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**OPENING STATEMENT DELIVERED BY HON. PROFESSOR PALAMAGAMBA JOHN AIDAN MWALUKO KABUDI, MINISTER OF CONSTITUTIONAL AND LEGAL AFFAIRS OF THE UNITED REPUBLIC OF TANZANIA AT THE 39TH SESSION OF THE UNIVERSAL PERIODIC REVIEW WORKING GROUP OF THE HUMAN RIGHTS COUNCIL IN GENEVA SWITZERLAND, FRIDAY 5TH NOVEMBER, 2021**

**Madame President,**

**Distinguished Members of the UPR Working Group,**

**Members of the Troika,**

**Excellencies and Representatives of Member States,**

**Ladies and Gentlemen.**

I wish you all a good morning and I take this opportunity to convey greetings from, the President of the United Republic of Tanzania, Her Excellency Samia Suluhu Hassan. Her Excellency, the President, accords the promotion and protection of human rights great significance and places the human rights agenda at the forefront of Government business in recognition of its role as the main duty bearer in the promotion and protection of human rights. I convey felicitations from the Government and the People of the United Republic of Tanzania who on 9th of December, 2021 will be celebrating sixty years of independence of Mainland Tanzania (Tanganyika) a former Trusteeship Territory of the United Nations under British Administration.

**Madame President,**

I am singularly honoured to head the delegation of the United Republic of Tanzania at this 39th Session of the Universal Periodic Review Working Group. It is always a pleasure to engage with the Human Rights Council’s mechanisms and the United Republic of Tanzania is a great proponent of the Universal Periodic Review process. The Universal Periodic Review process in the United Republic of Tanzania is coordinated by the Ministry of Constitutional and Legal Affairs which is mandated with coordinating all human rights matters on behalf of the United Republic of Tanzania. In Tanzania Zanzibar, which is part of the United Republic of Tanzania this mandate rests within the President’s Office of the Revolutionary Government of Zanzibar.

We are therefore looking forward to the constructive dialogue with Member States and my delegation and I offer our full support and cooperation throughout this review process as has been our tradition.

**Madame President,**

This review comes at the most opportune time, a time of great reflection for the United Republic of Tanzania as we are preparing to celebrate 60 years of independence on the 9th of December 2021. It is also a fulfilling time as we can undoubtedly say that the Country has made significant strides in addressing what was our Father of the Nation and Founding President, Mwalimu Julius Kambarage Nyerere of creating a united cohesive nation out of more than one hundred and twenty disparate ethnicities. At the eve of independence, Mwalimu Julius Nyerere declared three enemies of our development, that is poverty, ignorance and diseases and declared a war against them. On the human rights aspect Mwalimu Julius Kambarage Nyerere and the nationalist party, known as Tanganyika African National Union (TANU) which fought for the independence of Tanganyika used the Universal Declaration of Human Rights as a clarion call for self-determination of Tanganyika. Therefore, as we look back sixty years of our independence and assess our development through a human rights lens there are significant achievements which with humility must be pointed out.

Firstly, as one of the poorest and neglected country in 1961 now we are a middle income country five years ahead of the objective of the Tanzania Development Vision 2025 which envisaged 2025, instead on 1st July 2020, the World Bank categorized Tanzania as a middle income country. Second, is that in sixty years we are truly a Nation, and no longer a conglomeration of tribes or a collection of disparate ethnicities. As diverse as the people and cultures of Tanzania are, we are united by a common language Swahili and allegiance to our country. Third is that throughout this period we have managed to maintain a peaceful and politically stable country. I hasten to add that the peace and stability that Tanzania enjoys is a result of many years of concerted efforts by the Government and the people and has never been left to chance. Concerted efforts have gone into and continue to be made to ensure that we remain a stable, democratic secular State and an active player for the struggle of just and fair world coexisting in peace.

**Madame President,**

At the adoption of our Second National Report in September, 2016 Tanzania accepted to implement 131 recommendations and 2 recommendations in part. The accepted recommendations were disseminated to state and non-state actors from both sides of the United Republic of Tanzania, that is Mainland Tanzania and Tanzania Zanzibar for follow up and implementation.

Similar broad-based consultations formed the preparation of the Third National Report. A refresher session to initiate preparation of the National Report for State actors implementing the recommendations was held in September, 2020. This was followed up with three joint consultation sessions with representatives of State actors, the National Human Rights Institution, the Judiciary and Civil Society Organizations (CSOs) from Tanzania Mainland and Tanzania Zanzibar. The National Report also received endorsement from the Inter-Ministerial Technical Committee.

**Madame President,**

The Third National Report of the United Republic of Tanzania covers the review period 2016 to 2020 with a brief section on recent developments in the promotion and protection of human rights. The bulk of the report is dedicated to the implementation of the recommendations by Mainland Tanzania and Tanzania Zanzibar. Over this reporting period our National report details how the 5th Phase Government took legislative, institutional and administrative measures to promote and protect human rights *vis a vis* the recommendations we accepted to implement.

**Madame President,**

With regard to recent developments in the promotion and protection of human rights the National Report highlighted three key areas. We would like to mention other significant matter pertinent to the promotion and protection of human rights and good governance. This is the smooth and peaceful transition of power after the untimely demise of the former President of the United Republic of Tanzania, His Excellency Dr. John Pombe Joseph Magufuli on 17th March, 2021. The Nation was engulfed in grief for the loss of a gallant son who was highly respected and revered by the people for his resolve to fight corruption, injustice, maladministration, embezzlement of public funds, tax evasion and abuse of power as well as revival of the spirit of self-reliance as the bedrock of sustainable development of the country. The fact that we have in place a constitutional provision that clearly articulates the transition of presidential power in a situation of a demise of a sitting President and adherence to rule of the law by the Government and the people enabled the unprecedented smooth transition to proceed without abrogation to civil, political, social, economic and cultural rights and freedoms of Tanzanians.

**Madame President,**

The National Report then focused on the implementation of the accepted recommendations in thematic areas. We would like to point out that the implementation of the recommendations were by the Government, the National Human Rights Institution, Civil Society Organisations, and with support from Development Partners and Financial Institutions as reflected in the report.

On the status of the implementation of the UPR Recommendations we wish to report under the following areas:-

1. **International Human Rights Instruments**

The State considered ratification of the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (1984), the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990) and the International Convention on the Protection of the Persons from Enforced Disappearance (2006), as recommended. However, the conclusion to ratify these treaties has not been reached and the State has resolved to continue with further research, consultations and consideration of these treaties.

We also received questions in advance on abolition of the death penalty and ratification of human rights treaties which call for abolition of the death penalty from **Panama, Belgium, Slovenia and Liechtenstein.** In this regard, the above explanation goes to answer these questions in relation to the abolition of the death penalty. This also answers a question from **Panama** on signing the Declaration on Children, Youth and Climate Action and/or ratifying the Arms Trade Treaty, the Convention on Cluster Munitions and the Treaty on the Prohibition of Nuclear Weapon.

1. **Constitutional Development**

The recommendations with regard to finalizing the referendum as part of the Constitutional Review Process have not been implemented. It is recalled that the Constitution making process reached the referendum stage in 2015. Constitutional development is certainly important and as the current Constitution has aptly guaranteed the enjoyment of human rights to all and is ably guiding national development, the matter of finalization of the process of the Constitutional development will be revisited at the opportune time taking into account the passage of time since the Proposed Constitution was adopted by the Constituent Assembly in October, 2014.

It is worthy to note that the Constitution of the United Republic of Tanzania Cap 2 in Chapter One Part Three stipulates for basic rights and duties which are enforceable in Courts of law. Furthermore, Chapter One Part Two of the Constitution provides for Fundamental Objectives and Directive Principles of State Policy enshrined in the Constitution which expressly provides that human dignity is preserved and upheld in accordance with the Universal Declaration of Human Rights. Therefore, human rights have always been and continue to be enshrined in our Constitution, policies, laws and programs.

We hope with these explanations questions received from the **United States of America, the United Kingdom of Great Britain and Northern Ireland and the Federal Republic of Germany** on this matterhave been canvassed.

**Madame President,**

1. **Normative Framework for the Promotion and Protection of Human Rights**

The State implemented recommendationsrelating to enacting laws and enhancing our normative framework for better promotion and protection of human rights. Annexures 1 and 2 to the National Report lists laws enacted during the review period. An appraisal of these laws show they cover a broad spectrum of rights from access to justice, equality before the law, equal protection by the law, the right to a fair trial, promotion of economic rights for vulnerable groups of women, the youth and persons with disabilities, peace and security, protection of human dignity, right to work, right to education, right to employment, good governance, rights of the child, right to health, cultural rights, right to own property, environmental conservation and reducing unnecessary spending and increasing transparency and accountability in procurements matters among others including the enactment of the law on permanent sovereignty over natural resources in line with the United Nations General Assembly Resolution No. 1803 of 1962 and UN General Assembly Resolution 3281 (xxix) of 1974 and the common provisions in Article 1(2) of the International Covenant on Civil and Political Rights (ICCPR), 1966, and Article 1(2) of the International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966, as well as Article 21 of the African Charter on Human and Peoples’ Rights, 1981.

1. **Gender Equality through Law Reform**

The State also enacted and amended legislation to guarantee gender equality. For example, the Legal Aid Act, Cap 21 enacted in 2017 applicable for Mainland Tanzania, and the Zanzibar Legal Aid Act, No. 13 of 2018 - both provide that there shall be no discrimination of legal aid recipients based on their gender; and the representation in the Legal Aid Boards is also guaranteed for women. Further, the Political Parties Act, Cap. 258 was amended to provide that a political party must adhere to gender inclusion principles among others by representation of women at all levels of leadership.

To further promote gender equality the State is in the process of reviewing the Law of Marriage Act, Cap. 29 to implement the Court of Appeal decision in the case of *Attorney General vs Rebecca Z. Gyumi,* Civil Appeal No. 204 of 2017 on the minimum age of marriage. The State submitted a proposed Bill to the National Assembly with the intention to amend the Law of Marriage Act, Cap 29. The National Assembly after receiving the proposed Bill directed the Government to further consult widely with the people, religious and community leaders on the question of setting the age of marriage at eighteen years. The State has also drawn out a roadmap for nation-wide consultations which includes the views of non-state actors such as the National Human Rights Institution and civil society actors. Meanwhile, as elucidated elsewhere in this statement, the State through the amendment of the Education Act, Cap 353 continues to protect all female students irrespective of their age while schooling basic education, primary to secondary education by providing thirty years imprisonment for any man who has a sexual relationship with a female student.

There are also ongoing discussions with regard to matters of inheritance and succession with an express concern of the rights of women. Indeed, there have been landmark judicial decisions since the 1970s which clearly stipulate that women have also the right to inherit land. In the same vein, community and religious leaders are being engaged as part of law revision on matters of marriages, inheritance and succession. In Zanzibar, the Kadhi’s Court Act, No.3 of 1985, was repealed and replaced by the Kadhi’s Court Act, No. 9 of 2017, which among other things, provides for division of matrimonial assets upon dissolution of an Islamic marriage.

These explanations also address the questions received from **Belgium, Sweden and the United Kingdom of Great Britain and Northern Ireland** on the implementation of the Court of Appeal Judgement in the case of *Attorney General vs Rebecca Z. Gyumi*, Civil Appeal No. 204 of 2017 to amend the Law of Marriage Act of 1971 to make the minimum age of marriage 18 for both males and females. The explanation also goes to provide answers to a question from **Sweden** on how will Tanzania promote gender equality and ensure women’s political and economic empowerment. They further go to the extent of explaining the question posed by **Spain** on how do we plan to take measures to ensure that our legal framework guarantees equal rights between men and women in matters of inheritance.

1. **Strengthening the National Human Rights Institution**

The State implemented several recommendations focused on capacitating the Commission for Human Rights and Good Governance (CHRAGG) which is established by Article 129 of the Constitution of the United Republic of Tanzania by increasing budgetary allocation for the Commission from TZS 618,981,617.31 in 2016/17 to TZS 4,325,039,894.48 in 2019/20 which is an increase of 598%. The independence and autonomy of the Commission was further strengthened by amending the Commission for Human Rights and Good Governance (Appointment Procedure for Commissioners) Regulations GN. No. 89 of 2018 to enhance transparency and accountability in the process of appointing Commissioners. We are proud to report that the Commission has retained its Status “A” accredited in 2018 by the Global Alliance of National Human Rights Institution which is testament of its autonomy and independence.

The United Republic of Tanzania also wish in this area to address a question from **Spain** on steps that have been taken by the Government to ensure that human rights defenders do not suffer reprisals as a result of their engagement with UN human rights mechanism.

We wish to reiterate that there is no time in the history of the United Republic of Tanzania that human rights defenders suffered reprisals as a result of their engagement with UN human rights mechanisms. The United Republic of Tanzania is governed by the principles of good governance, rule of law and a respect for human rights. This is clearly articulated in Article 8(1) of the Constitution of the United Republic of Tanzania, 1977 which provides that the United Republic of Tanzania is a state which adheres to the principles of democracy and social justice. Nobody is above the law and if you violate, legal consequences will ensue in accordance with the principles of natural justice enshrined in the Constitution and laws of Tanzania.

1. **The Electoral Commissions**

In consideration of the principles of good governance, the National Electoral Commission (NEC) of the United Republic of Tanzania which oversees Presidential elections, Members of Parliament from the United Republic of Tanzania from Mainland Tanzania and Tanzania Zanzibar as well as Councilors from Mainland Tanzania. On the other side the Zanzibar Electoral Commission (ZEC) oversees election of the President of Zanzibar, Members of the House of Zanzibar House of Representatives and Councilors. Both electoral commissions have enhanced their operations through normative reforms and administrative measures. During the 2020 General Election, nomination forms of all nominated candidates were displayed for 24 hours in conspicuous locations; election campaigns were governed by the Electoral Code of Conduct, 2020 which was endorsed and signed by all political parties, campaign disputes were handled openly and fairly and issues in relation to breach of the Electoral Code of Conduct were referred to the Electoral Code of Conduct Committees. In Tanzania Zanzibar, the Election Act No.4 of 2018 and its regulations were enacted to promote democracy and participation and established the procedure for voter’s education, demarcated powers and limitation of National and International election observers and increased the Commission’s powers and execution of its functions. Also, the reformation of the Zanzibar Electoral Commission in 2017 further strengthened the independence of the entity.

We further received questions on measures to improve the impartiality and transparency of the National Electoral Commission in Tanzania Mainland and the Zanzibar Electoral Commission from **Canada, Spain, Germany and the United Kingdom of Great Britain and Northern Ireland,** including measures through law reform. Also, as asked decisions of the Electoral Commissions are subject to judicial review in a form of an election petition by a complainant in accordance with the Constitution and electoral laws of Tanzania. The explanations above offer answers to these questions.

On the questions from **Canada** that noted that although the presidential, parliamentary, and council elections in October 2020 were conducted largely peacefully, what steps is the Government of Tanzania taking to investigate and hold accountable those responsible for the incidents of elections-related violence that occurred, particularly in Zanzibar. We would like to clarify that to date there have been no complaints and the elections were free and fair. The United Republic of Tanzania is politically mature as evidenced by the formation of a Government of National Unity in Tanzania Zanzibar after the 2020 election in accordance with the Constitution of Zanzibar.

1. **The National Human Rights Action Plan**

The State implemented the National Human Rights Action Plan (NHRAP) of 2013-2017 which was a framework for the promotion and protection of human rights. The implementation of the NHRAP was supported by Development Partners (DPs) including the United Nations Development Program (UNDP) and the European Union (EU), International and national Non-Government Organisations (NGOs). The Action Plan contributed to creating a human rights regime as budget guidelines directed all Ministries to incorporate human rights action plan activities in their annual budgets. Therefore, strategic human rights activities were mainstreamed into Government activities and presented to the Parliamentary Committee on the Constitutional and Legal Affairs.

1. **Human Rights Programs**

There were various human rights programs implemented for law enforcement and correctional officers over the review period. The Police Force changed its Training Syllabus in 2016 to include human rights principles and the duty to adhere to them while discharging their duties. Correctional Science Courses which incorporate a human rights component were held for Prison staff and 218 Those who act contrary are charged with criminal offences as with the Police Officer who caused the death of a journalist Daudi Mwangosi, the officer was charged in the court of law for the offence of manslaughter, convicted and sentenced to 15 years imprisonment in 2016. This is testament that no one is above the law in Tanzania, including unprofessional police officers. In Tanzania Zanzibar, there was ongoing capacity building for Correctional Centres and Police Officers over the review period.

**Madame President,**

The Government also has humanitarian strategies with regard to protecting refugees. Tanzania has been hosting refugees from Rwanda, Burundi and the Democratic Republic of Congo (DRC). The Government ensures that all refugees are provided with basic needs and treated with dignity and respect. In 2020 Tanzania hosted a total of 274,533 refugees and asylum seekers in collaboration with UNHCR. In this same spirit of cooperation, Tanzania is a committed troop contributing country to UN-Peacekeeping Missions, with 1,759 personnel serving in six different UN missions by August, 2021. Tanzania has also continued to host international institutions mandated to promote and protect human rights such as the International Residual Mechanism for Criminal Tribunals, the African Court on Human and Peoples’ Rights, the East African Court of Justice, the African Union Advisory Board on Corruption and the African Institute of International Law of the African Union.

1. **Human Rights and the Sustainable Development Goals**

The State is allied to the Sustainable Development Goals which share key attributes with our Development Vision 2025 as both agenda have human rights based approach to development. The formulation of SDGs coincided with formulating our second National Five-Year Development Plan (FYDP) of 2016/17-2020/21 as the second medium term framework for implementing the Tanzania Development Vision 2025. This accorded the country the opportunity to integrate the priorities of the 2030 Agenda in the medium-term plan therefore ensuring the policies attached to the SDGs are well integrated into National Policies. Further, the State presented its voluntary review of SDG’s No. 4,8,10,13,16 and 17 in July, 2019 to the United Nations General Assembly.

1. **Human Rights Treaty Obligations**

The State has endeavored to meet its state party reporting obligations and is in the final stages of validating State Party Reports on the International Convention on the Rights of Persons with Disabilities (2006), the International Convention on the Rights of the Child (1989) and the International Convention on the Elimination of All Forms of Discrimination against Women (1979).

**Madame President,**

1. **Violence Against Women and Children**

The State takes seriously its commitment towards ending violence against women and children and worked towards this through the following measures:-

* 1. **Establishment of National Plans of Action to End Violence against Women and Children**

The State established and has been implementing the National Plan of Action to end Violence Against Women and Children (NPA-VAWC 2017/18-2021/22). A direct outcome of the Action Plan is the establishment of 16,343 Women and Children Protection Committees from village to National level. Also, the establishment of 153 Gender and Children’s desks Prison and in 420 police stations. In Tanzania Zanzibar, the National Plan of Action to end violence against Women and children 2017-2022 is being implemented. As a result Gender Based Violence (GBV) Committees have been established in 388 Shehia and there are ongoing campaigns on anti-violence against women and children.

This plan comes to an end in 2022 as correctly noted in the question by **Canada.** The continuity of this plan will depend on the final evaluation of the Action Plan after it has completed its cycle in 2022

* 1. **Female Genital Mutilation**

Female Genital Mutilation is a specific act of violence against women and has been criminalized in our penal code. As part of efforts to harmonise policy on Female Genital Mutilation with the Convention on the Elimination of All Forms of Discrimination Against Women, the State has been implementing the National Anti-Female Genital Mutilation Strategy and Implementation Plan 2019 – 2022. The State also cooperates with its neighbors to address the transboundary effect of FGM and is part of the Cross-Border Anti-Female Genital Mutilation Plan of Action for East African Countries of 2019; the objective is to prevent FGM practices across borders.

We hope these explanations provide answers to the question asked by **Angola** on the main steps taken to combat FGM in the context of the National Strategy to combat Female Genital Mutilation 2019-2022.

* 1. **Violence against Elderly Women**

Concerted efforts have been taken to end violence against elderly women believed to be practicing witchcraft in some parts of Mainland Tanzania. This is being addressed through the National Strategy to Eradicate the Killing of Elderly 2018/2019-2022/2023. The strategy led to the establishment of 14,416 Older Persons Councils at Village, *Mtaa*, Ward, district, and regional levels which work to ensure the safety and security of older persons.

* 1. **Trafficking**

Trafficking in women and children is systematically addressed through the National Anti-Trafficking Action Plan of 2018-2021 which is operational in both Tanzania Mainland and Tanzania Zanzibar. This has enhanced victim care and protection through the establishment of 6 shelters and safe houses for victims of trafficking in 5 Regions in Tanzania Mainland. While in Tanzania Zanzibar, Safe Houses for child protection increased from 187 Children Care Centres in 2016 to 230 centres in 2020. The State has also been working closely with the International Organisation for Migration through a joint action plan of 2020/2021 to end trafficking of persons.

* 1. **Criminalisation of Marital Rape and Domestic Violence**

Further, the United Republic of Tanzania received a question from **Panama** on what steps have been taken to criminalize marital rape and domestic violence. Marital rape is still not an offence in our criminal statute and there is still no complaint that will necessitate the Government to take action to make it an offence.

* 1. **Street Children**

The State has also made efforts to prevent cases of sexual abuse of children in the streets and there are programs to identify and reunite children in 6 prevalent regions with their families and communities. Over the reporting period 5,390 children (3,852 boys and 1,538 girls) were provided basic welfare services, 135 Children (92 boys and 43 girls) were reunited with their families, 821 children (519 boys and 302 girls) were given scholastic materials and 75 children (58 boys and 17 girls) were supported with household economic strengthening services.

* 1. **Mission Visit from Special Procedures** **on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material**

**Panama** asked whether the United Republic of Tanzania intends to respond positively to the request of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material.

The request by the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material is still under consideration and the Special Mechanisms will be duly informed of the Government’s position in due time.

**Madame President,**

1. **Non-Discrimination of Vulnerable Groups**

The State recognizes that non-discrimination is a fundamental human rights principle and is intrinsic in ensuring the right to equality. The Constitution of the United Republic of Tanzania under Article 13 calls for equality and prohibits discrimination on the basis of nationality, tribe, place of origin, political opinion, colour, religion, sex or station in life. The economic empowerment of vulnerable groups were boosted with amendments to the Local Government Finance Act, Cap. 290 stipulating that 10% of local government revenue should be directed to women (4%), the youth (4%) and persons with disabilities (2%) for undertaking various economic activities.

**12.1 Non-Discrimination of Women**

The laws of the United Republic of Tanzania guarantee participation of women in all walks of life. In politics, the United Republic of Tanzania had for the first time a female Vice-President from November 2015 until 19 March 2021 when she became the first female President and Commander-In-Chief of the Armed Forces of the United Republic of Tanzania. The Deputy Speaker and the Clerk of the National Assembly are women. Notably, the National Assembly is constituted of 36.38% women parliamentarians. The Judiciary ranks high in number of female Judges and Magistrates as of January 2021 women Judges constituted 41% of the Court of Appeal Judges (10 women out of 24 Judges) and 38% of the High Court (31 women out of 85 Judges). Gender equality in the public service also made strides as of March 2020 women employees were 225,149 which is 42.7% of 527,281 employees.

* 1. **Economic Empowerment of Women**

Economic empowerment of Women is key and the Societies Act, Cap. 337 encourages women and elderly societies to be registered to foster their social and economic development. Further, the Government established the Tanzania Social Action Fund (TASAF) which implements projects aimed at women economic empowerment at house-holds level. Annexture 4 to the National Report depicts detailed statistics on programs, loans and women entrepreneurs over the reporting period.

In Tanzania Zanzibar, the Zanzibar Gender Policy of 2016 was developed which calls for equality and non-discrimination and there are economic empowerment programs for women under the Office of the President of the Revolutionary Government of Zanzibar.

* 1. **Non-Discrimination of Children**

The right to an identity was significantly enhanced through the Under Five Birth Registration Program governed by the Birth and Deaths Registration Act, Cap 108, registration fees for newborns were waived, civil registration and vital statistics systems were devolved from Central Government to Local Government Authorities for registration of births and deaths and an online platform for registration of births and deaths was established in 2019.In Tanzania Zanzibar the Birth Registration Act enacted in 2018 enhanced the civil registration and vital statistics system. This resulted in an increase of under-five birth registration from 13% in 2016 with a coverage of 3 Regions to 55% in 2020 with a coverage of 18 out of 26 Regions in Mainland Tanzania.

* 1. **Child Labor**

Another notable challenge regarding children is child labour which was being addressed over the review period as the State developed a National Strategy on Elimination of Child Labour 2018-2022 to reduce child labour from 29% to 9% by 2022 in Mainland Tanzania, including a program to eliminate child labour in tobacco plantations in Tabora Region. In Tanzania Zanzibar the Zanzibar National Action Plan on elimination of Child labour of 2009-2015 continued to be implemented with the Labour Commission monitoring child labour every six months. The community is trained on child labour elimination with awareness raising on children involved in sea weed farming, stones sales and cloves farming.

* 1. **Persons with Disabilities**

There has been continued focus on issues affecting persons with disabilities by implementing different policies and programs to empower them over the reporting period. These include:

1. Allocation of 2% of the proceeds from the local revenue of each Council for loans to persons with disabilities for economic recovery;
2. Economic Empowerment of persons with disabilities through the Tanzania Social Development Fund (TASAF);
3. Provision of Vocational Education Training in Colleges for persons with disabilities;
4. Capacity building through skills development programs including apprenticeship and entrepreneurship; and
5. Reduction and eliminate taxes for necessary and assistive devices and sunscreen for persons with disabilities.

Persons with Disabilities have been appointed to the posts of Ministers, Deputy Ministers, Permanent Secretaries, Deputy Permanent Secretaries, Heads of Institutions and Ambassadors as a way of promoting an inclusive society.

These explanations show steps that the United Republic of Tanzania is taking in response to a question received from **Spain** and **Panama** on measures for the implementation of the International Convention on the Rights of Persons with Disabilities (ICRPD) in particular by updating and implementing women and child-sensitive National Disability Policy and ensuring Persons with Disabilities have the opportunity to influence policy processes.

**Madame President,**

* 1. **Persons with Albinism**

The State has been resolute in ensuring that the heinous attacks and killings of persons with albinism which reached a climax in 2006 never happen again and remain a thing of the past. The State has successfully reduced the number of physical crimes against peoples with albinism from 68 reported incidences in 2006 to 3 reported incidences in 2017. It is important to note that in 2018 and 2019 there were zero reported cases. All forms of violence against persons with albinism are criminalized and perpetrators have been charged with criminal offences including murder, attempted murder, assault, causing bodily harm, trafficking and kidnapping. All perpetrators are arrested and prosecuted and by 2020, 32 cases had been prosecuted with 11 in the Resident Magistrates Court, 17 in the High Court and 4 at the Court of Appeal. Further, children with albinism who were being kept in temporary housing shelters for their safety have all been returned to their families and communities and the shelters have reverted to their original purpose.

As part of cooperation efforts to address the attacks and killings of persons with albinism, the State hosted a successful Mission Visit by the Independent Expert on the Enjoyment of Human Rights by Persons with Albinism, Ms. Ikponwosa Ero from 18 to 28 July 2017. Indeed, the community rose in unison to condemn the nefarious attacks and killings of Persons with Albinism.

Meanwhile, Persons with Albinism have been appointed to posts of Deputy Ministers, Permanent Secretaries, Deputy Permanent Secretaries, Heads of Institutions and Ambassadors and Members of various Boards as a way of promoting and raising awareness on their capabilities.

These explanations also respond to a request from **Angola** to provide examples of measures that the United Republic of Tanzania has taken to promote greater inclusion of persons with albinism since the last UPR.

* 1. **Treatment of Offenders**

The State continues to take initiatives to reduce congestion of inmates in prison and to promote decent living conditions. Two (2) prisons facilities have been constructed and 20 have been re-habilitated over the reporting period. Also, between September 2016 and April 2021, a total of 48,820 inmates were released through presidential pardons, 5,608 through parole and 4,262 awarded community service sentences. Inmates continue to have access to education and skills development, and 80% of convicts participate in various economic, social and recreational activities. There are health facilities in all prisons and one General Prison Hospital has been built at Ukonga Prison in Dar es Salaam Region.

In Tanzania Zanzibar, 5 correctional centres have been refurbished and 1 facility for children constructed. Further the Zanzibar Prison Strategic Plan of 2016-2021 is being implemented to improve prison conditions. These are efforts to ensure that Prisoners are not discriminated and that rehabilitation and reform objectives are met.

**Madame President,**

Access to justice was significantly addressed over the review period.

1. **Access to Justice**

**13.1. Legal Aid**

As part of efforts to enhance access to justice, the Legal Aid Act Cap. 21 was enacted in 2017 and the Legal Aid Regulations were developed in 2018 with the objective of assisting indigents to access justice. The Office of the Registrar of Legal Aid Providers has been established at National level and 209 Assistant Registrars appointed in all Districts of Mainland Tanzania. The Government coordinates Legal Aid Providers (LAPs) to provide legal aid through a system that involves Paralegal training, monitoring and evaluation to ensure quality of legal aid services and there are currently 600 Legal Aid Providers. The Legal Aid Providers are from civil society, Non-Government Organisations and individuals. Legal Aid is also provided in Police Stations and Prisons as well as juvenile detention centres.

* 1. **Institutional Measures**

In 2018, institutional reforms were undertaken to restructure the Office of the Attorney General and establish an autonomous and independent National Prosecutions Service (NPS) and an autonomous Office of the Solicitor General. The objective of the restructuring being to enhance efficiency in the three offices and maintain the independence of the Director of Public Prosecutions who enjoys security of tenure under the Constitution.

* 1. **Expeditious Measures**

Expeditious measures of cases are integral as the well-established adage goes justice delayed is justice denied. This was addressed through various measures including introduction of plea bargaining and amending the Civil Procedure Code Cap. 33. The law calls upon courts to avoid unnecessary technicalities in deciding cases. Courts are required to decide cases on merits. The use of alternative dispute resolution is also encouraged. The United Republic of Tanzania also repealed and replaced the Arbitration Act of 1921 with the Arbitration Act, Cap 15 which was passed on 14th February, 2020 to bring it in line with current arbitration regimes.

The State has constructed Integrated Justice Centres (IJC) the first of its kind in Africa to provide standard Court services in 6 judicial zones, one of which specializes in family and probate matters. Virtual courts are also utilised to extend judicial services to the people. In implementation of this measure, all High Court Registries are equipped with video conference facilities. Also, the State piloted mobile courts in two regions over the review period and recent developments are that due to the success of the scheme they are to be extended to other regions in the country.

* 1. **Children in Contact with the law**

In addressing the rights of children when in contact with the law, the State implemented the First Child Justice Strategy 2013-2017 and is implementing the second Child Justice: Five Year Strategy for Progressive Reform 2020/21 – 2024/25. The Chief Justice of Tanzania also issued Circular No. 2 of 2018 on the Protection of identities of Children before the Court and also promulgated the Juvenile Court Rules of 2019 (GN 154/2019) to facilitate access to justice and right to fair trial for the child. In 2020 Resident Magistrates Courts and District Courts were designated as Juveniles Courts and there are currently 148 Juveniles Courts in Mainland Tanzania. In Tanzania Zanzibar, juvenile Courts increased from 3 in 2016 to 4 in 2017.

* 1. **Independence of the Judiciary**

We also received questions from **Sweden** and **the United Kingdom of Great Britain and Northern Ireland** on measures to ensure the independence of the Judiciary.

We hasten to state that the Judiciary of the United Republic of Tanzania has always been independent. Tanzania has always been governed by the rule of law, and independence of the judiciary. Indeed, Article 4 of the Constitution of the United Republic of Tanzania, 1977 clearly demarcates and places the separation of powers among the three organs of the State.

Article 107A of the Constitution of the United Republic of Tanzania also spells out that the Judiciary shall be the authority with final decision in dispensation of justice in the United Republic of Tanzania and to cement this Article 107B stipulates that;

*In exercising the powers of dispensing justice, all courts shall have freedom and shall be required only to observe the provisions of the Constitution and those of the laws of the land.*

The security of tenure of Judges is also secured by the Constitution and Judges are free to determine cases by considering and evaluating evidence adduced by the parties as expected of the Judiciary in any democratic country like Tanzania.

**Madame President,**

* 1. **Amending the Economic and Organised Crimes Act, Cap 200**

**Germany** and **Canada** wanted to know about steps being taken to reform legislation on economic and organized crimes, specifically with regards to unbailable offences. **Canada** also asked what steps the Government is taking to reduce the amount of time a suspect remains in detention in remand prison. Also, is there consideration being given to allowing the courts to determine bail based on the merits of each case.

Tanzania has taken the following steps so far:

1. Has introduced plea bargaining, compounding of offences and reconciliation in the Criminal Procedure Act, Cap. 20 as a way of addressing some of the challenges related to prolonged pre-trial custody

Also, the State is taking measures to strengthen:

1. The Criminal Procedure Act, Cap 20 to restrict filing of fresh criminal cases where investigation is incomplete except for serious offences
2. The Criminal Procedure Act, Cap 20 and the Economic and Organised Control Act to uplift pecuniary jurisdiction of subordinate courts in determining and granting bail in some economic offences handled by the Economic and Corruption Division of the High Court.
   1. **Amending the Cyber Crimes Act, the Media Services Act, 2016 and the Electronic and Postal Communications (Online Content) Regulations**

The United Republic of Tanzania also received questions from **Belgium** on amending the Media Services Act of 2016, the Cybercrimes Act of 2015 and the Electronic and Postal Communications (Online Content) Regulations of 2018 to bring them in line with Article 19 of the International Covenant on Civil and Political Rights. It is important to note that changes in the Media Service Act of 2016 awaits the conclusion of multiple cases which were filed by individuals and Civil Societies in different Courts on similar matters and therefore the matter is *sub judice.*

**Madame President,**

1. **Freedom of Expression and the Right to Information**

With regard to freedom of expression and the right to information and questions received from **the United States of America and the United Kingdom of Great Britain and Northern Ireland** we wish to state that media plurality is encouraged in the United Republic of Tanzania and in 2020 there were 250 Newspapers, 44 television stations, 198 radio stations, 440 online tv stations, 23 online radios and 120 blogs. Out of these only 3 radio stations and 2 newspapers are owned by the State. Further, claims of interference with freedom of expression received during the review period were addressed through judicial processes or administrative complaints mechanism provided by the law. A total of 6 cases have been filed in the High Court and the East Africa Court of Justice concerning provisions of media laws and regulations.

In recent developments, the Government has held meetings with media practitioners, re-opened online blogs and amended some legislation. These include and the Electronic and Postal Communications (Radio and Television) Broadcasting Content Regulations in 2018 and the Electronic and Postal Communications (Online Content) Regulations published in July 2020. Further, the Media Services Act of 2016 protects the welfare of journalists by placing mandatory requirement for contracts of employment and social security. In Tanzania Zanzibar, the Zanzibar Broadcasting Policy of 2016 ensures freedom of expression and right to information.

1. **Freedom of Assembly and Association**

Freedom of Assembly and Association are fundamental freedoms protected by the Constitution of the United Republic of Tanzania. This is being promoted in the State as political parties and groups are allowed to conduct public meetings and processions in compliance with the applicable laws, regulations and procedures. In 2019 the Societies Act, Cap. 337 was amended through Act No. 3 of 2019 to provide room for every individual to associate freely and the Registrar of Societies provides awareness and education to the public on registration and management of societies.

The law rightly requires civil society organisations to conduct their business with transparency and show accountability for funds received from donors, to meet the intended objectives and beneficiaries. The State has continued to create an enabling environment for non-state actors to conduct their activities and the number of registered Non-Government Organisations increased from 8,047 in 2015 to 10,745 by September 2020.

We also hope that these explanations offer answers to a question from **Germany** on opening up political space and ensuring that all political parties exercise their constitutional right of freedom of assembly.

**Madame President,**

1. **Land Rights**

The greatest challenge to land rights in the State is land disputes. To address this the Government formed a committee involving eight Ministries to focus on 975 villages bordering protected areas such as national parks, game and forest reserves with land disputes. There has also been improved service delivery and clarification of land rights with the formation of the National Land Advisory Council, introduction of electronic systems for paying land related bills and increase awareness creation to the public on land policies, laws and regulations. In Tanzania Zanzibar, the Commission for Lands was established and a review of the Land Tenure Act No. 6 of 2018 on awarding compensation of land led to strengthening management of land.

**Madame President,**

1. **Education**

The right to education continues to be a national priority and the State made great progress towards universal education. A fee free education policy is implemented at primary and secondary education and the Government allocates TZS 24 billion (USD10.3 million) monthly towards this. This investment increased students enrolled in public primary schools from 8,342,284 in 2016 to 10,460,785 in 2020 and students enrolled in public secondary school from 1,469, 589 in 2016 to 2,172,257 in 2020.Tanzania Zanzibar also implements the fee free education policy and implemented the Zanzibar Education Development Plan of 2017-2018. Through these programs special schools for girls increased from 1 in 2016 to 3 in 2020 and 22 Science Hubs were established between 2019-2020 to encourage the girl child to pursue sciences.In thelast five years 400 secondary schools were built, 71 of which are specifically for girls and in the current budget 260 secondary schools will be built, ten of which are specifically for girls.

The 2014 Education and Training Policy (ETP), has given an outline of the conduct of Formal and Non-Formal Education systems in Tanzania. The Formal Education system includes Pre-primary education, Primary Education, Ordinary secondary education, Advanced Secondary level and Higher learning institutions. On the other hand the Non-Formal Education system refers to the provision of education to out-of-school children, youth and adults outside the formal education stream. In this system various programs have been established as alternative path-ways to acquire education for different levels. This will include:

1. Complementary Basic Education in Tanzania referred to as COBET. While COBET I covers primary-aged children, COBET II covers secondary aged children, both with the intention of enabling them to re-enter the formal education system, and
2. Integrated Program for Out of School Adolescents (IPOSA) which is designed for adolescents who in one way or another have either missed the chance to join the formal education system or have failed to proceed with the formal system due to various reasons including early pregnancy.

In the implementation of these programs a number of learners who have been learning through Non-Formal education system have been enabled to join the Formal Education system as depicted in the Table hereunder.

| **Re-entry in Education** | **Year** | **No. of Candidates** | | **Total** |
| --- | --- | --- | --- | --- |
| **Male** | **Female** |
| Joined Formal Education system in Standard V | 2019 | 5,036 | 4,219 | 9,255 |
| 2020 | 4,827 | 6,210 | 11,037 |
| Sat for Exams in Standard VII | 2019 | 1,660 | 1,225 | 1,885 |
| 2020 | 2,353 | 1,315 | 1,038 |
| Joined Formal Education System in Form V | 2019 | 95 | 60 | 155 |
| 2020 | 139 | 149 | 288 |

The right to education for persons with disabilities is part of the education policy and Tanzania continues to implement the Inclusive Education Strategy (2012–2017 and 2018-2021). Detailed statistics can be found in Annexture-6 of our report which covers budget, enrollment, number and types of schools. In Tanzania Zanzibar, schools for special needs have been strengthened and there has been supply of assistive devices and braille machines to the State University of Zanzibar. Also, inclusive education programs at the certificate and diploma level have been developed.

On this note, we believe questions received from **Sweden, Germany and Belgium** on having a re-entry policy for pregnant school girls and facilitating access to education for these girls have been adequately addressed.

1. **Safe and Clean Drinking Water**

The State has been working steadily towards ensuring General Comment No 15 of the International Covenant on Civil and Political Rights which entitles every human being to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use. As a result the number of people accessing clean and safe potable water in rural areas of Mainland Tanzania increased from 47% in 2015 to 70.1% in 2020 and increased in urban areas from 74% in 2015 to 84 % in 2020 as a result of increased budget in the water sector. The Parliament in 2019 enacted the Water Supply and Sanitation Act establishing the Rural and Urban Water and Sanitation Agency (RUWASA) for development and sustainable management and adequate operation and transparent regulation of water supply and sanitation services. Tanzania Zanzibar established the Zanzibar Utility Regulatory Authority (ZURA) in 2016 mandated to ensure access to clean and safe potable water. Water production increased from 55,406,606 cubic metres per annum in 2016 to 66, 749,415,608 cubic metres per annum in 2020. Also, 64 wells and 7 water tanks were constructed by 2020.

1. **Sanitation**

The United Republic of Tanzania received a question from **Spain** on what concrete measures do the authorities plan to take to meet the target of 95% of the population having access to safe sanitation facilities by 2025, especially the rural population.

Water is one of the priority areas of the Third National Five Year Development Plan (FYDP III; 2021/22 – 2025/26). It has a specific focus on improving the availability and distribution of water supplies and sanitation services in urban and rural areas, and protection of water sources and resource environment.

The plan has interventions to:

1. Strengthen supply infrastructures for clean and safe water;
2. Establish and strengthen the Community Based Water Supply Organizations (CBWSOs) for enhancing sustainability of rural water supply and sanitation services;
3. Promote appropriate technologies for further treatment of effluent and sludge for recycling and re-use purposes; and it intends
4. To provide water services at all levels for urban and rural populations.

Therefore, it is envisioned that by implementing the Third National Development plan, the Government will be well towards meeting its target of 95% of the population having access to safe sanitation facilities.

**Madame President,**

1. **Social Welfare System**

The State considers human rights as the basis for social welfare and social protection and applies human rights principles in providing these services. With regard to children, Mainland Tanzania advocates for foster care and adoption services for vulnerable children through family-based care as compared to institutional care. Further, the Fit Person Schemes was established where homeless children are placed under the care of a Fit Person identified by the Local Government Authorities. In Tanzania Zanzibar, children protection units have been established and one stop centers in District Hospitals and the Gender and Children Desks at Police stations also advise on the social welfare of the victim and complainants.

As part of efforts to widen the social welfare system in the United Republic of Tanzania prepared Guidelines for the Establishment and Operation of Elderly Homes in 2019 and the State continued to provide basic necessities (food, clothing, shelter and health care) for the elderly who received such services in State operated elderly nursing homes. Tanzania Zanzibar implements the Elder Persons Affairs Act No. 2 of 2020 which was operationalised with the establishment of 2 Residential Care Home for older person.

1. **Housing**

The right to adequate housing is a socio-economic challenge that the State endeavors to meet. In order to promote affordable housing, the State took measures in 2016 by preparing base maps for selected areas to expedite land surveying, mapping and land use planning; creating an enabling environment to have access to decent and affordable housing as owners and tenants; and continued awareness raising to the public on the land policies, laws and regulations. Further, public awareness on mortgage and unit titles/co-ownership property arrangement was conducted and low-cost housing technology including interlocking bricks machines were disseminated to the public including small builders’ groups.

**Madame President,**

1. **Health**

Access to health care increased significantly over the reporting period through purposeful interventions by the State.

**22.1 Access and Infrastructure**

The budget allocation for Health sector programs and activities increased by 13% and released and actual expenditure increased by average 35% per annum. The detailed health budget statistics are reflected in Annexture 7 of our National Report. This increased access to health care country-wide as the number of health facilities increased from 7,680 in 2016, to 8,458 in 2020 equivalent to 10.1 percent increase. Hospitals increased from 263 in 2016 to 369 in 2020, health centres increased from 758 in 2016 to 926 in 2020 and dispensaries increased from 6,658 in 2016 to 7, 163 in 2020. There has also been construction of 8 referral hospitalsand rehabilitation of 23 referral hospitals. The number of hospitals which offer super specialist health services also increased from 5 in the year 2015 to 9 in the year 2020.

In Tanzania Zanzibar, the number of health facilities increased from 158 in 2016 to 167 in 2020. The Doctor population ratio was 1:6,272 in 2017 and improved to 1:4,445 in 2020. The nurse population ratio reached 1:1,258 in 2020 compared to 1:1,324 in 2016.

* 1. **Maternal Mortality and Infant deaths**

The State also made great headway in addressing maternal and child mortality. Over the review period, maternal mortality reduced from 556 deaths per 100,000 live births in 2016 to 197 per 100,000 live births in 2020. New born deaths reduced from 25 per 1,000 live births in 2016 to 7 per 1,000 live births in 2020. Deaths of children below one year reduced from 43 per 1,000 live births in 2016 to 9 per 1,000 live births in 2020 and deaths of children below five years of age also reduced from 67 deaths per 1,000 live births in 2016 to 11 deaths per 1,000 live births in 2020.

Institutional maternal mortality ratio has also reduced in Tanzania Zanzibar from 277 per 100,000 live births in 2016 to 166 per 100,000 live births in 2019. While Newborn mortality has decreased from 73 per 1,000 live births in 2015 to 53 per 1,000 live births in 2020.

The State has also committed itself to the Global Strategy for Women’s, Children and Adolescents’ Health of 2016-2030 to ensure nobody is left behind to achieve the health SDGs by 2030.

1. **Strengthening Tax compliance for development**

Development efforts were spurred by strengthening tax compliance, increasing the revenue collection and addressing tax evasion. This led to increased collections from TSZ 850 billion in 2015 to 1.3 trillion in October 2020. In December, 2019 the revenue reached TZS.1.987 which is the highest in the history of monthly revenue collection in the country.

Tanzania Zanzibar established the Department of Fiscal and Financial Policy in 2019 which regulates policies relating to tax collection and administration including restrictions on Tax evasion issues. There has also been amendment of tax laws aimed at curbing tax evasion, imposition of heavy punishment to tax evaders, tax awareness campaigns, simplification of procedures, strengthening of organization capacity and establishment of electronic systems in tax payer registration.

As a result of these efforts the State has been able to use its own resources to fund large scale development projects such as improving the transportation infrastructure with construction of an electric Standard Gauge Railway (SGR), reviving the national aviation carrier with the purchase of 8 new aircrafts and 4 radars as well as construction 37,000km of tarmac road over the review period. The state is also constructing the Julius Nyerere Hydropower Station which will generate affordable electricity for domestic and industrial use. These strategic projects have been initiated in order to build a strong economic base that will enable the country to sustain provision of social services including implementing the fee free education policy in the spirit of self-reliance as part of the Five Year Development Plan of 2021/22 to 2025/26 focusing on realizing competiveness and industrialization for human development. This plan was preceded by Five Year Development Plan of 2016/17 to 2020/21 focusing on nurturing industrialization for economic transformation and human development.

1. **Climate Change Mitigation**

Another development related matter addressed over the review period was climate change mitigation. Indeed, environmental concerns and climate change are great challenges and the State has targets and interventions to mitigate them. The United Republic of Tanzania has been implementing the National Climate Change Strategy of 2012 which provides climate change mitigation measures for each sector. There are also a number of projects focused on climate change impacts including Strategic Support to Tanzania to become REDD Ready by 2022, Sustainable Land Management of Lake Nyasa Catchment, Adapting to Climate Change in Lake Victoria Basin and Ecosystem Based Adaptation for Rural Resilience.

In Tanzania Zanzibar, which has island specific environmental concerns, there has been construction of 5 walls as mitigation measure from salt water intrusion to protect residential areas and construction of 2 walls to protect cultivation areas. There is also ongoing awareness raising on climate change through televised and radio programs as well as establishment of environment school clubs over the reporting period.

The unflinching commitment of the United Republic of Tanzania on climate change mitigation and adaptation has been reiterated by the President of the United Republic of Tanzania, Her Excellency, Samia Suluhu Hassan, during the ongoing COP 26 in Glasgow, Scotland underscoring the principle of common but differentiated responsibility (CBDR).

1. **Population**

One of the important tools in creating development policy and plans is population statistics. The State is reviewing the National Population Policy of 2006 and its Implementation Strategy to adhere to changes that have been taking place within and globally by assessing population variables as well as socio-economic dynamics and number of challenges that occur during its implementation. It is worth to note that in September 2021 the President of the United Republic of Tanzania launched a public awareness strategy aimed at educating and promoting participation in the upcoming 2022 population and housing census.

1. **Anti-Corruption Measures**

In recognition of the impact of corruption on the availability, quality and accessibility of human rights goods and services, the Government has adopted zero tolerance to corruption by implementing Phase III of the National Anti-Corruption Strategy and Action Plan, 2017-2022 (NACSAP-III). The Action Plan promotes efficiency, transparency and accountability in public and private sectors, it calls for effective enforcement of anti-corruption measures, capacity building of watchdogs and oversight institutions, protection of whistleblowers and effective political leadership in the fight against corruption. Other effective anti-corruption interventions over the review period include elimination of ghost workers, tax evasion and non-existent students in the Higher Education Loans Board payment from 2016/2017-2018/19 which recovered a total of TZS.167.78 billion.

In order to ensure justice dispensation for corruption the Judiciary of Tanzania established the High Court Corruption and Economic Crimes Division which became operational on 7th July 2017. The Economic and Organised Crime Control (The Corruption and Economic Crimes Division) (Procedure) Rules, 2016 were developed to expedite trial of serious corruption cases within 9 months.

1. **Other Issues**

The United Republic of Tanzania also received other questions from Member States which we wish to offer some explanation to them.

* 1. **Same Sex Relations**

**The** **United States of America, Belgium and United Kingdom of Great Britain and Northern Ireland** wanted to know our position on decriminalizing and sanctioning same sex relations as well as protecting people who engage in these relationships.

Same sex relations remain prohibited under section 154 of our Penal Code, Cap 16. Same sex relations are also not condoned within our customs, traditions and belief systems. Therefore, the State does not promote policy which promotes these relationships. However, Tanzania is governed by rule of law and acts of violence, abuse, and discrimination against any Tanzanian is not tolerated as this is prohibited by the Constitution and our penal laws. Therefore, incidences of such crimes, once reported to the police will be investigated, prosecuted and adjudicated within our justice system. However, same sex relations remain prohibited in the United Republic of Tanzania.

**Madame President,**

* 1. **The Kampala Amendments to the Rome Statute on the Crime of Aggression**

The United Republic of Tanzania also received a question from **Liechstenstein** on what steps has Tanzania taken to ratify the Kampala amendments to the Rome Statute. Tanzania continues to assess the practicability of implementing the amendments.

* 1. **United Nations Security Council Action Against Genocide**

**Leichtenstein** also wanted to know from the United Republic of Tanzania steps taken to join the Code of Conduct regarding United Nations Security Council action against genocide, crimes against humanity or war crimes, as elaborated by the Accountability, Coherence and Transparency Group (ACT). Tanzania continues to appraise the practicability of implementing the Code of Conduct and will take appropriate action depending on the outcome of the appraisal.

* 1. **Asylum Seekers**

The United Republic of Tanzania was notifiedby **Canada** ofalleged instances in which asylum cases were rejected by the Directorate of Refugees Services prior to a hearing and decision of the National Eligibility Committee (NEC) and seeks clarification how such examples are consistent with the Refugees Act of 1998. We wish to state that refugee matters are guided by policies, laws such as the Refugee Act of 1998, regulations and procedures. In this regard, any decision made by the Government in relation to asylum seekers or refugees is usually compliant with the existing legal regime and that is why we have not experienced any complaint in this regard. However, there is also a robust review process for any person aggrieved from such decisions to pursue. Any person affected by such decision is welcome to follow the procedure.

**Madame President,**

Implementing and promoting human rights over the review period was not without challenges as highlighted in our National Report. What is paramount is that the Government continues to address these constraints and we believe that the key national priorities we earmarked will be effective in paving the way for continuous promotion and protection of human rights. In the midst of these efforts the world has been engrossed in a global pandemic namely COVID-19. Our resolve to address this global pandemic is unwavering as we continue to take measures and call upon the international community to temporarily waive patent rights on COVID-19 to ramp up production of vaccines, therapeutics and diagnostic kits so that developing countries including Tanzania can boost local production as it is being the case with other vaccines.

**Madame President,**

On this note, I wish to conclude my presentation on the National Report of the United Republic of Tanzania and the advanced questions received from Member States under the Third Cycle of the Universal Periodic Review Mechanism. We otherwise extend a hand of friendship and call upon the International Community to support us as the United Republic of Tanzania in fulfilling its obligations as a country committed towards the promotion and protection of human rights. Indeed, the promotion and protection of human rights is a journey under which we have made great strides in the last sixty years since independence and we remain unequivocally committed to the process towards ensuring the realisation of human rights for the people of the United Republic of Tanzania and the development of our nation.

**Madame President,**

In the interest of time, I once again thank all those who have contributed to the review of the United Republic of Tanzania. We appreciate the open and frank dialogue which we believe is in the spirit of assisting the Government of the United Republic of Tanzania to meet its obligations as the main duty bearer in the promotion and protection of human rights as enshrined in the Constitution of the United Republic of Tanzania and the Constitution of Zanzibar, respectively. No country can boast to be perfect in the promotion and protection of human rights so is Tanzania. However, the resolve of Tanzania to better and improve protection and promotion of human rights is unquestionable as we strive to build a respectable, dignified society.

**I THANK YOU.**