



Celebrating
10th
Anniversary
THRDC

 **2012-2022**

**CELEBRATING A DECADE OF PROMOTING,
DEFENDING HUMAN RIGHTS DEFENDERS
AND CIVIC SPACE IN TANZANIA**

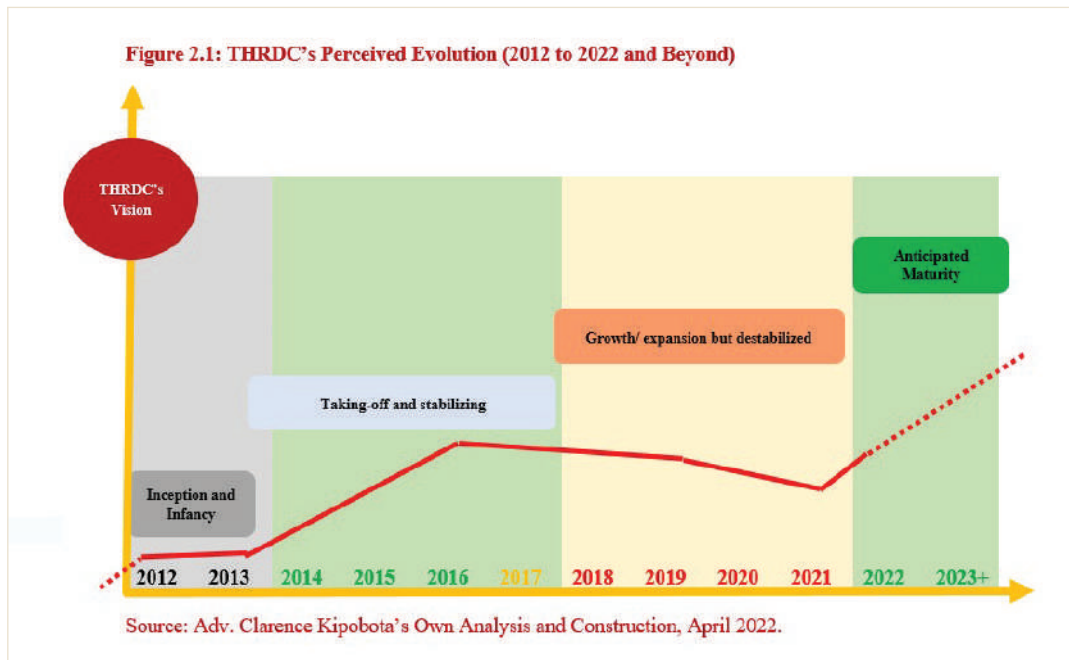
**CELEBRATING A DECADE
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CIVIC SPACE IN TANZANIA**



A Journey of **THRDC**

2012-2022

EVALUATION REPORT FOR THE 10 YEARS OF OPERATION OF THE TANZANIA HUMAN RIGHTS DEFENDERS COALITION



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List of abbreviations and acronyms

ABA	<i>American Bar Association</i>
ACHRR	<i>African Commission on Human and People’s Rights</i>
BLW	<i>Baraza la Wawakilishi/ House of Representatives (Zanzibar)</i>
CHRAGG	<i>Commission for Human Rights and Good Governance</i>
CILAO	<i>Civic and Legal Aid Organization</i>
COVID-19	<i>Corona Virus Disease of 2019</i>
CPJ	<i>Committee to Protect Journalists</i>
CSOs	<i>Civil Society Organizations</i>
CSOs	<i>Civil Society Organizations</i>
DC	<i>District Commissioner</i>
EALS	<i>East African Law Society</i>
EU	<i>European Union</i>
FCS	<i>Foundation for Civil Society</i>
Fe.	<i>Female</i>
FIDH	<i>International Federation for Human Rights</i>
Hon.	<i>Honorable</i>
HRDs	<i>Human Rights Defenders</i>
ICJ	<i>International Court of Justice</i>
ICNL	<i>International Center for International Law</i>
IJA	<i>Institute of Judicial Administration</i>
KIWOHEDE	<i>Kiota Women Health and Development</i>
LGAs	<i>Local Government Authorities</i>
LHRC	<i>Legal and Human Rights Center</i>
LSF	<i>Legal Service Facility</i>
LST	<i>Law School of Tanzania</i>
M&E	<i>Monitoring and Evaluation</i>
Ma.	<i>Males</i>

MLDI	<i>Media Law Defense Initiative</i>
NBS	<i>National Bureau of Statistics</i>
NGOs	<i>Non-Governmental Organizations</i>
No.	<i>Number</i>
OECD	<i>Organization for Economic Co-operation and Development</i>
OHCHR	<i>UN Human Rights Office of the High Commissioner</i>
PALU	<i>Pan African Lawyers Association</i>
PWY	<i>The Path of Women and Youth</i>
S/N.	<i>Serial Number</i>
SHIHABINA	<i>Shirika la Haki za Binadamu Ruangwa</i>
SIDA	<i>Swedish International Development Agency</i>
SOPs	<i>Standard Operating Procedures</i>
SP	<i>Strategic Plans</i>
SP.I	<i>Strategic Plan Phase One (2013-2017)</i>
SP.II	<i>Strategic Plan Phase Two (2018-2022)</i>
THRDC	<i>Tanzania Human Rights Defenders Coalition</i>
TLS	<i>Tanganyika Law Society</i>
TOR	<i>Terms of Reference</i>
TZS	<i>Tanzania Shillings (USD 1 = USD 2330)</i>
UDHR	<i>Universal Declaration of Human Rights of 1948</i>
UN	<i>United Nations</i>
UN	<i>United Nations</i>
UPR	<i>Universal Periodic Review</i>
UPR	<i>Universal Periodic Review</i>
UTPC	<i>Union of Press Clubs Tanzania</i>
WOTESAWA	<i>Wotesawa Domestic Workers Organization</i>
WPC	<i>Women Promotion Centre</i>
YAAPA	<i>Youth Against Aids and Poverty</i>
ZCUs	<i>Zonal Coordinating Units (of THRDC)</i>
ZLS	<i>Zanzibar Law Society</i>

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Preface

The Tanzania Human Rights Defenders Coalition (THRDC) is a non-governmental, non-partisan and human rights organization which is registered under the Non-Governmental Act of 2002. THRDC is an umbrella organization with 218 members both being human rights defenders (HRDs) organization. The Coalition operates throughout the United Republic of Tanzania through a web of its members and the registered office on part of Zanzibar. The Zanzibar's THRDC was registered in 2021. It also operates on international advocacy issues through regional and international HRDs' organizations.

The core function of THRDC is protection and security empowerment and support to all HRDs in Tanzania. This Coalition envisages a free and secured working environments for HRDs in the country. This vision is achieved through protection, capacity building, advocacy and connecting defenders from grassroots levels to relevant national, regional and international forums.

Currently, THRD implements (now at final months) the 2018-2022 strategic plan with an overall aim (goal) of contributing to the growth of civic space in which HRDs' working environments are improved in accordance with the UN Declaration on Human Rights Defenders of 1998. There are several interventions or key results areas (KRAs) devised for realization of the said goal and therefore, the vision of the Coalition. The KRAs are on (a) institutional strengthening and sustainability of THRDC; (b) improvement of membership affairs and public engagement; and, (c) protection and security management services which also reflect on advocacy interventions.

The Coalition abides itself with the national laws, its internal operational policies as well as the core values or norms, which are on:-

- Promotion deep respect and empathy for defenders.
- Acting in a very responsive, rapid, flexible manner.

- Result-oriented organization with tangible impact.
- Acting with independence, creativity, impartiality and integrity.
- Performing with dedication, professionalism, transparency and accountability.
- Developing participative and cooperative relations.
- Developing a continue learning environment for defenders.

Moreover, the THRDC reinforces the corporate good governance principles in its human resource and financial management. Its structures, systems, procedures and operations are designed in a way that all such principles including transparency, accountability and gender equality are earnestly considered. Self-diagnosis and an engagement of external review processes are part of the enforcement of the said principles as well.

This report presents an analysis on how best all these have been achieved and also, areas needed further improvements are highlighted. The readers are invited to read thoroughly this report and then, help the Coalition to achieve its vision through further improvements of the current interventions.



A WORD OF SOLIDARITY FROM THE THRDC BOARD CHAIRPERSON

I am profoundly honored and exceedingly humbled to be the Chair of Tanzania's Human Rights Defenders Coalition (THRDC), for the period of 2021-2023. I salute the coalition under its solid and focused leadership of its National Coordinator, Onesmo Olungurumwa and his entire work staffs. The work that has gone in fostering human rights and the security of the Human Rights Defenders in Tanzania cannot be understated as closer cooperation between Civil Society Organizations has been weaved together, united in that spirit of protecting human rights, more so the defenders.

I am ably aware that the Tanzania's Coalition of Human Rights Defenders (THRDC) was incepted in 2012 and has since then been in the forefront serving Human Rights Defenders for the past ten years. Its first strategic plan, 2013/17 was followed by a second strategic plan of 2018-2022 which is still operational to date clearly stipulating.

It is evident that alone, THRDC would not be able to run its activities if not for the founding members and, several many development partners, who wholeheartedly conceived the rationale behind the THRDC. As we embark on this new strategic plan of 2023-2027 we call upon our members scattered country wide to join hand in this endeavor, solely with a view of addressing pertinent issues affecting Human Rights Defenders, Journalists and Non-Governmental Human Rights Organizations

in ensuring their safety and security in pursuit of their legal mandates. As we celebrate the ten years we have witnessed growth of membership to 220, On a higher note is the opening of a new office in Zanzibar as well as zonal coordinating offices in eleven (1)1 zones throughout the country. The coverage naturally translates into further support from the government and development partners in quest of ensuring that Tanzania is a safe place for all. We acknowledge and recognize cooperation from various national institutions such as the Judiciary both in the mainland and Zanzibar as together we strive to make our country a better place to be. , various ministries inside and outside the country. The challenges that faced the Coalition in the past five years has however made the us stronger and confident against all odds.

As echoed in my opening remarks, the coordinator would have not achieved all this if not for the team work and positive spirits exhibited by staff at all levels. Hard work, professionalism and perseverance pays and I commend all of you for making us all proud.

I took office in February and found myself surrounded by wise and professional board members bringing together a hybrid Board from different backgrounds. We all are aware of what is our vision and mission and let's not get distracted by any reason.

It has been the dream of THDRC to won its own premise, the “Watetezi House” and I am certain it shall be realized sooner or later as we pull our brains and resources together.

The foundation that has been established and supported by. other government, members and other stakeholders goes a long way to assure THRDC of its long live in many years to come.

In the prevailing circumstances it is expected that the Rule of Law and Good Governance will be the pillar of justice and peace in all situations.

All this said, let me congratulate our institution for successful attainment of ten year promising ourselves of the best Tanzania ever, a model of human rights respect, protection and promotion.

Together this is possible and achievable.

Hon. Retired Judge Joaquine Demello
THRDC Board Chairperson



A WORD OF APPRECIATION FROM THE NATIONAL COORDINATOR

On behalf of the Tanzania's Human Rights Defenders Coalition (THRDC), Members of the Coalition, Board of Directors and the employees of the Coalition, I would like to welcome you to read this report which assesses 10 years of our coalition's existence. It is a great pleasure for us to mark ten years since the inception of our Coalition, while we proudly attained many achievements. In this report you will get to know all important information related to the establishment of the Tanzania's Human Rights Defenders Coalition, the achievements it has made and the challenges that arisen in the course of huge responsibility of defending Human Rights Defenders in the country in the period of the past ten years.

I also take this opportunity to thank all people who were involved in the assignment from preparation stage, field work, review processes to final stages of completion of the report. We value and appreciate everyone's contribution and time commitment to assist the team better understand the THRDC journey over the last 10 years. Most importantly, we appreciate the professional work done by the team of evaluators led by Adv. Clarence Kipobota and Mr Japhet Makongo.

I send our gratitude to all groups of people who participated in this review including THRDC beneficiaries from Tanzania Mainland and Zanzibar, Government officials from local councils and key ministries, staff, and members of the governing Board of THRDC. Our appreciation is also extended to the THRDC's Zonal Coordinators, representatives of national NGOs and development partners. The welcoming and assistance you accorded to us were valuable and we have learned a lot from your input.

It was not an easy journey, every good thing that starts there are people who will help to accomplish it, there are also people who will make effort to thwart it. The journey of 10 years since THRDC was established, has been through many good things and there were also many challenges.

I would like to convey my sincere thanks to all those who contributed to the achievement of THRDC for almost ten years now. When we started in 2012 we had about 14 members, but the number has since increased to 220 from across mainland Tanzania and in Zanzibar. Members, THRDC Board of Directors, Employees and Development Partners have all had immense contribution to the success of the Coalition. There's no way to pay you back for your devotion

In a special way, I acknowledge that, without the arrival of the East and Horn of Africa Human Rights Defenders Network here in Tanzania, maybe we wouldn't be talking about this coalition today. We sincerely thank EAHRD-NET (Defend Defenders) for their important idea and efforts to ensure that we establish THRDC here in Tanzania as it is in other countries such as Kenya. More importantly I would like to thank the then leadership of LHRC for the role they played to establish THRDC in 2012, for cordially agreeing to let me, as their employee to coordinate the efforts of establishing this Coalition here in Tanzania. For the entire 2012, the Coalition was registered and was ready to officially start operating in 2013. In 2013 THRDC started operating with three donors, its office location and three employees. Special thanks should go to all those who in one way or another participated during those initial steps of establishing the Coalition.

For the last ten years we have done quite a lot of good things, Human Rights Defenders have been recognized and have been able to get access to basic services whenever they face some challenges. We thank all those whom we have worked together for the past ten years, Regional Human Rights Organizations, International Human Rights Organizations, Civil Society Organizations (CSOs), The Media, Government Institutions and various Ministries both on the mainland and in Zanzibar, The Commission for Human Rights, the Judiciary, THRDC donors, Faith based Organizations and Tanzanians in general. These achievements are for all of us.

The Coalition has also been through many challenges and we thank all those who wished us well in our troubles, your ideas and invaluable contributions were instrumental in reaching this momentous day of THRDC's 10th Anniversary. The year 2020 was very difficult for THRDC especially when our bank accounts had been frozen and we were targeted in many ways. May God bless all those who bravely came forward to give us consolation and hold our hands. Moreover, I thank God who was always on our side during the times of happiness and in troubles to. Special thanks should go to Her Excellency Samia Suluhu Hassan, the President of Tanzania and other government leaders for paving the way for our bank accounts to be released and led the Coalition to get on with its daily activities freely and without any frequent intimidation.

Our Journey of 10 years has just started, we call upon all development partners, Government, Judiciary, Legislature, various public institutions, Civil Society Organizations (CSOs), the Media and many other stakeholders to continue working with THRDC in order to ensure that Human Rights Defenders in the country get on with their duties in a secured and enabling working environment.

Welcome, let's celebrate THRDC's 10th Anniversary.

God Bless Tanzania, God bless Human Rights Defenders, God Bless THRDC

Onesmo Olengurumwa,



National Coordinator

Tanzania's Human Rights Defenders Coalition (THRDC)

EXECUTIVE SUMMARY

1.0 INTRODUCTION

This report makes an analysis and presentation of key findings as well as recommendations on the decade of THRDC's operations in Tanzania. The evaluation was conducted by a team of independent consultants between December 2021 and April 2022.

Guided by all evaluation criteria including relevancy, efficiency, effectiveness and sustainability of the interventions and results earned, the evaluation team sampled and consulted 191 individual respondents of whom 44.5% were females. These were from almost all regions of the United Republic of Tanzania (except Geita and Simiyu). The respondents included State's officials of Mainland Tanzania and Zanzibar and THRDC's members. Sixty five percent (65%) of the Coalition members were reached through online means of data collection.

2.0 OVERVIEW OF A DECADE OF OPERATION

It is generally found that quite impressive work is done over a decade by this Coalition. The execution of its plans was systemized by the two programs of 2013-2017 and 2018-2022 phases. The first phase was more on institutional building and stabilization plus mobilization and empowerment of members, while the second one ventured to scale up external operations of the Coalition. It is noted that, during the second phase, the working environments of HRDs were assessed to be 'quite challenging' owing to the perceived shrinking of civic space and eruption of COVID-19. The operations of THRDC almost stalled due to freezing of bank accounts by the government for no legal justification made to date. Having a strong Board of Directors was an advantage for the Coalition as it managed to survive through all such difficulties and picked up quite strongly from around July 2021 onwards.

Moreover, despite the challenges and all potential risks attributed to stringent application of the amended CSOs' laws in July 2019, the Coalition managed to harvest a lot of tangible results. For instance, it celebrates a decade of struggle with increased recognition of the presence and work of HRDs by the government and general public. The President of URT recently made a remark to recognize the work of THRDC. The judicial organs, ministers and so many other public leaders all have indicated positive stance on this Coalition. Taking this advantage at its disposal, the Coalition has managed to advance a number of reforms including on

criminal justice system and possibility of having its hands in the full functionality of the legal sector of Zanzibar. THRDC currently supports the Judiciary of Zanzibar to assess its institutional needs.

As for core functions of the Coalition, which are protection and security, the mechanisms are in place to secure protection and security of HRDs e.g. quite swift response systems including presence of more than 100 standby pro bono lawyers. Over 500 HRDs are direct beneficiaries of the security responses mechanisms.

At its institutional level, the structures, systems, procedures and operations have been progressively improved in a way that, all core corporate good governance principles are adhered to. This being a case, the THRDC enjoys and retains a very goodwill that earn it a lot of support from funding partners. Its funding base steadily expands as the Coalition has a record of mobilizing at least 80% of its anticipated budgetary estimations.

3.0 OVERALL ACHIEVEMENTS OF A DECADE OF INTERVENTIONS

Mapping of an overall achievements of the THRDC's decade of interventions are grouped into three categories (which are basically results areas presented in parts two, three and four of this report). A summary of key accomplishment is deduced from the said chapters and other progress report which could be read along with this report.

0.3.1 Performance on the Institutional Development and Sustainability

Despite facing unexpected interruptions of its interventions e.g. freezing of bank accounts and COVID-19, the THRDC demonstrated quite good efforts in establishing, stabilizing and improving its structures, systems, procedures and internal operations. Below are some of the key achievements observed:

- THRDC successfully sustained its founding donors for the last consecutive ten years without any doubt or raised concern about the management of THRDC grants. Since its establishment, the Coalition kept on retaining its donors from one year to the next while engaging the new ones. THRDC has no record showing donor query or dropouts because of financial embezzlement.
- Efficient financial management whereby, THRDC has continued to manage its resources efficiently and thereby for the past ten years THRDC has received unqualified independent Auditor's opinions (clean financial report) with minimum observations.

- THRDC has managed to establish a ‘development fund contribution’ (solidarity fund) which seeks to raise resources for THRDC growth and expansion, such as building its own office and advancing its missions and visions more sustainably. THRDC has successfully raised around 60 million dollars from the development fund since its establishment in 2019.
- The Coalition has grown significantly both internally and externally and has been able to influence public opinion and enhance the legitimacy of its work such that it is accepted by funders and HRDs both within and outside Tanzania.
- THRDC has successfully established the Zanzibar branch, which forms a part of the remarkable efforts in enhancing the sustainability and expansion of the Coalition while ensuring effective delivery of results across Tanzania Mainland and Zanzibar.
- THRDC human resources continued to grow from 3 staff in 2013 to 22 staff in 2022 with an almost 50/50 gender split. The THRDC staff retention rate for the past ten years stands at 90% means there is minimal staff dropouts.
- THRDC has been successful in forming and maintaining a solid BODs to supervise and guide the Coalition. A number of expertise from several human rights dimensions has been added to the board over the past decade. In 2021, THRDC was able to get a retired judge of the High Court of Tanzania to join the Board, marking the first time since the Coalition’s inception that a prominent judiciary expert is included in the Board.

0.3.2 Enhancement of Membership Affairs and Public Engagement

Members are the realm of the THRDC’s existence. They do also justify the legitimacy of this Coalition. Due to this reality, THRDC invested quite extensively on members affairs, a focus being on empowerment in protection and security management so that they operate (as HRDs) within conducive environments. Part three of this report makes an analysis of key findings and achievements on membership and public engagement. Those include:

- A well updated, comprehensive and formalized member’s database which improved management and treatment of members.
- Widened membership base, from 14 in 2012 to 202 registered member organizations in 2022.

- Developed 11 Zonal Coordination Units (ZCUs) which simplified and decentralized the coordination of members at grassroots level. This also increased the spirit of solidarity and team work among THRDC members in rural areas.
- THRDC as the membership organization became the most vibrant network of HRDs to have comprehensive programs tailored to improve the welfare of its members.
- THRDC, through membership desk managed to record and publish human rights activities done members at grassroots level.
- THRDC members have been empowered on organizational management aspects including fundraising, financial management and program management. For instance, a total of 30 members have been supported to come up with organizational management key documents including strategic plans since 2013 and consequently some of them managed to secure resources.
- The Capacity of THRDC members to comply with regulatory laws improved significantly because of THRDC initiatives like the development of compliance tools kit on NGOs laws, Tax laws etc.
- Members' interventions are well communicated and human right issues are widely communicated to the public through media programs that were conducted by the members at community levels, and through disseminated publications such as newsletters and fliers.
- A successful broadened visibility of the Coalition by opening THRDC Zanzibar branch in 2021, which has 35 member organizations from Unguja and Pemba.
- Improved institutional management capacities to members as a result of rigorous empowerment conducted by the Coalition. For instance, a technical support offered by THRDC on the development of SPs, financial management, resource mobilization e.g. project proposal writing skills and financial management resulted into an ability of some of the member organizations like KIWOHEDE to secure funds from SIDA, ANGOZA, Door of Hope, MTWANGONET, PLAJAC, TUPACE and Paralegal Primary Justice from The Foundation for Civil Society and also the WOTESAWA to secure funds from other sources.

0.3.3 Protection Services, Security Management, Litigations and Advocacy

This result area combines both prevention and control aspects of HRDs' rights. The THRDC adopted a number of strategies on this including offering tailor-made capacity building sessions on protection and security services. The Coalition has also been offering responses services including rescuing and relocation of HRDs who are risks. Provision of legal aid services is yet another key response and empowerment strategy. There has been some improvements over period of time from the date of inception of this Coalition. Currently, THRDC vies to scale further all these. Quite interesting earnings of the results on this particular intervention have been observed, including:-

- The concept of human rights defender is now well understood by the State's officials and the general public not as it was before the establishment of THRDC.
- Through various established mechanisms, THRDC has engaged with the government and other actors in the process of advocate for legal reforms. THRDC participated in different 25 legal reforms processes at different levels, some of these laws have been reviewed already while the reform for other laws is in progress.¹
- Increased engagement capacity with various actors and the ministries including the Ministry of Constitutional and Legal Affairs, ZAECA, Zanzibar Law Reform Committee, TRA, Registrar of NGOs, etc. THRDC conducted more than 14 strategic engagements with the responsible authorities aiming to improve the working relation and securing the HRDs working environment – which is now perceived to be improving.
- Conducted research and disseminated 53 publications on various matters pertaining to human rights protection and promotion including the human rights defender's situation and civic space, legal analyses, UPR implementation monitoring and reporting, legal challenges facing NGOs operation in Tanzania to mention a few. The publications have contributed into awareness rising and said legal reforms.
- Increased international advocacy capacity at various levels and platforms including the UPR mechanism, ACHPR, etc. Participation of THRDC

¹ Example an amendment of the Statistics Act of 2015 in 2019 and Criminal Procedure Act as a result of mass pressure championed by most of the THRDC's members. The provision required some researchers (who include HRDs) to seek permission to NBS prior to the publication of statistical data, was amended. Also, the government acceptance to initiate the processes to amend the Media Services Act of 2015. This has also championed by HRDs including THRDC's members who provided recommendations for the amendment.

and its members in UPR process has yielded positive results such as the increase of accepted recommendation from 107 in 2011, to 187 recommendations.

- Understanding the power of media to influence leaders and public opinions, THRDC has also invested a lot in media engagement including initiating alternative media outlets of its own including the Watetezi online TV which covers human rights related news.
- Increasingly recognition of the HRDs as individual persons or organizations despite the fact that specific law on HRDs has not been enacted in Tanzania. Some examples already given on recognition of HRDs include accreditation to observe national elections and offering civic education in 2019 and 2020.
- Some of the HRDs' issues have been reflected into the National Human Rights Action Plan which is being coordinated by Ministry of Constitutional Affairs and Justice (MoCLA). For instance the need for further review of laws governing freedom of expression was reflected into the said plan.
- THRDC managed to enter written and unwritten MoU with some state's organs such as the Judiciary, Police, TAMISEMI, CHRAGG, etc.
- Successful empowered more the 2,984 HRDs on various aspects pertaining security management, risk assessment, disaster management, compliance regulatory frameworks to HRDs, public interest litigation to lawyers, handling election petitions to Judges to mention a few.
- THRDC empower 509 Journalists (both mainstream and online) on matters pertaining to their working environment including laws governing the media operation sector, security management, risk assessment, monitoring, documentation and reporting of human rights violation. Reporting rates on HRDs issues have increased e.g. for 2016 alone, a total of 40 articles or stories were reported by regular print media. Also, a total of 512 human rights violations were reported by THRDC from 2012- 2021.
- Increased human right lawyers' capacity in instituting and filing the public interest litigation cases at any part of the country. THRDC recorded 45 cases instituted by more than 100 empowered human right lawyers.

- THRDC successfully provided direct legal support to 249 human rights defenders across the country. No HRD provided with legal support was punished to serve a sentence in prison.
- THRDC successfully evacuated and rescued 57 HRDs who were relocated to different safe places after they were threatened because of their human rights work.

4.0 GENERAL RECOMMENDATIONS

Specific recommendations are made in each part, sections and sub-sections of this report. Therefore, here-in-under are general ones, considering all evaluation criteria and key results areas of THRDC: -

- Owing to the current context and level of achievements the Coalition has realized so far, it is advised that the next phase of strategic plan should maintain same results areas – but with necessary modifications e.g. to reflect the recently adopted UPR recommendations, the national five year development plan, etc.
- THRDC Zanzibar should have own strategic plan but linked in a way to the THRDC's one. In this way, it will be able to grow independently based on the Zanzibar's context.
- Operationalization of the zonal coordinating units should be carefully reconsidered especially in terms of legal liabilities and reputation of the Coalition. A through risks assessment on the operationalization of these unit is highly recommended.
- THRC's secretariat and its members will have to improve further monitoring and evaluation frameworks. One the key areas of concern to address is designing of outcome performance indicators and mapping of the results earned. It looks that harvesting and communication of the results need further improvements.
- While it could not be unrealistic to domesticate the 1998 UN Declaration into the country's legal frameworks, feasible way could be to advocate for incorporation of some components of this Declaration. Therefore, THRDC is advised to have more strategic advocacy interventions linked to this Declaration and guided by a comprehensive advocacy strategy. In the same vein, it is crucial that grassroots-based advocacy interventions are linked to the national and international based ones.

PART ONE

GENERAL INTRODUCTION

1.1 BACKGROUND INFORMATION

This report presents an assessment, analysis and recommendations of the Tanzania Human Rights Defenders' Coalition (THRDC) on the decade of its existence. As it is explained more in the preface of this report, the THRDC was inceptioned in 2012.² It has gone through different growth processes under the guidance of its governance systems including the strategic plans (SPs) of 2013 – 2017 and 2018 – 2022; and, indeed, through generous supports of its development partners who include the Swedish Embassy in Tanzania; the Wellspring Philanthropic Foundation; the Open Society Foundation; the Foundation for Civil Society, the Finish Embassy; the Danish Embassy; Dutch Embassy; the European Union; the Frontline Defender; the American Bar Association; the Protection International Kenya; and, Pact Tanzania.



Photo: Defend Defenders officials (first from left Mr Joseph Bikanda), Ms Tabitha Netuwa (Second from right) and others with THRDC Staff during working visit to THRDC March 2022

² Note: More information about the THRDC including legal status and its membership base are in Preface section of this report.

The THRDC has quite comprehensive monitoring and evaluation system which helps it to track progression on periodical basis and more importantly, reviewing its performance to see if THRDC's interventions are responding to the intended objectives of the Coalition. The first holistic institutional assessment was conducted in 2017/ 2018 immediately after the completion of 2013-2017 SP. The findings of the assessment informed on the development of the subsequent SP which ends this year (2022). In order to have full and compacted diagnosis which combines, among others, contextual and comparative analysis of human rights defenders (HRDs)' operating environments under different regimes, a ten (10) year analysis was opted.

The said analysis on the THRDC's 10 years of existence was conducted by independent consultants. Therefore, the findings, opinions and recommendations presented in this report are solely of external reviewers. The subsequent sections of this report's partly explain more about the objectives, rationale, criteria and methodologies of this assessment.

1.2 AIM AND OBJECTIVES OF EVALUATION

The main objective of this assessment was to assess, analyze and document the THRDC's 10 years operations performance, challenges, lesson learnt and therefore recommending strategies to overcome the challenges in protecting and promoting HRDs rights.

Based on that aim, the specific objectives of the assessment were:-

- i) To assess the THRDC's interventions performance for the past ten years of its operations.
- ii) To unpack and document key THRDC's achievements for the past 10 years of its operations.
- iii) To extract the lessons learnt, document success stories and testimonies from the THRDC's interventions for the future developments.
- iv) To document challenges and recommend best strategies to be adopted to suit future THRDC's development.

1.3 SCOPE OF EVALUATION

This was full institutional and operational diagnosis of the THRDC in terms of considering both internal and external institutional operations. Holistic as it was, the assessment mapped also extent to which the Coalition has progressed towards realization of its vision and specific objectives (mentioned in the preface section

and other parts of this report). It also considers the welfare of THRDC's members particularly in relation to the capacity development support which the Coalition has rendered to them.

In terms of timing, the evaluation scope, as said earlier on, covered the whole duration since when the THRDC was inception in 2012. This means, all programs implemented from that period e.g. 2013 – 2017 SP are reviewed.

This review covered both monitoring and evaluation (M&E) components. Meaning that, actions' progress in terms of activities and outputs (monitoring component); and, emerging outcomes (evaluation component) have all been considered. The analysis considered each outcome and output's indicators as reflected in the project's log framework.

1.4 EVALUATION CRITERIA

Normal evaluation criteria (OECD DAC criteria or standards on external evaluation³) were used to guide the data collection and analysis. Such criteria are relevancy, coherence, effectiveness, efficiency, impact and sustainability. Information Box # 1.1 below clarifies further about these criteria.

Information Box # 1.1: DAC criteria guided the THRDC's evaluation

The six evaluation criteria used for this evaluation were:-

- a) Relevancy (Context): If the THRDC's interventions done the right things? Reflected the context and prevailed needs? Enabling and disabling factors? What roles have the Coalition, its members and their partners play? What added value has THRDC brought so far (2012-2022)? Are there synergies sought with other ongoing initiatives in human rights development generally?
- b) Coherence: How well does the intervention fit? For instance, the extent in which this Coalition's actions were aligned with, reinforced or complemented other interventions in human rights defending (promotion and protection of HRDs)?
- c) Effectiveness (Objectives and Results): Are the THRDC's interventions achieved or achieving its objectives (including vision)?

3 See: OECD, Evaluation Criteria. Available online via <https://www.oecd.org/dac/evaluation/daccriteriaforevaluatingdevelopmentassistance.htm>

- d) Results (All three levels): What difference did the Coalition’s intervention make? Level of implementation of the 2013-2017 and 2018-2022’s activities and realization of the outputs?



What results (outcomes and impact levels) have been achieved so far/ not achieved? To what extent do results correspond to set objectives (THRDC’s objectives)? Any unexpected results or incidents e.g. freezing of bank accounts or COVID-19? What lessons and good practices can be learnt from the results achieved/ not achieved?

- e) Efficiency (Resources and Intervention Strategies): How well were resources being used? Also, the methods and process of implementation generally (including the programs (e.g. SPs)’ designs)? What have been key challenges? Were modifications been made along the way, including adapting to changing needs? What has been the role of THRDC’s members and other various stakeholders? Were the design and organization been efficient? What lessons and good practices can be learnt from the implementation process?
- f) Sustainability (Future): Will the benefits last? That is, to what extent can the effects of the programs be sustained or would be sustained beyond the implementation phase, replicated and brought to scale? Are the programs (e.g. SPs) seemed to be been imbedded in existing initiatives e.g. human rights monitoring mechanisms? To what extent has local technical, financial and managerial capacity been developed e.g. of THRDC’s members? Possibility of the programs’ components (e.g. HRDs’ protection, security, etc.) being maintained by local partners in Tanzania?

Source: TOR and Consultant, December 2021.

The six OECD DAC evaluation standards were used to assess the internal and external operations of THRDC including on aspects of performances, achievements, challenges, best practices and lessons learnt. Part two of this report basically covered an analysis on efficiency and institutional sustainability aspects; part three considered the coherence and effectiveness e.g. of THRDC's first and second objectives; while part four, which is basically on external operation of THRCD, considered effectiveness (e.g. SPs' strategic objectives), results and sustainability of the interventions.

1.5 METHODOLOGY OF DATA COLLECTION AND ANALYSIS

1.5.1 Design of the Evaluation

The evaluation was designed in line with the criteria explained in Box 1.1 above. Basically, there were three factors for consideration in this regard, namely; (a) mapping the extent to which THRDC has endeavored to implement its programs from 2013 to 2022 (considering performance, challenges, achievements, etc.); (b) understanding the key drivers of the progression or attributing factors to any changes e.g. COVID-19, change of political regimes, etc.; and, therefore, (c) considering possibilities of scaling-up efforts to improve Coalition's interventions and results for the coming years beyond 2022.

1.5.2 Overall Approaches, Sampling and Criteria

Several theoretical frameworks like the Utilization Focused Approach (Patton model (2012))⁴ were invoked to guide data collection process, a key one being effective participatory approach. Throughout the evaluation process, the reviewers sought to be inclusive and respected ideas from all sampled stakeholders. The diversity factor e.g. gender, sex, age, etc. were considered and ensured that, they are all included in the process.

The sampling was also quite inclusive in terms of reaching out all THRDC's members whereby, at least more than 150 members were consulted for opinion and majority of them being more than 80% responded.

⁴ Patton, 2012, Essentials of Utilization-Focused Evaluation: A Primer. Thousand Oaks, CA: SAGE.

Out of who responded to an online questionnaire (130 in total), 72.3% were operating at the national level (had coverage of operation throughout the country) while 12.3% and 15.4% were of the regional and district levels respectively. The sampling observed thematic factors in terms of core functions of the organizations. On this, 2.6% of the interviewed member organizations were women-led; 1.6% on children's rights; 2.3% on farmers; 9.2% (economic rights); 3.9% (minorities' rights); 2.3% (freedom of expression); 12.3% (legal aid services); 17.7% (accountability); and, 11.5% (human rights generally).



THRDC National Coordinator and Membership Officer during membership assessment field visit in 2022 in Lindi, Songea, Serengeti and Kigoma.

Additionally, likeminded organizations including the State’s machineries of Mainland Tanzania and Zanzibar were approached for their opinions. At least 20 public sector’s officials of the two sides of the United Republic of Tanzania (URT) were consulted. Other organizations rendered their opinions included the media, different civil society organizations (CSOs), some of the development partners and academicians.



Photo: The former Minister of Constitutional and Legal Affairs, Hon Simbachawane addressing THRDC Board Chair, National Coordinator and others during THRDC engagement visit to this Ministry March 2022. THRDC works closely with MOCLA as its line Ministry.

In total 191 individual persons (of whom 44.5% females) were consulted from various organizations and institutions of more than 10 regions sampled including Dar es Salaam, Singida, Mwanza, Mtwara and Mbeya. At least 65% of interviewees were reached out electronically. Table 1.1 below indicates more other categories and number of stakeholders consulted.

Table 1.1: Categories and Number of Interviewees Consulted for THRDC’s Evaluation

S/ N.	Categories of Interviewees		Number of Interviewees		
	Main Categories	Sub-Categories	Individuals Persons		Institutions/ Organizations
			Males	Females	
i.	CSOs	THRDC’s Members	78	52	130
		Other CSOs ⁵	2	3	5
ii.	State (Mainland)	Central Government ⁶	2	1	3
		LGAs	4	2	6
		Judiciary	-	1	1
		Legislature	1	1	2
iii.	State (Zanzibar)	Government ⁷	3	1	4
		Judiciary	1	4	5
		Legislature (BLW)	1	0	4
iv.	Donors	Various donors	-	2	2
v.	Others	THRDC’s board and staff	4	11	15
		UN agencies	-	1	1
		Professional associations	2	1	2
		Community members/ HRDs	7	5	12
Total:			106	85	191

The sampling districts and regions was based on a number of criteria, some being convenience purposes; geographical representation; availability of different categories of THRDC’s members and other stakeholders; rural-urban dimensions; and, the level of engagement of THRDC into those areas e.g. does not have members in a few regions like Geita and Simiyu. Therefore, the sample was very representative to justify representation of different views on this evaluation.

Basing on those criteria, the sampling was random but systematic to ensure that all those categories listed in Table 1.1 and geographic sampling criteria, are included. However, for THRDC’s members, efforts were made to reach out all members e.g. through online data collection mechanisms involved emails, phone communications, etc.

⁵ Including societies, registered trustees, trade unions, academic institutions, faith-based organizations, etc.

⁶ Including the ministries; law enforcement; and, other agencies.

⁷ Including the district and regional administrations; ministries; law enforcement; and, other agencies.

1.5.3 Data Collection Methods and Tools

Data for this review were collected through primary and secondary sources. The secondary data collection was through desk review of a dozen of THRDC's documents including the SPs, operational manuals, progress reports (e.g. annual), audited reports, situational analysis reports (e.g. state of HRDs published annually) and so many other documents including the relevant laws governing CSOs in Tanzania. A list of documents reviewed is attached herewith.

Primary data collection was guided by the interview guides (attached herewith), which were basically deigned to reflect the six evaluation criteria mentioned earlier on. Most of the guides' questions were open ended in order to allow in-depth information on all review criteria. Therefore, the evaluation focused more on qualitative data collection.

The interviewees were interviewed as key informants (KII) and others through focus group discussions (FGDs), which were about 55 in total. Each FGD had an average of six interviewees.

An authentication of data collected was done through two ways, namely triangulating data collected orally against the written reports; and, validating pieces of data through phone calls, emails, etc. to THRDC's members and some of other interviewees.

1.5.4 Ethical Consideration in Data Collection and Analysis

The major ethical issue in this evaluation is constantly adhered to balance the evaluation's need for stakeholder interaction with the need to secure confidentiality and safety of the interviewees.

Additionally, the team took considerable precautions towards the risks of COVID-19 during the physical interviews mentioned earlier on. The evaluation team was alternatively, in dialogue with THRDC, assess the level of the two risks and use any practical measure to ensure the balance between the need for having an effective data collection and taking appropriate precautions.

Following THRDC's safeguarding protocols, the evaluation team have only cited individual statements with anonymity or with written approval to do so from the individual concerned in the final report.

1.5.5 Data Analysis (Processes and Presentations)

Despite the fact that data collection mostly focused on qualitative data (for the reasons said earlier on), however, the analysis of data integrated quantitative

methods as well e.g. transcription of some information into numerical and tabulation or graphic formats to analyze the trends. This is how statistics on membership, funding, cases handled, etc. contained in this report were obtained.

Data analysis is done and presented with conscious and consideration of all ethical standards as well as the context within which the THRDC operates e.g. perceived harassment, threats, attacks, etc. of HRDs. Hence, as said above, the safety and anonymity of some respondents (during data collection, analysis and presentation are strictly observed).

Further, the team took into consideration the history of the gender relations in a human right context in Tanzania, where inequality, violation, harassment, and torture of women engaged in human right defender activities may be experienced differently compared to men. The analysis strived to apply a gender lens assessing different interventions on how women human right defenders (WHRDs) have performed, survived, and excelled to realize their aspirations. Such evidence has been amplified in the best practices and lessons learned.

1.6 LIMITATIONS OF THE EVALUATION PROCESS

Given the long history of THRDC over the last 10 years, time, and budget constraints limited the evaluation team to reach out to a considerable number of areas and stakeholders physically. The team seeks THRDC support in identifying where to go given membership patterns and budget logistics. The team proposed to have a balance on the priority for areas which have previously received less attention and those with solid evidence of impact resulting from project activities.

Reaching out and interviewing some potential State's officials was difficult due to their schedules and other reasons. The team missed out a potential number of key Government officials who would add inputs to this evaluation. However, those who were reached out for their opinions plus all other documented statements from some of senior public officials, are sufficient to understand their positions and recommendations on the work of THRDC as well as whole agenda this coalition pursues.

Thirdly, despite the fact that Tanzania is perceived to have low prevalence of COVID-19 still the reality all over the world posed a threat and therefore an impact on the evaluation process e.g. limitation of physical consultations which are preferred mostly by local communities here in Tanzania. However, the evaluation team followed the government's guidelines, e.g. physical meetings were held outside and with social distancing, using masks and sanitizers. Before any field visit, the team in consultation with THRDC called the host (zonal coordinators) to find out the situation and facilitate such meetings. At least 45% of the interviewees were reached physically. The use of alternative methods like phone calls, zooms, etc. made it possible to reach almost all targeted respondents.



THRDC recognized Dr. Hellen Kijo Bisimba as a lifetime Human Rights Defender In Tanzania on Women's Day 2022

PART TWO

PERFORMANCE ON INSTITUTIONAL DEVELOPMENT AND SUSTAINABILITY OF THE COALITION

2.1 INTRODUCTION

This part presents the findings on an assessment of the THRDC's internal functional systems and procedures as driving forces of the external operations of the Coalition. That is, a consideration of institutional or managerial capacity is significant on the ground that, there is an intrinsic link between the said internal capacity and performance of this organization's interventions and results to be earned. Part three of this report makes an analysis of almost similar aspects but mainly focusing on part of the THRDC's members (as it is explained further in that part).

An assessment of the internal function systems and procedures (mostly in perspectives capacities) is a question of relevancy, efficiency, coherence and sustainability (refer to Box 1.1 of part one of this report). In addition to those three evaluation criteria, the review team was guided by basic principles of corporate good governance, which are applicable to CSOs. Such principles include, transparency; accountability; participation; inclusion; responsiveness; equality; equitable; consensus-oriented; and, adherence of rule of law.

Section one of this part covers an overview of THRDC's growth process. Section two is on institutional systems and procedures, while sections three and four covers some progresses on human resource development and financial management. Sections five makes a brief analysis of institutional sustainability approaches; and, section six makes some recommended actions to enhance the institutional capacity or development of THRDC at secretariat level.

2.2 OVERVIEW OF THE THRDC's EVOLUTION

2.2.1 Relevancy and Uniqueness of THRDC

The THRDC's establishment (e.g. objectives) and therefore structuring of its internal systems and operations was made in such a way that would reflect the needs of human rights defending that prevailed prior to its inception in 2012. For instance, during that time, HRD was an alien notion. It was confused with human rights activism. Therefore, the HRDs did not receive special protection or attention they deserve in accordance to the international legal standards e.g. the UN Declaration on the Rights of HRDs of 1998.

The absence of special protection mechanisms and institutions on HRDs had a lot of adverse implications, some being presence of intimidation and physical attacks of the defenders; and, banning of newspapers. There was generally poor security conscience, limited information sharing, limited interactions amongst HRDs and financial challenges of HRDs organizations. Parts three and four of this report explain more on the situation before and after the inception of the THRDC.

At that time (prior to 2012), HRDs' issues and welfare were handled through the regional and international organizations like the East and Horn of Africa HRDs Network (EHAHRD-Net), which operated remotely from Uganda. At national level, some of the EHAHRD-Net's interventions were handled by the Legal and Human Rights Center (LHRC), which is not a HRDs network and did not have a specific portfolio of HRDs. Onesmo Olengurumwa who was the legal and research officer at the LHRC was assigned by 14 organizations under supervision of EAHARD-NET to establish the Coalition of HRDs in Tanzania in 2011. One year later THRDC was registered and started its full operations in 2013. This Coalition was hosted by the LHRC during the entire year of initiation in 2012.

“I want to salute all of you, members and leaders of THRDC in Tanzania, THRDC is the oldest and vibrant HRD coalition in Africa, you have been fortunate to have the leader who devoted his life and time to nurture , lead and defend the rights of HRDs in Tanzania... comrade Onesmo Olengurumwa, without his leadership the gains of THRDC couldn't be a reality today, he took this Coalition along with others to be where it is, he has as strong team, he is a team builder, he has persevered all the challenges and remained committed and active all the time inside and outside Tanzania” **Hassan Shire Chair of Pan African HRDs Network and Director of EHAHRD-Net**

Therefore, THRDC was incepted to address all those gaps and challenges by grounding the HRD agenda at the national (country) level in a more specific and comprehensive ways. Today, this Coalition is the only authoritative HRDs' entity in Tanzania. Of course, with its expansions to the grassroots through the members, Zonal Coordinating Units (ZCUs), branches much more strong authoritative organizations (in specific grassroots or thematic localities) are emerging.

“ I know this coalition, i was part of the establishment of this Coalition by then when i was with the Legal and Human Rights Center , the idea was brough by regional HRD organization from Kampala... EAHRD-NET and some few organizations in Tanzania agreed to form this Coalition ,it was not only us, the entire sub region established the coalition of this nature, I authorized Onesmo Olungurumwa to lead the establishment process while still working as LHRC staff, he did it very well and now it's a big coalition in the country with strong systems and structures ” **Francis Kiwanga Former LHRC Executive Director**

The relevancy of THRDC has never been reduced even after recording quite impressive changes e.g. recognition of HRDs albeit in administrative ways. Instead, the demand of its services are on increase due to changing of socio-political contexts in Tanzania e.g. passage of some laws limiting litigation of human rights cases (discussed in part four).

In response to all those contexts, THRDC had to craft its operations in such a way that could have direct and positive implications to the needs. One of the strategies observed during this evaluation is that, the organization, THRDC had to invest a lot into good governance principles and compliance with the legal standards governing operations of CSOs in Tanzania. This is a survival strategy to avoid any possible 'wrangles' with the regulatory authority. Moreover, observance of such principles has an essence of continuing winning a good-will of development partners who work with the Coalition to support advancement of HRD agenda in the country. This is why it is observed to have quite strong financial and accounting systems amongst other best practices presented below.

Observation 2.1: Is THRDC somehow operating beyond the scope?

Apparently, due to some weaknesses on human rights protections and promotions generally by HRDs in Tanzania e.g. only few organizations like LHRC are pro-active on major human rights issues, THRDC has been tempted to address unattended and avoided human rights issues (i.e. beyond the core functions

as HRDs network). Despite the fact that this is positive move but there is a possibility that would shift Coalition's primary focus. In order to avoid being into this 'trap', THRDC is advised to capacitate its members most importantly at zonal levels so that they can proactively address human rights human rights violation as they emerge at grassroots level. On this then, the evaluation team suggests repositioning and refocusing of THRDC's interventions to make them relevant to the HRDs' needs; and then, where possible, forge partnership with other non-HRDs organizations in order to advance other human rights issues in passive (not direct) ways. Meanwhile, the evaluation team appreciates and commend the thrill of THRDC to have all human rights concerns proactively and effectively attended by its members from across the country.

So far THRDC's evolution has undergone three main stages, namely the inception or infancy phase; the taking-off and stabilization phase; thirdly, the growth or expansion phase. All these stages had been influenced by the institutional operations – discussed further below.

2.2.2 Inception or Infancy Phase: 2012 – 2013

Backed up by the EHAHRD-Net, founding donors (OSIEA, Finnish Embassy and Wellspring), active members and strong Board of Directors (BODs), the THRDC's secretariat managed to hit the ground running immediately after the registration of the Coalition. An experience of the National Coordinator⁸ on HRD and managerial issues was one of strong driving forces to this success. Just within a year or so (2012 – 2013), the Coalition secured seed-funds of USD 60,000 from OSIEA, Finish Embassy and Wellspring to set-up its institutional operations particularly formulation of the internal operating manuals, office rent, salary for the founding National Coordinator, organizational development trainings, mentorships and the first strategic plan (briefly highlighted below). At this point, the Coalition had human and financial resources which were relatively inadequate as figures below show.

8 Onesmo Olengurumwa is the founding National Coordinator of THRDC with over ten years' experience in the field of human rights. His commitment, tolerance, resilience, hardworking and leadership skills shaped THRDC to be where it stands today.



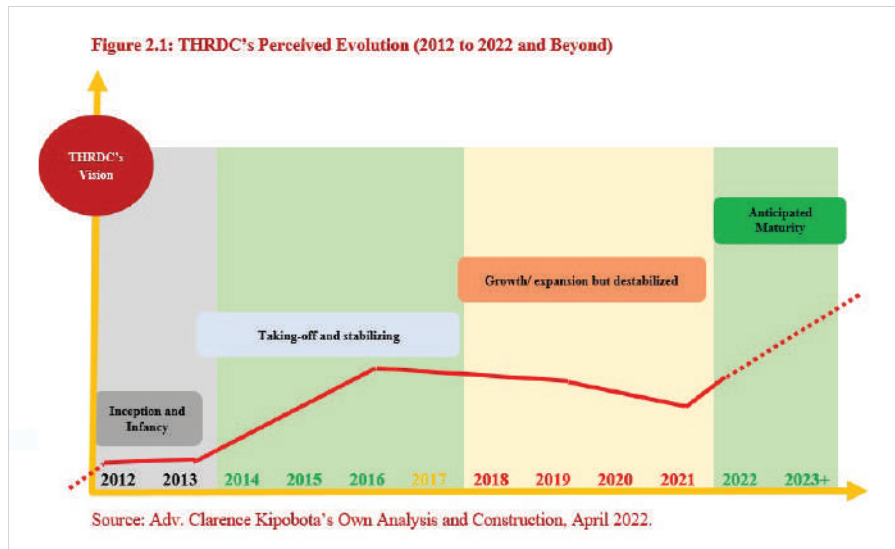
Photo: Official launching of the THRDC'S First Strategic Plan

“As the first Board Chair of THRDC, I am fascinated by this Coalition, we have started this Coalition from zero and I can see it growing bigger, it is not easy to establish a big network like this, I thank God that we have not waste our time, we have done a good work.... Most importantly we have hired a right Coordinator Onesmo Olungurumwa, thank God that he has never failed us, he is strong, committed, bold, enthusiastic and focused leader.... along with his team he made THRDC to be where it is today” Ms Martima Kabisa Founding and Retired THRDC Board Chair at the Middle - Left

2.2.3 Taking-off and Stabilization Phase: 2013 – 2017

The initial efforts resulted into an adoption of the first ever SP (of 2013 to 2017). Having this plan, which resulted into a number of reforms e.g. further improvement of operational manuals enabled the Coalition to stand on its own feet (from being ‘baby-seated’ by EHAHRD-Net and LHRC).

More staff were recruited (see statistics below), office space was hired, members increased (data available in part three of this report) and more importantly, operation expanded.



According to the 2018's final evaluation report of this SP, the HRD agenda already gained a wide recognition countrywide. All these attracted more funding as statistics below on funding show.

However, as Figure 2.1 below shows, the growth and stabilization faced some turbulences from mid-2016 when the new regime (which came into power in October 2015) perceived to attack civil rights activities including of CSOs.

“The idea came when we were attending security training for defenders which was organised by the East Africa Human rights Defenders Network (EAHRD-NET) in 2011, we agreed to establish our own network here in Tanzania, as it was the case in Kenya in 2007, I volunteered to supervise its establishment and since I was an employee of LHRC, EAHRD-NET officially wrote to the then Executive Director Francis Kiwanga and he allowed me to do this work while still working for LHRC, Kiwanga agreed and THRDC was registered in 2012 with 14 members” **Onesmo Ole Ngurumwa**
Founding THRDC National Coordinator

From around mid-2016, the shrinking of civic space was almost palpable and therefore, the operation of THRDC like of all other CSOs gradually dwindled beyond control as the graph of Figure 2.1 here shows.

Lesson Learnt 2.1: Delayed adoption of survival actions had adverse effect

It is evident that THDC and almost all other CSOs did not have sufficient risks management frameworks e.g. to mitigate potential danger due to operation of the law or stance of political regime. This administrative weakness cost the Coalition and so many other CSOs because, after the ‘snowballing’ of incidents of shrinking space – of which the repercussions were quite obvious, ultimately THDC fallen victim of the circumstance. Its founding National Coordinator, some of the directors of the member organization faced open intimidations from allegedly some of State’s officials. The following few months, Coalition’s bank accounts were frozen. A lesson here was that, delayed adoption of survival strategies can cause adverse effect on the CSOs’ internal and external operations.

2.2.4 Growth or Expansion and Destabilization Phase: 2018 – 2022

Learning from the 2013-2017 SP, THDC planned to scale up its interventions by, among others, improving further its institutional governance, management and operations e.g. adopting new accounting system, purchasing working tools including a vehicle and institutionalization of members’ zone coordinating units. The Coalition also adopted resource mobilization strategy e.g. introduced deduction of 4% of the total amount of gross consultancy fees (as income generation scheme). This resulted into earning of TZS 70,000,000 from this income generation scheme as of April 2022.

“After it was started, THDC luckily it started with a good footing, it had its own Board of Directors, they diligently held all the board meetings and members meetings, they started with strategic plans, they worked very well in those ten years, there are other organisations which stay for more than 10 years and you might not know if they exist, THDC has done a wonderful job more than it was expected, there are certain instances where the coalition helps its members to perform some of the defending duties...But we assign our youngman Olengurumwa to build this coalition since the inception of the idea...we thank him, he has done a good job in a very professional manner to the extent of reaching this scale” **Dr Helen-Kijo Bisimba retired THDC Board Member and a prominent human rights defender in Tanzania**

However, as said earlier on, the shrinking of civic space and absence of sufficient risk mitigation measures or survival strategies rendered Coalition's operations almost stalled from mid-2020. As Figure 2.1 above shows, THRDC's internal and external operations went down. Seizing of other options was impractical because almost everyone in the civil society sector was on eminent danger. As efforts to redress the situation were lapsing, the Coalition opted to operate from outside and establishing the Zanzibar's office and beyond. Those were good options but came a bit late after the operation were almost paralyzed. This is why Lesson 2.1 above is important to observe in future programming and operations.

As one of the founding members of THRDC, I am so elated to see how this organization has grown from being a network of 14 human rights defenders to becoming a Coalition of more than 200-strong alliance consisting of various civil society organizations. In my 10 years of service – six of which as a THRDC Board member and four as the second chairperson of the Board of Directors, I have witnessed how this daring and vibrant Coalition has become an HRDs force to be reckoned with in Tanzania and at the international level. Its immense contribution to the protection, realization and promotion of human rights has been recognized everywhere at the national, regional and international levels including at the UN and African Union human rights bodies. More people around the country are more aware now of the works of THRDC under its thematic areas of service. HRDs now know where to seek refuge in times of challenges and threats. The Coalition has also been engaging with the Government to the extent of advising the State on the need to amend some of the repressive laws and policies for the betterment of the development of human rights, peace, democracy and rule of the law in the country. The icing on the cake throughout this decade despite facing a lot of human rights violations and intimidation and threats, was the establishment of its Zanzibar branch. I believe that all the THRDC achievements within these ten years of its official existence would not have been possible without the efforts of its members, the Board and the Secretariat led by a very courageous and energetic Executive Director Onesmo Olengurumwa and the support from its development partners. Our resilient THRDC is here to stay! I can see and I hope that in the next ten years, the organization will spread its wings, strengthen its roots and have many more ambassadors throughout the country, in East Africa and on the African continent in general! **Said Vicky Alice Ntetema, Former, Second THRDC Board Chairperson and Founding Member**



Vicky Alice Ntetema receiving an award of service, after serving as a second THRDC Board chairperson



2.3 INSTITUTIONAL GOVERNANCE AND OPERATIONS

2.3.1 Notable Best Practices: Strictly Adherence of Good Governance Principles

It is noted from this review that, THRDC's functional systems and procedures architect solidly the institutional governance and operation of the secretariat. The Coalition has adopted and improved over period of time a number of key operational documents including the financial policy; updated accounting packages; BODs' charter; human resource manual; member's policy; scheme of service; procurement policies; non-discrimination policy; gender and inclusion policy; corruption and whistleblowing policy; and, even HRDs security policy. Its Constitution articulates well the good governance principles listed above.

The functional systems include presence of the monitoring and evaluation (M&E) framework. There is also SP (currently the 2018-2022 version).

Observation: Impact of THRDC's sound governance system(s)

The presence of such internal operation policies has guided well the Coalition on issues pertaining financial management accountability e.g. all annual audit reports seen by the team of evaluation approve the THRDC to have sound financial management. The Coalition has no any single case or even accusations of embezzlement of donor or any fund for the last ten years of its operations. The THRDC's Constitution creates and enforces this organization to align with transparency and accountability principles e.g. on decision making and oversight aspects. This one has impacted into effective performance of the Coalition as it is discussed in subsequent sections and parts of this report. Moreover, the human resource manual not only governs welfare of the staff e.g. motivation, but also defines who makes what decisions e.g. strategic and routine ones.

The roles and responsibilities of the governing organs such as the Members meeting (AGM); BODs and Secretariat (Management) are clearly described in the said operational documents. The BODs' charter addresses conflict of interest and stipulates separation of powers (mandates) between the BODs and Management.



Photo: THRDC Board members attending Board retreat and governance training at Zanzibar beach resort in 2016

The BODs is comprised of nine (9) members of whom 5 (being 60%) are females. The composition is well diversified also in terms of education backgrounds. For instance, the current members have the following levels and education backgrounds: doctorate degrees (Ph.Ds); master's degrees in law and mass communications; first law degree; certified public accountant (CPA); and the retired Judge of the High Court of Tanzania. .

As on the functioning of the Board, it has been quite effective and systematically. It meets periodically and has been instrumental in the fundraising of the Coalition and rescuing it from collapsing following the said 2020's untimely 'fracases' (of freezing of THRDC's bank accounts, etc.). According to the records, the THRDC's BODs has met 30 times between 2012 and 2021. It met consistently 4 times a year (i.e. every quarter) between 2014 and 2021; and, 3 times a year in 2012 and 2013. The records of Board's proceedings are well kept. This is highly commended.

It is also well noted that, the BODs not only meet periodically as per statutory calendar, but also receive periodic needs-based capacity building training in order to keep it updated on its oversight responsibility. Some of the examples of trainings were:-

- i) Training of introduction to effective governance, NGO Board governance and common issues with NGO governance on 12th Dec 2016.
- ii) Training of defining Board roles and creating boundaries within management roles on 11th Dec 2017.

- iii) Training of effective communication in leadership on 11th Dec 2018.
- iv) Training of motivation and leadership on 29th November 2019.
- v) Training of organization governance and resource mobilization on 13th Dec 2021.

It is also a good and commendable practice that membership to the BODs has defined tenure which is strictly observed. The selection and recruitment of members of the BODs and secretariat respectively are guided by principles of transparency, professionalism, fairness, etc.



Photo: The Current Board of Directors Group Photo THRDC Board members at the 2021 Board retreat and governance training at Madinat Hotel Zanzibar

The diversity factors (as it is explained further below) are observed e.g. presence of Board and staff members of different sexes, academic backgrounds, ages and disability status.

The best practices on the international operations of the Coalitions are appreciated even by different stakeholders. For instance, it was a general consensus by majority of them that, despite its age (being only 10 years old), the THRDC has demonstrated a high level of performance to realize results due to its well-organized institutional systems. ‘They have a team of young and vibrant professionals and well guided management ...’, said one of the interviewees.



Photo THRDC Board Members during the 2021 annual learning session and new board members orientation course. Standing before them is Prof William Palangyo, a trainer on organization development and governance issues at Al Madinat Hotel Zanzibar.

It is the said system that drives performance as said earlier on. For instance, the evaluation of the current SP indicates that, the activities implemented were commensurate with the funds raised (up to 65% were realized from donors). However, findings from the mid-term evaluation of the second SP is mirrored by significant differences where the organization experienced a combination of limitations involving shrinking civic space (explained above) posing restrictions on most CSOs and particularly the freezing of THRDC's bank accounts and the COVID-19 pandemic.

2.3.2 Key Changes and Achievements on Institutional Governance

In addition to the achievements on institutional governance which have been highlighted above, other notable or key achievements and positive changes include:-

- i) Revision of the Constitution as part of an implementation of the recommendation of the review of the 2013-2017 SP. The main amendments made in articles 6.3(a)(i) on Cessation of Membership, Article 37 on Code of Conduct, Article 11 on Types of Membership, Article 22 on Quorum; Article two on interpretations, Article five on Head Office and Article 6 on Areas of Operations.

- ii) Changing the membership status from accepting individuals toward institutional representation. Individual members, who were mostly journalists, have been removed from the register and instead recruited through their associations/ institutions as HRDs or human right-based organizations. For instance, in Iringa and Njombe, individual journalists have been recruited through their Press Clubs. The aim of these changes are to institutionalized HRD agenda in order to make it sustainable and not individual-based.
- iii) The Zonal Coordination Units (ZCUs) have been established to replace the former structure with Focal Persons who were being managed by the secretariat. The ZCUs are decentralized HRD member-based units to allow for need-based planning and implementation of activities. A total of 11 ZCUs have been established nationally in both Tanzania mainland and Zanzibar.
- iv) There is also a model ZCU office in Mtwara region to support member's coordination in the Southern Coast zone.
- v) Establishment of a full-fledged THRDC in Zanzibar. The THRDC-Zanzibar was registered in 2021 under Zanzibar Societies Act of 1995. Currently, it has interim coordinator, program officer and full-time administrator. Presence of this office in the isles will boost up HRD coverage throughout the URT.

These (Mtwara and Zanzibar's) offices are well resourced with relevant infrastructure and equipment, and all based on the safety, and risks mitigation factors to protect HRDs and staff. Up on securing sufficient resources THRDC will open its zonal offices in all Zones.

- vi) THRDC has streamlined the roles of the Board into three (3) sub-committees mandated to advise the secretariat and facilitate effectiveness and efficiency of the Coalition. The 3 committees are on Finance, Fundraising and Program. The Coalition has revisited its structure, including revising the Constitution. On this change, one of the BODs' members consulted for an opinion said that, 'I'm impressed by the way the Board of THRDC is structured into sub-committees. This helps all members to be active, engaged and active in the delivery of the entire Board. I look forward learning more.'



Photo: Former THRDC Board Chair Ms. Vicky Ntetema chairing one of the THRDC Board meetings at the HQ of THRDC Dar es Salaam in 2018.

2.3.3 THRD's Communication, Branding and Visibility Strategies

The communication, branding and visibility are important managerial aspects of any organization. When it comes to a network-based organization like THRDC, its importance becomes even higher because (a) in order to have clear and effective flow of information to and from Coalition's members (and other stakeholders); and, (b) safeguarding the reputation of Coalition on the reason that, contents and modality of what is communicated out could have implications to THRDC. This is critical especially when the members e.g. ZCUs act for THRDC when issuing statements to the public.

The evaluation team noted that, THRDC has invested quite heavily in communication, branding and visibility of its existence and services. For instance on communication and visibility aspects, the Coalition has done the following:-

- i) Recruited specific information officer who is degree holder. This officer acts as public relations officer as well especially through written statements and other forms of communication. Sensitive information are shared out under authorization of the National Coordinator or the BODs.
- ii) Actively maintained the website. The contents of the website include e-publications such as the newsletters, SP, evaluation and study reports.
- iii) Actively operates social media platforms including the Instagram (IG), facebook and Twitter pages. The contents of these pages have been re-tweeted and widely disseminated by different persons and

institutions including professional associations like the Tanganyika Law Society (TLS). The members' activities are widely covered by these social media platforms on daily basis. See statistics in Table 2.1 below.

- iv) Effectively run the online television called the 'Watetezi online TV.' There is also a well-functioning media studio at the THRDC's premises. The online TV airs every single event and its coverage gains a good ground. See statistics in Table 2.1 below.

Table 2.1: Trends in users, subscribers and followers of THRDC's Social Media accounts

Media account	2,013	2,014	2,015	2,016	2017	2018	2019	2020	2021	2022
Facebook	145,009	195,433	180,257	231,003	184,201	471,293	234,699	298,847	186,709	64,603
Tweeter	2,843	36,544	45,522	78,965	465,422	123,764	453,322	391,228	357,712	132,446
Instagram	-	-	-	24,511	239,122	361,779	452,245	55,222	144,283	56,855
Whatsapp	-	-	100	300	600	800	847	847	847	847
Watetezi TV							6,840,332.00	5,395,833.00	3,352,404.00	2,164,660.00
Total	147,852	231,977	225,879	334,779	889,345	957,636	7,981,445	6,141,977	4,041,955	2,419,411

Source: THRDC Records: Annual Progress Reports 2013 – 2021.

Statistics above (Table 2.1) shows that the number of subscribers/viewers through social media has been increasing over the years. This is an indication of the potential of the social media as an alternative communication platform. The Watetezi online TV has attracted more viewers reaching about 70% of the total subscribers to other channels. According to respondents, social media has contributed to increased visibility of the organization nationally and internationally.

- v) Manages the online CSOs' directors' forum through a Whatsapp group. Currently, this forum has at least 230 members who share different information and discuss critical issues of concern on periodical basis. A number of government officials including from the revenue authority (TRA), registrars of CSOs (societies, NGOs and trustees) have several time been invited to the online seminars.
- vi) Newsletters which are published on monthly basis have been effective ways of giving quick feedback of what the Coalition did in a particular month (both on part of Mainland Tanzania and Zanzibar).

As for branding and visibility aspects the coalition has consistently use the social media and other information sharing channels to brand itself especially by demonstrating its performance to the public. The Coalition has printed t-shirts with a logo and has maintained the same logo texture for a long time.



The publications follow the house-style (but not consistently e.g. in terms of font size). But, use of brownish color which matches with the logo's color is highly commended.

Suggestion: Needed comprehensive Communication, Branding and Visibility Strategy and ICT Policy

The Coalition, THRDC, does not have effective feedback mechanism both for branding and communication e.g. on stakeholders' reactions and impact of the information shared out. The Coalition need to have specific and comprehensive Communication, Branding and Visibility Strategy which articulates well how, when and at which standard should an information be communicated by the secretariat or its member organizations e.g. through ZCU. The Coalition's ICT policy should be able to gauge use of online platforms and management of the contents to be shared out through such platforms. The policy also has to seek to address security issues e.g. hacking of sensitive information and dissemination of fake news through online platforms.

2.3.4 Recommended Actions on Institutional Governance, Systems and Structures

In order to improve further the institutional governance, systems and structures, it is recommended that:-

- i) There should be standardization of ZCUs in terms of supply of office equipment and infrastructures. For instance, the evaluation team observed and also informed by interviewees that there are variations of quality of infrastructures and equipment among members.

- ii) In connection to that, there is a need to improve further the terms of reference or standard operating procedures (SOPs) and other guidelines especially on information and communication of the ZCUs.⁹ Moreover, the mandates of ZCUs must be clearly spelled out in order to avoid possibility of collective liabilities with the THRDC once a ZCU commit an offence. This is important matter for reconsideration because HRD issues are sensitive.
- iii) As it was suggested in the final evaluation of the 2013-2017 SP, there is a need to make the ZCUs full functional in terms of abilities to mobilize resources and to have functional M&E systems connected to THRDC main secretariat office.
- iv) It is good practice that THRDC have devised the operational risk management strategy and the register detailing types or nature of potential risks that the Coalition would face and also, possible mitigating measure. It is recommended that, this strategy should be replicated by the members e.g., through their ZCUs. Moreover, there is a need to deepen the contents of the current strategy by addressing further issues pertaining: -
- Legal compliance risk e.g., non-compliance with statutory or regulatory obligations of not only NGOs law and regulations, but also other sectorial laws e.g. on statistics, online contents, research, insurance, occupational health, taxation, national security, etc.
 - Governance risk e.g., same as legal compliance but this one is on non-compliance with policies and standards.
 - Reputational risk e.g., damage to relationship with community or donor or the government.
 - Financial risk e.g., unplanned losses or expenses.
 - Operational risk e.g., lapses in continuity of operations (for instance due to COVID-19).
 - Human resources risk e.g., ability to recruit and retain skilled workers.
 - Technology or privacy risk e.g., threats to and breaches in IT security.
 - Physical security or hazard risk e.g. harm or damage to people, property or environment.

⁹ For instance, the SOPs could stipulates who has to say what and at what time or which standards, etc.



Photo: THRDC National Coordinator with South Coastal Zone Coordinator and Director of Door of Hope Organization at the THRDC Zonal Coordination Unit office in Mtwara in 2021.

2.4 HUMAN RESOURCE DEVELOPMENT AND MANAGEMENT

2.4.1 Positive Trends and Practices on Human Development

As it is hinted above, THRDC implements a number of institutional policies including the one on human resources.¹⁰ Apart from spelling out staff's statutory and other entitlement, the human resource policy do also indicate, albeit briefly, the development, retention and motivation of the same.

This review has noted a number of positive practices on human resource development, including:

- i) Consideration of diversity factors e.g. gender balance, professional backgrounds and disability. This makes THRDC's staffing a multidisciplinary one.
- ii) Staff training especially on human rights protection and security issues.
- iii) Increase of number of staff – quite systematically which also observe gender balance to some extent as Table 2.2 below shows.



Photo: The first three THRDC staff at the Organizational Capacity Building Center in Arusha with Kitenge Shirt second from left is Prudence Kaijage, the Owner of the Center and the first THRDC organization development consultant who mentored THRDC for the whole year of 2013.

¹⁰ THRDC has the Human Resource Policy of 2012 (amended); the Staff's Scheme of Service of 2016 (amended); and, the Staff Security Allowance Circular No. 02/2016.

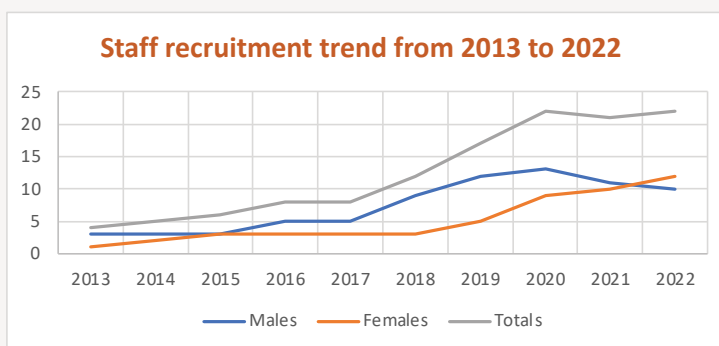
- iv) Retention of staff.
- v) Presence of human resource officer.
- vi) Recruitment of volunteers.



As for the recruitment of full-time staff, the records show a steady growth of the human resource team recruited over the 10 years’ span where staff grew from only 4 (1 (25%) female) when the organization commenced operations in 2013 to 22 (12 (55%) females) in 2022. Table 2.2 below shows more details on this.

Table 2.2: Recruitment Trends of Permanent THRDC’s Staff 2013 – 2022

Year	Males	Females	Total
2013	3	1	4
2014	3	2	5
2015	3	3	6
2016	5	3	8
2017	5	3	8
2018	9	3	12
2019	12	5	17
2020	13	9	22
2021	11	10	21
2022	10	12	22



Source: THRDC’s annual reports of 2013 – 2022.

Note that, the green graph above is for the summation of the males and females. As a way of offering a learning platform for young professionals, THRDC recruits volunteers. This is also part of enhancing human resource’s base. A total of 40 volunteers have been engaged directly into the work of THRDC at its secretariat

since 2013 (of whom 58% were females). As Table 2.3 below shows more, 38% of the total number of volunteers recruited between 2012 and 2022 were ‘graduated’ to become full-time employees, while some of them were recruited by other institutions including donor organizations.

Table 2.3: Recruitment Trends of Volunteers at THRDC (2013 – 2022)

Year	Male	Female	Total	Employed
2013	0	1	1	0
2014	2	1	3	1
2015	2	2	4	3
2016	1	1	2	2
2017	3	1	4	2
2018	1	3	4	2
2019	3	7	10	1
2020	5	7	12	4
2021	0	0	0	0
2022	0	0	0	0
Total:	17	23	40	15

Source: THRDC’s annual reports of 2013 - 2022

The 2019 and 2020 had bigger number of volunteers because of availability of resources, while 2021 did not have any volunteer because it is when the operations were reduced due to freezing of accounts.



THRDC Management team 2021

Best Practice: Progressive strengthening of institutional capacity

The review team observed that, the THRC has continued to strengthen its institutional capacity by adopting almost all operational key policies recommended by the 2018's end of the evaluation report. The key policies adopted include the succession plan; the resource mobilization plan; the volunteering policy; the salary inclement scheme of service; and, it has been systematically conducting staff appraisals (biannually). The mid-term evaluation for the 2013 – 2027 SP will indicate impacts of all these progress made in recent years (between 2019 and 2021).



Photo: THRC Staff 2021

THRC annual retreat and team building training in 2021

2.4.2 Recommended Actions on Human Resource Development and Management

Basing on the gaps ascertained (which are here-in-under presented (impliedly) as areas needing reforms), it is recommended that: -

- i) Formulating and implementing Comprehensive Human Resource Capacity Development Plan (CHRCDP) which will incorporate needs for acquisition of specialized skills basing on the needs, motivation and other forms of staff retention, etc. These are also missing gaps at the moment.
- ii) Owing to the nature of HRD work, it is important for every staff, especially those exposed to risk to have life insurance; and, have their residential houses installed with security systems e.g. CCTV camera. Of course this could be a challenge where a particular staff resides in a rental house where he or she has to abide with landlord's terms which are not compatible with proposed security management scheme.
- iii) Create and operationalize human resource structure and systems on part of Zanzibar.
- iv) Supporting human resource developmental issues at ZCUs levels.

- v) Soliciting young professionals to become potential HRDs and keep their names into a data base (possibly link them with THRDC's members as part of learning and professional nurturing process).
- vi) Building capacities of THRDC's members to adopt same systems and standards of human resources capacity development and management practiced at THRDC's secretariat level.

2.5 FINANCIAL MOBILIZATION AND MANAGEMENT

2.5.1 Positive Trends and Practices on Financial Management

Again, as it is briefly stated above, the THRDC abides with all basic standards and practices on effective financial management. The Coalition also complies with the statutory requirements on NGOs' financial management procedures introduced in 2018 by some regulations governing the NGOs in Tanzania Mainland. Apart from having financial policy which also stipulates procurement procedures and accounting systems, the generality of institutional governance structure enforces transparency and accountability principles on financial management.

Secondly, the Coalition has recruited qualified financiers and accountants. There are all required tools to aid the management of the finance. However, the Zanzibar's office, which has just began operations less than a year, is yet to have such policies and practices on financial management.

Apparently, based on the strong financial management system, the THRDC has managed to win massive supports from various donors basing on the funding flow for the two strategic planning phases (2013-2017 and 2-018-2022). As Table 2.4 below show, it is obvious that the Coalition has attracted diverse sources of funding from various donors and members' contributions.



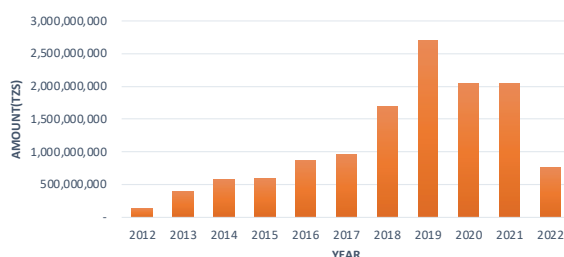
European Union Ambassador in Tanzania, Manfred Fanti and His Deputy head of Mission Mr. Emilio Rossetti during a courtesy visit at THRDC Headquarters offices in January, 2022

Records show that a total of 10 donors contributed a total of TZS 3,435,041,747 during the first strategic plan 2013-2017 where the Wellspring, OSIEA and Finland contributed most of the funds as founding donors of THRDC. THRDC members' contribution amounted to TZS 27,252,000 which was about 0.8% of the total funds received. Total income amounted to 65% of the estimated budget of the strategic plan.

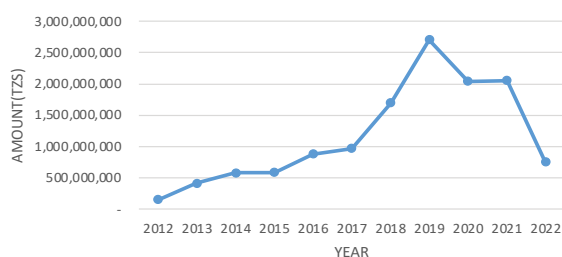
Table 2.4: THRDC Financial flow trend 2012-2022

THRDC Financial flow trend 2012-2022											
Name of donor	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
FIDH								11,860,966		11,645,690	
CIVICUS								22,757,220	13,668,000		
CIVIL RIGHTS DEFENDERS									13,702,800		
FREE PRESS UNLIMITED									9,732,741		
AMERICAN BAR ASSOCIATION									142,516,260	58,993,850	
PROTECTION INT'L KENYA									256,826,924	227,441,204	
UHAI LIMITED									16,849,200		
ICNL									13,928,598	25,471,311	77,627,873
DUTCH EMBASSY									62,527,987		
FRONTLINE DEFENDERS									18,841,128	232,672,499	
KBFUS										573,221,338	
SOUTHERN AFRICAN HUMAN RIGHTS DEFENDERS											11,465,000
TWAVEZA							26,100,000	7,965,000	2,527,098		
CIVIL RIGHTS DEFENDERS							9,016,000				
EMBASSY OF SWEDEN							751,880,340	1,192,557,351	354,784,599	347,492,231	
TANLAP							3,740,000				
PACT TANZANIA								108,688,871	111,623,069		
HIGH COMMISSION OF BRITISH			38,799,390								
EU FUND			22,228,233	7,171,961							
HIVOS				161,243,300	50,395,060						
FOUNDATION FOR CIVIL SOCIETY				48,150,000	80,358,700	131,508,400	98,378,700	535,859,830	177,822,933		480,657,383
ACTIONAID				9,000,000			24,200,000				
DIGNITY				14,665,000	15,047,937	50,186,745					
EASTERN HORN OF AFRICA (DEFEND DEFENDER)		12,057,300			9,086,648		8,459,476	16,940,880			
OSIEA	76,488,176	79,817,800	200,192,700	97,618,280	214,215,710	177,992,975	180,230,875	228,447,520	137,160,000	399,060,225	183,587,220
EMBASSY OF FINLAND	63,116,308	155,914,312	169,258,648	120,274,151	178,772,807		20,826,686		122,101,140	131,929,350	
WPF	10,240,758	160,483,950	148,481,850	129,300,000	326,753,200	598,815,690	562,839,990	569,477,220	584,729,701	36,862,166	
MEMBERS SUBSCRIPTIONS	2,290,000	7,015,000	2,670,000		8,740,000	8,826,000	12,180,000	10,309,000	4,020,000	10,118,400	850,000
TOTAL	152,135,242	415,288,362	581,630,821	587,422,692	883,370,063	967,329,810	1,697,852,068	2,704,863,859	2,043,362,178	2,054,908,263	754,187,476

THRDC FINANCIAL FLOW 2012-2022



FINANCIAL TREND FOR THE YEAR 2012-2022



Source: THRDC's financial records 2012 – 2022.

The interviewees were of the view that, for a new organization working on sensitive and unpopular program like HRDs, this was a remarkable achievement by the Coalition. The following are few selected quotes from the main and founding THRDC partners on THRDC performance for the past ten years;

“We have watched them grow, watch them grow its systems, network of protection and network of funders. They have done such good work that everybody is confident that when we support this organization you will get results” – **Magdalena Kioko (Program Manager OSIEA)**

“You have created active protection systems where all and every human right defender at risk has been given a chance to mitigate that risk or to avoid the risk in the form of trainings, we are very happy to be the founding regional partner of THRDC, THRDC stands among the most vibrant HRDs Coalition in the region” – **Hassan Shire (Executive Director Defend defenders)**

“We also know that THRDC has been through challenging period during the freezing of its bank account between August 2020 and April 2021, but it also demonstrated THRDC’s resilience’s and ability to adapt to the circumstances and Sweden we are proud that we were able to support THRDC during these difficult times and we would like to congratulate them for its hard work, its achievements and its strong come back” – **Anders Sjoberg (Swedish Ambassador to Tanzania)**

“What I love most about THRDC is their non- discriminative policies on who should be defended, they have been proactive and managed to reach all groups people whenever there is human rights violations. When the needs to defend those who defend human rights arise, we have seen fearless and successful THRDC interventions. They have done an impressive work and we can all see and feel it” – **Francis Kiwanga (Executive Director Foundation for Civil Society)**

“We wish them the best and we wish to see more of their roles being active in the civic society and continuing defending the agenda of human rights defenders themselves, we don’t regret supporting the establishment of this organization, we can easily see the result of the seed money we injected to THRDC ten years a go” - **Mary Rusimbi (W Philanthropy Network)**

Moreover, records in the table above show that with the exception of three donors (EU, British and HIVOS), all other donors contributed funds for more than two years consistently. This is a sign of donor’s commitment to ensure continuity of the planned activities. This also informs the kind of trust on financial management THRDC has commanded to its founding donors. It is always very hard to find founding donors supporting the same organization for more than ten years because of financial management challenges.

The second SP phase (2018 – 2022) has attracted more donors, who are currently 23 compared to 11 supported the Coalition during the first SP’s phase. This is an increase of 109.0%. The size of funding also has expanded from TZS 3,435,041,747 to a total of TZS 9,255,173,842. A difference of TZS 5,820,132,095 (as an increase) is equivalent to 169.4%.



Furthermore, financial records show that 4 donors (SIDA, OSEIA, Wellspring and FSC/ DANIDA) contributed a significant amount of funds to the strategy compared with others. Member’s contributions increased to TZS 37,477,400 over other 5 years indicating an increase from the previous strategy period (2013-2017), which was TZS 27,251,000. The increase of members’ contribution for over TZS 10.2 million is equivalent to 37.5%.

However, the freezing of the THRDCs bank account in 2020 massively impacted on the Coalition’s ability to implement ongoing activities including the on-going structural shift. The evaluation team was informed of the commitment and persistence support from some donors to keep the Coalition running by providing additional funding through other arrangements. More support is however still needed to reposition THRDC to its normal growing pace. The evaluation team advise THRDC’s partners to develop a special THRDC recovering grant at least for 2022 and 2023.

Best Practice: Implementation of the resource mobilization strategy in a right course; but, further improvement on this is suggested.

The Coalition developed the Resource Mobilization Strategy in August 2019 and ventured to put it into action through the 2019-2022 operational plan. This strategy is aimed at guiding the THRDC on amassing resources from different legal sources. The Coalition has embarked on social enterprise including an investment to construct its own office structure (among so many other options). At least TZS 70 million for instance has been mobilized through consultancy fees (deduction of 4% of the prices of each consultancy service). However, there is a need to improve further this strategy to consider also non-financial resources which the Coalition could also mobilize. Currently, the strategy narrowly focus on financial resources. This has been clarified further below.

2.5.2 Recommended Actions on Financial Mobilization

Despite the presence of sound financial management which obviously attract financial supports from various donors, an exploration of new sources of funding is highly recommended especially owing to shifting of donor's priorities and global calamities like COVID-19 and the ongoing war in Russia and Ukraine. All these could have implications to the flow of funding in Tanzania and other countries around the world. As such, further improvement of the current resource mobilization strategy is highly recommended as the 2013-2017 evaluation report said.

The suggested reform of the resource mobilization strategy can include the reflection on the following ways or sources for THRDC and its members:-

- i) Accessing existing sources: There are a lot of 'wealth' in every ward, district or region where the THRDC and its members operate in Tanzania. For instance, it is very possible to mobilize resources from:-
 - Community members e.g. building bricks, stones, man-power, etc. for construction of HRDs' office.
 - Local knowledge e.g. use of traditional or religious leaders to influence CSOs' penetration to the communities.
 - Local philanthropists e.g. business persons.
 - Grassroots organizations e.g. their office spaces, staff, experiences, skills of the subject matter, etc.
 - Local Government Authorities (LGAs)' agencies or structures e.g. village committees, village assemblies, etc.
 - Local agencies or structures e.g. women economic groups (e.g. VICOBA and SACCOS).

- Individual donors e.g. membership subscriptions.
- ii) Generating new sources: The THRDC and its members can create avenues for building resources especially financial resources including:-
 - Selling services or products e.g. consultancies and publications.
 - Establishing and operating microcredit programs e.g. women's and youth's SACCOS.
 - Tapping social investment resources.
 - Building reserve funds with investment income e.g. purchasing shares, trading bonds, etc.
 - Membership and subscription packages – already mentioned earlier on.
 - Organizing charity events e.g. charity walk, charity dinner, charity marathon, etc.
 - Engaging corporate companies to support THRDC and its members' interventions through their corporate social responsibility (CSR) schemes.
- iii) Expanding non-financial resources: It is high time that THRDC's members start to explore non-direct financial contributions including the following:-
 - Volunteer time and experience e.g. taking an advantage of 'jobless' graduates.
 - Volunteer skilled labor, such as seconded professional staff e.g. through exchange programs with overseas CSOs.
 - Member and subscriber action e.g. to make use of members' diversified experiences.
 - Goods and materials e.g. asking for used computers, tables, etc. from large CSOs or corporate companies.
 - Aligning/ tagging your CSO's activities with other CSOs' or governmental interventions e.g. seeking to have collaborative intervention with other CSOs or government e.g. on youth, women and PWDs' economic empowerments.
 - Utilizing existing opportunities to reach out your constituency in a cost-effective manners e.g. use of ICT, social media platforms or free-aired programs by community radios.
 - Acquiring land e.g. for construction of office, farming, etc. from the LGAs.

- Applying for charitable status from the revenue authority (TRA) and other authorities in order to get subsidized services or goods.

Best Practice: THRDC initiate self-diagnosis on efficiency (auditing) through independent reviewer

The Coalition, THRDC, commissioned an independent international consultancy firm to undertake the efficiency auditing in 2019. Following this move, the Coalition developed an action plan for execution of all recommendations made. The key recommendations (apart from others already mentioned earlier on) made were in relation to periodic declaration of conflict of Interest; having indirect cost allocation policy or clause; the internal control environment in payments and cash management; formal foreign exchange policy; etc. The evaluation team has noted that, the Coalition was on track in implementing all these recommendations especially by amending existing operational policies. Also, it is commendable effort that the Coalition has reformed its procurement policy to reflect requirements on the screening of suppliers on tax compliance and whether supporting terrorisms, etc. The self-diagnosis of its own operation is a good practice for a health-check and therefore wellbeing of the institutional governance of this organization.

2.6 GENDER MAINSTREAMING INITIATIVES

Apparently, as a way of effectively implementing all corporate good governance principles, THRDC devised the Gender and Social Inclusion Policy. As it is highlighted in the mid-term review report, having the said policy is an indication of Coalition's commitment to promote gender mainstreaming into its programs and operations. The staff and members have been trained on gender rights. As a result, there has been a systematic minimization of gender parity amongst the staff (secretariat level) and BODs' members. However, the leaders of the ZCUs are predominantly men. On the other hand, the efforts to domesticate the regional structure on women HRDs in Tanzania resulted into the formation, registration and operationalization of the Women HRDs Coalition (explained further in this part of the report). The members interviewed on this, including the leaders of the women-led HRD coalition, were optimistic that the agenda on gender mainstreaming into HRDs' interventions, will gain a broader coverage in Tanzania.

Indeed, an assortment of its staff at secretariat level (e.g. including a staff with disability) and the diversity of its member organizations can proof this Coalition's commitment to this policy. However, it is advised that, the name of the policy should be 'Gender and Social Diversity Policy' because 'inclusion' is just one of several aspects of gender and diversity.

2.7 OUTREACH STRATEGIES AND A MOVE TO SPECIALIZATION

The evaluation team applauds THRDC for being innovative on the best way it tries to touch the ground down to the grassroots level and exhaustively of all issues of concern.

Some of the innovative strategies (best practices) to enhance outreach services of this Coalition are observed to be institutionalization of ZCUs; establishment of THRDC in Zanzibar; establishment of the Coalition for Women Human Rights Defenders Tanzania (CWHRDs); clustering of members into thematic groups; effective engagement with all media outlets; maintaining membership and partnership with local and international like-minded organizations.

2.7.1 Registration and Operationalization of the THRDC in Zanzibar

The THRDC Zanzibar was registered in September 2021 under the Societies Act of Zanzibar of 1995. It operates as a full-fledged organization because of its registration status (e.g. conferring on it separate legal liability status from the mother organization, THRDC). The Zanzibar's THRDC is registered as a strategy for extending the operations of the Coalition to the isles especially because the NGOs Act of 2002 is limited in its application to Mainland Tanzania only.

Having this Zanzibar's coalition, facilitate the Coalition to extend its HRD's agenda throughout the URT without legal or administrative limitations. The THRDC Zanzibar, as it is a case for the Mainland's one, becomes the first ever HRDs' organization in the isles. Just within a year of this Coalition's inception in Zanzibar, the visibility and acceptance (buying in) of the HRD agenda has increased at least basing on the 'eye-bow' analysis like a number of high profile government of Zanzibar's officials who have visited the office.

Photo: THDC-Zanzibar Office visitors from the Embassy of Sweden, Deputy Ambassador Sandra Diesel



Moreover, as it appears to be a quick-win success, it is just within this period that THRDC has tied up a very strategic engagement with the Judiciary of Zanzibar. Through this tie, the Coalition supports this Judiciary on its institutional reforms – to begin with a comprehensive needs assessment which was being completed at the time of this review. Through this assessment, THRDC has interacted with a number of stakeholders including the two Vice Presidents of Zanzibar. There was a recommendation from these high-profile offices for THRDC to not only support the Judiciary, but also the whole legal sector (including all law enforcers, prison, law school, bar association (ZLS), paralegals, vakils, etc.).

Photo: Permanent Secretary from Zanzibar State office, Constitution, Legal, Public Service and Good Governance Ministry signing visitors book at the THRDC office in Zanzibar March 2022



Suggestion: THRDC Zanzibar to grab the opportunity and claim a niche as authoritative HRDs coalition in the isles

It is evaluation team's view that, a call to support the whole functionality of the legal sector in Zanzibar offers a golden chance for it to mainstream the HRD agenda into the streams of this justice sector. This being a case then, the THRDC should ensure that the Zanzibar's Coalition not only fully operates with competent human resources, but also, strategically take all these opportunities to become most reliable partner of the State for realization of the intended objectives and vision. On this too, it is further suggested that:-

- i) Zanzibar's THRDC should have its own SP – deduced from the main SP, while considering the isles' operating contexts of CSOs and HRDs in particular.
- ii) Zanzibar's THRDC should have own M&E framework but which is directly linked to the main THRDC.

- iii) Owing to the novelty of this agenda (HRD) in the isles, one experienced officer from the Mainland should be assigned to work in Zanzibar while the Zanzibar's side gains both administrative and operational experience on the standards the Coalition has reached.
- iv) Zanzibar's THRDC should be supported to have all operational policies on human resources, financial management, procurement, succession plan, gender, etc.
- v) Highly competent and motivated staff should be hired, with clear terms of reference and terms in accordance with the laws of Zanzibar.
- vi) Specific needs institutional assessment for the full and effective operationalization of the Zanzibar's office could be considered in a due course before ending of the current SP.

2.7.2 Operationalization of the Coalition of Women HRDs

The THRDC is not a founding entity of the CWHRDs; rather, according to evaluation team's independent perception, the THRDC's presence and interventions are obviously an embryo (germ or seed) to the conceptualization and therefore, a birth to the said women-led HRDs coalition in Tanzania. The core functions of this women-led Coalition share some genes with those of THRDC e.g., protection, security, etc. of the rights of WHRDs. THRDC and other partners deliberated on the need of having a coalition of this nature some years back in Zanzibar during women HRDs meeting held in 2015 under the coordination of the OHCHR regional office in Addis Ababa.

The CWHRDs is intended to offer safe spaces for WHRDs of Tanzania in terms of legal, technical, moral and material supports for both rural and urban. It is registered as the NGOs and just recently, it launched its first five-year SP. Having this thematic based Coalition is an advantage for THRDC to grow up more wings for its wider coverage while nurturing specialization in terms of geographical locations (ZCUs); themes (e.g. thematic areas of focus); and, deepening of gender mainstreaming through its own internal policies mentioned earlier on and now this CWHRDs (which is a strategic partner organization).

2.7.3 Partnership with EHAHRD-Net and Other Stakeholders

Since THRDC cannot rise up its wings beyond its capacity, it has decided to institutionalize partnership with other stakeholders in and outside the country. Some of the very key partners are the EHAHRD-Net (DD); the UN High Rights

Office of High Commissioner (OHCHR); the UN Human Rights Council; African Commission on Human and People’s Rights; the Protection International; the Freedom House; the Committee to Protect Journalists (CPJ); the Front Line Defender; the International Commission on International law (ICNL); Southern Africa Human Rights Defenders Network (SAHRDN) the American Bar Association (ABA); the Pan African Lawyers Union(PALU); the East African Law Society (EALS); and, the International Commission of Jurists (ICJ).



Photo: Mr. Hassan Shire, Executive Director EAHRD-NET (Defend Defenders) from left, handling the East Africa best human right defender award to THRDC National Coordinator (Middle), from right is Aloys former Frontline African Region Director and the current ICNL Officer.

The EHAHRD-Net (DD) laid down whole foundation for the raise up of THRDC. The EHAHRD-Net (DD) has remained to be important pillar in facilitating THRDC to network with similar Coalitions within the region. This network has also been offering technical supports including specialized trainers on HRDs’ protection and security.



Photo: A Group Photo of THRDC and CSOs Representatives attending UPR Pre Sessions in Geneva (2016).

Other partners mentioned above have also a large stake to the THRDC’s institutional development (financially and technically). For instance, THRDC has been aided by these partners to access international human rights forums and

mechanisms like the Human Rights Council of the UN e.g. on the UPR process.¹¹ It is from these partnership that THRDC acquired observer status of the African Commission of Human and Peoples’ Rights (ACPHR) – hence broadening her space of engagement in global advocacy.



Photo: THRDC National Coordinator and the Head of Defend Defenders Geneva Office at the UN during the final adoption of the Tanzania UPR report March 2022.

At the national level, THRDC partners with a number of networks and individual institutions or organizations those include working on media issues such as the Media Council of Tanzania (MCT); the Union of Press Clubs Tanzania (UPT); MISA-TAN; academic institutions such as the Law School of Tanzania (LST); the University of Dar es Salaam; professional associations such as the bar associations of Zanzibar and Mainland Tanzania (ZLS and TLS respectively); etc. This Coalition also works with the State’s agencies like the national human rights institution (CHRAGG) as it is further explained below.

Note, the rest of the outreach strategies mention in this section are explained elsewhere in this report. For instance, the ZCUs and thematic membership are explained in part three of this report. An effective engagement with the media including THRDC’s Watetezi online TV, social media platforms, etc., are explained above under paragraph 2.3.3 of this part of the report.

11 The UPR is the Universal Periodic Review. Kindly visit the UN website(s) for more details about UPR. On this process, THRDC successfully coordinated CSOs’ involvement in Tanzania. These engagements contributed to influencing more than 50% of the recommendations from CSOs and have now been endorsed (accepted) by the government for an implementation.

2.7 INSTITUTIONAL SUSTAINABILITY STRATEGIES

2.7.1 Overview of THRDC's Institutional Sustainability Approaches

Basing on evaluation criteria indicated in Box 1.1 of part one of this report, the institutional sustainability in the context of this evaluation simply means continuation of an existence of the THRDC as an institution (i.e. secretariat) as well as its operations e.g. through its members. The sustainability of intervention strategies and results earned is discussed in part four of this report.

The institutional sustainability generally depends on a number of factors including ability of this Coalition (and its members) to mobilize resources (discussed earlier on); and, the capacity to assess and mitigate potential risks including adhering to legal compliance requirements (also discussed earlier on). There are much more factors though suggested here-in-under this section.

2.7.2 THRDC's Best Practices on Institutional Sustainability

This review has noted that, the THRDC has well established governance systems, led by the BODs, which in turn advises the secretariat through formalized sub-committees (finance, fundraising, etc. committees) as it is explained earlier on. In this way, the wellbeing of the Coalition is checked periodically and systematically; and that, operational challenges are addressed. A good example could be on how the BODs guided the secretariat to navigate through the challenges it faced in 2020 and 2021 e.g. when its bank accounts were frozen; and, during COVID-19 pandemic.

Secondly, again, as said earlier on, the Coalition has re-structured itself into a decentralized form linking members through ZCUs. This too is a survival strategy because such Units they can carry out HRD's agenda independently especially if the will be supported further to enhance the institutional and operational capacities e.g. having in place SOPs suggested above.

That matter is brought into this perspective because some of the stakeholders consulted during the review in January 2022 had a concern that, the ZCUs could not sustain as independent and self-organized structures because they are marred with a number of institutional challenges. An interview in Singida urban in January 2022 who was consulted by the evaluation team for an opinion of ZCU said that, 'we appreciate the capacity building support the secretariat has provided to us learning on fund raising and strategy planning process, but this will take time before most ZCUs are capable to effectively raise funds on their own.'

Despite the challenges, having this initiative in place it is itself a success to celebrate. Going forward then is just to re-shape and enhance their operations.

Recommended actions for operationalization and sustainability of ZCUs

THRDCs will also take all these issues on ZCUs very sensitively and careful to avoid delusions of mandates between the secretariat and the said units. A separate and critical analysis on ZCUs is recommended so that the Coalition could have an informed decision and plans on ZCUs. The recommended reforms for sustainability of ZCUs include orienting them of results-based planning e.g. to have own SPs, financial resources (mobilization strategies) and qualified management teams.

In relation to ZCUs, presence of THRDC Zanzibar and the Women HRDs Coalition are also good sustainability strategies especially when the two will be fully operationalized as it is a move at the moment. For instance, the THRDC Zanzibar was established as a refuge to re-mushroom the growth of HRD movements in Tanzania if the authorizes were to deregister the ‘mother’ THRDC of Mainland Tanzania.

2.7.3 Recommended Actions for THRDC’s Institutional Sustainability

In addition to a number institutional sustainability strategies being implemented by the Coalition, it is recommended that the same could be scaled up and a few more consider as indicated below:-

- i) Investing more in partnerships and collaborations: e.g. by adopting and operationalized the Stakeholders’ Engagement Strategy (explained more in part three of this report). Note that, credible partners would help the Coalition or its members to take its/ their visions of HRDs beyond the institutional capacity.
- ii) Flexibility (resilience): The Coalition also needs to keep flexibility approach e.g. in case of untimely occurrences like pandemics or decisions of politicians e.g. in freezing of bank accounts.
- iii) Boosting existing relations: especially with the State machineries and donors. On relationship with the donors, the Coalition will need to maintain and even increase a goodwill it has. Observation of financial integrity and statutory obligations should be at the top of its agenda.

- Note: The current approach of working closely with the State’s machineries e.g. case of Zanzibar where THRDC support judicial review, is highly recommended. That is, instead of using ‘confrontational’ advocacy strategies (which could not be avoidable in some circumstance anyway), the most preferred approach should be on system strengthening (‘intelligence approach’) in order to gain an easy access to the functionality of the State’s machineries.
- iv) Enhancing visibility and remain focused to the core functions of the coalition. The visibility is crucial for winning public support e.g. having shared quality ‘products’ (e.g. reports and other materials). Remain focused on the core function will make THRDC an authoritative HRD network in Tanzania. This will definitely enable it to remain unique and therefore monopolizing donors’ attention when it comes to HRDs issues in Tanzania.

2.8 THRDC’s RESPONSE TO COVID-19 AND OTHER POTENTIAL RISKS

Despite the fact that THRDC did not have a contingency disaster management policy at the time when COVID-19 was declared a global crisis in March 2020, yet still, it managed to devise some practical strategies including making an analysis of the effects and implications of this pandemic to CSOs’ operations; and, made some recommendations to the government on the best ways the plague could be managed.

The evaluation team have seen a well written CSOs’ position paper on COVID-19 responses prepared by this Coalition under the support of development partners, particularly, the Action Aid Tanzania (AAT). The paper was presented to the Minister for Health. Some of the CSOs’ recommendations e.g. to have inclusive public health management system and amendment of the National Disaster Management Act of 2015 (to incorporate CSOs in the response committees) have been considered for possible amendment – according to the Minister’s statement.

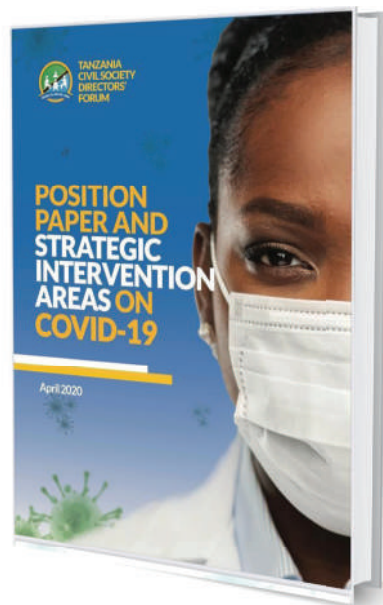


Photo: CSOs' Position paper on COVID-19 Being handled by CSOs Directors to the then Deputy Minister of Health, Hon F. Ndugulile

The THRDC's members and other CSOs were well guided by the said position paper. Additionally, the secretariat swiftly re-allocated some funds for purchase of sanitizers, face masks, etc. The office was closed and staff had to work remotely under support of the technology.

Other for other potential risks (apart from pandemics), it is a good practice that THRDC has devised a risk management framework and its implementation strategy ('risks register') of July 2019. The said framework is aimed at, *inter alia*, informing or guiding the Coalition on effective process to support better decision making through good understanding of risks and their likely impact.

The framework is quite exhaustive. However, going forward, THRDC will need to improve this framework by widening the register e.g. to consider legal compliance requirements of all relevant laws, rules and regulations governing CSOs as it is explained further elsewhere in this part of the report. Moreover, the applicability of this policy to THRDC's members has to be clearly articulated in the policy document. Issues on security and protection at institutional and operational levels have to be adequately addressed in in this risk policy.

2.9 PUBLIC OFFICIALS' MOST RECENT OBSERVATIONS ON THRDC'S INTERVENTIONS

Apparently, the intensive sensitization programs that THRDC has been conducting also as part of enhancing its visibility, has resulted into solidification of THRDC-State working relationship. Institutionally, this is one of the sustainability or survival strategies. That is, ensuring that the State's machineries consider THRDC as a partner and not an antagonist.

Best Practices: THRDC has a MoU with CHRAGG and entrusted to support review of the Judiciary of Zanzibar

The THRDC-State working relationship has so many useful stories to share. The emerging results of a decade of THRDC's operations highlighted in part four of this report support this observation. It is a good gesture that THRDC works with the CHRAGG which is the constitutional and statutory national human rights institution in Tanzania. To formalize this working relationship, the two signed memorandum of understanding (MoU) in 2018. Ever since, the duo has been helping each other on institutional and operational issues e.g., training session on human rights monitoring and reporting; preparation of UPR report; etc. THRDC has also been working closely with the Judiciary of Tanzania since 2012, for instance in 2015 THRDC and the Judiciary conducted refresher courses on management of election petitions to judicial officers, in 2021 THRDC and Judiciary through Institute of Judicial Administration have jointly started developing human rights training manual for judicial officers.

On the other hand, as it appears to be unprecedented all over the country, it was for the first time that a local CSO support holistic review of the Judiciary. As part of implementing the MoU with THRDC, the Judiciary of Zanzibar initiated judicial review process under THRC support, which was ongoing at the time when this report was finalized in April 2022. Through this review, THRDC has managed to interact all key public and private stakeholders including the Offices of Vice Presidents One and Two of Zanzibar. The expectation on THRDC's institutional and operational supports to the judiciary and whole functionality of justice systems in Zanzibar is very high as it is explained above.

**WORKSHOP ON THE ROLE OF JUDICIARY IN SECURING ELECTION
PROCESS IN TANZANIA BEST PRACTICES AND CHALLENGES EMERGED IN 2010
TANZANIA AND 2013 KENYA ELECTION PETITIONS
20TH OCTOBER 2016, NEW AFRICAN HOTEL, DAR ES SALAAM.**



Photo: A group photo with some of the participants of the workshop for judicial officers in 2015. From the left is Retired Judge Damian Lubuva, Former Chairperson of the National Electoral Commission, followed by THRDC National Coordinator, Adv. Onesmo Olungurumwa, next to him is Justice Othman Chande, Former Chief Justice of Tanzania followed by Hon Lila, former Principle Judge, the rest are trainers Hon Justice R. Makaramba and Hon T. Mihayo.

When speaking during different occasions in a few months ago (prior to the completion of this report in April 2022), some of the top governmental leaders had the following observations on the work and relevancy of THRDC (note there are full video and audio documentations):-

- i) Recognition of the THRDC from the highest office of URT: It was a huge pleasure and respect for the President of the URT, H.E Samia Suluhu Hassan to recognize the work done by CSOs in Tanzania in promotion of human rights. On her remark made at the State House in Dodoma on 16/03/2022, the President specifically mentioned THRDC amongst all other CSOs which caught her attention. She thanked CSOs, including THRDC for their continuous support to the government in, among other issues, implementing various development project e.g. regarding persons with disabilities. Receiving this compliment from the Head of the State especially at this time when THRDC gathers its strengths from the 2020/ 2021 fracas is, indeed, an impetus and opportunity all together to work strategically with government. It

could also be regarded as an indicator of recognition of HRD by the highest authority of the country.

- ii) THRDC's work supports the government: On 14/03/2022 during the Zanzibar Annual NGOs Forum organized by THRDC in Unguja, Zanzibar, Hon. George Submachine (by then Minister of Constitutional and Legal Affairs), lauds THRDC contribution in human rights promotion and protection. He said, inter alia, that '... this Coalition (THRDC) does a good job in promotion and protection of human rights in the country ... I know your work in supporting the government initiatives in the area of human rights protection. Please keep it up ...' Hon. George Simbachawene
- iii) Fruitful Engagement with the Government of Zanzibar: Speaking during the NGOs' Annual Forum (organized on 12-14/03/2022 in Zanzibar), the Registrar of Societies of Zanzibar, who is a regulatory authority of all CSOs operating in Zanzibar, applauded the THRDC Zanzibar for what he termed as 'an effective collaboration and engagement with the government of Zanzibar.' He remarked that,

“... despite this Coalition being new here in this country, yet, it has already demonstrated quite commendable approach of engaging with the government. We are optimistic that this collaboration would be carried far for the benefits of the Zanzibar's development ...”, said Mr. **Khalid, the Registrar of Societies of Zanzibar.**

- iv) President of Zanzibar is informed of the THRDC-Judiciary partnership: Yet more a high recognition of the presence and work of THRDC in the other side of the URT, Zanzibar was from the Acting Chief Justice (CJ) of Zanzibar, Hon. Khamis Ramadhan when he delivered his speech on the Law Day in Zanzibar on 7th February 2022. This speech was made in the congregation attended by the President of Zanzibar, H.E Dr. Hussein Ali Mwinyi (Chief Guest of the event). In this event, almost all senior State's officials were present.



Photo: Front table during the Refresher Workshop to Judges and Magistrates in Zanzibar in November 2021. ‘.... Honorable President, we (Judiciary) have been partnered with the Tanzania Human Rights Defenders Coalition (THRDC) in our work. They have supported us to undertake a need assessment of the Judiciary ... we have already formed a team that will collect views and recommendations from the stakeholders on the possible judicial reforms ...’ Acting CJ Ramadhan Khamis said to President Mwinyi during law day in Zanzibar, 2022

Apparently, it is from this recognition to Head of State of Zanzibar that the team of consultant hired to undertake the needs assessment were accorded with full support to consult even the first and second Vice Presidents of Zanzibar in April 2022.



PART THREE

IMPROVEMENT OF MEMBERSHIP AFFAIRS AND PARTNERSHIPS

3.1 INTRODUCTION

The health and welfare of THRDC's members are what justify legitimacy of this Coalition's existence and also its performance including an achievement of the objectives and vision of the same. Apparently, with this in its attention, THRDC decided to invest quite enormously into its members' capacities, security and protection. The gist of all these being sustainability of the members – henceforth, of the Coalition as a whole.

This part makes an analysis and presentation of the key findings on the initiatives taken by the Coalition's secretariat over past ten years to improve the quantity and quality of its membership base. Additionally, since THRDC operates also with numerous partners (i.e. through its secretariats or members), an account is also made with regard to the way in which the Coalition collaborate with other partners who are not necessarily members.

The impacts and areas needing further reforms of all these (membership and other partnership) are explored and presented here-in-under. Note that, issues pertaining capacity building in relation to the protection and security management services are covered in part four of the report. In that part, advocacy interventions are also explored. Therefore, this part is limited to members and partners affairs only. It is also worth noting from this outset that, basis for an analysis of members and partnership affairs are the same evaluation criteria especially the relevancy, effectiveness and, of course, results of THRDC's interventions (e.g. coordination through ZCUs) to the members. Kindly refer to Box 1.1 of part one of this report for clarifications on these and other evaluation criteria.

3.2 OVERVIEW OF MEMBERSHIP AFFAIRS TO THRDC

Based on the statistics, case studies, testimonies, etc. noted during this evaluation process in relation to the set of performance indicators reflected in the 2013-2017 SP and the 2018-2022 e.g. increased in number of members; enhancement of their institutional capacities; improvement of coordination; and, issues of protection and security (see part four of this report), it is obvious that there is quite progressive improvement of members' affairs. This has impacted into an improvement of HRDs interventions on the ground – compared with the situation in the past e.g. in 2012 whereby HRD was considered as an alien concept.

“THRDC has provided a platform for HRD to come together and exchange experience on how to address human right violation challenges. I can now meet and talk to a colleague in Pemba through our zonal meetings and exchange ideas. This was not the case in the past when we worked alone” **“ I am happy to be a member to THRDC” HRD key informant, Zanzibar**

As for the membership base, the mid-term evaluation conducted last year, 2021, found significant expansion of membership prior to the legal and administrative actions the government limiting eligibility and implementing capacity. It was noted that, apart from intensifying its capacity building trainings, the Coalition initiated structural change with a decentralization approach (e.g. ZCUs). The capacity building programming was implemented focusing on the needs identified which were in relation to risk assessment, security management, strategic planning and fundraising skills. As it has been illustrated in this part of the report, a number of members have shown organizational progress in response to the knowledge gained. The testimonies and statistics altogether support this stance. Below is presentation of the analysis and findings on the membership trends, qualities, coordination, etc.

3.3 QUANTITATIVE IMPROVEMENTS MEMBERSHIP AND PERCEIVED EFFECTS

Having concentrated much on institutional development (structures, systems, procedures and internal operations of the secretariat) in 2013-2017 as it is explained in part two of this report, a focus was elongated to consider members' affairs as well.

3.3.1 Strategic Changes Recently Adopted to Scale-up Membership

The 2018 evaluation report on implementation of previous SP recommended, among others, a need to improve the handling of members' affairs. Picking from this suggestion, THRDC designed a specific result area (outcome) on enhancement of members' affairs in its current 2018-2022 SP.

The intention or logic of this strategic objective is to organize and mobilize HRDs in order to maintain close communication with each other and sharing opportunities that would benefit them in exploring how to jointly defend people against human rights violations.



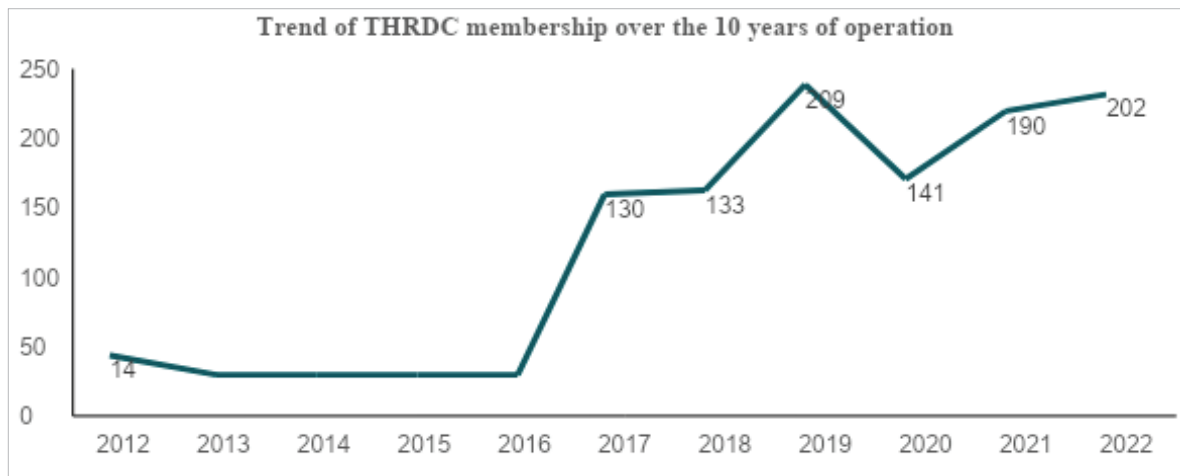
Photo: Group photo in front of member's offices during member's visits in Mtwara and Serengeti

In order to institutionalize this, the Coalition went further to recruit specific desk or program officer on members' affairs (and networking). There is also a database which is periodically being updated. The said program officer and the National Coordinator pay technical support visits to the current members but, at the same time, map recruitment of new ones. Such developments earned a number of successes, including: -

3.3.2 Broadened THRDC's Membership Base Thousands of Times between 2013 and 2022

The membership affairs program focuses on broadening the membership base (i.e. increase in numbers) as well as deepening understanding of the HRD concept, and the challenges. The results of such major changes on membership affairs resulted into a sharp increase of the members especially from 2018 as Figure 3.1 below shows.

Figure 3.1: Trends of Membership of THRDC 2013 – 2022



Source: THRDC’s Membership Database, March 2022.

During the first phase 2013-2017, THRDC had total of 130 members who reached that number from only 14 the Coalition had at its inception year. An increase of members from only 14 in 2013 to 202 is equal to 1,343% above the initial baseline of the membership base.

There was a sharp increase of member between 2015 and 2017 because of a couple of reasons including the increase of security challenges facing HRDs, the growth of THRDC, positive feedback from members to other organization etc. An increase of 72 members between 2017 and 2022 (four years) is equal to 55.4% upsurge of just within four (4) years. This could tell how impactful the changes on membership affairs have been.

Moreover, a sharp increase of members during this period could be attributed to the perceived shrinking of civic space of civil society sector whereby, HRDs had to seek refuge to THRDC as specialized defenders’ network in Tanzania. This too confirms positive perceptions of the people (HRDs) on the relevancy of the Coalition (see figure 3.1 above).

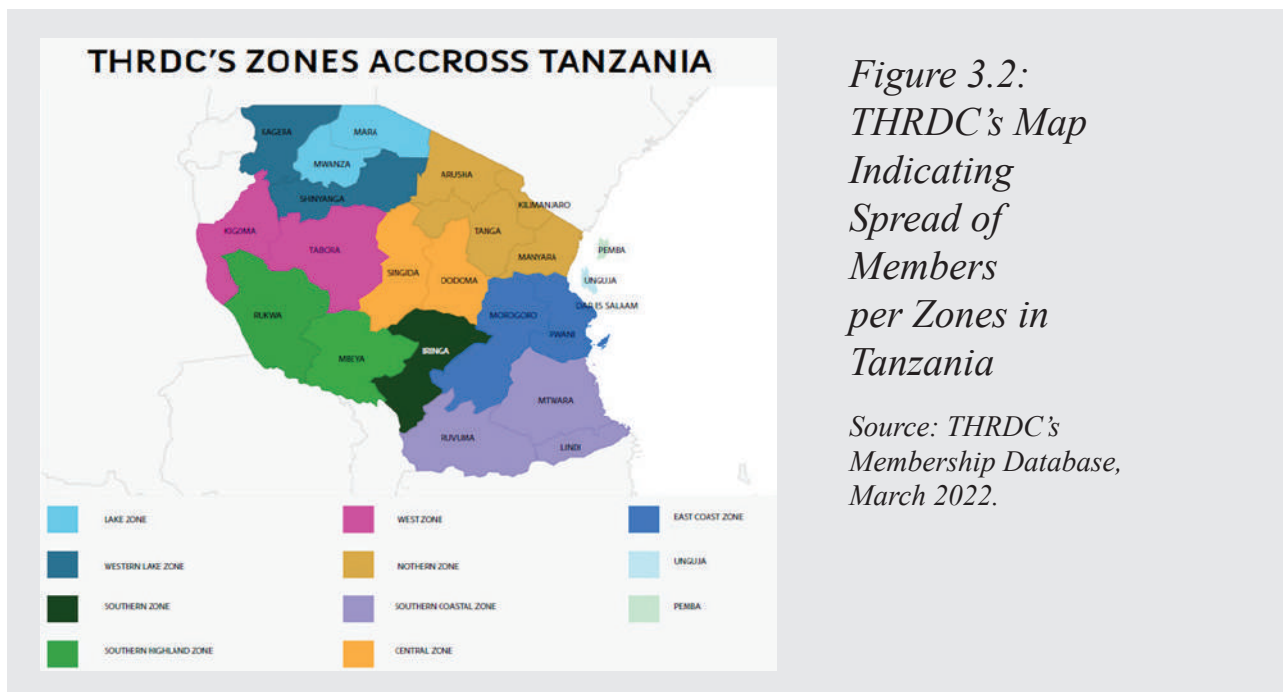


Photo: One of the THRDC’s Annual General Meeting

3.3.3 Ensured Geographical Coverage of Membership

It is also a commendable strategy that THRDC took an initiative of re-screening its membership base in order to cleanse and remain with only active ones basing on the Constitution of the Coalition.

In addition to that, this organization mapped the spread or geographical representation of its members in a bid to ensure that, all regions (or rather zones) are sufficiently serviced with HRDs. Figure 3.2 below shows the THRDC's map of members in Tanzania per each of the eleven zones.



*Figure 3.2:
THRDC's Map
Indicating
Spread of
Members
per Zones in
Tanzania*

*Source: THRDC's
Membership Database,
March 2022.*

Figure 3.2 above shows that, THRDC membership is spread throughout the URT except in a few regions (i.e. Geita and Simiyu). The spread has been gradual but systematically over ten (10) years. While the target is now on zones and regional levels, it is expected that, with the current growth rate, the spread would be rated at district and lower levels of administrative units in order to enhance the geographical coverage.

Suggestion: Needed membership eligibility assessment – SWOT

The evaluation team considers this as a positive and strong stride towards spreading HRD agenda throughout the country. However, the challenge could be on the capacity of the secretariat and ZCUs to manage the bigger size of members especially because when funding could and capacities of the ZCUs could be issues of concern. It is therefore advised that, THRDC should conduct a thorough membership eligibility assessment by considering the current funding trend and ZCUs' strengths, weaknesses, opportunities and threats or challenges (SWOT).

3.3.4 Improved Coordination through Decentralization Approach – ZCUs

The THRDC moved for centralized coordination approach (CCA) of the members through its secretariat based in Dar es Salaam (2013-2017) into the decentralized approach through ZCUs managed by members themselves down to the grassroots levels (2018-2022). In addition to this new approach (decentralization), there is a specific desk or program officer on membership affairs and the database of the same as it was said above (see paragraph 3.2). Yet more, efforts have been made to institutionalize these units e.g. refurbishing the Mtwara zonal office as a model unit; and, signing of MoU between the secretariat and the ZCUs.



Photo: Door of Hope and Mtwara THRDC ZCUs office in Mtwara

As it is asserted in the mid-term review report, all these efforts are geared to strengthen members' ownership and energizing the HRD agenda with less dependence on the Coalition's secretariat. However, both the secretariat and the

ZCUs/ members have to be proactive on this move e.g. for the secretariat to use some of its well-established members in each zone as the capacity builders of the rest of the members in their areas of jurisdictions. Alternatively, as suggested elsewhere in this report, consultants or like-minded organizations can be commissioned to carry out such responsibilities. Mapping of capacities within the zones could inform on all these ideas.

Currently, there are 11 ZCUs, from only 6As Table 3.1 below shows, except the Central Zone, Southern Coastal Zone, and Southern Zone, all other zones had more than 15 members as of April 2022

Table 3.1: Number of THRDC’s Members by Zone as of April 2022

S/N.	Zonal Coordination Units (ZCUs)	Number of Members
1	Central Zone (Dodoma, Singida, Morogoro)	11
2	East Coast Zone (Dar es Salaam, Pwani and Tanga)	54
3	Southern Highland zone (Mbeya, Songwe and Rukwa)	14
4	Western Zone (Kigoma, Tabora, Katavi)	17
5	Eastern Lake Zone (Mwanza, Simiyu, Mara)	20
6	Western Lake Zone (Kagera, Geita, Shinyanga)	16
7	Southern Coast Zone (Mtwara, Ruvuma, Lindi)	12
8	Southern Zone (Iringa and Njombe)	3
9	Northern Zone (Arusha, Manyara, Kilimanjaro)	20
10	Zanzibar Unguja Zone	16
11	Zanzibar Pemba Zone	19
	Total Members:	202

Source: THRDC’s Membership Database, April 2022.

It is also noted by this review that, in order to ensure the ZCUs capacities are strengthened, THRDC has designed support mechanisms including training, delegating more mandates to them to strengthen outreach services to members, stakeholders at grassroots levels and the general public, etc. Indeed, emerging results on the HRDs’ interventions are observed e.g. addressing issues of concern from their localities without necessarily consulting the secretariat. Some of ZCUs have been able to expand membership based within their areas.

Best practice: YAAPA as ZCU for West Zone increased members from 4 to 17

Mr. Alex Luoga, YAAPA Director, THRDC Zonal Coordinator for west zone when approached for a comment on THRDC's relevancy generally in April 2022, he was of the view that, '...strategic plan that was developed for our organization by THRDC has helped YAAPA to get a straight light on the responsibilities aligned for our organization. Additionally, security management trainings helped me to escape from unlawful arrest by the police in the year 2019 when we were working on documenting Teleza saga here at Kigoma. YAAPA as a zonal coordinating unit is proud to widen the base of membership in the region. We were elected as zonal coordinating unit in 2017 when this zone had only 4 member organizations. Now 2022, this zone has 17 members. It is evident that we have gained a huge capacity ...'

The future expectations include to enable the ZCUs to become capable of enhancing institutional and operational capacities of members within their areas of jurisdictions. The evaluation team considers this as a unique strategy that the Coalition and its members envisage.



THRDC'S ZONAL COORDINATORS MEETING Evaluation of the Implementation of ZCU Guidelines and Training on Proper Report Writing Skills

VENUE : SEASHELLS HOTEL, DAR ES SALAAM

DATE : 06th DECEMBER, 2021

Photo: ZCUs Training on Report Writing Skills and Guideline Evaluation

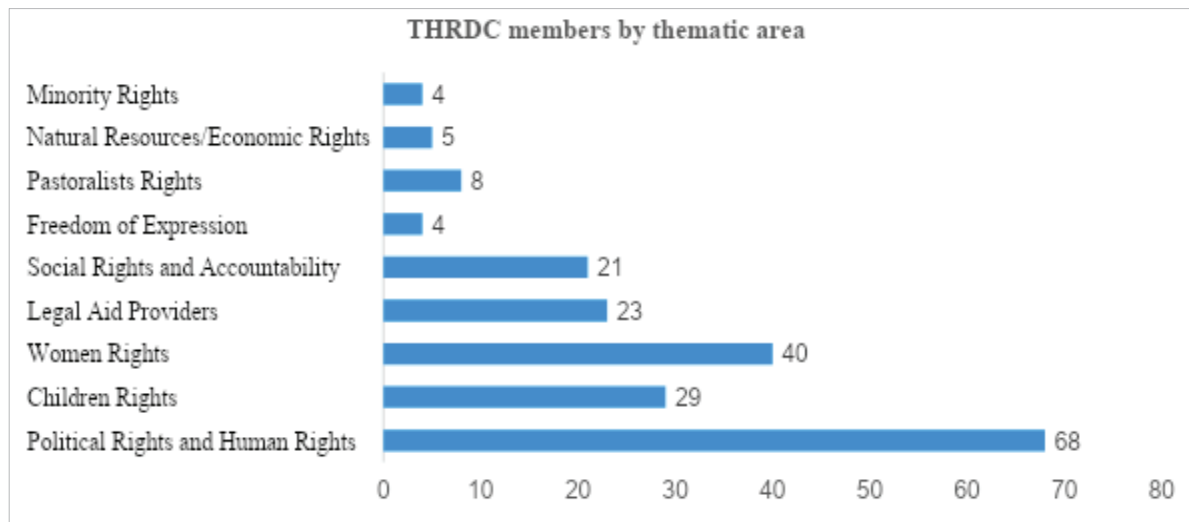
But, as suggested earlier on, there is a need to institutionalize further the ZCUs e.g. through SOPs in order to systemize and standardize their operation in their respective vicinities.

3.3.5 Ensured Thematic Coverage towards Specialization on HRDs' Interventions

The third important development on membership affairs, usability and coordination that this Coalition has adopted especially during this SP's implementation phase is on clustering of its members basing on thematic areas of their operations. This is for considering how best it can advance the HRD agenda thematically and therefore exhaustively.

As Figure 3.3 below shows, there are about 10 thematic areas mapped, the leading one with many members being in political and human rights generally.

Figure 3.3: THRDC's Members by Thematic Areas



Source: THRDC's Membership Database, April 2022.

The evaluation team is of the view that, the 'human rights' thematic area should be unpacked as it is too general. Secondly, there is a need to have a specific thematic area on disability (not to be engraved into 'minority rights'). Thirdly, there is a need to have uniformity of labeling thematic areas cause others e.g. 'legal aid providers' connote thematic group and instead of thematic issue. The 'minority rights' need to be clarified as it is subjectively used depending on the context. For instance, in other countries minority rights include the rights of pastoralists (indigenous people). It is generally proposed that, the list of thematic areas should be re-considered in order to make it logical and exhaustive.

Suggestion: Reconsider its membership eligibility guidelines

There is a need for further screening of nature and types of members enrolled in the database. It looks that some of them have no direct relevancy to the work of HRDs especially to become members of the ‘coalition’ (see a definition in Box 3.1 above). A focus should be on quality and relevancy of members instead or not on quantify of the same. On this issue, it is suggested that THRDC should reconsider its membership eligibility guideline and publish a new one.

3.4 EMERGING RESULTS OF IMPROVED MEMBERSHIP AFFAIRS

One obvious result albeit at output level is an increase in number of member organization as Figure 3.1 above shows. Secondly, improved coordination and usability of members on HRD issues due to establishment and institutionalization of the ZCUs and also clustering of members into thematic areas as Figure 3.2 and Table 3.1 above show.

“THRDC has been instrumental in the development of a strategic plan where through a consultant hired by THRDC, we were able to receive aid from development partners (friends of AICIL) and to know our vision and with their trust, they provided funds to our organization,” **Agnes Haule, Executive Director AICIL said during the physical visitation in the Southern Coastal Zone**

3.4.1 Increased Trust in the Members after Sensitization by THRDC

The impacts of such institutional efforts plus capacity building (explained below) have rendered into an improved outreach coverage of HRDs’ work. The vigilance and professionalism on part of members are gradually gaining visibility e.g. by considering the reality that they are becoming assertive of issues concerning them and that, some of the government authorities recognize them.



Commenting on the sensitization interventions on the HRDs work that the Coalition has done so far, several members were of the view that, the working relationship with the government authorities at the local level was steadily improving. The Board Chairpersons of the Kigoma Paralegal Center (KIPACE) told the review team in April 2022 that, ‘... being a member of THRDC has given us (KIPACE) valuable connections to the authorities. Once we introduce ourselves as members of the Coalition, then even authorities and partners become willing to work with us, this is a great honor ... going forward then is to capitalize on this goodwill have created as a Coalition ...’ So many similar testimonies were heard and, the local authorities were of the same sentiment on THRDC.

Furthermore, there were a number of HRDs’ organizations which were accredited to observe local government elections in 2019 despite their identity being known as HRDs. Four (4) out of 13 members applied for the accreditation from the National Electoral Commission (NEC) had their application gone through. The following year, a total of 29 THRDC’s members were accredited to provide voters’ education and 16 members were allowed to observe the national election of 2020. This could not have been possible in a few years back. All these are good indicators that awareness and capacity building trainings as well as THRDC-State engagements have been fruitful.

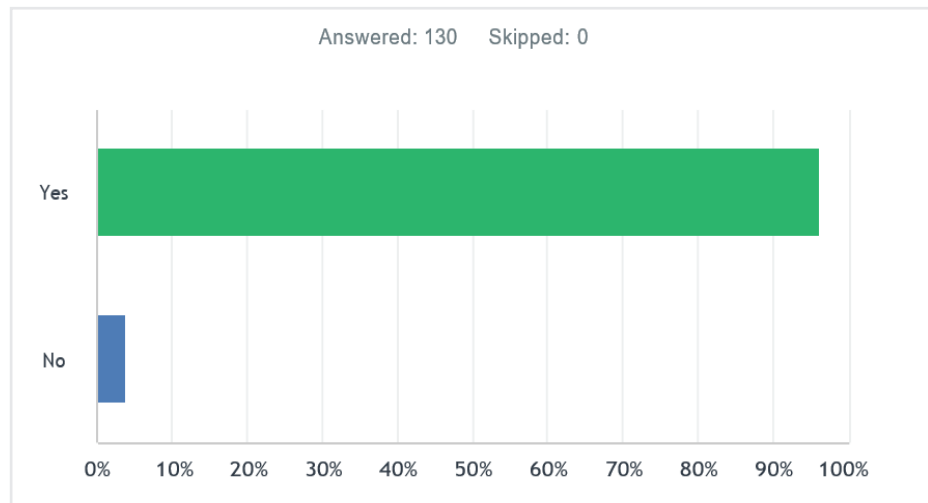
Moreover, of unique importance is the birth of two HRDs’ entities attributed to effective coordination e.g. institutionalization and specialization factors. Such entities are the THRDC Zanzibar and the WHRDs explained in part two of this report.

3.4.2 Members’ Perceptions on THRDC’s Relevancy (2013 – 2022)

The evaluation report of 2013-2017 SP indicated members’ understanding of their responsibilities to the Coalition and their expectations of joining this initiative. The findings as confirmed by the current review (January 2022) are the same.

Responding on the relevancy and usefulness of this Coalition to them, as Figure 3.4 here shows, the majority (96.2%) of the members interviewed by the evaluation team said ‘yes’ to the relevancy or usefulness (‘benefits earned’) of this Coalition into their operations.

**Figure 3.4:
Perception
of Members
on THRDC’s
Relevancy or
Usefulness**



Source: Evaluation’s Survey, April 2022.

Clarifying further on this in April 2022, one of the interviewees based in Mwanza was of the opinion that,

“With THRDC, we feel protected as an organization, even if we haven’t been in any threat as yet. We feel this from the way the secretariat responds to our fellow members when they get into trouble for instance with the (government) administrators or law enforcers ... I followed up an incident of our college here in Mwanza ... they got a massive legal backup when the DC tried to order their arrest or something like that ...”

The nature of relevancy, benefits being earned or changes (i.e. results and effectiveness) felt by members from the THRDC were mentioned to include: -

- i) Increased protection and security mechanisms of HRDs e.g. there is a publication on these subjects (part four presents more on this aspect).
- ii) Improved awareness of specific rights of HRDs since 2012.
- iii) Increased capacity for their physical and digital security as HRDs.
- iv) Strengthened institutional capacities e.g. a dozen of them were supported to develop SPs.
- v) Increased government engagement through networking session, dialogues and meetings coordinated by THRDC.

- vi) Increased members confidence in defending human rights in the country, for they know THRDC backs them e.g. some members in Mwanza, Arusha, etc. have been issuing press statements to condemn some forms of human rights violations.
- vii) Increased members' understanding on laws and policies governing the operations of CSOs in Tanzania (e.g. through compendium of laws published by the Coalition).
- viii) Increase information sharing and networking amongst HRDs.
- ix) Kept abreast of the contemporary issues of concern particularly response and interventional guidance of COVID-19 e.g. THRDC in collaboration with AAT published the CSOs' Position Paper on COVID-19 in July 2019.
- x) Increased compliance to the legal requirements by members for instance of taxation matters (a toolkit published as said earlier on). As a result, none of the members have been faulted for breaching the law from the time when the Coalition guided the members on all these issues in 2019/ 2020.

Interrogating further on some of those aspects mentioned above i.e. relevancy and effectiveness in terms of usefulness and added value of THRDC into the existence and operations of its members and the HRD agenda generally, the members interviewed in April 2022 were of the following rating as Table 3.2 below shows.

Table 3.2: Members' Rating on Some Aspects of THRDC's Relevancy and Effectiveness

N=130 Areas of THRD's Relevancy – Members Opinions	Very High (81-100%)	Good (61-80%)	Fair (41-60%)	Weak (21-40%)	Very Weak (Below 20%)
The SP or interventions addressed (your) priority needs as a members?	47%	49%	3%	1%	-
THRDC's support considered useful by targeted persons or institutions?	15%	81%	2%	2%	

Opportunities for you to participate in THRDC's program design?	5%	23%	66%	3%	2%
Support was given all the time and effectively to HRDs in needs?	39%	42%	17%	1%	1%
Support responded to members' strategic priorities?	34%	55%	7%	4%	-
Relevancy of capacity building trainings on protection and security.	49%	48%	1%	2%	
Usefulness of capacity building trainings on protection and security.	23%	34%	43%	2%	
Presence of room to adopt to changing situations e.g. COVID-19?	36%	57%	4%	3%	-
THRDC's program complemented the work of your organization?	41%	52%	5%	2%	
Support of THRDC to your organization's institutional capacity needs e.g. fundraising?	33%	53%	12%	-	2%

Source: Evaluation's Survey, April 2022.

Table 3.2 above indicates that majority member's perceptions on the relevance and usefulness of THRDC to their operation and HRD agenda generally is good. Almost same suggestion given in 2018 on how the THRDC relevance could be improved, was made this time around again. That, the Coalition should improve further its investment in members' institutional capacity needs so that they can also have good level of performance like the secretariat.

Moreover, there was a concern mentioned that, sometime, the THRDC's secretariat has its interventions overlapping to those of members. Suggested solutions on this particular challenge of 'overlapping' of responsibilities between members and secretariat included a need to have joint implementation plans e.g., based on

thematic issues or geographical localities. THRDC as umbrella organization has been coordinating joint HRDs activities such as UPR , joint fact finding missions, joint statements etc, perhaps this approach need to be well understood by THRDC members.

However, this perception doesn't erode the reality that THRDC is one of the membership organizations in Tanzania that tried extensively to work as the network and for its members. Majority of THRDC members testified how their membership with THRDC changed their organizational status. This perception might also be fueled by the reality on the ground that some THRDC members are also trying to do the same work done by THRDC like supporting HRDs at risk.

Suggestion: Needed common implementation plans and M&E frameworks

Indeed, one of the strategies which THRDC can adopt to ensure an alignment of its interventions to those of members (apart from its inherent responsibility on capacity building) is to ensure as much as possible that members' strategic plans incorporates THRDC's SP components. Moreover, there is a need to have a joint or common Advocacy Strategy; and, unified M&E frameworks – albeit of major or issues of commonalities e.g. awareness rising of HRDs' rights and legal reforms at different levels.

Apparently, the usefulness and added value aspects the members are feeling to have been gaining from their Coalition has led the stead expansion of its membership based from only 14 at its inception in 2012 to more than 200 as of April 2022. This could imply a huge confidence the CSOs have on THRDC as some of them testified here-in-under quoted them.

- i) PWY: 'We have received first ever grant from a donor after being THRDC's members'

At least about 50 members had a view that, for them being members to this Coalition a trust to donors increased. This could be associated with a goodwill that THRDC has earned over a decade now. A director of PWY organization based in Mtwara, told the review team in April 2022 that,

“... honestly, we have seen the benefits of being part of THRDC. Through THRDC, we were trusted by donors as despite our organizations being very young on a seed level in the year 2020 and 2021, we received our first grant from Swiss Aid and it was referred to us by the Coalition through THRDC’s zonal coordinating unit. PWY managed to complete the project and was later on given more funds ...” **Mr. Alfred Alferius PWY’s Director**

With this kind of THRDC support to its members and other guided support on ethical management of donors’ funds, there is high possibility that more THRDC members will receive financial support in the near future.

ii) SHIHABINA: ‘We are being well guided on advocacy interventions’

Having been given trainings on advocacy skills in many occasions, almost all members interviewed rated the initiative as very useful one. There was a common observation from most of them that, they initially struggled to engage with the local authorities even for simple issues they needed some changes. However, after the training, a smooth way of engaging with stakeholders is observed and emerging changes are seen. The director of SHIHABINA organization based in Ruangwa Lindi told the review team in April 2022 that,

“... became a member of the Coalition and acknowledges to have enjoyed the benefits of gaining from the protection and security training. THRDC has been of great assistance to me as a human rights defender and in carrying out my duties. The Coalition has also helped us to access important information on human rights advocacy more quickly than was the case before ...” **Issa Chiuji Director SHIHABINA**

This too, is a good lesson that, if members will continue be oriented on some skills, they can earn bigger results in their areas of operations. On advocacy, a tailor-made training manual e.g. due to differed contexts and typography between Mainland Tanzania and Zanzibar, is highly recommended in addition to what THRDC has in their training contents.

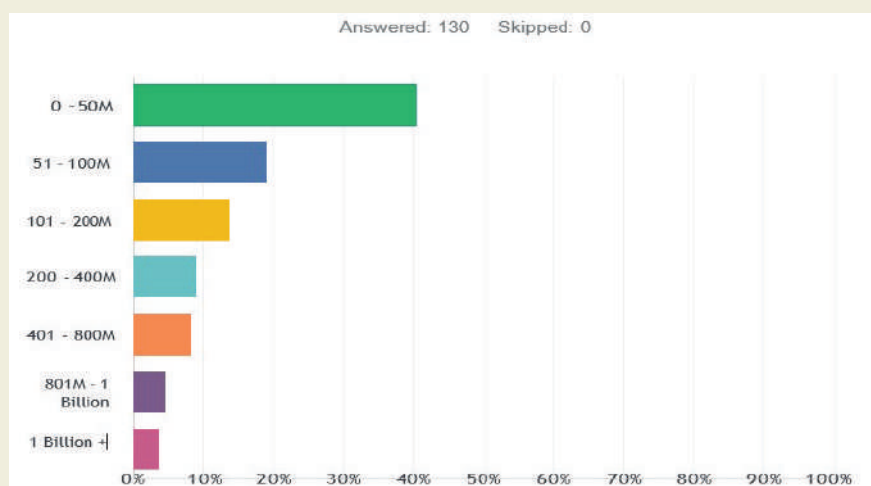
3.5 CHALLENGES FACING MEMBERS

3.5.1 Members' Financial Capability

Inadequate finance to facilitate membership activities is a common challenge to all CSOs in Tanzania inclusive the THRDC's members. The THRDC responds to this challenge by offering technical supports e.g. trainings on fundraising and financial managements at it is explained in part four of this report.

Moreover, the Coalition has developed the resource mobilization strategy – explained in previous part. However, the strategy is not directly replicated for use by the member organizations. A members' resource mobilization guide is therefore recommended.

According to the evaluation team's survey conducted in April 2022, majority (nearly 41%) of the Coalition's members had estimated annual budget (EAB) size of TZS 50 million and below while around 20% of them, had an estimated EAB size of between TZS 51 million and TZS 100 million. As Figure 3.5 below shows further, only 8% had the EAB of half a billion TZS and, 4% of them (being 5 out of 130 interviewed) had EAB above TZS 1 billion.



*Figure 3.5:
An Estimated
Annual
Budget Size
of THRDC's
Members (as
of April 2022)*

Source: Evaluation's Survey, April 2022.

Further to Figure 3.5 above, only 9.3% of the member organization interviewed said that they manage to fundraise at 100% of the annual budgetary estimates. Meaning that, 90.7% are normally unable to raise funds in fullest. Around 34% of the members normally secure between 21% and 50% of the estimated budgets; while 18% of them could mobilize at least 76% and above of the estimates; and, 20% the members secure between 51% and 76%. Those who raise less than 20% of the estimated budget are 29%.

The evaluation team is of the view that, the budgetary size of the organizations has implication to their operations especially because 72% of them operate at the national level (coverage of the whole country) while 12% and 15% respectively, operate at the regional and district levels respectively. Regardless of the nature and type of interventions each of the members could have, a budget of less than TZS 100 million per annum is relatively small owing to the geographical size of the country. One of the members interviewed which receives between TZS 500 million and TZS 1 billion per annum said that, they managed to cover only some of the districts of three (3) regions for past five years.

This trend suggests for further technical support on resource mobilizations and institutional capacity generally for the coming phase. The THRDC should scale up its current initiatives on this aspect (members' capacity development) by focusing on systematic tailor-made institutional support courses especially through the ZCUs or a pool of retained consultants.

3.5.2 Other Challenges Facing the Members

Apart from financial issues and despite the notable and positive changes, some illustrated above, there a number of other challenges facing the Coalition's members. Main ones being:-

- i) Reactiveness of some of the members: Despite the improved ability in so many areas and on many issues as well as increased commitment to discharge their responsibilities, yet some of them still need to improve capacity to initiate and sustain their engagements independently. Members of the secretariat interviewed have shown concerns that some of the members are not yet as proactive to take up issues with confidence, instead they tend to refer them to the secretariat even when they are in their powers to address. The secretariat feels overwhelmed by such dependency as they may not be able to address all member's expectations.
- Examples of areas with weaknesses are HRDs from the Southern zone (Lindi, Mtwara and Ruvuma regions); Zanzibar (Mostly members from Pemba) and Southern Highland zone (Iringa and Njombe regions). It is observed that members from these areas are mostly small organizations predominantly focusing on child rights, GBV and service delivery in health, HIV/AIDS, education, agriculture and less on sensitive advocacy agenda. They lack the financial capacity to take up issues timely. It is also noted that members from strong organizations with significant financial muscles are based in Dar es Salaam, Dodoma and Arusha regions.

- ii) **Facilities:** Small organizations also lack physical facilities such as good standard office premises, equipment (computers for communication and other facilities) to facilitate their operations. Some respondents said that they failed to participate in the virtual AGM in 2020 due lack of reliable internet and computers. The financial constraints make them uneasy to implement security and protection management knowledge into practice e.g. purchasing and installing CCTV camera for their office premises.
- iii) **Documentation (M&E):** The secretariat had highlighted the low capacity of members to document the impacts/ achievements of their works. Many CSOs including THRDC members operating at grassroots level are doing a commendable job but more often they fail to document success stories and their impact exerted to the target group.
 - One of the reasons for this situation was said because many organizations are activity oriented. Once they achieve their activity targets, they do not go beyond to assess to what extent such activities have brought changes (negative or positive) to the community they serve. Partly this challenge has something to do with poor planning system which does not show indicators, outcomes, data collection instruments, etc.
- iv) **Perceived shrinkage of civic space:** Despite the recent improvement following coming into power of the new regime – which have reinstated the confidence of HRDs to operate, there is generally perception that the civic space is still narrowed especially due to presence of stringent laws governing CSOs. The laws and regulations affecting the work of HRDs have been discussed in part four of this report.
- v) **COVID-19 pandemic:** The outbreak of this disease had direct implications to the work of most of HRDs’ organizations, some being THRDC’s members. It is learnt that, none of the members and even the Coalition’s secretariat had a contingency plan or risk mitigation framework to address disasters like this pandemic. Obviously, this remains to be a huge lesson for this Coalition and its members to take.
- vi) **Society’s mentality on the importance of protection and promotion of human rights (especially girls and women’s rights) is still a huge challenge facing our members’ operation.**

- vii) Succession plans for members: It is a good move that THRDC formulated and implements the succession plan, which was formulated in July 2021. The plan makes an arrangement and procedures of replacing the key officers when they leave organization without disrupting the operations. The key positions targeted in this regard are the National Coordinator; the Programs and M&E Manager; the Finance and Administration Manager; the head of Protection and Security Management Program; and, the head of programs (HPs).¹² This too is a very comprehensive plan. The Coalition can encourage its members to replicate the same in their respective organizations. Moreover, the same should be adopted by THRDC Zanzibar.

3.6 OTHER STRATEGIC PARTNERSHIP AND NETWORKING

At times as part of ensuring human rights violation are given serious attention by HRDs, the THRDC elongated its operations along with its core function as a ‘Coalition.’

The review team sensed that, THRDC operates as a ‘network’ and ‘alliance’ with its members or non-members at the same time as part of beefing up confidence and security of HRDs or its members. Additionally, as stated elsewhere in this report, THRDC has been tempted to act beyond its core agenda of HRD as part of supporting or coordinating its members who feel sense of insecurity to address emerging issues. A good example is the ongoing land disputes in Ngorongoro where traditional, human rights NGOs and pastoralists NGOs feel in secured to address those challenges because of constant harassment threats against anyone who stand for community. The Coalition fought for HRDs rights at the same time for security reasons accompany or coordinated its members and other HRDs in Ngorongoro to defend Maasai land rights. Unlike now, previously, national NGOs were very supportive in building alliances with local HRDs in Ngorongoro as it was in 2009 FemAct movement and 2015 under THRDC Coordination.

Information Box 3.1: Meanings of



¹² The HPs are: the Members Affairs, Institutional Building; Research, Engagement and Advocacy; the Protection Planning and Risk Management; and, the Litigation, Emergency Support and Rescue.

In civil society context, the ‘networks’ groups consist of individuals or organizations that share information, ideas, values and resources to accomplish individual or group goals e.g. on women’s or disability’s welfare. The process of creating and working in or as networks is termed as ‘networking’ whereby usually, the members uses the linkage or bond they have created to acquire resources and building power e.g. collective voices. One the other hand, the ‘coalitions’ are groups of people or organizations working together to pursue a single goal. Coalitions often have the members making a long-term commitment to share responsibilities and resources. The ‘alliances’ are same as ‘coalitions’ but only that they are less permanent than coalitions but share many of the same attributes mentioned above on coalitions.¹³

There are justifications heard from the secretariat on this, what they do is just coordinating its members or building alliances with them on a specific mission for security reasons. Another challenge behind this wider THRDC interventions is absence of inadequate services of human rights organizations attributed to institutional capacities, low-esteem to become proactive even on issues within their mandates and perceived shrinking of civic space witnessed to happen especially from 2016 and 2021.



Photo: CSOs Joint Loliondo Fact Finding Mission Coordinated by THRDC in 2015

¹³ Reference: FCS, (2022). Training Materials on Movement Building for Women, Youth and Persons with Disabilities. Guide for CSOs.

All these are good ground and indeed, very tempting for active human rights organization like LHRC and THRDC to operate beyond the scope. However, much as it is crucial to address all critical human rights issues of concern, it is important that the Coalition remains intact and focused with its core function in order to avoid overlapping of interventions with others or outstretching limited resources aimed for HRDs for other contextual issues. Alternatively, there is a need for THRDC to devise and implement the Stakeholders Engagement and Networking Strategy (SENS so that it can strategically work with other partners while remaining within its core functions.

3.7 RECOMMENDED ACTIONS ON MEMBERSHIP AFFAIRS AND PARTNERSHIP – GENERALLY

Specific recommendations on membership base and other issues including interventions with other stakeholders, have already been reflected above. Below are general recommendations on membership affairs and partnership e.g. for THRDC to enhance its outreach interventions:-

- i) Institutionalization of capacity building programs at ZCUs level e.g. through the proposed Members’ Institutional Capacity Development and Sustainability Manual or Guideline. The SOPs for ZCUs as suggested in part two of this report should be given a due consideration.
- ii) Adopting a common advocacy strategy in order to guide on common issues and intervention strategies.
- iii) A need to have unified M&E framework e.g. connecting ZCUs and THRDC’s secretariat. This will also improve members’ capacity to map outcomes, document success stories and communicate advocacy issues from the grassroots.
- iv) There is a dire need to develop or operationalize the Stakeholders’ Engagement and Network Strategy for the reasons presented above.
- v) There is a need for THRDC to design and operationalize HRDs’ Funding Scheme (the like of Legal Service Facility (LSF)’s legal aid funding scheme).

Part Four

ENHANCED PROTECTION AND RISK MANAGEMENT PROGRAMS

4.1 INTRODUCTION

The protection and security of HRDs as individual persons or member organizations are the core functions of THRDC. Objectives one and two of this Coalition are on these two aspects of HRD. Following the amendment of the 2018-2022 SP, different intervention components on these two aspects were merged into one outcome which is now termed as Strategic Outcome Two ‘Enhanced Protection and Risk Management Programs.’

Through that intended outcome, THRDC seeks to ensure that HRDs are effectively engaged with various stakeholders, well equipped with tools to mitigate their risks and accorded with emergency and legal support all the time the same are needed. This Strategic outcome was sub-divided into the following intermediate results areas :-

- i) Protection engagement, research and advocacy (Advocacy and Engagements) Improving acceptance and recognition of HRDs through engagements with national, regional, and international HRDs Stakeholders.
- ii) Protection planning and risk management (Capacity Building, preventions) Human Rights Defenders are empowered and efficiently engage in protection and promotion of HRDs security.
- iii) Litigation, emergency support and rescue: (Active Protection) HRDs’ at risk are accorded with legal and emergency supports.

This part of the report part presents an analysis on the effectiveness, results and sustainability of the THRDC’s interventions on protection services, security management (e.g., risk mitigations) and advocacy interventions.

4.2 OVERVIEW OF PROTECTION, CAPACITY AND ADVOCACY INTERVENTIONS

A decade of struggle to champion the HRD agenda in Tanzania has resulted into so many results as parts two and three illustrates. Some of the very strategic results the Coalition could celebrate are (a) buying in of the HRD agenda by the State's authorities including the Presidents of URT and Zanzibar; (b) recognition of the HRDs' presence and a noble work they are doing; and, (c) emerging changes as a results of the two notable successes e.g. increased assertiveness of HRDs to advance this agenda down to their areas of operations.

Testimony on assertiveness:

“We feel capacitated and empowered to carry forward human rights agenda”

A KIWOHEDE organization staff approached for her opinion of the work of the THRDC for past several years in April 2022, she said, inter alia that, ‘... as an organization, we feel capacitated and empowered. The security management trainings offered by this Coalition have been main source of the confidence we have today.

The knowledge of human rights protection makes us stand firm as defenders unlike the situation in the past where anxiety engulfed us in so many ways due to operating environments. Moreover, through the trainings on taxation law compliance we can now operate without facing potential risks relating to compliance ... before that, we really struggled on the compliance issues ...’

It is observed that, THRDC's interventions on protection and security management have included development and dissemination of the self-protection guidelines; emergency response policy; legal support; evacuation and relocation; and, and various trainings of HRDs.



During its initial years of operation (2013-2017) the Coalition focused more on mobilization of HRDs and capacity buildings including development of the manuals for the same. This was aimed at empowering the members and other HRDs to become self-defenders of their own rights. There was also a huge struggle during this program's phase to create conducive working environments for HRDs. The interventions resulted into spread of HRD agenda throughout the URT. The confidence to work as defenders was also gradually emerging. In programmatic point of view, the 2013-2017 phase was more on 'prevention' strategies.

Building up for the initial efforts of the previous phase, the 2018-2022 scaled up the protection and security agenda. More specialized trainings on these aspects e.g. digital security trainings were offered. The trainings followed by technical supports by THRDC e.g. helped some of the members to install security systems in their computers, etc. Furthermore, it was during this program's phase when the Coalition scaled up its interventions on advocacy, research, risk management, litigations, emergency response and rescue. This move was attributed to the operating environments whereby, there was perceived shrinking of civic space (especially from 2016 onwards) as Figure 2.1 in part two of the report shows. Such interventions were translated into the current SP as it is explained in the outset of this part. In programmatic point of view, the 2018-2022 phase incorporate both prevention and 'control' aspects of HRD agenda.

As a result of all these 10 years interventions on protection and security managements are gaining a strong ground in Tanzania. This part discusses more on all these plus the challenges. However, to begin with, nature and trends of capacity building trainings on these two aspects. An interest here was also to consider the impacts of the interventions.

4.3 CAPACITY BUILDING OF HRDS IN SECURITY AND PROTECTION MANAGEMENT

4.3.1 Essence, Packages and Numbers on Capacity Building Trainings

It is established from this assessment that, the THRDC has gone beyond its statutory objective on capacity building (e.g., only on security and protection management) to cover also institutional management systems of its members.

It is also a good approach that the Coalition has always been conducting capacity-needs assessment prior to the trainings to its members and other stakeholders. Several interviewees commended this approach as being best way of ensuring that the capacity building initiatives reflect the real needs of the members.



Photo: Coalition's members in some of the capacity building workshops in 2021.

The aim of this initiative (capacity building) is to empower HRDs, to effectively engage in protection and promotion of human rights and HRDs' security; and also, enhance their institutional operations for effective interventions.

Best Practice: THRDC's enlarged its focus on HRDs for capacity building

It is noted that, this being one of the core functions of the THRDC, an outcome for this objective one has been sustained in the last two SP, whereby in the first strategy 2013-2017, the focus was on media and HRDs as the targets of intervention; but, in the second SP, the outcome was designed in a holistic and inclusive approach where all categories of HRDs would receive targeted capacity building interventions.

The capacity building also is aimed at sensitizing the targeted beneficiaries to understand the HRD concept, which, as said earlier on, was and somehow still new to some of the people in the country.

Photo: Security Jackets for Journalists During Election by THRDC



At Table 4.1 below shows a total of 2,984 HRDs, 42.3% being females have been directly involved in the capacity building trainings especially on security and protection mechanisms for HRDs. Some of the topics taught were on self-protection guidelines, emergency response, evacuation and relocation.

Table 4.1: Number of HRDs Trained between 2013 and 2022

SP.I Years	# HRDs Trained 2013-2017			SP.II Years	# HRDs Trained 2018-2022			Grand Total		Overall Total
	Fe.	Ma.	Sub- Total		Fe.	Ma.	Sub- Total	Total Fe.	Total Ma.	
2013	50	33	83	2018	122	148	270	172	181	353
2014	136	223	359	2019	312	439	751	448	662	1,110
2015	135	168	303	2020	0	0	0	135	168	303
2016	210	266	476	2021	185	187	372	395	453	848
2017	113	257	370	2022	0	0	0	113	257	370
Total:	644	947	1,591	Total:	619	774	1,393	1,263	1,721	2,984

Source: Various THRDC records 2013 – 2022.

As Table 4.1 above shows, the highest achievement in terms of the number of the trainees was reached in 2014 where a total of 1,110 HRDs were trained. There was a special program on awareness rising and sensitization of the HRD concept – because it was just a year or after THRDC commenced its operations.



Photo: TRA officials and THRDC Coordinator holding the Non-Governmental Compliance Tool Kit after the launching in July 2022

The above statistics (Table 3.3) show a linear increase of people participating in the various trainings over the last 10 years. In the first SP (2013-2017), a total of 1,591 HRDs comprising 644 females (being 40.5%) were reached, while the implementation of second SP (2018-2022) has so far (April 2022) recorded 1,393

HRDs comprising 619 females (being 44.3%). There are no records for the year 2020 because the Coalition's operations were stalled due to freezing of its bank account and COVID-19 issue.



Photo: One of the THRDC's Public Interest Litigations Trainings in Tanzania

Challenge and best practice: THRDC's members understanding of legal frameworks on CSOs

The mid-term evaluation showed that some of HRDs and other CSOs were less informed of the existence of changes of the legal and regulatory framework governing the CSOs' sector. Lack of such information poses risks for some organizations losing their legitimacy without being aware of and may be considered to be 'illegal.' For example, in 2019, THRDC provided training to its members on the legal changes and facilitated them to access relevant documents needed for the compliance process. Still, some organizations were de-registered for failing to meet registration requirements. Otherwise, it is commendable efforts that THRDC took an initiative to engage the CSOs' regulatory authorities including TRA. There is a guideline on taxation matters for CSOs recently published by TRA in partnership with THRDC, the Wajibu Institute of Accountability and other network organization. The THRDC's legal expert was involved in the preparation of the legal compliance manual for CSOs. All these initiatives are aimed at supporting the civil society sector against all potential risks associated with legal compliance. Some of the members who took seriously the guidance offered by the Coalition appreciated this support on compliance. For instance, an Executive Director of the

Kigoma-based WPC organization told the THRDC secretariat in early 2022 that, ‘... THRDC assists its members to appraise themselves and therefore work on the capacity gaps including on compliance to the legal requirement. On this one, we were trained virtually and physically as well as supplied with the guidelines on compliance ... all these have helped us to operate freely without violating the laws ...’, she affirmed.

4.3.2 Capacity Building and Sensitization to Media Practitioners

As said earlier on, THRDC’s first phase of operation (2013-2017) predominantly focused on media practitioners as HRDs on the ground that, they were amongst highly targeted victims of violations and abuses of human rights. Despite the fact that the focus shifted to CSOs as HRDs from 2018, yet, media practitioners were not left behind on capacity building initiatives. This is due to the nature of their work and prevailed trends e.g. enactment and enforcement of some laws e.g. on online contents which trapped a good number of journalists and media houses into legal cage of criminality.



Photo: A group photo of journalists and trainers during in Morogoro May 2021

Apart from topics on security and protection e.g. on digital technology, the media related practitioners (journalists and editors), were taught also about investigating and reporting skills on the work and incidences of HRDs. Total of 509 of the said practitioners have been trained since 2013 as Table 4.2 below explains further.

Table 4.2: Number of Media Practitioners trained 2022 between 2013 and March 2022

SP.I Years	Year 2013-2017			SP.II Years	Year 2018-2022			Total Fe.	Total Ma.	Grand Total
	Fe.	Ma.	Sub- Total		Fe.	Ma.	Sub- Total			
2013	0	0	0	2018	0	0	0	0	0	0
2014	10	20	30	2019	20	25	45	30	45	75
2015	60	95	155	2020	0	0	0	60	95	155
2016	36	94	130	2021	27	42	69	63	136	199
2017	20	60	80	2022	0	0	0	20	60	80
Total:	126	269	395		47	67	114	173	336	509

Source: Various THRDC records 2013 – 2022.

According to Table 3.4 above, a number of female journalists (and editors) trained were 173 which is equivalent to 34% (of total 509).

Suggestions: Consideration of gender balance, segregation of statistics and bloggers

THRDC will need to insist on gender equality for all invitations it made to its members and other partners for the trainings and even other interventions. The disability inclusion and friendly learning environment are also mandatory requirements to consider under the Persons with Disability Act of 2010 (Act No. 9 of 2010). Secondly, the statistics need to adequately segregated e.g. in terms of disability status, cadre of journalism (e.g. in order to understand actual number of editors trained, etc.). Moreover, the Coalition will need to design special training program for bloggers (e.g. those running online TV or own social media platforms. The online journalism gains popularity more than conventional media (e.g. print newspapers, radio and TV).

4.4 NOTABLE ACHIEVEMENTS RELATING TO THE CAPACITY BUILDING TRAININGS

A steadily expansion instead of shrinking of the membership base (which include journalists) in terms of numbers of members enrolled in THRDC’s database is itself an enormous success especially because the strength and legitimacy of the Coalition much depend of quantity and quality of members.



Photo: Human Rights Lawyers Training in Zanzibar

Secondly, capacity building on human rights protection and security has imparted confidence into HRDs as individuals and organizations. Apart from issuing press statements to condemn certain human rights violations or abuses, some of the members have even dared to initiate public interest litigations. For instance, in May 2020 CILAO, one of the ZCUs family member in Northern part of the country, initiated a constitutional case against the Speaker of the parliament of the United Republic of Tanzania.



*Photo:
Director
of CILAO
speaking to the
media in May
2020*

Moreover, some of the members publicly condemned a move to evict the Maasai communities from their traditional land in some areas of Ngorongoro district, Arusha region. Other members e.g. journalists have been able to investigate on and publish in print and online media hard-core findings on sensitive human rights issues e.g. on 22 August 2019, an investigative journalists and the editor

of Watetezi TV, Mr. Joseph Gandye was arrested for allegations of publishing information about gross human rights violations committed by the Police Officers against suspects in Iringa.

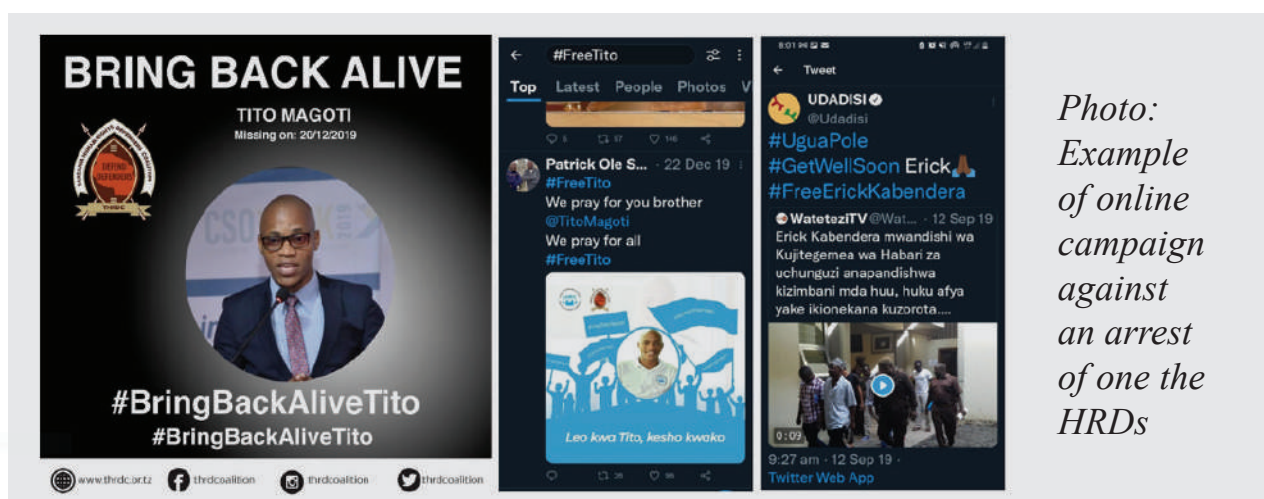
Thirdly, through a well-designed guideline (training manual) on HRDs' protection and security management, the trainees have been able to transmit the knowledge gained to others; and that, some of them were found during this review practicing some security mechanisms e.g. installation of in their mobile phones with security apps, development of security policies at office level etc.

Fourthly, As a result of all those achievements, there is now an increased reporting (revealing) of human rights abuses including in relation to HRDs' work. For instance, for 2016 alone, a total of 40 articles or stories were reported by regular print media.

Best Practice: THRDC turns to be source of (media) information

THRDC managed to create an authoritative position whereby journalists tend to seek legal opinion in most national issues trending over a period of time. The evaluation team saw some of the stories covered by print media and found that the journalists were able to differentiate between ordinary human rights issues and those relating to HRDs. The concept of HRDs was highly picked and well understood by the media and the public, the word HRDs now replaced the work humn rights activist. For instance, on the 27th of November 2015 the Guardian Newspaper quoted former Chief Justice Hon. Othman Chande the importance of protecting HRDs in Tanzania.

Fifthly, there has also been vigorous reactions almost all over the country once a HRDs is subjected to arbitrary 'legal' processes e.g. unlawful arrest and detention. The public petitions e.g. in the form of harsh-tag on social media are increasingly becoming common.



*Photo:
Example
of online
campaign
against
an arrest
of one the
HRDs*

The allegedly arbitrary arrest of the two young activists (also HRDs) from the LHRC which was loudly objected through social media campaigns as indicated above, resulted into compliance to the due judicial procedures of handling suspects. Later on, after a month of adjudication of their case, they were eventually acquitted on plea bargaining in 2021.

Sixthly, improved institutional capacities. For instance, a technical support offered by THRDC on the development of SPs, resource mobilization e.g., project proposal writing skills and financial management resulted into an ability of some of the member organizations like KIWOHEDE to secure funds from SIDA and the WOTESAWA to secure funds from other sources.

On this SP support, it is noted that, at least 30 of them who were supported to develop own plans (SPs), which resulted into an improvement of their institutional capacities including financial mobilization. For instance, according to the 2019 THRDC's survey of organizational management capacity (OCA) to its members it was found that, 7 members¹⁴ were able to secure funding from several donors including FCS, the International Rescue Committee (IRC), the SwissAid etc.

On the same success, one of the members of the MTWANGONET, the Mtwara region based network of NGOs was quoted by the team of THRDC's secretariat when visited his network in 2021 saying that, '[w]e have been members of many other networks in the country, but we are grateful to THRDC, as it is the only Coalition that does a great job in capacitating its members and protecting us to do our job more effectively. THRDC helped our network in the development of a strategic plan for 2020 – 2024 duration. This plan gives us the opportunity to participate in various projects ...'

The Executive Director of the AICIL operates in Songea region, Southern Cost Zone had the same remark. In addition to that, she asserted that, the SP supported by THRDC helps them to secure some support from the partners. 'The strategic plan is a fundraising tool ... we appreciate', she observed.

Lesson Learnt & Suggestion: Institutional supports to Coalition members adds impetus to their growth; also, needed capacity development and sustainability manual

¹⁴ These are the Association for Non-Governmental Organization in Zanzibar (ANGOZA); the Tanzania Peace Legal Aid Justice Center (PLAJC); the Door of Hope; the Mtwara Non-Government Organizations Network (MTWANGONET); the Tunduru Paralegal Center (TPC); the Path to Comfort for Women and Youth Tanzania; and, the Paralegal Primary Justice.

Basing on a few case studies illustrated above, it is evident that if the THRDC's members and all other CSOs are capacitate institutionally especially by given technical knowledge on self-sustainability, they tend to succeed. This suggests also that, an approach to membership support should be more of technical e.g. acquisition of skills instead of direct financial support. The proposed approach to retain has relevancy to the sustainability of the organizations. There is also a need for THRDC to come out with the comprehensive Members' Institutional Capacity Development and Sustainability Manual or Guideline which will indicate practical steps, procedures and strategies of improving, sustaining and scaling up their institutional operations, systems, structures and procedures.

Seventhly, an enhancement of the security and protection of HRDs is steadily observed. On this, apart from the trainings on security and protection, there were also some activities related to protection and security management. Those included in the development and dissemination of self-protection guidelines, emergency response policy, legal support, medical support and evacuation and relocation, fact finding missions and other interventions in favor of HRDs. All these have resulted in rescuing victimized HRDs from risks and restoring their confidence to resume work with vigor. Other skills on protection and safety gained which are somehow being implemented include on (a) institutional and self-protection; (b) risk assessment and mitigation approaches to safeguard the HRDs security; (c) rapid response and support factors (referrals, relocation, evacuation); and, (d) the monitoring, reporting, follow-up, and feedback for the HRDs supported.

Eighthly, the sensitization sessions on HRDs' agenda to the media and other stakeholders have demonstrated evidence of successes including the acceptance of this agenda by stakeholders who are not inherently HRDs. This could be illustrated by considering some of the joint interventions that the Coalition's secretariat or its members have had done with such stakeholders, including for instance:-

- i) A joint call made against the contentious Written Laws (Miscellaneous Amendments) Act of 2019 (Act No. 3 of 2019). The CSOs were contesting the restrictive features of the Bill on the rights to freedom of association as guaranteed by the Constitution of the URT of 1977. This resulted into the removal of some of provisions from the Bill.
- ii) On the 1st of April 2019, a total of 65 directors from amongst the group of the CSOs' Directors Forum signed a joint statement on the state of democracy, freedom of assembly and association in Tanzania. This statement was in response of perceived dwindling of civic space.

- iii) On 11th of August 2019, at least 4 HRDs' organizations issued a joint statement to condemn the abuse of legal process in connection to the arrest of a journalist.

More of such interventions are highlighted in sub-sequent sections of this part of the report. There are also some suggestions on the same. Below are some few selected testimonies from THRDC beneficiaries;

“THRDC has been very helpful to us in matters of Capacity Building and Institutional building, they have helped us in almost all the cases we have had, even today we had a case of our employee, THRDC has given us A lawyer who has been representing us in court, our correspondents such as Albert Sengo, Chibuga, and others. We have been benefiting greatly from legal aid, our relationships have been very good and have benefited us a lot!” **Mr. Edwin Soko from MPC**

“Our organization has been a member of the Coalition for several years now. And I can testify, we have grown so much and benefited from the family. Through the trainings issued by the Coalition, we have managed to change and upgrade the security measures. Moreover, we have grown our connection with other organizations in defending human rights.” **Mr. Bonny Matto from Tuwakombae Paralegal Organization (TUPO).**

“As an organization, we have been able to get out of the small office and now we are in the main office whereby every program officer has their space, this is an Institutional growth. Mikono Yetu has been lucky enough to attend security training organized by THRDC that has helped us in so many ways. Through the trainings, we have had the courage to unite with other human rights organizations

to make statements when our partner is challenged, and especially in this training that we have been receiving from time to time we have strongly emphasized the issue of having security cameras, we have strengthened security in our office. We now have CCTV cameras to monitor our activities of the organization so as to ensure our safety. We appreciate the trainings we receive from time to time!” **Mr. Dunstan Katu from Mikono Yetu Organization.**

“We have been able to secure a Certificate of Charitable Status from TRA after participating in a THRDC training on compliance to regulatory laws” **Patrice Gwasma COSITANGO, Babati Manyara**

4.5 STATUS OF EMERGENCY SUPPORTS AND LITIGATIONS

The emergency supports which include rescue from imminent risks and relocation are responsive or control mechanisms the Coalition uses to protect HRDs in need. As said earlier on, during the first five years of its operation (2013-2017), THRDC invested much on capacity building on protection and security issues in order to make its members defenders of their own rights and those of others within their vicinities. The second phase, 2018-2022, seems to have operationalize the knowledge and experience on the same. Quite progressively, the Coalition also strengthened its litigation strategy as explained here-in-under.

4.5.1 Improved Emergency Response Systems

The review shows that the Coalition has a well-established emergency response system, improved over period of time. This intervention is institutionalized e.g. having specific portfolio program officer and several guidelines already mentioned in part two of this report.

Some of the practical implementation of a rapid response support mechanisms are evacuations and relocations of the targeted HRDs. Data show that at least 250 HRDs have benefited from THRDC services since 2013. As Table 4.3 below shows, other services provided to HRDs included, psychological, medical support and legal representation either in courts or through the preparation of litigation or relocation.

Table 4.3: Number of HRDs Received Emergency Supports from the THRDC’s between 2013 and 2021

Services Offered	2013	2014	2015	2016	2017	2018	2019	2020	2021	Total
Legal representation	8	17	10	16	22	32	41	48	55	249
Short-term relocation	3	-	1	3	4	11	6	5	24	57
Medical support and psychological support	-	-	-	-	1	1	2	3	4	11
Strategic Cases	-	-	-	-	2	5	9	20	9	45
Family Support	1	-	-	-	-	-	3	3	17	24
School Support	-	-	-	-	1	1	2	2	-	6
Office Relocation	-	-	1	-	-	-	-	-	1	2
Referral assistance	-	-	1	-	-	1	2	6	3	14
	12	17	13	19	30	51	65	87	113	408

Source: THRDCs Records 2013 - 2021.

As statistics in Table 4.3 above show, there were total of 91 supports offered during the first program’s phase (2013-2017) which is being 22.3% of all supported cases (408), against a total of 317 (being 77.7%) supports offered within only four years (2018-2022) of the second phase. This tends could prove an argument on scaled up interventions on emergence responses from the program’s second phase in 2018.

Moreover, more incidents support than before could be attributed by accumulated incidents of shrinking of civic space whereby quite a number of HRDs fallen victims of the circumstances. Those include Mr. Erick Kabendera,¹⁵ and Mr. Abdul Nondo who were both remanded in police custody on fabricated/ false allegations.

¹⁵ A journalist detained and charged of money laundering, tax evasion and leading organized crimes.

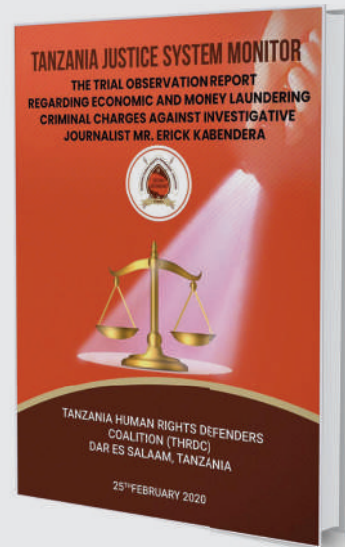


Photo: Erick Kabendera full of tears during one of his court sessions, behind him with glasses is THRDC National Coordinator. Erick Kabendera is now free after paying millions of money to buy his freedom under plea bargaining mechanisms.

Offering his views on the nature and quality of emergence response service received from THRDC, Mr. Nondo, the former chairperson of Tanzania Students Networking Programme (TSNP), said in January 2022 during this review that:-

“ [I]n 2018 when was abducted and later charged with criminal offenses by the Republic of Tanzania, THRDC voiced out for me and eventually provided me with lawyers and advocate to defend me in residential magistrate court in Iringa consequently we won a case, the republic appealed to high court the THRDC continued to provide me with lawyers and advocates to defend me from the appeal. We also won the appeal then after, I was reinstated to continue with my studies at university of Dar es Salaam and accomplished with bachelor’s degree of political science and public administration in 2019. this February 2022 I was informed that the republic has decided to appeal to court of appeal and the appeal will be held for a hearing on 23rd March 2022. THRDC urged me to be calm since it continues to stand with by providing me with legal service and more support up to the end.” Sais Nondo



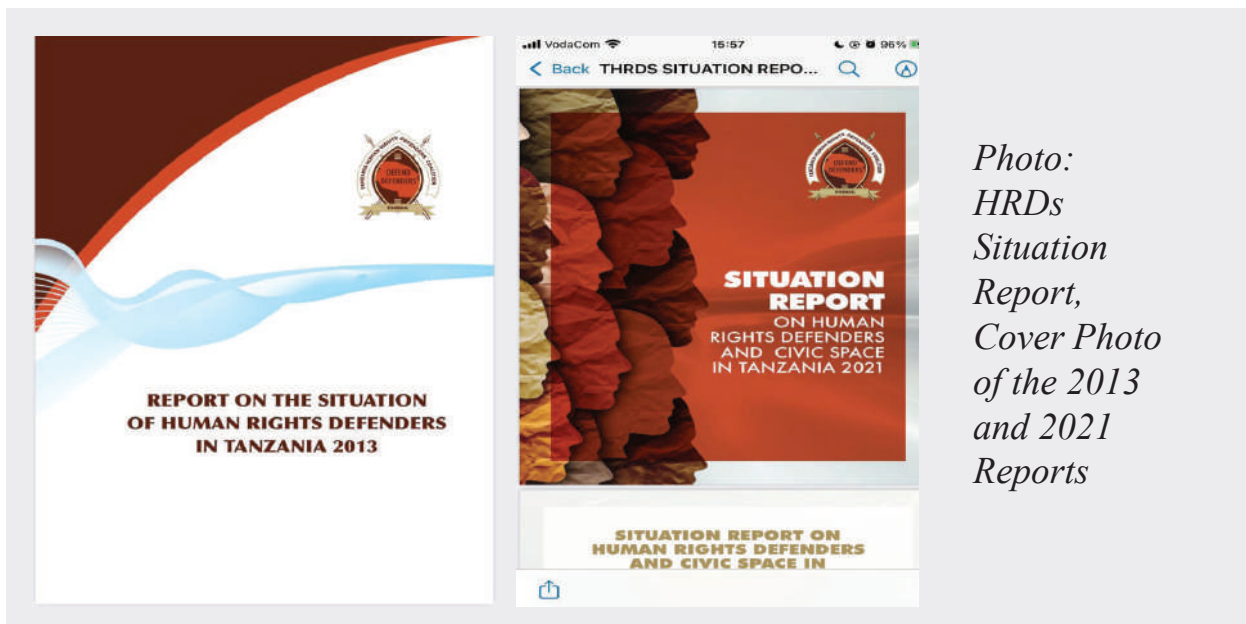
Photo: THRDC advocates with Mr. Nondo (at the middle) after winning a court case in Iringa

Other emergence response interventions by THRDC on its members, which have contributed to the regaining of their freedom and reforms of some administrative practices of leaders include on:-

- i) Two staff members from one of THRDC members in Mwanza, Action for Democracy and Local Governance (ADLG) arrested in Kishapu district Shinyanga region by orders from the District Commissioner on the allegations of unlawful assembly were also supported. The DC stopped the harassment after realizing the presence of lawyers from the pool in the case.
- ii) An editor from MwanaHalisi newspaper, who was summoned by the Director of Criminal Investigation (DCI) to answer allegations of publishing false news, also received legal support from THRDC and the charges were dropped.
- iii) THRDC affiliated lawyers provided legal service to 47 Maasai pastoralists facing eviction orders from their traditional land in Loliondo and Ngorongoro areas in August 2017. THRDC reported the incident to CHRAGG and on the 5th of September 2017, CHRGG issued a stoppage order and the evictions stopped.

Suggestions: intensification of responses through decentralization and feedback mechanisms

Going forward then THRDC could intensify further its emergence response mechanisms e.g. by empowering the ZCUs to have the relevant capacities. This will definitely hasten the handling of cases needing emergence response in any form indicated above. There is also a need to devise feedback mechanisms specially to map and document the impacts of the responses made possible by the Coalition.



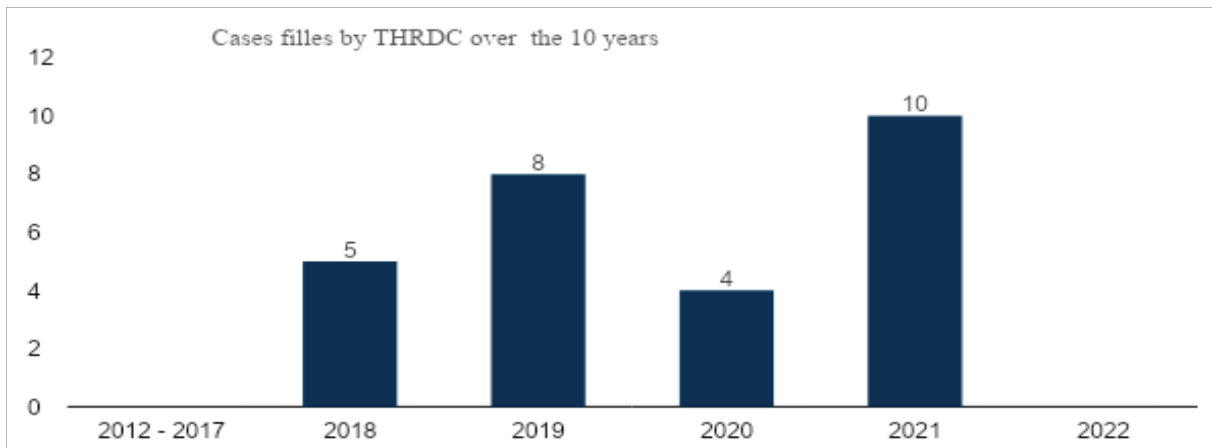
4.5.2 Increased Strategic Litigations

Apparently, as a result of target-based capacity building trainings on public interest litigation strategies that were organized for human rights lawyers, a good number of them have shown an interest to work as HRDs lawyers.

‘At the university, I specialized in human rights law, but there was no any specific topic on human rights defenders ... therefore, it is this Coalition that has imparted to me some skills on specialized litigations of sensitive cases involving HRDs ...’, said one of the trainees of the said trainings when approached by the evaluation team for his views on public interest litigations in April 2022.

As a result of the trainings to the lawyers, at least 100 lawyers have joined the HRD support service since 2018. The increase of the lawyers interested in HRD litigations has, naturally, increased also a number of strategic cases public interest litigations (see Figure 4.1 below and Annex II on List of Public Interest Litigation Cases Supported by THRDC 2013 – 2022).

Figure 4.1: Strategic Litigations Cases filed by THRDC over the 10 years



Source: THRDCs Records 2018 - 2021.

THRDC has maintained a pool of lawyers who volunteer and take on HRD defense cases through legal representation either in courts or preparation of litigation.

Photo: Photo with THRDC advocates taken after the court released Mr. Friday Simbaya in Iiringa



As Figure 4.1 above shows, nearly 30 strategic litigations were lodged between 2018 and 2021. A full list of such cases is enclosed at the end of this report as Annex II. Apart from strategic litigations, 87 individual HRDs were assisted by the said pool of THRDC's lawyers between 2018 and 2020 (being 27 in 2019 and 32 beneficiaries in 2018, 2019 and 2020 respectively).

PHOTO: Team of THRDC, MCT and LHRC lawyers before the East African Court of Justice handling the public interest case that was challenging provisions of the Media Services Act



The THRDC recorded at least 510 incidents of violations of HRDs’ rights, some being the ones warranted legal supports. Table 4.4 below shows the HRDs’ related incidents of human rights violations or abuses happened since 2013.

Table 4.4: Number of HRDs’ Incidents Recorded by THRDC between 2013 and 2021

Years:	2013	2014	2015	2016	2017	2018	2019	2020	2021	Total
Frequency of an occurrence of HRDs-related incidents	32	25	70	60	22	71	71	83	78	512

Source: THRDCs Records 2013 - 2021.

Total of 209 incidents (being 41% of the total incidents occurred in nine years) were between 2013 and 2017, while 2018 to 2021 had a total of 303 incidents (being 59%). More incidents are perceived to have been increased during the SP’s second phase due to increased awareness of HRDs’ rights; expansion of Coalition members’ operations down to the grassroots; and, apparently, the political situation prevailed from 2016/ 2017. However, the increase in number of pro bono lawyers working with THRDC on such incidents, corresponds well with the said trend of incidents presented in Table 4.4 above.

Below are few selected quotes from the respondents and beneficiaries of THRDC services

“THRDC engaged an advocate to represent me in court, the advocate was coming to court on each scheduled date of the case, without legal support from THRDC, I think I could be in jail now , I real thank THRDC” – Emmanuel Kibiki, journalist based in Makambako, Njombe Tanzania

“THRDC has been always very quick in providing emergency support to human rights defenders at risk, THRDC responds within 5 minutes. I real appreciate for the quick response from THRDC” - Mussa Juma, journalist and the Executive Director of MAIPAC based in Arusha Tanzania

“In 2016, I published my opinions about the electoral results of the 2015 general election in Zanzibar, I was arrested and charged under Section 16 of the Cybercrimes Act of 2015 for allegation of publishing false information. I was convicted and sentenced to one year and six months imprisonment or to pay fine of Tanzanian shillings Five Million, I appealed to the High Court under the legal support of THRDC and won the case hence I was set free, this is how THRDC helped me” – Bob Wangwe, a HRD and recently the Executive Director of Jukwaa la Katiba Tanzania.

“I real thank THRDC for according me an advocate who handled my case till when I was acquitted by the court, without THRDC I could be jailed” – Johnson Jabir Mking'imile, journalist based in Moshi, Kilimanjaro.

“On 21st August 2018 while being a student and vice president of the students’ organization at Silva Institute of Business and Management I was expelled from studies because of defending students’ rights at the University. With THRDC’s legal support, I challenged the dismissal order at the High Court of Tanzania in Dar es Salaam and on 9th September 2019 the High Court quashed the decision of the University and ordered for my reinstatement, without THRDC this could not happen, I really thank THRDC for being supportive” - Gervas Mshana.

“I really thank THRDC and the advocates who were handling my case for more than two years, I humbly request you to proceed supporting other human rights defenders at risk like the way you did to me, God bless you” - Friday Weston Simbaya, a freelancer journalist working with the Guardian and Nipashe newspapers.

Suggestion on litigation: Needed a separate assessment on the outcomes of strategic litigations

Despite this commendable effort, a separate assessment is recommended to establish how effective have been these strategic litigations especially with regard to their contributions into the intended reforms relating to working environments of the HRDs in Tanzania. The litigations could have direct contributions into advocacy processes or an increase of awareness on human rights generally. However, an extent of their contributions into all these assumptions is also subject to separate assessment.

4.6 ADVOCACY INTERVENTIONS, PROGRESSION AND IMPACTS

Advocacy is an inherent responsibility of any CSOs especially operating under the NGOs Act of 2002 like THRDC and its members. Its essence is on legal and policy reforms. In the context of THRDC’s objectives and vision, the nature of reforms envisaged appearing are in relation to creation and protection of secured working environment of the HRDs in Tanzania.

This section presents highlights an analysis and findings of the THRDC’s advocacy interventions, which is actually objective number three of this Coalition. The said objective targeted recognition of HRDs and their work in Tanzania. The two phases of SP transcribed this objective into legal reform and effective implementation of the same in favor of the HRDs. The intervention strategies and results earned from advocacy efforts are discussed here-in-under.

4.6.1 Main Advocacy Interventions: Distinctiveness and Usefulness

The THRDC has institutionalized advocacy agenda and given a lot of weight into it because pursuit of HRDs’ issues is not easy owing to the fact that, the concept is relatively new as it is explained in details in part two of this report. The main advocacy intervention strategies which the Coalition has devised and been using are:-

- i) **Evidence-based approach:** The Coalition conducts different forms of researches including desk analysis on some trends; fact-finding missions; field data collection; etc. In its documentation center, THRDC has stocked volumes of study findings including on the situation of HRDs which is published annually. The data and information gathered from the researches form a basis of advocacy. However, the secretariat will have to sharpen further the members’ skills on research, analysis and report writing in order to receive quality reports from them. Moreover, there is a need to devise feedback mechanisms on the level of implementation of the recommendations in various publications.
- ii) **Member-centered approach:** As it is explained in details in part three of this report, THRDC has invested quite heavily in the capacity of its members – to enhance their institutional and external operations. Some of them have been oriented on advocacy skills. However, much more is needed on this approach e.g. linkage of advocacy interventions between members operating on the grassroots and the national level. Moreover, forging collective voice for common advocacy agenda (as public uproar strategy still relatively weak).
- iii) **Holistic approach:** The THRDC has never relied on single form of advocacy interventions. Instead, multiple approaches including litigations, petitions, dialogues and consultative meetings have all been used. This is the best way of chancing better options which could workout especially because most of the decision makers are hesitant to accept reforms on matters with direct implications to their political

or personal interests. However, advocacy strategy or policy document is needed to be shared to the members so that they could replicate the approaches based on their specific contexts at grassroots levels.

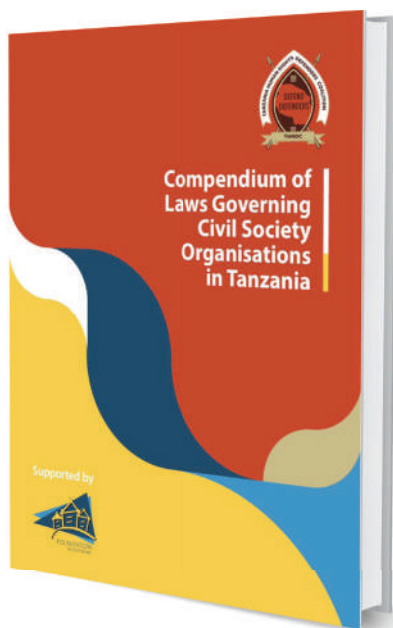
- iv) **Effective media engagement:** Understanding the power of media to influence leaders and public opinions, THRDC has also invested a lot in media engagement including initiating alternative media outlets of its own including the Watetezi online TV. However, as suggested earlier, there is a need to have communication and media engagement strategy document in order to standardize this approach. Also, the strategy is needed to gauge ways of receiving feedbacks from the media interventions done by the Coalition's secretariat or the members.
- v) **Bottom-up and international approaches:** Through its web of partners including the members, this Coalition prefer mobilization of issues and efforts from grassroots up to the national and international levels. For instance, most of the issues it pursues through the situation of HRDs' reports are actually from the grassroots. However, there has not been effective ways of linking up advocacy issues emerged or pursued at different levels (grassroots, national and international).
- vi) **Strategic Government Engagements:** THRDC for the past ten years has been strategically engaging with States organs and government departments as part of ensuring enabling operating environment of HRDs through legal and policy reforms.

4.6.2 Some of the Advocacy Interventions and Specific Achievements

The THRDC has been engaged in advocacy interventions using the above-named strategies. Main approaches have been on research and analysis; consultative meetings; and, media engagements.

a) Research Analysis and Publications

As for research, analysis and publications, THRDC has researched on more than 30 titles on HRDs' issues of concern including ones relating to legal framework, policy environments, security, protection, media, freedom of expression, freedom of association, COVID-19, etc. At least 20,000 copies of the publications have been disseminated and some attracted feedback from the readers. The most remarkable publication series are the Coalitions Annual Reports and the HRDs Situational Reports.



Launching of a Compendium of Laws Governing CSOs in 2018. The document was launched by the then Minister of the Presidents' Office Regional Administration and Local Government, Hon. Selemani Jafo during the CSOs Directors Forum hosted by THRDC

The two compendiums on the laws governing CSOs in Tanzania have now been authoritative reference materials even for academicians. Having monthly newsletters is highly commended as an effective feedback mechanism. A full length of THRDC's publications is annexed as 'list of references.'

b) Strategic Engagement with State machineries

As for strategic engagement with the State's machineries, it seems that the Coalition benefits a lot from this strategy. Despite the fact that it could not be materially practicable to domesticate the 1998 UN Declaration on HRDs, yet, having related struggles towards recognition of HRDs' issues is a remarkable progress. Some of the engagements with the same machineries are summarized here-in-under:-

- i) Line ministries responsible for CSOs coordination: The Coalition has worked closely with line ministries¹⁶ on many issues including effective engagement of CSOs in the review of the laws governing them; incorporation of HRDs' issues into the Five Years National Development Plan of 2021/22 – 2025/26; reflection of the HRDs issues into the National Human Rights Action Plan; recognition

16 These are the Ministry of Finance and Planning; the Ministry of Constitutional and Legal Affairs (MoCLA); and, the Ministry of Community Development Gender Elderly and Children.

of CSOs in national contingency plans on COVID-19; Human Rights Mechanisms such as UPR process and treaty bodies report mechanisms; etc.



THRDC and CSOs Representatives presenting a CSO's Action Plan on the Implementation of 2021/22-2025/26 National Development Plan to the Minister of Finance and Planning, Hon. Mwigulu Nchemba

Success story: CSOs' recommendations to the UPR process accepted

Tanzania received a total of 252 recommendations from various countries. Total of 187 out of 252 recommendations, equivalent to 74% were accepted by the government URT. At least 20 recommendations were partially accepted and 65 recommendations equal to 26% were not accepted. Most of the recommendations accepted were the ones proposed by CSOs in which THRDC had a large stake in the process including attending Human Rights Council's sessions in Geneva.

- ii) Ministry of Communications and Information Technology: Adoption of the Online Data Protection Act (the process of developing the law has started).
- iii) TAMISEMI: The THRDC in collaboration with other CSOs influenced the establishment of a unit in the Ministry of the Presidents' Office Regional Administration and Local Government (TAMISEMI) to process and approve permits of NGOs to work in respective LGAs. As a result, the Ministry (NGO Registrar) has introduced an online registration and reporting system for NGOs hence reducing delays and other administrative bottlenecks.
- iv) Political parties: Inclusion of a number of key issues recommended by HRDs/ CSOs in the Political Parties Election Manifestos including the ruling party, CCM. THRDC coordinated HRDs/ CSOs to develop joint CSOs Election Manifestos in 2015 and in 2019/2020. Most of

issues including challenges that affect HRDs and civic space were taken onboard in the respective party manifestos.

- v) TRA: Reforms on taxation of CSOs and capacity building of CSOs on compliance with the tax laws. As a result, TRA issued a simplified guideline on CSOs' compliance to tax obligations.
- vi) Registrar of NGOs: Establishment of an online NGOs Registration and Reporting System.
- vii) Institute of Judicial Administration (IJA): Training Manual for Judges and Magistrates on Human Rights Cases. It waits for an approval of IJA.
- viii) Judiciary of Zanzibar: Ongoing judicial reforms – structures, systems, procedures and operation of the full functionality of the Judiciary of Zanzibar.

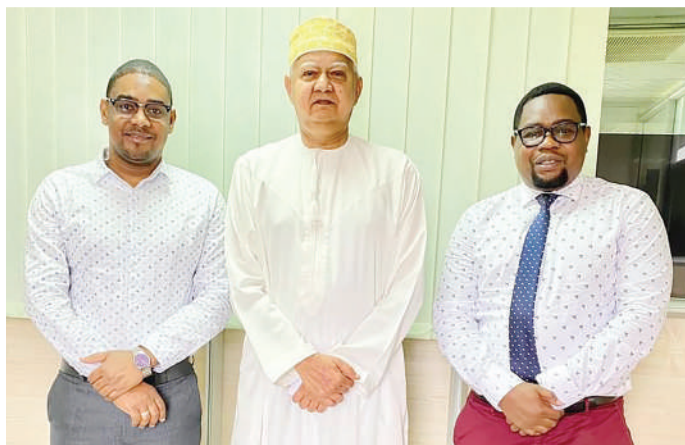


Photo : From the left is Mr Abdallah Abeid , THRDC Zanzibar Coordinator; at the middle is the Minister of Constituion , Good Governanance and Legal Affairs Zanzibar And from the rights is THRDC National Coorinator during a courtesy visit to the Ministry in Zanzibar , 2021

- ix) Authorities in Zanzibar:17 Amendment of the laws governing CSOs in Zanzibar (Leading to inter alia the formulation of the NGOs Bill). To be tabled in the House of Representatives; and, the review of the Zanzibar Anti-Corruption and Economic Crimes Act No. 1 of 2012. A new Act which considers human rights approach awaits adoption.
- x) CHRAGG: Collective advocacy on issues affecting HRDs/ CSOs and implementation of the Marrakesh Declaration on HRDs. Signed the MoU.
- xi) Other legal reforms generally e.g.:-
 - o Amendment of the Criminal Procedure Act, Cap. 20: One of the key amendments preventing the re-arrest of an accused person

17 Namely, the Zanzibar Law Review Committee (ZLRC); the Registrar of Societies of Zanzibar; and, the Ministry responsible for Constitution and Legal Affairs of Zanzibar.

who has been discharged following the decision by the Director of Public Prosecutions to enter nolle prosequi unless there is sufficient evidence.

- o Amendment to the Economic and Organized Crimes Control Act, Cap. 200: With the amendment there has been an increase of the pecuniary jurisdiction of District and Resident Magistrate Court to hear bail applications with property worth up to three hundred million from the current pecuniary jurisdiction of ten million shillings in economic offences.



THRDC Coordinated UPR in-country pre-session which grounded Tanzania's submission in November 2021, Geneva.

Table 4.5 below makes a summary of all bills and laws which THRDC was involved in an analysis and presentation of the opinions. The level of acceptance of the Coalition's recommendations in these laws is also indicated.

Table 4.5: Trend of Incorporation of THRDC's on Legal Reforms (2013 – 2022)

S/N.	Laws Analyzed by THRDC for Reforms	Key Issues Suggested	Status of Incorporation
a.	Amendment of the Criminal Procedure Act, Cap. 20.	Preventing the re-arrest of an accused person who has been discharged following the decision by the Director of Public Prosecutions to enter nolle prosequi	100%
b.	Amendment to the Economic and Organized Crimes Control Act, (cap. 200)	Increase of the pecuniary jurisdiction of District and Resident Magistrate Court to hear bail applications with property worth up to three hundred million from the current pecuniary jurisdiction of ten million shillings in economic offences.	100%

c.	The Income Tax Act was amended under the Finance Act of 2021	Automatic tax exemptions for CSOs	50% [TRA issued guideline for CSOs]
d.	Amendment of the Non-Governmental Organizations Act, Cap. 56 (2002) and its Regulations.	Easing compliance requirements especially for NGOs.	
e.	Amendment of the Companies Act, Cap. 212.		
f.	Amendment of the Societies Act, Cap. 337.	Mitigation of an undue control of the regulatory authorities to CSOs internal affairs e.g. financial management.	0%
h.	Amendment of the Statistics Act, Cap 351.		
i.	Amendment of the Trustee's Incorporation Act, Cap. 318.		
j.	Amendment of the Judiciary Administration Act, Cap. 237.	Liability of a judicial officer in an action or suit in respect of anything done or omitted in the performance of judicial function.	100%
k.	Amendment of the Basic Rights and Duties Enforcement Act, Cap. 3.	Easing the process of instituting public interest cases and avoiding amendments that could contravene the Constitution	0%
l.	Amendment of the Law Reform (Fatal Accidents and Miscellaneous Provisions) Act, Ca. 310.	Allowing claim for remedies against heads of state organs in case they violate any law while serving the public	0%
m.	Amendment of the National Assembly (Administration) Act, Cap. 115.	Widening the concept of separation of powers	0%
n.	Review of the Zanzibar Anti-Corruption and Economic Crimes Act of 2012 (No. 1 of 2012).	Adopting new developments	On Ongoing
o.	Zanzibar Non-Governmental Organizations Bill	Adopting new developments	On Going

Source: THRDC's various records, April 2022.

c) Engagement at Regional and International Level

For the first time in October 2013, THRDC attended and submitted observer status application during the 54th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR). On 20th May 2014 the Coalition gained observer status with reference no OBS.470 making it among the few NGOs in Tanzania with such a status. The move enabled the Coalition to submit and present reports to the African Commission on the situation of HRDs in Tanzania. This has also been a forum for THRDC and HRDs in Tanzania to file a cases before the African Court. Observer status created an opportunity for Organizations working in the field of human rights to attend and network in all meetings prepared by the African commission.

According to available records, the number of HRDs accessing regional and international human rights mechanisms as per 31 December 2014 was unknown. Only 3 HRDs had obtained observer status in the country. Despite of the available challenges on civic space in general, the number has increased more than double. According to the information available on the website of the African Commission on Human and Peoples Rights, Tanzania is ranked among countries that have 6-10 NGO's that have an observer status.¹⁸



THRDC Coordinator , The then UTSS Director Vicky Ntetema (Former THRDC Board Chair) with ACH-PR Former Chairperson Pansi Tlakula during one of the ACHPR sessions in Niamey , Niger 2017

In addition to that, THRDC successfully coordinated Human Rights Defenders/ Civil Society Organizations to attend regional and international forums including the NGOs Forum organized in the ordinary sessions of the African Commission on Human and Peoples Rights. For the first time in history 16 CSOs from Tanzania participated fully in the NGOs Forum and the 63rd Ordinary Session of the African Commission on Human and Peoples' Rights held in Banjul-Gambia from 21st to 26 October 2018. Annually the meetings have had special focus on selected issues based on the theme of the year.

d) Coordination of HRDs/CSOs in the Universal Periodic Review (UPR)

The Universal Periodic Review (UPR) is a comprehensive human rights review

¹⁸ <https://achpr.org/ngos> visited on 4th May 2022

mechanism established in 2006 by the United Nations Human Rights Council to give UN member states an opportunity every after four years to review fellow member states' track record and adherence to international human rights standards. The first ever UPR session was convened in 2011, the second was in 2016 and the third session was conducted in 2021.

THRDC has taken an active part in all 3 Cycles of the Universal Periodic Review. Together with some partners THRDC coordinated HRDs/CSOs in the submission of joint CSOs reports to the United Nations Human Rights Council, advocacy for the acceptance of recommendations by the Government of the United Republic of Tanzania and monitoring of the implementation of the recommendations.



Photo: THRDC National Coordinator visited the offices of the Tanzania Embassy to the United Nation in Geneva when attending the UPR 3rd Cycle adoption meeting at the UN HQ. With him are from Rights, Tanzania Ambassador to UN, Ms Maimuna, followed by Minister of Constitutional and Legal Affairs , Hon G. Simbachawen and then last from left is Ms Hoyce Tem, Deputy Ambassador

It goes without saying that close follow-up by THRDC has contributed to acceptance and implementation of many UPR recommendations. These achievements have been contributed by an engagement strategy adopted by THRDC that involve engagement of many CSOs in the process (mostly THRDC members), human rights stakeholders including partners, officials from the Commission for Human Rights and Good Governance (CHRAGG) and the Ministry of Constitution and Legal Affairs (MoCLA).

Tanzania conducted its third actual Universal Periodic Review (UPR) on 05 November 2021 during the 39th sessions of the United Nations Human Rights Commission. Tanzania received a total of 252 recommendations from various countries. 187 out of 252 recommendations, equivalent to 74.2% were accepted by the government of the United Republic of Tanzania (20 of them were partially

e) Local, Regional and International Meetings

In order to create solidarity and network among HRDs as part of conducting collective advocacy, THRDC has been attending several national and international meetings. Through these meetings, the THRDC staff and representatives have been networking with other HRDs, share ideas on matters affecting HRDs and even engaging with government officials. Also participants have been able to acquire relevant knowledge about the protection of HRDs, through trainings which have been provided in such meetings.

In the past 10 years, THRDC received 842 invitations to attend regional and international meetings. Due to several reasons including lack of funds to attend all meetings, the Coalition attended only 40% of the meetings. Most of the attended meetings were the local meetings.

f) Commemoration of Tanzania Human Rights Defenders Day

As an umbrella organization for Human Rights Defenders in the country, one of THRDC's major roles under the advocacy program is to encourage HRDs' solidarity, networking and engagements among themselves and with other stakeholders such as the Media, the Private Sector, Development Partners and the Government.

Since 2013, on 28th April every year, THRDC organizes a national Human Rights Defenders' Day to commemorate the United Nation's establishment of the special mandate on Human Rights Defenders, the Tanzania Human Rights Defenders' Day. In commemorating the Tanzania Human Rights Defenders' Day, the Coalition has been engaging all its members, CSOs, grassroots HRDs, the Commission for Human Rights and Good Governance (CHRAGG), development partners, media, UN agencies, embassies, international NGOs, human rights stakeholders as well as government entities.

These engagements aim at building further and strengthening the relationship between Human Rights NGOs and the Government. In doing so, for the last 5 years, the Tanzania Human Rights Defenders' Day ceremony has been officiated by Guests of Honor from the Government. For instance, in 2017 the Guest of Honour at the 4th Tanzania Human Rights Defenders' Day was the Vice President of the United Republic of Tanzania, Her Excellency, Samia Suluhu Hassan who was represented by Hon. Professor Palamagamba Kabudi (MP) – the Minister of Constitution and Legal Affairs.



Professor Kabudi, the Former Minister of Constitutional and Legal Affairs launching CSOs Implementation Plan on the FYDP (2021/22-2025/26) during the 7th Human Rights Defenders Day, 2021.

Day as part of recognizing the work of HRDs, THRDC has been awarding HRDs/CSOs and Partners with an outstanding contribution to the protection of human rights in respective years. Since 2013 THRDC has awarded 44 Human Rights Defenders and Civil Society Organizations. Among the awarded HRDs and institutions/partners, 10 were female HRDs, 15 were male HRDs, and 20 CSOs/Institutions.

Year	Number of Awardees	Gender/CSO/Partner		
		Female	Male	CSO/Institution
2013	2	-	2	-
2014	3	2	1	-
2015	3	2	2	-
2016	5	1	1	3
2017	6	-	3	3
2018	7	-	3	3
2019	8	3	3	2
2020	-	-	-	-
2021	9	-	-	9
2022	2	2	-	-
Total	44	10	15	20

During the commemoration of the Human Rights Defenders Day, HRDs have the opportunity to showcase and publicize their work through displays in the exhibition booths. In some cases exhibitions have also involved partners and companies such as internet providers and mobile companies.



Distinguished HRDs and Partners awarded during the commemoration of the Human Rights Defenders Day in 2017



One of key activities during the commemoration of Human Rights Defenders Day is recognizing Outstanding Human Rights Defenders. Above is a group photo of the recognized outstanding HRDs for the year 2018 together with other invited guests.

4.6.3 Other General Achievements on THRDC's Interventions

Advocacy activities have been impressive and attracting more HRDs to join the Coalition as it is explained in part three of this report. The second observation is that, despite the tough political environment from 2015 until early 2021, there are examples of achievements in terms of amendments to laws/acts or improvement of administration of some legal processes, which can be attributed to the Coalition activities. Some of the major achievements in terms of emerging changes (outcomes and output levels) in addition to what have already mentioned above are:-

- i) Acceptance by the government of at least 50% of the HRDs' recommendations or arguments in the UPR processes.
- ii) Gradual expansion of civic space especially from April 2021 after perceived shrank since around 2016.
- iii) Increasingly recognition of the HRDs as individual persons or organizations despite the fact that specific law on HRDs has not been enacted in Tanzania. Some examples already given on recognition of HRDs include accreditation to observe national elections and offering civic education in 2019 and 2020. More on this is explained in part two of the report. Moreover, a trust given to THRDC to support review and institutional strengthening of the judiciary of Zanzibar is yet a good illustration worth indicating here. Moreover, the attendance of high-profile government leader to HRDs' event is a good gesture in this regard.
- iv) Increased Number of Human Rights Defenders advocating for human rights at the regional and international level.

Remarkable Success Story: The Vice President of Tanzania attended HRDs' day

The 2017 HRDs' day was officiated by the then Vice President of the United Republic of Tanzania (URT), Her Excellence Samia Suluhu Hassan.¹⁹ Her speech was read by Prof. Palamagamba Kabudi, then a Minister for Constitution and Legal Affairs.²⁰ In her speech, Hon. Samia said, among other things, that, 'would like to assure you that, the government of United Republic of Tanzania supports you and will always be ready to work with you in making sure that we create a good environment in which human rights are respected, protected and promoted'

19 Honorable Samia Suluhu Hassan is now the President of URT, following the death of President John Pombe Magufuli in March 2021.

20 Prof Palamagamba Kabudi is now the President's advice of contractual and legal affairs

[emphasis supplied]. Samia also officiated one of the THRDC engagement meetings with Constitutional Assembly in 2014 in her capacity as vice chair of the CA by then.



Photo: Samia addressing one of the THRDC Meetings in Dodoma by then when she was the Vice Chairperson of CA

- v) Decreased number of prosecution and other forms persecutions against HRDs e.g. arbitrary arrest and criminalization of their activities could indicate how the interventions work well. However, this could be more impactful if the repressive laws e.g. suppressing freedom of expression and information like the online content regulations, are being amended.
- vi) Amendment of the Statistics Act of 2015 in 2019 was a result of mass pressure championed by most of the THRDC's members. As a result, a provision in this law which obliged the researchers (who include HRDs) to seek permission to the National Bureau of Statistics (NBS) prior to the publication of statistical data, was amended.
- vii) Amendment processes of the Media Services Act of 2015 are promising because the government has not rejected the recommendations made by CSOs on this law made between 2017 and 2020. Moreover, the government through the ministry of Information, Communication, and ICT has on 14th March 2022 indicated willingness to revise the law on online data protection based on the CSOs' recommendations.
- viii) The THRDC in collaboration with the Wajibu Institute of Accountability and other stakeholders pursued TRA to formulate some guidelines for CSOs to understand and comply with tax laws and procedures. Before this intervention, the CSOs really struggled with this revenue authority and some of them were at potential danger of being criminalized.

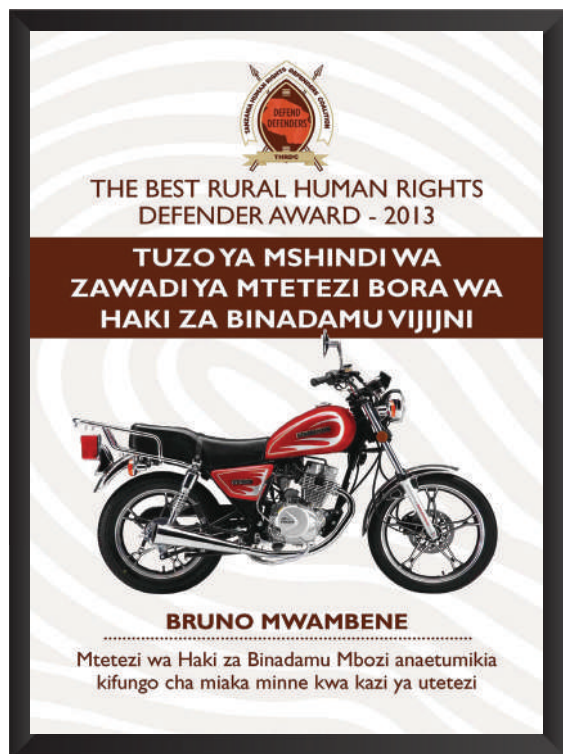
Some of the HRDs' issues have been reflected into the National Human Rights Action Plan which is being coordinated by Ministry of Constitutional Affairs and Justice (MoCLA). For instance a need for further review of laws governing freedom of expression was reflected into the said plan. The plan is a blue print of human rights interventions at the national level in Tanzania. However, its latest phase has not yet been endorsed for implementation since 2017.

4.6.4 Case-Based Achievements of some Follow-Ups

Apart from national-based emerging results as a result of THRDC's external operations, there are several other case-based achievements mostly associated with internal operation. Those one include:-

- i) Administrative actions have been taken in favor of the local communities following THRDC's general interventions. For instance, the long existed pastoralist land conflict in Kilindi-Lengusero in Handeni District, Tanga region was resolved by the District Commissioner (DC) when the documentary was aired by Watetezi online TV (and other social media) after making a special coverage on this conflict. Moreover, a conflict between Kilimanjaro International Airport (KIA) and neighboring villagers regarding expansion of the airport was also resolved by the Hai's DC. The area commissioner order KIA to pay compensations to relevant village communities. This too had a special coverage and airing by the said online TV.
- ii) Despite the fact that THRDC's efforts to have the UN Declaration on the Rights of HRDs of 2008 localized in Tanzanian legal frameworks have not been fruitful, the progressive realization of some of the HRDs' issues as illustrated above offers a green light of future realization of this desire. However, the Coalition will need a very specific advocacy intervention and strategy on this matter.
- iii) In relation to an argument above, the said 2008 UN Declaration has been operationalized in practice by some of the HRDs themselves. For instance, THRDC has established protection mechanisms whereby several initiatives are taken, both at the national, regional, and international level, to increase protection of defenders and contribute to the full implementation of the Declaration. The Coalition successfully managed to provide administrative and legal support to HRDs under the protection program, HRDs cases are directed to

this desk.²¹ A total of 245 HRDs including lawyers and journalists were support under the initiative. Table 4.1 shows a number of the defenders support over period of time.



Recognition of the work of HRD: Above is a photo of an online poster depicting the first award given a Rural HRD in 2013

4.7 RELEVANCE AND SUSTAINABILITY OF ADVOCACY INTERVENTIONS

It appears that engaging in legal reform to have the UN Declaration of the Rights of HRDs of 2008 localized into Tanzanian legal framework, is almost impractical for THRDC to realize this objective. However, picking and prioritizing pieces of provisions like recognition of HRDs into the national legal frameworks seems to be feasible. Evidence to this perception could be the tone of the State's officials on HRDs' presence and operations, including the high-profile leaders like the Vice President.

²¹ The Protection Officer has made it possible for the service to be more accessible. Furthermore, it has made it possible for the Coalition to respond to serious cases urgently. It is also noted that the Coalition applies an inter-border protection approach (termed as 'protection referral program') through its international partners including the Frontline Defenders; Protection International; the Defend Defenders; MLDI; FIDH; the European Union Emergence Funds. At least 73 HRDs were assisted through this scheme between 2013 and 2017.



Photo: A group photo of Police Officers and THRDC Representatives during a Workshop on the role of Law Enforcers in 2019

On the other hand, the way advocacy strategies (mentioned above) are designed, could drive well this Coalition in realization of its vision. For instance, empowering the HRDs to be champions of their own agenda is a commendable strategy as it bears a lot of sustainability elements e.g. informed processes and ownership of the processes and the results to be earned. Of course, this is subject to other factors including the health and wellbeing of the institutional capacities of the HRDs' organizations.

That is to say that, if THRDC has to bank on its members as drivers of the intended changes, such members should not only be oriented on advocacy skills, but also institutional development and sustainability skills. Other recommendations on advocacy interventions are reflected here-in-under.

4.8 RECOMMENDED ACTIONS ON ADVOCACY INTERVENTIONS

In addition to recommendations made above, the evaluation team suggest the following to be considered in order to enhance advocacy interventions: -

- i) A need to devise feedback mechanisms e.g. ability to track down and document level of implementation of the recommendations made in various reports which THRDC disseminates in volumes. It is crucial also to understand and tap feedback of the Coalition media programs e.g. how impactful and to what extent have the online TV and social media platforms been in influencing certain changes.

- ii) A need to create and operationalize a linkage between grassroots based advocacy interventions (and their results) and national based ones; and, ultimately to the international level. Currently, it is hard to understand contributions of members' advocacy interventions into the ongoing reforms highlighted above.
- iii) In relation to suggestions above, there is a need to have advocacy strategy which does not only guides the THRDC's secretariat, but the one which also guides the members albeit on major advocacy issues.
- iv) A need also to improve further M&E frameworks including ability of members to apply results-based planning approaches (RBM) with defined performance indicators e.g. needed to measure changes which the advocacy interventions are aiming to achieve. A unified M&E frameworks which at least connects the secretariat and ZCUs is highly recommended.

“ We at the Southern Africa Defenders Network are extremely proud of the milestone of the THRDC. They have demonstrated remarkable resilience in the face of great adversity. They have been a great source of inspiration and personify the very spirit that we need to instil in human rights defenders. They show the true character of human rights defenders of being singularly focused on defending the rights of others even as they themselves faced significant threats including existential threats. They seemed to take the threats to existence that they faced as an occupational hazard which is really the true attitude HRDs take as they go about trying to protect the rights of others. They remained strategic, highly tactical, respectful, dialoguing and engaging, otherwise we would not be having this milestone celebration. We thank you very much for the leadership in the sector. Keep inspiring us. Keep protecting HRDs as resolutely as you always do. #TogetherWeDefend ”



Arnold Tsunga
Chairperson,
Southern
Defenders

PART FIVE

OVERALL ACHIEVEMENTS, CONCLUSION AND GENERAL RECOMMENDATIONS

5.1 INTRODUCTION

This part makes a summary of findings on an overall accomplishments and general recommendations based on the level of achievements and challenges highlighted in the main parts of the report. The users of this report are advised to read all chapters for complete understanding of the findings and recommendations.

5.2 OVERALL ACHIEVEMENTS OF A DECADE OF INTERVENTIONS

Mapping of an overall achievements of the THRDC's decade of interventions are grouped into three categories (which are basically results areas presented in parts two, three and four of this report). A summary of key accomplishment is deduced from the said chapters and other progress report which could be read along with this report.

5.2.1 Performance on the Institutional Development and Sustainability

Despite facing unexpected interruptions of its interventions e.g. freezing of bank accounts and COVID-19, the THRDC demonstrated quite good efforts in establishing, stabilizing and improving its structures, systems, procedures and internal operations. Below are some of the key achievements observed:-

- i) THRDC successfully sustained its founding donors for the last consecutive ten years without any doubt or raised concern about the management of THRDC grants. Since its establishment, the Coalition kept on retaining its donors from one year to the next while engaging the new ones. THRDC has no record showing donor query or dropout because of financial embezzlement.



Photos: Swedish Ambassador (standing at the middle) and his team during regular partnership meetings with THRDC staff. Photos taken at the THRDC office March 2022.



- ii) Efficient financial management whereby, THRDC has continued to manage its resources efficiently and thereby for the past ten years THRDC has received unqualified independent Auditor's opinions (clean financial report) with minimum observations.
- iii) THRDC has managed to establish a 'development fund contribution' (solidarity fund) which seeks to raise resources for THRDC growth and expansion, such as building its own office and advancing its missions and visions more sustainably. THRDC has successfully raised around 60 million dollars from the development fund since its establishment in 2019.
- iv) The Coalition has grown significantly both internally and externally and has been able to influence public opinion and enhance the legitimacy of its work such that it is accepted by funders and HRDs both within and outside Tanzania.

- v) THRDC has successfully established the Zanzibar branch, which forms a part of the remarkable efforts in enhancing the sustainability and expansion of the Coalition while ensuring effective delivery of results across Tanzania Mainland and Zanzibar.
- vi) THRDC human resources continued to grow from 3 staff in 2013 to 22 staff in 2022 with an almost 50/50 gender split. The THRDC staff retention rate for the past ten years stands at 90% means there minimal staff dropouts.
- vii) THRDC has been successful in forming and maintaining a solid BODs to supervise and guide the Coalition. A number of expertise from several human rights dimensions has been added to the board over the past decade. In 2021, THRDC was able to get a retired Tanzanian Judge of the High Court of Tanzania to join the Board, marking the first time since the Coalition's inception that a prominent judiciary expert is included in the Board.

5.2.2 Enhancement of Membership Affairs and Public Engagement

Members are the realm of the THRDC's existence. They do also justify the legitimacy of this Coalition. Due to this reality, THRDC invested quite extensively on members affairs, a focus being on empowerment in protection and security management so that they operate (as HRDs) within conducive environments. Part three of this report makes an analysis of key findings and achievements on membership and public engagement. Those include: -

- i) A well updated, comprehensive and formalized member's database which improved management and treatment of members.
- ii) Widened membership base, from 14 in 2012 to 218 registered member organizations in 2022.
- iii) Developed 11 Zonal Coordination Units (ZCUs) which simplified and decentralized the coordination of members at grassroots level. This also increased the spirit of solidarity and team work among THRDC members in rural areas.



Photo: THRDC Western Zone (Kigoma, Katavi and Tabora) in a group photo during one of their zonal meetings in 2022

- iv) THRDC as the membership organization became the most vibrant network of HRDs to have comprehensive programs tailored to improve the welfare of its members.
- v) THRDC, through membership desk managed to record and publish human rights activities done members at grassroots level.
- vi) THRDC members have been empowered on organizational management aspects including fundraising, financial management and program management. For instance, a total of 30 members have been supported to come up with organizational management key documents including strategic plans since 2013 and consequently some of them managed to secure resources.
- vii) The Capacity of THRDC members to comply with regulatory laws improved significantly because of THRDC initiatives like the development of compliance tools kit on NGOs laws, Tax laws etc.
- viii) Members' interventions are well communicated and human right issues are widely communicated to the public through media programs that were conducted by the members at community levels, and through disseminated publications such as newsletters and fliers.
- ix) A successful broadened visibility of the Coalition by opening THRDC Zanzibar branch in 2021, which has 35 member organizations from Unguja and Pemba.

- x) Improved institutional management capacities to members as a result of rigorous empowerment conducted by the Coalition. For instance, a technical support offered by THRDC on the development of SPs, financial management, resource mobilization e.g. project proposal writing skills and financial management resulted into an ability of some of the member organizations like KIWOHEDE to secure funds from SIDA, ANGOZA, Door of Hope, MTWANGONET, PLAJAC, TUPACE and Paralegal Primary Justice from The Foundation for Civil Society and also the WOTESAWA to secure funds from other sources.



Photo: TUPACE is one of the THRDC oldest member in Tunduru Ruvuma, they do an outstanding legal aid services in southern region.

5.2.3 Protection Services, Security Management, Litigations and Advocacy

This result area combines both prevention and control aspects of HRDs' rights. The THRDC adopted a number of strategies on this including offering tailor-made capacity building sessions on protection and security services. The Coalition has also been offering responses services including rescuing and relocation of HRDs who are risks. Provision of legal aid services is yet another key response and empowerment strategy. There has been some improvements over period of time from the date of inception of this Coalition. Currently, THRDC vies to scale further all these. Quite interesting earnings of the results on this particular intervention have been observed, including:-

- i) The concept of human rights defender is now well understood by the State's officials and the general public not as it was before the establishment of THRDC.

- ii) Through various established mechanisms, THRDC has engaged with the government and other actors in the process of advocate for legal reforms. THRDC participated in different 25 legal reforms processes at different levels, some of these laws have been reviewed already while the reform for other laws is in progress.²²
- iii) Increased engagement capacity with various actors and the ministries including the Ministry of Constitutional and Legal Affairs, ZAECA, Zanzibar Law Reform Committee, TRA, Registrar of NGOs, etc. THRDC conducted more than 14 strategic engagements with the responsible authorities aiming to improve the working relation and securing the HRDs working environment – which is now perceived to be improving.



THRDC National Coordinator Onesmo Olungurumwa at the right posing with the registrar of NGOs Zanzibar Mr. Abdullah Mr. Ahmed Khalid Abdullah (left) and THRDC Coordinator Zanzibar Branch Mr. Abdallah Abeid when the Office of NGO registrar Zanzibar visited THRDC Zanzibar Branch.



THE Tanzania Human Rights Defenders Coalition (THRDC) through its Zanzibar branch (THRDC-Zanzibar), signed a Memorandum of Understanding (MoU) with the Zanzibar Judiciary to foster and improve the justice delivery system and to enhance human rights in the Zanzibar isles.

²² Example an amendment of the Statistics Act of 2015 in 2019 and Criminal Procedure Act as a result of mass pressure championed by most of the THRDC's members. The provision required some researchers (who include HRDs) to seek permission to NBS prior to the publication of statistical data, was amended. Also, the government acceptance to initiate the processes to amend the Media Services Act of 2015. This has also championed by HRDs including THRDC's members who provided recommendations for the amendment.

- iv) Conducted a research and disseminated 53 publications on various matters pertaining human rights protection and promotion including the human rights defender's situation and civic space, legal analyses, UPR implementation monitoring and reporting, legal challenges facing NGOs operation in Tanzania to mention a few. The publications have contributed into awareness rising and said legal reforms.
- v) Increased international advocacy capacity at various levels and platforms including the UPR mechanism, ACHPR, etc. Participation of THRDC and its members in UPR process has yielded positive results such as the increase of accepted recommendation from 107 in 2011, to 187 recommendations.
- vi) Understanding the power of media to influence leaders and public opinions, THRDC has also invested a lot in media engagement including initiating alternative media outlets of its own including the Watetezi online TV which covers human rights related news.
- vii) Increasingly recognition of the HRDs as individual persons or organizations despite the fact that specific law on HRDs has not been enacted in Tanzania. Some examples already given on recognition of HRDs include accreditation to observe national elections and offering civic education in 2019 and 2020.
- viii) Some of the HRDs' issues have been reflected into the National Human Rights Action Plan which is being coordinated by Ministry of Constitutional Affairs and Justice (MoCLA). For instance, a need for further review of laws governing freedom of expression was reflected into the said plan
- ix) THRDC managed to enter written and unwritten MoU with some state's organs such as the Judiciary, Police, TAMISEMI, CHRAGG, etc.



Photo: CHRAGG Commissioner, Mr Nyanda (from the left) receiving THRDC publications after a strategic meeting with THRDC at the THRDC HQ in Dar es Salaam in 2021

- x) Successful empowered more the 2,984 HRDs on various aspects pertaining security management, risk assessment, disaster management, compliance regulatory frameworks to HRDs, public interest litigation to lawyers, handling election petitions to Judges to mention a few.
- xi) THRDC empower 509 Journalists (both mainstream and online) on matters pertaining to their working environment including laws governing the media operation sector, security management, risk assessment, monitoring, documentation and reporting of human rights violation. Reporting rates on HRDs issues have increased e.g. for 2016 alone, a total of 40 articles or stories were reported by regular print media. Also, a total of 512 human rights violations were reported by THRDC from 2012- 2021.
- xii) Increased human right lawyers' capacity in instituting and filing the public interest litigation cases at any part of the country. THRDC recorded 45 cases instituted by more the 100 empowered human right lawyers.
- xiii) THRDC successfully provided direct legal support to 249 human rights defenders across the country. No HRD provided with legal support was punished to serve a sentence in prison.

- xiv) THRDC successfully evacuated and rescued 57 HRDs who were relocated to different safe places after they were threatened because of their human rights work.

5.3 CONCLUSION

This evaluation by a team of independent consultants was carried out between December 2021 and April 2022 when this report was finalized. All evaluation criteria including relevancy and effectiveness as well as sustainability of the THRDC's interventions and results earned were applied in collecting data and making an analysis.

Having interviewed more than 190 individual persons (45% being females) and after the review of hundreds of documents, it is established that, this Coalition had done a quite impressive work over a decade. The execution of its plans was systemized by the two programs of 2013-2017 and 2018-2022 phases. The first phase was more on institutional building and stabilization plus mobilization and empowerment of members, while the second one ventured to scale up external operations of the Coalition. During the second phase, the working environments of HRDs were assessed to be 'quite challenging' owing to the perceive shrinking of civic space and eruption of COVID-19. The operations of THRDC almost stalled due to freezing of bank accounts by the government for no legal justification made to date.

Despite the challenges and all potential risks attributed to stringent application of the amended CSOs' laws in July 2019, the Coalition managed to harvest a lot of tangible results. For instance, it celebrates a decade of struggle with increased recognition of the presence and work of HRDs by the government and general public. The mechanisms are in place to secure protection and security of HRDs e.g. quite swift response systems including presence of more than 100 standby pro bono lawyers. At its institutional level, the structures, systems, procedures and operations have been progressively improved in a way that, all core corporate good governance principles are adhered to. This being a case, the THRDC enjoys and retains a very goodwill that earn it a lot of support from funding partners.

Going forward then, it is advised, inter alia that, the Coalition should continue strengthening its risk management framework and intensify the operationalization of the ZCUs as its extended arms down to the grassroots level. Mobilization of resources from alternative legal sources is encourage to continue but in a way that the same strategies could be replicated by member organizations who currently almost 50% of them operate with annual budget estimate below TZS 50 million,

while almost 70% of them claim to have national-wide coverage of their operations according to the nature of their registrations.

5.4 GENERAL RECOMMENDATIONS

Specific recommendations are made in each part, sections and sub-sections of this report. Therefore, here-in-under are general ones, considering all evaluation criteria and key results areas of THRDC:-

- i) Owing to the current context and level of achievements the Coalition has realized so far, it is advised that the next phase of strategic plan should maintain same results areas – but with necessary modifications e.g. to reflect the recently adopted UPR recommendations, the national five year development plan, etc.
- ii) THRDC Zanzibar should have its own strategic plan but linked in a way to the THRDC's one. In this way, it will be able to grow independently basing on the Zanzibar's context.
- iii) Operationalization of the zonal coordinating units should be carefully reconsidered especially in terms of legal liabilities and reputation of the Coalition. A through risks assessment on the operationalization of these unit is high recommended.
- iv) THRC's secretariat and its members will have to improve further monitoring and evaluation frameworks. One the key areas of concern to address is designing of outcome performance indicators and mapping of the results earned. It looks that harvesting and communication of the results need further improvements.
- v) While it could not be unrealistic to domesticate the 1998 UN Declaration into the country's legal frameworks, feasible way could be to advocate for incorporation of some components of this Declaration. Therefore, THRDC is advised to have more strategic advocacy interventions linked to this Declaration and guided by a comprehensive advocacy strategy. In the same vein, it is crucial that grassroots based advocacy interventions are linked to the national and international based ones.

APPENDENCE

Annex I: List of Reference Materials

- o THRDC, *Report on the Situation of Human Rights Defenders in Tanzania of 2013.*
- o THRDC, *Report on the Situation of Human Rights Defenders in Tanzania of 2014.*
- o THRDC, *Report on the Situation of Human Rights Defenders in Tanzania of 2015.*
- o THRDC, *Report on the Situation of Human Rights Defenders in Tanzania of 2016.*
- o THRDC, *Report on the Situation of Human Rights Defenders in Tanzania of 2017.*
- o THRDC, *Report on the Situation of Human Rights Defenders and Civic Space in Tanzania of 2018.*
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- o THRDC, *Report on the Situation of Human Rights Defenders and Civic Space in Tanzania of 2020.*
- o THRDC, *Report on the Situation of Human Rights Defenders and Civic Space in Tanzania of 2021.*
- o THRDC, *Annual Progressive Report of 2013.*
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- o THRDC, *Annual Progressive Report of 2021.*

- o THRDC, *Five Years Strategic Plan of 2013-2017*.
- o THRDC, *Five Years Strategic Plan of 2018-2022*.
- o THRDC, *in the Past Five Years: Final Evaluation Report of the THRDC's Five Years Strategic Plan 2013-2017*.
- o THRDC, *Strategic Plan Midterm Review Report of 2018-2020*.
- o THRDC, *Review of the THRDC's Protection Mechanism of 2019*.
- o THRDC, *Joint CSOs UPR Implementation Report of 2013*.
- o *Joint CSOs UPR Implementation Report of 2021*.
- o *UPR Implementation Monitoring and Evaluation Strategy for Tanzania Human Rights Defenders/CSOs (Undated)*.
- o *UPR Midterm Reports on the Situation of the Implementation of UPR Recommendations in Tanzania (Undated)*.
- o THRDC, *NGOs Policy Review Report of 2018*.
- o THRDC, *Non-Governmental Model Policy of 2018*.
- o *Report on the NGOs Verification Process 2017 (along with other publications)*.
- o *Written Laws (Miscellaneous Amendment) Act (No.3) of 2019*.
- o *Written commentaries and recommendations on several amendments to the Laws and Regulations governing NGOs and Media sector (Undated)*.
- o TRA, *Non-Governmental Organizations Compliance Tool Kit on Taxation of 2021*. o THRDC, *Compliance to Tax Laws Challenges Facing Civil Society Organizations in Tanzania October 2019*.
- o THRDC, *Protection and Security Needs for Human Rights Defenders in Tanzania: Needs Assessment Report of 2013*.
- o THRDC, *Protection and Security Needs Assessment for Human Rights Defenders of 2019*.
- o *THRDC, Compendium of Laws Governing Civil Society Organizations in Tanzania of 2018*.
- o *THRDC, Compendium of Laws, Regulations and Policies Governing CSOs in Zanzibar of 2018*.
- o THRDC, *Compendium of International Laws Governing CSOs of 2018*.

- o THRDC, *Compendium of Laws and Policies: Legal and Policy Issues Affecting CSOs in Tanzania -2018*.
- o Written Commentaries on the Amendments to *the Laws of Tanzania Contained in The Written Laws (Miscellaneous Amendments) (No. 7) Bill of 2021*.
- o THRDC, *News Letters (issued quarterly)*.
- o THRDC and AAT, *Position Paper and Strategic Intervention Areas on Covid-19*.
- o THRDC, *Impact of Covid-19 to Human Rights Defenders/ CSOs, Draft, 2022*.
- o THRDC, *Self-Protection Guideline for Human Rights Defenders in Tanzania (Undated)*.
- o Code of Conduct for Human Rights Defenders During Elections and Democratic Processes in Tanzania (Undated).
- o CSOs Election Manifesto of 2015.
- o CSOs Election Manifesto of 2020.
- o CSOs Election Barometer of 2015.
- o Loliondo Joint Fact Finding Mission: *Human Rights NGOs Joint Intervention Report of 2015*.
- o THRDC and IJA, *Training Manual for Judges and Magistrates of 2021 (Draft)*.
- o THRDC, *Report on the State of Human Rights Education of 2022 (Draft)*.
- o THRDC, *Security of Journalists during Election (THRDC and UNESCO) of 2020*.

Annex II: List of Public Interest Litigation Cases Supported by THRDC 2013 – 2022

Presenter of the Case	Nature of the Case/ Claim	Status (Update)
THRDC, LHRC and MCT Vs. Attorney General of Tanzania	Amendments to the Electronic and Postal Communications (Online Content) Regulations	Pending for hearing at EACJ
Tanzania Human Rights Defenders Coalition (THRDC), Pan African Lawyers Union (PALU), Tanganyika Law Society (TLS), Legal and Human Rights Centre (LHRC), and Centre for Strategic Litigation (CSL) versus the Attorney General of the United Republic of Tanzania [Reference No 25 of 2020]	Challenging amendments enshrined in the written Laws (Miscellaneous Amendments) Act (No 03) of 2020: Basic Rights and Duties Enforcement Act and the second case is general other	Pending for hearing at EACJ
Onesmo Olengurumwa Vs Attorney General [Miscellaneous Civil Cause No 09 of 2021]	Challenging the amendment to Section 4 of the Basic Rights and Duties Enforcement Act (BRADEA) Cap. 3 (R.E. 2019) (under Section 7 of the Written Laws (Miscellaneous Amendments) Act, No. 03 of 2020)	It was held that the amendments to BRADEA are in line with the Constitution. We lodged an appeal which is now pending for hearing at the Court of Appeal

<p>Onesmo Olungurumwa Vs the Attorney General [Civil Appeal No 165 of 2021 at CAT, Originating from Miscellaneous Civil Cause No. 36 of 2019]</p>	<p>Challenging the Criminal Procedure Act which provides for committal proceedings and preliminary inquiries before a person is held for trial in court. Such provisions cause a delay of hearing of cases and negates the right to fair trial.</p>	<p>It was held that the provisions of the CPA are in line with the Constitution. We lodged an appeal which is now pending for hearing at the Court of Appeal</p>
<p>Tanzania Human Rights Defenders Coalition (THRDC), Legal and Human Rights Centre (LHRC) versus the United Republic of Tanzania [Application No 039 of 2020]</p>	<p>The case is challenging section 148(5) of the Criminal Procedure Act. This was after the Court of Appeal of Tanzania declaring that section 148(5) of the Act is in compliance with the Constitution of the United Republic of Tanzania, through a Criminal Appeal No 175 of 2020 [Attorney General versus Dickson Sanga]</p>	<p>The case is pending for judgment at the African Court</p>
<p>Tanzania Human Rights Defenders Coalition (THRDC), Pan African Lawyers Union (PALU), Tanganyika Law Society (TLS), Legal and Human Rights Centre (LHRC), and Centre for Strategic Litigation (CSL) versus the Attorney General of the United Republic of Tanzania [Reference No 27 of 2020]</p>	<p>Challenging the amendment to 13 laws amended by the Written Laws (Miscellaneous Amendments) Act, No. 03 of 2020)</p>	<p>Pending for hearing at EACJ</p>

<p>Francis Muhingira Garatwa, Baraka Mwago and Allan Bujo Mwakatumbula Versus the Attorney General (Consolidated Miscellaneous Civil Cause No. 4 of 2018 and Miscellaneous Civil Cause No. 8 of 2018)</p>	<p>The petitioners filed the case in 2018 before the High Court of Tanzania seeking the court to declare the constitutionality of Sections 43, 44, 45 and 46 of the Police Force and Auxiliary Services Act (Cap 322 R.E 2002) and Section 11 (2), (4), (6) and (7) of the Political Parties Act (Cap 258 R.E 2002) for offending Articles; 13(6) (a), 18, 20(1), 21 and 29 of the Constitution of the United Republic of Tanzania. The petitioners also sought the court to expunge the same after it declared them unconstitutional.</p>	<p>It was declared by the High Court that the impugned provisions are in line with the Constitution hence this appeal to the Court of Appeal. The case is pending for hearing</p>
<p>Watetezi online TV Vs Tanzania Communications Regulatory Authority [Tribunal Appeal No 13 of 2019]</p>	<p>Appeal No 13 of 2019]: Petition over a fine for Watetezi TV on the allegation of contravening the Guidelines” contrary to Regulation 5(1)(c) of the Electronic and Postal Communications (Online Content) Regulations, 2018 by not making available the online policy or guidelines to users. TCRA Content Committee fined Watetezi Tv to pay TZS 5 million. Such a decision was issued by the TCRA Content Committee in accordance with Regulation 18 of the Electronic and Postal Communications (Online Content) Regulations, 2018. Watetezi Tv appealed to the Fair Competition Tribunal.</p>	<p>The Tribunal reduced the fine from TZS 5 million to TZS 3 million.</p>
<p>Jebra Kambole vs Attorney General of the United Republic of Tanzania</p>	<p>Tanzania Misc. Civil Cause 22 of 2018, [2019] seeking the court to declare death penalty unconstitutional;</p>	<p>The High Court held that death penalty is constitutional</p>

<p>Jebra Kambole vs Attorney General of the United Republic of Tanzania</p>	<p>(Misc. Civil Cause no. 32 of 2015), seeking courts redress to declare the Cybercrimes Act no. 14 of 2015 unconstitutional</p>	<p>It held that the provisions of the Cybercrimes Act are constitutional except section 50 of the Cybercrimes Act was held to violate the right to be heard and ordered the Attorney General to amend it within 12 months</p>
<p>Jebra Kambole vs Attorney General of the United Republic of Tanzania</p>	<p>Application no 018/2018 filed to the African court of Justice seeking remedy on Article 41(7) of the Constitution of the United Republic of Tanzania, that prohibit persons aggrieved by presidential results to access the court</p>	<p>The African Court held that Article 41(7) violates the Banjur Charter hence the government of Tanzania was ordered to amend it</p>
<p>The Honorable Attorney General versus Jebra Kambole and Edson Kilastu (Advocates) [Application No 26 of 2020]</p>	<p>On 8th October 2020, the Attorney General instituted complaints before the Advocates Committee claiming that the post of Advocate Jebra Kambole amounts to a criminal act but also unprofessional and unethical conduct contrary to section 53(1) (b) of the Media Services Act, 2016; Regulations 4, 6, 92(1) , 129(1), 132(1)(2)(b)(c), 134 and 139(1) of the Advocates (Professional Conduct and Etiquette) Regulations, 2018 which requires an advocate at all times to observe a standard of conduct that reflects credit on the profession and the administration of justice generally.</p>	<p>On 27th September 2021, the complainant/AG withdrew the case with a leave to refile. However, to date, it has not been refiled.</p>

	<p>The charges were due to the fact that on 10th March 2020, Kisutu Resident Magistrates’ Court convicted and sentenced nine (9) leaders of an opposition political party, Chama cha Demokrasia na Maendeleo (CHADEMA) for 12 counts in criminal case no 112 of 2018. CHADEMA leaders were sentenced to pay a fine that amounted to Million 350 Tanzanian Shillings in total or serve a jail term up to five months.</p> <p>Advocate Jebra Kambole posted a comment via his Twitter account “Kisutu Revenue Authority (KRA)”</p>	
	<p>On the part of Advocate Edson Kilatu, his charge was from the allegation that on 8th August 2020 he posted via his Facebook account comments which, in facie curiae, malign the confidence of the Court of Appeal of Tanzania, the legal profession and public respect for law and justice. His comments were alleged to be in violation of the Advocates (Professional Conduct and Etiquette) Regulations, 2018.</p> <p>Advocate Kilatu’s comments came after the Court of Appeal of Tanzania declaring that section 148(5) of the Criminal Procedure Act Cap 20 does not contradict the Constitution of the United Republic of Tanzania, 1977, in an appeal lodged by the Attorney General of Tanzania.</p> <p>The Attorney General sought for a declaration that the two advocates committed gross professional misconduct and requested an order for removal of the advocates name from the Roll of Advocates.</p>	





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