

This is the first letter written by the Oakland Institute to Thomson Safaris in August 2017 to share the allegations and initial findings of our research with the intent of seeking their response to assist with further investigation.



Thomson Safaris  
14 Mount Auburn Street  
Watertown, MA, 02472

August 28, 2017

Dear Ms. Wineland and Mr. Thomson,

I am writing on behalf of the Oakland Institute, an independent policy think tank that works to increase public participation and promote fair debate on critical social, economic, and environmental issues.

The Institute has been examining the impact of land laws, conservation, and tourism on the Maasai in Tanzania. Over the course of our research and field work, we learned about Thomson Safaris and Tanzania Conservation Ltd (TCL), and in particular the Enashiva Nature Refuge.

We are reaching out to get your comment and response on the below findings, so we can understand your perspective and take it into consideration as we continue our research, which we anticipate will eventually result in a publication consonant with our aforementioned goals.

- In 2006, Thomson Safaris, via Tanzania Conservation Ltd (TCL), bought 12,617 acres of land in Northern Tanzania from Tanzania Breweries Ltd (TBL). This sale came under legal scrutiny in 2013 when three Maasai village councils filed a lawsuit against TBL, TCL, and three other local authorities. The communities allege that the sale of land to TCL was not valid because (i) the initial sale of the land to TBL in 1984 took place without the consent of the Maasai, and (ii) TBL abandoned the land in 1990, allowing the Maasai to regain rights to the land through adverse possession.
- The plaintiffs allege that the original sale of land in 1984 was for 10,000 acres. They allege that in 2003, an additional 2,617 acres was added to the property, without fair compensation. They also allege that the title for the 10,000 acres of land stipulates that the land be used for plant and animal husbandry. Based on interviews with community members on the ground, we understand that an application to change the land use to tourism for the 12,617 acres in question was rejected. The communities thus argue that the land has been used illegally for tourism purposes.
- On October 28, 2015, the High Court of Tanzania in Arusha ruled against the three Maasai village councils on most counts. The court did agree that the additional 2,617 acres of land was unlawfully acquired, however no damages were awarded by the court. The Maasai have filed an appeal of the overall ruling.
- Court transcripts of witness testimony and information obtained through in-person field research reveals strong allegations of abuse since Thomson Safaris and TCL obtained the land used for the Enashiva Nature Refuge. This includes allegations that Maasai community members have: had their bomas destroyed; been forcibly displaced from the disputed land; been denied access to vital grazing areas and watering holes; faced ongoing fear and intimidation; and have been subjected to physical violence (including being shot) and arrest at the hands of the police who witnesses claim were called in by Thomson Safaris employees to address issues of grazing and trespassing by the Maasai on the Enashiva Nature Refuge.



- Articles published by the Guardian, VICE, and others have put forward additional allegations of abuse, including reporting instances where: young boys were beaten by police after being caught playing on Thomson Safaris land; pregnant herdswomen lost their babies after violent confrontations near the disputed land; and Maasai were shot at by police while looking for grazing pastures or collecting runaway cows on the disputed land.
- Many allegations, including beatings and harassments connected with the Enashiva site, are also found in a letter to the Tanzanian government authored by the United Nations Special Rapporteur on the rights of indigenous peoples, the Chair-Rapporteur of the Working Group on the use of mercenaries; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.
- Several journalists and researchers examining the situation in Ngorongoro have also alleged facing harassment and intimidation, often from the local District Commissioner, and they have also alleged that individuals with close ties to Thomson Safaris reported them to the authorities.
- The impacts of forced displacement have been significant for the Maasai. This has been caused by myriad factors, of which Thomson Safaris and the creation of the Enashiva Nature Refuge appears to be one. These impacts include: malnutrition, extreme poverty, reliance on insufficient food aid, and disease. In addition, the Maasai are quickly losing their traditional way of life.
- Family and friends have suggested that the death of New Zealand-born photojournalist Trent Keegan in 2008, who was conducting research about Thomson Safaris, was not a result of a robbery but rather his research. We recognize that no judicial body has made such a finding and that Thomson Safaris categorically denies any involvement, and we will present both sides of that coin in any forthcoming publication on this topic.

The picture that the Institute's research to-date has painted is grim. That said, we understand that no judgment has ever been entered against your company in connection to the above and that these are currently just allegations. Thus, we are reaching out to you for comment and response, to be taken into consideration as the Institute continues its research.

We would appreciate receiving your response by Friday, September 15, 2017.

Sincerely,

Anuradha Mittal  
Executive Director  
The Oakland Institute