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HUMAN RIGHTS COMMITTEE

Ninety-sixth session

SUMMARY RECORD OF THE 2629th MEETING

Held at the Palais Wilson, Geneva, on Tuesday, 14 July 2009, at 10 a.m.

Chairperson: Mr. IWASAWA

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The meeting was called to order at 10 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 40 OF THE COVENANT (continued)

<u>Fourth periodic report of the United Republic of Tanzania</u> (<u>continued</u>) (CCPR/C/TZA/4; CCPR/C/TZA/Q/4 and Add.1)

- 1. At the invitation of the Chairperson, the members of the delegation of the United Republic of Tanzania took places at the Committee table.
- 2. Mr. CHIKAWE (United Republic of Tanzania), replying to question 13 of the list of issues, said that his Government had introduced a series of measures to combat the killing of albinos for ritual purposes, including: prosecution; public awareness campaigns; the establishment of a multidisciplinary national task force to educate the public at the regional and community levels; a countrywide campaign to identify suspected perpetrators; a secret ballot to obtain people's opinion on suspects; and the temporary suspension of certificates of traditional healers believed to be party to the trade in albino body parts. As a result, the number of albino killings had been reduced significantly.
- 3. In connection with question 8 of the list of issues, he said that no special protection was available to terrorism suspects. Like other suspects, they had the right to be heard, the right to be represented by counsel of their own choice and the right to a fair trial. Conversely, they had no access to bail.
- 4. Turning to question 9, he said that the Emergency Powers Act, which set forth the procedures applicable during a state of emergency, did not provide for derogations from the law; consequently, there were no provisions on protection measures or remedy in the hypothetical event of such irregularities.
- 5. In response to question 11, he explained that the Corporal Punishment Act provided for the court-ordered administration of such punishment. Given the dire situation in Tanzanian prisons, corporal punishment was maintained as a preferable alternative to imprisonment. Caning was used as a disciplinary measure in schools, but was not deemed to be corporal punishment within the meaning of the Act. It was administered under the supervision of the headmaster.
- 6. At present, there was no need for in-depth consideration of legislation on marriage, succession and inheritance. Those touched on issues such as conscience and worship and could not be changed overnight.
- 7. The Government was aware of the international agreements concerning the minimum age of marriage. However, his country was home to a large Muslim community, which considered that girls could be married after entering puberty, and those traditions needed to be respected. The Government would nevertheless explore options for bringing domestic legislation into line with international standards in that regard.
- 8. Allegations of long delays in the determination of constitutional cases were baseless. The determination of such cases was subject to an elaborate procedure and, like all other cases, the court calendar. Delays were not exclusive to constitutional cases.

- 9. Elaborating on information provided at the previous meeting about female genital mutilation (FGM), he said that the two cases brought to court had been withdrawn in response to pressure from the victims and relatives. The witnesses had failed to appear in court and the cases had been dropped for lack of evidence. Those examples illustrated the fact that the Government's efforts to enforce the prohibition of FGM were encountering considerable public resistance.
- 10. In response to question 1 of the list of issues, he said that the Covenant had not been fully integrated into the domestic legal order. As it stood, therefore, it did not take precedence over domestic law. The Government was nevertheless committed to the progressive domestication of the Covenant, taking into account public opinion.
- 11. On question 3, he explained that the Witchcraft Act criminalized, inter alia, enchantment, bewitching, the use of instruments of witchcraft, the reported exercise of occult powers, the possession of occult knowledge, and the supply of instruments of witchcraft. Serious offences under the Act carried penalties of at least seven years' imprisonment.
- 12. Replying to an earlier question about the competence of the Commission for Human Rights and Good Governance, he said that the Commission operated in conformity with the Paris Principles. It was not competent to issue injunctions.
- 13. Mr. O'FLAHERTY stressed that the criminal prohibition in the State party of same-sex sexual activity was a violation of the Covenant. He asked whether any surveys had been conducted to confirm the delegation's assertion that homosexuality was repugnant to the State party's cultural values. The fact that several Tanzanian civil-society organizations had expressed concern to the Committee about the criminalization of same-sex relations suggested that not all sectors of Tanzanian society shared those values. Was it true that same-sex relations in Zanzibar were punishable by up to 25 years' imprisonment? The Tanzania Commission for AIDS had called for the decriminalization of same-sex relations, since the current policy hampered efforts to combat AIDS. He asked the delegation to comment.
- 14. <u>Mr. THELIN</u>, supported by <u>Ms. CHANET</u>, expressed doubt about the affirmation that marital rape did not exist in the State party. He urged the Government to include measures pertaining to marital rape in its national plan of action on gender-based violence.
- 15. <u>Ms. CHANET</u> said that the delegation's systematic invocation of "public opinion" as a reason for non-compliance with the Covenant was unhelpful. She urged the State party to review that approach, which was incompatible with its obligations under the Covenant.
- 16. Mr. CHIKAWE (United Republic of Tanzania), replying to the comments made by Mr. O'Flaherty, said that homosexuality was not acceptable to Tanzanian society and the population could not be forced to follow the views of the international community on the matter, as reflected in the Covenant. In Zanzibar, the punishment imposed for such offences did not exceed seven years' imprisonment. As he was not familiar with the views of the Tanzania Commission for AIDS on the matter, his delegation would reply to the relevant questions in writing.
- 17. In response to Mr. Thelin's concerns, he said that marital rape was a new concept in his country and would require in-depth consideration prior to any relevant action.

- 18. With regard to Ms. Chanet's criticism of his delegation's repeated invocation of public opinion, he pointed out that a democratic Government should be guided by the will of the people.
- 19. Mr. MWAIMU (United Republic of Tanzania), replying to question 15 of the list of issues, said that his country had never engaged in the forcible repatriation of refugees. Repatriations were carried out on the basis of tripartite agreements concluded with the receiving country and UNHCR; allegations of physical abuse of refugees or looting of refugee property were ill-founded.
- 20. Referring to question 18, he conceded that in cases of crimes attracting long custodial sentences or capital punishment, the legally prescribed 24-hour period for bringing a person arrested for a criminal offence before a magistrate was sometimes not respected. However, that limit was never unreasonably exceeded and the law was in other respects strictly complied with.
- 21. In response to question 19, he explained that legislation provided for fines of up to 500,000 Tanzanian shillings for the operation of unregistered NGOs.
- 22. Mr. NDUNGURU (United Republic of Tanzania) said that imprisonment for inability to pay debt was used as a last resort and did not exceed a term of six months. In the context of the current review of the civil justice system, the 1966 Civil Procedure Code and other relevant provisions would be considered.
- 23. Turning to question 21, he said that the 2004 Employment and Labour Relations Act prohibited the employment of children under the age of 14 in general and the employment of children under 18 in hazardous occupations. His Government had committed itself to eradicating the worst forms of child labour by 2010 and was engaged in an ILO-sponsored National Time-Bound Programme on the Elimination of the Worst Forms of Child Labour, which focused on the commercial sexual exploitation of children and child domestic labour. A national intersectoral coordination committee had been set up to ensure the effective implementation of the programme.
- 24. Mr. SALVIOLI said that, while the question of marital rape might be new to the Government, the Committee had raised it in its concluding observations on the State party's third periodic report in 1998 (CCPR/C/79/Add.97, para. 11). The Government should take steps to raise awareness of the fact that marital rape was the worst form of domestic violence, rather than accepting public opinion and the status quo.
- 25. He commended the Government for taking a stand against the killing of albinos; likewise, it should not bow to public opinion on the issue of consensual adult same-sex relationships.
- 26. Given the State party's assertion in its reply to question 14 of the list of issues that it had been unable to develop a national action plan on trafficking in human beings owing in part to the lack of statistics, he asked whether measures were in place to collect the necessary data.
- 27. Mr. LALLAH (Country Rapporteur) commended the State party for having agreed to receive a large number of refugees. Nonetheless, he had read that in 2007 Minister Joseph Mungai had said that 79 per cent of refugees had not wished to leave Tanzania,

and that in May and June 2009 the Government had begun forcibly repatriating refugees from Burundi and the Democratic Republic of the Congo. He asked whether that information was correct.

- 28. Turning to the reply to question 18 of the list of issues, he emphasized the fact that persons suspected of crimes and deprived of their liberty must be brought under judicial control and not be left in police custody. There were no exceptions to that provision. The means of addressing that issue provided in the reply to question 18 all focused on tackling the problem after the event. He urged the State party to devise measures that gave effect to the provisions of the Covenant requiring that people who were arrested must be placed under judicial control.
- 29. He had understood that there was only one newspaper in Zanzibar, and that there had been incidents of intimidation of journalists and cases in which journalists had been subjected to threats or prosecution on the grounds of sedition. Mr. Mwingi Sadala, a well-known journalist, had been charged with seditious acts under the Registration of Newsagents, Newspapers and Books Act of 1988, amended in 1997. He requested additional information on such cases, including details of the fate of Mr. Sadala.
- 30. He asked why the right to vote and be represented had not been integrated into the Constitution as a fundamental right, particularly since other fundamental rights had been so integrated. Moreover, the Government clearly placed great importance on the people's right to make their voices heard. He would appreciate further details on why anyone wishing to challenge an election result was required to pay a deposit of 5 million shillings, which appeared to be an exorbitant sum.
- 31. As a general point, he underlined the fact that the Committee engaged in a juridical, and not political, dialogue with States parties. He noted that if the people had to be consulted before allowing the State to undertake its obligations under international instruments, it would have perhaps been more logical for the Government to have consulted the people before ratifying the Covenant. It was juridically possible to enter reservations to various rights under the Covenant, which was the course of action adopted by many States that became parties. The argument that people had to be consulted on the extent to which derogations could be made from fundamental rights would remain true for the Constitution. He asked whether the State party consulted the people on derogation from rights integrated in the Constitution that went against traditions.
- 32. Mr. RIVAS POSADA said that, while the State party's efforts to improve prison conditions were commendable, it was more important to invest energy and resources in finding alternative sanctions to deprivation of liberty.
- 33. While efforts to use imprisonment as a last resort for those who were unable to pay debts was a positive development, deprivation of liberty on those grounds remained a direct violation of the provisions of the Covenant. He urged the Government to amend domestic legislation as soon as possible in order to eliminate that possibility. The affirmation that there had been no cases in which a person had been sent to prison for non-payment of debt was somewhat surprising. He emphasized the importance of the Committee's recommendation that the State party should bring its domestic legislation into line with the provisions of the Covenant.

- 34. Ms. MAJODINA said that the Non Governmental Organizations Act of 2002 appeared to restrict the freedom of association of those groups. The NGO Board also raised questions about the independence of NGOs, particularly as government representatives were members of some NGOs, and the Board could refuse applications from NGOs if their activities were considered not to be in the public interest. That was especially disquieting as the meaning of the term "public interest" had not been defined in the Act. She would appreciate the delegation's comments on that issue. She would also welcome further information on the case in which the Minister of Education had threatened to deregulate an NGO if it published a report on primary school education. It would be interesting to know whether the delegation agreed that such a threat could amount to a violation of freedom of association.
- 35. The policy for registering an NGO seemed cumbersome and expensive. She asked how people in remote areas were able to work together voluntarily if there was no access point at which they could register, and how those on a low income could pay the fee. It would be useful to know whether the Government provided any funding for NGOs, particularly as there was no reason why those organizations should have an adversarial relationship with the Government.
- 36. According to a 2008 report by the International Labour Organization (ILO), some 1.2 million children were employed as child labourers in the State party, some of them in hazardous activities such as mining. She failed to understand why the number remained so high, despite all the legislative and other measures the Government had taken to eliminate child labour. She requested updated information on the progress that had been made towards eliminating the worst forms of child labour with support from ILO under its International Programme for the Elimination of Child Labour.
- 37. She asked why the number of children whose births had been registered was so low only 19 per cent according to UNICEF. It would be interesting to know whether the fee of 3,500 shillings acted as a deterrent to parents who would otherwise register their children's births. What measures were taken to register street children? She asked why it had taken so long to enact a unified law on the rights and welfare of the child.
- 38. It was regrettable that the State party had not enacted specific legislation on the rights of minority groups, since its minorities had faced several problems, particularly concerning land ownership. The Government had apparently threatened to confiscate the land of the Hadzabe people, for example, in order to sell it to a foreign investor, and had reversed its decision only under pressure from civil-society groups. Confiscating minority groups' land threatened their ability to survive as distinct cultural groups. In order to give effect to article 27 of the Covenant, the Government should develop policy and legislation addressing minority rights and setting out mechanisms for resolving conflicts. While the efforts to enrol minority children in schools were commendable, she asked what measures were in place to assist those who faced a walk of up to 40 kilometres to get to school. She requested additional information on the effective right of minority children to enjoy the right to education.
- 39. The Commission for Human Rights and Good Governance contravened the Paris Principles as it was not funded by the Government. Given that external sources of funding were apparently no longer available, she asked how the Commission would be able to carry out its mandate, including disseminating information on the Covenant. She was concerned that the only

follow-up reported on the Committee's previous concluding observations had been their dissemination to stakeholders studying the Committee's list of issues in 2009. She asked what measures had been taken to implement the recommendations.

- 40. Since the majority of the population was based in rural areas and Kiswahili was one of the official languages, she wished to know why the Covenant and other international instruments were not disseminated in local languages in order to facilitate public understanding and awareness of human rights. She suggested that engagement with civil-society groups might help resolve some areas of misunderstanding of the provisions of the Covenant and other international human rights instruments, on the part of both Government and civil society.
- 41. Mr. THELIN asked what the Government was doing to pursue the prosecution of the perpetrators of the ethnic clashes that had resulted in the deaths of some 30 persons, arson and crop destruction in the districts of Tarime and Rorya, and the internal displacement of some residents of Tarime. He also wished to know what assistance the Government was providing for the victims of those acts.
- 42. Mr. AMOR said that, although the country had expressed an unqualified commitment to implementing all of the Covenant's provisions by ratifying it without reservation, some of its legislation was still incompatible with those provisions. Nevertheless, Tanzania had made good progress, in particular through its ratification of the African Charter on Human and Peoples' Rights.
- 43. The State must be the driving force in lifting society to the level required by the Covenant and other international instruments. Traditions and cultures were legitimate and worthy of protection only as long as they were not ossified and respected human dignity: using tradition as an excuse to justify female genital mutilation and the exclusion of women, and to avoid fulfilling obligations assumed under the Covenant was a serious problem. Solutions must be found to ensure that the Covenant was complied with, and the Committee would support and encourage Tanzania in its efforts to that end.
- 44. <u>Ms. MOTOC</u>, referring to the relationship between the country's traditional and customary justice systems, asked whether indigenous peoples had their own courts. She also asked whether indigenous peoples were integrated with the country's other ethnic groups.
- 45. While recognizing the work done by the State party to combat child labour, she asked for further information on how the issue of street children was being addressed. She also enquired whether any of the country's children practised witchcraft, as was the case in other States in the region.
- 46. She asked whether the Government had ratified the ILO Convention concerning Indigenous and Tribal Peoples in Independent Countries (No. 169). She further enquired how the Government ensured that indigenous peoples were consulted on foreign investment projects that concerned them and how their consent was obtained. Lastly, she wished to know whether their refusal to give consent would actually cause such projects to be vetoed.

- 47. Mr. AYAT recalled that States ratifying the Covenant were bound to introduce immediately legislation to harmonize their domestic legislation with the provisions of the Covenant.
- 48. Rape within married or unmarried couples was a serious issue because of its impact on the family, personal safety and personal dignity. While in the eyes of Tanzanian law a married couple constituted a single legal person, it must unfortunately be acknowledged that domestic violence and marital rape existed. Although marital rape was difficult to prove from a legal point of view, the public authorities had a duty to research the phenomenon and institute preventive and protective measures for those at risk.
- 49. The State had a responsibility to shape public opinion on such issues as the death penalty. The death penalty's popularity in many countries was usually due to the fact that the public as a whole were unaware of its ineffectiveness as a deterrent or the other possible punishments.
- 50. Noting that, in paragraph 178 of the fourth periodic report, the State party explained that the Government had not studied whether ethnic groups existed in Tanzania, he emphasized that ethnicity was an issue that should be taken seriously, so that ethnic violence of the kind that had occurred in the Great Lakes region could be avoided.

The meeting was suspended at 11.40 a.m. and resumed at 12.10 p.m.

- 51. Mr. CHIKAWE (United Republic of Tanzania) said that there were some 40 million persons living in Tanzania, with 126 tribes with different languages. All the Tanzanian peoples were indigenous, despite having different traditions, beliefs and cultures; the country could not therefore be said to contain any particular indigenous groups. While the Masai tribe, for example, were often referred to as an indigenous group, they were among the country's most advanced, richest and most educated peoples.
- 52. His Government would fulfil its duty to integrate the Covenant fully into domestic legislation and society, but the process would take time.
- 53. No group, tribe or religion in Tanzania condoned the practice of albino killings. The acts in question had been committed by certain misguided individuals.
- 54. Progress still needed to be made in addressing marital rape. The concept was new to Tanzanian society, although the notion of marital cruelty was understood and divorce could be granted on that ground. The Government would continue the process of debating the issue of marital rape and educating the public on that question.
- 55. Witchcraft was not accepted by Tanzanian society or recognized by the Government. While unaware of any children practising witchcraft, the Government was combating the phenomenon among adults through education and legislation.
- 56. The country had some 3,000 NGOs, most of which were international in character. It was not difficult to register an NGO in Tanzania; it was in fact so easy that some individuals had set up so-called "briefcase NGOs" for the purpose of creating employment for themselves. The NGO HakiElimu had not been banned, but some of its television and newspaper advertisements

had been withdrawn after discussions as the Government had felt that the information they contained could cause confusion. Nevertheless, HakiElimu was continuing its good work, which was appreciated by the Government.

- 57. The lack of newspapers in Zanzibar was the result of the widespread illiteracy among its small population, but the island did have eight television and eight radio stations. More than 380 newspapers were produced on the mainland, all of which could be delivered to Zanzibar. In reply to the question about the journalist, Mr. Mwinyi Sadala, he said he had been released on bail and was still writing articles, despite not having met the requirements for setting up a newspaper in Zanzibar.
- 58. Regarding the question of human and child trafficking, a new law against trafficking in persons had been passed in Tanzania in 2008. The Tanzanian authorities had not yet collected any data on trafficking; it was an activity that was carried out surreptitiously and no one had been arrested for it. He did not think that a case of trafficking in persons had been brought before the courts. The Government would examine how it could set up strategies to obtain statistics in that area.
- 59. Concerning question 15 of the list of issues, the Country Rapporteur had stated that 79 per cent of refugees had not wished to leave Tanzania and that refugees had been forcibly repatriated in June of that year. He was not aware that that had been the case; the repatriation of refugees had been supervised by the United Nations High Commissioner for Refugees in the presence of the Ministers of Home Affairs of both Burundi and Tanzania. The process had not been covert, but had been publicized on television and in the newspapers for all to see. Only those refugees wishing to do so had been returned to their country of origin; any statement to the contrary required proof.
- 60. Turning to question 18 on the right to a fair trial, he agreed that all persons who had been detained should be brought under judicial control within 24 hours. In Tanzania, detainees could be granted police bail if the police believed they could be trusted to present themselves to a court within 24 hours; in all other cases, with the exception of murder, treason and armed robbery, detainees had a right to be brought before a court within 24 hours and to request bail. Cases were then tried in court in accordance with the court calendar.
- 61. Concerning the right to vote, all citizens had the right to vote and to stand for election. There were certain conditions regarding eligibility; for instance, presidential candidates were required to be over 40 years of age. The requirement to deposit 5 million shillings in order to challenge an election had been judged unconstitutional by the courts, which had decided that an election petition could still be accepted from those who could not afford to pay.
- 62. He agreed that alternatives to prison sentences such as community service, parole and fines should be used, although a prison sentence was appropriate in some cases in order to protect society. Imprisonment for debt in civil cases was only used where a party was capable of paying a debt but refused to do so. Tanzania would nevertheless review its policy on imprisonment for debt and seek to adhere to the Covenant in that regard.
- 63. All children in Tanzania were required to be registered at birth and a registration fee only became payable if the child had not been registered after two years. It was believed that the

failure of parents to register their children was the result of ignorance rather than inability to pay a fee, and therefore education campaigns had been launched and free mobile registration clinics set up to encourage registration; turnout had so far been good. There were instances of child labour, particularly in mines and on tea farms. The Government was running campaigns to educate people against the vice of child labour and statistics showed that child labour was decreasing. The Government also encouraged enrolment of children in schools and parents who did not enrol their children were punished.

- 64. The Tanzanian Commission of Human Rights did not receive funding from NGOs. The Commission had been fully funded for the current year by the Parliament of Tanzania and additional assistance had been received from the Government of Denmark.
- 65. Mr. Thelin had referred to Covenant articles 26 and 27 on non-discrimination and protection of minorities in connection with the Tarime-Rorya conflict. That conflict was not minorities-related; it had begun when members of the Kurya tribe from the district of Tarime had stolen five head of cattle from the Luo tribe in Rorya. The Luo tribe had then attempted to recover their livestock and 3 people had been killed, sparking a conflict between the two tribes in which some 30 people had been killed and 150 injured. The Government had restored peace by sending in the police, but a permanent solution still had to be found. It was not uncommon for cattle-rustling to occur between cattle-keeping tribes. The Government and the Red Cross had provided relief services and resettlement assistance for those displaced by the conflict.
- 66. There were three sources of law in Tanzania: customary law, the law made by Parliament and Islamic law, all of which could be accessed through the same court. Islamic law and customary law could be used in inheritance or divorce matters. Normal government law could be used in all other cases. There were no courts for indigenous peoples in Tanzania.
- 67. His Government agreed that it should harmonize its laws in line with the Convention; that was a process that would take time. The concerns of the Committee had been noted.
- 68. Mr. TARIMO (United Republic of Tanzania) said that the issue of the Hadzabe tribe needed to be placed in the context of hunting in Tanzania and the laws governing it. Tanzania was a leading country in terms of its biodiversity and had over 250,000 square kilometres set aside for wildlife. The Land Act of 1999 had divided land between wildlife conservation land, village land and general land. Village ownership accounted for almost 30 per cent of the total land in Tanzania, with general land, comprising 5 per cent, being allocated for roads, cities and towns. The Hadzabe people inhabited village land comprising some 2,000 square kilometres; their hunter-gatherer way of life was being threatened by neighbouring tribes who were taking their land for agriculture. The number of cattle had increased from 8,000 in 2000 to 50,000 in 2008. Climate change was also a threat; as a consequence of drought it was more difficult for the Hadzabe to obtain fruit or animals to hunt.
- 69. Legislation in Tanzania decreed that all wildlife was held in trust by the President for the people of Tanzania. Visitors could gain access to wildlife through a licence obtained from the Government and communities were given traditional licences for a defined period. Visitors were given hunting licences to hunt for sport in areas that did not belong to communities. Companies obtaining licences to hunt had to give an undertaking to develop the land, to protect the wildlife

and to provide revenue to the Government. Hunting was a 2 million dollar industry and contributed greatly to conservation. The Ministry of Natural Resources and Tourism funded wildlife conservation from hunting revenue.

- 70. Wildlife was the property of the country and it was allowed to move freely from conservation land to village and general land. A company from the United Arab Emirates had been given hunting rights in an area in which the Hadzabe lived. It had given an undertaking to spend 30 million dollars protecting wildlife in the area, which could continue to be accessed freely by the local population under a general licence. Some private companies had raised an objection to the development as they saw the Hadzabe people as an attraction for their visitors and therefore did not want them to change. Consequently, the company from the United Arab Emirates had withdrawn and given up the concession in order to avoid the negative publicity that had been generated. The Hadzabe continued to live under serious threat due to drought and the Government had been obliged to send them food relief. No land had been taken from the Hadzabe and they had been allowed to continue to live as hunter-gatherers but had been denied the opportunity for development.
- 71. <u>Sir Nigel RODLEY</u>, referring to the explanation that more than one legal system might be applicable according to the choice of the parties concerned, asked whether the choice was made on the basis of the preference of one or both of the parties concerned. He wondered what would happen if there was a dispute between the parties as to which system should apply and whether there was a way of ascertaining the extent of full and voluntary nature of consent to a non-normal system of law.
- 72. Ms. MAJODINA said that she wished to learn the extent of the powers of the NGOs Coordination Board, which had not functioned since it had been established in 2002. She queried the wisdom of having a board on which government representatives could sit and wondered how that might affect the independence of NGOs. The Board was intended to monitor and regulate the activities of NGOs and she wondered whether that might amount to undue interference by the Government.
- 73. Mr. CHIKAWE (United Republic of Tanzania), responding to questions raised, said that it was for the parties to decide which of the three forms of law they wished to be used in a court. Customary and Islamic law could be applied in personal law cases; in criminal law, only government law would apply. If a request was made to use customary or Islamic law, both parties would need to prove that they adhered to the customs or religion concerned and both would need to be in agreement on its use.
- 74. The NGOs Coordination Board had been set up in order to ensure that NGOs operated in accordance with the law and that their books had been properly audited. NGOs would be run in accordance with their own charters; the Board was intended to provide guidance only. As a small, developing country Tanzania needed to ensure that NGOs were not used for improper purposes or to channel unacceptable ideas into the country. There did not appear to have been any need for the Board up to the present time.
- 75. He expressed the hope that the dialogue on positive developments in Tanzania and the country's future challenges had been sufficiently frank and transparent, but it was not possible to do justice to the host of issues raised in just two days. Tanzania would deal with certain issues

with a view to making the required improvements. Other matters demanded in-depth consideration by both the Government and the public. The Government would continue to uphold public opinion in its endeavours to improve the protection and promotion of human rights and adhere to the positions of principle that reflected a consensus of the views that were widely held in the country.

- 76. The Government would keep up its momentum in fulfilling its reporting obligations in respect of the Covenant, and would continue to value the technical and financial support it received from development partners and the United Nations system.
- 77. In conclusion, he expressed gratitude to the secretariat for the excellent preparations made. He urged NGOs to continue working with his Government in the area of human rights.

The meeting rose at 1 p.m.