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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[5 February 2024]

* Issued as received, in the language of submission only.



The Government of the United Republic of Tanzania Violates International Human Rights Law by Forcibly Resettling the Maasai

After the violent evictions on 8th of June of 2022, the United Republic of Tanzania persists to violate international law by continuing to deprive Maasai in the greater Serengeti Ecosystem of their access to grazing land, propelling their forced relocation and striking down any Maasai protests. This is in continuation of several previous well documented waves of violence against the Maasai in 2009, 2013 and 2017.

In June 2022, the Government of the United Republic of Tanzania initiated the demarcation process in an area called “Pololeti” forcibly evicting Maasai communities from the 1,500km² strip of village land bordering Serengeti National Park. Since then, human rights organisations like Amnesty International and Human Rights Watch reported 30 people obtained injuries in the process. The reports detail the grave violence and the grievous failure of the Government of the United Republic of Tanzania to consult Maasai in the decision-making process and describe the continuous restriction to Maasai’s access to resources of grazing land without any provision of compensation.

The evictions in June 2022 took place despite an ongoing complaint filed at the East African Court of Justice (EACJ) by councilors of four villages (Ololosokwan, Oloirien, Kirtalo and Arash) following arbitrary arrests and burned homes leaving several hundred Maasai homeless in 2017. After the court had issued an initial injunction against the United Republic of Tanzania, it dismissed the case (Reference No. 10 of 2017) in October 2022. However, lawyers announced their successful appeal in front of the Appellate Division of the EACJ in November 2023. Consequently, the Appellate Division referred the case back to the EACJ on the grounds of negligent use of evidence. The EACJ chamber has to decide anew whether the violent evictions in 2017 violated human rights standards.

Furthermore, in September 2023, the High Court Arusha issued an injunction to the Government of the United Republic of Tanzania regarding a presidential decree from 2022, gazetting “Pololeti” area as a game reserve. The presidential decree would have rendered Grazing in the area illegal. Due to the court’s injunction, grazing is legal until the final verdict. In negligence of the court injunction, the Government of the United Republic of Tanzania continues to seize Maasai of their cattle in “Pololeti” area. If Maasai fail to provide bail the Government of the United Republic of Tanzania sells the illegally confiscated cattle herds. This economically deprives and impoverishes Maasai, who rely in their livelihoods and economic trade on their cattle. Grounded in that, Society for Threatened Peoples argues that the Government of the United Republic of Tanzania violates the rule of law.

In this case, the current evictions are the latest in a long line of human rights violations against the Maasai. It was declared that the Maasai will be allowed to live in the Ngorongoro Conservation Area (NCA) after being forced to leave the Serengeti Area in the 1950s. Not only do the Maasai people live in Loliondo, but the Tanzanian government is also preparing to expel them from the NCA. If these proposals are carried out, around 150,000 Maasai people—roughly 70,000 from Loliondo and 80,000 from the NCA—would lose their homes.

Maasai from Ngorongoro report the deteriorating situation with public services reduced by the Government of the United Republic of Tanzania. The lack of widespread health services has dire effects: twenty-thousand unvaccinated children, thousands of missed prenatal examinations, hindrance of HIV care and lack in emergency response. The Government of the United Republic of Tanzania further requested schools to transfer financial funds to Handeni district where the designated resettlement site in Msomera is located. The effects are a severe deterioration of schools in Ngorongoro. Additionally, in August 2023, Amnesty International reported the flagrant violence by police and ranger forces against Maasai expressing their peaceful right to protest against the forced eviction from Ngorongoro Conservation Area. Several Maasai, among them traditional leaders, were arbitrarily detained, tortured and forced to waive their right to peaceful assembly according to statements collected by their lawyer.

In Msomera, the resettlement location of forcibly relocated Maasai, the Government of the United Republic of Tanzania continues to allocate land to newcomers in disregard of previous land ownership. The Oakland Institute reports grave human rights violations, such as the negligence of previous residents' free, prior and informed consent and right to compensation. Land owners protesting the disappropriation face detention and the Government alleges them of illegal settlement, despite court rulings confirming the legal land ownership of previous residents. Additionally, resettled pastoralists face water and grazing land shortages making their herding practices unfeasible. Pursuing this practice, the Government of the United Republic of Tanzania deteriorates the situation in Msomera, propelling conflicts between newcomers and former residents. Despite all criticism, the Government of the United Republic of Tanzania recently publicly announced plans to increase relocation from Ngorongoro to Msomera.

Based on these issues, the Society for Threatened Peoples argues the Government of the United Republic of Tanzania is in breach of several international human rights treaties. In 2007, the United Republic of Tanzania voted in favour of the UNDRIP (United Nations Declaration on the Rights of Indigenous Peoples, A/RES/61/295) and violates several articles, inter alia article 7.1, article 8.3, article 19 and article 25. Moreover, the United Republic of Tanzania continues to violate articles 12 and 13 of the Universal Declaration of Human Rights as well as article 20 by continuing to violently disperse protest assemblies by Maasai communities.

Multiple international human rights bodies, including the African Commission on Human and Peoples Rights and Special Rapporteurs of the United Nations have urged the Government of the United Republic of Tanzania to stop the forceful eviction of the Maasai. Despite the international criticism, security forces continue their forceful response to Maasai protest in pursuit of the forceful relocation.

Therefore, Society for Threatened Peoples calls upon the UN Human Rights Council to:

- Call upon the Government of the United Republic of Tanzania to immediately halt the forced relocation of the Maasai people from Ngorongoro Conservation Area and "Pololeti" area in Loliondo District,
- Call upon the Government of the United Republic of Tanzania to immediately stop violating the Maasai's rights to peaceful assembly and protest,
- Call upon the Government of the United Republic of Tanzania to grant the UN Special Rapporteur on the Rights of Indigenous Peoples access to the country for an independent investigation in fulfillment of his mandate,
- Urge the Government of Germany to stop any financial support for the Tanzania National Park Authority (TANAPA) or rangers of the Serengeti National Park, who have been accused of human rights violations in the past and continue to collaborate in the eviction of the Maasai,
- Call upon the UN Special Rapporteur on the Rights of Indigenous Peoples or the UN Special Rapporteur on the right to adequate housing to conduct an independent investigative mission to the United Republic of Tanzania to investigate the human rights violations against the Maasai in Ngorongoro, Loliondo and Msomera.