

# Summary of demands of the Maasai of Loliondo and Ngorongoro

## Delegation to the Germany, Austria and the EU, May-June 2023

### 1) To the governments of Germany and Austria, the European Union, and other concerned actors

*This is a summary of the demands, which will be presented in an adapted way according to the respective institution, the political and economic connections to the government of Tanzania and the possibilities to exert influence.*

#### Transparency, information sharing

- Provide full transparency on projects, objectives and approaches underpinning biodiversity conservation in Africa and Tanzania in particular. This includes for example the NaturAfrica initiative.
- Provide detailed information about projects and actors that are funded both currently and in the last 10 years by Germany in the Serengeti Ecosystem as well as the corresponding human rights impact assessments that have been conducted.
- Share evidence of concrete steps taken by the European Commission to ensure implementation of its human rights-based approach<sup>1</sup> to international partnerships in Tanzania.

#### Human rights monitoring, independent investigation

- Organize an independent and free inquiry about the human rights impacts of biodiversity conservation policies in Tanzania, which includes an assessment of the impacts of current conservation, tourism and development policies on Maasai Indigenous Peoples and of the role of the Frankfurt Zoological Society and other actors, as well as partners of the EU in conservation projects internationally, in the violation of human and land rights.
- Share concrete steps that have been taken to investigate the human rights impacts of Germany's activities in Tanzania since it has been informed about the situation of the Maasai in Loliondo and Ngorongoro.
- Further investigate the links between German development cooperation and the violations of Maasai Indigenous Peoples' rights.

#### Humanitarian aid

- Provide humanitarian aid and support to Maasai in Loliondo and Ngorongoro who are excluded from government services; specifically support the Endulen hospital in Ngorongoro Conservation Area (NCA) and allow the Flying Medical Service to operate without condition.

#### Condition aid and economic partnerships on the respect of human rights

- Condition EU/Germany/Austria's provision of funds to Tanzania on the respect of the human rights of Maasai Indigenous Peoples and in particular on:
  - an end to forced evictions of Maasai from their lands and territories;
  - recognition and respect of the rights of the Maasai to their lands and territories;
  - an end to livestock auctions which deprive Maasai of their livelihoods;

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<sup>1</sup> [https://international-partnerships.ec.europa.eu/system/files/2021-07/swd-2021-human-right-based-approach\\_en.pdf](https://international-partnerships.ec.europa.eu/system/files/2021-07/swd-2021-human-right-based-approach_en.pdf)

- the initiation of a dialogue and consultation process between the Tanzanian government and Maasai representatives
- a requirement that the Tanzanian agencies receiving income from tourism, hunting and conservation in the disputed regions return a meaningful % of this income to the traditional Maasai leadership bodies for the express use of economically empowering the communities affected
- EU/Germany/Austria funding supporting tourism and conservation areas should be under specific scrutiny as evidence exists around the globe that conservation and tourism projects are driving forced evictions and human rights violations.
- Use your influence to bring these concerns to the government of the United Republic of Tanzania (see list below) and help protect the human rights of Maasai Indigenous Peoples, in line with ILO Convention 169 and the UN Declaration on the Rights of Indigenous Peoples in particular.

### **Free, Prior and Informed Consent (FPIC), procedural rights, benefit sharing**

- Comply with the human rights-based approach to International Partnerships (European Commission).
- Before funding any conservation project, ensure that the project has got the FPIC of the Maasai, or other peoples whose land is impacted by the project.
- Stop collaboration with agencies, conservation NGOs, and other organisations, involved in violent attacks against Maasai.
- Ensure the procedural rights of the Maasai are respected and in particular their rights to information, participation, consultation and Free Prior and Informed Consent (FPIC) for any development or land use changes on their territories. Uphold the rule of law and stop the systematic injustice against Maasai.
- Ensure Maasai Indigenous Peoples participate in the management of national parks and conservation areas and benefit from tourism; this requires respect of their right to direct and meaningful participation, decision-making and consent in tourism boards and councils as established in the NCA law.
- Maasai are spread across 7 national parks and contribute directly to substantial money flows coming into the Tanzanian economy. Agencies receiving income from tourism, hunting and conservation in the disputed regions must return a meaningful percentage of this income to the traditional Maasai leadership bodies for the express use of economically empowering the communities affected

### **Stop human rights violations and other immediate demands**

- Put an end to the alienation of Maasai land caused by wildlife corridors, Conservation and Game Controlled Area and other protected areas, regardless of status, which is leading the destruction of Indigenous Peoples livelihoods, culture and spirituality.
- Ensure that vital health, education and social services are provided in Maasai lands and territories and allow Flying Medical Service to operate; the current government policy seeks to turn Maasai lands and territories into a no-go zone for pastoralists by suppressing all social services
- Stop supporting/driving the development of wildlife corridors and other protected areas (regardless of status) on Maasai lands, as these lead to the alienation of land, forced evictions, criminalisation and harassment and loss of Maasai livelihood and culture, in particular through livestock auctions and prohibition of grazing. Supposedly in the name of conservation, these projects support trophy hunting and detrimental tourism.
- Until a satisfactory solution is found through meaningful participation and consultation to ensure the FPIC of the Maasai Indigenous Peoples, and in respect of their human rights, allow temporary grazing on demarcated conservation areas especially as Maasai are experiencing severe drought

## Legal and policy change

- Demand recognition of Maasai as Indigenous Peoples in Tanzania. Many land disputes in Tanzania concern conservation areas but those involving Maasai have a specific ethnic, cultural dimension. Anti-Maasai policies should be considered as racist and discriminatory
- Explicitly include support to pastoralism as a viable livelihood in annual action plans for Tanzania as part of current EU multi-year partnership with the country
- Stop funding/supporting the creation of national parks and conservation/protected areas in Tanzania and elsewhere on the planet if the FPIC of the concerned Indigenous Peoples cannot be guaranteed and if they are risks of human rights violations.
- Initiate new legislation to prevent human rights abuses in EU/Germany-funded conservation projects; this could be inspired by US bill<sup>2</sup> H.R.7025 - Advancing Human Rights-Centred International Conservation Act of 2022
- Initiate new legislation to ban trophy hunting imports in Europe. Such a ban can send a strong signal to the Tanzanian government and discourage trophy hunting which is generating forced evictions of Maasai and undermining their livelihoods
- Support the demands for a participatory drafting of a new constitution for Tanzania, devolving and decentralizing power at different levels, especially for decisions affecting land tenure, demarcation and planning
- Austria:
  - Sign ILO convention 169 to support full recognition of the rights of Indigenous Peoples
  - Biodiversity Strategy 2030: Include in chapter 6 (Enforcement of international engagement) clear indicators on how to protect the rights of Indigenous Peoples)
  - Integration of the rights of Indigenous Peoples when it comes to “biodiversity programmes in the elaboration of the new Dreijahresprogramm 2024-2026. Monitoring of this programme, especially Priority C.2 "Conservation of natural resources" and C.2.a Protection of ecosystems and conservation of biodiversity".

## Changing the narrative

- In EU/German policies as well as other texts or communications, end the promotion of a colonial approach to conservation that considers Indigenous Peoples as harming the environment; end the promotion of a vision of environmental protection that argues that Indigenous ways of life (including pastoralism) and environmental protection are incompatible.
- Insist on a systematic rights-based approach to conservation, including especially the recognition of land rights and Free, Prior, and Informed Consent (FPIC) of the Maasai and other Indigenous Peoples and local communities.

### 2) To the government of Tanzania (that all actors should relay)

*These demands apply to Loliondo and Ngorongoro but also to other areas, such as in Kiteto, Simanjiro and Kibaya Districts) as well as Msomera and many places outside of Arusha Archdiocese.*

## Stop human rights violations and other immediate demands

- To urgently stop weaponizing social services as a trigger to force Maasai off their ancestral land

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<sup>2</sup> <https://www.congress.gov/bill/117th-congress/house-bill/7025>

- To urgently suspend the ban for supply of urgent services and equipment within Ngorongoro and to allow maintenance and repair in NCA to keep services running.
- To authorize the Flying Medical Service to operate without condition.
- To stop dehumanizing people and harassments and criminalization against Maasai and civil society organisations working with Maasai.
- To allow livestock to graze in what was Maasai ancestral land that has been demarcated in Loliondo and to stop no go zones in NCA – this especially urgent in light of the ongoing drought.
- To stop harassment and auctioning of livestock which comes as a consequence from preventing livestock from grazing in demarcated areas.
- To respect civil rights and stop the militarization of NCA and Loliondo in order to expand civic space.
- To allow freedom of expression and stop threats against the Maasai human rights defenders.
- To stop the expansion of conservation areas in Tanzania and revert back all land seized from Indigenous Peoples.

### **Free, Prior and Informed Consent, procedural rights, benefit sharing**

- Respect free prior and informed consent (FPIC), land rights and procedural rights of Maasai.
- To establish dialogue between the Tanzanian government and the Maasai with the support of an independent mediator.
- To agree that agencies receiving income from tourism, hunting and conservation in the disputed regions will return a meaningful percentage of this income to the traditional Maasai leadership bodies for the express use of economically empowering the communities affected.

### **Human rights monitoring, independent investigation**

To authorize the independent visit of the UN Special Rapporteur on Indigenous Peoples in 2024 without any interference from government.

### **Legal and policy change**

- To recognise Maasai as Indigenous Peoples with all attached rights in international law.
- Loliondo:
  - The government should revisit and repeal the gazettment of Maasai land into Pololeti Game Controlled Area/Game Reserve and stop demarcating land to create wildlife corridors.
  - Recognize and protect lands rights of Maasai and give back the 1500 km<sup>2</sup> forcefully demarcated land in Loliondo (so called Pololeti Game Reserve)
- Stop alienation of land in Msomera (where evicted Maasai are forced to relocate) to avoid conflicts between the two communities.
- Launch the participatory drafting of a new constitution for Tanzania devolving and decentralizing power at different levels as the current constitution allows too much power to rest in the hands of the President including decisions affecting land tenure, demarcation and planning.

### **Budget for social services and reparation fund**

- To create a meaningful reparation fund for rights violations that will be managed by the traditional leadership bodies.
- To ensure adequate budget allocation for human, social and public health services within Ngorongoro.