



United Republic of Tanzania

National Human Rights

Action Plan

2013-2017

MINISTRY OF CONSTITUTIONAL AND LEGAL AFFAIRS

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LIST OF ABBREVIATIONS

ACHPR	-	African Charter on Human and Peoples' Rights
AGC	-	Attorney General's Chambers
ARVs	-	Antiretroviral Drugs
ASDP	-	Agricultural Sector Development Programme
ATE	-	Association of Tanzania Employers
CAG	-	Controller and Auditor General
CEDAW	-	Convention on the Elimination of Discriminations against Women
CERD	-	Convention on the Elimination of All Forms of Racial Discrimination
CHRAGG	-	Commission for Human Rights and Good Governance
CRC	-	Convention on the Rights of the Child
CRPD	-	Convention on the Rights of Persons with Disabilities
CSOs	-	Civil Society Organisations
DPs	-	Development Partners
DPOs	-	Disabled People Organizations
DPP	-	Director of Public Prosecution
EMA	-	Environmental Management Act
ES	-	Ethics Secretariat
FANTA	-	Food and Nutrition Technical Assistance
FGM	-	Female Genital Mutilation
FVPO	-	First Vice President's Office (Z)
FYDP	-	Five-Year Development Plan
GBV	-	Gender Based Violence
GEPF	-	Government Employees Provident Fund
GIPA	-	Greater Involvement of People Living with HIV
HoR	-	House of Representatives
HRBA	-	Human Rights Based Approach
ICCPR	-	International Covenant on Civil and Political Rights
ICESCR	-	International Covenant on Economic, Social and Cultural Rights
ICMW	-	International Convention on Migrant Workers
ICT	-	Information and Communication Technology
LAB	-	Labour Advisory Board (Z)
LAPF	-	Local Authorities Pensions Fund
LGAs	-	Local Government Authorities
LRC	-	Law Reform Commission
MANR	-	Ministry of Agriculture and Natural Resources (Z)
MCT	-	Media Council of Tanzania
MDAs	-	Ministries, Departments and Agencies
MDGs	-	Millennium Development Goals
MEVT	-	Ministry of Education and Vocational Training (Z)
MoFAIC	-	Ministry of Foreign Affairs and International Cooperation
MIC	-	Ministry of Infrastructure and Communication (Z)
MICTS -	-	Ministry of Information, Cultural, Tourism and Sports (Z)
MKUKUTA	-	Mkakati wa Kukuza Uchumi na Kupunguza Umaskini Tanzania
MKUZA	-	Mkakati wa Kukuza Uchumi na Kupunguza Umaskini Zanzibar
MLEC	-	Ministry of Labour, Economic Empowerment and Cooperatives (Z)
MLF	-	Ministry of Livestock and Fishing (Z)
MLHWE	-	Ministry of Land, Housing, Water and Energy (Z)
MoA	-	Ministry of Agriculture (Z)

MoAFSC	-	Ministry of Agriculture, Food Security and Cooperatives
MoCDGC	-	Ministry of Community Development, Gender and Children
MoCLA	-	Ministry of Constitutional and Legal Affairs
MoCST-	-	Ministry of Communication, Science and Technology
MoDNS	-	Ministry of Defence and National Services
MoEM	-	Ministry of Energy and Minerals
MoEVT	-	Ministry of Education and Vocational Training
MoFEA	-	Ministry of Finance and Economic Affairs
MoH	-	Ministry of Health (Z)
MoHA	-	Ministry of Home Affairs
MoHSW	-	Ministry of Health and Social Welfare
MoITM	-	Ministry of Industry, Trade and Marketing
MoIYCS	-	Ministry of Information, Youth, Culture and Sports
MoLE	-	Ministry of Labour and Employment
MoJCA	-	Ministry of Justice and Constitutional Affairs (Z)
MoLHHS	-	Ministry of Lands, Housing and Human Settlement Development
MoNRT	-	Ministry of Natural Resources and Tourism
MoT	-	Ministry of Transport
MoW	-	Ministry of Works
MSD	-	Medical Stores Department
MSWYCW	-	Ministry of Social Welfare, Youth, Children and Women Development
MTEFs	-	Medium Term Expenditure Frameworks
MTP	-	Medium Term Plans
NACP	-	National HIV/AIDS Control Programme
NCPWDs	-	National Council for Persons with Disabilities
NCW	-	National Consultative Workshop
NEC	-	National Electoral Commission
NEMC	-	National Environmental Management Council
NGOs	-	Non Governmental Organisations
NHIF	-	National Health Insurance Fund
NHRAP	-	National Human Rights Action Plan
NHRI	-	National Human Rights Institution
NLUPC	-	National Land Use Planning Commission
NSGRP	-	National Strategy for Growth and Reduction of Poverty
NSSF	-	National Social Security Fund
OCGS	-	Office of Chief Government Statistician (Z)
ODIHR-	-	Office for Democratic Institutions and Human Rights
OHCHR	-	Office of the High Commissioner for Human Rights
OSCE	-	Organisation for Security and Cooperation in Europe
PCCB	-	Prevention and Combating of Corruption Bureau
PILPG	-	Public International Law and Policy Group
PLHIV	-	People Living with HIV
PMO	-	Prime Minister's Office
PMO-RALG	-	Prime Minister's Office, Regional Administration and Local Government
POFEDP	-	President's Office, Finance, Economy and Development Planning (Z)
POGGU	-	President's Office, Good Governance Unit
POMSRC	-	President's Office, Ministry of State and Revolutionary Council (Z)
POPSGG	-	President's Office, Public Service and Good Governance (Z)
PPF	-	Parastatal Pension Fund
PPRA	-	Public Procurement Regulatory Authority
PRS	-	Poverty Reduction Strategy

PSPF	-	Public Service Pension Fund
PWDs	-	Persons with Disabilities
REA	-	Rural Energy Agency
RITA	-	Registration, Insolvency and Trusteeship Agency
SIDO	-	Small Industries Development Organisation
SMEs	-	Small and Medium Enterprises
SMZ	-	Serikali ya Mapinduzi ya Zanzibar
SSRA	-	Social Security Regulatory Authority
SVPO	-	Second Vice President Office (Z)
TACAIDS	-	Tanzania Commission for AIDS
TANESCO	-	Tanzania Electric Supply Company Ltd
TASAF	-	Tanzania Social Action Fund
TAWJA	-	Tanzania Women Judges Association
TCRA	-	Tanzania Communications Regulatory Authority
TFPN	-	Tanzania Female Police Network
TLS	-	Tanganyika Law Society
TPDF	-	Tanzania People's Defence Force
TPF	-	Tanzania Police Force
TPS	-	Tanzania Prisons Service
TUCTA	-	Trade Union Congress of Tanzania
TWCP	-	Tanzania Women Cross-Party Platform
TWPG	-	Tanzania Women Parliamentary Group
UDHR	-	Universal Declaration of Human Rights
UN	-	United Nations
UNDP	-	United Nations Development Programme
UNHCR	-	United Nations High Commissioner for Refugees
UPR	-	Universal Periodic Review
VDPA	-	Vienna Declaration and Programme of Action
VETA	-	Vocational Education Training Authority
VPO	-	Vice President's Office
ZAC	-	Zanzibar Aids Commission
ZACP	-	Zanzibar Aids Control Program
ZAFELA	-	Zanzibar Female Lawyer Association
ZANEMA	-	Zanzibar Employers Associations
ZANGOC	-	Zanzibar NGO's Cluster
ZAPHA+	-	Zanzibar Association of People Living with HIV/AIDS
ZATUC	-	Zanzibar Trade Union Congress
ZAWA	-	Zanzibar Water Authority
ZIPA	-	Zanzibar Investment Promotion Authority
ZLS	-	Zanzibar Law Society
ZMC	-	Zanzibar Municipal Council

TABLE OF CONTENTS

LIST OF ABBREVIATIONS	i
TABLE OF CONTENTS	iv
Preface	vii
Executive Summary	ix
PART 1	1
Chapter 1: Introduction and Background	1
1.1.1. Introduction	1
1.1.2. National Human Rights Context	1
1.1.3. Developing Tanzania’s National Human Rights Action Plan	3
1.1.4. Goals of the NHRAP	5
1.1.5. Objectives of the NHRAP	5
Chapter 2: Framework for Protection of Human Rights	6
1.2.1. Measures to Strengthen the Protection of Human Rights and Democratic Principles	6
1.2.2. NHRAP as a Vehicle for Further Protection of Human Rights	7
1.2.3. Linkage between NHRAP and Development Plans	7
1.2.4. Subject Issues Addressed by the NHRAP	8
PART 2	10
Chapter 1: Civil and Political Rights	10
2.1.1. Right to Life	10
2.1.2. Access to Justice, Fair Trial, and Equality before the Law	11
2.1.3. Freedom of Opinion, Expression, and Information	14
2.1.4. Freedom of Assembly	15
2.1.5. Right to Liberty and Security of Person	17
Chapter 2: Economic, Social and Cultural Rights	19
2.2.1. Right to Own Property and to Access Land	19
2.2.2. Right to Education	21
2.2.3. Right to Adequate Standard of Living and Right to Food	23
2.2.4. Right to Clean and Safe Water and Sanitation	25

2.2.5. Right to Work	26	
2.2.6. Right to Highest Attainable Standard of Physical and Mental Health	28	
2.2.8. Right to Social Security	33	
Chapter 3: Groups with Special Needs		36
2.3.1. Women	36	
2.3.2. Children	38	
2.3.3. Children in Conflict with the Law	40	
2.3.4. Persons with Disabilities	42	
2.3.5. Elderly Persons	44	
2.3.6. Persons Living with HIV	45	
2.3.7. Rights of Prisoners	46	
2.3.8. Rights of Refugees, Asylum-seekers and Stateless Persons	48	
Chapter 4: Institutional Strengthening, Emerging Issues and Mechanisms for Implementation of Treaty Obligations		49
2.4.1. Institutional Strengthening of CHRAGG and AGC	49	
2.4.2. Human Rights and Business Sector	50	
2.4.3. Implementation and Monitoring of the International Human Rights Treaties	51	
PART 3		54
Chapter 1: Implementation and Monitoring of the NHRAP		54
3.1.1. Introduction	54	
3.1.2. Implementation of NHRAP	54	
3.1.3. Coordination	55	
3.1.4. Monitoring and Evaluation	55	
3.1.5. Potential Challenges in the Implementation of the NHRAP	56	
3.1.6. Essential Principles to Overcome Challenges	56	
PART 4		58
National Human Rights Action Plan Matrix		58
Chapter 1: Civil and Political Rights		58
4.1.1. Right to Life	58	
4.1.2. Access to Justice, Fair Trial, and Equality before the Law	60	
4.1.3. Freedom of Opinion, Expression and Information	65	

Chapter 2: Economic, Social, and Cultural Rights	74
4.2.1. Right to Own Property and to Access Land	74
4.2.2. Right to Education	77
4.2.3. Right to Adequate Standard of Living and Right to Food	82
4.2.4. Right to Clean and Safe Water and Sanitation	86
4.2.5. Right to Work	90
4.2.6. Right to Adequate Standard of Physical and Mental Health	94
4.2.7. Right to Live in Safe and Clean Environment	97
4.2.8. Right to Social Security	102
Chapter 3: Groups with Special Needs	105
4.3.1. Women	105
4.3.2. Children	111
4.3.3. Children in Conflict with the Law	121
4.3.4. Persons with Disabilities	124
4.3.5. Elderly Persons	129
4.3.6. Persons Living with HIV	132
4.3.7. Rights of Prisoners	135
4.3.8. Rights of Refugees, Asylum-Seekers and Stateless Persons	137
Chapter 4: Institutional Strengthening and Human Rights and Business	140
4.4.1. Institutional Strengthening of CHRAGG and AGC	140
4.4.2. Human Rights and Business	142
APPENDIX	145
List of the National Coordinating Committee Who participated in the Development of the National Human Right Action Plan	145

Preface

The Ministry of Constitutional and Legal Affairs is pleased to put forward the Government of the United Republic of Tanzania's National Human Rights Action Plan (NHRAP). Since the formation of the Union, the Government of Tanzania has committed itself to the protection and promotion of human rights as defined by the Constitution of the United Republic of Tanzania of 1977 as amended from time to time the Constitution of Zanzibar of 1984 as amended until 2010, the Universal Declaration of Human Rights of 1948, and other regional and international instruments. In this regard, it created various institutions and bodies to protect and promote human rights, including the Commission for Human Rights and Good Governance (CHRAGG) which is the National Human Rights Institution created under the Constitution, but it lacked a homogenous and comprehensive approach to human rights. This NHRAP now sets a platform for a comprehensive approach. It demonstrates Tanzania's commitment to its international human rights obligations and the desire of the Government to improve the respect, protection, and fulfilment of human rights in Tanzania.

In preparing this National Human Rights Action Plan the Government used pertinent recommendations and concluding observations of the UN Human Rights Treaty Bodies and commitments made by the Government in the Universal Periodic Review (UPR) of the United Nations Human Rights Council. The Government remains committed to fulfil its international and national obligations, including educating and empowering people on human rights issues to make them a reality in Tanzania.

The NHRAP was formulated through a participatory process that involved various stakeholders. Consultations and discussions were held at the district, regional and national levels, whereby representatives of government institutions, civil society organisations and professionals were consulted. The National Coordination Committee, which carried out the process, was formulated in such a way to include various segments of society. The Ministry would like to thank all of those who participated in the process of formulating this National Human Rights Action Plan.

We are extremely grateful to all those who shared their ideas, gave feedback, and recommendations, which have helped to ensure that this NHRAP takes its present format and shape. Indeed, the NHRAP reflects the overarching needs and priorities of majority of people in Tanzania Mainland and Zanzibar.

The Ministry would also like to thank all stakeholders who have participated in the validation of this NHRAP, as well as the UN System in Tanzania for its financial and technical assistance in formulating this NHRAP. We would also like to acknowledge the contributions made by Public International Law and Policy Group (PILPG) for rendering technical assistance. Finally, we would also like to thank all members of the Coordination Committee for working hard to ensure that the Action Plan is prepared.

The Ministry understands that the Government will face significant challenges in implementing the NHRAP, including lack of sufficient resources to support the Plan's implementation. We hope that all public and private sectors will assist in implementing the Action Plan for the betterment of the lives of the people of Tanzania.

It is our hope that through joint efforts between the Government, the Commission for Human Rights and Good Governance, civil societies, business actors, and the international community

we shall be able to overcome these challenges in order to achieve a just, democratic, and developed society where all human rights are respected, protected and promoted.

Mathias Meinrad Chikawe (MP)
Minister for Constitutional and Legal Affairs

Executive Summary

The United Republic of Tanzania's National Human Rights Action Plan (NHRAP) reflects the Government's commitment to the protection and promotion of human rights. The NHRAP responds to the recommendation of the 1993 Vienna Declaration and Programme of Action, which urged on all states to consider the development of a national action plan to promote and protect human rights. Its goals are to strengthen the respect, protection, promotion and fulfilment of inalienable human rights provided by the Constitution of the United Republic of Tanzania and the Constitution of Zanzibar, and to guarantee human rights according to international agreements entered into by the state.

The NHRAP was developed through a consultative process that began in October 2008. The Ministry of Constitutional and Legal Affairs, along with a Coordination Committee comprised of representatives of the Government, the Commission for Human Rights and Good Governance, the United Nations, academia and civil society from Tanzania Mainland and Zanzibar, led the drafting process.¹ To produce the draft NHRAP, the Coordination Committee conducted a comprehensive evaluation of human rights in Tanzania through extensive document review, public consultations, and field research. The evaluation provided the basis for the Background Report which is a baseline assessment of human rights situation in Tanzania. The findings and recommendations of the Background Report served as the basis for the NHRAP. To promote public support for the document and to solicit public input, the draft NHRAP was shared with stakeholders for their review and comments. These comments were incorporated into the draft before its submission to the Cabinet for approval.

The NHRAP recognizes that the protection and promotion of human rights is not limited to a single topic, sector, or government ministries, departments or agency. The plan identifies twenty-three human rights issues, arranged in four thematic headings, as priorities for improving coordination and protection through Tanzania. Within civil and political rights, the NHRAP addresses the right to life; access to justice, fair trial and equality before the law; freedom of opinion, expression, and information; freedom of assembly; and the right to liberty and security of person. Within economic, social and cultural rights, the NHRAP addresses the right to property and access to land; the right to education; the right to an adequate standard of living, including the right to food; the right to clean and safe water; the right to work; the right to the highest attainable standard of physical and mental health; the right to live in a safe and clean environment; and the right to social security. The NHRAP also provides protections for groups with special needs, including women, children, children in conflict with the law, persons with disabilities, the elderly, and persons living with HIV, refugees, asylum-seekers and stateless persons. Finally, the NHRAP addresses institutional strengthening and emerging issues, including the institutional strengthening of CHRAGG and AGC and the promotion and protection of human rights in business.

The NHRAP strengthens a Human Rights Based Approach (HRBA) in existing national policies and strategies, including MKUKUTA, MKUZA, the MDGs, Vision 2025, Five Year Development Plan spanning from 2011/12 to 2015/2016, and existing action plans of other Ministerial Departments and Agencies (MDAs). The NHRAP should inform activities and implementation efforts under these plans in order to maximize the impact of their efforts in promoting human rights. In addition, the present plan has identified additional and specific normative, legislative, institutional, and educational measures, which should be costed by

¹ A List of individual members of the Committee is attached at the end of this Action Plan.

concerned MDAs and included in national budget processes. The NHRAP calls upon Development Partners to support implementation efforts.

Furthermore, the Plan establishes a comprehensive system for implementation, monitoring and evaluation. This system would facilitate not only implementation of the present Plan, but reporting obligations to Human Rights Treaty Bodies, the Universal Periodic Review, and other international and regional systems. Along this plan, there will be a Monitoring and Evaluation Framework.

To coordinate and monitor these efforts, the NHRAP vests responsibility to the Commission for Human Rights and Good Governance (CHRAGG). It also envisaged that CHRAGG will establish a Monitoring and Evaluation Committee to help the Commission in managing activities relating to the Action Plan. Among other things, the Committee will prepare progress reports on the implementation process after three years and a final report after five years. To encourage transparency and objectivity in evaluating the implementation of the NHRAP, Civil Society will be highly engaged in the monitoring process.

To promote uninterrupted implementation, the NHRAP establishes guiding principles to overcome potential problems and challenges. These principles include effective partnership between the Government and Civil Society; sufficient coordination and mutual support among relevant actors; high-level political support; an adequate commitment of resources; effective dissemination of the NHRAP as a public document; and long-term efforts in the areas of education, training and awareness raising, institutional strengthening, and institution capacity building; and regular monitoring of progress and mechanisms for evaluation of the Plan's achievement.

PART 1

Chapter 1: Introduction and Background

1.1.1. Introduction

The National Human Rights Action Plan (NHRAP) is the first holistic plan addressing human rights in the history of the United Republic of Tanzania. It aims to strengthen the national system of human rights protection and promotion through specific actions and activities.

The concept of the National Human Rights Action Plan was developed as part of the World Conference on Human Rights held in Vienna in 1993. The Conference adopted a document –*The Vienna Declaration and Programme of Action* (VDPA). Part II, paragraph 71, recommended the following:

The World Conference on Human Rights recommends that each State consider the desirability of drawing up a national action plan identifying steps whereby that State would improve the promotion and protection of human rights.

Following this recommendation, several states have developed and launched National Plans of Action for the Promotion and Protection of Human Rights.

In Tanzania, the lack of a homogenous policy approach to human rights was discussed in October 2008 during a National Conference organised by the Government, the Commission for Human Rights and Good Governance (CHRAGG), and the UN Tanzania. The outcome of the conference was a series of recommendations to further strengthen the protection and promotion of human rights in Tanzania. Included in these recommendations was the development of a national human rights action plan by the Government with the assistance of the CHRAGG, civil society, the UN, and other Development Partners. Consequently, a roadmap towards the development of NHRAP was prepared and adopted in October 2009 at the National Consultative Workshop.

1.1.2. National Human Rights Context

The Government of the United Republic of Tanzania is committed to the protection and promotion of human rights as defined by the Constitution of the United Republic of Tanzania of 1977, the Universal Declaration of Human Rights of 1948, and other regional and international instruments. Since the union between Tanganyika and Zanzibar in 1964, the United Republic of Tanzania has undertaken significant initiatives in the area of protection and promotion of human rights by ratifying and domesticating various international and regional human rights instruments, repealing unconstitutional laws, establishing national institutions, such as the Commission for Human Rights and Good Governance (CHRAGG) and implementing the Legal Sector Reform Programme (LSRP) through the Ministry of Constitutional and Legal Affairs. The objectives of the reform include a speedy dispense of justice, affordability and access to justice for all social groups, integrity and professionalism of legal officers and enhancement of independence of judiciary. .

The United Republic of Tanzania has signed and ratified or acceded to the following international and regional human rights instruments , and has taken concerted steps toward domesticating them. These treaties include:

- International Covenant on Economic, Social and Cultural Rights of 1966.

- International Covenant on Civil and Political Rights of 1966;
- International Convention on the Elimination of All Forms of Racial Discrimination of 1965;
- Convention on the Elimination of All Forms of Discrimination Against Women of 1979 and its Optional Protocol of 1999;
- Convention on the Rights of Persons with Disabilities of 2008 and its Optional Protocol of 2008;
- United Nation’s Convention Against Transnational Organized Crime of 2003;
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime of 2000;
- Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1957;
- Convention on the Rights of the Child of 1989 and its Optional Protocols on the Involvement of Children in Armed Conflicts of 2000 and on the Sale of Children, Child Prostitution, and Child Pornography of 2000;
- The International Labour Organization’s Fundamental Conventions²;
- Convention Against Discrimination in Education of 1960;
- Convention Relating to the Status of Refugees of 1950;
- Convention on the Prevention and Punishment of the Crime of Genocide of 1948;
- Rome Statute of the International Criminal Court of 1998;
- The Four Geneva Conventions of 1949, as well as Protocols I and II of 1949 to the Geneva Conventions;
- African Charter on Human and Peoples’ Rights of 1981;
- Convention Governing the Specific Aspects of Refugee Problems in Africa of 1969;
- Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa of 2003;
- Protocol to the African Charter on Human and Peoples’ Rights on the Establishment of an African Court on Human and Peoples’ Rights of 1998;
- African Charter on the Rights and Welfare of the Child of 1990; and
- African Youth Charter of 2006.

Since endorsing the United Nations Millennium Declaration of 2000, Tanzania has taken steps to mainstream human rights in its National Strategy for Growth and Reduction of Poverty (NSGRP), popularly known by its Kiswahili acronyms, MKUKUTA in Mainland Tanzania and MKUZA in Zanzibar, and to align them with long-term strategies such as the National Development Vision 2025 for the Mainland Tanzania and Vision 2020 for Zanzibar. To ensure that such measures are sustainable and to promote their further development, the NHRAP seeks to strengthen the development strategies, highlighting cross-cutting principles like accountability, equality and non-discrimination, empowerment, and meaningful participation in all stages of their implementation.

1.1.3. Developing Tanzania’s National Human Rights Action Plan

² These Conventions are Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87); Right to Organize and Collective Bargaining Convention, 1949 (No. 98); Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182); Equal Remuneration Convention, 1951 (No. 100) and Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

On the 28th and 29th October 2009, the Government of the United Republic of Tanzania, through the Ministry of Justice and Constitutional Affairs (now called the Ministry of Constitutional and Legal Affairs) and the Commission for Human Rights and Good Governance (CHRAGG), with technical support from the UN System in Tanzania, convened a National Consultative Workshop (NCW) to develop a road map towards the elaboration of a National Human Rights Action Plan. The Workshop drew participants from the Government, civil society organizations (CSOs), and academia.

The workshop participants recognized that the United Republic of Tanzania has steadily progressed towards the strengthened promotion and protection of human rights through a variety of legislative, institutional and policy measures and commitments. Despite such progress, challenges remained in the form of: (i) constitutional gaps including the absence of economic, social, and cultural rights protections; (ii) legislative provisions that are contrary to our commitment towards the international human rights standards ; (iii) the need to further domesticate international human rights standards; (iv) the need to develop and reform legislation in conformity with international standards; (v) the substantive and operational strengthening and accessibility of human rights institutions, with particular focus on the CHRAGG; and (vi) legal system deficits in terms of human rights awareness and accessibility of remedies.

To address these human rights challenges, NCW participants recommended that the Government should develop and adopt an NHRAP to strengthen the protection and promotion of human rights throughout the United Republic of Tanzania.

(i) Coordination Committee

The Ministry of Constitutional and Legal Affairs (MoCLA), through the Attorney General's Chambers and in collaboration with the CHRAGG, led the process of drafting the NHRAP. In Zanzibar, the Ministry of Constitutional Affairs and Good Governance (Now President's Office, Public Service and Good Governance - POPSOG) served as a focal point. To oversee the drafting process, the MoCLA facilitated the creation of a Temporary Coordination Committee in March 2010. After completion of its term of one year, the mandate of the Committee was extended and it was designated as the Coordination Committee with a mandate to draft the NHRAP. This Committee was made up of twenty members drawn from various human rights stakeholders, including representatives of the Prime Minister's Office; the MoCLA; the Attorney General's Chambers; the CHRAGG; the Ministry of Constitutional Affairs and Good Governance of Zanzibar; the Ministry of Community Development, Gender, and Children; academia, including the University of Dar es Salaam School of Law; the United Nations; the Tanzania Police Force; the Tanzania Prisons Service; and human rights NGOs, including association of persons with disabilities.

To support the functions of the Coordination Committee a mini secretariat largely composed of officials from CHRAGG was formed. The secretariat was responsible for supporting the Committee and managing activities relating to the development of NHRAP.

(ii) Methodology of the Drafting Process

As an initial step in the drafting process, the Coordination Committee undertook a comprehensive evaluation of human rights situation in Tanzania. To prepare the evaluation, the Coordination Committee solicited information from a broad range of stakeholders in Mainland Tanzania and

Zanzibar, inviting them to submit reports, papers, and other documents pertaining to human rights. From 23-25 February, 2011, the Committee conducted a desk review of these submissions, as well as national policies and strategies such as MKUKUTA, MKUZA, MDGs, Vision 2025, Five Year Development Plan (FYDP) spanning from 2011/12 to 2015/2016, and existing action plans of other Ministerial Departments and Agencies (MDAs). The purpose of this desk review was to identify human rights issues, actions taken, gaps and challenges, and proposed solutions.

Recognizing that the development of the NHRAP is a national undertaking, the Coordination Committee worked to develop a consultative process to foster a sense of ownership among stakeholders. The NHRAP was developed through significant research, analysis, and consultations with stakeholders and officials at all levels of Government.

Following the desk review, the Coordination Committee conducted a National Stakeholders Workshop on the establishment of the NHRAP. Representatives of the Government, CSOs, political parties, and academia attended the session and discussed a Concept Paper on the need for an NHRAP, the expected benefits, and the drafting process. The recommendations that came out of the consultation were incorporated into the drafting process by the Coordination Committee.

As a follow up to the desk review and Stakeholders' Workshop, the Coordination Committee conducted field surveys in ten selected regions of Tanzania to verify information and fill in the gaps in the desk review reports. The Coordination Committee then met in Morogoro from 15-19th June, 2011, to consolidate the findings of the desk review and the field survey reports. Based on this consolidation process, the Coordination Committee produced the Background Report, which is a comprehensive baseline assessment of the human rights situation in the United Republic of Tanzania. The Background Report also made recommendations to overcome these challenges and more fully advance human rights. Based on the findings and recommendations of the Background Report, the Coordination Committee prepared a draft NHRAP.

Throughout this process, the Government was engaged in the Universal Periodic Review process before the United Nations Human Rights Council. In its national report, as well as in response to recommendations from UN Member States, the Government affirmed its commitment to the development of a NHRAP as one of the highest national priorities. Finally the draft was then presented before a national stakeholders' workshop to seek validation and public inputs.

Once public inputs were incorporated into the final draft, the draft was presented to other key stakeholders as follows: On the 15th July 2012 the draft was presented to the Committee on Constitutional, Legal Affairs and Public Administration of the National Assembly. On the 10-12th September 2012 the draft was presented to representatives of MDAs in Zanzibar and discussed for two days. Thereafter on the 15th September another presentation was made before the Committee of Constitutional and Legal Affairs of the Zanzibar House of Representatives. Again, between 19th – 21st, September 2012, the Coordination Committee met in Morogoro with representatives of MDAs from Tanzania Mainland and from Zanzibar to improve on the draft and prepare an indicative budget for the Plan's implementation. The refined draft was finally presented before the Inter Ministerial Technical Committees both in Tanzania Mainland and Zanzibar on the 4th November 2012 and 11th November 2012 respectively. In all these meetings, comments and inputs were received which assisted to improve the content of this Action Plan.

1.1.4. Goals of the NHRAP

The National Human Rights Action Plan seeks to strengthen human rights in the United Republic of Tanzania through the promotion of a Human Rights Based Approach (HRBA) to development and poverty reduction. Its main goals are to promote and protect the inalienable rights provided by the Constitution of the United Republic of Tanzania and the Constitution of Zanzibar, to guarantee human rights according to international agreements, and to deepen the linkages between human rights and development strategies.

1.1.5. Objectives of the National Human Rights Action Plan

To pursue the above goals, the NHRAP sets the following strategic objectives:

- i. To provide a need assessment on issues of human rights and to formulate strategic activities or actions that promote human rights.
- ii. To spell out the Government's commitment to human rights through laudable actions.
- iii. To improve the enjoyment of human rights for all citizens, particularly poor, marginalized people, and vulnerable communities and those living in rural areas of the country.
- iv. To promote an understanding, tolerance, gender equality, and peaceful co-existence among all groups in the country.
- v. To enhance the accessibility, credibility, efficiency, and accountability of the CHRAGG and other national human rights institutions by strengthening and expanding their institutional capacity.
- vi. To mainstream human rights and promote a Human Rights Based Approach to national development policies and plans, particularly the Five-Year Development Plan.
- vii. To further mobilize national and international resources to protect and promote human rights.
- viii. To coordinate existing human rights initiatives in various sectors and facilitate joint and cost effective management.

Chapter 2: Framework for Protection of Human Rights

1.2.1. Measures to Strengthen the Protection of Human Rights and Democratic Principles

The United Republic of Tanzania is a sovereign, democratic state founded as a nation of equal and free individuals enjoying freedom, justice, fraternity, and concord. The Constitution recognizes that sovereignty resides in the people, and that the primary objective of the Government is the welfare of the people. Key measures to strengthen the promotion and protection of human rights and fundamental democratic principles include the supremacy of the Constitution and the rule of law, the separation of powers of government, regular elections and a multi-party system of government, and an independent judiciary. In addition, the Constitution establishes a Bill of Rights, as well as state institutions to support human rights and fundamental democratic principles.

(i) The Constitutional Bills of Rights

In their respective Bills of Rights, the Constitution of the United Republic of Tanzania of 1977 and that of the Revolutionary Government of Zanzibar of 1984 contain a far-reaching prohibition against discrimination and affirm the rights to life, liberty, security of person, privacy, participation in governance, work, and fair remuneration, as well freedoms pertaining to movement, expression, opinion, religion, assembly, association, and the formation of trade unions. Other economic, social, and cultural rights are defined in programmatic language and are not enshrined within the Bills of Rights.

The Constitution provides for the right of all Tanzanians to take legal action to the High Court of Tanzania to ensure the protection of human rights guaranteed in the Constitution (Art. 30(5)). The Constitution of Zanzibar provides for a similar right to institute suit in the High Court of Zanzibar if the Constitution or an individual's human rights are violated (Art. 25A(1)). In addition, the Constitution of Zanzibar empowers the High Court to request information from government officials in the interest of determining whether the Constitution has been violated and, upon a finding that the Constitution has been violated, to order Government officers to take remedial actions (Art. 25A(1)).

(ii) Institutional Framework for the Protection of Human Rights

There are many institutions within the Government of the United Republic of Tanzania and the Revolutionary Government of Zanzibar that strengthen good governance, accountability, transparency, and constitutional democracy, as well as for ensuring the protection of human rights. Among the most important institution is CHRAGG. It was established by the Constitution of the United Republic of Tanzania (Art. 129) as an independent National Human Rights Institution (NHRI) with the mandate to protect and promote human rights. As part of its protective mandate, CHRAGG receives allegations and complaints of violations of human rights and the principles of administrative justice and conducts enquiries or research into those matters. It is also mandated to advise the Government, state organs, and private sector institutions on issues relating to human rights and administrative justice.

Another key institution is the Prevention and Combating of Corruption Bureau (PCCB), a law enforcement body established by the Prevention and Combating of Corruption Act, 2007. The Bureau is mandated to prevent corruption; investigate allegations of corruption; examine and advise on the practices and procedures of public, parastatal, and private organizations to facilitate the detection of corruption or prevent corruption; and educate society on the effects of corruption.

Other institutions include the Public Leaders' Ethics Secretariat; the National Electoral Commission; the Zanzibar Electoral Commission; the Public Service Commission; the Zanzibar Public Service Commission; the Judicial Service Commission; the Zanzibar Judicial Service Commission; the Controller and Auditor General; the Zanzibar Controller and Auditor General; the Public Procurement Regulatory Agency; the Law Reform Commission; the Zanzibar Law Reform Commission; the President's Office, Planning Commission; the Zanzibar Planning Commission; and the Tanzania Communication and Regulatory Authority.

In addition, Tanzania's vibrant civil society provides support to state institutions, including the provision of free legal services, public education, and monitoring of government activity in the promotion and protection of human rights.

1.2.2. NHRAP as a Vehicle for Further Protection of Human Rights

There is a growing conviction that the implementation of human rights principles will strengthen social harmony and cohesion, advance the process of development, and promote the accountability and legitimacy of governments. The Tanzanian Government is mindful of the inter-related nature of development, peace and security, and human rights in line with outcomes of major international and regional consultations.

This National Human Rights Action Plan highlights the country's commitment to international and regional human rights norms and mechanisms. Human rights, when objectively applied, ensure that the benefits of human development reach even the most disadvantaged people. The human person is at the centre of both human rights and human development. When human development and human rights advance together, they reinforce each other—expanding people's capabilities and protecting their fundamental rights and freedoms. This NHRAP helps to ensure that national development strategies are well informed by the Human Rights Based Approach (HRBA), whereby human rights are mainstreamed in the development agenda. In so doing, the NHRAP strengthens duty-bearers' acknowledgement and accountability with regard to human rights through various capacity-building initiatives.

In implementing the NHRAP, the Government of Tanzania strives to more effectively discharge its three basic duties to respect, protect and fulfill the realization of human rights. *The duty to respect* requires the duty-bearer not to breach directly or indirectly the enjoyment of any human right. *The duty to protect* requires the duty-bearer to take measures that prevent third parties from abusing the right. *The duty to fulfill* requires the duty-bearer to adopt appropriate legislative, administrative and other measures towards the full realization of human rights.

1.2.3. Linkage between NHRAP and Development Plans

The NHRAP should not be looked at as an isolated action plan separate from other national development processes. During the process of formulating the NHRAP, the Coordination Committee took into account national development goals, policy objectives, programs, and specific interventions that directly or indirectly relate to human rights. This NHRAP takes note of the Tanzania Development Vision 2025 under which Tanzania is expected to be a nation imbued with five main attributes, namely: (i) high quality live-hood (ii) good governance (iii) peace, stability and unity, (iv) a well educated and learning society; and (v) a competitive economy capable of producing sustainable growth and shared benefits.

In addition, the NHRAP considers the National Strategy for Growth and Reduction of Poverty (NSGRP), popularly known in Kiswahili by its acronym MKUKUTA II and MKUZA II for Zanzibar. This strategy is the development framework forming part of Tanzania's efforts to deliver on its National Vision 2025 and achieving the UN Millennium Development Goals (MDGs). The strategy was adopted to sustain and scale up achievements as well as address the challenges to growth and poverty reduction agenda. It is based on three clusters, each with a set of goals and targets. These clusters are

- (i) Growth and Reduction of Poverty;
- (ii) Improved Quality of Life and Social Well-being;
- (iii) Governance and Accountability.

In the human rights context all clusters are relevant since human rights are cross-cutting issues. In fact, reduction of poverty helps to realize many human rights ranging from economic rights, social rights, cultural rights and civil rights to political rights. The prevailing principle in the world today is that all human rights are indivisible, whether they are civil and political rights, such as the right to life, equality before the law and freedom of expression; economic, social and cultural rights, such as the rights to decent work, social equity and security and education, or collective rights, such as the rights to development and self-determination, are indivisible, interrelated and interdependent. The improvement of one right facilitates advancement of the others. Likewise, the deprivation of one right adversely affects others.

Taking this into regard, poverty cannot be eradicated without the realization of human rights. In the words of the Human Development Report 2000: "A decent standard of living, adequate nutrition, health care, education and decent work and protection against calamities are not just development goals - they are also human rights".

Furthermore, the NHRAP is cognizant of various public sector reforms in Tanzania starting from 2000. These reforms had been espoused to ensure economic growth and quality services inside the priority sectors. These reforms include, Public Service Reform, Local Government Reform Programme, Legal Sector Reform Programme, Public Financial Management Reform Programme and Health Sector Reform Programme. Generally, these reforms have in the past focused on structural reforms and capacity building. What the majority of Tanzania awaits now is quality improvements that translate into people-centred development. Similarly, the Government of Tanzania has unleashed the first Five Year Development Plan (FYDP) spanning from 2011/12 to 2015/2016. The Plan is the formal implementation tool of the country's development agenda, articulated in the Tanzania Development Vision 2025.

These policies and programmes require the Government of Tanzania through its MDAs and in collaboration with various development partners to take appropriate action to improve the social welfare of its people; by providing social amenities like quality education, health, transportation infrastructure, potable water, sanitation etc. When human development and human rights advance together, they reinforce each other—expanding people's capabilities and protecting their fundamental rights and freedoms.

1.2.4. Subject Issues Addressed by the NHRAP

The protection and promotion of human rights is not limited to a single topic, sector, or government ministry, department or agency. In recognition of this, the NHRAP has identified twenty-three human rights issues arranged in four thematic headings as priorities for improving coordination, protection and promotion as outlined below:

(i) Civil and Political Rights

1. Right to Life
2. Access to Justice, Fair Trial and Equality Before the Law
3. Freedom of Opinion, Expression and Information
4. Freedom of Assembly
5. Right to Liberty and Security of Person

(ii) Economic, Social and Cultural Rights

6. Right to Property and to Access Land
7. Right to Education
8. Right to Adequate Standard of Living, including the Right to Food
9. Right to Clean and Safe Water
10. Right to Work
11. Right to Highest Attainable Standard of Physical and Mental Health
12. Right to Live in a Safe and Clean Environment
13. Right to Social Security

(iii) Groups with Special Needs

14. Women
15. Children
16. Children in Conflict with the Law
17. Persons with Disabilities
18. Elderly Persons
19. Persons Living with HIV
20. Prisoners
21. Refugees, Asylum-Seekers and Stateless Persons

(iv) Institutional Strengthening and Emerging Issue

22. Institutional Strengthening of CHRAGG and AGC.
23. Human Rights and Business

PART 2

Chapter 1: Civil and Political Rights

The core instrument for civil and political rights is the International Covenant on Civil and Political Rights (ICCPR), a legally binding treaty to which Tanzania is a State party. According to this treaty, civil and political rights are immediate, and some absolute, meaning that there can be no derogation, even during a time of armed conflict or emergency. As a result, the Government understands that it is required to provide immediate protection of these rights. Similarly, individuals whose rights are protected by human rights instruments must also abide to their duties as set out in the Constitution of the country.

By becoming a party to the ICCPR, a State agrees to undertake legislative and other measures to give effect to the standards reflected therein. ‘Other measures’ could be judicial measures, institutional strengthening, oversight mechanisms, the improvement of skills, and awareness among both state officials and rights-holders. Some of the rights can be limited, but the grounds on which such limitations are permissible differ between the standards. Generally, limitations shall not be general, be proportionate when imposed, justified by objective criteria, and prescribed by law.

Another key characteristic of the Covenant is the obligation to provide an effective remedy in case of a violation of a right. Competent and accessible fora, ideally courts of law, for individuals to seek and obtain redress from needs to be established.

The ICCPR is monitored by the Human Rights Committee which is a body of independent international experts that receives reports on the status of implementation from State parties and issue general observations and recommendations for improvement. The Committee also issues general comments on the interpretation of the substantive standards, thereby developing authoritative guidance for compliance with the standards.

2.1.1. Right to Life

2.1.1.1. Background

Every human being has the inherent right to life, and this right must be protected by law. A basic principle of human rights law is that no person shall be arbitrarily deprived of life. The right to life is provided for under Article 3 of the Universal Declaration of Human Rights (UDHR), Article 6(1) of the International Covenant on Civil and Political Rights (ICCPR), Article 4 of the African Charter on Human and Peoples Rights (ACHPR), and Article 14 of the Constitution of the United Republic of Tanzania of 1977.

2.1.1.2. Current Situation

Although international law calls upon states to abolish the death penalty, the death penalty does not necessarily constitute a violation of the right to life under international law. Under the laws of mainland Tanzania, two offences may result in death sentence: murder and treason.³ Under

³ Tanzania Penal Code, sections. 26, 39, 40, 197; Tanzania National Defence Act, 1966, section. 90.

Zanzibar law, the death penalty may be imposed for the offences of treason, entering Zanzibar with intent to organize a counter-revolution, instigating invasion, murder, and child destruction.⁴ Available records from Law Reform Commission show that since 1961, 238 persons (232 men and 6 women) have been executed after being convicted of murder in Tanzania. The last execution in Tanzania was carried out in 1994, when 21 men were executed.⁵ As of December 2012, there were 334 inmates on death row. For the past 17 years, Tanzania has exercised a *de facto* moratorium on executions. During the Third Phase Government, President Benjamin William Mkapa commuted into life imprisonment 75 death sentences, while his successor President Dr. Jakaya Mrisho Kikwete has commuted 100 death sentences into life imprisonment. Research shows that public opinion is divided on the appropriateness of the death penalty as a means of punishment. The Government has opened the issue to public debate as part of the ongoing constitutional review process.

2.1.1.3. Challenges

Tanzania faces a number of challenges in protecting the right to life, including:

- i. Isolated incidents in which proper procedures are not followed in conducting arrests, resulting in the death or severe injury of suspects.
- ii. Killing of persons with albinism due to the perpetuation of harmful traditional beliefs in witchcraft.
- iii. Killing of elderly women in the western regions who are accused of witchcraft based on the presence of their red eyes due to overexposure to poorly ventilated charcoal and use of fire woods.
- iv. Mob violence, whereby people resort to self-help measures against suspected criminals due to a lack of awareness or trust in law enforcement and the justice system.
- v. High prevalence of fatal road accidents due to negligent or reckless public transport drivers, poor screening or oversight of public transport drivers, absence of road traffic signs (road infrastructures) in some areas, narrow roads and weak enforcement of road safety regulations.

2.1.1.4. Objectives

- i. Conduct nationwide public consultations, including awareness rising initiatives of global trends, with a view to considering the abolition of death penalty.
- ii. Strengthen investigation and prosecution of alleged incidents of extra-judicial killings.
- iii. Train law enforcement officials on human rights issues.
- iv. Increase access to courts and police stations by improving court and police infrastructure as well as human resources.
- v. Raise public awareness about individual rights and legal processes through public education initiatives.
- vi. Review and amend the Tanzania Witchcraft Act to reflect human rights standards.
- vii. Strengthen oversight of road safety regulations through ensuring proper road infrastructures, effective enforcement of the laws and greater accountability of traffic police, public transport drivers, and the general public.

2.1.2. Access to Justice, Fair Trial, and Equality before the Law

⁴ Penal Act No. 6 of 2004, Sections 6, 28-30, 197, 217(1).

⁵ Legal and Human Rights Centre, Tanzania Human Rights Report, 2009, p. 12.

2.1.2.1. Background

Access to justice refers to the ability to seek and obtain a remedy through formal or informal justice institutions in conformity with human rights standards. The right originates from international human rights law provisions that mandate the equality of all people before the law, the right to equal protection under the law, and the right to be treated fairly by a tribunal. These rights are addressed in Articles 6 - 11 of the UDHR.

Article 13(1) of the Constitution provides that all persons are equal before the law and are entitled, without discrimination, to protection and equality before the law. Under the ICCPR, this right includes the right to a fair and public hearing by a competent, independent, and impartial tribunal or court established by law. This right is also enshrined in several treaties to which Tanzania is a signatory to ensure that specific groups are able to enjoy human rights on an equal basis with others, including the CERD, the CEDAW, and the CRPD.

Under international law, there are about six minimum standards or elements that should be met if access to justice is to be secured. These are: (i) availability of independent and impartial courts or tribunals; (ii) competent and accessible courts or tribunals with sufficient resources to administer justice; (iii) good laws that are understood by majority of the people; (iv) available and sufficiently qualified lawyers to represent those who cannot defend themselves in courts of law and tribunals; and (v) timely and fair trials for all, regardless of socio-economic and political status.⁶

In addition, everyone has the right to an effective remedy if their rights are violated. Article 2(3) of the ICCPR provides that “any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity.” In addition, the ICCPR calls upon states to ensure that such a remedy is “determined by competent judicial, administrative, or legislative authorities or by any other competent authority provided for by the legal system of the State” and to “ensure that the competent authorities shall enforce such remedies when granted.” According to the international human rights mechanisms, this right can be violated in a variety of ways, including by:

- failing to provide adequate procedures to complain about, or obtain compensation for, killings by security forces;
- not carrying out thorough enquiries into alleged ill-treatment by security forces; and
- failing to provide adequate remedies when individual’s right has been violated.

2.1.2.2. Current Situation

A number of challenges currently hamper the right of access to justice and equality before the law. These challenges include limited public awareness of the justice system, inadequate legal representation, and an under-resourced justice sector. For instance, as of April 2011, there were 1,600 enrolled advocates in Tanzania. This means a single advocate served an average of 26,000 people. By December 2011 the number of advocates increased to 2,317 in which case a single advocate can now serve an average of 19,000 people.

⁶ See ICCPR Art. 14; Human Rights Committee, General Comment 13, Article 14 (Twenty-first Session, 1984), Compilation of General Comments and General Recommendations Adopted by *Human Rights Treaty Bodies*, U.N. Doc. HRI/GEN/1/Rev.1 at 14 (1994).

To ensure the independence of the judiciary, international law requires that the state provide resources adequate to allow the judiciary to effectively perform its functions.⁷ The judiciary in Tanzania faces a critical shortage of court buildings and manpower due to a lack of funds for construction and training. According to a speech of the Chief Justice of Tanzania, there are 1,105 Primary Courts in Tanzania. Out of these, only 628 courts have magistrates permanently stationed. The rest are served by visiting magistrates.⁸ There are ten regions in Tanzania that do not have a High Court Registry and twenty-six Districts with no District Courts. The majority of courthouses are outdated and dilapidated. These deficiencies have created an unfavourable working environment, which has negatively impacted the quality of justice delivered.

The Government has taken steps to increase access to justice for all Tanzanians, including the implementation of the Legal Sector Reform Programme (LSRP). The vision of the LSRP is *Timely Justice for All*, built around the core principles of: (i) speedy dispensation of justice; (ii) affordability and access to justice for all social groups; (iii) integrity and professionalism of legal officers; (iv) independence of the judiciary; and (v) a legal framework and jurisprudence of high standards responsive to social, political, economic, and technological trends at both national and international levels. The LSRP has made some progress: during the first phase of MKUKUTA, the number of judges in the Court of Appeal increased from eight in 2005 to fourteen in 2012, and the number of judges in the High Court increased from twenty-four to fifty-nine.⁹

2.1.2.3. Challenges

Impediments to access to justice and the right to a fair trial significantly affect many Tanzanians, particularly the poor. These impediments include:

- i. Inadequate number of courts, tribunals, and judicial personnel, and under-representation of women among assessors in primary courts.
- ii. Dilapidated justice facilities, especially in remote (rural) areas.
- iii. Inadequate resources for law enforcement and courts to effectively carry out their duties.
- iv. Ineffective coordination among the organs of the criminal justice system – the courts, DPP, police, prisons, and social welfare.
- v. Delays in issuing court records, such as copies of proceedings and judgments, due to lack of equipment and poor and unorganized record keeping systems.
- vi. Inadequate training on judicial administration for judicial officers.
- vii. The use of two languages of Kiswahili and English. Poor command of English as a language of records continues to be a challenge to most law enforcement officials.
- viii. Insufficient number of centralized forensic laboratories and experts, and inadequate resources for those in operation.
- ix. Limited use of plea bargaining and alternative dispute resolution mechanisms, leading to a heavy court caseloads.
- x. Inefficiency of procedural laws that would hasten disposition of court cases, resulting in untimely dispensation of justice and case backlog.
- xi. Corruption and other malpractice in the justice sector.
- xii. Non-adherence to the doctrine of separation of powers.
- xiii. Lack of public awareness of laws and procedures, especially among rural communities and in particular among rural women.

⁷ Art. 7 of the Basic Principles on the Independence of the Judiciary (BPIJ) of 1985.

⁸ Keynote Address by Mohamed Chande Othman, Chief Justice of Tanzania, on the Occasion of the Annual General Conference of Tanganyika Law Society, 17th Feb, 2012 at Arusha International Conference Centre, p. 8.

⁹ MKUKUTA Annual Implementation Report 2009/2010, p. xvi and recent updates from the Judiciary.

- xiv. Lack of effective legal support or representation to the poor and otherwise disadvantaged or marginalized. In other words, there is no comprehensive legal framework for Legal Aid.
- xv. Cumbersome procedures for redressing human rights grievances, which require that human rights matters be heard by the High Court sitting with three judges.
- xvi. Lack of jurisprudence defining remedies for cases of human rights violations.
- xvii. Continued application of customary laws and practices oppressive to women, despite being prohibited under the Constitution and other laws.

2.1.2.4. Objectives

- i. Increase the budgetary allocation to the judiciary to provide for adequate human and material resources.
- ii. Introduce computerized system of filing, documenting, and hearing of cases.
- iii. Ensure Case Flow Management Committees become operational.
- iv. Create and implement internal and external performance appraisal systems based on objective criteria for magistrates and judges.
- v. Improve language skills and other skills through training for magistrates, judges, investigators, and prosecutors, and consider the need for specialization in different fields.
- vi. Provide regular human rights training to magistrates, judges, state attorneys, and private advocates.
- vii. Provide public awareness programmes on the legal procedures in accessing timely justice and human rights, ensuring outreach to the most vulnerable communities.
- viii. Establish a universal legal aid scheme for the poor and disadvantaged groups.
- ix. Review laws to render legal aid to priority cases (i.e. cases involving women and children).
- x. Put a mechanism to reform customary laws that violate or contradict Constitutional provisions or those of signed international treaties.

2.1.3. Freedom of Opinion, Expression, and Information

2.1.3.1. Background

A hallmark of a democratic society is the opportunity for free and public debate, in which dissenting opinions can be fully voiced and views can be disseminated. For a democratic society to flourish, freedom of opinion and expression must be fully guaranteed and protected. The right to freedom of opinion, expression, and information has long been regarded as “a fundamental human right and an essential foundation of a democratic society. It is a right whose existence allows other democratic freedoms to be guaranteed.”¹⁰

2.1.3.2. Current Situation

The right to freedom of opinion, expression, and information is provided under Article 18 of the Constitution. Several laws currently in force impact the exercise of this freedom, and merit a more detailed discussion of their compliance with international standards. Tanzanian law provides that restrictions on the freedom of opinion, expression, and information must be in the interest of peace and good order. For example, the *Newspapers Act of 1971*, Cap 229 allows the

¹⁰ Commonwealth Secretariat, *Freedom of Expression, Assembly and Association: Best Practice*, Marlborough House, London, 2002, p. 15.

Government to halt the publication of a newspaper if found to be against public interest or in the interest of peace and good order. The law also empowers the President to restrict importation of a publication if he or she finds that it would be contrary to the public interest. The *National Security Act of 1970*, Cap. 47 allows the Government to control the dissemination of information to the public in the interest of national security. The *Broadcasting Services Act of 1993*, Cap. 306 permits similar regulation of electronic media. Within these laws, there is a debate over the scope of these terms and whether they can be used to arbitrarily deny the right to information and expression.

2.1.3.3. Challenges

- i. Absence of legislation explicitly ensuring the right to information.
- ii. Absence of a clear legal mechanism to ensure the exercise of the right to freedom of expression, speech, and media in accordance with international standards.
- iii. Little transparency on public investment contracts and other matters for which the public has the right to be informed.
- iv. Lack of fair and impartial media reporting, including the use of abusive language and false information.
- v. Lack of gender-balanced representation in and access to media channels, perpetuated by factors including the lack of women in decision-making positions in the media, the perpetuation of discrimination and gender stereotypes in broadcasting, gender gaps in media and information literacy, and inadequate legal frameworks for gender equality in the media.

2.1.3.4. Objectives

- i. Establish and ensure adherence to codes of conduct and ethics by journalists and political leaders on the exercise of freedom of speech, expression, and media.
- ii. Provide human rights training to media on fair and gender-balanced reporting and observance of human rights.
- iii. Enact a Freedom of Information Act.
- iv. Require relevant authorities to disseminate and make accessible in a timely manner all material information in which the public has a reasonable interest.
- v. Revise and disseminate guidelines for classifying information deemed to be confidential to enhance transparency and accountability.
- vi. Ensure that all major public investment contracts are debated in the relevant parliamentary committee for scrutiny and approval.
- vii. Enhance women's participation and representation in the media.

2.1.4. Freedom of Assembly

2.1.4.1. Background

Freedom of assembly, often used interchangeably with freedom of association, is the right of persons to come together and collectively express, promote, pursue, and defend common interests. The ability to organize is an important means by which citizens can influence their governments and leaders. This right is protected under Article 20 of UDHR, Article 22 of ICCPR, Article 11 of ACHPR, and Article 20 of the Constitution.

ILO standards uphold the rights of workers and employees to form organisations and to bargain collectively. Within the right to freedom of assembly are several key rights, including the right to peaceful assembly, the right of association, the right to join or not to join an association, and the right to belong to trade unions.

The right to peaceful assembly is the right of people to peacefully and collectively express opinions. The right can be limited only in situations of national security or public safety, when there is a legitimate concern for the likelihood of injury to persons, damage to property, serious public disorder, unacceptable disruption of the community, or other extraordinary circumstances. In such cases, law enforcement officials are obligated to take only such measures as are *proportional* with the *legitimate threat of harm*, and can use force only as a last resort.

The right of association encompasses the right of individuals to establish associations. The right also guarantees associations the right to operate freely and without interference.

The right to join or not join an association guarantees the right of individuals to freely join associations and prohibits forced membership. This right can be curtailed only if individuals may suffer reprisals for joining organisations or be obliged to join certain associations approved of by the state.

The right to belong to trade unions includes the right to form and join trade unions for the protection of one's economic and social interests, the right of domestic organizations to join national and international confederations, the right of an individual not to be penalized for belonging to a union, the right of organisations to elect representatives and draw up their own rules and constitutions, and the right to strike. Certain categories of workers may be excluded from the right to form a union by national legislation, including the police and the armed forces. The right to strike is also not absolute, and may be limited to prevent the disruption of essential services that might threaten the life, health, and safety of the population. However, there must be a mechanism in place that deals with grievances in these essential services and ensures workers' access to the workplace.

In the exercise of rights relating to freedom of assembly, the fundamental principle is that no restriction should be imposed by the state except for real threats to national security and public safety.

2.1.4.2. Current Situation

The Government has taken significant strides to ensure that the right to freedom of assembly is respected among its citizens, in particular in light of the security situation and the need to protect its citizens. However, there have been exceptional incidents in which it was alleged that authorities used excessive force in dealing with demonstrators. Likewise, there have been misinterpretations of legal provisions that allow for holding assembly and demonstration, resulting in allegations of interference with this right. 2.1.4.3. Challenges

- i. Arbitrary interference in the right of peaceful assembly by law enforcement bodies.
- ii. Absence of a room for dialogue between the Government and would-be demonstrators about perceived threats or possible alternatives.
- iii. Absence of guidelines on how peaceful demonstration can be regulated.
- iv. Lack of political tolerance among political parties.

2.1.4.4. Objectives

- i. Develop Standard Operating Procedures that clearly explain how police should exercise their duties while upholding individual rights to peaceful assembly in line with human rights standards.
- ii. Provide human rights training to law enforcement on the freedom of assembly and the use of reasonable force.
- iii. Create public awareness on the procedure to be followed in exercising the right to freedom of assembly and demonstration.
- iv. Develop guidelines on freedom of assembly and demonstration such as those provided by the Organisation for Security and Cooperation in Europe (OSCE), Office for Democratic Institutions and Human Rights (ODIHR), together with the Council of Europe's Venice Commission.

2.1.5. Right to Liberty and Security of Persons

2.1.5.1. Background

Article 9 of the International Covenant on Civil and Political Rights (ICCPR) states that everyone has the right to liberty and security of person, that no one shall be subjected to arbitrary arrest or detention, and that no one shall be deprived of his liberty except on such grounds and in accordance with procedures established by law. The right to security of person is associated with the right to liberty and includes the right, if one is imprisoned unlawfully, to the remedy of *habeas corpus*. This right is also guaranteed under Article 6 of the African Charter on Human and Peoples' Rights (ACHPR).

The right to security of persons is also viewed in the context of the prohibitions of torture and cruel and unusual punishment. In this regard, Article 7 of the ICCPR states that no one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment. In particular, no one shall be subjected without his or her free consent to medical or scientific experimentation. The prohibition of torture, cruel, inhuman and degrading treatment or punishment is also contained under Article 13(6)(e) of the Tanzania's Constitution. Article 8 of the ICCPR states that no one shall be held in slavery, and that slavery and the slave trade in all their forms (including sexual exploitation through forced prostitution) shall be prohibited. Article 8 also prohibits forced or compulsory labour.

2.1.5.2. Current Situation

The Criminal Procedure Act, 1985 provides for the various rights to accused persons including the right to be brought to court within 24 hours after being arrested. However, there have been complaints against some members of the Police Force of using excessive force, engaging in corruption, abuse of authority and sexual harassment. Citizen complaints include delay in investigation and prosecution of crimes and evidence manipulation that often results in cases being thrown out of court. These complaints have resulted in decreasing trust in, and in some instances a perceived lack of protection from, law enforcement agencies.

To mitigate the lack of trust in the Police Force, in 2006 the Police Force initiated a program of community policing called *Polisi Jamii*. *Polisi Jamii* is a strategy and philosophy based on the notion that community interaction and support can help to control crime and reduce fear with community members. To a large extent, *Polisi Jamii* has helped the police to garner support from the people.

2.1.5.3. Challenges

Despite these improvements, several challenges still exist in protecting the right to liberty and security of person:

- i. The budgetary constraints of the Police Force impact their effectiveness in terms of management, administration, and ability to control crime.
- ii. Insufficient training, resulting in low levels of professional skills among the police force, making high ethical standards difficult to sustain, and creating fertile grounds for corruption.
- iii. Inadequate number of police officers, with one police officer being responsible for more than forty-five square kilometres.
- iv. Inadequate mobility resulting from budgetary constraints, hindering the police force's ability to respond to calls for assistance in a timely manner.
- v. Inadequate laboratory facilities. At present, the police have forensic laboratory with some five functioning units (ballistic, photographic, questioned documents, cyber crime and scene of crime) but do not have functioning units in forensic DNA, Biology and Chemistry thereby causing them to be unable to provide prompt services required for proper police investigation.
- vi. Insufficient supply of reference materials, including copies of laws.

2.1.5.4. Objectives

- i. Ensure that police officers are properly selected, regularly go through professional training, and meet appropriate proficiency standards in the use of force.
- ii. Ensure that the arbitrary or excessive use of force and discharge of firearms by police officers is punished as criminal offence under any circumstance.
- iii. Regularly review the rules and regulations on the use of force and firearms.
- iv. Equip police with weapons and ammunition that allow for a differentiated use of force and firearms, such as non-lethal incapacitating weapons.
- v. Ensure that human rights and police ethics, along with the specific needs of women and girls, are given special attention in police training, especially in the investigative process.
- vi. Increase budgetary allocation to the police force to enable them to purchase equipment and other necessary materials.
- vii. Ensure that superior officers are held responsible if they know, or should have known, that those under their command are resorting or have resorted to unlawful use of force or abuse of power, and they did not do anything to prevent, remedy or report such a case.

Chapter 2: Economic, Social and Cultural Rights

Economic, social and cultural rights are part of the Universal Declaration of Human Rights, and are legally protected by the International Covenant on Economic, Social and Cultural Rights (ICESCR) to which Tanzania is a party. This Covenant comes with some immediate State obligations. States Party to the Covenant is obliged to provide core essentials of each standard, e.g., education, health, social protection and cultural life. More so, the prohibition of discrimination is absolute and immediate in relation to economic, social and cultural rights.

Further, State Parties have an obligation to progressively achieve a full level of enjoyment of these rights for all. In this respect, available resources will inform the expected standard, coupled with the orientation of cooperation in the field of international assistance. Measures to improve economic, social, and cultural rights may be the same as those in the civil and political field, i.e., legislative or judicial measures or the raising of awareness among State officials and the public at large. However, these measures also come with the obligation of human rights based financial allocations and the adoption of sound and transparent strategies to progressively achieve the full realisation of the rights. The ICESCR is monitored by the Committee consisting of international independent experts.

2.2.1. Right to Own Property and To Access Land

2.2.1.1. Background

The right to own property, closely linked with the right to access land, is defined by the UDHR as the right “to own property alone as well as in association with others” (Art. 17). The UDHR also protects individuals from arbitrary deprivation of their property. This right is supported by a number of international treaties. The African Charter on Human and Peoples’ Rights guarantees the right to own property and permits encroachment on the right only “in the interest of public need or in the general interest of the community and in accordance with the provisions of appropriate laws” (Art. 14). The CEDAW guarantees equal property rights between spouses “in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration” (Art. 16(1) (h)).

The right is guaranteed under the Constitution in Article 24, which provides that every individual has the right to own property in accordance with the law.

2.2.1.2. Current Situation

The right to own property under Tanzanian law includes the equal right of men and women to own land. The Land Acts of 1999 and other legislation pertaining to land matters explicitly recognize the equal rights of men and women to occupy land. For instance, the Land Act requires spousal consent in case of disposition, mortgage and provide for women’s representation in decision making bodies relating to land. Further it invalidates any customary laws that discriminate against women.

While these laws represent great strides in promoting the right to own property, the right has yet to be fully realized particularly in rural area where women are discriminated on the basis of customary law.

Access to land is also a major constraint youth encounter in exploring employment opportunities in the agricultural sector. The 2006 African Youth Charter (AYC) calls for providing grants of

land to youth and youth organizations for socio-economic development purposes (Article 14(2)). This was followed up in 2009 by the African Union, through the adoption of the Framework and Guidelines on Land Policy in Africa, which call upon states to ensure that land laws provide for equitable access to land, especially for landless, women, youth, displaced person, and other vulnerable groups.

Since the onset of liberalization policy in 1990s in the country, there has been high demand of land. Consequently, pastoral and hunter-gatherer communities in Tanzania, including the Maasai, the Barbaig, the Hadzabe, and the Taturu, are facing increasing pressure from commercial and smallholder farmers and foreign investors who also want to use their land. Land occupied by pastoral communities has gradually been incorporated into wildlife conservation areas, national parks, and mining activities. This encroachment has led to a reduction in these communities' access to land and other natural resources, causing increased food insecurity and conflict between pastoralists and farmers.

2.2.1.3. Challenges

- i. Non-observance of customary land ownership in formal acquisition processes and failure to provide adequate, fair and timely compensation for acquired land.
- ii. Burdensome and costly procedures for registering land, resulting in people choosing not to survey or register land, which leads to unplanned settlements.
- iii. Discrimination against women resulting from outdated customary norms that women are not entitled to family land since they will marry outside of the family.
- iv. Lack of affirmative action for youth to access land as a resource for socio-economic development.
- v. Granting land to outsiders or foreign investors without active participation of the village assembly in the decision making process.
- vi. Lack of transparency and accountability in land management and administration.
- vii. Failure to incorporate public opinion when citizen-owned land is considered for planning schemes.
- viii. Encroachment upon pastoral land without full consideration of pastoral practices, potentially leading to conflict between pastoralists and farmers.
- ix. Lack of a comprehensive national land use plan.
- x. Excessive acquisition of land for speculative purposes.

2.2.1.4. Objectives

- i. Enhance public education concerning equal ownership of land, with special focus on the rural population and disadvantaged groups such as pastoralists, hunters, gatherers, women and youth because the legal regime in Tanzania prohibits any kind of discrimination.
- ii. Implement a comprehensive national land use plan for proper zoning of land in order to avoid encroachment and land disputes
- iii. Implement a Human Rights Based Approach to proceedings for land acquisition for public interest and involve local communities in the deliberation process.
- iv. Enhance transparency in land allocation.
- v. Strictly adhere to existing legal procedures for land allocation, management, and distribution, and strictly enforce sanctions against corruption.
- vi. Cost of acquiring surveyed land should be reduced and procedures for land registration should also be simplified.

2.2.2. Right to Education

2.2.2.1. Background

The right to education is a fundamental human right and is essential for the exercise of all other human rights. It promotes individual freedom and empowerment and yields important development benefits. The right is explicitly recognized by UDHR, which provides that: “Everyone has the right to education. Education shall be free at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit (Art. 26).” This right is also guaranteed under Article 13 of ICESCR, Article 17 of ACHPR, and Article 28 of CRC.

The Constitution recognises the right to “self-education” (Article 11(2)) as a fundamental objective and directive principle of state policy. Although the right is not justifiable in state courts, the Government is charged with the duty of respecting and incorporating it into state policy.

2.2.2.2. Current Situation

MKUKUTA and MKUZA have provided significant guidance in improving the right to education in Tanzania. MKUKUTA I, Cluster II set an enrolment target of 99% at the primary level, at least 50% of boys and girls enrolled in ordinary level secondary schools by 2010 and at least 25% of boys and girls enrolled in advanced level secondary schools by 2010. MKUKUTA II, Cluster II established the targets for improving education standards, including equitable access to education for boys and girls, universal literacy, appropriate student to teacher ratios, a conducive learning environment, and deployment of quality teachers.

In 2010, Tanzania received an award for attaining the United Nations MDGs on universal primary education before the 2015 deadline. The pace of improvement in secondary schools has been low, however, and there are large gender disparities in enrolment at secondary and tertiary levels. The number of students enrolled in universities and colleges increased to 118,951 in 2010 as compared to 40,993 students in 2005. In technical and vocational education training colleges, students enrolment increased from 50,173 in 2005 (20,493 male, 29,680 female) to 169,124 in 2010 (97,428 male, 71,696 female).

Tanzania also faces challenges in raising education standards, particularly in light of the high pupil to teacher ratios (52:1 in 2006 and 54:1 in 2009) and the decreasing percentage of pupils passing the primary school leaving examination (70.5% in 2006 and 53.5% in 2010) and ordinary and advanced levels, which dropped from 89.1% in 2006 to 53.37% in 2011 and 96.3% in 2006 to 89.6% in 2009, respectively.

The cost of quality education also presents a barrier to education to the majority of the population. The fees for most private English medium primary and secondary schools range from Tanzania Shillings (Tshs.) 900,000 to TShs. 3 million per academic year (equivalent to U.S. \$563 to \$1875). The high cost of this education, and its necessity for higher education in Tanzania, and for job placement, and social advancement, precludes many Tanzanians from accessing quality education.

The Ministry of Education and Vocational Training has a Medium Term Human Rights Education Strategic Plan (2011/12 - 2015/16) that aims to improve the knowledge on human right of students, teachers, and other civil servants in the education sector.

Considering that the use of the English language has been a challenge because of an inadequate number of teachers who command this language, the Government has established a team of experts in Education who would come up with plausible strategies to address this challenge.

2.2.2.3. Challenges

Tanzania still faces many challenges in realizing quality and affordable education, including:

- i. Education targets that focus on quantitative rather than qualitative indicators.
- ii. A less inclusive school environment for disadvantaged groups and children with special learning needs in many schools.
- iii. Poor physical infrastructure and limited resources.
- iv. Inadequate remuneration for teachers.
- v. Limited incentives for teachers to work in rural areas.
- vi. Significant qualitative differences between government and private schools due to higher resources of private schools.
- vii. Inadequate number of well-trained and competent teachers.
- viii. Full implementation of the national education policy.
- ix. Inadequate educational opportunities in technical fields.
- x. Discriminatory laws and practices that inhibit girls' access to education, including the minimum age of marriage established by the Law of Marriage Act, early pregnancy, and domestic labour.
- xi. Gender imbalance at the post-secondary school level, the effect of which is decreased access of women to many decision-making processes.
- xii. Provision of informal education to adult population has decreased from 1990s. This has resulted in the decrease level of literacy among elders.
- xiii. Poor command of English of both teachers and students. Students are taught in Kiswahili in primary education, with English as a compulsory subject. In secondary education, students are taught in English, with Kiswahili as a compulsory subject. In many instances, teachers have limited English proficiency, and, as a result, students start studying in English without proper preparation.
- xiv. Inadequate implementation and monitoring capabilities for educational programmes.
- xv. Limited awareness of the importance of education in rural communities.
- xvi. Lack of quality vocational education and training adapted to the needs of rural young women and men.
- xvii. Lack of curricula or school facilities sensitive to the needs of the disabled.
- xviii. Frequent curricula changes, straining teachers' abilities to accommodate changes.

2.2.2.4. Objectives of the National Action Plan

- i. Improve access to education for youth and adults, including access to informal and vocational education.
- ii. Enhance awareness of the benefits of education.
- iii. Enforce equal treatment and opportunity of education for girls and women at all levels (primary through tertiary).

- iv. Evaluate and update the required qualifications of teachers.
- v. Increase budget allocation for education to improve working conditions for teachers, availability of teaching tools and materials, and school infrastructure.
- vi. Improve knowledge of English among teachers and students.
- vii. Ensure that teachers are promptly updated and trained on any changes in educational curricula.
- viii. Promote inclusive and learner-friendly school environment that caters to the learning needs of disadvantaged groups, including children with disabilities.
- ix. Make the provision of meals in primary schools a sustainable program, especially in rural areas.
- x. Adapt the education and vocational training curricula in rural areas to reflect the dynamism of the agricultural sector and the rural economy to make it accessible to rural youth.
- xi. Enhance inspection, monitoring, and evaluation of schools' performance.
- xii. Increase awareness among education stakeholders of human rights.

2.2.3. Right to Adequate Standard of Living and Right to Food

2.2.3.1. Background

The right to an adequate standard of living is recognized under Article 25 of the UDHR, which provides that: “(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, and housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in the circumstances beyond his control. (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.”

Article 11 of the ICESCR further requires that states should take appropriate steps to ensure the realization of this right. This would entail measures such as protecting the poorest segments of the population from shocks and negative coping strategies during times of distress and promoting productivity enhancing measures and income generation, particularly in rural areas. States should also consider ways of extending social security to self-employed and informal sector workers and introduce and continuously improve social protection mechanisms with a focus on pregnant women, children, adolescent girls and persons with disabilities. For example, user-fee exemptions and waiver schemes can assist in the realization of this right in the health sector. Other interventions would be the mainstreaming of early child development and nutrition interventions into health care provision and strengthening access to local markets, credit, and information to smallholder farmers and other self-employed in the rural sector.

In addition, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) recognized in article 12 the right of pregnant and lactating women to special protection with regard to adequate nutrition and in article 14 the right of rural women to equal access to land, water, credit and other services, social security and adequate living conditions; and the Convention on the Rights of the Child (CRC) in article 25 recognizes the right to the highest attainable standard of health, and article 27 the right to an adequate standard of living, including food and nutrition (193 States Parties).

2.2.3.2. Current Situation

The living standards in Tanzania are generally low: 20% of the population lives on less than \$1 a day, and 35% on less than \$2 a day. The Government-established minimum wage, less than \$100 per month, is insufficient to maintain an adequate standard of living. Moreover, a large segment of the work force is employed in the informal sector, where earnings are often well below the minimum income. Social security schemes cover a limited number of people, typically in the formal employment sector.

Property ownership is often quite difficult, particularly for women. Unequal power relations within the household and society at large limit women's access to and control of productive resources and services. Many Tanzanians cannot provide the collateral required for acquiring loans to build homes. As one way of addressing this problem, the National Housing Cooperation (NHC) has embarked on the house building project including building houses of low cost. Furthermore, MKUKUTA Reports suggest that, due to increase in the population in urban centres, most urban settlements are developed outside the formal planning and management system. Peri-urban areas are increasingly being sub-divided into smaller plots by landowners, and land development takes place without regard to plans for provision of basic social facilities and services.

In regard to the right to adequate food, in the past years food insecurity and hunger have increased. Data of 2008 from the Ministry of Agriculture, Food Security and Cooperation shows that 34% of the population was undernourished. Overall, income poverty (basic needs and food poverty) varies across geographical areas, with the rural areas being worse off. Trade liberalization policies reduced agricultural subsidies, causing a food shortage as farmers struggled to bridge the gap in funding. Further, the agricultural sector has not yet developed the capacity to ensure household food security. Production is still largely undertaken on small-scale holdings, using inadequate tools and technology. Food production faces several problems. First, 98% of Tanzania's agriculture depends on rain, and, on average, crop failure due to drought, floods, or both occurs every 3-5 years in some parts of the country. Input prices in recent years have increased domestically and globally, and the subsidy provided by the Government does not meet the demand. Finally, pasture development support services are inadequate to satisfy the demand of stakeholders such as livestock farmers.

The government has sought to address many of these challenges through poverty reduction efforts. MKUKUTA II, Cluster II, Goal 5 calls for the development of decent human settlements equitably and without compromising environmental quality, and establishes the following targets: increasing the number of planned and serviced urban settlements with functioning town planning procedures; and addressing the consequences of migration on population distribution and urbanization, as well as their implications for access to resources and social services.

2.2.3.3. Challenges

- i. High poverty levels, which preclude many people, particularly in rural areas, from accessing proper housing and food.
- ii. Lack of a social protection scheme for the least resourced households and individuals with regard to access to basic housing, life-saving treatment, nutrition, social-security schemes, credits and markets.
- iii. Lack of access to proper farming machinery or labour-saving equipment (such as motorized seedling planters, weeding machines, and appropriate tractors) especially for women.

- iv. Inadequate number of extension officers.
- v. Inadequate training of beneficiaries on the use of the subsidized inputs.
- vi. Existence of price cartels imposed by groups of particular export crop buyers and even domestic market crop buyers.
- vii. Poor planning capacity at the level of LGAs. Only 73% of LGAs performed well in linking objectives and targets with Agricultural Sector Development Programme objectives.
- viii. Inadequate management skills in cooperative societies or marketing societies.
- ix. Low salaries and incentives for researchers in agricultural research stations.
- x. Inefficient or inadequate market outlets for farm produce, including those caused by frequent bans on cross-border food exports.

2.2.3.4. Objectives

- i. Increase focus on activities that promote recognition of the right to an adequate standard of living and to adequate food in the implementation of existing development and poverty reduction strategies.
- ii. Study the current food security policies and their impact on the right of farmers to choose markets for their crops. Although government plays an important role in helping achieve food security, regrettably, some government policies interfere with markets, remove price signals to farmers and create standards that inhibit trade.
- iii. Ensure responsibility for and commitment by the government to the provision of essential services (e.g., water, infrastructure, energy), especially to the most disadvantaged groups.
- iv. Develop a national strategy to ensure food and nutrition security for all.
- v. Raise public awareness on available poverty reduction schemes, affordable loan schemes, and strategies for food sufficiency and sustainability.
- vi. To provide opportunities for citizens to receive financial support to start or support business ventures, thereby promoting entrepreneurship.
- vii. Improvements to the education and training to young people with a greater focus on vocational skills to reduce unemployment.

2.2.4. Right to Clean and Safe Water and Sanitation

2.2.4.1. Background

Neither the UDHR nor the ICESCR recognised a right to clean and safe water or sanitation. But in recent decades, worsening water scarcity and contamination, aggravated by climate change together with recognition of the consequences of poor sanitation, has made action on water and sanitation rights more urgent. On July 28, 2010, the UN General Assembly declared that safe and clean drinking water and sanitation is a human right essential to the full enjoyment of the right to life and all other human rights. The Assembly called upon the Member States and international organisations to offer funding, technology, and other resources to help less developed countries scale up their efforts to provide clean, accessible, and affordable drinking water and sanitation for everyone.

The right to clean and safe drinking water is also provided for in the CRC, which requires States Party to “recognize the right of the child to the enjoyment of the highest attainable standard of health . . . through the provision of adequate nutritious foods and clean drinking water” (Art. 24 (2) (c)) Similarly, the CEDAW obliges governments to ensure rural women have access to adequate sanitation (Art. 14(2)(h)).

2.2.4.2. Current Situation

Since 1961, the Government has taken steps to improve access to clean and safe water and sanitation. MKUKUTA II establishes the goal of increasing access to clean and safe water, sanitation, and hygiene by improving access to safe drinking water in urban and rural areas and sanitation facilities in households and public places. These interventions recognize slowing progress in the improvement of water supply and sanitation due to under-investment in water and sanitation infrastructure and an increase in population. According to the Household Budget Survey, between 2000/01 and 2007, households' access to clean and safe water resources, in urban and rural areas, declined from 88% to 76.6% and from 45.9% to 40.4%, respectively. Similarly, according to the Joint Monitoring Programme, WHO-UNICEF 2012 report, access to improved sanitation in urban and rural areas increased from 10% in 1990 to 20% in 2010 and from 6% in 1990 to 7% in 2010, respectively, with open defecation increasing from 8% in 1990 to 12% in 2010 in total.

2.2.4.3. Challenges

- i. Over expenditure by the Government on treatment of waterborne diseases, rather than addressing the root causes of inadequate clean water and poor sanitation.
- ii. Poor water sanitation and sanitation infrastructure, especially in urban areas.
- iii. Capacity deficits in the agency responsible for water and sanitation services.
- iv. Inadequate supply of safe and clean water, particularly in rural areas, where women often walk long distances to search for water.
- v. Unplanned and unstructured residences that do not have sanitation infrastructures.
- vi. Environmental degradation affecting water sources.
- vii. Out-dated cultural practices in some tribal societies that do not use shared toilets.

2.2.4.4. Objectives

- i. Prioritize the need to have clean and safe water and sanitation..
- ii. Increase allocation of funding for supply of clean water and sanitation.
- iii. Educate the community on the best use of the available water sources.
- iv. Prioritize the need for concerted efforts to improve hygiene practices.
- v. Prioritize the need to strengthen the water and sanitation sectors' governance.

2.2.5. Right to Work

2.2.5.1. Background

The right to work is enshrined in the UDHR under Article 23, which states that everyone has “the right to work, to free employment, to just and favourable conditions of work and to protection against unemployment.” In addition, Article 6 of the ICESCR provides for the “right to work, which includes the right of everyone to the opportunity to gain his living by work,” and that “the full realization of this right shall include technical and vocational guidance and training programmes.” Article 7 guarantees the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular: fair wages and equal remuneration for work of equal value without distinction of any kind, a decent living for employees and their families, safe and healthy working conditions, equal opportunity for promotion, and the right to rest and leisure and periodic holidays with pay.

Tanzania has also ratified the ILO Worst Forms of Child Labour Convention, 1999 (No. 182) and the ILO Minimum Age Convention, 1973 (No.138), which form the basis for national legislation governing children's work.

The ACHPR also recognises the right to work under Article 15, which provides that "every individual shall have the right to work under equitable and satisfactory conditions, and shall receive equal pay for equal work." The right to work is also guaranteed in Article 22 of the Constitution, which provides that citizens are entitled to equal opportunities in employment without discrimination and in accordance with their qualifications and merits.

2.2.5.2. Current Situation

The right to work and its related rights are reflected in the Employment and Labour Relations Act of 2004, which recognizes core labour rights outlined in various ILO Conventions. This statute reinforces the right to work by enjoining employers from discriminatory recruitment of employees based on colour, gender, disability, political opinion, and religion, among others. The Act also prohibits unfair termination of employment contracts in circumstances that constitute discrimination under the Act. To enforce the provisions of this Act, the Government enacted the Labour Institutions Act of 2004. The Labour Institutions Act established the Commission for Mediation and Arbitration to manage labour disputes, as well as the Labour Division of the High Court, which serves as the Appellate Court for the Commission.

Tanzania faces a number of challenges in eradicating discriminatory labour practices and improving labour standards. Privatization and a high unemployment rate have weakened the conditions and welfare of workers. Workers are frequently subjected to substandard working conditions, including long working hours, compulsory night shifts, poor remuneration and forced overtime. Agriculture provides employment for almost three-quarters of the national labour force, who work mainly as self-employed farmers and contributing family workers, with women accounting for a large share. However, most jobs in agriculture are of low productivity and quality, and do not ensure sufficient levels of income to afford adequate access to food for workers and their families. This represents a major challenge, since migrating rural youth add pressure to the already saturated urban job markets and result in an increase of urban population working in the informal economy or being unemployed. PLHIV are sometimes discriminated against based on their status by private employers. They may be forced to submit to testing and thereafter run the risk of having their employment terminated when their status is discovered.

The occurrence of child labour (32%) is three times higher in rural areas compared to urban areas, with commercial agriculture being one of the sectors with the highest concentration of worst forms of child labour.¹¹ Child labour negatively impacts children's health and education, harming their chances of finding decent work as youth or adults. It also impedes the development and growth of the agricultural sector and national economy by and large.

MKUKUTA II, Cluster I, Goal 2 aims at the reduction of income poverty through promoting inclusive, sustainable, and employment-enhancing growth, and stimulates national efforts to reduce unemployment and underemployment and create employment opportunities for women, youth, and disadvantaged segments of society through affirmative action programs.

2.2.5.3. Problems

¹¹ International Labour Organization, *Decent Work Country Profile: Tanzania (Mainland) 20*, available at http://www.ilo.org/public/english/region/afpro/daressalaam/download/decent_work_tz.pdf.

- i. High levels of unemployment, underemployment, and poor working conditions, particularly among women and youth and other disadvantaged groups.
- ii. Poor remuneration and salaries among the working population.
- iii. Poor working conditions (casual work arrangements, gender- and age-based inequalities, the uncertainties and specificities of agricultural production, low job security, and limited access to social protection), particularly in rural areas, in agriculture and in the informal economy.
- iv. High incidence of child labour and its most harmful forms, particularly in the agricultural and mining sectors.
- v. Low labour productivity, particularly of women and youth, due to low skills base, limited access to or ownership of financial and natural resources such as land, and limited access to information, markets, and adequate infrastructure, as well as lack of education and training opportunities.
- vi. Discrimination against disadvantaged groups in public and private sectors.
- vii. Discrimination against Tanzanian workers, particularly by private companies and foreign investors.
- viii. Poor enforcement mechanisms of labour-related legislation to uphold employees' rights, particularly in the informal sector.
- ix. Ignorance of labour rights by workers and employers.

2.2.5.4. Objectives

- i. Strengthen mechanisms to protect workers and employees in formal and informal contractual arrangements, in urban as well as rural areas, and ensure an adequate working environment, including increasing the frequency of labour inspections.
- ii. Support the inclusion of the agricultural sector in national Occupational Safety and Health (OSH) policies and programmes and conduct sensitization activities on OSH in small-scale agriculture, in collaboration with communities, LGAs, and CSO/Farmers' Organizations.
- iii. Promote self-employment and entrepreneurship, in both urban and rural areas, including the establishment and strengthening of small-scale entrepreneurship groups for youth and women. Incorporate self-employment, entrepreneurial and management skills into educational curricula and vocational training.
- iv. Strengthen the capacities of the public and private sector in addressing child labour, particularly in agriculture and the mining sector, including through building the knowledge base and raising awareness.
- v. Promote decent work as a human right in national policy, strategic and programmatic planning and implementation.
- vi. Revise salary scales and indicators to reflect current market indices.
- vii. Raise awareness of labour rights among employees and employers.

2.2.6. Right to Highest Attainable Standard of Physical and Mental Health

2.2.6.1. Background

Article 25 of the UDHR provides that all persons have a “right to a standard of living adequate for the health and well-being of himself and his family, including . . . medical care and necessary social services and the right to security in the event of . . . sickness [and] disability . . .” The right to health is also recognized in Article 12 of the ICESCR, which requires States Party to

recognize the right “of everyone to the enjoyment of the highest attainable standard of physical and mental health.” To fulfil this right States are required to take these steps:

- (a) Reduce the stillbirth-rate and infant mortality and to promote the healthy development of the child;
- (b) Promote maternal health, including maternal mortality reduction and providing emergency obstetric and newborn care;
- (c) Provide comprehensive sexual and reproductive health services like family planning, prevention and treatment of sexually transmitted infections, and a special focus on adolescent reproductive health;
- (d) Take measures to prevent, treat, and control epidemic, endemic, occupational and other diseases; and
- (e) Foster conditions that would assure access of all to medical service and medical attention in the event of sickness.

Although there is no specific provision on the right to health in the Constitution, health is addressed through Tanzania’s legislation and development programmes.

2.2.6.2. Current Situation

Despite some progress in improving the right to health, Tanzania still faces challenges fostering the conditions necessary for the right to health. Tanzania’s high population growth rate, estimated at 2.8%, has overwhelmed its infrastructure, resulting in increasing poverty levels and exposure to infectious diseases, particularly where clean water and adequate sanitation are lacking. According to the Government Daily Newspaper of May 9th, 2012 the current doctor to patient ratio is 1:23,000, far short of the 1:600 standard set by the World Health Organization. The nurse to patient ratio is 1:6,000, and the pharmacist to patient ratio is 1:50,000.

Recent data indicates that maternal and child mortality in Tanzania has improved in recent years following deterioration in the mid 2000s. The estimated maternal mortality ratio in 2010 was 454 deaths per 100,000 live births, which is an improvement from 578 in 2005 and 529 in 1996. The under-five mortality rate has also declined, from 112 deaths per 1000 live births in 2004-2005 to 81 deaths per 1000 live births in 2009-2010. In addition, improvements have also been made in the percentage of births attended by skilled health personnel (41% in 1999, 46% in 2004, and 51% in 2010), and births in health facilities (44% in 1999, 47% in 2004, and 50% in 2010).

Immunization and vaccination services have been scaled up significantly. The number of health facilities providing vaccination services rose from 2,954 in 2005 to 4,535 in 2009. The number of vaccinated children increased from 1,249,388 in 2005 to 1,356,421 in 2009, an increase of 8%. The percentage of children below one year of age vaccinated against measles increased from 88% in year 2008 to 91% in 2009.

Through the FANTA programme, the Government has undertaken measures to improve infant and child nutrition and health outcomes by adopting more targeted food security and nutrition policies, strategies, and programmes. The Government also took measures to integrate nutrition services into the national HIV response and the FBP Programme. As a result, the percentage of underweight children (weight-for-age below -2SD) declined from 21.9% in 2004/5 to 16% in 2009.

To combat malaria, the Government is implementing the Malaria Control Strategic Plan 2008-2013, distributing long-lasting, insecticide-treated nets and providing intermittent presumptive

treatment to pregnant women. The percentage of households owning at least one bed net has increased from 56.3% in 2007-2008 to 74.7% in 2009-2010.

The National HIV and AIDS Prevention and Control Act was passed in 2008, and the second Health Sector Strategic Plan for HIV/AIDS 2008-2012 and the National Essential Health Sector Strategic Interventions packages for HIV/AIDS were passed to guide implementation. These programs have increased the percentage of HIV-positive women receiving ARVs to prevent mother to child transmission, as well as the number of persons with advanced HIV infection receiving ARVs.

Mental health remains a challenge, as Tanzania has only a few quality mental health facilities. There are currently only six psychiatrists working in the public service. In public hospitals where mental health care is provided, appropriate medication is frequently in short supply. In addition, the mentally ill face stigma and discrimination as a result of traditional beliefs and a lack of awareness of mental health issues.

The Mental Health Act was enacted in 2008 to provide for the care, protection, and management of persons with mental disorders and to provide for their voluntary or involuntary admission in mental health care facility and other related matters. However, implementation of the law has been lacking, and few mentally ill Tanzanians have benefited from its protections.

The right to health is addressed under MKUKUTA II, Cluster II, Goal 3, which focuses on improving survival, health, and well being of all children, women, and vulnerable groups, with the following goals:

- i. Slowing the fertility rate.
- ii. Improving human resources by training, deploying, and retaining an adequate mix of health professionals.
- iii. Reducing the maternal and neonatal mortality rates.
- iv. Improving infant and child health by reducing the infant and under-5 mortality rates, reducing the proportion of underweight of under-5s, and reducing the proportion of stunted under-5s.
- v. Reducing the rate of HIV infection, and improving the health and well being of persons living with HIV.

2.2.6.3. Challenges

- i. Insufficient budget allocation for health services.
- ii. Inadequate medical facilities, especially in rural areas.
- iii. Inadequate number of health professionals.
- iv. Insufficient capacity to address mental health issues.
- v. Low pay to certain cadres of health staff, especially nurses.
- vi. Insufficient maternal and child healthcare.
- vii. Stigmatization of persons living with HIV and people with mental illness.
- viii. Unethical conduct among health professionals, by soliciting bribery.
- ix. Unsafe abortions.
- x. Lack of awareness of the availability of free medical services to indigent persons.

2.2.6.4. Objectives

- i. Develop a strategy to increase the number of health professionals.

- ii. Provide incentives for medical professionals to work at government hospitals and health centres.
- iii. Improve training for medical professionals.
- iv. Increase number and accessibility of health facilities, with particular focus on increasing access for women, children and other special groups.
- v. Ensure that every village has a dispensary and every ward has a health centre and equip them with the necessary facilities.
- vi. Establish appropriate level of community health workers and create a link between them and health facilities.
- vii. Address infrastructure problems and increase access to health services to meet the needs of rural areas.
- viii. Increase extension on occupational health and safety, particularly in agriculture in rural areas, including on the use of agrochemicals.
- ix. Increase budget allocation to ensure availability of drugs, including those used to treat mental illness.
- x. Sensitize and raise public awareness on the right to health, including mental health.
- xi. Enforce penalties against unethical health professionals.
- xii. Promote maternal health, including maternal mortality reduction and providing emergency obstetric and newborn care.
- xiii. Provide comprehensive sexual and reproductive health services like family planning, prevention and treatment of sexually transmitted infections, and a special focus on adolescent reproductive health.

2.2.7. Right to Live in Safe and Clean Environment

2.2.7.1. Background

Environmental preservation and protection, along with sustainable use of natural resources, have been growing international concerns. Environmental degradation threatens access to clean air, environment, food security, and safe water. Increasing pollution results in an increase in health problems. The size of the population, where they live, and how they live, all affect the condition of the environment. People alter the environment by clearing land for development, using natural resources, and producing waste. Changes in environmental conditions, in turn, affect human health and well-being.

Article 24 of the ACHPR recognizes that “all parties shall have the right to a general satisfactory environment favourable to their development.” In many other international conventions, the right to environment is closely linked to the right to health. The ICESCR calls upon states to improve all aspects of environmental and industrial hygiene in order to achieve the full realization of the right to health. Similarly, the CRC calls upon states to consider the dangers and risks of environmental pollution in maintaining the right to health and underscores the necessity of education on hygiene and sanitation. Integrating the principles of sustainable development into country policies and programmes, and reversing the loss of environmental resources by 2015, is one of the MDGs.

In addition, Tanzania is a signatory to several international conventions and treaties governing environmental protection, including the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter; Convention on International Trade in Endangered Species of Wild Fauna and Flora; Vienna Convention for the Protection of the Ozone Layer; Montreal Protocol on Substances that Deplete the Ozone Layer; Basel Convention on the Control of Trans boundary Movements of Hazardous Wastes and their Disposal; Convention on Biological

Diversity; and the Kyoto Protocol to the United Nations Framework Convention on Climate Change. At the East Africa regional level, Tanzania is a party to the Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of Eastern African Region and its related Protocols etc.

2.2.7.2. Current Situation

Tanzania has taken steps toward improving environmental protection. The Environmental Management Act No. 19 of 1983 established the National Environmental Management Council (NEMC) to oversee issues of environmental management. To raise awareness of the essential linkages between the environment and development and to promote individual and community participation in environmental protection, the Government formulated the Environmental Policy of 1997.

The Environmental Management Act No. 20 of 2004 repealed the National Environmental Management Act No. 19 of 1983 and re-established the NEMC. EMA 2004 provides that “every person has the right to a clean, safe, and healthy environment,” which includes “the right of access by citizens to various public elements or segments of the environment for recreational, educational, health, spiritual, and economic purposes.” EMA 2004 also provides for a legal and institutional framework for sustainable management of the environment, prevention and control of pollution, waste management, environmental quality standards, and public participation in decision-making processes, environmental compliance, and enforcement. Furthermore, it gives NEMC powers to review, monitor and enforce environmental impact assessments; conduct research; facilitate public participation in environmental decision-making; raise environmental awareness; and collect and disseminate environmental information.

In addition, environmental protection has been a focus of several other laws, including the Fisheries Act, Cap. 279, R.E 2002; the Forest Act, Cap.323, R.E 2002; the Tourism Act, 2008; the Water Resources Management Act, 2009; the Water Supply and Sanitation Act, 2009; the Water Utilization (Control and Regulation) Act, 1974; the Waterworks Act, Cap.272, ; and the Wildlife Conservation Act, 2009.

2.2.7.3. Challenges

Despite measures taken to conserve the environment, a number of environmental problems still exist, including:

- i. Loss of wildlife habitats and biodiversity.
- ii. Deforestation and land degradation.
- iii. Deterioration of aquatic systems.
- iv. Environmental pollution.
- v. Poor sanitation facilities and management.
- vi. Unsystematic urbanization and industrialization.
- vii. Rapid population growth, especially in urban areas.
- viii. Clearing of forests for human settlements.
- ix. Increasing squatter settlements in urban areas
- x. Dependence on forests for use in industries, schools, and homes, and overreliance on wood for construction work.
- xi. Weak or ineffective enforcement of laws.
- xii. Inadequate financial resources, manpower, and equipment for environmental management.

- xiii. Managerial and financial deficits at the local governmental level.
- xiv. Budgetary constraints hindering implementation of environmental protection plans.
- xv. Shortage of financial and human resources for environmental protection and preservation programmes and ineffective use of available resources.
- xvi. Weak coordination between environmental monitoring agencies and government institutions.
- xvii. Reliance on penal sanctions rather than environmental preservation sanctions.
- xviii. Failure to consult people living near or within protected areas and forest reserves in planning and implementing conservation projects.
- xix. Lack of public awareness of laws concerning the environment and sustainable development.

2.2.7.4. Objectives

- i. Conduct public awareness campaigns on environmental protection.
- ii. Allocate sufficient budget for waste management and environment preservation at the local level.
- iii. Increase budget for research and development of alternative energy sources.
- iv. Effectively enforce existing laws, regulations, and standards.
- v. Increase accountability of implementing authorities for non-compliance with environmental legislation.
- vi. Promote community participation in conservation of national resources, including participation in activities of conservation authorities.
- vii. Ensure that NEMC has the resources and mandate to conduct continuous environmental impact assessments in areas used for industry and mining.

2.2.8. Right to Social Security

2.2.8.1. Background

Social security can be defined as any kind of collective measures or activities designed to ensure that members of society meet their basic needs and are enable them to maintain a standard of living consistent with social norms. The right to social security is provided in Articles 22 and 25 of the UDHR, which state, respectively, that “everyone, as a member of society, has the right to social security[,]” and that “[e]veryone has the right to...security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.” In addition, the right is recognized in the ICESCR, the CEDAW, the CRC, the CERD, and the ACHR. ICESCR Article 9 states that: “The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.”

2.2.8.2. Current Situation

Social security and social protection measures are addressed primarily through MKUKUTA and other poverty reduction programs. MKUKUTA I, Cluster II, Goal 4 called for adequate social protection and rights of vulnerable and needy groups. This goal identified four operational targets, namely: to increase the number of orphans and most vulnerable children reached with effective social protection measures; to increase the percentage of children and adults with disabilities reached with effective social protection measures; to increase the percentage of older people reached with effective social protection measures and to reduce violence against women. In establishing these targets, MKUKUTA articulated the need to develop the National Social Protection Framework (NSPF) and underscored the importance of social protection interventions.

The NSPF has been established and calls for social protection measures to prevent vulnerable and potentially poor populations from falling into poverty.

As a step towards achieving the goal of providing adequate social protection to vulnerable and needy groups MKUKUTA II states that the following interventions will be made by the Government: Mainstreaming provision of social protection measures in the plans of state and non-state actors; promoting corporate social responsibility to support social protection interventions; continuing provision of care and support to HIV & AIDS infected and affected including home-based care and social security schemes including food safety nets; strengthen systems for effective access to minimum social protection package and exemptions and waivers; promoting economic empowerment of vulnerable groups, through such measures as start-up kits for Income Generating Activities (IGAs) and cash transfers, to enable households with vulnerable members meet basic needs; revising policy and regulations to ease access to financial services and exemptions applicable to vulnerable groups; promote and coordinate involvement of the government, development partners (DPs), NGOs, faith-based organizations (FBOs), the business sector and communities; promote private sector initiatives in implementing social protection measures, and ensure equitable geographical recruitment and retention of adequate number of social workers.

In addition, the Social Security Policy of 2003 declares social security a human right. Currently, there are six major formal institutions that provide social security protection in Tanzania. These are the National Social Security Fund (NSSF), offering social security coverage to employees of private sector and non-pensionable parastatal and government employees; the Public Service Pension Fund (PSPF), providing social security protection to employees of central Government under pensionable terms; and the Government employees Provident Fund (GEPF), providing for the benefits of government employees who are not eligible for pension. These include employees working under contracts or under operational service for the central government, independent government departments, executive agencies, and such other employees categorized as non-pensionable. The Parastatal Pension Fund (PPF) offers social security coverage to employees of the both private and parastatal organizations; the Local Authorities Pensions Fund (LAPF) offers social security coverage to employees of the Local Government; and the National Health Insurance Fund (NHIF) mainly offers health insurance coverage to pensionable employees of the central government.

Efforts by the Government to provide social security protection in the country have brought about significant development. However, the existing social security system does not cover those employed in the informal sector. Given the high percentage of Tanzanians employed in the informal sector, social security only covers a limited number of people.

Tanzania Social Action Fund (TASAF) attempts to implement various social protection interventions. TASAF was able to deliver critical infrastructure services and social assistance to both urban and rural poor and vulnerable groups, while at the same time addressing institutional capacity-building needs at village and district levels. As a result, the communities have been able to improve access to basic socio-economic services, increase access to income generating opportunities and improved the quality of basic services, as well as enhancing livelihoods of beneficiaries, especially the marginalized groups in the communities.

2.2.8.3. Challenges

- i. There are problems in processing of terminal benefits of retirees.

- ii. Non-coverage of a broad range of economically productive groups, including farmers, industrialists, and the private sector.
- iii. Limited pension mobility.
- iv. Lack of public awareness to the procedures to enrol social security programs.

2.2.8.4. Objectives of the National Action Plan

- i. Social security schemes should review the process of terminal benefits of retirees' workflow.
- ii. Extend the social security system to incorporate other non-governmental segments of the workforce.
- iii. Raise public awareness on the mechanism by which to subscribe to the social security schemes.
- iv. Facilitate expansion of tailor-made social protection schemes for informal sector workers (e.g., micro-health insurance schemes)

Chapter 3: Groups with Special Needs

The rights of groups with special needs are grounded on the right to equality and freedom against discrimination. And the standards of equality and non-discrimination are embraced in virtually all core human rights conventions.. The prevailing understanding of discrimination emanates from the Convention on the Elimination of All Forms of Racial Discrimination. It constitutes any distinction, exclusion, restriction, preference, or other differential treatment that is directly or indirectly based on the prohibited grounds of discrimination, and which has the intention or effect of nullifying or impairing the recognition, enjoyment, or exercise, on an equal basis, of human rights. As concerns prohibited grounds, the list can be found in the specific treaties dealing with the human rights at issue. However, it shall be reiterated that these lists are non-exhaustive and indicative.

Discrimination can be formal, in terms of laws or policies, or substantive, in terms of the actual enjoyment of the right. More so, discrimination can be direct, meaning explicit and the result of a deliberate action, or indirect. Indirect discrimination occurs as a result of neutral laws or policies failing to recognize and accommodate special needs or circumstances of particular groups.

2.3.1. Women

2.3.1.1. Background

Tanzania has undertaken the obligation, through its Constitution and the international and regional human rights instruments to which it is party, to protect women against all forms of discrimination. Articles 12 and 13 of the Constitution explicitly guarantee the right of all Tanzanians, including women, to be free from all forms of discrimination. In addition, Tanzania's ratification of the CEDAW and the Protocol to the ACHPR on the Rights of Women in Africa underscore the Government's commitment to ensure that the rights of women are fully protected.

2.3.1.2. Current Situation

The Government has made deliberate efforts to implement the CEDAW and the Beijing Platform for Action (BPA) by increasing women's participation in the political arena, including affirmative action for women, which is enshrined in the Constitution. The Tanzania Development Vision 2025 lists "gender equality and empowerment of women in all socio-economic and political relations and cultures" as a target for improving livelihoods of all Tanzanians.

In addition, several policies have been established to foster gender equality in the social, cultural, economic, and political spheres, including the Women and Gender Development Policy (2000), the National Employment Policy (2007), the National Employment Creation Program, and the Youth Employment Action Plan. The Revolutionary Government of Zanzibar has also formulated policies on gender to serve similar purposes. These include the Child Survival Protection and Development Policy (2001), the Zanzibar Youth Development Policy (2005), and Youth Employment Action Plan (2007), Zanzibar Employment Policy (2007), the Education Policy (2006), and the Women Protection and Development Policy (2001).

To reduce GBV, the Sexual Offences (Special Provisions) Act of 1998 was enacted to safeguard the dignity, integrity, liberty, and security of women. In addition, the Government developed a National Plan of Action for the Prevention and Eradication of Violence against Women and Children, 2001-2015, which provides a framework of actions to be undertaken by stakeholders, including the Government, development partners, NGOs, civil societies, and local communities,

to prevent and eradicate violence against women and children. Additionally, a Multi-sectoral Committee to End Violence against Women, Children and Persons with Albinism was launched in 2011 along with a multi-sectoral action plan.

Despite these efforts, however, socio-economic and legal inequalities continue to prevent the achievement of gender equality and leave women in Tanzania in a disadvantaged position in detriment to the general welfare of the society as a whole.

2.3.1.3. Challenges

The notable problems in ensuring the full guarantee of women's rights include:

- i. Discriminatory traditions and cultural practices, most notably surrounding inheritance rules.
- ii. Diverse public opinions on the issue of early marriage and marital rape.
- iii. Persistence of FGM, GBV, domestic violence, and forced marriage.
- iv. Lack of effective enforcement of the law on FGM and other laws that promote women's rights.
- v. Inadequate capacity among the institutions responsible for gender issues.
- vi. Public ignorance of the existing laws.
- vii. Persistence of sex for favours ("sextortion") practiced mainly by people of authority in public and private spheres.
- viii. Disparities in education and literacy levels.
- ix. High level of school dropouts among girls due to early pregnancies, and illegal prohibitions on their return to school after giving birth.
- x. Unequal employment opportunities, as reflected by the relatively few number of women in engineering or in other highly-skilled technical professional fields.
- xi. Inadequate economic empowerment and entrepreneurship skills among women.

2.3.1.4. Objectives

- i. Raise awareness of gender issues and women's rights in communities.
- ii. Systematically implement policies and programs addressing gender equality.
- iii. Promote affirmative action policies for women to ensure their active participation in social, political, and economic spheres.
- iv. Domesticate CEDAW by enacting a Domestic Violence Law and reviewing other anti-discrimination legislation.
- v. Enact a modern, gender-responsive inheritance and succession law.
- vi. Issue the White Paper on the age of marriage for public discussion.
- vii. Raise public awareness on the harmful effects of early marriage and trafficking in persons to reduce sexual and economic exploitation of women and girls.
- viii. Promote public awareness of the harmful impact of sexual and domestic violence.
- ix. Raise awareness of the prohibition of FGM in the most affected areas and strengthen the enforcement of penal legislation.
- x. Promote re-admission of girls to school after giving birth.
- xi. Develop skills among law enforcement agencies on the CEDAW as well as the enforcement of the Law Against FGM and Anti-Trafficking of Persons Act.
- xii. Provide psychosocial, counselling, shelter and vocational support to victims of FGM, GBV and domestic violence.
- xiii. Support economic self-sufficiency for women through micro-credit schemes and entrepreneurship training.

2.3.2. Children

2.3.2.1. Background

By virtue of their age, level of development, and dependence on adults, children are a particularly vulnerable group in society. Through the UN Convention on Right of the Child, the international community acknowledged the unique rights of children, the state's responsibilities in protecting children, and the need to act in the best interest of the child. The same is acknowledged in the 1990 African Charter on the Rights and Welfare of the Child. The Government has sought to implement these obligations through legislation and policies designed to improve protection of and support to children.

2.3.2.2. Current Situation

Tanzania has taken a number of steps to respect and protect children's rights. In 2009 the Government enacted the Law of the Child Act, which implements Tanzania's obligations under the CRC by establishing the rights granted to children, streamlining and reforming the legal system to more effectively protect these rights, and providing guidelines for child welfare, custody, and employment. In Zanzibar, the Children's Act was adopted in 2011. These laws also provide guidelines for addressing issues of juvenile justice and children in conflict with the law.

Further, in 2011, the Government launched the Violence Against Children (VAC) survey in both Mainland Tanzania and Zanzibar. This survey has stimulated development of National Prevention and Response Plans in both the Mainland and Zanzibar across key sectors for children, aimed at building a comprehensive national child protection system to prevent and respond to all forms of violence and abuse against children, in line with the Law of the Child Act and the Zanzibar Children's Act.

The Department of Social Welfare has been playing a critical role in establishing the Child Protection System envisaged under the Law of the Child Act. 6 districts have been identified to provide models of how a District Child Protection System should be operationalized, bringing together the key actors in responding to child abuse and violence (Police, Social Welfare Officers, Magistrates, Health and Education Officials etc.). The plan is to expand the number of districts to 25 by 2013 and incrementally to the whole country. A key strategy for achieving this goal will be the implementation of the new National Plan of Action for Most Vulnerable Children (2012 – 2016), which places a strong focus on the protection of children.

In addition, several policies have been passed to promote the rights of all children and youth to survival, participation and protection, including the Child Development Policy (2008), the Youth Employment Action Plan, the National Action Plan for the Elimination of Child Labour (2009) and the National Plan of Action for the Prevention and Eradication of Violence against Women and Children (2001-2015). In Zanzibar, the Child Survival Protection and Development Policy (2001), the Zanzibar Youth Development Policy (2005), the National Action Plan for the Elimination of Child Labour (2009-2016), and the Education Policy (2006) have been formulated to ensure that all children have equal access to rights and services.

MKUKUTA and MKUZA have also supported the protection of children's rights.

Significantly, the Government has included two violence against children indicators in the

monitoring matrix for the National Poverty Reduction Strategic Plan (MKUKUTA II) as follows:

(1) % of children from 13 to 17 years who have suffered from sexual violence in the previous 12 months;

(2) % of children from 13 to 17 years who have suffered physical violence in the previous 12 months.

In addition, MKUKUTA and MKUZA have included indicators that monitor percentage of children under five years of age with birth certificates. Birth certificate ensures that child's right to legal status, and therefore to basic rights and services is preserved. According to the Tanzania Demographic and Health Survey 2010, only 16% of children are registered in Tanzania, of which only 8% have a birth certificate (rural 3.7; Urban 24.7; Mainland 6.2; Zanzibar 63%). This will soon change as the government through the strategic plan of the Registration, Insolvency and Trusteeship Agency (RITA) is implementing a new Birth Registration System in Mainland Tanzania under the Under 5 Birth Registration Initiative that will increase access to the services at all levels.

2.3.2.3. Challenges

Despite these efforts, many challenges remain. Surveys conducted have shown that the violation of the rights of children topped all other kinds of rights violations in Tanzania. The notable problems in protecting children's rights include:

- i. Poverty.
- ii. Child labour.
- iii. Human trafficking, often perpetuated by lack of economic opportunities for families.
- iv. Violence against children including sexual abuse, exploitation, forced prostitution, physical and emotional abuse/neglect and harmful traditional practices such as FGM.
- v. Early marriage.
- vi. Early pregnancy.
- vii. Domestic violence and violence against children.
- viii. Street children and orphans, typically resulting from poverty, family separation, domestic violence, or the death of a parent or parents from AIDS-related diseases
- ix. Shortage of structure and institutions available to address children's issues.
- x. Budget constraints preventing the full implementation of programming aimed at remedying deficiencies in children's rights.
- xi. Lack of awareness, leading to ineffective implementation of the Law of the Child Act and child rights.
- xii. Failure to register children after birth due to insufficient information on the importance of registration.
- xiii. Deterioration of family values and morals.
- xiv. High incidents of school dropouts, especially among girls.
- xv. High incidents of sexual and physical abuse of children in school (or going to and from school).

2.3.2.4. Objectives

- i. Promote efforts to raise awareness of and address violations of children's rights among parents, guardians, government officials, teachers, the public, and law enforcers, including through the implementation of the National Plan of Action for Most Vulnerable Children (2012 – 2016) and the National Plan of Action for the Prevention and Response to Violence against Children (2012 – 2015).
- ii. Promote birth registration and certification by increasing public awareness on, and access to registration services for both rural and urban populations in line with RITA's under 5 Birth Registration initiative to increase under 5 birth registration and through partnership with existing health and local government systems.
- iii. Strengthen mechanisms to enhance awareness of the Law of the Child Act and Children's Act and child rights and support awareness on the Law of the Child Act and Children's Act regulations, especially at the Local Government Authority level.
- iv. Increase the budgetary allocation to the child protection system, including the creation of a Social Welfare Department at LGA level, to ensure the development of a national child protection system, building on existing model District Child Protection Systems and increase in the number of social welfare officers.
- v. Increase the budgetary allocation of institutions protecting child rights.
- vi. Integrate child labour concerns into sectoral policies and programmes where most child labour is found, such as in agriculture and mining.
- vii. Implement effective sanctions to address issues of child labour.
- viii. Extend micro-credit schemes and training to the rural and urban poor population to promote income-generating activities and discourage child labour.
- ix. Raise awareness on the importance of education, especially education of girls, particularly among families.
- x. Support non-violent forms of sanctions and positive discipline in schools.
- xi. Conduct an assessment of child trafficking to understand the magnitude of the problem.
- xii. Encourage children's participation in the children's development agenda, including in their homes, school and in the communities.

2.3.3. Children in Conflict with the Law

2.3.3.1. Background

Given their particular vulnerability, the protection of children in conflict with the law is of utmost importance to the integrity of the criminal justice system. The CRC establishes various mechanisms to ensure that a child who is in conflict with law is protected (Art. 37, 39 and 40). A child is defined as a person below the age of eighteen years. Apart from usual protective rights afforded to accused persons, a child has additional rights when deprived of his liberty, including:

- i. Arrest, detention, or imprisonment in conformity with the law used only as a measure of last resort and for the shortest appropriate period of time.
- ii. Treatment with humanity and respect for the inherent dignity of the human person, and in a manner that takes into account the needs of persons of his or her age.
- iii. The right to prompt access to legal and other appropriate assistance.
- iv. Separation from adults unless it is considered in the child's best interest not to do so.
- v. The right to maintain contact with his or her family through correspondence and visits, except in exceptional circumstances.

- vi. Protection from sentences of capital punishment and life imprisonment without the possibility of release.

Tanzanian law limits criminal liability and blameworthiness of children and young people. A child under the age of twelve years is not criminally liable for any offence unless it is established that he or she knew that what he or she was doing was legally wrong. A child under the age of ten years is under absolute protection from criminal liability on the ground of immaturity.

2.3.3.2 Current Situation

During 2011, MoCLA conducted two comprehensive studies on child justice – an analysis of the situation of children in conflict with the law and an assessment of access to justice for under-18s. The study of children in conflict with the law found a number of issues with the juvenile justice system, including: a lack of specialised juvenile justice institutions and procedures; limited knowledge and coordination among criminal justice professionals on how to handle children's cases; unlawful and unnecessary exposure of children to the juvenile justice system; inadequate legal representation or other appropriate assistance at the police station or during court proceedings for the vast majority of children; a lack of formal systems for diversion of child offenders; human rights violations during the process of arrest and at the police station, including ill-treatment and forced confessions; placement of children in adult prisons, both on remand and post-sentencing; limited alternatives to pre-trial and post-trial detention and an absence of community rehabilitation programmes; prolonged detention of children resulting from limited availability of funds for transportation to take children to court or home following the end of their detention; and exposure to human rights abuses in detention facilities.

The CHRAGG report on juvenile justice of 2010-2011 indicated that there are roughly 1,400 juveniles in mainland adult prisons, with 75% held in pre-trial detention. At the time of the report, 136 juveniles were held in the five juvenile remand facilities and one approved school in the country.

Prior to 2009, the principal law governing the procedures for dealing with juveniles in conflict with the law, from arrest and trial to sentencing, was the Children and Young Persons Act. This law has since been repealed and replaced by the Law of the Child Act of 2009. The new law embodies principles of juvenile justice that require a fundamentally different procedure for dealing with juveniles from the ordinary procedure employed when dealing with adult criminals. The law provides for the establishment of juvenile courts to deal with cases of children in conflict with the law. Fundamental fair trial principles for children are enshrined in the law, including the right to representation by an Advocate. The law also requires trials for juveniles to be held *in camera*, and prohibits imprisonment as an appropriate sentence. Children may only be detained in Approved Schools, and only under an Approved School Order.

In order to address the challenges in the system on the mainland, MoCLA convened the Child Justice Forum – an interagency forum comprised of state and non-state justice actors – to develop a vision and Five Year Strategy for child justice reform. The Child Justice Forum is in the process of developing a strategy to implement the Law of the Child Act and create a separate juvenile justice system.

In Zanzibar, the Children's Act of 2011 establishes clear procedures and outlines the roles and responsibilities of national institutions and professionals in providing child-protection services and responding to cases of children in need of care and protection. It further provides for the establishment of a Children's Court and programs of diversion for child offenders.

2.3.3.3. Challenges

The Tanzanian juvenile justice system faces a number of challenges, including:

- i. Insufficient juvenile courts. There is only one Juvenile Court in Dar es Salaam, at Kisutu Resident Magistrates' Court. In other regions and districts outside of Dar es Salaam, children are tried in ordinary Courts.
- ii. Few retention homes and approved schools. There is one approved school in Mbeya and five retention homes in Dar es Salaam, Moshi, Tanga, Arusha, and Mwanza. A sixth home is currently under construction in Mtwara. This leads to children being detained with adults in prisons, pre- and post-trial.
- iii. Limited programs of rehabilitation and reintegration in communities and in prisons and juvenile detention facilities.
- iv. Insufficient number of social workers, non-involvement of social workers during juvenile trials, and non-adherence to the rehabilitation and reintegration mechanisms established under the law. Juvenile offenders are frequently dealt with by the mainstream court system without the assistance of social welfare officers.
- v. Inadequate legal representation at the police station, in the preparation of their case, and before a court of law.
- vi. Low awareness of Parents, Guardians, Police, Prosecutors, and Magistrates on the provisions contained in the Law of the Child Act/ Child's Act governing juvenile justice.
- vii. Lack of special provisions for children living with their imprisoned mothers. There is currently no separate fund for prisons to assist in caring for them.

2.3.3.4. Objectives

- i. As a matter of urgency, ensure that juvenile offenders are not kept in adult prisons.
- ii. Facilitate the implementation of the Child Justice Strategies for Reform in the Mainland and in Zanzibar.
- iii. Establish a separate system of criminal justice for under-18s that promotes their rehabilitation and reintegration.
- iv. Fully implement the Law of Child Act and the Children's Act.
- v. Establish mandatory free legal representation for juveniles, by advocates.
- vi. Recruit additional social welfare officers and require their involvement in court proceedings for monitoring and referral purposes.
- vii. Create prevention schemes, alternatives to detention, including rehabilitation and reintegration programmes in the community for young offenders and children at risk of offending, which promote psychological counselling, provision of/access to primary education, and vocational. Improve existing detention facilities to cater for under-18s and build the capacity of institutions to deliver rehabilitation and reintegration programmes.

2.3.4. Persons with Disabilities

2.3.4.1. Background

Tanzania has signed and/or ratified several UN Treaties and Declarations regarding the rights of persons with disabilities, including the UN Declaration on the Rights of Persons with Disability

of 1975, the United Nations Convention on the Rights of Persons with Disabilities (2006) and its Optional Protocol, the CRC (1989), the UN Standard Rules on Equalization of Opportunities for People with Disabilities of 1993. Tanzania was also among the first to prepare a plan to implement “The African Decade of Persons with Disability 2000-09”, as well as being a member of the African Rehabilitation Institute. In implementing the UNCRPD the Government enacted the Persons with Disability Act (2010), and Zanzibar Disability Act (2006). In addition to that the Government developed and launched National Disability Policies (2004).

2.3.4.2. Current Situation

According to the Tanzania Disability Survey of 2008, 3.2 million Tanzanians age 7 years and above (7.8% of the population) have some form of activity limitation, and 5.4 million (13.2% of the population) are affected by a disability. The prevalence is higher in rural areas (8.3%) than in urban areas (6.35%), and tends to increase with age. Disability is more prevalent in the Mainland (13.3%) than in Zanzibar (9.3%), and most disabled persons do not have access to equal rights and opportunities compared to other non-disabled persons in the country.

Though various stakeholders, including the Government and Disabled Persons Organisations (DPOs), have taken measures to advocate for human rights for persons with disabilities, who encounter various obstacles that limit their access to human rights such as education, employment, and health care, Persons with disabilities are underrepresented in planning and decision-making process and face significant stigma and discrimination. Moreover, existing Laws and Policies do not mainstream disability issues.

2.3.4.3. Challenges

Notable challenges in fully guaranteeing the rights of persons with disabilities include:

- i. Stigma and discrimination.
- ii. Lack of infrastructure and accessible facilities for persons with disabilities.
- iii. A shortage of assistive devices for persons with disabilities.
- iv. Limited livelihood opportunities.
- v. Lack of social protections, such as social pensions, shelter, and health insurance.
- vi. Limited representation in decision-making bodies.
- vii. Lack of qualified teachers for school children with disabilities.
- viii. Insufficient early identification of children with disabilities and their needs.
- ix. Lack of adequate learning materials and equipment for disabled students.
- x. Inadequate protection from sexual abuse, harassment, and exploitation.
- xi. Extra-judicial killings of persons with disabilities based on traditional beliefs, especially killing of persons with albinism.

2.3.4.4. Objectives

- i. Enact regulations to enforce the implementation of the Persons with Disability Act..
- ii. Enforce the law to ensure that the disabled persons are not discriminated against in seeking and securing employment.
- iii. Improve accessibility in infrastructure and public facilities, such as buildings and public transport and communications.
- iv. Provide assistive devices to persons with disabilities for free or at affordable cost.
- v. Train specialized personnel to assist persons with disabilities.
- vi. Develop a pool of experts to facilitate disability mainstreaming in Tanzania.

- vii. Integrate the rights of persons with disabilities into the Teachers' Training Curriculum.
- viii. Raise public awareness of human rights of the persons with disabilities.
- ix. Develop and maintain a database of persons with disabilities for protection purposes. The database should include safeguards to maintain the right of privacy of persons with disabilities.
- x. Institute Affirmative Action Policies to promote economic empowerment for persons with disabilities.
- xi. Amend existing laws and policies to mainstream issues of persons with disabilities.

2.3.5. Elderly Persons

2.3.5.1. Background

Older persons are not a homogenous group, and the challenges they face in the protection or enjoyment of their human rights vary greatly. While some continue to lead active lives as part of their community, many others face homelessness, lack of adequate care, or isolation. The ICCPR and ICESCR include highly relevant provisions for the protection of human rights of older persons, such as the rights to health, to an adequate standard of living, to freedom from torture, and to equality before the law. The CEDAW and CERD also contain provisions applicable to the elderly.

2.3.5.2. Current Situation

Tanzania's National Ageing Policy of 2003 provides guidelines for planning, implementing, and evaluating service delivery to older people. The objective of the policy is to ensure that older people are recognized, provided with basic services, and accorded the opportunity to fully participate in the daily life of the community. The Policy commits the Government to ensure that:

- i. The elderly are not precluded from receiving free health care by their inability to prove that they are at least 60 years old and cannot afford to share the cost.
- ii. There is an established mechanism for following up on older people's health.
- iii. There is an established mechanism to raise awareness among older people of the HIV/AIDS pandemic and care of its victims.
- iv. Older people, medical professionals, and the public are sensitized to the health problems of the elderly.

Elderly persons in Tanzania face a number of challenges in asserting their rights. The elderly are killed as a result of traditional beliefs in witchcraft, often because of red eyes due to overexposure to poorly ventilated coal-burning stoves. Further, there is no universal social protection for poor and vulnerable elderly persons, as social security schemes are mainly accessible to public employees.

2.3.5.3. Challenges

- i. Harmful traditions and beliefs about witchcraft, resulting in rape and other violence against the elderly.
- ii. Poverty.
- iii. Lack of recognition and social protection to senior citizens.
- iv. Lack of basic care, especially healthcare and shelter.
- v. Burden of caring for family members especially the orphan and sick persons.

- vi. Higher illiteracy level among older people, especially in rural areas thereby impairing their access to information, social services and political life.

2.3.5.4. Objectives

- i. Raise public awareness against harmful traditional beliefs and to enhance respect for the elderly.
- ii. Institute universal pension scheme for all elderly..
- iii. Comply with principles of social equity and social protection of pensioners.

2.3.6. Persons Living with HIV

2.3.6.1. Background

The UN General Assembly Resolution on HIV/AIDS states that: “[T]he full realization of human rights and fundamental freedoms for all is an essential element in a global response to the HIV/AIDS pandemic, including in the areas of prevention, care, support and treatment.” The Government has recognized this right through its international obligations and domestic legislation and policy. As a party to the ICESCR, the ICCPR, and the CEDAW, the Government has committed itself to protecting the rights to the highest attainable standard of health, education, work, marriage and family, privacy, freedom of expression and information, and participation in political and cultural life of persons living with HIV.

2.3.6.2. Current Situation

In response to the HIV pandemic, the Government, with technical support from the United Nations Global Programme on AIDS (UNAIDS), formed the National AIDS Control Programme (NACP) under the Ministry of Health and Social Welfare. To implement the NACP, the Ministry of Health and Social Welfare formulated a Short Term Plan (1985 – 1986), and three five-year Medium Term Plans (MTP): MTP-I (1987–1991), MTP–II (1992–1996) and MTP–III (1998–2002). These plans sought to prevent, control, and mitigate the impact of the HIV epidemic through health education, decentralization, and community participation. Two consecutive National Multi-Sector Strategic Plans (NMSF I and II) have subsequently guided the national response to HIV. In 2001, the government formed the TACAIDS to provide leadership and coordination of the multi-sectoral responses guided by the National Policy on HIV/AIDS of 2001.

In February 2008, members of Tanzania’s Parliament unanimously passed the HIV and AIDS (Prevention and Control) Act. The Act provides for HIV prevention, care, and treatment, and protects the rights of people living with HIV. It also defines the roles and responsibilities of all sectors in addressing HIV. The Act specifically states that, “Every person, institution, and organization living, registered, or operating in Tanzania shall be under general duty to . . . reduce the spread of HIV . . . [and] increase access, care, and support to persons living with HIV and AIDS” This Act provides a body of human rights to PLHIV.

2.3.6.3. Challenges

Despite these efforts, several notable challenges continue:

- i. According to the Poverty and Human Development Report the number of persons receiving ARVs fell short of the target set in the National HIV/AIDS Care and Treatment. Further, the Mother to Child Transmission Programme has yet to reach all

- pregnant women who have tested positive. Of infants born to mothers who tested positive, only 30% received post-natal prophylaxis.
- ii. Lack of understanding among health professionals and healthcare workers of the fundamental linkages between health and human rights and the way in which those linkages can influence the course of health practice. Human rights are not adequately mainstreamed in HIV programmes.
 - iii. Socioeconomic factors, including lack of access to education or personal income and unequal property rights, perpetuate women's greater vulnerability to HIV infection. Poverty drives some women into the sex industry, increasing their risk of exposure to HIV.
 - iv. Stigmatization, negative attitudes, and discrimination discourage treatment. Further, the unjustified tendency to stigmatize women as carriers of the disease leaves women vulnerable to mistreatment and harassment by family members.
 - v. Confidentiality of personal records cannot be guaranteed as a result of many factors such as antiquated record keeping systems, poor funding, irregular ethics training of staff and dilapidated infrastructure.
 - vi. Inadequate legal protection for women from sexual violence, rape and intimate partner violence.
 - vii. Workplace discrimination.
 - viii. Threats to the lives and properties of PLHIV if their status becomes public.
 - ix. Lack of access to information and discussing issues related to HIV. Some citizens are still unaware the ways in which the disease is spread, their right not to be infected, and their duty not to infect others.
 - x. Stigmatization of some key populations (such as Men having sex with Men, Sex workers and Injecting Drug Users) inhibiting universal access to care and treatment, thereby weakening prevention strategies and contributing to higher rates of HIV transmission.

2.3.6.4. Objectives

- i. Fulfil the international commitments to the right to health, including ensuring available, accessible, acceptable, and quality health services for PLHIV.
- ii. Mainstream human rights into HIV programmes to safeguard human dignity of PLHIV.
- iii. Strengthen public education and information about health and human rights.
- iv. Rigorously implement and enforce national laws to ensure zero tolerance for stigmatizing and discriminatory practices.
- v. Raise public awareness for the protection of individuals and groups who are at risk of acquiring HIV as a result of stigma, discrimination, or violence.

2.3.7. Rights of Prisoners

2.3.7.1. Background

International law requires that prisoners and detainees be treated with humanity and respect for their inherent dignity as human persons.¹² The requirements for the treatment of prisoners and detainees are elaborated in the Standard Minimum Rules for the Treatment of Prisoners; the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment; and the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or

¹² ICCPR art. 10.

Punishment. These texts provide a set of rules to help prison staffs perform their duties based on policies and practices that are lawful, humane, and disciplined.

2.3.7.2. Current Situation

For quite some time prison conditions in Tanzania have been poor due to overcrowding. In 2007 CHRAGG inspected a number of prisons to inspect conditions. CHRAGG report found gross overcrowding in prisons, as well as children younger than fifteen years old sharing cells with adult offenders particularly in regions where there are no remand homes. Furthermore prisoners complained about the length of pre-trial detention; the lack of copies of rulings or judgments needed to file appeals; the presence of contagious diseases such as tuberculosis, malaria, HIV, and cholera; inadequate health services, and lack of grievance procedural mechanism for prisoners. CHRAGG prison inspection report of 2009-2010 found improvement intended to reduce congestion and prison infrastructures in some areas, including:

- i. The development of a long-term plan for building prisons in districts that have no detention facilities. Prison construction is underway in Karatu, Hanang, Igunga, Mbarali and Namanyere.
- ii. Enforcement of the Community Services Act by the Courts and Prisons Services..
- iii. Efforts to revival Case Flow Management Committees meetings which were not working in which all criminal justice agencies (police officials, prosecutors, judges/magistrates and prisons officials) formulate strategies for reducing congestion in prisons.
- iv. Renovation of some prison facilities and sewerage system, including construction of in-built toilet facilities in many prisons with a view to discouraging the use of buckets.

2.3.7.3. Challenges

Despite efforts by the Government to improve prison conditions, several challenges still remain, including:

- i. Overcrowding due to an increase of remandees.
- ii. Inadequate budgetary allocation leading to failure to renovate most of existing prisons and building new ones. .
- iii. Failure to make proper classification of prisons and ensure segregation of prisoners due to a lack of space.
- iv. Failure to provide appropriate health and medical services to prisoners.
- v. Failure to meet special requirements for women and girls prisoners as well as children born or who accompanied their mother in prisons.
- vi. Ineffective administrative and complaints procedure for prisoners.

2.3.7.4. Objectives

- i. Raise awareness among judicial personnel and law enforcement officials of alternative sanctions, such as community service, probation, and parole.
- ii. Strengthen coordination between the Judiciary and other law enforcement authorities for the effective use of alternative sanctions.
- iii. Provide public education and raise awareness to understand the importance of alternative sanctions so that the public can support rehabilitation and intergration into Community.
- iv. Strengthen rehabilitation measures in prisons by improving provision of technical skills to prisoners.
- v. Explore targeted interventions for the reduction of HIV transmission among inmates..

- vi. Upgrade existing prison facilities to match the number of inmates, and increase resources of the Prison Services..
- vii. Improve complaint procedures mechanisms.
- viii. Ensure availability of adequate health facilities, medicine, HIV treatment, and medical practitioners to all prisons.
- ix. Ensure special requirements for women and girls prisoners as well as care of children living in prison with their mothers.

2.3.8. Rights of Refugees, Asylum-seekers and Stateless Persons

2.3.8.1. Background

International law requires that refugees, asylum-seekers, and other persons in need of international protection be treated with humanity and respect for their inherent dignity as human persons and right to international protection. The requirements for the treatment of these individuals are elaborated in the 1948 Universal Declaration of Human Rights as well as other international instruments particularly the 1951 Convention Relating to the Status of Refugees, the 1954 Convention on the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness, and the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa. These texts provide a set of provisions that ensure the protection of these individuals.

2.3.8.2. Current Situation

For many years the asylum situation has been conducive for those who wish to seek asylum in Tanzania, which has hosted millions of refugees over the years. However, there have been growing challenges in effectively protecting these individuals due to deficiencies in the legislation and policies. These deficiencies leave stateless persons, asylum-seekers and refugees in a particularly precarious position. These deficiencies merit a broader dialogue on the reform and improvement of the legislative framework protecting refugees, asylum-seekers, and stateless persons, as well as a dialogue on ratification of additional International Conventions, including the Conventions on Statelessness and the International Convention on the Rights of Migrant Workers.

2.3.8.3 Challenges

- i. Deficiencies in Law and Policy to protect the rights of refugees and asylum seekers;
- ii. Lack of a legal framework protecting stateless persons;
- iii. Inadequate provision of full access to asylum procedure for any person in need;

2.3.8. Objectives

- i. Revise and amend Refugee Policy and law to provide more effective protection, consistent with international obligations.
- ii. Consider signing and ratification of the Conventions on Statelessness and the International Convention on the Rights of Migrant Workers.
- iii. Ensure access to asylum procedures by asylum-seekers, the stateless and other persons in need of international protection.
- iv. Ensure that due process is upheld in Refugee Status Determination.
- v. Ensure that persons in need of international protection are given adequate protection..
- vi. Proactively address refugee and asylum-seeker xenophobia.

Chapter 4: Institutional Strengthening, Emerging Issues and Mechanisms for Implementation of Treaty Obligations

2.4.1. Institutional Strengthening of CHRAGG

2.4.1.1. Background

While various state institutions deal with the advancement of human rights in Tanzania, the CHRAGG plays a principal role in the promotion and protection of human rights as the national human rights institution.

2.4.1.2. Current Situation

CHRAGG is an independent National Human Rights Institution (NHRI) mandated under Article 129 of the Constitution with the powers of protecting, promoting, and preserving human rights in Tanzania. Section 6 of the CHRAGG Act establishes the broad powers and functions of the CHRAGG, which include the power to investigate alleged human rights violations and recommend remedial measures, which the Government is required to implement. Section 28 of the CHRAGG Act provides that CHRAGG can seek judicial recourse when the Government refuses to honour its recommendations. However, the image created by this provision is that CHRAGG lacks the power to effectively uphold its mandate.

The Paris Principles, the UN guidelines for the establishment of NHRIs, require that NHRIs have constitutionally or legally vested operational and financial independence through a separate state budget allocation, independent reporting procedures, and transparent appointment procedures. While CHRAGG's budgetary allocation is independent, CHRAGG is required to submit quarterly implementation reports to MoCLA, which diminishes its independence.

Further, CHRAGG is mandated to operate throughout the country in mainland and Zanzibar. However, CHRAGG currently has only four offices, in Dar es Salaam, Zanzibar, Lindi, and Mwanza. Therefore, it has not been able to reach a considerable part of Tanzania. Financial constraints have limited CHRAGG's ability to reach a larger segment of the population, and to closely follow the response to and implementation of its recommendations.

2.4.1.3. Challenges

CHRAGG's strength and effectiveness are weakened due to the following challenges:

- i. Inadequate financial resources and expertise.
- ii. Delays in complying with some of CHRAGG recommendations by Government and other authorities.
- iii. Failure to reach the majority of Tanzanians whose rights have been violated.
- iv. Low public awareness on human rights and the role of CHRAGG, particularly in rural areas.
- v. Limited knowledge about the role and mandate of CHRAGG among other State Institutions.
- vi. Failure to adequately meet the expectations of the public and other stakeholders.
- vii. Insufficient investigative/monitoring capacity.
- viii. Appointment procedures of Commissioners, affecting, among other things, continuity and effectiveness of CHRAGG.

2.4.1.4. Objectives

- i. Strengthen the operational and financial capacity and independence of CHRAGG, including providing CHRAGG an independent budget line item.
- ii. Review the CHRAGG Act and reporting system to ensure that CHRAGG reports are discussed in Parliament.
- iii. Strengthen CHRAGG's power as the advisor to the Government.
- iv. Review current appointment procedures of the Commissioners from the viewpoint of continuity, effectiveness and other standards reflected in the Paris Principles.
- v. Build the capacity of CHRAGG officers to effectively carry out their duties and fulfil CHRAGG's mandate in a sustainable manner.
- vi. Step up current awareness raising initiatives on the role of CHRAGG.

2.4.2. Human Rights and Business

2.4.2.1. Background

The impact of business on human rights is an emerging human rights issue, and reflects the increasingly important role of non-state actors such as transnational corporations and businesses internationally and at the national and local levels. Over the past decade, UN human rights bodies have been considering the scope of business' human rights responsibilities and exploring ways for corporate actors to be held accountable for the impact of their activities on human rights. One of the first steps in this direction was the strategic policy initiative called the UN Global Compact, launched in 2000. It comprises ten universally recognized principles of human rights, labour, environment and anti-corruption and has more than 8,700 corporate participants and other stakeholders from over 130 countries.

Subsequently, the UN Secretary-General appointed a Special Representative with the mandate to prepare a framework for human rights and business. On 18 June 2008 the Human Rights Council welcomed the "Protect, Respect and Remedy" Framework, prepared by the Special Representative. This Policy Framework comprises three core principles: (1) the State's duty to protect against human rights abuses by third parties, including business, through appropriate policies, regulation, and adjudication; (2) the corporate responsibility to respect human rights, which means to act with due diligence to avoid infringing on the rights of others; and (3) the need for greater access by victims to effective remedies, judicial and non-judicial.

On 16 June 2011, the UN Human Rights Council endorsed the Guiding Principles on Business and Human Rights for Implementing the UN "Protect, Respect and Remedy Framework", which provides a global standard for preventing and addressing the risk of adverse impacts on human rights linked to business activity. The new set of recommendations outlines how states and businesses should better manage business and human rights challenges. These principles are likely to influence National Law and Policy in jurisdictions around the world.

2.4.2.2. Current Situation

Tanzania's wealth of natural resources has attracted significant foreign industry and investment. While the presence of foreign and transnational corporations has been positive for the economy, it has also affected the human rights of local communities. There have been complaints that land belonging to local or pastoral communities has been taken for use by foreign investors, and the environmental impact assessments of mining and industrial sites on surrounding communities are often inadequately monitored and not fully complied with.

As a result, Tanzania faces several challenges. This includes the goal of increasing the current number of nine signatories to the Global Compact, and more so to operationalise the Framework of ‘Protect, Respect and Remedy’, including its Guiding Principles on Business and Human Rights.

2.4.2.3. Challenges

- i. Human rights and business is an emerging thematic area with a fragile underlying legal framework.
- ii. Most stakeholders, including government actors, the business community, civil society, the public and the media are not fully aware of the global initiative and the Framework.
- iii. There are no adequate enforcement mechanisms to ensure that trade and businesses respect human rights.

2.4.2.4. Objectives

- i. Establish a coordination team on trade, business, and human rights and a position desk within CHRAGG to provide leadership for advocacy.
- ii. Implement research activities to establish issues in human rights and business in the Tanzanian context and use results for human rights education.
- iii. Conduct training on human rights, trade, and business for various stakeholders.
- iv. Establish a Plan of Action that promotes meaningful participation and consensus of all stakeholders.
- v. Develop formal mechanisms to ensure compliance with human rights obligations, provide information to companies about their obligations, ensure companies make public statements about their human rights plans, and undertake periodic reviews to promote accountability.
- vi. Ensure policies are formulated on human rights and business in Tanzania.
- vii. Encourage more corporate organizations in Tanzania to sign the Global Compact.

2.4.3 Implementation and Monitoring of the International Human Rights Treaties

2.4.3.1 Background

Implementation of international and regional human rights instruments that a State Party has ratified requires the State to establish a focal point, or points, within Government which will be responsible for monitoring implementation for purpose of reporting to the relevant international or regional treaty bodies. States Parties, in accordance with their system of organization, are advised to designate one or more focal points and give due consideration to the establishment or designation of a coordination mechanism within government to facilitate related action in different sectors and at different levels. For purpose of this function this NHRAP vests responsibility of monitoring implementation of human rights instruments in the following offices:

- The Ministry of Foreign Affairs and International Co-operation (MoFAIC).
- The Attorney General’s Chambers (AGC).
- The National Assembly and its various Standing Committees.
- The Commission for Human Rights and Good Governance (CHRAGG).
- The United Nations Treaty Reporting Entities.

2.4.3.2 Ratification of International Human Rights Treaties

The United Republic of Tanzania has ratified a number of significant International and Regional human rights treaties. To more fully protect and promote human rights, Tanzania is committed to ratifying and implementing additional human rights treaties. To that end this NHRAP requires:

- The MoFAIC, AGC, CHRAGG, and relevant state actors should draw up a list of all the international human rights treaties that Tanzania has ratified and those not yet ratified.
- The MoFAIC, AGC, CHRAGG, and relevant state actors shall develop a strategy for ratifying outstanding human rights treaties.

2.4.3.3 Implementation of International Human Rights Treaties

Since the United Republic of Tanzania is committed to increasing ratification of a number of international treaties, resolutions, and ensures treaty bodies' recommendations are incorporated into domestic laws, regulations, and policies, this Action Plan requires:

- The MoFAIC, AGC, CHRAGG, and relevant state actors shall compile a list of human rights obligations emanating from international treaties, and shall review the list against domestic legislation, both in force and in draft, to identify gaps in human rights protections.
- The MoFAIC, AGC, CHRAGG, and relevant state actors shall propose new laws or amendments to existing laws to further implement international human rights obligations and to address gaps in human rights protections.
- The MoFAIC, AGC, CHRAGG, and relevant state actors shall work jointly to ensure the implementation of the recommendations made by UN Treaty monitoring bodies and accepted by the Government of United Republic of Tanzania.
- The MoFAIC, AGC, CHRAGG, and relevant state actors shall follow up with relevant MDAs on the implementation of pledges that the Country makes at various international forums in the area of human rights.
- The MoFAIC, AGC, CHRAGG, and relevant state actors shall follow up with relevant MDAs on replies to several communications being issued by Special Mechanisms on human rights, and shall make sure that communications are transmitted to relevant institutions in a timely manner and that the replies are also submitted timely.
- The MoFAIC, AGC, CHRAGG, and relevant state actors shall follow up with relevant MDAs on requests for country visits from special procedure mandate holders and advise accordingly.

2.4.3.4. Monitoring and Evaluation of Implementation of International Human Rights Treaties

To monitor the obligations assumed by Tanzania under the international human rights treaties, the following actions shall be taken:

- (i) AGC and CHRAGG shall monitor and evaluate actions taken to implement international human rights treaties, and shall include evaluations of these actions in an annual report to the National Assembly.
- (ii) The MoFAIC and AGC shall submit regular and timely reports to UN Treaty monitoring bodies, and shall make these reports available to the public. In compiling these reports CSOs and experts working on human rights issues should be consulted

- (iii) AGC, CHRAGG and relevant state actors shall compile a summary of legal precedents to guide Courts in handling complaints of violations of human rights.
- (iv) To strengthen the state's monitoring capacity, the United Republic of Tanzania shall seek international assistance and co-operation to strengthen Tanzanian institutions and CSOs engaged in implementing or monitoring human rights treaties in Tanzania.

2.4.3.4. Promoting Human Rights at the Regional and International Levels

The United Republic of Tanzania is committed to fostering a culture of human rights both in Tanzania and internationally. To that end:

- (i) The MoFAIC, AGC, CHRAGG, and relevant state actors shall support UN activities in the East Africa Region.
- (ii) The MoFAIC, AGC, CHRAGG and relevant state actors shall participate in negotiations of new international standards on human rights as well as in the review of existing ones.
- (iii) The MoFAIC, AGC, CHRAGG and relevant state actors shall encourage CSOs to collaborate with each other, with international CSOs, and with other organizations working in the field of human rights.

Chapter 1: Implementation and Monitoring of the NHRAP

3.1.1. Introduction

It should be made clear at the outset that the objectives of the NHRAP are consistent with many of the central objectives of any government. These include increasing the standard of living and quality of life of a country's citizens and promotion of national cohesion. They also include strengthening the legal system to enable the state's administration and institutions to function more effectively, promote greater trust between government and citizens, and enhance the state's international reputation. In this regard, the NHRAP should be carried out in an inclusive manner; meaning that it has to be implemented side by side with National Development Plans and other Strategic Plans of MDAs. It is understood that many development priorities relate to education, health, water and sanitation, decent shelter and human settlement, labour, environment and development, social protection and well-being of vulnerable groups such as children, women, PLHIV, persons with disabilities, elderly persons, youth, etc. This NHRAP addresses these issues through a human right lens. The idea is to mainstream human rights activities into the national development framework. Efforts must be made to ensure that human rights and the development agenda are mutually reinforcing. This NHRAP aims to strengthen implementation of human rights initiatives. Where sector-specific processes set a higher standard for reform than the current Plan, the higher standard should take precedent.

3.1.2. Implementation of NHRAP

The key local actors that will implement the NHRAP include central government ministries and LGAs, independent departments and agencies (MDAs), CSOs, and Villages. In the implementation process by the relevant MDAs it is expected that the MDAs will integrate and institutionalize the human rights activities and include them in their respective MTEFs and roll them over in their respective Annual Work Plans and Budgets.

Sectoral ministries responsible for specific areas of the plan should assume responsibility for briefing and consulting cooperating actors and local government authorities through the ministry responsible for local government affairs and should provide policy guidance, supervision, coordination, and ensuring implementation and monitoring activities which contribute towards achievement of the NHRAP goals and objectives. In fact, the responsible ministry is expected to set up its own implementation mechanism that can be expected to operate effectively.

Parliament will play an oversight role over the Government in the implementation process. The Development Partners (DPs) will play a supportive role in the implementation of the Plan. They will continue to work closely with key local actors to ensure the activities suggested in the NHRAP are implemented as planned. By the use of the existing national systems and processes, DPs may provide financial, technical and other support in the implementation, monitoring, and evaluation of the Plan.

CSOs play a critical role in supporting states to implement and monitor human rights. Ensuring participation of civil society, and in particular of persons with disabilities, in this process is a general principle and an obligation enshrined in various human rights instruments. The role and responsibilities of CSOs will include: building local capacity and empowering communities; participating in monitoring and evaluation at national and community level; mobilizing and enhancing community participation; and mobilizing community resources towards achieving the objectives of the NHRAP.

3.1.3. Coordination

The NHRAP addresses issues that will require extensive support and collaboration between various implementing actors. Rather than leaving the implementation process entirely to individual agencies, the NHRAP vests responsibility to the Commission on Human Rights and Good Governance (CHRAGG) to oversee and monitor the achievement of the goals of the Plan. CHRAGG will strive to ensure that the relevant departments of the central government and state organs and local governments at all levels nationwide have attached great importance to the NHRAP. And, based on the principle of “each performing its own functions and sharing the work and responsibilities,” that the relevant actors have incorporated the Plan into their work and adopted effective measures to implement it.

CHRAGG will propose a framework in consultation with implementing agencies on how best to ensure optimum implementation of the Plan and the need for consistency, and, furthermore, will act as an advisory body to provide advice on matters related to the NHRAP. The framework will seek to advance achievement of the plan’s targets on the basis of dialogue and agreed action. In this regard, CHRAGG shall prepare a comprehensive monitoring and evaluation framework which will, among other things, set indicators against which Monitoring and Evaluation can effectively be carried out.

In carrying out these responsibilities, CHRAGG shall establish a Monitoring and Evaluation Committee comprised of members from the Coordination Committee whose role will be to support and facilitate various activities relating to the NHRAP. For instance, this Special Committee may be vested with the responsibility to:

- i. Disseminate the adopted NHRAP to all actors concerned for implementation and integration into their respective policies and plans of action.
- ii. Develop and implement a media strategy, including the public dissemination of NHRAP in order to bring awareness of the Plan among the general public.
- iii. Offer any needed technical support to implementing actors.
- iv. Publish information and conduct research on the implementation of NHRAP.
- v. Organize consultative forums/public meetings to assess responses of the public towards the NHRAP.
- vi. Collate reports from implementing agencies, etc.

3.1.4. Monitoring and Evaluation

This National Human Rights Action Plan will be implemented over a period of five years. CHRAGG will be the central monitoring body for the overall implementation of the Action Plan. A progress report will be prepared after three years and a final report will be prepared after five years to evaluate the progress made. At this time, each of the implementing actors and organisations responsible for implementing sections of the Plan will provide a report to CHRAGG which should be in the format directed by CHRAGG, setting out broad and specific objectives, the performance indicators, what the implementing actor has done to achieve the objective and how their activity satisfies the performance indicators.

It is envisaged that both the interim and final report will include reporting on a range of human rights outcome indicators, some of which are contained in the NHRAP and other may be developed through a joint consultative meeting between CHRAGG and implementing agencies. The CSOs will participate in the monitoring process to encourage greater transparency and objectivity in evaluation. In this regard, they will be invited to attend during discussion of

progress report and make presentations in order to draw attention to any shortcomings in the plan's implementation.

In the discharge of its role CHRAGG shall receive annual reports from implementing Agencies and Ministries and review them. Where there are gaps, CHRAGG should draw this to the attention of the responsible actor so that an extra effort can be made to meet the objectives of the Plan.

3.1.5. Potential Challenges in the Implementation of the NHRAP

Implementation of the NHRAP will be a significant undertaking. The NHRAP's activities span a broad range of government bodies, ministries, and civil society actors. As a result, coordination of relevant actors will be both challenging and crucial to the successful implementation of the NHRAP. A significant emphasis will need to be placed on ensuring that each actor involved in implementing activities is engaged and accountable for the activities. Further, the full promotion and protection of human rights is a long-term process, and political will may decrease if results are not immediately apparent. As a result, efforts will need to be taken to demonstrate progress in implementation and to maintain momentum. Additional challenges that may hamper the effective implementation of the NHRAP include: inadequate financial resources, lack of ownership of NHRAP activities, delays in reform, inadequate human resources, and a lack of good governance. The Government and Development Partners should allocate adequate financial resources not only to implement the Plan but also to permit the holding of consultative meetings and to meet the expenses of CHRAGG in the performance of its monitoring and evaluation function.

3.1.6. Essential Principles to Overcome Challenges

To ensure that the Plan achieves its optimum potential, the following major principles should guide all implementing, cooperating actors, and development partners:

1. Effective partnership between the Government and Civil Society.
2. Sufficient coordination and mutual support among relevant actors.
3. High-level political support to ensure that the NHRAP is a truly national undertaking.
4. Adequate commitment of resources.
5. Effective dissemination strategy of the Plan as a public document.
6. Long-term efforts in the areas of education, training and awareness raising, institutional strengthening and institution-building.
7. Regular monitoring of progress and mechanisms for evaluation of the Plan's achievement.

PART 4

National Human Rights Action Plan Matrix

Chapter 1: Civil and Political Rights

4.1.1. Right to Life

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/N	Broad Objectives	Action/activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (TZS Million)	
								Main Land	ZNZ
1.	To sensitize the public on the practical requirements of the Right to Life.	1. Introduce and strengthen human rights education, training, and advocacy campaigns generally, and include the right to life. (ONGOING)	MKUZAZA II, Cluster 3, Goal 3.2.4.	MoCLA MoHA MoJCA POPSGG	CHRAGG MoEVT TPF TPDF DPP/Z MEVT CSOs/Z LGAs/Z POMSRC	Human rights incorporated into curricula at all educational levels. Human rights incorporated into training programs for public employees in all sectors. Distinct human rights advocacy campaigns conducted.	1-5	1,110	160
		2. Conduct awareness programmes that highlight road safety and preservation of life. (ONGOING)	MKUKUTAZA II Cluster 1, Goal 1.2.11.1.	MoHA MoDNS MoT MoW MICTS	CHRAGG TPF CSOs	Road safety awareness programmes conducted.	1-5	4,000	240
		3. Conduct training to all law enforcement officers and paramilitary groups to respect the right to life when effecting arrest and investigation. (ONGOING)	MKUKUTAZA II Cluster 3, Goal 3.1.1. MKUZAZA II, Cluster 3, Goal 3.2.4.	MoHA MoCLA MoJCA	CHRAGG TPF CSOs TPDF	Human rights incorporated into training curricula for all law enforcement and paramilitary groups. Trainings conducted for law enforcement and paramilitary groups involved in making arrests.	1-5	950	250

		4. Effectively enforce the law against people who violate the duty to preserve life. (ONGOING)	MKUKUTA II Cluster 1, Goal 1.2.11.1	MoHA MoCLA MoJCA	DPP/Z TPF Judiciary/Z	Cases of violations of the right to life investigated and adjudicated increased.	1-5	250	112
		5. Conduct awareness programme that highlight the duties and obligations of Tanzania citizens. (NEW)	MKUKUTA II Cluster 3, Goal 5.1.1	MoCLA CHRAGG MoJCA	MoEVT POMSRC CSOs CBOs FBOs	Awareness programmes conducted to emphasise duties such as defend our country from enemies and invaders; pay his or her taxes willingly or promptly; be loyal to our country; take care and conserve our natural resources; help our country for growth and development; keep our surroundings clean; study well and become a productive individual; obey the laws and maintain peace and order in the community; preserve our good culture and identity; participate actively in various government programmes; vote wisely and choose candidates who can serve the people and our country; respect of the rights of others.	1-5	500	300
2.	To continue public discussion on death penalty and review the Witchcraft Act.	1. Conduct public consultations on the issue of the death penalty to assess public opinion on its continued use. (NEW)		MoCLA MoJCA	LRC CHRAGG AGC CSOs/Z LRC/Z AGC/Z HoR TPS	Sensitization campaign on the death penalty and international standards conducted. Public consultations forums on the use of the death penalty conducted. Report assessing public opinion published and disseminated.	1-5	1,060	80

		2. Review the compliance of the Witchcraft Act with international human rights standards and amend the law to remedy any conflicts. (NEW) .		MOCLA MoJCA	LRC/Z AGC/Z MoHA CHRAGG CSOs/Z	Assessment report published and publicly disseminated. Law amended.	1-3	93	36
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4.1.2. Access to Justice, Fair Trial, and Equality before the Law

Monitoring and Evaluation Agency: CHRAGG and CSOs.

S/N	Broad Objectives	Action/activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (TZS Million)	
								Main Land	ZNZ
1.	To build the capacity of personnel involved in the Justice Sector (Courts, Police, and Prison Services).	1. Identify and prioritize needs in building capacity of justice sector personnel. (ONGOING)	Five-Year Dev. Plan 2011/12-2015/16, A.1.7. MKUKUTA II, Cluster 3, Goal 3.1.1.1 – 3.1.2.1. MKUZA II, Cluster 3, Goal 3.2.1, 3.2.4.	MoCLA MoHA MoJCA	Judiciary ✓ AGC ✓ DPP ✓ TPF TPS CSOs/Z POFEDP	Assessment conducted and findings published. Plan of action developed to implement training and capacity-building assistance.	1-2	100	60
		2. Conduct trainings for Judges, Magistrates, Police Officers, Prosecutors officers, State Attorneys and Prison Officers on human rights and other areas to enhance their capacity to render justice. (ONGOING)		MoCLA Judiciary MoHA MoJCA	Judiciary-Z ✓ AGC/Z ✓ DPP/Z ✓ TPF ✓ TPS ✓ CHRAGG ✓ CSOs/Z ✓ OEC ✓ POMSRC ✓	Trainings conducted for Justice Sector Personnel on human rights. Trainings conducted for all justice sector personnel on effective practices.	1-5	11,838	2,000
		3. Prepare and issue Standard Operating Procedures on observance of human rights by the law enforcing personnel and judicial officers. (NEW)		MoHA MoCLA MoJCA	Judiciary/Z ✓ AGC/Z ✓ DPP/Z ✓ TPF ✓ TPS ✓ CSOs/Z ✓ POMSRC ✓ CHRAGG ✓	Standard Operating Procedures prepared. Standard Operating Procedures issued to all law enforcement and judicial officials and made publicly available..	1-2	50	48
		4. Develop and disseminate guidelines to effective practices in respecting and protecting human rights, including sensitivity to the specific needs of women and children, for law enforcement personnel. (ONGOING)	MKUKUTA II, Cluster 3, Goal 3.1.1.1 – 3.1.2.1. MKUZA II, Cluster 3, Goal 3.2.1, 3.2.4.	MoHA MoCLA MoCDGC MSWYWCD	Judiciary ✓ AGC/ZNZN ✓ DPP/ZNZN ✓ TPF ✓ TPS ✓ CHRAGG ✓ CSOs/Z ✓ MoJCA ✓ POPSGG ✓	Guides prepared. Guides disseminated to all law enforcement and judicial officials and made publicly available.	1-2	100	56
2.	To enhance justice delivery through adequate resource allocations and other means.	1. Assess current usage of alternative dispute resolution mechanisms and strengthen their capacity to resolve disputes. (NEW)		MoCLA MoLE MoJCA 61	Judiciary-Z ✓ AGC/Z ✓ DPP/Z ✓ TPF ✓ COL/Z ✓ Land Tribunal/Z ✓ MLEC ✓ CHRAGG ✓ CMA ✓ CSOs ✓ TUCTA ✓	Assessment of alternative and traditional dispute resolution mechanisms conducted, including ways of expanding or strengthening the CMA. Mechanisms of alternative dispute resolution formalized. Funding allocated to support operation of alternative dispute resolution mechanisms. Public awareness campaign conducted to promote the use of	1-3	168	48

4.1.3. Freedom of Opinion, Expression and Information

Monitoring and Evaluation Agency: CHRAGG, and CSOs

S/N	Broad Objectives	Action/Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (TZS Million)	
								Main land	ZNZ
1.	To reform existing laws to further promote freedom of expression and information.	1. Conduct consultations with media stakeholders to gather their views on enacting a Law on Freedom of Information.(NEW)	UPR 86.40 UPR 86.41 UPR 86.43	MoIYCS MICTS	MCT ✓ AGC TCRA ✓ CHRAGG CSOs ZBC LRC/Z HoR	Media stakeholder consultations conducted. Consultation reports prepared.	1-3	160	56
		2. Enact and publish a law on Freedom of Information.(NEW)	MKUZA II, Cluster 3, Goal 3.3.7.1. UPR 86.41	MoIYCS MICTS	LRC ✓ AGC MCT CHRAGG CSOs ✓ ZB Commission /Corporation MOJCA	Law drafted based on consultations with media and incorporating human rights standards. Law on Freedom of Information introduced.	1-3	100	40
		3. Review laws relating to freedom of expression bring them into line with human rights standards.(ONGOING)	MKUKUTA II, Cluster 3, Goal 3.1.1.1. MKUZA II, Cluster 3, Goal 3.3.7.1.	MoIYCS MICTS	LRC ✓ AGC MCT ✓ CHRAGG CSOs MOJCA POPSGG	Human rights sensitive laws in place	1-3	55	40
		4.Encourage media stakeholders to prepare and issue regulations and/or code of conduct to ensure the responsible use of freedom of expression for	MKUZA II, Cluster 3, Goal 3.3.7.1. UPR 86.40	MoIYCS MICTS	MCT ✓ TCRA CHRAGG ✓ Association of Media Proprietors/Z	3 stakeholder consultations conducted. Based on the consultations, Regulations and/or Code of Conduct drafted and disseminated.	1-5	50	40

S/N	Broad Objectives	Action/Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (TZS Million)	
								Main land	ZNZ
		journalists and citizens . (ONGOING)			CSOs/Z ZBC				
		5. Promote gender equality in the media. (ONGOING)	MKUKUTA II, Cluster 3, Goal 3.1.1.1. MKUZA II, Cluster 3, Goal 3.3.7.	MoIYCS ✓ MoCDGC ✓ MICTS ✓ MOSWYWCD ✓	MCT ✓ CSOs ✓ CHRAGG ✓ ZBC ✓ CSO/Z	Affirmative action programs created in secondary education for women in the media. Gender-sensitive reporting and gender mainstreaming incorporated into educational curricula. Affirmative action programs created in state and private media outlets to promote gender equality. Training conducted for media outlets to promote gender mainstreaming and gender-sensitive reporting.	1-5	150	80
		6. Ensure availability and accessibility of information to persons with Disabilities. (NEW)		MoIYCS ✓ MoCDGC ✓ MICTS ✓ MOSWYWCD ✓	MCT ✓ CHRAGG ✓ CSOs ✓ ZBC ✓ CSO/Z		1-5	50	25
2.	To increase transparency by government in public affairs.	1. Promote education and training about freedom of expression. (NEW)		MoIYCS ✓ MoEVT ✓ MICTS ✓	PO-GGU ✓ CHRAGG ✓ MCT ✓ All other MDAs ✓ POPSGG ✓ NEC/ZEC ✓ CSOs/Z ✓ ZB Commission	Freedom of expression incorporated into educational curricula. Public awareness training conducted on freedom of expression.	1-5	150	160
		2. Issue and disseminate clear guidelines on		MoIYCS ✓ POPSM	All MDAs ✓	Guidelines to classification of documents issued.	1-3	45	72

S/N	Broad Objectives	Action/Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (TZS Million)	
								Main land	ZNZ
		classification of public documents. (ONGOING)		MoCLA MICTS MoJCA POPSGG					
		3..Strengthen the implementation of the government's communication strategy by requiring MDAs, LGAs, and other relevant authorities to disseminate and make accessible in a timely manner all information held by them except only in very limited and genuine circumstances as provided by law. (ONGOING)	MKUZA II, Cluster 3, Goal 3.3.7.	MoIYCS ✓ POPSM PO-GGU MICTS POPSGG	All MDAs ✓	Guidelines created clearly explaining the government's obligations and public's rights in accessing information. ✓ Availability of electronic information through MDAs' websites increased.	1-3	80	120
		4. Create and strengthen information and public relations offices in all MDAs. (ONGOING)		MoIYCS ✓ POPSM PO-GGU MICTS POPSGG	All MDAs ✓	Information and public relations offices established in all MDAs.	1-5	220	400
		5. Require parliamentary debate and approval for all public investment contracts before the Government signs them. (NEW)		MoCLA ✓ Parliament MoJCA HoR	All MDAs ✓	Parliamentary procedures amended to require debate of public investment contracts	1-5	60	400
3.	To conduct education, training and awareness raising campaigns	1. Provide training to the media about responsible exercise of the freedom of the media. (ONGOING)	MKUZA II, Cluster 3, Goal 3.3.1, 3.3.7.	MoIYCS ✓ MICTS ✓	CHRAGG ✓ MCT ✓ CSOs ZB Commission.	Number of trained personnel. Number of training materials published and disseminated.	1-5	140	160
		2. Provide training to senior government officials and	MKUZA II, Cluster 3, Goal 3.3.1.	MoIYCS ✓ MoCLA ✓	CHRAGG ✓ Parliament	Number of trained personnel	1-3	120	120

S/N	Broad Objectives	Action/Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (TZS Million)	
								Main land	ZNZ
		members of parliaments/House of Representatives about freedom of expression and information. (NEW)		MICTS ✓	CSOs ✓ HoR ✓ ZBC ✓ CSOs/Z ✓	Training materials published and disseminated.			
		3. Provide training to leaders of political parties about freedom of expression, information and opinion and their obligations in the exercise of this right. (NEW)		MoYCS ✓ MoCLA ✓ MOJCA ✓ MICT ✓	CHRAGG ✓ Registrar Political parties ✓ HoR ✓ CSOs/Z ✓	Number of trained personnel. Training materials published and disseminated.	1-3	150	120
		4. Conduct awareness-raising campaigns to the public about freedom of expression, information and opinion, as well as duties thereto. (NEW)	MKUZA II, Cluster 3, Goal 3.3.7.	MoYCS ✓ MICT ✓ MOSWYCD ✓	CHRAGG ✓ CSOs/Z ✓	Awareness raising campaigns conducted. Materials disseminated publicly.	1-5	130	160
		5. Expand access and the capacity to exercise the right to free expression for women and other disadvantaged groups. (ONGOING)	Five-Year Dev. Plan 2011/12-2015/16, A.1.7.	MoYCS ✓ MoHA ✓ MCDGC ✓ MICT ✓ MOSWYCD ✓	CHRAGG ✓ TPF ✓ CSOs ✓ Media /Z ✓	Training conducted to allow media to better reach women and groups with special needs.	1-5	105	160

4.1.4. Freedom of Assembly

Monitoring and Evaluation Agency: CHRAGG, and CSOs

S/N	Broad Objectives	Action/Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (Tzs Millions)	
								Main land	Zanzibar
1.	To reform the	1. Review the Police and	MKUKUTA II,	MoCLA	LRC/Z ✓	Police and Auxiliary Services	2-5	45	96

S/ N	Broad Objectives	Action/Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (Tzs Millions)	
								Main land	Zanzibar
	law to provide for a balance between freedom of assembly and preservation of peace.	Auxiliary Services Act and other laws to make them compatible with human rights standards (NEW)	Cluster 3, Goal 3.1.1.1. MKUZA II, Cluster 3, Goal 3.2.1.2. UPR 86.44	MoHA MoJCA POMSRC	CHRAGG Political Parties TPF CSOs ✓ AGC/Z DGG/Z	Act and other laws reviewed for compliance with human rights standards. Laws amended to further incorporate human rights standards.			
		2. Establish mechanisms and procedures to ensure that the freedom of assembly is enjoyed in practice and is not subject to unduly bureaucratic regulations. Any restrictions imposed on freedom of assembly must be proportional. (NEW)	MKUKUTA II, Cluster 3, Goal 3.1.1.1.	MoCLA MoHA PO-GGU MoJCA POPSGG	CHRAGG ✓ Political parties ✓ CSOs ✓ TPF MEDIA/Z CSO/Z ✓	Mechanisms and procedures established. Complaints against inhibition of right to demonstrate decreased. Negotiation/ Mediation machinery created to resolve disagreements, e.g. Police vs. Political parties.	2-4	50	240
		3. Create a quicker negotiation and/or mediation system to help resolve disputed assemblies. (NEW)		MoCLA MoHA MoJCA	MoHA ✓ CHRAGG ✓ Political Parties TPF CSOs/Z DPWD- Z MCT MEDIA	Negotiation/ mediation machinery in place.	3-4	175	200
2.	To conduct training, education and awareness raising campaigns on the right to freedom of assembly and on the procedures for	1. Develop Standard Operating Procedures for the Police when dealing with freedom of assembly (NEW) .	Five-Year Dev. Plan 2011/12-2015/16, A.1.7. MKUKUTA II, Cluster 3, Goal 3.1.1.1 – 3.1.2.1. MKUZA II, Cluster 3, Goal 3.2.4.1.	MoCLA MoHA MoJCA	CHRAGG ✓ AGC ✓ TPF CSOs AGC/Z DPP/Z OEC	Standard Operating Procedures in place. Standard Operating Procedures disseminated to all members of the Police Force and made publicly available.	2-3	100	56
		2. Incorporate into the police academy curriculum training		MoHA	CHRAGG ✓ TPF CSOs	Civil and political rights incorporated into police academy curricula.	1-3	80	48

S/ N	Broad Objectives	Action/Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (Tzs Millions)	
								Main land	Zanzibar
	exercising it.	on freedom of assembly. (ONGOING)			POMSRC				
		3. Train political parties on freedom of assembly and political tolerance. (NEW)		PMO CHRAGG MoJCA	Political Parties ✓ Registrar of Political Parties ✓ CSOs/Z FBO Media	Trainings conducted for political parties. Campaign conducted around political tolerance.	1-5	200	120

4.1.5. Right to Liberty and Security of Person

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/N	Broad Objectives	Action/Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (Tzs Millions)	
								Main land	ZNZ
1.	To educate and train police officers and militia / special departments about the right to liberty and security of person.	1. Review police and Militia /special departments' curricula and include human rights and gender awareness as a mandatory course. (ONGOING)	Five-Year Dev. Plan 2011/12-2015/16, A.1.7. MKUKUTA II, Cluster 3, Goal 3.1.1.1 – 3.1.2.1. MKUZA II, Cluster 3, Goal 3.2.1.2, 3.2.4.1.	MoHA PMO POMSRC	CHRAGG ✓ TPS TPDF CSOs/Z PO-SH POPSGG OEC	Human rights and gender awareness incorporated as a compulsory course at all levels of Police and Militia trainings.	2-3	135	40
		2. Conduct regular in service training to police, Militia/special departments, and other paramilitary organizations (ONGOING)		MoHA POMSRC	TPF ✓ CSOs CHRAGG TPS TPDF CSOs/Z PO-SH POPSGG OEC	Trainings conducted.	1-5	700	160
2.	To strengthen police reforms and empower the police force.	1. Design recruitment policy that ensure enforcement officials are selected by proper screening Procedures. (NEW)	Five-Year Dev. Plan 2011/12-2015/16, A.1.7. MKUKUTA II, Cluster 3, Goal 3.1.1.1. MKUZA II, Cluster 3, Goal 3.2.1.2, 3.2.4.1.	MoHA POMSRC	TPF ✓ Police and Prison Service Commission OEC MoLEYD	Recruitment Policy in place and known to public.	1-3	160	96
		2. Conduct Study on how to insulate the police force from administrative or executive instructions or political pressure. (NEW)		MoCLA MoHA MoJCA	AGC ✓ DPP ✓ CHRAGG TPF CSOs MEDIA/Z	Study conducted. Recommendations for better insulating the Police Force issued and implemented.	2-4	80	80
		3. Equip the Police with necessary tools and facilities to enable them to perform their duties. (ONGOING)		MoHA MoCLA POFEDP	TPF ✓ CSO ✓ ✓ ✓	Assessment of the financial and technical needs of the Police Force conducted. Budget proposal for Police Force prepared based on assessment findings. Budget allocation increased to ensure police are able to discharge their duties. Technical assistance provided sought on assessment.	1-5	930	800
3.	To regulate the exercise of powers by the	1. Investigate the arbitrary or abusive use of force and or firearms by law enforcement		MoCLA MJCA MoJCA	AGC ✓ DPP TDF	Report on investigations against abuse of powers in place and measures	1-5	150	200

Chapter 2: Economic, Social and Cultural Rights

4.2.1. Right to Own Property and to Access Land

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/ N	Broad Objectives	Action/Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output	Time Frame	Resources (Tzs Millions)	
								Main land	ZNZ
1.	To enhance public education and awareness concerning rights to land, with special focus on the rural population and disadvantaged groups such as pastoralists, hunters, gatherers, women, and youth.	1. Translate and distribute Land Act and Village Land Act in Kiswahili. (ONGOING)		<ul style="list-style-type: none"> MoLHSD MLHWE 	PMO-RALG ✓ MoCLA CSOs and FOs MoAFSC ✓ extension services POMSRC MANR	Land Act and Village Land Act translated in Kiswahili and distributed. Kiswahili translations of the Land Act and Village Land Act posted on Government websites.	1-5	800	120
		2. Conduct training on land rights and procedures for alienating village land for village, ward, and district leaders. (ONGOING)		<ul style="list-style-type: none"> MoLHSD MLHWE 	PMO-RALG ✓ CHRAGG CSOs MANR MKURABITA	Village, Ward and District Leaders trained.	1-5	250	150
		3. Conduct training on land rights for Land Tribunal/Land Courts . (ONGOING)		<ul style="list-style-type: none"> MoLHSD MLHWE 	MoCLA ✓ PMO-RALG CHRAGG LGA/Z CSOs POMSRC	Ward Tribunals trained.	2-3	200	120
		4. Raise awareness of land laws among communities and in particular in areas with high incidents of land disputes. (ONGOING)	APRM, Democracy & Political Governance, Objective 9 (2).	MoLHSD MLHWE	PMO-RALG ✓ CSOs POMSRC MLF CHRAGG	Awareness raising campaign conducted through mediums targeted toward pastoral communities.	1-5	300	150
		5. Raise awareness and ensure equal right of men and women to use and occupy land. (ONGOING)	UPR 85.23 UPR 85.24 UPR 85.25	MoCDGC MLHWE	MLHSD ✓ PMO-RALG ✓ CHRAGG CSOs POMSRC MOJCA MSWYWCD	Awareness raising campaign conducted.	1-5	300	120
		6. Raise awareness about the rights to access land by youths. (NEW)		<ul style="list-style-type: none"> MoLYCS MoCDGC MLHWE 	MLHSD ✓ PMO-RALG ✓ CHRAGG CSOs POMSRC MANR MLF MSWYWCD	Awareness raising campaign conducted.	1-5	250	120
2.	Increase efficient use of land and promote	1. Increase allocation of land that has been planned and surveyed to strengthen	Five-Year Dev. Plan 2011/12-2015/16, A 1 1 1 5	MoLHSD PMORALG MLHWE	POMSRC ✓ MANR MLF ✓ MLF MSWYWCD	Proportion of planned land increased. Number of households and	1-5	400	200

4.2.2. Right to Education

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/ N	Broad Objectives	Action/Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources	
								Main land	ZNZ
1.	To formulate and implement policies and strategies to improve education quality.	1. Improve the quality of Teachers through training to promote their ability to adapt to changes in curriculum. (ONGOING) .		MoEVT MoEVT	PMO-RALG ✓ LGAs/Z POFEDP	Regular training of teachers conducted.	1-5	151	120
		2. Create conducive working environment to improve retention of qualified, competent, and motivated teachers (ONGOING) .	MKUKUTA II, Cluster 2, Goal 1.2.1.8.A.16.	MoEVT MEVT	PMO-RALG ✓ LGAs POFEDP POPSGG	Strategies and benefits packages developed to promote retention.	1-5	78	25
		3. Employ/HIRE adequate number of qualified teachers in schools. (ONGOING)		MoEVT MEVT	PMO-RALG ✓ LGAs POPSGG	Number of teachers increased. Decreased ratio of students to teachers.	1-5	850	250
		4.Enhance the use of English and Kiswahili in schools (ONGOING)		MoEVT PMO-RALG MEVT	MoCST ✓ Private Sector CSOs CWT ✓	Minimum standards of English and Kiswahili proficiency for teachers established. English and Kiswahili proficiency measures for students reviewed and improved.	1-5	530	200
		5. Promote inclusive and gender sensitive education. (ONGOING)	UPR	MoEVT PMO-RALG MoCST MEVT	LGAs ✓ CHRAGG Private Sector CSOs FVPO ✓	Number of schools applying inclusive education tools in teaching and learning increased. Number of children with disabilities attending school increased.	1-5	590	200
		6. Revise the curricula of formal and vocational education, to reflect the dynamism of the rural economy. (ONGOING)		MoEVT MoCST MoCDGC MEVT	PMO-RALG ✓ MoIYCS MANR MLF	Practical skills courses integrated into educational curricula.	1-3	760	432
2.	To enhance school enrolment and retention for both boys and girls. children with disabilities, to school. (ONGOING)	Promote public awareness of the needs and benefits of sending all children, including girls and children with disabilities, to school. (ONGOING)	MKUZA II, Cluster 2, Goal 2.1.3.2	MoEVT PMO-RALG MEVT 73	MoCDGC ✓ LGAs CHRAGG ✓ CSOs POMSRC MSWYWCD ✓ FVPO MICTS DPOs NCPWDs	Nationwide public education campaign promoting school enrolment conducted. Enrolment of children at all levels of education increased. Retention rate of students, particularly girls, increased.	1-5	730	240
		2. Strengthen school-based counselling services for	MKUZA II, Cluster 2 Goal 2.1.5.1	MoEVT PMO-RALG	LGAs ✓ CHRAGG	Counselling programs implemented and improved.	1-5	460	180

4.2.3. Right to Adequate Standard of Living and Right to Food
Monitoring and Evaluation Agency: CHRAGG and CSOs

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (TZS Million)		
								Main land	ZNZ	
1.	To increase focus on activities that promote recognition of the right to an adequate standard of living and to adequate food in the implementation of existing development and poverty reduction strategies.	1. Review, mainstream, accelerate, and deepen implementation of core legal and Policy reforms with the focus on creating an enabling environment for pro-poor growth.(ONGOING)	Five-Year Dev. Plan 2011/12-2015/16, A.1.7.	MoAFSC PMO-Invest. & Empowerment POFEDP MANR MLF	PMO-RALG ✓ MoF MoCLA ✓ BOT (MOF) LRC	Assessment of core laws and policies conducted. Plan of action for drafting and reforming core Laws and Policies drafted and operationalised.	1-5	400	20	
		2. Strengthen the implementation of the ASDP and other major strategies and programmes, especially in terms of farmers' empowerment, and expected impacts on food security and poverty reduction. (ONGOING)	APRM, Socioeconomic Development, Objective 2(2).	MoAFSC MANR MLF	MDAs ✓ LGAs CSOs and FOs, informal and agricultural workers' groups, women and youth groups ASLMs MoLE POFEDP	Farmers' empowerment programs implemented. Activities undertaken to improve food security implemented.	1-5	10,667	0	2
		3. Conduct assessment and take measures to close the gender gap currently undermining women's access to productive resources. (NEW)		MoLHSD MoCDGC MSWYWCD	MDAs ✓ LGAs CHRAGG MLEC ✓ CSOs and FOs, informal and agricultural workers' groups, women and youth groups ASLMs MoLE MANR MLF	Assessment of barriers to women's participation conducted. Concrete actions taken to reduce the impact of gender barriers.	1-5	700	20	1
		4. Promote youth engagement in agriculture. (ONGOING)		MoIYCS MoAFS MLEC MSWYWCD	LGAs ✓ CSOs and FOs, informal and agricultural workers' groups, women and youth groups ASLMs ✓ MoLE MOVET MLF MANR	Assessment of barriers to youth engagement conducted. Targeted programmes conducted to reduce those barriers. Increased number of youth engaged in agriculture.	1-5	360	20	5
	To ensure	1. Improve regular and			TANESCO ✓	Targeted interventions				

4.2.4. Right to Clean, Safe Water and Sanitation

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (TZS Million)	
								Main land	ZNZ
1.	To prioritize the need to have clean and safe water and sanitation.	1. Increase sustainable access to affordable and reliable sources of clean and safe water in rural and urban areas. (ONGOING)		MoW MLHWE	PMO-RALG ✓ MoAFSC LGAs SPVPO MIC MoA ✓ MoH ZMC Water authorities Communities CSOs Private Sector	The number of people accessing clean and safe water in urban and rural area increased. Sources of clean and safe water in rural and urban areas increased	1-5	950	80
		2. Develop a strategy for ensuring access to water for the poor. (ONGOING)		MoW MLHWE	PMO-RALG ✓ MoAFSC LGAs SPVPO ✓ MIC MoA Water authorities Communities CSOs Private Sector BWOs ZAWA FVPO	Assessment of water needs among vulnerable communities conducted. Water Access Strategy developed.	1-3	63	24
		3. Strengthen mechanism to manage and maintain water support at community levels both in urban and rural areas	Five-Year Dev. Plan 2011/12-2015/16, A.1.1.4.	MoW MLHWE	PMO-RALG ✓ MoAFSC LGAs	Water management mechanism strengthened	1-5	192	40

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (TZS Million)	
								Main land	ZNZ
		with adequate attention to water quality issues including water safety planning. (ONGOING)			SPVPO MIC MoA Water authorities Communities CSOs Private Sector BWOs ZAWA FVPO MIC SPVPO				
		4. Enforce Legal and Regulatory Framework for Water Resource Management and explore possible reform models for water and sanitation sectors, including corporatization. (ONGOING)		MoW MoHSW MLHWE	PMO-RALG ✓ MoW ✓ LGAs ✓ MIC SPVPO Water authorities Communities CSOs Private Sector	Frequency of compliance inspections increased. Assessment of possible reform models conducted.	1-5	60	24
		5. Improve sanitation facilities in urban and rural areas. (ONGOING)		MoHSW MoH	MoW ✓ PMO-RALG ✓ LGAs ✓ CSOs Water Authorities	Sanitation facilities in urban areas improved. Sanitation facilities in rural areas improved.	1-5	0	36
		6. Scale up sanitation and hygiene promotion interventions together with water, sanitation and hygiene in schools (ONGOING)		MoHSW MoH MLHWE	MoHSW ✓ MoEVT ✓ PMO-RALG ✓ LGAs ✓ CSOs	Sanitation and hygiene promotion interventions increased. Water, sanitation, and hygiene campaign conducted in schools.	1-5	200	120

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (TZS Million)	
								Main land	ZNZ
					Water Authorities ZMC				
2.	To improve supply of clean and safe water and sanitation	1. Encourage establishment of public private partnerships in provision, operation, and maintenance of water projects and schemes.(NEW)		MoW MLHWE	PMO-RALG ✓ MoAFSC LGAs MoH MIC Water authorities Communities CSOs Private Sector	Public private partnerships established.	1-5	137	160
		2. Create a coordination mechanism for domestic and external financing by establishing financial forum for partner coordination. (NEW)		MoW MLHWE POFDP	PMO-RALG ✓ MoAFSC LGAs MoH MIC Water authorities Communities CSOs Private Sector	Increased funding for water supply.	1-3	100	160
		3. Scale up rural water supply services through increasing the management and investment support. (ONGOING)	Five-Year Dev. Plan 2011/12-2015/16, A.1.1.4.	MoW MLHWE	PMO-RALG ✓ MoAFSC ✓ LGAs MoH MIC Water authorities Communities CSOs Private Sector ZAWA	Funding allocated to rural water supply increased. Water facilities rehabilitated or constructed to meet demand.	1-5	334	160
		4. Create a progressive block		MoW	PMO-RALG ✓	Block tariff created and	1-5	242	75

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (TZS Million)	
								Main land	ZNZ
		tariff structure that ensures affordability of access to safe and clean water, both in urban and rural areas. (NEW)		MLHWE	LGAs Water authorities	implemented.			
3.	To educate the community on the best use of the available water sources.	1. Mainstream gender in water resources management. (ONGOING)		MoW MSWYWCD MLHWE	PMO-RALG MoCDGC CHRAGG MoA MIC MLHWE LGAs Water and Sanitation authorities Communities CSOs Private Sector	Participation of women in water resource management increased. Women educated on water resource management through tailored education campaigns.	1-5	135	120
		2. Promote registration of Community Water Supply Organizations (COWSOs) and carryout capacity building activities of community water supply organizations (COWSOs). (NEW)	Five-Year Dev. Plan 2011/12-2015/16, A.1.1.4.	MoW MLHWE	PMO-RALG ✓ MoCDGC MoA MIC MLHWE LGAs Water and Sanitation authorities Communities CSOs Private Sector ZAWA	Capacity building activities conducted for COWSOs in all LGAs.	1-5	520	160
		3. Involve rural communities in construction and		PMO-RALG MoW	MoAFSC ✓ LGAs	Participatory mechanisms established.	1-5	801	160

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (TZS Million)	
								Main land	ZNZ
		management of rural water schemes and explore social safety nets. (ONGOING)		MLHWE	MIC FVPO Water authorities				
		4. Conduct sensitization and advocacy for construction and use of sanitary facilities and good hygiene practices in both rural and urban areas. (ONGOING)		MOHSW MoH MLHWE	MoW ✓ ZAWA CSO/CBOs	Sanitation campaigns carried out.	1-5	402	160

4.2.5. Right to Work

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (TZS Millions)	
								Main land	ZNZ
1.	To strengthen mechanisms to increase employment creation, enhance protection of workers and employees and ensure an adequate working environment.	1. Undertake a regular study of the public and private sector workforce to evaluate human resource capacity, work environment, and quality of performance. (NEW)	MKUZA II, Cluster 1, Goal 1.2.1.2.	MoLE POFEDP	MDAs. ✓ LGAs. Private sector. CSOs. ✓ TUCTA/ trade unions TEA/TECSOs CSOs ZATUC ZANEMA MLEC	Regular mechanism or process established for undertaking study. Study conducted.	1-5	76	40
		2. Undertake collection and analysis of up-to-date, age- and sex-disaggregated information on employment		MoLE MLEC	MDAs ✓ LGAs TUCTA ATE ✓	Regular mechanism or process established for gathering information. Study conducted.	1-5	110	40

		conditions in public and private sectors, the rural labour market and informal economy, with emphasis on disadvantaged groups of workers. (NEW)			ZANEMA ZATUC				
		3. Raise awareness in the public, particularly to civil servants and private spheres regarding labour rights and duties (ONGOING)		MoLE MLEC	MDAs ✓ LGAs ✓ TUCTA ✓ CHRAGG ✓ ATE ✓ ZATUC ✓ ZANEMA	Public awareness campaign conducted. Awareness campaign of rights and duties to civil servants conducted.	1-5	1 78	24
		4. Strengthen employment service delivery country-wide, including labour market information systems, exchange centres in order to provide employment services to job seekers, employers, and other stakeholders. (ONGOING)	MKUKUTA II, Cluster 1, Goal 1.3.2.1.	MoLE	MDAs ✓ LGAs ✓ TUCTA ✓ ATE ✓ ZATUC ✓ ZANEMA	Labour Exchange Centres established. Employment services available to job seekers increased. Rate of child labour decreased.	1-5	125	24
		5. Strengthen the capacities of Labour Inspectors to reach the formal and informal sectors, both in urban and rural areas. (ONGOING)		MoLE MLEC	MDAs ✓ LGAs ✓ TUCTA ✓ ATE ✓ ZATUC ✓ ZANEMA	Number of qualified labour inspectors increased. Labour Inspectors trained on inspection in the informal sector.	1-5	88	1 40
2.	Incorporate self-employment skills into educational curricula.	1. Conduct entrepreneurship and life skills training for youth, women, and other groups with special needs. (ON-GOING)	Five-Year Dev. Plan 2011/12-2015/16, A.1.8. MKUKUTA II, Cluster 1, Goal 1.3.4.1.	MoLE MoHSW MLEC	MoIYCS ✓ MoCDGC ✓ MoEVT ✓ MoITM ✓ LGAs ✓ CSOs ✓ Private sector ✓ SIDO ✓ VETA ✓	Entrepreneurship and life skills trainings conducted.	1-5	141	40

					TUCTA/ trade unions ATE MOEVT MSWYWCD				
		2. Develop educational curricula that accommodate labour market needs and promote self-employment. (ONGOING)	Five-Year Dev. Plan 2011/12-2015/16, A.1.8.	MoLE PMO RALG MLEC	MDAs ✓ LGAs Private Sector SIDO CSOs MOEVT ZITOD	Labour market trends and skills necessary for self-employment incorporated into educational curricula.	1-3	63	96
		3. Undertake demand-driven skills development programs for promoting self-employment and productivity (serving men, women, youth, persons with disabilities, and other vulnerable groups equitably). (ON-GOING)	MKUZA II, Cluster 1, Goal 1.2.1.3.	MoLE PMO RALG MLEC	MDAs ✓ LGAs Private Sector SIDO CSOs	Skills development program available in rural areas.	1-5	943	160
		4. Strengthen the implementation of sectoral programmes that strengthen skills of the labor force. (ONGOING)	MKUZA II, Cluster 1, Goal 1.2.1.2 Five-Year Development Plan	MoLE POFEDP	MDAs ✓ LGAs Private Sector SIDO CSOs	Skills development programmes established.	1-3	64	96
3.	To promote self-employment and entrepreneurship, in both urban and rural areas, including the establishment and strengthening of small-scale entrepreneurship	1. Improve quality of labour through apprenticeship and entrepreneurship programmes targeting youths (training entrepreneurs to grow their business); support programmes for women entrepreneurship and young girls training to transition to work. (ON-GOING)		MoLE MLEC	MoIYCS ✓ MoCDGC ✓ MoEVT MoITM MOAFC MoLE LGAs CSOs Private sector SIDO Financial	Skills development program established in rural areas. Increased number of youth, women, and girls active in business.	1-5	94	24

	groups for youth and women.				institutions VETA				
	2. Develop and enhance investment and microcredit schemes for soft loans to youth, women and groups with special needs. (ONGOING)	Five-Year Dev. Plan 2011/12-2015/16, A.1.8.	MoLE MoLYCS MLEC	MoCDGC ✓ MoEVT MoITM MOAFC MoLE ✓ LGAs CSOs Private sector SIDO Financial institutions VETA/Z	Study undertaken to assess needs and potential models for investment and microcredit schemes. Investment and Microcredit Schemes established.	1-5	157	28	
	3. Support market-oriented group cooperation and collective action among rural people, especially among women and youth. (ONGOING)		MoAFSC MTIM	PMO-RALG ✓ MoL LGAS MDAS	Number of market-oriented groups supported.	1-5	500	200	

4.2.6. Right to Adequate Standard of Physical and Mental Health

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (TZS Millions)
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								Main land	ZNZ
1.	To increase accessibility of health services.	1. Improve accessibility to health services by geographical coverage through the construction of new hospitals and health centres and rehabilitation of existing facilities. (ON-GOING)		MoHSW MOH	PMO-RALG ✓ LGAs POFEDP ✓	Number of accessible health service units constructed. Number of existing health service units rehabilitated. Percentage of households within 5km of health service units increased.	1-5	2,000	240
		2. Better equip health service units with drugs and equipment including essential medicines for mental health (ON-GOING)		MoHSW MOH	PMO-RALG ✓ POFEDP ✓	Health service unit needs and allocation of drugs and equipment assessed. Drugs and health equipment allocated in accordance with assessment. Availability of drugs for mental health	1-5	4,500	200
		3. Increase availability of health workers in all health facilities. (ON-GOING)	Five-Year Dev. Plan 2011/12-2015/16, A1.5.1.3.	MoHSW MOH	PMO-RALG ✓ POMSRC POPSGG MLEC ✓	Number of health workers employed increased. Number of trained community health workers increased.	1-5	200	40
		4. Review and implement policies aimed at reducing barriers to the poor, pregnant women, children, persons with disabilities, and older persons accessing lifesaving free medical services. (NEW)		MoHSW MOH	PMO-RALG ✓ MSWYWCD FVPO ✓	Study Assessment conducted on present barriers to the accessing free medical services. Policies developed and implemented based on assessment findings.	1-5	20	40
2.	To improve the quality of service of health professionals, particularly in rural areas, and to develop a strategy to retain	1. Enhance capacity of training Institutions of medical Personnel. (ON-GOING)	MKUKUTA II, Cluster 2, Goal 2.3.1.A.2.	MoHSW MOH	MoEVT ✓ PMO-RALG ✓ POFEDP MOEVT ✓	Number of medical personnel increased Training Institutions improved in terms of human resources and infrastructures.	1-5	500	40
		2. Improve human resources capacity and management at	MKUKUTA II, Cluster II, Goal	MoHSW MOH	PMO-RALG ✓ FBOs	Capacity building assistance provided.	1-5	20	64

	them.	all levels of health delivery system. (ON-GOING)	2.3.1.A.1. MKUZA II, Cluster 2, Goal 2.17.1.		Private sector ✓ POFEDP ✓ MOEVT	Pre-service and in-service training conducted. Improved service delivery throughout the healthcare system.			
		3. Develop and implement incentives package to health workers, with particular focus on those working in rural areas. (ON-GOING)	MKUZA II, Cluster 2, Goal 2.17.1.	MoHSW MOH	PMO-RALG ✓ LGAs POMSRC ✓ POPSGG	Available incentive schemes increased. Health workers retained	1-5	300	32
3.	To improve drug supply system	1. Rationalize allocation of drugs and supplies at the facility and District level to meet localized need and burden of disease and institute stronger mechanisms to audit the drug supply and distribution chain. (ON-GOING)	Five-Year Dev. Plan 2011/12-2015/16, A.1.5.	MoHSW MOH	PMO-RALG ✓ MSD CMS POFEDP POMSRC ✓	Strategic Plan created to provide guidance on the allocation of drugs and supplies. Mechanism to audit drugs supply established.	1-5	50	32
		2. Improve accountability and transparency in the drug supply and distribution chain by providing LGAs with oversight of the process. (ONGOING)		MoHSW MOH	PMO-RALG ✓ MSD CMS POFEDP POMSRC	LGAs incorporated into mechanism established to audit the drug supply.	1-5	10	0
4.	To sensitize and raise public awareness on the right to health, including mental health.	1. Enhance community awareness on maternal and infant health aimed at reducing maternal and infant mortality. (ONGOING)	MKUKUTA II, Cluster 2, Goal 2.3.2-4.B.1. Five-Year Dev. Plan 2011/12-2015/16, A.1.5.	MoHSW MoCDGC MOH	MoEVT ✓ CSOs PMO-RALG ✓ RSs MICTS MSWYWCD	Community awareness programs conducted. Mortality rate reduced.	1-5	40	24
		2. Conduct awareness programs about cleanliness, sanitation, HIV/AIDs, STIs, TB and malaria. (ONGOING)		MoHSW MoCDGC MOH	MoEVT ✓ CSOs PMO-RALG RSs MICTS FVPO	Number of Community awareness programs conducted.	1-5	200	40

					POMSRC				
		3. Provide nutritional education and micronutrient supplement to women of reproductive age, especially pregnant women and women who are breastfeeding. (ON-GOING)	MKUKUTA II, Cluster 2, Goal 2.3.2-4.B.3.	MoHSW MOH	MoEVT ✓ MoCDGC ✓ CSOs TFNC NIMR PMO-RALG POMSRC MANR	Number community awareness programs conducted. Number of women received nutritional education and supplemented with micronutrient	1-5	400	40
		4. Provide information, services and education on family planning. (ONGOING)	MKUKUTA II, Cluster 2, Goal 2.3.5-6.B.6.	MoHSW MOH	MoCDGC ✓ LGAs ✓ CSOs PMO-RALG RSs MICTS POMSRC	Community awareness programs conducted.	1-5	150	32
		5. Develop National Strategy for Parenting Education. (NEW) 6. Implement National Strategy for Parenting Education. (NEW)		MoHSW MoCDGC MOH	MoEVT ✓ CSOs PMO-RALG POMSRC MSWYWDC ✓	National Strategy for Parenting Education developed Community awareness programs conducted	1-3	80	12
5.	To improve supervision of health sector	1. Establishment of Health Boards and Health Facility Committees, (ON-GOING) 2. Strengthen Health Board and Health Facility Committee to discharge their duties (ON-GOING)		MoHSW MOH	PMO-RALG ✓ MOJCA TFDA ✓	Health Boards and Health Facility Committee established. Health Board and Committee strengthened	1-3	60	15
6.	To promote maternal health by reducing maternal mortality and	1. Improve the capabilities of existing health facilities in maternal health, essential newborn care, and child health intervention. (ON-	Five-Year Dev. Plan 2011/12-2015/16, A.1.5.	MoHSW MOH	PMO-RALG ✓ MSWYWCD ✓ FVPO	Mother and Child Health (MCH) infrastructure and equipment improved	1-5	600	320

improving access to emergency obstetric and newborn care.	GOING)								
	2. Build the capacity of District, Ward, and Community health workers in maternal health, essential newborn care, and child health intervention.(ON-GOING)		MoHSW MOH	PMO-RALG ✓ FVPO, POMSRC MSWYWCD	District, ward, and community health workers trained	1-5	300	320	
	3. Train traditional birth attendants in maternal health, essential newborn care, and child health intervention. (ON-GOING)		MoHSW MoEVT MOH	PMO-RALG ✓ RSs LGAs ✓ FVPO, POMSRC MSWYWCD	Trainings conducted for traditional birth attendants.	1-5	600	240	

4.2.7. Right to Live in Safe and Clean Environment

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output/ Outcome	Time Frame	Resource (Tzs millions)	
								Main land	ZNZ
1.	To enhance environmental protection.	1. Conduct awareness programs that highlight the relationship between environment and sustainable development, environmental conservation, pollution and waste management (ON-GOING).		VPO-Environment NEMC FVPO	MoITM ✓ MoNRT MoAFS PMO-RALG ✓ MoEVT NEMC CSOs MOH POMSRC MICTS	Awareness on relationship between environment and sustainable development raised	1-5	820	240

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output/ Outcome	Time Frame	Resource (Tzs millions)	
								Main land	ZNZ
		2. Raise awareness among corporations and the general public on environmental laws and regulations.(ON-GOING)		VPO- Environment NEMC FVPO	MoITM ✓ MoNRT ✓ MoAFS PMO-RALG MoEVT/Z CSOs MoJCA MICTS	Training and awareness raising programs established. Increased corporate and public adherence to environmental laws and regulations.	1-5	550	240
		3. Conduct education and awareness campaigns on the occupational health and safety standards.(ON-GOING)		MoLE VPO- Environment FVPO MoOH	MoITM ✓ MoNRT ✓ MoAFS PMO-RALG MoEVT NEMC LGAs CSOs TUCTA MLEC POMSRC MICTS	Awareness campaigns conducted. Increased adherence to occupational health and safety standards.	1-5	500	240
		4. Raise awareness on the environmental and health risks of pesticides and other agrochemicals particularly in rural areas. (ON-GOING)		MoAFS NEMC VPO- Environment FVPO	MoNRT ✓ LGAs ✓ MANR CSO MICTS	Awareness raising programs conducted Number of incidents reported	1-3	1,150	144
		5. Include environment-related issues in school curricula.(ONGOING)		MoEVT NEMC MoEVT-Z	MoNRT ✓ VPO-Enviro FVPO	Curricula reviewed .	2-3	180	72
2.	To enhance waste	1. Provide capacity-building to LGAs to develop and		VPO-	MoNRT ✓	Capacity-building programming conducted.	1-5	1,800	280

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output/ Outcome	Time Frame	Resource (Tzs millions)	
								Main land	ZNZ
	management and environment preservation at the local level.	implement waste management and environmental preservation programs. (ON-GOING)		Environment NEMC FVPO	LGAs CSO POMSRC POFEDP ✓	Local waste management and environmental preservation programs implemented.			
		2. Develop mechanisms for environmental monitoring through various levels of LGAs. (NEW)		VPO-Enviro NEMC FVPO	MoNRT LGAs NEMC CSO POMSRC MOH ✓	Environmental monitoring mechanisms developed Improved environmental management at the local level.	1-3	600	240
3.	To develop alternative energy sources.	1.Support research for the development of renewable and alternative sources of energy, with particular focus on increasing energy available to rural populations. (ONGOING)		MoEM REA SVPO	VPO- Environment NEMC PMO-RALG LGAs REA POMSRC POFEDP CSOs ✓	Research on renewable and alternative source of energy conducted.	1-5	955	288
		2. Promote the use of renewable and alternative sources of energy. (ONGOING)	MoEM REA SVPO		VPO-Enviro NEMC PMO- RALG LGAs REA POMSRC POFEDP CSOs ✓	Wide use of renewable and alternative source of energy	1-5	1,054	230
4.	To effectively enforce existing environmental laws, regulations, and	1. Implement pollution control, occupational health and safety standards, and environmental management as specified under sectoral	APRM, Corporate Governance, Objective 2 (5).	VPO- Environment FVPO	MoITM MoNRT MoLHHSD LGAs MOJCA ✓	Implementation Strategy developed. Conventions further incorporated into Law and Policy.	1-5	160	160

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output/ Outcome	Time Frame	Resource (Tzs millions)	
								Main land	ZNZ
	standards.	guidelines and the Environmental Management Act. (ON-GOING)			MOH SVPO CSO NEMC MoCLA				
		2. Further domesticate and implement ratified international conventions. (ON-GOIN)		VPO- Environment NEMC FVPO	MoITM ✓ MoNRT ✓ MoLHHSD ✓ LGAs ✓ MoCLA ✓ MLEC ✓ MOH ✓ CSOs ✓	Concrete steps taken to further implement sectoral guidelines and EMA. Increased awareness of and compliance with Sectoral Guidelines and EMA.	1-5	380	96
		3. Implement Plan of Action of Environmental Management Act. (ON-GOING)		VPO- Environment NEMC FVPO	MoITM ✓ MoNRT ✓ MoLHHSD ✓ LGAs ✓ MoCLA ✓ MOH ✓	Action Plan implemented. Concrete steps taken to further implement the EMA.	1-5	600	144
		4. Strengthen enforcement of Regulations on waste management. (ON-GOING)		VPO- Environment NEMC FVPO	MoITM ✓ MoNRT ✓ MoLHHSD ✓ LGAs ✓ MoCLA ✓ MOJCA ✓ MOH ✓ POMSRC ✓ CSOs ✓	Capacity of enforcement mechanisms to effectively uphold Regulations increased. Compliance with waste disposal Regulations increased.	1-5	1,050	280
5.	To promote community participation in sustainable	1. Strengthening community participation in planning and implementation of natural resource management,	MKUZA II, Cluster 3, Goal 3.1.2.4.	MoNRT MoCDGC FVPO	PMO-RALG ✓ MoAFSC ✓ CSOs ✓	Mechanisms for community participation strengthened. Increased transparency in management of natural	1-5	420	320

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output/ Outcome	Time Frame	Resource (Tzs millions)	
								Main land	ZNZ
	conservation of national resources, including participation in activities of conservation authorities.	utilization, and maintenance. (ONGOING)		MANR	MORASD MALE MLYWCD MoICS MTTI MoWCEL MSWYWDC POFEDP	resources.			
		2. Institute participatory climate change adaptation measures. (ON GOING)	Five-Year Dev. Plan 2011/12-2015/16, A.1.1.4. MKUKUTA II, Cluster 1, Goal 1.2.9.	VPO-Environment NEMC FVPO	MoW ✓ BWOs MWI MoAFSC MEM MoFAIC MANR POFEDP	Participatory climate change adaptation measures established and operationalised.	1-5	280	160
		3. Encourage co-operation between Government Departments and CSOs dealing with environmental issues. ON GOING		VPO-Environment NEMC FVPO	PMO-RALG ✓ MoAFSC MoNRT CSOs MOH POMSRC	Joint activities and programmes.	1-5	230	80
6.	To support NEMC to implement its mandate as per laws.	1. Build the capacity of LGAs and NEMC to manage environment. Through preparation & implementation of Environmental, social mgt Plans, Environment monitoring plans & Resource management plans implemented. (ON GOING)		NEMC VPO-Environment FVPO	PMO-RALG ✓ MoNRT NEMC ✓ CSOs POMSRC POFEDP ✓	Technical assistance provided to LGAs and NEMC. Environmental, & Social mgt Plans, Environment. monitoring plans & Resource management plans implemented. Monitoring and Environmental Audit reports in Mining and Industrial projects prepared,	1-5	1,610	360

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output/ Outcome	Time Frame	Resource (Tzs millions)	
								Main land	ZNZ
		2. Increase and strengthen institutional capacity for the enforcement of EMA 2004/The Environment Management for Sustainable Development Act (ZNZ) and other environmental protection laws. (ONGOING).	Five-Year Dev. Plan 2011/12-2015/16, 3.3.2. APRM, Corporate Governance, Objective 2(5).	NEMC FVPO	VPO LGAs POMSRC POFEDP SVPO	✓ ✓ Technical assistance provided to NEMC to better fulfil its mandate. Number of Environmental Inspectors increased.	1-5	2,350	360

4.2.8. Right to Social Security

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output/ Outcome	Time Frame	Resources (Tzs Millions)	
								Main land	ZNZ
1.	To consider the development of a Social Protection Floor Initiative approach to social protection schemes.	1. Conduct an Assessment of social issues and existing social protection initiatives. (NEW)		MoLE POFEDP MSWYWCD	MoCDGC ✓ SSRA PMO-RALG TUCTA ATE POMSRC	Assessment conducted.	1-3	140	24
		2. Raise awareness and assess public opinion on the Social Protection Floor Initiative approach. (NEW)		MoLE MSWYWCD POFEDP	SSRA ✓ Social Security Schemes MoCDGC PMO-RALG TUCTA ATE POMSRC MICTS	Awareness raising campaign conducted.	1-5	63	17
2.	To strengthen the existing contributory social security schemes.	1. Increase social security coverage to people including informal sector. (ON-GOING)		MoLE POFEDP	MoF ✓ SSRA PMO RALG TUCTA ATE ZATUC ZANEMA MLEC ZNCCIA	Increased availability of social security coverage.	1-5	189	32
		2. Improve service delivery to avoid delays in paying benefits. (ON-GOING)		MoLE POFEDP MoF	MDAs ✓ LGAs CSOs ZATUC ZANEMA TUCTA ATE SSRA	Improved accessibility of social security benefits.	1-5	0	80
		3. Establish Forums for members' participation including in decision making regarding ways in which their contributions should be invested. (NEW)		MoLE SSRA POFEDP	MoCDGC ✓ MoIYCS TUCTA ATE MLEC ✓ ZATUC ZANEMA POMSRC	Participatory mechanism for members established and operationalised. Increased transparency and accountability of social protection schemes.	1-5	79	24
3.	To extend the social security system	1. Establish a Universal Non-Contributory Scheme that will provide benefits to everyone who experiences a particular risk or		MoLE POFEDP	MoF ✓ TUCTA ATE MLEC POMSRC	Universal non-contributory scheme established.	1-5	38	32

Chapter 3: Groups with Special Needs

4.3.1. Women

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (Tzs Millions)	
								Main land	ZNZ
1.	To raise awareness on the equal rights of men and women.	1. Conduct awareness campaigns and measures that highlight women's rights. (ON-GOING)	MKUKUTA II, Cluster 3, Goal 3.3.4. MKUZA II, Cluster 3, Goal 3.2.4.4. UPR 85.22 UPR 85.54 UPR 85.25	MoCDGC MSWYWCD	MoHSW ✓ MoEVT MoHA MOEVT MLEC CHRAGG LGAs CSOs	Awareness campaigns conducted.	1-5	500	200
		2. Conduct campaigns aimed at combating all forms of gender-based violence. (ON-GOING)	UPR 85.26 UPR 85.27 UPR 85.28 UPR 85.48 UPR 85.49 UPR 85.50 UPR 85.51 UPR 85.52 UPR 85.53 UPR 85.23 UPR 85.24 UPR 85.25 UPR 85.30 UPR 85.31 UPR 85.50	MoCDGC MSWYWCD	MoHSW ✓ MoEVT MoHA/TPF MOEVT MoCLA MLEC CHRAGG LGAs CSOs OEC	Public awareness campaigns conducted.	1-5	500	280
		3. Conduct campaigns to promote change of attitude to abolish harmful traditional practices, such as female genital mutilations, forced marriage, child marriage, bride-price-related violence. (ON-GOING)	UPR 85.50	MoCDGC MSWYWCD	MoHSW ✓ MoEVT MoHA MOEVT MLEC CHRAGG LGAs CSOs TPF	Public campaigns conducted.	1-5	500	200
		4. Promote establishment of alternative livelihood for practitioners (ngariba) of female genital mutilation. (ON-GOING)	UPR 85.7 UPR 85.28 UPR 85.29 UPR 85.31 UPR 85.52 UPR 85.54 UPR 85.55 UPR 85.56	MoCDGC MSWYWCD	PMO-RALG ✓ LGAs ✓	Targeted outreach program conducted. Entrepreneurial training programs conducted.	1-5	100	20
		5. Train law enforcement officials (Police and Judiciary) about CEDAW and its Optional Protocol. (ONGOING)	MKUKUTA II, Cluster 3, Goal 3.3.4.1. MKUZA II, Cluster 3, Goal 3.2.1.2	MoCDGC ⁹⁵ MoCLA MSWYWCD	CHRAGG ✓ MoHA ✓ DPP ✓ TPF ✓ TPS ✓ Judiciary ✓	Training programmes conducted for all law enforcement officials.			

4.3.2. Children

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources	
								Main land	ZNZ
1.	To raise awareness and promote children's rights among Parents, Guardians, local Government officials, Teachers, the Public and Law Enforcers.	1. Conduct sensitization session for key leaders at national, regional and district levels on how best to promote children's rights. (ONGOING)	MKUKUTA II, Cluster 3, Goal 3.3.3. UPR 85.5	MoCDGC MSWYWCD	MoEVT MoHSW MoCLA CHRAGG MJCA POPSGG POMRC HoR Judiciary TPF LGAs CSOs	Sensitization session conducted.	1-5	400	240
		2. Organize sensitization programmes and awareness meetings at the community level on the rights of the child. (ONGOING)		MoCDGC MSWYWCD	MoEVT MoHSW MoCLA CHRAGG MJCA POPSGG POMRC HoR Judiciary TPF LGAs CSOs MEVT POPSGG	Number of sensitization programmes conducted.	1-5	800	240
		3. Identify and train key public personnel on the Law of the Child Act and Children's Act (ONGOING)	MKUKUTA II, Cluster 3, Goal 3.3.3. MKUZA II, Cluster 3, Goal 3.2.5.	MoCLA MoCDGC MSWYWCD	MoEVT MoHSW MoCLA CHRAGG POPSGG POMRC HoR Judiciary TPF LGAs CSOs MEVT POPSGG MoJCA	Number of persons trained.	1-3	200	96
		4. Collect and analyze Periodic Reports on the		MoCDGC	MoEVT MoHSW	Reports produced.			

4.3.3. Children in Conflict with the Law

Monitoring and Evaluation Agency: CHRAGG, Child Justice Forum and CSOs

S/N	Broad Objectives	Action/Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (Tzs Millions)	
								Main land	ZNZ
1.	To strengthen the Juvenile Justice System.	1. Fully operationalise the Law of the Child Act 2009 and Children's Act, 2011 (Zanzibar). (ONGOING)	MKUKUTA II, Cluster 3, Goal 3.3.3. MKUZA II, Cluster 3, Goal 3.2.1.2, 3.2.5.	MoCLA MCDGC MoHSW MSWYWCD	MoHA TPF MEVT CHRAGG FVPO MCL MOJCA	Laws of the Child Act operationalised.	1-5	180	128
		2. Implement the Child Justice Strategy 2012- 2017 for the Mainland. and develop and implement a child justice strategy for Zanzibar (NEW)	MKUKUTA II, Cluster 3, Goal 3.3.3.	MoCLA MoSWYWCD	Child Justice Forum Judiciary TPF Probation TPS AG - DPP MoHSW MoEVT MIYCS CHRAGG PMORALG MCDGC CSOs	Assessment conducted on current implementation process, and gaps and priorities identified. Implementation furthered based on assessment findings.	1-5	150	100
		3. Finalize Regulations on Juvenile Justice under the Law of the Child Act and the Children's Act (ZNZ). (ONGOING)	MKUKUTA II, Cluster 3, Goal 3.3.3. MKUZA II, Cluster 3, Goal 3.2.1.2,	MoCLA MCDGC MoHSW MSWYWCD	MoCDGC MoHSW MoHA CHRAGG TPF	Regulations finalized.	1-2	50	88

S/N	Broad Objectives	Action/Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (Tzs Millions)	
								Main land	ZNZ
			3.2.5.		MEVT FVPO MCL MSWYWCD MOJCA				
		4. Designate Primary Courts as juvenile courts/children's Courts and develop, adopt, and disseminate Juvenile Court Rules and Children's Court Rules (ZNZ) (NEW)	MKUKUTA II, Cluster 3, Goal 3.3.3.	MoCLA MoJCA	Judiciary (CJ) ✓ DPP ✓	Courts designated as Juvenile Courts. Regulations developed, adopted, and disseminated.	1-5	350	250
		5. Incorporate modules on special treatment of children in conflict with the law into Police Academy, Prison Academy, Social Welfare, Prosecutors and Judicial in service training (ONGOING)	MKUKUTA II, Cluster 3, Goal 3.3.3. MKUZA II, Cluster 3, Goal 3.2.1.2, 3.2.5.	MoHA MoCDGC MoHSW POMSRC	TPF ✓ TPS Judiciary CSOs CHRAGG ✓ MoCLA MSWYWCD	Modules on child protection and treatment incorporated into training materials. Number of personnel trained.	1-5	120	80
		6. Construct retention homes and approved schools at least in each zone. (ONGOING)	MKUKUTA II, Cluster 3, Goal 3.3.3. MKUZA II, Cluster 3, Goal 3.2.1.2.	MoHA MoHSW POMSRC	MCDGC ✓ TPS CSOs POFEDP MSWYWCD MOJCA MOEVT	Retention homes and approved schools increased.	1-5	2,700	160
		7. Assign additional social welfare officers to attend juvenile court / children's Court proceedings. (ONGOING)	MKUKUTA II, Cluster 3, Goal 3.3.3. MKUZA II, Cluster 3, Goal 3.2.1.2, 3.2.5.	MoHSW MoCLA MSWYCWD	Judiciary ✓ MOJCA	Number of social welfare officers attending juvenile proceedings increased.	1-5	500	80
		8. Establish a mandatory system of legal representation for juveniles. (NEW)	3.2.5.	MoHSW MoCLA MoJCA	Judiciary ✓ TPF MoCDGC	Mandatory legal representation system for juveniles established.	1-3	400	216

S/N	Broad Objectives	Action/Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (Tzs Millions)	
								Main land	ZNZ
					MSWYCWD				
		9. Conduct regular inspections of places of detention holding children. (ONGOING)		CHRAGG MoHSW MSWYWCD	MoCLA CSOs MoJCA ✓	Detention centre inspections conducted, and reports disseminated	1-5	500	240
2.	To prevent juvenile offending and ensure rehabilitation of juvenile offenders.	1. Develop effective Early Intervention Strategy for Children at risk of offending. (ONGOING)		MoEVT MEVT	MoHSW MoHA Judiciary PMORALG POMSRC MSWYWCD ✓	Early Intervention Strategy in place.	1-5	250	320
		2. Reduce reliance on detention pre- and post-trial by establishing community rehabilitation schemes, diversion options and community bail alternatives. (ONGOING)	MKUKUTA II, Cluster 3, Goal 3.3.3.	MoHSW Judiciary MoJCA MSWYWCD	PMO-RALG MoHA Judiciary CBOs CSOs ✓	Reduced use of detention of under-18s, pre- and post-trial.	1-3	125	96
		3. Implemen individualised rehabilitation and reintegration plans for juvenile offenders. (ONGOING)	MKUKUTA II, Cluster 3, Goal 3.3.3. MKUZA II, Cluster 3, Goal 3.2.2.1, 3.2.5.	MoCLA MoJCA	MoCDGC MoEVT Judiciary TPF TPS ✓	Individualised rehabilitation and reintegration plans implemented.	1-5	100	160
		4. Promote the separation of children from adults in all forms of detention. (ONGOING)	MKUKUTA II, Cluster 3, Goal 3.3.3.	Judiciary MoHSW POMSRC	MCDGC TPS TPF MoCLA CHRAGG ✓	Juvenile and adults in detention separated.	1-5	250	280
		5. Finalize child protection	MKUKUTA II, Cluster 3, Goal	MoHA MSWYWCD	CHRAGG MoHSW ✓	Child Protection procedures finalized and implemented.	1-2	80	200

S/N	Broad Objectives	Action/Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (Tzs Millions)	
								Main land	ZNZ
		procedures and complaints mechanisms are in place in detention facilities. (ONGOING)	3.3.3. MKUZA II, Cluster 3, Goal 3.2.5.		TPS CSOs MoCLA POPSGG Judiciary	effectively.			

4.3.4. Persons with Disabilities

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/N	Broad Objectives	Action/ Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (Tzs Millions)	
								Main land	ZNZ
1.	To raise public awareness on the rights of Persons with Disabilities.	1. Conduct public awareness programmes on disability rights. (ONGOING)	UPR 85.37	MoHSW MCDGC FVPO	MoEVT ✓ MoHA ✓ CHRAGG ✓ CSOs MSWYWCD POMSRC DPOs NCPWDs	Number of training programs conducted. Education materials produced. Increased awareness on the rights of PWDs	1-5	650	400
		2. Raise awareness of the importance of early diagnosis and treatment to reduce the severity of treatable disabilities. (ONGOING)		MoHSW MoH	MoEVT ✓ MCDGC FVPO DPOs CSO/FBOs NCPWDs	Increased awareness.	1-5	800	280
2.	To conduct situation analysis on PWDs.	1. Conduct research on disability and rehabilitation services. (NEW) .		MoHSW FVPO	Research institutions ✓ MoEVT MoH CHRAGG FVPO CSOs NCPWDs DPOs OCGS	Research reports produced and findings disseminated.	1-2	200	640
		2. Improve a database on the state of disability with a view of addressing various demands to PWDs. (ONGOING)		NBS MoHSW FVPO	DPOs ✓ NCPWDs OCGS	Database improved.	1-2	200	400
		3. Raise awareness about the magnitude and consequence of disability to decision makers so as to include issues of Persons with Disabilities in the development Plan. (ONGOING)		MoHSW FVPO	MoEVT ✓ MoH OCGS DPOs NCPWDs CSOs	Issues of persons with disabilities mainstreamed in most development plan.	1-5	500	240
3.	2 To provide accessible education to PWDs.	1. Develop mechanisms for identifying children with disabilities at an early age. (NEW)	UPR 85.36 UPR 85.93	MoHSW MoH MOEVT 102	MoEVT ✓ LGAs FVPO CSOs CHRAGG DPOs Community	Mechanisms developed to identify children with disabilities.	1-5	1,000	160

4.3.5. Elderly Persons

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/N	Broad Objectives	Action/Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (Tzs Millions)	
								Main land	ZNZ
1.	To increase visibility and raise awareness about the rights of elderly persons.	1. Mainstream and integrate issues related to the elderly into existing policies and plans, including health services, home-based care, shelter, gender-based violence, and nutrition.(ONGOING)		MoHSW MSWYWCD	MDAs LGAs CSOs ✓	Policies evaluated, and issues related to older people mainstreamed.	1-5	100	240
		2. Mobilize NGOs and media to raise awareness on the rights of the elderly. (ONGOING)	UPR 85.42	MoCDGC MICTS	MoHSW MoEVT CHRAGG LGAs MCT Associations of Older/retired people. CSOs MSWYWCD ✓	NGO and media awareness campaigns conducted.	1-5	100	240
2.	To ensure provision of adequate health and social care to senior citizens.	1. Conduct an Assessment of the Elderly population to identify needs in providing health and social support, including the desirability of establishing designated homes and care centres for the elderly.(ON GOING)		MoHSW MSWYWCD	MoCDGC ✓ MoLE LGAs MLEC POMSRC CSOs Red Cross	Assessment conducted, and Assessment Report published and disseminated publicly.	1-4	200	160
		2. Train health and social welfare Practitioners to address the health and social needs of the elderly. (ON GOING)		MoHSW MoH	Health training institutions LGAs MSWYWCD ✓ MEVT CSOs	Training Curriculum reviewed to include rights of older people. Training conducted.	1-5	500	480
		3. Consider the unique needs of the elderly in identifying and procuring essential medicines, and ensure that these needs are incorporated into the supply chain. (ONGOING)		MoHSW MoH	PMO-RALG ✓ LGAs MSWYWCD FBOs/CBOs CSOs	Availability of medicines for older people for free.	1-5	600	400
		4. Develop disability and packages with equipment such as eye glasses and walking sticks.(ON GOING)		MoHSW 104 MoH	PMO-RALG ✓ LGAs ✓ MSWYWCD FBOs/CBOs CSOs POFEDP	Availability of Disability packages.	1-5	1300	400

4.3.6. Persons Living with HIV

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/N	Broad Objectives	Action/Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (Tzs Millions)	
								Main land	ZNZ
1.	To fight discrimination and stigma against PLHIV through education and other measures.	1. Continue to educate and raise public awareness of the equal rights of PLHIV and the need to treat them with dignity and respect (provide education on human right and HIV/AIDS). (ON GOING)		MoCDGC CHRAGG FVPO	All MDAs ✓ TACAIDS CSOs CHRAGG ZAC ZACP MoH CSO/FBOs ZANGOC	Public education campaigns conducted.	1-5	600	240
		2. Train health workers, police, and other social service providers on the human rights of PLHIV. (ON GOING)		MoHSW MoHA FVPO MoCLA	All MDAs ✓ TACAIDS ✓ CHRAGG CSOs ZAC ZACP MoH CSO/FBOs ZANGOC	Health Workers trained on rights of PLHIV. Police trained on rights of PLHIV.	1-5	300	220
		1.Ensure effective investigation and prosecution of Perpetrators of discrimination and HIV/AIDS-related violence (NEW)		MoHA MOCLA MOJCA	ZACP ✓ CHRAGG ✓ ZAC MOH	Reduced cases of discrimination. Number of cases resolved increased.	1-5	180	80
2.	To improve the quality of life of PLHIVs through the provision of health care and psychosocial support.	1. Enhance provision of quality health services to PLHIV, including diagnosis, treatment, referral and follow up, and nursing. (ON GOING)		MoHSW MoH	LGAs ✓ Health institutions ✓ ZAC ZACP FVPO FBOs	Access to diagnostic services increased. Availability of drugs increased.	1-5	1500	800
		2. Ensure availability of counselling and support to meet psychological, spiritual and social needs. (ON GOING)		MoHSW FVPO MoH	LGAs ✓ CSOs POFDP ZANGOC ZAC ZACP	Availability of counselling services increased.	1-5	500	400
		3. Review the HIV and AIDS Prevention and Control Act (2008) including Assessment of its enforcement. (ON GOING)		MoHA AGC 106 FVPO	MoCLA ✓ DPP TPF ZAC MoH ZACP CSOs	Progress report	1-3	150	88

4.3.7. Rights of Prisoners

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/N	Broad Objectives	Action/Activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources(Tzs Millions)	
								Main land	ZNZ
1.	To ensure prisoners' rights as central principles in the administration of the prison system.	1. Train all other law enforcement personnel (Judiciary, Police and Prison) on rights of inmates, addressing relevant gender dimensions.(ONGOING)		MoHA MoCLA MoJCA	CHRAGG ✓ TPS ✓ CSOs	Law Enforcement Personnel trained. Prisoner's rights manual drafted and disseminated to Personnel and made accessible to the public.	1-5	2,500	384
		2. Prepare and issue to inmates a Charter of their rights and obligations.(ONGOING)		MoHA MoJCA	MoCLA ✓ TPS CHRAGG ✓ CSOs	Charter of Prisoners' Rights prepared, published and disseminated and access to every inmate. Charter distributed to inmates and made available	1-5	1,630	200
		3. Educate inmates about their rights, including complaint mechanisms. (ONGOING)		MoHA MoJCA	TPS ✓ CHRAGG	Use of complaint mechanisms increased.	1-5	800	160
		4. Strengthen Complaint Mechanism for inmates. (ONGOING)		MoHA MoCLA MoJCA	CHRAGG ✓ TPS CSOs	Complaint mechanism assessed.	1-5	250	160
2.	To incorporate alternative forms of punishment and rehabilitation into the penal code to reduce the prison population.	1. Conduct feasibility study on the implementation of alternative punishment programmes. (NEW)	UPR 85.47	MoCLA MoJCA	MoCDGC ✓ Judiciary AG DPP LRC TLS/ZLS	Feasibility Study Report issued and publicly disseminated.	1-3	360	112
		2. Strengthen Community Service programmes for petty crimes. (ONGOING)	UPR 85.47	MoCLA MoJCA	MoCDGC ✓ DPP Judiciary	Policies and Procedures for imposing community service as a punishment reviewed and strengthened.	1-5	200	100
		3. Strengthen the Probation Service to facilitate implementation of non-custodial sentences. (ONGOING)	UPR 85.47	MoCDGC MoCLA MoJCA	MoHSW ✓ DPP Judiciary ✓	Increased number of probation officers. Probation services strengthened.	1-5	700	300
		4. Educate and raise public awareness about the benefits of non-custodial measures. (NEW)	UPR 85.47	MoCLA MOJCA	MoHA ✓ AGC DPP CHRAGG CSOs	Training and awareness raising campaigns reports.	1-5	400	240
		5. Provide Guidelines to Magistrates at all levels and Judges in applying alternative punishments instead of relying on imprisonment. (NEW)	UPR 85.46 UPR 85.47	Judiciary MoCLA MoJCA	108 Judges/Magistrates ✓ DPP TPF AGC	Circular issued by the Hon. Chief Justice.	1-5	400	160

4.3.8. Rights of Refugees, Asylum-Seekers and Stateless Persons

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/N	Broad Objectives	Action/activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (Tzs Millions)	
								Main land	ZNZ
1.	To assess Asylum claims and needs for International protection	1. Identify areas for further training and prepare training materials/manuals. (ONGOING)		MoHA	Department of Immigration Services ✓ Department of Refugee Services TPF CSOs UNHCR	80% of personnel trained. Training manual prepared, disseminated to relevant stakeholders, and made publicly available.	1-5	50	0
		2. Build capacity of Refugees and Immigration Officers and Boarder Management Authorities on assessment of asylum. (ONGOING)			Department of Immigration Services Department of Refugee Services TPF CSOs UNHCR			200	0
		3. Conduct trainings for the National Eligibility Committee (NEC) Members and District Ad Hoc Eligibility Committees. (ONGOING)		MoHA	Department of Immigration Services. ✓ Department of Refugee Services. ✓ TPF CSOs UNHCR	All Immigration Officers trained. Police Officers trained. Training manual prepared, disseminated, and made publicly available.	1-3	500	0
2.	To ensure that refugees and asylum-seekers are given access to asylum procedures.	1. Increase regular border monitoring efforts to ensure that asylum seekers are given prompt access to asylum procedures. (ONGOING)		MoHA CHRAGG	Department of Immigration Services ✓ Department of Refugee Services TPF UNHCR CSOs	Number of asylum-seekers given access to asylum procedures increased. Number of complaints from Asylum seekers decreased	1-5	2,000	0
		2. The National Eligibility Committee to conduct its session to adjudicate upon asylum claims in a timely manner.		MoHA	Department of Refugee Services UNHCR	Number of refugees granted asylum in the Country.	1-3	696	0
		3. To solicit funds to supplement Government budget (ONGOING)		MoHA	Development partners ✓	Funds granted to the Government	1-5	101	0
		4. Provide reading materials on international protection and adequate information on refugees' countries of origin for the NEC and immigration		UNHCR MoHA	110 Department of Refugee Services CSOs	Reading and other reference materials provided	1-5	209	0

Chapter 4: Institutional Strengthening and Human Rights and Business

4.4.1. Institutional Strengthening of CHRAGG and AGC

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/N	Broad Objectives	Action/activity	Linkage to Development Plans	Lead Actor	Cooperating Actors	Output(s)	Time Frame	Resources (Tzs Millions)	
								Main land	ZNZ
1.	To strengthen Commission Legal powers and service delivery.	1. Submit CHRAGG's reports to the Government and have them debated in legislative assembly, and any other competent body. (NEW)		MoCLA AGC POPSGG	Parliament ✓ House of Representatives ✓ PO-GGCU All MDAs CSOs	CHRAGG Act amended. CHRAGG reports debated.	1-5	500	120
		2. Review and comment on existing and proposed Legislation, Regulations and administrative provisions, to ensure compliance with human rights and good governance principles. (ONGOING)		CHRAGG MoCLA MoJCA	Parliament ✓ CSOs LRC-ZNZ HOR	CHRAGG recommendations incorporated into legislative procedures.	1-5	600	144
		3. Promote due consideration and prompt response of State Authorities and others to CHRAGG's recommendations. (ONGOING)		CHRAGG PO-GGU POPSGG	MoCLA ✓ MOJCA ✓	Number of meetings with public authorities held. Number of CHRAGG's recommendations considered.	1-5	600	144
		4. Strengthen financial and institutional independence of CHRAGG. (ONGOING)		MoF POFEDP CHRAGG	PO-GGU ✓ MoCLA ✓	Meetings with various authorities held. Annual increase of CHRAGG's budget.	1-5	440	144
		5. Review the appointment procedures and composition of CHRAGG Commissioners. (NEW)		MoCLA MOJCA	CHRAGG ✓ CSOs POPSGG	Appointment procedures reviewed and amended to ensure continuity and effectiveness	1-2	150	40
		6. Implement CHRAGG skills-development needs assessment recommendations. (NEW)		CHRAGG POPSGG	MDAs ✓ CSOs	Number of staff trained	1-2	1,500	30
		7. To establish and coordinate working groups on thematic basis among its members. (NEW)		CHRAGG	MDAs ✓ CSOs ✓ FVPO MLEC MSWYWCD	Number of thematic Working groups established. Number of meetings of thematic working groups held	1-5	200	15
2.	To increase stakeholders awareness and understanding	1. Conduct public awareness campaigns to increase awareness of CHRAGG's		CHRAGG MICTS	CSOs ✓	Number of awareness programmes conducted.	1-5	500	20

4.4.2. Human Rights and Business

Monitoring and Evaluation Agency: CHRAGG and CSOs

S/N	Broad Objectives	Action/activity	Linkage to Development Plans	Lead Ministry	Cooperating Actors	Output(s)	Time Frame	Resources (Tzs Millions)	
								Main land	ZNZ
1.	To enhance Human rights and Business	1. Conduct trainings for business enterprises on their duties to protect human rights in conducting business, including international standards. (ONGOING)		CHRAGG MTIM MLEC	PO-GGU ✓ MoCLA ✓ MoITM MoNRT MoEM LGAs Police CSOs ZNCCIA	Large enterprises trained. SMEs trained.	1-5	490	60
		2. Establish monitoring mechanism for NGOs to enable them monitor the impact of business activities on human rights. (NEW)		CHRAGG MoJCA	CSOs ✓ FBOs CBOs MLEC	NGO monitoring mechanisms established and operationalized.	1-5	150	280
2.	To prepare and adopt a National Plan of Action on Human Rights and Business.	1. Organize workshops with the business community to get their opinions towards preparation of a human rights and business National Action Plan. (NEW)		CHRAGG MOITM MTIM	MoCLA MDAs Business community POFEDP	-Number of meetings organized. Report containing opinions and recommendations prepared.	1-5	408	160
		2. Formulate a coordination team on trade, business, and human rights with a view to overseeing the process of preparing the National Action Plan on Human Rights and Business. (NEW)		CHRAGG MoITM MoJCA	MoCLA ✓ MDAs Business community	Coordination Team formed.	1-5	200	32
		3. Prepare a Draft National Action Plan for Human Rights and Business and present it to business stakeholders for validation. (NEW)		CHRAGG MoITM MTIM	MoCLA ✓ MDAs ✓ Business community MOJCA	National Action Plan Prepared. Stakeholder validation workshop conducted.	2-3	145	96
3.	To strengthen compliance measures for business and human rights, and to promote a culture of respect for human rights among the	1. Create awareness for increasing the number of Tanzanian companies who have signed the Global Compact. (NEW)		MoCLA MoITM MoJCA MTIM	CHRAGG ✓ MDAs Business community	Number of companies' party to the Global Compact increased.	1-5	400	120
		2. Amend Legislation to require companies to incorporate human rights into their existing policies.		MoCLA AGC PO-GGU	MDAs ✓ CHRAGG ✓ CSOs	Legislation amended. Number of business enterprises with policies that address human rights increased.	1-5	250	100

GRAND TOTAL: TZS. 338,004,000,000.00

**LIST OF MEMBERS OF THE COORDINATION COMMITTEE WHO PARTICIPATED IN THE DEVELOPMENT
OF THE NATIONAL HUMAN RIGHTS ACTION PLAN**

S/N	NAME	INSTITUTION	POSITION
1.	Mathew Mwaimu	AGC	Chairperson
2.	Francis Nzuki	CHRAGG	Vice Chairperson
3.	Joaquine De Mello	CHRAGG	Chairperson-Technical Committee
4.	Epiphania Mfundo	CHRAGG	Member
5.	Vicent Mbombo	CHRAGG	Member
6.	Mwinyihusi Hassani	POPSGG (Zanzibar)	Member
7.	Abeida Rashid	FVPO (Zanzibar)	Member
8.	Harusi Mpatani	ZLSC (Zanzibar)	Member
9.	Alesia Mbuya	AGC	Member
10.	Sarah Mwaipopo	AGC	Member
11.	Felista Mushi	MoCLA	Member
12.	Yusra Islem/ James Marenga	NOLA	Member
13.	Grace Mkinga	TAWLA	Member
14.	Reginald Martin	LHRC	Member
15.	Dr. Charles Sokile	Private	Member
16.	Hanifa Salengu	MoCDGC	Member
17.	Francis Molay	PMO	Member
18.	Ahmad S. Mwendadi	TPS	Member
19.	Hamad Khamis Hamad	TPF	Member
20.	Amos Anastaz	SHIVYAWATA	Member
CONSULTANT			
21.	James Jesse	UDSM (School of Law)	Consultant
TECHNICAL ADVISORS			
22.	Tobias Rahm	UNDP	Technical Advisor
23.	Nina Pronin/Nora Pendaeli	UNDP	Technical Advisor
24.	Nikhil Narayan/Lauren Baillie	PILPG	Technical Advisor
SECRETARIAT			
25.	Philemon Thomas	CHRAGG	Member of Secretariat
26.	Laurent J. Burilo	CHRAGG	Member of Secretariat
27.	Jamila Sulu	CHRAGG	Member of Secretariat

