



Mlinzi wa HAKI



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Dear esteemed readers

Greetings from the Legal and Human Rights Centre (LHRC).



I welcome you to read this newsletter so that you can stay informed on what LHRC is up to and familiarize yourself with activities that are taking here at the organisation.

Dr. Anna Aloyce Henga (Advocate)
LHRC Executive Director.

With support from our devoted staff and developmental partners, including the Embassies of Sweden, Norway, and Ireland, the Legal and Human Rights Centre (LHRC) is delighted to welcome you to our May 2023 Mlinzi wa Haki newsletter.

LHRC dedicated this month to fieldwork and visiting our human rights clubs in different schools and universities across Tanzania. We also conducted field visits in Morogoro and Zanzibar. May also saw LHRC launching its report on the impacts of climate change on socio-economic and environmental rights in Tanzania.

The report highlights observed and perceived climate change impacts on human rights in four key agriculture, fisheries, livestock, and settlement sectors in six regions: Dodoma, Mbeya, Manyara, Pwani and Mwanza, and Kagera.

Climate change poses significant threats to the realisation and fulfilment of human rights globally. The adverse effects of climate change can have a wide range of impacts on access to clean water, food security, health, housing, and livelihoods. These impacts disproportionately affect vulnerable and marginalised populations, exacerbating inequalities and human rights violations.

The newsletter covers this story and many others highlighting LHRC's key activities and engagements in May. I welcome you to read this newsletter to stay informed on what LHRC is up to and familiarise yourself with activities here at the organisation.



LHRC joins media stakeholders to commemorate World Press Freedom Day

Legal and Human Rights Centre (LHRC) joined forces with Tanzania's media actors to mark the 2023 World Press Freedom, whose national commemoration occurred in the semi-autonomous Zanzibar archipelago.

The commemoration occurred from May 1 to May 3, 2023, at the Golden Tulip Hotel in Zanzibar. Zanzibar Minister for Information, Youth, Culture, and Sports Tabia Mwita Maulid inaugurated the event, while Zanzibar President Hussein Mwinyi closed it.

LHRC participated in various activities during the commemoration, including legal aid activities and panel discussions. Our representatives also participated in policy and legal discussions regarding Tanzania's journalism and communication sector.



The 2023 World Press Freedom Day 2023 theme was ‘Shaping a future of rights: Freedom of expression as a driver for all other human rights.’ While at the event, Ms Tabia visited the LHRC pavilion at the venue.

LHRC took the opportunity to present its Tanzania Human Rights Report 2022 to President Mwinyi, who also visited the LHRC pavilion.

President Mwinyi addressed the commemoration participants and emphasised the importance of press freedom for a country’s development. He also assured stakeholders of his government’s commitment to upholding this principle.





LHRC visits Human Rights Clubs at Jangwani, Azania schools

On May 12, 2023, a team from Legal Human Rights Centre (LHRC) visited its various Human Rights Clubs in Jangwani and Azania Secondary School in Dar es Salaam to increase the knowledge and enthusiasm of the student members of those clubs.

LHRC Program Officer - Human Rights Monitors and Human Rights Clubs Ally Seif Ramadhani urged the members to continue educating themselves more on the cross-cutting human rights issues.

Mr Ramadhani also urged the learners to participate fully in protecting the foundations of human rights, good governance, and maintaining Tanzanian values. He pleaded with the students to do this inside and outside their schools.

He told the students that they have a significant role in building a society that respects the principles of democracy, justice, and equality, the three critical pillars of any prosperous country.

In addition, the guardian teachers of the clubs, Ms Shamira Abdul from Jangwani Secondary School and Mr Mussa Kibile of Azania Secondary School, urged the members to oppose brutal acts and sexual violence that flourish in our society.

LHRC also visited the University of Dar es Salaam on May 13, 2023, where Mr Ramadhani spoke with young students who are also members of the Human Rights Organization of the University of Dar es Salaam (UDHRA) on human rights issues.

On May 25, 2023, LHRC visited its Human Rights Club at Mzumbe University in Morogoro, where it engaged with the members and provided them with education and inspiration to actively protect and defend human rights.

The focus was on raising awareness about the importance of youth participation in combating sexual violence and upholding moral values in Tanzania. LHRC also handed over the Tanzania Human Rights Report for the year 2022 to the Dean Faculty of Law (FOL) at Mzumbe University.



LHRC has approximately 316 human rights clubs across Tanzania at the level of primary schools, secondary schools, colleges, and universities. LHRC hopes that the clubs will ensure that young people gain knowledge, enthusiasm, and courage to promote and defend the country's human rights.

LHRC believes that the youth are the nation's treasure and workforce, and they have a great chance to bring about positive changes in their society if they get the proper knowledge on issues affecting them, including human rights and good governance.





LHRC pokes holes in the proposed Tanzania Education Policy, 2022

Legal and Human Rights Centre (LHRC) has called on the Government to fix critical discrepancies in the proposed Tanzania Education Policy, 2022, including the fate of girl students who drop out of school because of pregnancy, with Executive Director Anna Henga saying the policy's silence on the issue "worries us."

Dr Henga told a press conference on May 11, 2023, that LHRC wants the policy to clear existing confusion on education through a non-formal system. LHRC has also criticised the draft policy for being silent on corporal punishment. It wants the policy to clarify whether the punishment will remain or not.

LHRC wants the policy to recognise key educational personnel, including education officers working on issues of culture, ICTs, etc., whom the draft policy remains silent about

Other LHRC recommendations for the proposed policy include the need for the policy draft to explain how students who have gone through the informal education stream will be recognised in the formal education system.

LHRC recommends that the draft policy clarify if it applies to higher education to remove confusion in the current education policy. It suggests linking the draft education policy with other policies related to skills and knowledge, such as science and technology policy and small-scale industries policy, to ensure graduates possess a broader skill set.

LHRC proposes the inclusion of an evaluation element every ten years to assess the implementation of the policy. It emphasises the need for the draft policy to guide corporal punishment, as it is not addressed.

LHRC recommends clarifying the concept of free education in the policy, as the language used in the draft indicates that it may not be entirely free.

The organisation suggests that stakeholders be given sufficient time to review, analyse, process, and make transitions regarding the draft policy rather than the ministry's three-week timeframe.





LHRC, CRR, and AEACRN discuss ACERWC's decision on girls' rights

Legal and Human Rights Centre (LHRC) this month held a meeting with the Center for Reproductive Rights (CRR) and the Eastern African Child Rights Network (EACRN) to discuss the recent decision by the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) and strategise about the best ways to ensure girls' rights are realised.

On September 15, 2022, ACERWC found the government of Tanzania guilty of multiple human rights and gender violations against schoolgirls, which include mandatory pregnancy testing, the expulsion of pregnant girls from the formal school system, illegal detention of pregnant schoolgirls, a total ban of schoolgirls from formal education post-childbirth and failure to enable schoolgirls to access sexual reproductive health (SRH) services and information while in school.



ACERWC demanded Tanzania prohibit mandatory pregnancy testing in schools and health facilities and publicly announce the prohibition. It also ordered the government to undertake concrete steps to prevent the expulsion of pregnant, married girls from schools by providing applicable laws and policies, among other recommendations.

During the two-day meeting on May 17 and May 18, 2023, at the White Sands Hotel in Dar es Salaam, LHRC Executive Director Anna Henga expressed concerns about the persistent challenges girls face in Tanzania, particularly their right to education.

She highlighted that cultural norms, traditional beliefs, poverty, and gender bias are significant barriers that prevent girls from attending school in Tanzania.

“These obstacles contribute to a cycle of inequality, depriving numerous girls of their potential and opportunities,” Dr Henga said during the meeting.

LHRC hopes that by collaborating with CRR and EACRN, it can develop effective strategies and interventions to address the challenges girls in Tanzania face, which will involve challenging cultural norms, combating gender bias, alleviating poverty, and advocating for policy changes that would promote girls’ access to quality education.

The meeting provided a platform for stakeholders to share experiences, exchange ideas, and formulate actionable plans to ensure that girls in Tanzania can exercise their right to education and overcome the barriers they face.

Through collaborative efforts and partnerships, LHRC, CRR, and EACRN aimed to make significant progress in advancing girls’ rights and breaking the cycle of inequality in Tanzania.

Although the government announced in April 2022 that it was lifting its ban on pregnant girls not to continue with studies, LHRC and other stakeholders criticised the decision, particularly its failure to address most of the issues ACERWC had recommended.

The ACERWC decision followed a case filed in June 2019 by LHRC and CRR against the government of Tanzania on behalf of six girls expelled from school for pregnancy.

The case was based on the organisations’ conclusion that Tanzania’s education system is based on exclusion, oppression, and segregation of girls who get pregnant or married while in school. The case sought to exterminate the very regressive and discriminatory education policies.





LHRC releases report on climate change's impacts on human rights in Tanzania

Legal and Human Rights Centre (LHRC) released a report highlighting climate change's impact on Tanzania's economic, social, cultural, and environmental rights.

Titled 'Impacts of Climate Change on Socio-Economic and Environmental Rights in Tanzania,' the report was launched on May 18, 2023, at the LHRC's headquarters in Kijitonyama, Dar es Salaam.

LHRC Director of Empowerment and Accountability, Felista Mauya, said during the launching ceremony that the report shows the relationship between the effects of climate change and the violations of fundamental human rights.

She said climate change had caused damages and irreversible losses in terrestrial, freshwater, and coastal and open ocean marine ecosystems.

The report emphasises the importance of addressing climate change as part of the country's commitment to the Sustainable Development Goals (SDGs) and the United Nations Convention on Climate Change (UNFCCC).

The study focused on four regions in Tanzania: the central region, the coast, the north, and the lake region, including specific areas such as Dodoma, Manyara, Mwanza, Dar es Salaam, Kagera, and Mbeya.

The research collected information on various sectors, including agriculture, animal husbandry, fishing, and human settlements.

The report identifies several areas affected by climate change, including health issues, access to clean water, the environment, and inequality. It emphasises that these environmental challenges disproportionately affect vulnerable populations, such as special groups.



Climate change has impacted social rights, including the right to food, health, education, access to clean water, a decent environment, privacy, and family. Economic rights, particularly in the agriculture, animal husbandry, and fishing sectors, have also been significantly affected.

Poor access to agricultural and fishing products and the spread of diseases among livestock have had adverse effects on citizens.

Furthermore, cultural rights have been impacted as people are forced to migrate from their original areas due to food and water scarcity and the inability to engage in traditional agricultural practices that sustain their way of life.

And special groups, such as women and children, have also experienced negative consequences. Children, in particular, have been deprived of their education rights as families are forced to migrate for better living conditions.

LHRC calls on the government, institutions, and Tanzanian community to take action to protect the environment and adapt to changing behaviours to secure the well-being of future generations.

This may involve implementing policies and initiatives to mitigate climate change, promoting sustainable practices in various sectors, ensuring access to essential services, and addressing the needs of vulnerable groups.



LHRC conducts validation session on Persons with Disabilities Act

The Legal and Human Rights Center (LHRC) conducted a validation session on the analysis of the Persons with Disabilities Act No. 10 of 2010 between May 23 and May 24, 2023, in Morogoro.

The validation session involved associations of persons with disabilities and other stakeholders, which LHRC considers crucial for ensuring the perspectives and needs of persons with disabilities are adequately represented and considered in the analysis of the Act.

The validation exercise aimed at reviewing and assessing the implementation and effectiveness of the Persons with Disabilities Act. It aimed at identifying gaps, challenges, or areas for improvement in the Act's provisions and their practical application.

By involving associations of persons with disabilities and other stakeholders, the LHRC can gather valuable insights, experiences, and recommendations.

This collaborative effort promotes a participatory and rights-based approach to policy analysis and development, ensuring that the Act is aligned with the needs and rights of persons with disabilities.

Such validation sessions are vital in promoting accountability, transparency, and inclusivity in the legal framework and policies for persons with disabilities. LHRC's efforts in facilitating this session demonstrate their commitment to advancing the rights and well-being of persons with disabilities in Tanzania.



LHRC wins big at EACJ Appellate Division

The Appellate Division of the East African Court of Justice (EACJ) this month dismissed Appeal No. 5 of 2022, filed by Tanzania's Attorney General challenging the decision of the EACJ First Instance Division, which was delivered on March 25, 2022, in the consolidated Reference No. 3 and 4 of 2019.

In its decision, the EACJ First Instance Division had declared that certain provisions of the Political Parties (Amendment) Act, specifically Sections 3, 4, 5, 9, 15, and 29, violated the Articles of the Treaty for the Establishment of the East African Community (EAC) and directed the Tanzanian government to take necessary measures to bring the legislation in conformity with the EAC Treaty.

The Attorney General of Tanzania appealed this judgment to the Appellate Division of the EACJ. However, on May 26, 2023, the Appellate Division upheld the decision of the Trial Court, dismissing the appeal.

During the proceedings, the Attorney General of Tanzania (Appellant) was represented by Counsel Mkama Musalama, a State Attorney. On the other hand, the Respondents, including Freeman A. Mbowe, Zitto Zuberi Kabwe, Hashim Rungwe, Salim Mwalim, and LHRC (Legal and Human Rights Centre), were represented by Advocate Melchizedek Joachim from LHRC.





LHRC trains advocates on ways to safeguard interests of children in conflict with the law



The Legal and Human Rights Centre (LHRC) conducted a training session for its advocates at its headquarters in Kijitonyama between May 29 and May 31, 2023, aimed at empowering them with how they can safeguard the best interests of children, particularly those in conflict with the law, as well as court procedures in cases involving children.





LHRC condemns human rights violations by conservation authorities

The Legal and Human Rights Centre (LHRC) has condemned human rights violations committed by rangers from Tanzania National Parks (TANAPA), Tanzania Wildlife Authority (TAWA), and the Tanzania Forest Service (TFS) in communities living near national parks and game reserves.

LHRC Executive Director Dr Anna Henga, told a press conference on May 30, 2023, said the reported violations involve beatings, killings, harassment, forced evictions, and illegal confiscation of livestock.

She gave an example of an incident on May 6, 2023, in the village of Mwanavala, Mbarali District, Mbeya Region, where five people were reportedly beaten and injured by the TANAPA rangers.

The people, including three women and two men, were stripped of their clothes, beaten with swords of fire and caused serious injuries in different parts of their bodies; they are estimated to be 21 to 39 years old.

“Following the circulation of these reports on social media and various media outlets, LHRC conducted a fact-finding mission to ascertain the truth behind these distressing accounts,” Dr Henga said.

“Our fact-finding confirmed the veracity of these reports, as they were corroborated by the district authorities of Mbarali, including the District Commissioner and District Administrative Secretary,” she added.

Dr Henga said that upon visiting the scene and speaking to the victims of these acts of abuse and human rights violations, as well as the local authorities, LHRC discovered that, indeed, the individuals were beaten, stripped, and had their belongings burned by TANAPA rangers.



“Also, our officer learned from the residents of Mwanavala that such instances of mistreatment, including illegal confiscation of livestock and killings of herders, are recurring incidents in the area,” Dr Henga told a press conference.

Henga said that as a human rights organisation, LHRC does not support nor endorse citizens’ invasion of legally designated conservation areas.

“However, we urge the responsible conservation authorities, including TANAPA, TAWA, and the Tanzania Forest Service, to uphold human rights principles while implementing orders to remove and relocate communities that have illegally encroached upon protected areas,” she emphasised.



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Dr. Anna Henga (Advocate)
LHRC Executive Director.



The image shows the entrance to the Legal and Human Rights Centre (LHRC) in Arusha. The sign above the entrance reads "LEGAL AND HUMAN RIGHTS CENTRE" in blue capital letters. The text "LHRC" is also visible in a larger font. The background is a photograph of the building's facade.

How LHRC's legal aid service transforms women's lives in Arusha

Lydia Massawe, a disabled woman from Arusha, is one of the hundreds of Tanzanians whose lives have been touched in one way or another by the legal aid service that the Legal and Human Rights Centre (LHRC) has been providing free of charge.

A school teacher at the Themu Primary School in the region, Ms Massawe approached the LHRC's Arusha office on August 15, 2021, asking for legal service on her land-related, which had taken her many months to resolve.

At the centre of the case was a piece of land in the Engasango area, Sinoni ward within the city of Arusha, which she bought in 2017 from her savings as a teacher. Massawe said that she purchased the land for TZS 2,000,000 from one Benny Massawe.

The conflict started immediately after Ms Massawe began constructing a house on the land as someone else appeared, claiming to be the owner. After following up, Ms Massawe realised that her seller, who was now dead, had sold the same piece of land to another person, causing a conflict that would take months to resolve.

At first, Ms Massawe approached government authorities to resolve the case, but she failed. When she approached LHRC, she was tired and had almost lost all hope of regaining her property.

The LHRC lawyers advised against taking the case to the court, fearing it'd take long to resolve. They instead approached the late Benny Massawe's relatives hoping they'd help resolve the matter amicably.

Although the relatives promised to allocate Ms Massawe's opponent another piece of land to end the quarrel, they never fulfilled it. In 2023, LHRC lawyers advised Ms Massawe to file the case with the Sinoni ward authorities.

After listening to both sides of the case, the ward authorities ordered the seller's relatives to find another piece of land for Ms Massawe's opponent.



After the opponent was re-allocated the alternative piece of land, Ms Massawe could continue with her construction work.

Ms Massawe told LHRC she was grateful for the support and she is looking forward to finalising her house so that, as she put it, “I can have a permanent place to live with my relatives.”

But Ms Massawe is not the only woman whose life has been transformed by LHRC’s legal aid services. Rosemary Silvestre, also from Arusha, won the administration of the land and estates of her late husband thanks to legal aid from LHRC’s lawyers.

The mother of seven was involved in legal battles with her sister-in-law, who claimed that some land administered by Ms Silvestre did not belong to the deceased husband to his mother. The case went to three courts before the High Court finally ruled in favour of Ms Silvestre On May 12, 2023.

Ms Silvestre now uses the piece of land for economic activities such as cultivation, generating her food, school fees, and other basic needs, forever remaining grateful to the LHRC for their services.



Our development partners



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