

Maasai International Solidarity Alliance (MISA)* Newsletter

November and December 2023

Key news

- European Parliament calls on Tanzanian Government to halt its forcible evictions of Maasai communities
- MISA pays tribute to Green MEP Michèle Rivasi
- Faith leaders invite Maasai to speak up at interfaith event on human rights situation in Tanzania
- Ngorongoro Conservation Authority has seized more than 19,000 livestock since January 2023
- Flying Medical Service (FMS) appeals to Vice President but still not authorised to operate
- Maasai concerned about massive 8 Million hectares land deal

European Parliament calls on Tanzanian Government to halt its forcible evictions of Maasai communities

On 14 December, the European Parliament adopted an emergency resolution urging the Tanzanian Government to immediately halt ongoing forcible evictions of Maasai communities in the country's Ngorongoro District.



Photo: The resolution was adopted with 493 votes in favour, 29 against and 17 abstentions.

The Parliament calls on the Tanzanian Government to recognise and protect their rights, and to acknowledge the lands and resources that Maasai communities have managed for generations and their role in maintaining wildlife and biodiversity. Members of the European Parliament (MEPs) also urge the Tanzanian Government to allow United Nations (UN) and European Union (EU) institutions observation visits and call on the European Commission to report on EU budget support programmes and other initiatives in Tanzania, with particular attention to projects dealing with biodiversity loss and climate change and to human rights safeguards. For more details, the full text is available [here](#).

MISA pays tribute to Green MEP Michèle Rivasi

A staunch supporter of the Maasai cause in Tanzania, MEP Michèle Rivasi, died on 29 November and will be sorely missed by MISA. She will always be remembered for her dedication, solidarity and commitment to justice.



Photo: MEP Michèle Rivasi with Maasai delegation, other MEP and Tanzanian Ambassador to EU, June 2023

Michèle Rivasi and other MEPs received the Maasai delegation to Brussels in May 2023 and were about to visit the Maasai in Tanzania to see their situation on the ground. The visit was unfortunately cancelled due to Michele Rivasi's heart attack. A first visit of the MEPs was supposed to take place in September but the Tanzanian authorities denied the MEPs' entry into the country.

700 Maasai women block the Serengeti-Arusha road

More than 700 determined Maasai women in Loliondo staged a peaceful demonstration, blocking the Serengeti-Arusha road at Ololosokwan village in response to ongoing operations on their village land. Despite the High Court's suspension of Operation Government Notice (GN) 406, which established the illegal Pololet Game Reserve, the community is facing illegal arrests, livestock seizures, unlawful fines, sales, and reports of torture. Over 2000 cattle were seized at Klen's Game Range Post. [Witness their courage](#) as they advocate for their land and rights.



Photo: "Samia don't kill us, we have children like you".

"Losing our land means losing our roots, our traditions—it's our very soul at stake." NALANG'U KOIPA

"Without our land, our culture fades, our families suffer. We fight for our survival and our children's tomorrow." NAYIOLOANG' YAILE

"We stand firm. Our roots are deep in this land. We won't leave, no matter what. This is where we belong." NAISULA TOMBOY

Maasai lawyer and activist Joseph Oleshangay receives Human Rights Award from city of Weimar on 10 December

On Human Rights Day 2023, Joseph Oleshangay gratefully accepted this recognition of his work, making it not a personal achievement but a collective award.

Oleshangay met with many relevant actors while in Germany, including the German Foreign Office, German East African Parliamentary Group, German Members of Parliament, BMZ (Federal Ministry for Economic Cooperation and Development) and KfW (German state-owned investment and development bank). MISA regrets that the Frankfurt Zoological Society refused to meet Oleshangay to discuss progress and

challenges since the May 2023 [lobby tour](#), and organized a peaceful protest in front of FZS offices on December 15.



Photo: Maasai lawyer and activist Joseph Oleshangay receives human rights award from the city of Weimar on Human Rights Day 2023

Oleshangay highlighted that this award is for his entire community, for his fellow lawyers, for international journalists who have reported on human rights abuses in Tanzania and for all international allies. Oleshangay also had a specific message for his German audience, highlighting the colonial origins of the current conservation model. Referring to the recent apology offered by the German President for atrocities committed during the colonial period, Oleshangay encouraged everyone to act on injustices now, including the refusal that taxpayers' money be used to support forced evictions and human rights violations. [Watch his keynote address here](#).

Maasai women harassed when collecting firewood after establishment of Makuyuni Wildlife Park

Located within the Tarangire-Manyara Ecosystem, this newly established park covers an area of 49 km² and is located 70 km by road from Arusha City. It was handed over to the Tanzania Wildlife Management Authority (TAWA), whose Board Chairperson [stated it was keen on optimally using the area in bolstering the \\$2billion-a-year industry](#). MISA received reports from Maasai women in the park vicinity who were sexually harassed. They were prevented from accessing previously commonly used land for daily subsistence needs such as firewood.

Faith leaders invite Maasai to speak up at interfaith event on human rights situation in Tanzania

On 9 December, an interfaith event was organised in Dar Es Salaam to discuss the state of human rights in the country. Father Kitima, Secretary General of Tanzania Catholic Episcopal Conference (TEC), stated that the Church will stand with the Maasai of Ngorongoro until the last person and that their human rights should be respected. While leaders of various faiths had originally intended to organise a fact-finding mission to assess human rights abuses in Ngorongoro and Loliondo, Fr. Kitima also said that they were prohibited from doing so by the Tanzanian Government. His speech also emphasised that the Church itself and the services it provides (like health) have been impacted by the ongoing situation.



Photo: Fr. Kitima addressing his audience on 9 December

Lawyer Denis Oleshangay gave an overview of key abuses and land disputes facing his community in northern Tanzania. The meeting was attended by many religious leaders, government officials, lawyers, CSOs and human rights activists, and was [streamed live](#) to over 33,000 people.

Loliondo women pray and protest for four days against grabbing of their lands and livestock confiscation

Ololosokwan women organised a peaceful gathering for four days on 7-11 December, holding sand as a symbol of their attachment to the land and asking God to give back their ancestors' land. Sitting bravely despite heavy rains, hundreds of women met in solidarity to ask the Government to release over 1000 cows locked up for over a week.



Photo: Ololosokwan women demonstrate on 9 December

Ngorongoro Conservation Authority has seized more than 19,000 livestock since January 2023

On 28 November, the Ngorongoro Conservation Area Authority (NCAA) issued a [public statement](#) admitting to have confiscated and sold 19,382 livestock including 6,165 goats and sheep and 13,217 cattle from Maasai community. It collected TZS 786,475,000 as charges from pastoralists who grazed livestock in the area. The statement comes as response to claims of misunderstanding that have arisen between hunting and tourism companies. Despite the recent court ruling granting Maasai the right to graze their land in Loliondo, the NCAA insisted that it is operating under the law and that its roles in Pololet include controlling activities such as livestock grazing and settlement.

Flying Medical Service (FMS) appeals to Vice President but still not authorised to operate

The Flying Medical Service, a non-profit volunteer organisation that provides preventative and curative health care in remote areas, including ambulance service, was grounded for 16 months by the Government from April 2022 onwards and was allowed to resume operations only in August 2023. However, its clearance to operate expired again on 19 November. FMS has been writing letters to the Minister of Health, the Ministry of Transport and the Vice President to unlock this situation, but it is still waiting for a positive response.

Maasai redistribute livestock for impoverished families

The Maasai community in Mundorosi village contributed some 200 livestock to restock families whose livestock had been sold as unclaimed property by the Government. The

owners of the auctioned livestock requested from the Government to be considered for the [TASAF](#) (Tanzania Social Action Fund) scheme set up to support the poorest people in the country.

Amani Olelengume, whose livestock has been auctioned, said:

“We have been made poor, we no longer have livestock, they have taken everything from us. We do not have milk for our children and, as pastoralists, we can't live without cattle. We have lost all our livestock.”

Joshua Makko, the village chairperson for Mundorosi said:

“17 families have been impoverished in one day. livestock were seized in the village land and taken by rangers under barrel of guns to Serengeti. I and two Ward Councillors and other village chairpersons went to plead with them to release the livestock. I have the picture of the livestock taken to Serengeti but they have sold them as unclaimed property.”



Photo: 11 November 2023, Maasai redistribute livestock for impoverished families

Women bring their plea to member of ruling party's Central Committee

On 10th November 2023, Maasai women protested holding posters before the Central committee member of the ruling party Chama cha mapinduzi (CCM), Mr. Hassan Wakasuvi. Mr. Wakasuvi visited Ngorongoro District to strengthen his party's following in Arusha region. Maasai women shared their concerns about the ongoing situation in Ngorongoro conservation area (NCA) where the government halted social services and in Loliondo, where the government has evicted people and limited settlement and grazing areas.



Photo: Women gathering to meet CCM representative Mr. Hassan Wakusuvi on 10 November 2023

Maasai lawyers' successes and setbacks on the legal front

Successes:

- On 29 November, the East African Court of Justice (EACJ) Appellate Division delivered its landmark decision in Appeal No. 13 of 2022 between Ololosakwan Village Council and 3 Others vs Attorney General of the United Republic of Tanzania. The court emphasised that every single testimony and expert report that is in support of the case should be examined and considered. This appeal arises from Reference No. 10 of 2017, decided by the EACJ First Instance Division on 30 September 2023. In the First Instance Division, the court disregarded the expert's report and different testimonies made by witnesses from the Maasai community; this provoked the filing of Appeal No. 13 of 2022. The decision marks a significant milestone in East African jurisprudence. The Appellate Court also ruled that, in the First Instance Division, the Court wrongly applied a standard of proof other than the balance of probability and hence reached a wrong decision. The Appellate Division ordered a new trial (the case has to start afresh) on the following three issues:
 1. Whether the eviction was conducted in Serengeti National Park or their respective villages
 2. Whether the acts, omissions and conduct of the Respondent violated the EAC Treaty
 3. The remedies the parties are entitled to.

The Court has also awarded the Maasai the cost of the case both in the First Instance and in the Appellate Division.

- On 10 November, the High Court of Musoma vide Criminal Revision No. 08 of 2023 ruled that the seizure and subsequent auction of livestock by Serengeti National Park rangers were illegal. The Musoma Resident Magistrate Court order followed another ruling by the Musoma High Court ordering a stay of execution of the Musoma Resident Magistrate Court ruling that allowed SENAPA to auction Maasai livestock as property whose owner is unknown. The High Court in its 10 November

ruling said, by the time SENAPA sought a court order, they knew who the owner of the livestock was but informed the Lower Court that the cattle had strayed. The High Court also doubted the speedy actioning order by the Lower Court, as livestock do not fall into the category of properties that can easily decay. They should have waited for the owners to show cause.

Updates:

- In the main case challenging legality of the President's declaration of the Pololeti Game Reserve, the Attorney General has filed its response to Misc. Application No. 18 of 2023 that related to the Presidential declaration of Pololeti Game Reserve that has already been stayed (stopped from operating until determination of the case) by the Court. Councillors and the chairpersons of different villages have also filed their affidavits disputing the allegation contained in the Attorney General's reply. The main case is scheduled for next appearance on 22 January 2024.
- Following the local Court Ruling in Miscellaneous Application No. 21 of 2022 that declared Pololeti Game Controlled Area as illegally created and another Court Ruling in Misc. Application No. 178 of 2022 which stayed the operation of the Pololeti Game Reserve, the Maasai community enjoyed slight access into the disputed area in Loliondo. Soon thereafter, the Government is up in arms against Maasai livestock. This triggered the filing of a contempt Application No. 106 of 2023 against government officers involved in disobedience to Court orders led by Ngorongoro District Commissioner Raymond Mangwala. Despite the two court's victories, the community is still not allowed to access the disputed land.

Setbacks:

- In a separate Application that arises in the course of hearing of Misc. Application No. 18 of 2023, the Maasai made an impromptu Application against the conduct of the office of the Solicitor General as justifying state officers' open disregard to Court orders. The Court ruled that this case should have formally been brought as a different case, not as arising from Application No. 18 of 2023. Maasai lawyers will address this in contempt Application No. 106 of 2023.
- The Court further ruled, as the Court orders allegedly violated arose from Application No. 21 of 2022 and Misc. Application No. 178 of 2022, then the misconduct of the Attorney General should not be questioned in the main case arising from Misc. Application No. 178 of 2022.
- In the EACJ, another contempt of Court against the Attorney General of Tanzania has been overruled by the first instance division of the Court. Application No. 2 of 2022, which was filed in the buildup of the violence in Loliondo in 2022, the Court stated that some element of contempt has not been met and restrained to issue the orders. The ruling was delivered on 15 November. Maasai lawyers are intending to appeal to the Appellate Division.

Senior lawyer supporting Maasai in Loliondo case suspended for six months

Mpoki Mpale, a senior advocate active on the Loliondo cases, has been suspended from practice for six months. Mpoki appeared before the Advocate Committee on 20 November as lead lawyer for another lawyer Boniface Mwabukusi who was in trial before the Advocate Committee. He was unilaterally suspended by a chairperson of the committee for rising to inform the Court that his client intended to appeal against a ruling made by the Committee. His fellow lawyers believe his suspension relates to the high-profile cases that Mpoki is involved in, which included the port deal case in Mbeya and the Maasai cases. His suspension sent a clear signal of serious lack of independence of the judiciary in Tanzania

16 organisations issued joint statement denouncing lack of respect for the rule of law in Tanzania

On 8 November, sixteen local organisations issued a solidarity statement with the Maasai community and called on the Government to comply with Court orders. The statement insisted that:

- Legal action should be taken against the employees of the Court who participate in sabotaging and bankrupting the pastoralists by issuing an order to confiscate and sell their property without legal procedures to summon the parties to go to court;
- The Judicial Service Commission should take immediate disciplinary actions against judicial officers who conspired with the Tanzania National Parks Authority (hereinafter TANAPA) to order the auctioning of the Maasai livestock without following the law;
- TANAPA and the Police Force should immediately stop seizure of livestock and harassment of herders and are to obey Court orders;
- Ngorongoro Conservation Authority officials should allow livestock in their illegal custody to be fed and watered to prevent the cattle from dying;
- Game wardens/rangers should desist from seizing livestock within village land and taking them within protected areas for the purpose of confiscating them or forcing payment of ransom fees;
- The Government should take legal actions against its officials in disobedience of Court Orders;
- Tanzania Courts should monitor implementation of its decisions.

This came following repeated blatant violations of the law and disregard of Court Orders by the Government issued in [Misc. Civil Cause No. 178 of 2022](#) and [Misc. Civil Cause No. 21 of 2022](#), all of the High Court of Tanzania in Arusha. There was already another disregard by the Tanzania Government of EACJ ruling in [Application No. 15 of 2017](#). The statement also arises from the illegal seizure, confiscation and auction of 806 cows, 420 sheep and 100 goats made by government officials.

Pressure from civil society led to this issue being debated in Parliament. On 9 November, the Ngorongoro Member of Parliament presented a [Motion](#) for parliamentary discussion of this unacceptable situation.

Ngorongoro enters into agreement with Chinese investors for geological and picnic site developments

The Ngorongoro Conservation Area (NCA) Authority has entered into an agreement with Chinese investors for the building of different recreational sites throughout Ngorongoro. This includes picnic, museums and other tourism-related investments.

This news comes as a blow to the Maasai, who are not allowed to either build or renovate their houses or schools or health infrastructure on the pretext that they live in a delicate ecosystem. Is mass tourism really the best way to protect the environment? [Ngorongoro attracted 752,215 visitors in 2022-23](#), the highest number since it was established in 1959. This surely comes at a heavy price for the environment, when considering the high number of vehicles that enter NCA every day and the impacts from tourism in terms of water and energy uses. [Tourism investments](#) come with further restrictions for the Maasai, who are increasingly barred from accessing their ancestral lands for grazing, while these are converted into tourist campsites and luxury hotels.

Sportswashing Tanzania's Abuse of Maasai Pastoralists

The *Epic Tanzania Tour* — a luxury tennis-themed safari hosted by “tennis legends” John and Patrick McEnroe — has [offered an eight-day “expedition” in December 2023](#) marketed as a “truly extraordinary experience to explore Africa’s most iconic landscapes.” Enthusiastically welcoming the McEnroe brothers and their guests, Tanzanian President Samia Suluhu Hassan [has said that](#) “our country continues to grow through efforts like this, which expose the visitors and our people to new experiences from visitors around the world.” The Epic Tanzania Tour is, however, just a sportswashing exercise by a regime notorious for human rights abuses, attempting to sanitise its image through a high-profile sports event. Read here [the full article published by Oakland Institute](#).



Photo: Epic Tanzania promotional material

Maasai concerned about massive 8 million hectare land deal

According to [media articles](#) and scarce [government information](#), the United Arab Emirates (UAE) / Dubai-based company Blue Carbon entered a Memorandum of Understanding (MoU) with the Tanzanian Government earlier this year to “manage” 8 million hectares of land — almost 10 percent of the whole Tanzanian land mass — for carbon trading. To date, it is unclear where the massive area of land will come from. The Maasai are

extremely concerned that this deal will bring about more land conflicts, evictions and loss of land used for pastoralism.

Delegation of 150 American investors visits Ngorongoro and Serengeti

The Tanzania local media reported on 5 November that a delegation of 150 American investors toured Ngorongoro and Serengeti with the view of investing in tourism. The reception was led by the [Secretary General of the Ministry of Natural Resources and Tourism, Dr Hassan Habbas](#).



Photo: American investors greeted on their arrival in Tanzania

This happens while the Government is displacing Maasai communities under the guise of conservation. Ngorongoro and Serengeti receive over 80% of all foreign tourists visiting the country and the Government has been looking for wealthy investors to build recreational infrastructure such as hotels. At the same time, the Government reports indicate that 97% of the Maasai live in acute poverty. Tourism contributes to 27% of Tanzania Gross Domestic Product (GDP) and the Ngorongoro Division alone contributes more than half of all tourism earnings in the country. To drive the Maasai out, the Government is restricting access to social services for the local people.

TANAPA priding itself as “paramilitary” by leadership

Former TANAPA Commissioner Allan Kijazi was applauded by the Chairman of the TANAPA Board of Trustees, George Waitara, for managing to transform TANAPA “[from a civilian type of management into the current paramilitary mode of conservation](#)”. This reflects the experience made by the Maasai in the past years, when park rangers became an integral part of harassments, conflict and violence in Loliondo and NCA. Donors and

partners of TANAPA should not look away from this new reality of nature conservation in Tanzania.

European Commission turns down request to allocate emergency humanitarian aid to Maasai in northern Tanzania

The Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO) indicated to MISA that its limited funding to support humanitarian projects in Tanzania means that it cannot meet all the needs identified across the country. Current efforts are focusing on providing support to Burundian and Congolese refugees living in camps in the northwestern part of the country. MISA had called on DG ECHO to direct some emergency funding to alleviate the ongoing hunger and humanitarian crisis in Ngorongoro. This call was supported by 28 European MEPs from the Greens, Socialists & Democrats (S&D), The Left and Renew, who wrote a letter to Janez Larnarčič from the European Commission (EC). In his response, the EC confirmed that limited funding was an impediment and further stated that “taking all available information into account, it appears that the dire situation of the Maasai in Tanzania is first and foremost a human rights related concern, requiring a political rather than a humanitarian solution”.

Other relevant media and research articles

[Unesco experts to assess Ngorongoro Conservation Area](#) (*The Citizen*, 16 December, 2023)

[World Bank acts on abuse claims in Tanzania park project](#) (*The East African*, 11 December 2023)

[The new scramble for Africa](#) (*The Guardian*, December 2023)

[Tanzania signs major carbon credit deal covering national parks, spanning 1.8 million hectares](#) (*The Starr*, 1 December 2023)

[Women religious, others stand with Maasai as they resist Tanzanian Government evictions](#) (*The Tablet*, 2 November 2023)

[Ngorongoro expects Sh260 billion revenue by 2025](#) (*The Citizen*, 18 May 2023)

[Tanzania signs major carbon credit deal covering national parks](#) (*The Star*, December 2023)

[Conservation Racism in Ngorongoro: A tragic loss of common sense and leadership](#) (Mwanzo TV, 14 August 2023)