



DEFENDDEFENDERS

East and Horn of Africa Human Rights Defenders Project



UN Human Rights Council – 49th regular session

Item 6: UPR outcome of the United Republic of Tanzania

Oral statement- 23rd March 2022

Delivered by:

Adv. Onesmo K. Olengurumwa, National Coordinator, Tanzania Human Rights Defenders Coalition (THRDC)

Mr. President,

We acknowledge the Tanzanian government's engagement with the UPR process and its high level of cooperation with civil society and human rights defenders (HRDs) ahead of and during its third review. We are eager to continue working together for follow up to all recommendations received and implementation of the 187 accepted (including 20 partially). We applaud that the government just accepted initially noted recommendations. We encourage the government to reconsider its position on the 67 recommendations it noted.

We appreciate and welcome human rights improvements since President Samia Suluhu Hassan assumed office, one year ago, as well as her good will, and that of the President of Zanzibar, Honourable Dr. Hussein Mwinyi, to uphold human rights and democracy in Tanzania Mainland and Zanzibar. We call on them to maintain and extend the same will to other areas pertaining to human rights and the rule of law.

However, to make recent progressive developments sustainable, we call for comprehensive legal reforms, including the completion of the new constitution-making process. This includes facilitating amendments to legal provisions affecting civil society organisations' (CSOs) and HRDs' operations, including: the Media Services Act, the Statistics Act, the Cybercrimes Act, the Access to Information Act, the Political Parties Act, the Electronic and Postal Communications (Online Content) Regulations, Amendments to the NGO Act, and the Basic Rights and Duties Enforcement Act (BRADEA). In this regard, we regret that the government noted recommendations that are in line with Tanzania's constitutional and international obligations, offered by states from all regional groups.

Mr. President,

We call for quick amendment to the BRADEA, Section 4, which prevents CSOs and HRDs and spirited individuals from filing cases on behalf of victims of human rights violations, including vulnerable groups, and limits their duty to promote and protect human rights through the judiciary. Additionally, more should be done to ensure that more offences are bailable and to leave discretion to the courts to decide on bail.

We strongly advise the government to halt the current plan to evict 70,000 indigenous Maasai from their ancestral land in Ngorongoro Division and the plan to take village land amounting to 1,500 km² in Loliondo Division of Ngorongoro District. We call for wider community consultations to include human rights-based approaches in any government plan regarding disputed areas.

Mr. President,

We welcome Tanzania's recent announcement towards the possibility of reversing the decision to withdraw the declaration made under Article 34(6) of the African Court on Human and Peoples' Rights Protocol. We call on the government to speed up the process to allow citizens and HRDs to access the Court, which is situated in their country.

Finally, we encourage the government to ratify additional international instruments, such as the Convention Against Torture, and we recommend the establishment of an independent oversight body to ensure and promote accountability in law enforcement organs, including the Tanzania Police Force.

Thank you for your attention.