

TANZANIA HUMAN RIGHTS DEFENDERS COALITION (THRDC)



A CALL TO THE POLICE FORCE TO ADHERE TO THE PRINCIPLES OF NATURAL JUSTICE

On the 17th of October 2017 the Police Force arrested 13 Human Rights Defenders who were conducting a legal consultative meeting on their plan to file a case on health rights. Among the people who were arrested, 2 are Ugandans, 1 is a South African and 9 Tanzanians. They were released on bail on the 18th of October 2017 and later on they were re-arrested, with directives that the Police Force is still conducting investigation against them.

The Tanzania Human Rights Defenders Coalition (THRDC) is saddened with the way the matter is being handled. Until now no charges have been filled against the suspects and the Police claim that investigation is still underway. It's our belief that investigation could be conducted while they were out on bail in compliance of the doctrine of presumption of innocence as it is provided for under Article 13 (6)(a)(b) and (d) of the Constitution of the United Republic of Tanzania. It should be noted that According to our laws, particularly Section 148 of the Criminal Procedure Act, only few offences such as murder and treason are non-bailable. Until now the accused persons have been in custody for 5 days, not yet informed their charges, and at the same time bail is not yet granted.

THRDC doesn't condone any act that is prohibited by penal laws in Tanzania, but our major concern is the rights of the accused persons. The Coalition agrees that homosexuality is prohibited under penal law but being accused of conducting or promoting homosexuality doesn't override other rights of the accused persons such as legal representation, right to privacy and right to bail. We therefore advise the police to proceed with their investigation while respecting the rights of the accused persons.

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By the Tanzania Human Rights Defenders Coalition (THRDC)