



HakiMadini Tanzania

2025

## Localizing Free, Prior, and Informed Consent (FPIC) in Tanzania's Mining Sector

Empowering Communities: Localizing Free, Prior, and Informed Consent (FPIC) to Strengthen Rights and Transparency in Tanzania's Mining Sector.



[www.hakimadini.org](http://www.hakimadini.org)

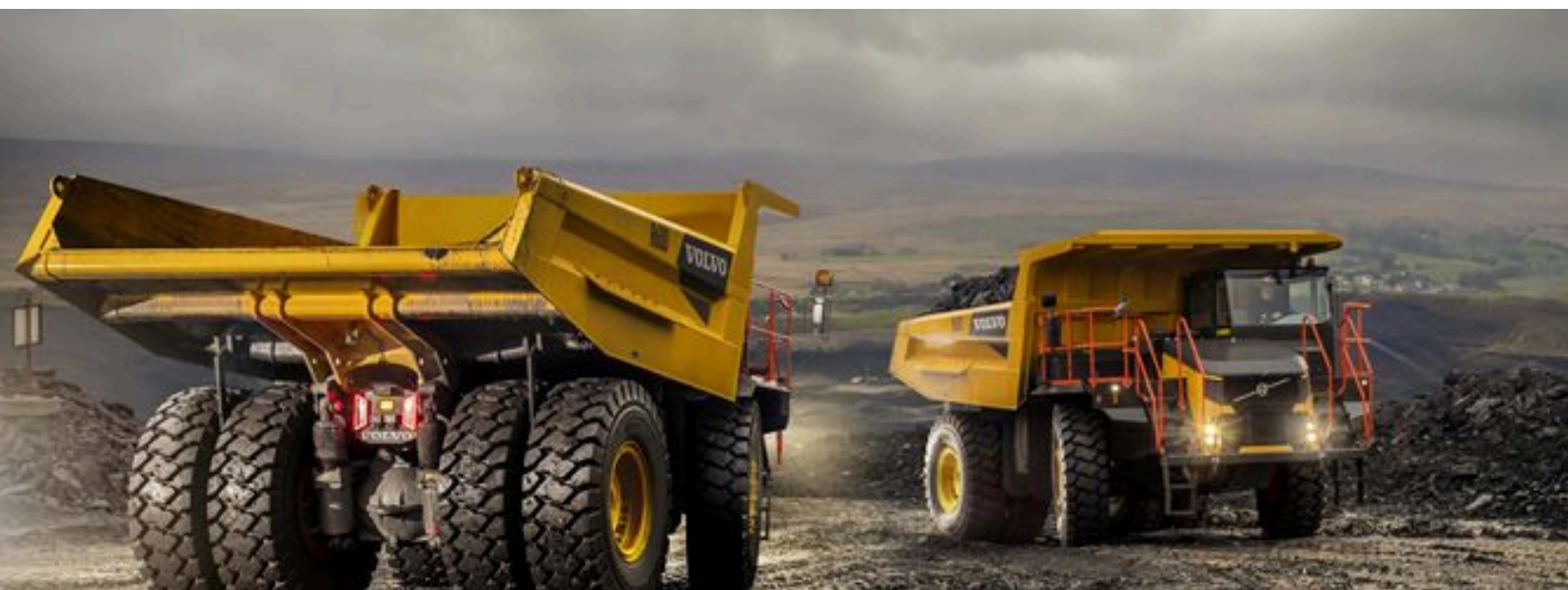


# Overview

Tanzania is blessed with abundant mineral resources, including gold, diamonds, Tanzanite, coal, and rare earth elements. The mining sector plays a significant role in the country's economy, contributing to government revenues, foreign exchange earnings, and employment. In 2020, mining contributed about 7.3% to Tanzania's Gross Domestic Product (GDP), and this figure is projected to increase with further investments and exploration. However, the growth of the sector has also intensified the interaction between mining activities and local communities, especially those in rural and resource-rich areas.

In many cases, the development of mining projects has led to land displacement, environmental degradation, loss of livelihoods, and social unrest. These outcomes often result from inadequate community engagement, limited transparency, and a lack of meaningful consent from those most affected. In this context, the concept of Free, Prior, and Informed Consent (FPIC) has emerged as a crucial framework for protecting community rights, promoting social justice, and ensuring responsible resource governance.

Localizing FPIC in Tanzania is essential, not only to align with international standards but also to build inclusive, peaceful, and sustainable mining practices that respect the voices and rights of host communities.



# ***Rights Before Resources***

## FPIC



**FPIC** is a principle rooted in international human rights law, particularly related to Indigenous Peoples and local communities. It requires that communities be:

**Free** to make decisions without coercion, intimidation, or manipulation.

**Priorly** consulted before any activity that may affect their land, resources, or way of life begins.

**Informed** through timely, relevant, and accessible information regarding the nature, scope, and impacts of proposed projects.

**Consent giving**, meaning that communities have the right to accept or reject proposed projects based on their own values, interests, and needs.

Originally emphasized in instruments such as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the ILO Convention No. 169, FPIC has evolved as a standard for responsible business conduct and environmental governance worldwide.

While Tanzania does not officially recognize “Indigenous Peoples” in its legal framework, many rural communities especially those depending on land, forests, and artisanal mining face similar challenges of marginalization, making the localization of FPIC both relevant and necessary.



## Why FPIC Matters in Tanzania's Mining Sector

The need for FPIC in Tanzania arises from several pressing realities:

### 1. Displacement and Land Conflicts

Mining operations, particularly large-scale projects, often require extensive land use, leading to the relocation of communities. In many cases, such relocations happen without genuine community involvement, fair compensation, or long-term support, resulting in land conflicts and broken trust.

### 2. Environmental and Social Impacts

Mining can degrade water sources, destroy forests, and pollute ecosystems that communities depend on for agriculture and pastoralism. Without informed consent, communities are left to bear the environmental burdens of decisions made without their participation.

### 3. Inequitable Benefit-Sharing

Despite the economic value generated by mining, the benefits rarely reach the communities living closest to mining sites. Lack of transparency in contracts, royalty allocations, and corporate social responsibility (CSR) programs often results in unmet expectations and social grievances.

### 4. Youth and Gender Exclusion

Women and youth in mining-affected areas are often left out of consultation processes. This exclusion undermines inclusive development and leaves out the voices of those who are most affected, especially in resource-use decision-making.

## Legal and Policy Gaps in FPIC Implementation in Tanzania

The Mining Act [CAP 123 R.E. 2019] revised edition, while mandating compensation and stakeholder engagement, does not explicitly require community consent. Terms such as “consultation” are often vague and open to interpretation.

The Village Land Act [CAP 114 R.E. 2019] recognizes customary land tenure but lacks enforcement mechanisms that protect communities from top-down land reallocations for mining.

The Environmental Management Act (No. 20) of 2004 provides for environmental impact assessments (EIAs) and public hearings, but these are often formalities rather than platforms for real dialogue or decision-making.

There is limited integration of FPIC within regional and local government planning systems.



# Barriers to Localizing FPIC in Practice

Several practical challenges make FPIC implementation difficult:

## Low Legal Awareness

Many rural communities are not aware of their legal rights or the implications of mining contracts and environmental assessments. This lack of legal literacy makes it difficult for them to demand their rights or give informed consent.

## Language and Communication Barriers

Most mining-related documents and consultation meetings are conducted in English or Swahili without considering local dialects or literacy levels. Communities often lack the tools to understand complex technical information.

## Power Imbalances

Multinational companies often have significant economic and political power compared to local communities, who may lack access to legal representation or advocacy support.

## Tokenistic Consultations

Too often, public consultations are conducted as box-ticking exercises rather than genuine efforts to engage communities. These meetings are usually short, poorly facilitated, and controlled by external actors.

# Strategies for Localizing FPIC in Tanzania

To bridge the gap between principle and practice, the following strategies are essential:

## Legal Reform and Policy Mainstreaming

Tanzania must integrate FPIC into national legislation governing mining, land use, and environmental management. This includes:

- Mandating consent processes for any land use changes.
- Recognizing the role of customary landowners.
- Embedding FPIC in district development planning

## Community Legal Empowerment

Programs should focus on building the legal knowledge and organizational capacity of communities through:

- Community paralegal networks.
- Legal aid clinics focused on land and mining issues.
- Civic education in schools and through community-based organizations.

## Inclusive and Participatory Dialogue

Consultation processes must:

- Be culturally sensitive and accessible.
- Include women, youth, elders, and marginalized groups.
- Allow sufficient time for communities to consult internally before giving consent.

## Transparent Information Sharing

Government agencies and companies must:

- Disclose mining contracts and environmental impact assessments.
- Use visual tools, translations, and media (radio, posters, drama) to communicate with communities.
- Provide regular updates throughout the mining project life cycle.



## Strengthening Local Governance

Village councils and ward development committees should be supported to play a more proactive role in:

- Monitoring mining projects.
- Facilitating dialogue between stakeholders.
- Holding companies accountable to social and environmental commitments.

## Conclusion

The localization of Free, Prior, and Informed Consent in Tanzania's mining sector is not just a legal reform agenda it is a pathway to more just, equitable, and sustainable resource governance. By ensuring that communities have the right to say “yes” or “no” to projects that affect their lives and lands, Tanzania can reduce conflict, build public trust, and promote responsible investment.

The path to FPIC implementation requires collaboration across government agencies, mining companies, civil society, and most importantly, the communities themselves. It calls for political will, legal reform, and a cultural shift in how resource extraction is governed. When communities are empowered to participate meaningfully, the mining sector can be a true engine for inclusive development one that respects human rights and environmental integrity.



**Hakimadini  
Tanzania**



**Working For Pro-Poor  
Mining Sector in Tanzania**



**FREE**

**PRIOR**

**INFORMED**

**CONSENT**

## **HAKIMADINI TANZANIA**

Strengthening Voices and Uniting  
Stakeholders for a Fair and  
Transparent Mining Sector



**+255 339 073**



**[www.hakimadini.org](http://www.hakimadini.org)**



**12536, Arusha, Tanzania**