

Press Statement of the African Commission on Human and Peoples' Rights on the deteriorating human rights situation in Tanzania

The African Commission on Human and Peoples' Rights (the Commission) is deeply concerned about recent developments affecting various areas of human rights in Tanzania, notably freedom of expression and the media, freedom of association, particularly the free operation of civil society organizations (CSOs) and opposition party members, and the right to non-discrimination, equality and education of pregnant girls and teen mothers.

The Commission wishes to express its concern about the limitations placed on freedom of assembly and association, and the unprecedented number of journalists and opposition politicians jailed for their activities, including the seven (7) incidents of arrest of opposition leaders in 2019, for meeting without prior authorisation. The Commission is also concerned about the 2019 amendments to the Political Parties Act, to give the Registrar of Political Parties wide-ranging powers to deregister parties, demand information from political parties and suspend party members.

The Commission is further concerned about threats to freedom of expression and the media, including laws which unduly limit expression online and impact negatively on the right to information, including the Media Services Act 2016, Cyber Crimes Act 2015 and the Online Content Regulations 2018. The Commission is also concerned by the banning of five newspapers as well as online television stations for critical content, and the fact that some offences in these laws are not bailable.

The Commission expresses further concern about the restrictions on the operations of CSOs including through the amendment of laws governing the operations of CSOs and threats directed against human rights defenders, among others, involving the reported disappearances and death under questionable circumstances of human rights activists, journalists and political opposition. The Commission is in particular alarmed by the lack of independent investigation into these reported disappearances and deaths for establishing the facts and bringing the perpetrators to justice, to prevent the emergence of a culture of impunity.

The Commission wishes to further express its concern that since 2017 pregnant girls and teen mothers are not allowed to attend school, despite calls by the Commission and the African Committee of Experts on the Rights and Welfare of the Child that this undermines the right to education and the right to equality of girls. The Commission reiterates its position that this practice is discriminatory, and that the alternative education system being put in place further entrenches the discrimination of the girls and teen mothers.

In the light of the foregoing, the Commission therefore strongly urges the Government of Tanzania to:

Ensure that there are no undue limitations on public freedoms, particularly freedoms of expression and media as well as freedom of assembly, and revise the laws unduly restricting these rights, to bring them in line with the African Charter;

Repeal restrictive legislation that limit the ability of associations to function without fear of reprisals, persecution and interference with their governance structures;

Take all the necessary measures to ensure that all human rights activists operate in an environment without fear of any acts of violence, threats, reprisals, discrimination, pressure and any arbitrary acts by State or non-State actors as a result of their human rights activities;

Investigate all instances of forced disappearances and killings, and bring the perpetrators to account, and provide reparations to the victims and their families; and

Take all appropriate measures to ensure the reinstatement of pregnant girls and teen mothers in their usual schools for them to pursue their education on an equal basis with their male peers.

Commissioner Solomon Ayele Dersso, Chairperson of the African Commission and
Commissioner Rapporteur for the United Republic of Tanzania

**Commissioner Lawrence Mute, Special Rapporteur on Freedom of Expression and
Access to Information**