

# LHRC

**Legal and Human Rights Centre**

## **Newsletter**

**Legal and Human Rights Centre,  
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# Word from the Executive Director

*Dear colleagues,*

**H**appy New Year to friends and colleagues and once again welcome for yet another issue of our esteemed newsletter with this one giving highlights of activities conducted specifically on October, November and December 2013. The past one year was full of activism especially as LHRC joined the rest of the world to mark the World's Anti Death Penalty Day, amid all controversy over the current Constitution Draft clinging on the capital punishment.

Needless to say, the LHRC has maintained its stance against the capital punishment and will keep campaigning. Moreover, the LHRC made some relentless efforts to air its dissatisfaction over the way an operation dubbed as 'Tokomeza' a Kiswahili word literally meaning pin down, and in this case they meant to curb poaching of wild animals specifically elephants which are hunted for its tusks. The whole operation was conducted in a way that LHRC could not remain silent and made several efforts as it would be mentioned below.

The year ended with some yet sad stories as our organization lost one of its founding fathers Dr. Sengondo Mvungi, who was a pillar in the whole Constitution Review Process. We have also managed to bid farewell to our Board Chairperson D. Elinaza Sendoro who has decided to retire. There is so much in regard to what the LHRC has done, the commemoration of the International Human Rights Day and not to mention our campaign to follow on the constitution reform process.

For this and more kindly enjoy your reading.

**Dr. Helen Kijo Bisimba**  
**Executive Director for the LHRC.**





# LHRC ensures justice is served on operation 'Tokomeza'

In 2013, the government through its Ministry of Tourism and Natural Resources embarked into an anti poaching operation to curb killing of elephants which was growing at an alarming trend threatening the tourism sector in the country. Anti poaching agents involved the police, militia police, and Tanzania Defence Force as well as wildlife game reserves.

In less than a month, reports over gross human rights violations came to the LHRC forcing the organization to send its fact finding mission to find out what transpired.

While still probing, relatives of one of the victims came to the LHRC to seek legal assistance to enable them conduct a second postmodern for a relative one Emiliana Maro, a lady who was arrested by anti poaching agents after she had gone to find out her spouse's whereabouts.

A few days later, relatives were called to pick her body with anti poaching officials claiming that she had died from High Blood Pressure, claims that relatives refused on

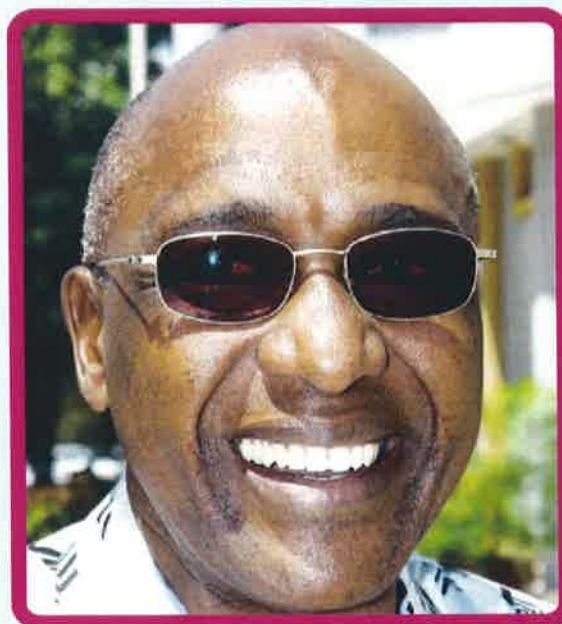
account that she had left her home in good health.

The LHRC made relentless efforts where it met with the Director of Criminal Investigation before the organization mounted a media campaign through TV and radio.

Notably, the organization issued a press statement on November 4th, calling upon the government to take immediate steps including forming a probe team to follow up the issue.

Furthermore, the LHRC pressed upon the Ministry of Tourism and Natural Resources to resign while also calling upon stern measures to be taken upon all officials who will be found to have been involved in human rights violations during the operation.

It also called upon the need to compensate victims who would be found to have been affected by the exercise and not to mention of taking stern measures against medical



*Tourism and Natural Resources Minister, Khamisi Kagasheki was forced to resign.*

officers who wrote wrong report in regard to deaths of victims such as that of Emiliana. A few days later the House formed a probe team to investigate the matter after a heated debate.

Hardly days, the President addressed the Parliament promising to take stern measures against those who will be found to have violated human rights during the operation. Somber mood reigned the nation on December 21st, 2013 as the Chairperson James Lembeli (CCM-Kahama), the chairman of the Standing Committee on Land, Natural Resources and Environment tabled the report on which at the end of the day saw MPs charge calling for responsible ministry to resign or else they would be forced to hold accountable the Prime Minister.

## LHRC signs MOU with Police Force

**T**he LHRC on November 27th this year signed a Memorandum of Understanding with the Police Force that will see the two cooperate in various sectors to curb human rights violations in Tanzania. The MOU came as part of its ceremony to mark the 16 days of activism.

The colorful ceremony took place at the LHRC's Headquarters in Dar es Salaam amid a full packed room including senior police officials headed by the acting Director of Criminal Investigation Isaya Mungulu members from the Gender Desk from the force as well as representatives from civil societies, human rights association, and members of the press and health workers.

Among areas of interest by the two will be working together to curb mob violence,

Committee members kept referring to details on Emiliana, a victim who LHRC had done all its best to publicize her issue as a case study for the rest.

The move ended uncovering the devil that created all these pitfalls of operation Tokomeza "as President Jakaya Kikwete sacked four ministers namely Dr Emmanuel Nchimbi (Home Affairs), Shamsi Vuai Nahodha (Defense), Ambassador Khamis Kaghasheki (Tourism and Natural Resources) and Dr David Mathayo (Livestock Development and Fisheries).

At the end of the day, victims of the operation may be gone, but LHRC had served the day as everything which had been proposed became a reality and justice was served at long last.



*The LHRC's Executive Director (L) exchanges the MOU with the then Acting Director of Criminal Investigation, Isaya Mungulu.*

extrajudicial killings as well as crime. Other areas of interests will be information sharing, training on human rights as well as rules and regulations among others.

The duo have been collaborating for over years now, but its ties have grown stronger in recent years in a bid to curb the escalating rate of mob violence and extrajudicial killings in the country.





# Constituent Assembly called upon to abolish the death penalty

**T**he LHRC on October 10, 2013 joined the rest of the world to mark the World's Anti Death Penalty Day. Prior to that, the LHRC had conducted a week long media campaign through radio and television programs. The session began with an advocacy campaign with staff and members of the press over ten reasons over why the capital punishment ought to be scraped out. Participants were availed to a horrifying movie indicating the various types of execution before they embarked into a discussion. Later on, the LHRC issued a press statement calling upon:

1. The coming Constituent Assembly to ensure that the coming Constitution scraps away the capital punishment by emulating what other countries such as Namibia have done as the punishment has failed to deter crime and;
2. To borrow a leaf from other countries in the world which do not implement the death penalty and find out how they have

been dealing with people who are convicted of capital offence such as murder;

3. Judges should convince court juries to provide alternative punishment such as life imprisonment and hard labour to murderers to protect this basic right.
4. Lastly, we call upon the court to speed up hearing of the case against the death penalty filed at the High Court of Tanzania to protect and honor this constitution right.

Efforts by the LHRC yielded positive results as the following day; all major media outlets carried the story and eventually the campaign sparked like fire causing a public debate. Some media outlets carried radio and television programs over the capital punishment, with some compiling features on the evil deeds. A local television station ITV carried a vox pop over whether Tanzania should abolish the capital punishment or not and the results indicated that 66 percent wanted it abolished while as the rest wanted it to remain.

## LHRC joins the world to mark 16 days of activism

**T**he LHRC on November 25th, 2013 joined other CSOs in the country to mark the 16 Days of Activism with a peaceful procession which began from the Mnazi Mmoja grounds in Dar es Salaam all the way to the Diamond Jubilee.

The session was colored by several activities where LHRC as a member of MKUKI, a coalition of CSOs against GBV in the country; provided legal assistance to needy

while at the same time displaying various publications on legal and human rights issues. Sombre mood however reigned supreme as victims of gender based violence narrated their ordeal.

Deputy Minister of Justice and Constitution Affairs Hon. Angella Kairuki colored the event with the launch of the guideline on how to deal with victims of GBV.



# LHRC marks International Human Rights Day

**B**usiness went stand still in the capital city of Tanzania as thousands of people working with the LHRC joined the rest of the world to mark the International Human Rights Day on December 10, 2013.

The day began with a peaceful march colored with a police brass band, placards with various human rights message, with marchers clad in black t-shirts with a message on the Constitution Assembly.

They braved the scorching sun of Dar es

Salaam before they arrived at the TTCL grounds. Several presentations were made on Gender Based Violence, human rights situations and the constitution review process as well as the 18 years success stories of the LHRC.

The gathering pulled together representatives from human rights associations, envoys accredited to Tanzanians, civil societies, ordinary people, members of the press and ended with performance of traditional dances and music by human rights associations.



*December 10 in pics, with marchers and presentations from the Police Force among others.*







## Media owners reiterate commitment to work with LHRC

**T**he LHRC on December 13th, 2013 convened a roundtable discussion with media owners in the country.

The move meant to enable media owners give more attention to the ongoing constitution review process, human rights and elections issues ahead of the Local Government and General Elections respectively.

The session took place in Dar es Salaam. Speaking during the session, Media Owners

Chairperson Dr. Reginald Mengi stressed upon the need for the media to help the public to do away with the poverty of the mind saying doing so would make them analyze issues more critically.

Among issues discussed during the session were labour rights for journalists, working environment, and challenges facing the media industry in the country. The duo agreed to hold regular briefing sessions to discuss on issues of public interests whenever the need calls for.



*Media Owners Chairperson Dr. Reginald Mengi (L) at the LHRC's Pavillion (file photo)*



## LHRC joins Swedes to mark 50 years of cooperation with Tanzania

**T**he LHRC on December 4th and 5th 2013 attended an exhibition at the House of Culture at the National Museum as part of the ceremonies to mark the 50 years of cooperation between Tanzania and Sweden. While there, the LHRC displayed its publications on legal and human rights matters.

The Vice President Dr. Gharib Bilal was the Chief Guest at the event where among other things were a discussion on Corporate Social Responsibilities and contemplation

over the Swedish contribution to Tanzania.

Among panelists for the sessions were TGNP Executive Director Ussu Mallya who paid homage to the Swedes for their support but stressed that a lot needs to be done to help Tanzania to curb gender based violence which was taking toll by the day.

“A lot more could be done to help the government commit itself on leadership to create a national grounded on principles of human rights and social justices,” she said.

## LHRC convenes 300 CSOs to ponder over Constitution issues



*Representatives from CSOs pay attention during the symposium on Constitution matters.*

The LHRC in collaboration with 300 other civil societies in the country on November 28th issued a press statement calling upon the need for Tanzania to conduct a public debate over union matters. The historical

symposium was organized by the LHRC in collaboration with TGNP and NACONGO, a coalition of NGO's in the country. For more information click on [www.taifaniletu.or.tz](http://www.taifaniletu.or.tz).

# Norway provides budget support to LHRC

**T**he Royal Norwegian Embassy in Tanzania on October 24, 2013 signed a memorandum of understanding that will see it provide financial support for the LHRC's three years strategic plan.

Speaking during the signing ceremony, the Royal Norwegian Embassy envoy in the country Madam Ingunn Klepsvik said her government had provided financial support after a long scrutiny.

"You have a good track record, very clear and you maintain a neutral position. You also have good management with high professionalism. Your organization is answering most of the issues that Tanzania is facing.

It is our hope that this organization will continue to do well to strengthen the important step towards ensuring people's legal rights are addressed in a transparency manner," said the envoy.

The envoy said access to justice was one of the challenges to most countries in the world adding legal aid is vital for people to sustain access to justice that they are entitled to.

For her part, the LHRC's Executive Director Dr. Helen Kijo Bisimba thanked the envoy for the support saying it will help the organization to reach more people in need of assistance.



*Madam Ingunn Klepsvik*



# LHRC mourns for its founding member



*The late Dr. Sengondo Mvungi.*

The LHRC is currently mourning one of its founders Dr. Edmund Sengondo Mvungi who passed away on November 12, 2013. The LHRC received with shock news about his death. Dr. Mvungi will always be remembered for his immense contribution

towards human rights where he managed to establish the Tanzania Legal Education Trust (TANLET), the Legal and Human Rights Centre as well as the University of Bagamoyo just to mention a few.

His passion was to help the needy and the weak while as his vision was to see Tanzania attain a just and equitable society.

The LHRC will always cherish and enhance what he stood for and sends its sincere condolences to his wife, children, friends and relatives as well as all who have been touched by his sudden demise.

Farewell dear brother, comrade and friend. We will always remember you. May the Good Lord rest your soul in peace, Amen.

## LHRC bids farewell to its Board Chairperson

**T**he LHRC, on December 6th, 2013 bid farewell to its Board Chairperson retired Bishop Elinaza Sendoro.

The colorful ceremony took place in Dar es Salaam and pulled guests from various spheres including representatives from CSOs, staff members of LHRC as well as Members of the Press.

Professor Geoffrey Mmari is now the new Board Chairperson for the LHRC. Professor Mmari has held various posts inclusive being the Vice Chancellor of the University of Sokoine, University of Dar es Salaam and the Open University of Dar es Salaam. Other posts include being the Chancellor of the Tumaini University in Dar es Salaam.



*The incumbent Board Chairperson, Professor Geoffrey Mmari.*



*Former Board Chairperson Bishop, Elinaza Sendoro.*

## More lawyers excel in Bar Exams

Two lawyers from the legal aid clinics in Arusha in Dar es Salaam were sworn in by the Chief Justice of Tanzania to become Advocates for the High Court. A lawyer at the Land unit in Kinondoni Agnes Ndanzi and Doreen Loina from the legal aid clinic

in Arusha were sworn in on December 6th, having successfully excelled in their Bar Exams. The two sums the number of advocates at the LHRC to 19. LHRC is endowed with legal experts in the country with its lawyers summing to 35.

## UB holds its first convocation ceremony

The University of Bagamoyo held its first ever convocation ceremony in Dar es Salaam on December 7th, 2013.

The ceremony took place at the National Museum and was coloured by the Vice President Dr. Mohamed Gharib Bilal. UB is a new, independent, privately established and non-partisan university owned by two institutions; Tanzania Legal Education Trust (TANLET) and The Legal and Human Rights Centre (LHRC).

On 17th October 2007 TANLET informed the LHRC of its intention to establish a new University at Bagamoyo with a view to provide integrated formation to young Tanzanians. On the 7th August 2009 the LHRC unanimously endorsed the University of Bagamoyo project and decided to participate in its establishment as co-owner. On 28th January 2010 UB registration Application was lodged at the Tanzania Commission for Universities.

## Other activities

The LHRC's Board convened from November 28th to 30th, in Arusha at a session that meant to pass through work plans. The session was preceded by board training on Governance and team building .

- The management team on December 11, 2013 convened a roundtable discussion with its development partners to ponder over its action plan for the coming year

among other things. The one day session brought together all of its development partners.

- Staff members convened for their annual retreat where they shared their annual reports loaded with success stories and what to go next. All the reports will be compiled to come up with the organization's Annual Report.

## UPCOMING ACTIVITIES:

-February 6th, 2014- LHRC to join the rest of the members of the anti FGM coalition to mark the International Zero Tolerance Day in Singida.

February 25th- LHRC to launch a major

media campaign to publicize the second Constitution Draft ahead ahead of the referendum.

April 17th 2014- High Court to issue ruling of LHRC's case against the Prime Minister