



Promoting and strengthening
the Universal Periodic Review

Recommendations & Pledges

TANZANIA

First Review Session 12

Review in the Working Group: 3 October 2011
Adoption in the Plenary: 14 March 2012

Tanzania's responses to recommendations (as of 07.06.2012):

| In the Report of the Working Group: | In the Addendum: | During the plenary: | Summary: |
|--|---|--|---|
| 96 recs. accepted; 4 rejected; 53 pending | Out of the 53 recs. pending, 22 were accepted, 1 accepted in part (underlined in blue) ¹ and 41 did not "enjoy [their] support" ² | The delegation stated accepting 107 which correspond to the ones accept in full. To those 107, we add the accepted part of the 12 accepted in part for a total of 119 accepted | Accepted: 119 Rejected: 45 No clear position: 0 Pending: 0 |

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/19/4:

85. The recommendations formulated during the interactive dialogue listed below have been examined by Tanzania and enjoy the support of Tanzania:

¹ In total, 12 recommendations "enjoyed [the delegation's] support in part" but the part accepted and the part not accepted for 11 of them were clearly explained so the recs. were split into two recs., one accepted and one rejected.

² The total number of recommendations is now 164 as eleven were split.

A - 85.1. Ratify at the earliest the Agreement on the Privileges and Immunities of the International Criminal Court and take, if the need arises, requested measures to fully integrate the Rome Statute in domestic legislation (Belgium);

A - 85.2. Incorporate provisions from ratified instruments into domestic law and seek the international community to provide the necessary means to tackle difficulties that Tanzania is facing in the area of human rights (Chad);

A - 85.3. That the process of reviewing the constitution is conducted in an open and accountable manner, which includes the general public as well as the national parliament and Zanzibar's House of Representatives (Norway);

A - 85.4. Continue implementing its national laws in accordance with the universally agreed human rights norms and principles (Lesotho);

A - 85.5. Seek the means to render as effective as possible the respect of the provisions of the Law on the Rights of the Child, of 2009 (Cape Verde);

A - 85.6. Fully apply the Law of the Child Act (Belgium);

A - 85.7. Pursue efforts in human rights related areas, in particular legal review process, female genital mutilation and corporal punishment (Egypt);

A - 85.8. Accelerate its work in forming a special commission to supervise the Constitutional reform which was announced by the President in 2010, its membership should include various structure of the population (Russian Federation);

A - 85.9. Continue to strengthen the capacity of the Commission of Human Rights and Good Governance, including through the collaboration with Regional organizations and United Nations institutions (South Africa);

A - 85.10. Continue institutionalizing the achievements in human rights and work to strengthen national human rights mechanisms and democratic institutions (Nepal);

A - 85.11. Continue with its commendable efforts to promote and protect human rights and freedoms (Sri Lanka);

A - 85.12. Complete as earliest possible the preparation of the National Human Rights Action Plan and implement the plan at earliest (China);

A - 85.13. Prioritize the finalization of the National Human Rights Action Plan for the Promotion and Protection of Human Rights (South Africa);

A - 85.14. Give attention, once the draft of the Human Rights Plan of Action for the promotion and protection of human rights is enacted, not only to the implementation of its articles but also the monitoring of it (Indonesia);

A - 85.15. Complete the draft national action plan for the promotion and protection of human rights and the draft national action plan on violence against women (Algeria);

A - 85.16. Ensure effective implementation of the proposed National Plan of Action for the promotion and protection of human rights (Ghana);

A - 85.17. Conduct an assessment of the national policies on the rights of children and to identify the areas where immediate action may be taken (Romania);

A - 85.18. Implement a national action plan to combat corruption, including enhanced laws and enforcement, more resources dedicated to anti-corruption bodies, a review of law enforcement compensation, and a nation-wide educational campaign (United States of America);

A - 85.19. Take measures to strengthen human rights education and sensitisation (Burkina Faso);

A - 85.20. Take adequate measures to integrate human rights education into school curricula and design human rights training programmes for civil servants and security officers (Morocco);

A - 85.21. Provide human rights training for security forces (United States of America);

A - 85.22. Put in place a comprehensive strategy and effective legislation to eliminate practices that discriminate against women (Denmark);

A - 85.23. Put in place a comprehensive strategy, as advised by CEDAW to modify or eliminate cultural practices and stereotypes that discriminate against women (Ghana);

A - 85.24. Harmonize the legislation to eliminate all forms of discrimination against women, notably to ensure equality relating to inheritance and land rights (Belgium);

A - 85.25. Implement a comprehensive legal and policy framework to end practices which are discriminatory and lead to violence against women and girls, including witchcraft killings, rape, domestic violence and practices related to customary ownership and inheritance of land (Canada);

A - 85.26. Continue its efforts to continue raising awareness at the community level and to fully implement its National Action Plan on Violence against Women (Indonesia);

A - 85.27. Take further steps to protect women and girls against violence and discrimination and put in place appropriate policy measures in that regard (South Africa);

A - 85.28. Continue policies aimed at multiplying and deepening, with inter alia the support of the international cooperation, actions to combat and bring an end to of all forms of gender violence, female genital mutilation and all practices that result either discriminatory or violating women's human rights (Argentina)

A - 85.29. Consider strengthening the national gender machinery and put in place a comprehensive strategy, including legislation, to modify or eliminate traditional practices, such as female genital mutilation and stereotypes that discriminate against women, paying special attention to the situation of older women (Brazil);

A - 85.30. Pursue and strengthen efforts to combat social practices harmful to women, in particular female genital mutilation but also all other violence against them as well as discrimination in their access to rights in general (Cape Verde);

A - 85.31. Adopt the necessary measures to eradicate Female Genital Mutilation and to develop programs of awareness and education on its harmful effects (Uruguay);

A - 85.32. Take appropriate measures to eliminate all forms of discrimination against rural women with respect to ownership of land in line with the recommendations of CEDAW (Norway);

A - 85.33. Launch a nationwide education and awareness campaign to prevent stigmatization of persons with albinism to ensure their security and facilitate their equal access to education and employment (Canada);

A - 85.34. Strengthen efforts to protect the rights of all peoples with Albinism (Namibia);

A - 85.35. Continue to ensure full and complete protection of persons with albinism (Djibouti);

A - 85.36. Improve the access for persons with disabilities to education and health care, with particular focus on children (Slovakia);

A - 85.37. Continue with awareness raising measures for the recognition and dissemination of the rights of persons with disabilities and to implement, as quickly as possible, the Law on persons with disabilities (Mexico);

A - 85.38. Continue to work towards protecting and promoting the rights of marginalized and vulnerable population (Nepal);

A - 85.39. Consider strengthening efforts to put a halt to incidents of killings of persons with albinism (Brazil);

A - 85.40. Continue its public awareness campaigns and fast tracking of investigation and prosecution of criminal cases in order to demonstrate to the population that the issue of killing albinos was to be taken seriously (Hungary);

A - 85.41. Continuously conduct nation-wide human rights awareness campaigns with specific emphasis on the right to life of people with albinism (Uganda);

A - 85.42. Do more to provide updated and precise statistics on crimes such as assaults on albinos and extra-judicial killings of elderly women, and that murder of elderly women based on accusations of witchcraft is defined as a specific category in police reports (Norway);

A - 85.43. Ensure that police officers having committed acts of torture or ill-treatment be prosecuted and punished appropriately (Belgium);

A - 85.44. Take adequate measures to protect its population from violence committed by the security forces and establish an independent mechanism for the investigation of complaints regarding abuses carried out by law enforcement officials (Denmark);

A - 85.45. Establish an independent body for investigating complaints about the actions of law enforcement officials (United Kingdom);

A - 85.46. Improve conditions in Tanzania's prisons, including in relation to overcrowding and inadequate health care (Australia);

A - 85.47. Improve conditions in prisons centers, including alternative mechanism to deprivation of liberty such as community services (Spain);

A - 85.48. Allocate adequate resources to ensure the effective implementation of the National Action Plans to combat Violence Against Women, Violence Against Children and Female Genital Mutilation (Hungary);

A - 85.49. Enhance and strengthen national programs to combat violence against women and also to continue the much valuable efforts that enable women to participate in legislative council and decision making positions (Sudan);

A - 85.50. Redoubling efforts to protect women and children against all forms of violence, including the use of FGM (Netherlands);

A - 85.51. Continue enforcing appropriate measures, such as the National Plan of Action for the Prevention and Eradication of Violence against Women and Children or the awareness campaign "Say No to Violence", to eliminate effectively violence against women, in particular domestic violence (Slovakia);

A - 85.52. Enact a law specifically defining and criminalising domestic violence and implement the international obligations in this regard, notably the Convention on the Elimination of All Forms of Discrimination Against Women (France);

A - 85.53. Take additional measures to stop domestic violence, to extend legal equality to all women, in all areas of law (Germany);

A - 85.54. Strengthen efforts to fulfil its obligations under the Convention on Elimination of Discrimination against Women, including by adopting and implementing legislation prohibiting female genital mutilation (Australia);

A - 85.55. Intensify its efforts to protect women from harmful traditional practices, such as female genital mutilations (France);

A - 85.56. Put in place a comprehensive strategy, including legislative measures to eliminate practices and stereotypes that discriminate women, such as female genital mutilation (Poland);

- A - 85.57. Provide all victims of violence against women an unhindered access to justice and ensure that all perpetrators are brought to justice in accordance with international standards (Slovakia);
- A - 85.58. Continue this important work related to violence against children by undertaking civic education at all levels of society, especially throughout the educational system and justice system, on the negative effects of violence against children (Sweden);
- A - 85.59. Address child labour as a matter of urgency in accordance to its international commitments, notably ILO Conventions No. 138 and 182 (Slovakia);
- A - 85.60. Fully implement the National Plan of Action on Child Labour (United States of America);
- A - 85.61. Step up its legislative and policy measures, awareness campaigns and implementation of the 2025 Time Bound Programme on the elimination of child labour (Indonesia);
- A - 85.62. Undertake more effective measures to address the problems of trafficking, sexual abuse and exploitation of women and children, including through ensuring effective implementation of the relevant legislations and undertaking intensive media and education programmes aimed to increase public awareness and sensitivities on the rights of women and children (Malaysia);
- A - 85.63. Adopt a national program against human trafficking, in particular of women and children, in order to prevent this crime, rehabilitate victims and prosecute perpetrators (Mexico);
- A - 85.64. Take the necessary steps to strengthen international cooperation through multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for acts involving the sale of children, child prostitution, child pornography and child sex tourism (Egypt);
- A - 85.65. Deploy more efforts in order to address the problem of street children and child work and to devise training programs and to improve qualifications of those working in the field in order to receive the necessary technical cooperation assistance from human rights mechanisms and other relevant organisations (Sudan);
- A - 85.66. Improve the efficiency of the justice system by streamlining and simplifying judicial procedures including introducing a case management system that tracks individual cases from filing to disposition and limits the amount of time each case can be held at each stage (Canada);
- A - 85.67. Vigorously prosecute security force personnel who violate the law (United States of America);
- A - 85.68. Ensure all security forces are subject to strict control of civilian authorities (United States of America);
- A - 85.69. Pursue to enhance the juvenile justice system and ensure separation of juveniles from adults in detention (Djibouti);
- A - 85.70. Assign resources to the Judicial Power that facilitate access to justice, particularly in rural areas (Spain);
- A - 85.71. Ensure free birth registration and in this regard conduct relevant awareness-raising campaigns for the public and adopt efficient policies with a view to cover country's remote and rural areas (Slovakia);
- A - 85.72. Guaranteeing the freedom of expression, association and assembly by allowing human rights defenders, political opponents and journalists to express freely their views in line with international human rights law (Netherlands);
- A - 85.73. Work with the media and other stakeholders to ensure that all organs of the State understand and appreciate the constitutional guarantees of freedoms of press and assembly (United States of America);

A - 85.74. Respecting the core labour standards and promoting corporate social responsibility throughout Tanzania, and in particular, develop and implement measures to eliminate child labour (Netherlands);

A - 85.75. Intensify programmes to combat poverty (Algeria);

A - 85.76. Continue applying the social economic strategies and development plans of the country in order to achieve the Millennium Development Goals between now and 2015 (Cuba);

A - 85.77. Strengthen policy that would protect and promote food security as well as increase in the access to adequate, clean and safe drinking water especially for the population who live below poverty line (Malaysia);

A - 85.78. Increase cooperation with the relevant United Nations bodies and other international organizations in the efforts to reduce the incidence of maternal and infant mortality and increase women's access to health care facilities (Malaysia);

A - 85.79. Seek international assistance to supplement the national efforts to reduce maternal and child mortality (Uganda);

A - 85.80. One of the main priorities of the Government remains a quick improvement of the quality of teaching (Sri Lanka);

A - 85.81. Pursue its efforts in the area of child and maternal mortality to reach a significant decrease of mother, new-born and children deaths (Burkina Faso);

A - 85.82. Take the necessary measures to increase women's access to health care facilities and medical assistance by trained personnel, in particular in rural areas, in order to reduce the incidence of maternal and infant mortality and to enhance the life expectancy of women (Japan);

A - 85.83. Continue its current efforts to guarantee education for all (Morocco);

A - 85.84. Put in place a comprehensive strategy to ensure that all children have equal access to education (Poland);

A - 85.85. Continue to put more resources in education to reduce overcrowding in classrooms (Zimbabwe);

A - 85.86. Introduce, in the interim, "hot seating" in schools as a stop gap measure to reduce overcrowding in classes (Zimbabwe);

A - 85.87. Redouble its efforts to develop and maintain a qualified cadre of highly motivated primary and secondary school teachers capable of providing quality education to students (Canada);

A - 85.88. Give special attention to the attendance of children to secondary schools (Turkey);

A - 85.89. Continue strengthening the quality of education delivery at the basic, secondary and tertiary levels (Ghana);

A - 85.90. Improve schools and other educational facilities and environments to meet the needs of persons with disabilities (Finland);

A - 85.91. Train all lecturers and teachers in inclusive education (Finland);

A - 85.92. Continue working with the international donor community to work with Tanzania on capacity building measures to as to ensure education for all (Zimbabwe);

A - 85.93. Provide pupils with disabilities with adequate equipment and tools (Finland);

A - 85.94. Share its experience relating to primary education and the promotion of women's rights with interested countries (Benin);

A - 85.95. Engage the civil society in the process of implementation of the UPR recommendations (Poland);

A - 85.96. Request for technical assistance and capacity building from the Office of the High Commissioner for Human Rights in order to continue to improve the lives of the Tanzanians (Namibia).

86. The following recommendations will be examined by Tanzania, which will provide responses in due time, but no later than the nineteenth session of the Human Rights Council in March 2012. The response of Tanzania to these recommendations will be included in the outcome report adopted by the Human Rights Council at its nineteenth session:

86.1. Sign and ratify also remaining core international human rights instruments

R - (OP-ICESCR, ICCPR-OP1 and OP2,

A - CAT,

R - OP-CAT) (Slovenia);

A - 86.2. Study the possibility of ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Algeria);

86.3. Consider the possibility to ratify the:

A - Convention against Torture; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; International Convention for the Protection of All Persons from Enforced Disappearance;

R - Optional Protocol to the International Covenant on Civil and Political Rights (Argentina);

A - 86.4. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark);

A - 86.5. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Democratic Republic of the Congo);

A - 86.6. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and

R - its Optional Protocol (Benin);

A - 86.7. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and incorporate its provisions into domestic law (Poland);

A - 86.8. Accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and incorporate its provisions into domestic law (Australia);

A - 86.9. Consider acceding to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and

R - to the Second Optional Protocol to the International Covenant on Civil and Political Rights (Brazil);

A - 86.10. Continue to expand the range of main international human rights instruments in effect in the country, in particular through the ratification of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and

R - the Second Optional Protocol to the International Covenant on Civil and Political Rights, which aims at abolishing the death penalty (Cape Verde);

A - 86.11. Sign and ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (France);

A - 86.12. Sign and ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance (Spain);

R - 86.13. Accede to the International Convention for the Protection of All Persons from Enforced Disappearance and

A - to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as soon as possible (Japan);

A - 86.14. Ratify or sign, whichever is applicable, the convention against Torture, and

R - its Optional Protocol,

A - the Convention for the Protection of All Persons from Enforced Disappearance³

R - and the two Protocols of the International Covenant on Civil and Political Rights (Uruguay);

A - 86.15. Establish a clear modality of direct access of the public to give input in the process of reviewing the Constitution (Norway);

R - 86.16. Consider issuing a standing invitation to special procedures (Brazil);

R - 86.17. Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia);

R - 86.18. Extend an open and standing invitation to all Special Procedures (Spain);

R - 86.19. Extend an open invitation to all Special Procedures of the Human Rights Council (Uruguay);

R - 86.20. Issue a standing invitation to the Special Procedures of the United Nations Human Rights Council (Romania);

R - 86.21. Establish a moratorium on executions towards a complete abolition of the death penalty and commute all sentences to death to jail sentences (France);

R - 86.22. Establish a de jure moratorium on the use of death penalty as a step towards its abolition (Hungary);

R - 86.23. Establish a moratorium on executions with a view to abolishing the death penalty as provided by UN General Assembly Resolutions (Slovenia);

R - 86.24. Formalise the de facto moratorium as a step towards the complete abolition of the death penalty (Denmark);

R - 86.25. Consider abolishing the death penalty (Turkey);

R - 86.26. Consider abolishing the death penalty (Brazil);

R - 86.27. Carry out efforts to repeal the application of the death penalty (Argentina);

R - 86.28. Modify the existing Penal Code in order to definitely abolish the death penalty in Tanzania legislation (Spain);

R - 86.29. Abolish definitively the death penalty in conformity with the provisions contained in the second Optional Protocol to the International Covenant on Civil and Political Rights (Uruguay);

R - 86.30. Abolish the death penalty within the projected constitutional reform and to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights and, if it is not the case, consider declaring an official moratorium on the death penalty (Germany);

R - 86.31. Abolish the death penalty and accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP 2) (United Kingdom);

R - 86.32. Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Belgium);

³ The delegation accepts to sign but not to ratify it.

R - 86.33. Abolish the death penalty and consider ratifying the second Optional Protocol to ICCPR (Romania);

R - 86.34. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, amend the Constitution to abolish any constitutional provisions that provide for death penalty, provides civic education at all levels of the society on the need of abolishing the death penalty and commute the death sentences of current prisoners awaiting execution (Sweden);

R - 86.35. Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at abolishing the death penalty, and take the necessary steps to remove the death penalty from Tanzania's justice system (Australia);

A - 86.36. Step up its efforts to protect women and girls from sexual violence

R - also in marriage (Norway);

A - 86.37. Strengthen measures aiming to make effective the rights of the Child from an integral perspective and based on the Convention on the Rights of the Child, particularly on issue of eradication of child labour, violence and sexual abuses,

R - corporal punishment and

A - street children conditions (Uruguay);

A - 86.38. Prohibit all violence against children,

R - including corporal punishment (Sweden);

R - 86.39. Amend marriage law in order that the minimum age for marriage for both girls and boys is set at 18 (Denmark);

A - 86.40. Adopt a new media law enshrining freedom of the press (Canada);

A - 86.41. Adopt new legislation that guarantees the freedom of the media as well as the right to information (Norway);

R - 86.42. Put an end to direct and indirect restrictions on freedom of expression and adopt appropriate measures, including legislative measures, to prevent intimidation of journalists (Poland);

A - 86.43. Work to abolish laws that restricts freedom of expression, information and freedom of media, and establish laws that will guarantee these rights in line with international human rights standards (Sweden);

A - 86.44. Respect the right to assembly throughout the process of reviewing the Constitution (Norway);

R - 86.45. Hold responsible alleged perpetrators of forced evictions and pollution of drinking water in the area around the big mines (Norway);

A - 86.46. Align policies to ensure access to land and water for pastoralists with the African Union Framework on Pastoralism and

R - to conclude regional agreements to facilitate cross-border pastoralism (Netherlands);

R - 86.47. Continue to promote the right to education, while prohibiting corporal punishment (Djibouti);

R - 86.48. Recognise the notion of indigenous peoples with a view to effectively protecting their rights (Denmark);

R - 86.49. Adopt measures to protect and preserve the cultural heritage and traditional way of life of indigenous peoples and undertake effective consultations with indigenous peoples based on free, prior and informed consent (Denmark);

R - 86.50. Launch a credible investigation of forced evictions and land conflicts and use the results of this investigation to help draft new legislation, which fully takes the rights of indigenous peoples into account (Finland);

R - 86.51. Promote a legal framework giving legal certitude in terms of property, in particular with regard to land ownership and protection against force evictions and recognition of the rights of indigenous people, pastoralists, hunters and gathering peoples (Mexico);

R - 86.52. Set up an effective statutory consultation mechanism with organizations working on the rights of indigenous peoples to help avoid further conflicts (Finland);

R - 86.53. Undertake, as a voluntary measure, a mid-term report to the Human Rights Council on the implementation of the adopted recommendations of this UPR working Group (Hungary).

87. The recommendations below did not enjoy the support of Tanzania:

R - 87.1. Commit itself to the protection of the rights of all persons regardless of their sexual orientation or gender identity in anti-discrimination and equal opportunity legislation and bodies (Sweden);

R - 87.2. Adopt political and legislative measures to establish a specific framework for the protection against discrimination based on sexual preferences accompanied with the elimination of penal provisions that criminalize consensual relations between adults from the same gender, and the implementation of public awareness campaigns in this matter (Spain);

R - 87.3. Repeal criminal provisions against persons based on their sexual orientation (Slovenia);

R - 87.4. Put in place a comprehensive strategy, including legislative measures to eliminate practices and stereotypes that discriminate women, such as polygamy and the bride price (Poland).

Voluntary Pledges & Commitments Made By Tanzania in the Framework of the UPR

Document A/HRC/WG.6/12/TZA/1:

- Submission of periodic reports to various treaty bodies.
- Implementation of the Millennium Development Goals and Government development Strategies.
- Promotion of Democracy, Good Governance and Rule of Law.
- Maintenance of peace, order, tranquility and stability in the country.
- Considering ratification of unratified human rights instruments subject to evaluations done by the government.
- Enhance conducive environment for civil societies to work in the promotion and protection of human rights.
- Continue to conduct broad based consultations in the process of preparing human rights reports.

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