

**UNIVERSAL PERIODIC REVIEW
THE 25TH SESSION OF THE 2ND UPR CYCLE FOR THE UNITED REPUBLIC OF TANZANIA
TANZANIAN STAKEHOLDERS UPR ADVOCACY CHARTER.**

This charter is a guideline for states and other stakeholders who wish to engage the government of the United Republic of Tanzania on issues and concerns via the Universal Periodic Review (UPR). The charter makes recommendations which stakeholders hope the government will implement to improve the situation of human rights in the country. Achievements and efforts made by the government in promotion and protection of human rights so far are acknowledged. Stakeholders hope that the government in consultation with stakeholders will seriously work on recommendations suggested to address issues raised.

STAKEHOLDER SUBMISSION STATE REPORT	SUGGESTED QUESTIONS	SUGGESTED RECOMMENDATIONS
1. Right to access to health services		
<p>The Technical working group documented several cases of human rights violations within the health sector affecting Key Populations. These violations include denial of services, verbal harassment, abuse and violation of confidentiality.</p> <p>Despite all the commitments by the government of Tanzania to develop strategies and guidelines for health services providers still there are no effective implementation of those strategies and guidelines hence several challenges with regard to Key Populations, Gender and Sexual Minorities access to health services.</p> <p>For example in one case, a gay man was turned away from a government dispensary in Dar es Salaam</p> <p>While in another case, a gay man in Zanzibar was diagnosed with gonorrhoea, but was then refused treatment because of his sexual orientation.</p>	<ol style="list-style-type: none"> 1. When will the government of Tanzania take actions against discrimination and stigma of Key population, Gender and Sexual minority? 2. What are strategies government have in place to harmonize contradicting policies and laws the affects the rights of KGS to access health services 3. What is the plan of The Government of Tanzania on addressing issues of SOGI, to existing and scholars health care workers How will the government of Tanzania ensure full implementations of the existing policies with regard to Key Population, Gender and Sexual minorities 	<ol style="list-style-type: none"> 1. The government should ensure the effective implementation of all the following National Documents/ Strategies <ol style="list-style-type: none"> a) The Tanzania Third Multi-Sectoral Strategic Framework for HIV and AIDS 2013-2018 b) National Guideline for Comprehensive Package of HIV Intervention for Key Population c) 2014 Third Health Sector HIV and AIDS Strategic Plan (HSHSP III) 2013-2017, d) Comprehensive National Multi-Sectoral HIV and AIDS Stigma and Reduction Strategy 2013-2017, e) Tanzania National HIV& AIDS Advocacy and Communication Strategy 2013-2017 and for Zanzibar the National HIV Strategic Plan II (2011-2016) . 2. The government should through the ministry responsible to recognize and include transgender and intersex people in the national HIV strategies for both Mainland and Zanzibar. 3. Government should ensure that, public health providers make an effort to acknowledge, reach out to, and educate Key Population groups, as indicated by the Third National Multi-Sectoral Strategic Framework on HIV/AIDS,. 4. The government should increase the available domestic resources for Key Population programmes that serve to

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		<p>reduce the spread of HIV/AIDS and the subsequent deaths associated with the disease.</p> <p>5. Governments should provide mandatory trainings on the international standards of non-discrimination to government officials such as police, prison/detention staffs and judiciary with specific emphasis on Key Population, Gender and sexual minorities to address their vulnerability to HIV infections.</p> <p>6. The government should procure HIV prevention commodities such as condom-compatible lubricants, needles and syringes and to include in the health commodities essentials list.</p>
2. Police Harassment		
<p>Key population, Gender and Sexual minorities are experiencing dozens of incidences of grave human rights violations by police officers, including arbitrary arrest, torture, rape and inhuman treatment, often combined with extortion for money or sex.</p> <p>In most of these cases there was denial of access to justice, as police officers refused to accept complaints from members of Key Populations and sexual minorities</p>	<ol style="list-style-type: none"> 1. When will the government of Tanzania incorporate Sexual orientation and Gender identity issues to police on police officer college curriculum 2. What is the plan of the Government to take actions against all police officers who hinders Key Population, gender and Sexual minority access to justice? 	<ol style="list-style-type: none"> 1. The government should take actions against all police officers who based on sexual orientation or identity conduct harassment, torture, or all other forms of ill-treatment against sexual minorities and Key Populations 2. Ensure the government takes action against any police officer or civil servant who based on sexual orientation or identity obstructs access to justice and to health services by Key Populations and sexual. 3. In police officers raise awareness of sexual orientation and gender identity, including training in collaboration with civil society groups. 4. Include sexual minorities in the police Gender Desk partners' forum. Gender Desks should be prepared for, equipped to, and mandated to handle cases of abuse against sexual minorities.

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3. Rights to Freedom of Assembly and Association

<p>Most organizations working with Key Populations and sexual minorities experience many challenges with the authorities when they register as an organization. For instance, they are denied the use of direct names, they may not incorporate specific words in their name, and they have to change their mission, their vision and their objectives</p> <p>However, as recently as April 2014 an NGO working on sexual minority issues and health rights for Key Populations in Tanzania was officially de-registered by the Permanent Secretary of the Ministry of Community Development Gender and Children (MoCDGC). The organization known as Tanzania Sisi Kwa Sisi Foundation (TSSF) was de-registered because they allegedly were "promoting LGBTI activities</p>	<ol style="list-style-type: none"> 1. Why is the Government of Tanzania not respecting its own constitution and International instruments in the right of freedom of Assembly and Association? 2. When will the Government of Tanzania remove all restrictions in Registration of organization of the key population, Gender and Sexual minorities? 3. What is the government's commitment to ensure that all staffs of the Ministry of Community Development Gender and Children are aware of issues relating to Sexual orientation and Gender Identity? 	<ol style="list-style-type: none"> 1. The government should remove all restrictions on the registration of groups working with Key Populations, Gender and sexual minority, including groups dealing with HIV interventions, sexual and reproductive health, and human rights. 2. The government should, through trainings, workshops, seminars and campaigns raise awareness of the staff of the Ministry of Community Development Gender and Children (MoCDGC) to understand issues of Key Populations, Gender and sexual minorities and human rights.
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4. Right to life and security

<p>The right to life of sexual minorities and Key Populations has been violated several times in Tanzania. Despite all these violations, the incidents do not appear to be investigated by police on the grounds of the victims' sexual orientation</p> <p>For example, Maurice Mjomba was murdered on 2012 by an unknown assailant. Mjomba was working with Center for Human Rights Promotion (CHRP), a group that educates MSM about sexual health</p>	<ol style="list-style-type: none"> 1. Why is the government of Tanzania is reluctant to investigate the murder of Maurice Mjomba 2. What are government comments to ensure that there is no further killings of Key Population, Gender and Sexual minority 3. What is the government plan to raise awareness to Tanzanians on violence on the ground of Sexual orientation and Gender Identity 	<ol style="list-style-type: none"> 1. Abolish impunity for crimes committed against sexual minorities and Key Populations. 2. Ensure independent investigations into all allegations of violence against sexual minorities and Key Population individuals, leading to prosecution of perpetrators. 3. The government should make a campaign to community which is objective is to educate the citizen that, violence on the grounds of sexual orientation or gender identity will not be tolerated and will be prosecuted to the full extent of the law.
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<p>Similar to that is the killing of an Australian who belongs to the sexual minority community living in Tanzania who was also killed "almost in the same manner as Morris Mjomba.</p>		
<p>5. Right to access to work and Non Discrimination</p>		
<p>Key Population and sexual minorities face several challenges with employment, including termination of employment, denial of employment opportunities, denial of financial loans, abuse while on duty, and harassment due to colleagues or bosses perceiving them as immoral.</p> <p>The right to employment is provided for in the Constitution of United Republic of Tanzania under Article 22.¹ The same Constitution stipulates clearly that there shall not be any discrimination against anyone.² Section 7(1) of the Employment and Labor Relations Act of 2004 requires every employer to strive to eliminate discrimination. Section 7(4) sets out the grounds on which discrimination is prohibited, including sexual orientation, gender, HIV/AIDS status and station of life. Despite all these provisions, sexual minorities in Tanzania have experienced employment discrimination on several occasions.</p> <p>For example, in 2008, a MSM in Dar es Salaam was terminated from his employment (hotel employment) merely because of his sexual</p>	<p>1. What is the plan of the government of Tanzania to address discrimination at work on the basis of Sexual Orientation and Gender Identity?</p>	<p>2. Issue directives and guidelines to all employers' associations and other employment actors on issues of human rights, sexual orientation and gender identity.</p>

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<p>orientation.³ In another reported incident, a primary teacher was terminated from his employment also because of his sexual orientation; his supervisor claimed that he was a gay, who will spoil the students.⁴</p> <p>Other trustworthy research indicates that at least six people from the Key Population and sexual minority communities have lost their jobs or were forced to change their residence following an anti-gay backlash to a "Gender Festival" in 2011; some because they were seen on television, while others became targets of "a witch hunt in which suspected gays were publicly scorned by family members, neighbors, and employers".</p>		