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Publication | 10.03.2015

# Tanzania, notably the issue of land grabbing

## Greens/EFA motion for resolution

*Tabled by* ***Maria Heubuch, Heidi Hautala, Judith Sargentini, Jordi Sebastià, Michèle Rivasi, Bodil Ceballos, Barbara Lochbihler, Ernest Urtasun*** *on behalf of the Greens/EFA Group*

The European Parliament,

– having regard to the Universal Declaration of Human Rights and the human rights legal framework;

– having regard to the report adopted in July 2014 by the UN Open Working Group for Sustainable Development Goals;

– having regard to the Ministerial Declaration of the High-Level Political Forum on Sustainable Development, of July 2014;

– having regard to the United Nations 'Millennium Development Goals Report 2014';

– having regard to the report of the UN Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012;

- having regard to the Framework and Guidelines on Land Policy in Africa, endorsed by African ministers responsible for agriculture and land in March 2009, and subsequently by the AU Summit of Heads of State and government, through the adoption of the Declaration on Land Issues and Challenges in July 2009;

– having regard to the Principles for Responsible Agricultural Investment that Respects Rights, Livelihoods and Resources (PRAI) and to the Food and Agriculture Organisation's Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (VGGT), adopted by the Committee of World Food Security (CFS) in 2012;

- having regard to the EU programme to strengthen land governance in ten African countries of 9 April 2014;

– having regard to Rule 110(2) and (4) of its Rules of Procedure;

A. Whereas key challenges of the 21st century - food security, energy scarcity, water shortages, urban and population growth, environmental degradation, climate change, natural disasters and state fragility – , are related to land governance issues, reinforcing the need to prioritise comprehensive land reform and securing land rights;

B. Whereas an operation carried out by Serengeti National Park against the Maasai residents of villages bordering the park in the villages of Ololosokwan and Arash in Loliondo was reported mid-February this year;

C. Whereas according to the Tanzanian media, this incident involved the destruction of over 100 homesteads, as well as food and other family supplies, the confiscation of livestock, and alleged violence committed against members of the community;

D. Whereas the Serengeti National Park Chief Warden justifies the situation by saying they are protecting the park from pastoralists who bring large groups of livestock to graze in the park; but whereas this destruction of property is actually taking place outside the park boundaries on community lands;

E. Whereas this area, which is Maasai ancestral land, has been the subject of conflicts between government agencies and local communities since 1992, when Otterlo Business Corporation (OBC), a company owned by the royal family in the United Arab Emirates, was granted hunting rights for the area; whereas these conflicts led to destruction of property and alleged human rights abuses in 2009;

F. Whereas in 2013, this same area was the subject of local, national and international controversy when the Tanzanian Government proposed converting the entire area into a protected area (that allows hunting), by wanting to sell the lands to the OBC and evicting up to 25,000 people;

G. Whereas Tanzanian president promised never to exile the Maasai from their ancestral lands; but whereas until now there is still no written statement from the Government of Tanzania that no land in Loliondo will ever be turned into a protected area;

H. Whereas the conflicts just reported in Loliondo are the latest acute incident of a chronic tension between government conservation policies and enforcement measures and local communities in Tanzania;

I. Whereas the Framework and Guidelines on Land Policy in Africa aims to strengthen land rights, improve the governance of large scale land based investments and secure livelihoods for the majority of the continent's population; whereas it calls for the respect of human rights of communities, including respecting customary land rights and land related resources;

J. Whereas the Maasai are traditionally semi-nomadic pastoralists, who rely predominantly on livestock herding as a way of life;

K. Whereas the Maasai, who travel with herds of cattle, goats, and sheep that they graze on lands straddling Tanzania and Kenya in East Africa, face a number of challenges, including vulnerabilities to drought and on-going land grabbing conflicts in the region;

L. Whereas lack of consultation with local communities, growing food insecurity and threats to livelihoods and land rights are generating conflicts and pose a grave threat to peace and security in the region;

M. Whereas access to land for indigenous people has been given specific forms of protection under the 1989 ILO Convention (n° 169) and the United Nations Declaration on the Rights of Indigenous Peoples;

N. Whereas Article 10 of the UN Declaration on the Right to Indigenous People guarantee to indigenous people the right not to be forcibly removed from their lands or territories, and no relocation shall take place without their free, prior and informed consent and after agreement on just and fair compensation and, where possible, with the option of return;

1. Strongly condemns the practice of land grabbing, which illegally dispossesses rural local populations of land; calls on the Tanzanian government to commit not to evict the Maasai from their ancestral land;

2. Calls on the Tanzanian governement to launch an independent investigation on the land disputes in Loliondo;

3. Notes with deep concern that struggle for land and natural resources remain one of the key factors fuelling instability in Africa; takes the view that sustainable development in Africa depends substantially on the manner in which land and land-related resources are secured, used and managed;

4. Highlights that both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights recognize the right to self-determination, defined as the right of all people to freely dispose of their natural wealth and resources, and that both stipulate that no people may be deprived of its own means of subsistence; accordingly, stresses that the negotiation of large-scale leases or acquisition of lands entails adequate and informed participation of the local communities concerned by land leases or purchases and accountability in the use of revenues, that should benefit local population;

5. Recalls that agriculture remains a fundamental source of livelihood, subsistence and food security for rural people; but notes that rural land is coming under multiple pressures, because of population growth, land use conversion, commercial investments, environmental degradation due to drought, soil erosion and nutrient depletion, as well as natural disasters and conflicts; believes in this context that securing land tenure for rural people is essential to achieve the future Sustainable Development Goals in the post-2015 Agenda;

6. Calls on the Tanzanian government to implement the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security as adopted by the Committee on World Food Security (CFS) in 2012 as well as the Guiding Principles on large scale land based investments (LSBI) in Africa, as endorsed by AU Members in July 2009;

7. In particular, urges the government of Tanzania to acknowledge the legitimacy of indigenous land rights and pastoral communities; stresses that land policy processes shall recognize effectively the role of local and community-based land administration/management institutions and structures, alongside those of the State;

8. In particular, stresses that any shift in land use should only take place with the free, prior and informed consent of the local communities concerned; recalls that indigenous people have been granted specific forms of protection of their rights on land under international law; in line with the United Nations Declaration on the Rights of Indigenous Peoples, insist that States shall provide effective mechanisms for prevention of, and redress for, any action which has the aim or effect of dispossessing indigenous peoples of their lands, territories or resources;

9. Urges the EU to activate the EU 2004 Land Policy Guidelines and actively promote redistributive types of land policies;

10. Reiterates that human rights, including in relation to "land grabbing", shall be mainstreamed in the EU's trade and investments treaties, including in the EU's Generalised System of Preferences (GSP);

11. Urges the EU Member States to support the national capacity of developing countries to strengthen their respective governance systems to combat land grabbing;

12. Calls on the EU to develop clear criteria for the acquisition of land by the private sector in developing countries, in full compliance with VGGT and RAI principles;

13. Calls equally on the EU to provide better technical assistance to developing countries in negotiating bilateral investment treaties so as to enable the host country to act in the interest of their respective populations when concluding land deals;

14. Instructs its President to forward this resolution to the Council, the Commission, the High Representative for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Government of Tanzania, the National Legislative Assembly of Tanzania, the African Union’s institutions, the Intergovernmental Authority on Development, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the UN Secretary-General.

**Recommended**

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