



Plenary sitting

B8-0574/2018

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 ALDE Group

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

The European Parliament,

- having regard to its previous resolutions on Tanzania,
 - having regard to its previous resolutions on discrimination, serious human rights violations and decriminalisation of homosexuality,
 - having regard to the Universal Declaration of Human Rights of 10 December 1948,
 - having regard to the 1984 United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,
 - having regard to the African Charter on Democracy, Elections and Governance (ACDEG),
 - having regard to the UN Declaration on the rights of minorities of 18 December 1992,
 - having regard to the ACP-EU Partnership Agreement (‘Cotonou Agreement’) and in particular to Article 8(4) thereof on non-discrimination,
 - having regard to the 28 September 2010 Declaration of the 21st session of the ACP-EU Joint Parliamentary Assembly on the peaceful co-existence of religions and the importance given to the phenomenon of homosexuality in the ACP-EU partnership,
 - having regard to the declaration by High Representative Federica Mogherini on behalf of the EU on EU-Tanzania relations on November 15th 2018,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas the European Union has recalled the head of its delegation to Tanzania for consultations due to the deterioration of the human rights and rule of law in particular against lesbian, gay, bisexual and transgender (LGBT) Tanzanians;
- B. whereas the EU has announced a review of its relations with Tanzania;
- C. whereas Paul Makonda, the administrative chief of the capital Dar es Salaam, has announced in November 2018 that a special committee - composed of police officers, lawyers and doctors - would be set up to identify and punish homosexuals, prostitutes and online fraudsters; whereas the public has been asked to report gay people to the authorities; whereas Paul Makonda announced that, following his call, he had received more than 5, 700 messages from the public, with more than 100 names;

- D. Whereas homophobia is widespread in Tanzanian society; whereas Makonda's declaration could exacerbate violence against the LGBT community;
- E. whereas Tanzanian officials distanced themselves from Mr Makonda's declaration, but the declarations weren't condemned; whereas the government already in 2016 threatened to arrest gays and their social media followers but also to deregister organisations "promoting" homosexuality;
- F. Whereas on 25 June, the Home Affairs Minister threatened to prosecute or deport anyone working to protect the rights of LGBT people; Whereas the government has continued to prohibit organisations supporting LGBT people; whereas 20 people were arrested on 18 September 2018 for advocating LGBT rights;
- G. whereas the Ministry of Health temporarily suspended provision of HIV and AIDS services at the community level and closed drop-in centres for key populations, including gay men; whereas the Ministry of Health barred 40 health centres on 17 February 2017 for allegedly encouraging homosexuality; whereas 13 health and human rights activists were arrested on 17 October 2018 for participating in a meeting to discuss a law restricting the access of LGTB to some health services;
- H. whereas since October 2015, and the election of President John Pombe Magufuli, basic rights have been undermined through repressive laws and decrees; whereas critical journalists, opposition politicians, and outspoken civil society activists have faced threats, arbitrary detention and harassment;
- I. whereas several organizations reported that the crackdown on the LGBT community has resulted in HIV-positive men failing to access their anti-retroviral treatment, while other have stopped accessing testing and preventive services;
- J. Whereas Makonda threatened to "test" gay men for homosexuality, to offer "reconversion therapy" for some and jail others ; Whereas the police in Tanzania has, according to Human Rights Watch, used forced anal examinations to obtain "evidence" of homosexual behaviour for the first time, at the end of 2016; whereas these test do not have any scientific foundation and constitute cruel, degrading and inhuman treatment;
- K. Whereas 10 men were arrested on 7 November 2018 on the Tanzanian island of Zanzibar for being allegedly being gay; whereas people arrested for homosexuality in Tanzania report being victim of violence in custody, including rape;
- L. whereas in Africa homosexuality is legal only in 13 countries, while it is punished in 38 countries including Tanzania punishable by up to 30 years in prison; whereas Mauritania, Sudan, and northern Nigeria foresee death penalty; whereas being gay remains taboo,
- M. whereas Tanzania's National Assembly passed the Cyber Crimes Act in 2015 and the Online Content Regulations in September this year, aiming at controlling content used on social media;

- N. whereas several newspapers were banned while others threatened for writing news that are critical to the government;
- O. whereas the Statistics Act adopted in 2015 states that once government has declared certain statistics, no discuss or question is allowed,
- P. whereas the EU supports Tanzania through development cooperation aids, to address various challenges; whereas the current EDF cycle, 2014-2020, amounts to 626 million euros;
1. regrets the deterioration of the human rights and rule of law situation in Tanzania;
 2. condemns the Tanzanian authorities for exerting undue pressure and limitations on diplomatic missions;
 3. expresses its concern about recent political developments, notably the reduction of public space, arrest of opposition members, disappearance of government critics, harsh new defamation laws, restrictions and the monitoring of the activities of civil society organisations, the media and many political parties;
 4. Underlines that sexual orientation is a matter falling within the remit of the individual right to privacy, guaranteed by international human rights law; therefore notes the Tanzanian government's attempt to distance itself from Mr Makonda's anti-gay campaign;
 5. Denounces any attempt to incite hatred and advocate violence towards any minority group, including on grounds of sex or sexual orientation; Reiterates its commitment to universal human rights, notes in this regard that the defence of the fundamental rights of LGBT people cannot be qualified as imposing European values, but rather as the defence and promotion of shared universal human rights, which is one of the EU's objectives in all its external activities;
 6. welcomes the decision of the European Union and its Member States to conduct a comprehensive review of its policies towards Tanzania, including possible trade measures; welcomes the decision by the EU to recall its head of delegation in Tanzania in response to the escalating pressure from the Tanzanian government over its engagement on human rights issues; nevertheless; calls to maintain close political dialogue and cooperation;
 7. recalls the commitment made by Tanzania under the Cotonou Agreement to respecting democracy, the rule of law and human rights principles, which include freedom of expression and of the media;
 8. in the context of the negotiation of post-Cotonou agreement, calls on the Commission and the Council to include an explicit mention of non-discrimination based on sexual orientation;

9. acknowledges and supports the effort of Tanzanian authorities towards the fight against corruption, mismanagement of natural resources, killings of albino people, collection of public revenues, resources, accountability but also the free access to secondary education;
10. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the President of Tanzania, the Speaker of the Parliament of Tanzania and the African Union and its institutions.