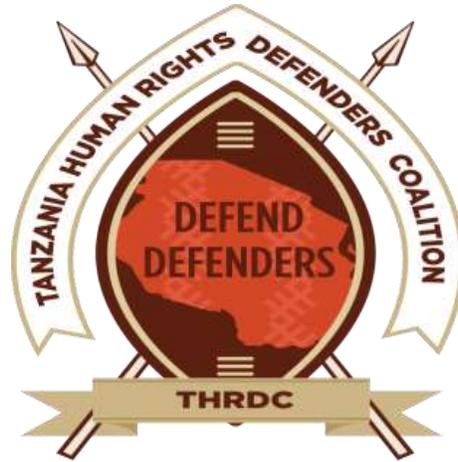


TANZANIA HUMAN RIGHTS DEFENDERS COALITION (THRDC)



AN OVERVIEW OF THE SITUATION OF HUMAN RIGHTS DEFENDERS IN TANZANIA

OCTOBER 2016

Two Years Report submitted to the 59th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) Banjul, The Gambia, October 2016.

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The Introduction;

The Tanzania Human Rights Defenders Coalition (THRDC) welcomes the opportunity offered by the 59th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) to highlight some of the current human rights defenders issues in Tanzania for the period of two years.

This report was prepared by the Tanzania Human Rights Defenders Coalition (THRDC) which is a membership organization with over 145 members across the country and representing all thematic groups of human rights, such as pastoralists, minority groups, women human rights defenders and disabled groups. THRDC is a Non-State Organization with observation status Number 470. This report is the summary of the situation of human rights defenders (HRDs) which compiled from the 2015 and 2016 Tanzania report on the situation of HRDs.

The Situation;

For the past two years we have seen HRDs in Tanzania working in highly difficult and risky environment as they are being harassed, tortured, criminalized, arbitrary arrested, and sometimes charged under criminal offenses. Freedom of expression, access to information and the situation of journalists are also noted as challenges affecting HRDs for the past two years whereby several incidents of journalist's attacks and restrictions have been documented, legal setbacks which infringe freedom of expression and access to information is also recorded.

Draconian media laws that contravene Article 19 of the Universal Declaration of Human Rights such as the Cyber Crime Act of 2015 and other media bills have been enacted for this period. The Media industry in Tanzania has been operating under laws, which were put in place 40 years back with draconian provisions. These laws have been used to ban independent newspapers and prosecute journalists who write articles critical of government actions.

THRDC observed the shrinking space of civil society in Tanzania, whereby we witnessed deregistration and suspension of some NGOs, raid and illegal confiscation of office documents and prosecution of some of Directors of NGOs simply because of the unproven failure to comply with the NGOs Act.

In Tanzania, we are concerned about human rights defenders working in highly difficult and risky environment, as they are being harassed, criminalized, arbitrarily arrested, and sometimes-charged under criminal offenses because of their work. For the past two years, over 50 incidents of attacks, kidnaping, harassment, arbitrary arrests and criminalization of HRDs have been recorded. Recently, in August and September 2016, ten cases of HRDs being criminalised for espionage and sabotage offences for defending pastoralists land

rights in Loliondo Province were documented. There have further been documented cases of attacks, harassment, threats, defamation charges, denial of freedom of movement against journalists, as well as destruction of their equipment.

We are also concerned with the crackdown of political activities in **Tanzania**, where the Police relying on the provisions of the Police Force and Auxiliary Act which requires only 48 hours notification to the police before any public assembly or demonstration, have imposed the ban of political activities, as the part of implementing presidential order of blocking all of political activities including internal meeting, public assembly and demonstrations until 2020 election. A number of members of opposition parties have been arrested for conducting both internal and public assemblies. The suppression of freedom of association and assembly is also supported by the manifested intention of the government of Tanzania to use repressive media laws as the Newspaper Act of 1976, the Cyber Law of 2015 and proposed Media Service Bill of 2016 to suppress freedom of speech, expression of opinion and use of online platforms.

Our Call;

In light of the updates and observations contained in this report, the Tanzania Human Rights Defenders Coalition calls the African Commission on Human and Peoples' Rights to take the following actions;

1. Ensure the protection of human rights defenders, notably by observing the Declaration on Human Rights Defenders, African Charter on Human and Peoples' Rights and other human rights treaties to which Tanzania is signatory;
2. End all forms of impunity for violations against innocent people, journalists, and human rights defenders by ensuring that investigations are promptly and impartially conducted, perpetrators are held accountable, and victims obtain appropriate remedies;
3. Amend all repressive legislation affecting smooth operations of HRDs, CSOs, and journalists and ensure stakeholders are effectively consulted in the reform process;
4. Drop espionage and other charges against 10 pastoralists HRDs in Loliondo Tanzania, this including stop harassing an eminent woman rights defender Maanda Ngoitiko who stood strongly for the rights of pastoralists in Loliondo;
5. Amend the NGO Act 2002 especially all the repressive provisions such as sections 18, 35 and 36, that compels CSOs registered under any other laws to do second registration as part of compliance to the law;
6. Abstain from adopting the proposed Media Service Bill of 2016 until all repressive provisions have been reconciled after wider public consultation;

7. Abstain using cyber laws to restrict the use of social media and internet; and
8. Uplift the ban of civic and political meetings and rallies as part of ensuring that all people in Tanzania including CSOs, opposition parties enjoy the constitutional rights to freedom of assembly and associations.
9. Stop using the Cyber law and other laws to restrict internet freedom in Tanzania. Tanzania should understand that , in the modern world internet is now categorized as part of human rights.

Humbly Submitted this day of 26th /10/2016

By Onesmo Olengurumwa- Coordinator