



General Assembly

Distr.: General
23 February 2022

English only

Human Rights Council

Forty-ninth session

28 February–1 April 2022

Agenda item 6

Universal periodic review

Written statement* submitted by Elizka Relief Foundation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[7 February 2022]

* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



The Human Rights Situation in the United Republic of Tanzania

In the United Republic of Tanzania, many human rights defenders believe that the current president of the United Republic of Tanzania's assumption of the presidency in March 2021 as a new glimmer of hope that may open the path towards addressing the tense human rights situation in the country. The term of the late President, who took office in October 2015, was marred by several restrictions on basic freedoms through a set of repressive laws and decrees. Furthermore, the government also worked to silence the voices of opposition, including journalists, human rights activists and politicians, using various tactics, primarily arbitrary arrests and criminal prosecution. This is in addition to closing media outlets and blocking social media sites. No one dared to speak of or jeopardize the person of the President, resulting in a legacy of repression and intolerance against the opinions of others. Despite the country's new leadership taking steps forward to advance the human rights situation, most importantly the issuance amnesty decisions for prisoners¹, peoples' hopes were quickly dashed with the government's arrest of political opponents and activists who called for the need for reviewing the constitution to allow for more basic freedoms, not to mention the ongoing restrictions on freedom of expression. This is in addition to the government's failure to address impunity for human rights crimes committed under the former president, specifically the violence and extrajudicial killings committed by the security services in Zanzibar during the presidential elections in October 2020. The most vulnerable groups, especially women, children and refugees, also continue to suffer from unjust discrimination and widespread violations.

Ongoing intolerance for political dissent in the United Republic of Tanzania

The Tanzanian government has been targeting all voices calling for human rights reform and political openness. In July 2021, the Tanzanian security services arrested the leader of the Democratic Progressive Party (DPP) and ten others from the coastal city of Mwanza, northwest of the United Republic of Tanzania, on the background of their announcement of organizing a conference calling on the government to take more measures and steps towards constitutional and political reform to put an end to the prevailing monopoly of power. This is a proof of the escalating crackdown on opposition leaders, since the government did not prove any convincing legal grounds to justify these arrests². Furthermore, the United Republic of Tanzania opposition leader Freeman Mbowe was charged with a flimsy charge of conspiracy and financing of terrorism in an unfair and non-transparent trial. The government prevented many journalists from entering the courtroom during one of the hearings in September 2021, in addition to allegations during the course of the case that require effective investigation related to the torture of Mbowe to extract forced confessions from him. Moreover, human rights estimates indicate that the arrest of Mbowe represents a continuation of the late president's approach of silencing any dissenting voice that calls for amending the course of political freedoms and opening up perspectives for political reform³.

Ongoing restrictions on media freedom

The government continued to crackdown media freedoms by arresting journalists, closing media outlets and renouncing its call for lifting the ban on the media. In April 2021, after an announcement made by the new Tanzanian president that the media outlets that were closed during the era of her predecessor might be reopened, a government official confirmed that the President was referring to channels that only broadcast over the internet, which indicated that there was no real desire to open the door to media freedoms, with the continuing closure of four major newspapers that were shut down by orders from the late president⁴. This is in addition to the continued arrest of journalists and the closure and ban of media outlets during 2021. On September 24, 2021, the government arrested the Tanzanian cartoonist Optatus Fwema after publishing a political cartoon criticizing the president on his Instagram page.

He was charged with a flimsy accusation related to misuse of the Internet based on repressive laws from the era of the late president that criminalize freedom of opinion and expression on social media 5.

In August 2021, the government in the United Republic of Tanzania issued a decision to ban Uhuru Newspaper for 14 days on charges of publishing a false and seditious report about the President in accordance with on the Media Services Act, which was previously used as a tool to close or ban all media outlets 6. These incidents confirm that there is zero tolerance for any media criticism may affect the person of the president, which is considered a red line. In this regard, there several attacks against journalists. In April 2021, a human rights estimate indicated that at least three journalists were harassed or assaulted and three others were arrested by security personnel, indicating that the government continues to follow the same procedures of the previous government in dealing with journalists who carry out their human rights work 7.

The Continuing impunity portends dire consequences for the human rights situation in the United Republic of Tanzania

The government did not hold any of the security forces involved in the human rights crimes accountable for committing such crimes, which encourages the commission of more human rights crimes and impunity. UN human rights estimates confirm the use of excessive force by the security services against protesters during the presidential elections in October 2021, which resulted in the death of 10 people, the injury of over 50 people and the arrest of 57 others without any clear charges 8. Despite repeated human rights calls for the Tanzanian government to take steps to ensure justice for family members of the dead and survivors of these grave violations, the government has not acted on so far, which prompts the security forces to commit more violations 9.

Discrimination and suffering faced by the most vulnerable groups

The most vulnerable groups continue to suffer in the United Republic of Tanzania, as child labor continues is persistent in various parts of the country, especially in the mining and agricultural sectors, exposing children to great risks shown in the high work injuries among them 10. Women suffer from discrimination. Despite the lifting of the ban imposed on the enrollment of pregnant students and teenage mothers in schools in November 2021 as a result of pressure from civil society organizations 11, , statements of government officials raise a state of confusion about their understanding of the situation of women in society, which is shown in the President's statement about female football players. She said that they are unfit for marriage because of their flat chests 12. At the same time, refugees and asylum seekers who fled from Burundi into the United Republic of Tanzania remain unprotected from arbitrary arrests, enforced disappearances and forcible returns to Burundi. The Tanzanian security services are involved in these violations on a large scale 13.

Recommendations:

Although the United Republic of Tanzania affirmed in the last Universal Periodic Review session its desire to carry out a number of human rights reforms, primarily issuing a new constitution for the country, actual practices have proved otherwise. Accordingly, Elizka recommends the following:

- The need to move forward towards introducing constitutional reforms that guarantee rights and freedoms, while reviewing the repressive laws issued by the late president.
- The need to put an end to the escalating crackdown on opposition parties, and release the leader of the Democratic Progressive Party unless the government has clear legal grounds to justify his continued detention.
- The need to lift restrictions on the various media.

- The need to eliminate the unfair discrimination and suffering facing women and children, in addition to refraining from targeting and carrying out serious human rights violations against refugees and asylum seekers who fled Burundi.

-
- 1(Tanzania: Human Rights Priorities for Tanzania's New President. <https://bit.ly/3r4UFKb>)
 - 2(Tanzania's Main Opposition Leader Freeman Mbowe Arrested. <https://bit.ly/3zI5C8o>)
 - 3(Tanzanian Opposition Leader Faces Charges in Court. <https://bit.ly/3Fa2jrU>)
 - 4(Tanzania Government Trims Back President's Order to Reopen Media Outlets. <https://bit.ly/3JYUeKq>)
 - 5(STATEMENT CONDEMNING ARBITRARY ARREST AND DETENTION OF CARTOONIST OPTATUS FWEMA <https://bit.ly/31EyKkq>)
 - 6(Tanzania ruling party newspaper Uhuru returns after two-week suspension. <https://bit.ly/3FazIml>)
 - 7(MCT condemns latest harassment of scribes. <https://bit.ly/3HPP7u4>)
 - 8(UN rights chief disturbed by harassment of opposition following Tanzania elections. <https://bit.ly/3HQ957O>)
 - 9(Tanzania: No Justice for Zanzibar Election Violence. <https://bit.ly/3HLuvD6>)
 - 10(HUMAN RIGHTS AND BUSINESS REPORT 2020/21. <https://bit.ly/3nalICG>)
 - 11(Tanzania lifts ban on pregnant schoolgirls. <https://bit.ly/3f2Xea1>)
 - 12(Tanzania women's team react after President's remarks about 'flat-chested' players. <https://cnn.it/33kxL9q>)
 - 13(UN experts deplore rights violations against Burundi refugees. <https://bit.ly/3Gdmw1o>)