assembly talks and public debates, study groups discussions, village council meetings, in-house training and women group settings such as Village community banking (VICOBA).

In addition, physical prevention such as tree planting and protection activities were carried out by LRMs and village members and leaders. **Ms. Agnes, Ng'ang'ange village describes their solutions to preserve water sources**



"I just heard about a man who filled/ buried the water well just because the well is in his farm and wanted to use the land. I personally approached the village chairperson and informed him over the incidence. The village leaders went to the farm and ordered the man to unbury the water well as over 20 households depend on the well"

In addition, people planted "Miwengi" trees and bananas around water sources to preserve water as in many other villages

Research on land rights

A study on the land use planning as a tool for promoting land governance: A case study of Kilolo District, Iringa Region

The study gathered findings on land use planning from Kihesamgagao and Lyamko villages in Kilolo District in Iringa Region in relation to village land governance, land conflicts, investment, environmental management and women's land rights.

The findings show that land use plans connect to each of these issues in a different way. For instance, on village land governance, land use plans create democratic decision – making procedures as they involve all social groups and individuals in the village due to the participatory nature of the land use planning process. Land use plans have the potential to reduce land conflicts through community's collective identification of land uses, based on informed decision making. It was also noted that land use plans can support villages in resolving land conflicts over village boundaries. On the topic of environmental protection, the findings show that 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. The Land Act and Village Land Act of 1999 and the Land Use Planning Act of 2007 require involvement of women in every step of land use planning, including as members of the Village Land Use Management (VLUM) team formed by the Village Council. Besides, land use planning allows women to own land through the provision of customary title deeds.

Besides these positive effects, land use plans pose challenges to communities and can even negatively affect them. When non-governmental partners, such as investors, step in to facilitate the process of land use planning, there is the risk of promoting self-interest instead of communities' interests. Involving external partners also risks to take away community ownership of the planning process. While planning processes can stimulate the

protection of environmental resources, protection measures do not always consider the needs and demands of the local communities who have been using now protected lands for many years for their subsistence. It was also noted that involvement of women in the process of village land use planning was often minimal, as in general men were believed to have more precise information than women. Moreover, in the studied villages, land conflicts remain despite the presence of village land use plans.

Overall, despite the identified benefits of land use plans, it cannot be concluded that these benefits happen automatically just because land use plans are in place. There are many gaps identified in the process itself, which limit the usefulness of land use planning in achieving its objectives. One of these gaps is the failure to prepare the land use plans in all the six stages. However, creating a detailed land use plan is key for economic growth as it supports the villagers to understand how to use their land more productively and to respect different land uses. Another significant gap is the failure of the government to financially support the land use planning processes. This opens up opportunities for non-governmental stakeholders, such as investors, to prioritize their interest instead of considering the interest of the communities.

The study on the post registration of Certificates of Customary Rights of Occupancy (CCROs) for policy and law improvement

The Ministry of Land Housing and Human Settlement Development (MLHSD) has the intention to develop guidelines which will regulate the transactions which involve the CCROs such as mortgage, land sell, exchange and register for probate to mention the few. Therefore, the Institute conducted a minor study to understand the situation on the post registration at the village level. The study conducted in two villages namely Lugalo and Mdeke in Kilolo district.

Among many other findings it was learned that there is non-adherence to the existing regulations and guidelines on pre and post customary title deed transactions particularly during

access to loans from commercial banks. For instance, it was revealed that villagers face several challenges such as payment of unnecessary money so to acquire the loans. For example, a villager from Lugalo village who applied for the loans from in one of the commercial banks in Iringa region three (3) years ago but he was told to make some payments before he receives the loan which include the cost for land searching. He paid Tshs. 42,000/= when he seeks for loan to the account number given from the District Council. However, legally he has to pay Tshs. 1,000/= as stipulated in the 2002 regulations of the Village land Act No.5, 1999

Policy Dialogues and Government Engagement

HAKIARDHI undertook several policy dialogues to provide platform for stakeholders to share experiences on land policy and legal framework reform. Questions such as of ownership, utilization and access to land by women, youth and other marginalised group, land productivity and markets, policy harmonization, large scale investment in land, pastoralist and farmers conflicts and position of small producers under the prevailing political economy sphere were discussed.



Some of the participants from CSOs and Government and other sectors in a discussion group during the review of the Gender policy discussion in Arusha City on November 2019.

Government to guarantee women rights on land

The Institute engaged with the Parliamentary Committee on Land, Natural Resources and Tourism with the aim of advocating for changes in various legislations such as the Customary Law Declaration order of 1963 in order to guarantee women rights to land. This was part of the implementation of the Women Land Right project implemented in partnership with 12 cluster non-governmental organizations operating on the grassroots and district level.

Also, a call was made to sensitize women to take part in contesting for various leadership positions and take active role in decision making bodies to ensure women rights to land are guaranteed. Updates were shared by the Committees members that the government has already work on the review of the Customary Law Declaration Order of 1963 and the amendments are planed.



Cathbert Tomitho (*Institute's Executive Director*) facilitating during capacity building training to Women's Land Rights Cluster members on July 2019 in Dodoma City.

Harmonization of conflicting legal and traditional practices to address land issues

Dual system of customary law and legal system in administering land issues have posed some challenges in guaranteeing women rights to land. On that note, the Institute organized a dialogue to discuss harmonization of conflicting legal and customary law whereby a session was attended by traditional leaders and key officials from the government organs that oversee dispensation of justice and resolution of land conflicts.

Notable issues include low level of awareness on customary laws by the members of the village land councils and ward tribunals thus limits application in resolving land conflicts. Also, there it is noted that the departure of traditions leads failure to implement good traditional practices thus end up being corrupt and deny women rights to land. The session recommended that in order of harmonize statutory and customary law there is need to enhance knowledge base of the traditional leaders on the statutory law so that they complement each other in order to attain the goal of secure women right to land.



Participants in a dialogue on reconciling tradition and statutory practices in realizing women's land rights conducted in Bagamoyo district on December 2019.

Sector Ministries to address issues of Land Rights, Environment and Natural Resources management in favor of small-scale producers

Eight Dialogues between the Civil Society and the Government Ministries were initiated by the Institute to share and address issues of Land Rights, Environment and Natural Resources management in favor of small-scale producers. Key Government Ministries such as Ministry of Lands, Minerals, agencies such the National Land Use Plan Commission and Tanzania Forest Service learnt about areas that need attention in order to secure ecosystem-based resources such as land, water, food security and climate resilience to improve livelihoods.

The Government officials acknowledge the need of having plans which give priority in addressing various environmental concerns using precautionary approaches rather than waiting to deal with hazards which leads to depletion of natural resources. Also, efforts should be made in strengthening coordination to ensure that all relevant sectors taking active role in the preparation and implementation of land use plans. Further, participants agree on the need to introduce land, environment and natural resources management as part of the curriculum in the primary and secondary school so as to broaden the scope of awareness on the need to secure ecosystem-based resources.



Part of the discussion group for the participants attended one of the land use planning session conducted in 2019.

Implementation of the Village Land Act number 5 of 1999

The Institute organized a dialogue that brought together key government official from Ministries and CSOs which aimed at discussing implementation status of land use plan, village land law and the impact of the registration of customary land titles. The session was part of the Institute role in policy engagement in the Land Tenure Support Programme under the umbrella of Tanzania Land Alliance (TALA).

Key notable issues that arose include the need to harmonize the quality of titles (Certificate of Customary Right of Occupancies and the Grated Right of Occupancies) in terms of type of papers used, contents and structure. Also, a call was made for the Ministry to develop a regulation that will provide for the procedures of land transaction on the customary title. A plea was made for coordination of stakeholders' efforts in implementation of village land law.



Participants in a discussion on the assessment of the implementation of Village Land Act number 5 of 1999.

Acknowledgement of the Institute's contribution in the land sector

The Ministry of Land, Housing and Human Settlements has acknowledged the Institute's contribution in the land sector especially in capacity building, awareness raising on land rights among the community members and Government officials especially at the Local Government Authorities. The Institute contribution was also acknowledged on the support of preparation of Village Land Use Plans (VLUPs). The acknowledgement was made by Minister of Lands Honourable William Lukuvi in the Parliament during the presentation of the 2019/20 budget on 29th May 2019 in Dodoma City.

Strengthening Partnership with Likeminded Organisations

In 2015, the Institute initiated the intensive discussion which was titled a school of haki ardhi, a more systematic training programme and building block for strong network of passionate individuals and organizations that are devoted and committed in advocating for the promotion and protection of land rights to small-scale producers, including staff, members and key stakeholders. The focus of these short but in-depth sessions and discourse is on the political economy of land; the agrarian question; and on the context of village governance. In 2019 over 10 NGOs were reached in various dialogues. The school has managed to create a strong relationship between CSOs and community members from various Districts of Tanzania in solving challenges related to land rights and class struggles. For example, through the School, Pawaga coalitions in Iringa met with Kilosa district community members to learn together on how to deal with land conflicts between pastoralist and farmers as well as class struggles in the community. As a result, the two community through their selected leaders are doing irregular consultation to ensure that Kilosa District farmers and pastoralist works together as famers and pastoralist in Pawaga Division in Iringa District.



Representative of CSOs, LRM, traditional leaders and government officials in a legal and tradition practices meeting

District Multi-Stakeholders Forum (DMF)

In 2019, HAKIARDHI sought of having more comprehensive engagements with stakeholder. The platforms are at district level and involve LRMs, Village leaders, Ward, Division and District Officials, Religious and Traditional leaders and like-minded CSOs. The respective annual forum is held within the local government framework to facilitate reflections, experience sharing, to develop best practices to deal with land, climate and other issues. It also enables better programmes implementation in the districts. Two District Multi-Stakeholder Forums (DMFs) were formed in pilot districts of Kilolo and Kilombero and the engagements led to cooperation between LRMs, Villagers, Village leaders and Districts authorities in struggle for climate change and dealing with land rights conflicts. The Multi-Stakeholders forums have facilitated easy flow of information from village level to District authorities and the law makers.



A group photo of the participants attended a Multi-stakeholders Forum conducted in Kilombero district on August 2019.

Strengthening Engagement on Land Rights through Consortiums

The Institute has a number of joint engagements that were happen in consortiums such as Tanzania Land Alliance (TALA), Ardhi Yetu Programme (AYP), Shared Resource Joint Solution (SRJS) and Women Land Cluster whereby issues of land, environment, natural resources, and women land rights were addressed. Working in consortium has enabled to the Institute to amplify synergies in advocating for small scale producers' issues of land rights, environment and natural resources management. The consortiums have managed to amplify the voice of the issues that are affecting small scale producers, women in particular. For example, the challenge of Women land ownership posed by the Customary Law Declaration Order of 1963, has been taken onboard by the Government who have promised the reforms about that declaration are on the way.



Mr. Nicholaus Mhozya from Foundation for Civil Society contributing during a learning and reflection session of the Women's Land Rights Cluster members conducted at Dodoma Hotel.



Active Members Inspiring transformation:

Throughout the year Members of the Institute have participated in 90% of all activities such as policy dialogues, radio programs, networking, trainings and monitoring and evaluation visits.

For instance, on 6th September 2019 during monitoring discussion with held at Ihanga village in Kilombero district Ms. Subira Kibiga explained on how villagers can hold the government accountable on issues of trespass by persons in areas set out for livestock keeping. The discussion stimulated community member activeness in making follow up of their rights, hence led to the formulation of a special committee that was tasked with making follow up on the issue and report on it in the next village assembly.

In addition to that, participation of Ms. Marcelina Kibena and Ms. Anna Oloishuro HAKIARDHI members in radio programs enticed several women to raise their voices in village meetings. The village chairman of Kisaki in Morogoro District Mr. Shabani Mgoamweru during one of the monitoring visits stated that, “women are currently very inquisitive... they ask a lot of questions and when they do not get a proper answer they state that they have read and heard in the radios on the importance of making decisions which involve all people...”

PART FOUR: THE YEAR 2019 IN PICTURES





PART FIVE: FINANCIAL REVIEW

Consolidated Statement of Financial Activities



REPORT OF THE INDEPENDENT AUDITORS TO THE MEMBERS OF LAND RIGHTS RESEARCH AND RESOURCES INSTITUTE

Report on the financial statements

Opinion

We have audited the financial statements of Land Rights Research and Resources Institute, which comprise the statement of financial position as at 31 December 2019, and the statement of financial performance, statement of changes in net assets and statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Organization as at 31 December 2019 and its financial performance and its cash flows for the year then ended in accordance with International Public Accounting Standards (IPSAS) and the requirements of the Non-Governmental Organization Act, 2002.

Basis for Opinion

We conducted our audit in accordance with International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Organization in accordance with the ethical requirements that are relevant to our audit of the financial statements in Tanzania, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with International Public Accounting Standards (IPSAS) and the requirements of the Non-Governmental Organization Act, 2002, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Organization's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Organization or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Organization's financial reporting process.

Key Audit Matters

We have determined that there are no other key audit matters to communicate in our audit report.



**REPORT OF THE INDEPENDENT AUDITORS (CONTINUED)
TO THE MEMBERS OF LAND RIGHTS RESEARCH AND RESOURCES INSTITUTE**

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

A further description of our responsibilities for the audit of the financial statements is included in Appendix 1 of this auditor's report. This description, which is located at page 13, forms part of our independent auditor's report.

Report on Other Legal and Regulatory Requirements

This report, including the opinion, has been prepared for, and only, for the Organization's members as a body in accordance with Non-Governmental Organization Act, 2002 and for no other purposes.

As required by the Tanzania Non-Governmental Organization Act, 2002, we report to you, based on our audit, that:

- (i) we have obtained all the information and explanations which to the best of our knowledge and belief were necessary for the purposes of our audit;
- (ii) in our opinion proper books of account have been kept by the Organization, so far as appears from our examination of those books; and
- (iii) the Organization's statement of financial position and statement of comprehensive income are in agreement with the books of account.

Osanna Auditors Tanzania
Certified Public Accountants

CPA Fulgensio Mgaya (ACPA 3142)
Dar es Salaam

Date: 15-MAY-2020

**REPORT OF THE INDEPENDENT AUDITORS (CONTINUED)
TO THE MEMBERS OF LAND RIGHTS RESEARCH AND RESOURCES INSTITUTE**

Appendix 1

As part of an audit in accordance with ISAs, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Organization's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Organization's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Organization to cease to continue as a going concern.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

**Land Rights Research and Resources Institute
Annual Report and Financial Statements
For the Year Ended 31 December 2019**

STATEMENT OF FINANCIAL PERFORMANCE

	Note	2019 TZS	2018 TZS
Income			
Grant Income	1	935,573,686	928,071,954
Other Income	2	15,486,392	53,354,657
		951,060,078	981,426,611
Expenditure			
Knowledge Generations and Dissemination	3	(155,097,762)	(198,362,105)
Public Engagement	4	(501,219,302)	(513,044,695)
Institutional Management and Programme Support Cost	5	(242,857,956)	(250,607,184)
Depreciation of Property and Equipment	6	(69,052,377)	(9,417,832)
		(968,227,397)	(971,431,816)
		(17,167,319)	9,994,795

The significant accounting policies on pages 19 to 23 and the notes on pages 24 to 31 form an integral part of these financial statements.

Report of the independent auditors - pages 11 to 13.

**Land Rights Research and Resources Institute
Annual Report and Financial Statements
For the Year Ended 31 December 2019**

STATEMENT OF FINANCIAL POSITION

	Note	As at 31 December	
		2019 TZS	2018 TZS
Non-current assets			
Property and equipment	6	684,895,871	752,783,248
Current assets			
Cash and cash equivalents	7	80,305,951	115,456,583
		80,305,951	115,456,583
Total Assets		765,201,822	868,239,831
Equity and Liabilities			
Equity			
Capital grant	8	608,889,556	676,776,933
Revaluation reserve		76,006,315	76,006,315
Accumulated (deficit)/fund		(7,172,523)	9,994,796
		677,723,348	762,778,044
Current liabilities			
Other payables	9	37,620,603	12,582,172
Deferred grant income	10	49,857,871	92,879,614
		87,478,474	105,461,787
Total Equity and Liabilities		765,201,822	868,239,831

The financial statements on pages 14 to 31 were approved for issue by the Board of Directors on 14.05.2020 and were signed on its behalf by:



Mr. Alquine Senga
Chairperson



Cathbert Tomitho
Executive Director

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Report of the independent auditors - pages 11 to 13.

**Land Rights Research and Resources Institute
Annual Report and Financial Statements
For the Year Ended 31 December 2019**

STATEMENT OF CHANGES IN NET ASSETS

	Capital grant TZS	Revaluation reserve TZS	Accumulated (deficit)/fund TZS	Total TZS
Year ended 31 December 2019				
At start of year	676,776,933	76,006,315	9,994,796	762,778,044
Deficit for the year	-	-	(17,167,319)	(17,167,319)
Capital grants fund received during the year	1,590,000	-	-	1,590,000
Disposals	(425,000)	-	-	(425,000)
Capital grants fund released to grant income	(69,052,377)	-	-	(69,052,377)
At end of year	608,889,556	76,006,315	(7,172,523)	677,723,348
Year ended 31 December 2018				
At start of year	670,523,152	-	-	670,523,152
Surplus on revaluation	-	76,006,315	-	76,006,315
Surplus for the year	-	-	9,994,796	9,994,796
Capital grants fund received during the year	15,671,613	-	-	15,671,613
Capital grants fund released to grant income	(9,417,832)	-	-	(9,417,832)
At end of year	676,776,933	76,006,315	9,994,796	762,778,044

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Report of the independent auditors - pages 11 to 13.

**Land Rights Research and Resources Institute
Annual Report and Financial Statements
For the Year Ended 31 December 2019**

STATEMENT OF CASH FLOWS

	Note	2019 TZS	2018 TZS
Operating activities			
Cash used in operations	12	(33,560,632)	(40,020,136)
Income tax paid		-	-
Net cash used in operating activities		(33,560,632)	(40,020,136)
Investing activities			
Purchase of property and equipment		(1,590,000)	(15,671,613)
Net cash used in from investing activities		(1,590,000)	(15,671,613)
Decrease in cash and cash equivalents		(35,150,632)	(55,691,749)
Movement in cash and cash equivalents			
At start of year		115,456,583	171,148,332
Decrease in cash and cash equivalents		(35,150,632)	(55,691,749)
At end of year	7	80,305,951	115,456,583

The significant accounting policies on pages 19 to 23 and the notes on pages 24 to 31 form an integral part of these financial statements.

Report of the independent auditors - pages 11 to 13.

**Land Rights Research and Resources Institute
Annual Report and Financial Statements
For the Year Ended 31 December 2019**

STATEMENT OF COMPARISON OF BUDGET AND ACTUAL AMOUNTS

	Budget TZS	Actual TZS	Performance Difference TZS	Performance Difference %
INCOME				
Revenue Grants	1,109,922,141	866,521,308	(243,400,833)	-22%
Other Income	-	15,486,391	15,486,391	100%
Total	1,109,922,141	882,007,700	(227,914,441)	-21%
EXPENDITURE				
Reliable, Concrete and up to Date Information on Land and Natural Resources	63,228,000	54,480,161	(8,747,839)	-14%
Increased Access to Reliable, Concrete and Up to Date Information on Land	146,328,000	100,617,601	(45,710,399)	-31%
Enhance Knowledge Base and Citizen Participation in Policy and Decision	376,986,690	288,806,226	(88,180,464)	-23%
Improved Policies, Practices and Institutional Framework Governing Land	74,073,000	50,197,440	(23,875,560)	-32%
Strengthen Partnership with Likeminded Local and International	19,150,000	12,513,714	(6,636,286)	-35%
Programme Personnel costs	105,985,573	84,150,000	(21,835,573)	-21%
Securing Programme Equipments and Services	18,900,000	17,853,260	(1,046,740)	-6%
Other Program Costs	-	47,698,662	47,698,662	100%
Improved HAKIARDHI Institutional Governance	158,745,878	103,746,350	(54,999,528)	-35%
Ensured Availability of Resources	49,959,552	38,023,795	(11,935,757)	-24%
Improved Quality of HAKIARDHI Intervention	96,565,448	101,087,810	4,522,362	5%
Total	1,109,922,141	899,175,019	(210,747,122)	-19%
Deficit for the year		(17,167,320)	(17,167,320)	

The significant accounting policies on pages 19 to 23 and the notes on pages 24 to 31 form an integral part of these financial statements.
Report of the independent auditors - pages 11 to 13.



HAKIARDHI

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