

## **ADVANCE QUESTIONS TO UNITED REPUBLIC OF TANZANIA**

### **CANADA**

#### **Violence and Discrimination against Women**

- Women continue to face discrimination and violence in Tanzania on a regular basis. Polygamy, customary land ownership and inheritance practices, as well as witchcraft killings, impact negatively on women. Tanzanian laws also fail to protect women adequately from domestic violence, marital rape, sexual abuse and female genital mutilation.
- How is the Government of Tanzania addressing gender-based discrimination both in law and in practice, and what steps is the government taking specifically to address violence against women?

#### **Violence and Discrimination against Persons with Albinism**

- Between 2007 and the start of 2011, 57 Persons with Albinism (PWA) have been killed in Tanzania, with several more seriously injured. In addition to the threat of violence, PWA also face serious discrimination in terms of access to education and employment. There is inadequate treatment and care for problems such as blindness and skin cancer.
- Canada is aware that the Government of Tanzania has set up an Albino Task Force to address some of these issues. What concrete measures has the Government taken to ensure that killings and dismemberment stop? How will the Government address the broader problem of discrimination and stereotyping of PWA in society?

#### **Children's Rights and Quality of Education**

- Tanzania is commendably the first country in Africa to undertake a National Study on violence against children, released in August 2011, which reveals the serious extent of physical, sexual and emotional abuse suffered by children in Tanzania. For example, almost three-quarters of both females and males reported experiencing physical violence by a relative, authority figure or intimate partner before the age of 18. Despite impressive primary school enrolment rates and recent improvements in secondary school enrolment rates, Canada remains concerned about the overall quality of education in Tanzania. In addition, there are very limited opportunities for primary school leavers to access vocational education or other forms of skills development training.
- How will Tanzania work to implement effectively the various provisions in its 2009 Law of the Child Act to prevent violence and discrimination against children in general and the girl-child in particular? How is the Government of Tanzania seeking to improve the quality of primary and secondary education, and to expand access to vocational education or other forms of skills development training for primary school leavers, in particular?

## **Access to Justice and Prisons**

- Canada recognizes Tanzania's commitment to legal sector reform, but remains concerned by shortcomings in the justice system, particularly access to justice and prison conditions. The shortage of magistrates, as well as cumbersome legal procedures and corruption, severely affects citizens' ability to access the justice system and to obtain timely verdicts once they do. Inadequate provision for juveniles in the justice system and serious overcrowding in prisons are also viewed as other significant problems the Government of Tanzania needs to address in an urgent manner.
- Is the Legal Sector Reform Program sponsored by several donors including Canada facilitating the Government of Tanzania's efforts to address problems in the justice sector? How could the speed of reform be increased? What are the Government's plans to address overcrowding in prisons?

## **Freedom of Expression**

- Freedom of expression and freedom of the media are generally respected in Tanzania, but Canada remains concerned that several existing laws grant strong powers to the Government to ban newspapers and control access to information in an excessive manner.
- Canada understands the Government of Tanzania intends to repeal some of these laws and introduce new legislation. When will a new Media Services Bill and a new Freedom of Information Bill be tabled in Parliament?

## **Financial support to the Commission on Human Rights and Good Governance**

- The Commission on Human Rights and Good Governance (CHRAGG) plays a critical role in monitoring and advocating for human rights in Tanzania, and in conducting outreach to promote awareness of human rights among Tanzanians.
- Recognizing the difficult economic context, what steps will the Government of Tanzania take to ensure that CHRAGG is provided with the financial resources it needs to fulfill its mandate?

## **DENMARK**

- Is the United Republic of Tanzania considering ratifying the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)?
- What steps has Tanzania taken towards adopting legislative measures to address the specific rights of indigenous peoples?
- Is Tanzania considering revising its Marriage Act of 1971 to increase the legal minimum age for marriage for girls under the age of 18?

## **IRELAND**

Ireland congratulates Tanzania on the publication of its first national report to the Human Rights Council, under the terms of the Universal Periodic Review. We welcome and acknowledge Tanzania's progress and achievements in recent years in this regard.

### **1. Refugees**

Ireland acknowledges the successful repatriation of refugees 2002 – 2010 as outlined in the report. Will the Government of Tanzania outline its plans for the further repatriation of refugees from Burundi and Congo? Will the Government of Tanzania provide an update on progress with regard to the naturalisation of Burundian refugees in Tanzania since 1972? Ireland recommends that the naturalisation process is completed as soon as possible, providing sustainable solutions for all those involved.

### **2. Gender**

Ireland acknowledges the excellent progress by Tanzania regarding gender equality, as evidenced by Tanzania's ranking in the UNDP gender development index.

In this context, Ireland welcomes the Tanzanian government's facilitation of informal legal awareness and education programmes, known as *paralegal practice*, run by civil society organisations. This has made contributed to reducing the widespread legal illiteracy and the lack of access to lawyers for women in urban and rural areas.

Ireland recommends arrangements are put in place by the Government to formalise paralegal practice.

## **NETHERLANDS**

### **Freedom of the press**

We take note of paragraph 34 of the national report which mentions the Broadcasting Services Act from 1993 which regulates the media. Seeing that this act stems from 1993, would the government consider changing tjhis acts or making amendments?

### **2. Albino's, old women**

In reference to paragraph 64 of the national report, we learned that albino's and older women are being killed on a regular basis on (different) grounds of superstition. What is the Tanzanian government doing to trying to counter this?

### **3. Police brutality**

We took note of the bi-annual report June 2011 of the Legal and Human Rights Centre in Tanzania. This report states *inter alia* that 20 people were killed by the police in the first half of 2011. What actions is the government taking to ensure accountability for abuses perpetrated by law enforcement agents?

### **4. Gender Based Violence (GBV)**

We note paragraph 66 of the national report in which it is stated that despite measures taken by the government, Gender Based Violence persists. What extra measures is the government taken to eliminate all forms of Gender Based Violence? Could the government elaborate a bit further on the National Plan of Action on Violence against Women?

## **SWEDEN**

- Sweden would like to ask the Government of the United Republic of Tanzania what actions it is undertaking in order for the law to guarantee the freedom of expression, the freedom of media and the right to information?
- Sweden would like to ask what actions the United Republic of Tanzania is planning to undertake to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights that aims to abolish the death penalty?
- Sweden would like to ask the Government of the United Republic of Tanzania what measures are being taken to ensure that the rights of all persons, including the rights of the LGBT persons, are being protected? What is the government of the United Republic of Tanzania doing to curb the continued discrimination persons?

## **UNITED KINGDOM**

- To what extent was civil society consulted in the preparation of your national report, and the follow-up?
- Please could you tell us what plans Tanzania has to strengthen its Commission for Human Rights and Good Governance, in order for it to fulfill its mandate effectively in accordance with the Paris principles?
- Does Tanzania have any plans to abolish the death penalty by acceding to the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP 2)?

- Other than training prison officers, what is Tanzania actively doing to protect the human rights of those in custody and what steps are you taking to establish an independent body for investigating complaints?
- Will Tanzania take further measures to ensure that all forms of violence against women and girls, including FGM, constitute a criminal offence?
- Please could you tell us what measures are in place to ensure Albinos are not discriminated against and how you have ensured efficient conduct of any investigations and prosecutions?
- What steps are being taken to enact legislation to eliminate discriminatory inheritance practices? Does Tanzania have plans to strengthen legal systems for settling land ownership disputes transparently ?