



NOTE VERBALE

Ref. No. NC291/738/02

The Permanent Mission of the United Republic of Tanzania to the United Nations Office and other International Organisations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and with reference to the latter's letter dated 11 February 2021 with reference No. AL TZA 2/2021, has the honour to submit, herewith enclosed, a response letter from Hon. Prof. Palamagamba Kabudi, Minister for Foreign Affairs and East African Cooperation of the United Republic of Tanzania.

The Permanent Mission of the United Republic of Tanzania to the United Nations Office and other International Organisations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 25 February 2021

Office of the United Nations High Commissioner
for Human Rights
GENEVA



THE UNITED REPUBLIC OF TANZANIA

OFFICE OF THE MINISTER FOR FOREIGN AFFAIRS AND EAST AFRICAN COOPERATION

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In reply please quote:

Ref. No. CLA 663/738/01

24th February, 2021

Mr. Diego García –Sayán,
Special Rapporteur on the
Independence of Judges and Lawyers,

Ms. Elina Steinerte,
Vice-Chair of the Working Group on Arbitrary Detention;

Ms. Irene Khan,
Special Rapporteur on the Promotion and
Protection of the Right to Freedom of Opinion and Expression;

Dear Special Rapporteurs,

I acknowledge receipt of yet another communication AL TZA 2/2021 from you dated 11th February, 2021 concerning what you characterised as attacks on Lawyers and the independence of the legal profession in Tanzania, which you allege takes the form of disbarment, arrests and arbitrary detention.

In your communication, you raised concerns on what you called threats of disbarment leveled against Mr. Jebra Kambole and Mr. Edson Kilatu for their conduct, which were contended by their complainants to be in violation of the ethical principles under the Advocates Act, CAP 341 and therefore are accused to have committed a gross professional misconduct that warrants their disbarment.

As I stated in my previous letters to you, I wish to reiterate again that the United Republic of Tanzania is governed by the rule of law and devotedly respect and adhere to her Constitution and to all international instruments pertaining to not only the independence of lawyers and judges but also human rights in general. In her adherence to these instruments, the United Republic of Tanzania neither places anyone above the law, nor does condone impunity. In that regard, all complaints or disciplinary actions against lawyers are handled by due process of the law as stipulated in the Advocates Act, CAP 341 and the Advocates (Professional Conduct and Etiquette) Regulations, 2018.

As I remain faithfully aware of your mandate to seek clarification on cases and matters brought to your attention, I implore you to desist the temptation of being prejudicial against the Government as I have noted in the tone of your communications until when you have sufficiently obtained information from both sides on matters brought before you.

I have taken note of matters raised in your communication, the Government will prepare and submit a detailed response, which will be availed to you in due course.

Please accept, Special Rapporteurs, the assurances of my highest considerations



Prof. Palamagamba J. A. M. Kabudi (MP)
MINISTER