

UPR submission – TANZANIA – March 2021

Focus on: Poverty Reduction; Safe and Enabling Environment for Political Parties and Civil Society; Torture, Economic and Peace issues

- 1. UPDATE** - UPR Recommendations (Nos. 134.121, 134.101 and 134.124): Implement the National Development Vision 2025 and the national strategies for growth and reduction of poverty, 134.35): Continue reviewing policies for the effective implementation of the Sustainable Development Goals (SDGs). 134.98 (create and maintain a safe and enabling environment where members of all political parties and civil society organizations can exercise their rights, including to freedom of assembly in a manner which allows legitimate and peaceful dissent - Ireland) and 134.99 Respect and guarantee the universal right of its citizens in Zanzibar to elect their government through genuinely free and fair elections (United States of America)
2. In an effort to ensure the implementation of the accepted recommendations by the Government of the United Republic of Tanzania, this report aims to contribute to the monitoring and follow-up the implementation of the accepted UPR Recommendations on human rights and political rights (Poverty Reduction; Safe and Enabling Environment for Political Parties and Civil Society; Torture, Economic and Peace issues)
3. The said recommendations have been partially implemented through commitment of the government by implementing part of the National Development Vision 2025 and the national strategies for growth and reduction of poverty as well as initial Sustainable Development Goals (SDGs) 2030. But there are some efforts made by Government which based on social rights (Education, Health, strong and Competitive Economy, substantial improvement in road infrastructures connecting almost all over the country. However, it remains with some challenges in Human rights and Good Governance to meet recommendation goals
4. The fully implementation of Tanzania National Development Vision 2025, Sustainable Development Goals (SDGs) 2030 and other stated above recommendations would be an important pillar in enhancing national unity and cohesion to ensure economic development and sustainable peace in an environment of patriotism and inclusiveness. The Vision said ***“A nation should enjoy peace, political stability, national unity and social cohesion in an environment of democracy and political and social tolerance. Although Tanzania has enjoyed national unity, peace and stability for a long time, these attributes must continue to be cultivated, nurtured and sustained as important pillars for the realization of the Vision”***
5. ***The 2025 NSGRP recognizes clusters of desired outcomes for poverty reduction, namely, (i) growth and reduction of income poverty; (ii) improved quality of life and social well-being; and (iii) good governance and accountability; the full implementation of the vision expected to increase Cultural awareness, equip people with conflict resolution mechanisms, negotiating skills and building national consensus for community unity, reduction of shrinking civic space in the country and eliminate all incidences which seems to endanger success of the country’s development and sustainable peace.***
6. The UPR Recommendations National Development Vision 2025, Sustainable Development Goals (SDGs) 2030 and other stated above recommendations envisage a nation in which

people are attained a high quality of life; good governance; an educated society imbued with an ambition to develop; and an economy which is competitive with sustained growth for the benefit of all people. As for the peace, stability and unity as per paragraph 1.2.2 of the said vision 2025 stipulates that, a nation should enjoy peace, political stability, national unity and social cohesion in an environment of democracy and political and social tolerance. Furthermore, it expected and must improves Human rights, Good governance performance to pursue long-term sustainable development goals and achieve sustained peace in the Country

7. Finally the partial implementation of the recommendation allows some unnecessary growing human right violation, violent conflict activities associated with the Natural resources, religious and social-political grievances and marginalization among societies includes incidence of political disagreement, restriction politicians leaders within constituencies could conduct public political meetings, delay or mismanaging political disagreement, Restriction of political and human rights activist and defenders, Presence of delayed of solved natural resources conflicts, inadequate of functioning of ADR mechanisms for amicably resolution (Consensus) in electoral disagreements, Dropout of good morals and patriotism among community members, misuse of power among government official and inadequate commitment among government official on conflicts resolutions which are need more tension and work on.

8. RECOMMENDED IMPROVEMENTS FOR GOVERNMENT

1. Strengthening early warning security systems within the improved peace Infrastructure and facilitating the designation/ reformation and harmonization policies related to laws and regulation as tools for preventing, reduction and managing conflict in Tanzania.
2. Popularize SDGs, National Development Vision 2025 and adopt relevant measures to ensure more inclusive and participatory approach of an implementation, monitoring and assessment of SDGs' progresses and address all challenges hindering or slowing down an implementation of SDGs as reflected in the Voluntary National Review Report of 2019 and similar ones. it ensures a strong link between economic development, social cohesion, national unity, political stability, peace and security
3. Strengthening and Create links between grassroots communities' leaders and NGOs, Religious, Political leaders the government agencies through better collaboration with formulated (Peace and reconciliation Committee) and other stakeholders.
4. Reducing the challenge of inadequate resources to handle various cases and conflicts on the existing jurisdictions and on the LGA system to reduce cases in court of law and increase community relationship and respect among themselves and amicably resolution.
5. Establishing a joint mechanism to prevent and reduce peace violation during election time, encourage inclusive election and improve alternative mechanisms of conflict management during election by applying amicably resolution (Consensus).
6. Facilitate sustainability of peace, stability and friendly environment to strengthen the participation of women, youth and PWDs in participations on peace and development programs into the electoral process, poverty reduction and in decision-making levels.
7. Facilitating inclusiveness and enhance promotion of national unity, respect, social stability and cohesion by promoting equity and social justice, fostering a

culture of peace, tolerance and non-violence and improve community relationship and respect of human right towards peace and development thought alternative activities by enhancing children and youth for the developmental demands of their communities as Peace Builders

8. Strengthening Collaboration capacities of all stakeholders with joint coordination efforts on prevention and combating Hate speech, Disagreement, Inequality, torture as well as in campaigning to combat impunity with effective strategies needed to prevent and reduce torture and its consequences to the national unity, Peace, relationship and development in our counties
9. Provide space of improving good relations between public authorities, Government agencies, Civil Society Organizations, political parties, and Media in compliance with national electoral laws, regulations and guidelines in encourage good morals and patriotism among the community members as a strategy to prevent occurrence of conflicts in their communities.
10. Develop and strengthening alternative approaches of Reducing drug-related social harms (organize crimes), reduce climate-related security risks, violent extremisms and peace violence for sustainable peace and development in Tanzania.
11. Create space that allows for holistic discussions human rights - economic, social and cultural as well as civil and political rights to the CSOs working on Peace and human rights and Peace stakeholders including Committees and government agencies to develop and implement joint initiatives of Strengthening and harmonizing Peace Infrastructure program in Tanzania for sustainable peace, Justice, security and development

9. 2. UPDATE-RECOMMENDATIONS OF 134.1 (Intensify efforts to ratify the Convention against Torture - Chile), 134.3 (Continue looking into the feasibility of ratifying the Convention against Torture and the International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families - Mozambique) AND 134.4 (Consider the possibility of ratifying the Convention against Torture and the International Convention for the Protection of All Persons from Enforced Disappearance - Ukraine):

10. In an effort to ensure the implementation of the accepted recommendations by the Government of The United Republic of Tanzania in identified that the recommendations are not implemented. Despite the fact that Tanzania has not signed and ratified UNCAT, torture is clearly prohibited under national laws but not criminalized. Article 13(6)(e) of the Constitution of the United Republic of Tanzania of 1977 prohibits any kind of torture. Section 55(1) and (2) of the Criminal Procedure Act 1985 prohibits torture of any kind towards a suspected person whose under police custody, further section 27 of the Evident Act, 1967 provides that any evidence obtained by way of torture is inadmissible.

11. Moreover, since the country has not ratified the UNCAT, it prevents the country from meeting the international standards and obligations toward the prevention of torture, Failure of Tanzania to ratify the convention does not mean Tanzania has no torture and it influence some acts of torture in different areas within Tanzania mainland and Zanzibar as the results of restriction of Media during By election 2018 and general 2020 election and police interfering opposition candidates campaign, matured election violations and un-fair treatment among political parties which can influence low participation of youth, women and PWDs

from participating to the election.

12. The recommendations not being implemented is against the International Human Rights Convention that prohibits torture, it is among the few countries that have not ratified the CAT which was adopted by the General Assembly Resolution Number 39/46 of 10th December 1984 and came into force on 26th June 1987. And some Articles of the Constitution of United Republic of Tanzania prohibit torture together with other parliamentary laws, it is a time that Tanzania to implement the said Recommendations No. 134.1, 134.3 and 134.4:
13. The fully implementation of the said Recommendations would contribute to the eradication of torture by creating an environment of respect for their human rights and dignity in accordance with international standards and national laws through advocating for ratification of Convention Against Torture and Other Cruelty acts, Inhuman or Degrading Treatment or Punishment of 1984 (CAT).¹, Promoting community awareness and foster support for human rights, Strengthening capacities of the Civil Society Organizations working on this area, coordination of efforts on prevention and combating torture as well as campaigning to combat impunity and Strengthening mechanism of eradicating torture and other human rights violations in Tanzania.

14. RECOMMENDED IMPROVEMENTS FOR GOVERNMENT

- a) Support Advocate for ratification and domestication of all relevant regional and international human rights and peace instruments including the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984 (CAT).As well as support initiatives of ratification of CAT are taken into their priority including anti-torture related reforms, plans and provision of services to survivors of torture.
- b) Facilitate partnership in promoting human rights and anti-torture initiatives to protect themselves and others from torture and cruel, inhuman, or degrading treatment or punishment.
- c) Enabling good environment to strengthening capacities of the civil society coordination efforts on prevention and combating torture as well as in campaigning to combat impunity.
- d) Enhancing mechanism of eradicating torture and other human rights violations by means of prevention torture including criminal justice reforms and anti-torture related reforms.
- e) In collaboration, capacitate the security agencies, NGOs, CHRAGG, NPS, SG, judicially, Parliaments, community and Development partners on the effective strategies needed to prevent and reduce torture and knowledge about torture and its consequences to the national unity, relationship and development in Tanzania.
- f) Support initiatives of Combating impunity for threats and attacks against journalists, NGOs. Politicians, human rights defenders and others targeted for their expression, including by ensuring all such attacks are subject to prompt, thorough, independent, impartial and effective investigations by the authorities, and the direct perpetrators and masterminds behind the attacks are brought to justice.
- g) The Government must take steps to improve the conditions of detention, in collaboration with CSOs training law enforces on the protection of civilians, including the prohibition of torture, judicial processes, and legal reform for the prosecution of perpetrators in order to fulfill its obligation under the Convention.

- h) Capacity building civil society capacitate security agencies, Media, Human rights defenders, Human rights agencies, NPS, SG, judicially, Parliaments, community and Development partners with joint coordination efforts on prevention and combating torture as well as in campaigning to combat impunity with effective strategies needed to prevent and reduce torture and knowledge about torture and its consequences to the national unity, relationship and development in our counties