

1 CERTIFICATE

2 COMMONWEALTH OF MASSACHUSETTS

3 COUNTY OF SUFFOLK

4 I, CYNTHIA F. STUTZ, Certified Shorthand
5 Reporter and Notary Public duly commissioned and
6 qualified in and for the Commonwealth of
7 Massachusetts, do hereby certify:

8 That the witness whose testimony is
9 hereinbefore set forth, was duly sworn by me and
10 that such testimony is a true and accurate record of
11 my stenotype notes taken in the foregoing matter, to
12 the best of my knowledge, skill and ability.

13 I further certify that I am neither
14 attorney nor counsel for, nor related to or employed
15 by any of the parties to the action in which this
16 deposition is taken; and further that I am not a
17 relative or employee of any attorney or counsel
18 employed by the parties hereto or financially
19 interested in the action.

20 IN WITNESS WHEREOF, I have hereunto set
21 my hand this 25th day of June, 2014.

22

23 CYNTHIA F. STUTZ, Notary Public

24 My Notary expires August 1, 2019

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Response

Boycott [REDACTED] and stop them land grabbing from the Maasai People!	[REDACTED] have never grabbed any land from the Maasai people, [REDACTED] acquired the land through an open tender process from the brewery company. Tanzania Brewery Company (TBL) was a government investment during the time which it acquired the property from the village, TBL owned other farms in different part of the country. The intention [REDACTED] is to bring tourism to the area and help the community realize direct benefit from Conservation, contrary from operating inside a national park, this way the community will have an incentive to take a lead in wildlife conservation for present and future generations.
In reality, rather than behave ethically they have evicted locals from the land and committed a string of abuses and human rights violations against a poor and vulnerable indigenous population.	When [REDACTED] first acquired the property from the brewery company, there was no body living in that land, only temporary enclosure existed in the area, of which they were already abandoned because overgrazing was obvious and so the community moved the livestock to a different area for grazing, this movement from one place to another is a tradition to the pastoralist community. So there was not any kind of eviction done during that time.
Beatings of children and adults grazing cattle on or near the land	This has happened, and there is no body ever who beatend a child or an adult, in fact the community it self would have retaliated to this against the [REDACTED] in addition no village authority have such records of people being beaten within the property and also the Government of Tanzania would not allow such actions from any investor.
Illegal confiscation of cows grazing the land	This has never happened either, when unattended cattle are found in the property, usually the [REDACTED] would walk them back to the homestead that they come, as all [REDACTED] come from the immediate neighborhood, they always know the owners of the cattle.
Refusal to let locals access the Pololet River, traditionally the communities vital water source.	Pololet is actually not a permanent water source, but rather it's a seasonal river which floods only during the rains, and when rain stops, then there will be some pools of water remaining for a couple of months all along the river, so, when there is water in pololet, then there is water everywhere and no need from the community to come to a stretch of pololet that crosses the property, however, there are some families living adjacent to enashiva who normally make some water pools in pololet and they use for a bit of a dry period exclusively for their own cattle., they even put up a thorn bush fence so that wildlife will not have access, and we have never destroyed the fence.
Allowing the police to conduct extrajudicial detention of locals for days without food for 'trespass' on Sukenya Farm	Neither [REDACTED] nor [REDACTED] have a authority over the Tanzanian Police Force to instruct them of what to do. There is evidence of people crossing all the time in the property and people coming to [REDACTED] requesting for transport assistance to take either a sick person, or a due pregnant woman to hospital, also herders grazing every day for the last 6 years...and none of them are arrested because they are peaceful. The only arrests I know of are when [REDACTED] were threatened and had to call the police for fear of their own safety.
Children as young as six forced to walk a 16km round trip around the land to get to primary school and back every day	Actually these kids walk that far across the property to school, just because there is no any school nearby, [REDACTED] vehicles have quite often provided a ride for these kids and dropped them at the school whenever it was convenient. Going around the property from that villege (Ilmasilig) to Mondorosi school is actually 30 Km one way which make it not a reality for a six year old kid to walk even half of it one way.
Burnings of local peoples bomas (homes) built on the land	[REDACTED] never burned any bomas, as no single boma was built on the land, only temporary enclosures known as " Ronjoi" in maa language, which were already abandoned were burnt, this was witnessed by the Regional Commissioner by then Hon. Samwel Ndomba and the District Commissioner by then Hon. Njowika Kasunga,

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Response

Bribing leaders of the poorest clan to stoke divisions in the resistance to the company and maintain control of the land	Actually [REDACTED] have strived to bring unity to different Maasai clans which have always been rivals among themselves in addition it is not possible to bribe any member of the pastoralist community in expense of grazing land, in fact all the community around are happy to have the company around so that they earn benefits just like the neighboring villages .
Bribing of local police and district officials to ensure they will intimidate the community on [REDACTED] behalf	Neither [REDACTED] nor [REDACTED] have authority over the Tanzanian Police Force to instruct them of what to do, neither have anybody ever been intimidated, sometime the youth over react to [REDACTED] and the elders and leaders from the community have always been consulted to resolve the issues.
Often the police join in with [REDACTED] in intimidating and arresting local people.	There are incidences of warriors threatening the lives of the [REDACTED] out of their own decision, in this case the village leaders always make a decision to the [REDACTED] leadership to call police in cases where the same person repeat the same incidence over and over again. this is a normal procedure in Tanzania in case someone threatend another person's live by the use of either a mordern or traditional weapon.
Many neutral people have approached [REDACTED] since 2006 in a bid to negotiate a peaceful solution that would benefit all parties but they have never engaged meaningfully in any process of reconciliation.	The only one time I remember that there was anything like this when other pople got involved, was when a group of people from TNRF (Tanzania Natural Resources Forum), [REDACTED] Maanda Ngoitiko of PWC, Eaman Daemon, conflict resolution mediator associated with Maanda, and myself went to see the Regional Commisioner for the purpose of forming a committee that will try to resolve the tension at [REDACTED] I believe this was an initiative of the then [REDACTED] after separate discussions with Maanda Ngoitiko of PWC. At that meeting, Regional Commissioner, by then Hon. Isidore Shirima told us that , we have to start that process from the District Commissioner's office and that he can only act after such a process, whereby if there there is an appeal following that the District Commissioner have failed to give the necessary support. Eamonn then went to see the DC in Loliondo, Mr. Kasunga. However, Mr. Kasunga had some concerns about Mr. Eammon's suitability for mediation on the basis that his work to resolve conflicts between the Sonjo and Maasai had not achieved any results. Nothing happened after that.
This land was obtained in an irregular fashion according to the land law prevailing at the time.In 2003, using fabricated village meeting minutes, TBL illegally acquired the title deed to Soitsambu Village itself	The land was first obtained by Tanzania Brewery Limited (TBL) in 1984, and by then TBL was 100% owned by the Government of Tanzania, the government then acquired the land from Ngorongoro District for the purpose of growing barley to supply the Arusha TBL branch , all land is owned by the government and it had authority to set aside any piece of land for the purpose of making any kind of production on it. This was not the only farm that was acquired by the government for the purpose of growing barley. In 2006, TBL being under 50% private ownership, decided to sell some of its properties including the Sukenya Farm through an open tendering process.
One of their first objectives was to remove any local people residing in, or seasonally using, the property.	No single person was living in the property since and before 1984 when Tanzania Brewery Limited acquired the property and neither was anybody living in it when it was sold in 2006, however there were temporary bomas, which were abandoned apparently due to over grazing and they moved somewhere else in search of grazing, when [REDACTED] came to the area in 2006, the grasses have regenerated so fast and that the immediate neighbors benefited alot during the severe drought which happened in 2009, only families living adjacent to the property had a good number of cattle survived due to their access to grazing in the property.
Sukenya and Mondorosi villagers have been injured in confrontations with the company and police, and many have been jailed for "illegally" trespassing onto the farm.	This have never happened, in fact the community speak of [REDACTED] helping in stopping potential clashes between people of Mondorosi and Sukenya, which have existed since time imemorial, some elders have confessed that, " if [REDACTED] ever leave the area , there will be blood shed between the two clans" Mzee Ndora personal comm. The only arrests I know of are when [REDACTED] were threatened and had to call the police for fear of their own safety.

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During the drought of 2009 this proved catastrophic for the villagers who lost most of their cattle and were thrown into deeper poverty.	As said above, only families living adjacent to the property were lucky to have a good number of their livestock surviving, during the severe drought in 2009, which was all over the country including the neighboring country of Kenya, to date people talk of the good stories about how the property helped them to secure a good number of cattle. (personal comm.)
The pastoralists in this region assert that they have been subjected to many of these brutalities, and the research commission by Minority Rights Group International can provide evidence.	The property is just a tiny bit of the whole Loliondo area, and it is not a reality that the whole region would have benefited from this small area of land. Many vocal groups are doing this for their own benefit, and actually the complain is largely not coming from people living immediately to the property. and have a good relationship with the community surrounding the property and this can be verified by the warriors and women groups who come to the property to interact with tourists.
In March 2007, traditional leader Shangai ole Putaa spoke out against occupation of Sukunya to President Kikwete. In November the same year he was killed by the police. No one who knew him believes the police's story. http://www.arushatimes.co.tz/2007/45/courts_and_crime.htm	have nothing to do with Ole Putaa's death, in fact before his death, he invited the tourists who came to to visit one of the Maasai ceremony in the village of which he was a leader, he warmly welcomed us with tourist to this ceremony and took us around the big manyatta (about 110 huts all built together).
In April 2008 there was a clash between Maasai taking their animals to water and guards aided by the police. Lesinko ole Nanyoi was shot in the jaw and seriously injured. Both the and the police denied responsibility for this shooting. http://www.arushatimes.co.tz/2008/19/front_page_1.htm	There was an incidence of more than 30 armed warriors coming to threaten the lives of the for three consecutive days, the matter was reported to the village chairman by then , who advised the by then to call the police because he tried several times to stop the warriors but they did not listen to him. Lesinko Ole Nanyoi was not seen at the scene and no body knows how did he got an injury on his jaw, which don't seem at all to be a shot from a full automatic machine gun. The police upon arrival , they did some shots in the air to scare them off and they did walk away.
New Zealand-born photographer Trent Keegan came to investigate the conflict. In May 2008 he sent emails to his friends about being approached by and the police. Shortly after this he was killed in Nairobi in circumstances the Kenyan police said did not fit with a street robbery. http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10518877	encountered Trent Keegan two times in the property, one time he was in a vehicle belonging to PWC and he was taking photos in the property and the second time he was encountered by while walking in the property and he wrapped himself in a maasai blanket, talked to him and all he talked was to ask the staff the way to Kenya from the property.

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Some weeks after Trent Keegan's murder, his friend, volunteer worker Brian MacCormaic, went to a meeting with the [REDACTED] to try and clear things up. There was an atmosphere of hostility against him and when he tried to leave the meeting a [REDACTED] full with armed men sped into the compound to arrest him. <http://africanfarmersjournal.blogspot.com/2008/09/follow-up-to-maasai-dispute.html>

30th April 2013 - 5 years ago there was a clash between Maasai taking their animals to water and [REDACTED] aided by local police. Lesinko ole Nanyoi was shot in the jaw and seriously injured. Neither the [REDACTED] guards or the police have ever taken responsibility for this shooting. The shooting was front page news in the region at the time http://www.arushatimes.co.tz/2008/19/front_page_1.htm

Soitsambu village convened a meeting to meet with [REDACTED] but the District Commissioner by then advised that [REDACTED] should not attend that meeting due to the fact that, he got some inside information that the meeting was going to be violent against the [REDACTED] Maasai traditional leaders came to meet [REDACTED] at a hostel in Wasso hospital, while the meeting was going on, the said Brian MacCormaic came and intervened the meeting, telling [REDACTED] that, he was sent by the Soit sambu village chairman to come tell him that they are still waiting for him, the Maasai elders in the room were upset with him because they knew that no body has sent him, and further him being a foreigner, he was not entitled to act on behalf of the village government, so the Ward Executive officer who was in the same meeting, informed the District Commissioner of that incidence and the District Commissioner ordered that Brian MacCormaic should be arrested for intervening and acting on behalf of the village government without being asked to do so. [REDACTED] has nothing to do against the District Commissioner's order.

There was an incidence of more than 30 armed warriors coming to threaten the lives of the [REDACTED] for three consecutive days, the matter was reported to the village chairman by then, who advised the [REDACTED] by then to call the police because he tried several times to stop the warriors but they did not listen to him. Lesinko Ole Nanyoi was not seen at the scene and no body knows how did he got an injury on his jaw, which don't seem at all to be a shot from a full automatic machine gun. The police upon arrival, they did some shots in the air to scare them off and they did walk away.

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Response

News: Three young adults beaten by [REDACTED] and police on 14th February 19th February 2013 - This is Narikungishu. She is 19 years old. She says that on 14th February she was beaten and assaulted by police and [REDACTED] for grazing cattle with two other people near the disputed land. She says the guards tried to push her to her knees and when she refused they beat her with sticks. All three people attacked are from the Loita clan in Sukenya B sub-village of Sukenya village. a. [REDACTED] deliberately favour people of the Lataiyok clan from Sukenya A. b. The Lataiyok people are never beaten by [REDACTED] to retain their leaders support. c. The people of Mondorosi village are not Lataiyok and are also frequently harassed and assaulted. d. [REDACTED] is trying to divide and rule the communities it has taken stolen land from by creating clan divisions. e. By bribing and employing a minority of Lataiyok in positions of authority they can make PR videos and try and convince their guests that they have the support of the community at large. The truth is more complex and the victims are innocent people like Narikungishu who are just trying to survive in their ancestral lands.

This doesn't sound true to me , even though I am no longer working in the property, this has never happened because the [REDACTED] policy does not allow the beating of any body, even in an occasion when a [REDACTED] life is threatened, they will always report to the village leaders, and never come into any confrontation with the community.

This is Mbekure. He is 21 years old. He says on 14th February he was with Narikungishu and one other man when they were attacked by the [REDACTED] He and his friend Oloimoaja were kicked and punched. He had to be taken to hospital by a local NGO the next day. He says one of [REDACTED] also beat them with a stick. Please help end this injustice by boycotting [REDACTED]

[REDACTED] policy do not allow any physical confrontation with the community, also 95% of employees at [REDACTED] come from the neighboring community and hence they can not act violently to their fellow community members.

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Response

News: [REDACTED] continue to pursue a bogus case against the five young men originally arrested in July. 30th November 2012 - Pictured are the five men arrested and detained in July this year. Two are from Mondorsi village and three are from Sukenya village. Both villages are involved in the court case against [REDACTED]. These men are Morani (warriors) and traditionally wear their hair in long braids. This important part of their cultural identity was taken from them by police who shaved their heads during their detention. This was a deliberate act of humiliation. The prosecution against the five young men is ongoing as [REDACTED] continues to pursue a case against them in the local Loliondo courts for trespassing. Because of the remoteness of the area legal representation is provided by the Legal and Human Rights Centre but they lack funding for the case so their costs to come are covered by the community, local NGO's and in some cases the lawyers personal funds. Several hearing dates have been set with LHRC travelling nine hours each way to attend but each time the case was postponed, adding to the stress and financial burden for the men. A preliminary hearing was finally held recently. The five accused

[REDACTED] has always thrived to build a good rapport with the community around , and it has never committed such unlawful acts against the community, it has rather offered support to community whenever need arised.

News: Three children beaten and arrested by [REDACTED] yesterday 17th August 2012 - We are very sad and disturbed to report that three Maasai boys, none of them older than 14, were beaten and then arrested yesterday after [REDACTED] found them on Sukenya Farm. It is illegal to arrest children in Tanzania. The boys were not even grazing cattle, they were just playing within the boundaries of the land. We will update again when we have more details.

17th August 2012 was a Friday where children of that age were supposedly been in school, the accusation does not tell who are these children by names and who are the parents, actually if the kids are beaten and arrested, even the school which they go to would have raised concerns about this extremely unlawful act and the village chairman would have contactd me. This allegation is just not true from my point of view. It is illegal to arrest children so the police would never have done that, how could they. [REDACTED] have no power to arrest.

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News: Five men detained without food then re arrested 29th July 2012 - They detained five men last week and they went without food for over a day. The District Commissioner has now re arrested the same five men and is "making an example out of them". He's saying it's a local NGO who asks them to graze there to intimidate [REDACTED]. Also worryingly, he has been harassing and threatening the female Director of the NGO in an attempt to intimidate her.

For [REDACTED] to comment on...

News: Illegal, inhumane detentions and visit from [REDACTED] 11 June 2012 - Two men from Mondorosi were recently detained by [REDACTED] and brought to the police station where they were starved for two days and then charged with illegally cutting tree branches for their bomas. One was released on bail and one is still in prison. [REDACTED] are currently visiting Sukenya. They have been holding long meetings with Laitayok clan leaders demanding they chase cows belonging to Purko and Loita clans off the land, and they are promising dispensaries and more classrooms as a reward. The Laitayok refused. They have lied saying that not they, but only Tanzania Breweries Ltd are involved in the court case. They are also pressurising the DC to stop grazing while the case is ongoing, whereas the fact that the case is unresolved means the community should have full access to the land.

For [REDACTED] to comment on...

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Response

Four years after the tragic murder of Trent Keegan unanswered questions remain On 28th May 2008 New Zealand photographer Trent Keegan was murdered in Nairobi. Just before he died, Trent had been on a photo assignment in Loliondo, Northern Tanzania, covering the Sukenya Farm land dispute between [REDACTED] and Masai tribes people. Trent's laptop and camera were stolen when he was murdered, but the robbers left his bulging wallet and passport on his body. Kenyan police said the attack on Trent didn't look like a normal mugging.

In 2010 a New Zealand documentary team investigated Trent's murder and made this film <http://videobam.com/rjbzW> Following the film's investigations Hesbon Amadade was charged with Trent's murder. In October 2011 he was found not guilty by a Nairobi court due to lack of evidence. Amadade remains in jail charged with the murder of a Kenya Airways pilot in 2010.

News: Villagers appeal against case dismissal successful!23rd May 2012 - The Court of Appeal of Tanzania ruled that the case by Soitsambu Village Council against [REDACTED] and Tanzania Breweries Ltd should not have been dismissed on a technicality. The court ordered to pay back the Villagers the cost of their appeal. The case will now start afresh in the High Court later in the year. This is a major victory for the communities of Sukenya and Mondorosi against the interests of corrupt investors.

[REDACTED] encountered Trent Keegan two times in the property, one time he was in a vehicle belonging to PWC and he was taking photos of wildlife in the property. They said OK and left him to do as he pleased. The second time he was encountered by [REDACTED] while walking in the property and he wrapped himself in a maasai blanket. [REDACTED] talked to him politely, curious that of the novel situation of a white man wandering around on his own dressed in their on fashion. All he did was to ask the staff the way to Kenya from the property, which they duly pointed out. I did not see or meet him on these occasions, only that my staff told me about this. By a coincidence, some days later, I was at Wasso Hospital sending e-mails and a white man was there doing teh same. Only after the PWC car came to pick him up did I figure that he must be the same person that my staff were talking about.

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Response

Catch up with the "View from the Termite Mound" blog In early 2010 Susanna visited Loliondo and asked the wrong person some questions about [REDACTED] which led to her being interrogated by the Ngorongoro Security Committee, thrown out of the district and then the country, and declared a "prohibited immigrant". She's written about it in her blog. <http://www.termitemoundview.blogspot.se/2010/03/sukenya-farm-conflict-what-thomson.html>

I have no idea of how this happened and for what reason, I have never met Susanna personally neither did I know that she was in the area at the time. I just learned about this from her blog post well after the event. Loliondo is a remote border area and obviously foreign looking person wandering around without clearly understood intentions, other than being a bonafide tourist accompanied by a guide is bound to stick out, be questioned and their visa examined to see if it is appropriate and valid for their purpose. The DSO may be able to comment further on this.

Book your safari to the Serengeti through a responsible company The Serengeti National Park and the Loliondo Game Controlled Area are world famous destinations for a reason. We highly recommend everyone visits this extraordinary part of our planet. If you are planning to visit the area please support responsible tourism by staying with a company that's recognised for its genuinely ethical behaviour. *If a company is willing to be embroiled in a law suit with a community regarding vital access to traditional land then their real attitude to indigenous people is clear regardless of what they claim on their website.* Many other companies work happily with local communities, without conflict. If you would like to be sure of booking with a responsible operator Tourism Concern has a database of ethical tour operators.

My firmly held view, that I have lived and practiced by is that [REDACTED] restricts its activities to responsibly and openly bringing tourism to the community for mutual benefit, facilitating and investing in social development infrastructure for their neighbours, actively conserving the environment, working with the community, empowering women through social entrepreneurship and a number of other initiatives aimed at reducing poverty, valuing wildlife, people and culture. This is what the company has demonstrated willingness to do. It is not the company that has opened a law suit and it was not the company's choice to be involved in the court case. They are the defendant and not the plaintiff. My understanding is that it is PWC who is driving the court case with funding from their international donors and partners. My undersatanding and experience on the ground is that the conflicts seems to be driven by the activities and campaigning of PWC and the [REDACTED] which PWC openly support and direct people to from their own website, the intention of which, regardless of any case, is clearly to damage the image, reputationand business of the company as much as possible.

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21 COUNTY OF SAN FRANCISCO

22 [REDACTED]
23 [REDACTED]

24 Corporation,

25 Plaintiff,

26 vs.

27 DOES 1 through 10, inclusive,

28 Defendants.

) Case No. CGC-13-528871

) DECLARATION OF [REDACTED]

) R [REDACTED]
) E [REDACTED]

) Complaint Filed: February 20, 2013

) Trial Date: TBD

DECLARATION OF EMMANUEL LORRU

I, [REDACTED] do hereby swear, certify, and affirm that:

1. I am over the age of 18 and am a resident of Loru Boma, Sukenya Village, Loliondo, Tanzania. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would testify competently to such facts under oath.

2. I am a student at Mweka Wildlife College in Moshi, Tanzania. I am also a Maasai from the Laitaiyok clans. I grew up in and reside in a traditional boma (Swahili for home) on the edge of the [REDACTED], approximately 200 meters from [REDACTED]. Since 2006, I have also worked from time-to-time as a translator for [REDACTED] and its guests, translating between English and the two locally-spoken languages, namely Kiswahili (also known as Swahili) and Maa. Based on my longtime residence on the edge of [REDACTED] and my services for [REDACTED] I am very familiar with [REDACTED] and the surrounding area.

No Burning of Homes

3. I have read the website known as [REDACTED] (the "Website"), and vigorously dispute the statements made in the Website about [REDACTED]

4. I have never witnessed the burning or destruction of any boma (home) by any employee or representative of [REDACTED] or its sister company, [REDACTED] [REDACTED] and have never seen any evidence or heard any talk which gives me reason to believe that any employee or representative of [REDACTED] or [REDACTED] ever burned or destroyed any home. I was present at a community meeting in 2007 at which a local government official came to investigate these provocative charges, and asked to be shown evidence of the alleged burning of homes by [REDACTED]. He was shown only what is locally known as "Ronjo", which is a Maasai word for an abandoned cattle enclosure. Based on my knowledge of the

1 [REDACTED] property, my longtime nearby residence and my knowledge of the local languages, I
2 am confident that I would know about any burning of homes by [REDACTED] if there were
3 any truth to these false statements.

4
5 No bribes

6 5. I have never seen any evidence that [REDACTED] ever paid a bribe, or
7 attempted to pay a bribe to any police officer, government official or other person. Nor have I
8 ever been asked to translate any conversation, or ever witnessed any activity, which gives me
9 reason to believe that [REDACTED] ever paid a bribe, or attempted to pay a bribe to
10 any police officer, government official or other person. I firmly believe that there is no truth to
11 the allegation on the Website that [REDACTED] bribes police officers and local officials. I
12 firmly believe that the positive relationship between [REDACTED] and local officials, and
13 between [REDACTED] and the overwhelming bulk of the local population, is due to the very
14 positive things that [REDACTED] and its affiliated companies do in the local communities,
15 including employing many members of the local population, funding school projects such as
16 buildings, teachers houses and other community programs, and treating the land and local people
17 with great respect.

18
19 No Confiscation of Cattle

20 6. I have never witnessed the confiscation of any cattle by any employee or
21 representative of [REDACTED] and have never seen any evidence or heard any talk
22 which gives me reason to believe that any employee or representative of [REDACTED]
23 ever confiscated any cattle. Based on my knowledge of the [REDACTED] property, my longtime
24 nearby residence and my knowledge of the local languages, I am confident that I would know
25 about any confiscation of cattle by [REDACTED] if there were any truth to these false
26 statements. From what I have observed, the [REDACTED] practice with respect to any
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1 cattle that may wander onto [REDACTED] for the [REDACTED] scout to return the cattle to its rightful owner,
2 in return for which the ranger is shown the owner's gratitude by the traditional custom of inviting
3 him to drink some fresh cows' milk. I have personally witnessed this on at least one occasion.

4 No Forced Marching of Children

5 7. I can confidently say that there is no truth to the allegation that [REDACTED]
6 forces children to walk a 16 kilometer round trip (or any other distance) around [REDACTED] to get to
7 primary school and back every day. As a person who actually grew up by and still lives on the
8 edge of [REDACTED] I would know with my own eyes if these statements were true. What I have
9 seen with my own eyes is that children walk across [REDACTED] on a regular basis, and are regularly
10 given rides by any [REDACTED] personnel who may be passing by in their vehicles.

12 No Refusal to Allow Locals Access to Water Sources

13 8. There is no truth to the allegation that [REDACTED] "refus[es] to let locals
14 access the Pololet River, traditionally the communities' vital water source." I can say this with
15 complete confidence because even I am able to take my own cows to water without problem and I
16 see other members of the community doing the same. Only it is best to always ask [REDACTED]
17 because they have their job to do in ensuring that it does not disturb guest activities and wild
18 animals so they can direct me appropriately.

19 9. In addition, the Pololet River is only a seasonal river. It flows only after rain and is
20 not a permanent water source all the year round. During the wet season water is available virtually
21 everywhere in Loliondo. During the dry season, the local practice is to dig out holes and dams to
22 hold water through the dry season. The local population does not require access onto or across
23 [REDACTED] to get to water. There isn't even any permanent water source on [REDACTED] In addition,
24 during the drought of 2009, I saw with my own eyes that, far from refusing access to any water
25 source, [REDACTED] conducted several activities to assist the local community,
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1 including allowing people in distress to graze their calves and lactating cows on [REDACTED] and
2 bringing food to the local community, 5 tons of maize meal (corn) that was transported by
3 [REDACTED] from Arusha.

4
5 **No Beating or Detention of People**

6 10. I have never witnessed the beating or detention of any local people by any
7 employee or representative of [REDACTED] and have never seen any evidence or
8 heard any talk which gives me reason to believe that any employee or representative of [REDACTED]
9 [REDACTED] has ever beaten or detained any local people. Based on my longtime nearby
10 residence and my knowledge of the local languages, I am confident that I would know about any
11 beatings or detentions of people by [REDACTED] if there were any truth to these false
12 statements. I am also confident that the local police would have arrested any such [REDACTED]
13 [REDACTED] employee engaged in any conduct of that kind.

14
15 **No Lying**

16 11. Finally, I dispute the false statement on the Website that [REDACTED]
17 owners, [REDACTED] "lied" at a meeting with clan leaders in June, 2011,
18 allegedly "saying that not they, but only Tanzania Breweries Ltd are involved" in a court case in
19 Tanzania regarding ownership of [REDACTED] and allegedly having promised "dispensaries and
20 more classrooms as a reward" for a commitment to chase cows off [REDACTED] I was present at
21 that meeting, and can say with certainty that both statements are false. [REDACTED]
22 [REDACTED] never claimed not to be involved in that Tanzanian litigation, and never attached any
23 conditions to their projects in the local community.

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26 I declare under the penalty of perjury under the laws of the State of California that the
27 foregoing is true and correct.

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Executed this ____ day of June, 2013 in _____, Tanzania.

SPECIFIC LABEL

	response
Boycott [redacted] and stop them land grabbing from the Maasai People!	I am not an employee but I know the inside of [redacted] and the history of this land because I live in this area and I have translated for [redacted] directors and guests and visiting donors from a partner NGO that does development in the area with [redacted]. [redacted] never grabbed the land from the people. They bought it from Tanzanian Breweries Ltd.
In reality, rather than behave ethically they have evicted locals from the land and committed a string of abuses and human rights violations against a poor and vulnerable indigenous population.	Personally I have been working as a part time employee with [redacted] since 2006 and have seen no abuses or human rights violations done by [redacted] rangers who were responsible in ensuring security of the farm but also contribute towards the security of the entire area, including those people living adjacent [redacted]. The rangers themselves who work at [redacted] are coming from the Bomas around there why would you abuse and harass your own family, relatives and friends. The fact is that [redacted] workers are also community and do not self harm, nor do they harm their neighbors who are also the farm's neighbors.
Beatings of children and adults grazing cattle on or near the land	The fact is that I have no any evidence and have never witnessed [redacted] employees doing such an illegal event. Rather what I know is that no person is above the law in Tanzania. The police and the government would certainly have taken steps to convict [redacted] employees of such issues if such an issue was reported and found to have any basis of truth, which, I know not to be true.
Illegal confiscation of cows grazing the land	I have never seen cows illegally confiscated. I heard from [redacted] staff that sometimes [redacted] would round up unattended cows at night to keep them safe till the owner comes to claim them...but I never saw this so it must have been rare. My Boma is located near [redacted] property just about 200metres away from the boundary over which if the cows move to the eastern part they enter to the farm but contrary to the allegations stated, the [redacted] workers (rangers) may return them safely and are offered the neighborly friendship custom of coming to drink some fresh milk.
Refusal to let locals access the Pololet River, traditionally the communities vital water source.	Honestly speaking pololet is a seasonal water source in which during the time of rain, water is almost available everywhere. So Pololet is not a permanent water. Rather Pololet in downstream parts, into the community areas outside the boundary, water is accessed during the dry season, specifically the IRKEPENI, towards Lokoboi, where people dig out holes and dams to get water that may take them through the dry season. So sometimes there is confusion of where exactly the water is found and available during the dry season and may mislead the people on the issue of pololet river. But the reality is that dry season availability is outside the [redacted] farm. There is no permanent water source of water on the farm and no water source [redacted] is obstructing the community to access.
Allowing the police to conduct extrajudicial detention of locals for days without food for 'trespass' on Sukenya Farm	The police are employees of the government. [redacted] and [redacted] have no authority to order the police what to do. The police provide food and water to detained people. I have not heard of any cases where detainees are starved of food and water. I don't believe this is true. Sometimes relatives bring food to detainees but the police sometimes refuse because of tampering with the detainees with such contact, including poison. If food is allowed to be taken in, the provider always has to taste the food in front of a policeman to make sure it is not poisoned.
Children as young as six forced to walk a 16km round trip around the land to get to primary school and back every day	These children are from Il Masilik and cross the farm to the school in Mondorosi. I have never seen them being forced to walk round the farm and know for sure that this is never the case. I have seen them walking across the farm sometimes and always when the patrol car comes across them it gives them a lift close to their destination. I have seen this and know this.

SPECIFIC LIBEL

	response
Burnings of local peoples <i>bomas</i> (homes) built on the land	<p>I was working with [REDACTED] at this time, who was managing the farm before [REDACTED] took over. I was there at this time as was [REDACTED] himself and his staff [REDACTED]. By the time of establishment of the area there were temporary/seasonal enclosures built during rainy season when TBL was the owner of the property. But as soon as [REDACTED] buy the place what happened was the clearing of entire area by burning the those enclosures which those temporary enclosures, none of which were in use at that time, ows and no people living in them or using them, abandoned. No Bomas which are permanent homesteads, with cows enclosures and homes, where burned and no one was there in these cleared "Ronja". How can one evict a person who is not there? Afterteh burning of the "Ronja", Maanda Ngoitiko complained, saying that the company had burned bomas, The government intervened because of the complaints that [REDACTED] workers have bunt the maasai residence which is not true. The government under the leadership of the Arusha Regional Commissioner, accompanied by the DC, Kasunga, who was in charge in that period Hon samwel ndomba conducted an operation by visiting the area by himself and seeing by his own eyes what is going on agaist [REDACTED] between the local people. He called a meeting of the community on the plain, inside the farm. I was there at that meeting. I remember that the DC reprimanded Maanda for causing chaos at the meeting as she was interrupting people who were talking and clashing with the DC. He asked in the meeting those who's bomas have been burnt to rise the hands up and pick them up to go and show their bomas that has been burnt. After the visit to those places he appointed the chairperson incharge Mr James Lembikas to tell what they have witnessed against that allegation. It was clear to all that the places they went to see were temporary enclosures that people have stopped using and left a long time, places known by the maasai name 'Ronjo'. Ronjo means an abandoned enclosure. The conclusion of this is that Maanda was found to be brining an allegation which was proved to be clearly to be false.</p>
Bribing leaders of the poorest clan to stoke divisions in the resistance to the company and maintain control of the land	<p>During my time at the farm, as a member of the community, I never saw any evidence of bribery going on between [REDACTED] and the local community. What I know is the social relations and good cooperation that has resulted in things like school buildings which are in Sukenya and Mondorosi and Soit Sambu. [REDACTED] work hard to bring development to the area and are not responsible for any clan divisions nor to they exploit any that may be there, nor do they creat any. Rather it is the NGOs that exploit clan divisions and create jealousies and conflicts. What I know is that [REDACTED] has reduced clan tensions that pre-existed in the pursuit of their business which aims and intends to benefit all clans. The Loita, Latayayok, and Purko have always been in conflict before [REDACTED] before [REDACTED] came,..It is a long story that was about cattle raiding, but also over grazing. Having the farm in the middle has been a kind of buffer that has also has benefist coming from the tourists. However, here some clans do not want to copoerate with the NGOs who have the business of the court case. Those NGOs exploit clan divisions in an attempt to force non-cooperative clan into doing what they want, fight with [REDACTED] for the court case business.</p>
Bribing of local police and district officials to ensure they will intimidate the community on [REDACTED] behalf	<p>The governments officials according to my perspectives are responsible to take care and to ensure the safety and security of everyone and their properties without favour to any side, regardless of clan, tribe, color. As a memeber of the community and as someone who has been in this area since before [REDACTED] came and all the time they have been there, they have always tried to work well with the community. Conflic between interest, communities, borders, clans, over grazing is nothing new. It has always happened but less becасue of [REDACTED] and [REDACTED] presence and work. When conflict arise which is not often they are usually solved in a traditional way and [REDACTED] plays the role of a good neighbor in this. I never saw any evidence of bribing any person. It is just an accusation trying to make [REDACTED] look bad when they are not.</p>
Often the police join in with [REDACTED] in intimidating and arresting local people.	<p>Again, this is misleading. It is only when there is a serious confrontation that threatens the safety and security of the [REDACTED] staff, the farm property, [REDACTED] guests and members of the community, beyond the capacity of the scouts and the village leaders to handle that the police are called in as last resort to restore peace. Actually, it is the opposite way round.. It is only in the event that [REDACTED] and [REDACTED] are intimidated and threatened with intent to cause harm that the police are called. This is not often but very rare.</p>

SPECIFIC LABEL

response

Many neutral people have approached [REDACTED] since 2006 in a bid to negotiate a peaceful solution that would benefit all parties but they have never engaged meaningfully in any process of reconciliation.	I was once in a village government meeting held at sukenya and the [REDACTED] owners and what I heard discussed was both parties should form a joint entity, a board, that will be acting as a bridge between the company and the community that should resolve any problems that arise. I don't know of any neutral person who has come to resolve problems. I know about lawyers and foreigners that have come with PWC to talk to the community but it is just a business of PWC and not neutral.
This land was obtained in an irregular fashion according to the land law prevalling at the time.In 2003, using fabricated village meeting minutes, TBL illegally acquired the title deed to Soitsambu Village itself	I don't know about this.
One of their first objectives was to remove any local people residing in, or seasonally using, the property.	I never saw any of this...It is not true. No one has been removed from the farm and anyway, the farm belonged to TBL and then to [REDACTED] neither of whom have evicted anyone.
Sukenya and Mondorosi villagers have been injured in confrontations with the company and police, and many have been jailed for "illegally" trespassing onto the farm.	This is not true. I live right next to the farm and I have never seen this or even know about anyone that has been injured by [REDACTED]. People have only ever been detained because they have disturbed the peace and used threatening behaviour. [REDACTED] have been injured. Totiyo a [REDACTED] was attacked and injured by Oldpoi Nekere, not the other way round. Another example was during [REDACTED] time when one of the [REDACTED] was attacked and cut with a knife but I don't know who it was. Staff were threatened on a number of occasions..It is only because of [REDACTED] careful handling of conflicts that no more people have been hurt over the last 6 years.
During the drought of 2009 this proved catastrophic for the villagers who lost most of their cattle and were thrown into deeper poverty.	I was there during this drought. There was no water on the farm. [REDACTED] were not responsible for any cattle deaths in any way.. Cattle were dying everywhere in the district. In fact, The people living around the farm suffer less in the drought than people living else where and this was what happened in the drought of 2009. [REDACTED] helped the local people. [REDACTED] allowed people in distress to graze to save their calves and lactating cows. Even [REDACTED] brought food aid to the local community. Beacuse of the property being owned by [REDACTED] and conserved by tourism, it is now a valuable reserve for the event of drought. If community overgraze in the wet season, then there is nothing for them in the drought...that is why it needs careful management by [REDACTED] and respect from community.
The pastoralists in this region assert that they have been subjected to many of these brutalities, and the research commission by Minority Rights Group International can provide evidence.	I have not seen any evidence of this. Personally, no one has come to me with this kind of research and I am living in my family boma n the edge of the property. They should have come to talk to me if this reseach was done properly. Maybe they just went to certain people who can give them what they want. Therefore I have to say that that I believe it is just NGOs keeping themselves busy with their own stories.
In March 2007, traditional leader Shangai ole Putaa spoke out against [REDACTED] occupation of Sukenya to President Kikwete. In November the same year he was killed by the police. No one who knew him believes the police's story. http://www.arushatimes.co.tz/2007/45/courts_and_crime.htm	I was in school at the time. The stories I heard is nothing to do with the land conflict..It wasall to do with bandity and weapons..There are so many rumours but nothing to do with [REDACTED]

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[REDACTED] response

In April 2008 there was a clash between Maasai taking their animals to water and [REDACTED] aided by the police. Lesinko ole Nanyoi was shot in the jaw and seriously injured. Both the [REDACTED] and the police denied responsibility for this shooting. http://www.arushatimes.co.tz/2008/19/front_page_1.htm

I was away at school at this time in Moshi. I don't know about this story.

New Zealand-born photographer Trent Keegan came to investigate the conflict. In May 2008 he sent emails to his friends about being approached by [REDACTED] and the police. Shortly after this he was killed in Nairobi in circumstances the Kenyan police said did not fit with a street robbery. http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10518877

I don't know about this story as I was at school in Moshi at the time.

Some weeks after Trent Keegan's murder, his friend, volunteer worker Brian MacCormac, went to a meeting with the owners of [REDACTED] to try and clear things up. There was an atmosphere of hostility against him and when he tried to leave the meeting a [REDACTED] full with armed men sped into the compound to arrest him. <http://africanfarmersjournal.blogspot.com/2008/09/follow-up-to-maasai-dispute.html>

I don't know about this story as I was at school in Moshi at the time.

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30th April 2013 - 5 years ago there was a clash between Maasai taking their animals to water and [REDACTED] aided by local police. Lesinko ole Nanyoi was shot in the jaw and seriously injured. Neither the [REDACTED] or the police have ever taken responsibility for this shooting. The shooting was front page news in the region at the time http://www.arushatimes.co.tz/2008/19/front_page_1.htm

News: Three young adults beaten by [REDACTED] employees and police on 14th February 19th February 2013 - This is Narikungishu. She is 19 years old. She says that on 14th February she was beaten and assaulted by police and [REDACTED] security guards for grazing cattle with two other people near the disputed land. She says the guards tried to push her to her knees and when she refused they beat her with sticks. All three people attacked are from the Loita clan in Sukenya B sub-village of Sukenya village. a. [REDACTED] deliberately favour people of the Lataiyok clan from Sukenya A. b. The Lataiyok people are never beaten by [REDACTED] to retain their leaders support. c. The people of Mondorosi village are not Lataiyok and are also frequently harassed and assaulted. d. [REDACTED] is trying to divide and rule the communities it has taken stolen land from by creating clan divisions. e. By bribing and employing a minority of Lataiyok in positions of authority they can make PR videos and try and convince their guests that they have the support of the community at large. The truth is more complex and the victims are innocent people like Narikungishu who are just trying to survive in their ancestral lands.

This is Mbekure. He is 21 years old. He says on 14th February he was with Narikungishu and one other man when they were attacked by the [REDACTED]. He and his friend Oloimoaja were kicked and punched. He had to be taken to hospital by a local NGO the next day. He says one of [REDACTED] also beat them with a stick. Please help end this injustice by boycotting [REDACTED]

response

I talked to people from the area and we all know this event to be untrue. It never happened. It is just a story made up by the NGOs for their business. [REDACTED] do not deliberately favor the latayok clan from Sukenya. This is just a jealous claim from people who resent that Sukenya is benefiting from tourism because they are the ones who are partnering with [REDACTED] better than their are. The same is the case for alldgeing that latayok people are never beaten and that Mondorosi are. No one is beaten by [REDACTED]. I live there and I know what I see is what is true. This allegation is not true. [REDACTED] is not trying to devide and rule...It is the NGOs that try to rule this place, dividing and bullying anyone who will not coperate with them in the way that these alleagtions of theirs are are doing right here. What is wrong with [REDACTED] trying to do good marketing for our people, our area, our culture so that we can benefit more from the tourists that [REDACTED] work hard to bring to us. Only someone who is trying to make us poor would try to stop them from doing this by saying these things. Who are they to speak about us in this way.

See above...I talked to people from the area and we all know this event to be untrue. It never happened. It is just a story made up by the NGOs for their business.

SPECIFIC LIBEL

News: [REDACTED] continue to pursue a bogus case against the five young men originally arrested in July. 30th November 2012 - Pictured are the five men arrested and detained in July this year. Two are from Mondorsi village and three are from Sukenya village. Both villages are involved in the court case against [REDACTED]. These men are Morani (warriors) and traditionally wear their hair in long braids. This important part of their cultural identity was taken from them by police who shaved their heads during their detention. This was a deliberate act of humiliation. The prosecution against the five young men is ongoing as [REDACTED] continues to pursue a case against them in the local Loliondo courts for trespassing. Because of the remoteness of the area legal representation is provided by the Legal and Human Rights Centre but they lack funding for the case so their costs to come are covered by the community, local NGO's and in some cases the lawyers personal funds. Several hearing dates have been set with LHRC travelling nine hours each way to attend but each time the case was postponed, adding to the stress and financial burden for the men. A preliminary hearing was finally held recently. The five accused gave their statements which were disputed by [REDACTED] manager [REDACTED]. The main hearing is now set for 14th December.

[REDACTED] response

This is for [REDACTED] to comment on...I was not at the farm at this time as I was in Mweka college. When anyone is arrested, according to the policy of [REDACTED] that I know, and the practice of the [REDACTED] they never call the police unless there someone was threatened and it was looking like a dangerous situation that they could not manage. They must have done something to the [REDACTED] to make this happen. This blog looks like business language of NGOs sponsoring and using this even to try to raise funds...with the words "lack funding".... "financial burden" etc etc.

News: Three children beaten and arrested by [REDACTED] yesterday 17th August 2012 - We are very sad and disturbed to report that three Maasai boys, none of them older than 14, were beaten and then arrested yesterday after [REDACTED] found them on Sukenya Farm. It is illegal to arrest children in Tanzania. The boys were not even grazing cattle, they were just playing within the boundaries of the land. We will update again when we have more details.

I never even heard about this before..and no one that I know knows about this. If this had happened, I am sure I would have heard about it. This blog does not give any names so it sounds like they have nothing real of solid in this claim of theirs to be able to say such a thing. It shows that they do not verify anything so how can you believe anything that they say.

News: Five men detained without food then re arrested 29th July 2012 - They detained five men last week and they went without food for over a day. The District Commissioner has now re arrested the same five men and is "making an example out of them". He's saying it's a local NGO who asks them to graze there to intimidate [REDACTED] clients. Also worryingly, he has been harassing and threatening the female Director of the NGO in an attempt to intimidate her.

[REDACTED] can comment on this... Maanda is always saying that the DC is harassing and threatening to get sympathy from her donors when she is reprimanded for causing chaos and inciting conflict, just like when she was reprimanded by the DC Kasunga when she claimed that [REDACTED] were burning bomas which was not true.

SPECIFIC LIBEL

News: Illegal, inhumane detentions and visit from [REDACTED] owners
11 June 2012 - Two men from Mondorosi were recently detained by [REDACTED] and brought to the police station where they were starved for two days and then charged with illegally cutting tree branches for their bomas. One was released on bail and one is still in prison. [REDACTED] are currently visiting Sukenya. They have been holding long meetings with Laitayok clan leaders demanding they chase cows belonging to Purko and Loita clans off the land, and they are promising dispensaries and more classrooms as a reward. The Laitayok refused. They have lied saying that not they, but only Tanzania Breweries Ltd are involved in the court case. They are also pressurising the DC to stop grazing while the case is ongoing, whereas the fact that the case is unresolved means the community should have full access to the land.

[REDACTED] response

For the event of the 2 wood cutters, All I know is that I was at a meeting where the village chairman from Mondorosi and other people came to discuss how to resolve the matter by traditional means. [REDACTED] said that this would be OK and did not want the case to go any further. I was the translator in the meeting that is mentioned here. At no time did [REDACTED] say anything about or even like that the Laitayok should chase away Purko and Loita cows. They said that the case is still progressing in the court but that the land is owned by [REDACTED] and that the case should not stop other development issues to progress. They never said that they were not involve in the case and they never said that it was only TBL involved in the case They never even mentioned the name TBL in the meeting. They did bring news of the dispensary but they never said that it would be provided subject to any conditions at all. I translated what they said and I know that what is said here is a complete lie.

SPECIFIC LIBEL

Four years after the tragic murder of Trent Keegan unanswered questions remain On 28th May 2008 New Zealand photographer Trent Keegan was murdered in Nairobi. Just before he died, Trent had been on a photo assignment in Loliondo, Northern Tanzania, covering the Sukenya Farm land dispute between ██████████ and Masai tribes people. Trent's laptop and camera were stolen when he was murdered, but the robbers left his bulging wallet and passport on his body. Kenyan police said the attack on Trent didn't look like a normal mugging.

In 2010 a New Zealand documentary team investigated Trent's murder and made this film <http://videobam.com/rjbzW> Following the film's investigations Hesbon Amadade was charged with Trent's murder. In October 2011 he was found not guilty by a Nairobi court due to lack of evidence. Amadade remains in jail charged with the murder of a Kenya Airways pilot in 2010.

Today, four years after his murder, many unanswered questions about Trent's death remain. Why did Hesbon Amadade flee to Loliondo in Tanzania after the murder? Why did a ██████████ member later boast about having files from Trent's stolen laptop. Why was the District Commissioner, a supporter of ██████████, seen in his office with photos that could only have come from Trent's laptop? These and other serious questions continue to need answers.

Below is a report that was being compiled by Trent Keegan into the

News: Villagers appeal against case dismissal successful!23rd May 2012 - The Court of Appeal of Tanzania ruled that the case by Soitsambu Village Council against ██████████ and Tanzania Breweries Ltd should not have been dismissed on a technicality. The court ordered to pay back the Villagers the cost of their appeal. The case will now start afresh in the High Court later in the year. This is a major victory for the communities of Sukenya and Mondorosi against the interests of corrupt investors.

██████████ response

This is for ██████████ to respond to.

SPECIFIC LIBEL

<p>Catch up with the "View from the Termite Mound" blog In early 2010 Susanna visited Loliondo and asked the wrong person some questions about [REDACTED] which led to her being interrogated by the Ngorongoro Security Committee, thrown out of the district and then the country, and declared a "prohibited immigrant". She's written about it in her blog. http://www.termitemoundview.blogspot.se/2010/03/sukenya-farm-conflict-what.html</p>	<p>[REDACTED] response</p> <p>I don't know anything about this event, but I often look at this site and know about her from what people tell me. The information provided on the site is misleading and attempts to involve [REDACTED] in what she was doing wrong..In this country you have to have a permit for the kind of research thing she was doing and respect the country and its laws. If she had no respect for the authorities to go about her business honestly and properly, her being caught by the authorities for activities that she did not have the necessary permits for should be of not be the consequence of anyone but herself.</p>
<p>Book your safari to the Serengeti through a responsible companyThe Serengeti National Park and the Loliondo Game Controlled Area are world famous destinations for a reason. We highly recommend everyone visits this extraordinary part of our planet. If you are planning to visit the area please support responsible tourism by staying with a company that's recognised for its genuinely ethical behaviour. <i>If a company is willing to be embroiled in a law suit with a community regarding vital access to traditional land then their real attitude to indigenous people is clear regardless of what they claim on their website.</i> Many other companies work happily with local communities, without conflict. If you would like to be sure of booking with a responsible operator Tourism Concern has a database of ethical tour operators.</p>	<p>This is just trying to destroy [REDACTED] business, to persuade people not to use [REDACTED] but saying [REDACTED] is a bad company. My own experience of living next to them, translating for the directors themselves, their guests has let me see right into the heart of the company and what they care about. This is a good company that is responsible and tries to work well with community in harmony. I know that they are not willing to be embroiled in the court case and conflict that this website is promoting and selling to its viewers. Personally, I don't have any problem with this company as a neighbor and as a member of the community, and I know them to be fair and treat people well, all people.</p>

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	response
Boycott ██████████ and stop them land grabbing from the Maasai People!	I am not an employee but I know the inside of ██████████ and the histroy of this land becaue I live in this area and I have translated for ██████████ and guests and visiting donors from a partner NGO that does development in the area with ██████████. ██████████ never grabbed the land from teh people. They bought it from Tanzanian Breweries Ltd.
In reality, rather than behave ethically they have evicted locals from the land and committed a string of abuses and human rights violations against a poor and vulnerable indigenous population.	Personally I have been working as apart time employee with ██████████ since 2006 and and have seen no abuses or human rights violations done by ██████████ who were responsible in ensuring security of the farm but also contribute towards the security of the entire area, including those people living adjacent ██████████. The rangers themselves who work at ██████████ are coming from the Bomas around there.why would you abuse and harass your own family, relatives and friends. The fact is that ██████████ workers are also community and do not self harm, nor to they harm their neighborsm who are also the farm's neighbours.
Beatings of children and adults grazing cattle on or near the land	The facts is that I have no any evidence and have never witnessed ██████████ employees doing such an illegal events. Rather what I know is that no person is above the law in Tanzania. The police and the government would certainly have taken steps to convict ██████████ employees of such issues if such an issue was reported and found to have any basis of truth, which, I know not to be true.
Illegal confiscation of cows grazing the land	I have never seen cows illally confistacted. I heard from ██████████ that sometimes ██████████ would round up unattended cows at night to keep them safe till the owner comes to claim them...but I never saw this so it must have been rare. My Boma is located near ██████████ property just about 200metres away from the boundary over which if the cows move to the eastern part they enter to the farm but cinractory to the allegations stated, the ██████████ workers(rangers) may return them safely and are offered the neighborly friendship custom of coming to drink some fresh milk
Refusal to let locals access the Pololet River, traditionally the communities vital water source.	Honesty speaking pololet is a seasonal water source in which during the time of rain, water is almost available everywhere. So Pololet is not a permanent water. Rather Pololeti in downstream parts, into the community areas outside the boundary, water is accessed during teh dry season, specificaly the IRKEPENI, towards Lokoboji, where people dig out holes and dams to get water that may take them through the dry season. So sometimes theer is confussion of where exactly the water is found and available during the dry season and may mislead the people on the issue of pololeti river. But the reality is that dry season avaiability is outside the ██████████ farm. There is no permanent water source of water on the farm and none water source ██████████ is obstructing the community to access.
Allowing the police to conduct extrajudicial detention of locals for days without food for 'trespass' on Sukenya Farm	The police are employees of the government. ██████████ have no authority to order the police what to do. The police provide food and water to detained people. I have not heard of any cases where detainees are starved of food and water. I don't believe this is true. Sometimes relatives bring food to detainees but the police sometimes refuse becasue of tampering with the detainees with such contact, including poison. If food is allowed to be taken in, the provider always has to taste the food in front of a policeman to make sure it is not poisoned.
Children as young as six forced to walk a 16km round trip around the land to get to primary school and back every day	These childred are from Il Masilik and cross the farm to the school in Mondorosi. I have never seen them being forced to walk round the farm and know for sure that this is never the case. I have seen them walking across the farm sometimes and always when the patrol car comes across them it gives them a lift close to their destination. I have seen this and know this.

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	response
Burnings of local peoples bomas (homes) built on the land	<p>I was working with [REDACTED] at this time, who was managing the farm before [REDACTED] took over. I was there at this time as was [REDACTED] himself and his staff. [REDACTED] By the time of establishment of the area there were temporary/seasonal enclosures built during rainy season when TBL was the owner of the property. But as soon as [REDACTED] buy the place what happened was the clearing of entire area by burning the those enclosures which those temporary enclosures, none of which were in use at that time, ows and no people living in them or using them, abandoned. No Bomas which are permanent homesteads, with cows enclosures and homes, where burned and no one was there in these cleared "Ronja". How can one evict a person who is not there? Afterteh burning of the "Ronja", Maanda Ngoitiko complained, saying that the company had burned bomas, The government intervened because of the complaints that [REDACTED] workers have bunt the maasai residence which is not true. The government under the leadership of the Arusha Regional Commissioner, accompanied by the DC, Kasunga, who was in charge in that period Hon samwel ndomba conducted an operation by visiting the area by himself and seeing by his own eyes what is going on agaist [REDACTED] between the local people. He called a meeting of the community on the plain, inside the farm. I was there at that meeting. I remember that the DC reprimanded Maanda for causing chaos at the meeting as she was interrupting people who were talking and clashing with the DC. He asked in the meeting those who's bomas have been burnt to rise the hands up and pick them up to go and show their bomas that has been burnt. After the visit to those places he appointed the chairperson incharge [REDACTED] to tell what they have witnessed against that allegation. It was clear to all that the places they went to see were temporary enclosures that people have stopped using and left a long time, places known by the maasai name 'Ronjo'. Ronjo means an abandoned enclosure. The conclusion of this is that Maanda was found to be brining an allegation which was proved to be clearly to be false.</p>
Bribing leaders of the poorest clan to stoke divisions in the resistance to the company and maintain control of the land	<p>During my time at the farm, as a member of the community, I never saw any evidence of bribery going on between [REDACTED] and the local community. What I know is the social relations and good cooperation that has resulted in things like school buildings which are in Sukenya and Mondorosi and Soit Sambu. [REDACTED] work hard to bring development to the area and are not responsible for any clan divisions nor to they exploit any that may be there, nor do they creat any. Rather it is the NGOs that exploit clan divisions and create jealousies and conflicts. What I know is that [REDACTED] has reduced clan tensions that pre-existed in the pursuit of their business which aims and intends to benefit all clans. The Loita, Latayayok, and Purko have always been in conflict before [REDACTED] before [REDACTED] came,..It is a long story that was about cattle raiding, but also over grazing. Having the farm in the middle has been a kind of buffer that has also has benefist coming from the tourists. However, here some clans do not want to copoerate with the NGOs who have the business of the court case. Those NGOs exploit clan divisions in an attempt to force non-cooperative clan into doing what they want, fight with [REDACTED] for the court case business.</p>
Bribing of local police and district officials to ensure they will intimidate the community or [REDACTED] behalf	<p>The governments officials according to my perspectives are responsible to take care and to ensure the safety and security of everyone and their properties without favour to any side, regardless of clan, tribe, color. As a memeber of the community and as someone who has been in this area since before [REDACTED] came and all the time they have been there, they have always tried to work well with the community. Conflic between interests, communities, borders, clans, over grazing is nothing new. It has always happened but less becasue of [REDACTED] and [REDACTED] presence and work. When conflict arise which is not often they are usually solved in a traditional way and [REDACTED] plays the role of a good neighbor in this. I never saw any evidence of bribing any person. It is just an accusation trying to make [REDACTED] and [REDACTED] look bad when they are not.</p>
Often the police join in with [REDACTED] in intimidating and arresting local people.	<p>Again, this is misleading. It is only when there is a serious confrontation that threatens the safety and security of the [REDACTED] staff, the farm property, [REDACTED] guests and members of the community, beyond the capacity of the scouts and the village leaders to handle that the police are called in as last resort to restore peace. Actually, it is the opposite way round.. It is only in the event that [REDACTED] and [REDACTED] are intimidated and threatened with intent to cause harm that the police are called. This is not often but very rare.</p>

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██████████ response

Many neutral people have approached ██████████ since 2006 in a bid to negotiate a peaceful solution that would benefit all parties but they have never engaged meaningfully in any process of reconciliation.	I was once in a village government meeting held at sukenya and the ██████████ and what I heard discussed was both parties should form a joint entity, a board, that will be acting as a bridge between the company and the community that should resolve any problems that arise. I don't know of any neutral person who has come to resolve problems. I know about lawyers and foreigners that have come with PWC to talk to the community but it is just a business of PWC and not neutral.
This land was obtained in an irregular fashion according to the land law prevailing at the time.In 2003, using fabricated village meeting minutes, TBL illegally acquired the title deed to Soitsambu Village itself	I don't know about this.
One of their first objectives was to remove any local people residing in, or seasonally using, the property.	I never saw any of this...It is not true. No one has been removed from the farm and anyway, the farm belonged to TBL and then to ██████████ neither of whom have evicted anyone.
Sukenya and Mondorosi villagers have been injured in confrontations with the company and police, and many have been jailed for "illegally" trespassing onto the farm.	This is not true. I live right next to the farm and I have never seen this or even know about anyone that has been injured by ██████████. People have only ever been detained because they have disturbed the peace and used threatening behaviour. ██████████ have been injured. ██████████ was attacked and injured by Oldpoi Nekere, not the other way round. Another example was during ██████████ time when one of the ██████████ was attacked and cut with a knife but I don't know who it was. Staff were threatened on a number of occasions..It is only because of ██████████ careful handling of conflicts that no more people have been hurt over the last 6 years.
During the drought of 2009 this proved catastrophic for the villagers who lost most of their cattle and were thrown into deeper poverty.	I was there during this drought. There was no water on the farm. ██████████ were not responsible for any cattle deaths in any way.. Cattle were dying everywhere in the district. In fact, The people living around the farm suffer less in the drought than people living else where and this was what happened in the drought of 2009. ██████████ helped the local people. ██████████ allowed people in distress to graze to save their calves and lactating cows. Even ██████████ brought food aid to the local community. Because of the property being owned by ██████████ and conserved by tourism, it is now a valuable reserve for the event of drought. If community overgraze in the wet season, then there is nothing for them in the drought...that is why it needs careful management by ██████████ and respect from community.
The pastoralists in this region assert that they have been subjected to many of these brutalities, and the research commission by Minority Rights Group International can provide evidence.	I have not seen any evidence of this. Personally, no one has come to me with this kind of research and I am living in my family boma n the edge of the property. They should have come to talk to me if this reseach was done properly. Maybe they just went to certain people who can give them what they want. Therefore I have to say that that I believe it is just NGOs keeping themselves busy with their own stories.
In March 2007, traditional leader Shangai ole Putaa spoke out against ██████████ occupation of Sukenya to President Kikwete. In November the same year he was killed by the police. No one who knew him believes the police's story. http://www.arushatimes.co.tz/2007/45/courts_and_crime.htm	I was in school at the time. The stories I heard is nothing to do with the land conflict..It was all to do with bandity and weapons..There are so many rumours but nothing to do with ██████████

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██████████ response

In April 2008 there was a clash between Maasai taking their animals to water and ██████████ aided by the police. Lesinko ole Nanyoi was shot in the jaw and seriously injured. Both the ██████████ and the police denied responsibility for this shooting. http://www.arushatimes.co.tz/2008/19/front_page_1.htm

I was away at school at this time in Moshi. I don't know about this story.

New Zealand-born photographer Trent Keegan came to investigate the conflict. In May 2008 he sent emails to his friends about being approached by ██████████ and the police. Shortly after this he was killed in Nairobi in circumstances the Kenyan police said did not fit with a street robbery. http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10518877

I don't know about this story as I was at school in Moshi at the time.

Some weeks after Trent Keegan's murder, his friend, volunteer worker Brian MacCormaic, went to a meeting with the owners of ██████████ to try and clear things up. There was an atmosphere of hostility against him and when he tried to leave the meeting a ██████████ full with armed men sped into the compound to arrest him. <http://africanfarmersjournal.blogspot.com/2008/09/follow-up-to-maasai-dispute.html>

I don't know about this story as I was at school in Moshi at the time.

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30th April 2013 - 5 years ago there was a clash between Maasai taking their animals to water and [REDACTED] aided by local police. Lesinko oje Nanyoi was shot in the jaw and seriously injured. Neither the [REDACTED] or the police have ever taken responsibility for this shooting. The shooting was front page news in the region at the time http://www.arushatimes.co.tz/2008/19/front_page_1.htm

News: Three young adults beaten by [REDACTED] employees and police on 14th February 19th February 2013 - This is Narikungishu. She is 19 years old. She says that on 14th February she was beaten and assaulted by police and [REDACTED] for grazing cattle with two other people near the disputed land. She says the guards tried to push her to her knees and when she refused they beat her with sticks. All three people attacked are from the Loita clan in Sukenya B sub-village of Sukenya village. a. [REDACTED] deliberately favour people of the Lataiyok clan from Sukenya A. b. The Lataiyok people are never beaten by [REDACTED] to retain their leaders support. c. The people of Mondorosi village are not Lataiyok and are also frequently harassed and assaulted. d. [REDACTED] is trying to divide and rule the communities it has taken stolen land from by creating clan divisions. e. By bribing and employing a minority of Lataiyok in positions of authority they can make PR videos and try and convince their guests that they have the support of the community at large. The truth is more complex and the victims are innocent people like Narikungishu who are just trying to survive in their ancestral lands.

This is Mbekure. He is 21 years old. He says on 14th February he was with Narikungishu and one other man when they were attacked by the [REDACTED]. He and his friend Oloimoaja were kicked and punched. He had to be taken to hospital by a local NGO the next day. He says one of [REDACTED] also beat them with a stick. Please help end this injustice by boycotting [REDACTED]

[REDACTED] response

I talked to people from the area and we all know this event to be untrue. It never happened. It is just a story made up by the NGOs for their business. [REDACTED] do not deliberately favor the latayok clan from Sukenya. This is just a jealous claim from people who resent that Skukenya is benefiting from tourism because they are the ones who are partnering with [REDACTED] better than their are. The same is the case for allgeing that latayok people are never beaten and that Mondorossi are. No one is beaten by [REDACTED]. I live there and I know what I see is what is true. This allegation is not true. [REDACTED] is not trying to divide and rule...It is the NGOs that try to rule this place, dividing and bullying anyone who will not cooperate with them in the way that these alleagtions of theirs are are doing right here. What is wrong with [REDACTED] trying to do good marketing for our people, our area, our culture so that we can benefit more from the tourists that [REDACTED] work hard to bring to us. Only someone who is trying to make us poor would try to stop them from doing this by saying these things. Who are they to speak about us in this way.

See above...I talked to people from the area and we all know this event to be untrue. It never happened. It is just a story made up by the NGOs for their business.

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News: [REDACTED] continue to pursue a bogus case against the five young men originally arrested in July. 30th November 2012 - Pictured are the five men arrested and detained in July this year. Two are from Mondorsi village and three are from Sukenya village. Both villages are involved in the court case against [REDACTED]. These men are Morani (warriors) and traditionally wear their hair in long braids. This important part of their cultural identity was taken from them by police who shaved their heads during their detention. This was a deliberate act of humiliation. The prosecution against the five young men is ongoing as [REDACTED] continues to pursue a case against them in the local Loliondo courts for trespassing. Because of the remoteness of the area legal representation is provided by the Legal and Human Rights Centre but they lack funding for the case so their costs to come are covered by the community, local NGO's and in some cases the lawyers personal funds. Several hearing dates have been set with LHRC travelling nine hours each way to attend but each time the case was postponed, adding to the stress and financial burden for the men. A preliminary hearing was finally held recently. The five accused gave their statements which were disputed by [REDACTED]. The main hearing is now set for 14th December.

News: Three children beaten and arrested by [REDACTED] yesterday 17th August 2012 - We are very sad and disturbed to report that three Maasai boys, none of them older than 14, were beaten and then arrested yesterday after [REDACTED] found them on Sukenya Farm. It is illegal to arrest children in Tanzania. The boys were not even grazing cattle, they were just playing within the boundaries of the land. We will update again when we have more details.

News: Five men detained without food then re arrested 29th July 2012 - They detained five men last week and they went without food for over a day. The District Commissioner has now re arrested the same five men and is "making an example out of them". He's saying it's a local NGO who asks them to graze there to intimidate [REDACTED] clients. Also worryingly, he has been harassing and threatening the female Director of the NGO in an attempt to intimidate her.

response

This is for [REDACTED] to comment on...I was not at the farm at this time as I was in Mweka college. When anyone is arrested, according to the policy of [REDACTED] that I know, and the practice of the [REDACTED] they never call the police unless there someone was threatened and it was looking like a dangerous situation that they could not manage. They must have done something to the [REDACTED] to make this happen. This blog looks like business language of NGOs sponsoring and using this even to try to raise funds...with the words "lack funding"...."financial burden" etc etc.

I never even heard about this before..and no one that I know knows about this. If this had happened, I am sure I would have heard about it. This blog does not give any names so it sounds like they have nothing real of solid in this claim of theirs to be able to say such a thing. It shows that they do not verify anything so how can you believe anything that they say.

[REDACTED] can comment on this... Maanda is always saying that the DC is harassing and threatening to get sympathy from her donors when she is reprimanded for causing chaos and inciting conflict, just like when she was reprimanded by the DC Kasunga when she claimed that [REDACTED] were burning bomas which was not true.

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News: Illegal, inhumane detentions and visit from [REDACTED] owners
11 June 2012 - Two men from Mondorosi were recently detained by [REDACTED] and brought to the police station where they were starved for two days and then charged with illegally cutting tree branches for their bomas. One was released on bail and one is still in prison. [REDACTED] are currently visiting Sukenya. They have been holding long meetings with Laitayok clan leaders demanding they chase cows belonging to Purko and Loita clans off the land, and they are promising dispensaries and more classrooms as a reward. The Laitayok refused. They have lied saying that not they, but only Tanzania Breweries Ltd are involved in the court case. They are also pressurising the DC to stop grazing while the case is ongoing, whereas the fact that the case is unresolved means the community should have full access to the land.

[REDACTED] response

For the event of the 2 wood cutters, All I know is that I was at a meeting where the village chairman from Mondorosi and other people came to discuss how to resolve the matter by traditional means. [REDACTED] said that this would be OK and did not want the case to go any further. I was the translator in the meeting that is mentioned here. At no time did [REDACTED] say anything about or even like that the latayok should chase away Purko and Loita cows. They said that the case is still progressing in the court but that the land is owned by [REDACTED] and that the case should not stop other development issues to progress. They never said that they were not involve in the case and they never said that it was only TBL involved in the case They never even mentioned the name TBL in the meeting. They did bring news of the dispensary but they never said that it would be provided subject to any conditions at all. I translated what they said and I know that what is said here is a complete lie.

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Four years after the tragic murder of Trent Keegan unanswered questions remain On 28th May 2008 New Zealand photographer Trent Keegan was murdered in Nairobi. Just before he died, Trent had been on a photo assignment in Loliondo, Northern Tanzania, covering the Sukenya Farm land dispute between ██████████ and Masai tribes people. Trent's laptop and camera were stolen when he was murdered, but the robbers left his bulging wallet and passport on his body. Kenyan police said the attack on Trent didn't look like a normal mugging.

In 2010 a New Zealand documentary team investigated Trent's murder and made this film <http://videobam.com/rjbzW> Following the film's investigations Hesbon Amadade was charged with Trent's murder. In October 2011 he was found not guilty by a Nairobi court due to lack of evidence. Amadade remains in jail charged with the murder of a Kenya Airways pilot in 2010.

Today, four years after his murder, many unanswered questions about Trent's death remain. Why did Hesbon Amadade flee to Loliondo in Tanzania after the murder? Why did a ██████████ member later boast about having files from Trent's stolen laptop. Why was the District Commissioner, a supporter of ██████████ seen in his office with photos that could only have come from Trent's laptop? These and other serious questions continue to need answers.

Below is a report that was being compiled by Trent Keegan into the

News: Villagers appeal against case dismissal successful! 23rd May 2012 - The Court of Appeal of Tanzania ruled that the case by Soitsambu Village Council against ██████████ and Tanzania Breweries Ltd should not have been dismissed on a technicality. The court ordered to pay back the Villagers the cost of their appeal. The case will now start afresh in the High Court later in the year. This is a major victory for the communities of Sukenya and Mondorosi against the interests of corrupt investors.

██████████ response

This is for ██████████ to respond to.

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response

Catch up with the "View from the Termite Mound" blog In early 2010 Susanna visited Loliondo and asked the wrong person some questions about [REDACTED] which led to her being interrogated by the Ngorongoro Security Committee, thrown out of the district and then the country, and declared a "prohibited immigrant". She's written about it in her blog <http://www.termitemoundview.blogspot.se/2010/03/sukenya-farm-conflict-what.html>

I don't know anything about this event, but I often look at this site and know about her from what people tell me. The information provided on the site is misleading and attempts to involve [REDACTED] in what she was doing wrong. In this country you have to have a permit for the kind of research thing she was doing and respect the country and its laws. If she had no respect for the authorities to go about her business honestly and properly, her being caught by the authorities for activities that she did not have the necessary permits for should be of not be the consequence of anyone but herself.

Book your safari to the Serengeti through a responsible company The Serengeti National Park and the Loliondo Game Controlled Area are world famous destinations for a reason. We highly recommend everyone visits this extraordinary part of our planet. If you are planning to visit the area please support responsible tourism by staying with a company that's recognised for its genuinely ethical behaviour. *If a company is willing to be embroiled in a law suit with a community regarding vital access to traditional land then their real attitude to indigenous people is clear regardless of what they claim on their website.* Many other companies work happily with local communities, without conflict. If you would like to be sure of booking with a responsible operator Tourism Concern has a database of ethical tour operators.

This is just trying to destroy [REDACTED] business, to persuade people not to use [REDACTED] but saying [REDACTED] is a bad company. My own experience of living next to them, translating for the directors themselves, their guests has let me see right into the heart of the company and what they care about. This is a good company that is responsible and tries to work well with community in harmony. I know that they are not willing to be embroiled in the court case and conflict that this website is promoting and selling to its viewers. Personally, I don't have any problem with this company as a neighbor and as a member of the community, and I know them to be fair and treat people well, all people.

From: [REDACTED]
Sent: Thursday, November 04, 2010 9:23 AM
To: [REDACTED]
Subject: FW: Tanzania Conservation Limited

Here's one of the letters I was working on last night...Please file.

Thanks!
[REDACTED]

From: [REDACTED]
Sent: Thursday, November 04, 2010 3:12 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: [REDACTED]

FYF

From: [REDACTED]
Sent: Thu 11/4/2010 3:09 AM
To: Lucy Claridge
Subject: RE: [REDACTED]

Lucy,

It is heartening to know that Minority Rights views capacity-building for conflict resolution as a critical part of its mission.

Resolution is at the heart of our vision for moving hand in hand with all Maasai communities and all clans to transform Enashiva into an outstanding model for conservation, natural resource management, and ecotourism. While there are a number of community leaders, women's groups, and community conservation experts involved in the current process, we welcome other stakeholders, both local and international, if they share that same commitment to resolution.

We appreciate your interest in the government report and the details of the Regional Commissioner's findings. The government report has not been released publically, but we hope that after this election season it may be. As far as the Regional Commissioner, it was actually the then-Regional Commissioner, Abbas Kondoro (not Isidore Shirima, the current RC, as I mistakenly mentioned in my last email) who flew to Loliondo based on a complaint by Maanda Ngoitiko that we had burned families out of their bomas. He found that nothing but some abandoned fencing had been burned and publically reprimanded her for her false claims that provoked fear and hostility.

As you know, despite our 30-year history of ethical behavior in Tanzania, we have been placed under the most intense scrutiny since [REDACTED] purchased the land. We have been able to disprove many false claims, and cast doubt on many others. In the meantime, our opposition has never been scrutinized. I don't say this as a provocation, but as a sincere suggestion that you hold your source accountable. When the accuser receives significant funding from multiple NGOs, and has well-known political objectives, it seems reasonable to question motives. It is an honorable thing when NGOs band together, but we hope that your organization does not lose sight of its responsibility to seek the truth. It would be an unfortunate precedent if each NGO legitimized the involvement of the other, without each one performing its due diligence and vetting its shared source.

While a number of these challenges play themselves out in the background and changes transpire with local governments, there is a process being put in place at [REDACTED] to ensure that all communities have a stake of the management of their natural resources under clearer terms and that communities can benefit from conservation and tourism on a larger scale. We will be happy to inform you about this process as it continues to develop.

In the meantime, it is important for you to know about some other positive things that are happening. Right now, there is a strong grassroots movement that is gaining momentum around [REDACTED] not only amongst the Loita and Laitayok who largely support us, but members of the Purko. For example, four different women's groups from three different villages and clans have begun to meet, uniting and creating ways to better engage in and benefit from community conservation, natural resource management, and tourism. They are empowering themselves, and we are very proud to play a small role in facilitating that.

I look forward to hearing from you again.

Sincerely,

[REDACTED]

From: Lucy Claridge [mailto:Lucy.Claridge@mrgmail.org]

Sent: Wed 11/3/2010 7:50 AM

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: [REDACTED]

Dear [REDACTED]

Thanks for your email, and apologies for the delay in replying, I am out of the office frequently at present. I hope your travels went well.

As you may already be aware from our meeting with [REDACTED], MRG has long worked with a number of pastoralist organisations in East Africa. This has included researching and writing about conflicts between communities and with majority populations, supporting conflict resolution mechanisms, researching and writing about pastoralist community involvement in development, researching and writing about gender issues, conducting training on research methodologies, advocacy (both nationally and internationally) and media skills, as well as supporting legal claims relating to international human rights law. We visited Loliondo in order to explore how best we can deepen our collaboration and support for PWC, an organisation we have great respect for. That support includes finding a resolution to the current land dispute at Sukenya - and, as I said, we are open to suggestions as to how best to proceed with this.

I hope that clarifies issues and I look forward to a constructive dialogue on the issues.

Kind regards

Lucy

—Original Message—

From: [REDACTED]

Sent: 27 October 2010 14:43

To: Lucy Claridge

Cc: [REDACTED]

Subject: RE: [REDACTED]

Lucy,

Thank you for your response and for your openness to beginning a more in-depth dialogue concerning our relationship with communities around [REDACTED]. I will be more than happy to provide you with more information and materials and to discuss some thoughts on resolutions.

I am traveling today and will write back to you in the near future, but first could you tell me a bit more about what role Minority Rights Group International sees itself playing concerning this issue? I have heard that you are investigating these issues to try and determine whether or not Minority Rights Group wants to provide funding to individuals behind a court case against TBL and [REDACTED].

Is that accurate? Or how would you describe your objectives?

Just want to have a clear understanding of your role as this dialogue

progresses. I will be in touch next week.

Thank you again for your response.

—Original Message—

From: Lucy Claridge [mailto:Lucy.Claridge@mrgmail.org]

Sent: Monday, October 25, 2010 11:39 AM

To: [REDACTED]

Subject: RE: [REDACTED]

Dear [REDACTED]

Thank you for your email. I should first explain that your original email dated 22 September was sent to MRG's general email address and was not specifically addressed to me, and therefore has only come to my attention as a result of your email of 13 October, hence the lack of response.

It was helpful to meet with [REDACTED] during our visit, to aid MRG's understanding of the Sukenya Farm conflict. I was also most interested to hear that [REDACTED] does wish to resolve the issues and it is encouraging that you have also raised this with me. During our meeting, [REDACTED] mentioned that [REDACTED] was investigating suitable avenues/bodies for conflict resolution, and I would be keen to hear from you should you have any suggestions.

You mention below that "accusations about displacement were investigated and found to be untrue by the Arusha Regional Commissioner, Isidore Shirima. Additionally, a 10-month investigation was led by the Office of the Prime Minister and drew the same conclusion." I have been unable to locate a copy of the findings of either investigation, yet they are important in further aiding MRG's understanding of the situation. Would you be able to provide me with a copy of the these?

Regards

Lucy Claridge

—Original Message—

From: [REDACTED]

Sent: 13 October 2010 21:41

To: Lucy Claridge

Subject: RE: [REDACTED]

October 13, 2010

Lucy Claridge
Minority Rights Group International
54 Commercial Street
London E1 6LT, UK
Email: minority.rights@mrgmail.org

Lucy Claridge,

Greetings. We have not received a response from our letter dated September 22, 2010, however, we understand that you have since traveled to Loliondo, and, among many other meetings, you met with [REDACTED] and a Maasai woman from Loliondo who has worked with some women's groups around [REDACTED]

Had you informed us of your short visit to Loliondo, we would have been delighted to assist in any way possible and could have given you a full tour of [REDACTED] and introduced you to Maasai leaders who have been at the very heart of the vision for [REDACTED] to become an outstanding model for community empowerment, wildlife conservation, and ecotourism. We are pleased to hear that you did actually meet with the people of Sukenya. No other similar organization has done so.

Furthermore, the community wildlife scouts grew up in the communities around Enashiva. Most community members know them by name. However, names and details are never included when the NGOs in question make allegations against [REDACTED]. If you would provide us with a date, detailed description of an accusation, and the name of a staff member allegedly involved, we could immediately investigate internally and take any necessary actions if they are found to be true.

Sincerely,

Tanzania

September 22, 2010

To Whom It May Concern:

<https://mail.google.com/mail/u/0/#search/Aminah%20-%20166c104443fd6f3>

interest in issues concerning the [REDACTED] in the Loliondo region of northern Tanzania.

[REDACTED] believes that there is a significant amount of misinformation and fabrications that have been circulated about community conservation projects at [REDACTED] so we have been proactive in reaching out to several organizations internationally. Listening to, collaborating with, and learning from the communities around [REDACTED] remains [REDACTED] top priority. However, we also know that there is a lot to learn from numerous organizations throughout the world and we remain completely open to discussing some of these issues and providing information. In fact, some well-known lecturers in the UK, who focus on responsible tourism, have been very helpful in guiding some discussions with us.

As an introduction, [REDACTED] purchased the Sukenya Farm from Tanzania Breweries Limited (TBL) in a legal, transparent bidding process in 2006. The owners quickly saw how the Sukenya Farm could be a model for community empowerment, wildlife conservation, and ecotourism. The directors of [REDACTED] met with numerous traditional leaders, village leaders, and other stakeholders to seek guidance on the best way forward.

At the time of sale, there were no Tanzanians living on the farm whatsoever, and accusations about displacement were investigated and found to be untrue by the Arusha Regional Commissioner, Isidore Shirima. Additionally, a 10-month investigation was led by the Office of the Prime Minister and drew the same conclusion. There have been some groups that have been opposed to this sale from the beginning and have led a three-year campaign of spreading misinformation and fabrications about [REDACTED] and community conservation initiatives at the [REDACTED]. Some of these groups have connections to at least one other foreign tourist company and, we believe, individuals have benefited significantly financially from their campaign.

[REDACTED] has vehemently denied these allegations as they have arisen, and it has also conducted its own exhaustive internal investigations. Furthermore, it has regularly sought means to resolve these issues directly with the groups involved using third parties as objective intermediaries. However, these groups have not shown interest in finding such a resolution and have continued to circulate baseless allegations without any primary sources or corroborating concrete evidence.

It should be noted that there are different Maasai clans that live around the [REDACTED] - Laitaiyok, Purko, and Loita - in three separate communities and there has been a longstanding tension among these clans over lands in the area. For example, the Sukenya farm had been the ancestral lands of the Laitaiyok clan, whose members continue to dominate the population of Sukenya Village. Sukenya has only been recognized this year as an independent village (as opposed to its previous status of sub-village). This has resulted in jubilation by the village because its people have been marginalized for decades due to clan differences and longstanding tensions.

"Tanzania received its independence in 1961, but we, the people of Sukenya, have not been free since that time," said the Sukenya sub-village chairman, Loserian Minis. "After almost 50 years now, we finally have our freedom."

[REDACTED] has been falsely accused of not working with communities. We actually have a very strong relationship with Sukenya Village, among other, and have worked extensively with village leaders, elders, women's groups, and others on various community, conservation, and ecotourism initiatives. [REDACTED] has also worked with other communities and all the Maasai clans involved. Members of each of the three clans are represented on [REDACTED] of community wildlife scouts. Furthermore,

controlled grazing and water access are issues that are negotiated on a regular basis with communities, as proven by witness testimony, and video testimony of herders who have actually thanked [REDACTED] for its assistance in grazing.

The voices of all these supporters have not been heard, and they should be. Instead, they have been drowned out by those who have the resources and political savvy to go to the media and the internet. Specifically, it is a small, vocal group of people who are heavily involved in the nearly 40 NGO's that exist in Loliondo, one of the most poverty-stricken parts of Tanzania. There are compelling reports of certain NGO's misleading their supporters, by claiming to have constructed classrooms and homes that in reality do not exist.

We categorically deny the false accusations that have been lodged against us. We enthusiastically welcome the advice and wisdom of legitimate organizations. We also welcome any questions from those who wish to find out more.

As individuals and investors, we have been in Tanzania for 30 years and have an outstanding record of doing philanthropic works throughout the country and working closely with indigenous communities. Please see just a few examples attached. Despite early challenges, we are confident that this matter can be resolved and that the [REDACTED] can be an exceptional model for community conservation.

Sincerely,

[REDACTED]

[REDACTED]

Tanzania

From: [REDACTED]
Sent: Monday, August 27, 2012 8:51 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: ippMedia: Maasai women get beads market that makes a difference

Beautiful!!!!!!!

Sent from my iPhone

On Aug 27, 2012, at 8:46, "Ali Riley" <Ali@thomsonsafaris.com> wrote:

Maasai women get beads market that makes a difference
By Charles Ngeresa

<http://www.ippmedia.com/frontend/index.php?l=45234>

Full text:

Over 300 women entrepreneurs at Loliondo in Ngorongoro District, Arusha Region, now have reason to smile all the way to the bank after securing a reliable market for their beads.

The [REDACTED] owner of the [REDACTED] has set up a market where Maasai women can sell their beads to tourists in its efforts to empower them.

Nekaki Meikoki told visiting journalists that the firm's initiative has become a blessing as majority of Maasai women from Sukenya, Soitambu, Okiu and Mundoros villages now earn their living by selling beads.

She said women groups operating in the area can generate up to USD2,500 a day by selling their artwork, mainly beads, depending on the number of visitors to the wildlife rich [REDACTED] located within the Serengeti ecosystem.

Nekaki said art craft business has elevated Maasai women to become the breadwinners, overcoming the Maasai oppressed tradition which relegated them to domestic chores.

She said the business earn them handsome money enabling some of the counterparts to build brick houses and purchase livestock.

"Doing business with tourists has brought joy to our families, our husbands are supporting and appreciating our efforts because we are relieving them," said Nemayan Kioki, a founder member of the group.

For her part, Magdalena Parmere, a mother of three, two studying in Sukenya Primary School and one at Loliondo Secondary School said she managed to pay for their fees without help from her husband.

Speaking about women development in business Sukenya village chairman Loserian Orminis commended the support from [REDACTED] saying the initiative needs emulation by other firms in order to empower locals to tap from tourism industry.

"We have lost thousands of our cattle during the drought times in 2006, our land, families were left in abject poverty, but now art craft business has brought a new hope for our survival," Orminis noted.

The company's general manager, [REDACTED] said his firm is committed to partnering with communities around their investment.

He said, "Many Maasai women's groups around the [REDACTED] are just one outstanding example of how a few entrepreneurs can lead to a thriving business."

"Balancing the aims of conservation, tourism, and communities remains one of the greatest challenges throughout Tanzania," he stressed.

He assured Loliondo communities that they are working with stakeholders at all levels on developing solutions to meet such challenges.

From: [REDACTED]
Sent: Wednesday, February 02, 2011 10:41 AM
To: [REDACTED]
Subject: RE: African Initiatives website

Hey [REDACTED]
 I didn't see your changes to the letter...
 What is going on with the court case anyway?
 Do you have phone access now? Send me your number and a time we could talk for just a few minutes.
 Thanks!
 [REDACTED]

From: [REDACTED]
Sent: Wednesday, February 02, 2011 2:59 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: African Initiatives website

Hi [REDACTED]
 I read through your letter, it reads well. What specifically is your concern regarding giving them more info. I thought it was OK. I would like to know your concern in case I am missing something.

Thanks, [REDACTED]

From: [REDACTED]
Sent: Mon 1/31/2011 11:17 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: African Initiatives website

Thanks, [REDACTED] I just added a couple of changes.

(1) My only hesitancy here is that I feel we continue to give our detractors too much information that they only try and use against us. There is a lot of info here about the court case that will be sent directly to Maanda and her lawyers. I think we need to be more careful about what we reveal. Perhaps stick more to the Sukenya story?

(2) Concerning Nanyoi, yes, we do have a timeline. I also have recently reviewed a letter written by the OCD (Officer Commander in District), which he wrote in August of 2010 to the RC's office and PM's office. He wrote the letter because of my inquiries with the PM and RC's office about Nanyoi. Unfortunately, he said he could not give me a copy as I would need authorization from higher up. Anyway, the letter laid out some of the same inconsistencies we have been aware about.

Some of these points are from the letter and others from my recent discussion with the OCD:

- * The confrontation with the warriors happened after 4pm and Nanyoi did not report to the police office in Loliondo until around 7pm. He claimed to have first walked all the way to Postmoru, Kenya, to which it takes an hour to drive from Soit Sambu and would take up to three hours to walk to from [REDACTED] or a nearby village.
- * Nanyoi was not apprehended or witnessed being in the area by the police during the confrontation with the warriors.
- * The warriors were armed and threatening [REDACTED] and the police (if I recall correctly what he said).
- * The police only fired warning shots in the air when they came to the scene.
- * The police carry Small Machine Guns (SMGs). The police encountered the warriors (even though they did not identify Nanyoi as being at the scene) at a range of about 10 meters. The OCD said that from the range that the police were in relation to the warriors a bullet from a SMG would have caused near fatal wounds and more serious

damage, especially if he was untreated for more than 3 hours. The SMGs have a range of up to 100 meters.

Loserian said something interesting during our meeting with the OCD. He attended. It is just a thought, and let us not jump into a theory because we have no facts to support it. However, he said that Nanyoi's injury (Loserian has met with him and talked to him in the past), is similar to the injury of someone else he knows who was mauled by a lion. We should NOT believe that this happened or anything like it. But it was interesting to hear it from Loserian.

I have always entertained the idea of having an intermediary or intermediaries talk to Nanyoi to see if he will come clean. It's risky, as Maanda will say this and that and Nanyoi stays in her stronghold of Irmasilig. The Sukenya elders have less sway there. But perhaps there is a diplomatic way of going about it. I have been thinking about this move for (oh, I don't know) two years.

Anyway, just wanted to pass that on FYI but not for the edit of this letter necessarily. CC'd [REDACTED] to see if he recalls anything more.

Best,

[REDACTED]
Rosie Martin,

Greetings. We have noted the recent posting of information concerning [REDACTED] on your website. We thank you for providing a link to [REDACTED] Sets the Record Straight which provides additional information and facts about the situation on the ground.

We continue to be concerned with your sources and your reporting. First and foremost we maintain that neither [REDACTED] is responsible for any unethical behavior. We also object to African Initiatives' misleading presentation.

Most notably, we are troubled that the voice of the largest community directly beside [REDACTED] - the Maasai of Sukenya - continues to be ignored. They have long been marginalized by other communities in the area, and their positive opinions about [REDACTED] presence are actively omitted - or perhaps misrepresented by your source. Currently, there are three villages that surround [REDACTED] and [REDACTED] has strong support among two of them, and growing support in the third.

Your mention of the Soit Sambu Village Council and the court case is also egregiously one-sided. The land was sold to Tanzania Breweries over twenty years before [REDACTED] acquired the title deed in a well-advertised public bidding process in 2006. Your statements online make no mention of this fact.

Furthermore, Soit Sambu Village is 20 kilometers away from [REDACTED] and is currently being sub-divided into several smaller villages. This new redistricting means that [REDACTED] is now within the boundaries of another village, and the council who - supposedly - initiated the court case no longer exists. Significantly, the former Soit Sambu Village Council did not have the approval of its members to open this case. According to documentation and multiple sources on the now-defunct council, the name of the village council was co-opted and used improperly by a third party, allegedly PWC and relatives of its members, and former employees of PWC and its affiliates who sat on the council.

Concerning your allegations of abuses, you have regurgitated some of the same old fabrications that have circulated on blogs for more than two years and have been repeated by "parachute journalists" who spent a mere few days in Loliondo under the guidance and invitation of PWC and its staff. The hand-written list of names to which you refer does not qualify as credible evidence, nor does it demonstrate that any alleged mistreatment occurred, much less that it occurred at the hands of [REDACTED]

In the case of Lesinko ole Nanyoi, the story he has repeated over the years (always in the presence of Maanda and Western journalists or donors) has many discrepancies. There is compelling evidence to show that he was not shot or injured in [REDACTED] and we are working tirelessly to make sure that this currently-classified evidence comes to light. We would be happy to share the glaring inconsistencies of his story with you.

As far as the 2009 article by Alex Renton, it contains absolutely no credible evidence; rather, it contains a litany of allegations and rumors, which the author even qualifies as such. Since its publication, no credible evidence to support those allegations and rumors has ever come to light. Despite this glaring lack of factual information, the article has been referenced ad nauseum by those who wish to condemn us. Merely repeating the same information does not make it true.

Concerning Joshua Hammer, while we object to his tactics - most notably his use of a PWC-affiliated translator who was captured on film omitting positive statements about [REDACTED] from his translation - we do appreciate Mr. Hammer's detailed account of the peaceful atmosphere he experienced in [REDACTED] and the friendly, casual interactions he and [REDACTED] had with multiple Maasai neighbors, including those freely crossing the property and grazing cattle there. Significantly, he also points out that Maanda Ngoitiko lied to him.

Finally, and very disturbingly, the Human Rights Report to which you refer does not make any mention of [REDACTED] or [REDACTED] and it is extremely misleading to include this report in the context of allegations against [REDACTED]. The report discusses a hunting operator in the Loliondo area called OBC. There has never been any link between OBC and [REDACTED] which we have already made clear to you on at least one other occasion. Your continued attempts to link OBC and [REDACTED] is not only baseless, but it actively misrepresents the facts around [REDACTED].

We request that you make suitable edits to your current site.

Sincerely,

From: [REDACTED]
Sent: Monday, January 31, 2011 3:39 PM
To: [REDACTED]
Subject: RE: African Initiatives website

Hi [REDACTED]
They kind of have the story now but they have this bit below giving the reader the wrong idea. They state that the village council is bringing legal proceedings, which we know is not correct and also they cleverly forgot to mention that the land was sold over 20 years ago, this reads like it just happened when we came along. Both these points make this passage give a wrong impression to readers and needs to be corrected. I am on exchange server here so difficult to search and locate past emails, could you do me a favour and send [REDACTED] letter so that I can review and give thoughts per your request. Thanks [REDACTED]

In response to the purchase of the land by [REDACTED] the community of Soit-Sambu have sought to reinstate their rights over the land by instigating legal proceedings against [REDACTED]. In bringing legal proceedings, Soit-Sambu Village Council challenge the disputed sale on the basis that this land has always belonged to the Maasai and therefore the sale of 12,600 acres was without legal basis. It is therefore argued that selling the land to [REDACTED] has encroached on the land rights of the Maasai to graze and roam the land. The court case is in the early stages and African Initiatives will report on the ongoing situation as the legal proceedings progress.

From: [REDACTED]
Sent: Mon 1/31/2011 9:31 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: African Initiatives website

Please let me know your thoughts on the letter....don't want this to linger on and then be forgotten.

Thanks!
[REDACTED]

From: [REDACTED]
Sent: Sunday, January 30, 2011 7:41 PM
To: [REDACTED]

Subject: RE: African Initiatives website

The plan was that we follow up on our statement about continuing dialog with AI. In fact Adlex reminded us to be sure to do that.

[REDACTED]

From: [REDACTED]
Sent: Sat 1/29/2011 5:50 AM
To: [REDACTED]
Subject: RE: African Initiatives website

All,

I agree with [REDACTED]. When I wrote the draft, I was thinking that Adlex should be notified about the posting and perhaps review the letter and options. They never budged when we wrote to them time and time again. I don't think this letter will have any impact coming from us.

[REDACTED]

—Original Message—
From: [REDACTED]
Sent: Fri 1/28/2011 5:56 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: African Initiatives website

My edit is attached.

Can Adlex send it?

I'd like to see their opinion on the last item: the Human Rights Report that says ZERO, NOTHING, NADA about Sukenya Farm, TZ Breweries [REDACTED] NOTHING! And yet it is presented in the context of accusations against us. Isn't that libel or defamation or something?

Furthermore, it's not the first time we've pointed out to AI that we have zero, nothing, nada to do with OBC. The way they doggedly insist on co-mingling these absolutely unrelated scenarios is so infuriating, and this phenomenon is part of what has fueled the [REDACTED] flames this entire time.

Can't be legal for them to do that....can it be legal???

—Original Message—
From: [REDACTED]
Sent: Friday, January 28, 2011 7:47 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: African Initiatives website

I am rather pessimistic about this letter. We have written approximately 3-4 letters to AI in the past year and a lawyer has sent two more in recent months. They did adjust some of their material after his letter, but that has been the scarce fruit of all these efforts.

Attacking AI/PWC in the media might be more productive and fun. I hope to meet with some journalists early next week who are interested in investigating NGOs further.

Fwd: Respondents' supplemental production 8 of 10 - marissa@earthrights.org - EarthRights International Mail

By the way, the former TZ Ambassador to the US, Ombeni Sefue, and current Ambassador to the UN, recently came out with remarks how many NGOs in Tanzania, specifically noting women's organizations, are frauds. There was an article in Mwananchi.

~~-----Original Message-----~~

From: [REDACTED]
Sent: Tue 1/25/2011 10:50 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: African Initiatives website

Ugh. So infuriating, and probably pointless, but I feel like we need to go on record to discredit AI's fanatically one-sided position.

They never mention that we have huge Maasai support. Why don't their voices count???

They do not acknowledge the questionable nature of the court case and that the council a) did not agree on the case and some did not even know about it and b) it no longer exists.

The Renton article has been cited frequently, but does that make it true? Each assertion he makes is couched in speculation and rumor and he even acknowledges that "no evidence" exists for a number of allegations. Josh Hammer, the other journalist cited, qualified Renton's report as "a disgrace."

In Hammer's article, he takes great pains to acknowledge the peaceful atmosphere, the grazing he observes first hand and the friendly, casual interactions that take place btwn staff and local Maasai. Hammer also discredits Maanda of PWC by catching her in a lie.

There are serious questions about the veracity of Nanyo's claims, according to a still-classified government report. We have tried for over 2 years to get this report published.

We are not mentioned in the lengthy Human Rights report. The report goes into detail about OBC, and we have nothing to do with them. We object to AI's dogged insistence to equate us with OBC when we have nothing in common with them and we have never, ever had any link with them.

From: [REDACTED]
Sent: Tuesday, January 25, 2011 10:14 AM
To: [REDACTED]
Subject: African Initiatives website

Al just posted a new page about [REDACTED] Human rights violations, Conde Nast link, reference to Maanda's list of victims, link to our WP site in an effort to disprove it, etc.

Here is the text from their site:

Securing Land Rights in Loliondo, Tanzania

The semi-nomadic lifestyle of the pastoralist Maasai has come under threat in Loliondo division, Ngorongoro district in Tanzania. With reported human rights violations and forced evictions becoming more commonplace in the region, African Initiatives is working closely with Tanzanian partners in securing the land rights of the Maasai living in the district. For decades, the Maasai have herded their livestock across vast areas needed for both dry and wet season grazing. However, with the sale of a significant parcel of land in 2006 the future of local Maasai has become uncertain.

The Case against [REDACTED]

In 2006 Tanzania Breweries Limited sold 12,600 acres of land, known as Sukenya Farm, under disputed circumstances to [REDACTED]. This parcel of land, now referred to as [REDACTED] was purchased for the purposes of conservation and tourism. [REDACTED] shares common ownership with [REDACTED] operating luxury safari tours based at [REDACTED].

In response to the purchase of the land by [REDACTED], the community of Soit-Sambu have sought to reinstate their rights over the land by instigating legal proceedings against [REDACTED]. In bringing legal proceedings, Soit-Sambu Village Council challenge the disputed sale on the basis that this land has always belonged to the Maasai and therefore the sale of 12,600 acres was without legal basis. It is therefore argued that selling the land to [REDACTED] has encroached on the land rights of the Maasai to graze and roam the land. The court case is in the early stages and African Initiatives will report on the ongoing situation as the legal proceedings progress.

[REDACTED] A Site for Human Rights Abuses?

African Initiatives works closely with reputable partners in Tanzania, including the Pastoral Women's Council (PWC). Our partners on the ground have reported ongoing human rights abuses perpetrated by staff at the [REDACTED] and the Tanzanian Police. Members of the community allege that [REDACTED] have prevented community members from grazing their livestock within the reserve using aggressive force. In some instances, it is claimed that local Maasai people have been beaten and subsequently detained by the police and then ordered to pay fines (or bribes) for their release. PWC have since reported that the human rights abuses have significantly decreased since Soit-Sambu Village Council brought legal proceedings against [REDACTED] the company operating on the land at [REDACTED]. [REDACTED] vehemently deny any involvement with the alleged perpetration of violence at the reserve. We would refer you to their website for full disclosure of their position: [REDACTED] <[http://\[REDACTED\].wordpress.com/](http://[REDACTED].wordpress.com/)>. Nevertheless, African Initiatives has received a list of community members from our partner, PWC, who report that they were arrested, many with aggressive force, when they "trespassed" onto the disputed area to graze and water their livestock.

Various commissions have visited the Loliondo region to monitor the human rights situation more generally. The allegations are confirmed in the well cited article by Alex Renton, who discusses the broader issues of forced eviction, intimidation and the disempowerment of the Maasai in the region: Tourism Is A Curse To Us <<http://www.guardian.co.uk/world/2009/sep/06/masai-tribesman-tanzania-tourism>>. In The Last Days of the Masai <<http://www.concierge.com/cntraveler/articles/503114?all=yes>>, Joshua Hammer interviews Lesingo ole Nanyoi who claims to have been shot in the jaw whilst grazing livestock within the disputed area. The Legal and Human Rights Centre have also published a comprehensive report highlighting the ongoing concerns in Tanzania and other specific issues in Loliondo: Human Rights Report 2009 <<http://www.humanrights.or.tz/wp-content/uploads/2010/10/Tanzania-Human-Rights-Report-2009.pdf>>.

The Forgotten People: Promoting Indigenous Rights

African Initiatives continues to support our partners in Tanzania in the ongoing battle for recognition of the rights of the Maasai. We are alarmed at the treatment of the pastoralist community in Loliondo division and remain committed to securing the rights of indigenous people. There is increasing international recognition of the rights of indigenous people and in Loliondo the Danish Ambassador Bjarne H. Sørensen has pledged his support to improving the situation facing Maasai people: Danish Ambassador Bjarne H. Sørensen. Raising the profile of these cases is an important aspect of African Initiatives work. We believe that reconceptualising perceptions of traditional pastoralism is an integral element towards realising the fundamental human rights of the Maasai as an indigenous group. To this end, developing an adequate legal framework to safeguard and protect the interests of the Maasai in Loliondo must be a priority.

From: [REDACTED]
Sent: Tuesday, July 31, 2012 3:37 PM
To: [REDACTED]
Subject: FW: Detained herders

African Initiatives is on the rhetorical war path!

Best of luck, [REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Tuesday, July 31, 2012 3:13 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Detained herders

On African Initiatives blog today:

Land Rights in Tanzania - Update from our partners PWC
from The Talking Stick by African Initiatives

African Initiatives has just received this update from our Tanzanian partner, the Pastoral Women's Council (PWC), regarding local pastoralist's land dispute with [REDACTED] which has the same [REDACTED]

"Just now the DC [District Commissioner] is harassing Maanda and Melau (PWC staff) and has locked up 5 men for 'trespassing' on the [REDACTED] farm where they were grazing livestock but you can't trespass on disputed land. The men are still in prison, they were imprisoned on Friday as the DC is 'making an example of them'. They are due in court tomorrow but no one wants to be accountable for locking them up. The DC won't appear so the police won't appear. Shilinde (Advocate) is in Loliondo with 2 journalists to try and expose the DC for what he is doing. The DC has threatened to de-register PWC as he claims we send the men to the [REDACTED] farm to 'intimidate [REDACTED]'. The DC also threatened to lock up Maanda and Melau but nothing has come of this.

Melau spoke to the DC and he has somewhat relented from his initial state of confrontation. Last news is that more Maasai have taken their cattle to graze in the disputed area in retaliation of the DC's action, without, and I emphasize, any encouragement from PWC. [REDACTED] seems very reasonable and perplexed by all the recent goings on. The same men were arrested last week and he called to have them released but then they were of course re-arrested this time without bail. As of yet we still await the court case."

From: [REDACTED]
Sent: Monday, July 30, 2012 12:07 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Detained herders

Hi [REDACTED]

Thanks for letting me know on this one. Nice to know that it is the DC and police that are dealing with this, that we are out of that picture in the sense that we did not have face to face conflict and the usual thing of being accused of beating people etc.

Do let us all (this group) know the latest. Ali is watching blogs etc.

[REDACTED]

From: [REDACTED]
Sent: Monday, July 30, 2012 11:57 AM

9/7/2016

Fwd: Respondents' supplemental production 9 of 10 - marissa@earthrights.org - EarthRights International Mail

To: [REDACTED]
Subject: Detained herders

Hi [REDACTED]

Also for you to be aware...The cops, under the direction of the DC detained 5 herders who were grazing on [REDACTED] without permission.

This follows the protocol established by the DC, whereby [REDACTED] was told that he cannot take any direct action towards herders. He must call the OCD who will deal with it,...and so they did...by detaining the herders... last week.

They were released but detained again pending a village meeting to resolve the matter.

Today, a lawyer from PWC and LHRC in Arusha went to seek their release..

[REDACTED] will give me a report in the morning so that if it turns up on the various blogs and websites, you will know the background and story..

Best,
[REDACTED]

SPECIFIC LABEL	Our reply	Documentation Needed	Who Can Help	Response
1 Boycott [redacted] and stop them land grabbing from the Maasai People!	The fundamental premise is wrong because there was no "land grab" - [redacted] owns the title deed.	Title Deed, Definition of Land Grab! Dictionary.com: <i>land grab</i> noun the seizing of land by a nation, state, or organization, especially illegally, underhandedly, or unfairly. Merriam-Webster.com: a usually swift acquisition of property (as land or patent rights) often by fraud or force		The allegation that [redacted] has grabbed land from the Maasai people implies that the company has illegally taken possession of land that was owned by the Maasai people. It is not true that [redacted] has grabbed the land, nor is it true that they have grabbed the land from the Maasai people. What is known and branded as [redacted] is Farm 373 under Certificate of Title 18163. This title was first issued to Tanzania Breweries Ltd, who later sold the farm to [redacted] in 2006 by way of an public tender advertised in the national newspapers in a fair, legal and transparent process. The title was then sold and transferred by fair, due and legal process and finalised in July 2007. [redacted] has a tourist camp on the farm and is operating tourism activities with the consent of [redacted] with the consent of the Wildlife Department of the Ministry of Natural Resources and Tourism, who shares such revenues with the community as is prescribed by the Departments laws and regulations. Furthermore, [redacted] and its guests purchase tourism services and products directly from the local community as well as facilitating investments in social infrastructure such as schools, social entrepreneurship projects, and women's economic empowerment. The relationship between [redacted] and the land and/or the Maasai people cannot be described as grabbing in any shape or form, and has no historical or current basis for making such a claim from any place including but not limited to Farm 373 under Certificate of Title 18163.
2 In reality, rather than behave ethically they have evicted locals from the land and committed a string of abuses and human rights violations against a poor and vulnerable indigenous population.	[redacted] has not evicted locals. [redacted] has not "committed a string of abuses and human rights violations".	Statements from [redacted] and maybe character references from people who have known us a long time???	Loserian, Lota, Locals, Nekaki, [redacted]	I have been to the farm frequently, with and without notice, stayed for prolonged periods and have witnessed no such abuses, no evictions, no human rights violations. With input from the managers from all of the units, as well as partner organisations, [redacted] management in this case, the the codes of conduct and ethics that apply to both [redacted] are developed and written by the General Manager, myself for the current term. All unit managers, [redacted], apply them in the best way possible and appropriate to each of the units that they run. This starts with the Mission and Values of the company, formulated through a participative process between directors and employees, which includes the Mission Statement "• To be socially responsible in the communities and environments in which we operate, and help to create an awareness of those cultures and environments.". The soul and heart of the company is amply clear to all. Consistent the Mission and Values, and that statement, the policies and codes of conduct substantially describe the conduct with respect to our own employees, the environment, the state and the laws of the land, and local communities. Neither the Mission and Values, nor any of the subsequent policies, nor their practice of them, can be described as abusive or a violation of human rights in any shape or form.
3 Beatings of children and adults grazing cattle on or near the land	Neither [redacted] beat children or adults.	Statements from [redacted] and maybe character references???	Loserian, Lota, Locals, Nekaki, [redacted]	I have seen no such beatings. My policies, the company's policies, do not allow nor tolerate any such behavior. I, empowered by my position and responsibility as General Manager, treat any such allegation or complaint very seriously. Any person found to have engaged in such behaviour knows the consequences; that being a disciplinary hearing followed by instant dismissal. I have flown to the farm to question the staff personally, the farm manager, village chairmen, district officials, the police regarding this allegation which I only came to know about from the [redacted] and could find no evidence of any such beatings. Given that the first protocol of any complaint is through the village chairman, who then calls the farm manager, and given that the village chairmen have not received or communicated any such complaint these claims and allegations are widely judged to be false and posted with ill intent.
4 Illegal confiscation of cows grazing the land	Unattended livestock found wandering on the property are kept safe until the owner claims them.	Statements from [redacted] and maybe character references?? Written policy on how to handle cattle on land	[redacted] locals	Any cows on the farm must be attended regardless if whether they are there with permission or not. [redacted] cannot accept the task or responsibility for looking after unattended cows. The risk is that if any of the cows are attacked by predators (which does and happened), are stolen or lost, there would fuel available to the [redacted] campaigners to drive retaliation by the community against the predators/wildlife on the farm, or against the company and its staff for "allowing" cattle to be endangered or stolen. The [redacted] would then likely take the opportunity to exploit the event to allege brutality against community cattle. I am aware of one incident that was reported to me by the farm manager where unattended cows left on the farm where rounded up for their own safety and reasons of liability and put into an enclosure at 11am and a message was sent to the owner to collect them. The enclosure had ample grass and were collected about 3 hours later at 2pm.
5 Refusal to let locals access the Pololet River, traditionally the communities vital water source.	The Pololet is a watercourse that flows for some hours only after rain; it is not a permanent water source. It is not the vital water source they claim. When there's water in the Pololet, there is water elsewhere. During drought, there is no water in the Pololet and when there's water in the Pololet, there is water elsewhere.	Water Survey, Video of it, Emails showing invitation and refusal to attend survey,	Statements locals who have accessed the Pololet, Ask locals how important the Pololet is to them..., Find "NICHOLAS" who did the survey and get any documentation of his visit/findings	On each and every event that I have been to the farm, and there are many, I always see cattle going to water unhindered. I even have photos of this. There is no truthful basis for this allegation.

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6 Allowing the police to conduct extrajudicial detention of locals for days without food for 'trespass' on Sukanya Farm	We do not "allow" police to do anything. policy is to ask trespassers and their livestock to leave, and to avoid confrontation. If trespassers become confrontational, police requires police intervention.	Written policy on how to handle cattle on land	Daniel, Josiah, TCL staff, Locals	The farm staff have no authority to disallow police to do their work in maintaining peace and security as it is their work to do. Furthermore, for any person to obstruct the police from carrying out the law is against the law. Any person or entity who is threatened has the right to complain to the police and that is all they may do. From that point it is the police who assess the situation, make the decisions and take appropriate actions according to their mandate. The police will have to answer on the rest of the allegation. However, the farm manager, has, on some occasions, worked with village chairmen to intervene to try to get offenders moved out of detention and into traditional procedures for resolving the offences committed. This has been successful on some occasions but not in others where those offenders and/or their sponsors have determined otherwise from whatever reason.
7 Children as young as six forced to walk a 16km round trip around the land to get to primary school and back every day	Neither [redacted] force" children to walk anywhere. Children are often seen on the property. The [redacted] project managers have given them rides.	Hammer article, Daniel statement, Staff statement	Daniel, Josiah, TCL staff, Locals, Any past guests (Lucy Kar?)??	I have never seen this and the allegation is not consistent with general spirit and practice of the company. What I do know is that the [redacted] car regularly gives lifts to people from the community, including children across the farm to school, sick people to and from hospital in Wasso, going to and from market day in Wasso and other errands. I have personally, on every occasion I have been to the farm, without exception, at various and frequent times, travelled in the [redacted] with people from the community in this way. This convenience is much appreciated by the community. Not only this, I have personally, frequently, provided lifts on [redacted] charters to people from the community and made the charter empty legs available to Flying Medical should they wish to put patients on board for treatment in Arushu.
8 Burnings of local peoples bomos (homes) built on the land	Neither [redacted] burned any homes. Temporary cattle enclosures that held no cattle and were abandoned were burned around the time when the land was first purchased. Fig 1.	Daniel statement, staff statement, Article about this (or video), statement of former RC	Daniel, TCL staff, Lengume?, the RC at the time??? Peter Jones	I have never seen this.
9 Bribing leaders of the poorest clan to stoke divisions in the resistance to the company and maintain control of the land	Neither [redacted] bribes anyone. [redacted] employs people from every clan in the area to diminish divisions amongst clans and to avoid preferential treatment.	List of past & present employees and clan?? List of projects done WITH various clan members, Enjipai?	Daniel, Josiah, John, Nekaki, Jeremy	It is a practice that I do not allow or agree with. I prepare the budgets for [redacted]. There is no budget for bribes. The [redacted] manager and staff have no provision or authority for this practice. I personally know the [redacted] and know them to be from Purko, Loita and Latayok clans, and this is because I make a rule and practice that we must employ and treat clans as equally as possible. It may be that some elements may not wish to engage with [redacted] equal opportunities and treatment policy, and that those elements may, according to their influence and objectives, affect the degree to which one clan or another are able to engage with those opportunities and policies, but that is not our wish or practice. [redacted] engage with and are open to working with all neighboring communities. [redacted] partner NGO [redacted] has been providing social infrastructures to most of the surrounding communities, including Soti Sambu secondary school which serves all local communities. Building schools, bringing tourism revenue to community in exchange for community products and services is called economic empowerment for community and corporate social responsibility on the part of the company, NOT bribery.
10 Bribing of local police and district officials to ensure they will intimidate the community on [redacted] behalf	Neither [redacted] bribes anyone. Neither [redacted] intimidates anyone and has demonstrated restraint even when under physical attack.	Statements from [redacted] video/photos from [redacted]	Daniel, Josiah, Johnny B, Eliza, Tolo	See above comments on bribery. I don't bribe, nor do I allow any person to bribe, nor does [redacted] have any provision or authority to bribe, nor do I ensure by any other means that police and district officials intimidate community. Starting with the mission and values of [redacted] which also apply to [redacted] and permeating through the policies and procedures into daily practice, "social responsibility in the communities and environments in which we operate" is at the heart of our business and practiced every day. Neither [redacted] are in the intimidation and harassment business. That is the business of the [redacted].
12 Often the police join in with [redacted] in intimidating and arresting local people.	Neither [redacted] tell police tell police how to do their jobs. [redacted] are not the police. [redacted] do not have the authority to arrest people.	Statements from [redacted]	Daniel, Josiah, R&J	I have never seen nor heard of [redacted] arresting anyone anywhere. They have no authority to arrest anyone and no authority to direct the police on what they should or should not do. The police have a duty to maintain peace and order. Should they decide it is necessary to arrest someone in order to keep the peace, law and order, they do so under their own mandate, and they do this all over Tanzania, each and every day, not just in Lolobedu.
?? Many neutral people have approached [redacted] since 2006 in a bid to negotiate a peaceful solution that would benefit all parties but they have never engaged meaningfully in any process of reconciliation.	When and who are they? The only invitation to "negotiate" was a demand to return the land.	Do we have an email where they demand the land back as their opener to negotiation? PWC website that says what they want (10,000 acres for them, 2000 for [redacted])	R&J, Johnny B	I was personally witness to one approach initiated by Daudi Peterson of Dorobo, a friend and former colleague of Maanda Ngotiko of PWC, also director of the Dorobo Fund and UCRT, donors and supporters of PWC. He introduced me to a potential mediator, Eammon. On my first and only meeting with Eammon, also an associate of Maanda Ngotiko. Eammon's starting position was that [redacted] must give up land but also agreed that he was not the right person to mediate because he was not neutral. I am aware of one other approach by a lawyer acting for Minority Rights who approached my directors with what I viewed to be designed to fail by virtue of its threatening nature, and fail it did. I later met with Carla of Minority Rights who agreed that it was the wrong approach and bound to ensure that the company feel threatened and defensive. There was nothing neutral about the approach. The only efforts that I have seen reach any kind of comfortable and peaceful negotiation are directly between the community and the company as friends and neighbors seeking a good resolution to the needs of both sides for mutual benefit. However, PWC is apparently vigorously and actively opposed to any direct negotiations and consequently ensure that any such process is disrupted, the participants are discredited, and the initiatives derailed by whatever means at their disposal.
13 This land was obtained in an irregular fashion according to the law prevailing at the time. ...in 2003, using fabricated village meeting minutes, TBL illegally acquired the title deed to Sotsambu Village itself	The courts ruled that the land was bought legally by TBL. THEREFORE, it was purchased legally by [redacted]	Title Deed(s), Court Ruling for [redacted] from [redacted] Court Ruling for [redacted] Minister Kagasheld quote that has ("he says [redacted] which is not technically right - it's [redacted] legal right to land.	Zaharan? R&J?	I cannot comment on this. Neither [redacted] was involved with this transaction [redacted] bought the land legally from TBL, that is all I know.

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14 One of their first objectives was to remove any local people residing in, or seasonally using, the property.	Our first objective was to work with the local community about how they could benefit from responsible tourism, an idea that was embraced by the vast majority of the community. After purchasing the land, we did not remove any local people; to our knowledge there were no people residing on the land. However, during a recent re-evaluation of the boundaries in 2012, we came to know that there was actually one Maasai homestead on the property, and the residents continue to reside there.	Land survey?? Would google earth show it????, Does [redacted] report say anything about people NOT being there....	Josiah, Jeremy, R&J, Daniel, Peter Jones	I was not there at this time. I have questioned many people who were there at the time and all of them say that no person was evicted. I do know that their first stated objective was to provide protection for the wildlife and habitat. I have been told that this objective has been successful, that hunting and poaching stopped as a result of their acquisition. I can see no evidence of the alleged objective in any of the communication, documentation or practices of the company from the time before of acquisition till now. The alleged objective is therefore assumed on the part of the [redacted] and, from my own view of internal documents and processes without any substance whatsoever, and therefore without any doubt, false.
15 Sukenya and Mondorosi villagers have been injured in confrontations with the company and police, and many have been jailed for "illegally" trespassing onto the farm.	Neither [redacted] has injured anyone. Neither [redacted] can jail anyone "illegally" or not.	Statements from [redacted]		I am not aware of any such injuries. The only injury I am aware of was an injury caused by an assault of a [redacted]. From the statements for [redacted] the very few cases of arrests in the past 6 years of daily grazing by herders on the farm were prompted by highly threatening behaviour where the police were called in as a last resort to avoid further escalation endangering the lives of [redacted].
16 During the drought of 2009 this proved catastrophic for the villagers who lost most of their cattle and were thrown into deeper poverty.	Absurd to blame [redacted] for death of cattle during drought. There was no water on the land during the epic 2009 drought. Further [redacted] did allow grazing on the land because controlled grazing throughout the year had left more grass on [redacted] than on surrounding areas. This was used by locals, who thanked [redacted] for saving their cattle.	Maize delivery during drought, video thanking us, photos of maize delivery, refer back to the Pololet survey, blog		I was not there at this time.
17 The pastoralists in this region assert that they have been subjected to many of these brutalities, and the research commission by Minority Rights Group International can provide evidence.	[redacted] are not aware of any evidence produced by Minority Rights Group. [redacted] and [redacted] has not committed brutalities, so any indication otherwise would have to be false.			I have seen no such evidence, nor have I seen any brutalities committed by any [redacted] nor do the policies of the farm allow such actions, nor does the spirit and substance of the [redacted] mission, values and codes of conduct invite or tolerate any such actions.
18 In March 2007, traditional leader Shangai ole Putaa spoke out against [redacted] occupation of Sukenya to President Kikwete. In November the same year he was killed by the police. No one who knew him believes the police's story. http://www.arushatimes.co.tz/2007/45/courts_and_crime.htm	The implication is that [redacted] was in some way involved in the killing of Shangai Ole Putaa. [redacted] was not involved in his death.	From the gov't report - doesn't it state that his own family don't believe we had anything to do with it.	Happy?? Daniel, Jeremy? Ole Putaa's family????? Lengume?	I was not there but community members say this was nothing to do with [redacted] but related to involvement in illegal weapons and banditry.
19 In April 2008 there was a clash between Maasai taking their animals to water and [redacted] aided by the police. Lesinko ole Nanyoi was shot in the jaw and seriously injured. Both the TS guards and the police denied responsibility for this shooting. http://www.arushatimes.co.tz/2008/19/front_page_1.htm	[redacted] did not shoot Nanyoi. [redacted] did not have guns. [redacted] does not employ guards. [redacted] employs unarmed wildlife scouts.	Josh Hammer interview, gov't report says Nanyoi lied, statements from Daniel, Lengume	Daniel, lengume	I was not there at this time
20 New Zealand-born photographer Trent Keegan came to investigate the conflict. In May 2008 he sent emails to his friends about being approached by [redacted] and the police. Shortly after this he was killed in Nairobi in circumstances the Kenyan police said did not fit with a street robbery. http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10518877	[redacted] did not have anything to do with the death of Trent Keegan. No government official or police from the US, Tanzania, Kenya, New Zealand or any country has ever contacted us about the death of Trent Keegan. There is nothing linking [redacted] to this crime. The most thorough investigation done on this topic was by a New Zealand film crew who "kdfhkdghkghd"	Harley production company's letter		I was not there at this time.

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<p>21</p> <p>Some weeks after Trent Keegan's murder, his friend, volunteer worker Brian McCormac, went to a meeting with the owners of [redacted] - to try and clear things up. There was an atmosphere of hostility against him and when he tried to leave the meeting a [redacted] full with armed men sped into the compound to arrest him. http://africanfarmersjournal.blogspot.com/2008/09/follow-up-to-maasai-dispute.html</p>	<p>Brian McCormac was invited by [redacted] and [redacted] to meet. He was immediately hostile to the elders; he ignored requests by government officials to state his name; he ignored cultural protocols of introduction to elders; he refused to be seated; the elders were frightened by his actions and requested help from local authorities. Unbeknownst to [redacted], their vehicle and driver had been commandeered to bring the police while they were in the meeting. Brian thanked [redacted] via text message to the [redacted] the next day for calming the situation and making sure Brian left the meeting safely.</p>	<p>Statements by [redacted]</p>		<p>I was not there at this time</p>
<p>22</p> <p>30th April 2013 - 5 years ago there was a clash between Maasai taking their animals to water and [redacted] aided by local police. Lesinko ole Nanyoi was shot in the jaw and seriously injured. Neither the [redacted] or the police have ever taken responsibility for this shooting. The shooting was front page news in the region at the time http://www.arushatimes.co.tz/2008/19/front_page_1.htm</p>	<p>see above</p>			<p>I was not there at this time</p>
<p>23</p> <p><u>News: Three young adults beaten by [redacted] employees and police on 14th February 19th February 2013 - This is Narikungishu. She is 19 years old. She says that on 14th February she was beaten and assaulted by police and [redacted] security guards for grazing cattle with two other people near the disputed land. She says the guards tried to push her to her knees and when she refused they beat her with sticks. All three people attacked are from the Lolita clan in Sukenya B sub-village of Sukenya village. a. [redacted] deliberately favour people of the Lataiyok clan from Sukenya A. b. The Lataiyok people are never beaten by [redacted] to retain their leaders support. c. The people of Mondorosi village are not Lataiyok and are also frequently harassed and assaulted. d. [redacted] is trying to divide and rule the communities it has taken stolen land from by creating clan divisions. e. By bribing and employing a minority of Lataiyok in positions of authority they can make PR videos and try and convince their guests that they have the support of the community at large. The truth is more complex and the victims are innocent people like Narikungishu who are just trying to survive in their ancestral lands.</u></p>	<p>Neither [redacted] has beaten anyone. A) [redacted] does not favor a particular clan. [redacted] has hired members of all clans specifically to avoid favoritism. B and C) No clan members have been beaten. D) [redacted] has not stolen any land. TCL's main mission has been to include all communities and invite them to benefit equally from tourism. E) [redacted] does not bribe anyone. They have the support of the community at large.</p>	<p>Statement from [redacted] saying this is not true. Enashiva video [redacted]</p>		<p>I was at the farm on 3 occasions in February. The first I heard of this event was from the [redacted] and investigated this event on 22nd Feb at the farm. No one knew anything about this event. [redacted] employ from all clans in the surrounding community. It is not true that they favor any one clan. All villages are welcome to partner with [redacted] in community tourism and conservation. The company and the directors themselves have personally extended this offer on a number of occasions to Mondorosi, Solt Sambu and Sukenya. Community conservation and tourism field study tours have been organised by the company to Kenya that are inclusive of all villages. There has been nothing exclusive about the company's offer. The degree of acceptance and willingness to take up the offers varies from village to village. Sukenya village has taken greater advantage of the offer not because the company favors Sukenya, but because they have more willingly engaged themselves. What is referred to here as Sukenya B is chaired by Mr. Paikipunn. He has been included in all village meetings between the company and Sukenya. That his sub village is not taking advantage of the company's extended hand is more a reflection of his own wishes which may be to oppose engagement. The company does not beat or harass or intimidate anyone. They are not allowed to. [redacted] is not trying to divide the community or exploit any preexisting divisions. What I am told by community leaders is that the farm provides a buffer that has served well to reduce community conflict that would have otherwise increased as population and livestock pressure has increased over the last 6 years. I don't see a legal purchase of land from TBL as taking stolen land away from the community. It was a legitimate and legal transaction and transfer of title from TBL to [redacted]. [redacted] does not bribe anyone. I do see that [redacted] do bring tourist dollars to the community in exchange for community based tourism products and services and they and their partners do bring donor funded social infrastructure developments over a wide area around and beyond immediate neighbours without favor or prejudice. This cannot be called bribery except by those who are determined to disrupt the flow of such benefits. I was interviewed in the film and what I said in the film is what I believe in, that community must have an interest in and share in the benefits of conservation through Tourism. If the consequence of the film is to attract tourism to the area, then it is good PR for the community and a useful consequence for both community and the company.</p>
<p>24</p> <p>This is Mbekure. He is 21 years old. He says on 14th February he was with Narikungishu and one other man when they were attacked by the [redacted]. He and his friend Oloimoaja were kicked and punched. He had to be taken to hospital by a local NGO the next day. He says one of [redacted] also beat them with a stick. Please help end this injustice by boycotting [redacted]</p>	<p>[redacted] have not attacked anyone. [redacted] does not employ guards. Daniel Olelekurtu is not employed by [redacted] he is employed by [redacted]. He did not beat anyone.</p>	<p>statement from Daniel Olelekurtu, [redacted]</p>		<p>Neither myself, [redacted] staff know anything about this, nor any of the people I have spoken to in the district or community. Regardless, neither [redacted] staff are not allowed to beat anyone under company policy. If they do, they will face dismissal. Daniel Olelekurtu is Lolita and from the local community. The area where the alleged beatings are his clan. It is absurd that he should be accused of beating his own kin.</p>

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<p>25</p> <p>News: [REDACTED] continue to pursue a bogus case against the five young men originally arrested in July. 30th November 2012 - Pictured are the five men arrested and detained in July this year. Two are from Mondorai village and three are from Sukenya village. Both villages are involved in the court case against [REDACTED]. These men are Morani (warriors) and traditionally wear their hair in long braids. This important part of their cultural identity was taken from them by police who shaved their heads during their detention. This was a deliberate act of humiliation. The prosecution against the five young men is ongoing as [REDACTED] continues to pursue a case against them in the local Loliondo courts for trespassing. Because of the remoteness of the area legal representation is provided by the Legal and Human Rights Centre but they lack funding for the case so their costs to come are covered by the community, local NGO's and in some cases the lawyers personal funds. Several hearing dates have been set with LHRC travelling nine hours each way to attend but each time the case was postponed, adding to the stress and financial burden for the men. A preliminary hearing was finally held recently. The five accused gave their statements which were disputed by [REDACTED]. The main hearing is now set for 14th December.</p>	<p>[REDACTED] has not, is not and did not pursue a case against the five men. This is a police/government case against the five men. The court has requested [REDACTED] to be a witness in the case. [REDACTED] is not otherwise involved.</p>	<p>Court case papers??</p>	<p>[REDACTED]</p>	<p>The report I have received is that the police were called because staff were threatened and the conflict was determined and escalating with intent to cause injury, also the incident took place immediately in front of camp with the intention to intimidate guests. There are plenty of other places to graze on the farm away from guest activities but the herders refused to move. According to the policies on grazing with reference to security and safety, [REDACTED] must defer to the Village Chairman to assist with the conflict, or directly to the police depending in the seriousness of the situation. This is what happened and a report from the [REDACTED] manager is available. The police came to assess the situation for themselves and decided, regardless of [REDACTED] complaint, that the appropriate action was to arrest and charge the herders, with [REDACTED] as secondary witness.</p>
<p>26</p> <p>News: Three children beaten and arrested by [REDACTED] yesterday 17th August 2012 - We are very sad and disturbed to report that three Maasai boys, none of them older than 14, were beaten and then arrested yesterday after [REDACTED] found them on Sukenya Farm. It is illegal to arrest children in Tanzania. The boys were not even grazing cattle, they were just playing within the boundaries of the land. We will update again when we have more details.</p>	<p>Neither [REDACTED] has beaten anyone or arrested anyone. [REDACTED] does not have the authority to arrest anyone.</p>			<p>Neither myself, [REDACTED] nor anything about this, nor any of the people I have spoken to in the district or community. Regardless, neither [REDACTED] have any authority to arrest anyone, nor are they allowed to beat anyone under company policy, nor have they beaten or arrested anyone as far as I have seen and as far as I know. If they did, they would face disciplinary action and be instantly dismissed by the company. Furthermore, the [REDACTED] are both community and employees. They, their families and relatives live around the farm. Should they be involved in any such abuses they would face harsh extrajudicial punishment by their communities and no such thing has taken place. It is therefore a senseless fiction that they would be inflicting abuse and injury on their own as alleged.</p>
<p>27</p> <p>News: Five men detained without food then re arrested 29th July 2012 - They detained five men last week and they went without food for over a day. The District Commissioner has now re arrested the same five men and is "making an example out of them". He's saying it's a local NGO who asks them to graze there to intimidate [REDACTED]. Also worryingly, he has been harassing and threatening the female Director of the NGO in an attempt to intimidate her.</p>	<p>[REDACTED] is not detained, arrested or starved anyone. We have no control over the DC's actions or beliefs, but we agree with his assessment that a local NGO has asked people to intimidate [REDACTED]. A [REDACTED] member witnessed this behavior in April 2012, and documented it as it happened.</p>	<p>Photos/video from [REDACTED]</p>		<p>Neither [REDACTED] have any authority to arrest anyone for anything, nor have they starved anyone. The DC has a portfolio of duties and responsibilities relating to his district, the whole district of Loliondo. The DC has a large organisation employing and connecting with many hundreds of people, within a wide and deep public service and political structure, from village chairmen and village executive officers at village level, up to Diwanis, to district officials, and various committees including the District Security Committee. He is also responsible to the higher authority of the Regional commissioner and regional structures as well as the Prime Minister's office. The DC has his own substantial staff, extensive reporting structures and ample sources of information. He is informed by his organisation when and where there is wrong doing in his district and he is entitled to act on that information as he sees fit within the limits of his authority and the law of the land. [REDACTED] and its staff have legal and human rights just like any other entity or person in his district, including the community and its members. If he believes that those rights and the law are being infringed upon by any party, he may work to determine responsibility and call those he believes to be the cause to account....all part of doing his job. It is understandable that perpetrators caught in the process of him doing his job might feel threatened, but that does not prove harassment and intimidation.</p>

SPECIFIC LABEL	Our reply	Documentation Needed	Who Can Help	Response
<p>28 News: Illegal, Inhumane detentions and visit from June 2012 - Two men from Mondorosi were recently detained by [REDACTED] and brought to the police station where they were starved for two days and then charged with illegally cutting tree branches for their bomas. One was released on bail and one is still in prison. [REDACTED] are currently visiting Sukenya. They have been holding long meetings with Laitayok clan leaders demanding they chase cows belonging to Purko and Loita clans off the land, and they are promising dispensaries and more classrooms as a reward. The Laitayok refused. They have lied saying that not they, but only Tanzania Breweries Ltd are involved in the court case. They are also pressurising the DC to stop grazing while the case is ongoing, whereas the fact that the case is unresolved means the community should have full access to the land.</p>	<p>[REDACTED] was not detained people and cannot detain people. [REDACTED] have never suggested that dispensaries or classrooms would be built in exchange for chasing cows. [REDACTED] have not lied to the community about the court case. Both TBL and [REDACTED] were involved in the case as a matter of public record, and the case was since decided and closed May 17, 2013.</p>			<p>I received the following message from Daudi of Dorobo which he forwarded to me from Maanda Ngotiko of PWC (Dorobo and Maanda of PWC are close friends and associates, she being a former employee of Dorobo) at 2pm on Monday, June 18: "There is a man call Sunguya Lemonji from NCA was brought by ts 2 wks ago locked in prison was kibarus, Magistrate and TS workers want 5 hundred thousand and don't have. Lol manager is not picking my phone." Daudi Peterson had called me prior to forwarding the message and passed the message to me asking me to intervene. And I did try to pull it back from the authorities and into traditional process for reconciliation. The process involves parties, [REDACTED] community leaders and the responsible authority for the trees, the District Forestry officer, to sit together, requiring an apology and a commitment not to cut the farm's trees so destructively and never without prior permission. The farm manager reported to me that this event is where someone from Ngorongoro was hired by people in Mondorosi to cut wood on the farm. He was caught in the act with about 2 cubic meters of wood freshly cut and piled (see photo attached). By arrangement with the [REDACTED] manager and in accordance with the intention of the company to prefer traditional means of resolving the matter, the village Chairman and other representatives from Mondorosi came to meet with the [REDACTED] manager, to apologise and seek reconciliation. Despite claims by Maanda Ngotiko in the message sent to Daudi Peterson of Dorobo, the man was released in accordance with the agreement by the parties to defer to traditional process of reconciliation. Also, it is untrue that [REDACTED] workers were demanding any money of any kind for his release. Nor is it accurate to say that the [REDACTED] was not picking up her phone. [REDACTED] had no missed calls logged from her that day. The matter was amicably resolved between the parties as prescribed. [REDACTED] can provide a more detailed report.</p> <p>In reference to the [REDACTED] reporting on what was said in the meeting between the directors and the community, I was there at that meeting. The meeting was held at Sukenya. The [REDACTED] reporting is deliberately misleading and an irresponsible fabrication designed to create or incite conflict between clans. At NO time, at this meeting or any other that I have attended or received reports on, did [REDACTED] or any staff [REDACTED] demand that the Laitayok chase cows belonging to Purko and Loita clans off the land, and at no time did they, or any staff [REDACTED] promise dispensaries and more classrooms as a reward for doing so. [REDACTED] did, at that meeting, inform the community of development projects, including the dispensary, as a matter of course, with no such conditions attached. At no time, at this meeting or any other, did they, or any</p>
<p>29 Four years after the tragic murder of Trent Keegan unanswered questions remain On 28th May 2008 New Zealand photographer Trent Keegan was murdered in Nairobi. Just before he died, Trent had been on a photo assignment in Loliondo, Northern Tanzania, covering the Sukenya Farm land dispute between [REDACTED] and Masai tribes people. Trent's laptop and camera were stolen when he was murdered, but the robbers left his bulging wallet and passport on his body. Kenyan police said the attack on Trent didn't look like a normal mugging.</p> <p>In 2010 a New Zealand documentary team investigated Trent's murder and made this film http://videobam.com/tjzbw Following the film's investigations Hesbon Amadade was charged with Trent's murder. In October 2011 he was found not guilty by a Nairobi court due to lack of evidence. Amadade remains in jail charged with the murder of a Kenya Airways pilot in 2010.</p> <p>Today, four years after his murder, many unanswered questions about Trent's death remain. Why did Hesbon Amadade flee to Loliondo in Tanzania after the murder? Why did a [REDACTED] member later boast about having files from Trent's stolen laptop. Why was the District Commissioner, a supporter of [REDACTED] seen in his office with photos that could only have come from Trent's laptop? These and other serious questions continue to need answers.</p>	<p>[REDACTED] did not have anything to do with the death of Trent Keegan. No government official or police from the US, Tanzania, Kenya, New Zealand or any country has ever contacted us about the death of Trent Keegan. There is nothing linking [REDACTED] to this crime. The most thorough investigation done on this topic was by a New Zealand film crew who "kdfjhgkdfjhgjd"</p>			<p>I have seen this film. It does attempt to link [REDACTED] to the murder of Trent Keegan where no such link exists and where there is no evidence of any such link. In the film, Maanda Ngotiko of PWC also attempts to link [REDACTED] to the death of her brother. Again, no such link exists. I am well aware of the circumstances and facts of the latter. Maanda's brother was killed as a result of clan conflict over attempted land grabbing on her part, involving 3,000 acres of land that she had reserved for her own exclusive purposes close to then the Kenya border, next to her family boma. A dispute arose between her purko family interests and the Loita. Loita clan members were refused access to the land. Aware of such a dispute she provided her brother with a gun to defend their interests in the land. However, the brother was attacked at home and killed with a poison arrow. At the time of the interview, Maanda was well aware that [REDACTED] were NOT involved in her brother's murder in any way, and that the murders were in detention at the time, and now in jail. Therefore, from my perspective the film serves as cynical tool and opportunity for the furthering of PWC's dishonest and damaging campaign at the expense of the tragically believed family of Trent Keegan in order to hurt [REDACTED]. However, despite the irresponsible attempts to wrongly link [REDACTED] to Trent's death and the death of Maanda's brother, I do reserve some well deserved praise for the film's investigators in tracking down Trent's killers, but failing to reveal that Maanda's brother's murderers being well known to her, unrelated to [REDACTED] and in detention at the time.</p>
<p>30 News: Villagers appeal against case dismissal successful 23rd May 2012 - The Court of Appeal of Tanzania ruled that the case by Soitsambu Village Council against [REDACTED] and Tanzania Breweries Ltd should not have been dismissed on a technicality. The court ordered to pay back the Villagers the cost of their appeal. The case will now start afresh in the High Court later in the year. This is a major victory for the communities of Sukenya and Mondorosi against the interests of corrupt investors.</p>	<p>[REDACTED] are not corrupt investors. They invested in Tanzania legally, complying with all laws related to the purchase of this piece of land.</p>			<p>From my review of all of the documents relating to the acquisition and investment on Sukenya farm 373, I can confirm that the farm was purchased legally. Furthermore, [REDACTED] are not "corrupt investors" as alleged. There is no evidence whatsoever to substantiate the allegation that [REDACTED] are corrupt investors. This is purely, simply and clearly hate language in a hate campaign driven by hateful intent published on a hateful website by hateful people who, by posting anonymously, deliberately avoid responsibility and accountability for their intentionally damaging consequences.</p>

SPECIFIC LABEL

Our reply

Documentation Needed

Who Can Help

Response

31 Catch up with the "View from the Termite Mound" blog In early 2010 Susanna visited Loliondo and asked the wrong person some questions about [REDACTED] which led to her being interrogated by the Ngorongoro Security Committee, thrown out of the district and then the country, and declared a "prohibited immigrant". She's written about it in her blog <http://www.termitemoundview.blogspot.se/2010/03/sukenya-farm-conflict-what-what.html>

[REDACTED] have no authority to throw anyone out of Tanzania or influence such a course of action. [REDACTED] have nothing to do with immigration or enforcement of immigration laws. [REDACTED] well aware of Susanna Nordlund, a tourist from Sweden who has blogged doggedly against [REDACTED] for years. Regarding this specific blog post, [REDACTED] heard of Susanna's presence in Tanzania after she had been detained, and only because she told immigration officials that she had been invited by us to visit. Later, an acquaintance in the town of Wasso asked [REDACTED] if they knew of this Swedish woman who was handing out surveys to local residents. The surveys, written in English, were handed out to a largely illiterate community, few of whom spoke or read English, some of whom spoke Swahili and many of whom only spoke Maa. Later still, a regional government official told [REDACTED] that Susanna had neither introduced herself to the local government or elders, but also did not have permission to hand out her surveys.

Anything showing that she has absolutely no skill, expertise or credibility to be performing investigations of any kind.

Who saw the survey in Wasso???
Who was the official who told us what she was up to?

32 Book your safari to the Serengeti through a responsible company The Serengeti National Park and the Loliondo Game Controlled Area are world famous destinations for a reason. We highly recommend everyone visits this extraordinary part of our planet. If you are planning to visit the area please support responsible tourism by staying with a company that's recognised for its genuinely ethical behaviour. If a company is willing to be embroiled in a law suit with a community regarding vital access to traditional land then their real attitude to indigenous people is clear regardless of what they claim on their website. Many other companies work happily with local communities, without conflict. If you would like to be sure of booking with a responsible operator Tourism Concern has a database of ethical tour operators.

Clear proof of the intention of the DOES is to take business away from [REDACTED]

The first facts of the matter are that [REDACTED] and it partner NGO, FOI2C, have a long and substantiated record of working with communities all over Northern Tanzania where [REDACTED] guests travel. These include tangible and visible investments on the ground in schools as well as soft projects in social entrepreneurship and women's empowerment, supporting women's groups, also local employment, and local development of community based tourism services and products. These have all been discounted entirely or hidden from view by the [REDACTED] website because such a reality is not consistent with their presentation according to its stated objectives, that being to take business away from the company using false allegations, unsubstantiated reports, and twisted versions of events with clear intent to damage. The second fact of the matter is that it is not the company, [REDACTED] that has filed a law suit and it was not the company's choice to be involved in the court case [REDACTED] are the unwilling defendant and not the plaintiff. (The court case is widely known and understood to be initiated, driven and sponsored by a local NGO, as shown on the [REDACTED] website, evident by words copied from the site on 15th August 2012: "PWC is the lead NGO in the Sukenya Farm case". PWC were also shown to be the principle intended beneficiary of the [REDACTED] evidenced from a copy from the same date; "Donate to help the Sukenya land case: Costs continuing with the case against [REDACTED] and TBL are high for the impoverished community members of Soitsambu. Any donation to help their struggle will be gratefully received. Donations can be made through the Pastoral Women's Council online donation button. Please put a note on your paypal donation that it is for the Sukenya case so your money will be used only to help in this urgent matter". PWC's own site also directs visitors to the [REDACTED] These facts do not amount to unethical behavior nor a demonstration of willingness or preference for a court case on the part of the company, rather the determination to harass, bully, hurt and victimize the company by the [REDACTED] whilst avoiding all accountability and responsibility by remaining an anonymous proxy for PWC's purposes, hardly ethical behaviour on the part of the [REDACTED]

From: [REDACTED]
Subject: [REDACTED] statements and stories.xls
Date: June 19, 2013 at 3:09 PM
To: [REDACTED]
Cc: [REDACTED]

Hi [REDACTED]

Not sure if you need this or if there is anything you can use...Its rushed off and could be improved but let me know..

Best,

[REDACTED]

1 MARTIN S. GARBUS
mgarbus@evw.com
2 EATON & VAN WINKLE LLP
3 3 Park Avenue
New York, New York 10016
4 Telephone: (212) 779-9910
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5 LAURIE E. SHERWOOD, State Bar No. 155312
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9 San Francisco, California 94111
Telephone: (415) 781-7072
10 Facsimile: (415) 391-6258

11 Attorneys for Plaintiff
12 [REDACTED]
13 [REDACTED]

14 SUPERIOR COURT OF CALIFORNIA
15 COUNTY OF SAN FRANCISCO

16 [REDACTED]
17 [REDACTED]) Case No. CGC-13-528871
18 corporation,)
19)

20 Plaintiff,

21 vs.

22 DOES 1 through 10, inclusive,
Defendants.

DECLARATION OF [REDACTED]

Complaint Filed: February 20, 2013
Trial Date: TBD

[REDACTED]

I, [REDACTED] do hereby swear, certify, and affirm that:

1. I am over the age of 18 and am a resident of:

Loliondo, Tanzania. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would testify competently to such facts under oath.

2. I am, and have been since January, 2012, the

████████████████████ the owner and operator of the approximately 12,600 acre nature preserve in Loliondo, Tanzania (hereinafter referred to as ██████████) where its sister company,

3. As [REDACTED] I am responsible for all day-to-day operations at

[REDACTED], the oversight of safaris and other activities by [REDACTED] while on [REDACTED] also the arrangement of community tourism activities, products and services for [REDACTED]. I am the senior-most person who works full time at [REDACTED]. Among my job responsibilities as Project Manager are: (a) training and supervision of all game scouts at [REDACTED] (b) conducting and overseeing vehicle and foot anti-poaching patrols; (c) location and clearing of walking/driving pathways, (d) oversight of any construction activities, (e) accounting to my off-site supervisor, the General Manager, for all costs and expenses incurred at [REDACTED] (f) ensuring compliance with all laws and regulations at [REDACTED] (f) liaising with local officials, including police, (g) maintaining and enhancing the positive image of [REDACTED] and [REDACTED] among guests and the local community, and (h) protecting the land and fostering ways to attract more wildlife. As such, I am intimately familiar with the activities at [REDACTED] including the issues discussed below.

1 4. I am familiar with a certain website available at
2 [http://\[REDACTED\]](http://[REDACTED]) (the "Website"), wherein a group identifying themselves
3 as [REDACTED] has anonymously published false statements about [REDACTED]
4 including accusations that [REDACTED] and/or its principals or employees have engaged in a
5 variety of abuses and other hostile acts at [REDACTED] including beating and detaining members of
6 the local Maasai population, confiscating cattle, refusing to allow local inhabitants access to
7 water sources, burning homes, bribing police and other officials, and forcing children to walk
8 sixteen kilometers to get to school.

10 5. The allegations are completely reckless, malicious and untrue. I would never
11 commit any of the improper acts alleged, or allow anyone working under my supervision to
12 commit any of the improper acts alleged. Set forth below is a more detailed discussion of the
13 false and defamatory statements about [REDACTED]
14

15 **No Burning of Homes**

16 6. In my capacity as [REDACTED] I continually survey and assess [REDACTED]
17 including the condition of the land and any structures or people thereon. At no time during my
18 tenure or at any other time have I burned down or otherwise destroyed any Maasai homes (often
19 called "bomas" in Swahili) or instructed or authorized any person to burn down or destroy any
20 homes. I have never heard of any homes (bomas) on [REDACTED] being destroyed by [REDACTED]
21 [REDACTED] personnel or otherwise. I have also queried my staff about alleged boma burnings
22 and have been advised by each that such allegations are false.
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1 7. At the present time, there are, to the best of my knowledge, approximately eight
2 bomas on [REDACTED] two occupied by an individual named Maanda, four occupied by an
3 individual named Ole Nanyoi, one occupied by an individual named Ole Naimodu, and one
4 occupied by an individual named Meitaya. I know from my personal familiarity with those
5 structures that none of those boma have been burned or destroyed by [REDACTED] or any
6 person.
7

8 8. In short, the allegation in the Website that [REDACTED] is engaged in
9 "burnings of local peoples bomas (homes) built on [REDACTED] is reckless and false.
10

No bribes

11 9. There is no truth to the allegation in the Website that [REDACTED] bribes
12 police officers or other officials.
13

14 10. In my capacity as [REDACTED] I am in charge of all financial expenditures at
15 [REDACTED] including the operating budget for wages, supplies, equipment, fuel and other
16 expenses. I am the only employee at [REDACTED] with access to any company funds, and therefore
17 would have personal knowledge of any bribes being paid with company funds. I have never paid
18 any bribe to any member of the local or regional police department, or any other governmental
19 official, or instructed or authorized any person under me to pay any bribe to any member of the
20 local or regional police department, or to any other governmental official. Nor have I ever heard
21 of any [REDACTED] employee having ever paid any bribe to any member of the local
22 or regional police department, or any other governmental official. Paying or receiving bribes is
23 against all policy at [REDACTED] All of the Website's allegations on this subject are reckless,
24 malicious and false.
25

No Confiscation of Cattle

1 11. There is no truth to the allegation that [REDACTED] engages in the
2 "confiscation of cows grazing [REDACTED] or any of the surrounding property.

3 12. [REDACTED] has a detailed written policy with respect to cattle grazing on [REDACTED]
4 Annexed as Exhibit A hereto is a copy of such policy. This policy applies to all [REDACTED] and
5 [REDACTED] personnel at [REDACTED] Briefly stated, when herders take cattle onto [REDACTED]
6 the policy is to ask them, politely, to move the cattle off the property, although exceptions are
7 often made under a variety of circumstances, including allowing herders to cross the farm to get
8 to another location, or when water levels are low and grazing is appropriate to reduce the risk of
9 fire, or when cows are lactating, or under other appropriate circumstances. The overwhelming
10 majority of encroachments of this kind are handled without incident, due, I believe, to the
11 sensitive and professional way in which [REDACTED] personnel handle these types of
12 encroachments.
13

14
15 13. Occasionally, [REDACTED] personnel also come across unattended
16 cattle who have wandered onto [REDACTED] When this occurs, the policy is to send the cattle back
17 in the direction of the owner, if my scout recognizes the cattle and knows who the owner is, or to
18 corral the animal and care for it until its owner comes to retrieve it. When the owner of the cattle
19 comes to retrieve it, we freely hand over the cattle over to its owner. We do not require any
20 owner to pay any fee or other amount to get his cattle back. Under no circumstances does
21 [REDACTED] confiscate cattle.
22

23 **No Forced Marching of Children**
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1 14. I vigorously dispute the allegation that "children as young as six [are] forced to
2 walk a 16km round trip around the land to get to primary school and back every day." In truth,
3 children from the nearby Ilmasilig and Nodooshoke sub-villages regularly cross a small portion
4 of [REDACTED] on school days, and, when my scouts see them and are in vehicles, regularly drive
5 them close to the school, all with my authorization. The assertion that [REDACTED] forces
6 children to walk sixteen kilometers every day could not be more false. Indeed, it is ironic and
7 offensive that anyone would even make such an allegation, given that [REDACTED] and its
8 affiliated charitable sister company, [REDACTED] are heavily involved in the building and support of
9 many of the local schools.
10

11 **No Refusal to Allow Locals Access to Vital Water Sources**

12 15. There is no truth to the allegation that [REDACTED] refuses "to let locals
13 access the Pololet River, traditionally the communities' vital water source." We have never
14 refused any one to get access to Pololet river for any reason. We know that water is essential for
15 every creature including people, livestock and wildlife as well. Locals from Mondoros, Ilmasilig,
16 Sukenya, Enadooshoke and other neighboring communities always drive their cows to the river
17 inside and outside of the farm, without even consultation with us and have never been refused
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1 16. In addition, there is no permanent water source at [REDACTED]. During the rainy
2 season, water is available throughout the entire wider geographic area, both on and off the
3 property, in the Plolet river upstream and downstream outside of the farm's borders, also not just
4 in the Pololet River, but also in various depressions and drainages all over.. If a herder
5 ,nonetheless, for convenience, seeks to take a short-cut across the property to get to the available
6 water in the Pololet River, where water can last a bit longer, on the other side of the property
7 outside the farm, he is authorized to do so and directed to take a route that does not disrupt the
8 activities of tourists or specific concentrations of wildlife. During the dry season, [REDACTED] is
9 dry, just like most of the surrounding area. Even the bed of the Pololet River is dry during the
10 dry season. The local communities do not require access to [REDACTED] during either season and
11 go elsewhere for water by choice, and the statement that [REDACTED] denies access to the
12 Pololet River simply ignores the actual facts.
13

14
15 **No Beating or Detention of Adults or Children**

16 17. Finally, and, perhaps most importantly, there is no truth to the allegation that
17 [REDACTED] beats or detains any members of the local population. That kind of activity is
18 completely contrary to all policies and practices at [REDACTED]. Annexed as Exhibit B hereto is a
19 copy of the [REDACTED] Mission and Values. This document is prominently posted in the
20 staff office at [REDACTED] and I personally train all of the scouts and other employees at [REDACTED]
21 in following its guidelines. Among the listed missions are "To be socially responsible in the
22 communities and environments in which we operate, and help to create an awareness of those
23 cultures and environments." Among the listed values are "A positive attitude" and "Respect for
24 Others". These missions and values are of great importance to me personally, because I, like
25 the surrounding local population, am Maasai.
26

27 18. Consistent with the foregoing policy, I have never beaten or arrested any member
28

1 of the local community. Nor have I ever instructed or authorized any person to beat or detain
2 any member of the local population, or heard of any beatings or detentions by any [REDACTED]
3 [REDACTED] I also categorically deny the various specific beatings alleged in the
4 Website to have been inflicted by [REDACTED] during my tenure at [REDACTED]
5 including without limitation the alleged "persecution and harassment" of an individual by the
6 name of Odupoi Ndekerei on or about December 9, 2012 by "arrest[ing]" him for trespassing,
7 and "beat[ing]" him. Not only is this statement completely untrue, but the only victim here was
8 one of my scouts, [REDACTED] who, while out on the farm for field training in plants, birds and
9 animals on December 9, 2012, was viciously beaten by Mr. Ndekerei with a spear and stick for
10 doing nothing more than politely asking Mr. Ndekerei to remove his herd of cattle from the
11 [REDACTED] property. An X-ray showed that Mr. Ndekerei broke my scout's arm. There was no
12 attack on or injury to Mr. Ndekerei. An approximately five hour elder council meeting was held
13 six days later, on December 15, 2012, and resulted in a finding of guilt on the part of Mr.
14 Ndekerei for various illegal acts, including an unprovoked attack on my scout, [REDACTED] and
15 the assessment by community elders of traditional Maasai penalty against Mr. Ndekerei of one
16 bull and one lamb to be given to [REDACTED] personally.

17 I declare under the penalty of perjury under the laws of the State of California that the
18 foregoing is true and correct.

19 Executed this 20th day of June, 2013 in Loliondo, Ngorongoro District, Tanzania.
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From: [REDACTED]
Subject: [REDACTED]
Date: June 19, 2013 at 10:57 AM
To: [REDACTED]
Cc: [REDACTED]

Hi [REDACTED]

Please review rationalization review the corrections to the statement of [REDACTED] and that you are satisfied that the rationalization of his statements as per the attached Excel sheet leave nothing important out.

Then, return back to me within my tonight. I will be in the office at 6:30am tomorrow to print it off in time to go on a schedule plane first thing in the morning.

Best,

[REDACTED]



Declaration.doc

SPECIFIC LABEL	Our reply	response
In reality, rather than behave ethically they have evicted locals from the land and committed a string of abuses and human rights violations against a poor and vulnerable indigenous population.	[redacted] as not evicted locals. [redacted] has not "committed a string of abuses and human rights violations".	As much as I know the background of the farm, this was formerly a barley farm owned by Tanzania Breweries Limited. A government institution legally owned the farm from 1984 thus there was no boma on the farm on the Southern part. On the other hand, there are about 8 bomas within the farm boundaries to date on the Northern part which have never been asked by [redacted] to move out of the farm. This includes Maanda's Ngoitiko's family boma (now 2 bomas), Ole Nanyoi (now 4 bomas), Ole Naimodu now (1 boma) and Meitaya (now 1 boma). Maanda is claiming evictions knowing full well from her own position that not even her own family bomas have been burned nor people evicted from them.
Beatings of children and adults grazing cattle on or near the land	Neither [redacted] beat children or adults.	This has never happen during my tenure and even before, otherwise the company would have appeared before the court. It is absolutely contrary to the company's policy on grazing and trespassing
Illegal confiscation of cows grazing the land	Unattended livestock found wandering on the property are kept safe until the owner claims them.	As per company's policy, when cows found on the farm with herder, they are kindly asked to move out of the farm. It is very fortunate that my scouts do know all people around the farm and the brand of their cows, so they easily identify the owner of the cows and could drive back the cows to the owner incase of no herder.
Refusal to let locals access the Pololet River, traditionally the communities vital water source.	The Pololet is a watercourse that flows for some hours only after rain; it is not a permanent water source. It is not the vital water source they claim. When there's water in the Pololet, there is water elsewhere. During drought, there is no water in the Pololet and when there's water in the Pololet, there is water elsewhere.	We have never refused any one to get access to Pololet river for any reason. We know that water is essential for every creature including people, livestock and wildlife as well. There is no tangible evidence on the refusal as locals from Mondoros, Ilmasilig, Sukenya, Enadooshoke and other neighboring communities always drive their cows to the river without even consultation with us and have never been refused. Pololet is a seasonal river having water only during rains and dries out during dry season. During dry time of the year, mostly all cows are shifted out of the community to another territory to have water and pasture
Allowing the police to conduct extrajudicial detention of locals for days without food for 'trespass' on Sukenya Farm	We do not "allow" police to do anything. [redacted] policy is to ask trespassers and their livestock to leave, and to avoid confrontation. If trespassers become confrontational, policy requires police intervention.	We cannot dictate to the state nor its organs, including the police on what they can and cannot do, nor am I, as an individual, nor the company, in any position to allow or disallow the police to do their work as they see fit. As with an any citizen or entity, I and my staff have our rights as does the company, to complain to the police should our rights as individuals or the company, within the parameters of the law, be infringed upon in such a way that may threaten our safety and security. There is a difference between going about ones business in peace, grazing, and forcing access without permission or respect for the rights of my staff and the company, confronting with the intention to threaten or cause harm. In the 6 years of operation there are herders and cows on the farm each and every day, an average of at least 5 herds with with approx 2 herders per herd, over 2,190 days since 2006...and only a handful of incidents resulting in police intervention the state's decision of last resort to restore and maintain peace.

SPECIFIC LABEL	Our reply	Response
Children as young as six forced to walk a 16km round trip around the land to get to primary school and back every day	Neither [REDACTED] "force" children to walk anywhere. Children are often seen on the property. The [REDACTED] project managers have given them rides.	The said children do live in Ilmasilig and Nodooshoke sub-villages and are always crossing directly across the property hardly 6km to school. When the scouts find them in the property, they give them a ride in the patrol vehicle closer to the school. The allegation of having to walk of 16 km is really a very long distance for a poor child of six of age to afford in reality. If this were true, which it is not, this would be 4 hours walking each way, given the topography, 8 hours round trip, a whole day walking when they are some how in school that same day. The property boundaries pass on the tops of the hills in the North and the East, so if at all there could be such a force to the children, it means they would have to walk on the other side of the hills through Kenya or otherwise pass through Masundu and Sukenya juu to Mondoros which is four times the 16km mentioned.
Bribing leaders of the poorest clan to stoke divisions in the resistance to the company and maintain control of the land	Neither [REDACTED] bribes anyone. [REDACTED] employs people from every clan in the area to diminish divisions amongst clans and to avoid preferential treatment.	[REDACTED] hasn't in mind the poorest or the richest clan in the community. The company invested on the land for business based on its vision to bring tourism to the community, its policy and the government's investment policy in relation to community development. [REDACTED] respects its policy and the community and on that basis, most of the employees are drawn from all the communities around the farm: Purko clan - 4 scouts; Laitayok clan - 6 scouts; Loita clan - 3 scouts and 1 from Sonjo. I am Maasai but the only exception in that I am from Larusa clan, employed for my management expertise. The company supports a number of projects in the community regardless of clans and villages provided that they are in the need. In Sukenya where there are Laitayok and Loita, the company supported projects like 2 in 1 teacher's house, collaborative women group cultural centre, modern stoves, maize mill, and 5 in the pipeline such as proposed dispensary which will serve all communities around and beyond the farm. It also supported 2 in 1 teachers house in Soitsambu Primary school, 2 in 1 teachers house and girls dormitory in Soitsambu Secondary school, classrooms in Nainokanoka, teachers house in Olkiu. These projects are out the Sukenya village. Mondoros rejected the projects of teachers house and Secondary school which have moved to other places. These are the evidences of the projects based on the government investment policy that an investor has to be able to support development projects in the communities around and NOT bribery.
Bribing of local police and district officials to ensure they will intimidate the community on [REDACTED] behalf	Neither [REDACTED] bribes anyone. Neither [REDACTED] nor [REDACTED] intimidates anyone and has demonstrated restraint even when under physical attack.	I have not budget to bribe, no funds provided for this practice, a practice that is illegal. I do not and cannot bribe and have never bribed any local police nor district official to ensure they will intimidate the community for any reason at any time. Intimidation of local community is against the company policy and philosophy. If the company did not care for the community it would never have invested in the first place, but stuck to operating in the National Parks where it is cheaper and easier, with no community to be concerned with. I am also Maasai and it is unthinkable and against all my principles that I should intimidate and harass my own people. Such an allegation is so far from the truth that I can only view it as a dishonest political means to a questionable end.
Often the police join in with [REDACTED] in intimidating and arresting local people.	Neither [REDACTED] tell police tell police how to do their jobs. [REDACTED] are not the police. [REDACTED] and [REDACTED] do not have the authority to arrest people.	The police are responsible for maintaining peace and order and preserving the security of the whole district. The police do not join in with [REDACTED] to intimidate anyone. Our scouts are not the police and have no authority to arrest people.

SPECIFIC LIBEL	Our reply	response
<p>Many neutral people have approached [redacted] since 2006 in a bid to negotiate a peaceful solution that would benefit all parties but they have never engaged meaningfully in any process of reconciliation.</p>	<p>When and who are they? The only invitation to "negotiate" was a demand to return the land.</p>	<p>There has been 4 types of "bids" to engage in negotiation:</p> <ol style="list-style-type: none"> 1) a demand from a non-neutral 3rd party as an agent of the opposing parties, 2) an attempt to intervene to facilitate negotiation between the principle parties. 3) Initiatives by the company to engage directly with the communities 4) a request from community to engage in negotiation directly <p>A demand from a non-neutral 3rd party as an agent of the opposing parties: I am aware of a demand by Minority Rights, funding and driving a court case to take the land from [redacted] the terms of which were to take away 83% of the land, which was presented to local communities without my knowledge or participation at the time, informing them that negotiations were well under way on this basis, which was deliberately misleading as no such negotiations were taking place at all. Their representative, a lawyer named Carla came to visit me together with employees from PWC, immediately after their presentations to the surrounding communities. I have not been approached by any other 3rd parties in a bid to negotiate a peaceful solution. However, I am also aware that a close friend, teacher to and supporter of Maanda Ngaitiko of PWC approached my directors with an offer to mediate between Maanda and the company to reach a solution with the community acceptable to PWC, but placed the precondition that land must be given up. Since the offer was conditional, neither neutral, nor between the two principle parties, the community and [redacted] but principally serving the interests of another 3rd party, PWC, seeking to control the process and outcome, the offer was flawed.</p> <p>An attempt to intervene to facilitate negotiation between the principle parties: One attempt was from the resolution made at Sukenya village when Ngorongoro DC called a village meeting on 12th June 2012. (this</p>
<p>One of their first objectives was to remove any local people residing in, or seasonally using, the property.</p>	<p>[redacted] first objective was to work with the local community about how they could benefit from responsible tourism, an idea that was embraced by the vast majority of the community. After purchasing the land, [redacted] did not remove any local people; to [redacted] knowledge there were no people residing on the land. However, during a recent re-evaluation of the boundaries in 2012, [redacted] came to know that there was actually one Maasai homestead on the property, and the residents continue to reside there.</p>	<p>In my understanding, there was no body removed from the property as it was used as barley field and no residences. However, there is an increase of bomas within the boundaries of the farm and none of the farm employees ever asked them to move. Currently there about 8 bomas including Maanda's boma.</p>
<p>Sukenya and Mondorosi villagers have been injured in confrontations with the company and police, and many have been jailed for "illegally" trespassing onto the farm.</p>	<p>Neither [redacted] has injured anyone. Neither [redacted] can jail anyone "illegally" or not.</p>	<p>Fortunately, no person, other than [redacted] who was beaten by Ndekere has been injured in any confrontations. This has never happened during my tenure and I am not aware of any other such injuries suffered by any villagers prior to my tenure. On a few occasions, some have been detained when confronting with intent to harm [redacted] as a result of a complaint to the police but only charged with trespassing by the police.</p>

SPECIFIC LIBEL	Our reply	response
<p>The pastoralists in this region assert that they have been subjected to many of these brutalities, and the research commission by Minority Rights Group International can provide evidence.</p>	<p>are not aware of any evidence produced by Minority Rights Group. has not committed brutalities, so any indication otherwise would have to be false.</p>	<p>Representative from MRG, Carla, visited the farm last October and she found cows grazing in the farm peacefully, she then interviewed me to know our relationship with the community and she was amazed to learn that we have good relationship. Unfortunately she was misled by Joseph Melau as he was taking her to specifically appointed groups to spoil the truth and never to the potential people who know the truth and background of the farm. The government from sub-village to national level have not taken any action and remain quiet. Why are we then not being dragged through the courts for assault and brutality? Because there is no real proof, no such brutalities have been committed.</p>
<p>30th April 2013 - 5 years ago there was a clash between Maasai taking their animals to water and aided by local police. Lesinko ole Nanyoi was shot in the jaw and seriously injured. Neither the or the police have ever taken responsibility for this shooting. The shooting was front page news in the region at the time http://www.arushatimes.co.tz/2008/19/front_page_1.htm</p>	<p>see above</p>	<p>For to respond to, before my time, but I will get the full story and a statement from</p>
<p>News: Three young adults beaten by employees and police on 14th February 19th February 2013 - This is Narikungishu. She is 19 years old. She says that on 14th February she was beaten and assaulted by police and for grazing cattle with two other people near the disputed land. She says the guards tried to push her to her knees and when she refused they beat her with sticks. All three people attacked are from the Loita clan in Sukenya B sub-village of Sukenya village. a deliberately favour people of the Lataiyok clan from Sukenya A. b. The Lataiyok people are never beaten by to retain their leaders support. c. The people of Mondorosi village are not Lataiyok and are also frequently harassed and assaulted. d. is trying to divide and rule the communities it has taken stolen land from by creating clan divisions. e. By bribing and employing a minority of Lataiyok in positions of authority they can make PR videos and try and convince their guests that they have the support of the community at large. The truth is more complex and the victims are innocent people like Narikungishu who are just trying to survive in their ancestral lands.</p>	<p>Neither has beaten anyone. A) does not favor a particular clan. has hired members of all clans specifically to avoid favoritism. B and C) No clan members have been beaten. D) has not stolen any land. main mission has been to include all communities and invite them to benefit equally from tourism. E) does not bribe anyone. They have the support of the community at large.</p>	<p>It is well known that bought the land from TBL in an open bidding, hence the land was not stolen as alleged. No one was beaten by, my scouts are well trained on ethics and obey to the company policy. We have never beaten any one and we intend not to commit such an action as per our policy guidance and the objectives of the project, which is to work peacefully and for mutual benefit with the community.</p>

SPECIFIC LIBEL	Our reply	response
<p>This is Mbekure. He is 21 years old. He says on 14th February he was with Narikungishu and one other man when they were attacked by the [REDACTED]. He and his friend Oloimoaja were kicked and punched. He had to be taken to hospital by a local NGO the next day. He says one of [REDACTED] also beat them with a stick. Please help end this injustice by boycotting [REDACTED].</p>	<p>[REDACTED] have not attacked anyone. [REDACTED] does not employ guards. [REDACTED] is not employed by [REDACTED] he is employed by [REDACTED]. He did not beat anyone.</p>	<p>[REDACTED] policy never allows any scout/guard to beat, insult or any unhumanity treatment. It is common protocol that if there is any incident on the farm that threatens the security of my scouts, the wildlife, the habitat, property, our guests, even unauthorised grazing that is beyond reasonable limits of tolerance, I call the village chairmen. And he helps to resolve it so that it does not have to escalate to the authorities but is solved in a traditional way. Similarly, if there ever was or is an incident involving an abuse by my scouts, the village chairmen would call me to report such an incident. This is easy, and well understood between us. When my general manager called me to ask what was going on because he had seen the blog I was so surprised. No such incident was reported to me on the mentioned date. The alleged guard [REDACTED] was also unaware of what had allegedly happened within his own clan. He is from Loita clan, so it is absolutely impossible for him to commit such an action to his his own people.</p>
<p>news. [REDACTED] continue to pursue a bogus case against the five young men originally arrested in July, 30th November 2012 - Pictured are the five men arrested and detained in July this year. Two are from Mondorsi village and three are from Sukenya village. Both villages are involved in the court case against [REDACTED]. These men are Morani (warriors) and traditionally wear their hair in long braids. This important part of their cultural identity was taken from them by police who shaved their heads during their detention. This was a deliberate act of humiliation. The prosecution against the five young men is ongoing as [REDACTED] continues to pursue a case against them in the local Loliondo courts for trespassing. Because of the remoteness of the area legal representation is provided by the Legal and Human Rights Centre but they lack funding for the case so their costs to come are covered by the community, local NGO's and in some cases the lawyers personal funds. Several hearing dates have been set with LHRC travelling nine hours each way to attend but each time the case was postponed, adding to the stress and financial burden for the men. A preliminary hearing was finally held recently. The five accused gave their statements which were disputed by [REDACTED] camp [REDACTED].</p>	<p>[REDACTED] was not, is not and did not pursue a case against the five men. This is a police/government case against the five men. The court has requested [REDACTED] to be a witness in the case. [REDACTED] is not otherwise involved.</p>	<p>The 5 herders from Sukenya were found grazing their cows in the proximity of [REDACTED] and at the middle of the road where it made necessary for the tour driver guide to jump off the car and push off the herd of cows and clear the way through. The scouts came over and asked them to move the cows but they resisted with violent confrontation having traditional weapons drawn and shouted that they will never get out of the farm. They even threatened to intimidate our [REDACTED] which we had to take very seriously. As per [REDACTED] policy, the scouts withdrew and came back to the office to report where we sought security assistance from police. It should be noted that the property is owned by [REDACTED].</p>

SPECIFIC LIBEL	Our reply	response
<p>News: Three children beaten and arrested by [REDACTED] yesterday 17th August 2012 -</p> <p>We are very sad and disturbed to report that three Maasai boys, none of them older than 14, were beaten and then arrested yesterday after Thomson guards found them on Sukenya Farm. It is illegal to arrest children in Tanzania. The boys were not even grazing cattle, they were just playing within the boundaries of the land. We will update again when we have more details.</p>	<p>Neither [REDACTED] has beaten anyone or arrested anyone. [REDACTED] does not have the authority to arrest anyone.</p>	<p>This has never happened and it is unfortunately that it was from the blog posting on the [REDACTED] that I first heard about this. Again, no village chairman, nor any other person called me to report any such an abuse, because it never happened. All incidents concerning human rights abuse should be reported to the responsible government organ, including the police, and this incident has never been reported, because it never happened. I believe police can not ever arrest children according to the country's law and did not do so in this case. They respect their duties and ethics of work.</p>
<p>News: Five men detained without food then re arrested 29th July 2012 - They detained five men last week and they went without food for over a day. The District Commissioner has now re arrested the same five men and is "making an example out of them". He's saying it's a local NGO who asks them to graze there to intimidate Thomson's clients. Also worryingly, he has been harassing and threatening the female Director of the NGO in an attempt to intimidate her.</p>	<p>[REDACTED] has not detained, arrested or starved anyone. We have no control over the DC's actions or beliefs, but we agree with his assessment that a local NGO has asked people to intimidate [REDACTED]. A [REDACTED] staff member witnessed this behavior in April 2012, and documented it as it happened.</p>	<p>The 5 herders from Sukenya were found grazing their cows in the proximity of [REDACTED] and at the middle of the road where it made necessary for the tour driver guide to jump off the car and push off the herd of cows and clear the way through. The scouts came over and asked them to move the cows but they resisted with violent confrontation having traditional weapons drawn arms and shouted that they will never get out of the farm and even declared to intimidate our clients. As per [REDACTED] policy, the scouts retracted and came back to the office to report where we sought security assistance from police. It should be noted that the property is owned by [REDACTED]</p>
<p>News: Illegal, inhumane detentions and visit from [REDACTED] 11 June 2012 - Two men from Mondorosi were recently detained by [REDACTED] and brought to the police station where they were starved for two days and then charged with illegally cutting tree branches for their bomas. One was released on bail and one is still in prison. [REDACTED] are currently visiting Sukenya. They have been holding long meetings with Laitayok clan leaders demanding they chase cows belonging to Purko and Loita clans off the land, and they are promising dispensaries and more classrooms as a reward. The Laitayok refused. They have lied saying that not they, but only Tanzania Breweries Ltd are involved in the court case. They are also pressurising the DC to stop grazing while the case is ongoing, whereas the fact that the case is unresolved means the community should have full access to the land.</p>	<p>[REDACTED] has not detained people and cannot detain people. [REDACTED] have never suggested that dispensaries or classrooms would be built in exchange for chasing cows. [REDACTED] have not lied to the community about the court case. Both TBL and [REDACTED] were involved in the case as a matter of public record, and the case was since decided and closed May 17, 2013.</p>	<p>As per government's policy, all natural resources belong to the state. [REDACTED] has leased the property from the government for conservation of natural resources including flora and fauna. So, whoever commits destruction of the resources, will be found to be acting against policy and laws of the state and not [REDACTED]. The men were caught chopping down trees in the property and have been detained by the government for destructing its resources. Mondoros village Chairman, Joshua Makko bailed them out and asked, with the agreement and support of myself, to solve the case traditionally out of court and the court accepted the request. We had a meeting at [REDACTED] office in June 2012 upon the request from Mondoros village Chairman, the meeting involved Chairman, 2 elders and a Pastor from Mondoros village, Chairman and 1 elder from Sukenya village, 3 representatives from [REDACTED] Forest Officer from District Council, the accused and their elders. The accused men admitted that they wrongly encroached the government's resources and asked for forgiveness. They were forgiven and the Forest Officer gave a brief knowledge on natural resources conservation and the role of local communities in coservation. This shows how [REDACTED] solves problems in a peaceful way and not the way it was published. The voice record of the meeting is available for proof.</p>

SPECIFIC LABEL	Our reply	[REDACTED] response
<p>Book your safari to the Serengeti through a responsible companyThe Serengeti National Park and the Loliondo Game Controlled Area are world famous destinations for a reason. We highly recommend everyone visits this extraordinary part of our planet. If you are planning to visit the area please support responsible tourism by staying with a company that's recognised for its genuinely ethical behaviour. <i>If a company is willing to be embroiled in a law suit with a community regarding vital access to traditional land then their real attitude to indigenous people is clear regardless of what they claim on their website.</i> Many other companies work happily with local communities, without conflict. If you would like to be sure of booking with a responsible operator Tourism Concern has a database of ethical tour operators.</p>	<p>Clear proof of the intention of the DOES is to take business away from [REDACTED]</p>	<p>The company is not willing to be embroiled in a law suit with a community regarding vital access to indigenous people. It is the NGOs who determine this route for whatever reason, and not the initiatives that the company and community have embarked upon to negotiate a comfortable arrangement between neighbors for mutual benefit. The actions that PWC have taken to interfere with, obstruct and derail any attempt by the community or company to achieve such an agreement speaks for itself. The real attitude of the NGO driving this conflict is clear regardless of what they claim on their website. Their intention is to obstruct [REDACTED] from partnering with the community, destroy the reputation of the company and take business away from both the company and community by whatever means.</p>

SPECIFIC LIBEL	Our reply	response
In reality, rather than behave ethically they have evicted locals from the land and committed a string of abuses and human rights violations against a poor and vulnerable indigenous population.	[REDACTED] has not evicted locals. [REDACTED] has not "committed a string of abuses and human rights violations".	As much as I know the background of the farm, this was formerly a barley farm owned by Tanzania Breweries Limited. A government institution legally owned the farm from 1984 thus there was no boma on the farm on the Southern part. On the other hand, there are about 8 bomas within the farm boundaries to date on the Northern part which have never been asked by [REDACTED] to move out of the farm. This includes Maanda's Ngoitiko's family boma (now 2 bomas), Ole Nanyoi (now 4 bomas), Ole Naimodu now (1 boma) and Meitaya (now 1 boma). Maanda is claiming evictions knowing full well from her own position that not even her own family bomas have been burned nor people evicted from them.
Beatings of children and adults grazing cattle on or near the land	Neither [REDACTED] beat children or adults.	This has never happen during my tenure and even before, otherwise the company would have appeared before the court. It is absolutely contrary to the company's policy on grazing and trespassing
Illegal confiscation of cows grazing the land	Unattended livestock found wandering on the property are kept safe until the owner claims them.	As per company's policy, when cows found on the farm with herder, they are kindly asked to move out of the farm. It is very fortunate that my scouts do know all people around the farm and the brand of their cows, so they easily identify the owner of the cows and could drive back the cows to the owner incase of no herder.
Refusal to let locals access the Pololet River, traditionally the communities vital water source.	The Pololet is a watercourse that flows for some hours only after rain; it is not a permanent water source. It is not the vital water source they claim. When there's water in the Pololet, there is water elsewhere. During drought, there is no water in the Pololet and when there's water in the Pololet, there is water elsewhere.	We have never refused any one to get access to Pololet river for any reason. We know that water is essential for every creature including people, livestock and wildlife as well. There is no tangible evidence on the refusal as locals from Mondoros, Ilmasilig, Sukenya, Enadooshoke and other neighboring communities always drive their cows to the river without even consultation with us and have never been refused. Pololet is a seasonal river having water only during rains and dries out during dry season. During dry time of the year, mostly all cows are shifted out of the community to another territory to have water and pasture
Allowing the police to conduct extrajudicial detention of locals for days without food for 'trespass' on Sukenya Farm	We do not "allow" police to do anything. [REDACTED] policy is to ask trespassers and their livestock to leave, and to avoid confrontation. If trespassers become confrontational, policy requires police intervention.	We cannot dictate to the state nor its organs, including the police on what they can and cannot do, nor am I, as an individual, nor the company, in any position to allow or disallow the police to do their work as they see fit. As with an any citizen or entity, I and my staff have our rights as does the company, to complain to the police should our rights as individuals or the company, within the parameters of the law, be infringed upon in such a way that may threaten our safety and security. There is a difference between going about ones business in peace, grazing, and forcing access without permission or respect for the rights of my staff and the company, confronting with the intention to threaten or cause harm. In the 6 years of operation there are herders and cows on the farm each and every day, an average of at least 5 herds with with approx 2 herders per herd, over 2,190 days since 2006...and only a handful of incidents resulting in police intervention the state's decision of last resort to restore and maintain peace.

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Children as young as six forced to walk a 16km round trip around the land to get to primary school and back every day	Neither [redacted] "force" children to walk anywhere. Children are often seen on the property. The [redacted] project managers have given them rides.	The said children do live in Ilmasilig and Nodooshoke sub-villages and are always crossing directly across the property hardly 6km to school. When the scouts find them in the property, they give them a ride in the patrol vehicle closer to the school. The allegation of having to walk of 16 km is really a very long distance for a poor child of six of age to afford in reality. If this were true, which it is not, this would be 4 hours walking each way, given the topography, 8 hours round trip, a whole day walking when they are some how in school that same day. The property boundaries pass on the tops of the hills in the North and the East, so if at all there could be such a force to the children, it means they would have to walk on the other side of the hills through Kenya or otherwise pass through Masundu and Sukenya juu to Mondoros which is four times the 16km mentioned.
Bribing leaders of the poorest clan to stoke divisions in the resistance to the company and maintain control of the land	Neither [redacted] bribes anyone. [redacted] employs people from every clan in the area to diminish divisions amongst clans and to avoid preferential treatment.	[redacted] hasn't in mind the poorest or the richest clan in the community. The company invested on the land for business based on its vision to bring tourism to the community, its policy and the government's investment policy in relation to community development. [redacted] respects its policy and the community and on that basis, most of the employees are drawn from all the communities around the farm: Purko clan - 4 scouts; Laitayok clan - 6 scouts; Loita clan - 3 scouts and 1 from Sonjo. I am Maasai but the only exception in that I am from Larusa clan, employed for my management expertise. The company supports a number of projects in the community regardless of clans and villages provided that they are in the need. In Sukenya where there are Laitayok and Loita, the company supported projects like 2 in 1 teacher's house, collaborative women group cultural centre, modern stoves, maize mill, and s in the pipeline such as proposed dispensary which will serve all communities around and beyond teh farm. It also supported 2 in 1 teachers house in Soitsambu Primary school, 2 in 1 teachers house and girls domitory in Soitsambu Secondary school, classrooms in Nainokanoka, teachers house in Olkiu. These projects are out the Sukenya village. Mondoros rejected the projects of teahers house and Secondary school which have moved to other places. These are the evidences of the projects based on the government investment policy that an investor has to be able to support development projects in the communities around and NOT bribery.
Bribing of local police and district officials to ensure they will intimidate the community on Thomson's behalf	Neither [redacted] bribes anyone. Neither [redacted] nor [redacted] intimidates anyone and has demonstrated restraint even when under physical attack.	I have not budget to bribe, no funds provided for this practice, a practice that is illegal. I do not and cannot bribe and have never bribed any local police nor district official to ensure they will intimidate the community for any reason at any time. Intimidation of local community is against the company policy and philosophy. If the company did not care for the community it would never have invested in the first place, but stuck to operating in the National Parks where is is cheaper and easier, with no community to be concerned with. I am also Maasai and it is unthinkable and against all my principles that I should intimidate and harass my own people. Such an allegation is so far from the truth that I can only view it as a dishonest political means to a questionable end.
Often the police join in with [redacted] in intimidating and arresting local people.	Neither [redacted] tell police how to do their jobs. TS and TCL are not the police. [redacted] and [redacted] do not havev the authority to arrest people.	The police are responsible for maintaining peace and order and preserving the security of the whole district. The police do not join in with [redacted] to intimidate anyone. Our scouts are not the police and have no authority to arrest people.

SPECIFIC LABEL	Our reply	[REDACTED] response
<p>Many neutral people have approached [REDACTED] since 2006 in a bid to negotiate a peaceful solution that would benefit all parties but they have never engaged meaningfully in any process of reconciliation.</p>	<p>When and who are they? The only invitation to "negotiate" was a demand to return the land.</p>	<p>There has been 4 types of "bids" to engage in negotiation:</p> <ol style="list-style-type: none"> 1) a demand from a non-neutral 3rd party as an agent of the opposing parties. 2) an attempt to intervene to facilitate negotiation between the principle parties. 3) Initiatives by the company to engage directly with the communities 4) a request from community to engage in negotiation directly <p>A demand from a non-neutral 3rd party as an agent of the opposing parties: I am aware of a demand by Minority Rights, funding and driving a court case to take the land from [REDACTED] the terms of which were to take away 83% of the land, which was presented to local communities without my knowledge or participation at the time, informing them that negotiations were well under way on this basis, which was deliberately misleading as no such negotiations were taking place at all. Their representative, a lawyer named Carla came to visit me together with employees from PWC, immediately after their presentations to the surrounding communities. I have not been approached by any other 3rd parties in a bid to negotiate a peaceful solution. However, I am also aware that a close friend, teacher to and supporter of Maanda Ngoitiko of PWC approached my directors with an offer to mediate between Maanda and the company to reach a solution with the community acceptable to PWC, but placed the precondition that land must be given up. Since the offer was conditional, neither neutral, nor between the two principle parties, the community and [REDACTED] but principally serving the interests of another 3rd party, PWC, seeking to control the process and outcome, the offer was flawed</p> <p>An attempt to intervene to facilitate negotiation between the principle parties: One attempt was from the resolution made at Sukenya village when Ngorongoro DC called a village meeting on 12th June 2012 (this</p>
<p>One of their first objectives was to remove any local people residing in, or seasonally using, the property.</p>	<p>[REDACTED] first objective was to work with the local community about how they could benefit from responsible tourism, an idea that was embraced by the vast majority of the community. After purchasing the land, [REDACTED] did not remove any local people; to [REDACTED] knowledge there were no people residing on the land. However, during a recent re-evaluation of the boundaries in 2012, [REDACTED] came to know that there was actually one Maasai homestead on the property, and the residents continue to reside there.</p>	<p>In my understanding, there was no body removed from the property as it was used as barley field and no residences. However, there is an increase of bomas within the boundaries of the farm and none of the farm employees ever asked them to move. Currently there about 8 bomas including Maanda's boma.</p>
<p>Sukenya and Mondorosi villagers have been injured in confrontations with the company and police, and many have been jailed for "illegally" trespassing onto the farm.</p>	<p>Neither [REDACTED] as injured anyone. Neither [REDACTED] can jail anyone "illegally" or not.</p>	<p>Fortunately, no person, other than 1 TCL scout who was beaten by Ndekere has been injured in any confrontations. This has never happened during my tenure and I am not aware of any other such injuries suffered by any villagers prior to my tenure. On a few occasions, some have been detained when confronting with intent to harm [REDACTED] as a result of a complaint to the police but only charged with trespassing by the police.</p>

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<p>The pastoralists in this region assert that they have been subjected to many of these brutalities, and the research commission by Minority Rights Group International can provide evidence.</p>	<p>are not aware of any evidence produced by Minority Rights Group. TCL and TS has not committed brutalities, so any indication otherwise would have to be false.</p>	<p>Representative from MRG, Carla, visited the farm last October and she found cows grazing in the farm peacefully, she then interviewed me to know our relationship with the community and she was amazed to learn that we have good relationship. Unfortunately she was misled by Joseph Melau as he was taking her to specifically appointed groups to spoil the truth and never to the potential people who know the truth and background of the farm. The government from sub-village to national level have not taken any action and remain quiet. Why are we then not being dragged through the courts for assault and brutality? Because there is no real proof, no such brutalities have been committed.</p>
<p>30th April 2013 - 5 years ago there was a clash between Maasai taking their animals to water and [REDACTED] aided by local police. Lesinko ole Nanyoi was shot in the jaw and seriously injured. Neither the [REDACTED] or the police have ever taken responsibility for this shooting. The shooting was front page news in the region at the time http://www.arushatimes.co.tz/2008/19/front_page_1.htm</p>	<p>see above</p>	<p>For [REDACTED] to respond to, before my time, but I will get the full story and a statement from [REDACTED]</p>
<p>News: Three young adults beaten by [REDACTED] employees and police on 14th February 19th February 2013 - This is Narikungishu. She is 19 years old. She says that on 14th February she was beaten and assaulted by police and [REDACTED] security guards for grazing cattle with two other people near the disputed land. She says the guards tried to push her to her knees and when she refused they beat her with sticks. All three people attacked are from the Loita clan in Sukenya B sub-village of Sukenya village. a. [REDACTED] deliberately favour people of the Lataiyok clan from Sukenya A. b. The Lataiyok people are never beaten by [REDACTED] to retain their leaders support. c. The people of Mondorosi village are not Lataiyok and are also frequently harassed and assaulted. d. [REDACTED] is trying to divide and rule the communities it has taken stolen land from by creating clan divisions. e. By bribing and employing a minority of Lataiyok in positions of authority they can make PR videos and try and convince their guests that they have the support of the community at large. The truth is more complex and the victims are innocent people like Narikungishu who are just trying to survive in their ancestral lands.</p>	<p>Neither [REDACTED] has beaten anyone. A) [REDACTED] does not favor a particular clan. [REDACTED] has hired members of all clans specifically to avoid favoritism. B and C) No clan members have been beaten. D) [REDACTED] has not stolen any land. [REDACTED] main mission has been to include all communities and invite them to benefit equally from tourism. E) [REDACTED] does not bribe anyone. They have the support of the community at large.</p>	<p>It is well known that [REDACTED] bought the land from TBL in an open bidding, hence the land was not stolen as alleged. No one was beaten by [REDACTED] my scouts are well trained on ethics and obey to the company policy. We have never beaten any one and we intend not to commit such an action as per our policy guidance and the objectives of the project, which is to work peacefully and for mutual benefit with the community.</p>

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<p>This is Mbekure. He is 21 years old. He says on 14th February he was with Narikungishu and one other man when they were attacked by the [REDACTED]. He and his friend Oloimoaja were kicked and punched. He had to be taken to hospital by a local NGO the next day. He says one of [REDACTED] also beat them with a stick. Please help end this injustice by boycotting [REDACTED]</p>	<p>[REDACTED] have not attacked anyone. [REDACTED] does not employ guards. Daniel Olelekurtu is not employed by [REDACTED] he is employed by [REDACTED]. He did not beat anyone.</p>	<p>[REDACTED] policy never allows any scout/guard to beat, insult or any unhumanity treatment. It is common protocol that if there is any incident on the farm that threatens the security of my scouts, the wildlife, the habitat, property, our guests, even unauthorised grazing that is beyond reasonable limits of tolerance, I call the village chairmen. And he helps to resolve it so that it does not have to escalate to the authorities but is solved in a traditional way. Similarly, if there ever was or is an incident involving an abuse by my scouts, the village chairmen would call me to report such an incident. This is easy, and well understood between us. When my general manager called me to ask what was going on because he had seen the blog I was so surprised. No such incident was reported to me on the mentioned date. The alleged guard Daniel Ole Kurtut was also unaware of what had allegedly happened within his own clan. He is from Loita clan, so it is absolutely impossible for him to commit such an action to his his own people.</p>
<p>views. [REDACTED] continue to pursue a bogus case against the five young men originally arrested in July. 30th November 2012 - Pictured are the five men arrested and detained in July this year. Two are from Mondorsi village and three are from Sukenya village. Both villages are involved in the court case against [REDACTED]. These men are Morani (warriors) and traditionally wear their hair in long braids. This important part of their cultural identity was taken from them by police who shaved their heads during their detention. This was a deliberate act of humiliation. The prosecution against the five young men is ongoing as [REDACTED] continues to pursue a case against them in the local Loliondo courts for trespassing. Because of the remoteness of the area legal representation is provided by the Legal and Human Rights Centre but they lack funding for the case so their costs to come are covered by the community, local NGO's and in some cases the lawyers personal funds. Several hearing dates have been set with LHRC travelling nine hours each way to attend but each time the case was postponed, adding to the stress and financial burden for the men. A preliminary hearing was finally held recently. The five accused gave their statements which were disputed by [REDACTED] camp [REDACTED]</p>	<p>[REDACTED] was not, is not and did not pursue a case against the five men. This is a police/government case against the five men. The court has requested [REDACTED] to be a witness in the case. [REDACTED] not otherwise involved.</p>	<p>The 5 herders from Sukenya were found grazing their cows in the proximity of [REDACTED] and at the middle of the road where it made necessary for the tour driver guide to jump off the car and push off the herd of cows and clear the way through. The scouts came over and asked them to move the cows but they resisted with violent confrontation having traditional weapons drawn and shouted that they will never get out of the farm. They even threatened to intimidate our [REDACTED] which we had to take very seriously. As per [REDACTED] policy, the scouts withdrew and came back to the office to report where we sought security assistance from police. It should be noted that the property is owned by [REDACTED]</p>

SPECIFIC LIBEL	Our reply	response
<p>News: Three children beaten and arrested by [REDACTED] yesterday 17th August 2012 - We are very sad and disturbed to report that three Maasai boys, none of them older than 14, were beaten and then arrested yesterday after Thomson guards found them on Sukenya Farm. It is illegal to arrest children in Tanzania. The boys were not even grazing cattle, they were just playing within the boundaries of the land. We will update again when we have more details.</p>	<p>Neither [REDACTED] has beaten anyone or arrested anyone. [REDACTED] does not have the authority to arrest anyone.</p>	<p>This has never happened and it is unfortunately that it was from the blog posting on the [REDACTED] that I first heard about this. Again, no village chairman, nor any other person called me to report any such an abuse, because it never happened. All incidents concerning human rights abuse should be reported to the responsible government organ, including the police, and this incident has never been reported, because it never happened. I believe police can not ever arrest children according to the country's law and did not do so in this case. They respect their duties and ethics of work.</p>
<p>News: Five men detained without food then re arrested 29th July 2012 - They detained five men last week and they went without food for over a day. The District Commissioner has now re arrested the same five men and is "making an example out of them". He's saying it's a local NGO who asks them to graze there to intimidate [REDACTED] clients. Also worryingly, he has been harassing and threatening the female Director of the NGO in an attempt to intimidate her.</p>	<p>[REDACTED] has not detained, arrested or starved anyone. We have no control over the DC's actions or beliefs, but we agree with his assessment that a local NGO has asked people to intimidate [REDACTED]. A [REDACTED] staff member witnessed this behavior in April 2012, and documented it as it happened.</p>	<p>The 5 herders from Sukenya were found grazing their cows in the proximity of [REDACTED] and at the middle of the road where it made necessary for the tour driver guide to jump off the car and push off the herd of cows and clear the way through. The scouts came over and asked them to move the cows but they resisted with violent confrontation having traditional weapons drawn arms and shouted that they will never get out of the farm and even declared to intimidate our clients. As per [REDACTED] policy, the scouts retracted and came back to the office to report where we sought security assistance from police. It should be noted that the property is owned by [REDACTED]</p>
<p>News: Illegal, inhumane detentions and visit from [REDACTED] owners 11 June 2012 - Two men from Mondorosi were recently detained by [REDACTED] and brought to the police station where they were starved for two days and then charged with illegally cutting tree branches for their bomas. One was released on bail and one is still in prison. [REDACTED] are currently visiting Sukenya. They have been holding long meetings with Laitayok clan leaders demanding they chase cows belonging to Purko and Loita clans off the land, and they are promising dispensaries and more classrooms as a reward. The Laitayok refused. They have lied saying that not they, but only Tanzania Breweries Ltd are involved in the court case. They are also pressurising the DC to stop grazing while the case is ongoing, whereas the fact that the case is unresolved means the community should have full access to the land.</p>	<p>[REDACTED] has not detained people and cannot detain people. [REDACTED] have never suggested that dispensaries or classrooms would be built in exchange for chasing cows. [REDACTED] have not lied to the community about the court case. Both TBL and [REDACTED] were involved in the case as a matter of public record, and the case was since decided and closed May 17, 2013.</p>	<p>As per government's policy, all natural resources belong to the state. [REDACTED] has leased the property from the government for conservation of natural resources including flora and fauna. So, whoever commits destruction of the resources, will be found to be acting against policy and laws of the state and not [REDACTED]. The men were caught chopping down trees in the property and have been detained by the government for destructing its resources. Mondorosi village Chairman, Joshua Makko bailed them out and asked, with the agreement and support of myself, to solve the case traditionally out of court and the court accepted the request. We had a meeting at [REDACTED] office in June 2012 upon the request from Mondorosi village Chairman, the meeting involved Chairman, 2 elders and a Pastor from Mondorosi village, Chairman and 1 elder from Sukenya village, 3 representatives from [REDACTED] Forest Officer from District Council, the accused and their elders. The accused men admitted that they wrongly encroached the government's resources and asked for forgiveness. They were forgiven and the Forest Officer gave a brief knowledge on natural resources conservation and the role of local communities in coservation. This shows how [REDACTED] solves problems in a peaceful way and not the way it was published. The voice record of the meeting is available for proof.</p>

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<p>Book your safari to the Serengeti through a responsible companyThe Serengeti National Park and the Loliondo Game Controlled Area are world famous destinations for a reason. We highly recommend everyone visits this extraordinary part of our planet. If you are planning to visit the area please support responsible tourism by staying with a company that's recognised for its genuinely ethical behaviour. <i>If a company is willing to be embroiled in a law suit with a community regarding vital access to traditional land then their real attitude to indigenous people is clear regardless of what they claim on their website.</i> Many other companies work happily with local communities, without conflict. If you would like to be sure of booking with a responsible operator Tourism Concern has a database of ethical tour operators.</p>	<p>Clear proof of the intention of the DOES is to take business away from Thomson Safaris.</p>	<p>The company is not willing to be embroiled in a law suit with a community regarding vital access to indigenous people. It is the NGOs who determine this route for whatever reason, and not the initiatives that the company and community have embarked upon to negotiate a comfortable arrangement between neighbors for mutual benefit. The actions that PWC have taken to interfere with, obstruct and derail any attempt by the community or company to achieve such an agreement speaks for itself. The real attitude of the NGO driving this conflict is clear regardless of what they claim on their website. Their intention is to obstruct [REDACTED] from partnering with the community, destroy the reputation of the company and take business away from both the company and community by whatever means.</p>

SPECIFIC LIBEL	Our reply	response
In reality, rather than behave ethically they have evicted locals from the land and committed a string of abuses and human rights violations against a poor and vulnerable indigenous population.	[REDACTED] has not evicted locals. [REDACTED] has not "committed a string of abuses and human rights violations".	As much as I know the background of the farm, this was formerly a barley farm owned by Tanzania Breweries Limited. A government institution legally owned the farm from 1984 thus there was no boma on the farm on the Southern part. On the other hand, there are about 8 bomas within the farm boundaries todate on the Northern part which have never been asked by [REDACTED] to move out of the farm. This includes Maanda's Ngoitiko's family boma (now 2 bomas), Ole Nanyoi (now 4 bomas), Ole Naimodu now (1 boma) and Meitaya (now 1 boma). Maanda is claiming evictions knowing full well from her own position that not even her own family bomas have been burned nor people evicted from them.
Beatings of children and adults grazing cattle on or near the land	Neither [REDACTED] beat children or adults.	This has never happen during my tenure and even before, otherwise the company would have appeared before the court. It is absolutely contrary to the company's policy on grazing and trespassing
Illegal confiscation of cows grazing the land	Unattended livestock found wandering on the property are kept safe until the owner claims them.	As per company's policy, when cows found on the farm with herder, they are kindly asked to move out of the farm. It is very fortunate that my scouts do know all people around the farm and the brand of their cows, so they easily identify the owner of the cows and could drive back the cows to the owner incase of no herder.
Refusal to let locals access the Pololet River, traditionally the communities vital water source.	The Pololet is a watercourse that flows for some hours only after rain; it is not a permanent water source. It is not the vital water source they claim. When there's water in the Pololet, there is water elsewhere. During drought, there is no water in the Pololet and when there's water in the Pololet, there is water elsewhere.	We have never refused any one to get access to Pololet river for any reason. We know that water is essential for every creature including people, livestock and wildlife as well. There is no tangible evidence on the refusal as locals from Mondoros, Ilmasilig, Sukenya, Enadooshoke and other neighboring communities always drive their cows to the river without even consultation with us and have never been refused. Pololet is a seasonal river having water only during rains and dries out during dry season. During dry time of the year, mostly all cows are shifted out of the community to another territory to have water and pasture
Allowing the police to conduct extrajudicial detention of locals for days without food for 'trespass' on Sukenya Farm	We do not "allow" police to do anything. TCL policy is to ask trespassers and their livestock to leave, and to avoid confrontation. If trespassers become confrontational, policy requires police intervention.	We cannot dictate to the state nor its organs, including the police on what they can and cannot do, nor am I, as an individual, nor the company, in any position to allow or disallow the police to do their work as they see fit. As with an any citizen or entity, I and my staff have our rights as does the company, to complain to the police should our rights as individuals or the company, within the parameters of the law, be infringed upon in such a way that may threaten our safety and security. There is a difference between going about ones business in peace, grazing, and forcing access without permission or respect for the rights of my staff and the company, confronting with the intention to threaten or cause harm. In the 6 years of operation there are herders and cows on the farm each and every day, an average of at least 5 herds with with approx 2 herders per herd, over 2,190 days since 2006...and only a handful of incidents resulting in police intervention the state's decision of last resort to restore and maintain peace.

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Children as young as six forced to walk a 16km round trip around the land to get to primary school and back every day	Neither [redacted] force" children to walk anywhere. Children are often seen on the property. The [redacted] have given them rides.	The said children do live in Ilmasilig and Nodooshoke sub-villages and are always crossing directly across the property hardly 6km to school. When the scouts find them in the property, they give them a ride in the patrol vehicle closer to the school. The allegation of having to walk of 16 km is really a very long distance for a poor child of six of age to afford in reality. If this were true, which it is not, this would be 4 hours walking each way, given the topography, 8 hours round trip, a whole day walking when they are some how in school that same day. The property boundaries pass on the tops of the hills in the North and the East, so if at all there could be such a force to the children, it means they would have to walk on the other side of the hills through Kenya or otherwise pass through Masundu and Sukenya juu to Mondoros which is four times the 16km mentioned.
Bribing leaders of the poorest clan to stoke divisions in the resistance to the company and maintain control of the land	Neither [redacted] bribes anyone. [redacted] employs people from every clan in the area to diminish divisions amongst clans and to avoid preferential treatment.	[redacted] hasn't in mind the poorest or the richest clan in the community. The company invested on the land for business based on its vision to bring tourism to the community, its policy and the government's investment policy in relation to community development. [redacted] respects its policy and the community and on that basis, most of the employees are drawn from all the communities around the farm: Purko clan - 4 scouts; Laitayok clan - 6 scouts; Loita clan - 3 scouts and 1 from Sonjo. I am Maasai but the only exception in that I am from Larusa clan, employed for my management expertise. The company supports a number of projects in the community regardless of clans and villages provided that they are in the need. In Sukenya where there are Laitayok and Loita, the company supported projects like 2 in 1 teacher's house, collaborative women group cultural centre, modern stoves, maize mill, and s in the pipeline such as proposed dispensary which will serve all communities around and beyond teh farm. It also supported 2 in 1 teachers house in Soitsambu Primary school, 2 in 1 teachers house and girls dormitory in Soitsambu Secondary school, classrooms in Nainokanoka, teachers house in Olkiu. These projects are out the Sukenya village. Mondoros rejected the projects of teachers house and Secondary school which have moved to other places. These are the evidences of the projects based on the government investment policy that an investor has to be able to support development projects in the communities around and NOT bribery.
Bribing of local police and district officials to ensure they will intimidate the community on [redacted] behalf	Neither [redacted] bribes anyone. Neither [redacted] nor [redacted] intimidates anyone and has demonstrated restraint even when under physical attack.	I have not budget to bribe, no funds provided for this practice, a practice that is illegal. I do not and cannot bribe and have never bribed any local police nor district official to ensure they will intimidate the community for any reason at any time. Intimidation of local community is against the company policy and philosophy. If the company did not care for the community it would never have invested in the first place, but stuck to operating in the National Parks where is is cheaper and easier, with no community to be concerned with. I am also Maasai and it is unthinkable and against all my principles that I should intimidate and harass my own people. Such an allegation is so far from the truth that I can only view it as a dishonest political means to a questionable end.
Often the police join in with [redacted] in intimidating and arresting local people.	Neither [redacted] nor [redacted] tell police tell police how to do their jobs. [redacted] are not the police. [redacted] and [redacted] do not havev the authority to arrest people.	The police are responsible for maintaining peace and order and preserving the security of the whole district. The police do not join in with [redacted] to intimidate anyone. Our scouts are not the police and have no authority to arrest people.

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<p>Many neutral people have approached [REDACTED] since 2006 in a bid to negotiate a peaceful solution that would benefit all parties but they have never engaged meaningfully in any process of reconciliation.</p>	<p>When and who are they? The only invitation to "negotiate" was a demand to return the land.</p>	<p>There has been 4 types of "bids" to engage in negotiation:</p> <ol style="list-style-type: none"> 1) a demand from a non-neutral 3rd party as an agent of the opposing parties, 2) an attempt to intervene to facilitate negotiation between the principle parties. 3) Initiatives by the company to engage directly with the communities 4) a request from community to engage in negotiation directly <p>A demand from a non-neutral 3rd party as an agent of the opposing parties: I am aware of a demand by Minority Rights, funding and driving a court case to take the land from [REDACTED] the terms of which were to take away 83% of the land, which was presented to local communities without my knowledge or participation at the time, informing them that negotiations were well under way on this basis, which was deliberately misleading as no such negotiations were taking place at all. Their representative, a lawyer named Carla came to visit me together with employees from PWC, immediately after their presentations to the surrounding communities. I have not been approached by any other 3rd parties in a bid to negotiate a peaceful solution. However, I am also aware that a close friend, teacher to and supporter of Maanda Ngaitiko of PWC approached my directors with an offer to mediate between Maanda and the company to reach a solution with the community acceptable to PWC, but placed the precondition that land must be given up. Since the offer was conditional, neither neutral, nor between the two principle parties, the community and [REDACTED] but principally serving the interests of another 3rd party PWC, seeking to control the process and outcome, the offer was flawed</p> <p>An attempt to intervene to facilitate negotiation between the principle parties: One attempt was from the resolution made at Sukenya village when Ngorongoro DC called a village meeting on 12th June 2012 (this</p>
<p>One of their first objectives was to remove any local people residing in, or seasonally using, the property.</p>	<p>[REDACTED] first objective was to work with the local community about how they could benefit from responsible tourism, an idea that was embraced by the vast majority of the community. After purchasing the land, [REDACTED] did not remove any local people; to [REDACTED] knowledge there were no people residing on the land. However, during a recent re-evaluation of the boundaries in 2012, [REDACTED] came to know that there was actually one Maasai homestead on the property, and the residents continue to reside there.</p>	<p>In my understanding, there was no body removed from the property as it was used as barley field and no residences. However, there is an increase of bomas within the boundaries of the farm and none of the farm employees ever asked them to move. Currently there about 8 bomas including Maanda's boma.</p>
<p>Sukenya and Mondorosi villagers have been injured in confrontations with the company and police, and many have been jailed for "illegally" trespassing onto the farm.</p>	<p>Neither [REDACTED] has injured anyone. Neither [REDACTED] can jail anyone "illegally" or not.</p>	<p>Fortunately, no person, other than [REDACTED] who was beaten by Ndekere has been injured in any confrontations. This has never happened during my tenure and I am not aware of any other such injuries suffered by any villagers prior to my tenure. On a few occasions, some have been detained when confronting with intent to harm [REDACTED] as a result of a complaint to the police but only charged with trespassing by the police.</p>

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<p>The pastoralists in this region assert that they have been subjected to many of these brutalities, and the research commission by Minority Rights Group International can provide evidence.</p>	<p>are not aware of any evidence produced by Minority Rights Group. has not committed brutalities, so any indication otherwise would have to be false.</p>	<p>Representative from MRG, Carla, visited the farm last October and she found cows grazing in the farm peacefully, she then interviewed me to know our relationship with the community and she was amazed to learn that we have good relationship. Unfortunately she was misled by Joseph Melau as he was taking her to specifically appointed groups to spoil the truth and never to the potential people who know the truth and background of the farm. The government from sub-village to national level have not taken any action and remain quiet. Why are we then not being dragged through the courts for assault and brutality? Because there is no real proof, no such brutalities have been committed.</p>
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<p>News: Three young adults beaten by employees and police on 14th February 19th February 2013 - This is Narikungishu. She is 19 years old. She says that on 14th February she was beaten and assaulted by police and for grazing cattle with two other people near the disputed land. She says the guards tried to push her to her knees and when she refused they beat her with sticks. All three people attacked are from the Loita clan in Sukenya B sub-village of Sukenya village. a. deliberately favour people of the Lataiyok clan from Sukenya A. b. The Lataiyok people are never beaten by to retain their leaders support. c. The people of Mondorosi village are not Lataiyok and are also frequently harassed and assaulted. d. is trying to divide and rule the communities it has taken stolen land from by creating clan divisions. e. By bribing and employing a minority of Lataiyok in positions of authority they can make PR videos and try and convince their guests that they have the support of the community at large. The truth is more complex and the victims are innocent people like Narikungishu who are just trying to survive in their ancestral lands.</p>	<p>Neither has beaten anyone. A) does not favor a particular clan. has hired members of all clans specifically to avoid favoritism. B and C) No clan members have been beaten. D) has not stolen any land. main mission has been to include all communities and invite them to benefit equally from tourism. E) does not bribe anyone. They have the support of the community at large.</p>	<p>It is well known that bought the land from TBL in an open bidding, hence the land was not stolen as alleged. No one was beaten by my scouts are well trained on ethics and obey to the company policy. We have never beaten any one and we intend not to commit such an action as per our policy guidance and the objectives of the project, which is to work peacefully and for mutual benefit with the community.</p>

SPECIFIC LIBEL	Our reply	response
<p>This is Mbekure. He is 21 years old. He says on 14th February he was with Narikungishu and one other man when they were attacked by the [REDACTED]. He and his friend Oloimoaja were kicked and punched. He had to be taken to hospital by a local NGO the next day. He says one of [REDACTED] also beat them with a stick. Please help end this injustice by boycotting [REDACTED]</p>	<p>[REDACTED] have not attacked anyone. [REDACTED] does not employ guards. [REDACTED] is not employed by [REDACTED] he is employed by [REDACTED]. He did not beat anyone.</p>	<p>[REDACTED] policy never allows any scout/guard to beat, insult or any unhumanity treatment. It is common protocol that if there is any incident on the farm that threatens the security of my scouts, the wildlife, the habitat, property, our guests, even unauthorised grazing that is beyond reasonable limits of tolerance, I call the village chairmen. And he helps to resolve it so that it does not have to escalate to the authorities but is solved in a traditional way. Similarly, if there ever was or is an incident involving an abuse by my scouts, the village chairmen would call me to report such an incident. This is easy, and well understood between us. When my general manager called me to ask what was going on because he had seen the blog I was so surprised. No such incident was reported to me on the mentioned date. The alleged guard [REDACTED] was also unaware of what had allegedly happened within his own clan. He is from Loita clan, so it is absolutely impossible for him to commit such an action to his his own people.</p>
<p>news. [REDACTED] continue to pursue a bogus case against the five young men originally arrested in July. 30th November 2012 - Pictured are the five men arrested and detained in July this year. Two are from Mondorisi village and three are from Sukenya village. Both villages are involved in the court case against [REDACTED]. These men are Morani (warriors) and traditionally wear their hair in long braids. This important part of their cultural identity was taken from them by police who shaved their heads during their detention. This was a deliberate act of humiliation. The prosecution against the five young men is ongoing as [REDACTED] continues to pursue a case against them in the local Loliondo courts for trespassing. Because of the remoteness of the area legal representation is provided by the Legal and Human Rights Centre but they lack funding for the case so their costs to come are covered by the community, local NGO's and in some cases the lawyers personal funds. Several hearing dates have been set with LHRC travelling nine hours each way to attend but each time the case was postponed, adding to the stress and financial burden for the men. A preliminary hearing was finally held recently. The five accused gave their statements which were disputed by [REDACTED] camp [REDACTED]</p>	<p>[REDACTED] has not, is not and did not pursue a case against the five men. This is a police/government case against the five men. The court has requested [REDACTED] to be a witness in the case. [REDACTED] not otherwise involved.</p>	<p>The 5 herders from Sukenya were found grazing their cows in the proximity of [REDACTED] and at the middle of the road where it made necessary for the tour driver guide to jump off the car and push off the herd of cows and clear the way through. The scouts came over and asked them to move the cows but they resisted with violent confrontation having traditional weapons drawn and shouted that they will never get out of the farm. They even threatened to intimidate our US guests which we had to take very seriously. As per [REDACTED] policy, the scouts withdrew and came back to the office to report where we sought security assistance from police. It should be noted that the property is owned by [REDACTED]</p>

SPECIFIC LIBEL	Our reply	response
<p>News: Three children beaten and arrested by Thomson staff yesterday 17th August 2012 - We are very sad and disturbed to report that three Maasai boys, none of them older than 14, were beaten and then arrested yesterday after [REDACTED] found them on Sukenya Farm. It is illegal to arrest children in Tanzania. The boys were not even grazing cattle, they were just playing within the boundaries of the land. We will update again when we have more details.</p>	<p>Neither [REDACTED] has beaten anyone or arrested anyone. [REDACTED] does not have the authority to arrest anyone.</p>	<p>This has never happened and it is unfortunately that it was from the blog posting on the [REDACTED] that I first heard about this. Again, no village chairman, nor any other person called me to report any such an abuse, because it never happened. All incidents concerning human rights abuse should be reported to the responsible government organ, including the police, and this incident has never been reported, because it never happened. I believe police can not ever arrest children according to the country's law and did not do so in this case. They respect their duties and ethics of work.</p>
<p>News: Five men detained without food then re arrested 29th July 2012 - They detained five men last week and they went without food for over a day. The District Commissioner has now re arrested the same five men and is "making an example out of them". He's saying it's a local NGO who asks them to graze there to intimidate [REDACTED]. Also worryingly, he has been harassing and threatening the female Director of the NGO in an attempt to intimidate her.</p>	<p>[REDACTED] has not detained, arrested or starved anyone. We have no control over the DC's actions or beliefs, but we agree with his assessment that a local NGO has asked people to intimidate [REDACTED]. A [REDACTED] staff member witnessed this behavior in April 2012, and documented it as it happened.</p>	<p>The 5 herders from Sukenya were found grazing their cows in the proximity of [REDACTED] and at the middle of the road where it made necessary for the tour driver guide to jump off the car and push off the herd of cows and clear the way through. The scouts came over and asked them to move the cows but they resisted with violent confrontation having traditional weapons drawn arms and shouted that they will never get out of the farm and even declared to intimidate our clients. As per [REDACTED] policy, the scouts retracted and came back to the office to report where we seeked security assistance from police. It should be noted that the property is owned by [REDACTED].</p>
<p>News: Illegal, inhumane detentions and visit from [REDACTED] 1 June 2012 - Two men from Mondorosi were recently detained by [REDACTED] and brought to the police station where they were starved for two days and then charged with illegally cutting tree branches for their bomas. One was released on bail and one is still in prison. [REDACTED] are currently visiting Sukenya. They have been holding long meetings with Laitayok clan leaders demanding they chase cows belonging to Purko and Loita clans off the land, and they are promising dispensaries and more classrooms as a reward. The Laitayok refused. They have lied saying that not they, but only Tanzania Breweries Ltd are involved in the court case. They are also pressuring the DC to stop grazing while the case is ongoing, whereas the fact that the case is unresolved means the community should have full access to the land.</p>	<p>[REDACTED] has not detained people and cannot detain people. [REDACTED] have never suggested that dispensaries or classrooms would be built in exchange for chasing cows. [REDACTED] have not lied to the community about the court case. Both TBL and [REDACTED] were involved in the case as a matter of public record, and the case was since decided and closed May 17, 2013.</p>	<p>As per government's policy, all natural resources belong to the state. [REDACTED] has leased the property from the government for conservation of natural resources including flora and fauna. So, whoever commits destruction of the resources, will be found to be acting against policy and laws of the state and not TCL. The men were caught chopping down trees in the property and have been detained by the government for destructing its resources. Mondorosi village Chairman, Joshua Makko bailed them out and asked, with the agreement and support of myself, to solve the case traditionally out of court and the court accepted the request. We had a meeting at [REDACTED] in June 2012 upon the request from Mondorosi village Chairman, the meeting involved Chairman, 2 elders and a Pastor from Mondorosi village, Chairman and 1 elder from Sukenya village, 3 representatives from [REDACTED] Forest Officer from District Council, the accused and their elders. The accused men admitted that they wrongly encroached the government's resources and asked for forgiveness. They were forgiven and the Forest Officer gave a brief knowledge on natural resources conservation and the role of local communities in coservation. This shows how [REDACTED] solves problems in a peaceful way and not the way it was published. The voice record of the meeting is available for proof.</p>

SPECIFIC LABEL	Our reply	[REDACTED] response
<p>Book your safari to the Serengeti through a responsible companyThe Serengeti National Park and the Loliondo Game Controlled Area are world famous destinations for a reason. We highly recommend everyone visits this extraordinary part of our planet. If you are planning to visit the area please support responsible tourism by staying with a company that's recognised for its genuinely ethical behaviour. <i>If a company is willing to be embroiled in a law suit with a community regarding vital access to traditional land then their real attitude to indigenous people is clear regardless of what they claim on their website.</i> Many other companies work happily with local communities, without conflict. If you would like to be sure of booking with a responsible operator Tourism Concern has a database of ethical tour operators.</p>	<p>Clear proof of the intention of the DOES is to take business away from [REDACTED]</p>	<p>The company is not willing to be embroiled in a law suit with a community regarding vital access to indigenous people. It is the NGOs who determine this route for whatever reason, and not the initiatives that the company and community have embarked upon to negotiate a comfortable arrangement between neighbors for mutual benefit. The actions that PWC have taken to interfere with, obstruct and derail any attempt by the community or company to achieve such an agreement speaks for itself. The real attitude of the NGO driving this conflict is clear regardless of what they claim on their website. Their intention is to obstruct [REDACTED] from partnering with the community, destroy the reputation of the company and take business away from both the company and community by whatever means.</p>