

Tanzania: Release of Tito Magoti, Mass Education Officer at the Legal and Human Rights Centre (LHCR)

URGENT APPEAL - THE OBSERVATORY

New information

TZA 001 / 1219 / OBS 113.3

Release
Tanzania

January 11, 2021

The Observatory for the Protection of Human Rights Defenders, a partnership of FIDH and the World Organisation Against Torture (OMCT), has received new information and requests your intervention in the following situation in **Tanzania**.

New information:

The Observatory has been informed about the release of **Tito Magoti**, Mass Education Officer at the Legal and Human Rights Center (LHRC), after more than a year of pre-trial detention on trumped-up economic charges.



On January 5, 2021, the Dar es Salaam Resident Magistrate's Court at Kisutu ordered the release of Tito Magoti after he pleaded guilty to one count of "leading organized crime with intent to earn illegal income" and paid a 17.3 million Tanzanian shillings fine (approximately 6.000 Euros) as part of a plea bargain deal. As part of this deal, the other charges, including money laundering, were dropped.

The Observatory recalls that Tito Magoti was abducted on December 20, 2019 before being formally charged on December 24, 2019 with "leading organised crime" (para. 4(1)(a) of the First Schedule and Sections 57(1) and 60(2) of the Economic and Organized Crimes Control Act), "possession of a computer program designed for the purpose of committing an offence" (Section 10(1)(&) of the Cyber Crimes Act) and "money laundering" (Sections 12(d) and 13(a) of the Anti-Money Laundering Act), all of which are non-bailable charges. Mr. Magoti remained detained at Segerea Remand Prison while his trial was adjourned 26 times before an agreement was reached.

The Observatory welcomes the release of Tito Magoti but recalls that he should never have been detained in the first place, his detention being arbitrary as it only aimed at sanctioning his legitimate and peaceful human rights activities. The Observatory denounces the year-long pre-trial detention of Tito Magoti as contrary to the right to a fair trial protected under international law, and calls on the Tanzanian authorities to ensure that all judicial proceedings are carried out in full compliance with the right to a fair trial.

Actions requested:

Please write to the authorities of Tanzania asking them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Tito Magoti as well as of all human rights defenders in Tanzania;
- ii. End of all forms of harassment, including at the judicial level, against all human rights defenders in Tanzania, and ensure in all circumstances that they are able to carry out their work without any hindrance or fear of reprisals;

iii. Ensure that all judicial proceedings in Tanzania are carried out in full compliance with the right to a fair trial as protected under international law.

Addresses:

- President of Tanzania, Hon. Dr. John Pombe Joseph Magufuli; E-mail: ikulu@ikulu.go.tz;
- Prime Minister of Tanzania, Rt. Hon. Kassim Majaliwa; E-mail: ps@pmo.go.tz;
- Ministry of Foreign Affairs and East African Cooperation, Hon. Prof. Palamagamba Kabudi; Email : nje@nje.go.tz, dodoma@nje.go.tz
- **Embassy of Tanzania in Brussels, Belgium; Email: tanzania@skynet.be**
- **Permanent Representative of the United Republic of Tanzania to the United Nations, Geneva and Vienna; Email: mission.tanzania@ties.itu.int.**

Please also write to the diplomatic representations of Tanzania in your respective countries.

Paris-Geneva, January 11, 2021

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory for the Protection of Human Rights Defenders (the Observatory) was created in 1997 by FIDH and OMCT. The objective of this programme is to prevent or remedy situations of repression against human rights defenders. FIDH and OMCT are both members of ProtectDefenders.eu, the European Union Human Rights Defenders Mechanism implemented by international civil society.

To contact the Observatory, call the emergency line:

- E-mail: Appeals@fidh-omct.org

- Tel FIDH : + 33 1 43 55 25 18
- Tel OMCT : + 41 22 809 49 39