NON-TECHNICAL SUMMARY OF THE PANEL INVESTIGATION INTO THE TANZANIA: RESILIENT NATURAL RESOURCES MANAGEMENT FOR TOURISM AND GROWTH (REGROW) PROJECT (P150523)[1]

The Project

The REGROW Project was approved by the World Bank Board on September 28, 2017. The main objective was "*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*." The Project was prompted by the country's ambition to double tourist arrivals over the period of a decade, while the most visited tourism destinations in the *"Northern Circuit"* - including the Serengeti National Park, the Ngorongoro Crater and Lake Manyara National Park - were already showing signs of stress. Therefore, the Project focused on developing the *"Southern Circuit"*, and it covered four unique Protected Areas located in the southern area of Tanzania, including the large Ruaha National Park (RUNAPA, or the "Park").

The Project comprised four components:

- To strengthen management and improve infrastructure in the four priority protected areas.
- Strengthen alternative livelihoods for targeted communities in proximity to the priority protected areas.
- Strengthen landscape management and infrastructure investments in and upstream of RUNAPA.
- Support Project management, institutional strengthening, quality assurance and control, and monitoring and evaluation.

Requests for Inspection and Management Responses

In June 2023, the Panel received a Request for Inspection alleging that the Project had not adhered to the World Bank's environmental and social safeguard policies, and it had caused direct harm to project-affected communities. The Request stated that, in October 2022, the Government of Tanzania had publicly announced that the communities of five villages and 47 sub-villages located inside the boundaries of RUNAPA would be evicted. The Request claimed that the legal registrations of these villages would be cancelled, and the evictions were to be carried out without applying the Bank's involuntary resettlement instruments. In addition, the Request claimed the Bank had failed to trigger its Policy on Indigenous Peoples and that this was causing irreparable harm to the identity, culture, and rights of Indigenous Peoples groups in the Project area. The Request also alleged access to RUNAPA, including to grazing lands, was being restricted, at times by use of excessive force, and community members' cattle had been seized in large numbers, causing hardships for pastoralists and their livelihoods. The Panel issued its Notice of Registration on the Request in July 2023.

[1] This document is not a formal summary of the investigation. It is provided to help the understanding of the Panel's investigation into the Tanzania: Resilient Natural Resources Management for Tourism and Growth (REGROW) Project. It is not a primary source document. Readers should refer to the documents on the Panel's website for further details.

In August 2023, Management submitted its Management Response to the Panel. While recognizing the gravity of the allegations raised in the Request, Management stated that conflicts between pastoralist communities and the Government's nature conservation efforts were longstanding, widespread, predated the Project and occurred well beyond the Project area. The Response added that these actions were governed by the laws of Tanzania. Management deemed the alleged cattle seizures by TANAPA rangers as unrelated to the Project. The Response also stated that the Bank had complied with all applicable policies and procedures and Requesters' rights and interests had not been and would not be directly or adversely affected by the alleged failure of the Bank to implement its policies and procedures.

The Panel undertook an eligibility visit to Tanzania in August 2023 during which it met with Project stakeholders, including Requesters and local communities in the southern RUNAPA area. Following this visit, in its Report and Recommendation submitted to the Board of the World Bank in September 2023, the Panel determined that the claims raised regarding impacts to Indigenous communities were not plausible as the communities present in the Project area had migrated to the area many decades ago and as their villages were not on ancestral land, therefore the Bank's Indigenous Peoples Policy did not apply. The Panel also observed that no physical resettlement was taking place in the Project area at that time and was therefore not able to find a plausible link between harms resulting from resettlement and the Project. The Panel noted that the claims relating to resettlement could only be considered after the authorities redefined the Park boundary, which they were expected to do by issuing a new Government Notice (GN) and if resettlement is triggered in the area within the life of the Project.

The Panel determined that the Requesters and the Request for Inspection met the technical eligibility criteria in the Panel Resolution in relation to the allegations of violence which include the alleged forceful seizure of cattle in RUNAPA by the Project's lead implementing agency, Tanzania National Parks Authority (TANAPA). The Panel recommended an investigation into the due diligence the Bank had conducted of TANAPA's capacity and processes, and whether risks to communities had been identified, mitigation measures had been put in place, and the Bank's ongoing supervision of TANAPA was adequate.

The Panel commenced its investigation into the Project in December 2023 and conducted the first investigation visit in March 2024. While the investigation was ongoing, the Panel received a Second Request in May 2024, which reiterated the claims about involuntary resettlement that had been raised in the first Request. The Second Request alleged cattle and farm equipment seizures had escalated in the Project area and that the eviction of households was *"imminent"* and negative impacts were occurring, including from "*cruel livelihood restrictions*". It added the authorities had issued the expected new Government Notice (GN-754) on October 20, 2023, which modified the existing boundaries of RUNAPA. The Request claimed that the new boundaries left at least 23 legally registered villages inside RUNAPA, which meant that more than 21,000 people were at risk of eviction causing them serious harm. As the Second Request raised new circumstances on involuntary resettlement, including the modification of the existing boundaries of RUNAPA, the Panel recommended to the Board to include the claims related to resettlement in the ongoing investigation. The Board approved this recommendation in May 2024.

Following several Bank supervision missions, Management decided to suspend the Project in April 2024, stating that the Government had initiated preparatory activities for resettlement without following the requirements of the Resettlement Policy Framework (RPF) that had been developed for the Project. In June 2024, Management submitted a Second Management Response, which reassessed the Requesters' allegations and recognized certain weaknesses in Project design, implementation, and Bank supervision. Based on this reassessment, Management provided an "*adjustment*" to its position and a correction of errors made in its earlier response, including accepting that there had been inadequate consideration of three key Project risks, including resettlement, law enforcement and conflicts, and livelihood restrictions.

The Second Management Response acknowledged that several opportunities to address the impacts of these underappreciated risks were missed during implementation and supervision, even after the impacts of these risks had been brought to the Bank's attention. The Second Management Response cited Management's narrow interpretation of the Project's scope, which focused on infrastructure and community support activities for selected villages adjacent to the national parks. Management specifically cited failure to monitor the situation of villages susceptible to potential resettlement, inadequate appreciation of TANAPA's law enforcement role and mandate, and exclusion of villages inside the Park from the Project. The Second Management Response also admitted there was no clear basis for the Bank to assume that resettlement of villages from RUNAPA was unlikely throughout the life of the Project.

The Second Management Response acknowledged the reports of violence between TANAPA rangers and community members in RUNAPA and expressed deep concern about the serious nature of these reports. It added that many incidents could not be verified as the Project had not put in place adequate reporting systems. Management recognized that TANAPA's law enforcement mandate had been insufficiently considered during Project preparation and supervision, and that further due diligence should have been conducted so that mitigation measures to manage risks could have been put in place. On livelihood restrictions, the Second Management Response stated that the Project inadequately considered the potential impacts of improved park management on the livelihoods of communities in and near RUNAPA.

Focus of the Panel Investigation

Following the Second Request and Management's submission of its Second Management Response, the Panel expanded the scope of the investigation and undertook a second investigation visit to the Project area which took place in July 2024. Its revised Investigation Plan covered Project design, due diligence of TANAPA's capacity and operating procedures, Project implementation, and Project supervision.

Key Panel Findings

The Panel completed its Investigation Report on September 16, 2024. The investigation concluded with five findings concerning: (1) Project Scope; (2) Involuntary Physical Resettlement; (3) Involuntary Resettlement in relation to Restriction of Access; (4) Park Management and Law Enforcement; and (5) Project Supervision.

(1) Project Scope

Bank Policy requires that projects evaluate potential impacts in their area of influence, with these areas defined to include those used for livelihood activities (e.g. hunting, fishing, grazing, gathering, agriculture, etc.). The Panel observed that the Project correctly defined its area of influence as the four priority national parks and the adjacent villages supported by Component 2. The Panel also observed that the Project's support for improving park management covered the same four parks. However, the Panel observed that during implementation the Project largely focused on a smaller geographical area limited to specific infrastructure improvements within the four parks and the strengthening of alternative livelihoods for targeted communities adjacent to the parks.

In relation to Project scope, the Panel found that, although the Project had complied with Bank Policy regarding the definition of the Project area of influence, Project documents did not adequately identify the extent of human settlement within the southern part of RUNAPA – specifically, all the villages that remained within RUNAPA resulting from changes made to the Park's boundaries in 2008 (GN-28) and 2023 (GN-754). In consequence, the Panel found the Project did not sufficiently consider the social risks in the southern part of RUNAPA, including the risk of resettlement.

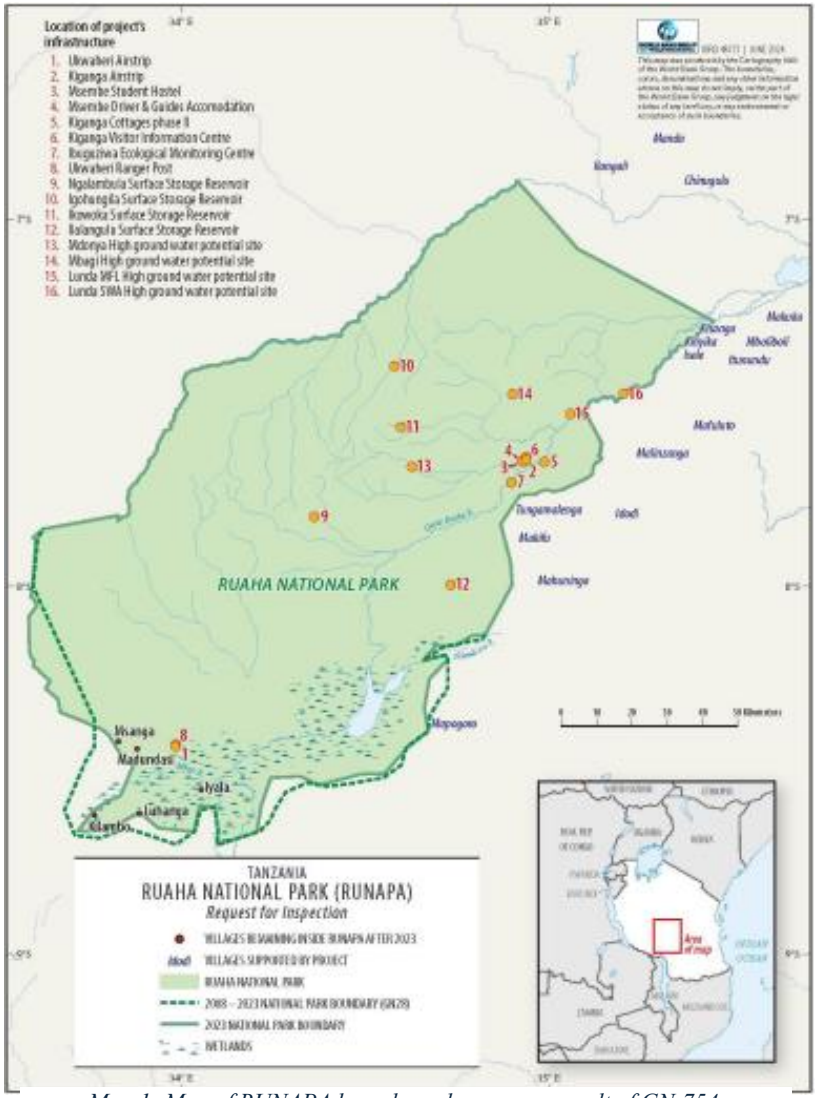
(2) Involuntary Physical Resettlement

On involuntary physical resettlement, the Panel observed that the Project was not intended to acquire land or implement any activity that would cause involuntary resettlement. However, the Panel noted that the Project knew early on that some villages and sub-villages had remained inside RUNAPA and that a legacy of boundary tensions prevailed. It was indicated during the Project appraisal phase that the Government would assess households inside RUNAPA and would then decide if resettlement was necessary. The Panel observed that Project documents reported earlier efforts of resettling people out of RUNAPA based on GN-28, but that these efforts had been discontinued. Therefore, the Panel noted that, although the Bank was aware of legacy issues, it did not gather sufficient information on the villages and sub-villages remaining within RUNAPA and the livelihoods local community members sustained by drawing on resources from the Park. Without such information, the Bank was unable to identify the extent to which park boundary enforcement would impact livelihoods.

During Project preparation, the Government and the Bank had agreed that any resettlement taking place in the Project area during the life of the Project would comply with the Bank's Involuntary Resettlement Policy. The Panel noted that a Resettlement Policy Framework (RPF) had been developed for resettlement in the Project area, and that this RPF was intended to be used on a voluntary basis for Government-sponsored involuntary resettlement activities. In the context of park management across RUNAPA the Panel observed that, even though Project documents stated that it was voluntary, the RPF's application was considered mandatory for all involuntary resettlement or loss of assets or access to assets and livelihoods within the Project area during the life of the Project.

The Panel observed that during Project implementation there was evidence of the Government planning the resettlement of communities residing within RUNAPA. During its eligibility visit, the Panel learned that in October 2022 a government representative had announced that the villages inside RUNAPA would be relocated and that, subsequently, certain houses and structures were marked and that occupants were provided with notifications of potential land acquisition in accordance with national legislation. Additionally, the Panel learned that the boundary changes introduced in October 2023 with GN-754 had resulted in five villages remaining at risk of physical resettlement being enforced (see Map below).

In summary, the Panel found that, although the Project had prepared an RPF, early resettlement activities were underway without its use or the application of other Bank Involuntary Resettlement Policy provisions relating to physical resettlement. Meanwhile, during the Panel's second investigation visit to the area in July 2024, Government stated that it would not resettle the five villages inside southern RUNAPA in the "*foreseeable future*."



Map 1: Map of RUNAPA boundary change as a result of GN-754.

(3) Restriction of Access

The Panel observed that the Project had conducted a gap analysis of national legislation and the Bank's Involuntary Resettlement Policy, which identified that under Tanzanian law, displaced persons could not claim compensation payments as a result of restriction of access. However, Bank Policy requires that, when restricting access to legally designated parks and protected areas results in loss of livelihoods, measures need to be developed and implemented to assist those displaced in their efforts to restore or, better even, to improve their livelihoods. The Panel considered this requirement relevant for the restriction of access imposed on communities who have lived in and around the national parks for decades and have become impacted by TANAPA's increased capacity to patrol the Project area. The Panel noted that such communities live adjacent to RUNAPA and have maintained their livelihoods based on grazing livestock in and around the Park. The Panel observed that, notwithstanding the legality of TANAPA's cattle seizures and the allegations of use of force, the Project failed to assess the impact of restriction of access and cattle seizures on the livelihoods of pastoralists.

The Panel observed that, until March 2024, Management did not identify that Project support to park management would increase the enforcement of restriction of access and bear implications for livestock grazing and other resource uses from within RUNAPA. Moreover, although the Project had developed a Process Framework to help mitigate the occurrence and severity of tensions and conflicts between TANAPA and communities near the parks, it had not been designed to cover the Project area in its entirety nor was it used to help mitigate negative impacts on livelihoods. In summary, the Panel found that Management did not recognize that Project support of park management would invariably restrict access to legally designated parks, including the southern part of RUNAPA, and that this could result in adverse impacts on livelihoods linked to the Project.

(4) Park Management and Law Enforcement

On park management and law enforcement the Panel observed that, during Project preparation, background information on serious incidents committed by TANAPA in relation to restriction of access was publicly available. The Panel also observed that the Project identified existing and ongoing conflicts in RUNAPA, principally related to the 2008 Park boundary changes and the enforcement of restrictions to access. However, in reviewing the capacity assessment which the Ministry of Natural Resources and Tourism had conducted of the Project's implementing agencies and which the Project had used to deem TANAPA's capacity adequate, the Panel observed that this assessment did not evaluate TANAPA's mandate and legal framework, its law enforcement role for the management of national parks, and the implications of its activities on the health and safety of community members. The Panel notes serious omissions including that no discussion or analysis concerning TANAPA's adoption of a paramilitary system in November 2018 was conducted. It also found that the two main documents reviewed prescribing how and when rangers may use force to conserve wildlife and protected areas - the Wildlife Conservation Act (WCA) and the Wildlife and Forest Conservation Services (WFCS) General Orders (GO) – had not been reviewed for the Project. The Panel found that, had these documents been considered, the Bank would have recognized that TANAPA is legally permitted to use force even when not facing

imminent threat or when its use can be disproportionate to the level of threat, i.e. amounting to the use of "*excessive force*".

In addition, the Panel observed that the Bank did not assess TANAPA's field operations, even though the Project provided patrolling equipment and infrastructure to improve the ability of patrols to manage illegal activities in the parks. The Panel noted that the Bank did not assess TANAPA's operational standards and procedures as well as its capacity and training to uphold these standards. Moreover, the Panel observed that, until the suspension of disbursement in April 2024, Management did not require regular reporting from TANAPA on its patrolling activities or specific incidents occurring on such patrols. The Panel noted that Management remained unaware of serious incidents in the Project area and related investigations, since it did not require TANAPA to report on such incidents.

The Panel observed that the Project's lack of consideration of these aspects was a serious omission which led to no specific measures being identified to address potential weaknesses in TANAPA's capacity. The Panel's main finding on park management and law enforcement concluded that, by not assessing the needs, the capacity and the institutional capabilities of TANAPA, the Bank did not consider human health and safety as part of the environmental and social aspects of the Project.

Several additional observations led the Panel to also find that Management did not adequately assess Project-related risks in its area of influence which increased the exposure of communities to the potential use of excessive force by TANAPA rangers. These observations included that the Project provided equipment and infrastructure to improve TANAPA's ability to patrol RUNAPA and to combat illegal activities, including cattle grazing. They also include that, given the history of conflict in relation to the management of and the restriction of access to national parks and other protected areas, TANAPA personnel were expected to engage people in RUNAPA and this meant that there could be an associated risk of serious incidents occurring. The Panel observed that no mitigation measures to manage this risk were included in Project documents.

In addition, the Panel observed that the Project did not adequately consider the implications of pre-existing conflicts over the use of park resources and that, by supporting TANAPA's patrolling capacity, the Project contributed to an increased risk of conflict as well as involuntary resettlement arising from restricting access to legally designated parks.

(5) Project Supervision

The Panel observed that the Bank undertook regular supervision missions and reported progress on environmental and social implementation performance. However, the Panel noted that social specialists on these missions focused narrowly on the Project's strengthening of livelihoods in the priority villages outside the national parks. The Panel also observed that, after the allegations of TANAPA's use of excessive force against community members had first been made in April 2023 to Management, the Bank did not change the composition of its supervision teams to include relevant expert support to understand these allegations until December 2023. The Panel noted that Management also did not identify or record the serious reports of excessive violence, including during cattle seizures related to restriction of access to legally designated parks as well as other incidents. Therefore, the Panel found that, prior to December 2023, Management supervision was

insufficient and did not consider that TANAPA's operations and reported incidents warranted supervision. The Panel also found that supervision did not recognize that an involuntary resettlement process had been initiated.

Adoption of the Management Action Plan

On April 1, 2025 the World Bank's Board of Executive Directors approved the Management Report and Recommendation, which includes a Management Action Plan (MAP) covering several actions for the Government and the Bank to undertake in response to the Panel's findings of noncompliance. The report states that the Government has committed to implementing the MAP despite its decision to cancel the Project in November 2024. The actions include:

Trust Fund – With technical assistance from the Bank, the Government will establish a Trust Fund which has been developed independently from the Project. The Trust Fund will include support to alternative livelihoods prioritized by the communities in the villages and sub-villages inside RUNAPA and some communities around the Park.

New IDA-financed operation – With technical assistance from the Bank, the Government will prepare a new operation that will scale up locally led community climate action and support alternative livelihoods.

Grievance Redress Mechanism (GRM) – The Government and the Bank will maintain a strengthened GRM, and the Borrower will submit an implementation report which the Bank will review.

Workshop – With support from the Bank, the Government will convene a workshop on international good practice on the management of parks and protected areas, which will include the subjects of effective and responsible enforcement of restrictions, conflict avoidance, community engagement, and benefit sharing.

Good Practice Note – Building on an already prepared Interim Guidance Note on Managing the Risks of Projects Involving Protected Areas, the Bank will prepare a more comprehensive Good Practice Note on the same topic.

Staff training – The Bank will design and deliver a dedicated module focused on natural parks and protected areas, as part of its staff training program on the Environmental and Social Framework (ESF).

Conclusion

The Panel noted that its investigation yields critical lessons for the Bank's approach to supporting conservation and other projects that require physical resettlement and restrict access to legally designated parks and protected areas, especially where unauthorized physical and economic presence is prohibited and implementing entities involve law enforcement agencies. The Bank's Managing Director of Operations, Anna Bjerde, stated in the Press Release which followed the Board's approval of the MAP: *"We regret that the REGROW project preparation and supervision did not sufficiently account for project risks, resulting in inadequate mitigation measures to address adverse impacts. This oversight led to the Bank overlooking critical information during*

implementation." She added: *"We are taking on board the important lessons from this case to improve how we prepare and supervise projects, monitor and manage risks, and support sustainable and inclusive conservation moving forward".*