



---

*Plenary sitting*

---

**B8-0573/2018**

11.12.2018

## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on on Tanzania  
(2018/2969(RSP))

**Victor Boştinaru, Soraya Post, Daniele Viotti, David Martin, Elena Valenciano**  
on behalf of the S&D Group

**B8-0573/2018**

**European Parliament resolution on on Tanzania  
(2018/2969(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on condemning criminalizing laws, attacks against LGBTI and human rights defenders;
  - having regard to the Declaration by High Representative Federica Mogherini on behalf of the EU on EU-Tanzania relations, namely on the deteriorating human rights and rule of law situation, the attacks on LGBTI persons and restrictions of the activities of civil society organisations, the media and many political parties, of 15th November 2018;
  - having regard to the local EU statement of 23 February 2018 on the rise in politically-related violence and intimidation in Tanzania,
  - having regard to the Council conclusions on LGBTI equality, 16 June 2016;
  - having regard to the statement of Michelle Bachelet , UN High Commissioner for Human Rights (OHCHR), on the prosecution and arrests of LGBT people in Tanzania, of 2 November 2018;
  - having regard to the Guidelines to Promote and Protect the Enjoyment of all Human Rights by Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Persons, adopted by the Council on 24 June 2013;
  - having regard to the UN Human Rights Council on the protection against violence and discrimination based on sexual orientation and gender identity , adopted 30 June 2016;
  - having regard to the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the African Charter on Human and Peoples' Rights;
  - having regard to the UN Convention on the Rights of the Child,
  - having regard to the African Charter of Human and Peoples' Rights (ACHPR),
  - having regard to the ACP-EC Partnership Agreement ('Cotonou Agreement');
  - having regard to Rule 135 of its Rules of Procedure;
- A. whereas the human rights situation in Tanzania has severely deteriorated since the last elections in 2015; whereas journalists, opposition politicians, civil society activists, human rights defenders have faced threats, arbitrary detention, and criminal charges; whereas the freedom, of expression , assembly and association are under threat in the country;

- B. whereas authorities have been prosecuting and violated the rights of LGBT people and their advocates who are now living in fear, hiding or fleeing the country;
- C. whereas under a colonial-era law people face a 30-year jail sentence in Tanzania for homosexual acts;
- D. whereas police raided health and human rights workshops aimed at sexual and gender minorities, arbitrarily arresting participants, whereas they rounded up suspected gay men in the streets, reportedly subjecting some to forced clinical exams, a discredited method of “proving” homosexual conduct that the United Nations and the African Commission on Human and Peoples’ Rights have denounced as torture;
- E. whereas the authorities shut down gay friendly clinics which has resulted in HIV-positive men failing to access their anti-retroviral treatment, while other MSM have stopped accessing testing and preventive services;
- F. whereas among others on the 18th September in Zanzibar the authorities arrested 12 women and 8 men while attending a HIV /AIDS info in a hotel accusing them for promoting LGBT rights ; whereas on the 17 October, 13 human rights and health activists were also detained ;
- G. whereas Paul Makonda, the regional commissioner of Dar Es Salaam , has been a prominent advocate of the repression; whereas in a press conference on October 31, 2018, he said that he had established a task force to track down gay men, sex workers and people conducting fraudulent fundraisers on social media; he called on the public to report suspected gay people to authorities;
- H. whereas on the 25 June the Ministry of home affairs threatened to expel any foreigner or to prosecute any person working to protect LGBT rights;
- I. whereas the government shut down or threatened privately owned radio stations and newspapers, ended live transmissions of parliamentary debates ; local channels and decoders which air local channels have been closed;
- J. whereas draconian laws such as the Cyber Crimes Act, 2015 and the Online Content Regulations, 2018 were enacted as well as the Statistics Act, 2015 (section 24 (B) which criminalizes discussion of government statistics; whereas with the enactment of the Online Content Regulations, 2018 at least 8 journalists have been arrested and prosecuted for running online content forums without registering them;
- K. whereas incidents of abductions, forced disappearance and grave violations of human rights have gone unnoticed without impunity; whereas no investigation and reports were issued with regard to abduction of journalist Azory Gwanda, Salma Said and Absalom Kibanda, political activists Simon Kanguye and Ben Saanane, and chairman of the Medical Association of Tanzania Dr. Steven Ulimboka,;

- L. whereas the deterioration of the human rights and rule of law situation in the country contributed to the general atmosphere that led to the forced departure and recall for consultations of the Head of the EU Delegation in Tanzania, Ambassador Roeland Van de Geer ; whereas the EU is conducting a comprehensive review of its relations with Tanzania;
- M. whereas on the 22 June the President Magufuli has issued a declaration banning pregnant girls for attending school ; whereas the authorities are intimidating CSOs advocating the rights of girls pregnant to go back to school;
- N. whereas the Commission for human rights and good governance has not been operational for sometimes now; whereas The President has not appointed commissioners and other office bearers of the commission
1. Strongly condemns the prosecution, discrimination , arrests and intimidation of human rights defenders, LGBTI people, journalists and the opposition;
  2. Recalls that all human beings are born free and equal in dignity and rights, and that everyone is entitled to all the rights and freedoms set forth in the Universal Declaration of Human Rights, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, or other status;
  3. Calls upon the government of Tanzania to take urgent action to stop incidents of harassments, arrests, attacks and repression and to ensure the protection of all human rights;
  4. Denounces all incitement to hatred and violence on grounds of sexual orientation;; calls on the country's authorities to effectively uphold LGBTI people's right to life and dignity,
  5. Calls for independent investigations to be conducted into cases of attacks and assaults on journalists, LGBTI people, human rights defenders and opposition party members with a view to bringing suspected perpetrators to justice and these attacks should be publicly and unequivocally condemned.
  6. Recalls Tanzania has ratified the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Convention on the Elimination of Discrimination against Women, which set out the rights of everyone to freedom from discrimination;
  7. Urges the Government to ensure that human rights defenders, journalists and health providers are able to carry out their vital work, free from attacks and persecution;
  8. Calls on Tanzania to repeal laws criminalising homosexuality;
  9. Insists on importance of a political dialogue to seek tangible commitments from the Tanzanian authorities towards creating an enabling environment for civil society, political parties and the media to operate;

10. Urges the Government to review and amend all draconian laws, in particular the Media Services Act, 2016, Cyber Crimes Act, 2016, Statistics Act, 2015, the Police Force Auxiliary Services Act, 1969, the Online Content Regulations, 2018 and replace them by progressive sections that will guarantee freedom of expression and the media in line with international human rights standards.
11. Calls the President of Tanzania to repeal any laws, policies or other barriers to the services and information women and girls need for a healthy life;
12. Urges the President to repeal the ban preventing pregnant girls from attending school;
13. Urges the President of Tanzania to make operational as soon as possible the Human Rights Commission in the country and appoint commissioners to follow on human rights violations;
14. Instructs its President to forward this resolution to the Commission, the Council, the European External Action Service, the Member States, the national government and parliament of Tanzania.