



Permanent Mission of The  
United Republic of Tanzania

NOTE VEBALE

**Ref. No. NC 291/738/02/67**

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 latter's letter with Ref. No. AL TZA 4/2025 dated 14 July 2025 concerning allegations on the detention of Mr. Tundu Lissu and Mr. Mdude Nyagali.

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 9<sup>th</sup> 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**

Telephone: + 255-26-2323201-7  
Fax: +255-26-2323208  
Email: [nje@nje.go.tz](mailto:nje@nje.go.tz)  
website: [www.foreign.go.tz](http://www.foreign.go.tz)



Government City,  
Mtumba Area,  
P. O. Box 2933,  
40466 DODOMA.

*In reply please quote*

Ref. No. CLB. 415/833/01

9th September, 2025

**Irene Khan**

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

**Gina Romero**

Special Rapporteur on the rights to  
freedom of peaceful assembly and of association;  
**GENEVA.**

**Gabriella Citroni**

Chair-Rapporteur of the Working  
Group on Enforced or Involuntary Disappearances;  
**GENEVA.**

**Morris Tidball-Binz**

Special Rapporteur on extrajudicial,  
summary or arbitrary executions;  
**GENEVA.**

**Margaret Satterthwaite**

Special Rapporteur on the  
Independence of judges and lawyers;  
**GENEVA.**

**Re: RESPONSE TO ALLEGATIONS ON THE DETENTION OF MR TUNDU LISSU  
AND MR. MDUDE NYAGALI**

I wish to acknowledge receipt of your letter dated 14<sup>th</sup> July 2025 in respect of the above-mentioned subject matter. The Government United Republic of Tanzania, henceforth the Government wishes to respond as follows:

2. The Government reaffirms its commitment to protect and promote human rights as guaranteed under the Constitution, domestic laws, and international obligations. Tanzania remains dedicated to upholding the rule of law, maintaining public order, and safeguarding national security while respecting the rights of all citizens.

### **i. Crackdown on Political Opposition and Civil Society**

The Government vehemently refutes the allegations pertaining to crackdown on political opposition and civil society and wishes to inform that Tanzania is a multiparty democracy as guaranteed under **Article 20 of the Constitution of the United Republic of Tanzania, 1977 (The Constitution)**. As such, political participation is permitted and encouraged, provided it takes place within the confines of the law. The arrest of Mr. Lissu was necessitated by utterances he made on 3<sup>rd</sup> April, 2025, while addressing CHADEMA party aspirants in a meeting held at Kinondoni District in Dar es Salaam, wherein he declared his intention to halt the electoral process and incite an insurrection as a means of affecting political change, with the objectives of causing substantial disruption and disorder to the conduct of the 2025 General Election, with intent to intimidate the lawful authority of the Government of the United Republic of Tanzania, an act which constitutes a criminal offence under Tanzanian laws.

It is also important to note that, Tanzania's laws contain no provisions suspending the application of the law during election periods. That being the case, it is misleading to associate Mr. Lissu's arrest, bans on CHADEMA protests and disqualification of opposition candidates from the election, suspension of CHADEMA's political activities with the upcoming October General Election. The enforcement of the law is continuous, impartial, and not subject to political calendars.

### **ii. Political Opposition and the Arrest of Mr. Tundu Lissu**

It should be noted that, the legal system of the United Republic of Tanzania treats all persons equally before the law, irrespective of status or political affiliation, as enshrined under Article 13 of the Constitution. The arrest of Mr. Lissu in Mbinga District, Ruvuma Region was done in broad daylight, transparently and in full compliance with the law. It was not linked to the forthcoming general election but was a consequence of statements he made on 3<sup>rd</sup> April 2025, during a meeting with CHADEMA party aspirants in Kinondoni District, Dar es Salaam, statements which constitute a criminal offence under Tanzanian law. The arrest followed procedures outlined under Part II of the Criminal Procedure Act, Cap. 20, which ensure that detainees are informed of the reasons for their arrest and that law enforcement officers refrain from excessive force, as specified in Section 22 of the Criminal Procedure Act.

Mr. Lissu is facing charges of treason, which is a non-bailable offence, as well as cybercrime offences contrary to Section 39(2) (d) of the Penal Code, Cap. 16, and Section 16 of the Cybercrime Act, Cap. 443, respectively. Allegations regarding violations of due process, denial of fair trial rights, delayed access to legal counsel, or inappropriate detention conditions including solitary confinement, denial of medication, or restriction of religious practice are entirely baseless. Mr. Lissu himself has confirmed before the court that he has access to legal representation, medical services, and other necessary facilities.

Furthermore, Tanzanian law does not provide for suspension of legal provisions during election periods. Linking Mr. Lissu's arrest, regulation of CHADEMA protests, disqualification of opposition candidates, or suspension of political activities to the upcoming October General Election is therefore misleading. The enforcement of the law in Tanzania is continuous, impartial, and strictly governed by due legal process, ensuring justice, equality, and accountability for all citizens without political bias.

### **iii. Enforced Disappearance of Mr. Mdude Said Nyagali**

The Government is aware of the concerns raised regarding the disappearance of Mr. Mdude Nyagali. The Government wishes to reaffirm its full commitment to the protection and promotion of human rights, the rule of law, and democratic governance, as guaranteed under the Constitution of the United Republic of Tanzania and international human rights instruments to which Tanzania is a party.

The Government strongly condemns any acts of enforced disappearance, arbitrary detention, or unlawful deprivation of liberty, and emphasizes that such practices are neither condoned nor sanctioned by state authorities. Immediately upon receiving reports of Mr. Nyagali's disappearance, relevant law enforcement and investigative bodies were instructed to conduct thorough inquiries into the circumstances of the case. Investigations remain ongoing, and the Government underscores that no effort will be spared in ensuring that the truth is established, those responsible are held accountable in accordance with the law, and justice is served.

Tanzania values its reputation as a peaceful and democratic state where the rights and dignity of every citizen are safeguarded. In this regard, the Government remains open to constructive engagement and cooperation with national, regional, and international stakeholders to strengthen transparency and accountability. The protection of human rights is not only a constitutional duty but also a cornerstone of our commitment to good governance, peace, and stability.

The Government assures that it will continue to monitor this case closely, and uphold its obligations to guarantee the safety, freedom, and security of all its citizens, including Mr. Nyagali.

### **iv. Arbitrary detention, degrading treatment, harassment of journalists, lawyers, activists, and opposition members**

The Government maintains robust legal and institutional safeguards to ensure that journalists, lawyers, activists, and human rights defenders can exercise their rights freely, without fear of harassment, intimidation, or arbitrary interference. These protections are firmly grounded in national law, including the Tanganyika Law Society Act (Cap. 307), relevant provisions of the Criminal Procedure Act, and other domestic statutes that uphold fundamental freedoms and the rule of law.

In addition, Tanzania is committed to international standards, including the UN Declaration on Human Rights Defenders (1998), which affirms the rights of individuals to promote and protect human rights without fear of reprisal. Practical measures to operationalize these protections include ensuring unhindered access to legal representation, implementation of security protocols for persons at risk, and the availability of judicial remedies to address any violations.

The Government also undertakes regular training for law enforcement and judicial officers on human rights obligations, freedom of expression, and professional conduct, reinforcing accountability and adherence to the law. Complaint mechanisms, including formal reporting channels and judicial oversight, are in place to investigate allegations of misconduct or violations rights.

Through these measures, Tanzania demonstrates its commitment to creating an enabling environment in which journalists, lawyers, activists, and opposition

members can operate freely, responsibly, and safely, consistent with both national legislation and international human rights standards.

**v. Blocking of Social Media Platform "X"**

The Government categorically rejects allegations of arbitrary restrictions on media and freedom of expression. These claims are unfounded, as all regulatory actions were conducted fully in accordance with national law, including the Media Services Act and its implementing regulations. Notices issued to media outlets regarding reporting on issues such as Maasai relocations, the suspension of licenses, or the removal of content were lawful, proportionate, and necessary to ensure accuracy, prevent the dissemination of misinformation, and maintain public order.

Similarly, the temporary restriction of the social media platform "X" was undertaken strictly to safeguard national security and public safety. The measure was time-bound, targeted, and implemented in line with the powers vested in regulatory authorities under Tanzanian law. At no point did State actors exceed their legal authority, nor was the action intended to suppress legitimate journalism or public discourse.

These interventions reflect Tanzania's commitment to responsible media regulation, balancing the right to freedom of expression with obligations to protect public order, safety, and national security. Any suggestion that the Government acted arbitrarily or unlawfully misrepresents the factual and legal framework governing media operations and digital communications in the country.

**vi. Fate, Whereabouts, and Health of Mr. Mpaluka Said Nyagali**

The Government takes concerns regarding the whereabouts, health, and treatment of Mr. Mdude Said Nyagali very seriously. Competent law enforcement authorities have been tasked to investigate the whereabouts of Mr. Nyagali in accordance with Tanzanian law. All investigative actions are conducted transparently, with due regard to safeguards against degrading treatment, protection of personal security, and access to legal counsel where applicable. The Government confirms that there is no evidence to suggest arbitrary detention by State security forces, and any lawful measures are fully consistent with domestic legal provisions and international human rights standards, including Article 9 of the ICCPR. Relatives and legal representatives are kept informed of any developments.

**vii. Investigation into Alleged Enforced Disappearance of Mr. Nyagali**

The Government categorically denies any involvement in, or responsibility for, the alleged disappearance of Mr. Mdude Nyagali. The Government wishes to state, in the strongest terms possible, that there exists no policy, practice, or directive by state authorities that condones, authorizes, or tolerates enforced disappearance, arbitrary detention, or unlawful deprivation of liberty.

The Government reaffirms its unwavering commitment to the protection and promotion of human rights, the rule of law, and democratic governance, as guaranteed under the Constitution of the United Republic of Tanzania and the international human rights instruments to which it is a party. Any suggestion or allegation that Tanzanian state institutions were involved in the alleged disappearance of Mr. Nyagali is unfounded, misleading, and inconsistent with the values and principles upon which the country's governance framework rests.

Upon receiving reports of the alleged disappearance, law enforcement and investigative agencies promptly initiated inquiries within their legal mandate to verify and investigate the matter. These investigations are independent, impartial, and ongoing. To date, no evidence has been produced linking state authorities to the alleged incident. The Government maintains that should credible evidence be established, those responsible will be held fully accountable in accordance with the law.

Tanzania, like many other countries, is at times confronted with security threats posed by unknown groups. However, the Government continues to work tirelessly to ensure the safety and security of all citizens and foreign nationals present in the country, while upholding the rule of law and respect for human rights.

Tanzania remains a peaceful and democratic nation, where the rights, freedoms, and dignity of every individual are safeguarded. The Government therefore distances itself entirely from unfounded allegations that attempt to associate it with unlawful acts, which are contrary to both national laws and international obligations.

#### **Viii. Factual and Legal Basis for the Arrest, Detention, and Charges of Mr. Tundu Lissu:**

On a call to provide the legal basis of arrest and detention of Mr. Tundu Lissu are grounded in Tanzanian law, including the Criminal Procedure Act. All actions are undertaken in compliance with national legislation and consistent with Tanzania's obligations under international human rights standards, including Articles 9 and 19 of the ICCPR. These provisions protect individuals from arbitrary detention and guarantee the right to freedom of expression while ensuring public order and the rule of law.

#### **ix. Clarification on the safeguards granted to Mr. Lissu from the outset of his arrest and throughout judicial proceedings to ensure his trial is fair and respects due process standards**

The Government wishes to clarify that Mr. Tundu Lissu has been fully afforded all safeguards guaranteed under Tanzanian law to ensure his trial is fair and respects due process standards. He has had prompt and confidential access to legal counsel and the right to communicate freely with his family. Throughout all judicial proceedings, due process and fair trial standards have been strictly observed, ensuring that his rights are fully protected. At all times, measures have been in place to prevent any form of degrading treatment, coercion, or arbitrary interference. These safeguards collectively ensure that Mr. Lissu's trial is conducted transparently, fairly, and in full compliance with both national law and international human rights obligations.

#### **x. Freedom of Expression, Assembly, and Association**

The Government reiterates that all citizens, including opposition members, activists, lawyers, journalists, and human rights defenders, are entitled to exercise their rights to freedom of expression, assembly, and association. Legal safeguards, security protocols, and access to judicial remedies ensure that legitimate criticism of government actions can occur safely, without harassment, intimidation, or criminalization.

#### **xi. Investigations into Enforced Disappearances, Arbitrary Arrests, and Treatment of Human Rights Defenders**

The Government wishes to reiterate that all investigations into enforced disappearances, arbitrary arrests, or degrading treatment of human rights defenders, civil society members, and political activists are conducted by competent authorities such as the Police through Directorate of Criminal Investigations (DCI). All inquiries are carried out in accordance with Tanzanian law and under appropriate oversight to ensure accountability and justice. Outcomes of investigations are communicated transparently to affected individuals and their representatives.

**xii. Investigations into Alleged Extrajudicial Killings and Deaths During Protests**

The Government categorically rejects allegations of extrajudicial killings or unlawful deaths during public demonstrations. Any claims, including those purportedly occurring on 24 April 2025, are entirely baseless, misleading, and lack any factual or legal foundation. Any attempt to misrepresent events or suggest state sanctioned violence is entirely false and does not diminish Tanzania's steadfast commitment to justice, accountability, and the protection of all citizens and residents.

Tanzania upholds the rule of law, democratic governance, and human rights. Extrajudicial killings are illegal, unacceptable, and contrary to both national legislation and international human rights standards to which Tanzania is a party. The Government remains resolute in ensuring that all security operations and public order measures are conducted lawfully, safely, and with full respect for the rights and dignity of every individual.

**xiii. Compliance with International Standards and Restrictions on Social Media Platform "X"**

The Government wishes to inform that all investigations, including those relating to deaths or alleged unlawful acts, are conducted in compliance with international standards, including the Minnesota Protocol on the Investigation of Potentially Unlawful Death. Any temporary restrictions on the social media platform "X" since 20 May 2025 were implemented lawfully under the Media Services Act to safeguard national security, prevent misinformation, and protect public safety. These actions were proportionate, targeted, and consistent with Tanzanian law, with no intention to curtail lawful expression or legitimate public discourse.

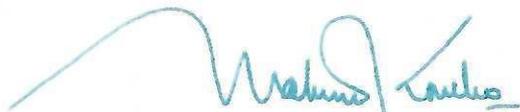
While questions have been raised regarding the compatibility of restrictions with international human rights standards on freedom of expression and access to information, it is important to note that any such measures are implemented in strict accordance with Tanzanian law and are guided by the principles of necessity and proportionality. In the specific case of Mr. Tundu Lissu, practical limitations arise from the fact that he is charged with treason, a non-bailable offense under Section 151(5)(a)(i) of the Criminal Procedure Act, Cap. 20.

The determination of Mr. Lissu's innocence or guilt is solely a matter for the courts, and any attempt to influence or predetermine the outcome of legal proceedings would undermine the independence of the judiciary, Tanzania's sovereignty, and the rule of law, contrary to Articles 107A and 107B of the Constitution of the United Republic of Tanzania, as well as Articles 2(1) and 2(7) of the UN Charter. In this context, all restrictions are applied judiciously, proportionately, and within the bounds of both national law and Tanzania's international human rights obligations.

3. The Government reiterates its unwavering commitment to upholding the rule of law, protecting fundamental rights, and ensuring that all citizens, including opposition members, critics, human rights defenders, and journalists, are treated

fairly and equally under the law. Any allegations of targeted harassment or silencing are unfounded, as all legal processes are conducted transparently, in strict compliance with domestic legislation and Tanzania's international human rights obligations.

I thank you for your understanding and cooperation.



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