

LEGAL AND HUMAN RIGHTS CENTRE
(LHRC)

ANNUAL REPORT
2003



Moving With a Human
Rights Agenda

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ABBREVIATIONS

AGM	- Annual General Meeting
CBO	- Community-Based Organisation
CCNC	- Citizen's Coalition on New Constitution
CEDAW	- Convention on the Elimination of all Forms of Discrimination Against Women
CORDAID	- Catholic Organisation for Relief and Development Organisations
CRC	- Convention on the Rights of the Child
DIHR	- Danish Institute for Human Rights
DTV	- Dar es Salaam Television
FGM	- Female Genital Mutilation
HIV/AIDS	- Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
ICCPR	- International Convention on Civil and Political Rights
ICERD	- Convention on the Elimination of all forms of Racial Discrimination
ICESCR	- International Convention on Economic, Social and Cultural Rights
ICC	- International Criminal Court
LAMP	- Land Management Program
LHRC	- Legal and Human Rights Centre
LEAT	- Lawyers Environmental Action Team
NOVIB	- Netherlands Organisation for International Development Co-operation
NGO	- Non-Governmental Organisation
RTC	- Radio Tanzania Dar Es Salaam
SALAN	- Southern Africa Legal Assistance Network
SIDA	- Swedish International Development Agency
SAHRINGON	- Southern Africa Human Rights NGOs Network
TANLET	- Tanzania Legal Education Trust
TV	- Television
UNDP	- United Nations Development Programme
USA	- United States of America
WLAC	- Women's Legal Aid Centre
WRI	- World Resources Institute

BOARD CHAIRPERSON'S MESSAGE

To the Legal and Human Rights Centre, the year 2003 was as challenging as it was promising. Facing a series of reforms in the legal and policy terrains LHRC felt called upon to define its stand and propose alternatives as far as human rights values are concerned. Indeed the developments on the legislative and police fronts such as the operationalisation of the NGO act and the Prevention of Terrorism Act, amendment bills to the National Constitution and the Land Act of 1999, the adoption of the national policies on refugees and the media to mention the few, offered challenging opportunities to us as human rights defenders, not only to uphold their positive values, but to also boldly oppose their negative and retrogressive elements. Nevertheless the above mentioned challenges helped shape the advocacy strategy of LHRC and put us on the map of policy advocates in Tanzania.

Besides its continued struggle to define its position in human rights protection and promotion in Tanzania, LHRC stepped up efforts in 2003 to increase sustainability of its programs. One of the steps taken was to embark on a project of constructing its own headquarter building at Kijitonyama area in Dar es Salaam. With the spacious building of its own LHRC will be able to strengthen its manpower capacity by improving volunteer and internship programs. The building will also help save rental cost for board meetings, workshops and meetings.

As an organisation mandated, *inter alia*, to monitor human rights observance in the country through out the year, we noted with interest some positive moves towards human rights promotion and increased democratic governance. Such moves included the adoption of the policy on mass media which removes the restriction on electronic broadcasting to five regions in the country and protects the interests of Tanzanians in media investment ventures. This by all means, was one of the over due changes to be made in the sphere of the media freedom.

In the limelight of human rights achievements in the course of the year, we noted the running of the Pemba by elections in 16 constituencies. Unlike the previous elections in the Zanzibar Archipelagos, the polling was administered to the satisfaction of all the parties and independent observers. This poses obvious challenge to the supervisors of the upcoming general elections due to take place in 2005 and any by-elections to be conducted in the interim.

On the other hand, we remain concerned over the persistence of the chronic human

rights bottlenecks which have remained untackled, though capable of being solved. This includes the lack of full commitment on the part of the government to respect some of the people's fundamental liberties. The arrest, detention and prosecution of human rights defenders, namely two lawyers of the Lawyers Environmental Action Team (LEAT), based on their agitation for independent investigation in the Bulyanhulu controversy; and the banning of *Dira* newspaper by the government of Zanzibar. Both examples took place in 2003 and will always testify to the lack of tolerance which is an integral part of democracy worthy the name.

Of similar concern was the increasing spate of brutality and other forms of human rights abuses by the law enforcement machinery. In our Tanzania Human Rights Report 2003 we pointed out the appalling record of human rights abuses by the police force and prison departments. The report cites a long litany of incidents of torturing, beating, maiming and murdering suspects done by the mainstream police and prison officers. It is disappointing that these shameful acts are done despite the fact that some concerted efforts are made by the government and civil society groups to provide human rights education to the law enforcement officers. Suffice it to say, that the *status quo* calls for sustained efforts to fight the long nurtured culture of brutality in our law enforcement system.

In light of the above mentioned state of affairs, it is clear that the big challenge still lies ahead of us to make full realization of human rights a reality in our society. Our contention is that in order to lay ground for the growth of a true human rights culture we need to reform not only the public institutions but to transform the entire polity. The stubborn reality is that we have a society which is less conscious of true justice and has little regard to human dignity because of pervasive ignorance combined with apathy. Look at the increasing wave of mob justice which denies victims of the access to due process; look at the unwavering rate of domestic violence; look at the number of other gender-related abuses including female genital mutilation and denial of women's property rights veiled in high held traditions and customs. This shows that as much as the government shoulders responsibility of undermining full realization of human rights, the society has its liability in its own right.

As we present this report to the general public, the donor community, the government and other stakeholders of human rights, I wish to state that the

promotion and protection of human rights is a responsibility of every one of us. It is indeed the only way of respecting and adoring human dignity and subscribing to the rules of civilisation. By respecting human rights, we are fulfilling responsibility other than paying a favour to anybody. LHRC is determined not only to intensify its efforts in advocating for good governance centred on respect for democracy and human rights values, but also to strengthen the human rights movement by improving capacity of other players in the civil society.

While mindful of government efforts to build oversight institutions of accountability such as the Commission for Human Rights and Good Governance and the Prevention of Corruption Bureau, we note with increasing concern half measures taken in fulfilling international treaty obligations. Worthy pointing out in this regard is the fact that Tanzania is one of the countries that rarely reports to the treaty monitoring bodies under different human rights treaties, to which Tanzania is a member. To cite examples, Tanzania has never reported to the Committee under the International Covenant for Economic, Social and Cultural Rights over the past 15 years. It has never sent any single report to the Committee under the Convention Against Racial Discrimination since 1987. The reporting record has been equally bad even in respect of some treaties of as general application as the Covenant on Civil and Political Rights and the Banjul Charter under which Tanzania reported only once in 1997 and 1991 respectively. In the same vein, of course, is the government reluctance to ratify treaties that may give Tanzanians access to international mechanisms of human rights protection like the Optional Protocols to the ICCPR and the Convention on the Elimination of All forms of Discrimination Against Women and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The biggest challenge for all of us in the human rights movement and the public sphere is to transform the mindsets of society members and some government functionaries to enable them to take human rights values as the practical safety nets of all individuals in the country other than tools of inciting the public. This I believe is the cause of building true democracy and enduring peace in our beloved country.

Bishop Elinaza Sendoro
Chairperson, Legal and Human Rights Centre

MESSAGE FROM THE EXECUTIVE DIRECTOR

Dear colleagues and friends,

The year 2003 was our second year in the implementation of our Five Year Strategic Plan 2002 - 2006. We have learned lessons from the first year of the plan which we tried to use in strengthening our capacities as we strengthened the capacities of the Tanzania public within our reach. In this year for the first time we published and launched the first human rights situation report in the country. This report was received with jubilation and a lot of feedback. We received observations from the Speaker of Tanzania's Parliament, but individual people also gave us their feedback on how we could improve the report. This was a great challenge which made us work hard to prepare the report for 2003 taking into consideration those comments.

However, we continued with our four strategic aims with the various objectives. The spotlight this year was the beginning of the public hearing of the complaints that LHRC had sent to the Tanzania Commission for Human Rights and Good Governance on behalf of 135 villagers. This hearing is the first to be held by the Commission and it has risen our morale in this work as we were anxiously waiting for the Commission to move towards protecting people's rights. This is a very positive move which began this year and us being party to it. The human rights situation as discussed in this report is challenging LHRC to continue with our efforts to raise awareness and empowerment amongst the public.

The report put in front of you compiles some achievements in the form of outputs with some outcomes and challenges. Through the initiatives taken this year, we have further cultivated a ground to proceed with our work as we move towards a just and equitable Tanzania. What has been achieved is acknowledgement to the LHRC Board, staff, volunteers and our direct beneficiaries together with our partners through financial, as well as moral support.

With a human rights agenda we move.

Thank you,

Helen Kijo-Bisimba
Executive Director

Chapter 1

Background and Organisation of LHRC

Background

The Legal and Human Rights Centre (LHRC) is a private, voluntary, non-governmental, non-partisan and non-profit making organisation. It is established and registered under the Companies Ordinance, Chapter 212 of the laws of Tanzania as a company without shares limited by guarantee. Before its registration as an independent autonomous entity in September 1995, LHRC was a human rights project of the Tanzania Legal Education Trust (TANLET). LHRC is based in Dar es Salaam and has an office in Arusha.

Vision

The LHRC envisages a just and equitable society.

Mission Statement

LHRC is a non-profit making, non-partisan non-governmental organisation striving to empower the public as well as promote, reinforce and safeguard human rights and good governance in Tanzania.

LHRC was established with a prime view to disseminate knowledge on legal and human rights issues to the general public. The Centre was nevertheless established out of the realization that the majority of Tanzanians were, and actually are, still devoid of the means to pursue justice in court for lack of legal representation. In an effort to cater for the said needs, LHRC has embarked on a number of programs including training grassroots trainers and training officers in the law enforcement machineries. The Centre has also trained civil society and local government leaders and women members of the Parliament.

As part of its sensitization program, LHRC runs a radio program, "Darubini", with the Radio Tanzania Dar es Salaam (RTD), which by far enjoys countrywide coverage. It also has a television program, "Pambanua", viewed through Channel Ten, a branch of Dar es Salaam Television (DTV). The Centre publishes manuals, booklets, leaflets and posters on legal and human rights principles, focusing on the rule of law, constitutionalism and good social conduct. The Centre carries out researches on a number of legal and human rights areas in addition to making follow up on human rights violations incidents and calling for redress. The Centre takes up advocacy for policy and law reforms as well as changes in practice by the public.

Broad Objective

The main objective of LHRC is to create legal and human rights awareness and empowerment among the general public and, in particular, the underprivileged sections of the society through legal and civic education, advocacy, research, follow up of human rights abuses and provision of legal aid.

Specific Objectives

In pursuit of its broad objective the Centre shall endeavor to:

- (i) Promote the observance and respect for human rights and democracy.
- (ii) Promote the observance and respect for rule of law and due process.
- (iii) Promote consumer protection, create networks with public interest and human rights organisations, non-governmental organisations, universities, relevant research institutions, religious association and legal associations.
- (iv) Promote public awareness in the field of environmental protection.
- (v) Provide on request consultancy services to government and non-governmental organisations provided it is within the spirit of the social and educational objectives of the Centre.
- (vi) Organize and sponsor conferences, seminars, workshops, meetings and such other undertakings with a view to promoting the social and educational objectives of the Centre.
- (vii) Raise funds for the purposes of the Centre on such terms as are compatible with the autonomy of the Centre and within the spirit of its social and educational objectives.

The Mandate and Scope of LHRC

The organisation is authorized to provide its services anywhere in Tanzania. Its Memorandum and Articles of Association provide the basis for defining the organisation's mandate and scope of work. Currently there are programs conducted in five regions namely, Dar Es Salaam, Arusha, Manyara, Mara and Morogoro together with other programs, like human rights monitoring, covering the entire country.

Strategic Direction

The organisation has four main strategic aims. These are geared towards addressing four strategic issues identified:

First, to identify and expose policy, law reform and issues of practice with a view to advocating for change.

Second, to raise legal and human rights awareness and empowerment amongst the general public for the sake of good governance in Tanzania.

Third, to gather and disseminate concrete, reliable and up-to-date information on policies, law and issues of practice.

Fourth, to improve the performance and sustainability of the Legal and Human Rights Centre.

To achieve these aims, the Centre has embarked on a number of strategies. These include strengthening strategic alliances with likeminded organisations and individuals, implementing effective advocacy for good governance in the country, devising means to capture the needs of the beneficiaries of LHRC, making effective use of mass media, strengthening the administration of research and putting in place an effective human resource development system for efficient service delivery.

Target Group

The target groups or beneficiaries of LHRC include but are not limited to the following: The general public, the indigent, community leaders, influential people, politicians, policy makers, legislators, law enforcers, community-based organisations and NGOs.

Operational Plan

A three-year operational plan (2002-2004) is being implemented from the Strategic Plan. Under the operational plan, the four strategic aims have been analyzed and objectives formulated. Each object carries corresponding objectives. Each strategic aim has been developed into departmental programs of LHRC. A logistical framework analysis has been elaborated showing indicators and means of verification as well as assumptions. A budget has also been developed indicating the resources needed to implement the plan. In the year 2003, which is the second year of the plan, these have been tested through the resources in place.

Core Values

LHRC has a number of collective beliefs that guide the way Board members and staff relate to one another with the wider society in which it operates. These core values are as outlined below.

Accountability: The Centre is accountable not only to donors but also to the target group and individuals with whom we work. The organisation shall promote and inculcate the spirit of accountability among its members of staff and other stakeholders with whom the Centre collaborates.

Transparency: The organisation shall enhance the spirit of transparency in all activities carried out. Efforts are being made to ensure transparency in every field the Centre undertakes. This is important as it inculcates honesty and sincerity to retain the integrity of the organisation.

Equal Partnership: The Centre regards donor agencies, CBOs, NGOs the government and the public at large as equal partners. The organisation also considers and respects every partner with whom it works in the same way as it would expect them to respect it.

Diversity: The organisation realizes that different views and opinions from a wide range of stakeholders are healthy for bringing about desirable changes in the society. Multiple disciplines are another element of diversity to which the Centre equally attaches values.

Structure of the Legal and Human Rights Centre

LHRC is a membership organisation. Members of the Centre are drawn from the public where any person or organisation can apply by completing application forms supported by two members. The members form the highest organ (body) of the

Centre, which is the Annual General Meeting (AGM). Currently there are 99 members. This is an overall governing body of the LHRC setting its direction, mandate and scope.

The AGM appoints the Board of Directors, which is accountable to the AGM. The Board of Directors is a governing body charged with the responsibility of ensuring policies of the organisation are set and enforced. The Board approves plans and budgets and receives reports from the secretariat. The Board recruits the Executive Director who heads the secretariat. The Executive Director is accountable to the board and is the spokesperson of the Centre in matters of operation.

The Executive Director heads the secretariat in performing day to day activities of the Centre assisted by the Management Team. There are four departments with respective heads and staff to perform all activities of the Centre in the planned programmes. The Executive Director recruits the staff and appoints head of departments.

The Executive Director and the heads of department form the management team of the Centre. The management team ensures smooth operation of the plans on a day to day basis. They meet once every two weeks to evaluate the operations of the organisation and plan the coming weeks.



The 3rd LHRC Annual General Meeting conducted at the Courtyard Hotel, Dar es Salaam on 8th July 2003. The overall theme for this AGM was "Building a Human Rights Culture". The guest of honor was Chief Justice Barnabas Samatta (in the middle).



Participants of the 3rd LHRC Annual General Meeting on 8th July 2003.

Staff

In this year, LHRC was served by a team of 32 full time employees, namely the Executive Director, 6 legal officers, one human rights monitor, a finance and administrative officer and an information officer. The supporting staff team comprised of one accountant, one accounts assistant, five secretaries, four custodian, three drivers and eight guards. In addition, the Centre makes use of the services of volunteers at all its four working stations; the headquarters along Ocean Road and the three legal aid clinics at Magomeni, Buguruni and Arusha. Currently LHRC benefits from the services of 16 volunteers, all of whom are lawyers.

The Centre has used part time staff for specific projects, research and training. It enjoys services of staff from outside the country coming through special agreements with development and volunteer service organisations. This year a fulltime Information Officer from Denmark worked at the Centre through partnership with MS Tanzania (Danish Association for International Co-operation). Another volunteer from Canada joined the Centre in September as an intern on legal aid for six months. In 2003 LHRC has been assisted by a fulltime volunteer from America who works on fundraising and various research projects. The Centre also takes advantage of an extern program with the South African legal Aid Network (SALAN) and received an intern from South Africa for seven weeks.

I: Management Team

Executive Director - Helen Kijo-Bisimba
Research, Documentation and Publication - Omary Mjenga/Shannon Howard
Advocacy Department - Harold Sungusia
Outreach - Umyy Mwalimu
Legal Aid - Kaleb Lameck
Human Rights Monitoring - Projectus Rwehumbiza
Finance and Administrative Officer - Ezekiel Jimmy Massanja
Secretary - Tina Lovbom Petersen

II: Legal Officers

Legal Officer - Head Office - Kaleb Lameck
Legal Officer - Magomeni - Living Raphael Kimaro/Kaleb L. Lameck
Legal Officer - Buguruni - Dotto Yusto/John Kimwangana (advocate)
Legal Officer - Arusha - Francis Stolla/Samson Rumende

III: Accountants

Accountant - Andendekisye Mwakabalula
Accounts Assistant - Daniel Mwakyalabwe

IV: Secretaries

Head Office - (i) Theresia Kinabo, (ii) Jeanethe Shija
Magomeni - Merycia Luther Gelege
Buguruni - Nipael Kiondo
Arusha - Judith Palangyo

V: Custodian

Head Office - Mariam Mohamed
Magomeni - Scholastica Gervas
Buguruni - Namsifu Naimani
Arusha - Gechagda Mwaseli

VI: Drivers

Head Office - Ali Saidi Mwashongo

VII: Guards

Head Office - (i) Saidi Mohamed, (ii) Ahmed Mbinga

Magomeni - (i) Gibert Lubigile (ii) Richard Rojala

Buguruni - (i) Senkan Mhina (ii) Bakari Mbinga

Arusha - (i) Emmanuel Kyuza (ii) Adam Gelege

VIII: Interns

1. Adrian Johnston

2. Antony Miphela

3. Jodie Hierlmeier

4. Nitin Puri

Information Officer

Tina Lovbom Petersen

List of Volunteers 2003

Headquarters

1. Christina Binali

2. Frida Chinuka

3. Julius Elias

4. Shannon Howard

5. Clarence Kipobota

6. Dora Komba

7. Gloria Mafole

8. Erasmina Massawe

9. Ombeni Mkanza

10. Koshuma Shaaban Mtengeti

11. Emelda Urrio

Magomeni Legal Aid Clinic

1. Faraja Emmanuel

2. Francis Kiwanga

3. Faith Mashu

4. Fredy Mkatambo

5. Susan Makatte

6. Utti Mwang'amba
7. Dorothy Philip
8. Elizabeth Willilo

Buguruni

1. Jesca James
2. Burhani Kishenyi
3. Sylvia Leonard
4. David Mkilya
5. Bahati Mwano

Arusha

1. Godwini Ngwilimi
2. Belinda Noel

Part-Time Staff

1. Charles Gelege
2. Mashauri Jeremia

Part-Time Trainers

1. Jones John
2. Joachim Kim
3. Athanasia Soka

Advocates

1. Celestine Kadago - M.K. Partners Advocates - Dar Es Salaam
2. Nelson S. Merinyo - Nelson S. Merinyo Advocate - Arusha
3. Alex Mgongolwa - Adili Advocates
4. Damas Ndumbaro - Maleta and Ndumbaro Advocates - Dar Es Salaam
5. Athanasia Soka - WLAC - Dar Es Salaam

The advocates prosecute client's cases in court. Others have advisory roles to the Centre on litigation issues. Two of the LHRC full time staff are also advocates and do represent clients in court as well.

Chapter 2

Human Rights Trends

As reported last year LHRC is following up human rights trends as analysed in our strategic plan. The Centre is now preparing annual human rights reports exposing the human rights situation of Tanzania in a given year. The first report, the "Tanzania Human Rights Report 2002", was published and launched in February 2003. The report gave us the trend and the way forward for this task. The report revealed mostly non compliance with human rights obligation by the state through abuse/violation or omissions. For this kind of information, in the future the annual Tanzania human rights reports will give details.

From the external environment analysis we observe the changes towards observance and respect of human rights. Generally, we have noted some positive indications in some areas of practices such as public hearings on bills before discussions in the Parliament. This has enabled various stakeholders to get a chance to discuss some bills before taken to the Parliament. Although there are shortcomings in this process such as the short notice to stakeholders and a limited number of these involved, it is a step forward towards giving the people a chance to participate in the law making process.

Lack of human rights awareness and judicial activism

The problem of limited awareness on human rights among the general public as reported last year still exists. Tanzania is a big country with a population of about 35 million people. The country still has a very poor infrastructure to facilitate communication in all the areas so is not easy to measure with certainty the level of awareness raised to the public. However, using a sample from various geographical or thematic areas, it is possible to analyze the trend. For example, it has not been common for people in various communities to take matters to court. In most cases issues were settled at clan level or with ten cell leaders. It is also not common to find women taking matrimonial issues to court or children complaining against parents.

In the areas we have programs, like Mvomero, Kilosa, Tarime, Hanang, Yaeda Chini, the number of such cases taken to court has increased. We find that these cases are much more visible than when we began work in the area. This year in a project in Hanang District, a baseline survey conducted in January revealed that women in the district could not acquire land and most of the people in the district were not aware of their rights. By the end of 2003 things had begun to change as we saw women in Balangdalalu ward requesting land from the village councils. The evaluation carried out also revealed that people had become aware of their rights, specifically land rights, to the extent of intervening when the village council was acting contrary to the land laws.

During the year an increased number of newspapers reported of issues related to human rights. LHRC feels that we, in one way or another, have contributed to some of these stories published for the general public through media such as the issue of female genital mutilation (FGM). The case which LHRC prosecuted in Morogoro raised a lot of discussions and the media illuminated the issue through editorials and features. In editorials written by readers it is now common to see people addressing human rights-related issues.

Another sign of impact is the groups of paralegals in the districts who have proved to raise awareness to other people in their districts. More people are visiting the paralegal aid clinics and some of them are being sent from government institutions which have become aware of the work done by LHRC. Nevertheless, we have seen an increase in the number of people who write to us or visit the Centre to inquire our rights-based publications, especially the self-help kits. This points out to some increase in awareness rising and a raised desire among the people to educate themselves on issues of rights. The Annual Human Rights Report produced has been referred to by some Members of Parliament during parliamentary sessions when citing human rights violations or some data to substantiate issues. We see this as a positive trend towards the direction of the LHRC's vision of a just and equitable society.

A couple of pro-human rights court judgements were pronounced in the course of 2003. These include the decision of the Court of Appeal in the case of Hamish Rajabu Dibagula that overruled the conviction of Mr. Dibagula based on his utterance at a mosque that "Jesus Christ is not the son of God". The Court of Appeal made it clear that the accused was entitled to his beliefs as long as he did not injure the feelings of

others. Equally remarkable was the decision of the High Court in the case of Valambhia to convict the Governor of the Bank of Tanzania for contempt of court following his failure to comply with its order to pay the businessman a total of US\$ 55 millions. This decision reflected the way the court is upholding the right to access to justice and the rights to get remedy from courts of law.

HIV/AIDS

In our analysis the pandemic is associated with a threat to human rights as it makes people vulnerable. In this year we can report that there have been efforts by various institutions campaigning against the pandemic. However the number is still increasing with a total of 2,229,770 Tanzanians living with HIV/AIDS.

Through its Monitoring Department LHRC has noted a number of HIV/AIDS based discriminatory practices during 2003 including censuring job applicants and sacking and terminating employees on the basis of their HIV status. Discrimination and stigmatization were noted in hospitals, schools and even at household levels. Some efforts however were made to make anti retroviral drugs (ARVs) available in the country. This intervention was little felt as the drugs could only be available in some distinguished private hospitals and pharmacies. Needless to say that the prices remained exorbitantly high for common Tanzanians to afford.

LHRC has begun a process internally on mainstreaming HIV/AIDS. This is expected to help the Centre to have a policy at work place, after which an external initiative can be planned in the area of advocating for laws regulating HIV/AIDS. This is necessary as there are laws which are discriminatory to HIV/AIDS.

Constitutional Reform

This is a top agenda in the discussions among politicians, academicians and the civil society. The government is still not convinced that there is a need for constitutional reform. It has embarked on the usual amendment of some parts of the Constitution. There is a move to amend the Constitution for the 14th time and a bill has been prepared. As the coordinator for Citizen's Coalition for a New Constitution LHRC finds, that this move further proves the need of the Constitution to be looked afresh. There are fundamental issues which need fresh debate such as the Union set up. In 2003 there were hot debates around issues such as Zanzibar's autonomy in terms of having their national anthem, flag etc. People's discussion around such issues shows

the need to have a serious discussion in the process of making a constitution to address all these.

There are many developments in the area of constitutional reform which is ripe for CCNC for further advocacy. LHRC has been advocating for reform of labour laws and in this year the government began the process for the amendment of the labour laws. LHRC made various interventions by preparing a position paper which was discussed by various stakeholders in a meeting organised by the Labour Law Committee.

Ratification and incorporation of international human rights instruments to domestic laws

Our concerns in this area is the obligation the government has in ensuring that it conforms to the international standards of human rights; first, by ratifying the international human rights instruments and making those instruments part of the Tanzania laws, and, second by ensuring that the rights are enjoyed by aligning the local laws to the international standards and meeting the reporting requirements. In 2003, Tanzania ratified two conventions on specific children's rights but there has not been any laws made to domesticate the earlier ratifications such as the International Convention on Civil and Political Rights (ICCPR), the International Convention on Economic, Social and Cultural Rights (ICESCR), Convention on the Elimination of all forms of Racial Discrimination (CERD), the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW).

Furthermore, the reporting obligation has not been met, for example periodic report to the African Commission on Human and People's Rights was last submitted in 1991. Over the past 15 years the government of Tanzania has not submitted any report to the economic social council as requirement under the ICESR. This is an area which LHRC began to advocate for. In 2001 the Centre coordinated the writing of a shadow report to the Human Rights Committee on the ICCPR. The government had not reported that year and following this trend there is a need for the civil society to take up a proactive measure like it was done in Brazil where the civil society groups prepared reports on the situation and sent them to the treaty bodies. This is a challenge that LHRC wish to pursue especially on the International Covenant on Economic, Social and Cultural rights.

This area needs more attention now given the trend which continued during 2003 with arbitrary eviction of people from their dwellings for various reasons without compensation or even alternative places. Tanzania did not in this year ratify the

Convention Against Torture, the two optional protocol to ICCPR. LHRC has been following up these but there were no positive indications from the government towards ratification.

Gender Issues

The gender issues as noted in our analysis as well as last year's report remain the same in our society which is led by a patriarchy social system. Women and men are guided by social norms which are discriminative to women. Children are not offered special recognition in accordance to their age needs. In this year the FGM issue has been discussed widely in news papers and radio. There were other initiatives in Dodoma region where it was reported that exercisers and a grandmother of a girl who died after being forced to undergo FGM were convicted of the offence. The discussions and actions taken shows that there is a positive move towards elimination of the practice. It might be a very slow move but it is in the right direction.

There are still very discriminative laws in the statute books. LHRC as part of a coalition advocating for new laws of inheritance was disappointed that the government did not fulfil its promise to enact a new law of inheritance by the end of 2003. The Centre has been helping women whose rights were infringed but this is only helpful where the legal environment is conducive. A woman helped in Musoma had to struggle to refuse her brother in law being an administrator of her husband's estate as he was not fulfilling his obligation as required by the law. It was very difficult since the whole clan did not agree to have the widow as an administrator.

On land rights there are new land laws of 1999 which came into force in May 2001. LHRC did a pilot work in five districts where there have been no changes at all in how women are treated in relation to land. Women have been the main users of land but the production from the land and ownership fell to the men. The new land law recognises women's ownership to land. Our work in the five districts helped the village councils to understand the village land laws and they formed village land structures. At the same time it was clear that women can own land and they can co-occupy land with their spouses. In some of the villages women came forward to assert their land rights. In other villages men were concerned with the new land law as they explained that if women own land it will bring a lot of problems. LHRC has noted the need to continue with advocacy in the areas but to call upon the government to ensure that the land laws are practised everywhere.

Challenges

The major challenge towards realisation of our main objective is the situation on the ground, where there are systems which are not conducive to human rights work.

Other challenges are:

- The political will to alleviate some of the obstacles is not that visible. As an NGO the work is overwhelming, still poverty, illiteracy as well as HIV/AIDS pose a great challenge in realisation of rights. Corruption is widely practiced which interfere with the realisation of human rights in Tanzania.
- Access to justice is still a big challenge. Those who can make it to the courts are frustrated with the slow motion of the case, the delay just diminish the justice. As a human rights organisation it is our wish that we can do something to ensure those people with matters in the judicial system get quick redress. This is a block we have not been able to lift.
- The globalisation trends are affecting people's rights especially in the form of privatisation where employment has been affected with vast retrenchment and in the area of mining where small miners are being pushed from their normal business. In towns petty traders are also pushed to give way to big investors.
- HIV/AIDS remains a huge challenge in Tanzania. The challenge is not only to fight the pandemic, but also to insure that this huge and vulnerable group of Tanzanians living with HIV/AIDS are protected and not denied their rights as human beings. What LHRC aspires to do in this area is to advocate for enactment of a law which will address various human rights issues such as discrimination, treatment, stigma etc.

Chapter 3

The Performance and Achievements of LHRC in 2003

Introduction

It is now two years since LHRC began to implement our "Five Year Strategic Plan 2002-2006." Implementing the Strategic Plan as well as the operational plan has led to a lot of changes for the Centre, especially on the way we perform our work and activities. In 2002 all projects were combined into programs with one goal and a list of objectives. Therefore work is performed in four departments and each department is working according to a specific strategic aim. Each department and each strategic aim works with a number of objectives, each with their expected output. All achievements are measured in the form of impact as well as realization of various activities indicating the way forward.

The four departments of LHRC and the strategic aims of each unit are as follows:

- 1. Research, Publication and Documentation Department:**
To gather and disseminate concrete and up-to-date information on policies, law and issues of practice for the purpose of facilitating advocacy issues.
- 2. Outreach and Advocacy Department:**
To raise awareness and empowerment amongst the general public and build alliance with a view to effectively advocate for good governance in our country.
- 3. Legal Aid and Human Rights Monitoring Department:**
To identify and expose policy, law reform and issues of practice so as to advocate for change.
- 4. Finance and Administration Department:**
To improve the performance and sustainability of LHRC.

All four strategic aims are expected to lead towards achievements of our main goal. In the following we will elaborate on the specific output, achievement and challenges experienced by each department of LHRC.

3.1: Research, Publication and Documentation Department

This department coordinates all of LHRC's research work, publication and documentation. In this regard it collects information and prepares proposals for research and coordinates research activities while overseeing publication production and its dissemination to various stakeholders. The Research, Publication and Documentation Department is also mandated to ensure that LHRC has a functional library/documentation centre.

The Research, Publication and Documentation Department works with four objectives with the following outputs:

1. Strengthen administration of research services.
2. Assess areas of demand for research.
3. Undertake comprehensive research on the identified areas.
4. Establish effective systems of documentation and dissemination of information.

The major expected outcome under this department is for LHRC to have an effective documentation and dissemination system accessible to all LHRC stakeholders. The department also analyzes and exposes legal policy and human rights to the stakeholders.

Activities and achievements

In 2003, LHRC began establishing a modern documentation centre, which is a separate small building behind the LHRC headquarter building. The aim is to have a vibrant centre for the public to use in order to search for information on various human rights issues as well as publications from the Centre and other relevant organisations.

The website of LHRC has now been fully established at www.humanrightstz.org. The site has been linked with other websites of LHRC partners such as Southern African Legal Assistance Network (SALAN). We have received positive feedback from many people and organisations who have visited our website.

Research conducted in 2003

2003 was the year for LHRC to finalize its research policy. This policy has established basic research guidelines for all researches at LHRC and the types of research initiatives are now clearly stipulated. The department conducted some major researches in 2003. In all of the researches mentioned below, field and background research has been completed and we expect all of the final research reports to be published during 2004.

- **Universal Declaration of Human Rights (UDHR) and the Constitution:**

In this study we wanted to seek for public understanding of the UDHR and the constitution of the United Republic of Tanzania and identify critical articles within the Constitution that may create barriers towards the implementation of the UDHR. The objective was to show what can be done to clear up the contradicting articles within the Constitution to secure smooth implementation of the UDHR and respect of human rights in general.

- **Gender Participation in Legal Aid services in Tanzania:**

Our records show that few women attend the legal aid clinics of LHRC. Therefore we found it necessary to conduct a study on gender participation with a case study of our own three legal aid clinics. This study was intended to establish statistics and reasons as to why men outweigh women in seeking legal aid services. However, women still face discrimination, oppression, beating and other forms of violations of women's rights remain persistent.

- **Globalization and its effects on human rights and workers rights in Tanzania:**

This research looks at the impact of globalization in Tanzania in the light of human and workers' rights. In this study we investigate its impact on the most marginalized groups of society like women, farmers and workers of companies that have recently been privatized.

- **HIV/AIDs and human rights in Tanzania:**

This study looks at economic, social and cultural rights of the victims of HIV/AIDs and the violations of their rights as human beings.

Critical legal and human rights issues reported in the media were analyzed through a newspaper survey of both English and Kiswahili newspapers. This ongoing survey focuses on ten identified human rights themes. We make photocopies of the identified articles and by the end of each quarter of the year these articles are put in chronological order and bound. They are available to anyone who wishes to review them at our Documentation Centre. Information from the articles has been used for the annual human rights report and follow up of human rights abuse reported.

Publications

In 2003, seventeen different types of publications were printed. We found that many of them proved to be a very good source of information for the general public. The annual human rights report 2002 was cited several times by members of Parliament in the 2003 Parliament Sessions referring to human rights issues and statistics. The publications created in 2003 were:

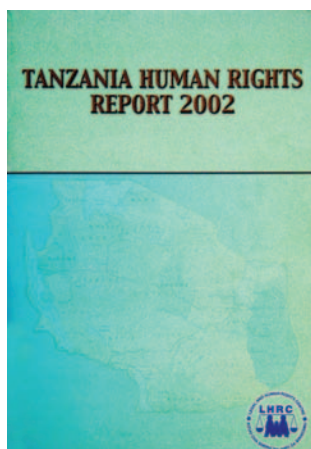
- **LHRC Annual Report 2002:** We named our annual report 2002 "Building a Human Rights Culture." 2002 was the first year for LHRC to implement its five year strategic plan as well as the operational plan and the report pointed out the outputs achieved and the challenges faced. The report focused on the issue of how LHRC should manage the challenges of building a human rights culture in Tanzania's society.
- **LHRC Annual Human Rights Conference report 2002:** In December 2002, LHRC organized the first annual human rights conference in cooperation with eight other organisations. The conference went by the theme "Human Rights Challenges in Tanzania." A report was compiled which had all speeches, presentations, debates, conclusions and photos from the event. This report was published to LHRC stakeholders. It was also requested by students from various universities in the country as a reference source of material.
- **Self Help Kits for the Legal Aid Clinics:** In 2003, LHRC continued to publish new Self-Help Kits on various themes to be used at the legal aid clinics. This year we published 9 of these pocket books on issues like civil procedure, procedures to follow to institute a civil case in court, rights and duties of the landlord and tenant, defamation, criminal cases, preparing a will and tort cases.

Tanzania Human Rights Report 2002

In February 2003, LHRC released the very first Tanzania Human Rights Report. It was the first time in Tanzania that a detailed report revealed both success and failure of the Tanzania community to preserve human rights. The report exposed the human rights situation in Tanzania from January to December 2002. The report is a composition of human rights abuses as well as an exposition of the legal environment such as the state of the laws and policies. It portrays the way Tanzanians were denied enjoyment of their basic human rights in 2002.



The launching of the Tanzania Human Rights Report 2002 at Holiday Inn 14th February 2003.



The report covers civil and political rights; economic, social and cultural rights; rights of special groups such as children, refugees, women and disabled; and finally the report covers human rights institutions and civil society.

The aim of LHRC is to build on the experiences of this first report in order to produce a better Tanzania Human Rights Report every year to highlight the human rights situation in our country.

Other reports published during the year were the "**State of Juvenile Justice in Tanzania**", which is a fact-finding report on the actual situation regarding the administration of the Juvenile system in Tanzania, "**Wildlife Protection Study**" which covers an independent investigation for the occurrence of the Serengeti killings which occurred in October 2000, "**Selected laws on Wildlife Study**" highlighting various provisions of the Wildlife Conservation Act, 1974 and finally we published a report on the human rights training for Officers Commanding District (OCD).

For our trainers, a land rights training manual was published and it was used by the trainers together with a training guide produced to help trainers on training methodology. We also purchased many copies of the Village Land Act and the Ward Tribunal Act for distribution to trainees on land rights.

Documentation

In 2003, a new documentation centre was being established as a human rights library for staff as well as the general public to use. So far the construction of shelves for the documentation centre was completed and all LHRC publications have now been stocked. An order form for our publications is now available and we have received orders from individuals and organisations such as UNICEF Tanzania.

2003 was the first year for LHRC to have a full time information officer, provided through partnership with MS Tanzania. During the year, various press releases and statements were issued and every month an internal newsletter was prepared to share information internally. From October 2003, LHRC also started producing an external newsletter disseminated to stakeholder and partners in Tanzania as well as abroad. This newsletter is meant to be a regular news service telling about activities, achievements and challenges of the Centre as well as general human rights issues.

Challenges

Under this strategic aim the major challenge was finalizing the research conducted so that we could use it for advocacy. All the research done was pending at the end of the year. This was due to various reasons, one being personnel and also planning.

3.2: Outreach and Advocacy Department

This department coordinates training and advocacy programs of the Centre as well as all networking and coalition building activities. The department operates with two separate units, each lead by one program officer. The overall aim of the Outreach and Advocacy Department is to raise awareness and empowerment among the general public and building alliance with a view to effectively advocate for good governance in Tanzania.

The Outreach and Advocacy Department works with seven different objectives with the following outputs:

1. Sensitize law enforcement officials, parliamentarians and political party leaders on legal and human rights issues.
2. Undertake mass sensitization initiatives on legal and human rights issues.
3. Strengthen working partnership with like minded organisations and individuals.
4. Identify law and policy issues and propose reforms.
5. Facilitate a process of integration of human rights in the curriculum for the training of prison warders.
6. Coordinate Citizen Coalition for a New Constitution (CCNC).
7. Strengthen paralegal work in focus areas of the Centre.

Activities and achievements

In 2003, the Outreach department carried out a number of activities and training sessions throughout the country in order to sensitize law enforcement officials as well as the general public on different human rights issues. Two major groups of paralegals were retrained to strengthen their capacity. All the District Police Commanders (ODCs) in the police force were also trained. The police training focused on international human rights standards as proclaimed in the international as well as municipal Bill of Rights. Special emphasis was put on the standards and guidelines creating obligations on the law enforcement officials. A major effort was undertaken in a project to inform the public on the New Land Law. This was done by training of village land councils and informing them of their role under the land laws. Through those trainings in five wards of Kiteto, Simanjiro, Singida, Babati and Hanang Districts, five different villages land institutions were formed. The land institutions formed were trained to improve their knowledge on the Land Act and their rights and obligations. During the year mass sensitization remained an important part of the

outreach work of the Centre and we continued to produce weekly radio - and TV programs with a focus on practical human rights issues.

All activities of LHRC are expected to produce advocacy issues and in 2003 the Centre worked hard to strengthen its advocacy capacity to make in more effective and better in tackling problems on laws and practice in Tanzania. This year the Advocacy Department introduced a new activity when organizing a Moot Court in Dar es Salaam in August. The Moot Court proved to be a unique way of addressing human rights issues in a more popular way. Both participants and audience were actively involved in this event in advocating for reforms in bad traditions, custom practices and law repugnant to human rights in our country.

Thorough analysis of Tanzanian laws like the Labour Laws and Land Laws and the Prevention of Terrorism Act was completed as well as a report on oppressive laws to women. There were sent to responsible ministries advocating for reforms. Furthermore, as an ongoing activity in 2003 LHRC was part of a core group of NGOs monitoring the NGO Act and preparing a shadow law.

Sensitizing law enforcement officials

A number of activities were carried under this strategic aim in 2003 to sensitize different law enforcement officials. In the three districts of Bunda, Ukerewe and Serengeti, the Centre retrained Ward Executive Officers and Councilors on the main topics of good governance and human rights and the role of local government officials. This group shared experiences from the first training. Some had initiated the formation of the village land councils and adjudication committees. As an outcome of human rights training Ward Executive Officers from Ukerewe and Bunda were asserting their rights by questioning the non payment of their salaries for many months. Four wards had established human rights groups at the ward level to sensitize others on human rights.

During the year LHRC completed a number of training sessions under the Land Management Program (LAMP). A total of 500 people were trained in the districts of Kiteto, Simanjiro, Babati and Singida rural. Most participants were members of Village Councils and Ward Development Committees (WDC). The purpose of the training was to build the capacity of the village governments and provide the village leaders with better knowledge on the new Land Act 1999, which will lead to an effective and lawful administration of village land. The workshops focused on

informing the participants of the actual content of the Act, tell them what the law requires from the village leaders and to prepare for them to form the required organs to take responsible decisions on land issues. The training sessions proved to be a good opportunity for participants from different villages to share expectations, experiences and knowledge on land issues. The outcome to these training was the formation of village land institutions such as village land councils, village adjudication committees and Ward Tribunal in each ward in the four LAMP working districts. The constituted village/ward land institutions were also trained on the Village Land Act, specifically on their roles on village land disputes settlement.

LHRC prepared and facilitated land rights training for village-based organs in Hanang District. This was done as part of the Gender and Poverty Project. A baseline survey in Balangdalalu Ward revealed that many women are still denied their rights to land because of traditional perception and lack of knowledge. LHRC engaged in eight trainings on land rights and the new land law. A total of 1,040 villagers and village counselors were trained with the purpose of teaching them about their rights and their role under the new land laws.

Also a number of activities were carried out to sensitise law enforcement officials, parliamentarians and political party leaders. In preparation for a Political Party Survey Symposium to be held in 2004, a survey was conducted on political parties in Zanzibar Islands. This activity was done through discussion sessions and using questionnaires. We met with leaders of 12 out of 17 registered political parties in Zanzibar and Pemba to learn more about the program of the parties and how they relate to human rights, political rights and legal issues.

Training of Police Official Commandants of Districts

In 2003, LHRC carried out training of all Police Official Commandants of Districts (OCDs) from the Western, Lake, Central, Northern, Highlands, Southern and Eastern Zones as well as Zanzibar and Pemba. A total of 101 OCDs were trained. The training workshops focused on international human rights standards and international and regional instruments. A special emphasis was put on the standards and guidelines creating obligations on the OCDs including the code of conduct for OCDs, basic principles on the use of force and firearms, basic principles of justice for victims of crime, abuse of power and the UN standard minimum rules for the administration of juvenile justice. By the end of each workshop, participants were provided with pocket books on police and human rights.



The Executive Director of LHRC, Helen Kijo-Bisimba, training OCDs in Dar es Salaam, April 2003

We now begin to see the results of our training and we get a lot of feedback from trained OCDs. The trained police officers have become aware of human rights issues and the police force has now adopted its 2003 plan to train police instructors in human rights. Human rights training have also been introduced in the police colleges so future police officers will be exposed to general human rights issues and standards.

Some of the trained OCDs in Dar es Salaam have been referring clients to our legal aid clinics. This happens in cases where the OCDs realize that it is not a police case or a criminal matter but instead a civil matter to be dealt with in the court system.

Police leaders have invited the LHRC to present a paper during their meetings. In 2003, the LHRC Executive Director presented a paper on the role of police during investigation.

Mass Sensitization

LHRC's mass sensitization campaign is done through producing radio and television programs and distributing materials like booklets, leaflets and posters. In 2003 LHRC continued to air weekly radio programs, known as "Darubini," through Radio Tanzania Dar es Salaam. The program is broadcasted all over the country and they cover practical issues amongst the society that affects people's rights or social justice.

The issues covered in Darubini include court procedures, bail, monitoring of human rights abuses, the Iraq war, globalization and the right to life.

LHRC also produces a weekly television programs aired through Channel Ten. The programs are called "Pambanua." Each month one program is aired live as a talk show to allow for the public to participate in the discussions. The discussions in the TV programs focused on practical legal and human rights issues touching the day to day lives of people in Tanzania and the general governance of the country. Viewers have expressed an increasing demand for constitutional and legislative reforms and to meet this demand, a number of programs were produced dealing with labour law and constitutional reforms.

Both the radio and television programs have generated a lot of interest among the public. LHRC receives many letters as well as calls from people responding to our programs. The Centre has also documented a number of people who attended our three legal aid clinics having been enlightened on human rights and legal issues through the mass sensitization programs.

Partnership with like-minded organisations

During the whole year, LHRC attended a number of meetings and workshops nationally and internationally in order for the Centre to meet and link up with like-minded organisations. This has led to a lot of good contacts and increased networking. In 2003 LHRC was accepted as a new member of SALAN (Southern African Legal Assistance Network). SALAN has 13 members from countries of SADC (Southern African Development Community); all organisations specialize in legal advice and legal assistance. Members meet twice a year. For the Centre, this is a good forum to learn from like minded organisations in neighbouring countries as well as informing them about the situation on human rights and legal issues of Tanzania.

The issue of Female Genital Mutilation (FGM) has increasingly become an international issue and LHRC senses a common call for an international effort to stop this practice. In 2003, the Centre was represented in two different international meetings on the issue of FGM. Through the links created at these meetings, we hope it will be possible to achieve the goal of eradication of FGM in all its forms by 2010.

The first international meeting on FGM, which took place in Atlanta in Georgia, USA, was attended by nine African countries with, LHRC representing Tanzania.

Participants met with social workers from the local refugee and immigrant community, representatives from women's groups, as well as the media and state legislature. Through the discussions, a bond was established between African activists in Georgia and African NGOs fighting to end this practise in countries like ours.

The second international meeting on FGM took place in Stockholm, Sweden. LHRC again participated together with representatives from other African countries, UN agencies and other international organisations. The purpose of the meeting was to contribute to the work to prevent and eradicate all forms of FGM by providing a forum for sharing views, lessons learned and best practises. This experience will help to build bridges and enhance cooperation between Sweden and African countries.

Moot Court

On 30th August 2003 LHRC introduced a new activity in order to work with like-minded organisations, a Moot Court. It is an activity that resembles a trial, but it is more like a play. More than 40 people participated in conducting the Moot Court; Judges, law students, private advocates and legal officers from LHRC. The moot "case" was a fictitious case of a 17 year old girl, named Chozi ("tears" in Kiswahili) who was beaten, circumcised and forced to work as a sex slave without being paid for her work. The Moot Court activity illustrated how justice is done when a young girl is being denied her basic rights as a human being.



Guest of honor, judges and legal councils for the Moot Court in a group photo after the session at Nkurumah Hall, University of Dar es Salaam.



Moot Court in session

Around 250 people attended the Moot Court and learned about human rights in a new and inspiring way. LHRC found the Moot Court to be a unique way of presenting human rights issues to the public and an excellent way for law students to practice how a court case is handled in real life. Following this activity, we found that many university students are now applying to LHRC for internship and voluntary work. Many people approached the Moot Court Activity with a hope for legal aid and advice and they were directed to our legal aid clinics.

Identifying law and policy issues and propose reforms

Different laws were analysed during the year to ensure that human rights are observed. One of the most important laws to monitor was the NGO Act. LHRC has been working as a member of a core group of NGOs in Tanzania in regards to this new law. This group prepared a shadow law and a schedule of amendments to the NGO Act. The re-drafted NGOs rules and civil society statements on irregularities in the Act were distributed to members of Parliament. In support of the work of NGOs in Tanzania, the International Federation of Human Rights (FIDH) sent an open appeal to the President of Tanzania not to enforce the NGO Act. In 2003, the Executive Director of LHRC was elected as member of the NGO Council. This has become a challenge as to how the council will work given the way the law is. Issues such as mandatory registration, definition of an NGO, and criminalizing of non-compliance, raises a lot of questions as to whether the law is really expected to promote NGOs.

An analysis of the Prevention of Terrorism Act was performed during the year. The recommendations have been sent to the relevant authorities for consideration. A report on oppressive laws to women was sent to the Ministry of Community Development, Children and Gender for considerations and implementations of the proposed measures. On labour laws, LHRC participated in working on a draft labour bill by analyzing it and proposing reforms. These recommendations have been presented to the Parliamentary Committee. Finally, LHRC in collaboration with the Gender Land Task Force, has been preparing comments on the proposed amendments to the New Land Act of 1999. These amendments seem to be affecting women's rights to land. As an ongoing activity, LHRC has been pushing the government of Tanzania to ratify international and regional instruments, and even more important, to domesticate the already ratified instruments. In 2003 Tanzania ratified the;

- (i) Optional protocol to which the CRC on the sale of children, child prostitution and child pornography.
- (ii) Optional protocol to the CRC on involvement of children in armed conflict;
- (iii) The African Charter on the Rights and Welfare of the Children.

Juvenile Justice Project

As a part of advocacy work LHRC has a special project, the Juvenile Justice Project, which aims at identifying law and policy issues, proposing reforms, raising awareness and empowerment among the general public and advocating for good governance in our country regarding access to justice for juveniles. The overall goal of the Juvenile Justice project is to pursue, through lobbying and advocacy, a reform of the juvenile justice system in the country.

In Tanzania there is still low knowledge on juvenile justice among state and non state actors. The government acts very slow in enacting a children's law which safeguards, promotes and protects children's rights. This means that many children are suffering because of obsolete laws. LHRC therefore finds that there is a lot of lobbying and education needed in order to change this.

In 2003, LHRC conducted fieldwork in Tanzania and other African countries in order to analyze how a juvenile justice system can be implemented in Tanzania. The Juvenile Justice Project identified relevant actors who participated in a number of

workshops on juvenile justice leading to the formation of a Regional Juvenile Justice Forum. This work has led to an increased sharing of information, statistics and experiences and a better knowledge and understanding of the whole Juvenile Justice System and its deficiencies in Tanzania.

Environmental Accountability Project

Another special project under the advocacy department is the Environmental Accountability Project. The overall goal of the project is to advocate for reform of laws related to wildlife in order to shape them into a pro-human rights approach. In 2003 this project has been dealing mainly with the Serengeti case which is described later in this report under the legal aid cases. The project also worked on advocating for a new wildlife law. Some of the work carried out in 2003 was to make advocacy materials for the general public on wildlife issues. Two posters in Kiswahili, a booklet on wildlife advocacy comics and a booklet on the Wildlife Conservation Act, the wildlife policy, and regulation of wildlife management areas and advocacy for reform was published. The posters were distributed to policy makers, civil society organisations, local government leaders and villagers who attended the national consultative workshop on wildlife policy and law reform held in Morogoro in November 2003. More than 15 villages and a number of CSOs and national authorities participated in this workshop discussing the laws and regulations on wildlife.

Citizen's Coalition for a New Constitution (CCNC)

LHRC is still coordinating this coalition which is advocating for a new constitutional order in Tanzania. Most activities in 2003 focused on raising awareness on this issue at zonal level. Three meetings were organized to discuss the position of the CCNC and the need to form a secretariat. The committee is still fundraising for the project.

Strengthening paralegal work

Since 1996 LHRC has been training paralegals in eleven districts of the country. In 2003 LHRC made follow ups on the paralegals work in Tarime, Serengeti, Kiteto, Babati, Hanang, Mbulu, Kimamba and Mvomero. The follow ups revealed that some of the groups trained are now in the stage of forming CBOs while others are working as networks in already formed NGOs in their areas. Two paralegal groups in Mvomero and Kimamba were retrained to strengthen their capacities. This has led to them planning to form CBOs. The paralegals are also helping villagers to pursue

issues in court and they have helped girls to continue with their education before getting married.

The paralegals gathered at the annual Paralegal Festival organized by LHRC in November 2003. Each group trained was represented and gave their reports which showed a lot of efforts around the country to form human rights groups to continue human rights monitoring, provide trainings in schools, introducing weekly teaching sessions where people interested are trained on laws and human rights issues and assisting people with simple legal problems.



Morogoro Regional Commissioner Steven Masibanga officiating the Annual Paralegal Festival 2003 held in Morogoro, November, 2003



Some of the participants attending the Annual Paralegal Festival 2003

Challenges

Ensuring implementation of the plan of action adopted by the police force remains a big challenge to the LHRC. We sense that adherence to human rights principles by the police force still remains difficult, which means that it will take some time to change the attitudes of the police force in observing human rights principles. The police force has requested the LHRC to conduct training to police officers in charge of stations. This is a demanding request which needs a plan to ensure resources both financial and human are available for a number of years.

On strengthening the paralegals in the LHRC focus areas, the main challenge is to maintain regular and effective communication. This problem is probably caused by lack of offices and communication facilities for paralegals in their districts. On the other hand, we have experienced, that some paralegals were not competent and committed to perform their duties, and the low level of education of some of the paralegals has made it difficult for them to understand the lessons and issues of legal and human rights.

On advocacy work of LHRC one of the major challenge is the need for law reform on various laws which influence the daily life of many Tanzanians. For example, the country is being seriously affected by globalization but some of the laws related to this efforts, such as Labour Laws, remain in operation as if nothing has changed over the last 40 years. Labour Laws need to be changed to better reflect the wants and needs of workers. Other laws that need to be reformed are laws regarding inheritance, matrimonial, police activities, citizens, nationality, wildlife and children's rights. It has been a disappointment that by the end of the year the laws of inheritance were not tabled to Parliament for reform and enacting a new law.

Another challenge is on ratification and domestication of international human rights instruments. The government has been very reluctant in ratifying a number of international human rights instruments. Moreover, it has not domesticated a single ratified international human rights instrument and the government has not complied with the reporting obligations under those instruments. LHRC's major challenge is to make the government act positively so that Tanzanians can fully enjoy the remedies prescribed by the international instruments.

3.3: Legal Aid and Human Rights Monitoring Department

This department works on identifying and exposing policy, law reform and issues of practice so as to advocate for change. The Legal Aid Department runs three legal aid clinics; one in Arusha and two in Dar es Salaam (Magomeni and Buguruni). All three clinics remained functional throughout 2003 and a number of volunteer lawyers attended clients on several days of the week offering service to indigent people with the aim to advocate for law reform.

The Legal Aid and Human Rights Monitoring Department work with five objectives with the following output:

1. Provide legal aid and empower indigent with necessary knowledge on legal and court procedures.
2. Pursue through strategic litigation cases which can advance law reforms, repeal, amend or enactment of new legislations.
3. Generate information which can facilitate training of legal and human rights as well as advocate for change
4. Establish contact points on legal and human rights information gatherers and build their capacity.
5. Expose information on human rights issues to the general public and/or advocate for changes.

Activities and achievements

During 2003, the three legal aid clinics, for the first time, handled externship students from the University of Dar es Salaam. This externship was accommodated as part of the academic qualification for the students. In October, the Centre introduced a new volunteer program which has also improved the daily work at the legal aid clinics. This programme identified 25 volunteers to participate in a three-days introduction and orientation session. After this introduction, the volunteers were assigned to the different units of the Centre based on their skills, knowledge and preferences. Six of the volunteers were assigned to the legal aid clinics and 8 of volunteers were assigned to other departments of the Centre where they assist in different kinds of work such as advising clients, counselling, coaching on court cases, drafting client's documents assisting on reconciliation, monitoring human rights issues, advocacy, research and outreach. These extra hands have improved the daily work in all three clinics and made the work more effective.

The basic function of the Monitoring Department is to monitor human rights observance in the country. This department is responsible for identifying human rights violations and other issues of human rights concerns, document them and disseminate information to other stakeholders for action. In 2003, the monitoring capacity of LHRC had been enhanced through the Witness and Act Project. As part of that project, a human rights violation database has been set up for better documentation and follow up on human rights cases. Under the same program, monitors were trained from each district of the country and these monitors have begun to bring in reports on human rights issues in their area.

Legal aid and empowerment of indigent

All three legal aid clinics of LHRC work with the aim of imparting our clients with knowledge on necessary legal and court procedures to make it possible for them to present their own cases in court and other tribunals. This is essential, as the Centre is not able to offer representation to all clients. This year we managed to arrange for all legal officers and volunteers to meet with clients attending the clinic in the morning of the particular day the clients have to go to court with their case. This has proved to be a very successful way of imparting the clients with court procedures. Consequently a lot of clients have been able to represent themselves in court; for example, of 944 cases filed in court, only 37 cases were handled by advocates, while 907 cases were handled by the clients themselves. Our legal officers also offered important legal assistance to clients by preparing legal and court documents. In 2003, 1700 documents were prepared at the legal clinics including demand letters, written statements of defence or memorandum and petition of appeal. We are well aware that documents like this would normally be very costly if prepared by private advocates and that most clients would never have a chance to be helped. During the year the three legal aid clinics received a total number of 9332 clients. Out of these clients a total of 2584 were female and 6748 male clients. The number of returning clients was 6645, and the number of new clients was 2687.

To enhance empowerment of our clients, the Legal Aid Department has prepared a number of self-help kits this year, and the total number of self-help kits is now 14. These kits are prepared in a way for everyone to understand and actually use the content. The last nine self-help kits prepared this year are about rights to appeal and court procedures, criminal procedures, rights and duties of land lords and tenants and how to write a will. The self-help kits are very much appreciated by clients at the legal

aid clinics as a useful way of getting more knowledge on rights and legal issues. We are also aware that many of the self-help kits are being used by the paralegals trained throughout the country by LHRC.

Pursuing cases through strategic litigation

During the year, LHRC handled a number of strategic and public interest cases. The most significant are listed in this report.

- **Yoke Gwaku case:**

This is a land case which was determined at the High Court almost ten years ago and is now pending at the Court of Appeal. The case was set to come for hearing in May 2003 but it did not proceed. Our client, the appellant, is challenging the decision of the court for failure to award compensation on grounds that they did not prove that they were citizens.

- **Mwembechai case:**

This case is pending at the High Court of Dar es Salaam. Our clients are suing the government and police department for brutal acts to women and children committed by the police and their agents during the Mwembechai riots in 2002. The case was instituted by LHRC on behalf of the victims in order to restrain this habit in the future and to inform the public that police and other state organs can be sued when they act in contravention of the law. The case is now at the hearing stage and our clients will testify against the police and their agents.

- **Female Genital Mutilation (FGM) case:**

In this case from Morogoro District, LHRC filed a complaint against a father accusing him for having forced his three daughters to undergo FGM. The Centre prosecuted the case under a private prosecution capacity under the Morogoro Resident Magistrates Court. The accused was not convicted because of lack of sufficient evidence as required by the criminal standard of proof. However, we still consider this specific case as a victory as it has created a lot of debate and raised awareness among the public about this harmful tradition which is still being widely practised in our country. The Centre has now finalized the documentation of this case which will be published for further advocacy work.

- **Sion Gabriel case:**

This case at the High Court of Arusha deals with the Citizenship Act. Our advocate intends to file an amended petition to indicate specific discriminatory provisions of the Citizenship Act. Presently, the Act provides for restrictive provisions on the part of a man who is a foreigner to apply for citizenship when he marries a Tanzanian woman. The case has reached hearing stage.

- **Zakayo case:**

This case was filed through the Resident Magistrate Court Arusha. Allegedly the complainant was brutally tortured by the accused and his relatives reported this to the police. The case was taken by the Legal Aid Department as the police did not seem to pursue the case. The prosecution side had informed the court that they were unable to trace the complainant but when LHRC joined the prosecution we were able to trace him. This year the case did not proceed in court and it is said that the accused had died although no formal information has yet been produced in court. LHRC is in the preliminary stages of documenting the case.

- **Hearing of the Serengeti Eviction of Local People case:**

This is the case pending at the Commission for Human Rights and Good Governance. Nyamuma villagers of Serengeti District and LHRC are complaining against the Serengeti District Commissioner and the OCD for their alleged inhuman acts that comprised of burning the houses of villagers in Nyamuma in October 2001. There are 136 complainants in this case and in this first public hearing of the Commission so far 56 victims have testified during 2003. This case is known publicly and has been widely exposed in both the written and electronic media. This case is to be taken as a land mark case of the Centre as we managed to move the Commission for Human Rights and Good Governance to hear the matter which involves poor villagers on one side and high ranking government officials on the other side.

Legal and Human Rights Monitors

LHRC is now beginning to see the results of the conducted training of monitors. A network of 89 trained monitors and zonal coordinators is in place and working. As a result the Centre receives reports on human rights violations from various parts of Tanzania. Some of these reports have led to fact-finding missions, which is another way for LHRC to make it self more visible in many corners of the country.

One fact finding mission, based on a monitors report, was sent to Mpanda district in

Rukwa Region as a response to unlawful evictions of Manga villagers and burning of villagers homes. The local militiamen who set fire to the houses were immediately charged and prosecuted for those acts. Likewise, follow-up was done on a case of villagers in Matui in Morogoro Region, who were threatened by authorities. As part of the process of transforming the village into an urban area, the villagers' houses were in danger of being demolished and villagers feared they would not be compensated. When LHRC investigated this case the project was called off.

Information on human rights issues exposed to the general public

The Human Rights Monitoring Department has tremendously improved its capacity for documenting and analyzing human rights information. This was made possible through establishing a database system for human rights information collected from the field. This system was used for producing a well-researched and analytical human rights report for 2003 exposing the human rights situation of Tanzania. This report is disseminated in Tanzania as well as outside the country as useful information to the public and Members of Parliament.

The Annual Human Right Conference 2003

The second Annual Human Rights Conference in Tanzania was held on 10th and 11th December 2003 entitled "Globalisation: Who benefits?" with a focus on globalisation and human rights in Tanzania. Like 2002 LHRC organized this event in cooperation with ten other NGOs and about 500 people participated in the conference. Many of them went to the streets in a giant march for human rights, flashing critical and provocative messages about the dangers and problems related to globalisation. This march marked the opening of the conference.



The Annual Human Rights Conference 2003 was opened with a human rights march through Dar es Salaam

The conference addressed the challenge of how to engage the wide spectrum of the society in a discussion on the impact of globalisation on people's human, economic and social rights. As a result of this discussion, a resolution was passed by the participating NGOs calling on the government to be more responsive to people's welfare when engaging in globalisation processes. The conference agreed on a special call to the government to make human rights respect a priority in all globalisation-driven undertakings in our country. Responding to that call, the Minister responsible for privatisation, Hon. Abdalla Kigoda, called LHRC to organise a forum on which he could discuss with the civil society leaders how the government is carrying out its privatisation agenda.

Challenges of the Legal Aid and Human Rights Monitoring Department:

One of the challenges faced by LHRC is an increasing number of people needing services. The Centre, on its own and even in cooperation with other organisations, cannot meet all the needs of the clients and other stakeholders. Introducing our new volunteer program is at least an attempt to have more hands available to assist clients in our legal aid clinics. However, we are well aware that the only remedial measure to address the problem of the increased number of people in need in our country is to advocate for the government to take up the responsibility of providing legal aid services to the indigent people.

An increased number of clients have reported their experience of corruption within judiciary, by bringing to us complaints regarding the clerks and the magistrates. Sometimes clients are forced to provide a bribe to get the required documentation. LHRC urges the government to carry out a serious survey to remove all corrupt people in the judiciary. Many clients also report to our legal aid clinics about the low level of professionalism in the primary courts and that decisions are too often made in ignorance of the laws and hence establishing bad precedence in the primary courts. To fight that, LHRC joins hands with the effort done in the judiciary to empower all court magistrates with necessary legal knowledge.

Communication seems to be the constant challenge for the monitors and LHRC. We need to maintain constant communication with the district and zone based monitors - and to make sure that all monitors trained keep on taking the project seriously enough and report regularly. In the coming year we will therefore provide all zonal coordinators with tools like cell phones and computers to enhance monitoring, documentation and communication efficiency.

It was also realized in the course of the year that some monitors were still not clear about the concept of human rights violations. Due to this knowledge gap, a number of monitors turned in reports that did not reflect human rights issues. This calls for even more education and more simplified information material. At the same time we remain conscious of the security of our monitors. We are working on developing a protection mechanism among monitors themselves and between the monitors, LHRC and other organisations like the Commission for Human Rights and Good Governance.

Given the introduction of working tools like the computers and cell phones and provision of Internet service at the zonal level, the budget for running the project is likely to raise. This poses a challenge of sustaining the project which will entitle regular cost of facility maintenance and subscription charges. LHRC looks forward to integrating the project components which were funded separately by the British High Commission in to the basket fund for better management of the whole project.

3.4: Finance and Administration Department

LHRC, as an organisation, needs to improve its performance and ensure sustainability. This can be achieved where there are structures which adhere to principles of governance as well as transparency of the financial management systems. For its sustainability, LHRC also needs to have a marketing strategy and staff development plan to ensure efficiency and effectiveness.

The Finance and Administration Department of the Centre is responsible for the performance and sustainability of LHRC, in financial matters as well as administration. This department also carries the responsibility of providing an environment that enables other departments to perform their activities. Finally, it serves as a service department responsible for providing logistical support on all activities undertaken by the Centre.

The Finance and Administration Department works with five different objectives with the following output:

1. Maintain transparency in financial management system
2. Maintain the existing sources of income and identify new ones
3. Develop and implement a business and fundraising plan
4. Prepare and implement a human resource development plan
5. Put in place LHRC office premises

Transparency in financial management systems

During 2003 monthly financial reports were produced for use by management staff in plans and implementation. Quarterly narrative and financial reports were prepared and reviewed by the Board of Directors. An annual report and a financial audit for the year ending 2002 were prepared and disseminated and reviewed by the Annual General Meeting in July 2003.

The LHRC Board met each quarter and reviewed the quarterly reports. The Board also organized the Annual General Meeting of LHRC Members. The LHRC currently has 90 members from various parts of the country. This year's AGM was the third. It was officiated by the Tanzania Chief Justice. The Chief Justice commended the LHRC for the work it is doing but noted the challenge in ensuring human rights culture in the country. The members discussed the Chief Justice's speech and directed the

organisation to work more in the area of awareness rising, advocacy and helping people in need of legal assistance. Corruption, as a national cancer, also needs to be tackled seriously by the LHRC.

Maintain existing sources of income and identify new ones

In the year 2003, the sources of existing income were maintained and the basket funding expanded. There were sources of income from:

NOVIB: Has been funding the LHRC since 1994 to date.

Ford Foundation: Has been funding LHRC since 1997. A new contract was signed June 2003 and will be in effect until 2005.

CORDAID: Has been funding since 1998. The year 2003 is the last funding year due to changes in their policy

Embassy of Sweden: Has been funding the LHRC since 2001.

Embassy of Finland: Has been funding the LHRC since 2001.

Royal Norwegian Embassy has been funding LHRC since this year 2003.

Other partners in organizing projects were:

Danish Institute of Human Rights: Continued to support the Police Project and Juvenile Justice Project since 1998 to date.

Equality Now: Supported the FGM campaign since 1999 to date

MS Tanzania: Supported the strengthening of paralegal in Mvomero and Kilosa, 2003.

UNDP supported LHRC on Research of causes of corruption in High Courts.

USAID through **PACT Tanzania** supported Moot Court project.

World Resource Institute: Supported the Environment Accountability Project, 2001 to 2003.

LHRC continued to perform consultancy work for SIDA through Orgut Consultancy AB on land issues in the four districts of Simanjiro, Kiteto, Singida and Babati and the District Development Programme support by SIDA in Bunda, Ukerewe, Musoma and Serengeti District.

New sources of funding in 2003 came from the Royal Norwegian Embassy for two years, 2003-2005, a one year funding for the specific project of Gender and Poverty

Project from the Royal Danish Embassy (Danida) and a one year funding for the project Witness and Act Project from the British High Commission, FCO Office.

Business plan and human resource plan developed and implemented

A business plan is now in place and is being used for marketing LHRC and for fundraising purposes. In this year, the process for developing the human resource development plan began. Consultants from KPMG have already reviewed LHRC documents and have interviewed staff. They are compiling a report for preparation of the plan. This will be followed by a training of the staff in the matters relevant to them under the plan. After this the human resource plan will be implemented from 2004.

LHRC office premises in place

The LHRC premise has been built in Kijitonyama area in Dar es Salaam. But prior to that, the Centre experienced many problems due to the contractor for the office premise not finishing the work according to the work plan which delayed moving into the premises. By the end of 2003, final work was being done to the premises and we hope to move in the first quarter of 2004.

Governance

In this year, LHRC followed all the processes in governance in what the Annual General Meeting convened where members discussed building a human rights culture in Tanzania. They also received a challenge from the Chief Justice of Tanzania, Hon. Barnabas Samatta, that the LHRC membership needs to work into cultivating human rights culture within the society. Since having a Constitution or laws which provides for the rights is not enough, people's minds are not in line with rights. He gave an example of the freedom of movement, which is in the Constitution but at the same time in some places women cannot walk in the evening for fear of being raped etc. Members called upon the Board to ensure the LHRC follow its policies in building a human rights culture.

Board meetings

In 2003, the Board of Directors met three times as a full Board and two times as a standing committee of a few members. The Board approved annual plans and budgets and received the three quarterly reports for January-March, April-June and July-September. The last quarter report was to be discussed in early January. The Board also approved the Business Plan of the Centre as a marketing tool as well as a LHRC Research Policy. The Board members had a meeting with LHRC basket funders and discussed a way forward for the sustainability of the Centre. The 2002 Audit was also reviewed by the Board.

Staff retreat

In November 2003 all LHRC staff and volunteers met in Moshi for a two day retreat. Among other things this annual retreat was meant to evaluate the performance of the Centre over the year. At the retreat we went through the outcome of each department of the Centre, we discussed the different activities and achievements as well as the lessons learnt. Finally, we prepared plans for the future and agreed on the way forward for LHRC. The retreat was a fruitful event and a unique opportunity for all LHRC staff to gather for a few days.



At the LHRC staff retreat 2003 there was also time to enjoy the surrounding nature in the area of Marangu at the foot of Mount Kilimanjaro

Chapter 4

Audited Accounts

To the Members of Legal and Human Rights Centre

We have audited the financial statements set out on pages 4 to 11, which have been prepared on the basis of the accounting policies set out in Note 1. We have obtained all the information and explanations, which to the best of our knowledge and belief were necessary for the purposes of our audit and to provide a reasonable basis for our opinion. The financial statements are in agreement with the books of account.

Respective responsibilities of directors and auditors

Under the provisions of the Companies Ordinance (Cap 212), the directors are responsible for the preparation of financial statements, which give a true and fair view of the Centre's state of affairs and of its operating results. Our responsibility is to express an independent opinion on the financial statements based on our audit and to report our opinion to you.

Basis of opinion

We conducted our audit in accordance with International Standards on Auditing. Those Standards require that we plan and perform our audit to obtain reasonable assurance that the financial statements are free from material misstatement. An audit includes an examination, on a test basis, of evidence supporting the amounts and disclosures in the financial statements. It also includes an assessment of the accounting policies used and significant estimates made by the directors, as well as an evaluation of the overall presentation of the financial statements. We believe that our audit provides a reasonable basis for our opinion.

Opinion

In our opinion, proper books of account have been kept and the financial statements give a true and fair view of the state of affairs of the Legal and Human Rights Centre at 31 December 2003 and of its income and expenditure and cash flows for the period then ended in accordance with the Tanzania Financial Accounting Standards and comply with the Companies Ordinance (Cap 212).

KPMG

Certified Public Accountants
DAR ES SALAAM

Date: 1 June 2004

**STATEMENT OF INCOME AND EXPENDITURE
FOR THE YEAR ENDED 31 DECEMBER 2003**

	NOTE	2003 USD	2002 USD	MEMO 2003 TZS'000	MEMO 2002 TZS'000
INCOME					
Grants	2	1,011,818	886,129	1,054,314	855,380
Interest income		2,048	1,846	2,135	1,782
Foreign exchange (loss)/gain		(14,230)	547	22,070	15,614
Other income	3	<u>160,760</u>	<u>121,114</u>	<u>167,512</u>	<u>116,911</u>
Total		<u>1,160,396</u>	<u>1,009,636</u>	<u>1,246,031</u>	<u>989,687</u>
EXPENDITURE					
Audit fees - Prior year		-	1,866	-	1,801
- Current year		4,384	3,200	4,571	3,089
Board expenses		2,732	3,329	2,849	3,213
Depreciation	4	30,013	18,150	31,274	17,521
Financial expenses		1,163	2,037	1,213	1,966
Office expenses		9,342	14,219	9,740	13,726
Personnel expenses		80,033	70,536	83,441	68,088
Programme expenses		801,948	580,391	836,111	560,251
Staff training		7,200	3,020	7,507	2,915
Transport expenses		<u>10,942</u>	<u>9,982</u>	<u>11,409</u>	<u>9,635</u>
Total		<u>947,757</u>	<u>706,730</u>	<u>988,115</u>	<u>682,205</u>
Surplus for the year		<u>212,639</u>	<u>302,906</u>	<u>257,916</u>	<u>307,482</u>
STATEMENT OF ACCUMULATED SURPLUS					
Opening balance: As previously stated		490,682	211,683	476,458	190,492
Prior year adjustment		-	(23,907)	-	(21,516)
As restated		490,682	187,776	476,458	168,976
Surplus for the year		<u>212,639</u>	<u>302,906</u>	<u>257,916</u>	<u>307,482</u>
Closing balance		<u>703,321</u>	<u>490,682</u>	<u>734,374</u>	<u>476,458</u>

The Statement of Income and Expenditure is to be read in conjunction with the notes to and forming part of the financial statements set out on pages 7 to 11.

BALANCE SHEET
AT 31 DECEMBER 2003

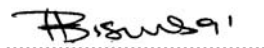
	NOTE	2003 USD	2002 USD	MEMO 2003 TZS'000	MEMO 2002 TZS'000
ASSETS					
Fixed assets	4	296,217	134,195	293,330	124,503
Current assets					
Debtors and prepayments	5	7,477	29,915	7,951	29,218
Cash and bank	6	<u>459,375</u>	<u>381,863</u>	<u>488,592</u>	<u>372,966</u>
		466,852	411,778	496,543	402,184
Current liabilities					
Creditors and accruals	7	<u>(10,550)</u>	<u>(6,093)</u>	<u>(11,221)</u>	<u>(5,951)</u>
Net current assets		456,302	405,685	485,322	396,233
TOTAL ASSETS		<u>752,519</u>	<u>539,880</u>	<u>778,652</u>	<u>520,736</u>
REPRESENTED BY:					
Capital grants	8	49,198	49,198	44,278	44,278
Accumulated surplus		<u>703,321</u>	<u>490,682</u>	<u>734,374</u>	<u>476,458</u>
TOTAL		<u>752,519</u>	<u>539,880</u>	<u>778,652</u>	<u>520,736</u>

The Balance Sheet is to be read in conjunction with the notes to and forming part of the financial statements set out on pages 7 to 11.



Chairperson

01 June 2004
Date



Executive Director

**CASH FLOW STATEMENT
FOR THE YEAR ENDED 31 DECEMBER 2003**

	2003	2002	MEMO 2003	MEMO 2002
	USD	USD	TZS'000	TZS'000
Surplus for the year	212,639	302,906	257,916	307,482
Adjustments for:				
Depreciation	30,013	18,150	31,273	17,521
Exchange difference/(translation adjustment)	-	383	-	(2,099)
Prior year adjustment	<u>-</u>	<u>(23,907)</u>	<u>-</u>	<u>(21,516)</u>
Operating surplus before working capital changes	242,652	297,532	289,189	301,388
Changes in working capital				
Decrease (increase) in debtors and prepayments	22,438	(28,115)	21,267	(27,460)
Increase in creditors and accruals	<u>4,457</u>	<u>3,342</u>	<u>5,270</u>	<u>3,264</u>
Net cash flows from operating activities	269,547	272,759	315,726	277,192
Cash flows from investing activities				
Purchase of fixed assets	(192,035)	(69,949)	(200,100)	(67,522)
Net cash utilized in investing activities	(192,035)	(69,949)	(200,100)	(67,522)
Net increase in cash and cash equivalents	77,512	202,810	115,626	209,670
Cash and cash equivalents at 1 January	381,863	179,053	372,966	163,296
Cash and cash equivalents at 31 December	<u>459,375</u>	<u>381,863</u>	<u>488,592</u>	<u>372,966</u>

The Cash Flow Statement is to be read in conjunction with the notes to and forming part of the financial statements set out on pages 7 to 11.

Appendix 1

LIST OF TRAININGS CONDUCTED IN 2003

TRAINING OF POLICE

S/N	Date	Place	Group	Number			Topic
				M	F	Total	
1.	17th-21st March 2003 Institute	Morogoro TANESCO	Police Official Commandants at District (OCD) from Central and Northern Zones districts	28	2	30	Human rights principles and the role of the Police
2.	24th -28 March 2003	DSM Mbezi Garden	OCDs from Southern, Coastal and Isles zones	26	-	26	Human rights principles and the role of the Police
3.	14th-18th April 2003	Mwanza Aspen Hotel	CDs from Lake Zole	25	2	27	Human rights principles and the role of the Police
4.	28th-2nd May 2003	Mbeya Rift Valley Hotel	OCDs from Southern Highlands zone	16	2	18	Human rights principles and the role of the Police
POLICE-SUB-TOTAL				96	6	101	

TRAINING OF WARD EXECUTIVE OFFICERS/COUNSELORS

S/N	Date	Place	Group	Number			Topic
				M	F	Total	
5.	30th March - 11th April 2003	Mwanza New Mwanza Hotel	Two groups Ward Exec. Officers and Councilors of Ukerewe district	48	7	55	Human rights and good government official
6.	28th April - 2nd May 2003	Musoma Afrilux Hotel	Ward Executive Officers from Serengeti	18	3	21	Human rights and good governance for local officials
7.	5th May - 16th May 2003	Musoma Afrilux Hotel	Two groups of Ward Executive Officers and Councilors of Bunda district	42	8	50	Human rights and good governance for local government officials
8.	2nd June - 6th June 2003	Musoma Afrilux Hotel	Councilors of the Serengeti district	20	4	24	Human rights and good governance for local government officials
WARD EXECUTIVE OFFICERS / COUNCILLORS - SUB TOTAL				128	22	150	

TRAINING OF TRAINERS (TOT)

S/N	Date	Place	Group	Number			Topic
				M	F	Total	
9.	10th Feb -14th Feb 2003	DSM Insurance Institute	Five NGOs prospective facilitators	3	23	26	Training of Trainers for facilitation skills on the land laws
10.	21st-25th July 2003	Katesh Hanang Tip top Hotel	Members of Hanang Women Counselling and Development Association	1	22	23	The new land laws and facilitation skills TOT.
TOT - SUB TOTAL				4	45	49	

TRAINING OF BALANDALALU WARD

S/N	Date	Place	Group	Number			Topic
				M	F	Total	
11.	28th July - 1st Aug 2003 (I)	Balangdalalu Maragu Hall	MurumbaVillage Council	17	6	23	Land laws, human rights and gender
12.	28th July - 1st Aug. 2003 (II)	Balangdalalu Division Hall	Balangda Village Council Members	19	7	26	Land laws, human rights and gender
13.	25th - 29th Aug.2003 (I)	Katesh Tip top Hotel	DilodaVillage Council Members	20	5	25	Land laws, human rights and gender
14.	25th - 29th Aug. 2003 (II)	Katesh Tip top Hotel	Village Council MembersMureru	19	6	25	Land laws, human rights and gender
15.	1st - 3rd Sept. 2003	Balangda Division Hall	Balangda Ward Dev.Committee	22	1	23	Land laws, human rights and gender
16.	1st - 5th Sept. 2003	Balangdalalu Maragu Hall	Members of Village Land Council Adjudication Committee Mureru	11	9	20	Land laws, human rights and gender
17.	29th Sept- 3rd Oct 2003	Katesh Tiptop Hotel	VLC members of Diloda, Balangda and Mureru	19	12	31	Land laws, human rights and gender
18.	29th Sept- 3rd Oct.2003	Katesh Tip top Hotel	Village Adjudication Committee Balangda and Diloda	6	12	18	Land laws, human rights and gender
BALANGDA WARD - SUB TOTAL				137	103	240	

TRAINING UNDER LAMP (LAND MANAGEMENT PROGRAM)

S/N	Date	Place	Group	Number			Topic
				M	F	Total	
19.	16th - 20th Sept.2003	Simanjiro	Village Council Members	16	3	19	Land laws
20.	18th - 20th Sept.2003	Simanjiro	Village Council Members	16	16	32	Land laws
21.	18th - 20th Sept.2003	Simanjiro	Village Land Council	27	3	30	Land laws
22	11th - 13th Dec.2003	Babati	Ward Tribunal	6	3	9	Land laws
23.	8th - 13th Sept.2003	Babati	Village Council	14	9	23	Land laws
24.	8th - 10th Dec.2003	Babati	Village Land Council	15	11	26	Land laws
25.	29th - 31st Dec.2003	Singida	VLC and Adjudication Committee	17	16	33	Land laws
26.	29th - 31st Dec.2003	Singida	VLC and Adjudication Committee	19	11	30	Land laws
27.	29th - 31st Dec.2003	Singida	VLC and Adjudication Committee	19	11	30	Land laws
28.	17th - 22nd Nov. 2003	Simanjirol Iaramatak Hostel	Village Council, Ward Tribunal and VLC	19	14	33	Land laws
29	4th-8th Aug.2003	Kiteto Kinnapa Conference Hall	District Gender Task Teams	9	13	22	Legal and human rights and gender
30.	1st - 6th Sept. 2003	Sunya and Olgira	Members of Village Council of Olgira and Sunya villages.	52	12	64	Land laws
31.	8th - 10th Dec. 2003	Sunya, Kiteto	Members of Village Land Council, Ward Tribunal and Village Adjudication Committee of Sunya, Olgira, Lotepezi and Asmato.	31	24	55	Land laws

S/N	Date	Place	Group	Number			Topic
				M	F	Total	
32.	11th - 13th Dec. 2003	Sunya Primary School	Members of Asamato and Lotepesi Village Councils in Sunya Ward.	22	4	26	Land Laws
33.	15th - 19th Dec. 2003	Arusha Town	Simanjiro Councilors	13	6	19	Democracy, good governance and human rights
34.	15th - 20th Dec. 2003	Terat Primary Simanjiro.	Women from School, Terat - various villages in Simnjiro	-	25	25	Human and rights of women.
35.	15th - 20th Dec. 2003	Komolo Primary School, Simanjiro.	Men and Women from various villages in Simanjiro.	14	10	24	Children's rights.
LAMP SUB TOTAL				309	191	500	
GRAND TOTAL TRAINEES				673	367	1040	

Appendix 2

ANNUAL CLIENT'S STATISTICAL REPORT JANUARY DECEMBER 2003 LEGAL AID UNIT - ALL CLINICS

Type of case	RETURNING CLIENTS			NEW CLIENTS			GRAND TOTAL
	Male	Female	Total	Male	Female	Total	
Child Maintenance	9	17	26	3	17	20	46
Child Rights	4	1	5	1	2	3	8
Affiliation	6	26	32	3	9	12	44
Civil	1261	274	1535	491	85	576	2111
Insurance	35	7	42	10	5	15	57
Contract	30	2	32	32	6	38	70
Criminal	106	66	172	77	30	107	279
Employment	2487	285	2772	674	460	1134	3906
Human Rights Issue	2	0	2	1	0	1	3
Land	550	187	737	243	49	292	1029
Landlord/Tenant	73	25	98	30	11	41	139
Matrimonial	140	467	607	76	172	248	855
Probate/Inheritance	283	269	552	100	99	199	751
Other (support, refugees, legal advice, nationally)	21	12	33	0	1	1	34
TOTAL	5007	1638	6645	1741	946	2687	9332