

# DARUBINI

## Access to Justice in Tanzania's Mining Sector: Preparing for the Critical Mineral Rush



Issue 9  
August 2025

Supported By:  **Belgium**  
partner in development

Published by:  
HakiRasilimali, International Peace Information Services (IPIS),  
Business Human Rights Tanzania (BHRT) & Avocats Sans Frontières (ASF)

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## Introduction

The global energy system is undergoing a profound transformation toward clean energy, driven by an increasing number of countries and corporations committed to reducing greenhouse gas emissions to [net zero](#). This low-carbon future demands the widespread deployment of clean energy technologies such as solar panels, wind turbines, and electric vehicles, which are highly dependent on critical minerals like [lithium](#), [graphite](#), [nickel](#), [copper](#), [cobalt](#), [titanium](#), and [rare earth elements](#). As a result, these minerals now sit at the heart of the [global energy transition](#).

The global demand for critical minerals could present a major [opportunity for African countries rich in raw materials](#). However, the growing competition among the global powers has intensified the risks of human rights violations and the marginalisation of local communities. As countries rush to secure sustainable mineral supply chains, meaningful community engagement is often bypassed. While many African countries are not [major consumers](#) of these minerals, they have become [crucial suppliers](#), but often at the expense of underdeveloped rural communities where extraction occurs. These communities frequently face long-standing socio-economic inequalities and remain highly vulnerable to exploitation and environmental harm.

In this context, [Access to Justice](#) is fundamental not only as a legal principle but as a tool for empowerment. It ensures that affected populations can voice their concerns, exercise their rights, challenge systemic discrimination, and hold both governments and corporations accountable.

This edition of Darubini critically reflects on what access to justice should look like in the era of critical mineral exploitation. Drawing on insights from local communities, civil society, the international community, and donor organisations, legal experts, and policymakers, calling for transformative reforms that place human rights and social equity at the centre. As Tanzania moves deeper into the critical minerals landscape, ensuring inclusive and equitable justice mechanisms in the extractive sector is not only necessary but long overdue.

## Why Justice Matters in the Critical Minerals Rush?

In the extractive sector, particularly the critical mineral sector, a question of justice encompasses more than legal redress. [Access to justice](#) includes fair distribution of mining benefits, the recognition of land and environmental rights, the protection of cultural heritage, and guarantees of personal and communal security and human rights. Without these safeguards, the transition to clean energy risks deepening existing injustices rather than delivering shared prosperity.

Tanzania exemplifies this dynamic. As an emerging producer of critical minerals with significant developments in nickel, copper, and cobalt refining through initiatives like [Life Zone Metals](#), backed by the U.S. government, the country stands at a crossroads. While these new ventures promise economic growth, they also raise longstanding concerns grounded in Tanzania's legacy of traditional mining, such as [Gold](#) and [Diamonds](#), that have often been marked by human rights violations, insecurity, and thousands of unresolved grievances largely due to limited access to justice. Communities in areas such as [Tarime in Mara Region](#) and [Msalala in Shinyanga Region](#) continue to bear the scars of corporate misconduct and inadequate legal redress. These realities highlight why future investment in Tanzania's critical minerals must prioritize transparency, accountability, and justice from the onset.

## Access to Justice in Tanzania's Mining Sector: Key Lessons and Reflections

As Tanzania confidently transitions toward a renewable energy future, drawing in new investments and signing strategic agreements, underlying concerns about human rights, social impacts, and environmental protection are at high risk of being overlooked. Despite the rapid development, local communities remain largely unprepared and their involvement in decision-making processes remain significantly limited. Issues such as fair compensation, employment opportunities, and corporate social responsibility (CSR) are growing areas of contention. While private firms often view CSR as a tool to secure a social license to operate, community participation and justice remain insufficiently addressed.

[Avocats Sans Frontières \(ASF\)](#), while examining the context of access to remedy in Tanzania's extractive sector, reveals that the absence of effective operational-level grievance mechanisms and the inconvenience encountered in formal and state-based judicial mechanisms complicates the justice environment.

The established [Independent Grievance Mechanism](#), due to the [Williamson diamond mine violations](#), despite making efforts to address past issues, was observed to be overwhelmed in enhancing effective corporate accountability and remediation processes. This inefficiency has resulted in prolonged delays in ensuring that remedies are adequate, appropriate, proportionate, and responsive to the diverse experiences of the violations.

The issue of peace and safety in extractive communities remains deeply concerning. Towards [strengthening justice systems](#) for communities' welfare and security, Tito Magoti, an Advocate of the High Court of Tanzania, argues that, "...weak criminal justice systems allow perpetrators of police brutality, including investors, to escape justice, making it hard for victims to seek redress."

Police forces have been implicated in incidents of violence, including [killings and injuries](#) among residents of host mining communities, where they are tasked with overseeing and maintaining external security to prevent 'intrusions' and safeguard corporate assets. Meanwhile, internal site protection is often delegated to private security firms. [Human Rights Watch](#) reported multiple [extrajudicial killings](#) allegedly committed by the police around mining sites in Tanzania,

urging the government to initiate an independent investigation and hold the perpetrators accountable through the legal system. Several [independent reports](#) and [other sources](#) claim that deaths and injuries in mining areas often involve armed and unauthorized community intruders. However, incidents of violence, including assault and killings, continue to occur around major extractive sites

Companies often [deny direct involvement](#), asserting their contracted security forces operate within the legal and non-violent boundaries. Still, the broader issue of peace and security in the extractive industry remains complex, underscoring the urgent need to [strengthen criminal justice systems](#) to ensure redress for victims of police brutality in mining regions.

## Conclusion

The context of justice in extractive investments implies ensuring that mineral extraction does not fuel social unrest, human rights abuses, or economic exclusion in resource-rich countries.

In Tanzania, achieving justice in a critical mineral extraction should involve equitable benefit-sharing, effective and accessible grievance mechanisms at both operational and judicial levels, and full community awareness of compensation processes to reduce land acquisition-related conflicts. It must also include respect for indigenous rights and prioritize local well-being to mitigate the influx of intruders and invaders to mining sites.



In March 2025, [IPIS](#), in collaboration with [HakiRasilimali](#), [Business & Human Rights Tanzania \(BHRT\)](#), and [Avocats sans Frontières \(ASF\)](#), co-organised a high-level panel discussion focusing on the impacts of the critical mineral rush in Tanzania. The discussion, titled "[Access to Justice in Tanzania's Extractive Sector: Preparing for the Critical Minerals Rush](#)," examined Tanzania's experience with mining, drawing attention to lessons learned in maximizing socio-economic benefits while minimizing harm to communities near extractive projects. International development partners, including the Belgian Ambassador to Tanzania and members of the International Governance Working Group, joined local civil society organisations, industry representatives, and policy advisors in unpacking the complex legacy of traditional mining practices.

Panellists emphasized the urgent need for justice and corporate accountability as Tanzania navigates the critical minerals rush, particularly amid increasing global demand for cobalt, lithium, and rare earth elements. The event underscored the importance of embedding human rights and free, prior, and informed consent at the heart of natural resource governance strategies.

Rose Ugulumu from BHRT highlighted the gap in community involvement by sharing her firsthand experience with the Kabanga Nickel Project, underscoring the urgent need for early community engagement and rights protection in Tanzania's extractive industries.

*"There is no consistent pre-extraction awareness-raising. People don't understand the plans of the extractive project, or the process to obtain adequate compensation for the land it acquires." Rose Ugulumu from BHRT*



From the discussions, [access to justice](#) was highlighted to be at a confronting gap. Connecting the dots with findings from the ASF report especially in the absence of effective [operational-level grievance mechanisms](#) and the procedural inconveniences within the formal, state-based judicial systems. Emerging challenges facing the [Operational Grievance Mechanisms](#), set up by companies, include persistent procedural delays, [inadequate support to applicants](#), and substandard communication. For instance, the Independence Grievance Mechanism set up by the Williamson diamond mine was reported to be severely overwhelmed. Nearly [6,000 human rights claims](#) have been filed, undermining the efforts to ensure that remediation is adequate, appropriate, proportionate, and responsive to the diverse experiences of the victims.

*"Our monitoring over two years shows that while the mechanism has solid foundations and a willingness to improve, many claimants face long silences, then get notified of hearings just the night before. The lack of transparency and predictability creates confusion and erodes trust." Hans Merket from IPIS*



Regarding law enforcement in the mining sector, Adam Anthony noted during the discussions, "The real problem isn't only the absence of laws, but the failure to enforce them effectively." It was further explained that institutional weaknesses retard the enforcement, largely due to technical and financial constraints, limited enforcement powers, and overlapping mandates, all of which significantly hinder access to justice in Tanzania's extractive industries.

1. Fixing the Criminal Justice System is Key to Accountability in Tanzania's Extractive Sector ([The Chanzo](#))
2. Criminal Laws in Tanzania: Policing and the Extractive Industry ([University of Bristol Law School Blog](#))
3. Tanzania weighing new policy to mandate human rights, environmental due diligence ([The Guardian](#))
4. Foreign Countries are Lining Up to Exploit Africa's Critical Minerals ([London School of Economics](#))
5. Clean Energy Minerals: Tanzania's dark side to a new dawn ([Mail & Guardian](#))
6. District Commissioner of Tarime visits the families of the youths who lost their lives in Nyamongo, warns intruders in the North Mara mine, and prohibits politics at funerals ([Mara Online](#))
7. RPC confirms the death of a civilian and the injury of police officers in Nyamongo, warns invaders of the mine ([Mara Online](#))

