



SUMMARY OF THE TANZANIA HUMAN RIGHTS REPORT 2021

Calls for Reform of Criminal Justice
System to Safeguard Human Rights



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ABOUT LEGAL AND HUMAN RIGHTS CENTRE

Legal and Human Rights Centre is a private, autonomous, voluntary non-governmental, non-partisan and non-profit sharing organization envisioning a just and equitable society. It has a mission of empowering the people of Tanzania to promote, reinforce and safeguard human rights and good governance in the country. The broad objective is to

create legal and human rights awareness among the public and the underprivileged section of the society through legal and civic education, advocacy linked with legal aid provision, research and human rights monitoring. LHRC was established in 1995 and operates in Tanzania Mainland.



OVERVIEW

Major Developments in 2021

- Tanzania's first ever female President – a boost for women's political participation and representation in decision-making.
- President Samia's plea: speed up investigation of criminal cases to protect rights of accused persons.
- Calls for criminal justice reforms by senior government leaders, including the President, and other stakeholders to address challenges in the criminal justice system.
- Pregnant girls and young mothers finally allowed back to school following the Government's re-entry policy.
- Continued calls for death penalty to be abolished.
- Alarming rate of intimate partner violence and killings.
- Alarming rate of violence against children, including sexual violence and child trafficking.
- Amendments of Online Content Regulations and EPOCA Radio and Television Regulations.
- Appointment of 28 new Judges, including 7 Justices of Appeal, a new record.
- Calls for bail to be open for all offences, like in the neighbouring Kenya, but with the Judiciary given the final say on a case-by-case basis.
- Increased public and stakeholder concerns over lengthy pretrial detention.
- Calls for reform of the juvenile justice system.
- Development of the new National Anti-Trafficking in Persons Plan of Action 2021-2024
- Tanzania's human rights record examined for the third time by the UN Human Rights Council's Universal Periodic Review (UPR) mechanism.
- Appointment of women leaders in key cabinet positions.
- Launching of the National Accelerated Action and Investment Agenda for Adolescent Health and Wellbeing (2021/22- 2024/24)
- Adoption of the CHILD JUSTICE: THE SECOND FIVE-YEAR STRATEGY FOR PROGRESSIVE REFORM 2020/21 – 2024/25 by the Ministry of Constitutional and Legal Affairs in March 2021.
- Access to a healthy environment, declared a human right by UN Human Rights Council.



KEY HIGHLIGHTS IN 2021

1	Criminal justice	<ul style="list-style-type: none"> • Persons accused of crime may spend over 6 years in prison awaiting trial. • Incarcerated women are disproportionately affected by poor prison conditions. • Prior emotional, physical, and/or sexual abuse largely contributes to women's criminal behaviour. • True impact of female detention is felt by children who are imprisoned with their mothers, or who remain alone on the outside.
2	IPV Killings	<ul style="list-style-type: none"> • Women constitute the overwhelming majority of IPV killing victims. • Nearly 9 out of 10 people killed due to IPV were women.
3	Covid19 Impact	<ul style="list-style-type: none"> • Covid19 had a huge impact on realization of human rights in 2021, especially social and economic rights. • Overall, women and children were affected the most.
4	Will	<ul style="list-style-type: none"> • Only 1 out of 10 Tanzanians has written a will. • Most people, especially in rural and semi-urban areas, believe writing a will means inviting death (superstitious).
5	Press freedom	<ul style="list-style-type: none"> • Tanzania maintained its 124th rank in the World Press Freedom Index 2021, having fallen 31 places from 2018 to 2020.



6	Human trafficking	<ul style="list-style-type: none"> • Women and girls are the major victims of human trafficking in Tanzania. • In Sub-Saharan Africa, including Tanzania, children have been trafficked to work on plantations, in mines and quarries, on farms, as vendors in markets and on the streets. • Female victims trafficked for domestic servitude suffer extreme harm.
7	Widows' rights	<ul style="list-style-type: none"> • Forced eviction and property grabbing is a serious concern for widows and their children. • Legal reforms are needed to safeguard their property and inheritance rights.
8	Violence against the elderly	<ul style="list-style-type: none"> • Older people are becoming increasingly at risk of violence/ attack by their own children, especially sons, over property inheritance. • Majority of the people killed over witchcraft suspicion are older people, especially older women.
9	Mental health	<ul style="list-style-type: none"> • Mental health has become a serious issue in Tanzania, and contributes to suicide. • Youth constitute the majority of suicide victims (42%). • 4 out of 10 people who committed suicide in 2021 were youth (15-35 years of age).
10	Violence against Children (VAC)	<ul style="list-style-type: none"> • 89% of VAC incidents reported by media were sexual VAC. • Burning hands is becoming the preferred method of punishing children by parents/guardians.



5 MOST VIOLATED HUMAN RIGHTS IN 2021

01

Right to Life

(Mob violence; Witchcraft-motivated killings; Disappearances; IPV killings)

02

Freedom from Violence

(Violence against children & women; violence against PWDs & older people)

03

Right to Equality before the Law

(Lengthy pre-trial detention; Barriers to access to justice e.g. corruption)

04

Right to Liberty & Personal Security

(Lengthy pre-trial detention; Denial of bail; Violence against women & children; Arbitrary arrests & detentions; Trumped-up charges)

05

Freedom of Expression

(Arbitrary arrests & detentions; Harassment of journalists; Laws & regulations with restrictive provisions)



REPORT OBJECTIVES AND METHODOLOGY

OBJECTIVES

Human rights education

What does a specific human right entail? What legal framework governs it? Why is the right important?

Reminder

What area of human rights needs strengthening?

Evidence-based advocacy

what needs to change and why?

Positive action

what action has improved human rights?

Negative action

what action has infringed human rights?

Bill and law analysis

what has changed following enactment or amendment of a law or regulations? What impact will it have on human rights?

Recommendations

what can be done to improve or safeguard human rights?

Inform

inform you about human rights and legal issues so that you take precautions.

Show trends

what was the situation like in previous years?

Guide/inform Interventions

useful as a starting point in planning interventions.

Educate

about human rights; about domestic, regional and international human rights instruments; about legal issues; about legal and human rights developments.



METHODOLOGY

Information and data used to prepare this report was obtained from primary and secondary sources. Primary data was mainly obtained through human rights survey, conducted in 20 regions across Tanzania Mainland; LHRC's engagement with beneficiaries of its programmes; and human rights monitoring. Secondary data was

obtained through review of various credible sources, including reports and statements by government and non-government actors. LHRC's media survey also provided an important data source for this report, enabling triangulation of data, and laying a foundation for further research.



ABOUT THE REPORT

Tanzania Human Rights Report 2021 is the 20th human rights report to be produced by LHRC since 2002. This year's report covers both Tanzania Mainland and Zanzibar, whereby Part I covers the former and Part II covers the latter. The report assesses the situation

of human rights in Tanzania in line with international human rights standards and covers all three generations of human rights, namely: civil and political rights; economic, social, and cultural rights; and collective rights.

CHAPTER 1:

Introduction

Provides a short introduction to Tanzania, constitutional and human rights developments, and government structure.

CHAPTER 2:

Civil & Political Rights

Covers situation of key civil and political rights, including freedoms of association, assembly and expression; rights to equality before the law and effective remedy; and right to life.

CHAPTER 3:

Economic, Social, and Cultural Rights

Covers economic, social and cultural rights, including right to work, right to education, right to health, right to water, and right to property.

CHAPTER 4:

Collective Rights

Looks at and discusses realisation of right to development, right to benefit from natural resources, and right to a clean and healthy environment.

CHAPTER 5:

Rights of Vulnerable Groups

Covers rights of women, children, PWDs, the elderly, PLHIVs, youth, and refugees.

CHAPTER 6:

Human Rights Mechanisms

Looks at human rights mechanisms at domestic, regional, and international levels and discusses their role in human rights protection.

CHAPTER 7:

Implementation of Previous Recommendations

Assesses the status of implementation of the recommendations made in the previous human rights reports.

CHAPTER 8:

Conclusion & Recommendations

Provides general conclusion and recommendations to enhance promotion and protection of human rights in Tanzania.





01

CHAPTER ONE:
INTRODUCTION

CHAPTER ONE: INTRODUCTION

1.1. History

Before being subjected to German and British colonial rules in 19th Century, Tanganyika (now called Tanzania Mainland) was inhabited by the Bantu-speaking natives. By then, these natives had interacted and were living with traders from Asia and the Arab world. By 15th Century, the Portuguese had also entered the land of Tanganyika; and it was during this period of interaction with the Arabs and the Portuguese that slave trade intensified. In 1880s, there was a conference in Berlin-Germany, popularly known as the Berlin Conference, during which major European powers (countries) scrambled for and partitioned Africa, formalizing the process of colonizing the continent. During the conference, Germany was awarded different parts of East Africa, including Tanganyika. However, after the Second World War, Germany lost the Tanganyika territory, which was placed under the British colonial rule until it gained independence

in 1961. During the colonial rules, especially the German colonial rule, different local chiefdoms rebelled against the oppressive colonial administration, **which massively violated the natives' human rights**. Among the local chiefs who led the uprisings include Chief Mirambo of the Nyamwezi, Chief Meli of the Chagga and Chief Abushiri of Pangani. The most popular uprising was that of 1905 against the German colonial administration, popularly known as the Majimaji Uprising, led by a traditional and spiritual leader called Kinjekitile Ngwale, who was believed to possess powers of turning bullets into water, hence the term 'Majimaji' (maji is a Swahili word for water). Independence struggles were led by a political party that was called the Tanganyika African National Union (TANU), born in 1954. Before 1954, TANU was known as the Tanganyika African Association (TAA), a political association established in 1929. TANU was led by Julius Kambage Nyerere (the father of the nation), who led



his party and Tangayika to independence in 1961, becoming independent Tangayika's first Prime Minister under the **Independence Constitution**. In 1962, Tanganyika became a republic, with Nyerere as its first President under the **Republican Constitution**, which declared him as the Head of State, Head of Government, Commander in Chief of the Army and part of the Parliament. In 1964, Tanganyika merged with the neighbouring Zanzibar to form Tanzania. Zanzibar had gained independence from Britain in 1963 and overthrown the Sultan of Zanzibar (from Oman) in January 1964. The third constitution, **the Union Constitution**, was adopted, introducing a two-government system under TANU (Tanzania Mainland) and Afro-Shirazi Party (ASP). In 1965, the Interim Constitution was adopted, re-introducing a one-party state system. This Constitution was enacted by an ordinary Act of Parliament, contrary to principles of constitutionalism and people participation. In 1977, TANU and ASP merged to form Chama cha Mapinduzi (CCM), which adopted the Permanent Constitution of the United Republic of Tanzania 1997, which is used to date. This Constitution has been amended at least fourteen times. One of the major constitutional amendments was that of 1992, which re-introduced multi-party system. Previously, in 1984, there had

been another major amendment of the Constitution, which incorporated the Bill of Rights in the Constitution. Before that, since Tanganyika gained independence and later merged with Zanzibar, human rights were not seen as a priority or important in the Constitution, although Tanzania had already signed and ratified some of the international human rights conventions.

1.2. Geography

Tanzania is located in East Africa between Latitudes 10 and 120 South and Longitude 290 and 410 East. It borders the Indian Ocean to the East and is also bordered by the States of Kenya, Uganda, Rwanda, Burundi, Malawi and Zambia in other cardinal directions. Tanzania is the largest country in East Africa and has Mount Kilimanjaro, the highest in Africa and third highest in the world. Tanzania is blessed with abundant natural resources, including striking green vegetation, rift valleys, lakes, rivers and national parks. Lakes found in Tanzania include Lake Victoria - the biggest in Africa and Lake Tanganyika - the deepest in Africa. National parks include Serengeti, Mikumi, Manyara, Ngorongoro and Katavi.

1.3. Population

Tanzanian population continues to grow each year. According to the 2012 population



census, Tanzania has **43,625,354** in Mainland Tanzania and **1,303,569** in Zanzibar. Women account for majority of the population (**51.3%**) while men constitute **48.7%**. By 2016, population projections indicated that the Tanzania population had reached **50,144,175**, with **24,412,889** males and **25,731,286** females. Majority of the population lives in rural areas..

1.4. State Organs and their role in human rights protection

There are three state organs in Tanzania, namely: the Executive, the Parliament and the Judiciary. These organs are established in and given different powers by the Constitution of the United Republic of Tanzania of 1977.

A. Executive

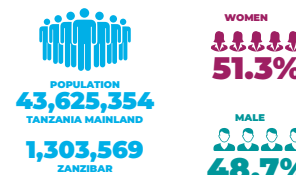
The Executive includes the President – who is the Head of State, Head of Government and Commander-in-Chief of the Armed Forces – and the cabinet. The cabinet consists of the Vice-President, Prime Minister, President of Zanzibar and all ministers. The cabinet is chaired by the President. The Vice-President assists the President with all union matters. Zanzibar has its own government and President under the two-government system that is in place in Tanzania. Zanzibar has authority over all non-union matters as indicated in the Constitution of the United Republic of Tanzania of 1977.

Role in human rights protection: Implementing obligations under various ratified treaties; obligation to defend the Constitution, including the Bill of Rights; ensure progressive realization of economic, social and cultural rights by providing social services such as water, health and education;

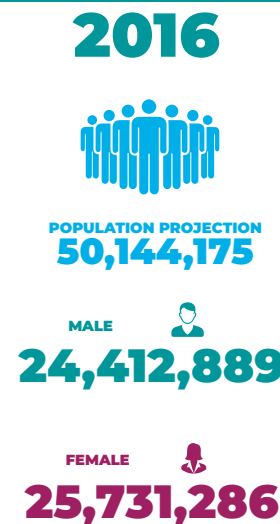
POPULATION IN TANZANIA



CENSUS 2012



CENSUS 2016



safeguard the right to liberty and personal security through its organs, including law enforcement organs; provide legal and human rights protection through the Tanzania Police Force, the Commission for Human Rights and Good Governance, and sectoral ministries.

B. Parliament

The Parliament of the United Republic of Tanzania is the main law-making body in Tanzania, consisting of elected and appointed members of parliament (MPs) from the ruling party (CCM) and opposition parties. The President is part of the Parliament, according to the Constitution. The Parliament is vested with powers of overseeing and advising the Executive/ Government and its institutions or agencies. Zanzibar has its own legislative body, called the House of Representatives, which also

Presidents of the United Republic of Tanzania

Mw. Julius Kambarage Nyerere: 1964-1985

Ali Hassan Mwinyi: 1985-1995

Benjamin William Mkapa: 1995-2005

Jakaya Mrisho Kikwete: 2005-2015

John Pombe Magufuli: 2015- 2021

Samia Suluhu Hassan – 2021 to date

oversees and advises the Revolutionary Government of Zanzibar.

Role in human rights protection:

Enactment of laws to protect rights; ratification and domestication of regional and international human rights conventions; government watchdog in line with the principle of separation of powers; advise the Government on various issues, including those touching on human rights; debate human rights issues and bring them to the political agenda.

C. Judiciary

The Judiciary is the principal organ charged with dispensation of justice in Tanzania. It consists of different courts with varying jurisdictional powers. The highest court is the Court of Appeal, which is presided by Justices of Appeal (judges), who entertain all appeal cases. The second highest court is the High Court, presided by Judges. These first two courts are called higher courts. Lower courts are Resident Magistrates Courts; District Courts; and Primary Courts – which are the lowest courts. All lower courts are presided over by Magistrates. The High Court has several divisions, including Land, Commercial, Labour and the Economic, Corruption and Organised Crime Division, which was established in 2016. All judges are appointed by the



President after consulting the Judicial Services Commission, while magistrates are directly appointed by the Commission. There is also the Constitutional Court, which has mandate to exercise jurisdiction over all cases relating to the Constitution of the United Republic of Tanzania.

Furthermore, there are military courts, which are governed by military laws and have jurisdiction over military officers.

The Court of Appeal also has powers to entertain some of the appeal cases from Zanzibar – which has its own court system consisting of the High Court of Zanzibar, Resident Magistrates Courts, District Courts and Primary Courts. Zanzibar also has Kadhi Court of Appeal and Kadhi Court, specific for Muslims.

Role in human rights protection; Taking legal action against perpetrators of human rights violations; implement the law; determine human rights cases through the Basic Rights and Duties Enforcement Act; conduct judicial review; enhance access to justice; enhance procedural safeguards; and develop case law and human rights jurisprudence.

Overview of Human Rights Situation in 2021

Based on the assessment of human rights issues vis-à-vis international human rights

standards, the overall situation of human rights in Tanzania slightly deteriorated in 2021 compared to the previous year of 2020. This was mainly contributed by violations of civil and political rights and rights of vulnerable groups. Like it was the case in the previous report, majority of the reported human rights violations were violations of civil and political rights.

Regions where most human rights issues and incidents were reported included: Arusha, Dar es Salaam, Dodoma, Tanga, Katavi, Shinyanga, Mwanza, Morogoro, Mara, and Mbeya. Major human rights issues for these regions included gender-based violence (GBV), violence against children (VAC), child labour & exploitation, and right to life violations.

Other key human rights issues and violations across Tanzania Mainland for the year 2021 included violations of rights of journalists, mob violence, witchcraft-motivated killings, IPV violence and killings, violations of fair trial rights (especially lengthy pre-trial detention), human and child trafficking, child neglect, child labour and exploitation, FGM, and violations of property and inheritance rights of women (including widows).





02

CHAPTER TWO:
**CIVIL & POLITICAL
RIGHTS**

CHAPTER TWO: CIVIL AND POLITICAL RIGHTS

Introduction

This chapter discusses the situation of civil and political rights in Tanzania Mainland in 2021, looking at violations, issues, and positive developments. The focus is on the Right to Life, Freedom of Expression, Right to Equality before the Law and Effective Remedy, Right to Liberty and Personal Security, Freedoms of Assembly and Association, Freedom from Violence, Right to Take Part in Governance, and Freedom from Torture and Inhuman or Degrading Treatment. These rights are protected under various regional and international human rights conventions, including the International Covenant on Civil and Political Rights (ICCPR) of 1966 and the African Charter on Human and Peoples' Rights (ACHPR) of 1981.

95%



Over 95% of incidents of mob violence and killings occur in Tanzania Mainland.

In 2021, the situation of civil and political rights slightly deteriorated compared to the year 2020. Several contributing factors are discussed in this report, key among them right to life violations, laws and regulations containing restrictive provisions, and barriers to access to justice and criminal justice, for both men and women.

2.1. Right to Life

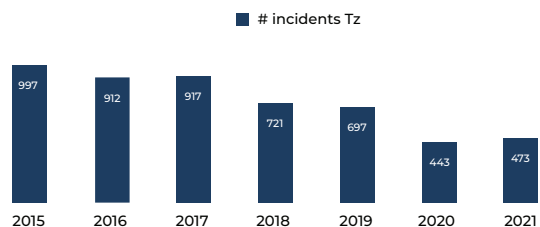
In 2021, mob violence/justice, witchcraft-motivated killings, extrajudicial killings, and intimate partner (IPV) killings continued to violate or threaten the right to life, although trends show a slight decrease in reported incidents. Other concerns for the right to life in 2021 included imposition of death penalty and violence against persons with albinism.

Mob violence/justice:

Mob violence was responsible for **239** deaths in the period of January to August 2021 alone. By December, the number had

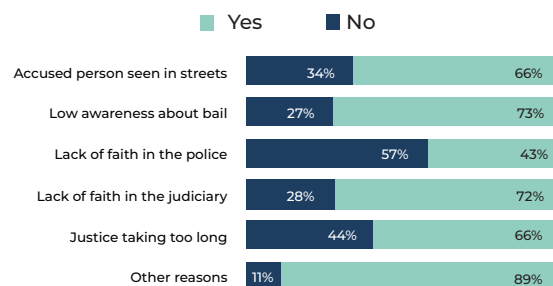


risen to **473**, increasing by **30** incidents (**6.8%**) compared to the year **2020**.



#Mob violence killings in Tanzania, 2015 to 2021

Majority of community members who responded to LHRC’s human rights survey said mob violence is a moderate (**49%**) and a serious (**23%**) problem in their community. Regarding reasons for mob violence, lack of faith in the police (**57%**) was cited as the biggest reason. Other factors include justice taking too long; accused person being seen roaming the streets; lack of faith in courts; and low awareness about bail. LHRC documented a total of **22** incidents of mob violence, the same number as in the year 2020. These incidents were reported in Mwanza, Pwani, Rukwa, Lindi, Songwe, Katavi, Njombe, Morogoro, Manyara, Rukwa, Dodoma, Dar es Salaam, Shinyanga, and Tanga Regions.



%Responses on reasons for mob violence (N=1,092)

Source: Field data, 2021

“The people who steal from us are the people we know, we live with them in our streets, we have grown together. So, we try to follow the law and take them to the police station, but in just a couple of days you see them again on the streets picking up where they left off. Therefore, when they continue stealing, the only thing that is left is to deal with them (kill them).”

Adult male, Dar es Salaam

“.....there are too many thieves in our village and too many petty crimes. Every time they get arrested their families bribe the police officers and get them released back to the streets. We have burnt to death two thieves as a lesson for others.”

Adult male, Pwani

LHRC’s View & Call: People resorting to mob violence is mainly driven by lack of



faith in the criminal justice system. In this regard, it is important to make relevant criminal justice reforms to restore their faith. Awareness-raising on criminal justice and rights of an accused person will also help to change the negative perceptions or mindsets of community members. Members of the public need to refrain from mob violence and let the criminal justice system take its course. Awareness on the relevant criminal justice laws and regulations, as well as the dangers/impact of this practice needs to be enhanced, and this sort of behaviour must be discouraged.

Extrajudicial killings and violence against law enforcement officers

In 2021, LHRC also documented nine reported incidents of extrajudicial killings, majority of them committed by members of local law enforcement groups (Sungusungu), especially in Dar es Salaam. These incidents are five more than those reported and documented by LHRC in 2020. LHRC also documented at least four incidents of violence against law enforcement officers, including the killings of at least four police officers and attack of one, reported in Dar es Salaam and Arusha Regions.

“The local law enforcement groups (sungusungu) have been implicated in various incidents of

mob justice, especially in Mabibo, Magomeni, Tandale (Kwa Mtogole), and Manzese areas. They usually beat accused persons to death.”

Adult female, Dar es Salaam

LHRC’s call: Law enforcement officers, including police officers, to refrain from using excessive force when apprehending criminal suspects and when such suspects are under their custody, in line with domestic and international standards, including Tanzania Police General Orders and the United Nations Code of Conduct for Law Enforcement Officials. A police oversight body is also desirable to investigate incidents or allegations of extrajudicial killings.

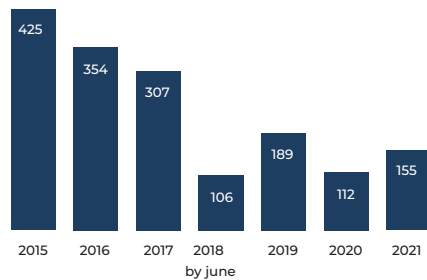
LHRC’s call: Community members must refrain from attacking law enforcement officers, as this behaviour is illegal and violates their rights as human beings.

Witchcraft-motivated killings and violence against PWAs

Witchcraft-motivated killings continued to be a human rights concern in 2021, especially for the older people. In the period of January to August 2021, the police recorded a total of 84 people killed over witchcraft-suspicion. By December 2021, the number of reported incidents stood at 155, equal to an increase of 43 incidents (38.4%) compared to the year 2020.



■ #Incidents of witchcraft suspicion killings, 2014- 2018



#Incidents of witchcraft-suspicion killings recorded by police – 2015 to 2021

Source: Tanzania Police Force Data

Majority of the people killed over witchcraft suspicion are older persons

Through human rights monitoring and media survey, LHRC documented at least 36 reported incidents of witchcraft-motivated killings in 2021, having documented 15 incidents in 2020. These incidents were reported in Dodoma, Kagera, Mbeya, Arusha, Katavi, Tabora, Songwe, Njombe, Kigoma, Rukwa, Manyara, and Shinyanga Regions. 20 of the 36 victims (55%) were women, majority of them aged above 50 years old.

While the situation had significantly improved in the period of 2015 to 2020, with no reported killings during this time, in 2021 killing of persons with albinism (PWAs) re-emerged, as a child with albinism, aged around 4 to 7 years, was found brutally killed and his body violently mutilated in Uyui District, Tabora Region. LHRC also documented one incident of vandalism of PWA grave.

LHRC's View: The incident of brutal killing of a boy with albinism in Tabora is particularly alarming as there has not been a killing of this type reported in Tanzania since 2015. This represents a setback in terms of promotion and protection of rights of PWAs.

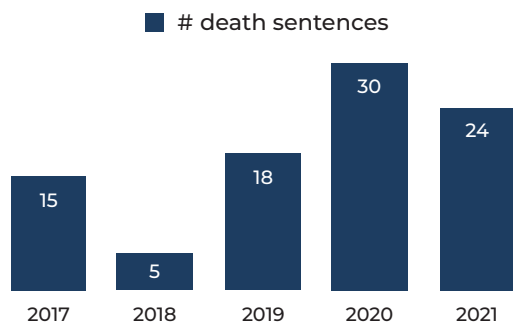
LHRC's Call: Renewed collaborative efforts are needed to protect PWAs in Tanzania. The national human rights institution (CHRAGG), should lead these efforts as it did in the past, bringing together both government and non-government actors to address violence and killings of PWAs in Tanzania.

Death penalty

Death penalty continues to be imposed as punishment in Tanzania, despite the three previous Presidents refusing to execute



death row inmates. In 2021, LHRC documented 24 death sentences, imposed by courts in Mara, Geita, Iringa, Njombe, Mbeya, and Kigoma Regions, which are 6 fewer than those documented in 2020.



#Death sentences documented by LHRC – 2017 to 2021 Source: Field data, 2021

LHRC's view: Death penalty violates the right to life and amounts to a cruel, degrading and inhuman punishment under the Convention against Torture (CAT). Imposition of this kind of punishment has not made much impact in terms of deterrence of crime, which is why there is a global movement towards the abolition of the death penalty. There have also been cases in various parts of the world whereby death row inmates were executed only to be determined later that they were wrongly convicted, but then the execution cannot

be reversed.

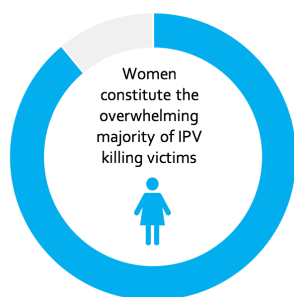
LHRC's Call: Being an abolitionist state in practice, Tanzania should join a global movement against death penalty and abolish it altogether. Only about 53 countries in the world have retained death penalty and execute death row inmates, while 29 are abolitionist in practice, including Tanzania. Neighbouring countries like Rwanda and Mozambique are among the over 106 countries in the world that have abolished death penalty, and Tanzania can take a step further and do the same. In July 2021, Sierra Leone made history by becoming the 110th country in the world to abolish the death penalty for all crimes, through the unanimous passing of the Abolition of the Death Penalty Act 2021 in Parliament. It becomes the latest African country to abolish death penalty after our neighbours Malawi in April 2021.

Intimate Partner Violence (IPV) & killings

Intimate partner violence (IPV) and killings increased in 2021, with women constituting the overwhelming majority of victims killed by their partners. A total of 35 incidents were documented by LHRC in 2021, increasing from 32 in 2020. The incidents were reported in 16 regions of Tanzania Mainland and women constituted 89% of



the victims. Jealousy continued to be the main driving factor, with 72% of the victims attacked and killed because of jealousy. Majority of the respondents of the human rights survey, over a third (37%), said IPV and killings due to jealousy are a moderate problem in their community.



Women victims of IPV Killings

“In Masasi, there have been at least three incidents of women who were raped and killed by their intimate partners in the period of 2020/21 and the cases were filed in court, although the men (suspects) fled.”

Adult male, Masasi - Mtwara

“..jealousy is the leading cause of domestic/intimate partner killing...the Kurya men are very jealous with their lovers and if they suspect that they are cheating on them beating them to death is normal..”

Adult male, Mara

LHRC’s View: Since 2019, cases of women killed by their intimate partners have been increasing, and there are fears that there could be more unreported cases or cases of such crimes which have not been categorized as femicide. An increase of such incidents is a worrying sign in terms of protecting women’s right to life, right to health, and right to personal security. This solidifies the findings of the United Nations Office on Drugs and Crime (UNODC) in their global study on homicide report, released in 2018, which concluded that home is the most dangerous place for women, with the majority of female homicide victims worldwide killed by partners or family.

LHRC’s Call: All stakeholders, both government and non-government, need to come together and devise strategies to enhance protection of women from intimate partner violence and domestic violence. Enactment of a GBV or domestic violence law to enhance protection for survivors and potential survivors would be a good point, since it has been established most of the violence occurs at home. Another strategy would be conducting awareness-raising and education campaigns on intimate partner violence and impact of such violence at personal/individual, family, community, and national levels.



Disappearances

Disappearances were also a key right to life issue in 2021. LHRC documented at least 12 cases of people reportedly taken away by unknown people and disappeared in 2021. These cases were reported in Lindi and Dar es Salaam Regions. All of the victims were male. Several cases of disappearances remain pending, with no definitive answers provided yet by the authorities, including that of Azory Gwanda, Ben Saanane, and Simon Kanguye.

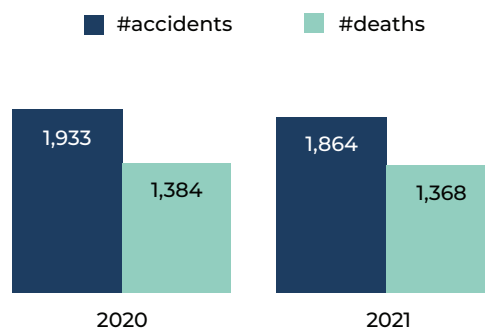
LHRC's View: The disappearances of people and lack of regular updates on their whereabouts or what might have happened to them constitutes a breach of a duty of the Government to carry out an effective official investigation when individuals have been killed or 'disappeared.'

LHRC's Call: The Government and the Tanzania Police Force to step up investigations into the disappearances of Azory Gwanda, Ben Saanane and other missing persons and provide regular updates. This shall help the families of the victims to get the much-needed closure and pave way for legal action against the perpetrators of the abductions. We also advise the President of the United Republic of Tanzania to form a commission of

inquiry and, where appropriate, seek help from jurisdictions/organs/agencies with good records in criminal investigation, particularly on the issue of disappearances.

Road accidents

Road accidents and resulting deaths continued to decrease in 2021, largely due to efforts of the traffic police. Road accidents declined from 10,297 incidents in 2016 to 2,924 in 2019. In 2020, the Tanzania Police Force reported a total of 1,933 road accidents, which resulted into 1,384 deaths, while in 2021, the number of road accidents decreased to 1,864 (3.6%) and resulting deaths also decreased to 1,368 (1.2%).



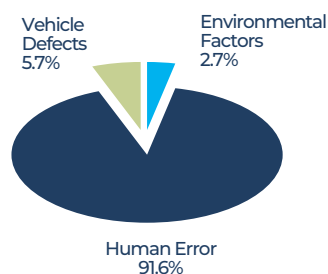
#Road accidents and resulting deaths in Tanzania, 2015 to 2021

Majority of road accidents (91.6%) are caused by human error, and among such



accidents, the majority of them (34.89%) are caused by driver negligence, followed by negligence of bodaboda drivers (17.91%), and driving too fast/over speeding (15.87%).

Causes of road accidents - 2020



%Causes of road accidents in Tanzania Mainland, 2020

Source: Police & NBS statistics, 2020

LHRC's View: While the number of road accidents and the resulting deaths have been on the decline since 2016, the death toll is still high and has a huge impact on the community and the national economy. Drivers of lorries/trucks and passenger buses which travel to different parts of Tanzania Mainland have usually been implicated in contributing to road accidents. Being overworked and given

tight deadlines, hence deprived of much-needed rest, contributes to the accidents, as they drive while being nearly asleep.

LHRC's Call: The Police Force and other stakeholders such as road agencies to intensify efforts to ensure road safety and prevent road accidents. Proper implementation of road use and safety laws, including the Road Traffic Act, is important in preventing and further reducing road accidents in Tanzania. Owners of transportation vehicles should also be encouraged and required to refrain from putting unnecessary pressure on bus and lorry drivers, and community members must be encouraged and reminded from time to time to abide by the road use laws and regulations and refrain from practices and behaviour that cause road accidents, such as drink-driving, speeding, reckless overtaking and not wearing a seat belt.

2.2. Freedom of Expression

Very little change was evident in promotion and enjoyment of freedom of expression, especially press freedom, as Tanzania maintained its 124th rank that it scored in 2020 in the World Press Freedom Index 2021. Key concerns for press freedom in 2021 included laws and regulations containing restrictive provisions, which



are arbitrary and not in conformity with international human rights standards; arbitrary arrest, intimidation, and detention; and access to information. Freedom of expression laws which contain restrictive provisions include the Media Services Act of 2016, the Cybercrimes Act of 2015, and the Electronic and Postal Communications (Online Content) Regulations of 2020.

In 2021, LHRC documented a total of seven incidents of arbitrary arrests and detention of journalists, reported in Dar es Salaam, Mwanza, Kilimanjaro, and Katavi Regions. Journalists who were engaged by LHRC as respondents of the human rights survey indicated that they face various challenges in carrying out their duties, including low awareness about media laws and regulations, whereby LHRC observed that half of the respondents (50%) could not correctly mention at least three media laws. Half of the respondents also cited restrictive laws and regulations as a serious problem in their current working environment, while nearly a half (48) also mentioned taking away or destruction of their equipment as a moderate problem. Press freedom (77%), right to information (68%) and freedom of opinion (64%) were mentioned as the top three most violated rights of journalists. On a positive note, in 2021 H.E President

Samia Suluhu Hassan directed the government authorities to lift bans on some of the media outlets which had been suspended in previous year(s). There were also positive amendments of the Online Content Regulations 2020 and EPOCA Radio and Television Regulations, although for the former, most other key human rights concerns remain unaddressed.

2.3. Freedoms of Assembly and Association

Several laws continue to be a thorn on freedoms of assembly and association in Tanzania, including the Political Parties Act, as amended in 2019, and the Basic Rights and Duties Enforcement Act (BRADEA), which was amended in 2020. As a result, the situation of these fundamental freedoms slightly deteriorated in 2021, considering also the ban on political rallies outside one's constituency that was imposed in 2016, which is yet to be officially lifted.

In 2021, LHRC also documented at least three incidents of arbitrary interference with the freedoms of assembly and association of political parties, all involving CHADEMA, the main opposition party in Tanzania. These incidents were reported in Dar es Salaam, Iringa, and Mara Regions.



2.4. Rights to Equality before the Law and Effective Remedy

Despite progress made by the Government and the Judiciary to promote and protect the rights to equality before the law and effective remedy, several challenges persist. In 2021, key issues affecting rights to equality before the law and effective remedy included: laws that hinder effective enjoyment of the right to equality before the law; barriers to access to justice, including shortage of judicial staff, delays in investigations, and duration of cases; and criminal justice challenges, including lengthy detention of remandees in prisons, investigations and adjournment of cases, prison and police cell overcrowding, plea bargaining, prompt presentation of accused persons in court, rights of prisoners and remandees, non-bailable offences, and videoconferencing in criminal proceedings vis-à-vis the right to fair trial.

Amendment of BRADEA in June 2020 was met with criticism within and beyond Tanzania for failure to meet international human rights standards. In 2021, the effects of the amendment continued to be felt in terms of access to justice, as the law prevented CSOs from filing cases on behalf of victims of human rights violations, limiting their role of promoting and enhancing protection of human rights.

Action to promote access to justice

In terms of access to justice, in 2021, the Government and the Judiciary continued to take various measures to improve access to justice, including construction and renovation of court buildings, appointment of new Judges and Justices, use of ICT to enhance access to justice, and implementation and proposed expansion of the mobile courts programme.

In February 2021, the Parliament of Tanzania passed a bill for amendment of laws to introduce Swahili as the official language of the court and laws, which became law in April 2021, when the President assent to it. Community members and legal professionals who responded to the survey had mixed views on this decision.

“In my opinion, we should not change anything. Let’s continue using English as the Swahili Language has difficult vocabularies. It will be very difficult to get a proper Swahili word for every legal term.”

Lawyer, Mara

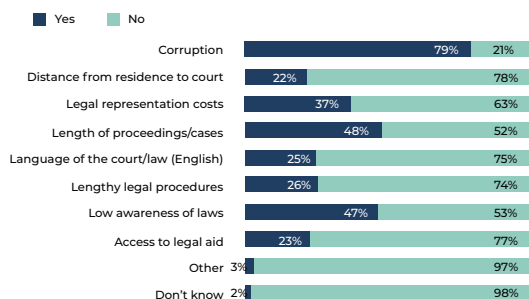
“It is a positive step on the part of the Government, which shall enable many people to understand laws and how they are applied.”

Resident Magistrate, Mwanza

Barriers to access to justice



Several barriers to access to justice persist, as identified by community members who responded to LHRC’s Human Rights Survey 2021. Corruption was mentioned as the biggest barrier, with 79%, followed by duration or length of proceedings/cases in courts of law (48%), low awareness of laws among citizens (47%), and legal representation costs (37%). Lengthy legal procedures (cumbersome procedures) and language of the court/law (English) were also mentioned as barriers by a quarter of the respondents. Nearly two thirds of the respondents (62%) said shortage of judicial staff is a problem in their community in terms of access to justice. Currently, the Judiciary is faced with a shortage of 4,728 workers (46%), which has affected timely administration of justice. Despite the good work done by stakeholders, including paralegal centres, access to legal aid also remains limited in some rural areas (remote). This was mentioned as a barrier to access to justice by 23% of the respondents.



%Responses on barriers to access to justice



“Corruption is very prevalent in rural areas... for instance, one may be asked to pay Tshs. 100,000 to file a case...this is especially an issue in primary and district courts.”

CBO officer, Geita

Some of the interviewed respondents, especially lawyers, said that corruption in the lower courts, Primary and District Courts, is contributed by poor working environment for magistrates, including low wages and non-payment of allowance.

Criminal justice challenges

In criminal justice, lengthy pre-trial detention was mentioned as the biggest challenge facing remandees. In August 2021, H.E. President Samia Suluhu Hassan noted 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. Majority of the respondents of the Human Rights Survey 2021, including community members, lawyers, and NGO officials, pointed out that lengthy pre-trial detention of remandees is a serious challenge in Tanzania, contributing to prison overcrowding and violation of fundamental rights of accused persons. In 2021, LHRC documented at least 11 cases of people who are in prison for up to 6 to 12 years awaiting trial/hearing before the court.

Through social media monitoring, LHRC also monitored and documented additional eight cases/allegations of lengthy pre-trial detention, which has largely contributed to prison overcrowding in Tanzania.

19 Cases of lengthy pre-trial detention documented by LHRC in 2021.

“Most prisons are full, not because there are many prisoners but because there are many remandees who are mixed with and treated as prisoners. Most of them have been detained to pave way for investigations, while investigations should be completed first before they are detained. There are also petty crimes for which non-custodial sentences would be best suited, but petty offenders are also languishing in jail. This has largely contributed to prison overcrowding.”

Advocate, Morogoro

The poor and the marginalized, including women and children, are disproportionately affected by excessive pretrial detention

Pre-trial detention undermines the chance of a fair trial and the presumption of innocence.

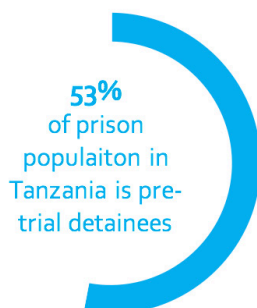
It also puts remandees at a greater the risk of coercion through torture or ill-treatment and poor legal representation, especially where the accused person is poor. Socio-economic impact of excessive pre-trial detention includes loss of a breadwinner or caretaker, family disruption or break up, loss of livelihood and home, loss of social security contributions, education interruption, stigma, depression, and long-term unemployment or underemployment. For the community and State, negative effects include undermining of the rule of law, furthering corruption, lost human potential, overcrowding of detention facilities, and loss of faith in the justice system.

Other challenges in the criminal justice system identified in 2021 include: delays in investigations and constant adjournment of cases; overcrowding in detention facilities; misuse of and loopholes in plea-bargaining; delays in taking accused persons to court; violations of rights of prisoners and remandees; lack of dedicated interventions and adequate resources for social re-integration of ex-offenders and remandees; and denial of bail for non-bailable offences. Currently, 53% of prison population in Tanzania is pre-trial detainees.



“Prisoners and remandees do not effectively enjoy their fundamental rights such as right to privacy and intimacy with their partners, right to good/quality food, right to health, right to adequate standard of living, and freedom from violence.”

Advocate, Dar es Salaam



Plea-bargaining: Mixed views

Overall, respondents expressed mixed views on plea-bargaining and its implementation so far, with majority of interviewed respondents, especially lawyers, against it. Key concerns regarding plea bargaining include coercion of accused persons; misuse of power due to the leverage enjoyed by the prosecutor; reducing the role and influence of magistrates and judges; and the risk of accused persons pleading guilty for crimes they did not commit, just so they can taste freedom again.

LHRC’s Call: The Government to take measure to ensure reduced use of pretrial detention, which should only be used when no reasonable alternative can address genuine risks of flight or danger to the community.

2.5. Right to Liberty and Personal Security

During this reporting period, right to liberty and personal security was mainly affected by arbitrary arrests and detentions; denial of bail; trumped-up charges; lack of police presence/stations in some wards across Tanzania Mainland; concerns over safety and security of women and children; delays in conducting and completing investigations; personal security concerns, including for bodaboda drivers; and human trafficking.

Shortage of police stations and officers

Lack of police presence/stations in some wards is contributed by gaps in development plans and shortage of police officers. For instance, while the standard police to civilian ratio is one police officer for 450 civilians (1:450), currently there is one police officer for 2,000 civilians (1:2,000). As of December 2020, regions which were leading for shortage of police officers,



based on the police to civilian ratio, were Simiyu (1:3,465), Tabora (1:2,768); Geita (1:2,457), Songwe (1:2,417), and Kigoma (1:2,342).

Personal security concerns for different groups in the community

LHRC documented a total of eight incidents of attacks and killings of bodaboda drivers in 2021, which are three more than those reported and documented in 2020. The incidents were reported in Kilimanjaro, Dar es Salaam, Mara, Mbeya, Lindi, Pwani, and Tabora Regions. Bodaboda drivers were also implicated in various criminal activities and sexual violence against children, jeopardizing personal security. Gender-related killings and violence against women, children, and PWDs, also threatened their right to personal security.

Arbitrary arrests and detentions

Regarding arbitrary arrests, in 2021 LHRC documented at least eight reported incidents of arbitrary arrests and detention, including five against journalists, an increase of 1 incident compared to those documented in 2020.

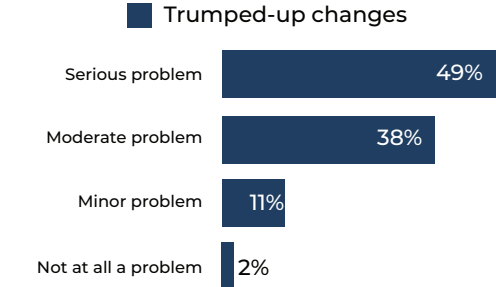
Right to and denial of bail

Regarding bail, majority of respondents of the human rights survey (46%) indicated

that denial of bail is a moderate problem, followed by those who feel it is a serious problem (35%). Community members also expressed mixed views on whether all offences should be madeailable.

Trumped-up charges

Majority of community members who responded to the human rights survey (49%) said trumped-up charges is a serious problem in their community, followed by those who feel it is a moderate problem (38%). In 2021, H.E President Samia Suluhu also expressed concerns over various criminal justice challenges, including trumped-up or fabricated charges. In May 2021, PCCB announced that it had dismissed 147 cases that are thought to have been fabricated against innocent civilians. In 2021, LHRC documented at least three incidents of trumped-up charges, reported in Arusha and Tabora Regions.



%Responses on community members' perceptions on trumped-up charges (N=1,089)



Human trafficking: A threat to right to liberty and personal security

Human trafficking is a threat to right to liberty and personal security. It is also a threat to other rights and freedoms such as right to life, right to non-discrimination, freedom from slavery, freedom from torture, freedom from violence, freedom of association, freedom of movement, right to health, right to just and favourable conditions of work, right to adequate standard of living, and right to social security. In 2021, the Covid19 pandemic increased vulnerability to human trafficking globally.

The most recent police data on human trafficking in Tanzania shows that in the period of 2016 to 2020, a total of 151 incidents of human trafficking were reported. These include 19 incidents reported in 2020, which are one more than those reported in 2019. In 2021, LHRC documented at least 20 incidents of human trafficking, reported in Dar es Salaam, Morogoro, Mara, Dodoma, Mbeya, Shinyanga, and Geita Regions. In the period of July 2020 to March 2021 a total of 163 Tanzanians were reportedly rescued from human trafficking by government and non-government actors, including two in Iraq and Malaysia.

97% of human trafficking in Tanzania is conducted internally, with children in the

ages of 12 to 17 being the major victims. Women and girls are the major victims of human trafficking, and child trafficking, particularly child labour trafficking and child sex trafficking, is said to be common. 74% of the victims are girls. Regions where human trafficking is common include Dar es Salaam, Dodoma, Mwanza, Kigoma, Kagera, Geita, Singida, Arusha, Manyara, Shinyanga, Simiyu, Lindi, and Mtwara. Trafficking in PWDs for purposes of begging is becoming a serious human trafficking issue. In July 2021, 15 people in Dar es Salaam, including a businessperson, were accused of trafficking 37 PWDs, including children with disabilities aged 7 to 11 years, from Tabora and Shinyanga Regions and taking them to Dar es Salaam to beg and generate income for them.

2.6. Right to Take Part in Governance

Right to take part in governance is also known as a right to take part in public affairs or right to participate in the government. It includes citizens' right to vote and be voted for public office and the right to participate in political life.

Barriers to political participation

Over the years, the Government has taken various legal and institutional measures to



enhance political participation, including affirmative action. However, several barriers were found to hinder effective realization of the right to stand in election and participate in political life. These barriers are found in the Constitution of the United Republic of Tanzania of 1977 and electoral laws, including the Political Parties Act, Cap. 258 (R.E 2019). For instance, the Constitution does not recognize private or independent candidates, and prohibits challenging presidential election results in court. Amendments made in the Political Parties Act have further impacted the right to freely participate in political life, given the excessive and intrusive powers of the Registrar of Political Parties. For women, gender-insensitive electoral laws pose a big challenge for them to effectively realize their right to participate in public affairs.

Buhigwe and Muhambwe By-elections

In 2021, the residents of Buhigwe and Muhambwe constituencies in Kigoma Region exercised their right to vote during the by-elections, conducted following the death of Muhambwe MP, Eng. Atashasta Justus Nditiye, in February 2021 and the appointment of the Buhigwe MP, Dr. Phillip Mpango, to position of the Vice-President of the United Republic of Tanzania. LHRC observed the by-elections, which were

generally found to be free and fair, in the absence of evidence of serious breach of electoral standards. However, there were concerns such as internal party democracy, voter apathy, and gender equality in policy documents of political parties.

Lessons from the Malawi elections of 2019 and 2020

As the country heads towards the General Elections of 2025, several key lessons can be taken from the Malawi presidential elections of 2019 and re-run presidential election of 2020. These include independence and role of the Judiciary in safeguarding electoral justice; challenging presidential results court; and independence and integrity of electoral management bodies (EMBs).

2.7. Freedom from Torture and Inhuman or Degrading Treatment

In 2021, LHRC documented at least 47 incidents of torture and/or inhuman or degrading treatment. These incidents include torture of accused persons under police custody (detainees) and child torture. Incidents of torture of persons under police custody were reported Mara, Dodoma, and Dar es Salaam Regions.



2.8. Freedom from Violence

Different forms of violence were perpetrated against women, children, men, PWDs, and the elderly in 2021, infringed their right to freedom from violence. Regarding violence against men, while the majority of respondents of the human rights survey (71%) said it is only a minor problem and not at all a problem, a quarter of the respondents acknowledged that it is a moderate problem in their community, while 4% said it is in fact a serious problem. Incidents of violence against men were reported in Dar es Salaam, Songwe, Mara, Shinyanga, where at least four men were killed by their lovers or wives, 3 of them because of jealousy.

2.9. Impact of Covid19 on Civil and Political Rights

In 2021, the impact of Covid19 on civil and political rights was significant. Fundamental civil and political rights were negatively impacted as follows:

- Restricted movement and limited access to information by journalists
- Delays and disruptions in administration of criminal justice due to ICT-related challenges such as poor internet connectivity, as the Judiciary resorted to videoconferencing technology to cope with the pandemic

“Accused persons were not brought to court for hearing, instead we were using videoconferencing. However, we faced various challenges, including poor networking, sound problems, and not hearing the accused person well. This compromised the accused person’s right to be heard”

Judicial officer, Mwanza

- Constant adjournment of cases, further compounding the problem of lengthy pre-trial detention
- Denial of the right of the accused to appear physically in court
- Increased infringement of press freedom as self-censorship continues to be the rule in order to avoid trouble, especially with regard to Covid19 and political issues
- Increase of different forms of abuses/ violence, especially against children and women
- Media outlets being financially crippled and forced into retrenchment, affecting collection and dissemination of information
- Groups such as children and women being in greater risk of human trafficking
- Increased risk of child labour and economic exploitation





03

CHAPTER THREE:
**ECONOMIC, SOCIAL &
CULTURAL RIGHTS**

CHAPTER THREE:

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Introduction

In 2021, the situation of economic, social, and cultural rights slightly deteriorated/worsened, mainly due to the impact of Covid19, which exacerbated existing challenges which continue to hinder effective realisation of social, economic, and cultural rights, including budgetary constraints; delays in disbursement of funds; partial disbursement of funds; poor working conditions; unemployment; shortages of workers; and shortages of equipment, tools, and facilities.

3.1. Right to Education

While the Government continued to take various measures to ensure progressive realisation of the right to education, including implementation of the fee-free education policy, various challenges

continued to hinder effective realisation of this fundamental right in 2021. These challenges included: concerns over quality of education, contributed by poor working and learning environment; gaps in curricula; medium of instruction; shortage of teachers, including science and special education teachers; budgetary constraints; shortages of classrooms, desks, and toilet holes; long distance from home to school; access to sanitary pads and menstrual hygiene facilities; reluctance of some parents to send their children to school; school dropout; violence against schoolchildren, especially sexual violence; and child marriage and pregnancy.

Sexuality education

Gaps in provision of comprehensive sexuality education (CSE) was also identified as a challenge in realization of the right to education. Key barriers



to provision of CSE include inadequate funding, avoidance and omission of key topics, and lack of adequate training and support for teachers.

Violence against children: A barrier to education

Acts of violence against children, especially sexual violence (rape and sodomy), continued to be a big challenge for schoolchildren, especially girls. Teachers were among the perpetrators of such violence. In 2021, LHRC documented 10 incidents of teachers accused of sexual VAC. In the period of 2019 to 2021, LHRC documented 39 incidents of teachers implicated in sexual VAC. Child marriage and child pregnancy cases have also been increasing during the Covid19 pandemic era.

Government's re-entry policy for pregnant girls and teenage mothers

One of the positives for girls' right to education in 2021 was the Government's decision to allow them back to school through introduction of the re-entry policy for pregnant schoolgirls. There is also hope for the fight against child marriage as the Government has indicated that it is going to comply with the decision of the Court of Appeal of Tanzania in the Rebecca Gyumi

case and amend the Law of Marriage Act of 1971 to outlaw child marriage.

3.2. Right to Health

In 2021, the Government took various measures to facilitate progressive realisation of the right to health and address some of the challenges in the health sector, including provision and distribution of essential drugs, medicines, and medical supplies, as well as construction and renovation of health facilities. However, key challenges in realization of the right to health that persisted include budgetary constraints; shortage of healthcare workers; mental health and suicide; violence against women and girls; shortage of equipment, medicines, and medical supplies; and sexual and reproductive health challenges.

Shortages

- In 2021, the health sector was faced with a shortage of 52% of health workers, as the available health workers only constituted 48% of the required number. In Dodoma, it was reported that Dodoma Region had 67% shortage of health workers.
- Shortage of health facilities forced some community members, especially in rural areas, to walk or travel long distances to access health services.



- In 2021, LHRC documented at least two incidents of domestic violence in which pregnant women were subjected to physical violence by the partners. In some cases, domestic violence has even caused miscarriage among pregnant women.

Maternal and child health

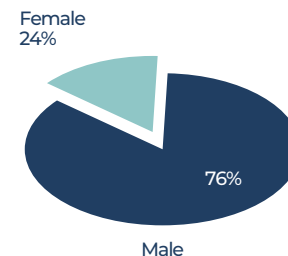
- Maternal and child mortality are a challenge, especially at health centres in rural areas, where majority of deaths occur. Child marriages and early pregnancies also affect health conditions of adolescent girls and young women, putting them at an increased risk of maternal mortality.
- Shortage of health workers, shortage of spaces for pregnant women, shortage of health facilities, long distance to health facilities, and violence against women and children (VAWC) were said to be among the barriers to access to quality maternal healthcare in 2021.

Suicide: A mental health concern

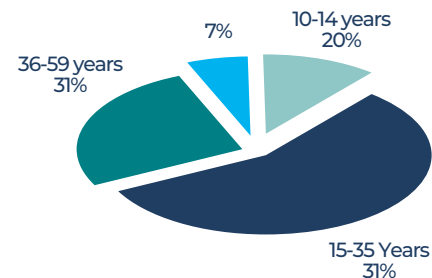
- Suicide continued to be a serious mental health issue in 2021. The number of suicide incidents documented by LHRC increased from 22 in 2020 to 45 in 2021. Reasons for committing suicide included: husband being released from

police custody; lover rejection; being reported to police by wife; accusation of stealing; debt; non-recognition by a pastor in church; wife threatening to leave husband; jealousy; finding out a partner has HIV; being HIV positive; denial of due wages; and economic hardship.

Suicide Victims by Sex



Suicide Victims by Age category



- Overwhelming majority of the suicide victims in cases documented by LHRC



in 2021, over two thirds (76%), were male. In terms of age category, LHRC's assessment of the reported cases of suicide, documented through media survey and human rights monitoring, showed that the majority of the suicide victims fell (42%) in the age category of 15-35 years (youth).

Health insurance

- Lack of health insurance also presented a challenge in realization of the right to health in 2021, as over half of Tanzanians remain uncovered by health insurance.

Sexual and reproductive health and rights

- Realization of sexual and reproductive health and rights, especially among youth, is affected by challenges such as violence against children and youth; negative perception of certain aspects of sexual and reproductive health; and limited access to accurate and age-appropriate information.
- Other barriers to SRH services in Tanzania include shortage of health workers, which is a big concern; long queues; negative attitude of healthcare workers, including being judgmental; stigma and discrimination; religious norms; and misconceptions around reproductive health and HIV prevention

services.

- Over 90% of teachers at primary and secondary school levels think sexual and reproductive health and rights content lacks broadness and depth, hence insufficient.

3.3. Right to Water

Despite the efforts to ensure progressive realization of the right to water, in some parts of Tanzania Mainland some people could not effectively realize this fundamental right because of various challenges. These challenges include partial and/or delayed disbursement of funds; lack of access to clean and safe water in some areas in Mwanza, Kigoma, Kilimanjaro, Kagera, Shinyanga, and Mara Regions; illegal connections; and water leakages and loss.

3.4. Right to Work

In 2021, key issues which affected the right to work for Tanzanians included: PAYE and loan board payments burden for workers; shortage of workers in health and education sectors; poor working conditions; inadequate rest for workers; and violations of labour rights of workers, aggravated by the Covid19 outbreak.



The burden of monthly salary deductions

- In 2021, the burden of PAYE and loan board payments continued to be a challenge for workers, in both public and private sectors, contributing to excessive monthly deductions below the statutory requirement of deductions not exceeding two thirds of salaries, especially among Local Government Authorities (LGAs) staff.

Working conditions

- Workers in sectors which provide social services, such as teachers and health workers, were mainly affected by poor working conditions. For instance, for teachers, shortages of classrooms, teachers, and teacher houses had negative impact on their work, consequently compromising the quality of teaching.

Working overtime

- Reports of workers being overworked and getting little time to rest were revealed widely in the human rights and business survey conducted in 15 regions of Tanzania Mainland by LHRC in 2021. Those working in the transportation, security, and hospitality industries, such as bus and truck drivers, hotel workers, and security guards, were the major

victims in this regard.

Labour rights violations and disputes

- Labour rights violations and disputes also increased in 2021, largely contributed by the Covid19 pandemic.
- Labour rights of journalists were also said to be often violated by their employers. Journalists who responded to LHRC's Human Rights Survey 2021 cited lack of employment contract (73%) as their biggest challenge in this regard, followed by low pay (68%), threats (56%), unfair dismissal (55%), and breach of employment contract by employer (54%). Sexual harassment/ sextortion of female journalists was also cited as a serious problem (42%) and moderate problem (40%)

3.5. Right to Own Property

In 2021, key issues affecting the right to property included: land conflicts/disputes; infringement of women's access, control and ownership of land; property grabbing from widows and older persons; and writing of wills to secure property and inheritance rights.

Property and inheritance rights of women

- Reported violations of the right to own or inherit property included:



targeting of older people to grab their property; children demanding property or inheritance from older people, even resorting to killing them; and property grabbing from widows.

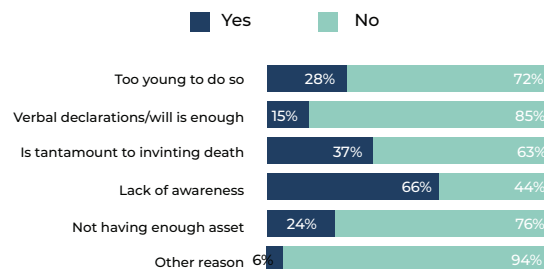
- Women’s access to, use of and control over land continued to be limited in 2021, especially in rural areas, where customary laws are applied.

Land disputes

- Land conflicts/disputes, including between farmers and pastoralists, also jeopardized realization of the right to property in 2021. LHRC documented land disputes reported in Kagera, Morogoro, Dodoma, Tanganyika, Manyara, and Lindi Regions.
- Over a third of land disputes (39%) related to non-payment of compensation, usually by public institutions.

Writing of a will to safeguard property rights

- While majority of Tanzanians think writing of a will is important (91%) to safeguard the right to property, only 11% have written a will. Reasons for not writing will include lack of awareness (66%), perception or belief that writing



Why people do not write wills

of will means inviting death (37%), and perception that one is too young to write a will (28%).

“People do not want to write wills because they think it will invite death to them. Some people also believe will writing is for the people with many properties.”

Community member, Geita

3.6. Impact of Covid19 on the Economic and Social Rights

- Like it was the case for other human rights, the Covid19 pandemic did not spare social and economic rights. Community members who responded to the Human Rights Survey 2021 were asked how the pandemic affected their economic and social rights. Loss



or reduction of income (93%) was mentioned as the biggest effect of Covid19, followed by changing source of income (86%), disruption of education (82%), and limited access to health

services (81%). Other effects of the pandemic on social and economic rights included mental health deterioration (76%), food insecurity (72%), and loss of employment/work (71%).





04

CHAPTER FOUR:
COLLECTIVE RIGHTS

CHAPTER FOUR:

COLLECTIVE RIGHTS

Introduction

In 2021, progress made in ensuring realization of collective rights was greatly reversed by the impact of the Covid19 pandemic.

4.1. Right to Development

Considerable progress that had been in realization of the right to development prior to the Covid19 pandemic, was reversed during the pandemic era. As this right is dependent on realization of the civil, political, social, economic, and cultural

rights, the impact of the pandemic on the realization of these rights also affected realization of the right to development.

4.2. Right to Enjoy and Benefit from Natural Resources

In 2020, the Government continued to take action to safeguard the right to enjoy and benefit from natural resources, including through implementation of relevant laws, regulations, and policies, and review of investment contracts. However, in various challenges hindered effective realisation of this right, including the Covid19, corruption, tax evasion, and tax avoidance.



- Freedoms of expression, assembly, and association continued to be negatively affected by restrictive legislation, exacerbated by various amendments made in 2019 and 2020. These restrictions, coupled with arbitrary actions by state agents, have caused political development to stall in the past three years.
- Covid19 had a negative impact on social development, including by restricting access to education, access to health services, and through loss of income and employment.
- Covid19 also affected human development in various ways, including loss of income and employment.

4.3. Right to a Clean and Healthy Environment

The right to a healthy environment requires a healthy human habitat, including clean water, air, and soil that are free from toxins or hazards that threaten human health. In 2021, the United Nations (UN) Human Rights Council recognised, for the first time, that having a clean, healthy and sustainable environment is a human right.

Human rights and the environment are intertwined; human rights cannot be enjoyed without a safe, clean and healthy environment; and sustainable environmental governance cannot exist without the establishment of and respect for human rights. This relationship is increasingly recognized, as the right to a healthy environment is enshrined in over 100 constitutions.

- United Nations Environment Programme

In Tanzania, several measures have been put in place by the Government to manage, preserve, and protect the environment. However, over the years, enjoyment of the right to a clean and healthy environment has been infringed due to the problem of environmental pollution, especially caused by individuals and businesses. In the period of 2020/21, LHRC documented at least 15 incidents of water pollution, air pollution, noise pollution, and land degradation in regions such as Dar es Salaam, Shinyanga, Dodoma, Mara, Tanga, Geita, Mtwara, Mbeya, and Pwani Regions.



4.4. Impact of Covid19 on the Collective Rights

As stated above, enjoyment of collective rights is dependent on enjoyment of individual rights covered under chapters two, three, and five of this report. As such, the impact of the Covid19 on these rights, as highlighted in the respective chapters

above, also apply to collective rights. Sectors such as tourism and hospitality were hit the hardest by the pandemic, including in terms of loss of employment, reduced income, and loss of revenue on the part of the Government. Provision of social services, especially health services, was disrupted by the pandemic, hence negatively impacting social development.





05

CHAPTER FIVE:
**RIGHTS OF
VULNERABLE
GROUPS**

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RIGHTS OF VULNERABLE GROUPS

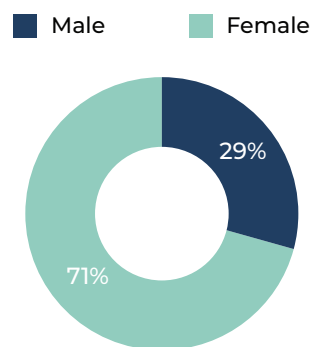
Introduction

Some groups in the community are more likely than others to experience human rights violations. Recognizing their increased vulnerability, special protection for these groups is warranted, which is why there are various conventions and laws that specifically protect their rights. In Tanzania, vulnerable groups include women, children, persons with disabilities (PWDs), the elderly, persons living with HIV/AIDS, and refugees..

5.1. Women's Rights

Apart from various human rights conventions that protect such rights for all people, there are human rights conventions which are specific for women, providing for women's rights. These conventions including the Convention on the Elimination of all forms of Discrimination Against

Women (CEDAW) of 1979 and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) of 2003. These conventions prohibit discrimination against women - which prevents them from enjoying their fundamental human rights. They also prohibit gender-based violence (GBV)..



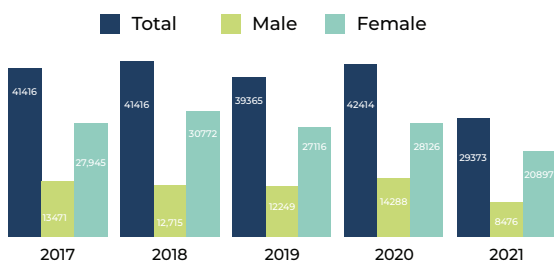
%Male and female victims of GBV in Tanzania – Jan to Dec 2021



GBV and VAW trends

In 2021, key issues affecting women's rights included: physical violence; sexual violence in the form of rape and sodomy; psychological violence; and sexual corruption.

- Police data for the year 2021 show that a total of 11,138 VAW incidents were reported, a decrease of 8,670. Despite this decrease, the problem is still big, as it represents an average of 928 women subjected to VAW each month across Tanzania. This equals to 30 women being subjected to different forms of VAW every day. It should also be considered that many incidents go unreported.
- However, GBV statistics provided by the ministry responsible for gender show that female GBV victims were 20,897, as shown in the figure below.



GBV victims in Tanzania by sex - 2017 to 2021

- 12,817 out of the 29,373 reported incidents of GBV (44%) for the year 2021 were recorded in Arusha, Ilala, Tanga, Kinondoni, and Rukwa police regions (or Dar es Salaam, Arusha, Tanga, and Rukwa Regions).

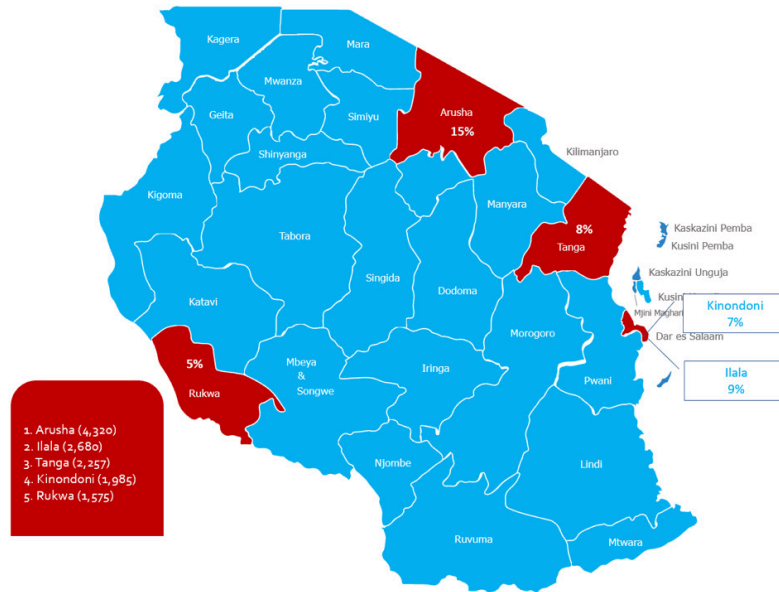
Community perceptions on gender-based violence/violence against women

- About half of the respondents of the human rights survey (52%) perceived violence against women to be a serious problem in their community, closely followed by those who perceived it to be a moderate problem (41%).

Common forms and acts of violence against women and perpetrators

- Common forms and acts of violence against women in 2021 were rape, sodomy, wife or partner beating (domestic violence), verbal abuse/humiliation, being badly injured or killed by intimate partner due to jealousy, being killed over witchcraft suspicion, denial of inheritance/property ownership, unwarranted touching of body parts or sexual harassment, and sexual corruption/sexortion.
- Most women suffer violence at the





Source: Ministry of Community Development, Gender, Women, and Special Groups, 2022

hands of their intimate partners, either a husband or a lover. Family members, especially relatives of a deceased husband, are also perpetrators of violence against women, especially widows.

Drivers of violence against women

- Poverty or lack of income for women continues to be a key driver of violence against women, as some women feel that they do not have many options rather than to stay in a violent relationship or marriage due to lack of income and/or resources. Other drivers

include patriarchy; excessive alcohol consumption; preference of settling VAW at family level; belief in witchcraft; low awareness about human rights and GBV; discriminatory customs and traditions, including those which deny women the right to inheritance and land ownership; extra-marital affairs; and condoning of violence.

“There is a man in Lukobe Ward who regularly beats his wife and son, But every time he gets arrested the wife begs for his release because he is the only breadwinner in the family.”

- SWO, Morogoro Municipality



Intimate partner violence (IPV) and killings

- Intimate Partner Violence (IPV) and killings were a key human rights concern for women in 2021. LHRC documented a total of 35 reported incidents of IPV killings through human rights monitoring and media survey, with the overwhelming majority of the victims (89%) being women. In total, LHRC documented 31 incidents of women killed by their intimate partners, a decrease of 1 incident compared to the incidents documented in 2020. Out of the 35 killings of women and men by their intimate partners, overwhelming majority (72%) were motivated by jealousy.

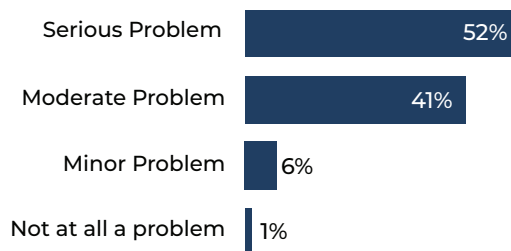


A woman in Rukwa whose intimate partner cut-off her ears because of jealousy

Physical violence against women

- During this reporting period, LHRC also documented at least 70 incidents of physical violence against women, which are 3 times those reported in 2020. The incidents were reported in different regions, including Katavi, Kilimanjaro, Geita, Tabora, Shinyanga, Dar es Salaam, Arusha, Mwanza, Pwani, and Mara. The victims suffered physical abuse for different reasons, including witchcraft suspicion and belief in witchcraft, sexual intercourse, jealousy, child custody, long illness, and alcoholism.
- Over half of the community members who participated in the Human Rights Survey 2021 (54%) also said that domestic violence is a serious problem in their community.

Violence against women in the community



Survey participants' perceptions on domestic violence/wife beating



Sexual violence against women

- Sexual violence also continued to be a serious problem for women in different parts of Tanzania in 2021. During this reporting period, LHRC documented at least 51 incidents of sexual violence, through human rights survey, human rights monitoring, and media survey. This equals to 19 incidents less than those documented by LHRC in 2020 across Tanzania Mainland. Most of these incidents were of rape, reported in different regions, including Mwanza, Dar es Salaam, Morogoro, Lindi, Mara, Tabora, Dodoma, Pwani, Mbeya, Katavi, Manyara, and Tanga.
- In 2019, the number of reported rape incidents was 7,837, which slightly decreased to 7,263 incidents in 2020. In 2021, the number of rape incidents recorded by the police further decreased to 6,305, equal to a decrease of 958 incidents (13.2%).
- Sexual harassment was also identified as a common form of violence against women, including female journalists. Over a third of the community members who responded to the human rights survey conducted by LHRC (35%) said that this is a serious problem in the community, while nearly a half (43%) said it is a moderate problem.

- Apart from the media sector, in 2021 sexual corruption was also found to be pervasive in the job market, higher learning institutions, and when accessing services. LHRC documented at least four reported incidents of sexual corruption or sextortion, reported in Kilimanjaro, Kagera, Dodoma, and Morogoro Regions. However, most of such incidents go unreported, especially where the sex bribe has not been given. Nearly half of the community members who responded to LHRC's Human Rights Survey 2021 (42%) acknowledged that sexual corruption/ sextortion is a serious problem in the community.

Violence against women in the media sector

- Regarding violence against women in the media sector, particularly female journalists, majority of the journalists who participated in the human rights survey, nearly half of them (42%) said it is a serious problem for female journalists, followed by 40% who said it is a moderate problem. Common acts of sexual violence against female journalists include being asked for a sex bribe; unwarranted touching of body parts, especially breasts and



buttocks; flirting, making sexually offensive gestures or remarks, inappropriate or unwanted touching of arms or brushing up against a woman, blocking the way or standing in the way, making sexually offensive facial expressions, unwelcome sexual advances, and repeatedly asking for dates or hook ups.

- Editors and human resources officers were mentioned the most as perpetrators of sexual violence against female journalists. Other perpetrators include managing directors/managers, media owners, and sources. Consequences of rejecting unwelcome or unwanted sexual advances include non-employment, difficult working environment, a story not being published, and unfair dismissal.

Economic violence against women

- In 2021, different forms of economic violence against women were reported across Tanzania Mainland. LHRC documented at least 77 incidents reported in this part of Tanzania. They include interference with women's rights over ownership and control of property, withholding access to money, and denial of inheritance. In 2020, LHRC recorded at least 27 reported incidents

of economic violence against women through human rights monitoring.

“Women in this region are not valued at all. They are denied the right to inherit land, especially when their parents and spouses have died... there is a woman who used to be our neighbour, who was kicked out of her matrimonial home by her in-laws...a case has been filed in court.”

Community member, Mara

- In 2021, eviction of women from marital/matrimonial home was also reported as a common form of economic violence against women. Through human rights monitoring and media survey, LHRC documented at least 23 incidents of eviction of women from their marital homes. These incidents were reported in Mwanza, Manyara, Songwe, Mara, Morogoro, Mwanza, Mbeya, and Rukwa Regions.

Violation of widows' property and inheritance rights

- In Tanzania, property grabbing from widows is a common practice, especially in rural areas where restrictive customary laws are commonly applied. In the past two years (2020 and 2021), LHRC has documented at least 42 incidents of infringement of widows'



property and inheritance rights, through forced eviction of widows from their marital homes and denial of inheritance. Of these, 16 incidents were reported in 2020 and 26 incidents were reported and documented in 2021.

Women's political participation

- 26 years on from the Beijing Declaration, progress has been made in safeguarding women's political rights and enhance their political participation. In Tanzania, we now have H.E President Samia Suluhu Hassan, who has made history by becoming the country's first female president. However, progress made in enhancing women's political participation has been slow and uneven as countries, including Tanzania, continue to struggle to reach key gender equality targets in political participation and electoral process.

Percentage of women occupying some of the public leadership positions (as of March 2022)

Position	#Female	%Female
Ministers	8 out of 22	36
Deputy Ministers	5 out of 23	22

Permanent Secretaries	3 out of 21	14
Regional Commissioners	6 out of 26	23
Regional administrative Secretaries	22 out of 26	46

- Major barriers to women's effective participation in the electoral process in Tanzania include: gender gaps in electoral laws, including the Constitution of Tanzania of 1977; violence against women in elections/politics (VAWEP); customs, traditions, and gender stereotypes; finances and resources; lack of adequate support from political parties and exclusion from decision-making party structures; gender gaps in political party policy documents and practices; and inadequate media coverage/negative portrayal of female political candidates.

Women's economic empowerment

- Economically empowering women remains an important weapon in the fight against GBV. In Tanzania, women's economic empowerment includes provision of interest-free loans to women, as part of a 10% interest free loans for the groups of women, youth,



and persons with disabilities (PWDs) provided by district/municipal/city councils. Some of the challenges that have been identified in provision of the 10% interest free loans include slow pace of or non-repayment of loans, lack of entrepreneurship skills, mistrust and quarrelling among group members, and political interference.

Women and criminal justice

- Women are disproportionately affected by challenges in the criminal justice system in various ways, including access to justice, prison conditions, and failure to address their gender specific needs. For instance, limited access to resources and economic violence leaves women more vulnerable to poverty and hence by extension unable to afford costs such as for bail and legal representation.

5.2. Children's Rights

Children's rights are protected under two main children rights conventions, namely: the UN Convention on the Rights of the Child (CRC) of 1989 and the African Charter on the Rights and Welfare of the Child (ACRWC) of 1990, both ratified by Tanzania. At domestic level, there is the Law of Child Act of 2009 (as amended

in 2019), which provides for fundamental rights of children as provided for in the two conventions and clearly stipulates that in making decisions about a child the best interests of that child must be given paramount and primary consideration (the principle of best interests of the child). These conventions and the law of the child stipulate duties of the Government, parents, guardians and community members at large to protect children from all forms of violence and discrimination.

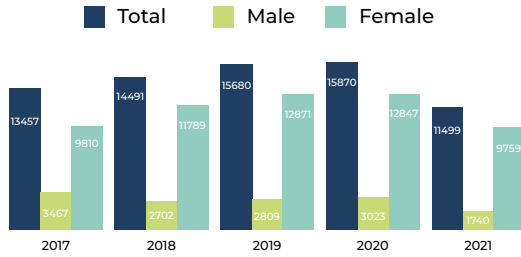
For the year 2021, key issues affecting children's rights included: sexual violence; physical and psychological violence; child labour and exploitation; child trafficking; child marriage; and child pregnancy.

Trends on violence against children

- Police statistics for the year 2021 indicate that incidents of violence against children (VAC) decreased from 15,870 in 2020 to 11,499 in 2021, a decrease of 27.5%. Out of the 11,499 reported incidents, 85% involved female victims and the remaining 15% were male victims.
- Girls constituted the overwhelming majority of VAC victims. From 2017 to 2021, there has been a total of 57,076 female VAC victims. Compared to 13,921 male victims during this period, the number of female victims is four



times that of male victims.



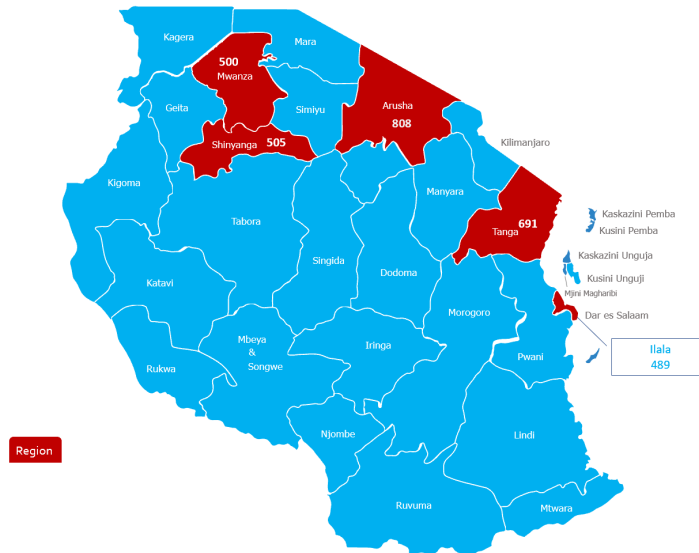
VAC victims in Tanzania by sex – 2017 to 2021

- 2,993 out of the 11,499 reported incidents of VAC (26%) for the year 2021 were recorded in Arusha, Tanga, Shinyanga, Mwanza, and Ilala Police Regions.

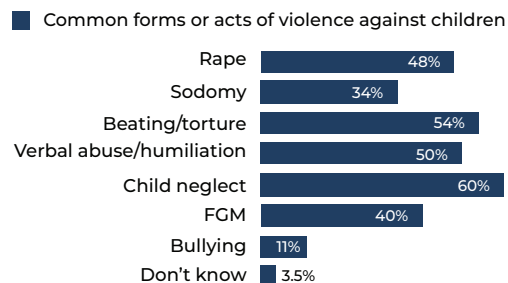
Community perceptions on violence against children and common forms of such violence

- Over half of the respondents of the Human Rights Survey 2021 (55%) said VAC is a serious problem in the community, followed by 37% who felt it is a moderate problem. Child neglect

Top Five Regions Leading in VAC Incidents 2021



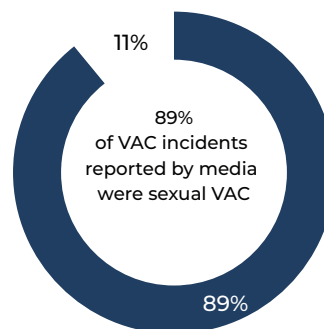
was mentioned as the most common act of VAC (60%), followed by beating/torture (54%), verbal abuse/humiliation (50%), and rape (48%).



Survey participants' perceptions on common forms or acts of VAC

Reported incidents of violence against children documented by LHRC

- In 2021, LHRC's Media Survey 2021 showed that 89% of VAC incidents reported by the media were sexual VAC, while 11% were physical and emotional VAC. Most of these incidents were reported in the Lake Zone Regions, Dar es Salaam, Kilimanjaro, and Morogoro. Victims of sexual VAC ranged from 3 to 17 years of age.



■ Sexual Physical/Emotional
% of physical and sexual incidents of VAC reported by media

Perpetrators of violence against children

- Community members who responded to LHRC's Human Rights Survey 2021 mentioned relatives/family members as major perpetrators of VAC (66%), followed by fathers (47%), mothers (35%), bodaboda drivers (31), unknown people (30.3%), and neighbours (27%). They also noted that VAC often occurs in home settings (73%), followed by streets (70%), and on the way to school (38%).

Factors contributing to prevalence of violence against children

- Factors contributing to VAC include lack of cooperation from the victim's



family as they prefer to settle the matter at home ‘as a family,’ long distance from home to school, children being left alone at home (neglected), poor parenting, alcoholism, economic hardships, child marriage, parental separation and belief in superstition/witchcraft.

“..there is a tendency of the victim’s families resolving rape and other cases of sexual violence at home by receiving compensation in the form of cows, goats or money – usually around Tshs. 100,000 to 200,000. Up to five cows can be given as compensation. At his point, the victim’s families end cooperation with the police/prosecution.”

VEO, Kilosa - Morogoro

“...it is very risky for young girls to pass through bushes on their way to school...there have been reports of girls being raped in the bushes.”

Local organization worker, Kisarawe - Pwani

Online child abuse

- Online child abuse was also found to be a key concern for children’s online safety in 2021. A study by End Child Sexual Exploitation (ECPAT), the International Criminal Police Organization (INTERPOL); and the United Nations

Children’s Fund (UNICEF), revealed that approximately 200,000 children were victims of grave instances of online sexual exploitation and abuse in Tanzania in 2021. For instance, 3% of internet-using children aged 12-17 surveyed were offered money or gifts to engage in sexual acts in person; 2% of the surveyed children were offered money or gifts in exchange for sexual images; and 3% were asked to share images and videos showing their private parts to others.

Sexual violence against children

- In 2021, sexual violence against children (sexual VAC), especially in the form of rape and sodomy, was again the biggest threat to children’s rights. Victims of sexual VAC included children as young as 3 years of age.
- Both the survey conducted in the 20 regions and the media survey found people close to children to be the major perpetrators of sexual VAC. These include family relatives, uncles, stepfathers and fathers. Bodaboda drivers and teachers were also implicated in sexual VAC in 2021. In 2021, LHRC documented 10 incidents of teachers accused of sexual VAC.
- In extreme cases, one girl (14 years) in



Katavi was gang-raped and sodomized, while other three girls, aged 5, 14, and 6 were raped and killed in Manyara, Mara, and Mbeya Regions respectively.

- Boys are also vulnerable to sexual abuse, especially in the form of sodomy. In 2021, LHRC documented at least 14 incidents of sodomy of boys, reported in Tanga, Katavi, Mara, Manyara, Dodoma, Dar es Salaam, Morogoro, and Njombe. Four of these incidents were reported in Katavi Region, where in one of the incidents the victim (13 years) was thereafter killed by the perpetrator.
- Child on child sexual violence was also reported in 2021. During this reporting period, incidents of child-on-child sexual violence were reported in regions such as Kagera, Dar es Salaam, Mbeya, and Lindi. LHRC documented at least 12 incidents in total.

Commercial sexual exploitation of children (CSEC)

- Commercial sexual exploitation of children (CSEC) was also reported as form of sexual violence suffered by girls. LHRC documented allegations of such incidents in Dar es Salaam and Morogoro Regions, whereby some parents and guardians were implicated in using their female children in sexual

activities remunerated in cash.

Physical and psychological violence against children

- In 2021, physical violence was the second most common form of VAC, followed by psychological violence. During the human rights survey, incidents of physical and psychological VAC were reported in all surveyed regions including Pwani, Morogoro, Kagera, Mara, and Geita.
- Though media survey and human rights monitoring, LHRC also documented at least 57 incidents of physical and psychological VAC. These incidents were reported in Kagera, Rukwa, Mtwara, Ruvuma, Singida, Kilimanjaro, Dar es Salaam, Geita, Shinyanga, Mbeya, and Arusha Regions. The incidents included acts such as burning, whipping/caning, and hacking. Most of these acts of violence were perpetrated by parents.
- Most parents and guardians resort to burning of hands as a preferred method of punishment for their children. In 2021, the Deputy Minister of Home Affairs, Hon. Khamis Chilo, revealed during a parliamentary session that a total of 130 children (33 male, 97 female) were physically abused by burning



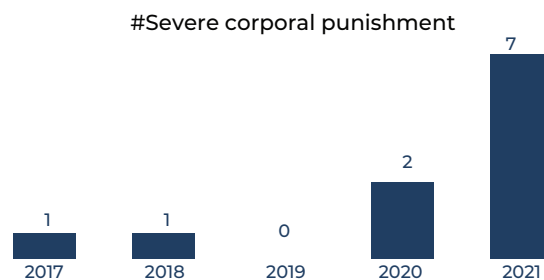
their hands in the period of January to September 2021. In the period of January of December 2021, LHRC documented at least 17 such incidents, reported in the regions of Mara, Mtwara, Singida, Shinyanga, Katavi, and Dar es Salaam.

- In extreme cases physical VAC resulted into death in 2021. LHRC documented at least six incidents/cases of physical violence against children which resulted into death. These incidents were reported in Katavi, Manyara, Tabora, Kigoma, Shinyanga, and Mara Regions. Majority of the victims were boys.
- In recent years, incidents of parents killing their children (filicide) have been reported severally in different countries across the world, including Tanzania. In 2021, LHRC documented at least two incidents of filicide, reported in Geita and Simiyu Regions.

Physical violence and severe corporal punishment

- Severe corporal punishment in schools remains a challenge in Tanzania, like in most other African countries. In 2021, LHRC documented seven incidents/cases of severe corporal punishment imposed on students by their teachers in Kilimanjaro, Mwanza, Morogoro, Dar

es Salaam, Shinyanga, and Ruvuma Regions. The punishment, mostly using a cane, resulted into severe pain/bodily harm (5), and death (2). Of the seven victims, four were female and three were male.



Severe corporal punishment cases documented by LHRC-2017 to 2021

Child labour and exploitation

- In 2021, respondents of the human rights survey in regions such as Dar es Salaam, Morogoro, and Kagera, said child labour and exploitation is a problem their community. A survey on business and human rights, conducted by LHRC in March and April 2021, also found that child labour incidents were mostly reported in Manyara, Tabora, Singida, Mbeya, Geita, Shinyanga, and Dodoma.



“..we have received many complaints from teachers regarding truancy because children are employed to chase away birds in rice plantations. Most rice farmers prefer to use children because rice farming requires workers to constantly bend down, which is easier for children compared to adults.”

WEO – Mbarali District, Mbeya



A 6-year-old child found selling vegetables during school hours in Songwe Region in February 2021

- In 2021, through media survey and human rights monitoring, LHRC documented 48 incidents of child labour and exploitation reported in

nearly all regions of Tanzania Mainland, including Morogoro, Iringa, Dodoma, Dar es Salaam, Geita, Mbeya, Tanga, and Songwe.

Violence against children working as domestic servants

- In 2021, LHRC also documented two incidents of violence against domestic servants, aged below 18 years, who were trafficked from Dodoma to provide domestic work services in Dar es Salaam. In Morogoro, it was revealed that domestic servants face various challenges, including economic and sexual violence.

“House girls (domestic workers) have been at a great risk of being subjected to different forms of violence, including verbal abuse, sexual harassment, and forced sex (rape), with male children and fathers the main perpetrators. Economic violence is also common among house girls as they are usually not paid their wages as per agreement.”

Paralegal, Morogoro

Child neglect

- In Tanzanian context, child neglect is a form of child abuse, which is associated with failure to provide for a child's basic needs such as adequate food and



clothing and failure to protect a child from violence. In 2021, child neglect and abandonment continued to be a key human rights concern for children. During the survey, child neglect was mentioned as the most common form of VAC (60%). During interviews with key informant, child neglect and abandonment was also mentioned as a major challenge in all surveyed regions.

- Through media survey and human rights monitoring, LHRC documented 24 reported incidents of child neglect reported in different parts of Tanzania Mainland, including Dar es Salaam, Shinyanga, Tanga, Kigoma, and Katavi Regions.

Child marriage

- In 2021, the Law of Marriage Act, 1971 remained unamended, more than two years since the decision of the Court of Appeal of Tanzania, calling for amendment of the law to abolish child marriage. However, the national report of Tanzania before the UPR Working Group revealed that the Government was in the process of reviewing the law.
- Through media survey and human rights monitoring, LHRC documented 37 incidents of child marriage, two more than those documented in 2020. These incidents were reported in regions such

as Katavi, Shinyanga, Mara, Mtwara, Lindi, Kilimanjaro, Dodoma, Kigoma, and Rukwa. Most of the girls who were subjected to child marriage were in the age category of 13 to 16 years.

“Just the other day one woman was caught trying to marry off her Standard 7 daughter. When questioned by the Ward Executive Officer, she said she sees no problem since she was also married young.”

SWO, Morogoro MC

- Dowry was observed to be the biggest motivation for parents to force their children to get married and the main perpetrators in this regard were fathers. The youngest victim, who was rescued from child marriage, was 11 years old. Nearly half of the incidents (46%) were reported in the Lake Zone (20%), especially in Mara Region, followed by the Western Zone, especially Katavi Region. Most of the perpetrators were arrested in connection with the incidents.

“..there is an older person here at Kimanzichana who targets and marries 16 year-old girls and leaves them when they conceive, and the parents of the girls are okay with this so long as they get money..”

Community member, Mkuranga - Pwani



- In Mara, FGM was identified as a key driver of child marriage as girls who undergo FGM are considered ready for marriage and to start a family of their own.

“...FGM is the biggest problem in this area. There is a belief among community members that once a child has undergone FGM she is ready for marriage. This belief has contributed to child marriage and pregnancy.”

SWO, Mara

LHRC’s Call: The Government to take immediate measures to comply with the decision of the Court of Appeal of Tanzania in the Rebecca Gyumi case to set 18 years as the age of marriage for both males and females and thereby abolishing child marriage.

Child pregnancy

- In 2021, incidents of child pregnancy, involving female children as young as 13 years, continued to be widely reported in different regions across Tanzania Mainland. Through human rights survey, media survey, and human rights monitoring, LHRC documented at least 2,166 incidents of child pregnancy in the period of January to December

2021. Majority of these incidents were reported in Kigoma, Mwanza, Morogoro, and Shinyanga Regions.

- Factors contributing to child pregnancy include child neglect and abandonment; peer pressure; social media; parents using their children to generate income; lack of sexual and reproductive health education; lack of life skills; poverty/economic hardships; long distance to school; parental separation; FGM; poor parenting; and lack of self-awareness.

Child trafficking

- Child trafficking was also found to be a threat to children’s rights in 2021. Children in Tanzania are mostly trafficked for labour and sex, with girls found to be more vulnerable to child trafficking. Children in the age category of 12-17 are the major victims, and girls account for 74% of them.
- In 2021, LHRC documented 20 incidents of human trafficking, reported in various regions of Tanzania Mainland. Half of these incidents involved children as victims. The incidents were reported in Dar es Salaam, Morogoro, Mbeya, Arusha, and Iringa Regions.
- Most of the trafficking incidents reported in 2021 were on child labour trafficking, child sex trafficking, and



trafficking of PWDs, including children with disabilities (usually for begging).

5.3. Rights of Persons with Disabilities

Rights of persons with disabilities (PWDs) are provided for under the Convention of the Rights of Persons with Disabilities (CRPD) of 2006. These rights include right to equality and non-discrimination, right to life, right to equality before the law, right to liberty and security of person, freedom from torture, freedom from violence, right to education, right to health and right to work and employment. Tanzania is party to this treaty and has an obligation to take measures to safeguard rights of PWDs. The treaty was domesticated in 2010 through the Persons with Disabilities Act. PWDs, especially children with disability, need special care to ensure they enjoy human rights equally with others.

Tanzania has taken various measures to promote and protect rights of person with disabilities (PWDs), including enactment of the Persons with Disabilities Act in 2010. In 2021, majority of the community members who responded to the human rights survey conducted by LHRC (57%) indicated that rights of PWDs in Tanzania are somewhat protected. However, interviewed

community members and local officials revealed that PWDs continue to face various challenges, including discrimination in employment, lack of employment and economic opportunities, stigma, lack of access to buildings, discrimination in education, and violence.

“Some parents have a false belief that giving birth to a child with disability is a weakness or a curse. We have rescued some few children with disabilities who were locked up at home by their parents. Some are denied their right to education..”
Special education teacher, Morogoro

“My friend, in our community if you give birth to a child with disability you better lock the child in the house, otherwise you will be called all the names, including a witch or the cursed.”

Community member, Mara

- Forms of violence against PWDs reported by community members and documented by LHRC in 2021 include trafficking and economic exploitation; sexual violence; violence against persons with albinism; and neglect of children with disabilities. In 2021, at least 37 PWDs were reportedly trafficked and one person with albinism (a child) was brutally killed in Tabora.



“..sometimes persons with disabilities, especially those who are unable to speak or deaf persons, are made to work and exploited when it comes to payment. For instance, there was one such person who was made to till the land and then paid only Tshs. 2,000, contrary to the original agreement..”

PWD rights NGO official, Tanga

- PWDs, especially children with disabilities, are also vulnerable to different forms of sexual violence, including rape and sodomy. LHRC documented at least three such incidents, reported in Dar es Salaam, Mara, and Arusha.
- 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. In Tanga, it was reported that PWAs in Handeni District called for government protection to enable them take part in development activities, as there are still some people in the society who seek to inflict harm on them.

5.4. Rights of the Elderly

Unlike women, children, and PWDs, there is no international human rights convention

specific for the elderly. Domestically, there is also no legislation for the protection of the elderly, unlike in the neighbouring Zanzibar. Over half of the community members who participated in the Human Rights Survey 2021 indicated that the rights of the elderly are somewhat protected. However, interviews with other community members, including older people themselves, revealed that the elderly face various challenges, including access to quality health services, violence, and lack of social protection.

- Challenges faced by older people when accessing health services include concentration of hospitals or clinics in urban areas, far from where most of them live; transportation costs; inability to afford fees for services or drugs; lack of information about services and entitlements; lack of medical personnel trained in older peoples' health care; and negative attitudes of medical staff.
- Access to health services was mentioned as a key challenge for the elderly in all surveyed regions.

“Older people in my community have access to free medical services. However, they are then told to go and buy medicines. This is tantamount to telling them to go and die, a very sad situation.”

Elderly organization representative, Morogoro



- In 2021, LHRC documented at least 16 incidents of violence against the elderly, including physical violence, sexual violence, and neglect. These incidents are double those documented by LHRC in 2020.
- In 2021, Older persons faced physical violence for different reasons, including witchcraft suspicion and inheritance disputes. In most regions, children, especially sons, were cited as the major perpetrators of physical violence against the older persons (their parents).

“Older people are accused of witchcraft and subjected to different acts of violence, including being attacked with a machete..”

Director - Morogoro Elders Peoples Organization - Morogoro

- LHRC documented at least two incidents of sexual violence against older women, reported in Iringa and Mara Regions.
- In all surveyed regions, including Arusha, Katavi, Mara, and Mbeya, some of the children were accused of neglecting their elderly parents, by not providing them with any financial support to help them meet their basic needs.

- Interviewed older persons in some of the regions, such as Dar es Salaam, Rukwa, and Kagera, complained about their children interfering with their property rights, including forcing them to give them their ‘inheritance.’ These situations have been known to cause quarrels and misunderstandings, sometimes culminating into violent acts against the elderly, including killings (parricide). In 2021, LHRC documented two incidents of parents killed by their children, reported in Geita and Rukwa Regions, both motivated by property inheritance.

“Violence against the elderly is a problem everywhere, and the children are the major perpetrators. They forcefully take away land and money from their parents (older people) and in extreme cases even kill them to get their properties.”

Community member - Morogoro

“Serious measures need to be taken to protect the elderly. They face so many challenges. They are victims of property grabbing, including land and livestock, and physical violence. Older women are often denied their property and inheritance rights.”

Community member, Bukombe - Geita



- Some of the interviewed respondents, including older persons, stated that there is a tendency of some children ‘dumping’ their children on their grandparents, who become ‘parents for the second time’ and take care of their grandchildren.

“..I have educated my first born son and he now has a good job. The sad thing is that he has never sent me even a hundred shillings, despite the fact that he has also abandon here his wife and children. So, I am struggling to provide for my grandchildren and daughter-in-law, while he is living a good life in town.”

Community member - Mara

- Social protection provides secure incomes for people in old age and pensions are a crucial form of social protection. During the survey, lack of pension for older persons was mentioned as a challenge in nearly all surveyed regions.

“Lack of pension arrangement is a big challenge for older people in Tanzania Mainland. Our colleagues in Zanzibar are getting monthly pensions, at least Tshs. 20,000 per month, which is something.”.

Director - Morogoro Elders Peoples Organization - Morogoro

5.5. Rights of Persons living with HIV/AIDS

In 2021, stigma and discrimination were identified key challenges that PLHIVs face in the community, hindering effective realization of their rights. The settings in which this occurs includes family, school, and workplace. In Kagera, it was reported that some parents whose children are living with HIV had prevented them from attending school because ‘they can die any time.’

LHRC’s Call: Community members should also refrain from discriminating or stigmatizing PLHIVs and respect their rights as human beings. There is also a need to intensify efforts to address sexual violence against women and children, as well as child pregnancy, to prevent new HIV infections among women and girls.

5.6. Rights of Refugees

Traditionally, Tanzania has been one of the countries that are very welcoming to refugees in the world, which has earned it accolades within the international community. Over the years, political instability in neighbouring countries such as Burundi and the Democratic Republic of



Congo (DRC) has seen Tanzania become a second home for many refugees and asylum seekers. In 2021, the major issue concerning refugees hosted in Tanzania that came into light is the issue or allegation of forceful return of refugees to their home countries, particularly Burundian refugees.

5.7. Youth Rights

Like other human beings, youth are guaranteed their human rights under various international and regional human rights instruments, including the Universal Declaration of Human Rights (UDHR) of 1948; the International Covenant on Civil and political Rights (ICCPR) of 1966; the African Charter on Human and Peoples Rights (Banjul Charter) of 1981; and the African Charter on the Rights and Welfare of the Child (ACRWC) of 1990. In Africa, like in other parts of the world, there is a specific convention for youth rights, the African Youth Charter of 2006. According to the Charter, youth or young people refer to every person between ages 15 and 35 years.

In Tanzania, various measures have been taken to address various challenges faced by youth and promote their rights. In 2021, the launch of the NATIONAL ACCELERATED ACTION AND INVESTMENT

AGENDA FOR ADOLESCENT HEALTH AND WELLBEING (2021/22- 2024/24), was a positive development in terms of enhancing realization of youth rights. However, more efforts are needed to address the various challenges that youth face, including limited knowledge about sexual and reproductive health and rights; harmful cultural practices such as FGM and child marriage; human trafficking; unemployment and underemployment; poverty; child labour and exploitation; and mental health.

5.8. Impact of Covid19 on the Rights of Vulnerable Groups

In 2021, LHRC observed that vulnerable groups were mostly and disproportionately affected by the Covid19 pandemic. Among the effects of the pandemic were increased violence against women and children, increased vulnerability of women and girls to different forms of violence, and loss of income/employment. Challenges such as FGM, child marriage, child pregnancy, availability and affordability of sanitary pads were said to be moderate and serious problems, exacerbated by the pandemic.





06

CHAPTER SIX:
**HUMAN RIGHTS
MECHANISMS**

CHAPTER SIX:

HUMAN RIGHTS MECHANISMS

Introduction

Human rights mechanisms comprise of laws and institutions that protect and promote human rights. These mechanisms are national, regional and international.

6.1. National Human Rights Mechanisms

The national human rights mechanisms in Tanzania include the Commission for Human Rights and Good Governance (CHRAGG), the Prevention and Combating of Corruption Bureau (PCCB), the Judiciary, the National Prosecutions Service (NPS), the Tanzania Police Force (TPF) and the Tanzania Prisons Services (TPS).

In 2021, national human rights mechanisms continued to play their role in promoting and protecting human rights. Among the positive actions taken by these mechanisms to promote human rights in 2021 were: taking measures to improve administration of justice (Judiciary); arresting and taking to court perpetrators of human rights violation (TPF)s; provision of prison services (TPS), receiving complaints in relation to violation of human rights (CHRAGG), prosecution of perpetrators of human rights violations (NPS), and preventing and combating corruption (PCCB).

In 2021, Tanzania's performance in the Corruption Perceptions Index continues to indicate improvements in combating



■ Anti-corruption



Tanzania's scores in the Corruption Perceptions Indexes 2014-2020

corruption, as Tanzania jumped further in the rankings in the Corruption Perceptions Index 2021, from 94th in 2020 to the 87th position in 2021 after scoring another point to make it 39 points.

Tanzania's scores in the Corruption Perceptions Indexes 2014-2020

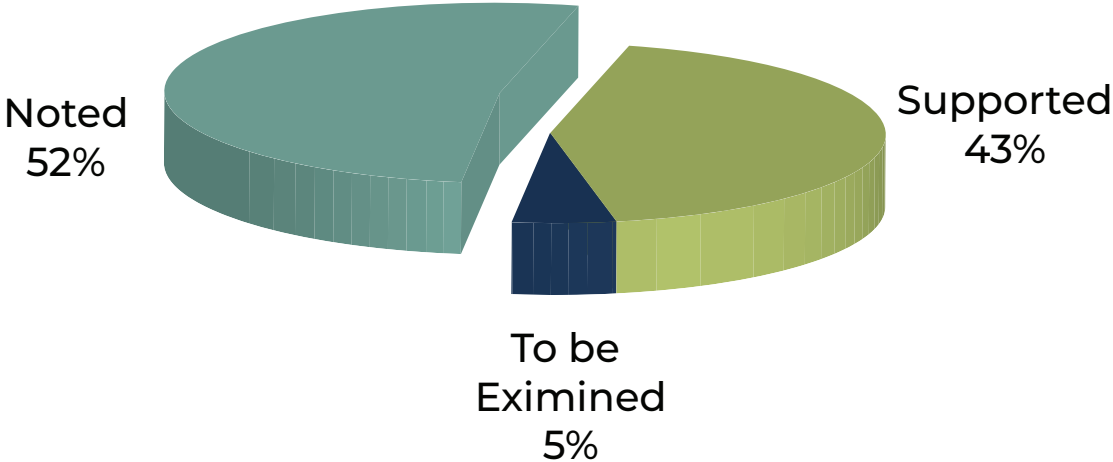
However, the national human rights mechanisms were faced with various challenges in 2021, including shortage of staff, disregard of rights of accused persons, corruption, delays in investigations and conclusion of cases, and budgetary constraints.



6.2. Regional and International Human Rights Mechanisms

The year 2021 was special for Tanzania as found itself on the spotlight before the international community. Tanzania’s human rights record was yet again examined by the UN Human Rights Council’s Universal

Periodic Review (UPR) Working Group for the third time on 5th November 2021. During the interactive dialogue, 92 delegations made statements. Tanzania supported 43% of the recommendations, noted 52%, and promised to examine 5%.





07

CHAPTER SEVEN:
**IMPLEMENTATION OF
RECOMMENDATIONS
IN PREVIOUS
REPORTS**

CHAPTER SEVEN: IMPLEMENTATION OF RECOMMENDATIONS IN PREVIOUS REPORTS

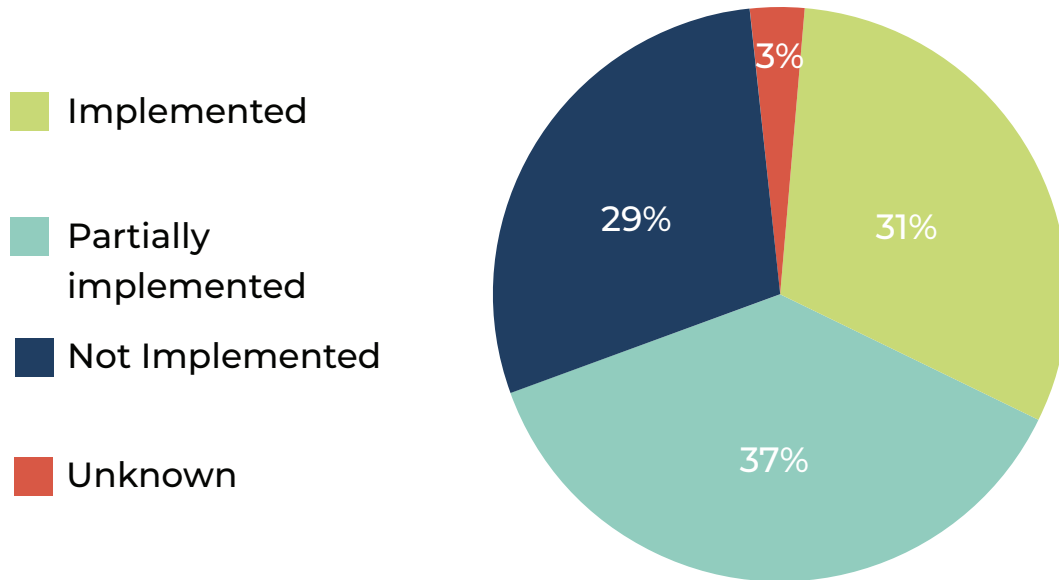
Apart from providing the situation of human rights, as guaranteed in the Constitution of the United Republic of Tanzania of 1977 and regional and international human rights instruments, Tanzania Human Rights Reports provide recommendations to enhance protection of human rights. In 2021, LHRC examined the status of implementation of recommendations provided in previous reports, starting from the year 2015 to the year 2020.

The table below shows the number of recommendations that were implemented (I), partially implemented (PI), not implemented (NI), and whose status is unknown (U).

Status of recommendations of Tanzania Human Rights Reports 2015 to 2020

Category of Human Rights	#Recommendations	I	PI	NI	U
Civil and Political Rights	67	22	24	21	0
Economic, Social and Cultural Rights	44	13	18	12	1
Rights of Vulnerable Groups	28	8	9	9	2
Other human rights	5	2	2	0	1
TOTAL	144	45	53	42	4





Status of implementation of recommendations of THRR 2015 to 2020

Majority of the recommendations made during this period (47%) were on civil and political rights. This is because these rights constitute the majority of human rights stipulated in international human rights instruments and are the most violated

human rights compared to other categories of human rights. Recommendations on civil and political rights also constituted the majority of recommendations which were implemented (47%) and not implemented (50%).



LHRC's Call: In order to safeguard fundamental human rights, enhance social justice, and achieve sustainable development goals (SDGs), we call upon the Government and other actors to fully implement recommendations which are not implemented and those which are partially implemented.





08

CHAPTER EIGHT:
**CONCLUSION & KEY
RECOMMENDATIONS**

CHAPTER EIGHT:

CONCLUSION & KEY RECOMMENDATIONS

Conclusion

Civil and Political Rights

In the year 2021, the situation of civil and political rights slightly deteriorated/worsened as fundamental civil and political rights were violated, especially right to life, right to equality before the law, right to liberty and personal security, and freedom from violence. The whole situation of these rights was exacerbated by the Covid19 pandemic. Of particular concern were rights of accused persons in the criminal justice system. Restrictive laws and regulations also continued to hinder effective realisation of civil and political

rights, especially freedoms of expression, assembly, and association.

Economic, Social and Cultural Rights

In 2021, the Government continued to take various measures to ensure progressive realisation of economic, social, and cultural rights in line with its obligations under regional and international human rights instruments. Key policies such as the fee-free education policy, continued to be implemented to safeguard the right to education. However, effective realisation of these rights continued to be hindered by challenges such as insufficient budget; shortage of workers, including teachers and



healthcare workers; shortage of classrooms and dormitories; shortage of toilet holes; violence against children; harmful cultural practices; low social security coverage; and labour rights violations.

Collective Rights

During this reporting period, collective rights, particularly the right to development, were boosted by Tanzania achieving the middle-income country status. The country did not fare well in terms of political development and human development, while challenges hindering effective realisation of social rights negatively affected social development. Realisation of the right to enjoy and benefit from natural resources was affected by challenges, such as the Covid19, which affected industries such as the tourism industry; corruption; tax avoidance and evasion.

Rights of vulnerable groups

Vulnerable groups include women, children, PWDs, youth, refugees, the elderly and PLHIVs. These are groups that are more likely to suffer human rights violations,

which is why there are special protection mechanisms for them, including specific human rights instruments, save for the elderly who are yet to have a specific human rights convention. In the year 2021, incidents of violence and discrimination against vulnerable groups were widely reported and documented. Sexual violence continues to be a big threat to effective enjoyment of the rights of vulnerable groups.

Recommendations

Civil and Political Rights

State actors

- Being a de facto abolitionist state, the Government, through the Ministry of Constitutional and Legal Affairs, should move to declare a state of moratorium and improve death row conditions and prepare to abolish death penalty.
- The Government to amend the Online Content Regulations 2020 to bring them in line with international human rights standards.



- The Government to amend Media Services Act of 2016 in line with the decision/judgement of the East African Court of Justice of 2019.
- Government officials to refrain from interfering with freedom of expression without reasonable ground stipulated by law.
- The Government, through the Ministry of Constitutional and Legal Affairs, to create a police oversight body to ensure and promote accountability in law enforcement.
- The Judiciary and the Prevention and Combating of Corruption Bureau (PCCB) to closely work together to address corruption within the justice system in order to restore public faith in the system and reduce incidents of mob violence. Addressing judicial corruption will also contribute to safeguarding access to justice.
- The Police Force should ensure police officers refrain from fabricating cases against innocent civilians and conducting arbitrary arrests; and those responsible should be charged with malicious prosecution.

- The Government should move to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture) in order to safeguard freedom from torture.
- The Police Force and courts of law to grant bail for all bailable offences and to do so timely.

Non-state actors

- CSOs and FBOs to use their platforms to speak against and raise awareness about mob violence, death penalty, witchcraft-related killings, attacks of PWAs and road accidents as well as their overall impact on human rights.

Members of the public

- To refrain from taking the law into their own hands and seek remedies at higher levels of the justice system when they are not satisfied with the outcome of a case.
- Religious leaders and traditional leaders to use their platforms to speak against violations of civil rights, especially right to life, freedom of expression



and freedom from torture, as a way of promoting these rights.

- Community members to expose and report violations of human rights, especially right to life, and ensure the perpetrators are brought to justice.

Economic, Social and Cultural Rights

State actors

- The Government, through the Ministry of Finance and Planning, to increase budgetary allocations for education, water and health sectors in line with international standards and ensure full and timely disbursement of funds for these sectors.
- Ministry of Education, Science and Technology to improve access to education for children with disabilities by ensuring availability of relevant infrastructure, teachers and learning tools.

Non-state actors

- CSOs should work with relevant

government ministries, such as the ministry responsible for women and ministry responsible for land, to promote and protect economic rights, including conducting awareness-raising sessions and campaigns.

- CSOs should collaborate with the Prime Minister's Office Labour, Employment, Youth and People with Disability to raise awareness about labour laws, rights and duties.

Members of the public

- Members of the public are also encouraged to report violations of their economic rights to relevant authorities, including trade unions and the Commission for Human Rights and Good Governance.
- Parents and guardians should strive to understand their duties and responsibilities towards their children under the Law of the Child Act of 2009 (as amended in 2019) and make efforts to ensure children enjoy and realise their rights, including right to education



and freedom from violence.

Collective Rights

State actors

- The Ministry of Natural Resources should ensure effective implementation of natural resources laws.
- The Government to ensure respect of human rights while attracting investment and ensure investors comply with Tanzanian laws and respect human rights in their operations.
- The Government to address tax evasion and avoidance in the mining sector and ensure companies which evade tax are held accountable.

Non-state actors

- CSOs and the Commission for Human Rights and Good Governance (CHRAGG) to raise public awareness on right to development and right to benefit from natural resources.
- CSOs should identify gaps in realization of natural resources and engage and advise the government accordingly.

Members of the public

- Community members are encouraged to preserve and protect natural resources, which is their constitutional duty.
- Community members are also encouraged to pay their taxes, since these are key in realization of social and economic rights.

Rights of Vulnerable Groups

State actors

- The Government, through the Ministry of Constitutional and Legal Affairs, to ensure enactment of a specific and comprehensive law on gender-based violence as the current legislations do not adequately address gender-based violence issues.
- The Government, through the Ministry of Constitution and Legal Affairs and the Law Reform Commission, to review, amend and repeal all discriminatory laws which continue to deprive women of their rights and which are contrary to fundamental principles of human rights as provided for in various regional and international conventions ratified by



Tanzania.

- The Government, through the Ministry of Constitutional and Legal Affairs and the Ministry of Foreign Affairs, to ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa of 2018.
- The Government through the Ministry of Education, Science and Technology to integrate gender education in learning curriculums from elementary to higher learning.
- The Government, through the Ministry of Finance and Planning and Ministry of Home Affairs, should increase funding for the police gender desk to enable it to effectively address gender-based violence and violence against children.
- The Government to ratify the ILO C190 - Violence and Harassment Convention, 2019 (No. 190) to safeguard against acts of violence and harassment in the world of work.
- The Government to fulfill its obligation under the regional and international children rights treaties to end child marriage and confirm the age of 18 as

the minimum age for marriage, through a legislative action.

- The Government, through the ministries responsible for special legal affairs and special groups, to spearhead the enactment of a law on elderly rights and protection to complement the National Age Policy.
- The Government, through the Ministry of Finance and Planning, to increase budget for implementation of the NPA-VAWC in order to address VAC and VAW, which have reached alarming levels.

Non-state actors

- CSOs and social welfare departments within local governments to increase awareness on violence against women and children and encourage community members to report incidents to relevant authorities so that the perpetrators can be brought to justice.
- CSOs to continue raising awareness on the rights of the vulnerable groups, including the elderly, and conduct campaigns on ending violence and discrimination against the elderly.



Members of the public

- Community members should refrain from discriminating all children, including street children and children with disabilities.
- Community members to refrain from protecting perpetrators of violence against children simply because they need ‘to conceal family shame.’

Human Rights Mechanisms

State actors

- The Government should strengthen national human rights mechanisms and address the various challenges they face to ensure better protection of human rights.
- The Government to reconsider its decision to withdraw access to the African Court on Human and Peoples’ Rights for NGOs and individuals.
- The Government should enforce decisions of the African Court on Human and Peoples’ Rights on, independent candidate, mandatory death sentence

and that of the East African Court of Justice on the Media Services Act of 2016.

Non-state actors

- CSOs must collaborate with CHRAGG build capacity for law enforcement officials to apply a rights-based approach in their work
- The Media should report about different human rights mechanisms and how they can be engaged.
- CSOs should sensitize the public about different national, regional/continental and international human rights mechanisms.

Members of the public

- Members of the public are encouraged to engage different levels of human rights mechanisms, either individually, or with assistance of CSOs when their human rights are violated, as a way of seeking remedy.





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