

# ‘Shocking blow to Indigenous land rights’ as court dismisses Maasai herder claim

**Lizzy Davies** and agencies, *The Guardian*

**Herders lodge appeal against ruling in their case against the Tanzanian government, which they say is violently evicting them from ancestral land**



Maasai women and children at a village on the border with Tanzania in Narok, Kenya, after protests against their eviction from ancestral lands turned violent, 23 June 2022. Photograph: Daniel Irungu/EPA

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Lawyers for Maasai herders who say the Tanzanian government is trying to violently evict them from their ancestral land to make way for a luxury game reserve have lodged an appeal against a court ruling that dismissed their case.

Donald Deya, lead counsel for the herders and chief executive officer of the Pan-African Lawyers Union (Palu), said his team had, on Wednesday, appealed against the verdict of the east African court of justice, which campaigners branded “a shocking blow” to Indigenous land rights.

In [a statement](#) issued by Palu earlier this week, the Maasai communities were said to be “dissatisfied and disappointed” by the ruling, which they felt “disregarded the compelling multitude” of evidence they presented in court.

The legal battle dates back to 2017, [when residents of four Maasai villages in northern Tanzania went to court](#) to try to stop the authorities evicting them from 580 sq miles (1,500 sq km) of land in Loliondo, bordering the Serengeti national park. If carried out, more than 70,000 Maasai would be affected by the move.

The government says the land is within the park and should, therefore, be given over solely to conservation purposes rather than being disrupted by human activity. But the herders say the land has been rightfully theirs for generations and accuse the authorities of wanting to use it to create a luxury game reserve run by a UAE-owned company.



Tanzania charges 20 Maasai with murder after police officer dies during protests

They are seeking recourse for the allegedly violent evictions of 2017, which they claim included the burning of their homes and the confiscation of their livestock. The government denies this.

Although the court issued an interim order in 2018 that stopped evictions, tensions reached boiling point in June of this year, when [violent clashes re-erupted](#) between police and Maasai demonstrators after authorities began to demarcate land boundaries.

In its ruling on Friday, the court found that the Maasai had failed to prove they had been evicted from their village land and not from the Serengeti itself. The court also found that witnesses who alleged violent evictions had failed to give evidence proving injury or loss.

The judgment was condemned by campaigners.

“The failure of the east African court of justice to hold the Tanzanian government accountable for blatantly abusing human rights of the Maasai in Loliondo is a travesty for all Indigenous communities on the continent,” said Anuradha Mittal, executive director of the Oakland Institute.

Fiore Longo, from Survival International, an indigenous rights advocacy group, told Reuters: “The court has given a strong signal to the international community that evictions and human rights abuses against Indigenous peoples should be tolerated if they are done in the name of protecting nature.”

There was no immediate comment from Tanzania’s government.

*Associated Press and Reuters contributed to this report*

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