



INSPECTION PANEL

REPORT AND RECOMMENDATION

TANZANIA: RESILIENT NATURAL RESOURCE MANAGEMENT FOR TOURISM AND GROWTH (P150523)

- 1. STATEMENT FROM THE CHAIRPERSON
OF THE INSPECTION PANEL IN
RESPECT TO THE PANEL
RECOMMENDATION – NOVEMBER 9,
2023**

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RECOMMENDATION ON A REQUEST
FOR INSPECTION – SEPTEMBER 19,
2023**

NOVEMBER 9, 2023

9 November 2023

Statement from the Chairperson of the Inspection Panel in respect to the Panel Recommendation in regard to the Tanzania: Resilient Natural Resource Management for Tourism and Growth (REGROW) Project (P150523)

The Panel would like to thank the Executive Director for the written statement submitted on November 8, 2023. The Panel is grateful for the continued appreciation of the Executive Director and support for the work of the Inspection Panel. The Panel is pleased to update the Board on the Panel's final recommendation with respect to the Tanzania: Resilient Natural Resource Management for Tourism and Growth (REGROW) Project (P150523).

In response to the written statement submitted by the Executive Director of the World Bank, the Panel has included herein a corrigendum clarifying the three points raised in the statement. The changes in the Inspection Panel's Report and Recommendation are described in point 3.

- 1- Ensuring that the proposed investigation is clearly within the Panel's mandate and does not lead to an investigation of the Borrower or its agencies.

As per the Inspection Panel Resolution, the Panel acknowledges that its *“role is to investigate the Bank and not the borrower”* or any of its agencies. The Panel makes all efforts necessary not to *“create the impression that it is investigating the borrower's performance.”*¹ As per established practice, the Panel throughout its process, regularly informs all parties that the subject of its work is the Bank and not the borrower.

In the report that is herein submitted, the Panel has recommended *“an investigation into the Bank's review and due diligence of the capacity and processes of one of the Project's lead implementing agencies, i.e., TANAPA, and whether risks to communities were identified in project documents, appropriate mitigation measures put in place, and the Bank's supervision of the Project's implementing agencies. The investigation will review the related, possible non-compliance with the applicable World Bank policies (...).”* As indicated in the report this investigation will pertain *“to the Bank's actions and omissions and would not consider other parties mentioned in the Request for Inspection.”* In this regard, the Panel during the course of its investigation will review and research Bank project documents and files, among others, and interview individual Bank staff involved with the project, both past and present. The Panel will inquire whether any review or guidance by Bank Management was consistent with Bank Policies.

¹ Resolution No. IBRD 2020-0004 and Resolution No. IDA 2020-0003, dated September 8, 2020, paragraph 37.

The Panel agrees that an investigation on issues that relate to allegations of violence, may require criminal forensics and are a matter for national law. The Panel agrees the nature of such investigations are not a matter for the Panel and the Panel does not have the mandate to conduct such investigations.

In relation to the statement by the Executive Director that the Panel will need to confirm the allegations of harm to consider whether or not such harm resulted from Bank policy non-compliance – the Panel notes that one of the incidents has been referred to in a ministerial statement, which the Management Response references. The Panel will undertake this investigation without the risk of being perceived that it is infringing on the sovereign judicial processes.

2- Ensuring that the proposed investigation does not infringe on or undermine the work of national law enforcement authorities.

As indicated above, the Panel notes that its investigation pertains to the actions or omissions of the Bank. The Panel's investigation will not infringe on the sovereign judicial processes in-country.

3- Ensuring that the ambiguities described in the Report are clarified.

Following the written statement submitted by an Executive Director of the World Bank, asking the Panel for further clarification, the Panel has issued a corrigendum providing clarifications concerning paragraphs 69, 79 and 82.

In paragraph 69, the Panel has included an additional sentence at the end of the paragraph (*"The Panel has not undertaken any verification process in relation to the following testimonies and does not provide an opinion on them."*).

In paragraph 79, the Panel has split the second sentence in two (*"One of the main implementing agencies, TANAPA, operates a paramilitary system. TANAPA is alleged to have committed acts of violence against individuals, which include the alleged forceful seizure of cattle in RUNAPA"*). This summarizes two points in the report without implying that there is any potential link between them.

In paragraph 82, the Panel has inserted *"i.e., TANAPA"* to provide specificity about which is the lead implementing agency mentioned in the paragraph.

REPORT No. 184734-TZ

**THE INSPECTION PANEL
REPORT AND RECOMMENDATION
ON A
REQUEST FOR INSPECTION**

UNITED REPUBLIC OF TANZANIA

**TANZANIA: RESILIENT NATURAL
RESOURCE MANAGEMENT FOR TOURISM
AND GROWTH
(P150523)**

SEPTEMBER 19, 2023

**30
YEARS**



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Inspection
Panel

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**The Inspection Panel Report and Recommendation
on a
Request for Inspection**

Tanzania: Resilient Natural Resource Management for Tourism and Growth (P150523)

A. Introduction

1. On June 20, 2023, the Inspection Panel (the “Panel”) received a Request for Inspection (the “Request”) related to the Bank-financed Tanzania: Resilient Natural Resource Management for Tourism and Growth (P150523) (REGROW, the “Project”). The Request was submitted by individuals (the “Requesters”) from the area of Ruaha National Park (RUNAPA, the “Park”), in Tanzania. The Requesters asked the Panel to keep their identities confidential as they fear retaliation and reprisal for submitting the Request. They have authorized the Oakland Institute, a US-based civil society organization (CSO), to provide them with support and advice throughout their engagement in the Panel process.

2. The Request alleges that the Project has not followed several safeguard policies and procedures of the World Bank, resulting in harm or threat of harm to project-affected communities. According to the Request, communities in five villages in Ruaha National Park – more than 21,000 people – are under threat of eviction. According to the Request, the evictions will include an additional 47 sub-villages in 14 villages. The Request alleges that the affected communities have not been meaningfully consulted and project documentation has not been disclosed to them. The Requesters allege they face violence, which has created constant fear among the affected community members. They state that over the past two years their cattle have been seized in large numbers. The Request states that the Bank failed to trigger its policy on Indigenous Peoples (OP/BP 4.10), causing irreparable harm to the identity, culture, and rights of the indigenous communities – the Datoga, Maasai, and Sukuma – in the Project area and that no free, prior, informed consultations were conducted with these communities.

3. On June 30, 2023, the Panel acknowledged receipt of the Request by issuing a Notice of Receipt on its website.¹ On July 20, 2023, after conducting its due diligence, the Panel registered the Request.²

4. Bank Management submitted its response (the “Management Response” or the “Response”) to the Request on August 21, 2023. A Panel Team (the “Team”) visited Tanzania from August 21 to September 2, 2023, and met with Project stakeholders including officials from Government of Tanzania, the Project’s implementing agencies, the Requesters, and local communities to inform its report and recommendation to the Board of Executive Directors (the “Board”) as to whether an investigation into the matters alleged in the Request is warranted.

¹ Inspection Panel Case webpage: <https://www.inspectionpanel.org/panel-cases/resilient-natural-resource-management-tourism-and-growth-p150523>.

² Inspection Panel Notice of Registration (July 20, 2023): <https://www.inspectionpanel.org/sites/default/files/cases/documents/165-Notice%20of%20Registration-20-July-2023.pdf>.

5. The Panel determined that the Requesters and the Request for Inspection meet the technical eligibility criteria set forth in the Panel Resolution³ relating to whether the Bank conducted sufficient due diligence of the capacity and processes of one of the Project's lead implementing agencies, and whether risks to communities were identified in project documents, appropriate mitigation measures put in place, and the Bank's supervision of the Project's implementing agencies. Therefore, the Panel recommends conducting an investigation into this issue and related, possible non-compliance with the applicable World Bank policies, focusing on the Bank's Policy on Environmental Assessment (OP/BP 4.01) and the Bank's Investment Project Financing policy.

B. Description of the Project

6. The Project was approved by the World Bank's Board of Executive Directors on September 28, 2017, for an amount of US\$ 150 million International Development Association (IDA) credit. The Project was originally scheduled to close on September 28, 2023, and was restructured and extended to February 28, 2025, its current closing date. When the Request was received, the disbursement was 63.14 percent – an amount of US\$ 90.72 million. The lead Project implementing agencies are the Ministry of Natural Resources and Tourism (MNRT) and the Tanzania National Parks (TANAPA) of the Government of Tanzania, with support from the Tanzania Wildlife Research Institute (TAWIRI), the Tanzania Tourist Board (TTB), the Tanzania Forest Service (TFS), the National Irrigation Commission (NIRC), and the Rufiji Basin Water Board (RBWB).

7. The Project Development Objective (PDO) is to improve management of natural resources and tourism assets in priority areas of Southern Tanzania. The Project also aims to increase access to alternative livelihood activities for targeted communities.⁴ It supports improving the country's capacity to conserve its wildlife as a basis for attracting tourists and to promote conservation-friendly, alternative livelihoods in local communities to increase social inclusion, create jobs, and tackle unsustainable uses of natural resources. It covers the infrastructure gap in priority Protected Areas (PAs). It includes investments in the Ruaha River to mitigate impacts inside RUNAPA caused on days when no water flows, which currently affect the environmental and ecological services the river provides. The Project will develop a water resource management model that could be replicated in other key national basins. It also aims to implement a marketing and branding campaign to increase the number of visitors to the Southern Circuit.

8. The Project covers four large, unique PAs in Tanzania: (i) RUNAPA, at the time of Project approval the largest National Park in East Africa, (ii) the Nyerere National Park (NNP, the former Selous Game Reserve),⁵ (iii) Mikumi National Park (MINAPA), and (iv) Udzungwa National Park

³ Inspection Panel Resolution No. IDA 2020-0003, The World Bank Inspection Panel, September 8, 2020, (the "Panel Resolution"). Available at:

<https://www.inspectionpanel.org/sites/default/files/documents/InspectionPanelResolution.pdf>.

⁴ Project Appraisal Document (PAD), Tanzania – Resilient Natural Resource Management for Tourism and Growth Project (English). Washington, D.C.: World Bank Group. p. 7, para. 19. Available at:

<https://documents1.worldbank.org/curated/en/887171506823353228/pdf/Tanzania-PAD-09112017.pdf>

[Accessed: August 31, 2023].

⁵ The Selous Game Reserve (SGR) was in the original design of this Project. In November 2019, a big part of SGR was transformed into a national park – the Nyerere National Park (NNP). This reduced SGR from 50,000 km² to

(UMNP). Combined, these four National Parks equal an area larger than Switzerland. The Project was assigned environmental Category B. According to the Project Appraisal Document (PAD), the Project triggered the following safeguard policies: Environmental Assessment (OP/BP 4.01), Natural Habitats (OP/BP 4.04), Forests (OP/BP 4.36), Pest Management (OP 4.09), Physical Cultural Resources (OP/BP 4.11), and Involuntary Resettlement (OP/BP 4.12).⁶

9. The Project has four components. Component 1 aims to improve the management and sustainability of natural resources inside the four priority PAs in Southern Tanzania through infrastructure investments, policy and regulatory support, and capacity and skills development. Component 2 supports strengthening alternative livelihoods for targeted communities in proximity to the priority PAs. This component's overall objectives are to enhance alternative community livelihoods by improving economic opportunities and linking them to the conservation of wildlife and landscapes, improve the governance framework of conservation-related, community-based initiatives, and develop skills to increase local access to jobs in tourism and conservation. Component 3 supports strengthening landscape management and infrastructure investments in and upstream of RUNAPA. This component focuses on short-term infrastructure measures to restore dry season flows in the Ruaha River, critical for continued and expanded tourism in RUNAPA, and includes support for a consensus-building process for land, water management, and climate change adaptation in the Usunga Plains. Component 4 supports project management, institutional strengthening, quality assurance and control, and monitoring and evaluation.

10. On September 28, 2021, the Project was restructured. The Project's Restructuring Paper indicates that there were significant delays during its implementation, some of which were beyond the control of the implementing agencies. The restructuring process included the partial transformation of the Selous Game Reserve into NNP, component financing, institutional arrangements, and the Results Framework.⁷ The PDO, however, remained unchanged.

C. Summary of the Request for Inspection

11. The Request alleges that the Project does not comply with the Bank's safeguard policies and procedures, and this led to harm to project-affected communities claiming to reside in the RUNAPA area. The policies raised in the Request are: Environmental Assessment (OP/BP 4.01), Natural Habitats (OP/BP 4.04), Indigenous Peoples (OP/BP 4.10), Physical Cultural Resources (OP/BP 4.11), Involuntary Resettlement (OP/BP 4.12), and Forests (OP/BP 4.36). The full Request is attached to this Report as Annex 1.

12. The Request alleges harm to the Requesters due to (i) loss of livelihood and economic displacement, including the "*confiscation*" of livestock and cattle, and non-compliance with the

16,971 km² (38% of its original size), with the remaining 30,893 km² (62% of its original size) becoming the new NNP now under TANAPA management. NNP is now the largest national park in Africa. Restructuring Paper on a Proposed Project Restructuring of Tanzania: Resilient Natural Resource Management for Tourism and Growth, Approved on September 28, 2021, to United Republic of Tanzania ("Restructuring Paper"), p. 7, para 13. Available at: <https://documents1.worldbank.org/curated/en/874331630926122156/pdf/Disclosable-Restructuring-Paper-Tanzania-Resilient-Natural-Resource-Management-for-Tourism-and-Growth-P150523.pdf> [Accessed: August 31, 2023].

⁶ PAD, p. 23, para 77.

⁷ Restructuring Paper, p. 6, para 7.

Involuntary Resettlement policy, (ii) potential for, and threats of, forced eviction, (iii) retaliation and violence against community members by TANAPA rangers, (iv) adverse impact on indigenous communities, including from the Project's non-triggering of the Indigenous Peoples policy, (v) lack of meaningful consultation and insufficient disclosure of project information, and (vi) fear of intimidation and reprisals for the submission of the Request.

13. **Allegations of Loss of Livelihood.** The Request alleges that Government agencies and TANAPA rangers have been seizing cattle in large numbers from local community members, sometimes violently, and either requiring the owners to pay large fines for their return, or auctioning off the cattle. The Request claims that thousands of cattle were seized for allegedly grazing within the Ihefu wetlands, part of RUNAPA. The Request also alleges that the seizing of cattle severely affected the communities' livelihood as pastoralists. It lists several incidents where cattle in large numbers were allegedly seized, including one where rangers allegedly took 250 cattle from a pastoralist under the pretense that they were encroaching on nearby RUNAPA. According to the Request, these seizures have "*decimated families*" economically and are being carried out to force pastoralists to find alternative livelihoods or leave the area.

14. **Allegations of Eviction and Forced Relocation.** The Request alleges that during the implementation of the Project, communities living near RUNAPA have been pressured by the threat of forced evictions to leave their ancestral land. The Request also states that on October 25, 2022, the Minister of Lands, Housing and Human Settlements Development announced that five villages within the Project area, with an approximate population of 21,000, were to be evicted. According to the Request, the evictions will include an additional 47 sub-villages in 14 villages (with cancelation of village registration). The Request adds that 852 small-holder farmers from villages facing eviction have challenged the evictions in the High Court of Tanzania at Mbeya. The Request alleges that the Project has not followed the process or taken "*steps required by the World Bank*" including "*meaningful consultations with affected communities and [...] preparation [of] the Resettlement Action Plan (RAP).*" The Request states that this "*could cause significant harm due to physical and economic displacement of the affected communities. The forced evictions, which were planned under severe retaliation threats, have created a sense of constant fear and are likely to inflict considerable harm to the affected community members.*" The Request alleges that the Bank's decision "*not to uphold the requirement*" of preparing a RAP is a "*blatant violation*" of its own safeguard policies.

15. **Allegations of Retaliation and Violence.** The Request states that the Project provides direct material, policy, and institutional support to TANAPA for the management of RUNAPA, including equipment that is being used for patrols. TANAPA rangers, the Request alleges, have practiced "*extreme cruelty*" while conducting cattle seizures from pastoralists, and have engaged in "*extrajudicial killings*" and the "*disappearance*" of community members. It adds that the risks of "*severe retaliation threats have created a sense of constant fear among the community members.*" The Request contends that since the Project is providing significant material assistance to TANAPA, which is allegedly responsible for abuses, TANAPA's alleged actions "*cannot be ignored merely by claiming that the project did not finance its weapons given [that] it does provide other important material support to those responsible for the abuses.*"

16. The Request describes several incidents of alleged violence by park rangers. One of these incidents allegedly occurred on May 6, 2023, when “*a helicopter carrying six Tanzania National Parks Authority (TANAPA) armed rangers made a surprise landing in [... a] village in the Mbarali district of Tanzania. Three Maasai women were brutally assaulted by the rangers*” including by burning and beating them with “*a bush knife.*” The Request alleges another incident where TANAPA rangers practiced “*extreme cruelty*” by severely beating a pastoralist who objected to his cattle being seized. The Request also alleges that a pastoralist suffered a large cut on his head, which required hospitalization. The Request relates the testimony of a Sukuma pastoralist, who allegedly was assaulted and tortured by park rangers and had his cattle seized. The Request alleges, a separate incident in which RUNAPA rangers “*shot and killed*” a fisher and two herders on April 23, 2021. A report prepared by a community organization from the Requester’s area, documenting incidents from 2017, is attached to the Request.

17. **Allegations of Harm to Pastoralist Indigenous Peoples from the non-Triggering of Bank Policy.** The Request states that the alleged “*forced evictions*” incidents of violence and cattle seizures have impacted the livelihood of several Indigenous Peoples groups, including the Datoga, Maasai, and Sukuma pastoralists “*who inhabit the Project area.*” It states the Project failed to trigger the Bank policy on Indigenous Peoples (OP/BP 4.10), causing irreparable harm to the identity, culture, and rights of these indigenous communities. It adds that no free, prior, informed consultations were conducted with the affected indigenous communities.

18. **Allegations of Lack of Meaningful Consultation and Disclosure of Project-related Documents.** The Request states that the alleged “*forced evictions [are] set to occur without meaningful consultation and disclosure of project documents.*” The Request adds that the “*failure to ensure meaningful consultations*” could cause significant harm due to physical and economic displacement of the affected communities. According to the Request, TANAPA rangers are “*perceived as law enforcement*” by communities near RUNAPA, and the Request claims that, given the fear of retribution, community members are “*very unlikely*” to risk reporting the abuses and illegal seizures to TANAPA or other agencies.

19. **Allegations of Intimidation and Reprisal for Submitting the Request.** The Request states that the Requesters have an “*extreme retaliation and reprisal fear [sic] for filing this complaint to the Inspection Panel.*” The Requesters refer to a past incident when a community member was allegedly forced into hiding for publicly speaking about what is considered to be “*the dire impact of government restrictions and eviction plans.*” The Requesters state that they have no local civil society representation willing to represent them in the Panel process due to the “*extreme fear of reprisals.*” Therefore, they have asked the Oakland Institute to advise them during the Panel process.

D. Summary of the Management Response

20. On August 18, 2023, Bank Management provided its Response to the allegations made in the Request. Below is a summary of the Management Response to the allegations raised in the Request. The Response is attached as Annex 2 of this Report.

21. In its Response, while recognizing the serious nature of these allegations Management states that the conflicts between pastoralist communities and nature conservation efforts undertaken by Government of Tanzania is a longstanding and widespread matter that predates the Project by decades and go well beyond the Project area. According to Management, the issues raised in the Request are outside the Project and therefore beyond the scope of the Bank's environmental and social safeguards and other policies. Management states there is no basis for the Requesters' assertion that the alleged harm is related to the Bank's compliance with its policies and procedures.⁸

22. Management states that since the Project design stage, it was aware of the conflicts and the pastoralist communities' desire to settle and graze within Protected Areas, which is prohibited by law. Although the conflicts are not attributable or related to the Project, Management mentions that it developed a Process Framework to help mitigate their occurrence and severity, and to ease the tensions between the TANAPA and these national parks' neighboring communities.⁹

23. Management contends that Bank support for a Borrower's project is limited to defined activities and does not extend to other activities, including those that Government agencies undertake. According to Management, the Request incorrectly attributes to the Project the abuses allegedly carried out by Government agencies. In addition, the Response states that the Request draws no plausible connection between the alleged abuses and the Bank's compliance with applicable Bank policies. According to Management, some of the allegations require criminal investigations by national authorities.¹⁰

24. The Response states that the Bank is neither responsible for the alleged harm, nor is in a position to review or ascertain the veracity of the claims raised in the Request. Management mentions that it has highlighted its concerns with the Government through official communications and requested that they be reviewed and addressed by the competent national authorities.¹¹

25. According to Management, the area surrounding RUNAPA has seen an influx of people from other parts of the country since the 1970s as it includes wetlands of high biodiversity, commercial and hydrological value for local livelihoods and larger-scale agribusiness, and the land is very fertile.¹² According to Management, this has led to decades of tensions and conflict over access to land, pasture, and water among farmers, pastoralists, hunters, and fishers, on the one side, and conservationists on the other, and that competition for resources has led to a rise in encroachment into the adjacent critical habitats and protected areas.¹³ Management states that these tensions are unrelated to the Project.¹⁴

26. Management states that the Government entrusted TANAPA to handle the conflicting demands and uses of the area, which had been legally restricted since the 1950s. The area was known as the Utengule Swamps Game-Controlled Area when it was established in 1953. It was

⁸ Management Response, p. 7, para. 14.

⁹ Management Response, p. 7, para. 15.

¹⁰ Management Response, p. 7, para. 17.

¹¹ Management Response, p. 6, para. 18.

¹² Management Response, p. 8, para. 21.

¹³ Management Response, p. 12, para. 34.

¹⁴ Management Response, p. 8, para. 21.

upgraded to the Usangu Game Reserve in 1998. Subsequently, in December 2007, more than a decade before the approval of the REGROW Project, the Usangu Game Reserve was merged with RUNAPA under Government Notice (GN) Number 28. According to Management, the Government changed the conservation status of the area from a “reserved wetland” and “game-controlled” area to a “national park” in 2007, due to the poor implementation of existing land use restrictions.¹⁵

27. **Allegations of Loss of Livelihood.** The Management Response states that the Project’s economic livelihood activities focus on communities living adjacent to the Park and do not cover those inside the Park. Management contends that the Request incorrectly points to the alleged cattle seizures as evidence of a failure to provide support for the livelihoods of local communities. According to Management, such support does not extend to supporting illegal activities, such as unpermitted grazing in the Park. Management recognizes that the enforcement of penalties, including through cattle seizures, can adversely affect the livelihood of cattle herders. Management stated that the Requesters conflate two unrelated activities the “*law enforcement activities, which aim to protect the National Park, with the Project activities aimed at providing economic support to communities outside the Park.*”¹⁶

28. Management considers the alleged seizures of livestock by TANAPA rangers to be unrelated to the Bank’s compliance with its policies. Its Response states that any such seizures resulted from the regular enforcement of Tanzania’s national law, which prohibits cattle grazing in protected areas. Management added that the Project did not support the development, application, or enforcement of these laws.¹⁷ According to Management, cattle seizures are governed by the Wildlife Conservation Act of 2009, which forbids grazing in National Parks and allows rangers to seize cattle in specific circumstances. Management adds that the seizure of livestock and imposition of fines is governed by Tanzanian law and by the judicial system of Tanzania, and is not determined by TANAPA. According to Management, the appropriate recourse for instances of park rangers contravening applicable Tanzanian law is to report to relevant authorities in Tanzania for review and action, as appropriate.¹⁸

29. **Allegations of Eviction and Forced Relocation.** Management states that the threat of evictions alleged in the Request is related to the 2007 extension of RUNAPA, which predates the REGROW Project. Management mentions that the villages cited in the Request had already been part of the extended RUNAPA, and that the Project has provided no support for RUNAPA’s expansion exercise. Management adds that the locations of the concerned villages had been declared protected areas even before the expansion.¹⁹

30. Management asserts that the Project does not require or support the physical relocation of communities. Management states that a Resettlement Policy Framework (RPF) was prepared under the Project and agreed with the Government of Tanzania as a precautionary measure, in the unlikely event that any resettlement would become necessary for Project-related construction

¹⁵ Management Response, p. 8, para. 22.

¹⁶ Management Response, p. 12, para. 33.

¹⁷ Management Response, pp. 11-12, para. 31.

¹⁸ Management Response, p. 12, para. 31.

¹⁹ Management Response, p. 8, para. 20.

activities. Management states that it is following up with the Government regarding any planned resettlement process to ensure consistency with the RPF. Management adds that the Bank agreed with the Government that the RPF would be applied to resettlement activities that are not supported by the Project if such resettlement occurred in the same geographical area as the Project.²⁰

31. Management maintains that the Government would prepare site-specific Resettlement Action Plans (RAPs) as per the RPF for the Bank's review and clearance.²¹ It adds that no plans have been finalized, and no communities have been resettled so far. It also states that it has reminded the Government of the process agreed upon under the RPF. It further adds that if any resettlement occurs in the future, Management will ensure that the RPF is followed and site-specific RAPs are prepared.²²

32. **Allegations of Retaliation and Violence.** According to Management, there is no evidence suggesting that the alleged abuses raised in the Request happened due to the Project or due to non-compliance with Bank policy. Management asserts that there is no plausible connection between the alleged abuses and Component 1 of the Project, which aims to enhance park management capacity. Management contends that the Project has not contributed to the issuance of regulations that permit an aggressive approach to infractions, nor has it funded equipment that would encourage such an approach. It adds that Component 1 is solely focused on supporting the provision of basic park monitoring and patrolling equipment – such as tents, uniforms, vehicles, binoculars, first aid kits, and billhooks – for the four national protected areas under the Project, including RUNAPA. Management states that the Project has not financed the helicopter surveillance mentioned in the Request.

33. Management states that upon learning from the Oakland Institute about the alleged extrajudicial killings and other abuses, Management immediately contacted TANAPA and from April 21 to 30, 2023, sent a team of social and environmental specialists to the Project sites.²³ Management maintains that the Bank cannot investigate or address the allegations any further and states that the affected community members need to report the incidents to the relevant judicial and administrative authorities in Tanzania for action, including criminal investigation. Management adds that nothing in the Request, in related communication with the Requesters' advisors, in the responses from the Government, or in the Bank's own reviews provides any indication that the abuses alleged in the Request occurred because of the Project, or that they were the result of Bank policy non-compliance.

34. Management states it requested the Borrower take the necessary measures to investigate and address the alleged incidents of unauthorized use of force and extrajudicial killings, and suggested that appropriate disciplinary action be taken. Management adds that a Government investigation is underway focusing on evaluating the appropriateness of the conduct of TANAPA rangers.

²⁰ Management Response, p. 9, para. 25.

²¹ Management Response, p. 9, para. 25.

²² Management Response, p. 11, para. 27.

²³ Management Response, p. 11, para. 28.

35. **Allegations of Harm to Pastoralist Indigenous Peoples due to the non-Triggering of Bank Policy.** Management disagrees with the Requesters' claim that the Project violated the Indigenous Peoples Policy (OP/BP 4.10).²⁴ According to Management, the Project did not trigger the policy because there were no indigenous people in the Project area as defined by the Bank's policy. Management states that the definition of "Indigenous Peoples" includes a requirement that the people in question have a collective and ancestral attachment to the territories and habitats in the Project area. Management adds that the Maasai, Sukuma, and Datoga groups mentioned in the Request have been migrating to the RUNAPA area since the 1970s for economic reasons and do not have ancestral ties to the territories and habitats in the Project area. Management also states that these groups were found not to meet this criterion as confirmed by the screening conducted by the Bank in 2016 and by a Vulnerable Groups Rapid Assessment in 2017. Management adds that the Project did not violate OP/BP 4.10 as the policy does not apply and therefore seeking broad community support was not required as mandated by that policy.

36. **Allegations of Lack of Meaningful Consultation and Disclosure of Project-related Documents.** Management states that the Project prepared a stakeholder engagement plan and, since February 2020, 222 targeted consultations were conducted in a culturally appropriate manner. More than 7,000 people were consulted around RUNAPA between October 2021 and June 2023.²⁵ These include communities, water-users associations, irrigators organizations, farmers, livestock keepers, and civil society and nongovernmental organizations (CSOs/NGOs).

37. Management explains that the Project conducted field visits and consultations in three regions – Morogoro, Iringa, and Mbeya – which represent the general landscape of the Project.²⁶ These visits included the relevant districts and villages in each region. This was followed by consultations at the village/hamlet level with the respective village government and representatives of interested groups. During these consultations, information was gathered on the history, livelihood, and socioeconomic setting of the villages, and any issues raised were documented.²⁷

38. **Allegations of Intimidation and Reprisal for Submitting the Request.** Management states that it has raised the Requesters' concern relating to reprisals with the Government at the highest levels and emphasized the absolute necessity of protecting complainants, victims, and witnesses from any form of threat, intimidation, or reprisal.²⁸ The Bank has requested the Government to remind the implementing agencies of the REGROW Project and their partners about the provisions in the publicly available document on the Bank's Commitments Against Reprisals.²⁹ Management reiterates that the World Bank does not tolerate reprisals or retaliation against those who share their views about Bank-financed projects.

²⁴ Management Response, p. 12, para. 36.

²⁵ Management Response, p. 12, para. 35.

²⁶ Management Response, p. 13, para. 37.

²⁷ Management Response, p. 13, para. 27.

²⁸ Management Response, Annex 1 – Claims and Responses, p. 31, Table item No. 19.

²⁹ World Bank Commitments Against Reprisals, March 2020. Available at: <https://www.worldbank.org/en/projects-operations/environmental-and-social-framework/brief/world-bank-commitments-against-reprisals> [Accessed August 31, 2023].

39. **In conclusion**, Bank Management states that the Bank has correctly applied its policies and procedures applicable to the Project. It holds that the Bank has followed the policies and procedures applicable to the issues raised in the Request. Management believes the Requesters' rights or interests have not been, nor will they be, directly or adversely affected by the alleged failure of the Bank to implement its policies and procedures.³⁰

E. Panel's Eligibility Determination

40. The Panel's review is based on information presented in the Request, the Management Response, other documentary evidence, information gathered through conversations with different stakeholders, and the Panel Team's visit to Tanzania.

41. Panel Member and lead inspector for the case, Mark Goldsmith, Panel Chairperson Ramanie Kunanayagam, Senior Operations Officer Serge Selwan, and Research Assistant Rupes Kumar Dalai visited Tanzania from August 21 to September 2, 2023, to inform the Panel's eligibility determination. During its visit, the Team met with World Bank staff and officials of the Ministry of Finance, Ministry of Natural Resources and Tourism, Ministry of Lands, Housing and Human Settlements Development, TANAPA, and TAWIRI. The Team also met with the Requesters, their representatives, and other affected community members. The Team spent three days visiting communities. The Panel expresses its appreciation to all parties with whom it met, who provided valuable information and shared their views openly. The Panel thanks the Government for its cooperation and support. Particular thanks are extended to the World Bank Country Office staff in Dar es Salaam for its assistance with logistical arrangements for the Team's visit and guidance about safety protocols.

42. The following sections cover the Panel's determination of the technical eligibility of the Request in accordance with the criteria set forth in the Panel Resolution (subsection E.1), observations on other factors (subsection E.2), and the Panel's review (subsection E.3) supporting the Panel's recommendation.³¹

E.1. Determination of Technical Eligibility

43. The Panel is satisfied that the Request meets all six technical eligibility criteria of its Resolution in relation to one of the issues raised in the Request, as described below.³² The Panel notes that its confirmation of technical eligibility, which is a set of verifiable facts focusing largely on the content of the Request as articulated by the Requesters, is not an assessment of the substance of the claims made.

- Criterion (a): *"The affected party consists of any two or more persons with common interests or concerns and who are in the borrower's territory."* The Request was submitted by two community members in Tanzania who live in or around the Project area. The Team met with them during its visit to the Project area. The Panel therefore considers this criterion met.

³⁰ Management Response, p. 15, para 41.

³¹ Panel Resolution, paras. 13-15 and 29.

³² Panel Resolution, paras. 13-15 and 29.

- Criterion (b): “*The Request does assert in substance that a serious violation by the Bank of its operational policies and procedures has or is likely to have a material adverse effect on the Requester.*” The Requesters raise three issues: (i) allegations of violence, which include alleged forceful seizing of cattle by TANAPA, one of the Project’s implementing agencies, (ii) threats to the community members’ land and livelihoods as a result of forced relocation and restrictions, and (iii) harm or potential harm resulting from the Bank’s non-triggering of the Indigenous Peoples Policy (OP/BP 4.10). The Panel considers this criterion met for issue (i) only. Analysis is provided further below concerning issues (ii) and (iii) (see paras. 75-78).
- Criterion (c): “*The Request does assert that its subject matter has been brought to Management’s attention and that, in the Requesters’ view, Management has failed to respond adequately demonstrating that it has followed or is taking steps to follow the Bank’s policies and procedures.*” The Panel received correspondence demonstrating the Bank was aware of the concerns raised in the Request prior to its submission to the Panel. The Requesters expressed dissatisfaction with how the Bank attempted to address these concerns. The Panel considers this criterion is met.
- Criterion (d): “*The matter is not related to procurement.*” The claims do not raise issues of procurement and thus this criterion is met.
- Criterion (e): “*For projects approved by the Executive Directors before the date of this Resolution [September 8, 2020], the related loan has not been closed or substantially disbursed or for projects approved by the Executive Directors on or after the date of this Resolution fifteen months have not yet passed from the date the related loan has been closed.*” At the time of receipt of the Request, the Project was active, and 63.14 percent disbursed. Therefore, this criterion is met.
- Criterion (f): “*The Panel has not previously made a recommendation on the subject matter or, if it has, that the Request does assert that there is new evidence or circumstances not known at the time of the prior Request.*” The Panel considers this criterion met as the Panel has not previously considered this subject matter.

E.2. Panel Observations Relevant to its Recommendation

44. In making its recommendation to the Board, and consistent with its Operating Procedures, the Panel considers the following:

- whether there is a plausible, causal link between the harm alleged in the Request and the Project,
- whether the alleged harm and possible Bank non-compliance with its operational policies and procedures may be of a serious character, and

- whether Management has dealt appropriately with the issues, as per the Management Response, or has acknowledged non-compliance and presented a statement of remedial actions that address the Requesters' concerns.

45. In the following section the Panel provides its preliminary observations on the alleged harm and compliance, noting that in doing so, it is not making any definitive assessment of the Bank's compliance with its policies and procedures or any adverse material effect this may have caused.

46. **Triggering of the Bank's Indigenous Peoples Policy.** The Requesters allege that by not triggering the Bank's Policy on Indigenous Peoples, no free, prior, informed consultations were conducted with the communities in the project area, and irreparable harm to their indigenous identity, culture, and rights have occurred.

47. During its visit, the Panel met with the Bank's social scientists on the Project and a professor at the University of Dar es Salaam with expertise in pastoralists and Indigenous Peoples who had not previously interacted with the Bank or the Project. The Panel reviewed literature on this topic, solely to establish whether the claims put forth in the Request could be plausibly linked to the triggering of the Bank's Indigenous Peoples policy in the context of this Project. The Panel is thereby not making a determination on whether the Datoga, Maasai, or Sukuma could benefit from the provisions of the Bank's Indigenous Peoples policy in respect to other Bank-supported projects in other areas.

48. The Panel observes the general consensus that the first members of the pastoralist Maasai communities migrated from the north of the country to the Usangu Plains and the Ruaha River area in the 1950s because the land there was fertile and offered opportunities for pasture. This first wave was followed by a second wave of migration in the 1970s and 1980s by members of the Datoga pastoralist community and other Maasai, both of whom have their ancestral lands in north and central Tanzania. In the 1980s, the Sukuma also migrated to the area from the southern part of the Great Lakes. These migrations were driven by the growing population of these groups and the pressure on land and resources. Furthermore, the Panel understands that many of the Datoga and the Maasai living in the Usangu Plains and the Ruaha River area maintain cultural links with the north and return there for ritualistic purposes.

49. The Panel observes that during its meetings with the various communities, none of them stated that their villages are on ancestral lands. All acknowledged that they had migrated into the area within the past few decades. This is also supported by the literature and the experts with whom the Panel met. The Panel further observes that most of these villages comprised mixed tribal groups.

50. **Evictions, Forced Relocation, and Resettlement.** The Panel observes that the socio-political context of the Usangu Plains is highly charged and consists of a mix of pastoralists, small-holder farmers, rice paddy cultivators, and large-scale, mechanized, industrial rice farms and state schemes. Farmers and rice cultivators have developed side-by-side, depending on irrigation, while pastoralists both from within and outside the area have continued to seek newer and expanding grazing lands. The Panel also understands that water resource management and use is intimately linked to the management of other resources and this has created dividing lines based on the

interests of different stakeholder groups, who are guided by diverse priorities and local and national interests.

51. During its visit, the Panel met with different stakeholders including several community members and heard various views regarding the claims of forced eviction, resettlement, and cattle seizure. The Panel met with members from four of the five villages being considered for resettlement. The view of the community members in those four villages were similar. The Panel also met with other villages in the area that were incorporated into RUNAPA under the 2007 expansion. The community members in these villages were concerned about cattle seizure in addition to relocation.

52. Community members said that in October 2022 the Minister of Land visited their area and held a meeting to which all villagers were invited. They said that at that meeting the Minister announced that five villages plus 47 sub-villages of 14 villages located inside the National Park would be relocated. The community members also said that after this announcement, a team from the District and Regional authorities visited villages, marked certain houses and structures and provided the house occupants with a notification in relation to any potential land acquisition and next steps according to national legislation. The Panel saw some of these markings. Some villagers stated they received no information or written notice following this announcement. The community members said they did not understand why certain houses and structures were marked and others not. They said this process left them fearful and anxious about what will happen to them.

53. The community members explained to the Panel that their villages were established in the 1970s, and that many of them were born there. They told the Panel these villages are formally registered. They pointed out that each village typically has a primary school, church, mosque, and government dispensary. One individual told the Panel that some parents had decided not to send their children to secondary school as they did not know when and where they would be relocated.

54. Members of one community said that electricity from the national grid was brought to the village in 2016, and the Panel observed the power lines. They said that houses were gradually being connected to the national grid, but that new connections stopped in 2022. Community members asked the Panel why the Government kept providing services to their villages if the Government considered them to be inside the National Park. During a community meeting, the Panel observed sobbing by some elderly Maasai women in the village who said *“we don’t know what will happen to us. Where are we to go? We have no place to go to. What will happen to us?”* The villagers asked the Panel what would happen to their animals and farms – which provide their livelihood and is the only occupation they know – if they are relocated.

55. The Panel observed that the villages had designated farming and grazing areas. The Panel was told that there are both small-holders and large-scale rice farms. The Panel was also informed that a government entity previously encouraged community members to cultivate rice and was providing agricultural extension services. The villagers told the Panel that they are *“shocked”* to learn that they will be resettled and no longer able to cultivate their farmland. They asked why the Government cannot resize the park boundaries so they will be outside the National Park. The Panel was told that after villagers organized a protest against relocation, the District Government

informed them they could continue living in the village with their animals and practice farming and cultivation for one more year.

56. Further to the discussion on relocation, the Panel met with community members who said that the Government had allocated specific areas for grazing. Community members said the Park boundaries were clear to them until 2008. The villagers said the problems surfaced in 2008 when the expansion of the park boundaries started to be enforced. They said they understood the old National Park boundaries (pre-2007) and that they are not to enter. Until 2023, when TANAPA installed beacons delineating the new Park boundaries, they were unclear whether the grazing land was inside or outside the Park. Furthermore, they do not understand the basis for the beacons or what exactly they mean. They are confused why the designated grazing area became part of the National Park following the change of boundaries in 2007. The Panel observed that the villages' understanding of the current Park boundaries differs from that of TANAPA.

57. The Panel notes that the announced relocation of villages is closely tied to the 2007 GN, which pre-dates the Project. The Panel further notes that to date no new GN has been signed by the President of Tanzania. The various Government authorities with whom the Panel met said that five villages will be relocated pending a new GN. They explained that, as a result of strong community concerns following the 2007 expansion of the Park, the plan is to decrease the Park's size, reducing the number of villages to be relocated to five. The Government explained that these five villages are in critical habitat involving the wetland and catchment area of the Ruaha River. The Ministry of Lands, Housing and Human Settlements Development told the Panel that the villagers will be compensated according to government law and that no one will be evicted. The Ministry confirmed that the Minister and Permanent Secretary had visited the area and formally announced to the villages that they will be relocated. The Ministry told the Panel that a valuation process of houses, structures, property and land has commenced. All Government authorities with whom the Panel met confirmed that any resettlement will commence only after the new GN, which redefines the boundaries, is signed by the President.

58. In meetings and in its Response, Bank Management affirmed that no relocations are needed for the Project and the Government has not, to the Bank's knowledge, resettled any communities from the Project area since the Project's inception. Management informed the Panel that site-specific ESIA's and ESMPs are prepared for Project activities and, to date, none of these activities have triggered a resettlement. The Panel notes Management's assurance that the Government has agreed to follow the Bank's RPF for any planned resettlement that is not part of the Project but that may take place in the Project area within the life of the Project. Furthermore, the Panel notes Management's commitment that, in the event of such a resettlement, the Government would prepare site-specific RAPs that the Bank would review and clear.

59. **Allegations Related to Forceful Actions by TANAPA.** The MNRT is mandated to sustainably manage natural and cultural resources and develop tourism by formulating and implementing forestry, wildlife, antiquities, and tourism policies. This includes formulating and reviewing policies and laws relating to the control of illegal harvesting of natural and cultural resources and regulating the utilization of forest and wildlife resources. The MNRT is also mandated to oversee the management of sectoral institutions including TANAPA.

60. The Panel notes that, as mentioned above, according to the PAD the leading implementing agencies for the Project are MNRT and TANAPA and all activities in RUNAPA will be carried out by TANAPA.³³ The Tanzania Wildlife Management Authority (TAWA) was also an implementing agency until the restructuring of the Project on September 28, 2021, which occurred after the Selous Game Reserve became a national park on November 29, 2019.

61. In its meetings with TANAPA, the Panel was informed that RUNAPA was established in 1964. In 2007, RUNAPA was extended to include the Usangu Plains, making it comparable in size to the country of Rwanda. According to TANAPA, the Usangu Plains, including the Ihefu Wetlands, are part of the Ruaha River catchment area. TANAPA informed the Panel that the Ruaha River first dried up in 1993 for three months and has been drying up regularly since then. TANAPA added that there are hydropower generation plants on the Ruaha River further downstream and that these generate most of the electricity feeding the national grid.

62. TANAPA informed the Panel that inappropriate irrigation practices and agricultural systems, uncontrolled settlements, overgrazing, and poaching threaten RUNAPA as a national park. TANAPA added that the water in the Ihefu Wetlands is of critical importance for the sustainability of the wildlife in southern RUNAPA. According to TANAPA, the wetlands are an important habitat for migratory bird species, and the area is recognized as one of Tanzania's Important Birdlife Areas (IBAs).

63. TANAPA indicated that the focus of poachers they encounter in their duties has evolved over time. Historically, a significant number of poachers hunted elephants; now they tend to focus on hunting for bushmeat. For TANAPA, the poaching crisis of the late 2000s to early 2010s severely affected the Park's elephant population (which declined from 32,000 in 2009 to 15,000 in 2015). TANAPA informed the Panel that a park the size of RUNAPA is difficult to monitor and patrol. In this context, TANAPA stated it had only 114 rangers to cover RUNAPA. They added that the rangers use a variety of methods to identify potential encroachments by poachers, including flyovers by small aircraft and helicopters. They said that helicopter are also used to engage with the poachers and to drive cattle out of the National Park. In addition, TANAPA works in partnership with Project-supported Village Game Scouts (VGSs) to identify any human-wildlife conflict. Management informed the Panel that, for example, in the area of the Iringa District there are 62 VGSs across seven villages.

64. On July 18, 2023, during the clarification meeting about the Project, Management informed the Panel that the Project is not designed to create new access restrictions. It added that, to enable PA authorities to detect illegal use of resources better, the Project will assist with the construction of infrastructure (airstrips, roads, trails, visitor centers, and entry/exit gates) and provision of equipment. This includes financing patrolling equipment for rangers whose activity covers the PA. Management stated that the Project also supports stakeholder engagement, livelihood activities, and community outreach under Component 2, which is intended to strengthen relationships with adjacent communities, with a focus on those that had higher rates of illegal activities.

65. The Panel notes that the PAD indicates that Sub-Component 2.1 will, among others: (i) strengthen the legal and institutional framework of TANAPA's benefit-sharing schemes and (ii)

³³ PAD, page 13, para. 36.

strengthen and/or develop the community outreach structures of TANAPA, through technical assistance, capacity building, and equipment.³⁴ The PAD specifies that the TANAPA monitoring and patrolling equipment supported by the Project “*will not include weapons, firearms, or similar.*”³⁵

66. In its Response, Management stated that the Project has supported provision of basic park monitoring and patrolling equipment (e.g., tents, uniforms, vehicles, binoculars, first aid kits, flashlights, sleeping bags, night vision goggles, water bottles, headlights, raincoats, mobile mapper, and billhooks) for the four national protected areas under the Project, including RUNAPA. It has not, however, financed the acquisition of any weapons or any helicopter surveillance.³⁶

67. The Management Response also stated that the Project is not designed to enforce existing boundaries. Management indicated, however, that through the construction of infrastructure such as additional ranger posts and roads, and provision of equipment, the park area authorities will have better ability to detect illegal use of resources (illegal tree logging, waste dumping, illegal farming or grazing, etc.). For this reason, “*a Process Framework (PF) has been prepared, and will, in part, be applied as a precautionary measure to the extent surveillance activities would marginally contribute to increasing existing restrictions of access, with a focus on communities where illegal activities (in particular poaching) are prevalent, which are the ones most likely to be affected.*”³⁷ The process framework recognized TAWA is “[a]uthorized to have a paramilitary force with right to possess and use firearms for the purpose of conservation in their respective jurisdiction.”³⁸

68. TANAPA stated that the rangers face the threat of violence, and several have been killed or injured during the performance of their duties. According to MNRT and TANAPA, in order to manage these risks and challenges better “*TANAPA’s status was changed to a paramilitary organization in November 2017.*” The Panel understands that this was part of an MNRT strategy to establish a paramilitary system to protect natural resources. The Panel was told by MNRT and TANAPA that TANAPA rangers have to follow a set of “*General Orders*” when carrying out their duties. The Panel was informed that the “*General Orders*” regulate the potential use of weapons by park rangers.

69. During meetings with communities concerned about cattle seizure, the Panel was told that rangers have more than once approached community members and seized their cattle. The community members allege these seizures were conducted forcefully. The Panel also heard accounts of missing persons. Below is first-hand testimony provided by community members to the Panel concerning alleged acts of violence resulting in injuries or missing persons. The Panel has not undertaken any verification process in relation to the following testimonies and does not provide an opinion on them.

³⁴ PAD, page 9, para. 29 a).

³⁵ PAD, page 9, para. 29 b), footnote 15.

³⁶ Management Response, p. 11, para. 30.

³⁷ Management Response, Annex 1 – Claims and Responses, p. 18, Table item No. 1.

³⁸ Process Framework, p. 36.

Date	Verbal Account (translated and summarized)
May 6, 2023	<ul style="list-style-type: none"> • A community member said two rangers came out of a helicopter and took him because he failed to move the cows. He said they took his clothes and beat him. He indicated he had been tortured. He said they heated a knife and burnt him on his back and the back of his thigh. He showed the Panel one of his scars. He stated they left him crying. His brother took him to the hospital where he stayed for two days. An individual who accompanied him during the interview said he has not been himself since this happened. • Two women told the Panel Chairperson, also a woman, that they and a third woman went to pick vegetables. They stated they were outside the National Park. They said the rangers from a helicopter approached them and asked them what they were doing and if they were growing the vegetables. They responded they were just picking them. They said the rangers then ordered them to strip naked and lie flat on the ground. They said the rangers then beat them on their shoulders with the handles of their knives. The women said they were saved by the helicopter pilot, who was a woman, who pleaded to the rangers to stop. They said the rangers were preparing to burn them and this would have happened had it not been for the intervention of the helicopter pilot. They told the Panel that there was another man that the rangers also approached who was in the same area as them. They reported this to the police. They stated that they went to the hospital for treatment for their injuries. They said TANAPA gave them money for the hospital treatment. The two women stated they were traumatized and continue to be deeply affected by the incident. Both said they continue to experience pain from their injuries. • A community member told the Panel he was searching for his pregnant cow. He said he met the three women on the way (their story is related above) when a helicopter landed. A ranger from the helicopter said that the four of them were under arrest for being in the Park. He told the Panel that he told the rangers that he was not in the Park. He said he was then beaten and his clothes were cut off and burned. He said the rangers heated a knife in the fire for about a minute and burned him with it on his back and arm. He said he saw the rangers telling the three women to remove their clothes. <p>Each of these four individuals informed the Panel that they were each given a million shillings for what had happened to them.</p>
August 15, 2023	One community member indicated to the Panel that his brother was searching for goats near the Ruaha River. He said that another brother saw men come and take away their brother and two fishers in the area and that all three remain missing. This was reported to the police and district commissioner.
March 27, 2023	A community member informed the Panel that he was approached by four armed rangers at his house and was told that he was in the Park. They started taking his cattle away. When he tried to stop them, they beat him with a stick. He then went to the court but did not get the cattle back. He said his cattle were sold. He reported the incident to the police but has not heard anything back.
2022	A community member told the Panel that he received a call stating that park rangers had taken his 130 cows. He said he went to the ranger camp with another man from the village and saw his cows in a fenced area. He said the cows were being tortured and kept in the hot sun without water or food. He said that when he asked the rangers to release his cows, the rangers beat him. He showed the Panel his finger, which he said was broken, and his elbow, which he said was injured or cracked in this incident.
Dry Season 2021	A community member told the Panel that he and his brother were together with their cattle. TANAPA rangers arrived and started taking the cattle away. He said that his

Date	Verbal Account (translated and summarized)
	brother tried to pull the cattle away when the rangers fatally shot him. He reported this to the Police.

70. The Panel also heard first-hand accounts of further forceful cattle-seizing, which did not include accounts of injuries or missing persons. In one meeting, a young man told the Panel he was with his 162 cows just outside the National Park. He said a low-flying helicopter scattered his cows. He said the rangers got out of the helicopter, showed him their guns, and confiscated his cows. He stated that the rangers gave him an account number to pay a fine and claim his cows. He said that when he attempted to do that, the account number was invalid. He stated that after his cows were taken, he received a call saying they were sold. He also said he was asked to write a letter to the police but each time he submitted it, he was told it was wrong and he had to re-write the letter. He said he rewrote the letter three times. He said that the loss of his cows made him sick, and he had to go to the hospital for treatment. He also said that after his cows were taken away, he lost everything and now does daily manual laboring work for income. He said the first time the community became aware of the boundaries was when TANAPA installed beacons demarcating the park boundaries.

71. In another meeting, a young adult told the Panel that while he was bringing 52 cows back home, four TANAPA rangers came with lorries and seized his cows without providing any reason. He complained to the police, who said they would investigate. He informed the Panel that later he discovered that his cows were sold within two days.

72. **Reprisals.** The Requesters alleged a fear of intimidation and reprisals for the submission of the Request. During its visit and afterwards, the Requesters and community members expressed continuing concerns in relation to retaliation. The Panel implemented a series of measures to lessen this risk during the Panel visit. In its meetings with the Government, the Panel reiterated the need for the Panel to meet independently with community members without the presence of the Government, local authorities, or Project-related entities. During each of these meetings, this need for independence was confirmed by all and it was agreed that the Panel would carry out its visits to the communities independently. The Panel took practical measures to minimize the risk of intimidation and reprisals during its meetings with communities, including hiring cars with tinted windows and being in regular contact with the Requesters. As an additional safeguard, during its three days of meetings and visits with communities the Panel changed its schedule twice.

E.3. The Panel's Review

73. The Panel acknowledges the serious concerns of the Requesters. It appreciates the productive discussions it held with them, the additional information they provided during the visit, and the trust they have placed in the Panel's process. The Panel appreciates the detailed discussions it had with the Government entities, and the information they shared. The Panel also acknowledges Management's detailed response to the issues raised in the Request, and its willingness to provide further information.

74. The Panel recognizes the multi-dimensional importance of this Project to the Government of Tanzania. This importance is based on both national and international significance of the biodiversity of RUNAPA, the need for economic revenues generated by the Park, and the

significance of the Ihifu Wetlands that feed into the Ruaha River, which is also a major source of Tanzania's electricity generation.

75. The Panel acknowledges the historical context of the Datoga, Maasai, and Sukuma groups mentioned in the Request and the uniform view that these groups migrated into the area from the North and Central areas of Tanzania in the 1950s and predominantly from the 1970s onward. The Panel also notes the stipulation of the Bank's Policy on Indigenous Peoples (OP/BP 4.10) that the term "Indigenous Peoples" is used in a generic sense to refer to "*a distinct, vulnerable, social and cultural group possessing certain characteristics in varying degrees.*"³⁹ These characteristics include the "*collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories.*"⁴⁰ The Policy defines "*collective attachment*" as meaning that "*for generations there has been a physical presence in, and economic ties to, the lands and territories traditionally owned, or customarily used or occupied, by the group concerned, including areas that hold special significance for it, such as sacred sites.*"⁴¹ It also states that "*collective attachment*" refers to the "*attachment of transhumant/nomadic groups to the territory they use on a seasonal or cyclical basis.*"⁴²

76. The Panel observes that, because the migration of the Datoga, Maasai, and Sukuma into the Project area occurred in the middle of the last century, the policy is not applicable for these groups in the context of this Project. For these reasons, the Panel considers that there is no plausible link between the alleged loss of the indigeneity of the affected people and the Project from not triggering the Indigenous Peoples Policy since the policy is not applicable.

77. The Panel observes that no physical relocation activities have been triggered by the Project. The Panel also observes that while the Ministry of Lands, Housing and Human Settlements Development announced that villages will be resettled, it is the Panel's understanding that no resettlement can take place until the General Notice is signed by the President of Tanzania. The new GN is the document that will redefine the new Park boundaries, which in turn will determine the final list of villages to be resettled, if any.

78. The Panel notes Management indicated that the Government agreed during Project preparation in 2017 that any resettlement in the Project area would follow the Bank's RPF. This includes for any planned resettlement even if not part of the Project but that may take place in the Project area within the life of the Project. It is the Panel's understanding that, in such an event, the Government would prepare site-specific RAPs for the Bank's review and clearance. Hence, until such time, as there is a signed General Notice, which may trigger resettlement, it is not possible for the Panel to determine whether there is a plausible link between the alleged harm or potential harm resulting from resettlement and the Project.

³⁹ World Bank Operational Policy on Indigenous Peoples, OP 4.10, July 2005 ("OP 4.10"), para 4. Available at: <https://thedocs.worldbank.org/en/doc/2e32d9beeec85a16da0bac98d14df191-0290012023/original/OP-4-10-Indigenous-Peoples.pdf> [Accessed: August 31, 2023].

⁴⁰ OP 4.10, para. 4.

⁴¹ OP 4.10, para. 4, footnote 7.

⁴² OP 4.10, para. 4, footnote 7.

79. The Panel notes that the Project has several implementing agencies. One of the main implementing agencies, TANAPA, operates a paramilitary system. TANAPA is alleged to have committed acts of violence against individuals, which include the alleged forceful seizure of cattle in RUNAPA. The Panel heard this first-hand from community members. TANAPA informed the Panel that it follows a strict code of conduct as part of their General Orders. The Panel notes that the Bank's review and due diligence of the capacity and processes of project implementing agencies is one of the ways used to identify risks and ensure measures to address these risks are in place.

F. Recommendation

80. The Panel considers that the claims raised regarding adverse impacts on Indigenous communities due to the non-triggering of the Bank's Indigenous Policy are not plausibly linked to the Project as per the analysis above.

81. The Panel considers, as determined above, that since no resettlement is currently taking place in the Project area, it is therefore not possible for the Panel to determine whether there is a plausible link between the alleged harm or potential harm resulting from resettlement and the Project. The Panel notes that if resettlement is triggered in the Project area within the life of the Project, the Requesters retain their right to submit a new Request for Inspection if they believe they are experiencing or likely to experience harm due to non-compliance with Bank policies.

82. The Panel notes that the Requesters and the Request for Inspection meet the technical eligibility criteria set forth in the Panel Resolution in relation to the allegations of violence which include the alleged forceful seizure of cattle in RUNAPA by one of the Project's implementing agencies. The Panel recommends an investigation into the Bank's review and due diligence of the capacity and processes of one of the Project's lead implementing agencies, i.e., TANAPA, and whether risks to communities were identified in project documents, appropriate mitigation measures put in place, and the Bank's supervision of the Project's implementing agencies. The investigation will review the related, possible non-compliance with the applicable World Bank policies, focusing on the Bank's Policy on Environmental Assessment (OP/BP 4.01) and the Bank's Investment Project Financing policy. This investigation pertains to the Bank's actions and omissions and would not consider other parties mentioned in the Request for Inspection.

83. If the Board of Executive Directors concurs with the Panel's recommendation, as per paragraph 30 of the Panel Resolution, the Accountability Mechanism Secretary, acting in her capacity as the Head of the Dispute Resolution Service shall offer an opportunity for dispute resolution that has a scope which "*is limited to project-related issues raised in the Request for Inspection and identified as the issues to be investigated in the Inspection Panel's report to the Executive Directors recommending investigation.*"⁴³ The Panel will commence its investigation if there is no dispute resolution.

⁴³ Accountability Mechanism Resolution No. IDA 2020-0004, The World Bank Accountability Mechanism, September 8, 2020, para. 12 d. Available at: <https://www.inspectionpanel.org/sites/default/files/documents/AccountabilityMechanismResolution.pdf> [Accessed: August 31, 2023].

Annex I

Request for Inspection (Redacted)

Complaint (Request for Inspection) Form

To:

The Chair, Inspection Panel

The World Bank Accountability Mechanism, MSN: MC 10-1007, 1818 H St., NW, Washington, DC 20433, USA.

Fax: +1(202)-522-0916. Email: ipanel@worldbank.org

(Please answer the questions below as best as you can. Once the form is submitted, we will contact you to collect any additional necessary information.)

Section 1: Complaint

1. What harm do you believe the World Bank-financed project caused or is likely to cause to you or your community? Please describe in as much detail as possible.

Through the Resilient Natural Resource Management for Tourism and Growth (REGROW) Project, the World Bank is working to “improve management of natural resources and tourism assets in priority areas of Southern Tanzania and to increase access to alternative livelihood activities for targeted communities.” However, during the implementation of the project, communities living near Ruaha National Park (RUNAPA) – one of the target areas – have been pressured to leave their ancestral land, through the threat of forced evictions, as well as extrajudicial killings, and livelihood restrictions. These have been carried out by the government to force communities away from the area to expand RUNAPA’s boundaries and is inextricably linked to the REGROW project.

1. EVICTIONS. The REGROW [Resettlement Policy Framework](#) states that the “project, by design, is not expected to cause or influence the need for any kind of resettlement.” Despite this assurance, on October 25, 2022, the Minister of Land, Housing and Housing Development [REDACTED] [publicly announced](#) that five villages [REDACTED] and an additional 47 sub-villages from 14 villages will be evicted – with legal registration of the villages cancelled. [She warned:](#) “If you continue to be there and the village is delisted it means you are breaking the law.” These villages fall within the REGROW project area as they are adjacent to RUNAPA.

This has led to confusion and fear among the communities in the impacted villages regarding the evictions, which are reportedly due to imminently begin. In response, 852 smallholder farmers from Mbeya have [filed a case](#) in the High Court of Tanzania at Mbeya as they seek to stop the government’s plans to evict them from their land. Critically, the government did not follow the steps required by the World Bank, including to “prepare and implement a Resettlement Action Plan (RAP), subject to World Bank review and clearance.” The World Bank’s failure to ensure meaningful consultations with affected communities and the lack of preparation the Resettlement Action Plan (RAP) could cause significant harm due to physical and economic displacement of the affected communities. The forced evictions, which were planned under severe retaliation threats, have created a sense of constant fear and are likely to inflict considerable harm to the affected community members.

2. EXTRAJUDICIAL KILLINGS & HUMAN RIGHTS ABUSES. It is alleged that over the past few years, park rangers have been responsible for several extrajudicial killings of villagers living adjacent to RUNAPA. The REGROW [Implementation Status & Results Report](#) from December 2022 indicates that “the Project continues to enhance park management capacity and measures and has provided equipment that are being used for patrols...” As such the ranger force allegedly responsible for extrajudicial killings receives direct support from the project.

On April 23, 2021, RUNAPA rangers reportedly shot and killed a fisherman named [REDACTED]. The same day, rangers allegedly killed two herders, [REDACTED] (25) and [REDACTED] (14). Member of Parliament (MP) for Mbarali, [REDACTED], called for investigation into the involvement of RUNAPA rangers in these murders as well as the circumstances of the death of [REDACTED] (32) and the disappearances of [REDACTED] and [REDACTED]. A report compiled by the community organization Chama Cha Wafugaji Tanzania (CCWT) in April 2022 documented these killings in addition to naming six additional murders allegedly committed by RUNAPA rangers since 2017 (see attached).

On May 6, 2023, a helicopter carrying six Tanzania National Parks Authority (TANAPA) armed rangers made a

surprise landing in [REDACTED] village in the Mbarali district of Tanzania. Three Maasai women were brutally assaulted by the rangers. On May 11, 2023, the Mbarali MP [REDACTED], [alerted the Tanzanian National Assembly](#) on these events and detailed the severity of the situation. According to Mr. [REDACTED], “They [TANAPA rangers] burnt a bush knife. When it got hot, they beat them with it. They peel the whole body with it. They were beaten and tortured badly.”

3. CATTLE SEIZURES. The REGROW [Project Information Document](#) states that the “Project will assist the GOT in addressing rural poverty which has been persistent in and around the country’s parks and game reserves.” Towards this goal, a component of the project is devoted to “enhancing local economic benefits from tourism.”

Over the past two years, instead of supporting communities living adjacent to protected areas, government agencies have been seizing cattle in large numbers and auctioning off the animals to the severe detriment of pastoral livelihoods. Given the critical role cattle play in the livelihoods of pastoralists, these seizures have decimated families economically and are being done to force pastoralists to find alternative livelihoods or leave the area entirely. In September 2022, RUNAPA’s Assistant Conservation Commissioner, [REDACTED], [openly admitted](#): “We have captured 12,758 cattle in the park in year 2021/2022,” and that “We collected over TSh1.2 billion... [pastoralists] pay these fines very fast. They could bring loads of money if we told them to.”

During the aforementioned TANAPA ranger violence in [REDACTED] and [REDACTED] on May 6, 2023, rangers also seized 250 cattle from a pastoralist, under the false pretense the cattle were encroaching on the nearby RUNAPA. This seizure is contrary to the Bank’s claims all seizures have been done within RUNAPA. The rangers soon confronted another pastoralist, who would not allow his cattle to be taken. In response, he was severely beaten, suffering a large cut on his head that required hospitalization. A police medical report that specifically notes rangers were responsible for the attack is attached.

Testimony of MP [REDACTED] detailing the violence and cattle seizure on May 6, 2023, is available here:

<https://www.youtube.com/watch?v=k6tZCo4ZVIg>

Several large cattle seizures from September to December 2022 alone include:

- September 14-24, 2022 – [3,492 cattle](#) were seized in an 11-day period, allegedly for grazing within the Ifefu wetlands. Owners were forced to pay fines for the return of their cattle.
- November 22, 2022 – RUNAPA rangers seized 172 cattle in Mbarali district, belonging to [REDACTED]. Even though Mr. [REDACTED] showed up and the Mbarali district court issued an injunction stating that the cattle should not be auctioned off, the cattle were still sold.
- December 2, 2022 – 93 cattle from [REDACTED] village (located south of RUNAPA) belonging to two pastoral families were auctioned off with the permission of the Mbarali district court.
- December 7, 2022 – Rangers captured 293 cattle including 280 belonging to [REDACTED], a [REDACTED], in [REDACTED] informed the [REDACTED] Village Executive Officer about seizure of his cattle and hired an advocate. On December 12, 2022 the court ordered him to pay a fine and get back his animals.
- December 19, 2022 – rangers captured 140 animals at [REDACTED] area within RUNAPA. Despite attempts of the owner to pay to reclaim his animals, on December 22, 2022, the district court ordered the 138 animals to be auctioned as unclaimed.

During these seizures, pastoralists reported extreme cruelty practiced by the rangers in some cases. A [REDACTED] pastoralist in Mbarali district detailed his experience with a cattle seizure to our research team.

“Rangers captured my herd of cattle on September 21, 2022. The rangers assaulted me badly. I, as the owner of the animals, had no option but to follow the impounded livestock. I was severely beaten. I felt like dying. They forced me to cut and pull thorny branches and make a cattle holding corral. Then I was forced to stare at the very hot sun. The animals were also tortured. They did not eat or drink water for six days. Those were severe punishments.”

2. What is the name of the World Bank project? (If known)

Resilient Natural Resource Management for Tourism and Growth (REGROW) Project

3. Where is the World Bank project located? (Please include country name)

Tanzania

4. Do you live in the project area?

Yes

5. Have your concerns previously been reported to the World Bank? If yes, please provide the details about those communications and explain why you are not satisfied with the Bank's response.

On April 5, 2023, the Oakland Institute sent a letter to several World Bank staff members* sharing the concerns detailed in section 1 and requested information on what steps would be taken in response (see attached). On May 18, 2023, the World Bank shared the outcome of their field mission visit. In their response, the World Bank task team completely failed to take responsibility for the abusive actions enabled by the government's funding and did not indicate any further action to be taken. Below, we have included details of a rebuttal that was sent to the World Bank on May 30, 2023 in response to the May 18, 2023 communication.

First, as mentioned previously, the government [publicly announced](#) on October 25, 2022, that it will carry out evictions to allow for the expansion of the Ruaha National Park (RUNAPA). The Bank replied, "to the extent that the government is pursuing evictions for purposes of extending park boundaries, such activities would fall outside the scope of the Project." The Bank attempted to justify these evictions by claiming: "The extension of the RUNAPA boundaries was approved by the National Assembly on November 14, 2007 and was assented to by the President of Tanzania on December 15, 2007, through Proclamation Government Notice (GN) number 28. This extension decision predates the World Bank-supported Project."

The World Bank, through REGROW, provides direct material support to the government for management of RUNAPA as well as policy and institutional support. The government's announced evictions are set to occur to expand RUNAPA, working towards the REGROW project goal of improving tourism assets in priority areas of Southern Tanzania. The fact that the government has a history of attempting to cancel the legal registration of villages in order to expand RUNAPA does not clear the World Bank of responsibility. Instead, this should have triggered internal alarms that implementing the REGROW project near RUNAPA could result in evictions taking place that would devastate thousands of livelihoods during the project. Since the initial announcement in 2007, the evictions had been tabled. In 2020, former President Magafuli [called](#) GN 28 a "a serious blunder" and promised that "this will never happen." However, Magafuli did not cancel GN No. 28 and died with his promise in March 2021.

The October 25, 2022 eviction announcement therefore shocked the impacted villages. Crucially, these eviction plans were renewed during the REGROW project are within the project area. Consequently, the government should be "obliged to submit a Resettlement Action Plan (RAP) for the World Bank's review and approval," as prescribed by the REGROW [Resettlement Policy Framework](#). The Tanzanian government's failure to do so, as well as the Bank's decision to not uphold this requirement, is a blatant violation of the Bank's own safeguards. Furthermore, it makes the [Bank's commitment](#) to address systematic failures in preventing forced displacements, an empty promise.

Third, the Bank claimed the grievance mechanism has not received any complaints related to the aforementioned allegations. This ignores that 852 smallholder farmers from the aforementioned villages facing eviction have [filed a case](#) in the High Court of Tanzania at Mbeya, to stop the government's plans to evict them from their land.

Fourth, the World Bank task team recommended that the "alleged incidents of extrajudicial killings should be reported

to the judicial authorities for review and action.” This incorrectly assumes that the Tanzanian judicial system is capable of holding the government accountable. To date, despite numerous court cases filed against the government – related to forced evictions in the name of conservation, for instance in Loliondo and the Ngorongoro Conservation Area, the courts have failed to provide redress or justice to communities. Additionally, the government has demonstrated a blatant disregard for regional human rights mechanisms, as evidenced by [Tanzania’s withdrawal](#) from the African Court on Human and People’s Rights in 2019.

Fifth, the Bank attempts to distance itself from the alleged abuses committed by TANAPA by asserting that the project’s involvement is limited to “providing materials and equipment for monitoring and patrolling, specifically for wildlife monitoring. None of the materials or equipment include weapons, firearms, or similar items.” This completely disregards the Bank’s support to and close partnership with TANAPA – the agency responsible for overseeing the “implementation and supervision, as well as the construction and operation of project activities.” The actions of TANAPA cannot be ignored merely by claiming that the project did not finance its weapons given it does provide other important material support to those responsible for the abuses.

Sixth, regarding the cattle seizures reported, the task team responded that “to the World Bank’s knowledge, the rangers’ work under the Project is conducted only within park boundaries.” This claim is contrary to the aforementioned May 6, 2023, TANAPA seizure of 250 cattle in [REDACTED] village, outside of RUNAPA’s boundaries. The Bank also stated that “to the extent that park rangers contravene applicable Tanzanian law, the alleged cattle seizure incidents should be reported to the relevant authorities in Tanzania.” As TANAPA rangers are perceived as law enforcement by communities near RUNAPA, villagers are very unlikely to risk reporting abuses and illegal seizures to TANAPA itself or other agencies, given fear of retribution.

Finally, the response declared that “the World Bank’s mandate does not extend to overseeing the conduct of Member countries’ government agencies or to intervening in the event of alleged wrongdoing unrelated to a World Bank-financed project.” The World Bank is a major financial supporter of the Tanzanian government and through the REGROW project, is working towards increasing tourism in the Southern Circuit. The evictions, extrajudicial killings, and livelihood restrictions that we detailed are being carried out by the government to force communities away from the area to expand RUNAPA. This is without question inextricably linked to the REGROW project.

The Bank’s response raises concerns about the accuracy of its assessment of the situation on the ground, as well as about the comprehensiveness of the inquiry itself.

* [REDACTED]
[REDACTED]
[REDACTED]

6. If known, please list the World Bank’s operational policies procedures you believe have not been followed.

The aforementioned forced evictions, set to occur without meaningful consultation and disclosure of project documents, violates the following World Bank operational policies:

- Environmental Assessment (OP/BP 4.01)
- Physical Cultural Resources (OP/BP 4.11)
- Involuntary Resettlement (OP/BP 4.12)
- Natural Habitats (OP/BP 4.04)
- Forests (OP/BP 4.36)

The failure of the World Bank to comply with these operating procedures has led to direct harms against communities living adjacent to RUNAPA. Additionally, the planned evictions, incidents of violence and cattle seizures have impacted several Indigenous groups, including Maasai, Sukuma and Datoga pastoralists, who inhabit the project area. Despite this, the Bank failed to trigger its policy on Indigenous peoples, causing irreparable harm to the identity, culture, and rights of the Indigenous community in the project area. No free, prior, informed consultations were conducted with the affected Indigenous communities in the project area.

7. Do you expect any form of retaliation or threats for filing this complaint?

We expect extreme retaliation and reprisal fear for filing this complaint to the Inspection Panel. For example, after the government's violent demarcation exercise in Loliondo, Ngorongoro district, in June 2022, 24 land defenders were arrested, falsely charged with the murder of a police officer. After a six month prison sentence, the 24 were finally released and the detention was [widely critiqued](#) as without merit and politically motivated.

During the visit by the Mission of the African Commission of Human and Peoples' Rights (ACHPR) to Ngorongoro district, Tanzania from January 23 – 28, 2023, villagers in [REDACTED] [waited for hours in vain](#) for the Mission. [REDACTED] a community member, courageously spoke to the gathered crowd on the dire impact of government restrictions and eviction plans, "I have become a thief in my own land. I have cows that have no food...cows being captured...Where is our future? Where is our tomorrow?" Mr. [REDACTED] [was forced into hiding](#) after the video of him spread online as the government actively searched for him. More information on his story is [available here](#).

Therefore, given the pervasive climate of fear that exists in Tanzania for speaking out against the government, we authorize [REDACTED] of the Oakland Institute, to be our advisor and provide us support during this process. We request that all communication and correspondences related to this process be copied to Oakland Institute, who will keep us informed.

8. In addition to receiving information about the Compliance investigation process, would you also like to receive information about the option of dispute resolution?

Yes.

Section 2: Contact Information

9. Are you complainants or a representative of complainants*?

Complainants: ☒ Representing a complainant or community: ☐ Other: ☒ (Please explain)

We do not have a local CSO representative who can represent us as there is extreme fear of reprisals. Therefore, we authorize [REDACTED] from the Oakland Institute to provide us support and advice throughout our engagement with the complaint process. We request that all communications and correspondences are also copied to the Oakland Institute, who would communicate to the Inspection Panel on our behalf and keep us informed.

10. Would you like your name and contact details to be kept confidential? (We will not disclose your identities to anyone without your prior consent.) Yes ☒ No ☐

11. Complainants' or representatives' names (minimum two names and signatures are required):

	Complainant /Representative 1	Complainant /Representative 2	Complainant /Representative 3
Name	[REDACTED]		
Address			
Phone			
Email			

12. By completing and submitting this form, we authorize the Inspection Panel to investigate the issues as described in this form.

Signature 1	Signature 2	Signature 3
[REDACTED]	[REDACTED]	[REDACTED]

Signatures (more signatures can be sent as an attachment)

Your personal data will only be used and disclosed for the purpose for which it was collected in accordance with the WBG Data Privacy Policy. Inspection Panel will not disclose information provided by complainants that may reveal their identity outside of responsible World Bank units without their consent.

NOTES:

- **If you are a representative of complainants, we will need a letter from the complainants authorizing you to represent them.*
- *Please attach supporting documents, if available.*
- *If you have any difficulty in completing the form, please contact the World Bank Accountability Mechanism at Email: ipanel@worldbank.org or by phone: +1-202-458-5200.*

Supporting Documents:

- Police Medical report, May 6, 2023
- Chama Cha Wafugaji Tanzania Report April 2022
- Oakland Institute Correspondence with the World Bank REGROW project team

Supporting documents are available at the Inspection Panel upon request.

Annex 2

Management Response

**MANAGEMENT RESPONSE TO
REQUEST FOR INSPECTION PANEL REVIEW OF THE
TANZANIA: RESILIENT NATURAL RESOURCES MANAGEMENT FOR
TOURISM AND GROWTH (P150523)**

Management has reviewed the Request for Inspection of the Tanzania: Resilient Natural Resources Management for Tourism and Growth (P150523), received by the Inspection Panel on June 20, 2023 and registered on July 20, 2023 (RQ23/02). Management has prepared the following response.

AUGUST 18, 2023

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Map

- Map 1. Ruaha National Park after the expansion in 2007, incorporating the game reserve and the park extension

Annexes

- Annex 1. Claims and Responses
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ABBREVIATIONS AND ACRONYMS

BP	Bank Procedure
CSO	Civil Society Organization
GDP	Gross Domestic Product
GN	Government Notice
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
IDA	International Development Association
IP	Indigenous Peoples
IPN	Inspection Panel
NGO	Nongovernmental Organization
OP	Operational Policy
PCU	Project Coordination Unit
RAP	Resettlement Action Plan
REGROW	Resilient Natural Resources Management for Tourism and Growth
RPF	Resettlement Policy Framework
RUNAPA	Ruaha National Park
TANAPA	Tanzania National Parks Authority
US\$	United States dollar

EXECUTIVE SUMMARY

Project

- i. The ***Tanzania Resilient Natural Resources Management for Tourism and Growth (REGROW) Project*** was approved on September 28, 2017 for a US\$150 million IDA credit to improve management of natural resources and tourism assets in priority areas of southern Tanzania, and to increase access to alternative livelihood activities for targeted communities.
- ii. ***Wildlife-based tourism is a major component of Tanzania's economy.*** Most of the tourism is centered around a country-wide system of national parks and reserves. The World Economic Forum's Travel and Tourism Competitiveness Index (2019) ranks Tanzania 1st in Africa and 12th worldwide for the quality of its nature-based tourism resources. Tourism has been Tanzania's largest foreign exchange earner since 2012, and in 2019 it accounted for over one-quarter of the country's foreign-exchange earnings. By 2019, Tanzania's tourism sector contributed an estimated 17 percent of GDP and directly employed over 850,000 Tanzanians, making it the country's second-largest component of GDP and third-largest source of employment. Since the tourism value chain is linked to numerous other economic sectors, it plays an outsized role in growth, employment, and poverty reduction.
- iii. ***The REGROW Project specifically seeks to address some of the key challenges of Tanzania's "Southern Circuit" (i.e., in the southern part of the country) to realize its tourism potential.*** These challenges include limited infrastructure inside protected areas, coupled with environmental degradation, insufficient linkages between tourism and rural development, and climate change impacts. The REGROW Project seeks to tackle these challenges through investments in key infrastructure and bridging the gap between conservation and sustained economic benefits for Tanzanians. It seeks to enable communities in the Project area to enhance their incomes by linking them with resilient livelihoods, while helping reduce human-wildlife conflict.

Request for Inspection

- iv. The Request for Inspection was submitted by two individuals from Tanzania on June 20, 2023. The Requesters have asked the Inspection Panel to keep their identities confidential.
- v. The Request alleges a number of serious incidents which occurred during confrontations between government agencies and the local communities, which it attributes to the REGROW Project. The allegations include pressures on the communities to leave their claimed ancestral land, through: (a) the threat of forced evictions, (b) extrajudicial killings, and (c) livelihood restrictions in the form of cattle seizures.

Management's Response

- vi. ***In Management's view, the allegations raised in the Request for Inspection are matters that are not related to compliance with Bank policy under the REGROW Project.*** While Management is very concerned about the serious nature of the allegations, it considers that there is no basis for the Requesters' assertion that the alleged harm is related to Bank compliance with its policies and procedures, as required by the Inspection Panel Resolution. Instead, in Management's view, the Requesters' reports of abuse relate to issues and concerns that arise outside the scope of the Project, and which are, therefore, beyond the scope of the Bank's environmental and social safeguards and other policies.
- vii. ***The Request concerns the ongoing conflicts between pastoralist communities and nature conservation efforts undertaken by the Government of Tanzania. These conflicts are longstanding and widespread. They also predate the REGROW Project by decades and go well beyond the Project area.*** At the core, the Request highlights the communities' desire to settle and graze within the protected areas, which the Government has prohibited by law. Management has been aware of these conflicts since the project design phase and, although they are not attributable or related to the Project, the REGROW Project has contemplated some measures, such as a process framework, aimed at helping mitigate their occurrence and severity, as well as assuage the tensions between the Tanzania National Parks Authority (TANAPA) and these national parks' neighboring communities as a result of these legacy issues.
- viii. ***The Request alleges a number of serious incidents which occurred during confrontations between Government agencies and the local communities. However, these confrontations arise from tensions not caused by the REGROW Project and that cannot plausibly relate to a failure of the Bank to comply with its policies in the context of the Project.*** In addition, the Requesters are seeking relief that is not available under the Panel process. The Requesters seek help from the Bank in "holding the Government accountable," in lieu of the "Tanzanian judicial system," which is not within the mandate of the Bank. These allegations cannot be reviewed or addressed further by the Bank and need to be reported to the relevant judicial and administrative authorities in Tanzania.
- ix. ***Management would like to provide the following clarifications on the key issues raised in the Request:***

Threat of forced evictions

- x. ***The threat of evictions described in the Request results from the 2007 extension of the Ruaha National Park (RUNAPA), which predates the REGROW Project.*** The extension is not a result of the Project, nor does the Project require or finance the extension or evictions. No relocation of the communities mentioned in the Request is planned or included under the Project. Moreover, the villages cited in the Request

were already located *inside* protected areas even before the expansion of the Park in 2007.

- xi. ***While the Project does not require or finance the relocation of communities, a Resettlement Policy Framework (RPF) was adopted under the Project as a precautionary measure in the unlikely event that such resettlement would become necessary for construction activities under the Project.*** In addition, a nationwide program to review and harmonize park boundaries is currently being carried out by the Government across the country and independent of the REGROW Project. As agreed by the Government during Project preparation in 2017, any resettlement resulting from this Government review *in the Project area* would follow the RPF, and the Government would prepare site-specific Resettlement Action Plans (RAPs) for the Bank's review and clearance. Management is not aware of any communities having been resettled from the Project area since the inception of this Project nor of any specific plans for relocations, as discussed in the Request.
- xii. ***Management notes that the Government's May 2023 announcement to reduce the Park's size and provide land to local communities residing there may address the Requesters' key concerns.*** The Minister of Natural Resources and Tourism announced plans to issue a new Government Notice (GN) that would alter the boundaries of RUNAPA with the intention of: (a) allocating approximately 34,000 hectares of the park area to local villages/communities for their own use; and (b) removing an additional 900 hectares from the park area for grazing activities. Hence, the upcoming GN may provide clarity with regard to the regularization of villages located inside RUNAPA.

Alleged extrajudicial killings

- xiii. ***Management is alarmed to learn of the alleged extrajudicial killings and other abuses alleged in the Request.*** On being informed of them, Management immediately met with TANAPA on April 23, 2023 and requested additional information. Management also requested additional information from the Requesters' advisors. While the Bank dispatched a team comprised of social and environmental specialists to the Project sites on April 21–30, 2023 the allegations cannot be investigated or addressed further by the Bank and need to be reported by the affected community members to the relevant judicial and administrative authorities in Tanzania for action, including criminal investigation. Nothing in the Request, in related communications from the Requesters' advisors, in the responses from the Government, or in the Bank's own reviews provides any indication that the abuses alleged in the Request occurred because of the Project, or that they were the result of Bank policy non-compliance.
- xiv. ***The Bank is engaging with the Borrower to request that necessary steps be taken to investigate and address the alleged incidents of unauthorized use of force and extrajudicial killings, with appropriate disciplinary action or referral to the appropriate authorities, if warranted.*** Management notes that the confrontation described in the Request, which is supported by documentation, confirms that a Government

investigation is in progress, focusing on assessing the appropriateness of the TANAPA rangers' conduct.

- xv. ***The Request incorrectly attributes the abuses allegedly carried out by functionaries of Government agencies to the Bank's support for the REGROW Project.*** The linkage alleged in the Request is incorrect, since Bank support for a Borrower's project is limited to defined activities and does not extend to other actions these same Government agencies take, which typically can extend beyond an individual project. In addition, the Request draws no plausible connection between the alleged abuses and the Bank's alleged failure to comply with applicable Bank policies.
- xvi. ***Nevertheless, Management is aware of the broader conflicts around conservation efforts and land use in Tanzania and has taken some actions, within the limits of the Bank's mandate, that are responsive to the Requesters' serious concerns.*** While the Bank is not responsible for the harms alleged, nor in a position to review or ascertain the veracity of the claims raised in the Request—some of which would require criminal investigations by national authorities—the Bank has highlighted through official communication its concerns with the Government and requested that these concerns be reviewed and addressed by the competent national authorities. While beyond the scope of the Project, the Bank has further stressed the need for the Government to adhere to the applicable environmental and social policies applicable under the Project.

Alleged seizures of cattle

- xvii. ***The alleged seizures of livestock by TANAPA rangers are also unrelated to Bank policy non-compliance; rather, they result from the regular enforcement of Tanzania's national law requirements.*** The REGROW Project did not support the development, application, or enforcement of these laws. Cattle seizures are governed by the laws of Tanzania, and in particular the Wildlife Conservation Act of 2009, which forbids grazing of livestock in National Parks. The law gives park rangers authority to enforce these prohibitions, including through cattle seizures in specific circumstances. Management notes that the seizure of livestock and imposition of fines is governed by Tanzanian law and by the judicial system, and that such fines are not determined by TANAPA or park rangers on their own.

Alleged failure to apply Operational Policy (OP) 4.10

- xviii. ***The Requesters allege a failure to apply OP 4.10 – Indigenous Peoples under the Project, with which Management disagrees. The Bank's Indigenous Peoples Policy was not applied to this Project because no people qualifying as indigenous under Bank Policy were present in the Project area.*** The policy requires that the people in question have collective and ancestral attachment to the territories and habitats in the Project area. Yet the groups mentioned in the Request (Maasai, Sukuma and Datoga) do not satisfy this criterion, as confirmed by analysis carried out by the Bank during Project preparation. Those groups have been migrating to the RUNAPA area since the 1970s for economic reasons. Accordingly, although these groups may have

ancestral ties to other parts of the country, they do not possess such ties to the territories and habitats in the Project area.

xix. ***In Management's view, the Project has followed the applicable Bank policy requirements to date.*** The Bank is committed to supporting the Government in fully implementing this Project in accordance with the Bank's environmental and social policy requirements. In that context, and within the confines of the Project's scope and the Bank's mandate, the Project will put an additional emphasis on the following activities:

- *Alleged cases of abuse.* The Bank has requested the Borrower to review the alleged incidents of abuse and excessive force to determine if misconduct by park rangers has occurred that requires disciplinary or judicial action. Although deemed unlikely, if any cases are found to be related to the Project, the Bank will take immediate action to address them.
- *Cattle seizures.* The Bank has requested clarification from the Government regarding the lawful application of the provisions that govern cattle seizures, and also whether robust provisions are in place to avoid potential abuse by individual rangers.
- *Resettlement.* Upon release of the upcoming GN, which will set the revised boundaries of RUNAPA and specify whether any resettlements within RUNAPA are indeed envisaged, the Bank will re-confirm with the Government the applicable process prescribed under the RPF, including the Government's agreement to produce site-specific RAPs for the Bank's review and clearance.
- *Process Framework.* The Bank will review the Project's Process Framework and require the Borrower to update its provisions as may be found necessary, including by considering the concerns raised in the Request.
- *Code of Conduct.* The Bank will review the Code of Conduct applicable to RUNAPA rangers and request the Borrower to adopt additional measures if necessary. The Bank will also require that the Borrower ensure that rangers active in the Project area undergo periodic and targeted training based on the Code of Conduct.
- *Grievance Redress Mechanism (GRM).* The Bank will review the GRM's performance and help ensure that communities are aware of the possibility of raising concerns of a confidential nature. Management will require the Borrower to make adjustments, as recommended by the review.

Conclusion

xx. ***Management has carefully reviewed the issues raised by the Requesters and does not agree that any of the alleged harm stems from non-compliance with Bank policy. Management believes that the Bank has complied with policies and***

procedures applicable to the matters raised by the Request. As a result, Management believes that the Requesters' rights or interests have not been, nor will they be, directly and adversely affected by a failure of the Bank to implement its policies and procedures.

I. INTRODUCTION

1. On July 20, 2023, the Inspection Panel registered a Request for Inspection, IPN Request RQ23/02 (hereafter referred to as “the Request”), concerning the Tanzania: Resilient Natural Resources Management for Tourism and Growth Project (P150523) (the “Project”) financed by the International Development Association (the “Bank”).

2. ***Structure of the Text.*** This document contains the following sections: this introduction, followed by Section II, which describes the Request; Section III, which provides background on the Project; Section IV, which discusses issues of pertinence to the Request; and Section V, which contains Management’s response to the Request. Annex 1 presents the Requesters’ claims, together with Management’s detailed responses, in table format. Annex 2 contains a Ministerial Statement to Parliament regarding changes to the boundaries of the Ruaha National Park.

II. THE REQUEST

3. The Request for Inspection was submitted by two individuals who live in the Ruaha National Park (RUNAPA) area, in Tanzania (hereafter referred to as the “Requesters”). The Requesters asked for confidentiality and authorized the Oakland Institute, a United States-based civil society organization (CSO) to support them.

4. The Request includes three attachments, which Management has received:

- Police Medical report, May 6, 2023;
- Chama Cha Wafugaji Tanzania Report April 2022; and
- Oakland Institute Correspondence with the World Bank REGROW Project team.

No further materials were attached to the Request.

III. PROJECT BACKGROUND

5. ***The Project.*** The Tanzania: Resilient Natural Resources Management for Tourism and Growth (REGROW) Project (the Project, or the REGROW Project), was approved by the Board of the International Development Association on September 28, 2017 for a US\$150 million credit. The closing date is February 28, 2025. The Project is 63 percent disbursed.

6. **Project Objectives.** The Project Development Objective is to improve management of natural resources and tourism assets in priority areas of southern Tanzania, and to increase access to alternative livelihood activities for targeted communities.

7. **Project Components.** The Project has four components:

- **Component 1 – Strengthen management and improve infrastructure in priority Protected Areas (US\$97 million).** The objective of Component 1 is to improve the management and sustainability of natural resources inside the four priority protected areas in southern Tanzania. This is achieved through infrastructure investments, policy and regulatory support, and capacity/skills development grouped under three sub-components: 1.1 – Improve protected area infrastructure; 1.2 – Strengthen management capacity and infrastructure maintenance of protected areas; and 1.3 – Strengthen “Destination Southern Tanzania.”
- **Component 2 – Strengthen alternative livelihoods for targeted communities in proximity to the priority Protected Areas (US\$17 million).** The overall objective of this component is to provide access to improved economic opportunities to enhance livelihoods, reduce vulnerability to climate shocks, and reduce pressure on natural resources and wildlife. There are three sub-components: 2.1 – Improve the governance framework of conservation-related community-based initiatives; 2.2 – Enhance alternative community livelihoods by improving economic opportunities and linking them with conservation of wildlife and landscapes; and 2.3 – Skills development for local access to jobs in tourism and conservation.
- **Component 3 – Strengthen landscape management and infrastructure investments in and upstream of RUNAPA (US\$27 million).** The component focuses on short-term infrastructure measures for the restoration of dry season flows in the Great Ruaha River, which are critical for continued and expanded tourism in RUNAPA. As a secondary focus, the component lays the groundwork for mitigating future degradation of the RUNAPA resulting from climate change impacts, excessive abstraction of water upstream of the Park, deteriorated water quality, and increased sediment in inflowing rivers, through water controlling structures and water sources protection. The sub-components are: 3.1 – Assess and implement infrastructure measures to augment dry-season flows to the RUNAPA; 3.2 – Improve efficiency of irrigation systems; 3.3 – Catchment conservation activities in selected sub-basins; and 3.4 – Support the consensus-building process for land and water management and climate change adaptation in the Usangu plains.
- **Component 4 – Project management, institutional strengthening, quality assurance and control, and monitoring and evaluation (US\$9 million).** This component finances supplemental support for Project management, to ensure coordinated and timely execution of infrastructure and other Project activities. It includes Project oversight and coordination; establishment and operation of a Project Coordination Unit (PCU); fiduciary management, including external/internal audits and accounting; quality control and assurance systems; environmental and social safeguards management; development and implementation of a communications and

stakeholder engagement plan; and short-term training on Project management. The component will also finance a monitoring and evaluation system.

IV. SPECIAL ISSUES

Wildlife Economy in Tanzania

8. ***Wildlife-based tourism is a major component of Tanzania's economy. Most of the tourism there is centered around a country-wide system of national parks and reserves.*** The World Economic Forum's Travel and Tourism Competitiveness Index (2019) ranks Tanzania 1st in Africa and 12th worldwide for the quality of its nature-based tourism resources. Tourism has been Tanzania's largest foreign exchange earner since 2012, and in 2019 it accounted for over one-quarter of the country's foreign-exchange earnings. By 2019, Tanzania's tourism sector contributed an estimated 17 percent of GDP and directly employed over 850,000 workers, making it the country's second-largest component of GDP and third-largest source of employment. Since the tourism value chain is linked to numerous other economic sectors, it plays an outsized role in growth, employment, and poverty reduction.

9. ***Tourism is key to livelihoods and poverty reduction in Tanzania.*** Women make up 72 percent of all workers in the tourism sector, and household surveys show that households with a member employed in tourism are far less likely to experience poverty than other households.

10. ***National parks in Tanzania have been under stress from poaching for many decades.*** This has had severe impacts on the wildlife and ecosystems within national parks in Tanzania and across Africa, including:

- ***Decline in Wildlife Populations:*** In RUNAPA, the poaching crisis of the late 2000s to early 2010s severely affected the park's elephants. While there were an estimated 32,000 elephants in 2009, the census in 2015 estimated a population of only 15,000, a more than 50 percent decline primarily due to poaching.
- ***Depletion of Iconic Species:*** Black Rhinos (subspecies *bicornis minor*) in the Nyerere National Park ecosystem are almost extinct due mainly to poaching and encroachment.
- ***Loss of Biodiversity:*** The loss of key species through poaching can disrupt the balance of entire ecosystems, affecting other wildlife species and plant communities that depend on them for various ecological interactions, such as seed dispersal or predator-prey relationships.
- ***Increased Security Costs:*** National parks have had to invest significant resources in anti-poaching efforts, including employing rangers, and training and equipping them to combat poachers. According to the Game Rangers Association of Africa, 71 rangers died (many shot by poachers) while performing their duties in various protected areas in Africa in 2022. These threats mean that governments have to enhance security in national parks both for wildlife and tourism.

Conservation and competing land use

11. ***The conflict between nature conservation and other land uses in Tanzania, such as farming and pastoralism, is a complex and longstanding issue resulting from competing interests and resource needs.*** It involves clashes between conservation efforts aimed at protecting wildlife and their habitats and the traditional livelihoods of communities, who rely on grazing lands for their livestock and land for cultivation of crops, as well as commercial and criminal interests who benefit from illegal encroachment or poaching in protected areas. The causes and consequences of the conflict include:

- *Land Use Competition:* Pastoralists and farmers require large areas of open land for livestock grazing and cultivation, which may overlap with wildlife habitats and protected areas designated for conservation. The resulting competition for land resources can lead to various conflicts over access to and use of these areas.
- *Loss of Habitat.* Competition over land uses creates pressure on wildlife and national parks leading to significant loss of habitats in Tanzania. Encroachment pressure on protected areas in Tanzania has led to the shrinking of wildlife protected areas in favor of other land uses, through de-gazettement, downsizing and downgrading.
- *Predation of Crops and Livestock:* In some cases, wild animals may prey on crops and livestock, causing economic losses to households and communities. This can lead to resentment towards conservation efforts since communities perceive wildlife protection as detrimental to their livelihoods.
- *Restriction of Traditional Practices:* The maintenance of conservation areas often requires the imposition of strict regulations to protect wildlife and the ecosystems in which they live. This can limit pastoralist communities' access to resources, such as water points or habitual grazing lands.
- *Livelihood Insecurity:* Pastoralist communities are vulnerable to environmental changes and droughts, leading to food and water scarcity for both humans and livestock. Conservation areas may limit their ability to cope with these challenges, further exacerbating tensions.
- *Perceived Lack of Benefits:* Some communities may feel excluded from the benefits of tourism revenue generated by conservation efforts, leading to a perception that they bear the costs of conservation without receiving enough of its benefits.
- *Illegal Poaching of Wild Animals:* Poaching is a major risk faced by the protected areas supported by this Project. Some of this hunting is for local consumption and for the very lucrative bushmeat trade. But a growing risk is from well-organized and internationally funded crime syndicates, who target specific species such as elephant, rhinoceros, lion and pangolin, for lucrative luxury and medicinal markets.

12. ***These conflicts have occasionally turned into violent confrontations in Tanzania.***

According to the Government, between March 2022 and February 2023, nine rangers were killed and sixty-eight were injured by civilians. These incidents involved civilians living near protected areas who attacked wildlife and forest rangers with both traditional and modern weapons while the rangers were performing their official duties, such as impounding livestock and arresting poachers found within protected areas. When livestock is seized or citizens are arrested for illegally entering the protected areas, there has been a tendency for citizens to organize and raid the rangers or their camps, attacking them with various traditional weapons such as sticks, spears, machetes, and arrows. These incidents have often resulted in rangers being injured or killed as well as damage to Government property, such as burning of vehicles, houses and equipment.¹

¹ https://www.wwf.or.tz/our_news_and_publications/blogs/climate_change_driving_rising_cases_of_killing_of_rangers_in_tanzania_by_citizens_a_delicate_balance/

V. MANAGEMENT'S RESPONSE

13. The Requesters' claims, accompanied by Management's detailed responses, are provided in Annex 1.

14. ***In Management's view, the allegations raised in the Request for Inspection are matters that are not related to compliance with Bank policy under the REGROW Project.*** While Management is concerned about the serious nature of the allegations, it considers that there is no basis for the Requesters' assertion that the alleged harm is related to Bank compliance with its policies and procedures, as required by the Inspection Panel Resolution. Instead, in Management's view, the Requesters' reports of abuse relate to issues and concerns that arise outside the scope of the Project, and which are, therefore, beyond the scope of the Bank's environmental and social safeguards and other policies.

15. ***The Request concerns the ongoing conflicts between pastoralist communities and nature conservation efforts undertaken by the Government of Tanzania, as highlighted in Section IV of this report. These conflicts are longstanding and widespread. They also predate the REGROW Project by decades and go well beyond the Project area. At the core, the Request highlights the communities' desire to settle and graze within the protected areas, which the Government has prohibited by law.*** Management has been aware of these conflicts since the Project design phase and, although they are not attributable or related to the Project, the REGROW Project contemplated some measures, such as a Process Framework, aimed at helping mitigate their occurrence and severity, as well as assuage the tensions between the Tanzania National Parks Authority (TANAPA) and these national parks' neighboring communities.

16. ***The Request alleges a number of serious incidents which occurred during confrontations between Government agencies and the local communities. However, these confrontations arise from tensions not caused by the REGROW Project and that cannot plausibly relate to a failure of the Bank to comply with its policies in the context of the Project. In addition, the Requesters are seeking relief that is not available under the Panel process. The Requesters seek help from the Bank in "holding the Government accountable," in lieu of the "Tanzanian judicial system," which is not within the mandate of the Bank.*** These allegations cannot be reviewed or addressed further by the Bank and need to be reported to the relevant judicial and administrative authorities in Tanzania. The allegations include pressures on the communities to leave their claimed ancestral land, through: (a) the threat of forced evictions, (b) extrajudicial killings, and (c) livelihood restrictions in the form of cattle seizures.

17. ***The Request also incorrectly attributes the abuses allegedly carried out by functionaries of Government agencies to the Bank's support for the REGROW Project.*** The linkage alleged in the Request is incorrect, since Bank support for a Borrower's project is limited to defined activities and does not extend to other actions these same Government agencies take, which typically can extend beyond an individual project. In addition, the Request draws no plausible connection between the alleged abuses and the Bank's alleged failure to comply with applicable Bank policies.

18. *Nevertheless, Management is aware of the broader conflicts around conservation efforts and land use in Tanzania and has, within the limits of the Bank's mandate, taken some actions that are responsive to the Requesters' serious concerns.* While the Bank is not responsible for the harms alleged, nor in a position to review or ascertain the veracity of the claims raised in the Request—some of which would require criminal investigations by national authorities—the Bank has highlighted through official communication its concerns with the Government and requested that they be reviewed and addressed by the competent national authorities.

19. Management would like to respond below in more detail to the specific allegations.

Threat of eviction

20. *The threat of eviction described in the Request results from the 2007 extension of RUNAPA, which predates the REGROW Project. The extension is not a result of the Project, nor does the Project require or support such an extension or such evictions.* No relocation of the communities mentioned in the Request is planned or included under the Project. The villages cited in the Request had already been part of RUNAPA since the 2007 expansion, and the Park's expansion process has not been supported by the Project, which was approved in 2017. It should be noted, in addition, that the areas where the concerned villages are located had been declared protected areas even before the expansion of the Park in 2007.

21. *Tensions among community members surrounding RUNAPA are decades old and unrelated to the Project.* The area surrounding the Park includes wetlands of high biodiversity, commercial and hydrological value for local livelihoods and larger-scale agribusiness, as well as for the southern region of Tanzania. In addition, as the land is very fertile, the area has seen an influx of people from other parts of the country since the 1970s. This has led to tensions and conflict over access to land, pasture, and water among farmers, pastoralists, hunters, fishers, on the one side, and conservationists on the other. This has also put pressure on wildlife. Increasingly, competition for resources has led to a rise in encroachment into the adjacent critical habitats and protected areas.

22. *These conflicts, together with poor implementation of existing land use restrictions, were among the reasons the Government chose to change the conservation status of the area from a reserved wetland and game-controlled area to a national park in 2007.* The Government charged TANAPA with managing the area's competing uses and demands. Use of the land had been restricted by law since the 1950s. The game-controlled area was established in 1953 as Utengule Swamps Game-Controlled Area. In 1998, the area was upgraded to Usangu Game Reserve. Then, in December 2007—more than 10 years before the REGROW Project was approved—the Usangu Game Reserve was merged with RUNAPA under Government Notice (GN) #28.

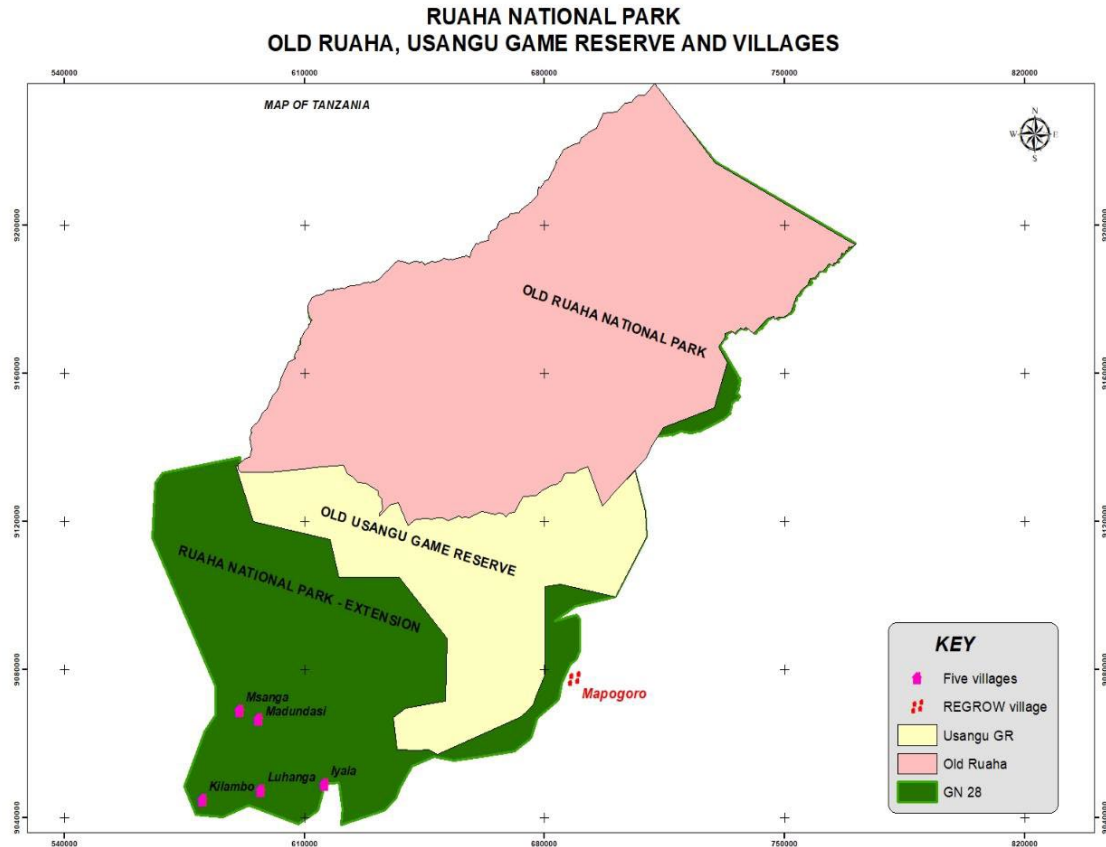
23. *The laws of Tanzania do not allow people to live within national parks. Therefore, following the 2007 Park expansion, the Government began to resettle communities that found themselves inside the expanded park.* The relocation and compensation process

started in 2008, and many households moved to different parts of Tanzania. During the relocation process, around 2,000 complaints were raised, alleging insufficient compensation, and the Government suspended the relocation exercise in order to address the complaints. The Government found that 971 complaints were deemed to be valid and additional payments were made to the complainants.

24. Management understands that during a public rally on October 25, 2022, the Minister of Lands, Housing and Human Settlements Development expressed the need to resettle the remaining communities from RUNAPA. However, Management has been advised by the Government that no specific resettlement planning has been finalized, and that such resettlement plans—if any—will be tailored to the new boundaries of RUNAPA once those are set, as explained below in paragraph 26.

Resettlement Policy Framework

25. *While the Project does not require or support the physical relocation of communities, a Resettlement Policy Framework (RPF) was adopted under the Project as a precautionary measure in the unlikely event that such resettlement would become necessary for construction activities under the Project.* The RPF explicitly states that any physical displacement of *settlements* within RUNAPA would fall “*outside the REGROW Project.*” Nevertheless, the Bank agreed with the Government that the RPF would also be applied to resettlement for activities unsupported by the Project if such resettlement occurred in the same geographical area as the Project. In such event, the Government would prepare site-specific Resettlement Action Plans (RAPs) for the Bank’s review and clearance. Management is following up with the Government regarding any planned resettlement process to ensure consistency with the RPF. Management is not aware of any communities having been resettlement from the Project area since the inception of this Project nor of any specific plans for relocations, as discussed in the Request.



Map 1. Ruaha National Park after the expansion in 2007 under GN28, incorporating the game reserve and the park extension. Also shown are the five villages cited in the Request, as well as villages outside the park supported under the REGROW Project.

26. *A nationwide program to review and harmonize park boundaries is currently being carried out by the Government across the country and independent of the REGROW Project. The outcome of this process, which is currently underway, may address many of the Requesters' concerns.* For RUNAPA, the Government stated in May 2023 its intention to reduce the Park's size and provide land to local communities. The Minister of Natural Resources and Tourism stated in a ministerial statement to Parliament (reproduced in Annex 2) that the Government was preparing a new GN that would alter the boundaries of RUNAPA with the intention of (a) allocating approximately 34,000 hectares of the park area to local villages/communities for their own use, (b) removing an additional 900 hectares from the park area for grazing activities, and (c) completing the valuation of citizens' properties in some areas of Mwanavala village so that they could be compensated and resettled. Hence, the upcoming GN may provide clarity with regard to regularization of villages in RUNAPA and to any potential resettlements that may result from that determination, which then would have to be planned and prepared in accordance with the RPF.

27. ***The planned activities to alter boundaries of the Park fall outside the scope of the Project, and further detail will be available once the GN is issued.*** As per the Government's agreement, the Bank will require the development of site-specific RAPs for any resettlement from the Mwanavala area for the Bank's review and clearance. To the Bank's knowledge, no plans have yet been finalized, and no communities have been resettled to date. The Bank has written to the Government to reiterate the process agreed and prescribed under the RPF. The Bank will closely follow up with Government to ensure that if any such resettlement does occur in the future, the RPF is applied.

Alleged extrajudicial killings

28. ***Management is alarmed to learn of the alleged extrajudicial killings and other abuses alleged in the Request. On being informed of them, Management immediately met with TANAPA on April 23, 2023 and requested additional information. Management also requested additional information from the Requesters' advisors. While the Bank dispatched a team comprised of social and environmental specialists to the Project sites on April 21–30, 2023 the allegations cannot be investigated or addressed further by the Bank and need to be reported by the affected community members to the relevant judicial and administrative authorities in Tanzania for action, including criminal investigation.*** Nothing in the Request, in related communications from the Requesters' advisors, in the responses from the Government, or in the Bank's own reviews provides any indication that the abuses alleged in the Request occurred because of the Project, or that they were the result of Bank policy non-compliance.

29. ***The*** Bank is engaging with the Borrower to request that necessary steps be taken to investigate and address the alleged incidents of unauthorized use of force and extrajudicial killings, with appropriate disciplinary action or referral to the appropriate authorities if warranted. Management notes that the confrontation described in the Request, which is supported by documentation, confirms that a Government investigation is in progress and that the investigation is focused on assessing the appropriateness of the TANAPA rangers' conduct.

30. ***Project Component 1—which is helping to enhance park management capacity—cannot plausibly be linked to the alleged abuses. The Project has neither helped issue regulations permitting an aggressive approach to infractions, nor has the Project funded equipment that would encourage such an approach.*** Component 1 is limited to supporting the provision of basic park monitoring and patrolling equipment (e.g., tents, uniforms, vehicles, binoculars, first aid kits, billhooks) for the four national protected areas under the Project, including RUNAPA. It has not, however, financed the helicopter surveillance cited in the Request.

Alleged seizures of cattle

31. ***The alleged seizures of livestock by TANAPA rangers are also unrelated to Bank policy non-compliance; rather, they result from the regular enforcement of Tanzania's national law requirements.*** The REGROW Project did not support the development,

application, or enforcement of these laws. Cattle seizures are governed by the laws of Tanzania, and in particular the Wildlife Conservation Act of 2009, which forbids grazing of livestock in National Parks. The law gives park rangers authority to enforce these prohibitions, including through cattle seizures in specific circumstances. To the extent that park rangers contravene applicable Tanzanian law, the appropriate recourse is for the alleged cattle seizure incidents to be reported to the relevant authorities in Tanzania for review and action.

32. Management notes that the seizure of livestock and imposition of fines is governed by Tanzanian law and by the judicial system, and that such fines are not determined by TANAPA or park rangers on their own.

Livelihood restrictions

33. *The Request incorrectly points to the alleged cattle seizures as evidence that the Project failed in its objective to provide support for the livelihoods of local communities. Of course, the enforcement of penalties, including through cattle seizures, can have an adverse impact on the livelihood of herders.* However, the Requesters conflate these law enforcement activities, which aim to protect the National Park, with the Project activities aimed at providing economic support to communities outside the Park. The two are unrelated. Cattle grazing in protected areas is prohibited by Tanzanian law, which allows park rangers to seize cattle grazing illegally in some circumstances, by following the applicable legal regulations. The Project's economic livelihood activities are focused on communities living adjacent to the park and do not cover communities living *inside* the park. The Project's objective to support communities' livelihoods does not extend to supporting illegal activities, such as unpermitted grazing in the park.

Alleged failure to apply Operational Policy (OP) 4.10

34. *The Requesters allege a failure to apply OP 4.10 on Indigenous Peoples under the Project, with which Management disagrees. The Bank's Indigenous Peoples Policy was not applied to this Project because no people qualifying as indigenous under Bank policy were present in the Project area.* The phrase "Indigenous Peoples" (IP) has a specific meaning under OP 4.10, which includes a requirement that the people in question have collective and ancestral attachment to the territories and habitats in the Project area.² Yet the groups mentioned in the Request (Maasai, Sukuma and Datoga) were found not to satisfy this criterion as confirmed by analysis carried out by the Bank during Project preparation. Those groups have been migrating to the RUNAPA area since the 1970s for economic reasons. Accordingly, although these groups have ancestral ties to other parts of the country, they do not possess such ties to the territories and habitats in the Project area. This determination was based on the screening conducted by the Bank in 2016, and confirmed by a Vulnerable Groups Rapid Assessment in 2017. Since OP 4.10 was not triggered, the Project was not required to seek broad community support, as required by

² OP 4.10 – Indigenous Peoples, para. 4(b).

the policy. Nevertheless, the Project did carry out robust consultations of local communities in a culturally appropriate manner.

Grievance Redress Mechanism (GRM) and Community Consultations

35. The Project prepared a stakeholder engagement plan and since February 2020, a total of 222 targeted consultations have been conducted. More than 7,000 people were consulted around RUNAPA between October 2021 and June 2023. These include communities, Water Users Associations, Irrigators Organizations, farmers, livestock keepers, and civil society and nongovernmental organizations (CSOs/NGOs). Consultations have included 3,500 rice farmers from Mbarali District, covering 13 villages.

36. During Project preparation, a Vulnerable Groups screening was conducted to determine whether any of the vulnerable groups met the criteria of OP 4.10 on Indigenous Peoples. These consultations were led by a qualified specialist and consultants with expertise on IPs.

37. ***Field visits and consultations were conducted in three regions: Morogoro, Iringa and Mbeya, which cover the general landscape of the REGROW Project.*** In Morogoro region, four districts' headquarters were visited: Mvomero, Morogoro Rural, Kilosa, and Kilombero. In Iringa region, two districts were visited: Iringa Rural and Kilolo. In Mbeya, Mbarali district was visited. This was then followed by village/hamlet level consultations with the respective village government and representatives from the groups of interest. Consultations in these villages collected information on the history, livelihood, and socioeconomic setting, and any issues raised were recorded.³

38. ***The Project has a functioning GRM for receiving Project-related complaints.*** This GRM is known to the communities, and Grievance Redress Committees (GRCs) have been set up. Since the launch of the GRM and training of the GRCs, which took place between June and August 2022, grievances have been received, processed, and resolved. The grievances received to date have concerned leopard collaring,⁴ delay of payments to contract workers, and pursuit of local community employment opportunities.

39. ***The Bank team has also been conducting periodic implementation support missions, during which it has consulted local communities and solicited views on the Project.*** Such missions will continue. In addition, Management will set up a dedicated hotline through which community members can contact the Bank team directly, if they so wish.

³ These consultations included local Maasai, Sukuma and Datoga community members.

⁴ Wildlife collars are used to collect animal location data (GPS) at set time intervals. This data is then received through satellite communication, which allows wildlife authorities to continuously monitor the collared animals, helping to understand their space use, activity patterns, and threats they face, in order to help protect them.

Bank Management has also raised with the Government the necessity of protecting complainants, victims, and witnesses from any form of threat, intimidation or reprisal.

The World Bank does not tolerate reprisals and retaliation against those who share their views about Bank-financed projects, as confirmed in the Bank's Commitments Against Reprisals, which is publicly available. The Bank has requested the Government to remind the partners involved in the implementation of the REGROW Project, in particular the implementing authorities, of the importance of this matter. Although not related to the Project, the Bank also notes that the judicial system provides an additional avenue for communities to raise concerns they may have regarding the Government's plans, as illustrated by the claims brought by 852 smallholders before the Tanzanian courts and referred to in the Request. **Actions**

40. ***In Management's view, the Project has followed Bank policy requirements to date.*** The Bank is committed to supporting the Government in fully implementing this Project in accordance with the Bank's environmental and social policy requirements. In that context, and within the confines of the Project's scope and the Bank's mandate, the Project will put additional emphasis on the following activities:

- ***Alleged cases of abuse.*** The Bank has requested the Borrower to review the alleged incidents of abuse and excessive force to determine if misconduct by park rangers has occurred that requires disciplinary or judicial action. Although deemed unlikely, if any cases are found to be related to the Project, the Bank will take immediate action to address them.
- ***Cattle seizures.*** The Bank has requested clarification from the Government regarding the lawful application of the provisions that govern cattle seizures, and also whether robust provisions are in place to avoid potential abuse by individual rangers.
- ***Resettlement.*** Upon release of the upcoming GN, which will set the revised boundaries of RUNAPA and specify whether any resettlement from RUNAPA is indeed envisaged, the Bank will re-confirm with the Government the applicable process prescribed under the RPF, including the Government's agreement to produce site-specific RAPs for the Bank's review and clearance.
- ***Process Framework.*** The Bank will review the Project's Process Framework and require the Borrower to update its provisions as may be found necessary, including by considering the concerns raised in the Request.
- ***Code of Conduct.*** The Bank will review the Code of Conduct applicable to RUNAPA rangers and request the Borrower to adopt additional measures if necessary. The Bank will also require that the Borrower ensure that rangers active in the Project area undergo periodic and targeted training based on the Code of Conduct.
- ***Grievance Redress Mechanism.*** The Bank will review the GRM's performance and help ensure that communities are aware of the possibility of raising concerns

of a confidential nature. Management will require the Borrower to make adjustments, as recommended by the review. In addition, Management will set up a dedicated hotline through which community members can contact the Bank team directly, if they so wish.

Conclusion

41. ***Management has carefully reviewed the issues raised by the Requesters and does not agree that any of the alleged harm stems from non-compliance with Bank policy.*** Management believes that the Bank has complied with its policies and procedures applicable to the matters raised by the Request. As a result, Management believes that the Requesters' rights or interests have not been, nor will they be, directly and adversely affected by a failure of the Bank to implement its policies and procedures.

42. ***In Management's view, the allegations raised in the Request for Inspection, though very serious, are not related to questions of compliance with Bank policy.*** Management considers that there is no basis for the Requesters' assertion that the alleged harm is related to Bank compliance with its policies and procedures, as required by the Inspection Panel Resolution. Instead, in Management's view, the Requesters' reports of abuse relate to issues and concerns arising outside the scope of a Bank-financed project and which are, therefore, beyond the scope of Bank environmental and social safeguards and other policies. Management reiterates its concern that the Requesters are seeking relief that is not available under the Panel process. The Requesters seek help from the Bank in "holding the Government accountable," in lieu of the "Tanzanian judicial system," which is not within the mandate of the Bank.

ANNEX 1
CLAIMS AND RESPONSES

No.	Claim	Response
1.	<p>During the implementation of the project, communities living near Ruaha National Park (RUNAPA) - one of the target areas - have been pressured to leave their ancestral land, through the threat of forced evictions, as well as extrajudicial killings, and livelihood restrictions. These have been carried out by the government to force communities away from the area to expand RUNAPA's boundaries and is inextricably linked to the REGROW project.</p>	<p><i>The Request concerns the ongoing conflicts between pastoralist communities and nature conservation efforts undertaken by the Government. These conflicts are longstanding and widespread; they predate the REGROW Project by decades and go well beyond the Project area. At the core, the Request highlights the communities' desire to settle and graze within the protected areas, which the Government has prohibited by law.</i></p> <p><i>Management wishes to make several clarifications regarding statements made in the Request, as follows:</i></p> <p><i>(i) The Request does not relate to communities living <u>near</u> RUNAPA but rather communities that have settled <u>inside</u> RUNAPA's boundaries as designated by the Government in 2007.</i></p> <p><i>(ii) The expansion of RUNAPA was decided in 2007—a decade before the REGROW Project—and the REGROW Project does not include support for the Park's expansion process. Hence, the Park expansion cannot plausibly be characterized as “inextricably linked” to the Project, as the Request claims.</i></p> <p><i>(iii) RUNAPA cannot be described as the “ancestral land” land of the cited groups, since they have only recently migrated into these areas for economic reasons.</i></p> <p>Two areas adjacent to RUNAPA (the Utengule Swamps Game-Controlled Area and the Usangu Game Reserve) have had the status of a protected area since before the country's independence, and living in them was prohibited. In 2007, under GN#28, the Government converted both areas to National Park status, bringing these areas into the boundaries of RUNAPA and under the authority of TANAPA. The change was intended to allow better and more consistent management of the protected areas. Both areas contain wetlands of high biodiversity, commercial and hydrological value. They are attractive for local farmers, large-scale agribusiness, and cattle herders, and are essential for water supply and energy for the southern region of Tanzania. The area has seen an influx of people from other parts of the country since the 1970s. The former Game-Controlled Area also has some dryland which is attractive for pasture. Together, these pressures have led to tensions and conflict over access to land, pasture, and water among</p>

No.	Claim	Response
		<p>farmers, pastoralists, hunters, fishers, on the one side, and conservationists on the other.</p> <p>The Government's RUNAPA extension is not part of the Project. No relocation has been necessary or is planned for Project activities. To support park management and oversight activities, the Project established several provisions to ensure consistency of Government actions with Bank policy. This included (a) an extension of the RPF beyond Project activities to cover any resettlement within the Project area; and (b) a Process Framework to guide TANAPA's outreach to and engagement with local communities.</p> <p>No relocations are needed for the Project and the Government has not, to the Bank's knowledge, resettled any communities from the Project area since Project inception. Furthermore, the Government has agreed to follow the Bank's RPF for relocations that may take place in the Project area within the life of the Project.</p> <p>No restrictions of access are foreseen within the Project. The REGROW project is not designed to enforce existing boundaries or introduce new restriction of access to the PAs. However, through the construction of infrastructure such as additional ranger posts and roads, and provision of equipment, the PA authorities will have better ability to detect illegal uses of resources (illegal tree logging, waste dumping, illegal farming or grazing, etc.). For this reason, a Process Framework (PF) has been prepared, and will, in part, be applied as a precautionary measure to the extent surveillance activities would marginally contribute to increasing existing restrictions of access, with a focus on communities where illegal activities (in particular poaching) are prevalent, which are the ones most likely to be affected.</p>
EVICCTIONS		
2.	<p>The REGROW Resettlement Policy Framework states that the "project, by design, is not expected to cause or influence the need for any kind of resettlement." Despite this assurance, on October 25, 2022, the Minister of Land, Housing and Housing Development publicly announced that five villages ... and an additional 47 sub-villages from 14 villages will be evicted – with legal registration of the villages cancelled. She warned: "If you continue</p>	<p><i>The Request misunderstands the scope of the Project and conflates the Government's nationwide process to regularize national park borders with activities under the REGROW Project. The planned relocations are not part of the Project, but the Government has agreed to follow the Bank's RPF for relocations that may take place in the Project area within the life of the Project. The RPF includes provisions for meaningful consultation and the preparation of a RAP prior to any relocations.</i></p>

No.	Claim	Response
	<p>to be there and the village is delisted it means you are breaking the law.” These villages fall within the REGROW project area as they are adjacent to RUNAPA.</p> <p>This has led to confusion and fear among the communities in the impacted villages regarding the evictions, which are reportedly due to imminently begin. In response, 852 smallholder farmers from Mbeya have filed a case in the High Court of Tanzania at Mbeya as they seek to stop the government’s plans to evict them from their land. Critically, the government did not follow the steps required by the World Bank, including to “prepare and implement a Resettlement Action Plan (RAP), subject to World Bank review and clearance.” The World Bank’s failure to ensure meaningful consultations with affected communities and the lack of preparation of the Resettlement Action Plan (RAP) could cause significant harm due to physical and economic displacement of the affected communities. The forced evictions, which were planned under severe retaliation threats, have created a sense of constant fear and are likely to inflict considerable harm to the affected community members.</p>	<p>The Government agreed to apply the RPF to resettlement for activities unsupported by the Project if such resettlement occurred in the same geographical area as the Project. The Bank agreed to review and provide comments on any RAP that the Government would produce in such circumstances.</p> <p>The Government’s October 2022 announcement cited in the Request relates to the Government’s plans to implement the 2007 GN bringing two protected areas into RUNAPA. As discussed above, those activities are not part of or induced by the Project. In addition, as explained above, housing and other human activities in this area had been restricted by law since before the country’s independence.</p> <p>In sum, the conversion of two protected areas to National Park status was neither required nor supported or financed by the Project. Still, although beyond the scope and footprint of the Project, the Government agreed to apply Bank standards to address any legacy resettlement.</p> <p>The Project has not received any other complaints related to the actions in the Request. The Project has a functioning GRM for receiving Project-related complaints. This GRM is known to the communities, and GRCs have been set up. Since the launch of the GRM and training of the GRCs that took place between June and August 2022, grievances have been received, processed, and resolved by it. The grievances received to date have concerned leopard collaring, delay of payments to contract workers, and pursuit of local community employment opportunities.</p>
EXTRAJUDICIAL KILLINGS & HUMAN RIGHTS ABUSES		
3.	<p>It is alleged that over the past few years, park rangers have been responsible for several extrajudicial killings of villagers living adjacent to RUNAPA. The REGROW Implementation Status & Results Report from December 2022 indicates that “the Project continues to enhance park management capacity and measures and has provided equipment that are being used for patrols...” As such the ranger force allegedly responsible for extrajudicial killings receives direct support from the project.</p>	<p><i>Management is alarmed to learn of the extrajudicial killings and other abuses alleged in the Request. On being informed of them, Management immediately met with TANAPA on April 23, 2023 and requested additional information. Additional information was also requested from the Requesters’ advisors.</i></p> <p><i>While the Bank dispatched a team comprised of social and environmental specialists to the Project sites on April 21–30, 2023 the allegations cannot be investigated or addressed further by the Bank and need to be reported by the affected community members to the relevant judicial and administrative authorities in Tanzania for action, including criminal investigation. Nothing in the Request, in related communications</i></p>

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		<p><i>from the Requesters' advisors, in the responses from the Government, or in the Bank's own reviews provides any indication that the abuses alleged in the Request occurred because of the Project, or that they were the result of Bank policy non-compliance.</i></p> <p>The Bank has received no reports of assaults or murder other than in the Request and related communications. The Bank has tried to obtain further information, including through Project missions, consultations with local communities and communications with the Requesters' advisors. The Project team has followed up with the PCU and interacted widely with communities around RUNAPA during the November 2022 and April 2023 missions, and no allegations of threats, intimidation, extra-judicial killings, retaliation, or any other violence have been received, nor have such reports been found by our media scanning.</p> <p>Any abuses by Government officials, if substantiated, would be subject to relevant national review and legal enforcement, but such review and enforcement fall outside the scope of the Bank's mandate. Rangers are required to follow TANAPA's Code of Conduct, which governs the use of force and includes sanctions for any misconduct.</p> <p>Under Component 1, the Project has supported provision of basic park monitoring and patrolling equipment (e.g., tents, uniforms, vehicles, binoculars, first aid kits, flashlights, sleeping bags, night vision goggles, water bottles, headlights, raincoats, and mobile mapper, billhooks) for the four national protected areas under the Project, including RUNAPA. It has not, however, financed the acquisition of any weapons or any helicopter surveillance.</p> <p>Notwithstanding the above, in an effort to respond to the Requesters' concerns, Management intends to continue to engage with the Government to ensure that rangers active in the Project area undergo periodic and targeted training based on the applicable Code of Conduct and legal requirements.</p>
4.	On April 23, 2021, RUNAPA rangers reportedly shot and killed a fisherman named [red.]. The same day, rangers allegedly killed two herders, [red.] (25) and [red.] (14). Member of Parliament (MP) for Mbarali, [red.], called for investigation into the involvement of RUNAPA rangers in these murders as	Should these allegations be substantiated, they should be reported to the relevant authorities in Tanzania for review and action, as appropriate in accordance with GN#590, which governs the conduct of TANAPA rangers.

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	<p>well as the circumstances of the death of [red.] (32) and the disappearances of [red.] and [red.]. A report compiled by the community organization Chama Cha Wafugaji Tanzania (CCWT) in April 2022 documented these killings in addition to naming six additional murders allegedly committed by RUNAPA rangers since 2017 (see attached).</p>	
5.	<p>On May 6, 2023, a helicopter carrying six Tanzania National Parks Authority (TANAPA) armed rangers made a surprise landing in [red.] village in the Mbarali district of Tanzania. Three Maasai women were brutally assaulted by the rangers. On May 11, 2023, the Mbarali MP [red.] alerted the Tanzanian National Assembly of these events and detailed the severity of the situation. According to Mr. [red.], “They [TANAPA rangers] burnt a bush knife. When it got hot, they beat them with it. They peel the whole body with it. They were beaten and tortured badly.”</p>	<p><i>The Bank is not in a position to verify the accuracy of the statements. A forensic investigation of the incidents would be required, which is outside the mandate of the Bank and is solely the responsibility of the national authorities.</i></p> <p>The following background on this incident is included for further context only. A Member of Parliament reported these allegations to the House and requested immediate follow up by the Government. The Government investigated this incident and issued a ministerial statement to Parliament on May 15, 2023 which determined that:</p> <ul style="list-style-type: none"> - Rangers landed at Mwanavala village (which is 20km inside RUNAPA) as part of a regular patrol. The rangers encountered herders with livestock and attempted to apprehend them, leading to a confrontation in which both rangers and herders were injured. No assets were seized. All injured citizens were taken to hospital and received treatment, which was covered by TANAPA; - There is no proof of women being stripped of their clothes by the rangers as stated in Parliament by the Honorable Member of Parliament; - In accordance with the Wildlife and Forest Conservation Service General Orders 2021 (GN#590), the conduct of the rangers involved in this incident is currently under investigation by the Police.
CATTLE SEIZURES		
6.	<p>The REGROW Project Information Document states that the “Project will assist the GOT in addressing rural poverty which has been persistent in and around the country’s parks and game reserves.” Towards this goal, a component of the project is devoted to</p>	<p>Component 2 of the REGROW Project is focused on strengthening alternative livelihoods for targeted communities in proximity to the four priority protected areas via (a) improving the governance framework of conservation-related community-based initiatives (such as cultural tourism, capacity building, outreach), (b) enhancing alternative community livelihoods by</p>

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	“enhancing local economic benefits from tourism.”	improving economic opportunities and linking them with conservation of wildlife and landscapes, and (c) skills development for local access to jobs in tourism and conservation.
7.	<p>Over the past two years, instead of supporting communities living adjacent to protected areas, government agencies have been seizing cattle in large numbers and auctioning off the animals to the severe detriment of pastoral livelihoods. Given the critical role cattle play in the livelihoods of pastoralists, these seizures have decimated families economically and are being done to force pastoralists to find alternative livelihoods or leave the area entirely. In September 2022, RUNAPA’s Assistant Conservation Commissioner, [red.] openly admitted: “We have captured 12,758 cattle in the park in year 2021/2022,” and that “We collected over TShl.2 billion... [pastoralists] pay these fines very fast. They could bring loads of money if we told them to.”</p>	<p><i>The Request conflates Project activities aimed at providing economic support to communities outside the Park with law enforcement activities to protect the Park, which have an adverse impact on illegal economic activities. The two issues are unrelated. In any event, cattle seizures in and of themselves are not evidence of Bank policy non-compliance. Cattle grazing in protected areas is prohibited by Tanzanian law, and national law allows park rangers to seize cattle engaged in illegal grazing in some circumstances.</i></p> <p>Cattle seizures are governed by the laws of Tanzania, and in particular the Wildlife Conservation Act of 2009, which forbids grazing of livestock in National Parks. The Act gives rangers authority to enforce these prohibitions, including through cattle seizures in some circumstances. Rangers are mandated under the Act to apprehend any poacher or cattle grazer in the park and are authorized to pursue legal action by transferring suspects to the regular police for prosecution. Their actions are governed by GN#590, which covers the use of force and sanctions for any violations. To the extent that rangers contravene Tanzanian law, the alleged cattle seizure incidents are reported to the relevant authorities in Tanzania for review and action, as appropriate.</p> <p>The seizure of livestock and Imposition of fines is governed by Tanzanian law and by the judicial system—fines are not determined by TANAPA or park rangers on their own.</p> <p>The Project does support livelihoods of nearby communities living outside the park. As of June 2023:</p> <ul style="list-style-type: none"> - 522 students (326 men and 196 women) from Ruaha, Udzungwa, Nyerere, and Mikumi villages have been awarded scholarships and enrolled in conservation- and tourism-related courses at various colleges in the country. - Start-up and capitalization of 162 community conservation groups, with 3,158 members (835 men and 2,323 women) in 15 initial villages. These groups are engaged in various income-generating activities (livestock fattening, bee keeping, poultry farming, cultural tourism, rice farming, etc.).

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		<ul style="list-style-type: none"> - Improvements in irrigation schemes in Mbarali District. - Support for employment by contractors of local community members in ongoing subprojects under the REGROW Project. - Support for regularization of tenure for local communities through acquisition of collective Certificates of Customary Right of Occupancy.
8.	<p>During the aforementioned TANAPA ranger violence in [red.] and [red.] on May 6, 2023, rangers also seized 250 cattle from a pastoralist, under the false pretense the cattle were encroaching on the nearby RUNAPA. This seizure is contrary to the Bank's claims all seizures have been done within RUNAPA. The rangers soon confronted another pastoralist, who would not allow his cattle to be taken. In response, he was severely beaten, suffering a large cut on his head that required hospitalization. A police medical report that specifically notes rangers were responsible for the attack is attached.</p> <p>Testimony of MP [red.] detailing the violence and cattle seizure on May 6, 2023, is available here: https://www.youtube.com/watch?v=k6tZCo4ZVIg</p>	<p><i>As noted in Box 7, allegations of cattle seizures do not in and of themselves indicate Bank policy non-compliance, because cattle grazing in national parks is unlawful and the Project does not focus on cattle grazing specifically. In addition, to the extent that the Request alleges cattle seizures or ranger patrols outside the national park, these activities fall outside the scope of the Project.</i></p> <p><i>Moreover, as noted above, the Government investigated this incident and issued a ministerial statement to Parliament on May 15, 2023. The investigation determined that the incident occurred in the course of regular patrols by park rangers, and that no livestock were confiscated. As noted above, the incident is currently under investigation by the police, in accordance with the Wildlife and Forest Conservation Service General Orders 2021 (GN#590).</i></p>
9.	<p>Several large cattle seizures from September to December 2022 alone include:</p> <ul style="list-style-type: none"> - September 14-24, 2022— 3,492 cattle were seized in an 11-day period, allegedly for grazing within the Ihefu wetlands. Owners were forced to pay fines for the return of their cattle. - November 22, 2022— RUNAPA rangers seized 172 cattle in Mbarali district, belonging to [red.]. Even though Mr. [red.] showed up and the Mbarali district court issued an injunction stating that the cattle should not be auctioned off, the 	<p><i>Again, cattle seizures do not necessarily indicate Bank policy non-compliance, because cattle grazing in national parks is unlawful. Fine amounts for the return of cattle are set by the Tanzanian courts, not by the park rangers, TANAPA, or the Project.</i></p> <p>The Project GRM has not received any complaints relating to cattle seizures.</p> <p>The Project does not participate in Government law enforcement activities, other than equipping rangers with basic equipment to support park oversight and management activities.</p>

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	<p>cattle were still sold.</p> <ul style="list-style-type: none"> - December 2, 2022— 93 cattle from [red.] village (located south of RUNAPA) belonging to two pastoral families were auctioned off with the permission of the Mbarali district court. - December 7, 2022— Rangers captured 293 cattle including 280 belonging to [red.] a [red.] in [red.] informed the [red.] Village Executive Officer about seizure of his cattle and hired an advocate. On December 12, 2022, the court ordered him to pay a fine and get back his animals. - December 19, 2022— Rangers captured 140 animals at [red.] area within RUNAPA. Despite attempts of the owner to pay to reclaim his animals, on December 22, 2022, the district court ordered the 138 animals to be auctioned as unclaimed. <p>During these seizures, pastoralists reported extreme cruelty practiced by the rangers in some cases. A pastoralist in Mbarali district detailed his experience with a cattle seizure to our research team.</p> <p>“Rangers captured my herd of cattle on September 21, 2022. The rangers assaulted me badly. I, as the owner of the animals, had no option but to follow the impounded livestock. I was severely beaten. I felt like dying. They forced me to cut and pull thorny branches and make a cattle holding corral. Then I was forced to stare at the very hot sun. The animals were also tortured. They did not eat or drink water for six days. Those were severe punishments.”</p>	
PREVIOUS CONTACT/BANK RESPONSE		
10.	On April 5, 2023, the Oakland Institute sent a letter to several World Bank staff members* sharing the concerns detailed	<i>Far from dismissing the Oakland Institute’s allegations, the Bank promptly acknowledged receipt</i>

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	<p>in section 1 and requested information on what steps would be taken in response (see attached). On May 18, 2023, the World Bank shared the outcome of their field mission visit. In their response, the World Bank task team completely failed to take responsibility for the abusive actions enabled by the government's funding and did not indicate any further action to be taken. Below, we have included details of a rebuttal that was sent to the World Bank on May 30, 2023 in response to the May 18, 2023 communication.</p>	<p><i>of the letter from the Requesters' advisors and began investigating the allegations in relation to the Project.</i></p> <p>The complaint was referred to and registered with the Bank's corporate Grievance Redress Service. The issue was elevated to Management and addressed with diligence. The Bank responded to the issues raised by the Oakland Institute based on the facts available from the Project's GRM, Project implementation support activities, missions and public reports. The Bank undertook a field mission in April 2023, in which it investigated the issues raised in the Oakland Institute's letter. The Bank's response to Oakland Institute also included new information that the Bank team had sought and received from the Government relating to the complaint.</p> <p>The Bank's response indicated that the team would continue to monitor and supervise the Project's compliance with the relevant requirements of the Bank's environmental and social safeguard policies applicable to the Project, and actions to deepen awareness of the GRM for communities in the Project areas.</p> <p>The Bank also invited Oakland Institute to share further information to allow the Bank to continue to raise specific issues with the Government.</p>
11.	<p>Evictions. First, as mentioned previously, the government publicly announced on October 25, 2022, that it will carry out evictions to allow for the expansion of the Ruaha National Park (RUNAPA). The Bank replied, "to the extent that the government is pursuing evictions for purposes of extending park boundaries, such activities would fall outside the scope of the Project." The Bank attempted to justify these evictions by claiming: "The extension of the RUNAPA boundaries was approved by the National Assembly on November 14, 2007 and was assented to by the President of Tanzania on December 15, 2007, through Proclamation Government Notice (GN) number 28. This extension decision predates the World Bank-supported Project." The World Bank, through REGROW, provides direct material support to the government for management of</p>	<p><i>See response in Box 2 above. The Park extension process is not part of the Project. Nor do Project activities require or involve any involuntary resettlement. To the Bank's knowledge, no communities have been relocated from the Project area to date. The Government has agreed to follow the Bank's RPF for relocations that may take place in the Project area within the life of the Project.</i></p> <p>The Government plans are still evolving. In May 2023, the Minister of Natural Resources and Tourism stated in a ministerial statement to Parliament (Annex 2) that the Government was finalizing a new GN that would alter the boundaries of RUNAPA with the intention of (a) allocating approximately 34,000 hectares of the park area to local villages/communities for their own use, (b) removing an additional 900 hectares from the park area for grazing activities, and (c) completing the valuation of citizens' properties in some areas of Mwanavala village so that they could be compensated and resettled. The planned activities to alter boundaries of the Park fall outside the scope of the Project, and further detail will be available once the GN is issued.</p>

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	<p>RUNAPA as well as policy and institutional support. The government's announced evictions are set to occur to expand RUNAPA, working towards the REGROW Project goal of improving tourism assets in priority areas of Southern Tanzania. The fact that the government has a history of attempting to cancel the legal registration of villages in order to expand RUNAPA does not clear the World Bank of responsibility. Instead, this should have triggered internal alarms that implementing the REGROW Project near RUNAPA could result in evictions taking place that would devastate thousands of livelihoods during the Project. Since the initial announcement in 2007, the evictions had been tabled. In 2020, former President Magufuli called GN 28 a "a serious blunder" and promised that "this will never happen." However, Magufuli did not cancel GN No. 28 and died with his promise in March 2021.</p>	
12.	<p>RAP. The October 25, 2022 eviction announcement therefore shocked the impacted villages. Crucially, these eviction plans were renewed during the REGROW project are within the project area. Consequently, the government should be "obliged to submit a Resettlement Action Plan (RAP) for the World Bank's review and approval," as prescribed by the REGROW Resettlement Policy Framework. The Tanzanian government's failure to do so, as well as the Bank's decision to not uphold this requirement, is a blatant violation of the Bank's own safeguards. Furthermore, it makes the Bank's commitment to address systematic failures in preventing forced displacements, an empty promise.</p>	<p><i>See response in Box 2.</i></p> <p><i>The Park extension process is not part of the Project, nor do Project activities require or involve any involuntary resettlement.</i></p> <p>Management understands that during a public rally on October 25, 2022, the Minister of Lands, Housing and Human Settlements Development expressed the need to resettle remaining communities from RUNAPA. However, Management has been advised by the Government that no specific resettlement planning has been finalized, and that such resettlement plans—if any—will be tailored to the new boundaries of RUNAPA once those are set.</p> <p><i>No resettlement of communities from the Project—which would require the production of a RAP for the Bank's review and clearance—has taken place to date to the Bank's knowledge. Hence the non-compliance alleged in the Request is incorrect.</i></p>
13.	<p>Grievance Mechanism. Third, the Bank claimed the grievance mechanism has not received any complaints related to</p>	<p><i>The Request states that the smallholder farmers went directly to the High Court and did not turn to the Project's GRM. Hence, this cannot serve as evidence</i></p>

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	<p>the aforementioned allegations. This ignores that 852 smallholder farmers from the aforementioned villages facing eviction have filed a case in the High Court of Tanzania at Mbeya, to stop the government's plans to evict them from their land.</p>	<p><i>that the GRM is not working effectively, but illustrates the fact that the complainants have multiple avenues to raise their concerns and have chosen to go directly to court.</i></p> <p>The REGROW Project has a functioning GRM for receiving Project-related complaints, which has been widely promoted and communicated in the villages in the Project area. Local GRCs have been set up.</p> <p>The GRM to date has not received any complaints related to the allegations in the Request. As discussed above, the grievances received to date have concerned leopard collaring, delay of payments to contract workers, and pursuit of local community employment opportunities. The Requesters refer to cases before the Tanzanian courts, but cases before national courts are not automatically referred to Bank project GRMs. That is because not all such judicial claims are Project-related, and GRMs are not intended to be a substitute for national judicial processes.</p> <p>When the Bank received the letter from Oakland Institute, it reviewed the High Court case mentioned in the letter and found that the case does not indicate a failure of the Bank to comply with applicable policies.</p>
14.	<p>Extrajudicial killings. Fourth, the World Bank task team recommended that the "alleged incidents of extrajudicial killings should be reported to the judicial authorities for review and action." This incorrectly assumes that the Tanzanian judicial system is capable of holding the government accountable. To date, despite numerous court cases filed against the government - related to forced evictions in the name of conservation, for instance in Loliondo and the Ngorongoro Conservation Area, the courts have failed to provide redress or justice to communities. Additionally, the government has demonstrated a blatant disregard for regional human rights mechanisms, as evidenced by Tanzania's withdrawal from the African Court on Human and People's Rights in 2019.</p>	<p><i>See response in Box 3. The Requesters appear to be seeking relief that is not available under the Panel process. It is not within the mandate or role of the Bank, nor that of the Panel, to "hold the Government accountable" for alleged unlawful activity, in lieu of national courts or regional legal bodies.</i></p>
15.	<p>Relationship to project. Fifth, the Bank attempts to distance itself from the alleged abuses committed by TANAPA</p>	<p><i>See response in Box 3. The Request appears to impute to the Bank responsibility for all acts that Government counterparts might take no matter the relationship of</i></p>

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	<p>by asserting that the project's involvement is limited to "providing materials and equipment for monitoring and patrolling, specifically for wildlife monitoring. None of the materials or equipment include weapons, firearms, or similar items." This completely disregards the Bank's support to and close partnership with TANAPA - the agency responsible for overseeing the "implementation and supervision, as well as the construction and operation of project activities." The actions of TANAPA cannot be ignored merely by claiming that the project did not finance its weapons given it does provide other important material support to those responsible for the abuses.</p>	<p><i>these acts to Project activities. This is not an appropriate basis on which to consider Bank policy compliance. Abuses by Government officials, if substantiated, of course would be subject to relevant national review and legal enforcement, but such review and enforcement fall outside the scope of the Bank's mandate.</i></p>
16.	<p>Cattle seizures. Sixth, regarding the cattle seizures reported, the task team responded that "to the World Bank's knowledge, the rangers' work under the Project is conducted only within park boundaries." This claim is contrary to the aforementioned May 6, 2023, TANAPA seizure of 250 cattle in [red.] village, outside of RUNAPA's boundaries. The Bank also stated that "to the extent that park rangers contravene applicable Tanzanian law, the alleged cattle seizure incidents should be reported to the relevant authorities in Tanzania." As TANAPA rangers are perceived as law enforcement by communities near RUNAPA, villagers are very unlikely to risk reporting abuses and illegal seizures to TANAPA itself or other agencies, given fear of retribution.</p>	<p><i>As explained in Box 7, cattle grazing in protected areas is prohibited by Tanzanian law, and national law allows park rangers to seize cattle that pastoralists have illegally allowed to graze in some circumstances.</i></p> <p>To the extent that park rangers contravene applicable Tanzanian law, the alleged cattle seizure incidents should be reported to the relevant authorities in Tanzania for review and action, as appropriate. Management notes that the community has sought to resolve some of these grievances in the Tanzanian courts.</p> <p>Management takes allegations of retaliation very seriously and has advised the Government that retaliation in Bank-financed projects will not be tolerated. Moreover, the Bank team periodically engages with community members in the context of implementation support missions, during which community members are free to express their concerns to the Bank directly. To date, they have not communicated to the Bank any concerns related to the allegations in the Request.</p>
17.	<p>Bank relationship with Member country government. Finally, the response declared that "the World Bank's mandate does not extend to overseeing the conduct of Member countries' government agencies or to intervening in the event of alleged wrongdoing unrelated to a World Bank-financed</p>	<p><i>The Bank's May 19, 2023, letter to the Oakland Institute correctly stated the scope and limits of the Bank's mandate. The World Bank's mandate does not extend to policing the conduct of Member countries.</i></p> <p><i>The repeated claim by Oakland Institute that the allegations are "inextricably linked" to the Project overlooks the scope of the Project, the sequence of</i></p>

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	<p>project.” The World Bank is a major financial supporter of the Tanzanian government and through the REGROW project, is working towards increasing tourism in the Southern Circuit. The evictions, extrajudicial killings, and livelihood restrictions that we detailed are being carried out by the government to force communities away from the area to expand RUNAPA. This is without question inextricably linked to the REGROW project.</p> <p>The Bank’s response raises concerns about the accuracy of its assessment of the situation on the ground, as well as about the comprehensiveness of the inquiry itself.</p>	<p><i>events regarding the extension of the Park, and the explanations provided in Boxes 1-7.</i></p> <p>The Bank’s assessment of the situation is consistent with its policy obligations and commensurate with its mandate. As previously communicated, Management welcomes any specific information that the Requesters or others may wish to provide, which would help the Bank raise specific Project-related issues with the Government for review and clarification.</p> <p>Should evidence emerge showing the Government’s non-compliance with its obligations under the financing agreement, the Bank would consider appropriate action, including applicable remedies.</p>
18.	<p>Perceived policy violations. The aforementioned forced evictions, set to occur without meaningful consultation and disclosure of project documents, violate the following World Bank operational policies:</p> <ul style="list-style-type: none"> • Environmental Assessment (OP/BP 4.01) • Physical Cultural Resources (OP/BP 4.11) • Involuntary Resettlement (OP/BP 4.12) • Natural Habitats (OP/BP 4.04) • Forests (OP/BP 4.36) <p>The failure of the World Bank to comply with these operating procedures has led to direct harms against communities living adjacent to RUNAPA. Additionally, the planned evictions, incidents of violence and cattle seizures have impacted several Indigenous groups, including Maasai, Sukuma and Datoga pastoralists, who inhabit the project area. Despite this, the Bank failed to trigger its policy on Indigenous Peoples, causing irreparable harm to the identity, culture, and rights of the Indigenous community in the project area. No free, prior, informed</p>	<p><i>The Request has not alleged any plausible non-compliance with the Operational Policies/Bank Procedures (OP/BP) listed in the Request (OP/BP 4.01, OP/BP 4.11, OP/BP 4.12, OP/BP 4.04, and OP/BP 4.36). The Request concerns the ongoing tensions between pastoralist communities and nature conservation efforts undertaken by the Government. These tensions are longstanding and widespread; they predate the REGROW Project by decades and go well beyond the Project area.</i></p> <p>Project supervision since effectiveness has confirmed that the requirements of OP/BP 4.01, OP/BP 4.11, OP/BP 4.12, OP/BP 4.04, and OP/BP 4.36 have been met throughout the implementation of various activities. To date, the Project has prepared six Implementation Status Reports, all of which have had environmental and social ratings of Moderately Satisfactory or Satisfactory. No environmental and social issues have been raised to Management.</p> <p><i>The Project did not trigger the Indigenous Peoples Policy (OP4.10), because no IPs as defined by the Policy were present in the Project area. The phrase “Indigenous Peoples” has a particular meaning under OP 4.10 paragraph 4, which includes a requirement that the people in question have collective and ancestral attachment to the territories and habitats in the Project area. Yet the groups mentioned in the Request were found not to have collective attachment to the Project area because they had migrated to the RUNAPA area in the 1970s and later for economic</i></p>

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	<p>consultations were conducted with the affected Indigenous communities in the project area.</p>	<p><i>reasons. This determination was based on a screening conducted by a World Bank Social Development Specialist during a field visit in 2016 and confirmed by a Vulnerable Groups Rapid Assessment in 2017. (Note that the Assessment focuses on the Maasai and Barbaig. The Barbaig are the largest family in the Datoga. The Sukuma are not considered IP in Tanzania as they do not meet the conditions of OP 4.10.) The Project Decision Meeting endorsed this conclusion. The decision is summarized in the 2017 Environmental and Social Management Framework, RPF, Process Framework and the Project Appraisal Document, as recommended in the Vulnerable Groups Assessment.</i></p> <p>Because there were no IP groups, and OP 4.10 was not triggered, the Project was not required to carry out free, prior, and informed consultations leading to broad community support. Nevertheless, it did carry out robust consultations in a culturally appropriate manner. The Project prepared a stakeholder engagement plan and since February 2020, 222 targeted consultations have been conducted. While there was a pause in community interactions during COVID-19, more than 7,000 people were consulted around RUNAPA between October 2021 and June 2023. These include communities, Water Users Associations, Irrigators Organizations, farmers, livestock keepers, CSOs/NGOs, etc. Consultations have included 3,500 rice farmers from Mbarali District, covering 13 villages.</p> <p>During Project preparation, a Vulnerable Groups screening was conducted to determine whether any of the vulnerable groups met the criteria of OP 4.10 on Indigenous Peoples. These consultations were led by a qualified specialist and consultants with expertise on IPs.</p> <p>Field visits and consultations were conducted in three regions: Morogoro, Iringa and Mbeya, which cover the general landscape of the REGROW Project. In the Morogoro region, four districts' headquarters were visited: Mvomero, Morogoro Rural, Kilosa and Kilombero. In the Iringa region, two districts were visited: Iringa Rural and Kilolo. In Mbeya, Mbarali district was visited. This was then followed by village/hamlet level consultations with the respective village government and representatives from the groups of interest. Consultations in these villages collected</p>

No.	Claim	Response
		information on the history, livelihood, socioeconomic setting, and any issues raised were recorded.
19.	<p>Fear of reprisals. We expect extreme retaliation and reprisal fear for filing this complaint to the Inspection Panel. For example, after the government's violent demarcation exercise in Loliondo, Ngorongoro district, in June 2022, 24 land defenders were arrested, falsely charged with the murder of a police officer. After a six month prison sentence, the 24 were finally released and the detention was widely critiqued as without merit and politically motivated.</p> <p>During the visit by the Mission of the African Commission of Human and Peoples' Rights (ACHPR) to Ngorongoro district, Tanzania from January 23 – 28, 2023, villagers in [red.] waited for hours in vain for the Mission. [red.], a community member, courageously spoke to the gathered crowd on the dire impact of government restrictions and eviction plans, "I have become a thief in my own land. I have cows that have no food...cows being captured...Where is our future? Where is our tomorrow?" Mr. [red.] was forced into hiding after the video of him spread online as the government actively searched for him. More information on his story is available here.</p>	<p><i>While they are concerning, the Bank has no means to verify the accuracy of such general allegations. Management notes that the cases cited are unrelated to the Project and outside the Project area.</i></p> <p><i>Still, the Bank has raised this concern with the Government at the highest levels, and emphasized the absolute necessity of protecting complainants, victims and witnesses from any form of threat, intimidation or reprisal. The World Bank does not tolerate reprisals and retaliation against those who share their views about Bank-financed projects, as stated in the Bank's Commitments Against Reprisals, which is publicly available. The Bank has requested the Government to remind the partners involved in the implementation of the REGROW Project, in particular, the implementing authorities, of the importance of this matter.</i></p>

**STATEMENT OF THE GOVERNMENT REGARDING THE INCIDENT OF FIVE
CITIZENS WHO WERE INJURED BY TANAPA RANGERS IN THE RUAHA
NATIONAL PARK, MBARALI DISTRICT, MBEYA REGION**

Honorable Speaker, in accordance with Rule 56 of the Standing Rules of Parliament, February 2023 Edition, I would like to take this opportunity to provide a brief statement by the Government regarding the incident of five (5) citizens in Mbarali District, Mbeya Region being injured by TANAPA rangers on 6 May 2023.

Honorable Speaker, it will be recalled that, on May 11, 2023, after the question and answer session for the Honorable Prime Minister in Parliament, Honorable Francis Leonard Mtega, Member of Parliament for Mbarali asked for guidance from the Honorable Speaker asking Parliament to adjourn the debate to discuss the urgent issue of five citizens (5) in his constituency to be injured by TANAPA rangers. The Honorable Member of Parliament explained that TANAPA rangers arrived with a helicopter in Mwanavala village and attacked the citizens, beat them and confiscated 250 livestock. In addition, the Honorable Member of Parliament explained to the Parliament that the person whose livestock were confiscated is psychologically affected and wants to commit suicide and that relatives and friends are working to protect him against such act.

Honorable Speaker, following these allegations, the Honorable Prime Minister gave instructions to the Ministry of Natural Resources and Tourism to go to Mbeya Region to meet with the Honorable Regional Commissioner of Mbeya Region and his Committee of Defense and Security and that of Mbarali District to get the details of the issue for further action.

Honorable Speaker, in carrying out the directives of the Honorable Prime Minister, on the same day on May 11, 2023 I accompanied the Deputy Permanent Secretary, the Director of the Department of Wildlife and the Conservation Commissioner of TANAPA to Mbeya Region and on May 12, 2023 in the morning I met and held a meeting with Honorable Juma Zuberi Homera, Regional Commissioner of Mbeya Region and the Regional Security and Safety Committee, Honorable Colonel Denisi Mwila, District Commissioner of Mbarali District and the Security and Safety Committee of Mbarali District and the Leaders of the Ruling Party (CCM) Mbarali District led by the Chairman of CCM Mbarali District Comrade Mary Mbwilo.

Honorable Speaker, after the meeting, the whole team travelled to Mbarali District where I started at the offices of the Revolutionary Party and held a meeting with all the leaders, I met including the District Chairperson, the District General Secretary, all the Ward Secretaries of the Revolutionary Party and later we travelled to the area of the incident in Mwanavala village. The distance from Mwanavala village to the scene where the incident occurred is about 20km. With the previous and current boundaries, these areas are under Ruaha National Park and in all these areas there are large beacons placed by TANAPA and were clearly visible. While we were at the scene of the incident, we had a conversation with some citizens, including a citizen who, Honorable Member of Parliament, explained here in front of your Honorable Parliament that 250 of his livestock (cows) had been confiscated and two (2) goats had been killed. After that, we held a public meeting with the citizens, first to apologize for the incident that took place and to gain a common understanding regarding the incident.

Honorable Speaker, following the meeting we held with the Regional and District Security and Safety Committees, we visited the scene of the incident, and later held a public meeting of the citizens of the area who participated in large numbers, including the victims and some of their relatives, as well as Councilors including the relevant Ward Councilor Honorable Mr. Chuki Jeremiah Mbanjine, Honorable Mr. Michael Jeremia Makao, Rujewa Ward Councilor and Honorable Mr. Udes Nasoro Selemani, Igawa Ward Councilor, along with the leaders of the Ruling Party (CCM). As a result of the meetin and the visit, I would like to inform your Honorable Parliament that the following were determined: -

1. It is true that on May 6, 2023, TANAPA rangers on regular patrols arrived in Mwanavala village with a helicopter in the areas within the Ruaha National Park about 20km inside the park from park boundaries, and the area that is in areas where citizens are not allowed to enter because it is near the Ruaha River which is part of the source of water for the Mwalimu Nyerere Hydropower Dam. The rangers while on regular patrols noticed the construction of two new cattle fences inside the park against the law;
2. In the process of arresting the suspects, these citizens, who entered the park area criminally and illegally, prevented them from being arrested by throwing stones, sticks, arrows and other traditional weapons and dogs with the aim of harming them. In addition, among the traditional weapons that were fired, they threatened the security of the rangers who were in their legitimate work of conservation and damaged one of the

firearms that the rangers were carrying. The force used by the rangers to defend themselves led to injuries to the citizens and the rangers had to harm the dogs that they attacked for fear of protecting their lives.

3. After the tensions, all the injured citizens were taken to the hospital and received treatment and was covered by TANAPA and they are continuing with their activities as usual. Despite the fact that the relevant incident happened inside the park, the Ministry considered it wise to offer an apology of one million shillings to each member of the public affected by the incident.
4. **Honorable Speaker**, it should be recalled before your Esteemed Parliament that the area where this incident happened is close to the area where the killings of Conservation ranger Mr. Yusti Matei and Village Game Scout Mr. Isaya Mwambe took place a few years ago. The statistics of the Ministry show that 15 rangers have been killed and 51 others have been injured by invading citizens in various parks in the country while performing their duties.
5. **Honorable Speaker**, I would like to inform your Esteemed Parliament that there is no proof of women being stripped of their clothes by the rangers as stated here in Parliament by the Honorable Member of Parliament.
6. **Honorable Speaker**, I would like to confirm to your Esteemed Parliament that NO member of the public has been sexually abused, no livestock (250 cows) belonging to any member has been confiscated, no goat has been killed/confiscated and there is no report of anyone wanting to hang himself as stated by the Honorable Member of Parliament in your Esteemed Parliament; and
7. **Honorable Speaker**, all the rangers involved in the incident were registered with the Police following the instructions of the Government and my instructions.

Honorable Speaker, following the incident that occurred in Mbarali District, I would like to reiterate my instructions that I gave in Mbarali District as follows: -

1. All conservation officers in the country should use their expertise in controlling encroachment on the park instead of using excessive force in enforcing the law. This

includes arresting and bringing the suspects to the Law enforcement agencies so that the Law takes its course;

2. The Mbarali incident occurred within the park approximately 10km after the new boundary of the park and 20km within the old boundary very close to the Ruaha River which is the dependent river that produces reliable water in the Mwalimu Nyerere Hydropower Dam which the Government is using public taxes of more than 6.5 trillion to build it, but it is also the dependent river for drinking water and source of water in various rivers in the country. This shows that the citizens entered the area by mistake, without following legal procedures. This area is not allowed to cultivate or breed, nor the passage of citizens and this is based on the actual situation of the field as I explained above along with protecting the wetlands so that the rivers can restore their natural courses of their water flows as I explained.
3. **Honorable Speaker**, I have pleaded with the people and I ask you to allow me to continue to plead with the people to follow all the laws and procedures of the legally protected areas in the interest of all Tanzanians in general of present and future generations. May I continue to plead with the Honorable Members of Parliament to help us, help each other in providing education about the importance of these protected areas;
4. All conservationists in the country should involve Party and Government leaders in resolving conflicts between citizens and protected areas, including providing conservation education to the people around those areas; but they should realize that the citizens are the number one conservationists so they should improve the relations between themselves and the conservationists and every conservation leader in his area will be measured by the way he cooperates with the citizens in their areas. So, they should strengthen their relations with the people and the villages bordering the park.
5. All conservationists in the country should continue to strengthen patrols, set protected areas boundary markers, put up posters and clear the boundaries in order to control invasions in conservation areas for the future of our country, including ensuring access to water for human use, livestock, electricity generation and agriculture in particular irrigation programs.

6. **Honorable Speaker**, I am instructing TANAPA to start the construction of a rangers post to strengthen security in the Ruaha Park.

Honorable Speaker, in order to find a permanent solution to the conflicts in this oldest park established in 1910 known as the Saba park, in 1946 it was renamed Rungwa and in 1964 when Mwalimu Nyerere agreed to call it Ruaha, the Government intends to divide the park area with the size of approximately 34,000 hectares to be used for people's development activities where the people of the respective villages will plan for themselves the best land use plan. In addition, the Government will remove 900 acres to be used for grazing activities. This week the Government will complete the valuation of citizens' properties in some areas of Mwanavala village so that other compensation procedures can continue. I would also like to inform your Esteemed Parliament that the Government has completed the installation of beacons in the new border of the Ruaha National Park.

Honorable Speaker, the Government is finalizing the process of preparing a draft Government Notice (GN) for the new Ruaha National Park and once the relevant procedures are completed, the Government through the Attorney General's Office will bring a Resolution to the Parliament to obtain Parliament's approval as per law and finally submitted the GN to the Honorable President of the United Republic of Tanzania for appropriate action.

Honorable Speaker, I humbly submit.