General Allegation

137th session (15-24 September 2025)

United Republic of Tanzania

The Working Group on Enforced or Involuntary Disappearances (hereafter, 'the Working Group') received information from sources concerning obstacles encountered in the implementation of the Declaration on the Protection of All Persons from Enforced Disappearance (hereafter, 'the Declaration') in Tanzania.

1. The Working Group is alarmed by the allegations of enforced disappearances in Tanzania in recent years. According to credible sources, in the last decade, Tanzania has witnessed a surge in enforced disappearances around election cycles, as well as enforced disappearances in the context of defense of land, anti-poaching operations, refugee camps and enforcement activities. Sources estimate that at least one hundred individuals have been subject to enforced disappearances. These cases reportedly take place against a backdrop of shrinking civic space and the absence of effective legal safeguards. According to the information received, enforced disappearances are attributed to a multiplicity of State actors vested with arresting powers, such as the police, intelligence, immigration, wildlife authorities, and others.

2. Tanzania has not ratified the International Convention for the Protection of All Persons from Enforced Disappearance and has not domesticated the obligations stemming from the Declaration. Despite repeated recommendations from domestic and international mechanisms – including in the Universal Periodic Review -, no progress has been made on ratification, adoption of implementing legislation, or the establishment of an independent oversight body to investigate allegations of enforced disappearance.

3. While the Constitution and certain statutory guarantees provide for liberty and protection against arbitrary detention, Tanzanian legislation does not criminalise enforced disappearance as an autonomous offence. The absence of a clear legal definition of enforced disappearance in domestic law enables impunity, hinders investigation, and jeopardises victims' rights to truth, justice and reparation.

4. According to information received, investigations into allegations of enforced disappearance are rare, delayed, or ineffective. Judicial remedies, including habeas corpus petitions, are reportedly denied or dismissed based on official denials, despite evidence indicating State involvement. The judiciary is alleged to have failed in providing adequate remedies and accountability, thereby reinforcing a climate of impunity.

5. Sources indicate that enforced disappearance is reportedly used in the context of political repression, particularly targeting opposition leaders, activists, journalists and human rights defenders. Allegations suggest that such practices become especially acute during electoral periods, including the lead-up to the 2024–2025 general elections, when disappearances are allegedly employed as a tool to suppress dissent, intimidate civil society and influence the electoral process. The Working Group notes with particular concern that enforced

disappearance, when used in an electoral context, may undermine the integrity of the electoral process itself, curtails political mobilisation, silence opposition voices, intimidate voters and therefore create an environment of fear incompatible with the exercise of electoral rights.[1]

6. The Working Group further notes allegations that enforced disappearance also affects vulnerable and marginalised groups, including rural fishing communities, traders, and pastoralists.

7. The Working Group has also been informed of the gendered impact of enforced disappearances. When the victims are women, reports indicate that they are particularly vulnerable to rape and other forms of sexual violence. Moreover, enforced disappearances have a different impact on women as relatives of the disappeared, who often lead search efforts and consequently bear disproportionate social, economic and psychological burdens. Children are also reported to be gravely affected as dependents left behind without parental support.

8. Allegations further highlight that reporting on enforced disappearances is likely hindered by stigma and limited access to public investigation and accountability mechanisms, as well as by intimidation and reprisals against families of the disappeared, lawyers, journalists and civil society actors documenting such cases. Civil society organisations reportedly bear the burden of monitoring, providing legal aid and psychosocial support to families, despite chronic underfunding, threats and limited cooperation from authorities.

9. According to the information received, laws such as the Cybercrimes Act (2024) may create conditions for heightened risk of enforced disappearance. In particular, the criminalization of speech under this Act has reportedly been used to arrest individuals engaged in civic and political life, with same cases followed by enforced disappearances shortly after release. According to the information received, such measures, together with the suspension of media outlets, arrests and intimidation of journalists, restrictions on public rallies, reportedly foster an environment of fear and self-censorship that prevents the reporting of enforced disappearances.

10. In addition, the Working Group has received information concerning allegations of enforced disappearances of Burundian refugees residing in camps in Tanzania, particularly in Nduta and Nyarugusu. Refugees have reportedly been abducted, often at night, by individuals in vehicles allegedly linked to intelligence services, and their fate and whereabouts remain unknown. These disappearances are allegedly politically motivated, targeting both political opponents and individuals accused of denouncing forced repatriations or mistreatment in the camps. According to the information received, abducted refugees were subsequently located in neighbouring countries, after reportedly being subjected to ill-treatment and torture during disappearance. The Working Group notes with concern that enforced disappearances of refugees in Tanzania may constitute violations of both the Declaration and the obligations of Tanzania under international refugee law, including the principle of non-refoulement.

11. The Working Group would like to bring to the Government's attention the following provisions of the Declaration, which are directly related to the present allegation:

[1] See Working Group´s thematic report on enforced disappearances and elections, A/HRC/57/54/Add.4.

Article 2
1. No State shall practise, permit or tolerate enforced disappearances.
2. States shall act at the national and regional levels and in cooperation with the United Nations to contribute by all means to the prevention and eradication of enforced disappearance.

Article 3
Each State shall take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance in any territory under its jurisdiction.

Article 4
1. All acts of enforced disappearance shall be offences under criminal law punishable by appropriate penalties which shall take into account their extreme seriousness.
2. Mitigating circumstances may be established in national legislation for persons who, having participated in enforced disappearances, are instrumental in bringing the victims forward alive or in providing voluntarily information which would contribute to clarifying cases of enforced disappearance.

Article 8

1. No State shall expel, return (refouler) or extradite a person to another State where there are substantial grounds to believe that he would be in danger of enforced disappearance.

2. For the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant or mass violations of human rights.

Article 9
1. The right to a prompt and effective judicial remedy as a means of determining the whereabouts or state of health of persons deprived of their liberty and/or identifying the authority ordering or carrying out the deprivation of liberty is required to prevent enforced disappearances under all circumstances, including those referred to in article 7 above.
2. In such proceedings, competent national authorities shall have access to all places where persons deprived of their liberty are being held and to each part of those places, as well as to any place in which there are grounds to believe that such persons may be found.
3. Any other competent authority entitled under the law of the State or by any international legal instrument to which the State is a party may also have access to such places.

Article 10
1. Any person deprived of liberty shall be held in an officially recognized place of detention and, in conformity with national law, be brought before a judicial authority promptly after detention.
2. Accurate information on the detention of such persons and their place or places of detention, including transfers, shall be made promptly available to their family members, their counsel or to any other persons having a legitimate interest in the information unless a wish to the contrary has been manifested by the persons concerned.
3. An official up-to-date register of all persons deprived of their liberty shall be maintained in every place of detention. Additionally, each State shall take steps to maintain similar centralized registers. The information contained in these registers shall be made available to the persons

mentioned in the preceding paragraph, to any judicial or other competent and independent national authority and to any other competent authority entitled under the law of the State concerned or any international legal instrument to which a State concerned is a party, seeking to trace the whereabouts of a detained person.

Article 11
All persons deprived of liberty must be released in a manner permitting reliable verification that they have actually been released and, further, have been released in conditions in which their physical integrity and ability fully to exercise their rights are assured.

Article 12
1. Each State shall establish rules under its national law indicating those officials authorized to order deprivation of liberty, establishing the conditions under which such orders may be given, and stipulating penalties for officials who, without legal justification, refuse to provide information on any detention.
2. Each State shall likewise ensure strict supervision, including a clear chain of command, of all law enforcement officials responsible for apprehensions, arrests, detentions, custody, transfers and imprisonment, and of other officials authorized by law to use force and firearms.

Article 13
1. Each State shall ensure that any person having knowledge or a legitimate interest who alleges that a person has been subjected to enforced disappearance has the right to complain to a competent and independent State authority and to have that complaint promptly, thoroughly and impartially investigated by that authority. Whenever there are reasonable grounds to believe that an enforced disappearance has been committed, the State shall promptly refer the matter to that authority for such an investigation, even if there has been no formal complaint. No measure shall be taken to curtail or impede the investigation.
2. Each State shall ensure that the competent authority shall have the necessary powers and resources to conduct the investigation effectively, including powers to compel attendance of witnesses and production of relevant documents and to make immediate on-site visits.
3. Steps shall be taken to ensure that all involved in the investigation, including the complainant, counsel, witnesses and those conducting the investigation, are protected against ill-treatment, intimidation or reprisal.
4. The findings of such an investigation shall be made available upon request to all persons concerned, unless doing so would jeopardize an ongoing criminal investigation.
5. Steps shall be taken to ensure that any ill-treatment, intimidation or reprisal or any other form of interference on the occasion of the lodging of a complaint or during the investigation procedure is appropriately punished.
6. An investigation, in accordance with the procedures described above, should be able to be conducted for as long as the fate of the victim of enforced disappearance remains unclarified.

Article 19
The victims of acts of enforced disappearance and their family shall obtain redress and shall have the right to adequate compensation, including the means for as complete a rehabilitation as possible. In the event of the death of the victim as a result of an act of enforced disappearance, their dependents shall also be entitled to compensation.

12. The Working Group would also call attention to the fact that the absolute prohibition of enforced disappearances and the corresponding obligation to investigate them have attained the status of jus cogens. We also recall the Guiding principles for the search for the disappeared persons and the general comments on women affected by enforced disappearances, children and enforced disappearances. The Working Group would also like to bring to the attention of your Excellency's Government its thematic reports on enforced or involuntary disappearances and economic, social and cultural rights, reparations and enforced disappearances, enforced disappearances in the context of migration, enforced disappearances in the context of transnational transfers, new technologies and enforced disappearances, enforced disappearances and elections, enforced disappearances in the context of the defence of land, natural resources, and the environment. The Working Group would also like to recall its Report on the visit to the African Union judicial and human rights organs and other subregional bodies, including the recommendations contained therein.

13. The Working Group would like to request respectfully the Government cooperation and observations on the following questions:
    a) Please provide any additional information or comments on the above-mentioned allegations.
    b) Please provide information on any measures undertaken to accede to the International Convention for the Protection of All Persons from Enforced Disappearance.
    c) Please provide information on measures undertaken to criminalize enforced disappearance as an autonomous offense under domestic law.
    d) Please provide details on existing or planned measures to establish an independent, body with authority to investigate disappearances and complaints against law enforcement and security agencies, and how such body is accessible to families and the public.
    e) Please provide information on the measures in place to ensure an up-to-date public registry of detained persons in all places of custody, accessible for families and legal representatives.
    f) Please provide information on the judicial remedies available in cases of alleged enforced disappearance, including habeas corpus, and on measures undertaken to guarantee that such remedies are effective, expeditious, and impartial, as well as the safeguards in place to ensure the independence, impartiality, and accountability of the judiciary.
    g) Please provide information on measures taken to prevent the use of enforced disappearance as a tool of political repression during elections or other forms of peaceful political activity, and to ensure protection of opposition leaders, activists, journalists, and human rights defenders.
    h) Please provide information on specific measures taken to protect vulnerable and marginalized groups, including, pastoralists, fishers, and rural communities and to prevent their enforced disappearance.
    i) Please provide information on measures undertaken to guarantee gender-sensitive, trauma-informed support and reparations for survivors and their families, with particular attention to women and children.

j) Please provide information on measures taken to ensure that the implementation of the Cybercrimes Act, as well as restrictions on media outlets, journalists and public assembly, does not result in the criminalization of civic activities or create conditions that might heighten the risk of enforced disappearances.
k) Please provide information on measures undertaken to prevent enforced disappearances of refugees in Tanzania, to investigate allegations, to establish the fate and whereabouts of those concerned, and to ensure accountability of perpetrators.
l) Please provide information on measures taken to guarantee full respect of the principle of non-refoulement, and to ensure that refugees are not subjected to enforced disappearance, intimidation, reprisals, or forced return.

14. The Working Group requests a response within 60 days. The general allegation will be published alongside the Working Group's post-sessional report and any responses received will also be made available on its website.