



Permanent Mission of The
United Republic of Tanzania

NOTE VEBALE

Ref. No. NC 291/738/02/65

The Permanent Mission of the United Republic of Tanzania to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, Special Procedures Branch and wishes to acknowledge receipt of the Joint Communication with Ref. No.AL TZA 1/2025 dated 10 June 2025 concerning Mr. Boniphace Mwangi and Ms. Agather Atuhaire.

The Permanent Mission has the honour to communicate the response of the Government of the United Republic of Tanzania as attached (Ref. No. CLB 415/833/01 dated 9th September, 2025).

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

Geneva, 30 September, 2025

The Office of the High Commissioner for Human Rights,
Special Procedures Branch,
GENEVA.



**THE UNITED REPUBLIC OF TANZANIA
MINISTRY OF FOREIGN AFFAIRS AND EAST AFRICAN COOPERATION**

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In reply please quote

Ref. No. CLB. 415/833/01

9th September, 2025

Gabriella Citroni,
Chair-Rapporteur of the Working Group on
Enforced or Involuntary Disappearance;
GENEVA.

Irene Khan,
Special Rapporteur on the promotion and protection
of the right to freedom of opinion and expression;
GENEVA.

Reem Alsalem,
Special Rapporteur on violence against women and
girls, its causes and consequences;
GENEVA.

Mary Lawlor
Special Rapporteur on the situation of human rights defenders;
GENEVA.

**RE: RESPONSE OF THE GOVERNMENT OF THE UNITED REPUBLIC OF
TANZANIA CONCERNING MR. BONIFACE MWANGI AND MS. AGATHER
ATUHAIRE**

I wish to acknowledge receipt of your letter dated 10th June 2025 in respect of the above-mentioned subject matter. The United Republic of Tanzania wishes to respond as follows:

2. The Government of the United Republic of Tanzania, henceforth the Government, reaffirms its commitment to protecting and promoting human rights as guaranteed under the Constitution, domestic law, and international obligations. This response provides factual and legal clarifications regarding the concerns raised about Mr. Boniface Mwangi and Ms. Agather Atuhaire, demonstrating Tanzania's adherence to the rule of law, due process, and national security.

i. Arbitrary Arrest and Enforced Disappearance

The Government categorically denies that Mr. Mwangi and Ms. Atuhaire were arbitrarily arrested or subjected to enforced disappearance. Both individuals were treated humanely, and no Tanzanian state agents engaged in unlawful detention. The authorities acted in accordance with **domestic law**, including the **Immigration Act, Cap. 54 R.E. 2023**, which provides lawful grounds to regulate the entry, residence, and conduct of foreign nationals in Tanzania. Orders of departure were issued after it was established that their activities were inconsistent with their declared purpose of entry, which could compromise national security or disrupt public order.

ii. Torture and Harassment

The Government refutes that either individual was subjected to torture, physical abuse, or sexual violence. All measures taken were lawful, proportionate, and necessary. Tanzania strictly prohibits torture and any form of cruel, inhuman, or degrading treatment under its Constitution and criminal law. Therefore, the allegations of sexual violence and harassment are unfounded.

iii. Violation of Due Process and Misinformation

The Government affirms that no false claims were made regarding the release or deportation of the individuals. All actions were fully consistent with legal procedures. The suggestion that their whereabouts were unknown is misleading, and no enforced disappearance occurred. The measures taken respected procedural safeguards under **Articles 9 and 19 of the International Covenant on Civil and Political Rights (ICCPR)**, ensuring protection of liberty and freedom of expression while maintaining public order.

iv. Suppression of Human Rights Observers and Journalists

The Government vehemently denies allegations that HRDs, journalists, or political observers were systematically targeted. Entry and participation in Tanzania are regulated in line with national laws to ensure public safety and security. Observers, including foreign nationals, are required to comply with immigration regulations, and no individual has been barred arbitrarily from exercising their lawful rights.

v. A Broader Pattern of Repression

The Government wishes to refute the allegation of a broader pattern of repression in respect of over 200 enforced disappearances, arbitrary arrests, and torture since they are unsubstantiated. It is important to note that Tanzania like any other countries, is also facing security threats from unknown individual and groups. In this regard, the Government is executing its cardinal responsibility of safeguarding national peace, security and stability and is working tirelessly to address such threats by taking appropriate preventive, investigative and enforcement measures according to the national laws and international obligations.

vi. **Gender-Based Violence**

On the allegation of gender-based violence, the Government wishes to deny any sexual assault or gender-based violence against Ms. Atuhaire and strongly condemns any form of gender-based discrimination or violence. The Government insists on upholding all efforts aimed at condemning and preventing Gender-Based Violence (GBV), as explicitly prohibited under Tanzanian law, including the **Sexual Offences Special Provisions Act, 1998**. Moreover, Tanzania is a state party to key international instruments addressing GBV, including the **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)** and the **Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol)**. The Government remains steadfast in its commitment to human rights, the rule of law, and international obligations, ensuring that all security and justice operations are conducted transparently, lawfully, and in full respect of human dignity.

vii. **Violation of International Obligations**

On the allegation of violation of international obligations, the Government wishes to maintain that all measures taken in respect of Mr. Mwangi and Ms. Atuhaire were fully in compliance with international obligations, including the **ICCPR**, the **Maputo Protocol**, and the **UN Declaration on Human Rights Defenders**. At no point were international human rights principles breached.

viii. **Inquiry, Investigation, and Accountability:**

On a call of inquiry, investigation and accountability, the Government wishes to reiterate that the actions taken were lawful and consistent with national and international law. As such, the call for inquiry, investigation, and accountability lacks justification. However, Tanzania legal system ensures that all inquiries and

investigations conducted within the country are prompt, impartial, exhaustive, and capable of ensuring accountability and reparations for any violations should they occur. Furthermore, since the matter is currently pending before the **East African Court of Justice (Petition No. 29 of 2025)**, and in line with the principle of *sub judice*, the Government refrains from commenting on the ongoing proceedings.

ix. **Protection of Human Rights Defenders and Journalists:**

On a call to guarantee the protection of human rights defenders and journalists to operate freely and safely, the Government wishes to inform that it takes measures to prevent violence or intimidation, including regulatory oversight, law enforcement protocols, and protection mechanisms under domestic law and international obligations. Decisive actions have been, and continue to be, taken to ensure that HRDs, civil society actors, and journalists can exercise their lawful activities without fear of reprisal.

x. **Justification on Legal and Factual Grounds for Measures Taken:**

The Government wishes to maintain that all measures undertaken, including the issuance of orders of departure, were lawful and necessary to safeguard national security, public order, and compliance with Tanzania immigration laws, particularly the provisions of Section 13(1) (a), (b), and (e) of the Immigration Act, Cap. 54 R.E. 2023, which empowers Immigration Officers to manage and monitor the entry and exit of migrants, safeguard national borders, and take measures against any act by a foreigner or any other person that may jeopardize national security, economic development, or sustainability.

Similarly, Sections 17 and 18(1) and (2) of the Immigration Act provide Immigration Officers with the authority to investigate and arrest any person who has committed or is likely to commit an offence. Immigration Officers have the authority to regulate the entry of foreign nationals and take action against any activities inconsistent with declared purposes. Investigations confirmed that the declared intentions of Mr. Mwangi and Ms. Atuhaire did not align with their planned activities, justifying the lawful actions of the authorities.

xi. **Commitment to Rule of Law and Human Rights**

The Government reiterates its commitment to the rule of law, due process, and judicial independence. All actions regarding Mr. Mwangi and Ms. Atuhaire were lawful, proportionate, and humane. Allegations to the contrary are without merit, inconsistent with Tanzania's legal framework, and misrepresent factual reality.

3. Tanzania remains committed to constructive engagement with international human rights mechanisms while upholding its sovereignty and legal framework. However, since the matter at hand is before the East African Court of Justice (Petition No. 29 of 2025), the Government, in accordance with the principle of *sub judice*, will not comment further on this matter.

I thank you for your understanding and cooperation.


Amb. Mahmoud Thabit Kombo
**MINISTER OF FOREIGN AFFAIRS AND
EAST AFRICAN COOPERATION**