



SHORT COURSE OPPORTUNITY FOR HUMAN RIGHTS DEFENDERS

CONTINUING LEGAL AND HUMAN RIGHTS EDUCATION
COURSES TO HUMAN RIGHTS DEFENDERS IN TANZANIA
(MAINLAND AND ZANZIBAR)

**MODULE ONE: CLE ON LEGAL AID PROVISION FOR
HUMAN RIGHTS DEFENDERS IN ZANZIBAR**



EAST AFRICAN
HUMAN RIGHTS
INSTITUTE

1.0 INTRODUCTION

The Zanzibar University in collaboration with the East Africa Human Rights Institute, the Law School of Zanzibar, and the President's Office-Constitution, Legal Affairs, Public Service and Good Governance have designed Continued Legal and Human Rights Education programs (short courses) for Human Rights Defenders (HRDs), focusing on various areas of human rights and access to justice. Specific Modules are designed based on the needs from the practice and founded on the interest of sponsors.

This first Module on legal aid provision will be offered to all 11 (eleven) THRDC zones. To start with, the session will be for HRDs operating in Dar es Salaam, Coastal and Tanga Regions (East Coast Zone) to be followed by Zanzibar (Unguja and Pemba) Zone and Lake Zone (Mwanza, Mara and Simiyu) under the partial support of Tanzania Human Rights Defenders Coalition (THRDC- Zanzibar). The East Coast Zone session has been accomplished. This program has been designed to empower HRDs working on legal aid services on various aspects pertaining to legal aid provisions, including regulatory frameworks governing legal aid provision, legal and practical aspects of paralegal works in Tanzania and HRDs ethics and mandates to provide legal aid in Tanzania. This short course will also provide a space for participants to discuss and chat out various challenges affecting their operations as well as mapping the best way to improve and sustain legal services across the country. This first Module (CLHRE) is partially sponsored by the Tanzania Human Rights Defenders Coalition – Zanzibar.

1.1.1 Background

Human Rights Defender can be any one with a profile attributed to human rights promotion, protection, and access to justice. Any person qualifies to be called a HRD so long as she/he is engaged in activities related to human rights promotion and protection. This definition may therefore include professional and non- professional human rights workers, volunteers, journalists, lawyers, paralegals, social workers, and those carrying out human rights work in long term or on occasional basis.

Human Rights Defenders play a crucial role in promoting and protecting human rights, ensuring access to justice, and providing legal assistance to marginalized and vulnerable individuals and groups. Among others, HRDs

protect and promote human rights through the following legally and peaceful approaches:

- a) Documenting violations of human rights.
- b) Conducting human rights research and advocacy.
- c) Seeking remedies for victims of such violations through the provision of legal, psychological, medical, and other support services.
- d) Combating cultures of impunity which serve to cloak systematic and repeated breaches of human rights and fundamental freedoms.
- e) Mainstreaming human rights culture and information on human rights defenders at national, regional, and international level.
- f) Providing human rights training and education.
- g) Seeking and dissemination of information related to human rights.
- h) Providing legal support through legal aid to ensure access to justice.
- i) Conducting human rights awareness sessions to the public.

Tanzania, like many other countries, faces various human rights challenges, including limited access to justice and legal services, particularly among disadvantaged groups. Human rights defenders include lawyers, legal organizations, civil society groups, social workers, and trained individuals. In Tanzania, paralegals are also human rights defenders who have been at the forefront in providing legal aid services to individuals who cannot afford legal representation, advocating for policy reforms, and raising awareness about human rights issues. However, the issues of capacity both financial and legal capacity to deliver this service to those in need has been a great challenge to the legal aid sector in Tanzania. One of the strategies developed to address knowledge gap challenges is the provision of continue legal education to human rights defenders involved in legal aid services in Tanzania.

1.1.2 Role of Human Rights Defenders in the Provision of Legal Aid Services

Human rights defenders play a multifaceted role in the provision of legal aid services in Tanzania. Their contributions include providing legal aid services, including legal advice, representation, and support in court proceedings. They assist individuals in navigating the justice system, ensuring their rights are protected and promoting access to justice for marginalized communities. HRDs work towards improving laws, regulations, and policies related to legal aid, ensuring they are inclusive and accessible to all. They also raise public awareness about human rights issues, including the importance of legal aid

services. Through campaigns, workshops, and community outreach. They educate individuals about their rights, the available legal remedies, and how to access legal aid services.

1.1.3 Capacity Gaps in Legal Aid Services

To effectively address legal aid needs in Tanzania, it is crucial to identify the capacity gaps that human rights defenders face. Some of the common capacity gaps include limited Resources.

human rights defenders operate with limited financial resources, making it challenging to provide comprehensive legal aid services. Insufficient funding restricts their ability to hire qualified staff, maintain offices, and support their clients throughout legal processes.

Moreover, HRDs lack specialized training in legal aid services, including areas such as legal research, advocacy, and case management. Enhancing their knowledge and skills through targeted training programs would significantly contribute to their effectiveness. Limited access to legal databases, case law, and updated legal resources also hinders their ability to offer comprehensive legal aid services. Furthermore, geographic and outreach limitations impede the provision of legal aid services in remote and rural areas. Human rights defenders may face challenges in reaching marginalized communities due to limited infrastructure, transportation, and awareness of available services.

Therefore, comprehensive continue legal and human rights education is among the strategies developed to address the capacity related gaps. This will improve skills of HRDs who provide legal aid services, specifically on legal research, case management, advocacy, legal compliance, legal aid ethics and knowledge on relevant laws and regulations. Moreover, these training sessions provide a good platform for sharing legal information, case studies, and best practices among HRDs.

1.1.4 About the Proposed Course

Towards the realization of this program goal, ZU, LSZ and EAHRI have planned to conduct CLHRE sessions to HRDs operating in Pemba and Unguja. The training will be held for two days on 23rd and 24th of August 2023.

1.1.5 Methodology

This is a two-day short course that will be offered physically at the Zanzibar University Premises on 23rd and 24th August 2023. Throughout this training, facilitators will employ various methods and techniques, including but not limited to; pre and post training survey to the participants, PowerPoint presentations, case studies, dialogues, experience sharing sessions, questions and answers, small group discussions, and energizers.

A team of experienced trainers and practitioners, including retired judges, advocates, human rights experts, academicians from ZU, LSZ, EAHRI, as well as government officials from the President's Office-Constitution, Legal Affairs, Public Service and Good Governance will facilitate the sessions. This session will only accommodate about 40 eligible HRDs selected for this course.

2.0 Main Objective

The overall objective of the CLHRE in legal aid provision is to strengthen the HRDs capacity on legal aid provision. The sessions aim to improve HRDs capacity in delivering legal aid services to people in need and eventually contributing to the respect of human rights and access to justice in Zanzibar.

2.1.1 Specific Objectives

- a) To reorient and refresh the capacity of HRDs on legal and policy frameworks governing legal aid provision in Zanzibar (including any current developments).
- b) To improve HRDs understanding on their mandates and boundaries in legal aid provision.
- c) To discuss, analyze and document legal aid provision challenges facing HRDs at various levels.
- d) To improve the networking and knowledge sharing among HRDs who provide legal aid services in various parts of Zanzibar.

2.1.2 Expected Outputs

- Improved skills and legal knowledge of HRDs who provide legal aid services.
- Improved legal aid services to human rights defenders who face legal challenges, especially at grass-root level.
- Improved access of legal assistance to the underprivileged and vulnerable communities.

- Forged networking, engagement, and learning relationship among HRDs and the learning institutions.
- Number of statutory non-compliance cases among HRDs working on legal aid reduced.

These series of interventions will contribute to the improved access to justice and respect of human rights in Zanzibar. Also, the intervention will provide a space to discuss and deliberate on the existing legal aid provision challenges facing HRDs.

3.0 Eligibility

This course is meant for HRDs or HRDs institutions that offer legal aid to the public and to other groups of HRDs who face legal challenges. The following are the key eligibility criteria for applicants:

- a) Must be a registered organization under any law in Zanzibar, if applying as an HRDs organization.
- b) Must be a registered legal aid provider under the registrar of legal aid providers.
- c) Must be working in Unguja or Pemba.
- d) If applying as an individual HRD, provide a reference letter from the registrar of legal aid at their district or any recognized institution at the district level.
- e) Added value will be to those applying as THRDC Members operating in the Unguja or Pemba Zones.
- f) Working with legal aid center at any learning institution.
- g) Providing legal aid as police officers in detention centers.
- h) Community social workers at district level with authorized letters from their district officials.
- i) Legal Aid Lawyers/advocates with proven records in legal aid services.

4.0 Course Fees and How to Apply

This is a partially sponsored CLHRE by the THRDC targeting to improve the capacity of its members who provide legal aid services and other few non-member HRDs. Interested HRDs may apply for this sponsored CLHRE opportunity through <https://forms.gle/S61q68WsKE7FB91s6> and submit the application by 16th of August 2023. Only selected applicants will be officially invited for this course.

***For more details about this course
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