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The authorities cracked down on peaceful dissent, arbitrarily arresting critics of the president's development agenda, opposition members and those linked to the opposition, lawyers, Indigenous Maasai People and activists. Parliament amended the Media Services Act. The high court ruled in favour of the Maasais in Loliondo in relation to their forced eviction from ancestral land. East African Crude Oil Pipeline Ltd obtained a licence to construct a 1,443km pipeline. Authorities refused access to international fact-finding missions to assess human rights violations against the Maasais in Ngorongoro. The decision to withdraw a court declaration that would allow individuals and NGOs direct access to the African Court on Human and Peoples' Rights remained in force. Despite improvements in education provisions, low school retention rates for girls persisted due to poverty, early pregnancy and gender-based violence in schools. The use of inflammatory language against LGBTI people intensified.

Background

In October 2022, the president signed an intergovernmental agreement with the emirate of Dubai in the United Arab Emirates (UAE) for collaboration in the development, management and operation of Tanzania's ports and other related infrastructure. On 10 June, parliament endorsed the agreement.

In February, the authorities launched a public consultation process to guide a forthcoming review of the constitution and other laws.

Freedom of expression, association and assembly

In January, the president lifted a punitive blanket ban, imposed by the late president in 2016, on political parties organizing rallies and other political activities. Prominent opposition politicians who had defied the ban had, in the past, been arbitrarily arrested and detained. However, authorities continued to crack down on political activities, on critics of government projects and on those opposing forced evictions, including by using arbitrary arrests, detention and intimidation.

At least 12 people were arrested between June and December for criticizing the Tanzania/UAE agreement. Those arrested were released unconditionally after being held for a few days. Rugemeleza Nshala, an activist and former president of the Tanganyika Law Society who had also criticized the agreement, fled the country in July after he faced police intimidation and death threats on his phone from unknown sources.

In June, parliament passed positive amendments to the Media Services Act, including by removing the criminal liability of journalists in relation to professional conduct, reducing penalties and fines for offenders in sedition cases and withdrawing court powers to confiscate media equipment.

On 14 July, lawyer and activist Boniface Mwabukusi and political activist Mdude Nyagali were arrested days after holding a press conference in Dar es Salaam where they criticized the Tanzania/UAE agreement. On 12 August, they were re-arrested while travelling to Dar es Salaam and taken to the Central Police Station in the city of Mbeya. The next day, police arrested Willibrod Slaa, a former parliamentarian and diplomat, at his home in Dar es Salaam and took him to Mbweni Police Station. The three, who were released on 18 August under strict reporting conditions, faced treason charges.

On 6 September, the chief of police in Ngorongoro district, Arusha region, issued a warning to the main opposition Party for Democracy and Progress (Chadema) against holding a series of political rallies that were planned in the Loliondo division for 8 and 9 September. Authorities cited security

as justification but did not provide further details; they claimed the warning was in accordance with Ngorongoro Conservation Area (NCA) rules.

On 10 September, police arrested opposition leader Tundu Lissu for holding an “unlawful assembly” after he attended a political rally in the Loliondo division. He was arrested as he tried to access the NCA to speak to Maasais participating in another rally. He was released without charge the same day.

Forced evictions

At least 67 Maasais were arrested during the year, mainly in Endulen village, Ngorongoro division, for refusing to leave their ancestral lands under ongoing enforced relocation plans to establish a protected wildlife area in the Ngorongoro Conservation Area. Some were held for a few hours and others for a few days.

On 7 August, the high court in Mbeya issued a decision revoking a government directive to evict about 21,000 people from their land in five of 39 villages bordering Ruaha National Park in Mbarali district, Mbeya region. The government said it wanted the land for wildlife conservation within the national park. The case before the high court had been filed in January by 852 smallholder farmers from Marili, following an October 2022 eviction notice issued by the minister of land, housing and human settlement development, which declared the villages to be inside the national park. Just before the high court’s ruling, the Assistant Commissioner of Lands for Mbeya told parliament’s Standing Committee for Lands, Natural Resources and Tourism that the government had, in fact, returned 744.32km² of the land to the community in Mbarali.

On 19 September, the high court sitting in Arusha region found that the Pololeti Game Controlled Area in Loliondo division was established illegally. On 17 June 2022, the minister for natural resources and tourism had declared Pololeti a “game-controlled area” – an area designated for wildlife preservation – to justify the forced evictions of Maasais from 1,500km² of their land. The community challenged this declaration in a judicial review filed in November 2022. The high court ruled that the government had not consulted the residents when making the declaration, rendering the process void.

At the end of the year, around 100 Maasai families remained in impoverished conditions with little access to livelihoods in the Oololaimutia and Olpusimoru villages in Narok county in Kenya. They had fled there with their livestock after their homesteads were destroyed during the June 2022 forced evictions in the Loliondo division.

Right to a healthy environment

The International Monetary Fund reported that while “highly vulnerable to climate change”, Tanzania was “less prepared than most countries to address its impacts.”

On 24 January, East African Crude Oil Pipeline (EACOP) Ltd, a fossil fuel company, received a licence allowing it to commence the development of the 1,443km East African Crude Oil Pipeline to transport crude oil from the Lake Albert oilfields in western Uganda to Tanga Port on Tanzania’s northern coast for export (see Uganda entry). The project involves the construction of a 61cm diameter heated pipeline.

On 5 April, the East African Court of Justice (EACJ) reserved judgment in the case of a lawsuit filed three years earlier by Kenyan, Ugandan and Tanzanian civil society groups who sought a temporary injunction with a view to preventing the construction of the pipeline. The EACJ heard arguments from the East African Community secretary-general, and the Tanzanian and Ugandan governments who contended, among other things, that the matter was outside the court’s jurisdiction. The civil society groups had brought the case in response to concerns about the

pipeline's adverse impact on the environment, and the displacement of local people, including Indigenous Peoples, whose rights to livelihoods, food and health were threatened by the project. On 29 November, the court dismissed the lawsuit, regarding it as time barred, and ruled that the applicants should have filed the case as early as 2017 rather than in 2020. The civil society groups appealed the decision on 11 December.

Right to truth, justice and reparation

The authorities denied widespread reports of violent forced evictions against the Maasais from their land in Ngorongoro. They also denied requests from intergovernmental organizations to conduct fact-finding missions in Ngorongoro. The government did, however, allow an African Commission on Human and Peoples' Rights delegation to undertake a promotion mission between 23 and 28 January. The delegation raised concerns about forced evictions of Maasais, noting a lack of adequate consultation with, and inclusion of, the local communities in the demarcation exercise of lands they laid claim to; and reports of the use of force and threats against community members who contested the demarcation. On 25 August, the government prevented a UNESCO fact-finding delegation from visiting the area. Again, on 2 September, a delegation of members of the European Parliament were refused access, despite the government previously agreeing to their visit to investigate human rights abuses against the Maasais.

Government announcements made in 2022 indicating that it would revisit its decision to withdraw from the declaration made under Article 34(6) of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights (AfCHPR), remained unrealized. Therefore, individuals and NGOs, failed by the national legal system, remained unable to enjoy direct access to the AfCHPR. The government had signed its notice of withdrawal in 2019.

Women's and girls' rights

The National Panel Survey showed that although there was progress in the provision of quality education, improvements were needed, specifically in relation to low retention rates for girls. Despite the lifting in February 2022 of the ban on pregnant girls and adolescent mothers attending mainstream schools, low retention rates continued due to poverty, early pregnancy and gender-based violence in schools. There was, however, an overall increase in enrolment and literacy rates, and a reduction in the barriers to children's access to school. The World Bank concluded that "the government's policies and interventions ... allowed the country to move towards greater access to education, especially in the most underserved areas."

LGBTI people's rights

In February, the education minister issued a ban on books in public and private schools that include LGBTI content, and urged the public to report any books containing such content.

In March, the head of the women's wing of Chadema urged the government to pass legislation that would provide for the castration of anyone convicted of consensual same-sex sexual relations. On 12 April, an MP introduced a parliamentary debate, arguing that unless action is taken, Tanzania "risked having gay people in positions of power or authority". Another MP proposed the death penalty for people convicted of consensual same-sex sexual relations.