



President Samia and Human Rights

PRESIDENT SAMIA AND HUMAN RIGHTS



“Human rights are also enshrined in our constitution. We have signed and ratified regional and international conventions on Human Rights or various rights”... “In addition we have established a Commission on Human Rights and Good Governance in the country where one of its responsibilities is to receive complaints “and to investigate cases of human rights violations.” ,, “Also our country is governed by the law and no one is above the law.” **Hon. President Samia. (Speech by President Samia 76th session of the UN General Assembly September 23, 2021)**

**ONE YEAR PERFORMANCE OF HER
EXCELLENCY PRESIDENT SAMIA
SULUHU HASSAN IN PROMOTING
AND SAFEGUARDING HUMAN
RIGHTS AND RULE OF LAW IN
THE COUNTRY**



Dr Clement Mashamba and
Adv. Onesmo Olengurumwa
May, 2022

TABLE OF CONTENTS

CHAPTER ONE INTRODUCTION

| | |
|--|---|
| 1.0 Introduction | 1 |
| 1.1 Means of Assessing Information Collection | 1 |
| 1.2 Profile of Hon. Samia Suluhu Hassan, President of the United Republic Tanzania | 2 |
| 1.2.1 Her Life | 2 |
| 1.2.2 Education and Training | 2 |
| 1.2.3 Experience in the Government | 3 |
| 1.2.4 Experience in Chama Cha Mapinduzi | 3 |
| 1.2.5 Experience in other Institutions | 3 |

CHAPTER TWO THE RESPONSIBILITY OF THE PRESIDENT TO PROTECT AND TO PRESERVE HUMAN RIGHTS

| | |
|---|---|
| 2.0 Human Rights in the Constitution of the United Republic of Tanzania | 5 |
| 2.1 The Responsibility of the President to Protect and to Preserve Human Rights | 5 |
| 2.2 Responsibility of the President on Protection and Preserving Human Rights | 6 |

CHAPTER THREE PRESIDENT SAMIA'S SUCCESS IN PROTECTING AND PRESERVING HUMAN RIGHTS

| | |
|--|---|
| 3.0 Introduction | 8 |
| 3.1 Human Rights Issues to be proud of one year of Samia | 8 |
| 3.1.1 Her Understanding, Mission and Perspective on Human Rights | 8 |

| | | |
|--------|--|----|
| 3.1.2 | Her Perspective on Human Rights Defenders Groups and Civil Society Organizations | 10 |
| 3.1.3 | Her Statements on Human Rights | 14 |
| 3.1.4 | Healing the Wounds inflicted by Human Rights Violations | 16 |
| 3.1.5 | Making Amendments to Various Laws and Systems on Human Rights | 21 |
| 3.1.6 | Opening up International Doors | 25 |
| 3.1.7 | Initiating the Process of Improving Democracy in the Country | 27 |
| 3.1.8 | Improving Gender Equality in Public Activity and Leadership | 28 |
| 3.1.9 | Lifting the ban on the Media | 30 |
| 3.1.10 | Allowing Postgraduate Students to Return to School | 34 |
| 3.1.11 | Improving the benefits of Public Servants | 36 |

CHAPTER FOUR

CONCLUSION

| | | |
|-----|--|----|
| 4.0 | Introduction | 37 |
| 4.1 | Things to Consider in order to Sustain her Image on Human Rights | 37 |



Photo: President Samia had talks with the US Secretary of the State on human rights issues

CHAPTER ONE

INTRODUCTION

1.0 INTRODUCTION

According to the Tanzanian Constitution¹, in the event of the death or incapacity of the incumbent President, the Vice President is sworn in as the President of the State until the next general election. Her Excellency President Samia Suluhu Hassan, who was former Vice President was sworn in as President of Tanzania in April 2021 shortly after the death of the Fifth Phase President, the late John Pombe Magufuli. This year from April various groups including various ministries have been highlighting the achievements of Her Excellency President Samia in each sector. The area where the President has done well within a year and was widely analyzed is the area of human rights and the rule of law.

This short article aims to analyze the rapid development of human rights and the rule of law in the period of one-year of the leadership of President Samia on power. This article is based on the daily monitoring of events, activities, efforts and public speeches made by the President that focus on or affect people's rights in Tanzania. This article will focus on the areas of legal systems, institutional reforms, political statements, the various steps that Her Excellency the President has taken that affect human rights, the strategies she has in store since she came to power, her efforts to meet all social groups, her relationships with opposition politicians, international relations, her attitude towards human rights defenders, civil society organizations and the media as well as her position and attitude towards human rights in general.

The findings of this assessment will also be used as roadmap by human rights defenders and other groups to measure success and challenges in the field of human rights at thematic levels for the period of one year. It is because of the findings of this quick assessment that THRDC found the reasons to appreciate and recognize the work of President Samia in the field of human rights and rule of law.

1.1 Information Collection Methods

This article is based on the collection and analysis of various information from numerous sources, including information from Government agencies and Private institutions. The online questionnaire was also used to reach more than 100 human

¹ Ibara ya 37 (5)

rights defenders in the country. This report is also based on the one-year full-time monitoring of the views and performance of the President in the area of human rights. The main method used is to go through all key speeches of the President and analyze to what extent her speeches and instructions from her speeches touch upon human rights areas. Of the 30 speeches surveyed, 90% of them contained expressions that touch on various areas of human rights and the rule of law.

Some of her speeches are based on the documentary format also available on different online platforms including Watetez TV platform. The analysts who prepared this document, Dr Clement Mashamba and Advocate Onesmo Ole Ngurumwa are long-time human rights experts. The principles of protection and promotion of human rights as enshrined in the United Nations Instruments by were used to measure the extent to which the Samia's Government for one year has adhered to and respects these principles of human rights and rule of law. Various media analyses were reviewed to give analysts an idea of what people think about human rights during Samia's rule.

1.2 Profile of Her Excellency Samia Suluhu Hassan, President of Tanzania

On 19 March 2021 Her Excellency Samia Suluhu Hassan was sworn in to become the sixth phase President of the United Republic of Tanzania in the wake of the untimely death of Dr. John Pombe Magufuli the fifth Phase President, which happened on 17th March 2021. The following is her profile.² Samia is the first female President in Tanzania and the entire Eastern African Sub -Region.

1.2.1 Her Life

President. Samia Suluhu Hassan was born on 27 January 1960 in Kizimkazi Village, Unguja South Region. She is married to Mr. Hafidh Ameir and they have been blessed with four children, three boys and one girl.

1.2.2 Education and Training

President Samia Suluhu Hassan received her primary education in various schools, including Chwaka Primary School in Unguja from 1966 to 1968, Ziwani Primary School in 1970 and Mahonda Primary School in 1972. After that, she joined Ng'ambo Secondary School for Form One to Three studies, and Lumumba Secondary School for Form Four between 1973 and 1976.

In 1983, she graduated with a diploma in Statistics from Zanzibar's College of Economics. After working for a short time in the Ministry of Planning and Development, from 1983 to 1986, she joined the Mzumbe Leadership Development College (IDM) for advanced studies in Public Administration. In addition, she underwent various courses at Lahore Institute of Public Administration, Pakistan

² For more information about the profile of Her Excellency Samia Suluhu Hassan, President of the United Republic of Tanzania, visit State House website: <https://www.ikulu.go.tz/president> (as it was visited on 3 May 2022).

(1987), Eastern and Southern African Management Institute (ESAMI) (1991), and Hyderabad India Leadership Institute (1998) for Advanced Diploma in Administration. She later joined the University of Manchester in the UK for Higher studies in Economics. In addition, she obtained a Master's Degree in Community Development through a joint program between the Open University of Tanzania and the University of Southern New Hampshire, in the United States.

1.2.3 Experience Within Government

Her Excellency Samia Suluhu Hassan is the President, who is also the Chairperson of the Ruling Chama Cha Mapinduzi Party (CCM), she's the first woman in the country to hold the position of Vice President and finally the President of the United Republic of Tanzania. Other positions she held in the Government are: Minister in Vice President's Office for Union Affairs (2010-2015); Minister of Tourism, Trade and Investment in the Revolutionary Government of Zanzibar (2005-2010); and the Minister of Labor, Youth, Employment, Women and Children Development, in the Revolutionary Government of Zanzibar (2000-2005). In 2014, Hon. Samia Suluhu Hassan served as the Deputy Chairperson of the National Assembly that discussed the Constitution of the United Republic of Tanzania, and drafting a new Constitution for Tanzania. From 1987 to 1988, she was the Human Resources Planning Officer and from 1977 to 1983, Registrar Clerk.

1.2.4 Experience Within Chama Cha Mapinduzi Party

Ms. Samia Suluhu Hassan entered politics as a member of CCM on June 10, 1987. She entered the electoral politics in 2000 in the position of Member of the Zanzibar House of Representatives as Representative of Special Seats for Women until 2010. She vied in the 2010 General election and was elected as a Member of Parliament representing the Makunduchi Constituency, Zanzibar.

In 2002, she was elected a Member of the CCM National Executive Committee, as well as a Member of the CCM Central Committee; positions she has continued to work to this day. Hon Samia is a Member of the CCM National General Assembly, CCM Unguja South Region General Assembly; and was a Member of the Unguja South District and Regional Political Committees.

On the side of the CCM Communities, Hon. Samia is a member of the Tanzania Women's Union (UWT) from 1996 to the present. In addition, she has participated in writing the Manifesto of the Chama Cha Mapinduzi Party four times in a row from 2005/2010, 2010/2015, 2015/2020 and 2020/2025.

1.2.5 Experience in Other Institutions

In 2016, Hon. Samia was appointed by the former UN Secretary-General, Mr. Ban Ki Moon, Member of the United Nations Panel on Women's Economic Empowerment, representing the East and Southern Africa Region between

2016 and 2017. During her tenure, she presented 27 issues to the Panel, which the Government of Tanzania identified as strategic measures for establishing a sustainable framework for achieving gender equality and women's economic empowerment.

Some of the outcomes of her work is overseeing the establishment of women's economic platforms in the country with the aim of connecting women entrepreneurs and time in the markets, especially women living across borders, connecting them with affordable loans and encouraging entrepreneurship training; and in collaboration with the Ministry of Health, Community Development, Gender, Elderly and Children, launching a campaign to increase accountability in reducing maternal and child mortality, popularly known in Kiswahili as "Jiongeze Tuwavyushe Salama".

Hon. Samia Suluhu Hassan has worked with the World Food Program from 1988 to 1997. Similarly, she has worked in various Committees, Boards and Institutions such as; Member of the Zanzibar Parole Committee (2001-2010), Guardian of the Zanzibar People Living with HIV (1997-2000), Member of the Board of Equal Opportunity for All - EOTF (1996) -2000), Executive Secretary of the Zanzibar Association of Non-Governmental Organizations (ANGOZA) 1995-2000, Member of the Lions Club Zanzibar (1991-1998), Member of the Zanzibar Education Policy Development Committee (1996), and Founding Member of Zanzibar Women Development Agency (1991-1994)

CHAPTER TWO

OBJECTIVES AND RESPONSIBILITIES OF THE PRESIDENT TO PROMOTE AND SAFEGUARD HUMAN RIGHTS

2.0 Human Rights in the Constitution of the United Republic of Tanzania

Human rights are the natural and fundamental rights that every human being is entitled to because of being human. Human rights and fundamental human rights are enshrined in Article One, Part Three (Articles 12-29), of the Constitution of the United Republic of Tanzania of 1977. Human rights enshrined in this Part of the Constitution include the right to equality. human rights (Article 12), the right to equality before the law (Article 13), the right to life and existence (Article 14), the right to personal freedom (Article 15), the right to privacy and personal security (Article 16), the right to work (Article 22), the right to a fair wage (Article 23), and the right to own property (Article 24).

In addition, Part Three of Chapter One of the Constitution lists and protects human rights including the freedom of movement (Article 17), freedom of expression (Article 18), freedom of belief in religion (Article 19).), the freedom of the individual to interact with others (Article 20), and the freedom to participate in public affairs (Article 21).

Human rights and freedoms go hand in hand with important human rights which include the duty to participate in the work (Article 25), the obligation to obey the laws of the land (Article 26), the duty to protect public property (Article 27) , and the duty of National Defense (Article 28).

2.1 The President's Duty to Protect and Preserve Human Rights

Pursuant to Article 33 (2) of the Constitution of the United Republic of Tanzania, the President shall be the Head of State, the Head of State and the Commander-in-Chief of the Armed Forces. Moreover, in accordance with Article 34 (3), all the powers of the Government of the United Republic on all matters relating to the Union and those relating to Mainland Tanzania shall be 'in the hands of the President of the United Republic of the United Republic.' Among the authority of the Government of the United Republic is the 'implementation and protection of the Union's Constitution' (Article 34 (2)).

Since human rights, freedoms and responsibilities are part of the Constitution of the United Republic, it is the responsibility of the Government of the United Republic to ensure the implementation and protection of these rights, freedoms and responsibilities. And since the President is the Head of State, the Head of State and the Commander-in-Chief of the Armed Forces, he has the highest responsibility to ensure that human rights, freedoms and responsibilities are protected and protected in accordance with the Constitution of the United Republic.

On this basis the President of the United Republic of Tanzania is constitutionally the number one defenders for human rights. Other defenders such as human rights organizations and individuals are constitutionally auxiliary defenders. Based on this logic when the President of a country fails to embody the image as a human rights defender it is very easy for the Nation to find itself engulfed in a huge wave of serious human rights violations. This analysis has been able to fathom Hon. Samia and found that she has been able to embody these responsibilities fully in a very short time, her biggest challenge is about the sustainability of this image that she currently has. In that sense, in order to be the best President of any nation, including Tanzania, one must have the experience, understanding, and commitment to human rights.

2.2 Responsibilities of the President on the Protection of Human Rights

Under international law, when a State ratifies international treaties (including those of human rights), it makes a solemn promise to enforce those treaties within its borders. As the President is the Head of State (Article 33 (2)), she has the responsibility to ensure that the Government she presides over protects and safeguards human rights, freedoms and responsibilities (Articles 12-29). The government she leads:

- a) It upholds human rights, freedoms and obligations as set out in Articles 12-29 of the Constitution of the United Republic;
- b) Establishes policies and laws that protect and preserve human rights, freedoms and responsibilities;
- c) Put in place plans and strategies that protect and preserve human rights, freedoms and responsibilities; and
- d) Takes strong and appropriate actions against those who violate human rights, freedoms and responsibilities.

Moreover, the President of the United Republic is responsible for ensuring that in exercising the powers of the Government of the United Republic (especially when delegating that power to other people under Article 34 (4) of the Constitution) such persons shall protect and preserve human rights, freedoms and their responsibility. Likewise, the President has a responsibility to ensure that all citizens in the United Republic receive an education on the dignity, protection and protection of human rights, freedoms and responsibilities. In assessing Hon. Samia's commitment the

analysis also looked at the extent to which Hon Samia ensures that her subordinates respect human rights. Her directives and her speeches have shown a certain percentage of her commitment to respecting these constitutional obligations.

One of the statements and directives of the President within a few weeks of taking office which shows her determination to oversee those she has entrusted to serve under her is that of the closure of newspapers as quoted here;

“ Ministry of Information you have the responsibility to govern the media, I have heard that certain media outlets have been banned, kindly lift the ban and ensure that they adhere to the law and regulations. Let’s not give them chance to say we are trampling on the Press Freedom and I want the regulations to be transparent, so that when someone is banned know his/her offence and respective punishment. Let’s not be of double standards.” Tusifungie kibabe.” **President Samia.**
(April 6, 2021 State House DSM)

Other Tanzanians including over 200 Human Rights Defenders gave their opinion electronically and they are quite certain that President Samia is trying her very best to deter her subordinates from violating human rights and she has publicly denounced rights violations. For example the analysis done by BBC shows even various political and economic analysts recognize this fact as it is quoted below;

“President Samia openly told her subordinates to carry out their duty by focusing on people’s rights without unfairly treating people...There’s nothing big the President has done than her statements, you hardly hear people openly carry out murder as before, for now it sounds as if humanity is personal rights of people to live are respected more and it is easy for the economy to grow if the people are assured of their survival” **Beatrice Kimaro, analyst of economic and social issues.**³

³ <https://www.bbc.com/swahili/habari-57559764> Nathan Mpangala, 2021, Hundred Day of President Samia and Human Rights

CHAPTER THREE

THE ACCOMPLISHMENT PRESIDENT SAMIA IN PROTECTING AND PRESERVING HUMAN RIGHTS

3.0 INTRODUCTION

This chapter of this momentous article notes though briefly the success of the performance of Hon. President Samia Suluhu Hassan in protecting and preserving human rights, freedoms and responsibilities in accordance with Article 12-29 of the Constitution of the United Republic within One year of coming to power. The one-year period is an appropriate time to recognize the perspective, intentions and positions of any national leader on a number of issues, including the issue of human rights. This analysis as mentioned earlier has taken into account the views of the people, the analysis of the President's speeches as well as a number of changes that have taken place since she took office a year ago.

3.1 Human Rights Issues to be proud of during One Year of Samia

This chapter attempts to explain at least some of the key issues that have contributed to Hon. Samia's notable achievement in the field of human rights, the Rule of law and Good Governance. The things that have happened are many but this text touches on the great things that have been done or seen to be done and having a positive impact in the area of human rights. This area looks beyond just the steps taken by Hon. President Samia Suluhu Hassan but even her position as well as her perspective on justice, equality, democracy and the rule of law. The presidency is a major position in the country so the attitude and commitment of the President are the basic criteria to use to determine the direction of the State in any sector.

3.1.1 Her Understanding, Mission and Perspective on Human Rights

Her Excellency Samia's love and humility in respecting and protecting human rights is shaped by her attitude and belief in human rights. Through her history, her profile, her understanding, her frequent utterances and perhaps due to her background, Hon. President Samia has clearly shown that she has a positive attitude towards human rights. Tanzania within one year has managed to do well in

protecting and respecting the rights of the citizens and good governance because of having a Head of State with a positive attitude towards human rights, the rule of law and good governance.

Across the world the countries that that have poorly performed in the area of human rights and good governance have been largely influenced by the beliefs and negative attitudes of the leaders of those countries on human rights. Hon Samia in this area has been clearly seen as a leader with a positive attitude in the area of human rights. Human rights defenders in this country rely heavily on the will and attitude of the President to carry out their advocacy work more freely.

“The responsibility ahead of you is huge, as Article (107) A of the Constitution of the United Republic Of Tanzania (107) states, that the authority of dispensing justice is the Judiciary, therefore the responsibility ahead of you is too big , thus it is better to go and implement the responsibilities given to you faithfully, go and lead well and be guided by humanity and your wills in serving the people.” (May 18, 2021 State House DSM)

This President’s statement is a clear indication of her commitment, attitude and understanding of human rights and the rule of law. Many world leaders, especially those who do not respect the rule of law, find it difficult to speak or act in a fair way every time they give a speech. This directive to the Court is one of the criteria for recognizing that the President recognizes that the judiciary is the custodian of justice in this country and that they should be free and guided by humanity in decision making.

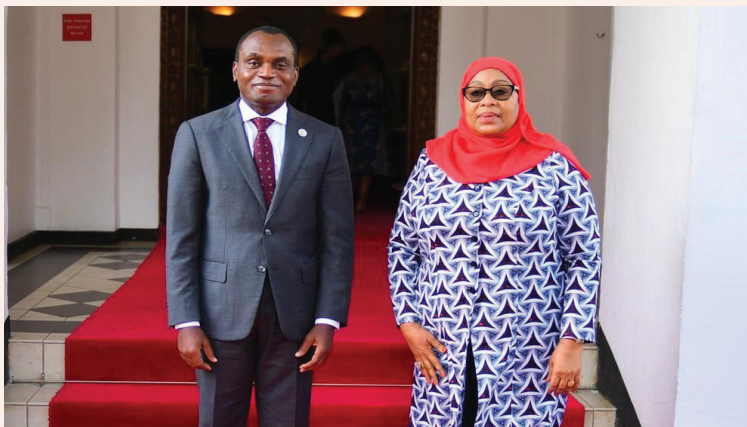
The BBC International Media, published a special feature highlighting how human rights have been respected within the administration of President Samia. In this article various human rights stakeholders were quoted about their views on Hon. Samia’s commitment and position on human rights issues.⁴

⁴ <https://www.bbc.com/swahili/habari-57559764> 100 Days of President Samia and Human Rights

“100 Days is not a long time to measure the performance of someone especially a leader holding a powerful position like the Presidency in managing and implementing her responsibilities, but they are more than enough to gauge the will and her attitude when it comes to human rights issue. It is easy because it is the right that everybody is entitled to have irrespective of his/her position, gender, religion, colour, nationality or social standing, as long as you are a human being you are entitled to those rights, For Example the right to live, the fight to be safe, freedom of expression, freedom of assembly and the right against violence.” **The feature states**

3.1.2 Her Perspective on Human Rights Defenders Groups and Civil Society Organizations

Human rights defenders or civil society organizations in general have been major human rights stakeholders in the country and around the world. History shows that despite the importance of these stakeholders in the human rights sector and good governance they continue to face various challenges that lead to their failure to fulfill their responsibilities. Challenges they have been facing include being branded with bad names, being barred from doing projects, being subjected to oppressive laws, prosecution, deregistration, freezing of their bank accounts, sidelined by the government, kidnappings and even sometimes death. These incidents greatly hurt human rights defenders a few years ago but one year after Hon Samia came to power, civil society and human rights defenders have been able to secure a civic space to carry out their duties with greater freedom and security.



Hon. President Samia visited with the President of the African Court on Human and Peoples' Rights at the state house in Tanzania.

Her perspective on CSOs and Human Rights Campaigners have also been influenced by her background that before entering politics she had stint working in civil society sector in Zanzibar for more than a decade. Hon Samia is the founder of the Zanzibar Civil Society Network (ANGOZA). Her experience with CSOs has enabled her to maintain a positive attitude with the work of CSOs and human rights defenders in general. Hon. Samia has met with various human rights groups since she came to power with the entire civil society sector. Hon. Samia is the only senior leader in recent years in the country to openly talk about CSOs with positive attitudes. Many leaders have been standing on the podium and mocking CSOs and human rights defenders in general. Hon. Samia recognizes that CSOs are very important stakeholders in protecting human rights and also in all efforts to bring development to Tanzanians. Some of Hon. Samia's quotes on human rights defenders and civil society organizations are as follows;

“It is an indisputable fact that non-governmental organizations have a significant contribution to national development and prosperity. If the Government did not allow the existence of non-governmental organizations, there would be a huge burden on employment”
(September 30, 2021 Jakaya Kikwete Convention Center Dodoma)

“I know and it has been said here that some of you will know before I got into politics I used to work for about ten years in NGOs. I was the founder of the Zanzibar Women Development Institute at the beginning of Angoza. So I can proudly say I am a product of NGOs.”
(September 30, 2021 Jakaya Kikwete Convention Center Dodoma)

“I would like to take this opportunity to express my sincere gratitude to all development partners, who support us and others we have here, UNICEF, USAID, UNFPA, WHO, UN WOMEN and the Tanzania's Human Rights Defenders Coalition,” **said President Samia while speaking with people with disabilities State House Chamwino Dodoma March 2022.**

She has been at the forefront of recognizing the contribution of CSOs to the Government in supporting and ensuring that people with special needs are not left behind in various developmental issues, including access to basic rights especially education, economic participation and participation in political matters including leadership.

As a from the records of the Tanzania Human Rights Defenders' Report THRDC, the status of human rights defenders and the role of social groups in their work declined sharply over the past half-decade. Many human rights organizations faced many challenges including freezing of their bank accounts as was the case with THRDC in 2020 and more than 10 other organizations. Many human rights organizations such as the Legal and for Human Rights Centre, the Constitutional Forum and others were also denied permits to oversee the 2020 general election unlike all the 2015 elections going backwards.



Photo: Human rights defenders with Hon. President Samia at the state house in Tanzania, 2021

This situation has led to many human rights organizations to become disillusioned and some to completely change their course of action. But within one year of Hon. Samia's tenure, the environment has changed due to her will, attitudes and commitment to civil society and human rights defenders in general. Some human rights activists have been quoted as saying that the environment has now changed as follows;⁵

At the moment there is a great relief," begins Anna Henga, Director of the Legal and Human Rights Center in Tanzania (LHRC), whose organization was stormed by the Police Force in the previous administration, with one of their officers Tito Magoti being detained for one year before he was released recently under the Plea

⁵ <https://www.bbc.com/swahili/habari-57559764> Nathan Mpangala, 2021, Hundred days of President Samia and Human Rights

Bargain ‘order administered by the Prosecutor (DPP). The case also affected the Tanzania Human Rights Defenders Coalition (THRDC).”

“Khisah Gohagi from Binti Makini says it is a time to rejoice as human rights in Tanzania are currently being respected and protected.

Although there are those who feel it is too early to shower praises on President Samia for doing well in upholding and respecting human rights, activist Anna Henga says even though laws and regulations have not changed, human rights seem to be respected and protected unlike in the past but her main argument that is tht, “will her assistants support her?”.

“That is a question that many are asking themselves, is it possible that Samia started with the right footing on human rights, but her aides including ministers, district commissioners, regional commissioners and the Police Force will they speak the same language? It is a matter of giving time and seeing”

Human rights defenders and other stakeholders who filled out the questionnaire and collected opinions to answered the third question, were touched by how President Samia has been able to create a safe and secure environment for human rights defenders to carry out their duties. Some of the major issues they touched upon included CSOs or defenders being close to the Government and sharing basic national issues as well as the unfreezing of Bank accounts of human rights organizations.

Q3

Kama jibu lako ni Ndio hapo juu, Orozeshwa mambo muhimu ambayo Mhe. Rais amefanikiwa katika sekta ya ulinzi na utetezi wa haki za binadamu kwa mwaka mmoja?

1. Ameweza kuruhusu akaunti za mashirika zilizofungwa bila ya sababu za msingi zifunguliwe na kazi za hizo Taasisi za kijamii ziendeleo.

Ameweza kukutana na mashirika ya kirai na kuzungumza nayo na kutamka anataka kufanya kazi pamoja na kama kuna changamoto tukae pamoja na kuzitatua

Photo: A Defender responding to question 3 of the Questionnaire explaining some of the issues the President has achieved in the defense and security sector as well as protection and preserving human rights, he explained that the President authorized frozen bank accounts of private NGOs be unfrozen and also she met with CSOs to find way of working together.

3.1.3 Her Statements on Human Rights

Swahili people say that what comes out of a person's mouth is what is in his heart. It is an indisputable fact that Mr. Samia's tongues are surrounded by many words and expressions that encourage and show deep concern for human rights. From the first day she began speaking as President of the nation, most of her rhetorics were adorned with statements expressing political will in defending and respecting human rights and dignity.

Many of her speeches in and out of the country have shown an unwavering position and stance on the issue of human rights, democracy and human rights. Her remarks did not end there on political podiums, Hon. Samia as it is described in Chapter 2.5 has implemented for 90 percent of all her statements on human rights, democracy and good governance since she ascended to power.

“Human rights are also enshrined in our constitution. We have signed and ratified regional and international conventions on Human Rights or various rights” ... “In addition we have established a Commission on Human Rights and Good Governance in the country where one of its responsibilities is to receive complaints “and to investigate cases of human rights violations.” ,, “Also our country is governed by the law and no one is above the law.” **Hon. President Samia. (Speech by President Samia 76th session of the UN General Assembly September 23, 2021)**

She has facilitated transparency and access to information and how to deal with COVID- 19 pandemic, including providing accurate information on the realities of the pandemic in the country, allowing importation of vaccines in the country and encourage citizens to vaccinate voluntarily.

“For those whose families have not been touched, have not experienced the effects of this disease, they can say what they want. But go to Moshi, Arusha, Kagera and even here in Dar es Salaam and see those families that have been affected by this disease, they have words to tell you, and if they could they would all be here to get vaccinated. Now, my brothers and sisters, if you have

never had this tragedy you can say anything, but if it touches you you will know the danger of this tragedy. ”
Said President Samia.

“Now I feel free and I am very safe, even though my life is difficult I have no money, but I am happy and just the words of my mother (President Samia) are encouraging, ”
said Maulid Kasimu.”⁶

Increasing the inclusion of Persons with Disabilities. The President has shown her willingness to address the issues of people with disabilities in the country. During her tenure she has appointed professional leaders to manage the issues of people with disabilities through a special unit for issues of people with disabilities under the Office of the Prime Minister. During this period there has also been a continuation of the national process of submitting a report to the United Nations Committee on the Rights of Persons with Disabilities, on the state of the rights of persons with disabilities in the country.

“Brothers and sisters, the issue of employment is still a challenge... .We have employed people of various cadres including 300 with disabilities .in parallel with the issue of employment the government has its planning on the issue of 2%... billion has gone to groups of people with disabilities by 2021- 2022 Those who want to see my colors in the council let them mess up with the money ”Samia Suluhu Hassan while speaking to groups with people with disabilities Chamwinu Ikulu March 2022.

Earlier in March 2022, the President convened a meeting with representatives of people with disabilities in the country. In this meeting held in Dodoma, State House Chamwino Hon. President directed the relevant authorities: to provide people with disabilities with a plot of land for office construction in Dodoma, to provide office space in government buildings located in Dar es Salaam as well as districts and other regions. This order has already been implemented.

Also during this period, Hon. President has built 50 dormitories with friendly infrastructure for students with disabilities in various parts of the country as well as reviving 6 vocational colleges for people with disabilities.

⁶ <https://www.bbc.com/swahili/habari-57559764> Nathan Mpangala, 2021, 100 Days of President Samia and Human Rights

“Madam. President, we congratulate you for improving the lives of people with disabilities. Your invitation calling us groups of people with disabilities here at the State House and to listen to us and give us the opportunity to present our ideas... We thank you for providing various services to groups of people with disabilities... we congratulate your sixth phase government for the various steps you are taking to improve democracy and the economic situation of all groups... that cater to people with disabilities... We thank you for dormitories and low interest loans for people with disabilities in this country ” **Said Ernest Kimaya Chairman of the Federation of Association of people with Disabilities in Tanzania during an occasion of President Samia’s Inauguration With Representatives of Persons with Disabilities March 2022 Chamwino Dodoma**

3.1.4 Healing Wounds and Restoring National Unity and Solidarity

The thing that most Tanzanians praise Hon Samia is her ability since she came to power to bring comfort, hope and happiness to Tanzanians especially those who have been through many challenges in recent years. Right from the beginning of her term in office Hon Samia appeared to be touched by the worsening plight of Tanzanians and finally to take immediate action to bring the country back to a foundation of peace, solidarity and unity.

When she came to power, Her Excellency Presidentt Samia Suluhu Hassan found the state of apathy in social relations and national solidarity, especially among political parties and the media. When she came to power she embarked on efforts to restore unity, solidarity and national unity by beginning to meet with important social groups, especially those who had a difficult time. These groups include CSOs, religious institutions, the media and businessmen. Until the end of his one year as President of Tanzania, Hon. Samia has been able to meet all these groups and restore unity and national unity.

Q3

Kama jibu lako ni Ndio hapo juu, Orozeshwa mambo muhimu ambayo Mhe. Rais amefanikiwa katika sekta ya ulinzi na utetezi wa haki za binadamu kwa mwaka mmoja?

Kutafuta maridhiano na wapinzani, kuunda kikosi kazi kushughulikia katiba mpya na mambo ya kisiasa nchini, kuunda timu ya kuchunguza mauaji ya raia yanayofanywa na polisi.

Photo: A respondent responding to question saying the president has ironed out differences with the opposition and established a task force to deal with the New Constitution issue as well as forming a team to investigate extra-judicial killings of innocent civilians

Many Tanzanians were complaining and deeply hurt by how some of the leaders tampered with various state systems to hurt many Tanzanians. The systems that were complained about were the systems that were used to collect taxes, procedures for arresting suspects of various offenses, especially embezzlement and economic sabotage offenses. Many people were complaining that their accounts had been frozen and their businesses were failing to keep up. Many social groups such as the opposition parties, CSOs and the media had a very difficult time carrying out their daily responsibilities. This situation affected observers and caused them to become engulfed with fear and despair. Incidents of abductions and disappearances also robbed Tanzanians of peace and stability. All of this is also reflected in the responses to the online questionnaire completed by human rights defenders and various stakeholders.

The arrival of Hon. President Samia within just one month of his leadership she began to address the area and take appropriate action to restore hope, reconciliation, solidarity to Tanzanians.

*“Another issue is the administration of justice, freedom and democracy, this one too and as we are instructed by our manifesto we are going to uphold it, this is a human right, and I think you have seen what we started by saying that all taxes that are not our right as government and we take them by force, Stop taking them, we are making adjustments to ensure that justice is done and no injustice will pass, so we are going to make improvements to maintain justice, democracy and freedom of the people but with the media”***President Samia May 2021**

People interviewed by the BBC in this article have reported that the incidence of human rights abuses between 2021-2022 have greatly decreased, and now there are no cases of abduction, disappearance, arrests and closure of people's bank accounts.⁷

.....President has been given the opportunity of her trip to meet and talk to a prominent Tanzanian living abroad... .., a man by the name of Tundu Antipas Lissu, who was a staunch opponent of Magufuli during the 2020 general election, and later fled the country for fear of its security... .. to be honest, the President has done what I see as more than a political and diplomatic revolution... .. That she has introduced Tanzania to the United Nations something that should be commended by everyone who thinks positively about political development in the country. In doing so, President Samia is giving back to Tanzanians the freedom and social status they lost half a decade ago.” **Analyses veteran Journalist Jenerali Ulimwengu.**⁸

The President's move to meet with Hon. Tundu Lisu, who was shot 16 times during the fifth-phase regime and also a man who has been a fierce critic of the fifth-phase government has been welcomed by many observers abroad and within the country.

*“President Samia has done a very important thing to accord me with the opportunity to talk to her. We are aware that there are many issues that need to be addressed, and I have told the president that we (Chadema) are ready to continue discussions on all issues that concern us as a nation. all the things that need to be put together just so long as there is a sincere and collective commitment to address those issues... “Lissu said in a short video he posted on his Twitter page quoted by the BBC.”*⁹

⁷ <https://www.bbc.com/swahili/habari-57559764> Nathan Mpangala, 2021, 100 Days of President Samia and Human Rights

⁸ <https://www.theeastafrikan.co.ke/tea/oped/comment/kudos-samia-for-reinstating-tanzania-in-the-global-map-3722906>

⁹ BBC



Photo: President Samia Suluhu Hassan with Tundu Lisu Brassel Belgium

Many Tanzanians, human rights defenders, writers and various politicians welcomed the positive attitude of Hon. President Samia who meets with an opposition politician who has fled the country for his safety. The BBC published opinions of various Tanzanians about the meeting between the President and as it is attested in the following quotations;¹⁰



Dr. Mwigulu Nchemba (MG)
@mwigulunchemba1



NI MAMA YETU

(Taifa letu, Umoja Wetu)



9:02 PM · Feb 16, 2022



Our analysis has found that Hon. Samia almost all sectors of society recognize and see her contribution to caring for dignity, equality and national unity. Many analysts find Hon. Samia appealing to many groups and making them feel safer. Ezekiel Kamwaga in his article published by the BBC says¹¹

“The aspirations of the international community for her as the first female President to show diversity and use the wisdom, love and compassion of motherhood to bring about reconciliation in Tanzanian politics. The act of negotiating abroad has raised the profile of the international community and the foreign media in Tanzanian politics.” **Ezekiel Kamwaga Analyst**

¹⁰ <https://www.bbc.com/swahili/habari-60412189>

¹¹ <https://www.bbc.com/swahili/habari-60412189>

The history of the world shows that the female heads of State who have held the presidency are good leaders and have a tradition of respecting human rights and have never embraced a tyrannical and authoritarian tendencies. Perhaps that is why today in Tanzania the issue of respect for human rights has been so great that Tanzania is headed by a female President. Women are compassionate and love to adhere to the rules and regulations governing the country.

In that sense it is hard to see that Hon. Samia is going to change because all she is doing today are the things that are inborn and in her heart as a woman. It should be noted that President Samia during her tenure as Vice President was the only Head of State who travelled to Nairobi to visit Tundu Lissu who was nursing deadly gunshot wounds at the hospital.

***In addition, Hon.** “Our brother Mr. Mbowe, today he is free he has been released and as a result I saw the need to meet him so that we can talk two or three things,”*
Hon. President Samia.

“The main thing we talked about is that Tanzania is ours country and we should all work together to build Tanzania, and in that it is important to build trust on the basis of justice. “And that when we establish the foundations of trust, mutual respect and justice then we will have a good opportunity to run our country and bring development within our country,” **said President Samia. (March 4, 2022 General DSM**

The state of hatred and animosity between the various factions and the government was high but the arrival of Hon. Samia has helped to iron out the differences and solidarity between the government and other social groups. At present government officials and institutions are free to interact with other social groups. Meetings and many other social activities are held in close collaboration between the government and various social groups. For example in 2021 when Tanzania was celebrating 60 years of its Independence, THRDC in collaboration with the Ministry of Constitution and Law jointly mandated a review of human rights in Tanzania 60 years after independence.



Photo: Hon. Mbowe, chairperson of CHADEMA, with President Samia at the state house after being released from prison.

The president has been meeting people from various factions at the State House and at various social gatherings. This situation has restored hope and solidarity among Tanzanians. Despite these efforts, there seems to be still much to be done to restore national unity. For example, CHADEMA is still not satisfied with the other steps being taken by Hon. Samia in various areas, especially the issue of the committee to prepare proposals for democratic reforms in the country. But Hon Samia Samia in her own statement has insisted that she understands CHADEMA and ado is in talks with them.

3.1.5 Making Amendments to Various Laws and Systems on Human Rights

When Hon. When President Samia Suluhu Hassan came to power, there were many complaints about the enactment of intervening laws and sometimes violations of human rights, freedoms and responsibilities. The areas most complained about are the application of bail law to certain criminal offenses (particularly economic sabotage, terrorism and embezzlement), tax matters, and the conduct of business activities, information laws and civil society organizations. In addition, there are many people who have complained of prolonged detention, deprivation of bail and non-prosecution in the court. Hon. President Samia said:

“The problem of delays of cases in our Courts still exists, as you Lawyers say Justice delayed is justice that is denied, so it is my belief that after the acquisition of these Judges the delay of the case in the Courts will be reduced and eventually justice will be dispensed in time,” **Hon. February 2,2022 Dodoma Law Week Summit**

Thus, when she came to power, Hon. President Samia Suluhu Hassan ensured that those disturbances are cleared by taking various measures. Initially, she instructed the investigative, tax, and prosecution authorities to ensure that they either complete the investigation and prosecute or release all those detained for a long time, denied bail, and were not prosecuted in court.

Moreover, President Samia Suluhu Hassan directed various state agencies (including the Police Force) to expedite the investigation of various cases, as well as to instruct the country’s Director of Public Prosecutions to dismiss cases where there was insufficient evidence and which he would consider the Government unwilling to pursue

“Because many of them are waiting to be tried, the case is not going forward, there is no evidence, the investigator is failing to send the case because there is no evidence, so I beg you, I spoke to PCCB and they have been able to cancel 147 cases against various people.” ... “So you, the Police Force, check yourself, if there are any of these, and they should be dropped to reduce the number of inmates in our prisons.” ”. (May 18, 2021 Kurasini DSM)

At the same time, Hon. President Samia Suluhu Hassan instructed Hon. Prime Minister Kassim Kassim Majaliwa set up an independent commission to investigate the killing of a businessman in Mtwara region by some members of the Police Force. She also called for similar measures to be taken against the suspects in cases of human rights abuses involving state agencies.

“It is not possible for the Police force to be accused and then form a committee to investigate itself, so she said she has instructed the Prime Minister, Kassim Majaliwa to form another committee to investigate the incident.” “The report of the police committee investigating the incident will be in line with the report of an independent committee to be formed by the Prime Minister.” **February 4, 2022**
Magu, Mwanza

Secondly, he initiated the process of amending the Penal Code (Chapter 20) to ensure that investigative agencies do not take people to court before completing the investigation. More than 100 respondents who responded to the steps taken to improve the criminal justice system in the country have expressed satisfaction with the President’s move to ensure that no one is arrested and remanded in custody if the investigation is not completed. There are also those who have suggested that there is still much work to be done to improve our criminal justice system.

Q14

Je, ni hatua zipi muhimu ambazo Mhe. Rais amechukua ili kuboresha mfumo wa haki jinai nchini?

Kuondoa Hali ya MTU kuwekwa Rumande kabla ya kukamilika kwa Uchunguzi na badala yake kupewa dhamana na kuwa nje Hadi kukamilika kwa uchunguzi ili kubaini ana Hatia au lah

Photo: Quote of an activist who filled in the questionnaire for collecting opinion question 14 about the right of the accused person to be out of jail until the investigations are completed

Third, Hon. President Samia Suluhu Hassan has succeeded in simplifying and strengthening the alternative dispute resolution system out of court through dialogue, reconciliation, mediation and arbitration. To this end, the Government she’s leading, through the Ministry of Constitution and Legal Affairs, has continued to implement the new Arbitration Act (Chapter 15) and the Criminal Procedure Code Amendment Act. According to the Budget Speech of the Minister of Constitution and Law (2022/2023), Hon. Dkt. Damas Ndumbaro

“These laws govern the provision of dispute resolution services through alternative arbitration, mediation, negotiation and conciliation. As of March 2022, a total of 192 Mediators, 106 Moderators, 37 Negotiators, and 23 Mediators were registered and certified. ” [www.sheria.go.tz]

Fourth, in ensuring that justice delivery issues in the courts are handled professionally, Hon. President Samia Suluhu Hassan has appointed nine (9) judges of the Court of Appeal and 21 Judges of the High Court bringing the total number of Judges of the Court of Appeal to 24 and the High Court Judges to 82 and increasing the number of vacancies for magistrates to 245. , this has led to urgent hearings and reduced the backlog of cases in court which has led to delays in justice.

The responsibility before you is huge, as stated in Article (107) A of the Constitution of the United Republic of Tanzania the Judicial Authority is the Judiciary, so the responsibility before you is very big, so it is better to fulfill responsibilities assigned to you honesty, good leadership and guided by humanity in serving the people. ” **May 18,2021 State House DSM**

Moreover, Hon. President Samia Suluhu Hassan has facilitated amendments of the law, and the scope of representation in the justice system has increased after lawyers began providing advocacy services in the primary courts as well as the establishment of integrated judicial justice centers in Dar es Salaam, Arusha. , Morogoro and Dodoma to ensure the rule of law and justice are observed.

Similarly, Hon. President Samia Suluhu Hassan has helped improve and enhance access to judicial services by completing the construction of buildings and renovating various Judicial infrastructure as well as the use of ICT in the justice system.

“The world is in the Fourth Industrial Revolution driven by the use of ICT, so the world economy as well as various activities including justice delivery are run using the Technology”, **Hon. President Samia. (February 2, 2022 Summit of Law Week Chinangali, Dodoma)**

About 90% of those who answered question number three seemed to have a lot to say about what has happened in the one year since President Samia came to power. More than 90 respondents have responded that they believe that Hon. Samia has a positive attitude towards human rights.

Q2 Ndio

Je wewe unaamini kuwa Rais Samia ni Kiongozi Mwenye mitizamo na misimamo chanya kuhusu haki za binadamu na utawala wa sheria?

*Photo:
Response
from one
respondent*

Q3

Kama jibu lako ni Ndio hapo juu, Orozesha mambo muhimu ambayo Mhe. Rais amefanikiwa katika sekta ya ulinzi na utetezi wa haki za binadamu kwa mwaka mmoja?

- Utetezi wa Haki za watoto katika kupata Elimu katika mazingira mazuri kama kujenga Madarasa na Masawati
- Kuachia Wafungwa idadi kubwa Kwa kipindi kifupi Cha madaraka yake
- Kuruhusu kufunguliwa A/C za THRDC na Wafanyabiashara zilizokuwa zimezuiliwa kwa muda mrefu
- Kutambua na Kuthamani kazi Watetezi wa Haki za Binadamu
- Kuwa na Siasa za kisistaraabu zisizomiza/kudhuru watu pia Kuruhusu kuwa na mijadala ya pamoja baina ya wasiasa wa Upinzani na Chama tawala ikiwemo kupitia upya sheria za kisiasa

Responding to Question 2 and 3 about President Samia being a leader with positive outlook on Human Rights a defender said the president has protected children rights to education, pardoned inmates, unfrozen THRDC bank accounts and those belonging to traders.

3.1.6 Opening International Doors

When coming to power One year ago, Her Excellency President Samia Suluhu Hassan found Tanzania’s relations with the international community to have drastically deteriorated. Her first task in this sector was to restore good relations with the international community; and in her own words, she began efforts to open the doors of Tanzania internationally. Her very first efforts were to visit neighboring countries (including Kenya) to restore good friendly and business relations.

By that way, Hon. President Samia Suluhu Hassan has enabled Tanzania to be chosen as one of the five (5) countries out of 54 African countries to lead in the Eastern region as one of the countries with the highest political will. He has successfully briefed member states of the United Nations and the world at large on the efforts of the Government of the United Republic of Tanzania in strengthening, promoting, respecting and protecting human and human rights.



DIASPORA WANOGWEWA NA UONGOZI WA SAMIA DIPLOMASIA YA UCHUMI

Matern Kayera 03/04/2022 0 Maoni

DIASPORA wa Tanzania wanaoishi katika nchi mbalimbali, wamesema Serikali ya Awamu ya Sita chini ya Rais Samia Suluhu Hassan imefanikiwa

Tanzanians in the Diaspora are not behind to support the leadership of President Samia Suluhu Hassan.

Tanzania's diplomacy and relations with other countries and various international institutions were not in good shape until when the President came and began to restore good relations internationally. President Samia has done well in this area for the period of just one year and made Tanzania start to respect and adhere to the principles of justice and good governance. For example, Tanzania's relations with Kenya were frosty for the past five years but within one Hon. Samia was able to restore good relations between Kenya and Tanzania.



President Samia and Uhuru when they met to restore friendly relations between Tanzania and Kenya.

“Afterallt President Samia has publicly stated her intention to ensure that Tanzania joins the international community. In her speech to the United Nations on September 23, 2021, President Samia reassured the world that Tanzania will not be complacent but will fulfill its responsibility to ensure that economic and development cooperation is given priority in the world, especially in the handling of the Covid-19 epidemic. ¹²” **Ezekiel Kamwaga anachambua**

12 <https://www.bbc.com/swahili/habari-60412189>

Any nation that does not respect diplomacy and international relations has serious consequences in the areas of human rights and the rule of law. The fact that President Samia is seen as an ardent supporter of diplomacy, has a lot of benefits to the area of human rights, economy and good governance. Tanzania now respects and participates well in human rights programs and conferences in various bodies in Africa and around the world which govern human rights issues. For example in the Human Rights Review (UPR), Tanzania this year has done very well and has received many recommendations (187).

3.1.7 Initiating the Process of Improving Democracy in the Country

Since 1992 when Tanzania decided to join the system of multipartism there have been a number of complaints from some political parties, especially those in the opposition. Among the grievances is the lack of genuine democratic elections due to lack of an independent electoral commission. In addition, various cadres have complained about several shortfalls in the Constitution of the Republic, a situation that has resulted into the decision by a former Tanzanian president, Dr. Jakaya Mrisho Kikwete, to initiate the process of enacting a new Constitution in 2011. However, the process of enacting a new Constitution came to a standstill in 2014 even after the Constituent Assembly passed the Proposed Constitution. The absence of the new Constitution has allowed the grievances to persist, even after the Fifth Phase Government refused to proceed with the exercise of overseeing the referendum to adopt the Proposed Constitution.

Thus, when she came to power, Hon. President Samia Suluhu Hassan decided to take concrete steps to address the challenges posed by our democratic system, especially competitive electoral democracy. Immediately after meeting with various groups in the Community, in November 2021 Hon. President Samia Suluhu Hassan met with political parties and various social groups at a Political Conference in Dodoma. The symposium, which was chaired by Prof. Rwekaza Mkandala, made various proposals to address the challenges in the system of multi-party democracy in the country. In order to implement those recommendations, Hon. President Samia Suluhu Hassan formed a Task Force to Coordinate the Opinion of the Stakeholders of Multi-Party Democracy under the chairmanship of Prof. Mkandala.

When Tanzanians answered questions about what President Samia did in the area of human rights and good governance, many seemed impressed by the steps taken by Hon. President Samia in improving democracy in the country.

Tanzanians who responded to the questions asking what President Samia did in the area of Human Rights and Good Governance, many of them were impressed by the steps taken by President Samia to improve democracy in the country.

Q3

Kama jibu lako ni Ndio hapo juu, Orozsha mambo muhimu ambayo Mhe. Rais amefanikiwa katika sekta ya ulinzi na utetezi wa haki za binadamu kwa mwaka mmoja?

Kuruhusu watu kuwa huru kutoa maoni ,kukutana na viongozi wa upinzani, kuruhusu mazungumzo ya kupelekwa ktk katiba mpya na tume huru ya Uchaguzi ,kuendelea kupigania haki wanawake na watoto mchumi kote na kusimamia Utawala wa haki na Sheria

Photo: Responses on question three also explain about the growing space on democracy

In March 2022, the Task Force handed over its report on the analysis of democratic grievances to Hon. President Samia Suluhu Hassan. The report outlined various steps to address those challenges in three categories: short-term measures, medium-term measures and long-term measures. Some of the short-term measures include looking at how to handle political rallies; while the issue of the New Constitution is focused on those long-term issues.

In an encouraging turn of events, Hon. President Samia Suluhu Hassan instructed the responsible Ministry to draft the Policies Regulations governing political rallies, in collaboration with various stakeholders including the Tanganyika Law Society (TLS) and the Zanzibar Law Society (ZLS).

In addition, in April 2022, the Task Force issued a timetable to meet with stakeholders to give their views, and several groups (including TLS and various CSOs) have already submitted their views to the Task Force. Similarly, the Task Force has requested citizens or institutions with views to send their comments before the Task Force in writing.

In general, the steps taken by Hon. President Samia Suluhu Hassan addressing the challenges facing our multi-party democracy are appropriate. Through these steps, each stakeholder will provide feedback to enable the Task Team to prepare a report that reflects the views of all groups in the community and to provide suggestions that meet the needs of the people.

3.1.8 Improving Gender Equality in Public Activity and Leadership

Gender equality is one of the key issues in ensuring the right to human rights (Article 12 of the Constitution of the United Republic), the right to equal human rights before the law (Article 13), and the right to freedom of expression for all. Public activities (Article 21) are protected and maintained on a regular basis. In that context, Article 66 (1) (b) of our Constitution requires the presence of Women MPs in the Parliament of the United Republic of ‘at least thirty percent’ of all MPs. The aim is to ensure that there is gender equality between men and women participating in public affairs and leadership as set out in the Appendix to the 2003 African Charter on Human and Peoples’ Rights (ie, Maputo Protocol).

Since taking office, Hon. President Samia Suluhu Hassan has continued to increase the number of women participation in public service and leadership. This initiative has increased gender equality in various leadership positions ranging from lower levels of leadership in the Government as well as emphasizing gender equality, for example women accessing economic rights.

“I consider that in Tanzania we have made important steps. Because my presence here began with the deliberate decision to carry out the fifty to fifty representation. We used to say a lot in Parliament about fifty to fifty representation to go down in the positions of councilors and others but in 2015 the government and the ruling Chama Cha Mapinduzi Party said no even above we will have fifty to fifty and that is why we decided if the president is a man, then the vice president will be a woman, if the Speaker of the Parliament is a man, the Deputy Speaker shall be a woman, and vice versa as well as other positions. Now it was through such decisions that led to having the first female vice president. And our constitution says that in the event that the president fails to execute his job, perhaps because of death, illness or other things, the Vice President will take over and that is why I am here ”,

President Samia

This statement by Hon. President Samia Suluhu Hassan continues to be implemented in practice and with great vigor. For example, as of this draft, the number of women in the Parliament of the United Republic is 38%, the Cabinet is 36%, the Permanent Secretaries are 46%, the regional commissioners women are 9 out of 26, and the District Commissioners are 38% . Despite the increase we have not reached 50 by 50 but at least the current rate of 30% women in leadership positions we have tried to cross as a Nation in the respective areas. In line with increasing gender equality in the activities and public leadership, Hon. President Samia Suluhu Hassan has formed a Consultative Committee on Economic Empowerment of Women.

Moreover, Hon. President Samia Suluhu Hassan has created a special Ministry of Community Development, Gender, Women and Special Groups, with a vision to ensure social well-being that includes equal participation of all sections of society, gender equality in all aspects of relationships and social processes, including Children rights. The mission of this ministry (whose three of the four main leaders are Women) is to promote social welfare, gender equality, equity, children rights and family welfare in collaboration with stakeholders through formulation and dissemination of policies, strategies, guidelines and coordination of their implementation.



3.1.9 Lifting the ban on the Media

It will be recalled that, freedom of the Press is recognized in accordance with national, regional and international law. For example, Article 18 of the Constitution of the United Republic of Tanzania, 1977, the Universal Declaration of Human Rights, 1948, the African Charter on Human and Peoples' Rights and the 1966 Convention on Civil and Political Rights. Our Constitution and Regional and International Conventions emphasize the existence of independent media.

Since the 5th phase regime came to power, Freedom of the Press has faced many challenges and it has been seen that there is no freedom of information in Tanzania. That is due to the steps that the 5th phase government took to trample on Freedom of Information in the country as follows;

a) Enforcement of oppressive laws

Oppressive laws were enacted against freedom of information in the country. These laws include the Cybercrime Act, the Media Services Act, the Online Content Regulations, the Radio and Television Communications Regulations, the Statistics Act, etc.

b) Various government statements

Many statements were made threatening the freedom of the Press in the country including the statements of the fifth phase President in front of journalists. The president once told reporters “Watch out, do not think you have that freedom”. Statements like this were a threat to the media in Tanzania.

c) Media Bans, Fines or Suspension

From 2015 to March 2021 many media outlets in the United Republic of Tanzania faced various challenges including revocation of licenses, fines, and suspension. According to THRDC the number of media affected by the storm is 32;

- i) There are five (5) blocked / suspended media. The media are MwanaHalisi, Mawio, Mseto, Best FM Radio and Kwanza Online TV.
- ii) There are nine (9) suspended stations: Raia Mwema, Tanzania Daima, RVS Online TV, Wasafi TV, Mwananchi Online Newspaper, Clouds TV, Clouds FM Radio, Tifu TV and Wasafi FM.
- iii) Media outlets that have been fined and warned are eighteen (18): Multichoice Tanzania Ltd, Star Media Tanzania Ltd, Azam digital Broadcast Ltd, Clouds Entertainment FM Radio, Duma TV, East Africa Radio, Global TV, Sibuka TV , Ayo TV, ITV, Azam Two, Channel 10, East Africa TV, Star TV, Raha Limited, Radio Free Africa, Radio One and Advocates Online TV.
- iv) A total of 16 YouTube account holders were sued in court for allegedly possessing an account without being registered with the Tanzania Communications Regulatory Authority.
- v) By 2020, a total of 30 journalists were arrested and arraigned on charges of providing content online or on suspicion of not having licenses to run media outlets such as Blogs and Online Television.

Immediately after coming to power the 6th phase President of the United Republic of Tanzania Hon. Samia Suluhu Hassan ordered that the banned media be lifted. The order was the beginning of a new dawn for the country’s media to carry out its duties freely. Prior to the President order a cloud of fear had enveloped the media and journalists who were not able to conduct their duties freely.

Some of the reviews have shown various Tanzanians expressing their views about President’s Samia’s performance in the area of human rights protection and the rule of law. More than 80% of the people who filled out the questionnaire are apparently somewhat impressed by the way Hon Samia respects freedom of information and expression in the country.

Q2

Ndio

Je wewe unaamini kuwa Rais Samia ni Kiongozi Mwenye mitizamo na misimamo chanya kuhusu haki za binadamu na utawala wa sheria?

Q3

Kama jibu lako ni Ndio hapo juu, Orozesha mambo muhimu ambayo Mhe. Rais amefanikiwa katika sekta ya ulinzi na utetezi wa haki za binadamu kwa mwaka mmoja?

- 1) watoto wanaopata mimba kurudi skuli
- 2) kufunguwa vyombo vya habari vilivyofungwa
- 3) kufuta kesi kadhaa za watu waliokaa kuzuini muda mrefu
- 4 kukemea polisi kukamata watu bila ushahidi
- 5 kuanzisha dialogue na upinzani

Q4

Hapana

Photo: A Journalist responding to 2nd and 3rd question about Press Freedom said there is Press Freedom and about the success of the president in the Defense and Human Rights said she receive credit for allowing pregnant girls back to school, releasing banned Media, withdraw court cases with inadequate evidence among others.

Various media outlets have reported and also conducted their evaluation on the performance of President Samia on human rights. Example Misa-Tan Chairperson, Salome Kitomary was quoted by HUESO Media describing the changes in the media industry within one year of President Samia.

Since you came to power in March, 2021, we have seen positive changes in the growth of the Media industry in the country, we see freedom of expression, access to information and the media outlets are increasing day by day and we have seen the media outlets that were banned have been allowed to operate ... We hope your government will continue to support the growth of the media industry, including continuing to create a conducive and enabling environment for business people or those who have invested in the media industry so that they can provide better remunerations to members of the Press ”..... We thank you and your government for recognizing the legal challenges facing our profession , including the change of regulations that derailed our work, but the current efforts to engage all media stakeholders through media laws, to remove stumbling blocks are a step in the right direction. “ Says Salome Kitomar during the World Press Freedom Day May 3,2022 where President Samia was the Guest of Honour¹³

She has improved the freedom of the Press, including lifting the ban on media outlets and ensuring compliance with government laws and regulations and setting clear rules and penalties for various cybercrime. In February 2022, the Minister of Information, Communications and Information Technology, Hon. Nape Nnauye

¹³ <https://www.hueso-foundation.org.blogspot.com/2022/05/misa-tan-yaipongeza-serikali-mabadiliko.html?m=1>

lifted the ban against four (4) newspapers and issued a new license to Mawio, Mseto, Mwanahalisi, and Tanzania Daima newspapers.

“Ministry of Information you have to oversee the media, I hear there are media outlets which were banned, allow them to operate but let them follow the rules and regulations. Let’s not give them a reason to say we trample on the freedom of the Press and I want the regulations to be open so that whoever is banned can know their offences and the punishment. Let’s not be of double standards “
President Samia.

As a result of the THRDC reports several steps have been taken and continue to be taken to protect freedom of the Press and expression as follows;

(a) Licensing of banned newspapers

On February 10, 2022 the Minister of Information Hon. Nape Nnauye issued new licences to 4 newspapers that had been banned since 2016 and others in 2017. These newspapers are Mseto, Mawio, MwanaHalisi and Tanzania Daima. In addition to issuing such licenses, the Minister said the government is ready to work with Media stakeholders and get feedback to improve the laws governing the media in the country.

(b) Access to public information

As soon as the 6th phase government came to power, various reports on the social affairs were issued. For example, reports of the presence of COVID- 19 cases started to be issued so that the public can take appropriate action to protect their health, including mobilizing the public to go for the vaccination of COVID 19. The media has also been reporting freely without interference although there are some challenges here and there. Minister Nape also announced the return of LIVE Broadcast of the Parliament proceedings.

(c) Amendments to the Laws governing the freedom of the media

The government has called on the public to present their views on how to improve the country’s Media Services Act. But also the Tanzania Communications Regulatory Authority (TCRA) has made changes to the Online Content Regulations and the Radio and Television Communication Regulations. Some areas have been improved, including reducing the cost of license fees from one million, to five hundred thousand a year as well as reducing the cost of online television registration.

Independent media outlets are of great importance to society and to the government. Some of its importance include collecting, providing and disseminating Information to the community; Reporting various government development projects to the public; Reporting various incidents occurring in the community; disclosing corruption and misconduct in the community; and to provide public education on various issues that are beneficial to the development of the country.

As one of the media stakeholders in Tanzania, we believe that the media should be able operate freely. Thus, the good will that President Samia has shown should continue. We urge the President to improve media freedom by implementing more media reforms in line with various regional and international conventions.

3.1.10 Allowing Postgraduate Students to Return to School

Before Hon. President Samia Suluhu Hassan came to power, students on the Mainland side (especially women) who dropped out of school for various reasons, including truancy, pregnancy, etc., were not allowed to return to school. This measure grossly violated Article 11 (6) of the African Convention on the Rights and Welfare of the Child which Tanzania has ratified since 2003. This measure also contradicted the existing system on the other side of the Union, Zanzibar, where students are allowed to return to school immediately after surmounting the challenges that led them to interrupt their studies.

Thus, Hon. President Samia Suluhu Hassan has allowed students (especially girls who become pregnant while in school) to return to school and continue their education if a formal system contrary to the situation before. In November 2021 Hon. President Samia instructed that female students be allowed to go back to school after giving birth for the benefit of getting education without discrimination.

“We have decided that all children who dropped out of school for various reasons and those who dropped out of the seventh grade exam should be given another chance to go back to school and do the exam again, for those who feel unable to go back to school. in that stream so that from there they can do projects that will help them take care of themselves”, said President Samia. (November 29, 2021 Chato Geita)

Along with allowing children who dropped out of school to return to school, Hon. President Samia Suluhu Hassan has successfully expanded the construction of 15,000 new classrooms in various schools to enable students to access education. Similarly, she has ensured the problem of shortage of school desks is reduced. In addition, Hon. President has succeeded in increasing the number of beneficiaries of higher education loans.

Various groups of Child Rights Defenders and especially the girl child have commended President Samia for taking the steps she continues to take to protect the girl child and all children in general. These advocates have recognized Hon. Samia's contribution as their earlier protests against a girl's return to school which led to some of them being threatened with suspension if they continued to oppose the position of the Fifth Phase President against girls who became pregnant while in school. A large percentage of those who filled out the questionnaire on the question of Children and Women's Rights, expressed their satisfaction with these steps taken by Hon. Samia. The statement by the girl child rights advocates states;¹⁴

“In February 2022, the Government of the United Republic of Tanzania through the Ministry of Education, Science and Technology (WyeST) issued a Guideline of Returning to school students who were suspended to continue with Primary and Secondary Education for various reasons including pregnancy. This guideline is based on the circular of Education No. 02 of 2021 which provides opportunities for students who drop out of school due to various reasons to return to the formal education system , we the CSOs defending access to education congratulate the government for this step. For us this is an important and appropriate decision in liberating a Tanzanian child. This decision not only provides an opportunity for school leavers to return to school and complete their studies, but also increases the chances of this group becoming a potential workforce in the near future.” **Statement issued February 2022 by CSOs**

14 Tamko la Azaki Juu ya Matumizi ya Mwongozo wa Kuwarejesha Shuleni Wanafunzi Waliokatiza Masomo Elimu Ya Msingi Na Sekondari kwa Sababu Mbalimbali Uliotolewa Februari 2022.

However they have continued to caution that despite having the guideline, there are many things that need to be worked out that the guideline has failed to identify. Rebeka Gyumi who is the Director of Msichana Initiatives is a long-time advocate for the girl child, who spoke to the analysts of this document has recognized and congratulated Hon. President Samia for this step to protect the pregnant girl but stressed there are things that need to be done so that this mission can be achieved easily. Rebekah noted the following in reference to their Joint declaration:

“It is important for the guideline to clearly define the role and contribution of civil society organizations (CSOs) in implementation. The guidelines refer to CSOs as beneficiaries but their roles are not clearly defined. As CSOs we are able to participate in; Review of policies and guidelines, incentives and advocacy for building capacities of communities and students themselves on understanding guidance and how to implement it; Be part of a monitoring team ad implementation of the guideline and participate in campaigns, or responsibilities related to measures to prevent a child from dropping out of school due to pregnancy, absenteeism or poverty. Collaborate with government and various stakeholders from the village level to mobilise, monitor children who drop out of school to return to school.” **Rebekah insisted**

3.1.11 Improving the benefits of Public Servants

Before Hon. President Samia Suluhu Hassan rose to power, the benefits of public servants were not been given priority, including salaries did not increase since 2015, and many civil servants were not being promoted. This situation lowered the morale of public servants, as well as depriving them of their basic rights as employees.

To address these challenges, Hon. President Samia Suluhu Hassan has taken various steps, including the promotion of about 7,437 public servants (70,437) who did not receive that right for a long time as required by the rules and regulations of the public service. In addition, during the International Workers’ Day commemorations, on 1 May 2022, Hon. President Samia Suluhu Hassan has promised to raise the salaries and benefits of civil servants as soon as the relevant government authorities act on them, given the challenge posed by of the global economic downturn caused by COVID-19 and the Ukraine-Russia war.

CHAPTER FOUR

CONCLUSION

4.0 INTRODUCTION

Despite finding several challenges in the protection and protection of human rights in the country, when she came to power a year ago Hon. President Samia Suluhu Hassan has taken several steps to try to address those challenges, as outlined above. In general, during this period of her leadership, Hon. President Samia Suluhu Hassan has done a great job and has made significant progress in ensuring that human rights, freedoms and responsibilities are protected and upheld in accordance with Article 12-29 of the Constitution of the United Republic.

The President's commitment, statement and willingness to uphold his constitutional responsibilities to protect and promote human rights in the country has been demonstrated by many Tanzanians as well as abroad. Despite the efforts identified in this analysis, there are things that the President still needs to do in order to build a nation with a culture of respect for human rights today and even in the future when she relinquishes power. This analysis has seen and realized that many good things are still happening at will and relying on the direction and commitment of the President in the absence of institutional and legal systems that can protect this commitment.

4.1 Factors to Consider to Promote her vision on Human Rights

Despite all these efforts she is making and the success achieved by Hon. President Samia Suluhu Hassan and her government in improving the protection of human rights, the rule of law, democracy and good governance; there are basic things that need to be done to make these efforts sustainable and permanent. What is now seen nationally is the efforts arising from the political will of Hon. President Samia Suluhu Hassan; but many of the good things she is doing in this area of human rights and good governance lack the backing of constitutional, legal and systemic protection.

Many people's responses seemed to agree with the steps being taken by Hon. Samia, but there are Tanzanians and HRDs who disagree with some of the things going on at the moment. The issue of police use of force and killing has arisen in many responses, the issue of political parties not having full freedom even to hold rallies has also been identified as one of the challenges to be addressed. Other respondents have complained about the levy as well as the way the government is handling the Ngorongoro and Loliondo issue. Another major challenge that seems to want to grow and possibly undermine this success is the issue of corruption and the misuse of public resources. It is believed that in this phase there are people who can hide in the wisdom of the President to waste public money and perpetuate corruption.

Our analysis has revealed that citizens have fundamental issues that need to be addressed in order to develop and maintain these achievements that President Samia continues to achieve in the field of Human Rights and the rule of law.

Q6

Hapana

Je unaamini kuwa demokrasia, utawala bora na haki za kisiasa zimeanza imarika nchini toka Samia aingie madarakani?

Q7

Toa sababu na maelezo ya majibu yako katika swali la sita hapo juu

Hakuna uwiano sawia ktk medani za siasa kati ya chama tawala na upinzani. Mf. CCM inaendelea na mikutano ya hadhara wakati vyama vingine havifanyi hivyo . Mfano kwenye ziara za rais, mabango yao yako kila kona haswa Dodoma, Chalinze

Q4

Hapana

Je ni kweli kuwa ndani ya Mwaka Mmoja wa Samia haki za binadamu na swala zima la utetezi wa haki za binadamu umeimarika kwa haraka?

Q5

Taja sababu za majibu iliyotoa katika swali la nne hapo juu

Wananchi wengine bado wako magerezani ni wafungwa kwa kesi za kubabikiziwa si hilo tu tunasikia kwenye vyombo mbali mbali Polisi wakituhumiwa katika mauwaji wa raia kinyume na sheria na mengine mengi.

Q4

Hapana

Je ni kweli kuwa ndani ya Mwaka Mmoja wa Samia haki za binadamu na swala zima la utetezi wa haki za binadamu umeimarika kwa haraka?

Q5

Taja sababu za majibu iliyotoa katika swali la nne hapo juu

Kwanza kuhamishwa kwa wananchi wa tarafa ya Ngorongoro bila kusikilizwa.

Photo: Some Responses from the people on the questionnaire on democracy and good governance

With her good intentions, Hon. President Samia Suluhu Hassan must complete the following to ensure that everything she does today will last for many years and for generations to come:

- (a) Making significant policy, legal, and systemic improvements;
- (b) To make adjustments / improvements and / or to create all institutions that uphold human rights and good governance in the country;
- (c) Continue to appoint people who are professional, ethical and understanding, who care about and respect the fundamentals of human rights and good governance. This will help the President to be surrounded by people with similar philosophies, values and attitudes in the area of human rights, good governance, democracy and the rule of law.
- (d) Complete the work she has started to improve and strengthen the human rights system, good governance, and multi-party democracy, including the completion of the process to enact a New Constitution.
- (e) To enact Laws and Policies that will govern human rights and bring all leaders together in a spirit of human rights.

- (f) To come up with specific policies in the country that will protect the pastoralist communities in the country as well as their pastoral activities as a large percentage of Tanzanians depend on the products derived from the activities of indigenous livestock in the country. At the same time, in order to avoid any flaws in its human rights record, we urge the Ngorongoro and Loliondo conflict to be resolved on the basis of human rights and good governance and by involving the people themselves.
- (g) Improving human rights education in the country to start building a generation that understands and respects human rights and the rule of law
- h) The issue of rising cost of living, high taxes is also a major challenge facing President. Samia which she has to work seriously and quickly as many Tanzanians are complaining about this area
- (i) The laws that govern CSOs in the country, for example, the NGO Act and its regulations need to be amended to provide a better opportunity for CSOs in the country to carry out their duties to defend human rights effectively and freely.
- (j) To ratify various international treaties
- (k) Also look at the repressive laws that restrict freedom of information in countries that have not yet been amended. For example: the Media Services Act of 2016, the Cybercrime Act of 2015, the Electronic and Postal Communications Act of 2010, and the Statistics Act etc.
- (l) Also, in order to create a better working environment for the media and journalists we urge the government to implement the decision of the East African Court made in the case of Tanzania Human Rights Defenders Coalition, Legal and Human Rights Center and Media Council of Tanzania against Attorney General of the Government of the United Republic of Tanzania [case number 02 of 2017] where the Court ruled that sections 7 (3) (a), (b), (c), (f), (g), (h), (i) and (j), 13,14,19,20, 21, 35, 36, 37, 38, 39, 40, 50, 52, 53, 54,58 and 59 of the Media Services Act violates the East African Community Charter so the Tanzanian government should remove them from the Media Services Act of 2016.
- (m) We urge the President to make every effort to return Tanzania to the African Human Rights Court system which allows Tanzanians and CSOs to file human rights cases. This court is located in Tanzania and paints a grim picture of the country if Tanzanians fail to use the home court.
- (n) Tanzania ratifies various human rights treaties such as the Convention Against Torture, the Convention Against Torture (Convention Against Disappearance), the African Declaration of Democracy and Elections (Africa Declaration). on Elections and Democracy)
- (o) All Tanzanians and Advocates should continue to support Hon. Samia in her basic duties with the aim of protecting and respecting human rights and good governance. Hon. President should not be left alone but all social groups should be part of walking with Hon. President on this road that protects and respects human rights.
- (p) The Hon. President must uphold and defend what he believes about human rights and never agree to have advisers who will direct her to act in violation of human rights and the rule of law.



Mikocheni B, Eyasi Road, P.o.box 105926,
Dar Es Salaam, Tanzania



+255 769 642208



info@thrdc.tz



www.thrdc.tz

Like us on



TANZANIA HUMAN
RIGHTS DEFENDERS
COALITION

Follow us on



@thrcoalition

Follow us on



@thrcoalition