



Plenary sitting

B8-0571/2018

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 Tanzania
(2018/2969(RSP))

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on behalf of the Verts/ALE Group
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**European Parliament resolution on Tanzania
(2018/2969(RSP))**

The European Parliament,

- having regard to its previous resolutions on Tanzania,
- having regard to the Declaration by High Representative Federica Mogherini on behalf of the EU on EU-Tanzania relations from 15 November 2018,
- having regard to the Local EU Statement on the rise in politically-related violence and intimidation in Tanzania from 23 February 2018,
- having regard to the revised Cotonou Agreement,
- having regard to the Universal Declaration of Human Rights,
- having regard to the International Covenant on Civil and Political Rights,
- having regard to the African Charter on Human and Peoples' Rights,
- having regard to the UN Guiding Principles on Business and Human Rights of 2011,
- having regard to the ACP-EU Joint Parliamentary Resolution on the social and environmental impact of pastoralism in ACP countries adopted in November 2013 (ACP-EU/101.526/13/fin),
- having regard to the Framework and Guidelines on Land Policy in Africa, endorsed by African ministers responsible for agriculture and land in March 2009, and subsequently by the AU Summit of Heads of State and government, through the adoption of the Declaration on Land Issues and Challenges in July 2009;
- having regard to Rule 135 of its Rules of Procedure;
 - A. Whereas Tanzania has witnessed since the accession to power in 2015 of President Magufuli a rapidly deteriorating environment for media, human rights defenders and opposition party members, the LGBTI community, girls and women rights,
 - B. Whereas since the start of 2018, several political opposition members and parliamentarians have been violently attacked and even killed; whereas on 22 February, Godfrey Luena, a member of parliament with Tanzania's main opposition

party Chama Cha Demokrasia Na Maendeleo (CHADEMA) and a vocal land rights defender, was killed with machetes outside of his home; whereas in November 2018, the program coordinator of the Committee to Protect Journalists (CPJ), Africa Angela Quintal and her colleague Muthoki Mumo, were arrested and released after pressure by international institutions,

- C. whereas homosexual acts are illegal in Tanzania and punishable by up to 30 years in prison; whereas on 29 October 2018 Dar Es Salam regional commissioner Paul Makonda announced the creation of a surveillance task force to identify and arrest members of the LGBTI community and sex workers;
- D. whereas Makonda appeared on national television and radio threatening the public to report names, warning that those who failed to report a person later arrested for homosexuality would also face punishment; whereas Makonda's incitement was allowed to continue, and has had a clear direct impact on the subsequent violence towards the LGBTI community;
- E. whereas LGBTI community and human rights defenders, as well as sex workers, have faced arrests, and violent physical attacks, including ransacking of office of LGBTI rights organisations; whereas many human rights defenders and activists have had to go into hiding in cities across Tanzania; whereas attackers have been reported to shout "Makonda's people" at victims;
- F. whereas recent regulations require bloggers and online streaming services to pay an exorbitant annual US\$900 fee,
- G. whereas the 2015 Cybercrimes Act gives the government dangerously broad authority to ban articles and social media posts,
- H. whereas the Tanzania government obstructs access to sexual and reproductive health services and intimidates organisations providing information about such services; whereas on 19 September 2018, the Ministry of Health, Community Development, Gender, Elderly and Children in Tanzania banned the airing of all family planning advertisements on radio and television pending further notice; whereas the WorldBank has withdrawn plans for a 300 million dollar educational loan as a result.
- I. whereas in June 2017, President Magufuli declared that girls who gave birth should not be allowed to return to school and publicly censured human rights groups pushing the government to repeal Regulation No 4 of the Education Regulations, (Expulsion

and Exclusion of pupils from schools) G.N. No.295 of 2002 used as basis for expelling pregnant girls from schools,

- J. whereas the area of the Serengeti National Park which is Maasai ancestral land, continues to be the subject of conflicts between government agencies and local communities on access to land; whereas this is the case since 1992, when Otterlo Business Corporation (OBC), a company owned by the royal family in the United Arab Emirates, was granted hunting rights for the area; whereas these conflicts led to destruction of property and alleged human rights abuses;
- K. Whereas the United States has warned its citizens in Tanzania to be cautious after the commercial capital Dar es Salaam announced a crackdown on homosexuality; whereas in an alert on its website the U.S. Embassy in Tanzania advised Americans to review their social media profiles and internet footprints,
- L. whereas the EU recalled the EU Head of Delegation Roeland van de Geer for consultations after increased pressure on him by the Tanzanian authorities; whereas since the election of President Magufuli, the Head of UN Women, the Head of UNDP and the Head of Unesco have been expelled from Tanzania; whereas all the expelled have within their respective mandates criticised the Tanzanian government,
- M. whereas the EU High Representative Federica Mogherini has announced a comprehensive review of the Union's relations with Tanzania,
 - 1. Expresses its concern about the deteriorating political situation in Tanzania characterised by a shrinking of public space through the tightening of restrictions on the activities of civil society organisations, human rights defenders, the media and many political parties; is especially worried about the deteriorating situation for LGBTI persons,
 - 2. Calls on the Tanzanian government to immediately take resolute action to end the attacks against the LGBTI community and LGBTI human rights defenders, guarantee their safety and security, investigate all reported attacks and bring perpetrators to justice,
 - 3. Urges Tanzanian authorities to ensure Paul Makonda ends his incitement against the LGBTI community, and is brought to justice for incitement to violence,
 - 4. Calls on the Tanzanian government to amend all restrictive provisions in the Cybercrimes Act, the Electronic and Postal Communications (Online Content)

Regulations and the Media Services Act and replace it by provisions that will guarantee freedom of expression and the media in line with international human rights standards,

5. Considers that independent investigations must be conducted into cases of attacks and assaults on journalists, human rights defenders and opposition party members with a view to bringing suspected perpetrators to justice,
6. Calls on Tanzanian authorities to repeal any laws, policies or other barriers to the services and information for women, girls and young mothers needed for a healthy life, most notably President Magufuli's declaration that girls who gave birth should not be allowed to return to school; this includes repealing regulations that make it legal for pregnant girls to be expelled from school;
7. Is seriously worried about the pressure exerted by the Tanzanian government on the EU Head of Delegation, Roeland van de Geer, which led to his recall for consultations; congratulates Ambassador van de Geer for his dedicated stance on the protection of human rights in Tanzania;
8. Calls on the European Union Delegation and Member States to do all they can to provide emergency protection and support to human rights defenders at risk; supports the EU High Representative Federica Mogherini announcement to start a comprehensive review of the Union's relations with Tanzania.
9. Condemns the practice of land grabbing, which illegally dispossesses rural local populations of land; calls on the Tanzanian government to commit not to evict the Maasai from their ancestral land;
10. In particular, stresses that any shift in land use should only take place with the free, prior and informed consent of the local communities concerned; recalls that indigenous people have been granted specific forms of protection of their rights on land under international law, in line with the United Nations Declaration on the Rights of Indigenous Peoples;
11. Instructs its President to forward this resolution to the Council, the Commission, the High Representative for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Government of Tanzania, the National Legislative Assembly of Tanzania, the African Union's institutions, the Intergovernmental Authority on Development, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the UN Secretary-General.