



BUSINESS AS USUAL IN BLOODIED LAND?

ROLE OF BUSINESSES IN FORCED EVICTIONS IN LOLIONDO,
TANZANIA

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GLOSSARY

WORD	Description
ACHPR	African Commission on Human and Peoples' Rights
AU	African Union
BRELA	Business Registrations and Licensing Agency
CESCR	Committee on Economic, Social and Cultural Rights
EACJ	East African Court of Justice
EU	European Union
ICESCR	International Covenant on Economic, Social and Cultural Rights
IPBES	Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services
IUCN	International Union for Conservation of Nature
NCA	Ngorongoro Conservation Area
NCAA	Ngorongoro Conservation Area Authority
NGO	Non-Governmental Organization
OBC	Otterlo Business Corporation
OECD GUIDELINES	Organisation for Economic Co-operation and Development Guidelines for Multinational Enterprises
OHCHR	Office of the UN High Commissioner for Human Rights
PCAC	Presidential Commission Against Corruption
PCCB	Prevention and Combating of Corruption Bureau
PH	Professional hunter
RMM	Reactive monitoring mission
TANAPA	Tanzania National Parks
TBL	Tanzania Breweries Ltd
TCL	Tanzania Conservation Limited
UAE	United Arab Emirates
UN	United Nations
UNDRIP	UN Declaration on the Rights of Indigenous Peoples
UNEP	United Nations Environment Programme

UNESCO	United Nations Educational, Scientific and Cultural Organization
UN GUIDING PRINCIPLES	UN Guiding Principles on Business and Human Rights

EXECUTIVE SUMMARY

“States must protect against human rights abuse within their territory and/or jurisdiction by third parties, including business enterprises. This requires taking appropriate steps to prevent, investigate, punish and redress such abuse through effective policies, legislation, regulations and adjudication.”

UN Guiding Principles on Business and Human Rights.¹

Tanzanian authorities have failed to recognize the Maasai as an Indigenous² People and further failed to recognize their right to their ancestral lands in Loliondo.³ Traditional lands owned and used by Maasai pastoralists for grazing are increasingly threatened by the establishment of conservation areas without their consultation or participation. Ngorongoro District Council allocated the Loliondo division of Tanzania’s northern Ngorongoro district as a hunting concession to tourism businesses without first consulting the Maasai People or even providing them alternative land, leaving the Maasais’ very survival in jeopardy.

On 3 June 2022, Tanzania’s Ministry of Natural Resources and Tourism announced that it was demarcating 1,500km² out of 4,000km² of Maasai village land, part of the Maasai ancestral territory in Loliondo division, for conservation.⁴ On 10 June 2022, Tanzanian government multi-agency security forces used force, including live ammunition and tear gas, to crush protests by Maasai residents assembled in Oloosokwan village in Loliondo to resist a demarcation exercise which was being carried out by the security forces – in the name of conservation. The security forces consisted of the Tanzania People’s Defence Force, the Tanzania Police Force, its Field Force Unit, the Ngorongoro Conservation Area Authority (NCAA) and the Tanzania National Parks (TANAPA) rangers.⁵ The 1,500km² of land, part of which is allocated to tourism businesses – Klein’s Camp, a property leased by &BEYOND, Otterlo Business Corporation (OBC) and TAASA Lodge – is within an area that was settled and legally owned by the Maasais.⁶

¹ Office of the High Commissioner for Human Rights (OHCHR), Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework (UN Guiding Principles), 2011, UN Doc. HR/PUB/11/04, [ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf](https://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf), Principle 1.

² European Parliament, Resolution P9_TA(2023)0478, adopted on 14 December 2023.

³ African Commission on Human and Peoples’ Rights (ACHPR), “Press Statement at the Conclusion of the Promotion Mission of the African Commission on Human and Peoples’ Rights to the United Republic of Tanzania”, 23-28 January 2023, [achpr.org/en/news/press-releases/2023-02-24/press-statement-promotion-mission-united-republic-tanzania](https://www.achpr.org/en/news/press-releases/2023-02-24/press-statement-promotion-mission-united-republic-tanzania)

⁴ Ministry of Natural Resources and Tourism, United Republic of Tanzania, “The truth about Loliondo Game Controlled Area”, June 2022, mnrt.go.tz/index.php/highlights/view/the-truth-about-loliondo-game-controlled-area

⁵ Amnesty International, “Tanzania: “We have lost everything”: Forced evictions of the Maasai in Loliondo (Index: AFR 56/6841/2023), 5 June 2023, [amnesty.org/en/documents/afr56/6841/2023/en/](https://www.amnesty.org/en/documents/afr56/6841/2023/en/) p. 3.

⁶ UN Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People, Report: *Report by the Special Rapporteur on the situation of human rights and fundamental freedoms of Indigenous People Cases examined by the Special Rapporteur (June 2009 – July 2010)*, A/ HRC/15/37/Add.1.

June 2022 was the fourth time that Maasai were being forcibly evicted from their traditional land. They have been forcibly evicted before in 2009, 2013, and 2017. As a result of the latest forced evictions and the response of security forces, many Maasais in Loliondo were wounded, others left homeless, and many forced to flee the country. The forced evictions in Loliondo have also exposed how the Tanzanian government continues to exclude community members who have the right to and are custodians of the land in Loliondo from its conservation plans, and instead displaces them from their traditional grazing lands, restricting their access to resources and providing no compensation.

While the state claims conservation as the reason for evicting the Maasai community, it continues to lease out the land to OBC, a trophy hunting company that violates Tanzania's Wildlife Conservation (Tourist Hunting) Regulations, 2015, through illegal exploitation of wildlife as witnessed by staff of the company that Amnesty International interviewed.

Between June 2022 and May 2024, Amnesty International conducted research into forced evictions of the Maasai Indigenous people of Loliondo to investigate the role of businesses operating in the traditional lands owned and used by the Maasai. The investigation for this report builds on Amnesty International's June 2023 publication, *"We have lost everything": Forced evictions of the Maasai in Loliondo* which included interviews with 45 individuals, including 29 Maasai residents, three lawyers, and three journalists. In October 2023, Amnesty International visited Loliondo to identify businesses operating in the 1,500km² area, two years after the state established Pololeti Game Reserve. Amnesty International saw that the area was now gated and labelled Pololeti Game Reserve. Three tourism companies - &BEYOND, OBC and TAASA Lodge - appeared to be operating in the area. Amnesty International also confirmed that OBC had three camps within Pololeti Game Reserve - Chali One, Lima One and Lima Two.

In April 2024, Amnesty International visited Arusha region on a fact-finding mission and interviewed an additional nine people, – including one current employee and four former employees of the private companies in Loliondo, all residents of Loliondo, and one lawyer, – who were all privy to internal operations of the companies and sometimes involved in conversations on and implementation of the companies' plans. As with previous reporting, Amnesty International has withheld names and other identifying information to protect the safety of interviewees. The organization's Evidence Lab examined 23 images and seven videos, conducted an open-source investigation and analysed recent changes in locations of businesses operating in Loliondo, which were visible in satellite imagery.

Community members from villages in Loliondo impacted by forced evictions and current and former OBC staff claim OBC participated in all forced evictions in Loliondo.⁷ Community members told Amnesty International that OBC representatives known to them and OBC branded vehicles were present during all forced evictions.⁸ They also state that during all of the evictions, the security forces set up camp on OBC property and were accompanied by OBC staff and vehicles into Loliondo villages. At the very least this indicates that the company was aware that security forces were involved in these operations. At most it means that the company was not only aware but also facilitated the security forces involved in the forced evictions. In a 2017 case at the East African Court of Justice (EACJ), witness testimony implicated the company in taking part in the forced evictions. OBC did not raise any defence to the witness testimonies or try to disprove accusations of their involvement in the forced evictions. OBC has not publicly responded in the media or elsewhere about its involvement in all forced evictions in Loliondo, including those in June 2022.

Companies have a responsibility to respect all human rights wherever they operate and throughout their operations. This widely recognized standard of expected conduct is set out in the UN Guiding Principles on Business and Human Rights (UN Guiding Principles) and the Organisation for Economic Co-operation and Development Guidelines for Multinational Enterprises (OECD Guidelines). This responsibility is independent of a state's own human rights obligations and exists over and above compliance with national laws and regulations protecting human rights. Even a rudimentary due diligence exercise would have identified that any planned operations to evict the Maasai carried the risk of the involvement of security forces and human rights violations as observed during the forced evictions in 2009, 2013 and 2017.

OBC's role in all the evictions is deeply problematic and Amnesty International considers that the company is linked to, and may have contributed to, the harm caused by the security forces.

Whilst community members have only mentioned OBC's adverse role in the forced evictions and related human rights abuses, TAASA Lodge and &BEYOND's Klein's Camp should also be practicing ongoing due diligence to identify whether their operations are linked to any negative human rights impact. This is

⁷ The East African Court of Justice (EACJ), *Ololosokwan Village Council and others v. the Attorney General*, Reference No. 10 of 2017, 30 September 2022, eacj.org/wp-content/uploads/2022/11/Reference-No.-10-of-2017.pdf, Para 12, b and c.

⁸ Interviews in person with seven affected Maasai people (conducted separately), Arusha and Narok, July and August 2022.

especially given the number of well-documented evictions of Maasai and human rights violations that have occurred in the area in which they operate. If they identify that this is the case, then they must cease or prevent the harmful activity, and where applicable, use their leverage to mitigate any remaining impact. They also need to be transparent about their due diligence practices, provide information about any harms they are linked to, and steps taken to end or mitigate the harm, and provide remedy for any human rights abuse to which they have caused or contributed.

This report calls on businesses operating in Loliondo to respect the rights of the Maasai Indigenous People, carry out human rights due diligence, and provide remedy where their business operations are identified to be causing or contributing to adverse impacts on the Maasai People's rights. Companies must have internal policies and standard operating procedures which safeguard human rights when their operations include proposals to resettle communities.

On its part, the Tanzanian government must respect the right of the Maasai Indigenous People to their ancestral land and ensure that it does not act in a manner that violates the human rights of the Maasai. It must also protect the Maasai against human rights violations by non-state actors by enacting and implementing laws that prevent human rights violations, and by monitoring and holding to account those who engage in activities that result in human rights violations. In doing this, the government must set up a multi-departmental impartial, independent and transparent investigation into the role of the security forces and the companies involved in the forced evictions in Loliondo. All perpetrators must be held to account for their actions in accordance with domestic and international standards. The state must also continuously monitor and hold those who engage in activities that result in human rights violations to account.

This is only achievable when the authorities themselves recognize the Maasai as an Indigenous People and recognize their right to their ancestral lands in Loliondo. The state must reverse its land acquisition decision in Loliondo and ensure that no land acquisition or evictions proceed unless the Maasai People give their free, prior, and informed consent through a process of genuine consultation.

METHODOLOGY

Between June 2022 and May 2024, Amnesty International conducted research into forced evictions of the Maasai Indigenous People of Loliondo.

The research followed security forces' use of force, live ammunition, and tear gas in June 2022 to crush protests by Maasai residents of Loliondo resisting a state demarcation exercise that would deny them access to their traditional land. Tanzania's Minister for Natural Resources and Tourism had on 17 June 2022 declared 1500km² of Loliondo as Pololeti Game Reserve, a "controlled area" designated for wildlife preservation paving the way for forced evictions of Maasai. Residents removed concrete boundary beacons erected by security forces to demarcate the land.

This report follows Amnesty International's June 2023 publication, *"We have lost everything": Forced evictions of the Maasai in Loliondo*. The June 2023 publication documented how multiple forced evictions of the Maasai Indigenous People of Loliondo by Tanzanian authorities in 2022, and their legacy have impacted the human rights of the Maasai people. The report also referenced previous forced evictions by Tanzanian authorities in 2009, 2013 and 2017.

The investigation for this report builds on Amnesty International's earlier research which included interviews with 45 individuals, including 29 Maasai residents, three lawyers, three journalists, a Kenyan chief in Siana ward where some people from Loliondo fled during the forced evictions, one Kenyan doctor in Olpusimoru, a former employee of a private company involved in Loliondo, a Kenyan Maasai from Olpusimoru hosting Maasai from Loliondo, and two academics and four NGO representatives with knowledge of the Maasai Indigenous People in general and the Maasai community in Loliondo. Eighteen of those interviewed were in Loliondo between 9 and 10 June 2022 when security forces began the land demarcation and security operations. All interviewees gave informed consent.

In October 2023, Amnesty International visited Loliondo to observe businesses operating in the 1,500km² area, two years after the state established Pololeti Game Reserve. Amnesty International saw that the area was now gated and labelled Pololeti Game Reserve. Three tourism companies - &BEYOND, OBC and TAASA Lodge - appeared to be operating in the area. Amnesty International also confirmed that OBC had three camps within Pololeti Game Reserve - Chali One, Lima One and Lima Two.

In April 2024 Amnesty International visited Arusha region on a fact-finding mission and interviewed five individuals who currently work or previously worked at the three tourism companies, in Loliondo, all residents of Loliondo, and one lawyer. They were privy to internal operations of the companies and sometimes involved in conversations and implementation of the companies' plans. Between April and May 2024, Amnesty International also interviewed two lawyers and one journalist with knowledge of the three businesses that have leased land in Loliondo and the Maasai Indigenous People in Loliondo. All interviewees gave informed consent. As with previous reporting, the organization has withheld names and other identifying information to protect the safety of interviewees.

Amnesty International's Evidence Lab examined 23 images and seven videos, conducted an open-source investigation and analysed recent changes visible on satellite imagery of locations of businesses operating in Loliondo. The organization also reviewed media reports, official documents, relevant legislation, company disclosures, and scientific studies. With the support of advocates in Tanzania, Amnesty International was also able to obtain company incorporation details for the companies under investigation.

On 21 March 2024, Amnesty International wrote to &BEYOND, OBC and TAASA Lodge to share our preliminary findings and request information about their operations and human rights due diligence practices in the context of multiple forced evictions of the Maasai Indigenous People of Loliondo, as well as

violations of their right to culture and cultural identity. In response to Amnesty International's initial 25 March 2024 request for information, &BEYOND responded that "much of the information relating to And Beyond is factually incorrect", but the company did not include any evidence in support of the statement beyond clarifying their role as the lessee of the property, rather than the owner and they declined Amnesty International's request for information and further comments, saying, "we must respectfully decline your request for information and further comments at this stage."⁹ The full response can be found in Annex I. At the time of publication of this report OBC and TAASA Lodge had not responded to our initial request for further information.

On 12 July 2024, Amnesty International wrote again to &BEYOND, OBC and TAASA Lodge to inform them of relevant allegations and findings contained in the report and to give them the opportunity to respond. &BEYOND responded in a letter to Amnesty International on 25 July 2024 saying, "... that the land in question, albeit in dispute, is no longer under the control of the Ololosokwan Village Council, but the Ngorongoro Conservation Area Authority ("the Lessors")." &BEYOND further mentioned that they "cannot disclose the terms of [their] lease agreement with the Lessors." The company also acknowledged that there is an ongoing litigation over the land in question and claimed that as a lessee, they have no influence over the Lessors. They said: "[W]e can only await the outcome of the court's ruling before we may determine our position in this matter." The company added, "We can assure you that... we have robust policies in place that ensure that we do not cause or contribute to human rights violations across any of our operations"¹⁰, although they did not share the policies with us as requested. The full response can be found in Annex I.

On 28 July 2024, TAASA Lodge wrote to Amnesty International stating that they "... were never consulted on any of the planned actions around the time of the evictions, and remain committed to [their] staff and communities, as [they] are to following the rule of law."¹¹ The company stated that they support the local community by, among other things, "Ensuring that all staff are trained in and adhere to TAASA's policies which include guidelines against discrimination, abuse and other human rights violations." It added that "TAASA is committed to adhering to the laws of the United Republic of Tanzania and therefore cannot commit any acts which are considered to be in contravention to the laws of Tanzania and any payments made to the government of Tanzania are in accordance with guidance and directions provided by the Government of Tanzania."¹² TAASA Lodge, like &BEYOND, did not share the policies with Amnesty International as requested. The full response can be found in Annex I.

At the time of writing, OBC and etisalat by e& did not respond.

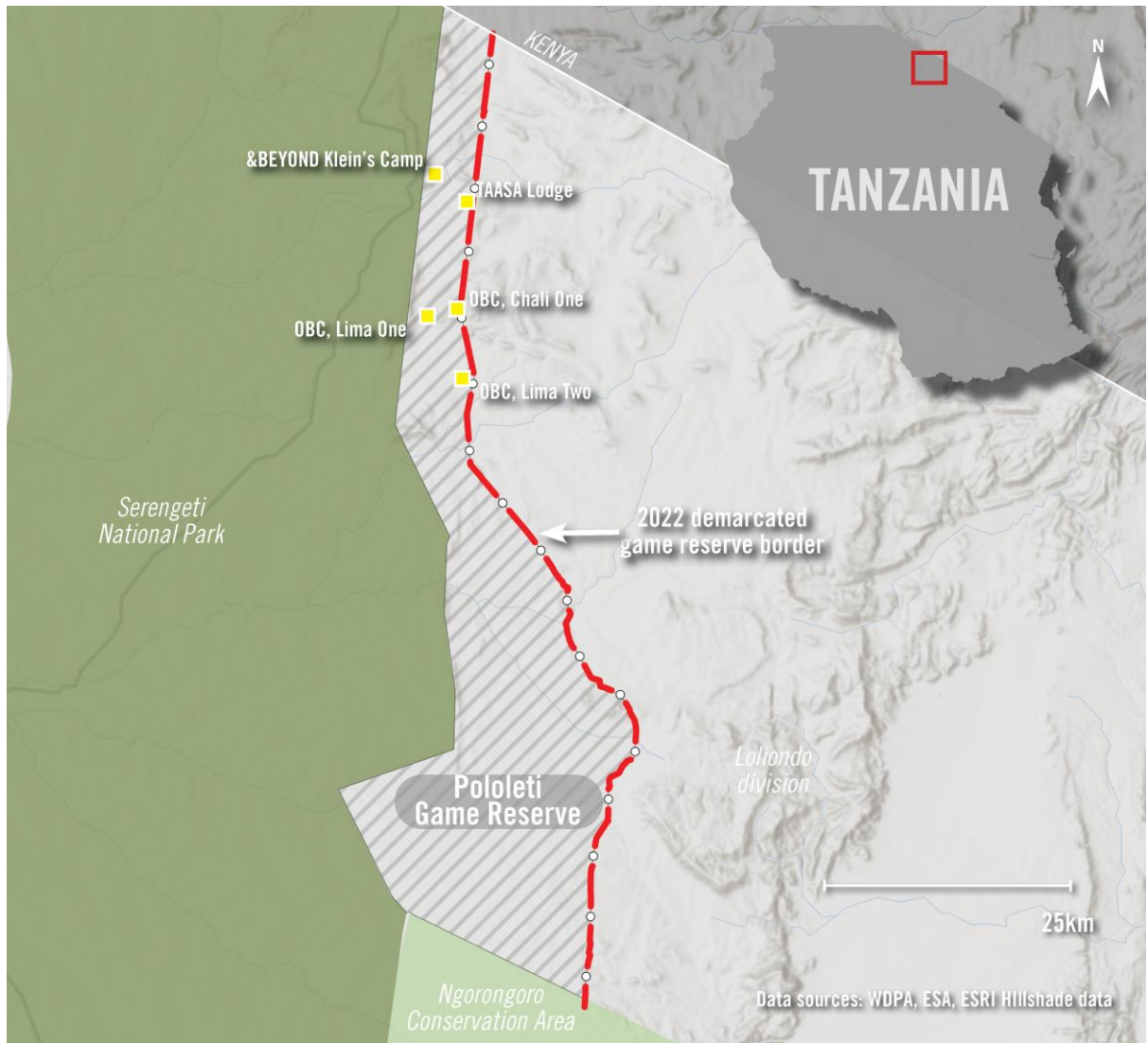
On 12 July 2024, Amnesty International further wrote to Minister for Natural Resources and Tourism and Prime Minister of Tanzania to inform them of relevant allegations and findings contained in the report and to give them the opportunity to respond. At the time of writing, the two did not respond.

⁹ Letter from &BEYOND to Amnesty International, 5 April 2024. No reference number. The full letter is Annex I in this report.

¹⁰ Letter from &BEYOND to Amnesty International, 25 July 2024. No reference number. The full letter is Annex I in this report.

¹¹ Letter from TAASA Lodge to Amnesty International, 28 July 2024. Ref: TC AFR 56/2024.5754 (emphasis added). The full letter is Annex I in this report.

¹² Letter from TAASA Lodge to Amnesty International, 28 July 2024. Ref: TC AFR 56/2024.5754 (cited above). The full letter is Annex I in this report.



- Overview map of the camps and other facilities in the Pololeti Game Reserve. In 2022 a new border was constructed to demarcate the 1,500km² area in Loliondo division. The Maasai in the affected villages were forcibly expelled from most of their grazing land, which has been cordoned off as the Pololeti Game Controlled Area, now a game reserve.

BACKGROUND

“In a remote corner of the game-rich Serengeti National Park, a 10,000-hectare (24,700 acre) wildlife concession leased from Maasai landlords offers guests an exclusive, Tanzanian safari at Klein’s Camp.”

&BEYOND¹³

THE 1,500KM² MAASAI VILLAGE LAND

Tanzanian authorities have failed to recognize the Maasai as an Indigenous People and further failed to recognize their right to their ancestral lands in Loliondo, including by not implementing its own supported recommendations in its third Universal Periodic Review (UPR)¹⁴ to clarify land rights, safeguard traditional livelihood and culture, and adopt positive measures to protect the Maasai, and to ensure that the Maasai and other Indigenous peoples of Tanzania have secure rights to their lands and resources.¹⁵

On 3 June 2022, Tanzania’s Ministry of Natural Resources and Tourism announced that it was demarcating 1,500km² out of 4,000km² of Maasai village land, part of the Maasai ancestral territory in Loliondo division, for conservation.¹⁶ The government declared this as Pololeti Game Reserve, now part of the Loliondo Game Controlled Area, operating under the NCAA. The Ngorongoro Conservation Area (NCA), a protected area and a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Site in Ngorongoro district where Loliondo is, is an important area for breeding wildebeest, and a corridor for animals coming from the Serengeti National Park.¹⁷ On 17 June 2022, the ministry proceeded to establish the Pololeti Game Controlled Area, now Pololeti Game Reserve, designated for wildlife preservation.¹⁸ The decision came despite a 2018 injunction against forced evictions by the EACJ.¹⁹

On 19 September 2023, the High Court in Arusha ruled that the 17 June 2022 declaration by Tanzania’s Minister of Natural Resources and Tourism was illegal.²⁰ The declaration had been made while multi-disciplinary security forces conducted a violent forced eviction operation in Loliondo.²¹ Maasai community

¹³ &Beyond, “Welcome to Klein’s Camp”, andbeyond.com/our-lodges/africa/tanzania/serengeti-national-park/andbeyond-kleins-camp/ (accessed on 27 May 2024) (emphasis added).

¹⁴ Universal Periodic Review (UPR) is a unique mechanism of the Human Rights Council that calls for each UN Member State to undergo a peer review of its human rights records every 4.5 years.

¹⁵ Working Group on the Universal Periodic Review (WG UPR), Report: United Republic of Tanzania, 21 December 2021, recommendation 147.131 (Finland).

¹⁶ Ministry of Natural Resources and Tourism, United Republic of Tanzania, “The truth about Loliondo Game Controlled Area”, June 2022, mnrt.go.tz/index.php/highlights/view/the-truth-about-loliondo-game-controlled-area

¹⁷ United Nations Educational, Scientific and Cultural Organization (UNESCO), “Ngorongoro Conservation Area”, whc.unesco.org/en/list/39/

¹⁸ The Wildlife Conservation (Pololeti Game Controlled Area), Government Notice No. 421 published on 17 June 2022.

¹⁹ EACJ, *Ololosokwan Village Council and others v. the Attorney General*, Reference No. 10 of 2017 (previously cited).

²⁰ Miscellaneous Civil Cause No. 21 of 2022, p. 72.

²¹ The Wildlife Conservation (Pololeti Game Controlled Area), Government Notice No. 421 published on 17 June 2022.

members subsequently challenged the declaration in court asserting its illegality, lack of consultation, “irrationality, unreasonableness, procedural impropriety, and violent acts”.²² The Court determined that the Minister of Natural Resources and Tourism failed “... to consult the relevant local authorities”²³ in the process of establishing the Pololeti Game Controlled Area.²⁴ Despite the decision, businesses and wildlife authorities in Loliondo continue to restrict community members from accessing the area for grazing and other community activities which they used to do before the violent operation which dispossessed them of their land in June 2022.²⁵

Maasai village land in Loliondo division borders the Serengeti National Park to the west, the NCA to the south,²⁶ and Kenya to the north.²⁷ Loliondo is estimated to be more than 4,000km² and is prized for its biodiversity.²⁸ It is a beautiful wildlife sanctuary, and home to wildebeest, zebras, gazelles, and other animals which migrate from there yearly across the Ngorongoro-Serengeti-Mara ecosystem.²⁹

According to the Village Land Act, the classification of village land “includes land, other than reserved land, which villagers have, during the 12 years prior to the enactment of the Village Land Act (Act No. 5 of 1999), been regularly occupying and using as village land, in whatever manner such persons or the village assembly or village council were allocated such land including unplanted land at any time during the prior 12 years, land used for grazing livestock belonging to villagers or to persons using that land with the agreement of the villagers or in accordance with customary law, and land customarily used for passage”.³⁰

Contrary to the High Court judgement, Pololeti Game Controlled Area has been cordoned off from the Maasai but remains accessible to three tourism companies - Otterlo Business Corporation (OBC), &BEYOND (which leases the property Klein’s Camp) and TAASA Lodge. The whole of Loliondo division and part of the neighbouring Sale division, both in Ngorongoro district, have been licensed to OBC for trophy hunting.³¹

The Tanzanian government considers trophy hunting, also known as sport hunting or safari hunting, part of Tanzania’s wildlife conservation strategy.³² Accordingly, “[t]rophy hunting allows the offtake of mature males from wildlife populations managed through setting of quotas that are kept low to maintain high trophy quality” and the government considers it a “sustainable and economically viable form of land-use.”³³ Hunting in the country is controlled by a “quota issued annually under [Quota Allocation Advisory Committee] based on harvest theory, animal populations, and search efforts”.³⁴ The Tanzania Wildlife Management Authority (TAWA) allows hunting of the following animals: buffalo, bushpig, bushbuck, crocodile, eland, elephant, greater kudu, hartebeest, hippo, hyena, impala, klipspringer, leopard, lion, reedbuck, roan, sable antelope, serval cat, steenbok, suni, vervet monkey, warthog, wild cat, wildebeest and zebra.³⁵

Hunting companies can be allocated up to five hunting blocks. The Wildlife Conservation Act (CAP. 283) R.E. 2022 defines a “hunting block” as “... any area with game animals which has been delineated or set aside and approved by the Director for trophy hunting.”³⁶ The government allocates hunting blocks within game reserves, game-controlled areas, wildlife open areas and wildlife management areas that are available for auctioning. The Minister responsible for natural resources and tourism allocates hunting blocks for

²² Miscellaneous Civil Cause No. 21 of 2022 (previously cited).

²³ Miscellaneous Civil Cause No. 21 of 2022, p. 72 (previously cited).

²⁴ High Court of Tanzania, *Arusha Ndalamia Partareto Taiwap and 4 Others v. Minister of Natural Resource and Tourism and AG Misc*, Civil Cause No 9 of 2022.

²⁵ Interviews in person with one current and four former staff of OBC, Arusha, April 2024.

²⁶ Situated in the northern Ngorongoro district of Arusha region, the Ngorongoro Conservation Area (NCA) is more than 8,000km² of highland plains, savanna, savanna woodlands and forests where wildlife live together with the Maasai Indigenous people who are mostly pastoralists.

²⁷ UNESCO, “Ngorongoro Conservation Area”, 2022, whc.unesco.org/en/list/39/ (previously cited).

²⁸ Frankfurt Zoological Society (FZS), “Appraisal of the situation of Loliondo”, 6 November 2022, fzs.org/en/news/appraisal-of-the-situation-of-loliondo/.

²⁹ Serengeti Park Management, “Serengeti National Park: Mara River Migration Crossings Guideline”, 2019, tanzaniaparks.go.tz/uploads/publications/en-1567155429-Mara%20River%20Migration%20Crossing%20Guide, available at tanzaniaparks.go.tz/publications/13

³⁰ Tanzania, The Village Land Act No.5 of 1999, parliament.go.tz/polis/uploads/bills/acts/1457511408-ActNo-5-1999.pdf, section 7.

³¹ Copy of agreement signed by Minister for Tourism, Natural Resources and Environment (as was the name of the ministry at the time), Abubakar Mgumia, and Mohamed Abdulrahim Al Ali, 20 November 1992, on file with Amnesty International.

³² Tanzania Wildlife Management Authority (TAWA), “Hunting tourism”, tawa.go.tz/hunting-tourism (accessed on 27 May 2024).

³³ Department of Wildlife, Ministry of Tourism, Natural Resources and Environment, “Draft policy for the management of tourist hunting”, January 1995, p. 4.

³⁴ TAWA, “Hunting tourism”, tawa.go.tz/hunting-tourism (accessed on 8 June 2024).

³⁵ TAWA, “Hunting tourism”, tawa.go.tz/hunting-tourism (accessed on 8 June 2024).

³⁶ Tanzania, Wildlife Conservation Act, R.E. 2022, (CAP. 283) Section 3.

between 10 and 15 years.³⁷ The hunting season begins on 1 July and ends on 31 December. These are the dry months.³⁸ Pololeti Game Reserve is now one of 24 hunting blocks in the country.³⁹

COMPANIES OPERATING IN LOLIONDO

Registration of companies operating in Loliondo dates to 1984 when Tanzania Breweries Ltd (TBL) was the first registered company in the area. In 2006, the company transferred its land lease of 51km² to Tanzania Conservation Limited (TCL). TCL is owned by Thomson Safaris Limited (known as Thomson Safaris), a US-based tourism company.⁴⁰ TCL company is incorporated in Tanzania and a subsidiary of Wineland – Thomson Adventures Inc., based in the United States.⁴¹ While Thomson Safaris is outside the contested 1500km², the company is in a court battle with three Maasai villages over the ownership of 51 km² (about 5,106 hectares) of land in Loliondo which the company uses for safaris. On 28 November 2023, the NCAA reported that in 2023, alone, the authority had confiscated and sold 19,382 livestock, including 6,165 goats and sheep and 13,217 other livestock from the villagers. The authority further collected 786,475,000 Tanzania shillings (about 298,455 USD) as charges from pastoralists who grazed livestock in the area.⁴²

In 1992, the government of Tanzania through the Ngorongoro District Council granted Mohamed Abdulrahim Al Ali, then deputy minister of defense of the United Arab Emirates (UAE), the 1,500 km² of Loliondo Game Controlled Area,⁴³ as a hunting block. The lease agreement was supposed to last ten years.⁴⁴ In 1993, OBC started operating in the Loliondo Game Controlled Area. OBC is registered as a public limited company in Panama⁴⁵ while some official company letters show that it is headquartered in the British Virgin Islands. In Tanzania, the company was registered on 23 December 1992 as a foreign company under the business name, Royal Safaris Conservation Co L.L.C⁴⁶, with its registered address as Mount Meru Hotel, Arusha. Mohamed Abdulrahim Al Ali is one of the company directors.⁴⁷

Other tourism businesses such as &BEYOND and TAASA Lodge came into Loliondo later and set up within the 1,500 km² of land as lessees signed with the Tanzanian government and the village council.⁴⁸ The leasing arrangements are unclear since the 1992 Tanzanian government agreement with OBC leased the whole land to OBC as a hunting block.

TAASA Lodge, previously known as Leopard's Ridge and Buffalo Luxury Camp, was founded in 2009 by Jim Roane and Peter Taunton. The lodge is a permanent tented camp that covers 0.243 km² inside the 1500km² of land in Loliondo where Maasai community members were forcibly evicted from in June 2022. It is a tourism base for game drives into the Serengeti National Park.⁴⁹ The company was registered in the country on 9 March 2020 as Taasa Lodges. Its registered objectives include camping grounds, recreational vehicle parks and trailer parks, and tour operator activities and it is owned by 60304 Buffalo Luxury Tented Camps Limited.⁵⁰

³⁷ TAWA, Hunting tourism, tawa.go.tz/hunting-tourism (previously cited).

³⁸ TAWA, Hunting tourism, tawa.go.tz/hunting-tourism (previously cited).

³⁹ Amnesty International, *Tanzania: "We have lost everything": Forced evictions of the Maasai in Loliondo* (previously cited), p. 8.

⁴⁰ Thomson Safaris, "Tanzania: over 40 years of wildlife safaris", thomsonsafaris.com/.

⁴¹ BRELA, Register of Companies: Detailed information on Tanzania Conservation Limited, 2 July 2024, on file with Amnesty International and Office of the United Nations High Commissioner for Human Rights (OHCHR); Special Procedure of the Human Rights Council, Mandates of the Special Rapporteur on the rights of indigenous peoples and the Chair-Rapporteur of the Working Group on the use of mercenaries, AL Indigenous (2001-8) G/SO 214 (2005-4), 14 November 2013, spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=22007, p. 2, para 3.

⁴² Ngorongoro Conservation Area Authority (NCAA), "Taarifa kwa umma kutoka Mamlaka ya Hifadhi ya Ngorongoro ikitolea ufafanuzi kuhusu taarifa iliyoitolewa na gazeti la Jamhuri yenye kichwa cha habari 'Pori la Pololeti Lachungulia Kifo,'" 28 November 2023.

⁴³ Registered under the Village Land Act of 1999.

⁴⁴ Copy of agreement signed by Minister for Tourism, Natural Resources and Environment (as was the name of the ministry at the time), Abubakar Mgumia, and Mohamed Abdulrahim Al Ali, 20 November 1992, on file with Amnesty International.

⁴⁵ Orbis, the Otterlo Business Corporation S.A., 19 March 2024, on file with Amnesty International.

⁴⁶ Business Registrations and Licensing Agency (BRELA), Register of Companies: Detailed information on Royal Safaris Conservation Co L.L.C, 20 May 2024, and copy of agreement signed by Minister for Tourism, Natural Resources and Environment (as was the name of the ministry at the time), Abubakar Mgumia, and Mohamed Abdulrahim Al Ali, 20 November 1992, on file with Amnesty International.

⁴⁷ BRELA, Register of Companies: Detailed information on Royal Safaris Conservation Co L.L.C, 20 May 2024, on file with Amnesty International.

⁴⁸ &Beyond, "Welcome to Klein's Camp", andbeyond.com/our-lodges/africa/tanzania/serengeti-national-park/andbeyond-kleins-camp/ (accessed on 27 May 2024).

⁴⁹ TAASA Lodge, "A better African safari experience: the TAASA Lodge difference", taasalodge.com/the-taasa-difference

⁵⁰ Business Registrations and Licensing Agency (BRELA), Register of Companies: Detailed information on TAASA Lodge, 20 May 2024, on file with Amnesty International.



- *Satellite imagery shows the TAASA Lodge in Pololeli Game Reserve.*

In 2015, &BEYOND, a luxury African travel company registered in Johannesburg, South Africa as &BEYOND South Africa (Pty) Ltd leased Klein’s Camp on a 100km² land leased from the village council within the 1,500 km² of land in Loliondo.⁵¹ Klein’s Camp property comprises photographic and hunting blocks and is leased by &BEYOND. The company operates at least 29 luxury lodges and camps worldwide.⁵² The company was registered in Tanzania as &BEYOND Tanzania Limited on 30 June 2004. Among its activities the company is registered to operate camping grounds, travel and tour operations, and recreational vehicle parks and trailer parks.⁵³

BUSINESS INCORPORATION PROCESS IN TANZANIA

In Tanzania, businesses can be registered as a business name, a local company, or a foreign company.⁵⁴ The Business Registrations and Licensing Agency (BRELA) is responsible for business registration.⁵⁵ Foreign companies are companies incorporated outside of mainland Tanzania and are branches of foreign companies. They are still regarded as foreign companies even where all shareholders are Tanzanian nationals.⁵⁶

⁵¹ &Beyond, “Welcome to Klein’s Camp”, andbeyond.com/our-lodges/africa/tanzania/serengeti-national-park/andbeyond-kleins-camp/ (previously cited).

⁵² &Beyond, “Welcome to Klein’s Camp”, andbeyond.com/our-dream/ (previously cited).

⁵³ Business Registrations and Licensing Agency (BRELA), Register of Companies: Detailed information on &BEYOND, 20 May 2024, on file with Amnesty International.

⁵⁴ Tanzania National Business Portal, “Register a business”, business.go.tz/register-a-business

⁵⁵ Tanzania National Business Portal, “Register A Business”, business.go.tz/register-a-business

⁵⁶ The Companies Act, R.E 2002, “Companies incorporated outside Tanzania,” Provisions as to Establishment of Place of Business in Tanzania, (Cap 212) Part XII.

Section 433(1) of the Companies Act requires foreign companies that want to establish a branch office in Tanzania to obtain a certificate of compliance from BRELA. According to the Companies Act, a company is considered as foreign when “it is incorporated in another country, where management control is exercised outside Tanzania, or its when its management, the majority number of the shareholders are foreigners.”⁵⁷

According to the law, “[e]very foreign company shall in all trade catalogues, trade circulars, and business letters and documentation on or in which the company’s name appears and which are issued or sent by the company to any person in Tanzania, state in legible letters with respect to every director being a corporation, the corporate name, and with respect to every director, being an individual, the following particulars - (a) his present name, or the initial thereof, and present surname; (b) any former names and surnames; (c) his nationality, if he is not a Tanzanian national: Provided that, if special circumstances exist which render it in the opinion of the Registrar expedient that an exemption should be granted, the Registrar may by order grant, subject to such conditions as may be specified in the order, exemption from the obligations imposed by this subsection.”⁵⁸ From documents, including letters by OBC⁵⁹ and &BEYOND⁶⁰ that are publicly available and on file with Amnesty International, OBC does not comply with this requirement. Amnesty International was unable to find official documents from TAASA Lodge or its affiliate, Buffalo Luxury Tented Camps Limited.

FORCED EVICTIONS IN LOLIONDO

Between the government of Tanzania’s first lease with OBC to operate in the Loliondo Game Controlled Area and the security forces’ operation in June 2022, Tanzanian authorities, accompanied by OBC staff, have conducted at least three forced evictions in 2009, 2013 and 2017.⁶¹ OBC branded vehicles and staff of OBC known to the community were present during these forced evictions.⁶² Right before, during and after the forced evictions, security forces, comprising the Tanzania People’s Defence Force (TPDF), the Tanzania Police Force (TPF), its Field Force Unit (FFU), the NCAA and TANAPA rangers, set up camps on OBC property and were accompanied by OBC staff and vehicles into villages in Loliondo during all instances of the forced evictions.⁶³

In 2022, more than 70,000 Maasai Indigenous People in Loliondo were forcibly evicted from their traditional land, leaving them with insufficient land to graze their livestock. During the forced evictions, more than 40 people were wounded by the security forces, others left homeless, and many forced to flee to Kenya.⁶⁴ Many animals belonging to Maasai remain at risk of dying due to shortage of water and pasture because they are now squeezed into a small area.⁶⁵ One person named as Orias Pasilance Ng’iyo (Ole Ng’iyo), who community members claimed was shot during the forced evictions was still missing at the time of writing.⁶⁶ On 17 May 2023, the High Court in Arusha dismissed a *habeas corpus* application (a request to court for orders that requires state authorities to arraign a person in detention) made by Ole Ng’iyo’s family. The court ruled that the applicant did not prove if Ole Ng’iyo was arrested by state authorities.⁶⁷ Tanzanian police also reported one police officer, Garlus Mwitawas killed by Maasai protesters during the 10 June 2022 security forces operation.⁶⁸

In all these cases, the state did not obtain free, prior, and informed consent for the land acquisition.⁶⁹ At the end of 2023, around 100 Maasai families remained in impoverished conditions with little access to livelihoods in the Ololaimutia and Olpusimoru villages in Narok County, Kenya. They had fled there with

⁵⁷ Tanzania, Companies Act, Section 433(1).

⁵⁸ Tanzania, Companies Act, R.E 2002, (Cap 212) Sections 439 (2).

⁵⁹ OBC, ‘Yah: Kupunguzwa kazi kutokana na sababu za kiuendeshaji’ *Kumb. Na.* OBC/TET/2021/2. Unofficial English translation, ‘Ref: Retrenchment of staff because of operation reasons’ Ref. No: OBC/TET/2021/2, 18 October 2021, on file with Amnesty International.

⁶⁰ Letter from &BEYOND to Amnesty International, 5 April 2024 (previously cited).

⁶¹ Amnesty International, *Tanzania: “We have lost everything”: Forced evictions of the Maasai in Loliondo* (previously cited).

⁶² Interview in person with four former staff of OBC (conducted separately), April 2024, Arusha; Interview in person with one current staff of OBC, March 2023, Ololosokwan village.

⁶³ Interview in person with four former staff of OBC (conducted separately), April 2024, Arusha; Interview in person with one current staff of OBC, March 2023, Ololosokwan village (previously cited).

⁶⁴ Amnesty International, *Tanzania: “We have lost everything”: Forced evictions of the Maasai in Loliondo* (previously cited) p. 4.

⁶⁵ Amnesty International, *Tanzania: “We have lost everything”: Forced evictions of the Maasai in Loliondo* (previously cited) p. 4.

⁶⁶ According to family lawyer, Joseph Ole Shangay.

⁶⁷ Ndalo Orias Ng’iyo V. Officer Commanding District for Ngorongoro District and 5 Others, Misc. Criminal Application No. 67 of 2022

⁶⁸ Amnesty International, *Tanzania: “We have lost everything”: Forced evictions of the Maasai in Loliondo* (previously cited) pp. 19-35.

⁶⁹ Amnesty International, *Tanzania: “We have lost everything”: Forced evictions of the Maasai in Loliondo* (previously cited) p. 3.

their livestock after their homesteads were destroyed during the June 2022 forced evictions in Loliondo division.⁷⁰

Out of the three businesses operating in the 1,500 km² of land in Loliondo, five people who have worked for OBC confirmed to Amnesty International that only OBC staff were present in all the evictions.⁷¹ Eyewitnesses also told Amnesty International that more than 10 of the Toyota Landcruiser vehicles that accompanied tens of other vehicles ferrying security forces during the violent evictions in June 2022 belonged to OBC and were branded as such.⁷² Interviewees informed Amnesty International that OBC staff randomly patrol the area to monitor whether villagers were grazing livestock inside the 1,500 km² parcel of land and called-in wildlife officials to impound livestock found inside there. In some instances, OBC staff patrolled together with wildlife officials.⁷³

Eyewitnesses informed Amnesty International that they did not see staff, vehicles or other equipment associated with Klein's Camp or TAASA Lodge during the forced evictions. Many staff of the companies come from the villages in Loliondo. Some of the eyewitnesses had also worked in these companies and were aware of their personnel and operations.⁷⁴

The authorities denied widespread reports of violent forced evictions of the Maasai from their land in Ngorongoro district. Despite several appeals by the UN⁷⁵ and the AU through the African Commission on Human and Peoples' Rights (ACHPR)⁷⁶ for the cessation of eviction of the Maasai community in Ngorongoro district, the state has not publicly responded to these bodies. The Tanzanian government has not responded to several UN special procedures mandate-holders communications raising concerns over allegations of forced evictions, attacks, intimidation, and harassment of Maasai Indigenous People in Tanzania, including in TZA 2/2019, TZA 1/2016, TZA 1 2015, TZA Q/2014, TZA 3/2013, TZA 2/203.⁷⁷ The ACHPR conducted a promotion mission in Tanzania between 23 and 28 January 2023 and in a press release on 21 February 2023 endorsed claims of lack of adequate consultation and inclusion of the local communities in the demarcation exercise in Loliondo, as well as reports of use of force and threats against community members who contested the demarcation.⁷⁸

The Tanzanian government also denied requests from intergovernmental organizations to conduct fact-finding missions in Ngorongoro, including refusing country visit requests by the UN Special Rapporteur on the Right to Adequate Housing and the UN Special Rapporteur on the Rights of Indigenous Peoples.⁷⁹ The government did, however, allow an ACHPR delegation to undertake a promotion mission between 23 and 28 January 2023. The delegation raised concerns about forced evictions of Maasai, noting "a lack of adequate consultation and inclusion of the local communities in the demarcation exercise, as well as reports of use of force and threats against community members who contest the demarcation" of the land they laid claim to.⁸⁰ In December 2022 and in August 2023, the government prevented the UN Special Rapporteur on Indigenous People and a UNESCO fact finding delegation from visiting the area in 2023.⁸¹ Again, on 2 September 2023, a delegation of members of the European Parliament were refused access, despite the government previously agreeing to their visit to investigate human rights abuses against the Maasai.⁸² The Tanzanian government however invited a joint World Heritage Centre and International Union for Conservation of Nature (IUCN) reactive monitoring mission (RMM). The joint RMM mission team was

⁷⁰ Amnesty International, "Report 2023/24: The State of The World's Human Rights", p. 366, 24 April 2024, [amnesty.org/2024/04/24/annual-report-2023/](https://www.amnesty.org/en/documents/2024/04/24/annual-report-2023/)

⁷¹ Interview in person with four former staff of OBC, Klein's Camp and TAASA Lodge (conducted separately), April 2024, Arusha; Interview in person with one current staff of OBC, March 2023, Ololosokwan village.

⁷² Interviews in person with 15 affected Maasai people, Arusha, Narok and Loliondo, July and August 2022, and March 2023.

⁷³ Interview in person with four former staff of OBC (conducted separately), April 2024, Arusha; Interview in person with one current staff of OBC, March 2023, Ololosokwan village.

⁷⁴ Interview in person with four former staff of OBC (conducted separately), April 2024, Arusha; Interview in person with one current staff of OBC, March 2023, Ololosokwan village.

⁷⁵ OHCHR, Tanzania: UN experts warn of escalating violence amidst plans to forcibly evict Maasai from ancestral lands, 15 June 2022, [ohchr.org/en/press-releases/2022/06/tanzania-un-experts-warn-escalating-violence-amidst-plans-forcibly-evict](https://www.ohchr.org/en/press-releases/2022/06/tanzania-un-experts-warn-escalating-violence-amidst-plans-forcibly-evict)

⁷⁶ ACHPR, Urgent call for cessation of the eviction of the Masai community in the Ngorongoro district in The United Republic of Tanzania, 13 June 2022, [achpr.org/en/news/press-releases/2022-06-13/urgent-call-cessation-eviction-masai-community-ngorongoro](https://www.achpr.org/en/news/press-releases/2022-06-13/urgent-call-cessation-eviction-masai-community-ngorongoro)

⁷⁷ OHCHR, Ref.: AL TZA 3/2021, 9 February 2022.

⁷⁸ ACHPR, Press Statement at the Conclusion of the Promotion Mission of the African Commission on Human and Peoples' Rights to the United Republic of Tanzania, 23-28 January 2023, 24 February 2023, [achpr.org/en/news/press-releases/2023-02-24/press-statement-promotion-mission-united-republic-tanzania/](https://www.achpr.org/en/news/press-releases/2023-02-24/press-statement-promotion-mission-united-republic-tanzania/)

⁷⁹ OHCHR, Tanzania: More violence feared over bid to evict Maasai from ancestral lands, 15 June 2022, [news.un.org/en/story/2022/06/1120442](https://www.news.un.org/en/story/2022/06/1120442)

⁸⁰ ACHPR, "Press Statement at the Conclusion of the Promotion Mission of the African Commission on Human and Peoples' Rights to the United Republic of Tanzania, 23-28 January 2023", 24 February 2023, [achpr.org/en/news/press-releases/2023-02-24/press-statement-promotion-mission-united-republic-tanzania/](https://www.achpr.org/en/news/press-releases/2023-02-24/press-statement-promotion-mission-united-republic-tanzania/)

⁸¹ Telephone interviews with two community lawyers (conducted separately), 8 June 2024 and according to Maasai International Solidarity Alliance (MISA) Newsletter – September 2023, part 2.

⁸² Michèle Rivasi, Claude Gruffat and Peirrette Herzberger-Fofana, Members of European Parliament, press release, "Three Greens/EFA MEPs denied entry to the Tanzanian territory", 4 September 2023, on file with Amnesty International.

composed of Guy Debonnet (UNESCO World Heritage Centre) and Daniel Marnewick (IUCN) and took place between 15 and 19 January 2024.

The report of the RMM which was released in March 2024 mentions concerns raised by UN and NGOs about serious human rights violations, but says they are outside the remit of the mission and its report.⁸³ It notes that “the voluntary nature of the resettlement has been questioned by various groups ...,” noting that “The World Heritage Committee in its Decision 45 COM 7B.30 has expressed its deep concern over the alleged human rights violations in and around the property as set out in the letters from the UN Special Procedures Branch of the Office of the United Nations High Commissioner for Human Rights and reiterated its unequivocal condemnation of any forced evictions. It requested the State Party to demonstrate that the voluntary relocation process is consistent with international good practices and applicable norms and standards, including the policies of the Convention and the principles of free, prior and informed consent.”⁸⁴ According to the RMM report, a “UNESCO/ICOMOS/IUCN Advisory mission visited Ngorongoro district in February 2024 to advise the State Party on this matter and its report is in preparation at the time of writing.”⁸⁵ The issue of voluntary relocation is however only particular to the land question in Ngorongoro district and not Loliondo.

⁸³ UNESCO World Heritage Centre / International Union for Conservation of Nature (IUCN) “*Report on the Joint World Heritage Centre/IUCN Reactive Monitoring Mission to Serengeti National Park (United Republic of Tanzania) from 15 to 19 January 2024,*” March 2024, [/whc.unesco.org/en/documents/207848](https://whc.unesco.org/en/documents/207848)

⁸⁴ UNESCO World Heritage Centre / International Union for Conservation of Nature (IUCN) “*Report on the Joint World Heritage Centre/IUCN Reactive Monitoring Mission to Serengeti National Park (United Republic of Tanzania) from 15 to 19 January 2024,*” March 2024, footnote 31, [/whc.unesco.org/en/documents/207848](https://whc.unesco.org/en/documents/207848)

⁸⁵ UNESCO World Heritage Centre / International Union for Conservation of Nature (IUCN) “*Report on the Joint World Heritage Centre/IUCN Reactive Monitoring Mission to Serengeti National Park (United Republic of Tanzania) from 15 to 19 January 2024,*” March 2024, footnote 31, [/whc.unesco.org/en/documents/207848](https://whc.unesco.org/en/documents/207848) (previously cited).

THE CONSERVATION FALLACY

“If they see you on the road, they stop you and ask where you have seen baby leopards, lions or ostriches. They really like baby animals because older animals are difficult to transport. So, on the issue of trafficking animals, it is true they are trafficking animals.”

Pascal, not their real name, former OBC employee for more than 10 years.

DEGRADATION OF WILDLIFE AND THE NATURAL ENVIRONMENT

Although Tanzanian authorities claim that they carried out the June 2022 evictions as part of efforts to protect wildlife and the natural environment, and despite overwhelming evidence of decline in wildlife, including the big five, Tanzania still maintains hunting blocks where professional hunters and their clients hunt trophy animals.⁸⁶ The country still allows trophy hunting under the Wildlife Conservation Act,⁸⁷ including the hunting of four of the famous ‘big five’ species – elephant, lion, buffalo, and leopard.⁸⁸

The agreement between the government of Tanzania and OBC permits hunting of wild game and trapping of some live animals. The trophies are flown to the UAE.⁸⁹ There is no record to show that the people of Loliondo were party to the 1992 agreement, or that they were meaningfully consulted, save for the agreement that shows four witnesses to the agreement from the Maasai community.⁹⁰

Eyewitnesses informed Amnesty International that they were present and working with OBC when members of the UAE ruling royal family visited the country for hunting and other tourism activities between 1996 and

⁸⁶ Ministry of Wildlife and Natural Resources, Wildlife division, maliasili.go.tz/sectors/category/wildlife

⁸⁷ Wildlife Conservation Act, section 38.

⁸⁸ According to the World Wide Fund for Nature (WWF) “The term ‘big five’ originally referred to the difficulty in hunting the lion, leopard, rhino, elephant, and African buffalo. These five large African mammal species were known to be dangerous, and it was considered a feat by trophy hunters to bring them home. [...] Today, however, the expression takes on a gentler form, referring to seeing the big five – not shooting them – during wildlife safaris on the African continent.” WWF, Ten wild facts about the big five, worldwildlife.org/blogs/good-nature-travel/posts/ten-wild-facts-about-the-big-five

⁸⁹ Copy of agreement signed by the Minister for Tourism, Natural Resources and Environment (as was the name of the ministry at the time), Abubakar Mgumia, and Mohamed Abdulrahim Al Ali, 20 November 1992, on file with Amnesty International (previously cited).

⁹⁰ Copy of agreement signed by the Minister for Tourism, Natural Resources and Environment (as was the name of the ministry at the time), Abubakar Mgumia, and Mohamed Abdulrahim Al Ali, 20 November 1992, on file with Amnesty International (previously cited).

2016 when the last visit happened before resumption in June 2024.⁹¹ With an airstrip on one of the properties, eyewitnesses informed Amnesty International that visiting members of the ruling royal family would airlift wild animals in their cargo planes through the airstrip or the Kilimanjaro International Airport in Kilimanjaro, Tanzania⁹² after spending days hunting in Loliondo. They reported that they would go after the young ones of wild animals or female animals, which is against the Wildlife Conservation (Tourist Hunting) Regulations, 2015. Regulation 25 of the Wildlife Conservation (Tourist Hunting) Regulations prohibits a person from “hunting the young of any animal or any female animal.”⁹³

Judah, not their real name, worked at OBC for over 15 years. During this time, they witnessed different OBC operations in Loliondo. Judah informed Amnesty International that according to OBC’s hunting contract (which is not made public), members of the ruling royal family had to be escorted by professional hunters commonly known as ‘PH.’ Professional hunters are responsible for guiding visitors to identify which animals to hunt but according to Judah, members of the ruling royal family would go to hunt by themselves without the PH. This goes against the Wildlife Conservation (Tourist Hunting) Regulations requiring that a “... hunting company shall ensure that a tourist hunter, in conducting his hunting activities within a given hunting block, be accompanied by a duly licensed professional hunter and a Wildlife Officer or a certified village game scout if such block falls under the management of an Authorized Association.”⁹⁴

According to Judah, they would kill what they wanted and “many who were not PHs would not have ability to shoot their targets. As a result, they would end up injuring the animals instead of killing them instantly as regulations would require.”⁹⁵

In a letter to Amnesty International, TAASA Lodge stated that it “is committed to a low ecological footprint in the area via investments in the lodging business to the extent of \$2,5 million.”⁹⁶ The company was not specific as to the nature of these investments.

FACILITIES OWNED BY OTTERLO BUSINESS CORPORATION IN LOLIONDO

In the Pololeti Game Reserve, there are three facilities owned by OBC. They are *Chali One*, *Lima One* and *Lima Two*.⁹⁷ Amnesty International observed constructions and permanent buildings in these facilities. It is not clear whether the constructions are in line with provisions in the 1992 agreement between Mohamed Abdulrahim Al Ali and the Tanzanian government which required special controls including getting permission to construct permanent buildings in the protected area and whether the material and structure of the constructions are sensitive to the local environment and conservation.⁹⁸

⁹¹ Interview in person with four former staff of OBC (conducted separately), April 2024, Arusha; Interview in person with one current staff of OBC, March 2023, Ololosokwan village (previously cited).

⁹² Interview in person with three former staff of OBC (conducted separately), April 2024, Arusha; Interview in person with one current staff of OBC, March 2023, Ololosokwan village.

⁹³ Regulation 25, The Wildlife Conservation (Tourist Hunting) Regulations.

⁹⁴ Regulation 20, The Wildlife Conservation (Tourist Hunting) Regulations.

⁹⁵ Interview in person with Judah, a former staff of OBC, April 2024, Arusha.

⁹⁶ Letter from TAASA Lodge to Amnesty International, 28 July 2024. Ref: TC AFR 56/2024.5754 (previously cited). The full letter is Annex I in this report.

⁹⁷ Amnesty International Researcher observed the facilities but was not able to access the facilities due to security reasons.

⁹⁸ Copy of agreement signed by Minister for Tourism, Natural Resources and Environment (as was the name of the ministry at the time), Abubakar Mgumia, and Mohamed Abdulrahim Al Ali, 20 November 1992, on file with Amnesty International (previously cited).



- One of the ongoing constructions inside Pololeti Game Reserve, May 2024, @Private.

CHALI ONE

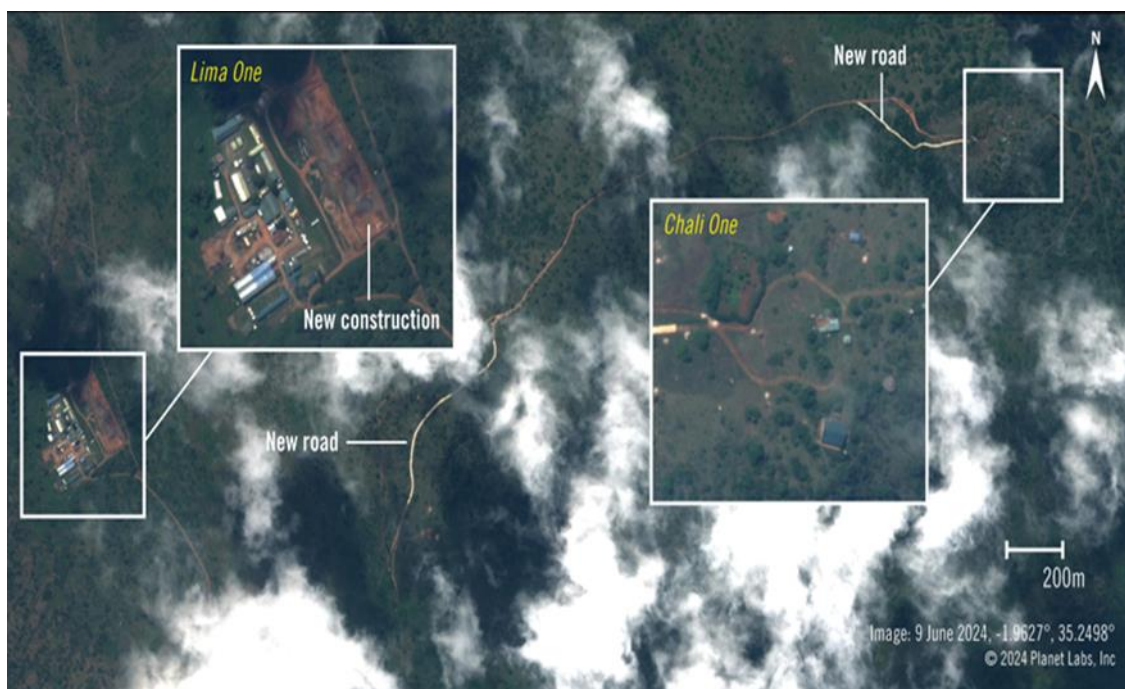
According to former staff and a current staff of OBC, *Chali One* is the special facility where members of the UAE ruling royal family stay in Loliondo during their visit. The property is at the top of the hill inside Pololeti Game Reserve. It has a few buildings, and it is home to a UAE owned telecom company Etisalat, now rebranded as etisalat by e&'s masts.⁹⁹ Details on its own website indicate that etisalat by e& operates in 32 countries across Middle East, Asia and Africa. Tanzania is not one of the listed 32 countries.¹⁰⁰ etisalat by e& did not respond to Amnesty International request to explain its presence in Loliondo area and provide information as to when it established its operation there.

Former staff and a current staff of OBC reported that *Chali One* is regularly guarded by three security guards who are there all the time. From the interviews with people who have worked at OBC, members of the UAE ruling royal family host Tanzanian government leaders at *Chali One* whenever they visit the area. The interviewees told Amnesty International that they saw delegations of government leaders come into the camp to visit members of the ruling royal family when they visited the camp. The former staff and a current staff of OBC informed Amnesty International that they knew that the delegations were government delegations because their convoy of vehicles would have government registration plate numbers.¹⁰¹

⁹⁹ Interview in person with three former staff of OBC (conducted separately), April 2024, Arusha; Interview in person with one current staff of OBC, March 2023, Ololosokwan village.

¹⁰⁰ etisalat by e&, About us, eand.com/en/who-we-are.html

¹⁰¹ Interview in person with three former staff of OBC (conducted separately), April 2024, Arusha; Interview in person with one current staff of OBC, March 2023, Ololosokwan village.



- Satellite imagery from 9 June 2024 shows a new area cleared and construction at OBC's Lima One site in the Pololeti Game Reserve. Two new sections of road have also been constructed leading to Chali One site on top of a hill.

LIMA ONE

Amnesty International learnt from former staff and a current staff of OBC that *Lima One* is a storage facility. It is mostly used for keeping large machines and vehicles such as trucks, including those used by members of the UAE ruling royal family and their guests during visits to Loliondo. Eyewitnesses informed Amnesty International that this is where the PH and royal families keep animals in cages before they take them to the UAE.¹⁰²

Lima One is built near a river. According to the former staff and a current staff of OBC, the river provides essential water to Loliondo residents living near Pololeti Game Reserve. OBC has cut trees outside the facility leaving the land bare. Pascal, not their real name, mentioned that OBC is constructing a seemingly permanent building using concrete in the approximately 500m long truck yard for keeping their trucks.¹⁰³ The concrete construction in *Lima One* has raised concerns among villagers as to whether conservation is a priority in Pololeti Game Reserve as the buildings violate the OBC agreement with the government and villagers to only construct infrastructure that protects biodiversity.¹⁰⁴ Amnesty International has also obtained photographs and satellite images of *Lima One*.

The camp also accommodated Tanzania security forces during the different forced evictions and security operations that have happened in Loliondo.¹⁰⁵

“They have decided to build a large store that can accommodate many trucks so that when the guests leave for Dubai no car or truck will stay outside.”¹⁰⁶

¹⁰² Interview in person with three former staff of OBC (conducted separately), April 2024, Arusha; Interview in person with one current staff of OBC, March 2023, Ololosokwan village.

¹⁰³ Interview in person with Pascal, April 2024, Arusha.

¹⁰⁴ Copy of agreement signed by the Minister for Tourism, Natural Resources and Environment (as was the name of the ministry at the time), Abubakar Mgumia, and Mohamed Abdulrahim Al Ali, 20 November 1992, on file with Amnesty International. (previously cited).

¹⁰⁵ Interview in person with three former staff of OBC (conducted separately), April 2024, Arusha; Interview in person with one current staff of OBC, March 2023, Ololosokwan village.

¹⁰⁶ Interview in person with Pascal, April 2024, Arusha.



- *A new area cleared and construction at OBC's Lima One site in the Pololeti Game Reserve, June 2024, @Private.*

LIMA TWO

Lima Two has an airstrip built in the 1990s. The eyewitnesses were unsure when the airstrip was completed.¹⁰⁷ Lima Two had some temporary camps at the time Amnesty International visited Loliondo to observe businesses operating in the 1,500km² area, two years after the state established Pololeti Game Reserve. Amnesty International observed a concrete building and some containers in Lima Two. Pascal told Amnesty International that OBC was changing the temporary camp sites to their permanent facility near the airstrip and that this happened after the 2022 forced evictions.¹⁰⁸

According to Pascal, the OBC cargo plane can carry three cargo containers. Inside those three cargo containers are small cages where animals are kept, depending on the size.¹⁰⁹ The camp has also accommodated members of the Tanzania security forces during the different forced evictions and security operations that have happened in Loliondo.¹¹⁰

“The new superintendent is the one who brought about changes such as permanent camps. He is the one who came to give orders for the construction that is going on right now,” said Pascal.¹¹¹

¹⁰⁷ Interviews in person with four former staff of OBC (conducted separately), April 2024, Arusha; Interview in person with one current staff of OBC, March 2023, Ololosokwan village.

¹⁰⁸ Interview in person with Pascal, April 2024, Arusha.

¹⁰⁹ Interview in person with Pascal, April 2024, Arusha.

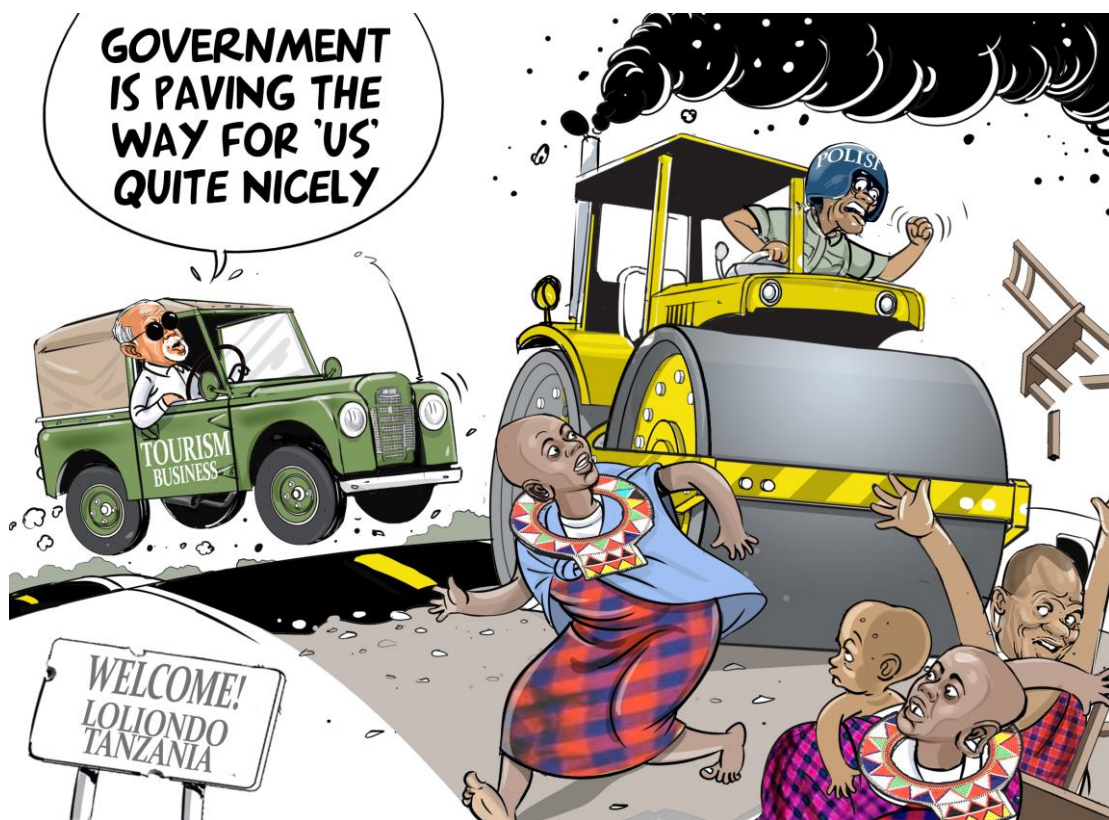
¹¹⁰ Interviews in person with three former staff of OBC (conducted separately), April 2024, Arusha; Interview in persons with one current staff of OBC, March 2023, Ololosokwan village.

¹¹¹ Interview in person with Pascal, April 2024, Arusha.



- *Satellite imagery from 6 June shows the airstrip and structures at the OBC, Lima Two camp. New fence-like perimeters have been built around four areas in the camp.*

THE ROLE OF BUSINESSES IN LOLIONDO FORCED EVICTIONS



“While working at OBC in 2022, I witnessed OBC facilitating the various security forces involved through giving them accommodation, food and fuelling state vehicles.”

Hiram, not their real name, former OBC employee for more than 10 years.

In 2024, Amnesty International interviewed seven community members who were impacted by all four forced evictions, and they all confirmed that OBC representatives known to them and OBC branded vehicles were present during all the forced evictions.¹¹² Former staff of OBC and one current staff also informed Amnesty International that OBC provided accommodation, food items and fuel for state vehicles during all forced evictions, including in 2022.¹¹³

On 17 January 1996, former Tanzanian president, the late Benjamin Mkapa, constituted a commission to investigate corruption in different sectors in the country. The Presidential Commission Against Corruption (PCAC) (commonly known as the Warioba Commission) investigated the Ministry of Natural Resources and Tourism and found that the granting of the trophy hunting license to OBC was contrary to the law. The Commission further found that OBC bribed officials in the ministry for their operation licence in Loliondo.¹¹⁴

In 2001, the Maasai Environmental Resources Coalition (MERC) published a report about OBC’s operation in Loliondo named *“The killing fields of Loliondo”*. In the report, MERC recounts how they interviewed OBC staff who informed them that OBC was illegally mistreating and trafficking animals from Loliondo to the UAE.¹¹⁵

*“The halted migration of large herds of plains game also attracts increased numbers of carnivores – lions, cheetahs, leopards, hyenas, hunting dogs and jackals. This provides OBC with an opportunity to capture large cats – particularly the much-favoured lion, cheetah, and leopard—and transport them to UAE. According to some OBC workers, at least 70 lions, 28 cheetahs, and 17 leopards were captured and transported to UAE between June and December of 2000, while an estimated 23 lions were killed after they were discovered to be either in poor health or old. One of the victims of these killings was a male lion that was considered unfit because it had sustained serious injuries from another lion during a territorial fight.”*¹¹⁶

For their report, MERC interviewed a former Klein’s Camp manager who was expelled from the country for complaining about how OBC were using salt licks and small dams to attract animals in the dry season to capture them. They reported him saying *“the company uses this practice to hunt species, including wildebeest, zebra, giraffe, impala, waterbuck, and topi, that move in large numbers and exhibit certain predictable feeding and drinking habits.”*¹¹⁷

In the August 2017 forced evictions, security officers, including the Tanzanian military, accompanied by OBC representatives, destroyed and burnt homes¹¹⁸ and property of Maasai communities living on the 1,500km² of the then Loliondo Game Controlled Area.¹¹⁹ This happened after the state issued letters ordering the communities to remove their cattle and villages from the Serengeti National Park, despite their homes not being inside the park.¹²⁰ These letters were misleading since they suggested that the communities in question had encroached on land belonging to the national park. Like in the 2009 and 2013 forced evictions, security forces burnt down Maasai homesteads which are traditionally constructed by

¹¹² Interviews in person with seven affected Maasai people (conducted separately), July and August 2022, Arusha and Narok.

¹¹³ Interviews in person with four former staff of OBC (conducted separately), April 2024, Arusha; Interview in person with one current staff of OBC, March 2023, Ololosokwan village.

¹¹⁴ The report by the Tanzanian Presidential Commission on Corruption (also known as the Warioba Report) published in December 1996, p. 284, on file with Amnesty International (previously cited).

¹¹⁵ Maasai Environmental Resources Coalition (MERC) *“The killing fields of Loliondo”*, 2001, on file with Amnesty International.

¹¹⁶ Maasai Environmental Resources Coalition (MERC) *“The killing fields of Loliondo”*, 2001, on file with Amnesty International (previously cited).

¹¹⁷ Maasai Environmental Resources Coalition (MERC) *“The killing fields of Loliondo”*, 2001, on file with Amnesty International (previously cited).

¹¹⁸ EACJ, *Ololosakwan Village Council & 3 Others vs Attorney General of Tanzania*, Reference No. 10 of 2017. The community was represented by a team of lawyers from the Pan African Lawyers Union (PALU), 30 September 2022.

¹¹⁹ Interviews in person with seven affected Maasai people (conducted separately), Arusha and Narok, July and August 2022.

¹²⁰ Interviews by voice call with two academics (conducted separately) and interviews in person with two NGO leaders, 10 community members from Loliondo and three lawyers, June, July, August, September, October 2022.

women. As with the 2009 and 2013 forced evictions, affected people returned and rebuilt their homesteads.¹²¹

In sworn affidavits in a case before the EACJ in Arusha, filed by Maasai community members from the four villages in Loliondo impacted by forced evictions in August 2017,¹²² community members claimed OBC participated in the August 2017 forced evictions in Loliondo.¹²³ Letiveti Soit testified at the EACJ that on 19 August 2017, “whilst he had a function at his home, he was assaulted by OBC officers accompanied by game rangers from Tanzania National Parks.”¹²⁴ The officers were accused of beating up people and destroying their homesteads during the 2017 forced evictions.¹²⁵ Letiveti Soit further testified that he “lost 143 sheep and goats combined, though he later recovered 74 of them.”¹²⁶

A 1999 agreement between the Ololosokwan Village Council and the lessor of the land where Klein’s Camp is¹²⁷, reads in part, “The Lessor hereby leases to the Lessee twenty-five thousand (25,000) acres of the properly for a period of fifteen (15) years with an option to renew for further fifteen years, effective 1st July 1999 unless terminated earlier in accordance with the infra provisions of this agreement ... in consideration therefor[e] the Lessee shall pay to the Lessor an annual rental of US Dollars 25,000 (twenty five thousand) in respect of the 25000 (twenty five thousand) acreage payable each year quarterly in advance in United States dollars.”¹²⁸ &BEYOND used to pay the Ololosokwan Village Council up to 250 million Tanzania shillings (about USD 97,000) annually but stopped paying in 2022. OBC who had been paying 23,000,000 Tanzania shillings (about USD 8,900) annually to the village council, stopped paying in 2018 after the arrest of OBC Executive Director following orders of the then Minister for Tourism.¹²⁹ The respondents had no recollection of lease payments to the village council from TAASA Lodge.¹³⁰

Amnesty International has found that OBC has not publicly raised any defence to the witness testimonies or tried to disprove accusations of its involvement in the 2017 forced evictions. The company has further not publicly responded in the media or elsewhere about OBC’s involvement in forced evictions in Loliondo, including in June 2022. OBC did not respond to Amnesty International’s letter that asked questions about its involvement in the forced evictions.

After the August 2017 forced evictions in Loliondo, a former minister of natural resources and tourism, Hamisi Kigwangala, on 5 November 2017 terminated the hunting concession with OBC¹³¹ and directed the Prevention and Combating of Corruption Bureau (PCCB) to launch investigations into allegations of corruption against OBC and the immediate former tourism minister.¹³² OBC is, however, still operating in the area despite the termination of the hunting concession. It is unclear whether or how the hunting concession was reinstated.

In 2017, Hamisi Kigwangala publicly accused OBC of trying to bribe him by offering to give him USD 100,000 to overlook past accusations of corruption against the company.¹³³ The Minister directed PCCB to arrest OBC Executive Director Isack Mollel for trying to bribe him. A few days later, Isack Mollel was arrested

¹²¹ Interviews in person with 13 affected Maasai people (conducted separately), July and August 2022, Arusha and Narok; interviews by voice call with one senior journalist and editor in Tanzania and an academic from Maasai community, August and September 2022.

¹²² EACJ, *Ololosokwan Village Council & 3 Others vs Attorney General of Tanzania*, Reference No. 10 of 2017. The community was represented by a team of lawyers from the Pan African Lawyers Union (PALU), 30 September 2022.

¹²³ EACJ, *Ololosokwan Village Council & 3 Others vs Attorney General of Tanzania* (previously cited) paragraph 12 b and c of the typed Judgement in Reference No. 10 of 2017.

¹²⁴ EACJ, *Ololosokwan Village Council & 3 Others vs Attorney General of Tanzania* (previously cited) paragraph 12 c of the typed Judgement in Reference No 10 of 2017.

¹²⁵ EACJ, *Ololosokwan Village Council & 3 Others vs Attorney General of Tanzania*, paragraph 12 c of the typed Judgement in Reference No 10 of 2017 (previously cited).

¹²⁶ EACJ, *Ololosokwan Village Council & 3 Others vs Attorney General of Tanzania*, paragraph 12 c of the typed Judgement in Reference No 10 of 2017 (previously cited).

¹²⁷ Summary of the subsisting entries on property from an official search at the Land Registry, 16 March 2010, on file with Amnesty International.

¹²⁸ Articles 1 and 2 of an agreement between Ololosokwan Village Council and ConsCorp Tanzania Limited (CC Africa), 16 June 1999, on file with Amnesty International.

¹²⁹ Interviews in person with four villagers, two of whom are former staff of TAASA Lodge (conducted separately), April 2024, Arusha, and two community lawyers, April 2024, Arusha.

¹³⁰ Interviews in person with four former staff of OBC (conducted separately), April 2024, Arusha and interview in person with one current staff of OBC, March 2023, Ololosokwan village.

¹³¹ Business & Human Rights Resource Centre, “Tanzania: Govt. ends hunting deal with Ortelo Business Corporation & launches investigation for alleged corruption; locals had alleged company denied them access to water”, 13 November 2017, [business-humanrights.org/de/neuste-meldungen/tanzania-govt-ends-hunting-deal-with-ortelo-business-corporation-launches-investigation-for-alleged-corruption-locals-had-alleged-company-denied-them-access-to-water/](https://www.business-humanrights.org/en/neuste-meldungen/tanzania-govt-ends-hunting-deal-with-ortelo-business-corporation-launches-investigation-for-alleged-corruption-locals-had-alleged-company-denied-them-access-to-water/)

¹³² The Citizen, “Kigwangalla suspends ministry’s wildlife director”, 6 November 2017, [thecitizen.co.tz/tanzania/news/national/kigwangalla-suspends-ministry-s-wildlife-director-2611842](https://www.thecitizen.co.tz/tanzania/news/national/kigwangalla-suspends-ministry-s-wildlife-director-2611842)

¹³³ Hamis Kigwangala, “Nitafuli hata vitalu alivyogawa Waziri Nyalandu kinyume cha utaratibu,” [youtube.com/watch?v=bqCITvTiWfI](https://www.youtube.com/watch?v=bqCITvTiWfI), 6 November 2017.

and charged with money laundering, tax evasion and economic sabotage.¹³⁴ Lawyers representing the community informed Amnesty International that Isack Mollel was never convicted of the same crimes, and they have not succeeded in obtaining court documents regarding the case from courts in Arusha or from Isack Mollel's lawyers.¹³⁵

Amnesty International has observed that despite many reports and court cases implicating OBC and the company's management in contributing to human rights violations, OBC has never publicly responded to the claims and the state has not made public any ongoing investigations or efforts to bring accountability, including in cases that contravene the Wildlife Conservation (Tourist Hunting) Regulations and go against wildlife conservation. Amnesty International wrote to OBC on 21 March 2024 and 12 July 2024 regarding OBC's role in the forced evictions but at the time of writing, did not receive a response.

RELEGATED CORPORATE SOCIAL RESPONSIBILITY

While TAASA Lodge employs tens of villagers from Loliondo, Amnesty International interviewed villagers who informed the organisation that the TAASA Lodge management is regularly in conflict with villagers regarding grazing their livestock on the land they have leased.¹³⁶ Villagers accuse the lodge of working with the NCAA to confiscate their livestock. Villagers have been forced to pay up to 100,000 Tanzania shillings (about 200 USD) per animal to reclaim the livestock.¹³⁷ In response to Amnesty International, TAASA Lodge wrote that it has held a direct relationship with the immediate Maasai community since its founding in 2009 and "prior to the Maasai evictions." Over time, TAASA Lodge claims that it "was required to pay Tanzanian Wildlife Management Authority (TAWA) for access to what was then shared land in the concession, and subsequently NCAA for use of the Game Reserve area, proclaimed as the Pololeti Game Reserve."¹³⁸

According to villagers and lawyers familiar with the issues, Klein's Camp, OBC and TAASA Lodge, which had all entered into individual agreements¹³⁹ with village councils, stopped paying their annual leases to the village council as required under their lease contracts since the June 2022 forced evictions events.¹⁴⁰ This indicates that the businesses had recognised the 1,500km² of land as belonging to the Maasai people since only owners of land can lease land out. All the three companies involved themselves in corporate social responsibility for the community, including delivering piped water projects, building health facilities, building schools and paying school fees for needy students. According to villagers, the support from all the three was stopped after the 2022 forced eviction process.¹⁴¹

In response to Amnesty International, &BEYOND said: "... that the land in question, albeit in dispute, is no longer under the control of the Ololosokwan Village Council, but the Ngorongoro Conservation Area Authority ("the Lessors")." &BEYOND further mentioned that they "cannot disclose the terms of [their] lease agreement with the Lessors." The company also acknowledged that there is an ongoing litigation over the land in question and claimed that as a lessee, they have no influence over the Lessors. They said: "[W]e can only await the outcome of the court's ruling before we may determine our position in this matter."¹⁴²

TAASA Lodge further mentioned that it supports the local Maasai community by "1. Prioritizing the employment of staff from that area, providing income and statutory benefits which are considered above the recommended minimum ..." The company mentioned that more than 70% of their "staff come from the immediate area."¹⁴³ TAASA Lodge also said that it provides "... indirect benefits to employees and their families living in that area through the charitable actions of Explore With Purpose in the Ololosokwan village (exceeding \$100,000 over the last few years). These funds were used to provided better school facilities and easier access to water within the community; ... Engaging with the local Maasai staff and inviting them to air their opinions in staff meetings (which offers the chance for staff to offer their insights or complaints

¹³⁴ Business & Human Rights Resource Centre, "Tanzania: Govt. ends hunting deal with Ortelo Business Corporation & launches investigation for alleged corruption; locals had alleged company denied them access to water" (previously cited).

¹³⁵ Telephone interviews with two community lawyers (conducted separately), 8 June 2024.

¹³⁶ Interviews in person with four villagers, two of whom are former staff of TAASA Lodge (conducted separately), April 2024, Arusha.

¹³⁷ Interviews in person with four villagers, two of whom are former staff of TAASA Lodge (conducted separately), April 2024, Arusha, and two community lawyers, April 2024, Arusha.

¹³⁸ Letter from TAASA Lodge to Amnesty International, 28 July 2024. Ref: TC AFR 56/2024.5754 (emphasis added). The full letter is Annex I in this report.

¹³⁹ Separate agreements between Klein's Camp, OBC and TAASA Lodge with village council, on file with Amnesty International.

¹⁴⁰ Interviews in person with four villagers, two of whom are former staff of TAASA Lodge (conducted separately), April 2024, Arusha, and two community lawyers, April 2024, Arusha.

¹⁴¹ Interviews in person with four two of whom are former staff of TAASA Lodge (conducted separately), April 2024, Arusha.

¹⁴² Letter from &BEYOND to Amnesty International, 25 July 2024. No reference number. The full letter is Annex II in this report.

¹⁴³ Letter from TAASA Lodge to Amnesty International, 28 July 2024. Ref: TC AFR 56/2024.5754 (previously cited). The full letter is Annex I in this report.

regarding various matters).¹⁴⁴ TAASA Lodge confirmed villagers account that the company supported “the education of communities in that area ...”¹⁴⁵ The company however neither confirmed nor denied claims that like Klein’s Camp and OBC it stopped involving itself in corporate social responsibility for the community after the 2022 forced eviction process.¹⁴⁶



- *Cattle seized at Klein's Gate of Serengeti National Park in Loliondo, June 2024, @Private.*

¹⁴⁴ Letter from TAASA Lodge to Amnesty International, 28 July 2024. Ref: TC AFR 56/2024.5754 (previously cited). The full letter is Annex I in this report.

¹⁴⁵ Letter from TAASA Lodge to Amnesty International, 28 July 2024. Ref: TC AFR 56/2024.5754 (previously cited). The full letter is Annex I in this report.

¹⁴⁶ Letter from TAASA Lodge to Amnesty International, 28 July 2024. Ref: TC AFR 56/2024.5754 (previously cited). The full letter is Annex I in this report.

RESPONSIBILITY OF COMPANIES TO RESPECT HUMAN RIGHTS

The responsibility to respect human rights “extends to compliance with international standards concerning the rights of Indigenous Peoples, in particular those set forth in the United Nations Declaration on the Rights of Indigenous Peoples, no less than it applies to compliance with other international human rights standards.”

Special Rapporteur on the Rights of Indigenous Peoples.¹⁴⁷

The UN Guiding Principles are based on three pillars, the “protect-respect-remedy framework”. Pillar I requires states to protect against human rights abuse by non-state actors, which requires taking “appropriate steps to prevent, investigate, punish and redress such abuse through effective policies, legislation, regulations and adjudication.”¹⁴⁸ Pillar II relates to the corporate responsibility to respect human rights and provides that where “business enterprises identify that they have caused or contributed to adverse impacts, they should provide for or cooperate in their remediation through legitimate processes”.¹⁴⁹ Pillar III, on access to remedy, reminds States to “take appropriate steps to ensure” that those affected by business-related human rights abuses within their territory and/or jurisdiction “have access to effective remedy.”¹⁵⁰

All companies have a responsibility to respect all human rights wherever they operate in the world and throughout their operations, regardless of their nationality or size. This is a widely recognised standard of expected conduct as set out in international business and human rights standards, including the UN Guiding Principles and OECD Guidelines.¹⁵¹ The responsibility of companies to respect human rights is independent of a state’s own human rights obligations and exists over and above compliance with national laws and regulations protecting human rights.¹⁵² To meet their responsibility to respect human rights, the companies should have in place policies and processes to meet their responsibility to protect human rights.¹⁵³ Amnesty International was unable to find human rights policies online for any of the companies. In its response to Amnesty International, &BEYOND said, “... that the land in question, albeit in dispute, is no longer under the control of the Ololosokwan Village Council, but the Ngorongoro Conservation Area Authority (“the Lessors”).” Both &BEYOND and TAASA Lodge told Amnesty International that they have robust policies in place that ensure that they do not cause or contribute to human rights violations across any of their operations¹⁵⁴ although they did not share the policies with us as requested. Amnesty International does not consider that having policies in place is enough to ensure that human rights violations will not happen. As of the time of writing, OBC did not respond to Amnesty International’s requests for information.

¹⁴⁷ UN Special Rapporteur on the Rights of Indigenous Peoples, Report: *Report of the Special Rapporteur on the rights of Indigenous Peoples, James Anaya: Extractive industries and Indigenous Peoples*, 1 July 2013, A/HRC/24/41, para. 52.

¹⁴⁸ UN Guiding Principles, Principle 1.

¹⁴⁹ UN Guiding Principles, Principle 22.

¹⁵⁰ UN Guiding Principles, Principle 25.

¹⁵¹ This responsibility was expressly recognized by the UN Human Rights Council on 16 June 2011 when it endorsed the UN Guiding Principles, and on 25 May 2011 when the 42 governments that had then adhered to the Declaration on International Investment and Multinational Enterprises of the OECD unanimously endorsed a revised version of the OECD Guidelines; UN Human Rights Council, Resolution 17/4: Human rights and transnational corporations and other Business Enterprises, adopted on 6 July 2011, UN Doc A/HRC/RES/17/4; See OECD Guidelines, 2011.

¹⁵² UN Guiding Principles, Principle 11 including Commentary.

¹⁵³ UN Guiding Principles, Principle 15.

¹⁵⁴ Letter from &BEYOND to Amnesty International, 25 July 2024. No reference number (previously cited). The full letter is Annex I in this report, and Letter from TAASA Lodge to Amnesty International, 28 July 2024. Ref: TC AFR 56/2024.5754 (previously cited). The full letter is Annex I in this report.

The UN Guiding Principles establish that to meet their corporate responsibility to protect, companies should have in place ongoing and proactive human rights due diligence processes to identify, prevent, mitigate and account for how they address their impacts on the rights of communities impacted by their activities. In the context of tourism companies, if their activities require the displacement of local communities, the companies should halt the evictions if they cannot be carried out in a way that affords adequate procedural safeguards and effective remediation.

The responsibility to respect human rights requires companies to avoid causing or contributing to harm through their own business activities, and address impacts in which they are involved, including by remediating any actual abuses. The UN Guiding Principles make clear that “where business enterprises identify that they have caused or contributed to adverse impacts, they should provide for or cooperate in their remediation.”¹⁵⁵

The right to an effective remedy has both procedural and substantive dimensions and is comprised of three core elements under international human rights law: (i) access to justice, (ii) adequate, effective, and prompt reparations for harm suffered (including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition) and (iii) access to information concerning violations and reparation mechanisms.¹⁵⁶ Where adverse impacts have occurred that a company has not caused or contributed to, but “which are directly linked to its operations... the responsibility to respect human rights does not require that the enterprise itself provide for remediation, though it may take a role in doing so.”¹⁵⁷ However, the company is expected to use its leverage to prevent or mitigate the impact.¹⁵⁸ In the case of the OBC, TAASA Lodge and &BEYOND’s Klein’s Camp, the companies should be practicing ongoing due diligence to identify whether any of their operations are having a negative human rights impact. If they identify that this is indeed the case, then they need to cease harmful activity. They also need to be transparent about their due diligence practices, providing information about the nature of their operations, any harms they are linked to, and the steps that they take to end or mitigate the harm, and provide remedy.

According to interviews with community members impacted by all four forced evictions, OBC staff were present when security forces forcibly evicted the village. Community members further told Amnesty International that OBC branded vehicles and staff known to them were present during all the forced evictions.¹⁵⁹ They also state that during all the evictions, the security forces set up camp on OBC property and were accompanied by OBC staff and vehicles into Loliondo villages. At the very least, this indicates that the company was aware that security forces were involved in these operations. At most, it means that the company was not only aware but facilitated the security forces during the forced evictions. Even a rudimentary due diligence exercise would have identified that any planned operations to evict Maasai carried the risk of the involvement of security forces and human rights violations. This is because the same thing happened in 2009, 2013 and 2017. Yet, there is no evidence that OBC staff tried to prevent security forces from conducting the eviction. The company has never given a media interview or spoken about its operations. Their role in this eviction is deeply problematic and Amnesty International considers that the company is linked to, and may have contributed to, the harm caused by the security forces.

Whilst community members have only implicated OBC in the forced evictions and related human rights abuses, TAASA Lodge and &BEYOND’s Klein’s Camp should also be practicing ongoing due diligence to identify whether their operations are linked to any negative human rights impact. Given the number of well-documented forced evictions of Maasai and related human rights violations that have occurred in the area in which they operate, any due diligence process would identify the risk of forced evictions of the Maasai and related human rights violations.

¹⁵⁵ UN Guiding Principles, Principle 22.

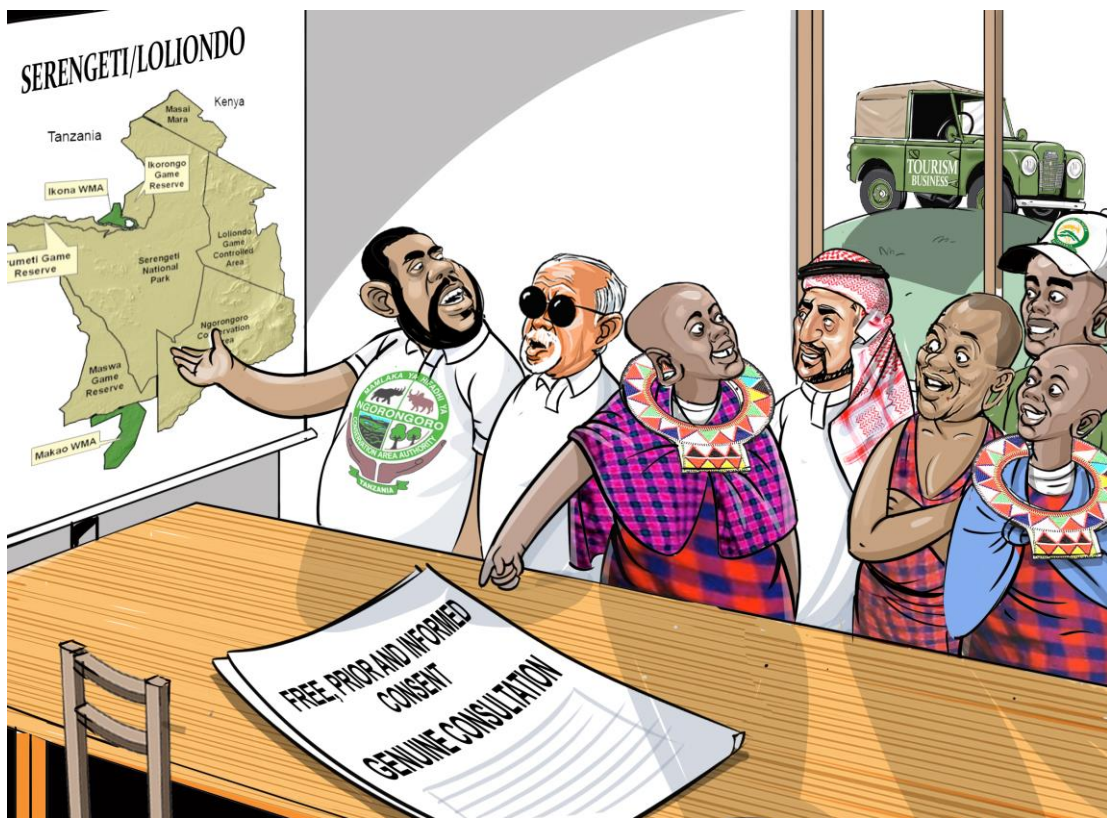
¹⁵⁶ UN Guiding Principles, Principle 17.

¹⁵⁷ UN Guiding Principles, Principle 22 including Commentary.

¹⁵⁸ UN Guiding Principles, Principle 19 including Commentary.

¹⁵⁹ Interviews in person with seven affected Maasai people, July and August 2022, Arusha and Narok.

CONCLUSION AND RECOMMENDATIONS



CONCLUSION

“We remain steadfast in our belief that the pursuit of human and peoples’ rights is a collective responsibility. It is with concern that we observe instances where indigenous voices are marginalized, often labelled as primitive, insignificant or archaic. These attitudes hinder progress towards inclusive societies and equitable development.”

Hon. Dr. Litha Musyimi-Ogana, Chairperson, Working Group on Indigenous Communities/Population and Minorities in Africa, the African Commission on Human and Peoples’ Rights (ACHPR).¹⁶⁰

In 1992 the Ngorongoro District Council leased the whole of Loliondo division as a designated block, referred to as the Loliondo Game Control Area, as a hunting block to OBC.¹⁶¹ The hunting block is within an area that is settled and legally owned by the Maasais.¹⁶² Later, the Tanzanian government leased parts of this 1500km² to other tourism businesses, including TAASA Lodge and &BEYOND’s Klein’s Camp. The authorities allocated this area to private businesses without first consulting the Maasai community, leaving the Maasais’ very survival in jeopardy.¹⁶³

Lands used by Maasai pastoralists for grazing are increasingly threatened by establishment of conservation areas without their consultation or participation, and the subsequent issuance of hunting licenses to tourism enterprises like OBC that have been involved in hunting operations in Loliondo since 1992. The company has supported the state in forced evictions in the name of conservation violating the rights of Indigenous People including to their traditional lands. As a result of the 10 June 2022 forced evictions, for example, 40 Maasais Indigenous People in Loliondo were wounded, others left homeless, and more than 1,000 forced to flee the country.

The Maasai have Indigenous knowledge and a sustainable way of protecting the environment, but the state has not meaningfully engaged the community in wildlife and biodiversity conservation. Instead, the state used exclusionary conservation, whereby security forces have forced the Maasai from the village land where they used to graze their cattle alongside the wildlife. Amnesty International rejects the notion that there is a tension between conservation and human rights. When creating wildlife conservation areas, game reserves and other protected areas, the state must support Indigenous peoples to take a leadership role in conservation, through recognition of their land rights and building on their traditional knowledge, rather than forcibly evicting them from their ancestral lands and denying them access to areas on which they depend for subsistence and cultural reproduction.¹⁶⁴

The Tanzanian government must investigate businesses operating in Loliondo to confirm that their conservation practices align with international standards for effective and sustainable environmental protection, including advancing justice, equality and non-discrimination, while observing the rights of Indigenous Peoples.

Whilst Amnesty International in June 2023 documented forced evictions and the human rights impact of the security operations in Loliondo, it did not investigate the responsibility of companies then. This report defines the responsibility of companies mentioned by individuals and other stakeholders as playing adverse roles in relation to forced evictions in Loliondo. There is compelling evidence that OBC has been involved in forcibly

¹⁶⁰ ACHPR, “Press statement on The International Day of the World’s Indigenous peoples”, 9 August 2023, achpr.au.int/en/news/press-releases/2023-08-09/press-statement-international-day-worlds-indigenous-peoples

¹⁶¹ Tanzania, The Village Land Act No.5 of 1999, parliament.go.tz/polis/uploads/bills/acts/1457511408-ActNo-5-1999.pdf

¹⁶² UNHRC, Report by the Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People, Cases examined by the Special Rapporteur (June 2009 – July 2010), A/ HRC/15/37/Add.1.

¹⁶³ Interviews by voice call with two academics and interviews in person with two NGO leaders, 10 community members from Loliondo and three lawyers, June, July, August, September, October 2022.

¹⁶⁴ Amnesty International, “We have lost everything”: Forced evictions of the Maasai in Loliondo (previously cited).

evicting people from the area. Through its involvement in these evictions, the company is directly linked to, and may have contributed to, the harms that occurred during the forced evictions, while the other companies operating in the area – TAASA Lodge and &BEYOND – are failing in their responsibility to address risks and actual harms linked to their operations.

Businesses operating in Loliondo must be accountable and commit in policy and practice to respect the rights of the Maasai Indigenous People. This includes undertaking transparent and ongoing due diligence to evaluate any potential human rights and environmental risks linked to their activities and providing remedy where they have caused or contributed to adverse impacts.

On its part, the Tanzanian government must investigate reported wildlife crimes committed by trophy hunting businesses in Loliondo that contravene the Wildlife Conservation (Tourist Hunting) Regulations and go against sustainable wildlife conservation - the ostensible basis for forced evictions in Loliondo. It must also allow observation visits for international fact-finding missions, including those requested by the UN and EU institutions, to assess human rights violations against the Maasais in Loliondo.

Amnesty International urges the Tanzanian government to support access to effective remedy for business-related human rights abuses. The Tanzanian government must also protect the Maasai on their territories against human rights violations by non-state actors by enacting laws that prevent human rights violations and ensuring their implementation, monitoring and holding to account those who engage in activities that result in human rights violations. In doing this, authorities must conduct impartial, independent, and transparent investigations into corporate complicity in the forced evictions in Loliondo, with the aim of holding any perpetrators fully accountable in accordance with due process.

The rights of the Maasai Indigenous People of Loliondo will only be fully respected when the Tanzanian government reverses its land acquisition decision in Loliondo and ensures that no land acquisition or eviction proceeds unless the Maasai have given their free, prior, and informed consent in a process of genuine consultation.

RECOMMENDATIONS

To address specific issues raised in this report, Amnesty International makes the following recommendations to:

TO COMPANIES NAMED IN THIS REPORT

- Immediately investigate and address human rights abuses documented in this report, in good faith, and in consultation with impacted communities, and provide effective remedy where adverse impacts have been identified.
- Conduct ongoing and proactive due diligence in line with international standards to ensure that business operations, including those that require the resettlement of communities, do not harm the rights of affected communities. Due diligence should include remediation processes with respect to Indigenous Peoples' rights, including by identifying lands, territories and resources traditionally owned or otherwise occupied and used by Indigenous Peoples that might be affected even when they are not formally recognized by the state or established through demarcation or title granting¹⁶⁵ and where its business operations may cause, contribute to, or be directly linked to adverse impacts on the rights of the Indigenous People. Companies should be transparent about their due diligence processes and findings.
- Adopt and implement human rights policies that align with international standards. Establish rights respecting internal policies and standard operating procedures staff must follow when their operations involve proposals to resettle communities.

TO THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA

- Ensure that Tanzanian authorities recognize the Maasai as an Indigenous People and further recognize their right to their ancestral lands in Loliondo.

¹⁶⁵ UN Special Rapporteur on the Rights of Indigenous Peoples, *Report of the Special Rapporteur on the situation of human rights and fundamental freedoms of Indigenous People*, 19 July 2010, UN Doc. A/HRC/15/37, paras 54-55.

- Suspend any land acquisition plans in Loliondo and ensure that no land acquisition proceeds unless the Maasai People has given their free, prior, and informed consent in genuine consultations.
- Ensure that Tanzanian authorities guarantee a safe return of the forcibly evicted Maasai to their traditional lands, and make sure they have access to effective remedy for the human rights violations that they have suffered, including restitution, rehabilitation, compensation, satisfaction and guarantees of non-repetition.
- Ensure that Tanzanian authorities take preventative and remedial measures, including policies, legislation, regulations, and adjudication to protect everyone from human rights abuses by third parties, including business enterprises.
- Ensure that Tanzanian authorities conduct impartial, independent and transparent investigations into the role of corporate complicity in the forced evictions in Loliondo with a view to holding any perpetrators fully accountable, in accordance with domestic and international standards of due process.
- Ensure that the Tanzanian government protects the Maasai Indigenous People on their territories against human rights infringements by non-state players through enacting laws that prevent human rights violation and ensuring the implementation of these.
- Ensure Tanzanian authorities promptly, thoroughly, impartially, independently, transparently, and effectively investigate all allegations of improper or illegal trophy hunting activities by OBC and related conservation driven human rights violations and take the necessary measures to guarantee accountability for violations.
- Allow observation visits for international fact-finding missions, including those requested by the United Nations and European Union institutions to assess human rights violations against the Maasai in Ngorongoro district.

TO THE MINISTER OF LANDS, HOUSING AND HUMAN SETTLEMENTS DEVELOPMENT

- Ensure that the Maasai and other Indigenous Peoples of Tanzania have secure rights to their lands and resources, in line with the recommendation from Tanzania’s third Universal Periodic Review to clarify land rights, safeguard traditional livelihoods and culture, and adopt positive measures to protect them¹⁶⁶.
- Consult effectively with Indigenous Peoples and obtain their free, prior, and informed consent for decisions concerning their lands.
- Develop and adopt legislation establishing guidelines for evictions that comply with international human rights law. Such legislation should include requirements to guarantee that evictions and displacements are minimized by first seeking alternatives or that evictions can only take place in ‘exceptional circumstances and when ‘exceptional circumstances’ arise, ensure state and non-state actors follow the correct operational procedures at each stage of the eviction process – before, during and after – in compliance with international human rights standards, and ensuring that evictions of Indigenous Peoples only take place after obtaining their free, prior and informed consent.

TO THE MINISTER OF JUSTICE AND CONSTITUTIONAL AFFAIRS

- Propose a policy framework that advances justice and equity in conservation, whilst ensuring the effectiveness of conserved areas, and guaranteeing the rights of all affected peoples and communities, including the rights of Indigenous Peoples.¹⁶⁷

¹⁶⁶ Working Group on the Universal Periodic Review (WG UPR), Report: United Republic of Tanzania, 21 December 2021, UN Doc. (previously cited), Recommendation 147.131 (Finland).

¹⁶⁷ IUCN, “Effective protected areas”, iucn.org/our-work/topic/effective-protected-areas (accessed on 24 May 2024).

- Ensure all Maasai people who were subject to forced evictions have access to effective remedy and reparations, including restitution of their lands, rehabilitation, compensation, satisfaction and guarantees of non-repetition.
- Ensure Tanzanian authorities promptly, thoroughly, impartially, independently, transparently, and effectively investigate all allegations of improper or illegal trophy hunting activities by OBC and related conservation driven human rights violations and take the necessary measures to guarantee accountability for violations.
- Strengthen access to justice for all, and the most marginalized communities, and ensure judicial processes are undertaken in compliance with the highest standards of impartiality and the rule of law, including international human rights law.

TO THE MINISTER OF NATURAL RESOURCES AND TOURISM

- Respect the 19 September 2023 High Court decision nullifying the establishment of the Pololeti Game Controlled Area and ensure that the rights of the Maasai to their lands are respected, including access for grazing as they used to do before June 2022 forced evictions.
- Conduct impartial, independent and transparent investigations into the role of corporate complicity in the forced evictions in Loliondo with a view to holding any perpetrators fully accountable, in accordance with domestic and international standards of due process.
- Guarantee that it will promote pastoralism as a viable wildlife conservation model, rather than restricting pastoralists from access to water and pastures that are within the contested 1,500km² area.
- Undertake to consult with communities and conservation actors through intensive, open, and inclusive dialogues to collectively envision a long-term plan for natural resource management in the Loliondo area to achieve sound development and conservation policies.
- Adopt a fully human rights-compliant approach to nature conservation, in good faith consultation with the peoples and communities that have coexisted with and cared for flora and fauna for hundreds of years.
- Promptly, thoroughly, impartially, independently, transparently, and effectively investigate all allegations of improper or illegal trophy hunting activities by OBC and related conservation driven human rights violations and take the necessary measures to guarantee accountability for violations.

TO THE CHAIRPERSON OF THE COMMISSION FOR HUMAN RIGHTS AND GOOD GOVERNANCE

- Ensure that Tanzanian authorities adhere to the UN Guiding Principles which provide that States should exercise adequate oversight to meet their international human rights obligations when they contract with, or legislate for, business enterprises to provide services that may impact upon the enjoyment of human rights.
- Undertake impartial, independent and transparent investigations into the role of corporate complicity in the forced evictions in Loliondo with a view to holding any perpetrators fully accountable, in accordance with domestic and international standards of due process.
- Initiate technical support to the Maasai Indigenous People to help them prepare and file complaints when their rights are violated, including by corporate actors.
- Safeguard people's timely access to effective remedies, including by making recommendations for law reform to the executive to recognize the Maasai as an Indigenous People and further recognize their right to their ancestral lands in Loliondo.
- Ensure that Tanzanian authorities adhere to the UN Guiding Principles on Internal Displacement, which stress that States are obliged to protect against the displacement of Indigenous Peoples, minorities, peasants, pastoralists, and other groups with a special dependency on and attachment to their lands.

TO THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS

Provide a clear timeline or the expected date of publication of the report of its January 2023 promotion mission to Tanzania during which the Africa Commission's delegation visited the Ngorongoro Conservation Area, Loliondo and Msomera. Pending the publication of the report, call on the Tanzanian government to:

- ensure that all victims of forced eviction have access to effective remedy and reparations, which includes restitution, rehabilitation, compensation, satisfaction and guarantees of non-repetition;
- urgent open independent investigations into the violence occasioned since the start of the ongoing forced eviction of the affected Maasai and ensure full and effective remedies and reparations to address the harm suffered by victims, including any loss of property;
- reinstate and provide the necessary support for the rehabilitation of the Maasai that were forcibly evicted;
- reopen the plan for the establishment of the conservation area for full consultation, participation, and free, prior, and informed consent of the affected People; and
- ensure that any measures for implementation of the conservation area are developed in consultation with the Maasai and obtain their free, prior and informed consent, including with guarantees for secure access to and use of resources on the affected territory by the members of the community.

Consider developing principles on the promotion and protection of human rights in the context of wildlife conservation in Africa.

TO THE OFFICE OF THE UN HIGH COMMISSIONER FOR HUMAN RIGHTS

Follow up on the urgent call on 15 June 2022 for the cessation of the eviction of the Maasai community in the Ngorongoro district of Tanzania and request that the Tanzanian government:

- halts plans "immediately [...] for relocation of the people living in Loliondo and the Ngorongoro Conservation Area and begin consultations with the Maasai Indigenous People, including direct contact with the Ngorongoro Pastoral Council, to jointly define current challenges to environmental conservation and best avenues to resolve them, while maintaining a human rights-based approach to conservation";¹⁶⁸ and
- demonstrates transparency by accepting requests for outside scrutiny, including responding to country visit requests by the UN Special Rapporteur on the Right to Adequate Housing and the UN Special Rapporteur on the Rights of Indigenous Peoples;
- develops principles on wildlife conservation and human rights;
- investigates promptly, thoroughly, impartially, independently, transparently, and effectively, all allegations of improper or illegal trophy hunting activities by OBC and related conservation driven human rights violations and take the necessary measures to guarantee accountability for violations;

Urge the Tanzanian government to respond to UN special procedures mandate-holders' communications raising concerns over allegations of forced evictions, attacks, intimidation, and harassment of Maasai Indigenous People in Tanzania, including TZA 2.2019, TZA 1/2016, TZA 1 2015, TZA Q/2014, TZA 3/2013, TZA 2/203).

¹⁶⁸ OHCHR, "Tanzania: UN experts warn of escalating violence amidst plans to forcibly evict Maasai from ancestral lands", 15 June 2022, [ohchr.org/en/press-releases/2022/06/tanzania-un-experts-warn-escalating-violence-amidst-plans-forcibly-evict](https://www.ohchr.org/en/press-releases/2022/06/tanzania-un-experts-warn-escalating-violence-amidst-plans-forcibly-evict)

ANNEX I: LETTERS TO AMNESTY INTERNATIONAL IN RESPONSE TO PUBLICATION

&BEYOND RESPONSE TO PRELIMINARY FINDINGS



AMNESTY INTERNATIONAL
Sarah Jackson & Roland Ebole
sarah.jackson@amnesty.org; roland.ebole@amnesty.org
PER EMAIL

Dear Sarah and Roland,

RE: REQUEST FOR INFORMATION ON HUMAN RIGHTS IMPACTS OF KLEIN'S CAMP (AND BEYOND (PTY) LTD) OPERATIONS IN LOLIONDO, TANZANIA

1. We refer to the abovementioned matter and your letter dated 21 March 2024.
2. We appreciate the extent of your research and the opportunity to engage in this important dialogue concerning human rights impacts in Loliondo.
3. At the outset we note that much of the information relating to And Beyond is factually incorrect. We would like to clarify that And Beyond is not the owner of the property in question but rather a lessee. As a result, our involvement in the matter/s concerning the property is limited to contractual arrangements for the use of this property for ecotourism and accommodation purposes.
4. As a company committed to ethical and responsible practices, we understand the significance of the issues raised in your letter. Nevertheless, we must respectfully decline your request for information and further comments at this stage.
5. Please be assured that we take our corporate responsibilities seriously and are committed to supporting and upholding human rights in all aspects of our operations. We trust that Amnesty International will, before making any publication of any sort, verify the accuracy of the information uncovered during its research.
6. Should there be any further inquiries or requests for information, we kindly request that they be directed to our office at media@andbeyond.com
7. In as far as it may be necessary, should, And Beyond or any of its affiliates be prejudiced in any way as a result of any publication of false or defamatory allegations, And Beyond reserves its rights to institute the appropriate legal proceedings against Amnesty International.
8. We appreciate you reaching out on this matter.

Regards,

Joss Kent

Exec. Chairman & CEO

www.andbeyond.com

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Private Bag 427, Benmore 2010 South Africa
Telephone: +27 11 804 4300

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Sj Glanzer, HG Harney

COMPANY SECRETARY
JP De Villiers

&BEYOND RESPONSE TO PUBLICATION



25 JULY 2024

AMNESTY INTERNATIONAL
Tigere Chagutah
Tigere.chagutah@amnesty.org

PER EMAIL

Dear Mr. Chagutah,

RE: REQUEST FOR INFORMATION ON HUMAN RIGHTS IMPACTS / KLEIN'S CAMP OPERATIONS IN LOLIONDO, TANZANIA

1. We refer to the abovementioned matter and your letter dated 12 July 2024 in response to our letter dated 5th of April 2024.
2. At the outset, we wish to emphasise that the information conveyed in our letter dated 5 April 2024 should be reviewed alongside this response letter.
3. It should be clear from your research, that the land in question, albeit in dispute, is no longer under the control of the Ololosokwan Village Council, but the Ngorongoro Conservation Area Authority ("the Lessors").
4. As we are sure you can appreciate, we cannot disclose the terms of our lease agreement with the Lessors.
5. While we acknowledge that there is ongoing litigation over amongst others, the land in question, as a lessee, we have no influence over the Lessors, and we can only await the outcome of the court's ruling before we may determine our position in this matter.
6. We can assure you that in answer to your question 3 we have robust policies in place that ensure that we do not cause or contribute to human rights violations across any of our operations.
7. As previously mentioned, should And Beyond or any of its affiliates be prejudiced in any way as a result of any publication of false or defamatory allegations, And Beyond reserves its rights to institute the appropriate legal proceedings against Amnesty International.
8. We hope that you find the above in order.

Yours faithfully,

Joss Kent
&Beyond Exec. Chairman & CEO

CC: Sarah Jackson, Roland Ebole, Esther Ochola & Sasha Middleton
sarah.jackson@amnesty.org;
roland.ebole@amnesty.org;
esther.ochola@amnesty.org;
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SS Gilmour

COMPANY SECRETARY
JP De Villiers

TAASA LODGE RESPONSE TO PUBLICATION



Ref: TC AFR 56/2024.5754

FOA: Tigere Chagutah
Riverside Studios
Riverside Lane, off Riverside Drive
PO Box 1527-00606
Nairobi
Kenya

28 July 2024

To Whom It May Concern,

RE: RIGHT OF REPLY TO UPCOMING AMNESTY INTERNATIONAL PUBLICATION

We acknowledge your request to reply sent 12 July 2024.

TAASA Lodge was established in 2009 as Buffalo Luxury Tented Camps Ltd, and held a direct relationship with the immediate community from that stage, prior to the Maasai evictions. Over time, TAASA was required to pay Tanzanian Wildlife Management Authority (TAWA) for access to what was then shared land in the concession, and subsequently Ngorongoro Conservation Area Authority (NCAA) for use of the Game Reserve area, proclaimed as the Pololeti Game Reserve.

We were never consulted on any of the planned actions around the time of the evictions, and remain committed to our staff and communities, as we are to following the rule of law.

TAASA supports the local community by:

1. Prioritizing the employment of staff from that area, providing income and statutory benefits which are considered above the recommended minimum. More than 70% of our staff are from the immediate area;
2. Providing indirect benefits to employees and their families living in that area through the charitable actions of Explore With Purpose in the Ololosokwan village (exceeding \$100,000 over the last few years). These funds were used to provided better school facilities and easier access to water within the community;
3. Engaging with the local Maasai staff and inviting them to air their opinions in staff meetings (which offers the chance for staff to offer their insights or complaints regarding various matters);
4. Ensuring that all staff are trained in and adhere to TAASA's policies which include guidelines against discrimination, abuse and other human rights violations;
5. Supporting the education of communities in that area. Initially in Ololosokwan, and subsequently in Mairowa;

Buffalo Luxury Tented Camps Ltd t/a TAASA Lodge

Address. TAASA Lodge Head Office - House No. 6, Ingira Street, Arusha
Website. www.taasalodge.com | **Tel.** +255 684 229 936 | **Email.** info@taasalodge.com



6. TAASA is committed to a low ecological footprint in the area via investments in the lodging business to the extent of \$2,5 million;

Furthermore, TAASA is committed to adhering to the laws of the United Republic of Tanzania and therefore cannot commit any acts which are considered to be in contravention to the laws of Tanzania and any payments made to the government of Tanzania are in accordance with guidance and directions provided by the Government of Tanzania.

We have, and continue to focus on building positive relationships with the communities in which we operate our business.

Sincerely,

Mark Huppelschoten

Mark Huppelschoten
Business Development Manager
TAASA Lodges

Buffalo Luxury Tented Camps Ltd t/a TAASA Lodge

Address. TAASA Lodge Head Office - House No. 6, Ingira Street, Arusha
Website. www.taasalodge.com | **Tel.** +255 684 229 936 | **Email.** info@taasalodge.com

**AMNESTY INTERNATIONAL
IS A GLOBAL MOVEMENT
FOR HUMAN RIGHTS.
WHEN INJUSTICE HAPPENS
TO ONE PERSON, IT
MATTERS TO US ALL.**

CONTACT US



info@amnesty.org



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BUSINESS AS USUAL IN BLOODIED LAND?

ROLE OF BUSINESSES IN FORCED EVICTIONS IN LOLIONDO, TANZANIA

June 2022 was the fourth time that Maasai Indigenous People were being forcibly evicted from their traditional land in Loliondo in Tanzania's northern Ngorongoro district in Arusha region. They have previously been forcibly evicted in 2009, 2013, and 2017. While the state claims conservation as the reason for evicting the Maasai community, it continues to make decisions affecting traditional lands owned and used by Maasai without their consultation or participation, while simultaneously leasing out the land to private companies.

This report reveals that a private company, Otterlo Business Corporation (OBC) has been involved in forcibly evicting people from the area. Through its involvement in these evictions, the company is directly linked to, and may have contributed to, the harms that occurred during the forced evictions, while the other companies operating in the area – TAASA Lodge and &BEYOND – are failing in their responsibility to address risks and actual harms linked to their operations.

Businesses operating in Loliondo must respect the rights of the Maasai by carrying out human rights due diligence and provide remedy where their business operations are identified to be causing or contributing to adverse impacts on the Maasai People's rights. The Tanzanian government must also support access to effective remedy for business-related human rights abuses and protect Indigenous People on their territories against human rights violations by non-state actors by enacting laws that prevent human rights violations and ensuring their implementation.