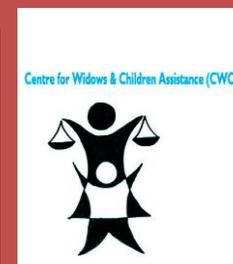
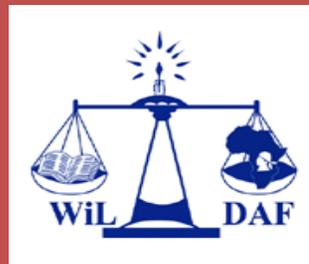
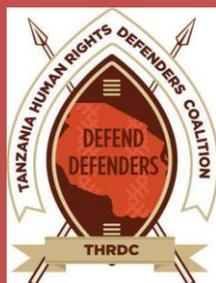


JOINT SUBMISSION OF POLITICAL PARTIES (AMMENDMENT) BILL 2019 TO THE PARLIAMENTARY COMMITTEE BROUGHT JOINTLY BY TANLAP AND 13 OTHER CIVIL SOCIETY ORGANISATIONS:



TANGIBLE INITIATIVES FOR LOCAL DEVELOPMENT TANZANIA (TIFLD) is collaboration with 14 Civil Society Organisations conducted an analysis of amendments to the Political Parties Act, 1992 Cap. 258. The recommendations were jointly submitted and presented before the Parliamentary Standing Committee on Constitutional and Legal Affairs under the coordination of Tanzania Network Of Legal Aid Providers (TANLAP). Other members present are Tanzania Human Right Defenders (THRD), Women in Law and Development in Africa (WiLDAF), Centre for Widows and Children Assistance (CWCA), SEKA and Associates Advocate, Tanzania Women Lawyers Association (TAWLA), Legal Aid Committee University of Dar es Salam School of Law, Dignity Kwanza, Mulika Tanzania, Envirocare, Disabled Organisation for Legal Affairs and Social Economic Development (DOLASED). Others are; Legal Eyes and Justice Foundation, Crisis Resolving Centre (CRC).

The composition of the members present was motivated by its representations. Present are the organisations that represent women, youth, people with disabilities, new organisations, and experienced organisation. Others are the organisations that represent children best interest, and organisation that focused on thematic issues such as environment, development, legal profession and human rights issues.

The team analysed 32 provisions with a focus on promotion and protection of Democracy and the Constitution of the United Republic of Tanzania and other written laws. The team was guided by the question, how best is the proposed Political Parties Bill promote Democratic Governance and Rule of Law, Multiparty System, the Constitution, Human Rights and Inclusion of the marginalised groups? Specifically, it focuses on provisions, which affect gender inclusion, financial autonomy of the political party, power and authority of the registrar, CSOs development, and sanction to the political parties.

We thank the chairman of the Parliamentary Standing Committee on Constitutional and Legal Affairs for this opportunity to give our opinion to enrich the Bill. We strongly believe our input save the interest of public members who shall benefit from the intended law to govern and coordinate political parties in Tanzania.

GENERAL COMMENTS :

1. We have noted that the statement of objects and reasons used in the Act are too narrow in scope, vague and lack concrete details to assist the reader to understand and appreciate the intention of the drafters. We recommend an improvement of the Statement of Objects and Reasons.
2. We have noted that in most cases, the law proposes criminal sanctions for things that are minor defaults that could be cured administratively. We are of the opinion that the office of the registrar should concentrate on assisting political parties to grow and thrive rather than acting as a policing unit. Besides, there are cases where a person commits the offence but the sanctions are given to parties and vice versa. We recommend that sanction and offences should reflect the offender.
3. We have noted that in many instances, the law doesn't offer a would be offenders the constitutional right to be heard before a punishment is given. In the same vein we have noted that in many instances (which we have highlighted) where the registrar is given powers that may conflict with the constitution of the United Republic of Tanzania. Additionally, the amendment is restrictive in terms of appealing processes as well as judicial review processes.
4. This amendment is blind on the inclusion of gender and people with disabilities as a legal requirement of the composition of a political party leadership, board of trustee of the political parties, and the office of registrar. We recommend that the composition of party leaderships and board of trustee should reflect gender and people with disability's parity. Moreover, We recommend the office of the registrar be inclusive, if the registrar happens to be a man then deputy registrar should be a woman and vice versa.