

## **THE EXECUTIVE DIRECTOR'S MESSAGE.**

For the Legal and Human Rights Centre, the year 1998 began with a lot of verve. After all the centre had a three year plan to implement. It was a very active year which has also enabled broadening the activities and growth of the Centre. It is with pride that we submit this report which is a detailed account of both planned and actual towards the fulfillment of the mission and objectives of the Legal and Human Rights Centre.

1998, for us, was a networking and coalition building year. A lot of our work was carried out through networking and coalition building. A lot was done in the Land Bill initiative, Sexual Offences Bill (and later Act), Constitutional debate, Legal aid and legal literacy, NGO policy, the East African Community treaty, the follow up of international instruments reporting by the United Republic of Tanzania. We joined hands in the task force on the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and a NGO Shadow Report was produced. In addition, a Shadow Report for the International Convention on Civil and Political Rights was an outcome of Coalition.

The Legal and Human Rights Centre was also actively involved in the International Coalition on the formation of the International Criminal Court and was very enthusiastic when the court was eventually formed. Involvement in regional networks was yet another milestone as the Centre joined the Eastern and Southern African Human Rights NGO Network (SAHRINGON).

The Networking fitted well with the Centre's planned activities which were carried out smoothly with a lot of volunteerism and hard work. Through this year's work the Centre's capacity has grown and this is reflected in the number of achievements made so far to attain the Centre's objectives. We look forward to the future with confidence to further increase efforts towards the promotion of human rights and building of a human rights culture.

**For Human Rights Prosperity.**

Helen Kijo-Bisimba  
Executive Director.

## **THE LEGAL AND HUMAN RIGHTS CENTRE'S MISSION STATEMENT**

The Legal and Human Rights Centre is both a legal and a human rights organization. The Centre was created so as to contribute to the process of democratization in Tanzania and strives to promote, reinforce and safeguard human rights.

The primary task of the Legal and Human Rights Center is to create legal and human rights empowerment amongst the socially, economically, culturally and spiritually disadvantaged and marginalized groups within the Tanzania society through legal and human rights training, provision of legal aid, information generation and dissemination through publications and radio programmes, research on legal and human rights issues and networking and alliance building with other institutions which share this mission. The above can be achieved by:-

- Dissemination of legal and human rights knowledge to various groups in the society through training, publications and radio programmes.
- Provision of legal aid to indigent people or those whose cases have special public interest or cases which can advance law reform.
- Promotion of public awareness in the field of environmental protection and;
- Conducting research on legal and human rights issues with the aim of using the findings as a basis for lobbying and advocacy for changes.

## THE ORGANIZATION IN BRIEF.

The Legal and Human Rights Centre is registered in Tanzania as a private, non governmental, non partisan and non-profit making organization. It has been an autonomous and independent entity since its registration in September 1995.

The Legal and Human Rights Centre was established from the realization of the extent to which the majority of the people were unaware of their rights and for the indigent who had no means to pursue their rights in court for want of legal representation.

To cater for these needs the Centre has embarked on activities in the areas of legal and human rights training. These include training of Trainers at local level, training of law enforcers and government functionaries. Moreover, the centre runs a Radio program on national radio which covers most of the country in addition to publication of posters, simple legal and human rights booklets, leaflets and case studies of human rights abuse.

There are three main projects which are:

1. **Human Rights Training:** These are training of trainers, Training to specific groups such as law enforcers, civil society leaders etc. and land rights training to various groups.
2. **Legal aid services:** This covers provision of legal aid and litigation.
3. **Research Publication and Documentation:** Research is conducted in the areas of human rights abuse, legal issues related to the violations of human rights such as reproductive

health, child abuse, law of inheritance etc. And publication of reports, brochures and posters.

### STAFF:

The Centre has very few full time staff whom include two professional lawyers, Finance and Administrative Officer and support staff being a secretary, driver, custodian and two guards. However, the Centre benefits from the services of Volunteers who give life to the Legal Aid Clinic which is opened twice a week in the afternoons. Regularly the Center uses part time staff in particular activities.

### BOARD OF DIRECTORS

The Legal and Human Rights Centre is governed by a Board of Directors which enjoys the privilege of having as its chairman the Hon. Judge of the Court of Appeal, Justice Kahwa Lugakingira. Also in the Board are distinguished lawyers/advocates, including the current Dean of the Faculty of Law at the University of Dar Es Salaam, Dr. Sengondo Mvungi, senior lecturers of the Faculty of Law, Dr. Ringo Tenga and Dr. Palamagamba Kabudi. Dr. Kabudi joined the Board this year. Also in the Board are human rights activists from active NGOs, Madam Marie Shaba and Ananilea Nkya from TGNP and TAMWA, respectively. What is unique to the board is representation of members from the Centre's beneficiaries these are from the Maasai and Barbaig Pastoralists where the board benefits from having Mr. Martin Saning'o of the Pastoralists Integrated NGOs

Organization (PINGOS) and Ms. Rose Camil, who is a councillor in the Hanang District Council.

## 1998 ACTIVITIES

- I: Legal and Human Rights Training:
  - (i) Training of Trainers (TOT)
  - (ii) Land rights training.
  - (iii) Evaluation of the land rights training at Simanjiro
  - (iv) Training for law enforcers
    - Police Training Project.
- II: Radio Programme.
- III: Follow up of human rights abuse
- IV: Publication
- V: Legal Aid Clinic.
- VI: Research
- VII: Management and Administration.
- VIII: Networking and Coalition

## OVERVIEW OF THE 1998 ACTIVITIES.

### INTRODUCTION

The activities of the Legal and Human Rights Centre are performed through its three departments namely the;

- Legal and Human Rights Services.
- The Research, Publication and Documentation.
- Finance and Administration.

#### I: **Legal and Human Rights Training.**

The major activities under the Legal and Human Rights Services Department are training, Radio programme and Legal aid . The Centre has this year trained trainers in several villages on legal and human rights and specifically on land rights. These in turn educate fellow villagers after undergoing the training. Training of law enforcers in their training colleges was also an achievement although it was not possible to train police recruits at Moshi College and prison workers at Kiwira Prison College. But the Prison Warders at Ukonga Prison College in Dar es Salaam benefited from the training. The participatory training method employed has been very fruitful as it enabled the participants to realize the extent to which they know the issues but were simply not aware of the fact. The facilitators also learnt a lot from the trainees.

Areas covered in the training differ from group to group depending on the outcome of the needs assessment done prior to the training.

(i) **TRAINING**

**Training of Trainers at community level**

This training on human rights in general was facilitated under the following topics;

- Human rights an overview
  - Meaning of human rights
  - Legal rights and moral rights
  - International Human rights law
  
- The United Republic of Tanzania Constitution its pros and cons.
  
- Laws related to human rights;
  - Law of Marriage.
  - Laws of inheritance.
  - Land law.
  - Local government
  
- Conflict management and resolution.
  
- Specific rights.
  - Rights of the child.
  - Police and Citizen's rights
  - Gender and Women's rights
  
- Issues in society infringing upon human rights
  - Corruption
  - Tradition and Cultural practice.

Corruption, as a human rights abuse perpetrator, was found to be a problem in each community. Whereas all the people know that corruption is a problem and many know those who request for and



take bribes as well those who give bribes, the problem has been how to curb graft practices. Also the traditional and cultural practices violating human rights had to be studied in depth and in all the training sessions the participants were in agreement that education to the society is inevitable to curb the mal-practices. In the role plays performed by the trainees the main issues raised were corruption, police brutality and child and women's rights abuses. However in Yeada Chini where there are no police the major issue is under-development, lack of water, schools and health facilities. The number of trainers trained this year is expected to have a multiplier effect as they were urged to begin training at village level on the issues raised in their training. This year the Centre trained a total of 98 community level trainers, 62 men and 36 women. Below is a summary of the training.

<b>Date</b>	<b>Place</b>	<b>Number</b>			<b>Type of participants</b>
		<i>Male</i>	<i>Female</i>	<i>Total</i>	
17 <sup>th</sup> – 21 <sup>st</sup> Aug. 1998	Kibaya Kiteto	17	11	28	Members of NGO/CBOs and villagers in Kiteto
21 <sup>st</sup> – 25 <sup>th</sup> Sept 98	Katesh Hanang	18	14	32	Members of NGO/CBOs Villagers in Hanang.
28 <sup>th</sup> Sept – 2 <sup>nd</sup> Oct. 98	Yaeda Chini, Mbulu	27	11	38	Villagers, group elders.
<b>Total Trained</b>		62	36	98	

**Table 1**

## ii) Land rights training of trainers

This is an ongoing activity for which the Legal and Human Rights Centre has been commissioned by the Land Management Programme in a consultancy agreement with the Swedish Orgut Consultancy firm based in Dar Es Salaam. It was realized that the land problems in Simanjiro and Kiteto districts were mainly due to the ignorance of the majority of people on land law especially on matters of acquisition, ownership, use, management and transfer of land. This has led to the land in these areas being sold to a few rich individuals from nearby towns of Moshi and Arusha, leaving the people with no land or with very small piece of land which pose a problem especially for the pastoralists. In some areas environmental degradation is common due to charcoal burning and wanton tree cutting for selling for building purposes.

The training began in 1996 through to 1998. The aim was to get trainers for all the villages in Simanjiro and Kiteto districts. This aim has been realized in Simajiro. For Kiteto the Centre managed to train trainers from thirteen (13) villages only. Due to a big land problem in Naberera, a village in Simajiro, there was a need to have a training session with the members of the village government and the village committee on environment and land management. It was observed from this session that the members of the village government and the committee are the ones responsible for the land problems in the area. Some of them have charcoal businesses while others are

responsible for giving out land to outsiders without following laid down procedures. The training facilitated the reinstatement of the land committee which they decided will work according to their by-law. Below is a summary of the Land Rights Training for Trainers.

<b>Date</b>	<b>Place</b>	<b>Number</b>			<b>Villages</b>
		<b>Male</b>	<b>Female</b>	<b>Total</b>	
2 – 7 March 1998	Loolera <b>Kiteto</b>	10	7	17	(5) Loolera Ngapapa Lembapuli Kijungu Lesoit
9 - 13/3/1998	Engusero <b>Kiteto</b>	13	8	21	(3) Enguseru Ngipa Ndirgish
31 <sup>st</sup> March – 3 <sup>rd</sup> April 1998	Naberera <b>Simanjiro</b>	27	4	31	(3) Naberera Village Council.
6-10/4/1998	Naberera <b>Simanjiro</b>	10	3	13	(4) Naberera Lolekare Lobosoil Lendanai
11-15/5/98	Mirerani <b>Simanjiro</b>	14	4	18	Orbil, Nyumba ya Mungu, Kambi ya Chokaa, Gunge, Langasti, Shambarai

18-22/5/98	Mirerani <b>Simanjiro</b>	11	5	16	(5) Mirerani, Msitu wa Tembo, Oljoro, Kiruiani, Oljoronyori
25-29/5/98	Kibaya <b>Kiteto</b>	19	6	25	(3) Ndedo, Makani, Ilkushbor
1-6/6/1998	Kibaya <b>Kiteto</b>	17	7	24	(5) Dosidosi, Dongo, Enguseru Sidani, Olgine, Magungu
TOTAL		121	44	165	31

**Table 2**

iii) **Evaluation of the Simanjiro Land Rights Training.**

In Simanjiro most of the villages had got trainers trained in land rights since the project began in December 1996. An evaluation was carried out in June 1998. The resultant report revealed that the trainees/trainers, have been conducting the training at household level. Villagers were enthusiastic about getting the knowledge. There has, however, been problems of leadership in some villages where the village leaders did not cooperate with trainers hence making it

difficult for them to operate. The trainers have showed zeal and commitment, and their work is fairly impressive.

#### iv) **Training of Law enforcers**

The Legal and Human Rights Centre embarked on offering training to some of the law enforcers since 1997. In the evaluation of the training for police officials and prison warders it was suggested that human rights courses be taught at the colleges of the two institutions as it will not be easy to cover all the officials who are at work. It was observed that putting the human rights courses right in the colleges will have more effect. The Centre then negotiated with the Commissioners' for the Prisons and the Police Training Colleges who were very positive. It was possible, however to train only the Prison Warders at Ukonga Training College. Due to technicalities and bureaucracy it was not possible to train Prison college trainers in Kiwira Prison College in Mbeya and the Moshi Police College.

- **Police Training Project**

From the Centre's past experience in training the police and its plan for this year's training it was possible to link with the Danish Centre for human rights in their Police Project. This project involves organizations from several countries in Africa, Latin America, and Eastern Europe. This project is aimed at contributing to raising awareness on and respect for human rights within the Police force. The LHRC has attended two workshops in Denmark in the planning of the project. The Legal and Human Rights Centre is coordinating the project in Tanzania to be implemented in collaboration with the

Police force. A training workshop with police officials from each police department was carried out to work on the topics for the envisaged police training manual. The resource team of the project is currently preparing a Draft Police Training Manual. This will be pre-tested and finalized next year and trainers will be trained from the police colleges so as to use the manual in their normal training. The same process is earmarked for the training of Prison officials.

## **TRAINERS**

The Legal and Human Rights Centre had the privilege of having trainers for all the above training sessions from the Centre's staff and coopted trainers. These are;

- Helen Kijo-Bisimba – the LHRC Executive Director
- Evod Mmanda – the LHRC Legal Officer
- Alex Mgongolwa – Part time Legal Officer/ Legal Aid Volunteer
- Francis Stolla – Legal Officer – Coopted.
- Jane Magigita – Legal Officer – Volunteer.
- Projectus Rwehumbiza – Legal Officer – Volunteer
- Scolastica Jullu – Legal Officer – Volunteer.
- Aloyce Vianne – Legal Officer – Volunteer.
- LHRC Driver Alli Saidi Mwashongo was a trainee trainer in most of the training sessions.

***Picture of the trainers***

## II. RADIO PROGRAMME

The radio programme was launched in October 1997 and has continued through 1998 on Radio Tanzania Dar Es Salaam, the national radio. The programme is going by the name of DARUBINI a Kiswahili language word meaning “Telescope”. The programme has become popular. We have received many letters from listeners from almost all parts of the country as feedback. However, the programmes producer Mr. Bakari Msulwa, of the national radio reported the problem of timing of the programme for the Central Zone listeners who do not get our programme since DARUBINI is on air when they are tuned to the Central Zone radio programme. We intend to change the timing and probably shift the programme from Thursdays 6:30 p.m. – 7:00 p.m. to Sundays 8:30 p.m. – 9:00 p.m. In 1998 53 programmes were aired. Many topics were covered in the area of Legal and Human Rights such as;

- Rights of “an” accused person, a prisoner, a witness, citizens, children, women, domestic servants, media, etc.
- Role of NGOs in Human Rights
- Duties and powers of police officers, prison warders, private security guards and state militia.
- Court system and litigation process
- Procecusion and bail
- Law on;
  - Rape and defilement
  - Inheritance/will
  - Marriage
  - Land
  - Right to worship
  - Corruption



Public discussions were held and produced on: Sexual Offences special provisions Act 1998 in Kilimanjaro, Arusha and Dodoma.

There were special programmes to respond to letters from listeners. Most letters wanted more information about the rights of citizen's vis a vis the police. This necessitated the repeat of the programme on Police Duties and Citizen's Rights. The Centre also sent copies of the booklet in Kiswahili entitled "Citizen's rights and the duties and powers of the Police" to some listeners.

Resource Persons in the production of the programmes:

- Helen Kijo-Bisimba
- Evod Mmanda
- Joseph Tadayo
- Jane Magigita
- Dr. Ringo Tenga
- Dr. Palamagamba Kabudi
- Alex Mgongolwa
- Projectus Rwehumbiza

***Picture of Bakari Msulwa***

### III. FOLLOW UP ON HUMAN RIGHTS ABUSE

The Legal and Human Rights Centre is almost the only active human rights organization per se in the country. In this respect it is expected to react to human rights abuse which occurs in the country. However, efforts to this effect were limited in 1998 due to the capacity of the Centre. There is no full time officer to track the issues and make the required follow up. Still it was possible to make follow ups on a limited scale as in the following examples.

#### 1. Kiteto Head teacher impregnates a school girl.

The Executive Director of the Centre while at a training session in Kiteto District in Arusha was informed of the story of a school girl who could not go on with school as she was impregnated by her head teacher. The Director was further informed that this matter was taken to the Police but nothing had been done and the head teacher was transferred to another school. The Director made an investigation at the District where she met the District Police Commandant (OCD) who gave her a written reply from the Regional Police Commander on the issue that there was no evidence to the effect that the girl's education was disrupted by the pregnancy. He, however, advised that the employer take disciplinary action against the teacher. The Director then went to the employer the District Council where she was informed that the parents of the girl upon deciding to go to the police made the employer unable to do anything. This was of course ridiculous which then necessitated the LHRC Director to issue a press release on the matter. This was picked by Radio Tanzania, Harakati Programme and Majira newspaper. Later the Prime Minister requested more information which was sent to him and the issue of school girl pregnancies formed part of his closing speech of the mid year Parliamentary session. The LHRC, however, could not go on following the matter for lack of resources.

*“News paper cuttings”*

2. The Legal and Human Rights Centre issued a press release to question the reason for a school teacher who had impregnated a school girl to be released by a court in Singida (Central Tanzania) due to a family arrangement. The release was echoed in several newspapers and later it was reported that the teacher was taken to court afresh and was convicted and sentenced to one year imprisonment.

*“News Paper Cuttings”*

These two examples show the effectiveness of following up human rights abuse, hence the need for the Centre to devise a proper plan to follow up human rights abuse issue.

#### IV. PUBLICATION

Through publications, the Centre has been able to reach many people. Publications prepared by the Centre are in form of simple booklets in the national language Kiswahili, leaflets, brochures and posters. This year the Centre produced its brochure: Introduction to the Legal and Human Rights which was out of print. The brochure provides brief basic information about the Legal and Human Rights Centre.

*Brochure*

**The Booklet:** Translation of the Universal Declaration on Human Rights was also reprinted as many people showed interest in having a copy as the 50<sup>th</sup> anniversary celebrations of the UDHR were in the climax. Some 10,000 copies were reprinted.

Universal Declaration of Human Rights (Kiswahili)

### Bill of Rights

A booklet analyzing the Tanzania Bill of Rights was printed in Kiswahili with pictorial explanations. This has been distributed to organizations and many individuals, clients of the legal aid, etc.

Haki za Kikatiba

### Posters:

A poster on wife battery was printed and distributed in many offices, schools, churches, etc. It goes with the saying that “Real men never abuse women”.

Poster

A poster for the Citizen’s Coalition on the New Constitution was printed and is being used in the Constitutional debate meetings.

Mtandao wa Katiba Mpya

Other posters on corruption , women in decision making, children’s rights are being prepared.

The posters have also been used very effectively in training and has already made an impact where several organisations have written to us requesting more posters to use in their programmes.

“2<sup>nd</sup> Human Rights Report on the Extent of Child Abuse”.

This has been issued in form of a booklet. It summarizes child abuse cases as reported in the Newspapers. This report has been of use by students and organisation research conducting

2<sup>nd</sup> Human Rights Report

## **V. LEGAL AID CLINIC**

The Legal and Human Rights Centre runs a Legal Aid Clinic at its offices situated at Magomeni in Kinondoni District. The clinic is opened twice a week on Mondays and Fridays from 3:00 p.m. to 6:00 p.m. The clinic began operation in January 1997 and since then it has seen an increase in the number of clients and types of cases. This clinic is one among few legal aid clinics which attends to both men and women. Most legal aid clinics of this nature attend to women only. This has shown the diversity in number of male clients and the nature of legal aid matters. From the analysis done the clinic receives more men than women - 65 percent men and 35 percent women. The leading problem is employment which carries 36 percent of the cases received. It also shows that there are men related problems which are different from women's problems. There are more women who bring matrimonial problems than men - 88 percent women 12 percent men. No man did come with maintenance of children problem but there were four such cases brought by women. In 1998, 375 new cases were received while 140 follow up cases continued. However the Centre is planning to establish a proper data base for the Legal Aid Clinic; so as to

document number of cases referred to court, those settled out of court, finalized cases, etc.

**TYPE OF CASES AND NUMBER OF NEW CLIENTS ATTENDED FROM  
JANUARY – DECEMBER 1998.**

TYPE OF CASE	Jan	Feb	Mar	Apr.	May	June	July	Aug.	Sept	Oct.	Nov.	Dec	Total
Employment	12	2	8	9	5	5	8	9	8	15	9	11	101
Matrimonial	4	4	10	9	7	8	7	5	5	7	4	7	77
Inheritance	3	3	4	1	4	4	9	6	7	1	3	3	48
Property, (land House)	2	2	1	2	5	5	2	5	2	5	6	-	37
Civil matters	2	5	3	-	3	3	4	2	2	5	3	3	35
Criminal matters	1	1	2	1	1	1	2	3	2	7	5	2	28
Land Lord and Tenant	1	2	2	-	1	1	7	4	3	2	2	-	25
Custody (children)	-	-	-	-	-	2	3	2	1	1	1	-	13
Refugees	-	-	-	-	-	-	2	-	1	1	5	1	10
Child Maintenance	-	-	-	-	-	-	-	-	-	-	1	3	4
<b>TOTAL</b>	<b>25</b>	<b>19</b>	<b>30</b>	<b>22</b>	<b>26</b>	<b>29</b>	<b>44</b>	<b>36</b>	<b>31</b>	<b>44</b>	<b>39</b>	<b>30</b>	<b>375</b>

**Table 3**

**1998 LEGAL AID CASES PROBLEMS AND NUMBERS OF CLIENTS BY  
GENDER**

Type of Case	Corporate Person	Male	Female	New Client	Follow up	Total

					<b>Clients</b>	
Employment	1	171	12	101	83	184
Matrimonial	-	12	68	77	3	80
Inheritance	-	16	43	48	11	59
Civil Matters	1	46	10	35	22	57
Property (Land, house)	7	28	8	37	6	43
Criminal matters	-	27	12	28	11	39
Land Lord and Tenant	-	16	9	25	-	25
Custody (children)	-	4	9	10	3	13
Refugees	-	9	2	10	1	11
Child Maintenance	-	-	4	4	-	4
<b>TOTAL</b>	<b>9</b>	<b>329</b>	<b>177</b>	<b>375</b>	<b>140</b>	<b>515</b>

**Table 4****Key:*****Civil matters include:***

Contract  
 Compensation  
 Defamation

***Criminal matters include:***

Assault  
 Rape  
 Harassment

***Corporate person includes:***

Registered organizations and groups.

- **Litigation:**

The Legal and Human Rights Centre also has a component of litigation under the Legal Aid Clinic. Since the clinic began, individual cases had never been given representation. The Centre had inherited two land rights cases from the University of Dar Es Salaam Legal Aid Committee. These are **Ako Gembul versus National Agricultural and Food Corporation Wheat Farms** and **Yoke Gwaku and 6 others versus The National Agricultural and Food Corporation**. The cases have been dragging on court for many years. In 1998 the Centre took them up. However since they did not have funds so advocates could not travel to Arusha where they are being held. The status of the cases is that, one is on appeal and the other is still on trial. They represent land problems which if ruled on the plaintiff's favour many people of the pastoralist Barbaig will get their land acquired by the government.

In 1998 one staff member was called to the bar and could appear for our clients. Two volunteers also joined the bar. The two volunteers represented for the first time individual cases in court. It was an achievement especially on the cases where our clients won the case and got their rights which could have been lost. All the cases represented were technical and the clients could not handle them without representation.

In total six (6) clients were represented. Three (3) cases were won, two (2) are pending in court and one (1) was lost and it was decided to be taken on appeal. Two of the successful cases were on child abuse.



## **1. CUSTODY OF CHILDREN**

The first case, a woman who had separated from her husband was not allowed to see her children. The children were taken from her by the husband and he would not allow her to see them. The children were seven and three years old, both girl children.

The mother came to the clinic and was represented in court where she applied for an order under a Certificate of Urgency to get the custody of her daughters. The application was ruled in her favour and she got back her children.

## **2. INHERITANCE AND CHILD CUSTODY**

The 2<sup>nd</sup> case was of a widow whose father in law had chased her from her matrimonial home after the death of her husband and had refused to allow her to take any of her personal property and even her four year old daughter. The widow came to the Legal Aid Clinic after being referred to by the Tanzanian Media Women Association where she had gone first. Legal documents were prepared for her and she was represented in court in her application to get custody of her child and her property. The application was successful and she got her child back and her personal property. She is now following up her probate case for the inheritance of her husband's property.

- **Self representation.**

For most of the Legal Aid Clinic clients, who have to institute cases in court, they are advised and court documents are prepared for them. Every time before they go to court for hearing they get a briefing from the Legal Aid Volunteers. Some of them after finalizing the case they come back and report on the ruling, some do not come back so we do not know whether they were successful or not. For the year under review, we had few success stories amongst are these two below.

#### **Client from Mtwara**

Mtwara is a region in the Southern part of the country. The region is not accessible by road most of the year due to poor roads. The easiest way to reach Mtwara is by Aeroplane which many people cannot afford. However we got a client from Mtwara who had been aggrieved by the police in Mtwara. He was charged with unlawful possession of car batteries which he lawfully owned. He was discharged by the court and the police were ordered to give him back his batteries but they did not. He had reported this matter to the District Police Commandant, the Regional Police Commander, the Inspector General of Police and he had even written letters to the President. After failing in all these steps he decided to approach the Legal and Human Rights Centre in 1997. The Centre wrote to the Mtwara Police to make a demand on behalf of the client to have 16 car batteries confiscated by the police released. The client was also defamed and disturbed after a malicious prosecution instituted by the police in Mtwara.

Documents were prepared for him and he instituted a civil suit in the High Court of Tanzania, demanding among other things compensation for the apparent malicious prosecution, defamation, disturbances and return of the 16 batteries or its equivalent in monetary terms. On April 1998 he was paid Tsh. 990,000/=, the value of the 16 batteries. The other two counts are still pending in court.

### A Client from Singida

Singida is in the Central part of Tanzania. To travel by bus from Singida to Dar Es Salaam when it is not raining and the roads are passable it takes about ten to twelve hours. A client travelled from Singida to the Legal Aid clinic. The client was summarily dismissed from employment in 1989. He was dissatisfied and referred the matter to the Labour Reconciliation Board in Singida in 1990. The Reconciliation Board decided in favour of the client and ordered termination subject to be paid all his terminal benefits.

Since 1990 the client had been following up his terminal benefits in vain. In 1997 he visited the Centre's Legal Aid Clinic. The employer was requested by the Centre to pay the client but did not respond. The client was advised to institute a civil suit in the High Court for the recovery of his lawful terminal benefits. Court documents were prepared and the client instituted the suit. Before the case came for hearing the Respondent (The employer) decided to settle the matter out of court. The Centre helped the client to negotiate the settlement .

- The client was therefore paid his statutory benefits at the current rate that is severance allowance and one months salary.
- Transport facility for his personal belongings from Tabora to Singida and from Dar Es Salaam to Singida.
- Payment of his salary from the date of termination 1990 to the date of settlement 1998. A total of 8 years salary and gratuity. The matter was successfully settled on 23<sup>rd</sup> June 1998.

## VI. RESEARCH

The issue of Female Genital Mutilation (FGM) is a human rights problem which has not been handled seriously in its entirety. There are some organizations working on raising people's awareness on the evils of the practice so as to curb it. Little research has been done and in some areas no research has been done at all on the reasons, effects etc. of the practice. In July 1998 a law was passed which criminalizes the practice. It is said that eight out of the twenty regions in Tanzania mainland practice FGM. The Legal and Human Rights Centre decided to embark on a comparative research in the eight regions so as to use the findings in strategizing how to tackle the practice in all the areas. Before the research could be done a pre-research workshop was conducted. The workshop was attended by representatives from NGOs who had done some work on the subject matter, interested NGOs and individuals, the researchers and media personnel. The workshop came out with terms of reference for the researchers. The main issues concerning the problem were unraveled and terms for the subject matter were discussed. It was also an awareness session for some of the participants. The research will be carried out in 1999.

## VII. MANAGEMENT AND ADMINISTRATION

The Management of the Legal and Human Rights Centre on day-to-day basis is under the executive director or in her absence one of the heads of department who acts as director. The heads of department and the Executive Director form the Management team which meets every Monday morning. The meetings are for getting feedback on what transpired in the previous week and planning purposes, including what is to be done the coming week. Staff meeting is supposed to be held once per month. However in 1998 only two staff meetings were held.

## Staff Retreat

There is a staff retreat session held annually since the establishment of the Centre. The 1998 Staff retreat was held in October at the Bahari Beach Hotel. All staff members, some volunteers and some Board members participated. The aim of this year's retreat was to make a reflection on the organization's activities since its establishment and for the staff to evaluate themselves in accordance with the values of the organization. The retreat was facilitated by the Executive Director of the Women's Legal Aid Centre, Mrs. Monica Mhoja.

The retreat was very successful. It brought all the staff, volunteers and Board members nearer and everybody saw the organization from its inception to the present state. It was very interesting to relate oneself to the values of the organization. Do people in the organization practice human rights? This was a challenge to all LHRC participants. The retreat was also useful as it planned for better ways in which the Centre can serve the public and how it can further build its capacity.

*Retreat picture*

## Capacity Building

The Centre craves for building the capacity of its staff, volunteers and Board members. In this spirit the Board members were trained on "The Role of NGOs Board of Directors". The training was well received and very educative.

## TRAINING

The staff and volunteers attended short courses in the areas needed for building their capacity and that of the Centre.

TYPE	DATE	ORGANISER	PARTICIPANT
Paralegal Training Programme (Kabale), Uganda.	5 <sup>th</sup> Jan. - 28 <sup>th</sup> Feb. 1998	Mazingira Institute and Uganda Gender Resource Centre	Jane Magigita - Legal Officer - Volunteer.
Practical Financial Management for NGOs (Usa River TCDC) Arusha.	19 <sup>th</sup> - 30 <sup>th</sup> Jan. 1998	Springfield Centre UK and the DFID British Council	Helen Kijo-Bisimba - Executive Director

Practical Financial Management for NGOs (Usa River, TCDC Arusha).	2 <sup>nd</sup> - 6 <sup>th</sup> Feb. 98	The Springfield Centre UK and The DFID British Council	Ezekiel J. Massanja Finance and Administrative Officer.
Human rights course - Copenhagen (Denmark)	2 - 19 March 1998	DCHR	Helen Kijo-Bisimba - Executive Director
Advanced course in Human Rights (Sweden)	25 <sup>th</sup> May - 6 <sup>th</sup> June 1998	Raoul Wallenberg Institute Lund Sweden	Living Raphael Kimaro - Legal Officer- Volunteer
Financial Management Training for NOVIB partners (Saba Saba Hotel, Arusha).	13 <sup>th</sup> - 17 <sup>th</sup> July 1998	NOVIB	Helen Kijo-Bisimba - Executive Director And Ezekiel J. Massanja (Finance and Admin. Officer

Table 5



## FACILITATION

Staff of the Centre were called to facilitate in workshop and seminars

TYPE	DATE	ORGANISER	FACILITATOR
The Ecumenical Decade 1988 - 1998 Seminar on Achievements of the Decade (Dodoma)	6 <sup>th</sup> June 1998	CCT	Helen Kijo-Bisimba "Facilitated on the position of women in the church and the community"
National Debate on Constitutional Media legal framework	27 June 1998	AJM	Evod Mmanda A Resource person
ELCT Tanzania Justice Peace in Creation seminar (DSM)	20 <sup>th</sup> - 24 <sup>th</sup> July 1998	JPIC/ELCT	Helen Kijo-Bisimba Facilitator on human Rights in Tanzania.
Regional training workshop for Eastern and Central Africa; Economics, Social and Cultural rights. ( Mandel Training Centre,	1 - 5 August 1998	HURINET and ZIMRIGHTS	Helen Kijo-Bisimba - Executive Director

Harare, Zimbabwe			
TGNP civic and human rights education (Kilimanjaro Hotel)	29 <sup>th</sup> - 30 <sup>th</sup> June 1998	TGNP	Helen Kijo-Bisimba - Resource person on the reflection of Achievements and constraints of NGO/CBOs in imparting civic/voter Education and strategies for a coordinated implementation for a better impact. The case of the LHRC.
Pre-testing workshop on the Kiswahili version of the Legal Rights Organizing for women Trainers Manual.	31 <sup>st</sup> August to 4 <sup>th</sup> Sept. 1998	WiLDAF	Helen Kijo-Bisimba - Executive Director. Facilitator.

### Other activities.

The Legal and Human Rights Centre was invited to take part many activities in form of workshops, seminars, conferences, etc. The full time staff, volunteers and part time staff represented the Centre as follows:-

### Workshops.

<b>TITLE</b>	<b>DATES</b>	<b>ORGANIZER</b>	<b>PARTICIPANT</b>
Workshop on the establishment of an independent National Human Rights Institution	7 – 9 Jan. 1998	United Nations Association of Tanzania	Mr. Evod Mmanda - Legal Officer
Land Forum Meeting : Russian Cultural Centre - Dar Es Salaam	16 Jan. 1998	LARRI (Haki Ardhi)	Helen Kijo-Bisimba- Executive Director
Meeting of Tanzania Media Women Association Legal Committee (TAMWA offices in Dar Es Salaam)	10 <sup>th</sup> Feb. 1998	TAMWA	John Wallace – Legal Aid Volunteer
Seminar on Land Issues in Rwanda (Haki Ardhi Seminar room)	14 <sup>th</sup> Feb. 1998	LARRI Haki Ardhi	Helen Kijo-Bisimba- Executive Director
1 <sup>st</sup> Regional SAHRINGON annual General Meeting (Lusaka, Zambia)	22 <sup>nd</sup> – 26 <sup>th</sup> Feb. 1998	AFRONET for SAHRINGON	Helen Kijo-Bisimba - Executive Director
National NGO Policy Workshop	24 <sup>th</sup> – 26 <sup>th</sup> Feb.	Vice President's	Living Raphael - Legal Officer

(Morogoro)	1998	Office	Volunteer
Workshop on Sexual Offences Bill (Russian Cultural Centre).	3/3/1998	TAMWA	Alex Mgongolwa - Part time Legal Officer
Radio Producers Workshop of the Popular Educational Programmes (Morogoro).	17 - 21 March 1998	RTD	Bakari Msulwa - LHRC Darubini Radio Programme Producer
International Teleconferencing on Women's Health (USIS)	25 <sup>th</sup> March 1998	USIS	Alex Mgongolwa - Part time Legal Officer
Sub-regional High level seminar: Increasing women's access to legal Services and productive resources: (Lusaka, Zambia).	6 <sup>th</sup> - 9 <sup>th</sup> April 1998		Alex Mgongolwa - Part time Legal Officer
Internet workshop	27 <sup>th</sup> March 1998	FES	Theresia Kinabo - Secretary
Consultative Meeting on the East African NGOs capacity building Needs (Nairobi Kenya)	30 <sup>th</sup> April 1998	MWENGO	Ezekiel J. Massanja - Finance and Admin. Officer
Discussion (meeting) about the civil Society in Tanzania	12 <sup>th</sup> May 1998	Swedish Embassy	Helen Kijo- Bisimba -

(DSM)			Executive Director
Planning meeting for the 4 <sup>th</sup> regional training workshop for Eastern and Central Africa (Harare – Zimbabwe)	18 <sup>th</sup> – 20 <sup>th</sup> May 1998	HURINET and ZIMRIGHTS	Helen Kijo-Bisimba – Executive Director
Workshop on the Sexual Offences Act (Russian Cultural Centre, DSM).	22 <sup>nd</sup> May 1998	TAMWA	Alex Mgongolwa – Part time Legal Officer
Seminar on the review of the Manuscript describing the Establishment of the Citizen’s Coalition for Constitutional change (4cs) Kenya TCDC Usa River (Arusha)	30 <sup>th</sup> – 31 <sup>st</sup> May 1998	MWENGO	Evod Mmanda – Legal Officer
Workshop on Domestic Violence (Russian Cultural Centre).	15 – 19 June 1998	TAMWA	Faraja Mwitasye Legal Officer – Volunteer
Workshop on the State of Human Rights in Tanzania (British Council)	3 <sup>rd</sup> July 1998	UDSM Legal Aid Committee	Evod Mmanda – Legal Officer
Seminar on Tanzania and USA Legal Systems: A Comparative Analysis Important legal issues (New Africa Hotel, Dar Es - Salaam)	15 <sup>th</sup> June 1998	Tanganyika Law Society and National Bar Association (USA)	Helen Kijo-Bisimba- Executive Director.

Election monitoring norms setting Workshop: South Africa, Johannesburg	13 – 15 July 1998	CORE	Helen Kijo-Bisimba – Executive Director
Democracy and Police Seminar Copenhagen – Denmark	24 <sup>th</sup> – 28 <sup>th</sup> Aug. 1998	DCHR	Helen Kijo-Bisimba – Executive Director.
Workshop for Sensitization on the Defence of Human and Legal Rights of Women and children (Dar Es Salaam).	28 <sup>th</sup> – 30 <sup>th</sup> July 1998	WAMATA	Projectus Rwehumbiza – Legal Officer Volunteer
Workshop on Human Rights Commission of Tanzania: The Independence, Impartiality and Financing of Human Rights Commission (Dodoma)	31 <sup>st</sup> July – 1 <sup>st</sup> August 1998.	Centre for Human Rights Promotion.	Scolastica Jullu WLAC's Legal Officer
The East Africa sub-regional workshop on the Draft Treaty for the Establishment of the E. A. Community (NOVOTEL, Mount Meru, Arusha)	1 <sup>st</sup> – 4 <sup>th</sup> August 1998	WiLDAF Harare	Helen Kijo-Bisimba – Executive Director.
Female Genital Mutilation, Advocacy Kit workshop ( Dar Es Salaam)	4 – 7 Aug. 1998	UNFPA	Walter Chipeta – Legal Officer Volunteer.
			Living Raphael

Advocacy skills seminar Dar Es Salaam ( White Sands Hotel)	24 <sup>th</sup> August – 4 <sup>th</sup> Sept. 1998	British Council (T) And TLC	Kimaro – Legal Officer – Volunteer.
Pre-testing workshop on the Kiswahili Version of the legal rights organizing for women in Africa – A trainers Manual (TEC Kurasini, DSM)	31 <sup>st</sup> Aug. – 4 <sup>th</sup> Sept. 1998	WiLDAF Tanzania	Projectus Rwehumbiza – Legal Officer Volunteer
Advocacy skills seminar Dar Es Salaam	24 <sup>th</sup> August 4 <sup>th</sup> September	British Council And Tanganyika Law Society	Living Raphael Kimaro – Legal Officer-Volunteer

### The Arusha Office and Staff Matters.

The Arusha office was closed down from 3<sup>rd</sup> February 1998 after the resignation of the Arusha Legal Officer. The office remained closed the whole year. This has been a setback to the Centre as many people are in need of the services of the office. The Centre is planning to re-open the office early 1999 upon receiving funds and recruiting staff for the office.

The Centre remained with a staff of eight full time personnel after the Arusha office Legal Officer resigned. The Staff performance has been very good. However, it was necessary to employ a part time Legal Officer for three months i.e. from March – May 1998 and Volunteers helped a lot in the work of the Legal Aid Clinic.

### Networking and Coalition

This year the Legal and Human Rights Centre continued to network and build coalitions. The LHRC was given the task of coordinating the **Constitutional debate** which later formed a Citizen's Coalition for a New Constitution. The coalition was formed in October 1998 and has a plan of action which the Centre is coordinating. The coalition has about forty members mainly NGOs, religious organizations and individuals.

The Centre is hosting the Southern African Human Rights NGOs Network, The Tanzania Chapter . This has given the Centre a challenge to call in members. It pioneered the establishment of the Chapter, making of its Constitution and setting up of the executive Committee. The Centre raised funds for the first Annual General Meeting of the Chapter held in January 1999.

The Legal and Human Rights Centre feels strengthened in coordinating these networks. The Centre also draws strength from involvement in several other coalitions and Networks. Below is a list of networks the Centre is involved in.

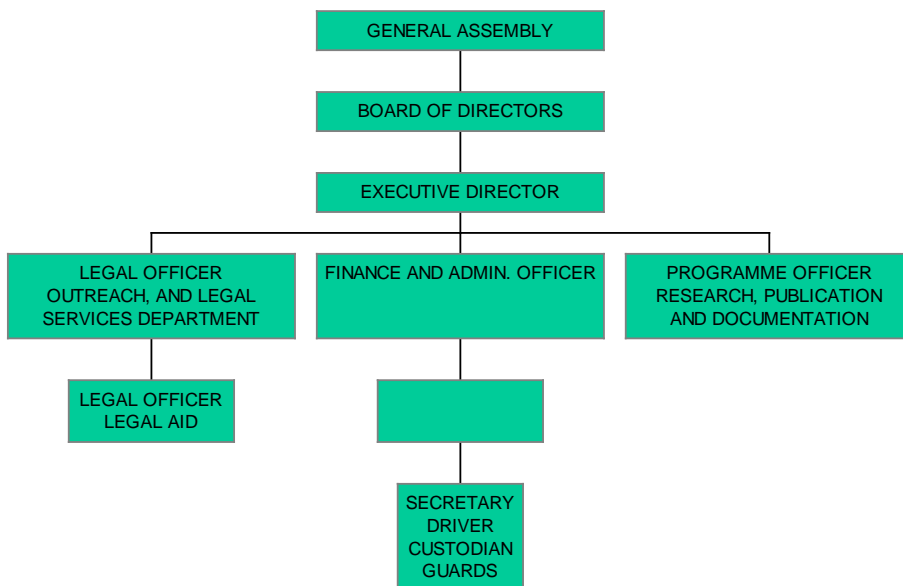
- The Legal and Human Rights Network formed in 1998 and is still in its planning stage.
- The Land Task Force formed to follow up the Land Bill.
- The National Committee for the Celebration of the 50<sup>th</sup> Anniversary of the Universal Declaration of Human Rights.
- International NGO Coalition on the formation of the International Criminal Court.
- The Task Force for the preparation of a Shadow Report on the Convention on the Elimination of all forms of Discrimination against Women (CEDAW). The report was written and representatives sent it to the Commission on the status of women in New York.



## **MEMBERSHIP**

The Legal and Human Rights Centre is a membership organization. The 5<sup>th</sup> Board of Directors' meeting deliberated on the call for membership to the Centre. Criteria for membership has been drawn; individuals as well as organizations can become members of the Legal and Human Rights Centre. Several people have already joined the Centre. Membership forms are issued to interested persons.

### LHRC'S ORGANOGRAM



### THE BOARD OF DIRECTORS 1998

Justice Kahwa Lugakingira	-	Board Chairman
Dr. W. Ringo Tenga	-	Vice Chairman
Dr. Sengondo Mvungi	-	Member
Dr. Palamagamba Kabudi	-	Member
Mr. Martin Saning'o	-	Member
Ms. Marie Shaba	-	Member
Ms. Ananilea Nkya	-	Member
Ms. Rose Camil	-	Member
Ms. Martha Bulengo	-	Member
Ms. Helen Kijo-Bisimba	-	Secretary

### STAFF

#### Staff of the Legal and Human Rights Centre for 1998

Ms. Helen Kijo-Bisimba	-	Executive Director
Mr. Evod Mmanda	-	Legal Officer
Mr. Ezekiel J. Massanja	-	Finance and Administrative Officer.
Ms. Theresia Kinabo	-	Secretary
Ms. Nipael Kiondo	-	Custodian
Mr. Ali Saidi Mwashongo	-	Driver/Messenger
Mr. Saidi Mohamed	-	Guard
Mr. Ahmed Mbinga	-	Guard.

**VOLUNTEERS FOR THE LEGAL AID CLINIC 1998**

Mrs. Zainabu Muruke	-	Advocate
Mr. Bernard Ngatunga	-	Advocate
Mr. Living Raphael Kimaro	-	Lawyer
Mr. Walter Chipeta	-	Lawyer
Mr. Projectus Rwehumbiza	-	Lawyer
Mr. Alex Mgongolwa	-	Lawyer
Ms. Merycia Luther	-	Secretary
Mr. Gilbert Gilagile	-	Guard
Miss Jane Simba	-	Cleaner.

## **FINANCES**

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