



PRESS STATEMENT ON THE SITUATION OF DEMOCRACY AND THE RIGHT TO FREEDOM OF ASSOCIATION AND ASSEMBLY IN TANZANIA.

Introduction

We members of the Civil Society Organizations' Directors Forum, who have signed this statement, are concerned with the current situation of democracy, the right to freedom assembly and the freedom of association in Tanzania. In recent days we have witnessed various events which have been indicating violations of democratic rights, the right to freedom of assembly and freedom of association contrary to our expectations, and the expectations of Tanzanians in general. Being citizens of the United Republic of Tanzania with a constitutional duty to protect national solidarity, unity, justice and peace, we have seen it advisable to speak up and advice our political and government leaders through this press statement.

In the current situation, we have witnessed violations of the mentioned rights which are legally guaranteed and protected by the Constitution of the United Republic of Tanzania of 1977, and other national laws, regional and international agreements which have been signed, ratified and domesticated by the United Republic of Tanzania to form part of our country's legislations. Following the fact that in many years Civil Society Organizations have been criticizers, advisers and they have been assisting in many state issues, we deem it wise and much proper to take this opportunity to advice the nation on what should be done, so as to ensure that violations of the mentioned rights should not be the reason that leads to the disruption of national peace and unity.

Legal Requirements on Democracy, Freedom to Assembly and Association

It should be noted that the United Republic of Tanzania is a country that is supposed be governed in accordance with the principles of democracy and respect for the basic rights on freedom of assembly and association. The

foundation of this principle is Article 3 of the Constitution of the United Republic of Tanzania of 1977 as amended several times. This Article states as follows:

3.-(1) The United Republic is a democratic, secular and socialist state which adheres to multi-party democracy.

(2) All matters pertaining to the registration and administration of political parties in the United Republic shall be governed by the provisions of this Constitution and of a law enacted by Parliament for that purpose.

Also under Article 20 (1), the Constitution states that, every person has a freedom, to freely and peaceably assemble, associate and cooperate with other persons, and for that purpose, express views publicly and to form and join with associations or organizations formed for purposes of preserving or furthering his beliefs or interests or any other interests.

Not only that, Tanzania has signed and ratified various regional and international agreements that protect human rights including the freedom of assembly and expression. Some of these agreements are; The African Charter on Human and People's Rights, the Treaty to the establishment of the East African Community of 1999 and other international covenants.

The main objective of this statement: First of all, being Tanzanian citizens we are fulfilling our constitutional responsibilities and duties of criticizing, advising and assisting the government in power, by our own consent, whenever we see things are wrong in one way or the other. Civil Societies have always been good stakeholders of development without any religious or political bias. We have been assisting the government in providing employment in the country, providing social services in rural areas, offering legal aid, issuing civic education, protecting the Constitution, human rights and many other things. Therefore we start by stating that anything said in this statement is aimed at building our nation by protecting love, solidarity, justice, equality and national peace.

The Situation of Democracy, Freedom of Assembly and Association

In a period of more than two years now, we have witnessed democratic rights, freedom of assembly and association is getting worse as days goes by. For us this situation can be viewed as a threat to national unity and disruption of national peace. There are several examples that reflect the current poor democratic conditions in the nation:

- a) Enactment of the restrictive law on political parties in the country (2019 amendments), that was objected by CSOs from the start after analysing it and discerning that it violates the Constitution and political rights to a large extent. This law gives too much power to the Registrar of Political Parties and makes him/her a controller of political parties instead of their guardian. According to this law, the registrar can obliterate any party at anytime, while he/she has legal immunity for the decisions issued.
- b) The long-term behaviour of the Registrar of political parties of taking sides in the internal disputes of CUF political party. Being the guardian of political parties, the Registrar should not take sides in the internal disputes of a party.
- c) The letter by the Registrar of political parties numbered HA.322/362/2D/98, with the intention of the Registrar of political parties to terminate the permanent registration of the ACT-Wazalendo party has brought confusion among Tanzanians. In our democratic country that follows the principles of justice and transparency we could never expect the Registrar of political parties to issue such a strong warning under allegations that are not yet proved, instead the Registrar would have found a way to summon and reconcile before considering other stiff measures as the guardian of political parties. This letter has been issued way too early and it contains many allegations that could be discussed between the concerned party and the office of the Registrar.
- d) Internal meetings of opposition parties have been attacked or banned. For example, it is just few day ago that we received news about an internal meeting organised by ACT-Wazalendo that was invaded by police officers without considering the fact that political parties have a right to conduct meetings.
- e) Leaders of political parties prevented from conducting political meetings, Members of Parliament as well as Councillors are prohibited from conducting political meetings especially public ones in areas outside their constituencies.
- f) Several Members of Parliament, opposition members, who were conducting meetings, were arrested and charges were filed against some of them. The increase in the number of arrests of leaders and followers of opposition parties which sometimes has been done without reasonable cause is a danger to the future of the nation.
- g) Security agencies particularly the Tanzania Police Force, which are supposed to be part of protection and security management during political operations in the country have been discerned to be part of

suppressing multi party politics in the country by being seen in numerous times, interfering with opposition operations in the nation.

h) Religious leaders, the Parliament of Tanzania, CSOs, national Council of Political Parties, scholars, national Center for Democracy continuing to ignore the trend of democracy in the nation is another threat to national peace and unity.

e) Prohibition of peaceful demonstrations by some people on the basis of their religious or social wings while others are seen to openly conduct meetings and demonstrations. This situation divides Tanzanians making others more righteous than others. Our fear is that if this condition persists we will build a nation with a big group of people who feel that they have been excluded and discriminated in our nation.

Our Call and Advice to the Government, Politicians and the Nation in General

- i. The Registrar of Political Parties should stop threatening and interfering in internal disputes of political parties, instead the Registrar should be guided by wisdom in overseeing the principles of democracy and the right of all citizens to join the parties they want without imposing sanctions that are not recognised by our national laws.
- ii. Leaders should respect national laws and the Constitution, and they should stop prohibiting internal and external political meetings which are supposed to be conducted by political parties.
- iii. Security agencies should ensure that internal and external political meetings are protected instead of banning and disrupting them.
- iv. The government should ensure that freedom to assembly, including the liberty to conduct peaceful demonstrations, is respected and protected by security forces in accordance with the national laws.
- v. We call upon the government to respect national laws and regional agreements as well as International covenants that have been ratified to be followed and obeyed, so as to avoid unnecessary breach that could put the nation in diplomatic disputes with the international community.
- vi. We urge the politicians in power and opposition political parties to conduct their political activities in accordance with the national laws and make sure that they do not take part in dividing the nation based on political, religious or regional divisions so as to promote national peace and unity.
- vii. We advise all Tanzanians including religious leaders, journalists, scholars and all other groups, to frequently take part in criticizing and advising the government, together with the country's political leaders, whenever there are

- indicators of the disruption of peace. This is because the effects that arise from disruption of our national peace will affect each and everyone, even the one that chooses to ignore some of the indicators of the breach of peace.
- viii. We advise our Honourable President, John Pombe Magufuli to find out time and meeting with opposition parties in the country and discuss their long-term complaints.
 - ix. We advise the Registrar of political parties to utilize various agencies such as the Political Parties Council, Centre for Democracy and religious leaders to solve the challenges seen in the operation of political parties in the country instead of deciding upon every matter without involving stakeholders.
 - x. The Registrar of political parties is advised that, instead of terminating the permanent registration of ACT-Wazalendo in the next 14 days, he should form an independent committee that comprises of other independent groups, including CSOs to assess the validity of allegations against ACT-Wazalendo so that justice can be done. The objective should be building peace and not increasing further hatred and hostilities.
 - xi. Because our aim is building and not demolishing, and also due to the fact that CSOs are enormous stakeholders of development, if it pleases the Honourable President we request a meeting with him so that we can consult with him on many national matters including the issues of democracy and freedoms. We believe that democracy and politics are the foundations for the welfare of any nation thus we have no way to avoid discussing them.
 - xii. All provisions of the new Political Parties (Amendment) Act should be reformed to offer equal and liberal sphere for performing politics in the nation. In case it fails, we advise CSOs, human rights defenders and political parties to go before the court and move the Court to compel the government to strike out all suppressing provisions of the Act. In the same time we advise our justice systems in the country to seriously consider human rights when reaching to their decisions in various issues of national interests.

Finally we believe altogether that our leaders will hear and work on our advice for the purpose of protecting unity, solidarity and national peace. God bless Tanzania, God bless Africa.

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By

1. Tanzania Human Rights Defenders Coalition –THRDC
2. Civic and Legal Aid Organization (CiLAO)

3. Door of Hope to Women and Youth Tanzania (DHWYT)
4. New Age Foundation
5. Tanzania Peace, Legal Aid & Justice center (PLAJC)
6. YAAPA
7. Sauti ya wanawake Ukerewe
8. TUPACE
9. ARUWE
10. OJADACT
11. Sauti ya Haki Tanzania
12. Initiative for Good Governance and Transparency in Tanzania(IGT)
13. Child Watch
14. Zanzibar Network for Good Governance (ZNGG)
15. MIDECAC
16. Tanzania Tobacco Control Forum (TTCF)
17. CAGBV
18. MACSNET Manyara
19. VOYOHEDA-Mtwara.
20. Sadeline Health Care Trust
21. RUWODI
22. Tanzania Widows Association (TAWIA)
23. Faidika wote pamoja-FAWOPA Tanzania
24. Legal and Human Rights Centre (LHRC)
25. Jukwaa la Katiba Tanzania (JUKATA)
26. CEDO(Christian Education Development Organization)
27. Actions for Democracy and Local Governance (ADLG)
28. Pemba Environmental and Malaria Control (PEMCO)
29. Jumuiya ya Maendeleo ya Elimu Pemba (JUMAEWAPE)
30. Tusishindwe Development Organization (TUDOPE)
31. NCDE Nguvumali
32. Jamii Forums
33. Zanzibar Development Journalists Association (WAHAMAZA)
34. The Zanzibar Fighting Against Youth Challenges Organization (ZAFAYCO)
35. COSITA
36. Save the Mother and Children of Central Tanzania (SMCCT)
37. Jumuiya ya kuendeleza Ufugaji nyuki na Uhifadhi wa Mazingira (JUKUNUM)
38. Resources Advocacy Initiative
39. SAHRiNGON Tanzania Chapter
40. Mtwara NGO's Network (MTWANGONET)

41. Rondo Women's Development Organization (ROWODO)
42. Magata Primary Cooperative Society
43. Pamoja Daima
44. The Popular Inspiring and Relief Organisation (PIRO)
45. Dignity Kwanza -Community Solutions
46. Hakimadini
47. Pingos Forum
48. Tanzania women empowerment in action, (TAWEA) Kigoma
49. Open Mind Tanzania
50. Jumuiya ya kulinda na kutetea haki za wanawake na watoto
(JUKUWAM)
51. Zanzibar Association for Children Advancement (ZACA)
52. Base for Education Dissemination
53. Tree of Hope
54. Normadic Pastoralist's Development Organization (NOPADEO)
55. Livelihood of Children and Development Society (LICHIDE)
56. CESOPE
57. Tanzania Land Alliance (TALA)
58. TUPACE
59. Iringa Press Club (IPC)
60. KOK Foundation
61. Humanity Aid for Development Organisation (HADO)
62. Tanga Paralegal Aid Scheme for Women and Children
63. Humanitarian Resource Unit for the Marginalised (HURUMA)
64. Mbeya Hope for Orphans (MBEHO)
65. Kigoma Ujiji NGO's Network (KIUNGONET)