



General Assembly

Distr.: General
1 September 2016

English only

Human Rights Council

Thirty-third session

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Liberal International (World Liberal Union), a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[26 August 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.16-15150(E)



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A Call for Democracy and Rule of Law in Zanzibar

Liberal International (LI) welcomes United Nations' ongoing activities in the support of democracy around the world and reiterates its support for the recently established UN Forum on Human Rights, Democracy and the Rule of Law in an effort to "identify and analyse best practices, challenges and opportunities for States in their efforts to secure respect for human rights, democracy and the rule of law." As these are liberal values which form the very basis of the organisation's mission, LI fully aligns with the objectives of the Forum and as such commits to continue to work with liberal parties in government and opposition in promoting and advancing basic democratic principles around the world. This statement would like to pay specific attention to the appalling human rights record and the suppression of basic political freedoms in Zanzibar following the unconstitutional annulment of the 25 October 2015 general elections in Tanzania. This is a direct consequence of the ruling party's failure to win over the majority of citizens in Zanzibar, launching as a retaliation a series of detentions without bail, harassment, intimidation and prosecution of not just members and leaders of the liberal opposition party Civic United Front (CUF, LI full-member), but also pro-democracy activists across the islands.

Recognising that:

- Preceding the nationwide general elections on 25 October 2015, CUF released video evidence of a balaclava-wearing militia armed with AK47 assault rifles, in government-registered vehicles, practising targeting, and unspeakable human rights abuses against opposition supporters.

- Official results released on 26 October 2015 suggested that the ruling party had lost the election to the opposition CUF under the candidacy of Maalim Seif Sharif Hamad.

- On 28 October 2015, the Zanzibar Election Commission (ZEC) chairman, Jecha Jecha, unilaterally and unconstitutionally annulled the results citing irregularities to the shock and dismay to Zanzibaris and the internal and international observing missions situated in Zanzibar. The election was reported by all observing missions to be free and fair even by the standards of the Southern African Development Community, the Eastern African Community, the African Union and other African observing missions.

- The general election held on 25 October 2015 was free and fair as observed by every electoral observing mission in Tanzania.

- The annulment of the 25 October result was an immoral act, contradictory and unconstitutional as reported by the European Union (EU) mission in Tanzania.

- Violation of human rights is unlawful and the bullying attitude directed to opposition leaders, voters, supporters and members is undemocratic and designed to restrict political participation and suppress political freedom.

- The leader of CUF, Maalim Seif Hamad, and many of his supporters, are the victims of a politically motivated legal battle that has made a mockery of the independence of the courts and, sadly, of the police force in Zanzibar and Tanzania as a whole. The process indicates a clear attempt by the government to silence the opposition, a collusion to dismantle democracy at large.

- On 18 July 2016, the Inspector General of the Police Ernest Mangu was quoted in the Tanzanian media outlet The Citizen, for his determination to have Maalim Seif Hamad arrested, with the verdict already in place for criminal charges based on unfounded accusations. Such a statement in the media represents a clear culmination of the political witch hunt initiated against the opposition in what looks like the final crackdown in retaliation for the opposition's determination to file an international legal action against the oppressive government of Zanzibar.

Stressing on the fact that:

- On 24 March 2016 the election rerun, boycotted by CUF, was recorded to have been remarkable for its human rights abuses, indiscriminate detentions without bail, and the gaming of election results.

- Domestic observation missions did not participate in the rerun while the EU, and almost all other international observation missions, openly criticised the unconstitutional act of the ZEC chairman, refusing to rubber stamp the rerun.

- The rerun was a deliberate attempt by the ruling party and Dr Ali Mohamed Shein to cling onto power by violating the democratic and sacred process of free and fair elections.

- An independent report suggested turn-out rate of 10% for the rerun, while the ruling party put the numbers to over 80% claiming that President Ali Shein managed to win by over 92%.

- Since the rerun, Zanzibar has been subjected to extensive human rights abuses, violation of civil liberties and the rule of law and the government has been pushing for the suppression of basic political freedoms and civil rights, whilst detention for unfounded allegation has been exponentially increased.

-The current feeling across the islands is one of fear, intimidation, torture and inhuman treatment of opposition supporters with strong evidence of atrocities being committed against opposition leaders.

Affirming that:

-All violence, intimidation and abuse to the opposition is unacceptable and must cease forthwith.

-Detention without bail, harassment, and bullying from paramilitary groups is a specific type of political violence against the opposition and indeed can be categorised as a human rights abuse denying political participation of opposition groups, restricting the democratic process of free and fair elections and denying citizens their full civil and political rights, as guaranteed by the constitution.

-Political violence can be detrimental to democracy and targeting opposition supporters can be discriminatory in its form as it is supported by threats and violence while targeting women in particular can discourage their participation in politics through intimidation and threat of sexual violence.

-Since last year, a record number of threats and sexual violence against women affiliated to the opposition movement has been recorded with a specific case study involving an active supporter of CUF who was beaten up and sexually violated in the Southern region of Zanzibar during the registration of new voters while acting as CUF agent.

-Under the framework of international law, every person has a guarantee to individual rights and protection under the Universal Declaration of Human Rights and in particular Article 2 which entitles the individual to rights and freedoms set forth in the declaration with no distinction to be made on political affiliation. The Article emphasises the right to life, liberty and security while article 5 reiterates the freedom from torture, inhuman treatment or punishment.

-The Universal Declaration of Human Rights, to which Tanzania is a signatory, prohibits any form of human rights violation, discrimination and abuse with Article 7 stating that all human beings are equal before the law and article 9 prohibiting arbitrary arrests and detentions.

-Violence against women based on their political affiliation stands as a clear violation of human dignity, and is against the International Declaration on the Elimination of Violence against Women which prohibits gender discrimination, harassment, physical and sexual assault.

-The suppression of basic political freedoms and civil rights in Zanzibar is inconsistent with the fundamentals agreed by the International Community, which defines these rights as universal, inalienable, indivisible and interdependent.

-The International Covenant on Civil and Political Rights, adopted by the United Nations General Assembly, explicitly prohibits the suppression of political and civil rights, with Article 1 guaranteeing an individual's right to freely determine his/her political status, and Article 2 emphasising the freedom from torture, the right to personhood and the freedom of thought and conscience.

-Article 21 of the Universal Declaration of Human Rights reinforces the notion that everyone has the right to take part in the selection of the government of his/her country, freely choose his/her representative, and enforces for the will of the people to be respected.

Recalling:

-The statement issued by LI President Dr Juli Minoves in the immediate aftermath of the elections in Tanzania calling for the respect and ratification of the electoral will of Zanzibaris.

-LI's Written Statement to the 29th Session of the United Nations Human Rights Council on the deterioration of the state of civil and political rights which highlighted the recent intensification of the persecution and prosecution of pro-democracy activists and political and civil rights defenders around the world.

-The African Charter on Human and Peoples' Rights which emphasises the notion of equality before the law and an individual's entitlement to equal protection under the law.

Calls

on:

-The governments of Zanzibar and Tanzania to respect the rule of law, engage in a dialogue with the opposition within a framework which enhances the notion of interim government and agree on fresh elections which could dismantle the impasse experienced since the annulment of the 25 October 2015 election.

-The government of Zanzibar to honour all of its commitments under the African Charter on Human and People's Rights and cease immediately and unconditionally all forms of persecution of the opposition and pro-democracy supporters.

-The international community to increase the pressure on the island's government to stop the exponential human right abuses and suppression of political and civil rights.

-The United Nations, the Commonwealth, and the European Union to increase their support to the people of Zanzibar by engaging the government towards a system that could stop human rights abuses, torture and all practices deemed

inconsistent with the Universal Declaration on Human Rights and the International Covenant on Civil and Political Rights.

-The international community to impose a travel ban, assets freezing and other forms of sanctions on all those directly involved in the authorisation of torture against members of the opposition and their supporters.

Commits:

-For liberal parliamentarians in government and in opposition across the world to take a firm stand in their parliaments and speak up against the indecent treatments of opposition leaders and supporters in Zanzibar.

-For Liberal International Human Rights Committee to raise the issue of human rights abuses in Zanzibar before the members of the UN Human Rights Council (UNHRC) during the 33rd Session of UNHRC in September 2016.
