

May 17, 2024

**MEMORANDUM TO THE EXECUTIVE DIRECTORS AND ALTERNATES  
OF THE INTERNATIONAL DEVELOPMENT ASSOCIATION**

**Inspection Panel  
Second Request for Inspection**

**Tanzania: Resilient Natural Resource Management for Tourism and Growth (REGROW)  
(P150523)**

1. On June 20, 2023, the Inspection Panel (the “Panel”) received a Request for Inspection (the “First Request”) related to the Bank-financed Tanzania: Resilient Natural Resource Management for Tourism and Growth (P150523) (REGROW, the “Project”). The First Request was submitted by individuals (the “Requesters”) from the area of Ruaha National Park (RUNAPA, the “Park”), in Tanzania. The Requesters asked the Panel to keep their names confidential. The Requesters have designated the Oakland Institute, a US-based civil society organization (CSO), to provide them with support and advice throughout their engagement in the Panel process.

2. The First Request alleged that the Project has not followed several safeguard policies and procedures of the World Bank, resulting in harm or threat of harm to project-affected communities. According to the Request, communities in five villages in Ruaha National Park – comprising more than 21,000 people – and an additional 47 sub-villages, are under threat of eviction. They stated that during the past two years large numbers of their cattle have been seized. The Requesters alleged they face violence, which has created constant fear among the affected community members. The Request stated that the Bank failed to trigger its policy on Indigenous Peoples (OP/BP 4.10), causing irreparable harm to the identity, culture, and rights of the indigenous communities in the Project area and that no free, prior, informed consultations were conducted with these communities. On July 20, 2023, after conducting its due diligence, the Panel registered the First Request.<sup>1</sup>

3. Bank Management submitted its response (the “Management Response” or the “Response”)<sup>2</sup> to the Request on August 21, 2023. On September 19, 2023, the Panel recommended an investigation into whether a) the Bank conducted sufficient due diligence regarding the capacity and processes of one of the Project’s lead implementing agencies, b) risks to communities were

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<sup>1</sup> Inspection Panel Notice of Registration, dated July 20, 2023. Available at: <https://www.inspectionpanel.org/sites/default/files/cases/documents/165-Notice%20of%20Registration-20-July-2023.pdf>.

<sup>2</sup> Management Response, dated August 18, 2023. Available at: <https://www.inspectionpanel.org/sites/default/files/cases/documents/165-Management%20Response-18%20August%202023.pdf>.

identified in project documents, c) appropriate mitigation measures were put in place, and d) the Bank's supervision of the Project's implementing agencies was adequate.<sup>3</sup>

4. In its recommendation to the Board in September 2023, the Panel determined that the claims of harm allegedly due to the non-triggering of the Bank's Indigenous Policy, were not plausibly linked to the Project. The Panel also determined that no resettlement was taking place in the Project area, and it was not possible to establish a plausible link between the alleged or potential harm resulting from resettlement and the Project. The Panel noted that if resettlement was subsequently triggered in the Project area within the life of the Project, the Requesters retained their right to submit a new Request for Inspection if they believed they were experiencing or will likely experience harm due to non-compliance with Bank policies.

5. On November 15, 2023, the World Bank Board of Executive Directors approved the Panel's recommendation to investigate whether the Bank conducted sufficient due diligence of the capacity and processes of one of the Project's lead implementing agencies (i.e., the Tanzania National Parks), whether risks to communities were identified in project documents, whether appropriate mitigation measures had been put in place, and whether the Bank's supervision of the Project's implementing agencies was adequate. In line with the Panel and the World Bank Accountability Mechanism (AM) resolutions, after Board approval of the Panel's investigation recommendation, on November 16, 2023, the AM Secretary (AMS) offered the Requesters and the Borrower the option of dispute resolution. On December 11, 2023, the AMS informed the Board and the Panel that there was no agreement from both parties to enter dispute resolution. On December 14, 2023, the Panel published its investigation plan on its website and commenced this investigation, which is ongoing.

6. The Panel notes that on April 17, 2024, Management informed the Board that it suspended the Project disbursement, effective April 18, 2024, in view of noncompliance with the Project's Financing Agreement in relation to safeguards requirements ("*namely, resettlement procedures and compensation, and grievance monitoring and reporting*").

7. On May 3, 2024, the Panel received a second Request for Inspection (the "Second Request") related to the Project.<sup>4</sup> The Second Request stated that a new Government Notice (GN) GN-754 issued on October 20, 2023, modified the boundaries of RUNAPA. The Second Request stated that the boundary modification (encompassing at least "23 *legally registered villages*") and the escalating cattle and farm equipment seizure, indicated that the eviction of households is imminent. It added that GN-754 will trigger eviction and cause serious harm to the impacted villages. The Second Request is summarized in the attachment.

8. As noted above, at the time of its recommendation to the Board in September 2023, the Panel determined that it was not possible to establish a plausible link between the alleged

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<sup>4</sup> The Second Request reiterated claims related to resettlement received on February 21, 2024. At that time, Management had not been given an opportunity to respond. On March 12, 2024, Management was informed of these claims.

resettlement-related harm and the Project. The Panel notes that GN-754 was issued in October 2023, i.e., one month after the Panel had submitted its recommendation to the Board. After careful review, the Panel concludes that the Second Request raises new circumstances on the issue of resettlement, which were not known at the time of the Panel's recommendation.

9. Considering the Requesters ongoing concerns in the Second Request are in relation to harm resulting from resettlement-related activities and the suspension by Management of the Project's disbursement for safeguards reasons, including resettlement, the Panel now deems a plausible link is established between the Project and the alleged harm. In its September 2023 report, the Panel had already deemed the Requesters eligible.

### **Recommendation**

10. The Panel considers that the Second Request raises new circumstances on the issue of resettlement, which were not known at the time of the Panel's submission of the recommendation that was approved by the Board on November 15, 2023. As the Panel now deems there is a plausible link between the Project and the alleged harm, the Panel recommends the Board approves that the Panel investigates the allegations raised in the Second Request for Inspection within the context of the ongoing investigation approved by the Board.

### **Next Steps**

11. Subject to the Board's approval of the Panel recommendation, the Panel will:

- provide a summary of the Second Request to Management and ask for a Management Response within 21-business days,
- investigate the claims presented in the Second Request and the additional Management Response in the context of the investigation already approved by the Board, and
- advise the Requesters accordingly.

12. The Panel has consulted with Management and the Accountability Mechanism Secretary (AMS) on this approach. If the Board of Executive Directors concurs with the Panel's recommendation, the AMS will offer the option of dispute resolution. In the event there is no agreement to enter dispute resolution, the Panel will update its investigation plan and include the claims raised in the Second Request in the ongoing investigation.

13. A copy of this Memorandum has also been sent to the President of the International Development Association.

Yours sincerely,

A handwritten signature in blue ink that reads "Mark E. Goldsmith". The signature is written in a cursive style and is centered on the page.

Attachment: Summary of Second Request for Inspection Attachment



May 17, 2024

**MEMORANDUM TO THE PRESIDENT  
OF THE INTERNATIONAL DEVELOPMENT ASSOCIATION**

**Inspection Panel  
Second Request for Inspection**

**Tanzania: Resilient Natural Resource Management for Tourism and Growth (REGROW)  
(P150523)**

1. On June 20, 2023, the Inspection Panel (the “Panel”) received a Request for Inspection (the “First Request”) related to the Bank-financed Tanzania: Resilient Natural Resource Management for Tourism and Growth (P150523) (REGROW, the “Project”). The First Request was submitted by individuals (the “Requesters”) from the area of Ruaha National Park (RUNAPA, the “Park”), in Tanzania. The Requesters asked the Panel to keep their names confidential. The Requesters have designated the Oakland Institute, a US-based civil society organization (CSO), to provide them with support and advice throughout their engagement in the Panel process.

2. The First Request alleged that the Project has not followed several safeguard policies and procedures of the World Bank, resulting in harm or threat of harm to project-affected communities. According to the Request, communities in five villages in Ruaha National Park – comprising more than 21,000 people – and an additional 47 sub-villages, are under threat of eviction. They stated that during the past two years large numbers of their cattle have been seized. The Requesters alleged they face violence, which has created constant fear among the affected community members. The Request stated that the Bank failed to trigger its policy on Indigenous Peoples (OP/BP 4.10), causing irreparable harm to the identity, culture, and rights of the indigenous communities in the Project area and that no free, prior, informed consultations were conducted with these communities. On July 20, 2023, after conducting its due diligence, the Panel registered the First Request.<sup>1</sup>

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4. In its recommendation to the Board in September 2023, the Panel determined that the claims of harm allegedly due to the non-triggering of the Bank's Indigenous Policy, were not plausibly linked to the Project. The Panel also determined that no resettlement was taking place in the Project area, and it was not possible to establish a plausible link between the alleged or potential harm resulting from resettlement and the Project. The Panel noted that if resettlement was subsequently triggered in the Project area within the life of the Project, the Requesters retained their right to submit a new Request for Inspection if they believed they were experiencing or will likely experience harm due to non-compliance with Bank policies.

5. On November 15, 2023, the World Bank Board of Executive Directors approved the Panel's recommendation to investigate whether the Bank conducted sufficient due diligence of the capacity and processes of one of the Project's lead implementing agencies (i.e., the Tanzania National Parks), whether risks to communities were identified in project documents, whether appropriate mitigation measures had been put in place, and whether the Bank's supervision of the Project's implementing agencies was adequate. In line with the Panel and the World Bank Accountability Mechanism (AM) resolutions, after Board approval of the Panel's investigation recommendation, on November 16, 2023, the AM Secretary (AMS) offered the Requesters and the Borrower the option of dispute resolution. On December 11, 2023, the AMS informed the Board and the Panel that there was no agreement from both parties to enter dispute resolution. On December 14, 2023, the Panel published its investigation plan on its website and commenced this investigation, which is ongoing.

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resettlement-related harm and the Project. The Panel notes that GN-754 was issued in October 2023, i.e., one month after the Panel had submitted its recommendation to the Board. After careful review, the Panel concludes that the Second Request raises new circumstances on the issue of resettlement, which were not known at the time of the Panel's recommendation.

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### **Recommendation**

10. The Panel considers that the Second Request raises new circumstances on the issue of resettlement, which were not known at the time of the Panel's submission of the recommendation that was approved by the Board on November 15, 2023. As the Panel now deems there is a plausible link between the Project and the alleged harm, the Panel recommends the Board approves that the Panel investigates the allegations raised in the Second Request for Inspection within the context of the ongoing investigation approved by the Board.

### **Next Steps**

11. Subject to the Board's approval of the Panel recommendation, the Panel will:
- provide a summary of the Second Request to Management and ask for a Management Response within 21-business days,
  - investigate the claims presented in the Second Request and the additional Management Response in the context of the investigation already approved by the Board, and
  - advise the Requesters accordingly.
12. The Panel has consulted with Management and the Accountability Mechanism Secretary (AMS) on this approach. If the Board of Executive Directors concurs with the Panel's recommendation, the AMS will offer the option of dispute resolution. In the event there is no agreement to enter dispute resolution, the Panel will update its investigation plan and include the claims raised in the Second Request in the ongoing investigation.
13. A copy of this Memorandum has also been sent to the Executive Directors and Alternates of the International Development Association.

Yours sincerely,

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Attachment: Summary of Second Request for Inspection Attachment





### Summary of Second Request for Inspection

On May 3, 2024, the Inspection Panel received a Second Request for Inspection related to the Tanzania: Resilient Natural Resource Management for Tourism and Growth (REGROW) (P150523). The Second Request reiterated information first received on February 21, 2024.

The Second Request reiterated the claims raised in the First Request and alleged that evictions are imminent, and there will be negative impact including from “*cruel livelihood restrictions*.” The Second Request stated that a new Government Notice (GN) GN-754 was issued on October 20, 2023, modifying the existing boundaries of Ruaha National Park (RUNAPA). It stated that the new boundary encompasses at least 23 legally registered villages and will require the eviction of more than 21,000 people. The Second Request stated that affected communities were neither consulted nor their consent sought on the boundary decision, and that they have not been compensated.

According to the Second Request, GN-754 “*shattered*” every promise made to the World Bank and the Panel that no resettlement would occur without due process and confirmed the warnings raised in the First Request. The Second Request added that “*escalating cattle and farm equipment seizures by TANAPA in January 2024 took place in the villages that will be wiped away by GN 754 which indicates that evictions are imminent.*” It also stated that on December 19, 2023, 855 residents from 23 villages facing eviction in Mbarali District filed a case (Reference 45 of 2023) in the East African Court of Justice.

The Second Request stated that the resettlement process is imminent in the newly demarcated Project-area and no resettlement action plans have yet been prepared as required by the Project’s resettlement policy framework. The Second Request called upon the Panel to investigate the issues of involuntary resettlement and imminent evictions within the Project area, in light of the new GN-754, and as part of its ongoing investigation.