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INPUTS FROM CIVIL SOCIETY –UN WGEID

1. Past/ongoing initiatives focusing on enforced disappearance in Africa.

African Commission on Human and Peoples' Rights (ACHPR):

The ACHPR is a regional human rights body in Africa, and it has been actively involved in addressing cases of enforced disappearances through investigation.

International Center for Transitional Justice (ICTJ):

The ICTJ has been involved in various African countries, supporting initiatives related to transitional justice, including addressing enforced disappearances by provide expertise and assistance in dealing with the legacy of human rights abuses.

NGOs and Civil Society Organizations:

Various non-governmental organizations and civil society groups across Africa work tirelessly to document cases of enforced disappearances, provide support to victims' families, and advocate for justice. Examples include Amnesty International, Human Rights Watch, and local organizations specific to each country.

For example, in Tanzania we have Legal and Human Rights Center (LHRC), Tanzania Human Rights Defenders Coalition (THRDC) who currently working on the cases of Maasai Community at Loliondo Msomela and Ngorongoro many Pastoralist reported be enforced disappeared since 11th June 2022 the fight rise after Government demarcate 1,500 Square Kilometer Conservation area in Loliondo from the part allocated for Human activities. Thereafter shifting them to Msomela which is in Tanga Region there rose a issue of Land Rights (The ongoing issue of Maasai involves Environmental and Land Rights issues) Government restrict anybody to write about the issue. Coalition of Women Human Rights Defenders (CWHRDs), Women in Law and Development in Africa (WiLDAF), WILAC, TAWLA, TANLAP.

Truth and Reconciliation Commissions:

Some countries have established Truth and Reconciliation Commissions to bring about truth and Accountability by investigate past human rights abuses, including cases of enforced disappearances.

United Nations Working Group on Enforced or Involuntary Disappearances

(WGEID):

While not specific to Africa, the WGEID operates globally and collaborates with governments to address cases of enforced disappearances. They may be involved in investigating and advocating for the prevention of disappearances.

2. Possible reasons for the low registration/reporting of cases of enforced disappearances in the region. Please provide information on whether families, human rights defenders, humanitarian workers, prosecution, judges and lawyers or persons in charge of investigations and search face reprisals, threats and harassment for their work and, if so, in which form (and how this could be prevented and mitigated).



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The low registration and reporting of cases of enforced disappearances in Africa can be attributed to various complex factors, many of which are interconnected.

Political Repression and Lack of Freedom of Expression, Weak Rule of Law, Culture of Impunity, Security Forces and State Involvement, Lack of Awareness and Access to Information, Stigmatization and Social Isolation, Armed Conflicts and Instability, Ineffective or Absent National Mechanisms, Limited International Scrutiny, Economic and Social Factors.

Families, human rights defenders, humanitarian workers, innocent prosecution, innocent judges, lawyers, or persons involved in investigations and search operations in Tanzania are facing reprisals, threats, and harassment for their work under the following reasons and Implications: -

Addressing reprisals requires a multi-faceted approach, including:

- Strengthening national and international mechanisms for the protection of human rights defenders.
- Advocating for the independence of the judiciary and legal professionals.
- Encouraging transparency and accountability in investigations.
- Raising awareness at the international level to ensure that the situation is monitored and discussed on the global stage.

It is a serious concern and indicative of a challenging human rights situation. Such actions can have a chilling effect on efforts to promote accountability, justice, and the protection of human rights.

3. Could you please share experiences, good practices, lessons learned, emerging trends and specific features and potential solutions, in the context of the below themes and cross-cutting issues:

○ **Enforced disappearance in the context of migration;**

In Tanzania we have a number of Political leaders, Journalists, People from Tanzania Intelligence Office who are Migrants in Different Countries in the World such as Godbless Lema, Tundu Lissu, Evarist Chahali, Ansbert Ngurumo due either Enforced or Voluntary Disappearance.

○ **Enforced disappearance and women and children (covering also the issue of illegal intercountry adoptions and its intersections with enforced disappearance);**

Enforced Disappearance and Women May Impact on Families, contribute to **Violence Against Women, Psychosocial Effects:** The psychological toll on women left behind due to enforced disappearance can be severe. Anxiety, depression, and other mental health issues may manifest as a result of the uncertainty surrounding the fate of their loved ones and **Legal and Socioeconomic Vulnerability**

Enforced Disappearance and Children may cause, *Family Disruption, Educational Impact, Trauma and Mental Health, Intersections with Illegal Intercountry Adoptions, Trafficking and Exploitation, Identity and Cultural Loss, and Lack of Legal Protections.*

Addressing the intersections of enforced disappearance with the issue of illegal intercountry adoptions requires a comprehensive approach that involves international cooperation, legal safeguards, and support mechanisms for



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affected families. Protecting the rights of women and children in these situations involves not only preventing and addressing enforced disappearances but also combating the illicit practices associated with illegal intercountry adoptions.

- **Enforced disappearance and economic, social and cultural rights;**

Enforced disappearance refers to the act of arresting, detaining, or abducting individuals by the state or its agents, followed by a refusal to acknowledge the person's fate or whereabouts. This practice is a severe violation of human rights and often has significant implications for various aspects of an individual's life, including economic, social, and cultural rights.

Economic Rights: Employment and Livelihood; causing economic hardship for the victim and their family. **Property and Assets;** Like what happened to the former Governor of Bank of Tanzania (BOT) Daud S. T Balali, and **Economic Instability.**

Social Rights: Family and Community Impact; The psychological and emotional toll on the family can be devastating, affecting social bonds and relationships. Example the family of Ben Saanane, Daudi Balali, Former Tanzania Mwananchi Journalist Azori Gwanda. **Social Services:** Families of disappeared individuals may face challenges in accessing social services such as education, healthcare, and social assistance. **Social Cohesion:** The act of enforced disappearance can contribute to a climate of fear and distrust within a society. Communities may become divided, and individuals may be hesitant to voice dissent or engage in social and political activities.

Cultural Rights including Cultural Identity: Enforced disappearance can impact an individual's ability to participate in cultural activities and maintain their cultural identity. **Intergenerational Impact:** The disappearance of individuals within a community can have intergenerational consequences, affecting the transmission of cultural values, traditions, and knowledge from one generation to the next like what we experience currently shift Maasai community from Loliondo and Ngorongoro Arusha Region to Msomela Tanga Region. **Freedom of Expression:** Cultural rights encompass the freedom to express one's identity and opinions. Enforced disappearance, by suppressing dissent and restricting freedom of expression, can hinder the cultural vibrancy and diversity of a society.

- **Enforced disappearance in the context of transnational transfers;**

This form of enforced disappearance can have serious implications for the protection of human rights, as it often involves the violation of sovereign boundaries and the collaboration or acquiescence of multiple jurisdictions. Here are key aspects to consider as a results of **Cross-Border Abductions, Secret Detention in Multiple Locations, Complicity of Multiple State.**

- **So called short-term enforced disappearances;**

"Short-term enforced disappearances" refers to situations where individuals are subjected to enforced disappearance for a relatively brief period, often lasting for a short duration compared to more prolonged instances of enforced disappearance like what happened to Mr. Mohamed Dewji a Tanzania Businessman and Billionaire October 2018. The Action involves the arrest,



detention, or abduction of individuals by state authorities or agents, followed by a refusal to acknowledge their fate or whereabouts. It has **Impact on Victims and Families:** including **Violation of Human Rights, Challenges in Documentation, Legal and Ethical Implications, Prevention and Advocacy.**

- **New technologies and enforced disappearances;**

The emergence and advancement of new technologies have both positive and negative implications for human rights, including in the context of enforced disappearances. While technology can be a tool for accountability and protection, it can also be exploited for malicious purposes. The Negative Impact of it, these technologies can also be abused by state actors to conduct mass surveillance, track individuals, and gather information on activists or dissenters, potentially leading to enforced disappearances.

- **Enforced disappearances and elections;**

Tanzania, like any other country, has faced challenges related to human rights, including concerns about political freedoms, freedom of expression, and potential human rights abuses during electoral processes. Enforced disappearances are serious violations of human rights, and any reports or allegations of such actions should be thoroughly investigated.

Since the emerge of Multiparty System, Tanzania encountered a number of enforced disappearance of Politicians and Journalists who majority are Human Rights Defenders but the problem became worse during 2015 and 2020 elections.

- **Enforced disappearances and land and environmental related issues;**

Enforced disappearances in the context of land and environmental issues can occur when individuals, particularly activists and community leaders, are targeted for their advocacy or opposition to certain land and environmental policies or projects. This can happen in various regions, including Africa, where land disputes, environmental degradation, and resource extraction often intersect with human rights concerns. Here are some key points to consider. A good example is the expansion of Morogoro Road Dar Es Salaam targeting Politicians lived near the project area. Including John John Mnyika (CHADEMA), John Mrema (TLP) and Joseph Haule (CHADEMA).

- **Good practices and lessons learned in the investigation of enforced disappearance and in the search for disappeared persons;**

Good Practices:

The Voice of Independent Media Houses, Human Rights Defenders and some of Politician leaders. Human Rights Organization actions such as THRDC, LHRC and TAWLA playing a vital role for many years in Tanzania.

These good practices and lessons learned underscore the importance of a comprehensive, victim-centered, and collaborative approach to investigating enforced disappearances and searching for disappeared persons. Success in these efforts requires a commitment to human rights, adherence to legal standards, and ongoing cooperation among various stakeholders.

- **Enforced disappearance in transitional justice contexts;**



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Enforced disappearances within the context of transitional justice in Africa present complex challenges as nations undergo processes of transitioning from periods of conflict, repression, or authoritarian rule to more democratic and accountable systems. It plays a crucial role in transitional justice by investigating and documenting human rights violations, including enforced disappearances. They provide a platform for victims to share their experiences and for perpetrators to confess, contributing to truth-telling and national healing. Addressing enforced disappearances within the framework of transitional justice in Africa involves a multifaceted approach that balances accountability, truth-telling, reparations, and reconciliation. The success of these efforts depends on the commitment of governments, the involvement of civil society, and the international community's support in promoting human rights and justice.

- **Other issues that you deem relevant for the African regional context.**

The African regional context is diverse and dynamic, encompassing a wide range of political, economic, social, and environmental challenges such as **Conflict and Security, Governance and Democracy, Human Rights and Rule of Law, Health and Pandemics, Economic Development and Inequality, Climate Change and Environmental Sustainability, Youth Empowerment and Employment, Gender Equality and Women's Empowerment, Migration and Displacement, Infrastructure Development, Digital Divide and Technology Access, Cultural Heritage Preservation, and Food Security**. Addressing these issues requires collaborative efforts at national, regional, and international levels, as well as a commitment to good governance, human rights, and sustainable development. The African Union and various regional organizations play vital roles in coordinating initiatives and fostering cooperation to address these challenges.

Conclusively; a very serious Challenge I can mention is the disappearance of our Voice after sometime in the situation of unsuccessful found of our beloved citizens. I can Point out the issue of Azori Gwanda and Ben Saanane nobody knows their status neither Community no family members but our voices disappeared this opens the doors perpetrators to continue with their actions. Something should be done.

This inputs Prepared by: -

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