



# Mlinzi wa HAKI



## AUGUST 2023

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# Dear esteemed readers

Greetings from the Legal and Human Rights Centre (LHRC).



We invite you to explore this newsletter to stay updated on LHRC's ongoing initiatives and to gain a deeper understanding of the important work being undertaken within our organisation.

*Regards,*

**Dr. Anna Henga  
(Advocate)  
LHRC Executive  
Director**

With the dedicated efforts of our staff and the generous support of our developmental partners, including the Embassies of Sweden, Norway, and Ireland, LHRC is pleased to extend a warm welcome to you for the August 2023 edition of the Mlinzi wa Haki Newsletter.

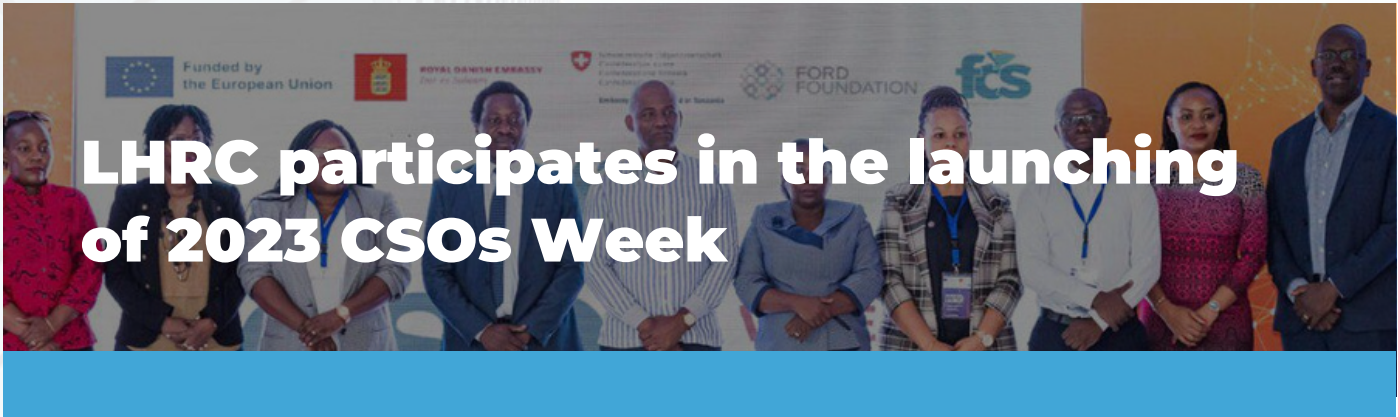
In August, LHRC prioritised fieldwork activities, and we also held press conferences to denounce human rights violations that have occurred in our country.

During August, LHRC conducted a backstopping session for the Pwani Region, which encompasses Rufiji, Mkuranga, Kibiti, Kisarawe, and Kibaha, aimed at receiving feedback on the training we provided to women councilors in 2022.

Furthermore, Dr. Anna Henga, a distinguished member of LHRC, played a pivotal role in a National Conference that focused on assessing the state of democracy in Tanzania. This conference was organised by the Tanzania Centre for Democracy (TCD).

We invite you to explore this newsletter to stay updated on LHRC's ongoing initiatives and to gain a deeper understanding of the important work being undertaken within our organisation.





# LHRC participates in the launching of 2023 CSOs Week

On August 1, 2023, Dr Anna Henga, the Executive Director of the Legal and Human Rights Centre (LHRC), took part in the inauguration of the Civil Society Organisations (CSOs) Week in 2023, held at the Delta by Marriott Masaki in Dar es Salaam.

The theme for this year's CSOs Week 2023 was Tech and Society: Then, Now, and Beyond. This event occurred in Arusha from October 23rd to October 27th, 2023.

The CSOs Week in 2023 promises to be a significant gathering of individuals and organisations dedicated to addressing the intersection of technology and society. It will provide a platform for discussions, insights, and collaborations on how technology has evolved, its current impact on society, and its potential for the future.



The CSOs Week in 2023 is expected to attract experts, activists, policymakers, and stakeholders from diverse backgrounds passionate about harnessing technology for the betterment of society while safeguarding human rights and ethical principles.

The event at the Delta by Marriott Masaki was just the beginning, setting the stage for what promises to be an engaging and thought-provoking exploration of the role of technology in our lives, both now and in the future, at the Mount Meru Hotel in Arusha this October.



# UNDP resident representative Christine Musisi bids farewell to LHRC

On August 3, 2023, Christine Musisi, the UNDP Resident Representative in Tanzania, visited the Legal and Human Rights Centre (LHRC) and held a joint meeting with LHRC. Her visit aimed to bid farewell and express gratitude to LHRC for their ongoing support and collaboration.

Ms Christine's impending retirement from her position as the UNDP Resident Representative in Tanzania on August 10, 2023, marks the end of her tenure in this role.

This visit allowed Ms Christine to reflect on the achievements and progress made during her time as the UNDP Resident Representative and thank LHRC for their contributions and cooperation towards the shared goals of promoting legal and human rights in Tanzania.





## LHRC visits Pwani region

Legal and Human Rights Centre (LHRC) met with Women Councilors in the Pwani Region from Rufiji, Mkuranga, Kibiti, Kisarawe, and Kibaha on 31st July 2023 to 4th August 2023 also Hon. Hawa Mchafu, the Member of Parliament for Pwani Region was present at the event.

The purpose of the meeting was to receive feedback on the training provided by LHRC in 2022, focusing on effective representation, the role of the girl child in education, women's leadership motivation, gender-based violence, and women's economic development through government-provided loans.

During the session, LHRC success stories, particularly from individuals reached by the Honorable Councilors. They learned that the Women Councilors have continued to be at the forefront of advancing women's agendas, including encouraging more women to take up leadership roles and providing education to the community.



During this visit, Advocate Gertrude Dyabene, Senior Program Officer-Women, Children and People with Disabilities LHRC, spoke to the students, empowering them with more knowledge on Gender Issues in Kibiti District at Zimbwini Secondary School.

Also, students had the opportunity to discuss the challenges they faced while in school.

Program Officer - Women, Children, and People With Disabilities, Advocate Getrude Dyabene LHRC met with Women Councilors from Pwani Region to receive feedback on the training provided by LHRC in 2022 to empower their fellow women in Gender-related issues and how they can contribute to their communities.

LHRC conducted a specialized program for Women Councilors of Pwani in 2022, where the female councilors of the district empowered their counterparts from the Mchukwi ward in Gender related issues, Leadership, and Government-provided Loans.

LHRC empowered these women on gender-related issues, helping them recognise various forms of violence, such as physical, psychological, economic, and health-related violence. Also, they were educated on Leadership issues within their surrounding communities.



In Mkuranga District, Pwani Region, Vikindu Ward, LHRC successfully received feedback from a women's group called “Wode”, which benefited from the training and established a small soap-making factory producing traditional soap and coconut oil. They also opened a daycare centre with 113 children in the ward.

LHRC also had feedback from the Women Councilors of Mkuranga District, the purpose of the meeting was to receive feedback on the training provided by LHRC in 2022, aimed at empowering women in the ward on Gender issues, Leadership, and Government-provided loans.

During the visit, LHRC successfully obtained feedback from the women of Tambani Ward. They had received education from the Women Councilors and managed to establish various businesses.

Adv. Getrude Dyabene, Senior Program Officer -Women, Children, and People with Disabilities LHRC, imparted knowledge and education to the women in the district on gender issues and identifying various forms of gender-based violence. Among various topics, she also encouraged them to utilize digital platforms, especially social media, to promote their businesses.





During a backstopping session, LHRC visited the offices of the Mkuranga District Council and met with the District Executive Director, Mr Waziri Khachi Kombo, to discuss various matters, including gender-based violence in the district.

LHRC visited the council's offices to obtain feedback on the training they provided in 2022 to empower the Women Councilors of Mkuranga District.

The District Director expressed gratitude to LHRC for the education they imparted to empower the Women Councilors of the district. He appreciated the training's impact in encouraging the Women Councilors to access loans, which has helped them improve their economic status within various groups and contribute to their surrounding community.



Also, during the backstopping session, LHRC visited the District Hospital of Kisarawe. The District Welfare Officer, Mwandili Rangi, provided a brief report on child abuse cases in the district. She reported that from June 2022 to July 2023, there were 19 cases of child abuse.

One of these cases involved rape, and the perpetrator was sentenced to 30 years in prison. The remaining 18 cases included instances of rape, sodomy, and one case related to theft.

She also noted, "Out of the 18 cases, 9 are still ongoing, and some have been dropped due to lack of evidence." This report was delivered to LHRC's Gender Desk Officer, Advocate Getrude Dyabene, MP Hawa Mchafu Chakoma, and the Women Councilors of the district.





On the 7th of August 2023, a significant event unfolded as the Minister of Constitution and Legal Affairs, Hon. Dr. Damas Ndumbaro, extended his esteemed presence through a courtesy visit to the LHRC Legal Aid Clinic in Kinondoni.

This visit marked an important step in fostering collaboration between governmental bodies and non-governmental organizations to ensure justice and legal assistance for all.

Upon his arrival, the Minister was warmly welcomed by the Executive Director of LHRC, Dr. Anna Henga. This meeting served as an opportunity for meaningful engagement, aligning the goals of the Ministry and LHRC in pursuing a fair and equitable legal system that upholds the rights of every citizen.



During his visit, the Minister embarked on a comprehensive tour of the various legal aid units within the clinic. He gained firsthand insights into the multifaceted challenges that the community faces and witnessed the tireless efforts of the clinic's dedicated professionals.

The tour included stops at the Civil Unit, where individuals seeking legal guidance and representation in civil matters find assistance. The Children's Rights and Family Unit was another point of interest, where the Minister gained an understanding of the clinic's commitment to safeguarding the rights and well-being of the most vulnerable members of society.



## LHRC gathers stakeholders to assess human rights situation in Tanzania

Legal and Human Rights Centre (LHRC) this month convened stakeholders to assess the status of human rights recommendations. The meeting attracted participants from the Government and non-governmental organisations who together assessed the human rights situation in Tanzania.

The meeting was part of the preparations for the submission of a mid-term report, which is expected to be presented at the United Nations Human Rights Council. As per the procedure, each member country of the United Nations reviews and commits to implementing the recommendations over four years.

The working session took place on August 7th and 8th, 2023, at the Morena Hotel in Morogoro.

Tanzania is expected to submit a report on the implementation of human rights recommendations in 2024 and 2026, which will be accompanied by a shadow report from non-governmental organisations.



## LHRC, TAS condemn exploitation of people with albinism

Legal and Human Rights Centre (LHRC), in partnership with the Tanzania Albinism Society (TAS), this month condemned the incident that occurred on August 6th, 2023, during Simba Day, which involved the exploitation of a person with albinism in a manner that resembled a semi-nude individual wearing a soiled diaper on stage in front of a crowd of thousands at the National Stadium.

During a press conference held at the LHRC headquarters in Kijitonyama, Godson Mollé, the national chairman of Tanzania Albinism Society (TAS), highlighted an incident reminiscent of one that occurred on August 8th, 2022, during Simba Day.

In both instances, a casket and a cross were employed to mock an individual with albinism, depicting them as a witch doctor. Such actions not only strip people with albinism of their dignity but also trigger extensive discussions within the community and on online platforms that perpetuate the mockery, contravening fundamental human rights principles.



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It's essential to recognise that for many years, there have been robust advocacy efforts aimed at safeguarding the rights of people with albinism in the country, primarily due to a history of immense suffering, loss of lives, acts of violence, and widespread stigma against this community.

Nevertheless, society often tends to perceive individuals with albinism through the lens of traditional stereotypes, often exacerbated by social media and mainstream media, thereby perpetuating these misconceptions.

Dr Anna Henga, the Executive Director of LHRC, urged all influential institutions in society, especially major football teams, to abstain from such actions and, instead, concentrate on fostering respect for the dignity of people with albinism in the country.

Dr Henga called upon the community, including individuals with albinism themselves, not to take such actions lightly but rather to vehemently denounce them. People with albinism are human beings like anyone else, and they have the inalienable right to be treated with dignity and respect.

Dr Henga also advised people with albinism not to allow themselves to be exploited, particularly in situations that degrade their dignity.

In numerous societies, individuals with albinism have been associated with negative customs and traditions that undermine their dignity. Consequently, these continued actions undermine the efforts of the government, advocacy organisations, and individual stakeholders to educate the community about albinism.

Article 12(2) of the Constitution of the United Republic of Tanzania (1977) states that every individual is entitled to recognition and respect for their dignity.

This provision aligns with Article 8 of the International Convention on the Rights of Persons with Disabilities, emphasising the need for community education on disability issues and government initiatives to combat discrimination, harassment, stigmatisation, stereotypes, and any actions that degrade the dignity of persons with disabilities, including people with albinism.

Similarly, the Persons with Disabilities Act of 2010 obliges everyone to ensure the protection of people with disabilities and to put an end to abuse and harassment.





## LHRC joins other actors in condemning arrest of human rights activists

Legal and Human Rights Centre (LHRC) Tanzania Human Rights Defenders Coalition (THRDC), Tanzania Constitution Forum (JUKATA), Tanganyika Law Society (TLS) jointly condemn the arrest of Advocate Boniface Mwabukusi together with human rights activists, Dr Willibrod Slaa and Mpaluka Said Nyagali.

Advocates for the accused informed the organisations that they are facing charges of treason and have been separately interrogated at police stations.

The police statement issued on August 12, 2023, explained that (Adv) Boniface Mwabukusi and Mpaluka Nyagali were arrested around 8:30 PM on August 12, 2023, in Morogoro, Mikumi.

The statement indicates that the suspects were involved in organising and spreading inciteful language. Dr. Slaa's lawyer also informed us that Dr. Slaa was arrested on August 13, 2023, and taken to Mbweni Police Station, then his home was searched.

Finally, he was taken to Oysterbay Police Station. While at the Oysterbay Police Station, Dr. Slaa was initially interrogated for incitement, but later, the charges were changed to treason, similar to what happened to Advocate Mwabukusi and Nyagali.

Based on the information from the Police Force and the statements from the suspects' lawyers, it is evident that the suspects were arrested on charges of incitement, but charges of treason were later added at the Police stations. This is contrary to international standards for the investigation of criminal offences.

Recently, Advocate Mwabukusi and other Human Rights Activists, including Advocate Peter Madeleka, who had their confession agreement annulled, have been engaging in various discussions, including speaking to the media about the port investment deal between the Government of the United Republic of Tanzania and the Emirate of Dubai.





They have highlighted several shortcomings in the agreement and provided advice to the Government.

LHRC and other organisations believe that Human Rights Defenders have the right to express their opinions on any matter within our country, including matters related to improving the port agreement, and they should not be subjected to threats or arrests for exercising their constitutionally guaranteed freedom, which is protected by international treaties that Tanzania has ratified.

It should be remembered that when His Excellency the President received the report of the Commission tasked with examining ways to improve the criminal justice institutions in the country, she emphasised that those who criticise with valid points should be included in the Planning Commission rather than being threatened or arrested.

The current actions not only contradict the intentions of the Honorable President to enhance the criminal justice system and build democracy in the country through the 'Four R' philosophy but also go against the Constitution of Tanzania and International Agreements that safeguard Human Rights.



*Advocate Paul Kisabo Program Officer (THRDC), LHRC Executive Director, Dr. Anna Henga, Dr. Ananilea Nkya Chairperson of Jukata .*



The image shows the exterior of a building with a large sign that reads "LEGAL AND HUMAN RIGHTS CENTRE" in blue and white letters. Below the main sign, there is a smaller sign that says "JUSTICE LUGAKINGIRA HOUSE". The text "LHRC raises concerns on govt plans to spend three years providing education on constitution" is overlaid in white on a dark blue background at the top of the image.

## LHRC raises concerns on govt plans to spend three years providing education on constitution

Legal and Human Rights Centre (LHRC), Human Rights Defenders Coalition (THRDC), and the Constitution Forum (JUKATA) issued a statement this month criticising the government's stance on the process of a new constitution.

This stance was articulated by the Minister of Constitution and Legal Affairs, Dr. Damas Ndumbaro, during a meeting with legal stakeholders, including retired ministers, held in Dar es Salaam on Monday, August 28, 2023.

Speaking to the press on August 29, 2023, at the LHRC headquarters in Kijitonyama, Dr. Anna Henga, the Executive Director of LHRC, Bob Wangwe, the Executive Director of the Constitution Forum (JUKATA), and Dr. Ananilea Nkya, the Chairperson of JUKATA, collectively issued a call to the government.

“We call for the Constitutional Amendments Act, the initiation of constitutional education, and a call to constitutional stakeholders,” the organisations said. “We urge various constitution stakeholders to recognise the importance of raising their voices to prevent this attempt to set us back from succeeding.”

The activists have urged the Government of Tanzania to suspend plans to commence a nationwide campaign to educate citizens on the current situation of 1977, citing that the move will delay the process of getting the new constitution.

They called on the government to give meaning to the constitution-making process, it is crucial to submit to the parliament a bill for the Constitution Amendment Act and the Referendum Act, for which constitutional stakeholders have largely attempted to draft model laws that will assist in the enactment of these laws.

“This will establish a timeline and guidelines for constitutional education, as well as the overall structure of the constitution-making process, leading to the adoption of a new constitution,” the organisations said.

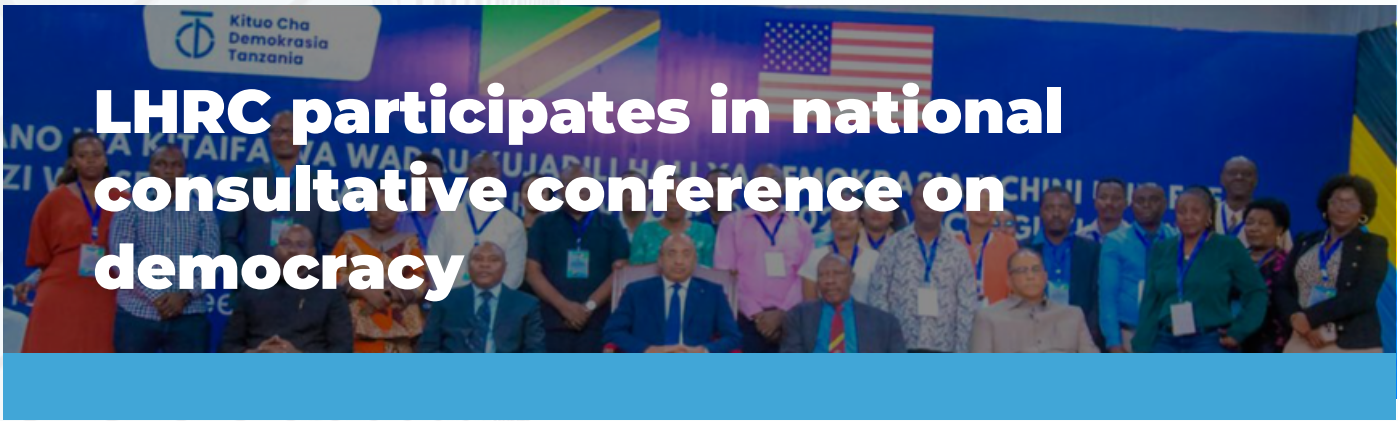


“This will provide the process with legal legitimacy and protection to ensure its effectiveness while increasing the public's confidence in the certainty of the process of obtaining a new constitution,” they added.



*This will establish a timeline and guidelines for constitutional education, as well as the overall structure of the constitution-making process, leading to the adoption of a new constitution,*





# LHRC participates in national consultative conference on democracy

On August 22, 2023, Dr. Anna Henga, the Executive Director of the Legal and Human Rights Centre, played a pivotal role in a National Conference focused on evaluating the state of democracy in Tanzania.

The conference was held at the Diamond Jubilee Hall in Dar es Salaam and spanned two days, drawing together approximately 150 stakeholders. It was organised by the Tanzanian Centre for Democracy (TCD) with the overarching objective of contributing to the enhancement of multiparty democracy within the country.

One of the central discussions led by Dr Anna Henga during this conference centred on the topic of improving the fairness of the forthcoming elections, including the 2024 Local Government, Village, and Ward elections and the 2025 General Election.



The discussions in her session likely revolved around identifying strategies and measures that could be implemented to ensure a transparent and equitable electoral process.

Additionally, an important highlight of the conference was Dr. Anna Henga's meeting with the Ambassador of Sweden to Tanzania, Hon. Charlotta Ozaki-Macias.

Their meeting occurred within the context of the National Stakeholders Conference, where they deliberated on the state of democracy in Tanzania in anticipation of the 2024-2025 elections. Such high-level engagements with international diplomats underscore the global interest in Tanzania's democratic progress.

The guest of honour during this notable conference, organised by TCD, was His Excellency Dr. Hussein Ali Mwinyi, the President of Zanzibar. His presence reflects the significance of the event and the government's commitment to fostering democracy in Tanzania.



# Our development partners



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