



ANNUAL REPORT 2022

75 UNIVERSAL
DECLARATION OF
HUMAN RIGHTS
DIGNITY, FREEDOM & JUSTICE FOR ALL





LEGAL AND HUMAN RIGHTS CENTRE ANNUAL REPORT | 2022

Cover Photo: A resident of Tarime in Mara Region at a Public Meeting organized by LHRC on Gender Based Violence in February 2022. 'Women's Rights are Human Rights'

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LIST OF ACRONYMS/ ABBREVIATIONS

ACERWC	African Committee of Experts on Rights of Women and Children
ACHPR	African Court on Human and Peoples' Rights
ADR	Alternative Dispute Resolution
AGM	Annual General Meeting
BoD	Board of Directors
CAG	Controller and Auditor General
CAT	Court of Appeal of Tanzania
CCM	Chama Cha Mapinduzi
CHRAGG	Commission for Human Rights and Good Governance
COVID19	Corona Virus Disease – 2019
CSO	Civil Society Organization
DPP	Director of Public Prosecutions
EACJ	East African Court of Justice
GBV	Gender-Based Violence
HE	Her Excellency
ICT	Information Communication Technology
IEC	Information Education and Communication
IGP	Inspector General of Police
IPV	Intimate Partner Violence
LAC	Legal Aid Centre
LAP	Legal Aid Providers
LGA	Local Government Authority
LHRC	Legal and Human Rights Centre
MEL	Monitoring and Evaluation
MUHAS	Muhimbili University of Health and Allied Sciences
NEC	National Executive Committee
NGO	Non-Governmental Organization
OP	Operational Plan
PWDs	Persons with Disabilities
SDGs	Sustainable Development Goals
SGBV	Sexual and Gender-Based Violence
SO	Strategic Objective
TCD	Tanzania Centre for Democracy
THRBR	Tanzania Human Rights and Business Report
THRR	Tanzania Human Rights Report
UPR	Universal Periodic Review
VAC	Violence against Children
VAW	Violence against Women
VAWC	Violence against Women and Children
WG	Working Group

TABLE OF CONTENTS

	WRITERS & EDITORS	iii
	LIST OF ACRONYMS/ABBREVIATIONS	iv
	MESSAGE FROM THE BOARD CHAIRPERSON	vi
	MESSAGE FROM THE EXECUTIVE DIRECTOR	vii
	WHO WE ARE AND WHAT WE DO	ix
	THE YEAR 2022 AT A GLANCE	xiv
	EXECUTIVE SUMMARY	xvi
	CONTEXT ANALYSIS	xviii
	SECTION 1: DEEPENING UNDERSTANDING AND RESPECT FOR HUMAN RIGHTS AMONG RIGHTS HOLDERS AND DUTY BEARERS	1
	SECTION 2: IMPROVED LEGAL AND CONSTITUTIONAL REFORM, CIVIC SPACE AND RULE OF LAW	9
	SECTION 3: IMPROVED SOCIO-ECONOMIC & ENVIRONMENTAL JUSTICE	36
	SECTION 4: IMPROVED LEGAL AND POLICY FRAMEWORKS GOVERNING SPECIFIC RIGHTS OF WOMEN, CHILDREN, AND PERSONS WITH DISABILITIES	43
	SECTION 5: IMPROVED EFFECTIVENESS OF LHRC IN DELIVERING HER MANDATE	56
	SECTION 6: MONITORING, EVALUATION AND LEARNING	60
	SECTION 7: KEY ACHIEVEMENTS, LESSONS, RISKS & MITIGATIONS	62
	SECTION 8: FINANCIAL STATEMENTS	65

MESSAGE FROM THE BOARD CHAIRPERSON



**Hon. Chief Justice (Ret'd)
Barnabas A. Samatta**

Chairperson LHRC
Board of Directors

Dear our esteemed Stakeholders,

LHRC has throughout the year remained keen on strengthening the enjoyment of rights by every citizen. This annual report documents efforts towards safeguarding rule of law, good governance, and human rights. We are proud to be the source of inspiration and a benchmark for the legal and human rights discourse in the country.

The world is recovering from negative effects of COVID 19 and continues to suffer the Russia-Ukrainians War, drought, and hunger in many places. All these calamities have a negative impact on human rights especially the rights to development, peace, and security of persons. Besides that, LHRC operates while keen on checking these world trends on Human Rights. In 2022, we have seen the 6th phase of government political will for legal and constitution reforms to embrace fundamental freedoms, including freedom of expression, assembly, and association.

However, we reckon that much still needs to be done to improve the state of human rights and good governance in the country. The Board will continue to play her fiduciary role in making sure that LHRC continues to be more efficient and effective in delivering her mandate.

The work of LHRC on human rights has continually been supported by the public we serve and the generous financial and technical support from our core partners. We are grateful for that.

I wish to express our sincere appreciation to our development partners and all stakeholders who have been with us on this exciting journey. We look forward to working together in the future in enhancing a Just and Equitable society.

Thank You.

MESSAGE FROM THE EXECUTIVE DIRECTOR

Dear Human Rights Friends, Beneficiaries and Partners,

I am delighted to share the LHRC Annual report for the year 2022. LHRC started implementation of her operational plan 2022/2024 which is the second phase of LHRC's strategic plan 2019/2024.

This year is the fourth year of the LHRC six-year strategic plan 2019 -2024 and the first year of implementation of the LHRC's second phase operational plan 2022-2024.

We have noted an improvement in the operating context during the 6th phase of the government; where LHRC has been able to engage with the government positively and contributed to the improved legal and constitutional reforms vital for a just and Equitable society.

LHRC has noted a progressive change in protection and promotion of freedom of expression and access to information as provided under Article 18 of the Constitution of the United Republic of Tanzania, 1977; specifically, freedom of press where media are currently operating without fear of being shut down and at least four (4) newspapers namely Mawio, Mseto, Tanzania Daima and Mwanahalisi which were banned have been relicensed. This goes along with the government's commitment to implement the court's decision on amendment of the Media Service Act 2016 which was used to punish media during the 5th government regime.



Dr. Anna Henga
Executive Director, LHRC

Another key milestone is the commitment of the 6th President of the United Republic of Tanzania H.E. Samia Suluhu Hassan to improve democracy and good governance in the country; This has been through the formation of the presidential task force on democracy to work on challenges facing multiparty democracy in which LHRC was part of the stakeholders invited after drafting two model bills (on Election and Political Parties). LHRC presented 23 recommendations and according to the post analysis after the taskforce issued its report, 43% of the recommendations were fully adopted, 48% partially adopted and 9% rejected.

The criminal trial has been an area of controversy in the administration of the criminal justice in Tanzania. However, through LHRC's consistent advocacy, the government has positively reformed the Criminal Procedure Act, 1985 introduced by the Written Laws (Miscellaneous Amendments) Act No. 7, 2021, which has reduced the power of the DPP on the use on nolle prosequi and prosecution before investigation.

In improving access to justice in the country specifically for indigent persons, women, children, and people with disabilities, we have supported a total of 18,294 clients. Among the attended clients, 66% were male and 34% were female; this number stands for 91% of the targeted number of clients to be attended in the year 2022.

LHRC has also continued to employ affirmative action to reach these vulnerable groups through mobile legal aid in the community, prison visits and court annexed legal aid services; these have yielded positive results

especially in reaching those who for different barriers could not access legal aid services in our clinics regardless being free of charge.

Looking ahead, LHRC will continue to ensure that women, children, PWDs, and other marginalized groups, are equally represented; and that gender equality is at the forefront of our operations and administrative efforts.

The crosscutting issues, Gender and Women's Rights, non-corruption and Climate Change will continue to be in our top agenda going forward.

We hope that the Government, development partners, like minded organizations and the public will continue to support and comprehend the excellent work of LHRC especially in the promotion and protection of human rights in the country. It is our belief that the content of this report will continue to inform and avail while conveying the work that LHRC is doing which is essential for continued partnerships ahead.

Thank You.

WHO WE ARE AND WHAT WE DO

OUR BACKGROUND

The Legal and Human Rights Centre (LHRC) is a Tanzanian human rights advocacy organization founded in 1995 as a non-governmental, voluntary, nonpartisan, and not-for-profit sharing organization to empower and enlighten Tanzanians about their legal and human rights. LHRC has four offices, namely: the head office located in Kijitonyama, Dar es salaam; a model legal aid office situated in Kinondoni, Dar es salaam; and two sub-offices, one located in Arusha region and the other in Dodoma region.

LHRC's operations are extensive, spanning all 169 districts of Tanzania Mainland, with specific interventions in Zanzibar. LHRC has a presence in remote parts of the country, made possible through its well-designed programs, promoting awareness, and providing support to enable citizens to re-imagine their communities and capacitate them in settling some disputes amicably, without resorting to protracted judicial proceedings.

STRATEGIC OBJECTIVES

1. Deepen understanding and respect for human rights among rights holders and duty bearers that will entrench a culture of human rights in Tanzania
2. Advocacy for improvement of rule of law, civic space, democracy, constitution, and legal reforms
3. Promotion of socio-economic and environmental compliance, accountability, and justice
4. Improved legal and policy frameworks governing specific rights of women, children, and persons with disabilities
5. Improved effectiveness of LHRC in delivering her mandate



OUR VISION:

LHRC envisions “*a Just and Equitable Society*” - a society where the three arms of state [parliament, judiciary, and the executive], as well as non-state actors, practice accountability, transparency and there is rule of law; and where there is public awareness, respect, and engagement for human rights and good governance; and where justice and respect for human dignity are a reality.



OUR MISSION:

Our Mission is to empower the public to promote, reinforce, and safeguard human rights and good governance in Tanzania through legal, civic education and information; sound legal research and advice; monitoring and follow up on human rights violations; and advocacy for reforms of policies, laws, and practices in conformity with international human rights standards.



OUR VALUES:

- Integrity
- Accountability
- Equality and Diversity
- Transparency
- Professionalism
- Volunteerism & Voluntarism



AGM:

Our highest organ, the Annual General Meeting (AGM), comprises 120 members. The AGM convenes annually and has three main functions: appointing the Board of Directors, appointing external auditors, and reviewing audited accounts.



BOARD OF DIRECTORS:

Our Board of Directors comprises 9 members, 67% of whom are female and 33% of whom are male. Board members have various professional backgrounds, including legal, media, social sciences, human rights, and finance.



**Hon. Chief Justice (Ret'd)
Barnabas A. Samatta**
Chairperson



Annastazia Rugaba
Deputy Chairperson



Dr. Anna Henga
Secretary



Dr. Abdulah H. Mohammed
Board Member



Dr. Ally Hussein Laay
Board Member



Josephine A. Zimba
Board Member



Lutgard Kokulinda Kagaruki
Board Member



Rebecca Gyumi
Board Member



Sophia Martin Komba
Board Member

LHRC PROGRAMS LINKAGES WITH SUSTAINABLE DEVELOPMENT GOALS

LHRC programmes are implemented within the broader context for national and international frameworks, such as the sustainable development goals (SDGs). LHRC contributes to a selected number of SDGs: 1, 3, 4, 5, 8, 10, 13, 16

1 NO POVERTY



Through legal aid provision, LHRC has been able to serve the poorest population whose rights are infringed and cannot afford expensive advocates fees. Through remedies, compensation and winning of cases, most clients move from poverty lines.

3 GOOD HEALTH AND WELL-BEING



Under this area, LHRC has contributed to the legal reform to improve and ensure quality, accessible and equitable health services to all. The government has introduced the Bill for UHC which is part of LHRC work and engagement with the government on the importance of having Universal Health Coverage and the law governing it.

4 QUALITY EDUCATION



LHRC filed before the African Committee of Experts on Rights of Women and Children and Centre for the Reproductive Rights, challenging Tanzanian law which allows expulsion and exclusion of the pregnant girls from schools. The committee delivered the positive outcome, and the government has developed guidelines on how to re-enroll pregnancy girls to school after delivery.

5 GENDER EQUALITY



LHRC's uniqueness in this area is advocacy using gender mainstreaming approaches in demanding for accountability of duty bearers to improve laws, policies and practices which affect women, children, and people with disabilities. This is through bills, laws, and gender analysis with the aim of bringing reforms, engaging duty bearers and strategic litigations to improve the status quo.

8 DECENT WORK AND ECONOMIC GROWTH



LHRC's focus under this area is basically on protection of labour rights and promote safe and secure working environment for all workers, in particular women, PWDs and youth and those in precarious employment like corporate and mining companies. The government has adopted the new wage order to enhance fair remuneration between public and private sector; this has been part of LHRC's advocacy work.

10 REDUCED INEQUALITIES



LHRC's focus in this area is advocacy for inclusion and equality in all spheres, using laws, policies, and public programmes. This has been done by ensuring LGA loans for youth, women and people with disabilities are equally accessed whereby women get 40%, youth 40% and PWDs 20%. Another initiative is the implementation of PWD Act 2020, whereby new markets which are accessible by PWDs are built, for instance in Njombe.

13 CLIMATE ACTION



LHRC focus on this area is on Integrate of human rights as a climate change measures into national policies, strategies, and planning. LHRC in 2022 conducted a study on implication of human rights in climate change to inform policies, laws and strategies.

16 PEACE, JUSTICE AND STRONG INSTITUTIONS



LHRC focus in this area is to promote and advocate for enforcement of non-discriminatory laws and policies for sustainable development through tracking and analysis of policies, laws, new bills, and practices to identify statements or intentions that are not human rights and gender sensitive. LHRC has successfully supported the improvement of different laws and policies.

THE YEAR 2022 AT A GLANCE

LHRC FACILITATED ACCESS TO JUSTICE BY SUPPORTING



18,190
Clients

91%
Of our
projected
target



33% Women
accounted for



67% Men predominantly
constituted



We won **173** Disputes in various
courts and tribunals

38% 
of cases
belong
to Female

62% 
of cases
belong
to Male

The Legal Aid Act 2017 and the Legal Aid Regulations 2018 required LHRC to provide paralegal training



36
Paralegal units

78%
Are registered under
the Legal Aid Act

22%
Are finalizing trainings
and registration processes

In terms of the registered members

572  **30%**
Members  Are fully registered

 **58%**
Women
accounted
for

 **42%**
Men

Gender and Political Empowerment



348

women became chairpersons



Human Rights Violations



2,164
Incidents

52%
Were Female
Related



48%
Were Male
Related

Depicting a total increase of **10%** by 2021.

SOCIAL MEDIA In 2022, we received



567,747
Reach on Twitter

605,353
Impressions

14,808
Retweets

751+
Subscriptions



56,373
Views

Viewer engagements
on HAKI TV.



20,228
Followers on
Facebook Page

EXECUTIVE SUMMARY

This annual report provides an overview of the LHRC's operations in the year 2022. The report particularly highlights updated of the interventions executed during the last year of implementing the operational plan for 2022/2024, in line with LHRC's five strategic objectives. LHRC's initiatives aim at raising legal and human rights awareness among rights holders and duty bearers, as we strive to advocate for improved accountability, respect, and protection of human rights with the specific focus on Women, Youths, Children and Persons with Disabilities.

The LHRC's social media presence has enabled LHRC to reach audiences across platforms for advocacy and awareness-raising purposes. LHRC disseminates relevant knowledge on legal and human rights issues, spark debates on similar topics, and empowers those who gain such knowledge to disseminate it to others. In 2022, LHRC successfully reached 19,060,021 people through community radios. The radios aired different programs based on the type of theme that specific zone needed (knowledge gap in the community) and due to the human violation incidents reported in those specific zones.

In terms of social media, Facebook reached 295,861 people with 20,288-page followers, 510,024-page impression. The data shows that most of LHRC's Facebook visitors were male with 83.7% and female are 16.3% Twitter recorded an impression of 4,578,000; out of which 2,248,754 were profile visits and 17,263 new followers in 2022. The increase of reach in LHRC's social media platforms was due to the improvement of content to be more user-friendly, and production of contents that are relevant to the community.

In 2022 LHRC awarded journalists who later successfully investigated how people die in police custody as well as the torture they go through while in the hands of the police, which is against the law. One of the awardees also advocating on the effects of water pollution in Mara River which resulted in Members of Parliament not accepting the report of the committee on the said matter.

Human Rights Club Members have been very instrumental in increasing access to justice in the surrounding communities, schools and higher learning institutions; for instance the establishment of a Legal Aid Clinic at Morogoro Muslim University which provides legal aid to students and the surrounding community and another one is Mzumbe Human Rights Club members started human rights awareness sessions to nearby Secondary schools starting with Airport and Lorenzo Secondary schools.

As part of our mission to increase access to justice for indigent persons through the provision of legal aid and supporting the work of paralegals, LHRC facilitated access to justice by supporting 18,190 clients were attended in which 67% were male and 33% were female. In the reporting period, LHRC managed to win 173 cases of which 62% of the cases belong to male and 38% to female.

LHRC contributed to a positive amendment of the Written Laws (Miscellaneous Amendments) No. 3 of 2021 which amends section 13 of the Land Dispute Courts Act, Cap 216 and added power to the Ward Tribunal to mediate matters affecting title or interest in land and if it fails, will certify and the same to be referred to the District Land and Housing Tribunal. This has reduced the reported misconduct of the members of Ward Tribunal in conducting

trials. It has also built a sense of harmony in society due to the reported issues of corruption involved in resolving land cases.

The use of Strategic litigation in reforming the laws has been fruitful in legal reforms especially when other advocacy initiatives have failed. For instance, LHRC won three cases, two in the regional courts and one at the High Court of Tanzania in reforming political parties Act , Mandatory death penalty and constitutional case against the previous CAG .

The Government has positively reformed the Criminal Procedure Act, 1985 introduced by the Written Laws (Miscellaneous Amendments) Act No.1, 2022; the law now prevents an accused person from being arrested once acquitted by the Director of Public Prosecution for “Nolle Prosequi”. It further provides for the right to legal aid for accused people who want to enter a plea-bargaining while in prison.

LHRC documented progressive changes on the Anti-Money Laundering Act on the limit and control over the powers of the Minister of Finance and Planning to declare any person as a domestic terrorist. The new section requires the Minister to do so where there is no possibility of bringing the person before the court of law.

Another positive reform is on inclusiveness and representation, especially in law making process; the Parliament of Tanzania has set a requirement under section 8 to provide for gender consideration in the composition of the National Anti-Money Laundering Multi-Disciplinary Committee. This was following LHRC’s proposal on the Anti-Money Laundering Act during a public hearing before the Budget Committee in Dodoma. This is a positive move towards effective representation in legislation making.

In improving the state of Civic space, the government relicensed four (4) newspapers which were banned.

Furthermore, LHRC’s interventions pushed for the Parliamentary Standing Committee on Legal and Constitutional Affairs to declare that any legislation and drafting styles should have gender sensitive lenses. This includes but is not limited to gender parity, gender sensitive language and composition of members.

As part of improving social economic rights, the government has Adopted the Wage Order of 2022 to replace the Wage Order of 2013 as recommended by LHRC’s Human Rights and Business Report.

Moreover, the LHRC supported the compensation of 98 Nyakunguru Villagers in Musoma Mara by North Mara Gold Mine after LHRC’s intervention.

LHRC also noted an increase in comparison to the Human Rights and Business Report (THRBR-2020/2021). The survey revealed that 64.6 % of workers have contracts, with 89% having written contracts which has increased from 59% from THRBR-2021/2022.

Additionally, 81% affirmed that their workplaces abide by standard working hours, which has decreased by 85% from last year’s report. There is an increase of knowledge of compensation regulations and procedures by 32.4%, which was previously reported to be 15%. Also, 55.4% of companies had policies prohibiting child labor where there is slight increase from 36% which was reported in the (THRBR-2021/2022).

Another key area is accessibility and utilization of Local Government Authority loans. Mtwara women councilors facilitated a total of 337 groups to access LGA loans of which 53% were women, 11% were groups of people with disabilities, and 36% were youths.

Finally, the LHRC has received a positive Judgement on teen mothers’ school reentry by the African Committee of Experts on the Rights and Welfare of the Child. The update on the matter is that the United Republic of Tanzania has issued the circular and guidelines for the re-entry.



CONTEXT ANALYSIS

CONTEXT ANALYSIS

United Republic of Tanzania is the democratic state which is made of Tanganyika and Zanzibar. Geographically, Tanzania is situated at the eastern part of Africa, and is a member of the East African Community (EAC). According to the population and housing census conducted in 2022, Tanzania has a population of 61,741,120 (59,851,347 in Tanzania Mainland and 1,889,773 in Zanzibar) in which female are 31,687,990 (51.3%) and male 30,053,130 (48.7%). This result shows an increase by 27.23% compared with the population census of 2012.

Civic and political rights

The state of democracy in Tanzania has been a matter of concern in recent years. The country has a multi-party system and regularly holds elections; however, the ruling party, Chama Cha Mapinduzi (CCM), has been in power since independence in 1961 (growing out of the then Tanganyika Association of National Union) and has faced criticism for limiting political opposition and suppressing civil liberties.

In recent years, the Government has been accused of clamping down on the media, opposition political parties, and civil society organizations. There have also been reports of election irregularities, which have fueled concerns about the state of democratic governance in the country.

Despite these challenges, some progress has been made in strengthening democratic institutions and practices in Tanzania. For example, the country has an independent judiciary and a vibrant civil society sector, which are the key components of a functioning democratic system.

Overall, the state of democracy in Tanzania was seen as precarious and in need of improvement to better uphold the rights and freedoms of its citizens.

The coming to power of the 6th term President, H.E. Samia Suluhu Hassan generated grand expectations that Tanzania would rapidly transform towards democratic improvement. Several efforts have been made since assuming the office focusing on fostering dialogue between the ruling party and the opposition which has been lauded as a positive step. Both on the mainland and Zanzibar, task forces have been appointed to produce recommendations for democratic reforms on both parts of the union. Nevertheless, despite the political will and efforts to reform, the draconian laws enacted by President Samia's predecessor, the late John Pombe Magufuli remains effectively in place. The conduct of the authorities and draconian laws remains a constraint to the full exercise of political freedom in the country.

Notwithstanding the favorable ruling of the East African Court on the Media Services Act 2016 and Political Parties Amendment

Act 2019; these laws are yet to be amended to comply with the court order. During Universal Periodic Review (UPR) in 2022, the Government of Tanzania committed to amend a number of laws to improve the civic space.

Economic, Social and Cultural Rights

The global economy is still recovering from the effects of covid19. While recovering from the pandemic, the Russian and Ukrainian war has been another thorn on the foot as far as the economy is concerned.

The conflict in Ukraine has a negative impact on the global economy. This has led to a decline in trade and investment between Russia and the rest of the world, and as a result it affects the global economy. Additionally, the conflict has disrupted supply chains, particularly in industries such as automotive and technology, and has caused instability in energy markets, particularly with regards to natural gas supplies to Europe. Furthermore, the conflict has led to a decrease in consumer and investor confidence, which has affected global economic growth and inflation rate, thus affecting developing countries including Tanzania.

Tanzanian economy has experienced modest growth in recent years, averaging around 6-7% annually. The growth has been driven by various sectors, including agriculture, tourism, and mining. However, the economy still faces challenges such as prevalent levels of poverty, income inequality, and a lack of infrastructure and investment. The government has taken steps to address these issues through initiatives aimed at boosting economic growth and improving the business climate.

The government has embarked on special programs for improvement of social services and health programs by building classes and health centres. For the year 2022, the government was able to build 25,000 classrooms countrywide and improve infrastructure in the health sector. Schools provide children with access to education and the skills they need to succeed in life. They help to break the cycle of poverty and improve the prospects of future generations. A well-educated population can drive economic growth and development by creating a skilled workforce, increasing productivity, and attracting investment.

By building health centres, the government has tried to improve health services for the community, especially the marginalized ones. The available records show that; in the year 2022, a total number of 127 hospitals were constructed and 18 renovated; 390 health centres constructed, and 668 dispensaries were completed.

Improved health services can result in better health outcomes for individuals and populations. This includes better disease prevention and management, improved treatment and recovery from illnesses, and reduced mortality rates. A healthy population is more likely to be productive and contribute to the economy. Improved health services can help to keep people healthy and working, reducing the burden on the healthcare system, and improving overall economic outcomes.

Women, Children and PWD's

The main issue which has been affecting women in Tanzania over recent years is the gender-based violence and intimate

partners killing. Gender-based violence (GBV) is a genuine issue in Tanzania and affects women and girls. GBV encompasses a wide range of violence, including physical, sexual, and psychological abuse. It is often rooted in gender inequality and discrimination and can have serious and lasting impacts on the health and well-being of victims.

In Tanzania, GBV is widespread and underreported, with many cases going unreported due to stigma, fear of retaliation, and lack of access to support services. In most cases, GBV is even perpetuated or condoned by traditional and cultural norms.

The Tanzanian government has taken some steps to address GBV, including ratification of various international and regional instruments, the passage of laws and policies aimed at preventing and responding to violence against women and girls. However, implementation of these laws and policies is often inadequate, and victims of GBV face significant barriers in accessing justice and support services.

To effectively address GBV in Tanzania, it is crucial to address the root causes of gender inequality and to ensure that policies and laws are implemented effectively. This requires a sustained and coordinated effort from the government, civil society organizations, and communities, as well as increased investment in support services for victims.

Femicide as one of the forms of GBV has been common in Tanzania recently. According to the Tanzania Human Rights Report of 2021, Women and girls have been constituting majority of victims of GBV in the past five years. From 2017 to 2021, there has been a total of 134,856 female victims. Compared

to 61,199 male victims during this period, the number of female victims is two times more than that of male victims.

On average, there have been 26,971 female victims and 12,239 male victims per year during this period. Statistics provided by the ministry responsible for gender for the year 2021 indicate that, incidents of GBV decreased from 42,414 in 2020 to 29,373 in 2021, a decrease of 30.8%. Out of the 29,373 reported incidents, 20,897 involved female victims and the remaining 8,476 were male victims. These killings are violence against women and violate their rights to protection and security which are safeguarded in the Constitution of the United Republic of Tanzania.

While in recent years incidents of attacks of persons with albinism (PWAs) have declined, in 2021 one incident of attack and killing of a PWA (a child) was reported. PWAs therefore continue to live in fear, hence not effectively enjoying their human rights. A common form of violence against PWDs in urban areas is economic exploitation of PWDs, especially trafficking of PWDs, mostly children, from rural to urban areas, who are then forced to beg and make money for their hosts. PWD especially children with disabilities, are also vulnerable to different forms of sexual violence, including rape. In Dar es Salaam, it was reported that some women and female children with disabilities are raped and impregnated. In addressing challenges of access to education, the 2021 report shows that the Government had started distributing equipment and tools worth Tshs. 2.8 billion to facilitate education for 18,488 children with special needs. This was revealed by the Ministry of PO-RALG, whereby the Minister responsible noted that this was another measure by the Government to ensure no one is left behind in education.

In terms of children, the government has taken different steps to promote children's rights and protect them from different forms of violence, including ratification & domestication of child rights treaties, enactment of a specific law for children and establishment of police gender and children's desks, and establishment of the juvenile justice system.

However, according to LHRC's THRR report 2021, violence against children (VAC) continued to be an issue of great concern for children's rights and welfare. Incidents of different acts of violence were reported and documented in all regions across Tanzania Mainland. For instance,

Police crime statistics, released in January 2021, show that a total of 15,870 incidents of VAC were reported and documented in the period of January to December 2020. This constitutes an increase of 190 incidents (1.2%) compared to the incidents reported in 2019. The common form of violence against children in Tanzania, sexual violence against children (sexual VAC), especially in the form of rape and sodomy, was again the biggest threat to children's rights, as many such incidents were reported and recorded as indicated by THRR 2021 where majority of the reported VAC incidents (89%) were sexual VAC.



DEEPENING UNDERSTANDING AND
RESPECT FOR HUMAN RIGHTS AMONG
RIGHTS HOLDERS AND DUTY BEARERS

01

From the map above, it shows the distribution of type of topics that the community radio aired in their location. Topics that were mostly discussed in every zone were Gender based violence (GBV) which constituted 22%, Child rights 11%, right to life and matrimonial 11% and 10% respectively.

For instance, most of programmes related to GBV and childcare were aired in regions such as Mara, Mwanza, Arusha, and Dar es salaam that reported higher rates of GBV and child rights incidents. Matrimonial related programmes were common in regions like Morogoro, Njombe, Mbeya, Manyara and Mwanza.

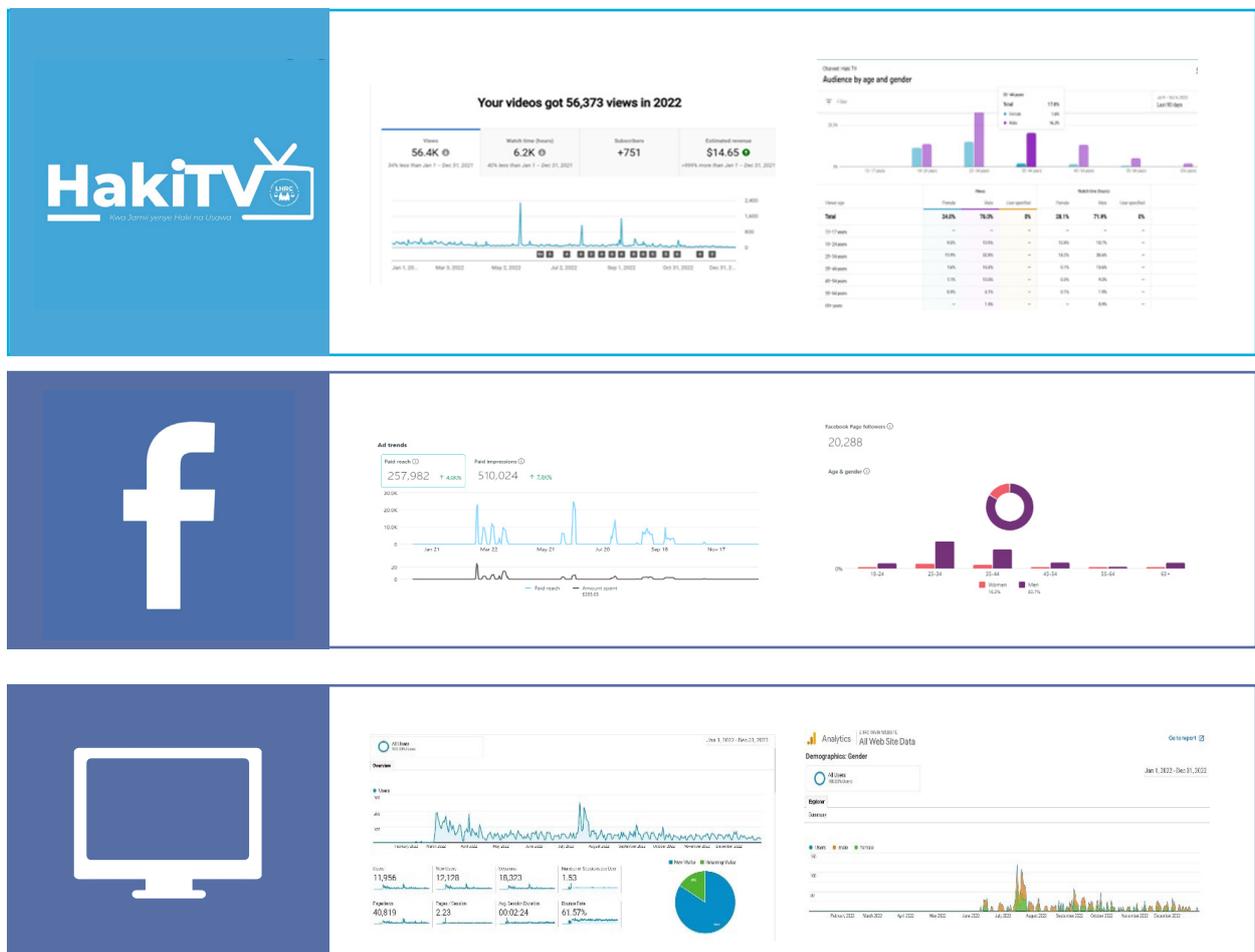
1.1.2. Digital media

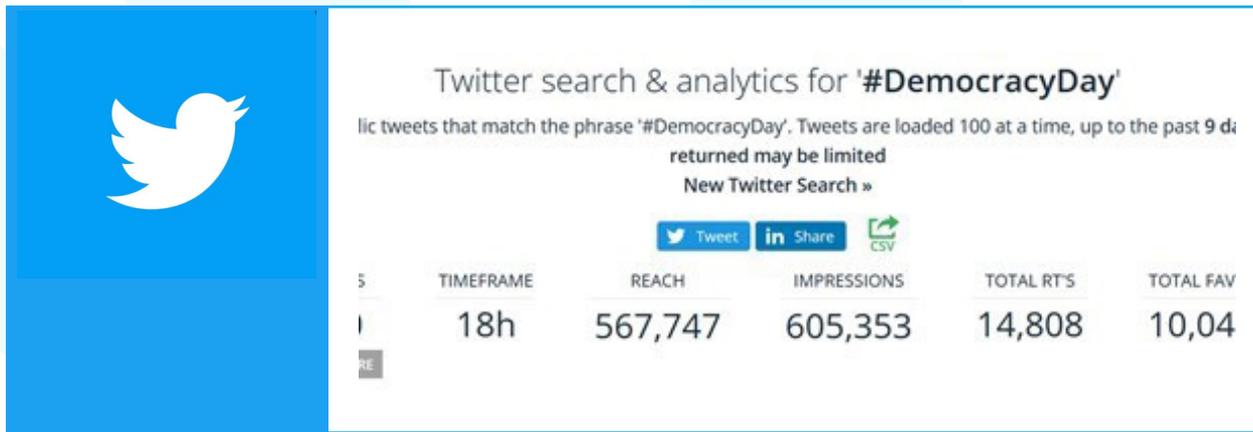
In empowering the community, LHRC has been using different digital media such as YouTube (HAKI TV), Facebook, Twitter,

Instagram, and LinkedIn. Through the use of these media, LHRC has successfully reached 5175 subscribers in HAKI TV, with an increase of 14% of total subscribers from 2021 to 2022. The viewers engaged in 2022 are 56,373 where number of males were 37,206 which is equal to 66% and 19,161 females which is equal to 34% of people who viewed the Haki TV in 2022.

In terms of Facebook, we reached 295,861 people with 20,288-page followers, 510,024-page impression. The data shows that most of LHRC's Facebook visitors were male with 83.7% and female are 16.3% as shown by the chart on the left column. Furthermore, LHRC website recorded 11, 956 new users.

Twitter recorded an impression of 4,578,000; out of which 2,248,754 were profile visits and 17,263 new followers in 2022.





The increase of reach in LHRC’s social media platforms was due to the improvement of content to be more user-friendly, and production of contents that are relevant to the community.

It shows that there is a high number of males viewing social media pages than females as shown in the table above. The analysis shows that men engage more on social media compared to women in Tanzania due to economic reasons since more men are engaged in economic activities hence are able to afford technological devices and internet services charges.

1.1.3 Strengthening Capacity of Journalist on Human Rights.

In 2022, LHRC participated in the Excellence in Journalism Awards Tanzania (EJAT) by providing technical and financial support to honor and recognize the initiatives of journalists in Tanzania who continue to raise awareness and amplify voices on issues of legal and human rights with specific areas of democracy and good governance. LHRC is one of the sponsors of the AWARDS in the #HumanRights category, whereby Sanula Athanas and Halfan Chusi from Nipashe newspapers emerged as winners in the human rights category.

As a result, in 2022 the journalists successfully investigated how people die in police custody

as well as the torture they go through while in the hands of the police; which is against the law. They also advocated on the effect of water pollution in Mara River which resulted in Members of Parliament not accepting the report of the committee on the said matter. The Human Rights awardee said now he is confident in doing so because of the knowledge acquired on human rights and LHRC support..

1.2. Youth are knowledgeable, motivated, and confident on human rights issues.

1.2.1. Human rights clubs established and maintained in the focal zones.

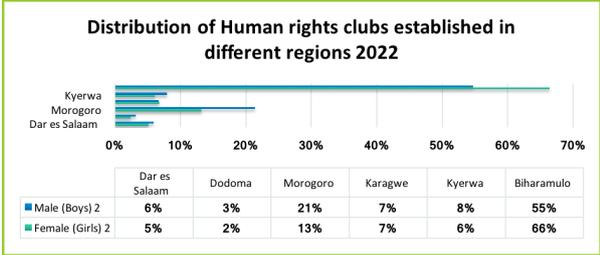
Promoting and safeguarding human rights by the coming generation is very crucial. Thus, LHRC has successfully managed to establish 74 human rights clubs and build capacity of 2,220 club members which is 125% of the annual target for 2022 as shown in graph 1. These include 76% Human Rights Clubs in Karagwe, Kyerwa and Biharamulo districts in Kagera region, 4% Human Rights Clubs in Dodoma and 5% Human Rights Clubs in Dar es Salaam, and 16% in Mvomero within Morogoro region.

LHRC has further continued to maintain the existing 278 human rights clubs in primary, secondary schools, and higher learning institutions.

In terms of sex distribution among the clubs established in primary and secondary schools; girls accounted for 64% while boys accounted for 36%. The implication is that; the ratio of girls and boys in primary and secondary schools is different where girls are more than their male counterparts; dropouts of boys at the secondary level where most of them prefer to seek for jobs in big cities, unlike girls.



Picture 1: LHRC Human rights club officer with students from Mpechu Secondary School in Njombe during a launch of the human rights club.



Graph 1: Shows the distribution of Human Right Clubs established in different regions in 2022.

Another implication is that girls are mostly the victims of gender-based violence and prefer safe spaces like clubs where they can get an education and feel protected. Also, girls naturally like to engage in social activities like singing/choir, theatre and the like hence are more willing to be part of the clubs where all these happen.

HUMAN RIGHTS CLUBS ARE CREATING SAFE SPACES FOR CHILDREN IN SCHOOLS

The case study of primary schools located in Bagamoyo District

The Legal and Human Rights Centre (LHRC) has established more than two hundred human rights clubs in primary schools, secondary schools, colleges, and universities across Tanzania. These clubs allow students to develop their skills and strengthen their knowledge on human rights issues so that they become confident young agents of change within the community.



Picture 2: Pupils engaging during Human Rights club program from one of schools visited in Bagamoyo District.

Through visiting different schools in Bagamoyo district, we saw the benefits brought by human right clubs to children and community at large. Many children understood human rights issues, students shared their knowledge by giving examples of human rights, examples of violence against children and how to report in case of violation of their rights.

Due to the presence of human rights clubs, many incidents of human rights violations have been reported in Bagamoyo district. One of the incidents reported was a child in the sixth grade who was raped by his stepfather. The child was raped when her mother traveled suddenly due to the death of her father and when she returned two days later, she did not know that her daughter had been raped. *"I found out my daughter was raped when the police came to arrest my ex-husband"* The mother of the victim.

The victim told her friend who is a member of human right club and encouraged her to go and tell the teacher about the incident.

"A fellow student came to inform me about the incident that happened to her friend. I followed up with the student and reported the issue to the authorities and finally the stepfather was imprisoned for 30 years." Teacher of the victim

Also, Bagamoyo education coordinator at Dunda Ward, Mwananuru Gawaza shared that.

"It used to be tough for students to open-up, even when the teachers sense something is wrong. For now, it's not hard for students to speak freely because they have been singing in their clubs about opening up and having the right to be listened to." Ms. Gawaza admits that the increasing awareness among students has reached

students' homes and the same message has also been shared during parents' meetings. Human rights clubs have continued to be a springboard for young people to recognize their rights, manage their rights and fight for their rights if they are violated. Police at the Bagamoyo gender desk describe these clubs as an important entry point on their various awareness-raising initiative. *"These students know things and are very active, they know their rights and nowadays they are not afraid to report violations"*. Bagamoyo Police officer.

1.3. Strengthened work of paralegals for community mobilization

LHRC aims to increase the number of people who can access justice through paralegals by empowering them on issues of human rights and the law to assist communities where they are situated.

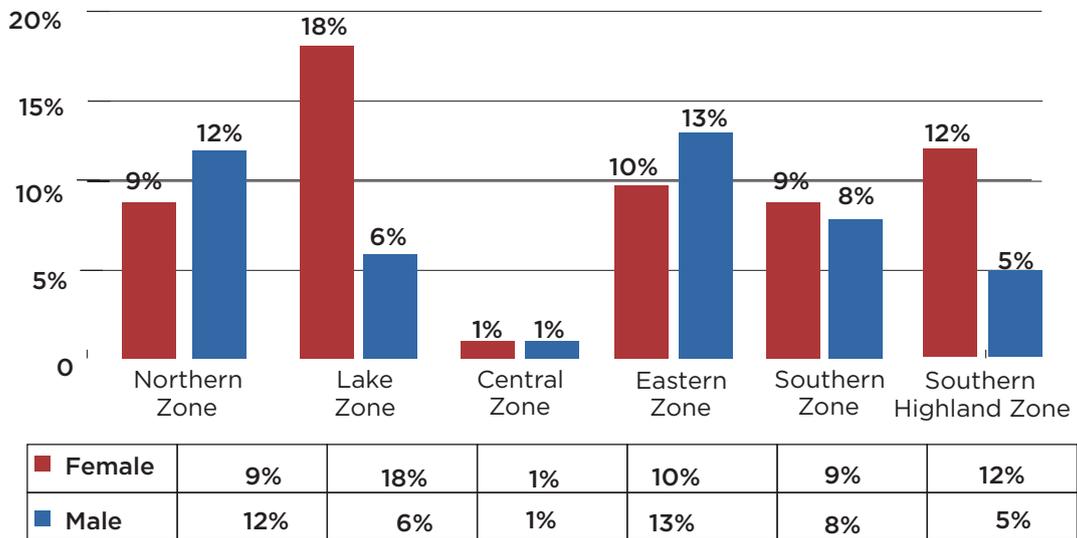
The work of paralegals in improving access to justice is one of LHRC's great successes. Some paralegals have been registered and began operating legally as legal aid providers as per the Legal Aid Act 2017. The registered paralegals are operating with confidence in their districts and LHRC is providing technical support to their work.

Currently out of 36 paralegal units empowered by LHRC, 78% are registered under the Legal Aid Act while the remaining 22% are finalizing trainings and registration processes.

In terms of the registered members for the same units, out of 572 members, 30% are fully registered; women accounted for 58% and men 42%. The ratio is due to the fact that more women are empowered and willing to participate in community empowerment and legal aid provision. The implication for this is that women and children who are mostly victims of GBV and other violations are well

represented. This could also serve as affirmative action to the discrepancy observed in our legal aid services for walk-in clients where the ration of men is twice that of women (67% male and 33% female).

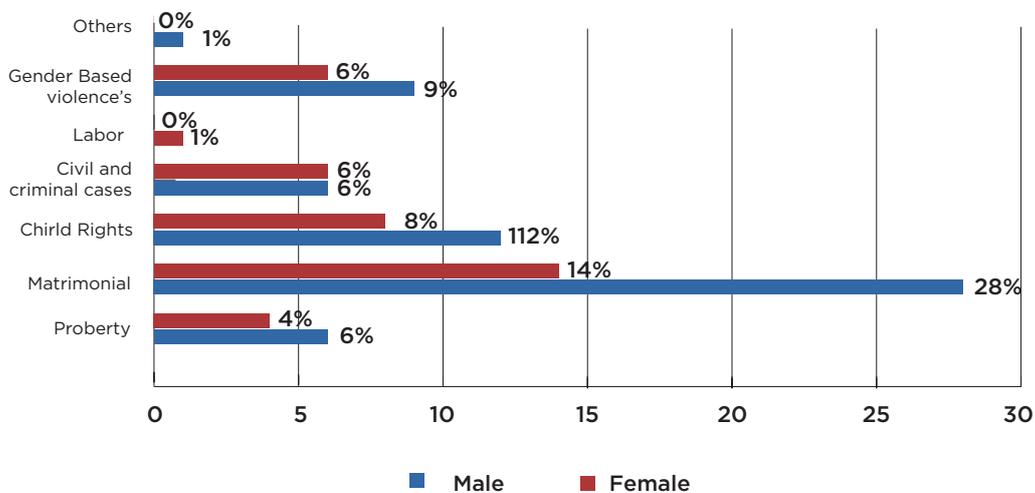
Distribution of registered paralegals members as per location in 2022



Graph 2: Shows the distribution of Registered Paralegals Members in different locations for 2022.

The above performance is due to the new requirements that new paralegals recruited need to have a minimum qualification of form four and go through comprehensive training and a three-month field attachment to the legal provider. This has been a challenge, especially for those units which phased most of their members due to age and digital literacy and willingness to continue with volunteering.

Distribution of clients based on case categories and sex attended by Paralegals in 2022



Graph 3: Distribution of clients attended by paralegals in 2022.

The graph above indicates that most of cases attended by Paralegals units are matrimonial cases by 42% where 28% are female clients and 12% are male clients. 20% of clients were attended on child rights; female being 8% and 12% being male clients. This implies that most of clients who are women and children are now comfortable to be attended by their fellow women who were registered as legal aid providers in the year 2022.

THEME
Resilience in the Face of Future Crises



IMPROVED LEGAL AND CONSTITUTIONAL
REFORM, CIVIC SPACE AND RULE OF LAW

02

IMPROVED LEGAL AND CONSTITUTIONAL REFORM, CIVIC SPACE AND RULE OF LAW

2.1. Increased access to justice through legal aid provision

One of the programs of LHRC is the provision of legal aid to indigent people in order to reduce inequality and increase access to justice as per the Sustainable Development Goal (SDG) goal number 16. In Tanzania, Legal aid provided by LHRC is regulated by the Legal Aid Act 2017, Legal Aid Regulations 2018 and internal policy which governs procedures and processes. Legal aid offered to the community, apart from helping indigent persons to access justice, the same is used to identify issues of advocacy for reforms on the areas of practice and procedures.

Clients are attended throughout the year at Kinondoni legal aid clinic, Arusha sub-office and Dodoma office. Apart from the walk-in clients at the legal aid offices, LHRC also provides mobile legal aid in different districts in collaboration with paralegals, in different national commemorations and at the judiciary desks at the Integrated Justice Centre in Arusha, Dodoma, Kinondoni, and at the One Stop Centre Temeke, Dar es Salaam.

2.1.1. Clients attended through Legal Aid program.

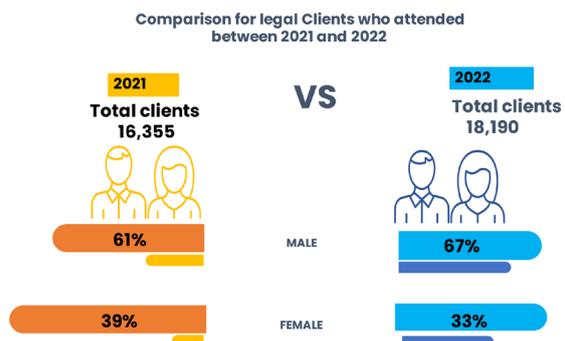
In 2022, through legal aid program, a total of 18,190 clients were attended in which 67% were male and 33% were female. This number of

clients represents 91% of the targeted number of the clients to be attended in the year 2022. This is the major achievement compared with 2021 where LHRC managed to reach 82% of the target. The number of women continued to remain low for consecutively three years compared to that of male.

Among the total number of clients attended, PWDs constituted of 326 clients, out of which 63% are male clients and 37% female.

The number of clients with physical disabilities is high due to the increasing number of road accidents where most of them attend the clinic to claim insurance indemnity.

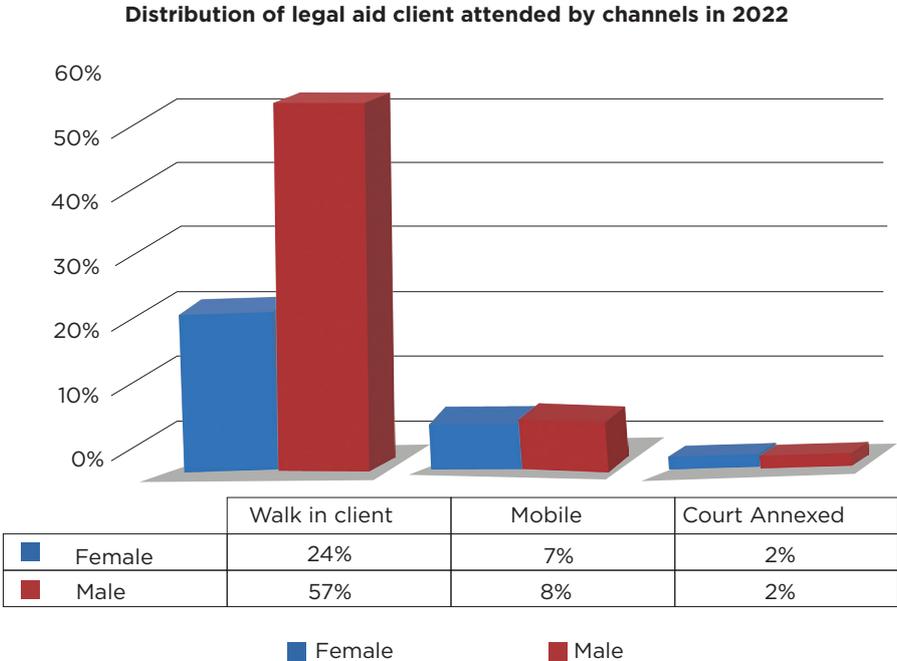
Nevertheless, it is easy for them to seek assistance because they require little to no need of assistance in mobility and communication unlike the blind or deaf. Most of these clients' category whose cases are pending in court have received legal representation.



Trend for the year 2022 proves that the number of attended male clients is higher compared to that of female. This signifies several theories. This may have resulted from societal marginalization of women in owning landed properties as the land disputes are leading in terms of number. It also may be the result of women lacking confidence in pursuing their interest through judicial process.

2.1.2. Legal Aid Services in Courts

This arrangement for providing legal aid at the court premises has based on the arrangements between LHRC and Judiciary after establishment of these new court buildings with legal aid facilities included. LHRC provided legal aid in court through her offices in Dodoma and Arusha Integrated Justice Centres, Kinondoni, and Temeke One Stop Centre where a total of 761 clients were attended (44% male and 56% female). The increasing number of females in court services is attributed to the presence of the One Stop Centre which in nature is a family court with majorities of claims being from women and children as they are the vulnerable groups easily affected by family issues such as inheritance and matrimonial.



Graph 4: Distribution of legal aid clients attended by channel in 2022.

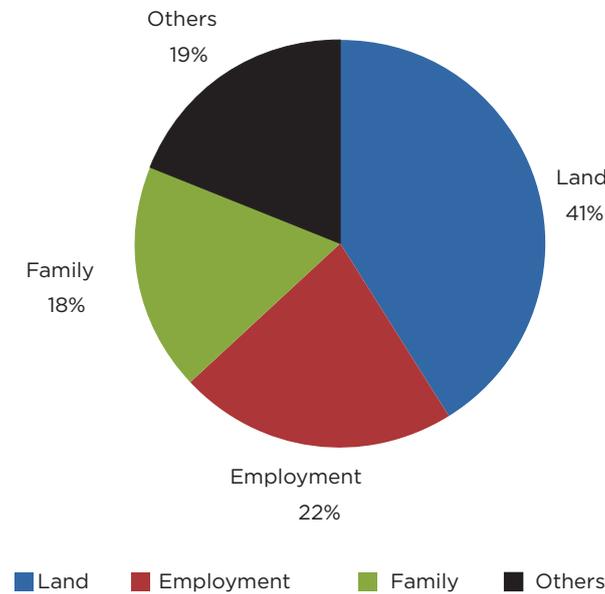
The graph above indicates that majority of our clients are still attended through walk in clients which is 81% compared to that of community mobile and court annexed which is 15% and 4% respectively. However, the mobile and court annexed has a good ratio between male and female in comparison to walk-in clients; hence strengthening of these channels is essential for creating equality between the two groups.

2.1.3. Clients attended by case category.

Major categories of the cases attended at LHRC are land, employment and family cases which include probate, child maintenance and matrimonial. Statistically, land cases are still leading for the past four years and for this year the number of cases received under this category are 41% of

all cases received followed by family related cases i.e., probate, matrimonial, child support 22% and employment cases 18% and other categories which comprises criminal, contract, insurance, tort and banking.

Distribution of major Legal Aid cases by Category 2022



Graph 5: Distribution of major legal aid case categories in 2022.

Analytically, majority of the land cases which is 66% were referred by men while women were only 34%. This shows a trend that majority who own land are men, due to patrilineal societies, where it is believed that only men can own property. This notion has been carried over by women to the extent that they do not challenge for ownership of property against men following the lengthy period of proceedings in courts among other factors.

On the main category of family which includes divorce, separation, child maintenance, probate and administration of estates, women have dominated as they stand at 61% of the clients received under this category. The number in this reporting period is relatively low compared with 2021 where women with family related cases were 75%. These percentages show women are still victims of the range of family related disputes like matrimonial, child support, probate and administration of estate. With establishment of the One Stop Centre at Temeke, Dar es Salaam and Integrated Justice Centers women constitute 57% of the number of clients received at our legal aid desks situated in courts. One of the contributing factors for the increase of women cases apart from discriminative laws and customs to women, is that still they cannot afford legal services from the commercial lawyers and the only refuge available to them is the legal aid service providers.

In employment disputes women account 20% only of the cases received while men account for 80%. The big gap in labour disputes is caused by distinct factors including personal preferences, social economic constraints, and gender roles constraints. Even though legal services are provided free of charge but still the turn up is still too low due to limited mobility and resources among women.

Women have lower probability of participating in the labour force, this may be partly due to the traditional gender divisions of labour in households' activities which disproportionately burden them.

The data indicates that gender is an essential factor in determining labour market participation and formal wage employment in urban Tanzania this is because women are less likely to get work in formal wage employment even after considering their lower likelihood of participating in the labour force.

Many economic activities performed by women are not regulated by the State, such as work in family farms or businesses, caring work and work in the informal sector, and are thus not subject to regulations concerning social security, health and safety standards, minimum pay or protection against exploitation and as a result, the number of female clients who come to seek for legal assistance at the legal aid clinic are too insignificant compared to the number of male clients.

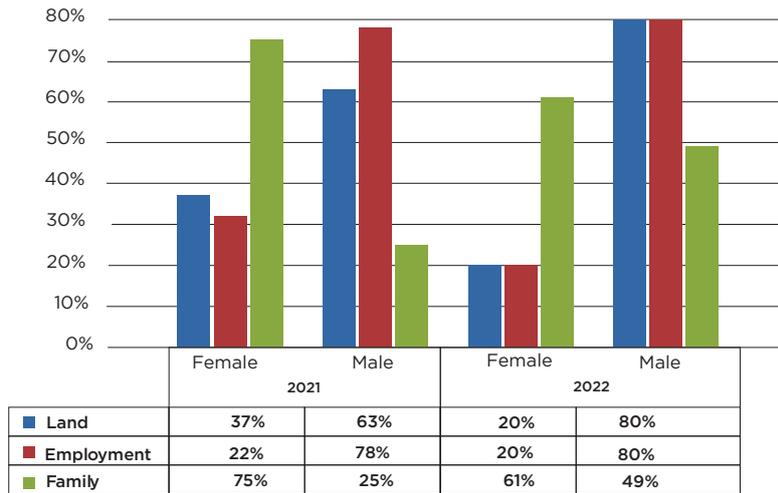
Women's other challenges and barriers in accessing justice include poverty and lack of financial resources, this often prevents women from engaging in legal battles. Women may be dependent on others for transport, finances, and childcare to be able to access justice.

High rates of women's illiteracy, especially in rural areas, is another major hurdle. Women may simply not be aware of their rights, the remedies available, which justice mechanisms exist and how to access them. Also, the fear of losing one's job is another obstacle which causes employees not to demand their rights from the employers. These and other obstacles prevent women from seeking redress when their rights have been infringed.



Picture 3: LHRC legal officer, Euphrasia Mukiza (from left) accompanied by the paralegals during mobile legal aid services in Njombe region September 2022.

Comparison by sex and case category for client attended between 2021 and 2022

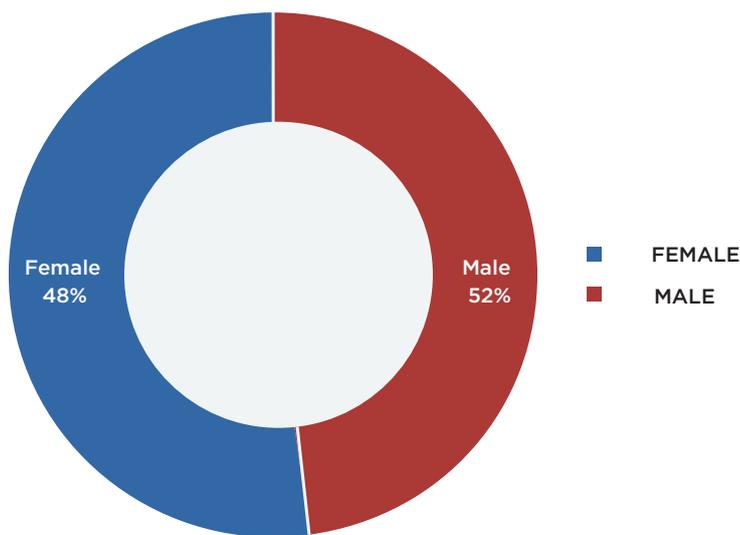


Graph 6: Distribution of comparison for clients attended between 2021 and 2022 by sex and case category.

As shown above in the graph, the trend for distribution of clients in case category is almost the same, land and employment categories are still dominated by male leaving women with family related issues. This has been the case due to the aforementioned barriers that prevent women from accessing productive resources and formal employments.

2.1.4. Management and Deployment of the Mobile Legal Aid

The main objective of the mobile legal aid clinics conducted is to enhance access to justice to the poor people in the grassroots by taking legal aid services to them. Mobile legal aid is also used as the affirmative action to reach women at the grassroots and supporting paralegals. LHRC successfully attended 2714 clients (52% Male and 48% Female) in different regions. On top of that there was deployment of the mobile legal aid during law week and the legal aid week.



Graph 7: Distribution of Legal aid clients attended by sex in 2022

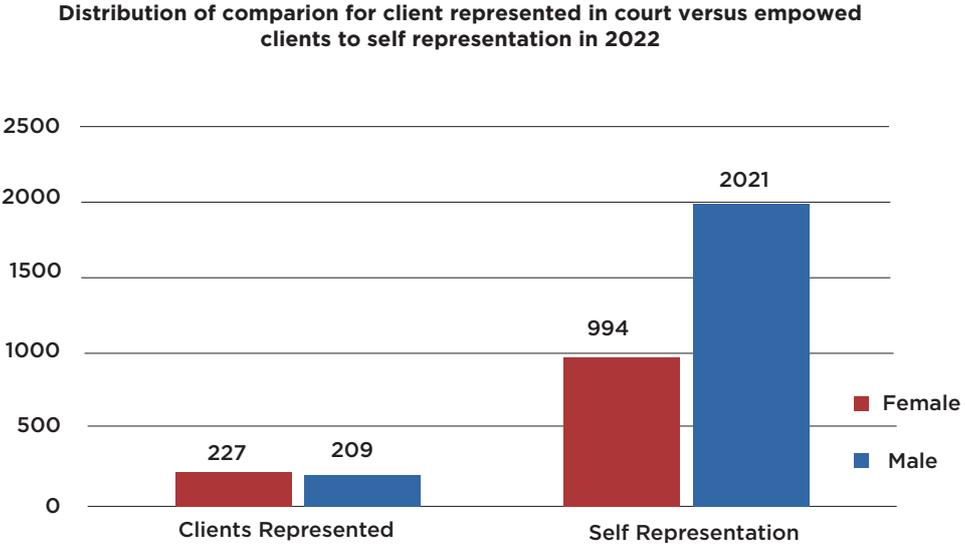
According to the overall analysis, the ratio between men and women clients in mobile service has increased tremendously (with men 52% and women 48%) comparing with the walk-in clients. This indicates mobile legal aid is very vital in reaching women at the marginalized communities..



Picture 5: Ms. Godliver Shiyo (Advocate) providing legal education during a public village meeting at Mikong’wi Village in Iringa 2022.

2.1.5. Clients’ empowerment and representation in courts

LHRC managed to represent 436 clients in Courts/Tribunals/Commissions, 48% were male clients and 52% were female. In terms of empowerment, 3115 clients were empowered, out of which 65% were male clients and 32% were female.



Graph 8: Shows the distribution of clients represented in court versus empowered clients to self-representation.

From the analysis, women constituting 52% of the total number, were considered more in the legal representation due to the nature of their cases and vulnerability, it was difficult for them to be empowered and represent themselves in court.

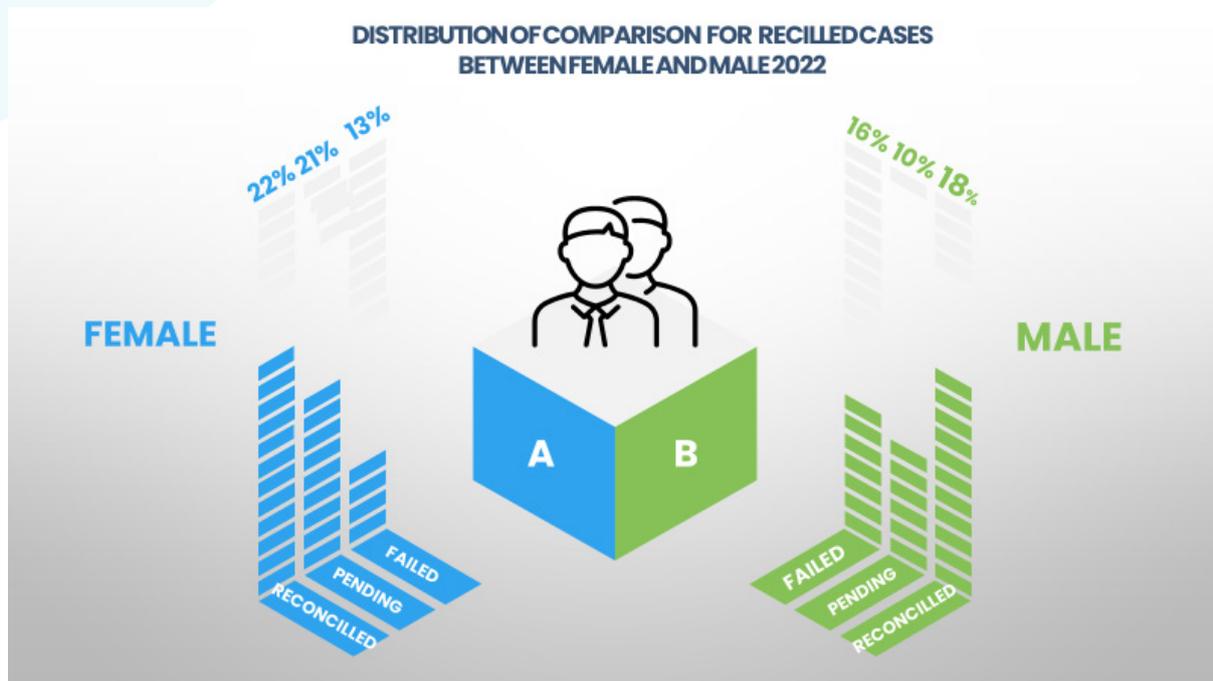
It is only a small section of the clients which benefits legal representation in court based on the specific criteria. The clients who were mostly considered for legal representation were aged, people living with disabilities, those who have overly complicated cases, those who have cases of public interest and those of land due to the contentious nature of its cases.

This yielded the win of 173 cases compared with 219 cases won in the year 2021. Out of 173 cases won, 62% were male and 38% female. The ratio of the cases won in gender perspective represent the general picture of the clients attended for this reporting period.

For the cases lost, which are 14 cases, 10 belonging to male clients and 4 to female clients, they were advised accordingly and those with good reasons the appeal has been referred.

2.1.6. Reconciliation

In this reporting period, a total of 371 cases were subjected to reconciliation whereby 56% were male clients and 44% female clients. LHRC encourages clients to reconcile their cases where there is a possibility; this creates harmony in the society, and it saves time to be wasted in the litigation.



Data source: Legal aid report 2022.

According to the above figure, 40% of cases were successfully reconciled, 29% of cases were marked failed and were filed in different courts, and 31% of cases are still pending for reconciliation.

The labor and family related cases have the greatest number of reconciliations due to the nature of their cases which warranted a much more amicable resolution rather than litigation.



Picture 6: LHRC's officers in a reconciliation session with clients during mobile legal aid provision in Kilolo Iringa 2022.

2.1.7. Increased legal reforms for enhancement of access to justice.

In the previous year, LHRC contributed to a positive amendment of the Written Laws (Miscellaneous Amendments) No. 3 of 2021 which amends section 13 of the Land Dispute Courts Act, Cap 216 and added power to the Ward Tribunal to mediate matters affecting title or interest in land and if it fails, will certify and the same to be referred to the District Land and Housing Tribunal.

This has reduced the reported misconduct of the members of Ward Tribunal in conducting trials. The challenge that has been noted is that, the members of ward tribunals do not know how to draft the certificates of failure to reconcile as a result cases are being struck out by the respective District Land and Housing Tribunal.

It has also built a sense of harmony in society due to the reported issues of corruption involved in resolving land cases. This is part of LHRC's work at the legal aid on identifying issues for advocacy. Most of the issues targeted are those related to access to justice and practice in courts generally. This has been especially useful for reform of draconian laws, practices, policies, and rules.

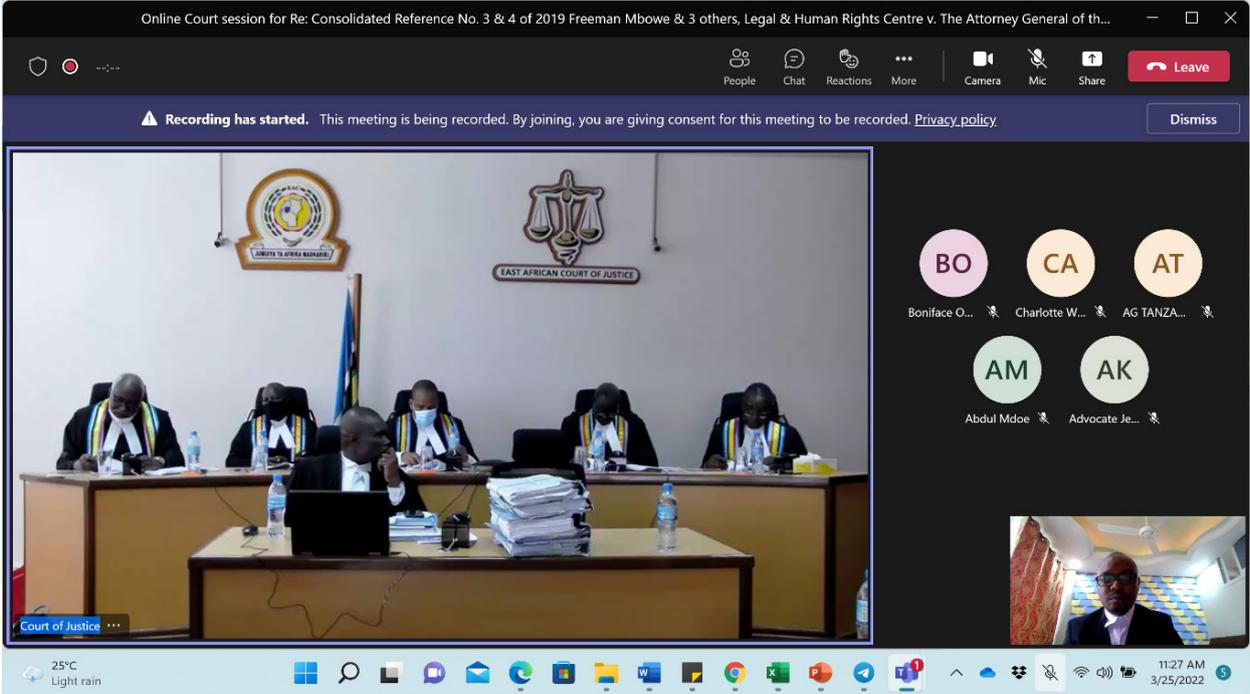
2.1.8. Strategic Litigation for Legal and Policy Reforms

Strategic litigation is one of the strategies used by LHRC in reforming the laws where other advocacy strategies have failed. In this reporting period, aside from the pending strategic litigations, LHRC won three strategic cases; two in the regional courts and one at the High Court of Tanzania. These cases have been useful in shaping issues of democracy, rule of law and good governance in Tanzania given the nature and the area which was targeted.

2.1.8.1. Political parties Act case before the EACJ

LHRC was involved in the Bill analysis and presented its recommendations to the parliament but extraordinarily little was considered. Alternately, after enactment, LHRC filed the reference before the East African Court of Justice; LHRC vs. The Attorney General of The United Republic

of Tanzania East African Court of Justice First Instance Division Consolidated Reference No. 03 and 04 of 2019 challenging the law for violating the Community principle of democracy, rule of law, accountability, transparency, and good governance. On 25th March 2022 LHRC received positive judgment from the East African Court of Justice which declared section 3, 4, 5 and 29 of the Act No.1 of 2019 which amended the Political Parties Act, Cap.258 unconstitutional. Judgment is important towards promotion of civil and political rights. It sets a baseline and reference for advocacy for reforms of the Political Parties Act, 1992.



Screen shot 1: Court proceeding during virtual hearing of the East African court in 2022.

2.1.8.2. Mandatory death penalty challenge at the African court

Another strategic case whose decision was delivered in this reporting period was on the mandatory death penalty and the issues of the fair trial before the African Court. In the Application 052/2016 - Marthine Christian @ Msuguri v. United Republic of Tanzania the African Court on Human and Peoples Rights ruled:

- i. Mandatory death penalty violated his right to life.
- ii. Undue delay in the trial violated his right to be tried within a reasonable time; and
- iii. Undue delay in his trial and the length of time he was confined on death row constituted cruel and inhuman treatment.

The Government of Tanzania was ordered to amend its laws in line with the human rights standards as provided by the African Charter on Human and Peoples' Rights. However, the decision is yet to be implemented.

2.1.8.3. Constitutional case on CAG tenure

Another strategic case which we received the favorable judgment in this reporting period is in the case of Zitto Zuberi Kabwe vs. Prof. Mussa Juma Assad and Attorney General and others, High Court of Tanzania (Main Registry) at Dar es Salaam Misc. Civil Cause No. 8 of 2020. This case was challenging section 6(1) of the Public Audit Act that allowed removal of CAG from office in contravention with requirements provided by the constitution which provided security of tenure based on age. The court decided that the provision is unconstitutional and proceeded to expunge the provision from the statute books forthwith. The decision was delivered on 5/12/2022 and section 6(1) of the Public Audit Act was found to be unconstitutional as it offends article 144(1) of the Constitution. LHRC in this case was representing Prof. Assad.

STORIES FROM OUR CLIENTS



Mrs. Ngosumbati accompanied by her son from Arusha who is our beneficiary narrating how LHRC helped her to regain her land in 2022.

‘MY HEART IS AT EASE’: MAASAI LADY THANKS LHRC FOR SAVING HER HOME

Ngosumbati was the youngest wife of the late Mr. Kisiri who was a polygamist. In her youngest years before she had any children, her husband gave her a small farm. This is a tradition for Wa-Arusha (Maasai in Arusha) that each wife gets a farm from their husband for the upkeep of the family.

Mrs. Kisiri becomes a widow at her youthful age while her children were still in need, leaving her alone to provide for the family. With little family protection, the oldest child from the other household came in and divided part of the Ngosumbati's farm, she had nowhere to turn and no help whatsoever. She decided to let it go and weep with her family.

As time passed, the family farm value increased as Arusha city grew, and it became one of the most valuable farms in a growing part of Arusha, Ngaramtoni.

While to Ngosumbati and her family the farm means history and invaluable memory, it also became one of the prime real estates with the potential to raise millions.

In 2020, the family member who grabbed part of Ngosumbati's land and sold it came back again, this time around claiming that the farm was taken from him, that it was an inheritance from his father, and that Ngosumbati was not supposed to be anywhere near the farm.

The case started at the local land council where men and women from the community stood by the side of Ngosumbati.

“We have been here for years, we have never seen the claimant, he has not built anything or done anything on the farm”, one of Ngosumbati's

neighbors, Loisharuku Seleirian who witnessed the case narrates.

“It was not his farm, it has never been his farm, no one in the village has ever seen him doing anything on the farm,” Seleirian added.

At the village council, Ngosumbati won, she says: *“I thanked God I won the verdict at the land council.”*

In an unfortunate circumstance, there was an appeal for the decision made at the council. This was the most haunting news for Ngosumbati, as first, they learned that at higher level advocates will be involved and they did not have the finances to cover legal support.

“We were afraid, he has money, and was powerful compared to us,” the last born of Ngosumbati, Israel Kisiri, recounted the tough moment of their family.

Luckily, they were referred by good Samaritan to the Legal and Human Rights Centre for legal assistance.

“One of the clients we had received was Ngosumbati Kisiri. She came in after the appeal to the land district council,” narrated LHRC legal officer Francisca Lengeju who was also the leading advocate for Ngosumbati’s case.

“Most of the issues raised in the appeal were legal issues and Ngosumbati’s family couldn’t afford legal fees so the Centre stepped in and helped her for free,” added Fransisca.

With assistance from LHRC, the land council at the district level still awarded Ngosumbati as the legal owner of the said land.

For now, LHRC is following up for the court to declare that Ngosumbati is the rightful owner of the land through the application for execution of the decree to close any opportunity for future queries.

“My heart is at ease; you have helped me. I have not faced any issues again, I am happy and filled with gratitude,” Ngosumbati describes her current state after LHRC legal assistance, a complete transformation from the days of fear.

“Without assistance from institutions like this, injustice will be prevalent,” said Loisharuku Seleirian, who is the longtime neighbor of Ngosumbati.

“If it’s not God and the legal assistance, some people will choke others completely, please continue to assist people,” continued Mr. Loisharuku.

“LHRC’s staff give legal aid wholeheartedly, people should not be afraid to seek help,” underscored Ngosumbati’s last born Israel Kisiri.

LHRC remains open to anyone who faces legal challenges and needs assistance, as Advocate Francisca puts it: *“I urge people to come to our offices for legal assistance, especially women as there are still few of them who show up.”*

HOW I BECAME A FREE MAN AFTER A 30-YEAR PRISON SENTENCE

They look inseparable, Tumaini Noel and his mother Amina Sioi Nassari. They occasionally joke around and talk in their local dialect. You can feel the mother-son love and the bond of care. But whenever there is silence between them you can sense the weight of emotions. Amina, 65, had a second chance of spending time with his son after he was sentenced to 30 years in prison.

Tumaini, a small market trader, a breadwinner to his three children, and wife as well as a caretaker to his mother, worked his back off as casual labour before venturing into the cassava supplying trade at the food market in Arusha. Life was thriving until March 7, 2020. One day when he was coming from his daily work, he was ambushed and arrested by people who introduced themselves as police officers and was taken to USA River Police station in Arusha.

He stayed there for two weeks without the knowledge of his family and his understanding of what he was charged for. *“They tortured me for two weeks, saying I had robbed someone, I told them I don’t know anything,”* lamented Tumaini with a face full of emotions. *“They pierced my skin, beat my ankles and knees and hanged me like a bat while fully naked.”*

Later the police decided to search his home, he narrated that he was grateful that at least his two daughters, son, mother, and wife would be able to see him again. *“I was relieved that my family will know where I am,”* he narrates.

Police searched his entire house, but they didn’t find anything and decided to leave, telling Tumaini’s mother that he could follow up on the next day for bail proceedings.



Picture 8: Tumaini Noel from Arusha (from the left) who is one of our beneficiary during the interview narrating how LHRC helped him to win his criminal case in 2022.

To Tumaini’s surprise, something else was waiting for him at the police station. This was the last time for him as a freeman. Police had put Tumaini as one of the prime suspects in the armed robbery incident which happened on March 2, 2020, in Mererani, Arusha region.

“I took porridge to the police station for my son, I found him lying on the floor barely conscious, blood coming out of his cheeks, and he couldn’t eat,” narrated Amina on the first day that she visited Tumaini at the police station.

Looking at the whole scene got Amina frustrated and she rightly decided to rush to the station supervisor who told her that her son deserved to be killed because he is a robber.

“I then rushed to the senior officer’s office who called the station and directed them to take my son to the hospital and later to court,” explains Amina.

Tumaini was then taken to hospital and thereafter to Kisongo prison. It was a frustrating moment for Amina. She explained

that she could barely sleep for months and had suffered physical weakness.

While visiting her son in prison, she met a Good Samaritan who directed her to the LHRC offices where she was assigned to a criminal desk.

“When we met Tumaini’s mother she was not in a good state, she was crying all the time and had lost hope of ever going to see his son free,”

explained Advocate Hamis Mkindi, LHRC’s Senior Officer.

Tumaini was facing armed robbery charges which means he was not eligible for bail, and he was susceptible to a 30-year prison sentence.

Following the fact-finding mission, which confirmed a clear violation of the rights of Tumaini, LHRC went on to the next stages of giving him legal representation. The case was at the Arusha Resident Magistrate’s Court, and both Advocates Amani Mkama and Hamis Mkindi provided legal representation to Tumaini during the whole duration of the case.

“Unfortunately, our client was sentenced to thirty years in prison by the resident magistrate” explained advocate Mkama.

LHRC immediately started the process of appeal. *“The case was weak from the onset, and we believe we have raised many areas of doubt in the proceedings, so we filed an appeal”* explained Advocate Mkindi who led the appeal process. The appeal was carried out successfully and on August 25, 2022, Tumaini was freed, almost three years after his arrest.

While Tumaini and his mother have finally seen justice, there are many more like Tumaini. There are cases where it almost looks like justice but it’s not justice. Witnesses may be called out, but they are not credible. Charges may be drawn but are fabricated. And a trail of evidence might be there but with nothing but suspicion and doubt.

This is why LHRC relies on evidence-based advocacy for reforming the criminal justice system. Cases like Tumaini may go a long way toward reforming Tanzania’s criminal justice system.

There is a need to allow bail for all offences and to speed up the rate of court proceedings; this will be done by having more human resources at the judiciary as well as amending the laws.

To avoid having more people like Tumaini who spent years in jail for trumped charges, there is a need of overhauling the Tanzania Police Force and building an institution that works and responds to the people.

This is by increasing transparent and accountability mechanisms within the Police Force, restricting the use of force, and allowing citizens to have direct access to holding the institution to account.

LHRC remains committed to its mission of making Tanzania a just and equitable society until Tanzania becomes a just society. Let justice be our truth, and let justice be done!

LHRC Helped Widow Regain Her Rights to Properties after 10 Years of Struggles

In 2021, the Legal and Human Rights Centre (LHRC) conducted a survey on the practice of writing a will for the protection of inheritance rights. During the survey, it was found that out of the 1,084 community members who participated in the study, only 11 per cent have written a will.

The main reason for the respondents not writing a will was the lack of awareness, with some suspicion in play, such as writing a will would invite death or put one's life in danger. One of the inheritance cases that LHRC had to intervene in is the one of a widow, Miriam Mbagi, whose husband passed on in 2009, leaving Miriam with two houses.

Miriam and her late husband, Eliamini Kwayu got married in 2000, and had their first child in 2001, it was also the time that Eliamini's mother had passed on.

The late Eliamini's mother was a successful businessperson in Arusha region, and she had left a will which said that her property should be inherited equally among her children and in a case where one of her children passed on the properties should be transferred to her grandchildren.

With the will in the play, Eliamini inherited two houses from her mother and his sisters inherited the rest of the seven houses left.

Eliamini's sisters were not happy with the will and the allocation of their late mother's properties. One of them decided to come and stay in one of the houses that Eliamini had inherited. *"From 2001, life was difficult because of the conflicts between relatives regarding the inheritance of their mother's properties,"* recalled Miriam Mmbaga, a widow, and a mother of three.



Picture 9: Miriam Mbagi (a widow) accompanied by his son, all from Arusha during the interview narrating how LHRC helped her to regain her land that was taken by her family in 2022.

In 2009, her husband fell sick for an abbreviated period and was later pronounced dead. During the funeral proceedings of Miriam's late husband, it was decided by the clan that she should go back to her home, which Miriam adhered to.

"My sisters-in-law were not happy with my return, they chased me away and didn't allow me to even take my personal belongings," explained Miriam of events that unfolded after her late husband's death. *"They told me that my only gift from the family is the children and that I should leave with them."*

Sad and confused, Miriam decided to go back to her parents and started a small business to

keep her family afloat.

“It was a difficult period, one time I struggled to pay school fees I had to sell my fridge to the school headmaster,” recounted Miriam, who tried a couple of times to talk with her husband’s family regarding the inheritance and the right to her children.

For more than 10 years, Miriam’s sisters-in-law were collecting and pocketing rent from the properties and did not spare even a shilling for their nephews. In 2018, Miriam had the courage to face them and demand that rent from the properties should be used to pay for school fees for her children, but her sisters-in-law ignored her plea.

Miriam decided to go to the primary court and the court sided with her, but the decision from the primary court was unenforceable because her sisters-in-law had also opened and closed inheritance claims at the primary court.

So, both decisions from the two primary courts remained with neither of the decisions superseding the other. By a stroke of luck, her sister-in-law decided to appeal to the district court. That is when Miriam decided to reach the LHRC for legal help.

Because of the legal impasse due to technicalities, legal representation from Miriam’s sisters-in-law had to first negotiate outside the court.

“It was a lengthy process, as legal representatives we knew where the fault lies and that it was much easier to first sort out of the court,” explained LHRC’s Advocate. The negotiation went on to involve the clan, even the pastors of the two households.

“I was handed over two houses both with title deeds with the name of my children,” Miriam happily recounted the end of her struggles. The two title deeds were handed over to Miriam at the LHRC’s offices in Arusha.

“The Legal and Human Rights Centre helped me a lot,” explains Miriam. *“First by accepting to listen to me, you know it’s a relief when someone listens and takes to heart your struggle as if they are theirs. But they have also helped us regain our rights.”*

Miriam encourages other women whose rights appear to be violated, that they should not hesitate to visit LHRC’s offices.

The right to inheritance remains one of the most violated rights especially for women who are left as widows.

“We encourage people to prepare the will, LHRC is ready to advise and give you knowledge regarding will preparation,” underscored Advocate Hamis Mkindi. *“We also help people prepare their will free of charge. So, more people should utilize this free service.”*

2.2. Effective Advocacy for legal reforms, policies, and practices to be human rights sensitive.

2.2.1. Positive amendment of the Criminal Procedure Act, 1985

Trials in criminal cases have been very controversial in the administration of the criminal justice in Tanzania. The problem which has been noted is the legal system, especially in the procedural laws. The Government has positively reformed the Criminal Procedure Act, 1985 introduced by the Written Laws (Miscellaneous Amendments) Act No. 1, 2022; these amendments:

- i. Will prevent an accused person from arrest once acquitted by the Director of Public Prosecution for "*Nolle Prosequi*".
- ii. Have imposed conditions for non-prosecution until investigation is completed.
- iii. Have provided clarification on provisions related to plea bargaining, this can bring justice, fair compensation, and punishment.
- iv. Have enabled and calls for establishment of proper procedures for appointment of court assessors unlike the earlier stand where there was no proper procedure of their appointment but simply based on the ruling party affiliation.

After this Law, the DPP issued a draft regulation to govern the best practice of entering the plea-bargaining agreement. The regulation ensures protection of the right of accused person compared to the previous status where there was no hope of having the DDP plea bargaining guidelines.

It further provides for the right to legal aid for accused people who want to enter a plea-bargaining agreement in prison.

All these are as a result of LHRC's work in 2021 through a study conducted on the specific area of bail by comparing Tanzania with the five neighboring countries and come up with recommendations, some of which the government accommodated during the reform.

2.2.2. Reforms of the Anti-Money Laundering Act and consequential amendments (Terrorism Act) domestic terrorist: Control of the Powers of the Minister

LHRC documented progressive changes on the Anti-Money Laundering Act on the limit and control over the powers of the Minister of Finance and Planning to declare any person as a domestic terrorist. The new section requires the Minister to do so where there is no possibility of bringing the person before the court of law.

Another positive reform is on inclusiveness and representation, especially in law making process; the Parliament of Tanzania has set a requirement under section 8 to provide for gender consideration in the composition of the National Anti-Money Laundering Multi-Disciplinary Committee. This was following LHRC'S proposal on the Anti-Money Laundering Act during a public hearing before the Budget Committee in Dodoma. This is a positive move towards effective representation in legislation making.

2.2.3. Increased access to information through media

The government has reduced fee in television decoder subscription by more than 60% from the original proposed amount of 3000 Tanzania shillings which was too high compared to the cost of living; the reduction has guaranteed the enjoyment of the right to access information by citizens. This is a result of LHRC's work through the press statement and recommendation in the Finance Bills 2022.



Picture 10: LHRC's Advocacy team with members of parliament during engagement for the reform of media laws in 2022.

2.2.4. Operationalization of Alternative Dispute Resolution (ADR) Mechanism through adoption of the Mediation and Arbitration Guidelines

LHRC engaged with the Ministry of Constitution and Legal Affairs to prepare regulations for Arbitration, Mediation and Negotiation. These regulations were adopted and are now in operation by appointment of arbitrators and mediators.

The regulation is a potential tool to curb the problem of case backlog in the court system; it provides alternative dispute resolution by channeling the cases to negotiators, mediators, and arbitrators in the country.

The problem of backlog of cases was covered in several human rights reports issued by LHRC, whereby the recommendation was to enhance the use of the ADR Mechanisms.



Picture 11: Hon. Dr. Mary Makondo-Permanent Secretary of the Ministry of Constitution and Legal Affairs (on the right) with Deputy Principal of the Law School of Tanzania- Dr. Zakayo N. Lukumay (on the left) and Mr. Fulgence Massawe-Director of Advocacy and Reforms (at the center).

2.2.5. Positive legal reforms on Data Protection and Privacy Act, 2022

On 31st August 2022, the Parliament of the United Republic of Tanzania tabled for the first time the Data Protection and Privacy Act, 2022, following a series of engagement between CSOs to demand for legislation of the Data Protection and Privacy Act to provide constitutional safeguards in line with Article 16 of the Constitution of the United Republic of Tanzania, 1977.

2.3. Research and Publications to Support Evidence-Based Advocacy and Enhance Awareness on Legal and Human Rights Issues

2.3.1. Use of the report

Tanzania Human Rights Report and the Human Rights and Business Report, continued to be widely used and referenced by stakeholders. In 2022, LHRC documented evidence of report use by different stakeholders. For instance, the Academia website, where report copies were uploaded, recorded more than 100 report references and views, while both human rights reports were also widely referenced by the media, including print, electronic, social, and online media.

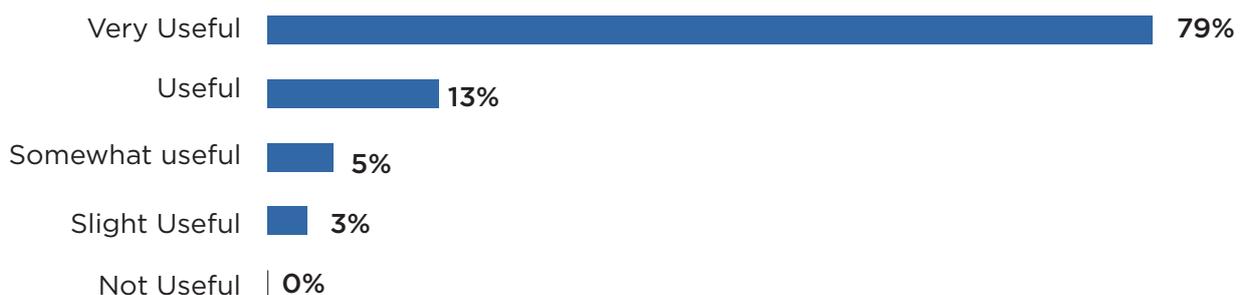
Tanzania Human Rights Reports were cited in the alternative report on implementation of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), prepared by anti-FGM coalition in June 2022.

The Human Rights and Business Report 2020/21 and Tanzania Human Rights Report 2022 was also cited in the Tanzania Human Rights Report prepared by the U.S Department of State.

The report was also referred to during a mental health symposium organized and conducted by MUHAS University in September 2022 and during an elderly rights session hosted by HelpAge International in September 2022 in Dodoma Region. The report was referenced by various presenters and speakers during the session, including the Commission for Human Rights and Good Governance (CHRAGG).

Evidence of report use was also documented in the survey that involved 164-sampled participants on report relevance and usefulness, conducted in November and December 2022. In terms of relevance of the report, participants were asked how useful the reports are to them or the community at large. Over two thirds of the participants (79%) said the report is very useful, followed by 13% who said it is useful. The remaining 8% said it is either somewhat or slightly useful.

Usefulness of Report to Community

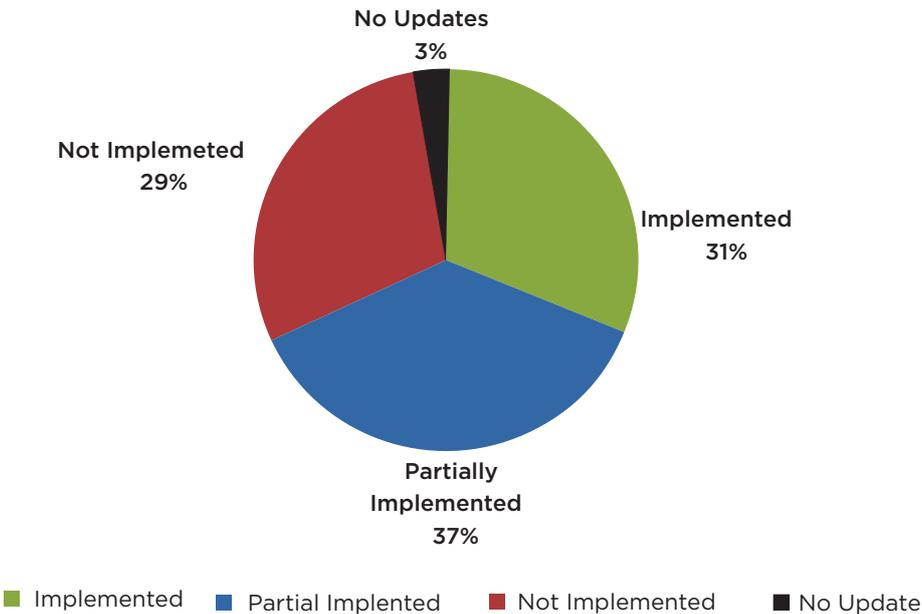


Data source: Human rights survey on usefulness of the THRR in 2022.

2.3.2. Status of implementation of recommendations

In the 2021 Human Rights Report edition, the assessment shows that a slight increase in partial implementation of recommendations from 36% in 2021 to 37% in 2022. Another key development in 2022 was the adoption of a new wage order, the Wage Order 2022. This has been one of the key recommendations made in LHRC's reports on business and human rights since 2017, seeking to safeguard workers' right to fair remuneration. The new Wage Order has therefore finally been developed and adopted, although there are still concerns that the minimum wages have not increased much for some sectors.

Status of Implementation of provided Recommendations in THRR



Graph 9: Status of implementation of recommendations of THRR 2015 to 2022

Some of the partially implemented recommendations are those relating to reform of the criminal justice system, which have been amplified in recent human rights reports. For instance, in August 2021, H.E. President Samia Suluhu Hassan directed the Tanzania Police Force to address the challenge of prolonged remanding of persons accused or suspected of committing an offense.

She made this note during a meeting with senior police officers, that prolonged remanding of accused persons is not only a burden to the government but also amounts to the violation of basic rights and freedoms.

In December 2021, she urged the then Inspector General of Police (IGP), Simon Sirro, to make major reforms in the Police Force to eradicate corruption, excessive use of force, police brutality, fabrication of charges, discriminatory language, and verbal abuse. She expressed concern over police officers who break the law and called upon the IGP to ensure they are held accountable and disciplined for their actions. The report also shows that law enforcement authorities continued to release people remanded on trumped-up charges in 2021, in response to repeated calls to improve the criminal justice system.

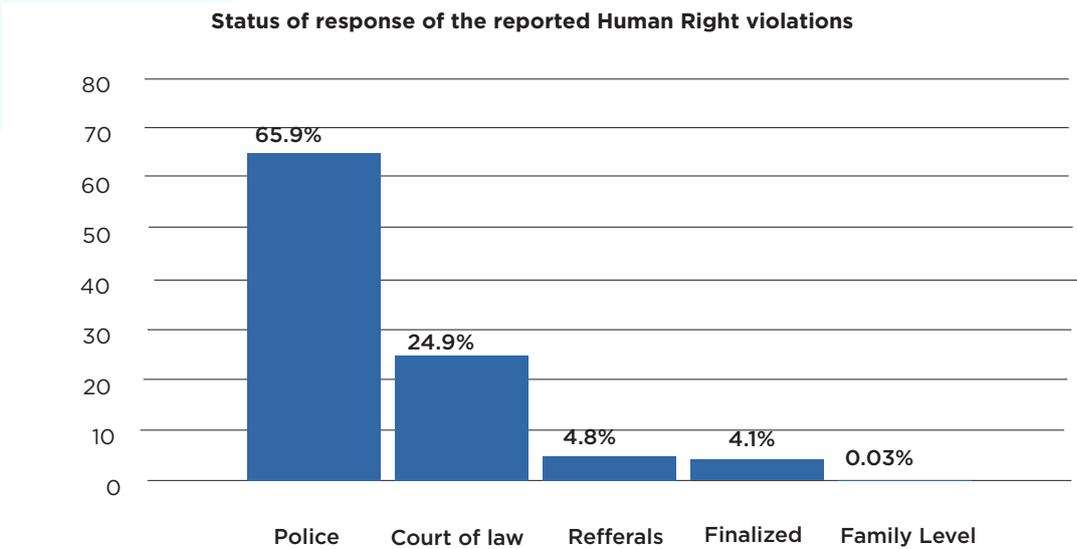
2.4. Enhanced Monitoring and Response to Human Rights Violations

2.4.1 Improved documentation of Human Rights Violations

In 2022, a total of 2,164 human rights violation incidences were reported and validated through the Haki Kiganjani System. From the report, females were the leading victims by 52% while males were 48%. There is an increase of reported human rights violations by 10% in comparison to 2021 where the reported incidences were 1803. The increase of reported human rights violations has been a result of the training of 159 human rights monitors across the country.

According to the analysis, among the 32 mapped human rights violation categories, the most violated rights for the year 2022 are the right to freedom from violence with 14% incidents, followed with the right to life with 10% , right to security with 5%, and the right to an adequate standard of living with 4%

In terms of response, LHRC has successfully followed up to 52% of the reported cases; of which 66% of the cases are before different police stations, 25% of the cases are before the courts of law, 5% of the cases were referred to different legal aid clinics and 4% were finalized before the different courts of law and the victims had their rights while 0.3% of the cases have been resolved at the family level.



Graph 10: Status of response of the reported cases in 2022.

According to the graph above, the reported 52% of the cases were only followed due the fact that some of them were misreported and could not be proceeded due to the lack of evidence, some of the people refused to cooperate for further procedures hence were dropped.

As part of increasing quality response to human rights violation, LHRC also signed an MoU with the office of IGP. The MoU will enable both parties to follow up issues of human right violations and capacity building to the police officers on human rights and gender.



Picture 12: IGP. C.M Wambura (on the left) and LHRC's Executive Director Dr. Anna Henga (on the right) signing the MoU.

Being a Child Domestic Worker Was not Her Dream, a Young Girl Who Fought for Her Right to Education

In 2021, Human Rights Report, LHRC observed an increasing trend of illegal human trafficking in Tanzania, where areas with low economic situations, especially rural areas appeared to be targeted the most. For example, in Mpwapwa, Dodoma, it was noted that even children as young as ten years old were targeted to work as housekeepers in urban areas.

In 2021, LHRC intervened a case involving a sixteen-year-old girl, Tatu who finished her primary level education in 2021. Because of the tough economic situation, she was lured into working as a domestic worker in Morogoro. “My mother told me, even if you go to school, what are you going to eat? What about uniform?” *“Tatu explains the dilemma in her family which made her agree to go for domestic jobs. “I thought if I could go work for a month or two at TZS 50,000, then I would be able to have enough money for essential items when the school resumes,”* continued the young Tatu.

When Tatu finished Standard VII in 2021, one individual convinced the family to let their kid go for domestic work. The plan was also supported by all family members, including those living in Dar es Salaam.

When Tatu reached her workplace in Morogoro, a nearby town, things did not work out as expected. *“Food was always locked in the family room, so in the morning and afternoon, I was not eating anything,”* explains Tatu. *“I was also not paid what I was promised. Whenever I ask my boss about my salary, she would always be fierce with me.”*

While Tatu passed her primary level education, her new job was holding her back and her family had concluded that would be Tatu’s new life, but she had other dreams, she asked herself: *“For how long can you work as a domestic worker?”*

One day, when the family she was staying with went out, Tatu decided to sneak out.

“I didn’t have any money with me, so I went straight to Msamvu Bus Station,” narrated Tatu on how she left Morogoro.

At the bus station, she went to the Police Post, but she couldn't get any assistance. She had memorized the phone number of her aunt who was staying in Dar es Salaam. After calling her through a bystander's phone she was able to receive the bus fare.

Her first interaction with LHRC was coordinated by her aunt with one of their good neighbors. Even at her aunt's place, it almost seemed as if her dream to go back to school was far to be realized. Her dreams pushed her beyond her surrounding, saying: *"My dream is to have my own job one day and be able to take care of my family."*

It was fortunate that the neighbor knew about LHRC through various media outlets, and she alerted the Centre through Haki Kiganjani App, a mobile App for reporting various human rights violations. It immediately set the trail of events.

LHRC engaged authorities in Mpwapwa, and the Ward Executive Office arrested Tatu's father immediately. *"I was arrested, and we were told that Tatu should be back in Mpwapwa,"* explained Mr. Nyaulingo, Tatu's father. *"I wanted Tatu to go to school but we couldn't afford it."*

Whether it was a question of affording essential items for school or not, Tatu had the right to go to school and there was an opportunity.

"We went to Mpwapwa and met the Mpwapwa District Executive Director and District Education Officer, who confirmed that Tatu was supposed to be in school, but she didn't show up for three months," said the LHRC's Legal officer who followed up on Tatu's case.

At Mpwapwa, the LHRC Human Rights Monitor was able to follow up with the Education officer and local government authority to ensure Tatu can be enrolled in class as it was mid-term.

"Education officer and Executive Director went above their way to ensure Tatu's rights are restored," said LHRC's Mpwapwa Human Rights Monitor.

Tatu went back to school at full speed, writing notes and coping from her fellow students who were way ahead of her.

LHRC made sure that Tatu was able to get new uniforms and other essential items for her new school year as a Form 1 student and she officially joined the school on June 3, 2022.

While Tatu's resilience is undaunted, she faces some challenges that are beyond her control. One of Tatu's legs is half paralyzed, it's a task of its own walking 14 kilometers each day back and from school.

"You can see her drag one of her legs whenever she walks," explains Tatu's uncle, Mr. Jeremia Mugu.

In analyzing the situation, the Human Rights Monitor recommended Tatu to join a girls' boarding school. It will first make it easy for Tatu but also separates her from some of the obstacles in her surroundings.

LHRC remains committed to ensuring the rights of many children who are illegally trafficked and that there is accountability for all culprits involved.

This will be possible by engaging authorities, creating safe spaces for children in schools, and raising awareness among members of the public.

Increased public participation in governance and democratic process.

In this reporting period, LHRC and other partners organized the National Conference of Peace, Justice and Reconciliation which was officiated by the President of the United Republic of Tanzania H.E. Samia Suluhu Hassan. LHRC used this opportunity to present two model Bills on National Election and the Political Parties. The topic of this conference targeted widening multi-party democracy in Tanzania and some of the resolution reached and the Bills were agreed to be presented in the presidential task force on democracy.



Picture 13: The Content Committee of the National Conference of Peace, Justice, and Reconciliation led by LHRC in the group photo with the President of the URT, Her Excellency Samia Suluhu Hassan in April, 2022 in Dodoma

As a part of reviving democratic space in the country, the President of the United Republic of Tanzania formed the presidential task force on democracy to work on the challenges facing multiparty democracy. As part of the stakeholders, LHRC was invited to present recommendations and model Bills. LHRC presented a total number of 23 recommendations and according to the post analysis after the taskforce issued its report, 10 recommendations were fully adopted, 11 partially adopted and 2 rejected.

Recommendations from LHRC which were adopted are; the appointment and independence of the National Election Commission, accountability of the National Election Commission and power of the court to question presidential election, among many others.

Another recommendation which was adopted is the participation of women and persons with disabilities in the governance of the political parties and vying for electoral positions in general elections. .



Picture 14: LHRC's Director of Advocacy and Reforms, Mr. Fulgence Massawe (centre) and the chairperson of the Presidential task force, Prof. Rwekaza Mukandala (on the right) briefing media after receiving LHRC's recommendations.

2.5.1. Improved state of Civic space

LHRC did successfully assist three newspapers in court for their licenses which were suspended and revoked. Despite winning these cases in courts, the government for more than four years declined to implement the court decision by issuing publishing license.

In February, during this reporting period, the government relicensed the four (4) newspapers which were banned; these newspapers included Mawio, Mseto, Tanzania Daima and Mwanahalisi. Tanzania Daima newspaper publishing license was revoked by the Director of Information sometimes in June 2020.

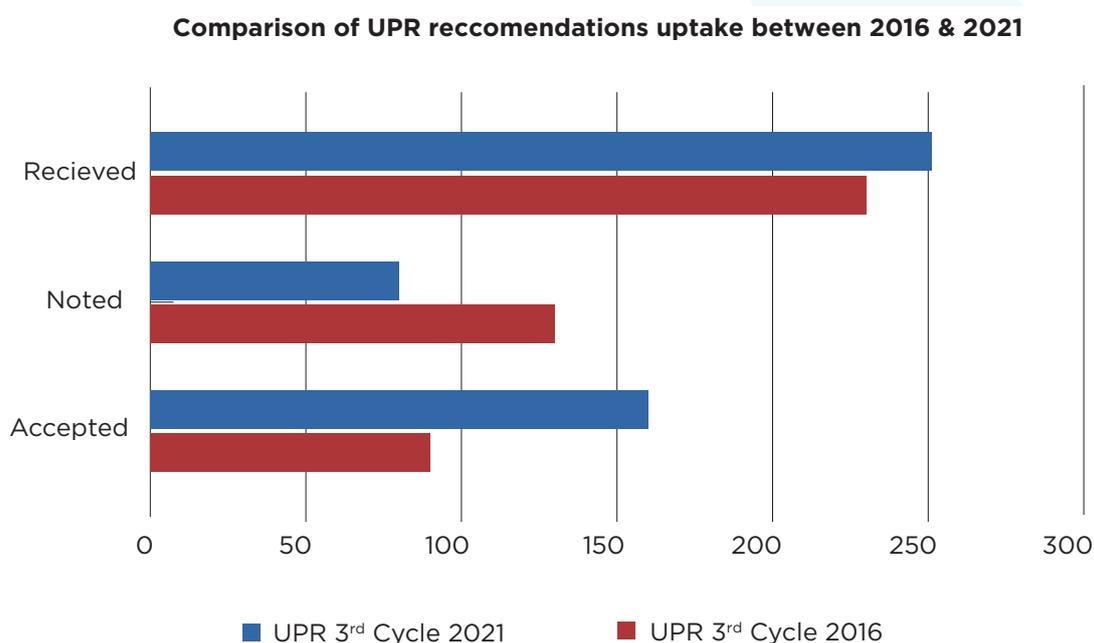
The banning and suspension of the newspapers was part of the implementation of the media laws which LHRC has been advocating for reforms. The action by the government was the progressive changes to protect and promote press freedom and access to information as provided under Article 18 of the Constitution of the United Republic of Tanzania, 1977.



Picture 15: LHRC's Executive Director, Dr. Anna Henga, during the press conference commending on

2.5.2. Increased number of accepted recommendations of Universal Periodic Review (UPR) by the Government of the United Republic of Tanzania.

Tanzania was reviewed by UPR Working Group (WG) 39, in November of 2021. It received 252 recommendations, and it supported 167 recommendations at the adoption of its UPR outcome at Human Rights Council 49, in March 2022 (an increase of 27.5% with respect to the 2nd cycle). LHRC documents the increase in number of accepted recommendations, this was following LHRC's contribution after the 39th Human Rights Council Session. LHRC participated in the process including mobilization of CSOs and consultation with the Ministry of Constitution and Legal Affairs in the process.



Graph 10 : Comparison of UPR recommendations uptake between the 2nd cycle and 3rd cycle for Tanzania.

This bar chart shows a comparison of the recommendations received in each cycle and how many were accepted. From the chart, Tanzania has fairly improved in terms of the recommendations accepted and those were noted. Supported recommendations were related to legal and general framework of implementation, universal and cross-cutting issues, civil and political rights, economic, social, and cultural rights, women's rights, children's rights, and other specific groups and persons..



IMPROVED SOCIO-ECONOMIC
AND ENVIRONMENTAL JUSTICE

03

IMPROVED SOCIO-ECONOMIC AND ENVIRONMENTAL JUSTICE

Tanzania economic growth is hinged on infrastructure and industrialization, among others. These sectors have the potential to do harm to the environment and people's rights, particularly the marginalized groups. Maintaining a delicate balance between development, environmental protection and human rights is crucial to ensure that growth does not contribute to or worsen environmental degradation and erosion of basic rights, equitable and just society.

LHRC aims on addressing social-economic issues in the industrial sector where there are records of human and environmental justice violations and gender disparities. LHRC uses different approaches in demanding inclusive compliance and accountability to national, regional, and international standards through engaging different stakeholders. Correspondingly, LHRC is enhancing access to remedies to the indigenous persons both judicial and non-judicial means..

3.1. Enhanced implementation and enforcement of laws and regulations that protect social, economic, and environmental rights.

3.1.1. Increased protection of socio-economic rights for special groups

The government has maintained in the budget of the Local Government revenue, the prominent formula of 4-4-2 in which 40% is

allocated for women, 40% youths, 20% persons with disabilities: against the proposed formula of 2-2-1 which allocates 20% for women, 20% youths and 10% for persons with disabilities. The current allocation ensures the protection of rights of women, youth, and persons with disabilities through benefiting from loans and will therefore improve their lives. Also, these loans will help these groups to have access and engage in different economic activities that will enable them to increase their income by addressing their financial instability while ending extreme poverty. This is the result of LHRC's work through the submission of recommendations in the Finance Bill..



Picture 16: The community members of Arusha-Chini village who are engaged in pebble digging business due to local loans provided by their council in Mtwara Region - September 2022

3.1.2. Enhanced fair remuneration for both public and private sector.

In 2022, the government developed and adopted the new Wage order. The government approved an increase in the minimum wage seeking to protest about the prohibitive cost of living. This has been one of the key recommendations made in LHRC's reports on business and human rights since 2017, seeking to safeguard workers' right to fair remuneration. The increase of minimum wage to the workers will help in improving their living standards by enabling them to have access to different social services.

3.2. Enhanced Corporate Compliance and Accountability.

LHRC's focus under this area has been increasing inclusive and participatory engagement with communities, labor and local government authorities in the areas surrounding focus companies, with the aim of identifying needs and social accountability monitoring in communities to demand for corporate accountability and compliance.

Information from the Human Rights and Business- 2021/2022 report survey shows that compliance has increased in comparison to the Human Rights and Business Report (THRBR-2020/2021). The survey revealed that 64.6 % of workers have contracts, with 89% having written contracts which has increased from 59% from THRBR-2021/2022.

Additionally, 81% affirmed that their workplaces abide by standard working hours, which has decreased by 85% from last year's report. There is an increase of knowledge of compensation regulations and procedures by 32.4%, which was previously reported to be 15%. 55.4% of companies had policies prohibiting child labor where there is slight increase from 36% which was reported in the (THRBR-2021/2022). 51% were granted annual leave, and 71% had been granted sick leave. In addition, 62.4% were knowledgeable about labor rights.

Status of Labor Law compliance	2021	2022
Workers have contracts	59%	64.6 %
Written contracts	59%	89%
knowledge of compensation regulations and procedures	15%	32.4%
companies had policies prohibiting child labor	36%	51%
Granted annual leave	48%	51%
Granted sick leave	61%	71%

Table 1: Status of Labor Law Compliance in Tanzania – Source THRBR 2020/2021 -2021/2022 report.

LHRC observed that most of the companies are recovering from the effects of COVID19 and without hesitation, there is an achievement to see that a considerable number of companies still obey stipulated standards despite the economic crisis the entire world went through.



Picture 17: Representatives from corporate entities discussing on the possible alternatives of strengthening and formulating operational level grievance mechanisms.

3.3. Enhanced access to appropriate and effective remedies, both Judicial and Non- Judicial

3.3.1. Provision of legal support to communities/victims of violation of socio-economic and environmental rights.

LHRC continue to enhance participation, access, and equitable benefits to appropriate and effective legal remedies, both judicial and non-judicial, for communities, particularly for deprived women, children, elderly, PWDs and other marginalized groups whose socio-economic and environmental rights have been violated.

During this reporting period, LHRC provided legal services to several citizens to access their remedies through both judicial and non-judicial means. For this year, LHRC was working on 10 cases where five cases were finalized which equals to 50% of overall cases received while other five cases are still ongoing as shown below.

No	CASE TYPE	AUTHORITY CONSULTED	MALE	FEMALE
1	Labour Case	High Court Labour Division, Dar es Salaam	1	0
2	Labour Case	Resident Magistrate's Court of Singida at Singida	1	0
3	Land Case	Non-Judicial grievance Mechanisms (African Barrick North Mara Community affairs department)	1	0
4	Labour Case	Worker's Compensation Fund Labour Officer in charge at Kilimanjaro	1	0
5	Land Case (Representative Suit)	High Court Musoma Registry	73	25
Total Clients Attended		102	77	25

Table 2: Distribution of cases attended by sex and case category.

The table above shows the cases that were finalized through judicial mechanism being 80% while 20% were finalized by non-judicial means.

Also, with regards to clients that were attended, 75% were male while 25% were female. In terms of case categories, 60% of the cases were Labor cases while 40% of the won cases were Land compensation cases. This indicates that land ownership for women is few in comparison to men in the community.

SUCCESS STORIES

A Case study of environmental pollution at the referral hospital in Gangilonga – Iringa

Background of the Problem

In 2020, through Haki Kiganjani system (LHRC's Human Rights Monitoring System), Iringa District's human rights monitor reported an incident of environmental pollution. The incident was initiated by incinerating activities that were conducted by the Iringa referral hospital. The incident of environmental pollution, which was air pollution to be specific was reported to have been caused by burning of waste from the hospital including and not limited to human parts. It was reported that the incinerator that was used by the said hospital in disposing waste from the hospital was not of modern technology and that would hence cause chaos and endangered their health, from the community members living and working to the businessmen and women working at the market situated nearby the hospital.

LHRC Intervention

Despite the issue being severally reported to the hospital, nothing was conducted hence LHRC felt there was a need of enquiring and demanding for a solution to enhance environmentally friendly space for people to live and continue to perform their activities comfortably.

Follow up was conducted in June 2020, a meeting with "District Health Secretary" who agreed on the situation that the pollution causes disturbances to not only residents around the hospital but also hospital staff who have been working there. He said that arrangements have already been conducted and the issue is already reported to the Ministry of Health for follow up, however it was not solved due to budget implications. It was agreed that the matter will be reported again and more follow up will be conducted to rectify the situation.

Recent Development

After LHRC's engagement with the administrative body of the hospital who promised to make follow up on the issue and rectify the situation, in July 2022, it was reported that the new incinerator was built at the hospital and the emitted air was effectively managed. This has also protected the surrounding communities and the nearby market that was also affected and are now able to conduct their economic activities with no fear of airborne diseases resulting from the hospital's incinerating activities.

THE LAND OF MY CHILDREN: A STRUGGLE FOR APPROPRIATE COMPENSATION FROM A MINING GIANT

At the age of 21, Sadock Maningo Mlimi owned a farm and a house in Matongo village in Nyamongo, Tarime, Mara region. His parents, grandparents and great-grandparents have all lived in the area.

Grateful to his family tradition, once a young man decides to settle and get married, his parents will give him a land and build a house for him. Sadock's parents gave him his land and built a small house for his new family.

That was in 1994. However, tremendous changes were coming to Nyamongo. In 1995, Nyamongo was looking ripe for large-scale gold extraction and new investors were on board. North Mara gold mine went on to become one of the biggest mines in Tanzania and Africa.

On the other hand, Sadock's life also changed through time. His marriage was thriving. He was blessed with six children; three boys, and three girls.

Sadock went on to turn a piece of land passed to him from his parents into a thriving home, three modern buildings, a garden, and even small family investments in his home including a grinding mill and a tailoring Centre.

"It was a wonderful home," explained Sadock as he showed us the place. Now all that is left are a couple of bricks, an abandoned grinding mill, and a small traditional house, used as a special dining area.

"My wife planted these flowers," Sadock shows us the remnants of flowers around his old home, with a smile on his face as if he intentionally wants us to see how proud he is of his wife.



Picture 18: Mr. Sadock standing outside one of his houses that he has built after he was compensated his land at Nyamongo – Mara, in September 2022.

In 2019, the North Mara Gold mine was expanding its area and all the people from Matongo village were required to leave the area and they will be compensated. The process for compensation was set up, involving the government, the mine, villages, and the local government.

Like many other villagers, Sadock received a compensation assessment, his land was first valued at TZS 129 million, which he accepted as the right compensation for his land.

However, things didn't go as everyone had expected *"I went there, and I was handed a lesser amount of TZS 62 million,"* he complained. "They said it was because of the impact of COVID-19."

It was a shock to him, and he couldn't sign a cheque for that amount.

"On that day we were waiting to hear from him about the finalization of the compensation process, but he came home empty-handed, with just words, sad words," recalled Sadock's second born, Isack.

“It was our lowest moment as a family”, Isak’s wife, who prefers to be addressed as Mama Mage, added. “They were ruining our good lives.” “The land value was ever increasing, the compensation does not reflect the reality, you might get compensation for two hectares only to be able to purchase one hectare,” explains Sadock as he revisits the moment. “The price of building materials was also up. It was not possible for us to be at the same level of life if we accept the proposed compensation.”

It was a difficult moment for Sadock and his family as after the compensation assessment they were not allowed to develop anything on that land. Moreover, all his neighbors had accepted their compensation and had moved on.

During this time, LHRC was doing outreach in Nyamongo using the radio program. It is through these programs Sadock heard about LHRC. *“I heard about LHRC legal aid support on a radio program,”* recounted Sadock on how he came about to receive LHRC’s support. *“I later learned that they will be at the Nyamongo Secondary School, and I went and told them about my problems.”*

A lawyer from LHRC received Sadock’s complaints and led the negotiation process between the mine and Sadock. *“We found him alone, his fellow villagers had already left,” narrated the LHRC Lawyer. “The area was not safe for him as he was living alone but he has already received notice not to do any development on that land.”*

His fellow villagers did not understand Sadock’s persistence.

In the case of Sadock, LHRC supported him in negotiating with the mine, but also helped him get coverage of his ordeal with various media.

Eventually, negotiations with the mine were able to bear fruit and Mr. Sadock received the

third offer which was much higher than the second offer at TZS 83 million.

“I discussed the offer with my wife, and we decided to take it,” explained Sadock as he was moving to see his new residence.

With the compensation received, Sadock was able to build a house for his son who got married at 23 and he was able to build a new residence which he decided to rent out a part of it. Moreover, he was also able to buy cattle for himself and his children.

“I had to use the money diligently, most of my fellow villagers who thought the money was a lot have not managed to finish their houses and some have gone to even smaller land,” said Sadock as he was showing us his new home.

Sadock is proud that his life was not wasted. He was able to give his sons land just as his parents did. Life has changed for Sadock, but he is proud to have fought for his right. It did not end just with him. He was able to support his fellow villagers who had issues with the mine.

He remains one of the good stories in Nyamongo, that one man who decided to change things, but he is much grateful to the LHRC support.

“I didn’t pay for anything,” he said. “They were coming here using their own cost and even taking me in their car during the negotiations.”

Sadock encourages people to not hesitate whenever they need legal assistance from LHRC.

To LHRC, Sadock’s story is one step closer to building a just and equitable society, a society where one’s right to ownership of property and enjoyment of fruits of his labour are protected.



IMPROVED LEGAL AND POLICY
FRAMEWORKS GOVERNING SPECIFIC
RIGHTS OF WOMEN, CHILDREN, AND
PERSONS WITH DISABILITIES

04

IMPROVED LEGAL AND POLICY FRAMEWORKS GOVERNING SPECIFIC RIGHTS OF WOMEN, CHILDREN, AND PERSONS WITH DISABILITIES

Discrimination and violence against women, children, and PWDs is still high in Tanzania. LHRC human rights reports have depicted the growing trends of violence directed at these groups specifically Intimate Partner violence (IPV) directed at Women; for instance, in 2021, nearly 9 out of 10 people killed due to IPV were women.

LHRC aims to address the persistent gender inequality and human rights violations that leave behind most vulnerable groups particularly Women, Children, and PWDs at risk in Tanzania; in line with its commitment to different international instruments.

Another key area is advocacy using gender mainstreaming approaches in demanding for accountability of duty bearers to improve laws, policies and customary practices which affect women, children, and PWDs.

Advocacy takes the form of bills, laws, and gender analysis with the aim of bringing reforms, engaging duty bearers and strategic litigations to improve the status quo.

4.1. Increased Legal Awareness of the Rights of Women, Children, and PWDs in the Community

4.1.1. Improved gender analysis and reporting

According to the analysis, there are recorded improvements in terms of gender sensitive reporting of human rights violations and quality responses; women's leadership and effective representation.

As a result of capacity building on gender among staff and other stakeholders like paralegals, and human rights monitors, LHRC has noted an increased ability among staff and her stakeholders to identify relevant data to provide a picture of the gender equality situation in a given context.

The survey conducted indicates that, out of 171 monitors trained on gender, 42% have shown changes on how they handle victims of abuse and other clients and how they share gender-sensitive reports.

Furthermore, 87% of 64 staff reported conducting gender need assessment before commencing their activities; 75% of the staff responded to ensuring their specific budget accommodates gender needs and that they set 5% of the budget for the same. Some even went further to ensure more than 5% is set when the needs arise.

“In doing all activities, particularly legal aid, we collect gender sensitive data. For example, in legal aid, data are collected and analyzed in consideration of sex, age, and PWD’s.” Hamis Mayombo, LHRC staff. (Source; Gender online Survey 2022).



Picture 19: Shows LHRC’s staff listening to one of her officers contributing during the Gender Mainstreaming workshop that was conducted in March 2022.

4.1.2. Effective representation, and inclusive participation

As a result of responsive plans, and a gender-responsive budget, LHRC has noted an increased participation and effective representation of women and persons with disabilities in LHRC intervention because their needs and priorities are planned and budgeted for; this has increased the ability to identify and address issues that affect them; the inclusiveness has created the platform where their issues are identified by themselves, and the solutions are provided; this has highly improved and made the policy and law making process to be responsive and inclusive.

For instance, LHRC’s interventions pushed for the Parliamentary Standing Committee on Legal and Constitutional Affairs to declare that any legislation and drafting styles should have gender sensitive eyes; and that includes committees to have gender parity and ensure legal gendered language and composition.

4.1.3. Women’s Leadership and Effective Representation

LHRC engaged women councilors in Pwani and Mtwara in the years 2021 and 2022. One of the most important themes was leadership for women and effective representation. Women councilors were supposed to empower other women in their areas to vie for available leadership positions. During the reflection session, feedback was received from different councils on the increase of women leaders in the just finalized party elections. Mtwara DC managed to uplift women in leadership position starting from the grassroots out of 1022 (Mashina) where before only 57 women were chairpersons and 97 secretaries. In the current election, a total of 348 women became chairpersons which is an increase by 29% from the previous representation of 57 women.

Also, in the Local Government Authorities elections for deputy council chairperson, a total of 9 women applied in Pwani and 10 in Mtwara. The results came out with 3 women winning in Pwani which is 33% and in Mtwara 2 women won which is 20% of the candidates. This makes council chairpersons in both Mtwara and Pwani to be 2 and deputy chairpersons to increase from 2 to 5.

The CCM political party district election held in 2022 also witnessed 21 Women in Mtwara utilizing the chances by contesting for the leadership positions in their political party, of which these 21 women were running in

different political party positions, and 29% were successfully elected.

Another key area is on accessibility and utilization of Local Government Authority loans. Mtwara women councilors facilitated a total of 337 groups to access LGA loans, out of which 53% were women, 11% were groups of people with disabilities, and 36% were youths. These loans have empowered these groups

through businesses that were established and caused a change in attitude towards these groups; as such women have been economically independent, increased their confidence which rescued them from abuse. It has also changed the myth that culturally women are considered to cause misfortune when they are close to the ocean, especially in fishing activities.

1. The case study of Women councilors in Mtwara Region

Background of the problem

In Tanzania, women leadership and representation have not been a success even in affirmative actions that have been done, women still do not access the same, and for

those who get the leadership posts do not have the confidence and power to represent effectively. Most women take these positions as a given post, like a charity and do not feel obligated to represent effectively, some do not have enough knowledge, confidence, and capacity to represent but also to participate in solving community problems.



Picture 20: LHRC's officer listening to the contribution of ward councilor during Women ward councilors empowerment workshop in 2021.

LHRC Intervention

LHRC aimed to ensure effective women representation from the village level to the national level by mentoring and empowering women leaders to use their voices to bring changes in their communities.

In 2021, LHRC engaged women councilors in Mtwara region through workshops and trainings. The engagement had different objectives that focused on addressing the issues that were reported as challenges in the Mtwara region and the following were accomplished.

- i. A total of 73 Council members were empowered on the importance of having gender responsive LGA bylaws and their roles in that.

- ii. Council members were empowered on effective representations in the council meetings on issues related to LGA Loans for women, youth and PWDs, violence against children, teen pregnancies, child marriage and the status of the girl child and on taking up leadership positions from the village level.
- iii. An MoU between LHRC, Mtwara female council members and Mtwara MPs on addressing issues affecting women and children was signed.

The engagements were successful in enhancing the capacity of local councilors in Mtwara. Due to close follow-up from LHRC, these local councilors have engaged in various initiatives to serve the communities that they lead..



Picture 21: Empowerment of Newala Lindi Women Councilors on Governance

At Msanga Mkuu village in Mtwara rural council, local councilors were able to mobilize and organize women into groups to apply for the LGA loans.

“Before the training, I had no idea what to do for my fellow women but after this training from LHRC, it awakened me, and from there if there is any issue that I don’t understand regarding the LGA I will make a follow-up to understand status of the loans.” said Shamsia Manda, ward councilor in Mpapura ward in Mtwara who has managed to mobilize various women groups in Msanga Mkuu village.

One of the groups that benefitted from this initiative by local councilors is Ukombozi Group. A group of women dealing with fisheries *“Our situation was not good; we endured many forms of abuse from men in our communities because of the lack of means of income. We are grateful to the councilors for organizing us and advising us that we should apply for a loan. We managed to purchase a boat and start a fishing business, now we’re fully respected and we hired some of the men who used to deride us in our communities”* explains Mwajuma Matei who serves as a treasurer of Ukombozi group at Msanga Mkuu ward.

In Newala District, Mikumbi and Chilangala ward, women councilors have managed to find solutions to some of the problems facing girls in their communities.

Noting the increasing rate of dropouts in various schools because of the distance from home to school, women councilors of Mikumbi managed to organize temporary hostels for students at Mikumbi Secondary School and later mobilized members of the public to build a dormitory that is still in progress and expected to accommodate 220 students. Most of the women councilors admit that the training from LHRC gave them an opportunity to reflect and see how they can contribute to their communities.



Picture 22: Mikumbi Secondary School girls' hostel under construction in Newala district.

4.1.4. Increased social accountabilities in responding to VAC and Child Justice issues.

As a result of the Social Welfare Training conducted by LHRC in April and May 2021, there has been an increase in linkages and support from Social Welfare.

In the survey conducted in 2022, a total of 32 social welfare officers out of 104 engaged, show there has been an increase not only in reporting but also in responding to the reported cases. It was noted that 25% responded that they have been accommodating issues of vulnerable groups in their reporting, 28% on issues of human rights, 18% on issues of court assistance especially on juveniles, and 25% on issues of child protection.

Out of more than 4000 cases received, 15% of the cases were finalized in courts while others are ongoing. The social welfare officers also responded to have increased services to persons with disabilities. This has increased quality response and effective protection of rights for these groups and built trust on the justice system in the community. For instance, social welfare officers from Iringa and Kagera region reported more than 50% increase of won cases after the training conducted by LHRC as quoted below:

“I have received more than 20 cases in the year 2021 whereby I won more than 50% of cases received in comparison to 30% won in the year before, 2020” Social welfare officer, Iringa 2022.

“I have received 16 cases and won 69% of them while others lacked evidence and were dismissed” Social welfare officer, Kagera 2022.

Positive Judgment on Reentry at the African Committee of Experts on the Rights and Welfare of the Child.

2. The case study of expulsion and exclusion of pregnancy girls in Schools in Tanzania.

Background to the problem

Primary and secondary school girls in Tanzania are subjected to forced pregnancy testing and expulsion from schools in event where they are found pregnant or married. According to the Tanzania's 2013 Basic Education Statistics, 2433 primary schoolgirls and 4705 secondary schoolgirls dropped out of school due to pregnancy in 2012 alone. The study conducted by the Center for Reproductive Rights provided that, over 55,000 female students dropped out of school due to pregnancy between 2003 and 2011. Mandatory pregnancy testing is practiced in almost all public schools subjecting girls as young as 11 years of age to pregnancy testing. The pregnancy testing is undertaken without the consent of the girls and most often the results are not communicated to the girls but rather shared with school staff without the consent of the girls. Girls are also required to take a pregnancy test when they enroll in schools. The girls who are found to be pregnant before being enrolled will not be accepted to schools and those girls who are found to be pregnant in school at any time of the year, are expelled from schools. Neither pregnancy testing nor expulsion of students due to pregnancy is prescribed by the Education Regulations.

That while pregnancy is not included as a ground for expulsion in the Education (Expulsion and Exclusion of Pupils from School) Regulation 2002 G.N. No. 295 of 2002,



Picture 23: Advocate Fulgence from LHRC with girls expelled from schools due to pregnancy during virtual hearing of the re-entry application before the ACERWC in 2022.

school administrators interpret pregnancy to be an offence against morality which is one of the grounds of expulsion under the Regulation. As expulsion is a universal practice in public schools, girls who find out about their pregnancy drop out of school by themselves to escape the humiliation and stigma they will be subjected to if school administrators/teachers find out about their pregnancy during mandatory testing. The expulsion and exclusion of pregnant schoolgirls has no exception such as in cases where girls fall pregnant due to sexual abuse or incest.

The married girls are not allowed to register or remain in school once married and this is vividly provided by rule 7(b) of the Tanzanian Regulation on Expulsion and Exclusion of Pupils as the Marriage Act allows girls as young as fourteen to get married. There is a court decision which rules against setting the age of marriage for girls below 18 as unconstitutional. The expulsion and exclusion policy of the Government is permanent as schoolgirls are not readmitted to the public

school after delivery. School girls expelled due to pregnancy or marriage can only be readmitted to private which are expensive and not affordable to many or vocational training centres.

LHRC Intervention

As part of safeguarding girls' right to education, LHRC in collaboration with another like-minded partner filed a communication to the African Committee of Experts on the Rights and Welfare of the Child against the United Republic of Tanzania for failing to uphold its obligation to respect, protect, and fulfil the rights of Tanzanian girls as envisioned under the African Charter on the Rights and Welfare of the Child (herewith 'the ACRWC,' 'the Charter,' or 'the African Children's Charter'), to which Tanzania is a Party to, through the following conduct:

- a. Enforcing mandatory pregnancy testing in schools.
- b. The expulsion of pregnant and married learners from schools.
- c. The denial of re-entry to schools after childbirth.
- d. The illegal detention of pregnant girls; and
- e. The failure to provide children with reproductive and sexual health information services- leading to early pregnancies.

In the submission, LHRC alleged that the United Republic of Tanzania has violated the following rights of girls:

- a. The right to education (Article 11)
- b. The right to equality and non-discrimination (Article 3)
- c. The right to be protected from harmful social practices and stereotypes (Article 21)

- d. The principle of the best interests of the child (Article 4)
- e. The right to health as it includes the right to access sexual and reproductive health services (Article 14)
- f. The right to privacy and dignity (Article 10)
- g. The right to be free from cruel, inhuman, and degrading treatment (Article 16)
- h. The right to general measures of implementation (Article 1)

Outcome of the submission/ communication

In the decision made during the 39th Ordinary session of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) sitting, between 21st March to 1st April 2022 and made public on 15th September 2022, the Committee found the United Republic of Tanzania in violation of its obligations as a state party to the African Charter on the Rights and Welfare of the Child including; non-discrimination, protecting the best interests of the child, protection of privacy, right to education, right to health and health services, protection against child abuse and torture, and protection against harmful social and cultural practices.

The Committee, therefore, recommended Tanzania to:

- i. Immediately prohibit mandatory pregnancy testing in schools and health facilities and officially announce the prohibition.
- ii. Review the Education (Expulsion and Exclusion of Pupils from School) Regulations, 2002 G.N. No. 295 of 2002 and in doing so remove wedlock as a ground of expulsion and provide an indication that the moral ground of expulsion should be interpreted narrowly and should not apply in cases of pregnancy of schoolgirls.

- iii. Undertake concrete steps to prevent the expulsion of pregnant and married girls from schools including by providing laws and policies on the same.
- iv. Remove any policy of non-re-entry of schoolgirls including girls who have dropped out of school due to pregnancy or wedlock.
- v. Immediately re-admit schoolgirls who have been expelled due to pregnancy and wedlock and provide special support programmes to compensate for the lost years and ensure better learning outcomes for the returned girls.
- vi. Provide clear guidance to school administrators that girls who drop out of school due to pregnancy or wedlock with their preference are allowed to come back to school with no preconditions.
- vii. Investigate the cases of detention of pregnant girls and immediately release detained pregnant girls who are being interrogated to reveal who impregnated them and stop such kinds of illegal arrests of pregnant girls.
- viii. Provide sexuality education for adolescent children and provide child friendly sexual reproductive and health services.
- ix. Undertake extensive sensitization of teachers, health care providers, police, and other actors with regards to the protection that should be accorded to pregnant and married girls.
- x. Undertake proactive measures towards the elimination of child marriage and other harmful practices that affect girls including by taking measures to address the underlying factors such as gender-based discrimination, poverty, and negative customary and societal norms.
- xi. Create a conducive reporting and referral mechanism for survivors of sexual violence including child marriage, and provide psychosocial support, rehabilitation, and reintegration services for the survivors.
- xii. Investigate and prosecute perpetrators of sexual violence and child marriage.
- xiii. Government to take action against any actors who conduct forced pregnancy testing of any kind, or who discriminate against girls on the grounds of their pregnancy or marital statuses such as expulsion and detention; and
- xiv. Provide special support to pregnant and married girls to continue their education in a school of their choice and based on their consent.

In the decision the Government of Tanzania is obligated to report to the Committee on all measures it has taken to implement the decision of the Committee within 180 days from the date of receipt of the Committee's decision

Recent development

LHRC is aware of the recent development as the United Republic of Tanzania has issued the circular and guidelines for re-entry. The Committee noted the circular and guidelines are not comprehensive enough to address issues of serious concern noted by the Committee.

4.2.2. Legal reforms to safeguard marriage and families.

LHRC with the Ministry of Community Development, Gender, Women and Special Groups completed the National Guideline for marriage conciliation. The guideline has passed through countless stages starting with its development, stakeholder approval, submission to ministry management, and submission to inter ministries who engage in the management of marriage disputes.

The guideline will help settle disputes of marriage which are a reason for the increase of divorce and even intimate partner violence.



JAMHURI YA MUUNGANO WA TANZANIA
WIZARA YA MAENDELEO YA JAMII,
JINSIA, WANAWAKE NA MAKUNDI'
MAALUM

MWONGOZO WA TAIFA WA UENDESHAJI, USIMAMIZI NA URATIBU WA MABARAZA YA USULUHISHI WA NDOA NA FAMILIA



SEPTEMBER
2022

Picture 24: A cover page of the already signed marriage conciliatory guideline by the Ministry of Community Development, September 2022 in Dodoma.

The guidelines have been developed to respond to issue of increased number of divorces which leave children in vulnerable state, increase of marital conflicts which led to death and even other effects of conflict.

The guidelines respond to handling marital disputes that align with the respect of all parties being male and female and the management of conciliation boards that have the understanding and have been vetted to deal with marital disputes.

The guideline also manages how conciliation boards are formed and registered which will help effective management of marriage conciliation boards.

This is the result of LHRC's intervention, whereby this issue was identified from the provision of legal aid services; the matter was submitted to the Ministry and recommendations for having the guideline.

4.2.3 Increased Protection of Rights for Persons with Disabilities

As part of implementing Persons with Disabilities Act, (2009) revised in 2019, through the President of the United Republic of Tanzania H.E. Samia Suluhu Hassan's speech, she said that the government has set aside a 5 billion budget to build gender sensitive markets to accommodate PWDs needs. Currently, the new market in Njombe that was launched by the President is PWDs accommodative together with the Machinga building in Dodoma which is yet to be launched has accommodated the needs of PWDs and nursing mothers.

LHRC has been working on this issue, especially on the 2% LGA loans where PWDs told LHRC that it is hard for them to take loans and refund as there is no enabling environment for them to do business and in such end up using the loan.

Another area is in schools; where an enabling environment for accessibility on public schools for children with disability has been created from the currently built classes 'Madarasa ya mama Samia', LHRC documented that accommodation accessibility is highly needed for Tanzanian girl students especially in Songwe and Simiyu. This is an issue that LHRC has worked on and even produced a policy brief for the same.

4.2.4. Increased Capacity to Address Sexual Gender-based Violence at the Police Gender desk.

The National Police Gender Desk Officer in charge, Faidha Mohammed reported that in all wards in Tanzania the Inspector General of Police (IGP) has designed specific ward police officers to deal with GBV issues. This will ensure timely justice delivery and awareness. This is a result of the intervention to address Sexual and Gender Based Violence undertaken by LHRC as part of the pilot

project at Mwananyamala Hospital with the aim of popularizing the Mwananyamala One Stop Center to the community, creating awareness to the communities on SGBV and also bringing together actors around violence to work together in addressing and handling cases of SGBV; the gap that was identified was Police having few gender desks officers to deal with SGBV issues in the community. This can be a breakthrough for timely and effective reporting and adequate response to SGBV cases which in turn enhance protection of women, children and PWDs rights.

Another key area of success is; the Ministry of Community Development, Gender, Women and Special Groups has come up with a GBV integrated system which enables all data concerning GBV to be accumulated and managed, the system has already been finalized and all cases are centered and reported there; this will help in centralization yet ensuring accuracy of data on GBV that inform policy design and intervention to address GBV cases.

4.2.5. Enhanced Protection of Children's Rights

The Ministry of Community Development, Gender Women and Special Groups launched a guideline for Children Councils. This is part of implementation of the Law of the Child Act and the children policy which requires each district to have a Children Council. This is the result of LHRC's engagement with the responsible ministry through meetings and dialogues.

Currently, the guideline is in operation and the government has managed to form and established a total of 2826 children councils in the wards which is 58% of the target.

The government also managed to send a representative to the global children council meeting in Sweden the year 2022. This platform can ensure the full realization of

children's rights and the space to discuss issues concerning them.

LHRC in collaboration with the Government through the Ministry of Community Development, Gender, Women and Special Groups has developed a manual to guide protection of children and their security in and out of school. Since the beginning of its operationalization, they have managed to identify more than 438 children out of school who are at risk and referred them to protective areas. The manual also has set systems to help children in schools who are in vulnerable situations.

4.2.6. Improved Gender and Development Policy, 2000

The government has put in place enabling environment for women and men in implementing their relevant responsibilities in relation to their gender needs. This can pave way for gender equality and has put in place strategies that work for Tanzania to realize Gender Equality. This has been reflected in the currently reviewed Gender and Development Policy, 2000 in collaboration between the Ministry of Community Development



Picture 25: LHRC's Executive Director, Dr. Anna Henga and other LHRC staff during the official visit to the Ministry of Community Development, Gender, and Special groups in 2022, presenting issues to the responsible Minister Hon. Dr. Dorothy Gwajima.

and LHRC; the policy can further provide framework for organization and other gender-based organization when designing their intervention related to gender. The policy has been finalized and signed by the Ministry and will come into operation in 2023. Further to that, LHRC also developed a gender strategy jointly with the Ministry of Community Development which aims to

consolidate and speed up implementation of the reviewed Gender and Development Policy, which strives to address gender gaps and inequalities between men and women. It also aims to guide implementers to incorporate gender concerns into their policies, plans, strategies, and programmes with a view to implementing commitments at international, regional, and national level.



IMPROVED EFFECTIVENESS OF LHRC
IN DELIVERING HER MANDATE

05

IMPROVED EFFECTIVENESS OF LHRC IN DELIVERING HER MANDATE

Sustainability is paramount to LHRC's achievement of her mandate of attaining a just and equitable society. Sustainability requires sufficient and aligned organizational purpose, leadership, culture, capacity, structure, processes, and systems.

In improving effectiveness of LHRC in delivering her mandate, our focus has been improving gender equality, organizational governance, human resource management, resource mobilization, Monitoring, Evaluation and Learning (MEL), fiscal management systems and use of Information Communication Technology (ICT). Another key priority is the improvement of security, health, and safety systems, reflecting change in context and escalating attacks against human rights activists and human rights organizations.

5.1. Improved LHRC Governance

In this reporting period, LHRC conducted all her governance statutory meetings including quarterly Board meetings to discuss progress in both financial and programme implementation and Annual General meeting to discuss and approve the annual progress report and Audited Financial statements for the year 2021 as per LHRC Constitution.

Our Board of Directors welcomed a new Board member, Dr. Ally Hussein Laay

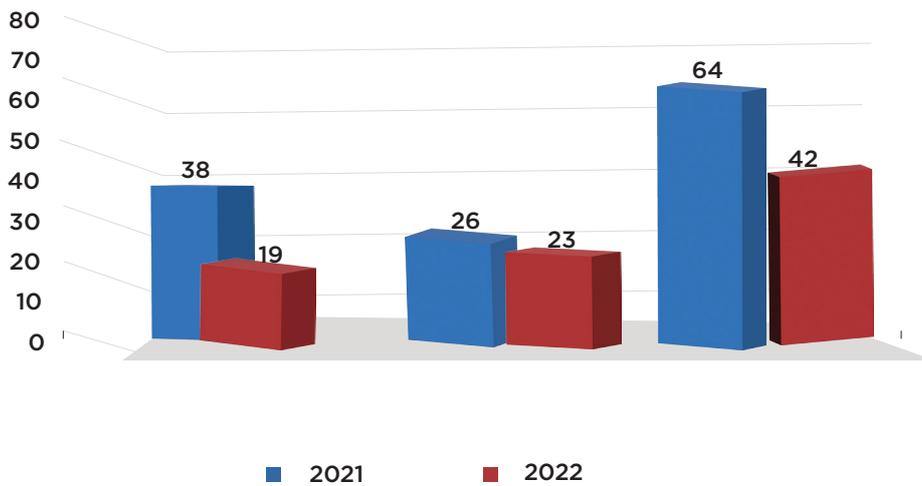


Picture 26: LHRC Board of Directors posing for a photo after the 94th Board Meeting and a training on Board Evaluation

5.1.2.Improve Human Resource Management

LHRC has four offices with a team of 42 employees; 34% decrease from 2021. Out of 42 employees, 19 are male and 23 female. Head office has 24 employees, Kinondoni Legal Aid Centre 8 employees, Arusha 9 employees and Dodoma 1 employee (See graph.10). In 2022, we had 18 males which is 45 % decrease compared to the previous year 2021, and 24 females an increase by 4.2% from the previous year 2021. LHRC will continue to remain an equal opportunity employer.

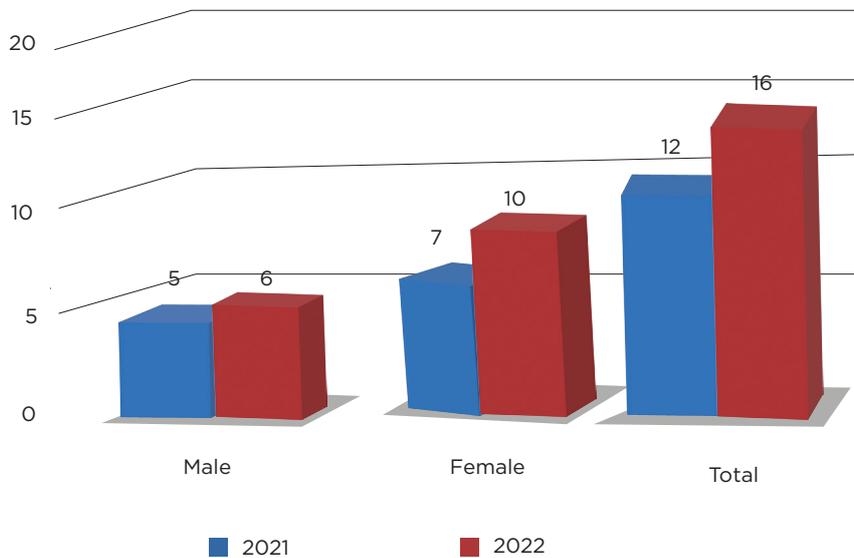
Distribution by LHRC Staff by Sex



Graph 11: Staff distribution comparative analysis between 2021 and 2022.

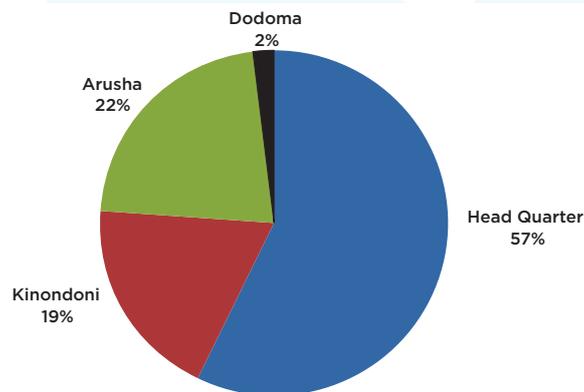
During this reporting period, LHRC has recruited 16 volunteers where 6 equivalent to 33% are males and 10 equivalent to 67% are females.

Distribution of LHRC Volunteers by sex



Graph 12: Distribution of LHRC Volunteers between 2021 and 2022

From the above graph the number of full volunteers for LHRC has increased from 12 in 2021 to 16 in 2022 which is an increase of 2 volunteers equivalent to 16.7%. The increase is a result of an increased demand of LHRC services in legal aid clinics and Court Annexed services.



Graph 13: Distribution of LHRC employee as of 31 December 2022, by location.

The graph above indicates that 57% of all LHRC staff are stationed at LHRC Head Office followed by 22% at Arusha Office, 19% at Kinondoni Legal Aid clinic and the remaining 2% at Dodoma liaison Office. More staff are at LHRC HQ because all outreach programmes, finance and operations are coordinated at Head Office while Arusha Office has a slightly high number of staff because the Mass education programme is coordinated at Arusha.

5.1.3. Improving Organizational performance

LHRC conducted an all staff convening this year to enhance staff performance through team building and to provide an opportunity for the LHRC team to come together and strengthen team bond, trust, communication, and align as an organization.



Picture 27: LHRC Staff during the convening in Morogoro region in December 2022

The convening program was designed to be interactive, dynamic, and inclusive, focusing on understanding staff current state and mapping out the future, encouraging teamwork, strengthening the bond across units, personal development, and improving communication. The program also allowed the team to bond through multiple collaborative workshops, team challenges, and energizers.



MONITORING, EVALUATION AND LEARNING

06

MONITORING, EVALUATION AND LEARNING

6.1. MONITORING, EVALUATION AND LEARNING

Monitoring and Evaluation for LHRC is an integral part in supporting the planning and implementation of programmatic activities. It is important to assess and examine the impact of our interventions, to check whether they are working correctly and are having the expected results. These aspects are being guided by both the Operational Plan and MEL Plan of the organization. These documents are being used by staff and partners to monitor the quality programming, implementation, and evaluation of performance.

6.1.1. MONITORING

LHRC has continued to track routine data using various tools while implementing its activities such as: attendance forms for registration of participants during trainings and/or workshops; pre and post-test is used to measure change of knowledge before and after trainings; evaluation forms were used to collect feedback at the end of the activities in order to measure change of attitude and the effectiveness of the intervention.

Outcome level indicators were tracked and collected through different mechanisms such as surveys, documentation of most significant stories and/or learning stories generated direct from beneficiaries in order to measure effectiveness and efficiency of our interventions.

6.1.2. EVALUATION

LHRC conducted an internal evaluation of her staff, beneficiaries and stakeholders who were directly engaged in the interventions

both semi quarter and annual. The aim of the evaluation was to assess, reflect and learn from our programs so as to improve the implementation of the interventions. Various surveys were conducted such as Legal aid clients' survey conducted on both June and November 2022; and the results show that on average, the majority of LHRC's clients who attend Legal Aid Clinics indicated to be satisfied with the services by 98.7%. For LHRC, learning is a lifelong process as it continues to learn from programs that it is implementing in order to reflect and improve the programs' ability to achieve its expected results.

6.1.3. LEARNING

LHRC is a learning organization; her learning includes data from monitoring, documentation of case studies, research findings, evaluations, and analyses. Learning is also through knowledge gained from experience, feedback from partners, clients' satisfaction surveys, duty bearers, allies, and the public.

Furthermore, LHRC has conducted programmatic reflection and learning sessions that aimed at helping the program team members reflect on the activities they implemented over the past quarters and assess what worked well, what did not work well, and what aspects can be enhanced or changed to better progress towards programs' expected results.

Capacity building has also been part of LHRC's knowledge generation; staff are trained on MEL concepts and functions to effectively deliver the project key targets. .



KEY ACHIEVEMENTS, LESSONS
LEARNED, RISKS AND MITIGATIONS

07

KEY ACHIEVEMENTS, LESSONS, RISKS AND MITIGATIONS

7.1. KEY ACHIEVEMENTS

The following are key achievements that LHRC has achieved during this reporting period of 2022 as explained below.

- i. Reforms of the Anti-Money Laundering Act and consequential amendments (Terrorism Act) domestic terrorist: Control of the Powers of the Minister
- ii. Inclusiveness and representation, especially in law making process; the parliament of Tanzania has set requirement under section 8 to provide for gender consideration in the composition of the National Anti-Money Laundering Multi-Disciplinary Committee.
- iii. The Government has positively reformed the Criminal Procedure Act, 1985 introduced by the Written Laws (Miscellaneous Amendments) Act No. 1, 2022, this provides for right to legal aid for accused person who wants to enter a plea-bargaining agreement in prison.
- iv. Contributed to increase of access to justice, in 2022, through legal aid programs where a total of 18,190 clients were attended, in which 67% were male and 33% were female. This represents 91% of the targeted number of the clients to be attended in the year 2022. This is a major achievement compared with 2021 where LHRC managed to reach 82% of the target.
- v. In the reporting period, LHRC managed to win 173 cases compared with 219 cases won in the year 2021. Out of 173 cases won, 62% belongs to male and 38% for female.
- vi. Increased access to information through media; the government has reduced fee in television decoder subscription by more than 60% from the original proposed amount of 3000 Tanzania shillings which was too high compared to the cost of living.
- vii. Improved state of Civic space; the government relicensed the four (4) newspapers which were banned.
- viii. LHRC's interventions pushed for the Parliamentary Standing Committee on Legal and Constitutional Affairs to declare that any legislation and drafting styles should have gender sensitive eyes and that includes committees to have gender parity and ensure legal gendered language and composition.
- ix. LHRC supported 98 local communities on access to remedy case through judicial mechanisms on behalf of residents of Nyakunguru village, Tarime district for land compensation and it was successful in 2022 as ruled by High Court Musoma Registry. The residents have been compensated by North Mara Gold Mine.
- x. LHRC's intervention on the new Wage Order, seeking to safeguard workers' right to fair remuneration on minimum wages has been implemented, following the development and adoption of the Wage Order 2022 to replace the Wage Order of 2013. This was one of the key recommendations by LHRC made in the Human Rights and Business Report to the government since 2017 whereby it was from 36% in 2020 to 37% in 2021.
- xi. LHRC established a human rights club at the Morogoro Muslim University;

(Morogoro Muslim University Human Rights Association) and as a result, in 2022 successfully the Club further established a Legal Aid Clinic which provides legal aid to students and the surrounding community.

- xii. LHRC's intervention and support in monitoring human rights violations led Siena Nyauringo to gain her right to education after being denied that right due to child human trafficking. This is an example of many followed up cases.
- xiii. Employees right to contracts of Employment: The Government through Hon. Patrobas Katambi, Deputy Minister, Prime Minister's Office (Labour, Youth, Employment & Persons with Disability) issued a statement that "the government will start searching employers who do not issue contracts to their employee. This was after the Human Rights and Business Report 2021/2022 findings on employment issues where the report stated that most companies do not issue contracts to employees and even if issued, not all terms are fulfilled.
- xiv. In 2022, LHRC participated in the Excellence in Journalism Awards Tanzania (EJAT) by providing awards to honor and recognize the initiatives of journalists in Tanzania who continue to raise awareness and amplify voices on issues of legal and human rights with specific areas of human rights, democracy and good governance. As a result, in 2022 the journalists successfully investigated how people die in police custody as well as the torture they go through while in the hands of the police which is against the law. Also, they effectively advocated on the effect of water pollution in Mara River which resulted in Members of Parliament not accepting the report of the committee on the said matter.

7.2. KEY LESSONS

- i. Given the increased number of incidences of human rights violations through human rights monitors and media is an indication

of the awareness raised and improved access to justices. However, there is still need of strengthening the capacity of officials within these institutions for them to perform their duties effectively and timely to attain justice.

- ii. Reconciliation of clients' disputes proved to be the best method of conflict resolution as compared to litigation.
- iii. To realize gender equality, it is important to practice equality from the local level to the National level and from all dimensions of life.
- iv. When offered full knowledge, women can be effective and change-makers in preventing and responding to gender based violence in their families and communities. This can be witnessed from Women councilors empowered in Mtwara were most of them are taking responsibilities in their communities in empowering girls and other women in taking part in decision making at the family and community level, leadership position and dominating businesses which has reduced GBV in their communities.
- v. Working with the media, especially social media and community media has proved to be a cost effective and convenient way of reaching many people with human rights awareness and advocacy.
- vi. Working with paralegals and human rights monitors to provide information on human rights issues affecting their areas of operation as key informants and verify information obtained from other sources.

7.3. RISKS AND MITIGATION

- i. The main challenge during this reporting period was delays in obtaining survey permits for human rights and business on climate change. This disrupted the timeline for the survey which was to be conducted in August -September and rescheduled to October -December 2022 and dissemination in 2023.

FINANCIAL STATEMENTS

LEGAL AND HUMAN RIGHTS CENTRE

REPORT BY THOSE CHARGED WITH GOVERNANCE (Continued) FOR THE YEAR ENDED 31 DECEMBER 2022

20. EVENTS AFTER REPORTING PERIOD

The Directors have assessed that, at the time of issuing these financial statements, it was impracticable to determine and disclose the extent of the possible effects of the Russia -Ukraine war on the Organisation. It is reasonably possible, based on existing knowledge, that outcomes within the next financial year that are different from the judgements and assumptions used, could require material adjustments to the carrying amounts of the assets or liabilities reported in the financial statements.

At the time of issuing the financial statements, the Directors had no reason to believe that this is likely to happen. Furthermore, the directors believe that the Organization will be a going concern for the foreseeable future having considered availability of financial support commitment from the development partners to support the strategic objectives.

The Directors are not aware of other matters or circumstances arising after the reporting period that requires adjustment to or disclosure in the financial statements.

21. AUDITORS

Ernst & Young were appointed to audit the LHRC's financial statements for the year ended 31 December 2022.

BY ORDER OF THE BOARD

Approved by the Board of Directors on 15th March, 2023 and signed on its behalf by:

Chief Justice (Ret'd) Barnabas A. Samatta
Board Chairperson



Signature

Anna Aloys Henga
Executive Director



Signature

LEGAL AND HUMAN RIGHTS CENTRE

STATEMENT ON DIRECTORS RESPONSIBILITIES FOR THE PREPARATION OF FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2022

The Non-Governmental Organization Act, 2002 [R.E 2019] requires the Directors to prepare financial statements that present fairly the state of affairs of the organization as at the end of the financial year and of the operating results for that year. It also requires the Directors to ensure that the Organization maintains proper accounting records which disclose with reasonable accuracy the financial position of the organization. They are also responsible for safeguarding the assets of the organization.

The Directors are responsible for the preparation of Financial Statements that present fairly the state of affairs of the organization at the end of each financial year in accordance with International Public-Sector Accounting Standards (IPSAS), LHRC accounting policies and financial procedures, and Tanzania Financial Reporting Standards issued by the National Board of Accountants and Auditors of Tanzania (NBAA). The Directors of the Board are also responsible for safeguarding assets of LHRC in Tanzania and to take reasonable steps for prevention and detection of fraud or errors and other irregularities. They are also responsible for maintaining an adequate system of internal controls.

The Directors confirm that suitable accounting policies have been used and applied consistently and reasonable judgment has been made in preparing the financial statements. Also, the Directors confirm that, applicable International Public-Sector Accounting Standard (IPSAS) and the Tanzania Financial Reporting Standards have been followed and the accounts have been prepared on the going concern basis.

The Directors further accept responsibility for the maintenance of accounting records that may be relied upon in the preparation of financial statements, as well as adequate systems of internal financial control.

Nothing has come to the attention of the Directors to indicate that the Organization will not remain a going concern for at least twelve months from the date of this statement.



Chief Justice (Ret'd) Barnabas A. Samatta
Board Chairperson

21st March, 2023
Date



Anna Aloys Henga
Executive Director

15th March 2023
Date

LEGAL AND HUMAN RIGHTS CENTRE

DECLARATION OF THE HEAD OF FINANCE ON THE PREPARATION OF LHRC FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2022

The National Board of Accountants and Auditors (NBAA) according to the power conferred to it under the Auditors and Accountants (Registration) Act No. 33 of 1972, as amended by Act No. 2 of 1995, requires financial statements to be accompanied with the statement of Declaration issued by the Head of Finance responsible for the preparation of financial statements of the entity concerned.

It is the duty of a professional accountant to assist the Board of Directors to discharge the responsibility of preparing financial statements of an entity showing a true and fair view of the Organisation's financial position and performance in accordance with International Public-Sector Accounting Standard (IPSAS) and the requirements of the Non-Governmental Organization Act, 2002 [R.E 2019]. Full legal responsibility for the preparation of financial statements rests with the Directors as indicated in the statement of Directors' Responsibility on the previous page.

I, **Silvian M. Sariko** being a registered accountant, on behalf of LHRC, hereby acknowledge my responsibility of ensuring that the financial statements for the year ended 31 December 2022 have been prepared in compliance with International Public-Sector Accounting Standard (IPSAS) and the requirements of the Non-Governmental Organization Act, 2002 [R.E 2019].

I thus confirm that the financial statements give a true and fair view position LHRC as on that date and that they have been prepared based on properly maintained financial records.

Signature: 

Position: Director of Finance and Administration

NBAA Membership No. GA 1292

Date: March 15th 2023



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INDEPENDENT AUDITOR'S REPORT

To the Members of LEGAL AND HUMAN RIGHTS CENTRE

REPORT ON THE AUDIT OF THE FINANCIAL STATEMENTS

Opinion

We have audited the financial statements of Legal and Human Rights Centre set out on pages 27 to 46, which comprise the statement of financial position as at 31 December 2022, and the statement of financial performance, statement of changes in net assets and statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the financial statements present fairly, in all material respects, the financial position of Legal and Human Rights Centre as at 31 December 2022, and its financial performance and its cash flows for the year then ended in accordance with International Public-Sector Accounting Standards and the requirements of the Tanzanian Non-Governmental Organization Act, 2002 [R.E 2019].

Basis for Opinion

We conducted our audit in accordance with International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Organization in accordance with the Independent International Ethics Standards Board for Accountants' Code of Ethics for Professional Accountants (IESBA Code) together with the ethical requirements that are relevant to our audit of the financial statements in Tanzania, and we have fulfilled our other ethical responsibilities in accordance with these requirements and the IESBA Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Other Information

The directors are responsible for the other information. The other information comprises the information included in the pages 2 to 23 of the Legal and Human Rights Centre financial statements for the year ended 31 December 2022, which include the General Information, Report by Those Charged with Governance (Directors' Report), Statement of Directors' Responsibilities, the Declaration of the Head of Finance as required by the Non-Governmental Organisations Act, 2002 [R.E 2019] and the Auditors and Accountants (Registrations) Act No. 33 of 1972, as amended by Act No. 2 of 1995. The other information does not include the financial statements and our auditor's report thereon. The directors are responsible for the other information

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements, or our knowledge obtained in the audit, or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Responsibilities of the Directors for the Financial Statements

The directors are responsible for the preparation and fair presentation of the financial statements in accordance with International Public Accounting Standards (IPSAS) and the requirements of the Tanzanian Non-Governmental Organization Act, 2002 [R.E 2019], and for such internal control as the directors determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

INDEPENDENT AUDITOR'S REPORT (Continued)

To the Members of LEGAL AND HUMAN RIGHTS CENTRE

Responsibilities of the Directors for the Financial Statements (Continued)

In preparing the financial statements, the directors are responsible for assessing the Organization's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the Organization or to cease operations, or have no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Organization's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the directors.
- Conclude on the appropriateness of the directors' use of the going concern basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Organization's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Organization to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the directors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.



INDEPENDENT AUDITOR'S REPORT (Continued)

To the Members of
LEGAL AND HUMAN RIGHTS CENTRE

REPORT ON OTHER LEGAL AND REGULATORY REQUIREMENTS

This report is made solely to the Organisation's members as a body, in accordance with the Non-Governmental Organization Act, 2002 [R.E 2019] of Tanzania. Our work has been undertaken so that we might state to the Organisation's members those matters we are required to state to them in our auditor's report pursuant to the Act and our letter of engagement and for no other purposes. We do not accept or assume responsibility to anyone other than the Organisation and members as a body, for our audit work, for this report, or for the opinion we have formed.

We report to you, based on our audit, that:

- (i) In our opinion, proper books of account have been kept by the Organization, so far as appears from our examination of those books.
- (ii) The Organization's statement of financial position and statement of financial performance are in agreement with the books of account.

Signed by: Deokari Mkenda – Partner (ACPA 3438)

For and on behalf of Ernst & Young
Certified Public Accountants
Dar es Salaam, Tanzania

Date: 22, MARCH, 2023

LEGAL AND HUMAN RIGHTS CENTRE

STATEMENT OF FINANCIAL PERFORMANCE
FOR THE YEAR ENDED 31 DECEMBER 2022

		Memo 2022		Memo 2021	
		TZS	USD	TZS	USD
	Notes				
Revenue from non-exchange transactions					
Revenue grants	7	7,831,085,536	3,387,148	8,773,014,853	3,808,654
Other income	8	20,229,346	8,749	103,303,514	44,847
Capital grants	9	313,306,014	135,513	518,396,093	225,053
		<u>8,164,620,896</u>	<u>3,531,410</u>	<u>9,394,714,460</u>	<u>4,078,554</u>
Expenditures					
Operating expenses	10	(7,892,802,168)	(3,413,842)	(9,181,321,607)	(3,985,914)
Depreciation	14	(313,306,014)	(135,513)	(293,899,643)	(127,591)
		<u>(8,206,108,182)</u>	<u>(3,549,355)</u>	<u>(9,475,221,250)</u>	<u>(4,113,505)</u>
Finance Income	11	41,488,068	17,945	82,083,609	35,636
Operating surplus		<u>782</u>	<u>-</u>	<u>1,576,819</u>	<u>685</u>
Currency translation difference		(17,145,918)	-	(48,854,046)	-
		<u>(17,145,918)</u>	<u>-</u>	<u>(47,277,227)</u>	<u>685</u>
Other gains/(losses)					
Revaluation gain on land		1,831,325,139	788,260	-	-
Total operating surplus and other gains		<u>1,814,179,221</u>	<u>788,260</u>	<u>(47,277,227)</u>	<u>685</u>

LEGAL AND HUMAN RIGHTS CENTRE

STATEMENT OF FINANCIAL POSITION
FOR THE YEAR ENDED 31 DECEMBER 2022

		Memo 2022	2022	Memo 2021	2021
		TZS	USD	TZS	USD
ASSETS					
	Notes				
Current assets					
Other receivables	12	163,590,839	70,362	54,243,752	23,689
Cash and bank balances	13	1,520,118,354	653,814	4,200,434,909	1,834,251
		<u>1,683,709,193</u>	<u>724,176</u>	<u>4,254,678,661</u>	<u>1,857,940</u>
Non-current assets					
Property and equipment	14	3,769,351,728	1,696,758	2,103,016,412	979,837
		<u>3,769,351,728</u>	<u>1,696,758</u>	<u>2,103,016,412</u>	<u>979,837</u>
Total assets		<u>5,453,060,921</u>	<u>2,420,934</u>	<u>6,357,695,073</u>	<u>2,837,777</u>
LIABILITIES					
Current liabilities					
Trade and other payables	15	437,011,199	187,962	1,674,227,462	731,104
Deferred revenue grants	16	1,257,302,228	578,830	2,623,654,841	1,169,452
		<u>1,694,313,427</u>	<u>766,792</u>	<u>4,297,882,303</u>	<u>1,900,556</u>
Non-current liabilities					
Deferred capital grants	17	1,760,340,366	786,702	1,924,439,691	858,040
		<u>1,760,340,366</u>	<u>786,702</u>	<u>1,924,439,691</u>	<u>858,040</u>
Total liabilities		<u>3,454,653,793</u>	<u>1,553,494</u>	<u>6,222,321,994</u>	<u>2,758,596</u>
NET ASSETS		<u>1,998,407,128</u>	<u>867,440</u>	<u>135,373,079</u>	<u>79,181</u>
Net Assets represented by:					
Accumulated Surplus		184,227,907	79,181	184,227,125	79,181
Revaluation reserve		1,831,325,139	788,260	-	-
Currency translation difference		(17,145,918)	-	(48,854,046)	-
Total net assets/equity		<u>1,998,407,128</u>	<u>867,441</u>	<u>135,373,079</u>	<u>79,181</u>

These financial statements were approved by the Board of Directors on 15th March, 2023 and signed on its behalf by:

Name: Pamabas Albert Samatta Position Chairman Signature [Signature]

Name: Anna Henga Position Executive Director Signature [Signature]

LEGAL AND HUMAN RIGHTS CENTRE

STATEMENT OF CHANGES IN NET ASSETS
FOR THE YEAR ENDED 31 DECEMBER 2022

	Accumulated Surplus	Revaluation Reserve	Total	Accumulated Surplus	Revaluation Reserve	Total
	USD	USD	USD	TZS	TZS	TZS
At 1 January 2021	78,496	-	78,496	182,650,306	-	182,650,306
Surplus for the year	685	-	685	1,576,819	-	1,576,819
As at 31 December 2021	79,181	-	79,181	184,227,125	-	184,227,125
At 01 January 2022	79,181	-	79,181	184,227,125	-	184,227,125
Surplus for the year	-	-	-	782	-	782
Revaluation gain on land	-	788,260	788,260	-	1,831,325,139	1,831,325,139
As at 31 December 2022	79,181	788,260	867,441	184,227,907	1,831,325,139	2,015,553,046

LEGAL AND HUMAN RIGHTS CENTRE

STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 31 DECEMBER 2022

		2022	2022	2021	2021
		TZS	USD	TZS	USD
	Note				
OPERATING ACTIVITIES					
Operating surplus for the year		782	-	1,576,819	685
Adjustments for non-cash items:					
Depreciation expenses	14	313,306,014	135,513	293,899,643	127,591
Amortization of capital grants	9	(313,306,014)	(135,513)	(518,396,093)	(225,053)
		781	-	(222,919,631)	(96,777)
Change in working capital items:					
Increase in receivables		(109,347,087)	(46,673)	(24,257,774)	(10,701)
Decrease in other assets		-	-	285,000,000	123,430
Increase (Decrease) in accruals and other payables		(1,237,216,263)	(543,142)	388,371,721	200,449
Increase (Decrease) in deferred revenue grants		(1,366,352,613)	(590,622)	142,648,927	60,837
Net cash flows generated from operating activities		(2,712,915,181)	(1,180,437)	568,843,243	277,238
Purchase of property and equipment	14	(148,316,362)	(64,175)	(711,979,261)	(308,893)
Net cash flows used in investing activities		(148,316,362)	(64,175)	(711,979,261)	(308,893)
Financing activities					
Donor funds received for purchase of property and equipment	17	149,206,689	64,175	428,456,124	187,099
		-	-	428,456,124	187,099
Net increase/(decrease) in cash and cash equivalents		(2,712,024,855)	(1,180,437)	285,320,106	155,444
Net foreign exchange difference		31,708,300	-	38,750,470	-
Cash and cash equivalents					
At 1 January		4,200,434,909	1,834,251	3,876,364,333	1,678,807
At 31 December		1,520,118,354	653,814	4,200,434,909	1,834,251

LEGAL AND HUMAN RIGHTS CENTRE - HEADQUARTERS

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