

# ZANZIBAR LEGAL SERVICES CENTRE

## [ZLSC]



## ANNUAL REPORT FOR THE YEAR

[1<sup>ST</sup> JANUARY TO 31<sup>ST</sup> DECEMBER, 2016]



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## ABBREVIATIONS

ACRWC	African Charter on Rights and Welfare of the Child
CJ	Chief Justice
CSO	Civil Society Organization
DHU	Dispute Handling Unit
DPP	Director of Public Prosecution
EACROTANAL	Eastern African Centre for Research on Oral Traditions and African National Languages
FM	Frequency Modulation
GNU	Government of National Unity
IT	Information Technology
LHRC	Legal and Human Rights Centre
LLB	Bachelor of Law
MAT	Methadone Assisted Therapy
MATCOZ	Medical Assistance Therapy Community of Zanzibar
NGO	Non-Governmental Organisation
OCA	Organization Capacity Assessment
OSEA	Open Society Foundation for East Africa
PLWHA	People Living with HIV/AIDs
PWDs	People with Disabilities
S/N	Serial Number
SIDA	Swedish International Development Agency
SCI	Save the Children International
SUZA	State University of Zanzibar
TAWLA	Tanzania Women's Lawyers Association
TAYI	Tanzania Youth Icon
THPS	Tanzania Health Promotion Support
TOT	Training of Trainers
UNICEF	United Nations International Children's Emergency Fund
USAID	United States Agency for International Development
ZAFELA	Zanzibar Female Lawyers Association
ZAPDD	Zanzibar Association for People with Developmental Disabilities

ZBC	Zanzibar Broadcasting Cooperation
ZLS	Zanzibar Law Society
ZLSC	Zanzibar Legal Services Centre
ZU	Zanzibar University
ZYBL	Zanzibar Yearbook of Law
ZYF	Zanzibar Youth Forum

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## CHAPTER ONE

### Background and Profile of Zanzibar Legal Services Centre

#### (a). Introduction

The Zanzibar Legal Services Centre (ZLSC) was established in 1992 as a non-governmental, voluntary, independent and non-profit making organisation aimed at providing legal aid services to the poor, women, and children, the disabled, marginalised and other disadvantaged sections of the Zanzibari society. The Centre also aims to popularise knowledge on the law and to produce publications in all areas of legal concern to the people of Zanzibar. During the 24 years of its existence, the Centre has grown in strength and works tirelessly to achieve its entire major intended aims and objectives in line with the vision and mission of the Centre.

In order to achieve these aims and ensure that behavioural changes are guaranteed, the Centre strives to ensure that all the people of Zanzibar have a basic understanding of legal and human rights principles and can act on them in order to build a society based on rule of law, good governance and the observance of human rights norms.

The Centre is a Body Corporate and thus has the right and capacity to sue and be sued in its own name and own both moveable and immovable property. It also has its own Official Seal and Emblem.

#### (b). Purposes and Objectives of the Centre

Primarily, the Centre provides legal aid in the form of counselling and advice to the poor and those who cannot afford to hire lawyers to handle their legal issues. Those in need of legal aid visit the offices of the Centre in both Unguja and Pemba or receive legal aid/assistance from the Centre's recognized Paralegals who are found in all electoral constituencies of Zanzibar. In addition, some of the staff of the Centre who are admitted into the Roll as Advocates provide legal representation in the courts of law for deserving cases which have satisfied the Centre's criteria for taking legal matters to court. All the legal aid provided by the Centre, be it purely advisory or litigation, is provided free of charge. The Centre is also actively engaged in the provision of legal education to the public in order to raise people's awareness on their basic rights and civic responsibilities. As will be elaborated in this report, this is done through various means including seminars, workshops, round-table meetings, legal aid outreach and the media, mainly through television and radio programmes.

The Centre prides itself on legal research as it undertakes, through conducting, co-ordinating and commissioning, research on legal issues. The results of the research is disseminated through meetings in which scholars, politicians, stakeholders and people from all walks of life meet to discuss and exchange views. Some of the completed results have been both attractive and appealing to the government thus helping to shape policies and laws on various issues including the issue of the rights of the child in Zanzibar.

The most notable research which is undertaken on an annual basis is the Zanzibar Human Rights Report.

**(c). Vision**

Rights and Access to Justice for all

**(d). Mission**

Zanzibar Legal Services Centre is a non-partisan, non-profit Organization dedicated to raising people's awareness, promoting human rights and good governance.

**(e). Main Activities of the Centre**

The Centre takes great pride in carrying out and achieving its objectives. These include holding legal aid camps, paralegal trainings, film shows, production of a quarterly newsletter called *OSheria na Haki*, organising public lectures and conferences and conducting specialised and tailor-made trainings.

The Centre has two Documentation Centres - one in Unguja and the other in Pemba. These are equipped with some of the best legal books on the market. An added feature designed to attract readers is an internet search possibility. The Centre acts as a repository for all Zanzibar legal materials that can be used for research purposes. This has made the Centre a prime destination for those in search of legal articles and for students from various institutions of higher education who also use the Centre as an important internship station.

**(f). The Organisational Structure of the Centre**

ZLSC is a registered Trust with a Board of Trustees. The Board is the top policy-making organ of the Centre. The Executive Director who is the Secretary of the Board of Trustees is also the Chief Executive Officer (CEO) of the Centre. In the performance of its duties, the Board works closely with the stakeholders of the Centre whose existence is provided for under Article 13 of the Constitution of the Centre. The main role of the stakeholders is to advise the Board. For optimal performance, the Centre has different cadres of staff including the Executive Director, Account and Administration Officer, Monitoring and Evaluation (M&E) Officer, Information Officer, Information, Communication and Technology (ICT) Officer, Programme Officers (Lawyers) Accountants, Librarians, Secretaries and Drivers. (See Annexure TWO and THREE)

As intimated, apart from its head office in Zanzibar Town, the Centre has also a sub-office in Chake Chake, Pemba.

**(g). The Board of Trustees**

Article 9 of the Constitution of Zanzibar Legal Services Centre, 1992 provides for a Board of Trustees whose main task is to guide the Centre in strategic thinking and guide it through policy formulation as mentioned. The Executive Director of the Centre acts as the Secretary to the Board.

## **(h) The Staff and Secretariat of the Centre**

The Centre is headed by the Executive Director who is also the Chief Executive Officer (CEO). The Pemba Office is headed by a Co-ordinator. Currently, the Centre has 27 (14 male and 13 female) members of staff of which 19 are in Unguja and 8 are in Pemba. 14 members are Programme officers (5 male and 9 female) working as legal aid providers to the indigent. A list of all staff members with their respective positions together with a list of Board members are provided in Annexure TWO of this report.

In addition, the Centre also has 82 Paralegals from all 54 Electoral Constituencies of Unguja and Pemba and also from SMZ special Department (*Idara Maalum za Serikali ya Mapinduzi ya Zanzibar*) working as volunteers to facilitate, support and provide legal assistance to the needy in their respective communities.

## **(i). Ethical Standards**

Article 17 of the Constitution of Zanzibar Legal Services Centre spells out the ethical standards for the staff, whereby all persons participating in the operations of the Centre must show the utmost good faith to others in all matters relating to the Centre. At the same time no one is allowed to use the Centre's facilities or influence to further private gain or any partisan, political, religious, ethnic or similar interests contrary to the objectives of the Centre.

## **(j) The Strategic Plan of the Centre 2013 – 2017**

The Centre is in the final stages of implementing its Five Year Strategic Plan of 2013-2017. This Strategic Plan is the result of a compilation of different projects/programmes funded by different development partners and sponsors aimed at propelling the Centre to higher levels of contribution in the improvement of governance and the promotion and protection of human rights in Zanzibar. The following are the strategic aims of the Centre:

**Strategic Aim One:** Quality and timely legal aid services to the indigent provided.

**Strategic Aim Two:** Public engagement in constitution and law making processes enhanced.

**Strategic Aim Three:** Comprehensive research, publication and documentation undertaken.

**Strategic Aim Four:** Human rights of marginalized groups promoted and protected.

**Strategic Aim Five:** Demand driven civic and legal education of the general public enhanced.

**Strategic Aim Six:** Organizational Development and sustainability strengthened.

## **(l). Funding of the Centre**

In the year 2016 the Centre has received the generous support of various development partners including the following:



- (a). Swedish International Development Agency (SIDA)
- (b). Royal Norwegian Embassy
- (c). Save the Children (International)
- (d). UNICEF
- (e). OSEA (Open Society Foundation for East Africa)
- (f). Ford Foundation Office for Eastern Africa

The Centre is extremely grateful to all for this generous support which has made possible the Centre's dream of making Zanzibar a better place to live in by providing access to justice to as many Zanzibaris as possible. In addition, the Centre also acknowledges the training opportunities and support offered by USAID (Pamoja Twajenga).

## CHAPTER TWO

### Report of the Work of the Centre in 2016

This progress report which is divided into six parts, details the implementation of the six strategic aims of the Zanzibar Legal Services Centre (ZLSC) and how ZLSC contributes to behavioural changes on the issues of Legal Aid, Constitution and Law making process, Human Rights education as well as Civic education. .

The Strategic Plan is for a period of five years. Some of the activities provided for in this Plan are one-time activities and hence they are or will be implemented just once only during the span of the Strategic Plan. There are also activities to be implemented at specific times along the way. Finally, there are activities to be done every year. Therefore, in the process of preparing this report, these factors have been taken into account. Within each Strategic Aim, an evaluation is performed in order to indicate where the Centre has excelled and how society has changed. Also, areas where the Centre has performed below the expected standard are noted with probable reasons given for dismal performance.

In the last section of this report, the Centre provides a brief prognosis on the way forward. This prognosis is presented after evaluating the performance of the current year under review. Of course, one cannot always be sure or make any predictions, as, at times the unexpected does happen.

## PART ONE

### Strategic Aim One: Quality and Timely Legal Aid Services to the Indigent Provided

#### Introduction

In order to reach its vision of access to justice for all and contribute to the behavioural changes especially for clients who demand legal aid services, the Centre has focused on the provision of quality and timely legal aid to Zanzibaris. In performing this strategic aim as one of the objectives to be achieved, all activities have been conducted as planned. These include provision of legal counselling and advice, paralegal trainings, publication of various legal documents, holding legal aid camps and legal trainings together with legal drafting and representation for the poor and marginalized groups.

#### 1. Standard legal aid services for poor and marginalized people provided

Zanzibar Legal Services Centre has dedicated itself to providing legal aid to the poor, marginalized and vulnerable people in Zanzibar. This is in line with its vision. ZLSC supports the provision of legal aid to target groups in their communities so as to reduce violations and improve rights and access to justice for all. The client satisfaction survey of 2015 showed that 58% of clients were very satisfied with the quality of services provided by the Centre. Currently the clients' trust in the quality of legal aid services given by ZLSC staff has improved as data shows that 83.6%<sup>1</sup> of clients rated their positive satisfaction with the quality of services offered in terms of time set aside to listen to clients, clarification of key issues and availability of legal advisors. This improvement is due to great efforts made by the Centre to ensure that the vision of the Centre is adhered to. This success can be attributed to the number of lawyers some of whom are also advocates working in the Centre. The lawyers provide free legal aid and counselling to clients who visit the centre directly to access this service while the Advocates prepare legal documents and sometimes, when clients cannot stand on their own or afford to hire an advocate, they represent these clients in court.

The provision of standard legal aid services for the poor and marginalized has been achieved through the implementation of the following activities:-

#### (a) Provision of Legal Aid

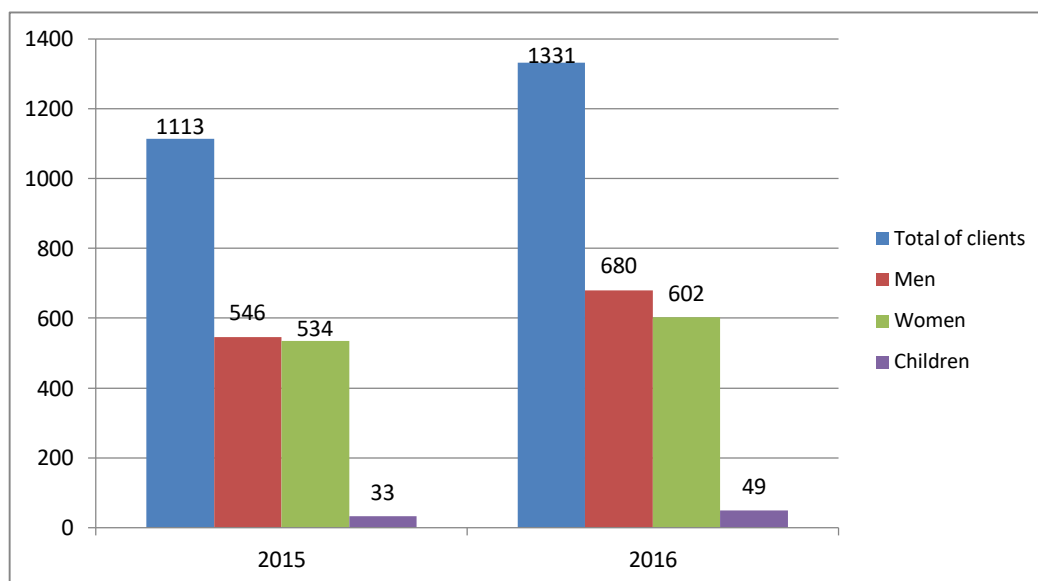
Between January and December 2016, the Centre was able to provide legal assistance to a total of 1331 clients in both Unguja and Pemba, (680 male, 602 female and 49 children)<sup>2</sup>. The chart below provides an accurate picture of the Centre's clients in 2016. As in previous years, the number of land disputes in 2016 topped the list compared to other disputes.

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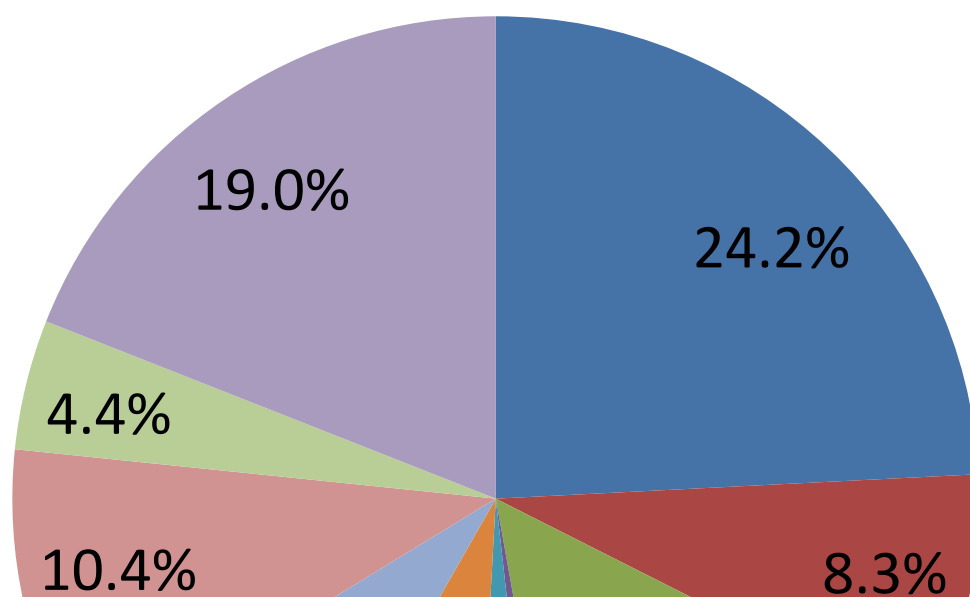
<sup>1</sup> 2016 Client satisfaction survey

<sup>2</sup> ZLSC database

### Comparison of number of clients given legal aid services in 2015 and 2016



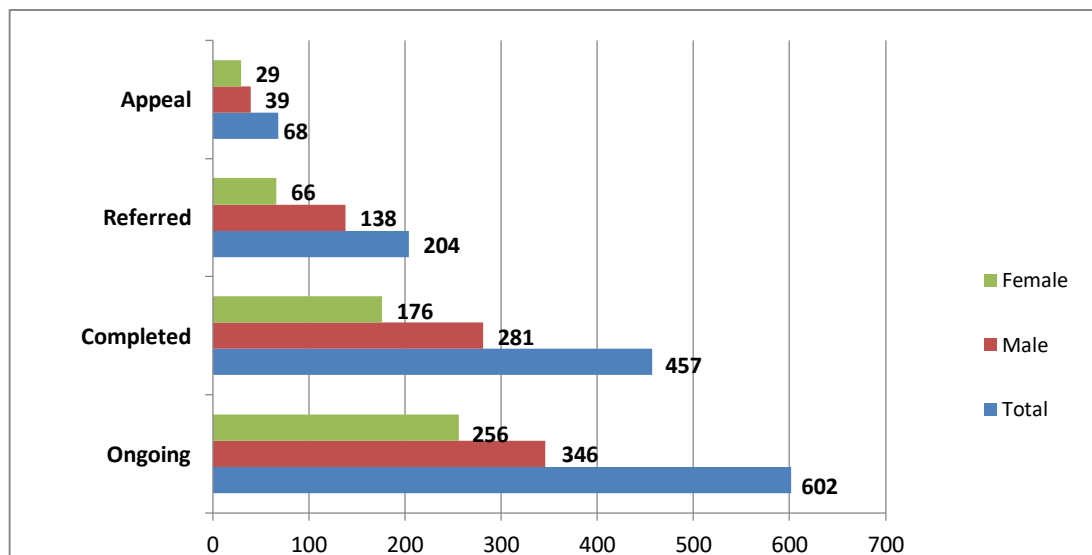
### Types of Cases Received by Z



The Centre strived its utmost best to ensure that legal disputes reported at the Centre were handled in a professional and legal manner and justice made available to eligible

individuals through legal drafting, legal advice, legal representation, arbitration, mediation as well as legal follow ups. The Centre managed to resolve 457 cases/disputes, while 602 are ongoing, 204 were referred and 68 cases were appealed as shown in the chart below:

### Status of cases reported in 2016



### Success story

#### “New employment contract brings ray of hope”

On 27<sup>th</sup> February 2016 the Centre received two workers from the RENCO office, namely, Mr. Ali Kitega and Jumanne Khamis Juma claiming to have worked for a long time with that company but with no renewal of contract. Initially, they had their contracts renewed annually. However, when their contracts ended in August 2014, they were not given new contracts and continued working without contracts. Hence they decided to come to the Centre to seek for legal advice on their claims.

Working without a contract is against the Zanzibar Employment Act of 2005. ZLSC wrote to the RENCO office Zanzibar, requesting for the Human Resources manager to come to the Centre in order to resolve the issue.

On 1<sup>st</sup> March 2016, the administration of RENCO provided new contracts to Mr. Ali Kitega and Mr. Jumanne Khamis. It was a great success not only to the clients and the Centre but also for other employees of the Company who had similar problems. The new contracts opened a ray of hope for the employees and their families as well.

Mr. Jumanne expressed his gratitude to the Centre saying “I am happy that due to the efforts of Centre in helping me, I managed to get a new contract”

### **(b) Represent clients in court**

The Centre has 5 members of staff who are admitted into the Roll as Advocates to provide legal representation in the courts of law for deserving cases. In the year 2016 the Centre was able to represent and manage a total of 170 cases pertaining to different legal problems both civil and criminal in different courts, including the High Court, District courts, Regional Courts, Dispute Handling Unit (DHU) and Land Tribunal. Among those 170 cases, 81 have been completed and clients have received back their rights accordingly, while 89 are still ongoing and they are progressing well.

### **(c) Organize capacity building training for Child Supporters on Children in Conflict with the Law programme.**

To ensure the protection of the rights of Children in Conflict with the Law, ZLSC conducted capacity building trainings for Child Supporters and Police officers at Gender and Children Desk to discuss challenges facing these children when they are brought and detained at Police stations and discuss future actions to be taken into account to ensure that their rights are protected and accessed. The trainings took place on 2<sup>nd</sup> February 2016, 18<sup>th</sup> February 2016, 19<sup>th</sup> February 2016, 20<sup>th</sup> February 2016 and 21<sup>st</sup> February 2016 at the Conference hall of the Institute of Education for Offenders. The training empowered Child Supporters in assisting Children in Conflict with the Law to get bail. Child Supporters are the ones who provide useful information to ZLSC on the actual situation children face when they are in police stations.

*Result: The cruel treatment carried out by Police Officers against children who are brought to Police stations has reduced from 20% as reported at the end of 2015 to 5%. This is due to the presence of Child supporters empowered by the Centre to support those children to get their rights.*

### **(d) Provision of Legal aid to Children in Conflict with the Law brought to police stations**

One of the strategic objectives of ZLSC in implementing the pilot project on Children in Conflict with the Law is to ensure that all Children in Conflict with the Law held in police stations receive legal aid services. Through this programme the Centre has initiated special guidelines to be followed when visiting all police stations existing in Urban West region where Children in Conflict with the Law have been placed. Among the legal aid assistance provided by the Centre to these children is to help them get bail, communicate with their parents and convince the parent to support their children in fulfilling bail conditions before the Court. In the year 2016 a total of 113 children (3 female and 110 male) have been attended to by Child Supports in different police stations in Unguja and given legal aid.

*Result: The Centre managed to provide legal aid to a total of 113 Children in Conflict with the Law held in Police stations. 111 children were granted bail and released from the detention facility and 2 cases have been solved within the Centre. This represents 98.2%<sup>3</sup> of all children released from the detention Centre. Therefore the Centre has reached its target in ensuring that Children in Conflict with the Law and held in police stations enjoy their rights as all other children.*

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<sup>3</sup> Internal Progressive report

### Success story

#### **ZLSC protects the best interest of the child.**

On 3/3/2016 ZLSC received a client Mwanakhamis Suleiman Amour who had been claiming the custody of her child from her former husband maintaining that her child lacks care and protection at the place where the child is living, since the client one day noticed that her child had scars on his back as a result of severe beating received from his step mother and sometimes from his biological father. The client also told the ZLSC Programme Officer that she had been married to her former husband for about seven years but now their marriage has been broken down irreparably.

The client left the child to the care of her former husband but unfortunately the client started witnessing the maltreatment the child received from his step mother and sometimes from his father, so the client decided to come to ZLSC to report the same. The client had taken some efforts to take her child back including going to the Department of Social Welfare to report the case, but the problem remained unresolved because her former husband was reluctant to allow his child to live with his mother.

ZLSC received this case and the programme officer in charge of this case filed an application of custody before the Children's Court for further action in regard with protection of the best interest of the child. The programme officer in charge of this case represented his client before the Children's Court due to fact that the client could not represent herself before the court.

The Children's Court determined the arguments of the application of both sides and finally the court granted judgement in favour of ZLSC client. Therefore, the client got the custody of her child and now the child is living with his mother as the way of protecting the best interest of the child.



*ZLSC Programme Officer and client Mwanakhamis after winning her case through ZLSC support*

### **(e) Organize capacity building training for Children in Conflict with the Law at the Tanzania Youth Icon (TAYI) and Institute of Education for Offenders**

ZLSC has a culture of visiting Children in Conflict with the Law who are referred to the Tanzania Centre Youth Icon (TAYI) which is under the rehabilitation programme. The visits are intended to provide legal education and legal information to children referred to at that Centre so as to ensure that they have changed in their moral values thus enabling them to live a better life with their families and to impress upon them that they should not repeat their mistakes. The training was very helpful enabling them to realize their rights and responsibilities and eventually helped them to know and understand how to avoid engaging in criminal acts.

In addition, in 2016 ZLSC also visited the Institute of Education for Offenders where the Centre got the opportunity to provide legal education on children's rights in general and the rights of Children in Conflict with the Law specifically when they are in court. The visit was also meant to look into the new number of Children in Conflict with the Law existing in the Institute of Education for Offenders so as to provide them with legal aid support in their upcoming trial. It can be successfully reported that currently there is only one (1) new child from among the 7 children who were at the Institution at the beginning of the year, some of whom were released on bail through legal assistance provided by the Centre.

*Result: Up to the end of December 2016, the rehabilitation centre had a total of 47 Children in Conflict with the Law who were referred from Police stations, Children's court and Social Welfare. Through the effort made by ZLSC by providing these children of legal education and legal information to these children, there are no children who repeat offences previously committed.*

## **2. Paralegals aid services strengthened**

In order to provide quality and timely legal aid services to the indigent, the Centre also has a large contingent of paralegals. Paralegals support the provision of legal aid within communities in their constituencies so as to reduce rights violations and improve rights and access to justice. In 2014, the Centre had 70 paralegals spread out over 50 Constituencies and others from special department of the Revolutionary Government of Zanzibar, in 2015 there were 82 while in 2016, there were 70.<sup>4</sup> The client satisfaction survey of 2016 has revealed that about 85% of clients and non clients understand the presence of Paralegals and are satisfied with the services offered by Paralegals in their respective constituencies. This has resulted in improved cooperation between Paralegals and local authorities (Shehas) as now many of Paralegals are involved in various shehia and ward forums to provide legal education to the communities around. Strengthening of Paralegals has been made through the following interventions:-

### **(i). Paralegal training and Legal Aid and Assistance by Paralegals**

To improve the nature of the work of Paralegals, the Centre has embarked upon a proper two- years training course for them. The trainings which are conducted on a monthly basis are followed by end of year exams. This has built and boosted the confidence of Paralegals when handling various disputes arising in their respective constituencies, and has improved their capacity in providing legal aid, human rights awareness and civic

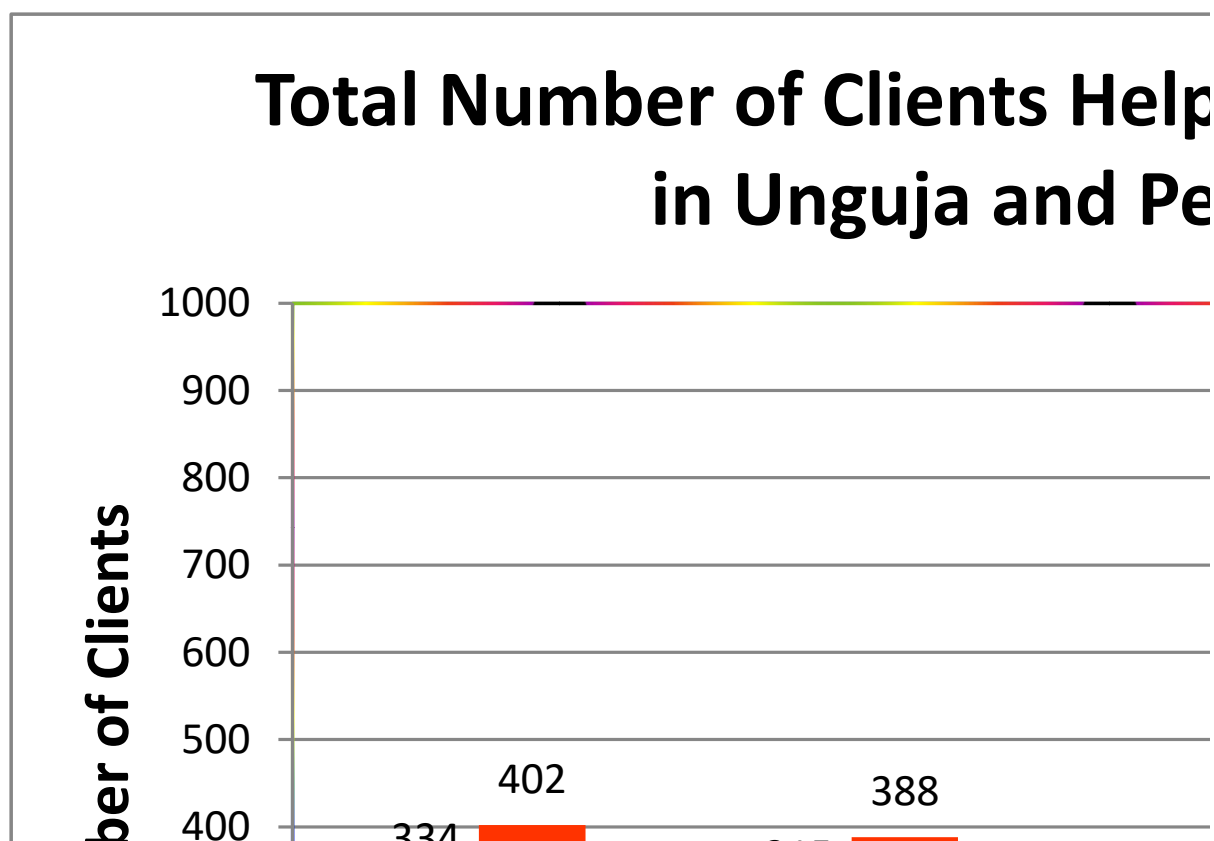
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<sup>4</sup> Internal progressive reports

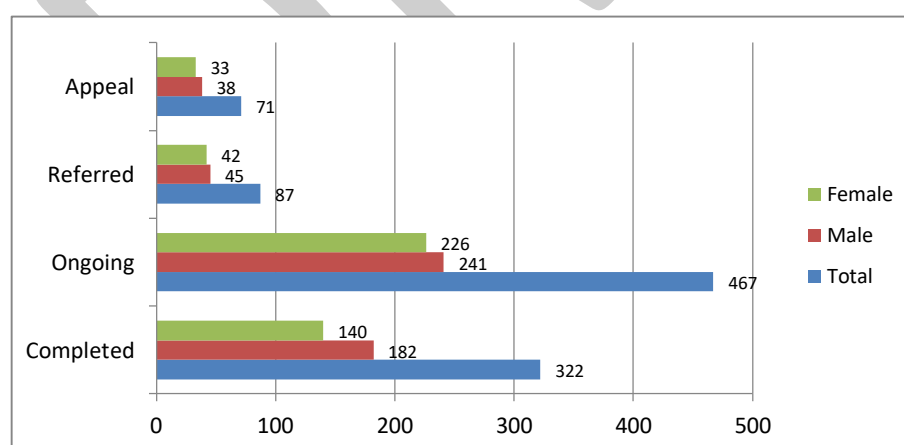


education within the communities. The trainings also enabled them to assist others in understanding the law and its weaknesses and thus advocate for change.

In 2016 the number of clients served by Paralegals has increased from 756 (2015) to 947<sup>5</sup> as shown in the chart below:-



#### Status of Disputes handled by the Centre through its Paralegals in 2016



<sup>5</sup> ZLSC database

## (ii.) Introducing Paralegals to Community coordinators, Councillors and Shehas

In a bid to consolidate a good partnership that would facilitate easier provision of legal aid services among Paralegals in their constituencies, the Centre has made efforts to provide training to Community coordinators, Councillors and Shehas since they are trusted key people at the grass root level where most of the problems on human rights violations have their roots. Paralegals feel helpless in many of these situations and therefore the Centre felt the need of introducing them and their roles to these groups believing that these groups can play a vital role in supporting Paralegals.

Internal monitoring visits by the Centre has shown that this has been a successful venture and great changes in the attitudes of the Shehas have been observed unlike previous experiences where paralegals were seen as a ‘threat’ by some of the Sheha’s thus affecting paralegals support for the marginalized. Currently, Paralegals work very closely with Shehas, Community coordinators and even Councilors and support each other in handling different legal problems. Sometimes Paralegals are called to participate in different meetings organized by local authorities and act as legal advisors in the matters discussed<sup>6</sup>. These are results from the endeavor of the Centre in training those groups and introducing Paralegals and their roles to them.



*Introducing the Paralegals and their roles to Councillors and Shehas on 16th and 17th May 2016, organised by the Centre*

The trainings were conducted in all shehia located in North, South and Urban West region of Unguja. Also in Pemba these trainings took place in North and South region. The number of participants indicated in the tables below:

### *Community coordinators*

Unguja					
S/N	Date	Shehias	Number of Participants	Female	Male
1	13/02/2016	Shehias located in South region	40	40	0
2	30/5/2016	Shehias located in North region	40	40	0
3	18/7/2016	Shehias located in Urban West region	36		
Pemba					
1	17/2/2016	Shehias located in North region	35	34	1
2	21/4/2016	Shehias located in South region	35	35	0

<sup>6</sup> Field visit report

## Councillors and Shehas

Unguja					
S/N	Date	District	Number of Participants	Female	Male
1	25 <sup>th</sup> to 26 June 2016	North "B"	50	8	42
2	15 <sup>th</sup> to 16 <sup>th</sup> Aug 2016	Urban	42	18	24
3	17 <sup>th</sup> to 18 <sup>th</sup> Aug 2016	West 'B'	46	12	34
4	19 <sup>th</sup> to 20 <sup>th</sup> July 2016	South	47	16	31
Pemba					
1	16 <sup>th</sup> to 17 <sup>th</sup> May 2016	Wete	30	9	21
2	18 <sup>th</sup> to 19 <sup>th</sup> May 2016	Micheweni	30	5	25
3	15 <sup>th</sup> 16 <sup>th</sup> Aug 2016	Mkoani	30	8	22
4	17 <sup>th</sup> to 18 <sup>th</sup> Aug 2016	Chake-Pemba	29	9	20

*Result: The recognition of Paralegals by community members has improved through the support given by local authorities (Shehas, Councilors and community coordinators)*

### (iii). Legal aid clinics to marginalized to strengthen their claims to their rights

One of the challenges facing poor and marginalized people, is a limited understanding of the law on the issues related to human rights. These challenges are major sources that lead to breaches of human rights within communities and ultimately an increase in various legal problems such as land disputes, inheritance, sexual abuse and cruelty to children. According to the Centre database, the number of land disputes, particularly in North of Unguja and South Pemba has been on the increase. In 2016, a total of 322 land cases have been reported to the Centre. In solving these challenges, the Centre has at different times been providing legal aid and assistance through the "Legal Outreach" programme to promote awareness among the public on various legal issues and directing them on the appropriate ways to be used in accessing to their rights.

Significant improvement has been observed through the "Legal outreach" programme as the Centre in 2016, received a large number of people who turned up with different claims on how to get their rights. A total of 200 cases including 72 land, 19 child abuse, 37 inheritance, 29 matrimonial and 43 sexual abuse cases have been taken to court. In addition, the Centre has facilitated the provision of legal aid clinics to all eleven districts of Zanzibar.



*Women participating actively in legal aid clinics*

*Result: Legal aid clinics have increased awareness of people on their rights and have lead to the reduction of human rights violation incidences including Gender Based Violence. The Centre through these clinics encouraged people to expose those who are suspected of engaging in human rights violation. Through the legal aid clinics 50 cases were reported at the Centre for court representation, among them 18 have been completed and 32 are ongoing.<sup>7</sup>*

#### **(iv). Conduct refresher programme for paralegals**

Land dispute cases feature as the most reported cases by both ZLSC officials and Paralegals. To find a solution to this problem, ZLSC organized two refresher programmes, one in Unguja and the other in Pemba to familiarize the existing Paralegals on different laws related to land and to build their capacity on how to handle those cases.



*Paralegals attending a refresher programme organized by ZLSC on 23rd and 24th May 2016*

It is the hope of the Centre that the refresher programmes will enhance the confidence of Paralegals when handling those cases. Topics presented and discussed included: Clarification of City Act and Urban Planning, Clarification of Land Use Act No. 12 of 1992, Clarification of the Land Commission Act of 2015, Enforcement of judgments and orders of the Court of Land for troops (forces) and Shehas, Definition of Land Transfer Act, Clarification of the Land Registration Act No 10 of 1990, and Interpretation

of the law to recognize the validity of a landholding No 8 of 1990. In Unguja the programme was held on 23<sup>rd</sup> to 24<sup>th</sup> April 2016, with 38 participants in attendance (17 male and 21 female). In Pemba the refresher programme was conducted on 23<sup>rd</sup> to 24<sup>th</sup> May 2016 at ZLSC conference hall and attended by 21 participants (17 male and 4 female).

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<sup>7</sup> Progressive report

ZLSC also organized three other refresher programmes for all Paralegals to build their capacity in providing legal aid services in their respective communities. These two-day refresher programs were organized in both Unguja and Pemba. The numbers of participants are shown in the table below:

<b>Unguja</b>			
Date	Number of Participants	Male	Female
1st to 2nd December 2016	29	15	14
3rd to 4th December 2016	31	17	14
5th to 6th December 2016	30	18	12
<b>Pemba</b>			
5th to 6th December 2016	24	18	6
3rd to 4th December 2016	23	16	7
5th to 6th December 2016	26	20	6

*Result: Refresher programmes as organized by ZLSC has empowered Paralegals to deal with land disputes and other cases in their constituencies and also enabled them to prepare legal drafts for court representation. As a result, Paralegals were for the first time able to submit to the Centre 15 legal drafts for court representation (10 dealing with land disputes and 5 dealing with other criminal cases)*

#### **(v). Marking Legal Aid Day**

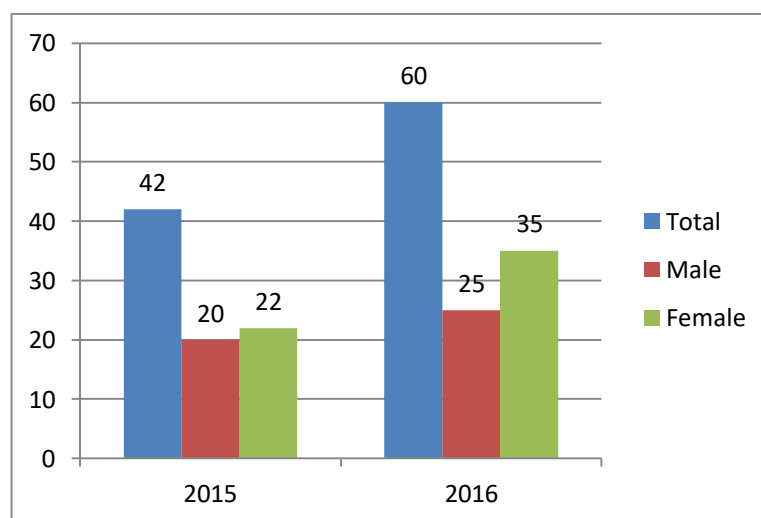
Every year, the Centre celebrates International Legal Aid Day by hosting two legal aid clinics, one in Unguja and one in Pemba. The purpose of this event is to provide legal aid and legal counselling to Zanzibaris, especially those who are unable to visit the Centre. Legal Aid Day also serves as a tool to advertise the work of the Centre and spread awareness on the services and aid that is available to Zanzibaris at both offices. All Zanzibaris with legal problems or questions are invited to come and seek the help of ZLSC's lawyers and advocates. To best ensure a large turnout and participation on Legal Aid Day, the Centre advertises the event in newspapers, on the radio and on TV stations.



*Participant during legal aid day held on 13<sup>th</sup> Dec 2016, at Mkanyageni -Pemba*

In 2016, Legal Aid Day was held on 13<sup>th</sup> of December and was hosted by ZLSC in collaboration with other government Institutions like the office of the DPP and paralegals who graduated in previous years and continue to work with the Centre. The event in Pemba was held at Mkanyageni, and 23 clients (13 female and 10 male) were provided with legal aid by Programme Officers. The event in Unguja was held in the Chaani district and 37 clients (15 male and 22 female) were given legal aid through ZLSC and representatives from the office of the DPP. Legal Aid Day in both Pemba and Unguja were successful in spreading awareness of human rights on the island, particularly on the issue of violence against women and children. ZLSC also used this opportunity to introduce paralegals and their roles to the communities

## A comparison of clients who received legal aid on Legal Aid Day in 2015 and 2016



### Success story

#### “Legal advice brings happiness again”

ZLSC receives legal problems from the clients and tries to make sure that disputes are resolved and justice is accessed for all.

On December 28<sup>th</sup> 2015 the Centre received a complaint from client, Mr. Moh’d Suleiman, living at Miembeni, Urban district of Unguja who said that he loaned his friend three millions and three hundred shillings (Tshs 3,300,000) with the hope of getting it back.

Mr. Moh’d stressed that he had great trust in his friend so it was hard to refuse. Many days past without receiving his money back, the debtor managed to pay seven hundred thousand Tanzanian Shillings only. Moh’d further stated that the deadline had long passed (about a year) but no sign of any payment.

Mr. Moh’d then take Mr. Ali Muhammed to the Police Post at Madema in order to get his money. The Police tried action to solve the dispute but no agreement was reached between the two parties. Mr. Moh’d then decided to go ZLSC to get legal advice.

The Centre through one of the Programme Officers handled the case giving advise to both parties on what had to be done.

During the mediation process everyone got the chance to explain what he understood about the dispute. Both parties were provided with legal advice on what laws demands in such cases and the position of law if one fails to comply with the term his of the contract.

The Centre drafted the contract of payment and eventually by August 4<sup>th</sup> all the debts had been cleared. Mr. Moh’d Suleiman praised the Centre for its effort to solve the dispute. “Legal education is far from people. Now I know the benefit of the Centre and how I can seek my rights. I will educate and inform others about the Centre, I will be the ambassador for the Centre for my entire life” he stated. The debtor Mr. Ali Muhammed also thanked the Centre “I am happy to see the dispute ended peacefully. I have learnt a lot from the Centre on the way of solving the dispute between the parties” he said.

The Centre advised the parties to set terms and conditions and makes their agreement in writing so as to avoid unnecessary conflicts.



*ZLSC Programme Officer with Mr. Moh'd Suleiman (left) receiving his money.*

### **Success and Challenges under Strategic Objective One**

The Centre successfully implemented its planned activities and reached many of its proposed goals for Strategic Aim One. The guarantee of quality and legal aid services as provided by the Centre depended on Programme Officers well-versed with legal issues and the Paralegals available in all constituencies of Zanzibar. ZLSC clients continue to get legal assistance to the court through the Centre's advocates. This reassures the poor and marginalized groups on the access of justice. In addition, the efforts taken by the Centre with regard to Paralegals has improved their recognition particularly at the level of Councillors where Paralegals now get close support in provision of legal aid to the indigent.

The main challenge for Strategic Aim One was the difficulty in the provision of legal aid through legal aid clinic especially in Pemba where most of communities have been affected by politics.

## PART TWO

### **Strategic Aim Two: Public Engagement in Constitution and Law Making Processes Enhanced**

#### **(a). Introduction**

The constitution of a country is the most important legal document. It is the supreme law and at times it has been referred to as 'the social contract'. It is a contract between the rulers and the ruled and embodies the wishes and aspirations of the country. All the laws, by-laws, rules and regulations derive their legitimacy from the Constitution and thus the need for a people-centred constitution, which can only be guaranteed by public participation in the constitution and law making process. Hence, there is a serious need to encourage and facilitate participation of all Zanzibaris in the Constitution and law making process. The purpose of the Centre under the Strategic Aim Two is to ensure that citizens are equally engaged at all levels in the Constitution and law making process. .

#### **Public engagement in Constitution and law making process enhanced**

In 2016, the main focus of Strategic Aim Two revolved around encouraging citizens and other stakeholders struggling for their rights, to participate in the constitution and law making process. Experience shows that many citizens fail to participate in that process due to poor awareness and understanding of the importance of their participation in the constitution and law making process. ZLSC therefore sees the need to educate all citizens regardless of their age or background on this process and their roles in participating in the process. It is the hope of the Centre that if citizens have a wider knowledge of the constitution and law making process they can handle legal problems on their own with reference to relevant and appropriate laws.

The work by the Centre in public engagement in the constitutional and law making processes under is described in the following sections.

#### **(i). TOT programme for selected secondary school students and ordinary citizens on constitution and law making process**

A constitution is not just a government project, but most importantly, it is a means by which citizens can participate in determining the State's political status and its economic, social, and cultural development and thus the need for Zanzibaris to take this process seriously. Their submissions may be addressed to the constitution-making body. Public participation is directed towards influencing the final outcome of the process, namely, the constitution. The people of Zanzibar have to be genuinely involved in the constitution making process to allow them to decide how they would want to be governed.

Because of the seriousness of the issue, ZLSC has embarked upon a TOT programme on how the constitution and laws are made with the intention of encouraging and influencing the public to engage in the process and use the constitution as a reference to handle their legal problems.



The training of trainers was conducted in two stages. In the first stage, the Centre identified 20 students from each of the five regions and trained them on the constitution and law making process bearing in mind the issue on human rights and gender violence, a serious problem facing many Zanzibari's students. The training was conducted in Unguja and Pemba and attended by selected students from schools in all the five regions.

The table below indicates the number of participants who attended the training.

Date	Region	No. of participants	Male	Female
23 <sup>rd</sup> January 2016	Urban West	35	16	19
24 <sup>th</sup> January 2016	North-Unguja	42	18	24
February 27 <sup>th</sup> 2016	South-Unguja	42	20	22
23 <sup>rd</sup> January 2016	South-Pemba	39	22	17
24 <sup>th</sup> January 2016	North-Pemba	34	20	14

In the second stage, the Centre opted to offer such training to selected ordinary people at the district level. It was the hope of the Centre that this group would be ambassadors to impart this knowledge to others who did not have the opportunity to attend this training. The training was not only to raise awareness on constitution and law making process but also to empower ordinary people to be able to transmit the knowledge to others as a means of encouraging the public to engage in that process. Since most of the legal problems have been justified in the constitution, the training could be a special occasion to use the constitution effectively as a tool to solve the existing and emerging legal problems in their community. More women than men participated in the training highlighting the fact that women seemed more eager to engage in this process.



ZLSC executive director running her facilitation in TOT program

The number of participants in each district is indicated in the table below:

Date	District	No. of Participants	Male	Female
23 <sup>rd</sup> May 2016	West 'A'	42	13	29
27 <sup>th</sup> May 2016	North 'A'	65	57	8
30 <sup>th</sup> May 2016	North 'B'	80	14	66
19 <sup>th</sup> July 2016	Central	80	30	50
18 <sup>th</sup> August 2016	Wete	124	32	92
13 <sup>th</sup> August 2016	Micheweni	33	18	15
	Overall total	424	164	260

*Result: The TOT programme has created great changes in the community. About 80% of participants said they were satisfied with the training on understanding the constitution*

*and law making process and their roles to engage in the process. Also the result from evaluation meeting organized by the Centre on 30th July 2016 and 13th August 2016 in Unguja and Pemba, reveal a great changes from students as they begin to understand and deal with GBV issues they face either in school or their homes and in different circumstances.*

*One result of training was the establishment of school clubs. Five (5) clubs (one from each region) have been established. Schools where the clubs have been established include Jumbi Secondary school, Kidoti Secondary school, Vikokotoni Secondary school, Utaani Secondary school and Madungu Secondary school. These clubs are very useful since they helped students to handle various legal problems through support given by the Centre. Also the evaluation meeting revealed that Gender Based Violence incidences especially in schools has started declining due to the knowledge offered by students to classmates through these clubs.*

*With regard to ordinary citizens the training has lead to the creation of various ethical committees within the constituencies dealing with issues of sexual abuse. The areas where the committees have been established include Fuoni, Kinyasini and Ziwani. These committees work very closely with the Centre and report the legal problems existing in their communities for legal aid support.*

#### **(ii). Radio and Television (TV) Programmes**

This year, ZLSC managed to conduct a total of 84 TV and Radio programmes through ZBC, Bomba FM and Coconut FM. These programmes were organized at different times and dates. Topics facilitated during those programmes were connected with the Constitution and Law making process, Children in Conflict with the Law, Celebration of May Day, Legal Aid Day, the Rights of People with mental disabilities as well as marking 24 years of Zanzibar Legal Services Centre. Data from the survey shows that through the media, ZLSC reached and educated large sections of the population on legal rights, human rights protection, civic education, legal education. It is estimated that the live radio programmes reached more than 95% of people living within and outside of Zanzibar.

*Result: Client satisfaction survey of 2016 has indicated that messages from special programs on TV or radio (example: documentary about ZLSC's 24th anniversary, and talk shows) have encouraged people to visit the Centre for legal and other related services. About 58% of clients have knowledge of legal rights and protection of human rights violations as promoted by ZLSC through television, radio, newspaper, seminars, workshops and trainings. However even with advances in technology, it was observed that little use was made of social media such as Facebook, Twitter, Instagram, and Whatsapp for disseminating information on legal services, human rights protection, civic education and law making processes.*

#### **(iii). News Letter – Jarida**

Publishing a newsletter gives an increased awareness and better understanding of the Centre and its services. Clients may have a limited perspective of what ZLSC can offer if they only view the advertisements or receive promotional emails. A newsletter with its

contents builds a broader picture and encourages readers to find out more since it includes links to more detailed information. It is through this medium that the Centre reaches its stakeholders as well as the public. It is also a source of knowledge for those studying law.

In 2016 the Centre had successfully published various legal and human rights articles in its Newsletter, *Sheria na Haki*, of January-March 2014, January-March 2015 and April-June 2015. Additional information is included in the publications of *Sheria na Haki* in the Strategic Aim Three Section of this report. The main purpose of these Newsletters is to publicise the Centre's daily activities on a quarterly basis.



*Result: The Newsletter contributed to raising awareness on different legal and human rights issues, the constitution and law making process to the public and stakeholders.*

## Success story

### “ZLSC makes the dream of people who inject drugs in Zanzibar come true”.

The problem of people who inject drugs in Zanzibar is still a challenge costing the government a lack of energetic youth who can bring development to the. The Government and other stakeholders are working hard to find different ways to solve the problem.

One such effort was noted in February 2015 where the Ministry of Health in Zanzibar in collaboration with the Drug Control Commission and with the support from THPS (Tanzania Health Promotion Support) started providing Methadone Assisted Therapy (MAT) to people who inject themselves with drugs.

The main challenge that faced MATCOZ was the need for a constitution since one of the requirements to register as an NGO is to have a constitution in accordance with the Societies Act, No. 6 of 1995. Hence MATCOZ representatives sought legal advice from ZLSC on how to draft their Constitution. MATCOZ would be the first NGO in Zanzibar deal with MAT services which is used by a large number of clients. The Centre provided the guidelines and supervision on how to draft their constitution and on 29<sup>th</sup> June 2016, the Medical Assistance Therapy Community of Zanzibar (MATCOZ) got full registration.



ZLSC programme Officer (right) and members of MATCOZ showing the Constitution and Certificate of registration

MATCOZ officials had this to say, “I thought, we could not get assistance from ZLSC since we deal with drugs and drug related issues, but this is contrary to our thinking because ZLSC is for all”.

Another official also thanked the Centre saying, “The Centre deserves congratulations and support from different stakeholders for the sake of helping many people of Zanzibar to be familiar with laws. It is hard to forget this assistance to our Association since is the first NGO in Zanzibar deals with MAT service.”

#### **(i). Successes**

In the year 2016 the Centre, had succeeded in raising public awareness on engagement in the constitution and law making process through several radio and TV programmes as well as information provided through the Centre’s Newsletters. ZLSC has successfully created pressure for discussions and inclusion of people in engagement in the constitutional process. Also the Centre takes pride in the establishment of “Law and Justice Clubs” by secondary students as a result of the TOT on constitution and law making process that will boost the raising awareness on legal and human rights issues

#### **Challenges:**

The Centre was unable to conduct district awareness raising seminar on the proposed constitution of the United Republic of Tanzania and sensitization meetings to communities on the Constitutional Referendum because the proposed constitution and referendum process has been suspended. This setback was unexpected and beyond the Centre’s control. However, the Centre hopes to hold sensitization meetings on this issue in the coming year if the process will be resumed.

## PART THREE

### Strategic Aim Three: Comprehensive Research, Publication and Documentation Undertaken

#### Introduction

Research and publications are the engines for change in any institution. Publications of every kind provide transparency from which that institution can be analysed and understood by the members of the public. Thus a publication can make or break an institution depending on the type of materials it produces. With this in mind, Zanzibar Legal Service Centre has highlighted research and publication as one of its core activities.

The research and publications produced by the Centre vary. There are constant and scheduled publications as well as occasional publications which appear due to specific circumstances. This section examines some of the work done by the Centre especially on research and publications.

#### Action Research that inform advocacy undertaken

The Centre is undertaking action research to inform advocacy processes. Media monitoring and review is an integral part of context monitoring and this partly serves as a bed rock for action research to concretize data and information to inform advocacy for legal and human rights. In order to achieve the result, this year the Centre in has performed the following:-

##### (i). Conduct stakeholders' workshop to disseminate research findings

It has to be remembered that the Death Penalty and the Land Tribunal in the management of land disputes are two from among three researches conducted by ZLSC in 2015 in collaboration with Law Review Commission and are awaiting the stakeholders meeting to disseminate the research findings. In 2016 the Centre took deliberate efforts to disseminate research findings through organizing stakeholder's workshops in Unguja and Pemba. Stakeholder's workshops were held to share research findings with relevant stakeholders and participants who took part in the study. This is considered good practice since it encourages researchers to foster strong and long-lasting collaborative relationships with relevant communities. In Unguja the meeting was held on 28<sup>th</sup> February 2016 at Eacrotanal conference hall. 24 people (17 men and 7 women) attended. In Pemba the meeting was organized on 25<sup>th</sup> February 2016 at ZLSC conference hall and attended by 25 participants (22 men and 3 women)

*Result: Stakeholders brought efficiency in having the last and final draft of Land research and death penalty. They raised some relevant and useful recommendations not covered by researchers that added value to the existing researches. Their recommendations gave insight to the Centre for future researches and served to act as guidelines for further researches. The contributions clearly show the importance of stakeholders meetings.*

## **(2). Publications of the Centre developed and disseminated**

During the year, ZLSC aimed at producing various publications for learning and advocacy. The publications for learning aimed at empowering the public on issues pertaining to legal and human rights while on the other hand those for advocacy are mainly the results of research aimed at unveiling issues for reform and enhancing accountability and transparency in the systems and structures.

The publications undertaken by the Centre are divided into three areas. These are popular publications, annual publications, and occasional publications. The nature and type of publication is as indicated below:-

### **(i). Newsletter – *Sheria na Haki***

The *Sheria na Haki* newsletter is a crucial component in publicising the Centre. It is through this medium that the Centre reaches its stakeholders as well as the public. It is also a source of knowledge for those studying law. This year the Centre has managed to publish three (3) Newsletters, including No. 17 of January-March 2014, No. 21 of January- March 2015 and No.22 of April-June 2015. The main topics covered included the Constitution and law making Process, Children in Conflict with the Law, and Human rights for people with disabilities together with the Proposed Constitution. Efforts are currently being undertaken to ensure that the Newsletters comes out as scheduled in 2016.

### **(ii). Zanzibar Annual Human Rights Report 2015**

The Zanzibar Legal Services Centre (ZLSC) launched the Annual Zanzibar Human Rights Report of 2015 in May 2016. The report is a collection of many incidents relating to the violation, reinforcing and protection of human rights as well as providing an assessment of where our country stands in the protection of human rights. Unlike previous years where the publication was undertaken jointly by ZLSC and LHRC, the publication of the 2015 report was undertaken by ZLSC alone. The Centre published 1000 copies of the 2015 Annual Human Right report and distributed these to different government and non -governmental institution and the public. The launch of this report was held on 21<sup>st</sup> May 2015 at Haile Selassie conference hall. The number of participants who attended was 152 (92 male and 60 female). The guest of honour was the Speaker of the House of Representatives, Hon. Zubeir Ali Maulid.

*Result: "The publication of Zanzibar Human Rights report plays an important role in raising awareness on issues relating to human rights and its violation and in decreasing human rights violation. ZLSC calls upon responsible state organs and other stakeholders to work on the recommendations proposed in this report in a bid to improve the situation of human rights in Zanzibar. Both state and non-state actors should actively engage in disseminating the findings of this report so as to inform and engineer positive changes in the society."*

### **(iii). The Zanzibar Yearbook of Law (ZYBL) vol. 3**

Zanzibar Legal Services Centre initiated the publication of *Zanzibar Year book of law* with the first volume, namely, *volume 1 of 2011 released in 2013*. The Centre successfully published Volume 4 of the *Zanzibar Yearbook of Law* in 2016. The ZYBL is co-ordinated by the Centre but is managed by an Advisory Editorial Board chaired by the Chief Justice of Zanzibar. The deputy chair is the Attorney General of Zanzibar while, other members include the President of Zanzibar Law Society, the Chairperson of Zanzibar Female Lawyers Association and one female lawyer from Zanzibar Law Society. Volume 4 of the Yearbook was launched by the guest of honour, the President of Zanzibar Hon. Dr. Ali Mohamed Sheni on 10th February, 2016 at Victoria Gardens. in Zanzibar as part of Zanzibar Law Day



*Hon. Dr. Ali Mohamed Shein, The President of Zanzibar, launching the*

Besides the launch of the Yearbook, the Centre also played its part in marking Zanzibar Law Day by donating T-shirts to those who attended the event which was organized in Pemba on 10<sup>th</sup> February 2016. The events was very successful and was attended by 112 participants (65male and 47 female) including members of staff, partner organizations, human rights activists, civil society groups and other members of the community. The guest of honour for this event was the Regional Commissioner of South Pemba, Mrs. Mwanajuma Abdalla Majid.



*The Centre participated fully in marking of legal aid day on 10<sup>th</sup> February 2016*

*Result: The Zanzibar Yearbook of Law is the Centre's own product benefiting a number of Zanzibaris by giving insights into different legal and human rights issues. The book is used as a reference for all Tanzania Universities especially for those who offer Law.*

### (3). Development of the Documentation Centres

Zanzibar Legal Services Centre has two main documentation centres; one located in Unguja and the other in Pemba. Throughout the year 2016, the two documentation centres in Unguja and Pemba continued to provide services to the community. The main beneficiaries of this service are students of Zanzibar University who, besides making use of the reading material, also carry out their internship at the Centre. Paralegals also make use of the material available in both documentation centres for enhanced performance. The documentation centre with all its resources is also used by researchers, both local and foreign.

A major boost to the Documentation Centre in Unguja in the year 2015 was the 'Prof. Haroub Othman Collection'. This Collection places important books owned by the First Chairman and one of the three founders of the Centre, Prof. Haroub Miraji Othman under one accessible roof. These books were donated to the Centre by the family of the late Prof. Othman. The collection comprises more than 3,000 books and journals on political science, human rights and language and has added value to the Documentation Centre.

From January to December 2016, ZLSC Documentation Centres in Unguja and Pemba served a total of 413 people; 115 (65 male and 50 female) in Unguja and 298 (192 male and 106 female) in Unguja.

In order to advertise the work done by the Centre through the Documentation Centre and to ensure provision of desired and satisfied services to the users, the Centre in the year 2016 has performed the following:-

#### (i). Library Exhibition

In its quest to raise awareness on the services provided by the Centre's library, ZLSC has been carrying out library exhibitions for users who to a large extent are students from universities and colleges offering law, lawyers, secondary schools' students and the general public. The aim of these exhibitions was to mobilize communities on the importance of using these libraries to acquire knowledge and awareness on legal and human rights issues. It was through these exhibitions that the users and the general public got the opportunity to voice their comments and suggestions that lead to improvement of library services. The exhibitions were conducted in Unguja and Pemba on a quarterly basis and as indicated in the table below:-



*Students while studied various books in one of Library exhibition organized at State University of Zanzibar (SUZA) on 15<sup>th</sup> March 2016*



## Unguja

## Pemba

Date	Place	No. Of Participants	Female	Male	Date	Place	No. of Participants	Female	Male
15 <sup>th</sup> March 2016	SUZA	100	60	40	25 <sup>th</sup> Mrch 2016	Madungu	91	42	49
24 <sup>th</sup> May 2016	Zanzibar University	81	51	30	25 <sup>th</sup> Aug 2016	Uweleni	102	52	50
3 <sup>rd</sup> Oct 20	Uzini	114	70	44	28 <sup>th</sup> Nov 2016	Wete	111	75	36

*Result: Library exhibitions have changed personal attitudes and increased awareness on the services offered to the Centre through its documentation centres, In 2015 only 222 people used these services compared to 2016, where through these exhibitions the number of users increased to 413 (257 male and 156 female)*

### (ii). Conduct stakeholders meetings to determine priority information needs

*Stakeholders while identifying their needs to be existed in the Centre's library for services improvement*



ZLSC organized one-day stakeholders meetings in Unguja and Pemba to determine and prioritize needs to be taken into account to improve library services. In these meetings the Centre received valuable information, comments and suggestions on library services aimed at improving the quality of its services. The Centre selects the needs and suggestions it considers important, for further implementation. In Unguja, the meeting was held on 4<sup>th</sup> December 2016 at the Centre's conference hall, attended by 30 participants (18 female and 12 male) and in Pemba the meeting was organized on 24<sup>th</sup> December 2016 at the Centre's conference hall- Chake Chake Pemba, and attended by 29 participants (16 male and 13 female).

### (e). The Website of the Centre

The Centre continued to update and improve its website and using its blog which displays daily events with different pictures from the activities organized and conducted inside and outside of the Centre. All documents produced by the Centre, including books and the Newsletters are now up-loaded on to the website. This has placed the work and knowledge of the Centre into the public's eyes. The website also provides room for sharing ZLSC publications since all new publications get posted on the website. This approach provides feedback of the public view on various public interest topics posted in the website. The Centre has acquired and installed a state-of-the art server system, running on Windows 2012 with a huge storage capacity for the functioning and storage of ZLSC working data. This has greatly enhanced the capacity and capability of the Centre

to handle data and network usage. More work is being done on the server to ensure ZLSC harnesses its maximum benefits.

*Result: ZLSC reached and educated large sections of the population on Civic education, legal and human rights education. These activities were accomplished through television, radio, newspapers, blogs and the Centre's website. In 2016 ZLSC website was visited by a total number of 3642 visitors.*

**(f). Successes and Challenges**

Research and publications is one successful area in the work of the Centre. Many activities have taken place and continue to be pursued with deep commitment. Also, The Centre's Website is now able to track visitors and materials accessed frequently on the website or blog. However, there are still challenges when it comes to primary research. The staff of the Centre needs a push in order to work harder and to realise the importance of this area.

DRAFT

## PART FOUR

### Strategic Aim Four: Human Rights of Marginalized Groups' Promoted and Protected

#### (a). Introduction

Human rights constitute a set of rights and duties necessary for the protection of human dignity, inherent to all human beings, irrespective of nationality, place of residence, sex, disability, national or ethnic origin, colour, religion, language, or any other status. Everyone is equally entitled to enjoy human rights without discrimination. As such, human rights are universal, interrelated, interdependent and indivisible and constitute the basis of the concepts of peace, security and development

The main reason for the existence of the Zanzibar Legal Services Centre is to serve the poor, marginalised and vulnerable groups in Zanzibar. This commitment is emphasized in Article 3 of the Constitution of the Centre which provides, *inter alia* that:

“The Centre shall be a non-governmental, non-partisan, voluntary, independent and non-profit-making organization whose major aim is to provide legal aid, legal assistance and other legal services to the vulnerable and disadvantaged sections of the Zanzibar society ...”

Groups in Zanzibar that are considered vulnerable and/or disadvantaged include women, children, people with disabilities and the elderly. Each of these groups has different reasons for vulnerability, but as a whole, they are incapable of fully asserting their rights in society, hence their need for protection.

In 2016, the Centre played a great role to ensure that the desired results as mentioned below are achieved:-

#### **(1). Rights of women, children, the elderly, people with disabilities and people living with HIV/AIDs (PLWHA) promoted and protected.**

The mission of the Centre is to ensure that marginalised groups in Zanzibar are protected through various means. In 2016 a total of 38 cases<sup>8</sup> (5.7% of all reported cases) of human rights violation incidences against marginalized groups have been reported. This low rate of violation can be attributed to the increasing awareness of human rights by the public who currently understand the importance of promoting and protecting the rights of marginalized groups

The Centre also uses education as a means of empowerment and a tool for protection. Education and empowerment have the ability to enable a person to stand on his or her own feet and demand and enforce their rights. During the year, the Centre hosted a various number of activities in order to ensure that the human rights and fundamental

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<sup>8</sup> ZLSC database

freedom of these marginalised groups were protected. These activities contributed in achieving the objective of this aim. The activities included:-

**(a). Training parents/guardians of people with disabilities**

People with disabilities in Zanzibar still face several challenges which are generally overlooked or ignored and with no proper mechanism to address them. These challenges include inaccessibility to buildings, living under extreme poverty, high unemployment rates together with inadequate provision of education and health services. It was reported in the Zanzibar Annual Human Rights report of 2015 that people with disabilities in Zanzibar are regular victims of sexual violence and gender discrimination. In addition, some people with disabilities are also treated poorly by family members. ZLSC therefore made concerted efforts to raise the awareness of parents of people with disabilities on how to provide good parenting to ensure accessibility of their basic rights. The training was conducted on 12<sup>th</sup> and 13<sup>th</sup> April 2016 at the Centre Conference hall. The Centre invited 50 parents (12 male and 38 female) from different shehias to participate in the trainings. The topics that were facilitated during the training included Human Rights for PWDs, inclusion of PWDs in social and development activities, challenges facing PWDs, justice and protection of children with disabilities and PWDs Act of 2006.



*Parents living with Children with disabilities trained on how to protect their rights*

*Result: Significant changes in delivering services to people with disabilities have taken place in Zanzibar. It has been reported by a number of mass media that Human Rights training for parents / guardians of children with children brought major changes since there are some parents who have started providing their children with basic rights such as education and the right to be free.*

*One parent was quoted by ZBC radio saying "The training I received through ZLSC has given me insight on the importance of giving my son's fundamental rights as granted to other human beings". Currently, people with disabilities can access education through inclusive education from primary to secondary level on an equal basis with others in the communities in which they live.*

**(b). Human Rights Training for People with Disabilities.**

*One participant while sharing his experience on how the rights of PWDs are violated during the Human rights training*



People with disabilities have been identified as vulnerable groups needing the support of ZLSC. They are often undereducated, untrained, often unemployed or underemployed and face poverty – especially women, youth and those living in rural areas. In Zanzibar, disability organisations are quite well-established and regularly take part in discussions with the government on issues affecting the lives of people with disabilities. The Centre on its part is mandated to support people with disabilities and has conducted training on

human rights awareness for PWDs to empower them to access their basic rights. In 2016

the Centre organized a two-day training in Pemba on 9<sup>th</sup> and 10<sup>th</sup> March 2016 at ZLSC conference hall, attended by 40 participants (16 female and 24 male).

The training provided a platform for people with disabilities to voice their concerns and challenges facing them. It became very obvious during the event that the disabled do not receive adequate support from the community and government institutions.

*Result: ZLSC enabled people with disabilities to realize their aspirations and participate more actively in society. In 2016, 23 cases (3.5% of all cases) have been reported by people with disabilities and presented in the Court. This data shows an increased level of human rights awareness for people with disabilities due to the huge efforts made by the Centre in ensuring access justice for all.*

### **(c). Training women groups on human rights**

Gender inequality compounds the many forms of discrimination women encounter because of their age, disability, or socio-economic and political status. In 2010 the Human Rights Council established a Working Group on the issue of discrimination against women both in law and in practice aimed at promoting the elimination of laws that discriminate against women and/or have a discriminatory impact on them. Effectively ensuring women's human rights requires a comprehensive understanding of the social structures and power relations that frame laws and politics, the economy, social dynamics and family and community life. With this in mind, the Centre conducted human rights training for women groups aimed at providing a broad understanding of human rights and empowering them on how to promote and protect those rights. It is the intention of ZLSC to ensure that every woman and girl realises these rights that are enshrined in the Universal Declaration of Human Rights. The training was held on 25<sup>th</sup> and 26<sup>th</sup> April 2016 at the Centre conference hall with 39 participants in attendance.



*Women groups participating in human rights training*

*Result: The training enabled women groups to establish a network to manage and protect all aspects of rights of women. The network will work closely with Centre on the provision of human rights awareness and the fight against discrimination on any grounds, including gender,*

#### **(d). Training PLWHA on Human Rights**

HIV continues to spread and remains a challenge to human rights, at both national and global levels because of the discrimination against certain groups of people who include those who live on the fringes of society, or who are assumed to be at risk of infection because of behaviours, sexual orientation, gender, or social characteristics that are stigmatized in a particular society. The Centre, in its strategy to promote and protect the rights of people living with HIV/AIDS and reduce the increased tendency of stigmatisation, conducted trainings for PLWHAs in both Unguja and Pemba. The aim was to enable these people to identify, promote and protect their rights. In Unguja the training was held on 16<sup>th</sup> and 17<sup>th</sup> April 2016 and attended by 38 participants (25 female and 13 male) while in Pemba it was held on 9<sup>th</sup> and 10<sup>th</sup> March 2016 and attended by 40 participants (16 female and 24 male). Through the trainings, the participants became aware of their rights and understood their roles and the roles of others in promoting and protecting these rights. It was heartening for the participants to note that they are given mention within the constitution by having a special law (Zanzibar HIV and AIDS Prevention and Management Act, 2013) devoted to this group. However, there were challenges during this training as many participants were not familiar with various legal issues of the country making it difficult to present certain topics. Despite these setbacks, participants enjoyed the training and offered contributions that highlighted the stigma faced by individuals living with HIV/AIDS.



*Facilitator introducing the role of PLWHAs in promoting and protecting Human rights*

*Result: The trainings conducted by the Centre supported the efforts made by government and private institutions within and outside the country on the promotion and protection human rights and has reduced the level of vulnerability to HIV infection by addressing its root causes. Community awareness on HIV/AIDS has been increased and this has reduced the stigmatization towards people living with HIV/AIDS. It was quoted by one of the participants attended the training through FM radio, that ZLSC undertakes great efforts in educating the public to refrain from stigmatizing and isolating AIDS victims. "Personally I was isolated by my neighbours in the beginning but now I live happily with greater cooperation with neighbours"*

#### **(e). Training youth on promoting and protecting Human Rights**

The 2015 annual survey carried out by the Centre revealed that young people experience difficulties in exercising their rights by virtue of being young and that there are gaps in the protection of the human rights of youth. Some of the barriers are caused by cultural norms, weak institutions that do not have youth friendly and specialized services; the absence of disaggregated data on youth; poverty among youth; lack of real engagement with youth and lack of intergenerational dialogue. Based on those challenges the Centre conducted human rights training for youth aimed at raising awareness on their rights and empowering them with ability to identify and demand for them when these rights are violated. A two-days training was held on 17<sup>th</sup> and 18<sup>th</sup> January 2016 at ZLSC conference hall and attended by 36 participants (17 male and 19 female). Throughout the training,

there were extensive discussions on areas where the youth felt they were particularly vulnerable to with regard to human rights violations. The participants expressed concern that the youth often suffered from multiple forms of discrimination based on gender, immigration status, disability, and/or social status.



*A training session on empowering youth to fight for their rights*

*Result: After the training the efforts by the youth to raise public awareness on human rights was observed through an evaluation meeting conducted on November 2016 by the Centre for Youth from different NGOs including Zanzibar Youth Forum (ZYF), Pamoja Youth Initiative (PYI), LABAIKA, Tanzania Youth Icon (TAYI) and others. In this evaluation meeting the youth expressed how the Centre empowered them to fight for their place in society, and educated them on human rights and how to fight violation of human rights. A good example was the initiative taken by ZYF in calling up a forum for community coordinators and community police at the district level to discuss incidences of human rights violations existing in their communities and efforts taken by the government to reduce those incidences. The forum was instrumental in advocating the government to take appropriate measures to promote and protect human rights in Zanzibar.*

### **Success story**

#### **“ZLSC intensifies the fight against abuse”.**

The issue of abuse is very common now in Zanzibar and there is an increasing number of related cases reported at the Centre. The Centre works to help women and children get their rights and fight against any form of abuse.

Data from the Centre shows that from January to December 2016, 53 on abuses cases were reported. This has propelled the Centre into seeking for solutions to the problem. To this effect, Mtoni’s youth decided to establish an NGO’s dealing with GBV and drug abuse. Members of this association needed assistance in preparing their Constitution and hence sought the help of the Centre on this issue.

The Centre provided legal advice and training on how to draft their Constitution after which they started the process, successfully completed it and submitted it to the Registrar.

On 30<sup>th</sup> August 2016 the Association managed to get full registration successfully fulfilling their objective. The representatives came to the Centre to show their appreciation, saying,

*“The Centre deserves many thanks for its effort of providing legal aid to the citizen of Zanzibar free of charge; we will work together with the Centre in the effort to fight against abuse”*



*Members of Mtoni Association e with ZLSC program Officer after getting their constitution*

### **(f). Women and International Women’s Day**

International Women’s Day is celebrated throughout the world every year on 8<sup>th</sup> March. The main purpose of this celebration is to draw awareness to issues relating to women’s rights, enabling communities to assess the performance of resolutions, declarations, conventions and various protocols, international, regional and national and to examine development issues relating to gender and women in ensuring that the rights of women economically, socially and politically are available and protected. To implement this, each year, the Centre holds sensitization seminars on International Women’s Day. In 2016, the Centre organised women’s rights open forum in both Unguja and Pemba. In Unguja the forum was organized on 5<sup>th</sup> March 2016 at SUZA conference hall and attended by 108 participants (14 male and 94 female), while in Pemba the forum was at Mchangamdogo (Wete District) and attended by 116 participants (111 female and 5 male). The forum was intended to mobilize and advocate for the rights of women in different fields; political, economic and social.



*Participants while engaging in the forum organized at Mchangamdogo on fighting against women’s rights on 5<sup>th</sup> March 2016*

The large turnout proved the success of the event. The various and numerous contributions and different case studies on violation against women were a clear indication that women are now in the front line in understanding their rights and to fight for them. Despite its success, the major setback was the time limit since many participants did not get the opportunity to contribute to issues pertaining to them. The theme of this year was “Women are the joint in economic growth. Provide equal opportunity in owning resources”



### **(g). African Child Day - 16<sup>th</sup> June**

Since 1991, Africa has commemorated the Day of the African Child on June 16. This day was initiated by Organization of African Unity to honour the students who participated in Soweto uprising in 1976 to raise awareness and to support the rights of children and improve their well-being. Zanzibar Legal Services Centre (ZLSC) also commemorates this day every year to advocate for children rights, increase children's awareness on violence against them and their rights and its impact as well as sensitizing children on alternative ways of ending child violence in schools and the community at large. In the year 2016, the Centre in collaboration with Save the Children International (SCI) and Department of Social Welfare marked this event in Unguja on 3rd June 2016 at the teachers training resource centre at Mkwajuni. 223 participants (86 male and 137 female) attended the event.



In Pemba the event was held at Madungu Conference hall Chake Chake Pemba and attended by 56 participants (male 29 and female 27). The message for this year's celebration was “Rape and homosexuality for children are inevitable. Take action for child protection”

Children performed various activities such as asking and answering questions, drama and poetry and sports. This enabled them to learn and share experience and reveal the challenges that threaten their life. The plays and sports also broadened their knowledge and introduced them to life skills and messages of safety. This was because all the activities related to the violence faced by children in the society including rape, battering, engaging in domestic labour and early marriage. The event was very successful because the pupils themselves were eager to participate and enjoyed the various activities that were offered during the day. They also got to know about their rights and how they are required to fight against any forms of violation facing them.



*Children from North and South region of Pemba marking of African Child Day on 16<sup>th</sup> June 2016*

## (2) Human Rights awareness and monitoring in Zanzibar enhanced

ZLSC has a very broad mandate of promoting awareness of human rights and investigating violations. Since its establishment, the Centre has been actively involved in functions directly intended to promote and protect human rights and reduce its violations. The Centre handles individual complaints on such issues and generally promotes, advises and educates the public on human rights and good governance issues, carries out research on human rights and good governance as well as monitoring compliance with human rights standards and good governance principles. Based on the Annual Client Satisfaction Survey of 2016, about 58% of the public are fully aware of human rights. This is an increase from the 48% of public awareness reported in 2015. The positive achievement of this result was due to the different activities performed by the Centre in 2016 as explained below:-

### (a). Human Rights awareness training for Secondary School Students

*Secondary school students from South region of Pemba in human rights training organized by the Centre on 7th Aug 2016*



Human rights can only be achieved through an informed and continued demand by people for their protection. Human right training promotes values, beliefs and attitudes that encourage all individuals to uphold their own rights and those of others. It develops an understanding of everyone's common responsibility to make human rights a reality in each community. Part of the mores for Zanzibar Legal Services Centre is to educate the community on matters relating to human rights with the intention of promoting human rights and reducing human

rights violation in all Zanzibar societies. In striving to reach this objective the Centre has, in 2016, managed to organize a two- days training sessions for secondary school students region-wise. The training was conducted not only to raise awareness on human rights but also to empower them with the ability of conveying that knowledge back to their schools to assist reducing human rights violations and sexual violence. The training also provided extra knowledge on related topics taught in the Civics and relevant courses. The table below provides details of the training in all four regions:

Region	Date	Number of participants	Male	Female
Urban West region	2 <sup>nd</sup> to 3 <sup>rd</sup> June 2016	87	45	42
North region Unguja	4 <sup>th</sup> to 5 <sup>th</sup> June 2016	90	46	44
South region Unguja	9 <sup>th</sup> to 10 <sup>th</sup> June 2016	94	46	48
Region	Date	Number of participants	Male	Female
Urban West region	2 <sup>nd</sup> to 3 <sup>rd</sup> June 2016	87	45	42
North region Unguja	4 <sup>th</sup> to 5 <sup>th</sup> June 2016	90	46	44
South region Unguja	9 <sup>th</sup> to 10 <sup>th</sup> June 2016	94	46	48

In this training six (6) topics were discussed including, Human rights, Children's' rights, , Clarification of the Education Act No. 6 of 1982, Gender Based Violence, Clarification of the law to prevent and manage HIV and the effects of drugs.

*Result: Human rights training for secondary school students resulted in increasing access to and participation in schools by creating a human rights-based learning environment that is inclusive and welcoming and fosters universal values, equal opportunities, respect for diversity and non-discrimination. Also the training helped the students to overcome barriers and begins to expose some of the teachers engaging in gender based violence incidences such as rape and sodomy. It was reported through ZBC radio that 15% of abuse cases from schools have been reported in 2016.*

**(b). Conduct Human Rights Trainings to Police Officers, Shehas and Community Police.**

An integral part of the Centre's work plan of 2016, was to conduct Human Rights training for police officers, shehas and community police to provide them with an awareness on human rights and their role in supervising the implementation of human rights provision within their communities and citizens at large. The training was to assess the various challenges they face in the performance of daily tasks in the defence and protection of human rights. Therefore, based on the work plan, the Centre organized a two-day training session on human rights for police officers in both Unguja and Pemba.

In Unguja the training was conducted on 10<sup>th</sup> and 11<sup>th</sup> August, 2016 at ZLSC conference hall. A total of 64 participants (56 male and 8 female) from all three regions in Unguja participated in this training. Six topics were presented including; Human rights, the effects of corruption in the management of human rights, Road Transport Act No. 7 of 2003, the definition Zanzibar Constitution of 1984, public transport problems for people with special needs as well as Traffic accidents and investigation of criminals in Zanzibar. In Pemba also, human rights training on the same topics was conducted on 8<sup>th</sup> September 2016 at the Centre's conference hall and attended by 59 participants (57 male and 2 female).



*Police Officers, shehas and Community Police trained on how to promote and protect Human rights in Zanzibar. The training offered by ZLSC on 8<sup>th</sup> September 2016*

In both trainings the participants came to know and understand the various issues relating to human rights and how they as police officers, shehas and community police could use the opportunity to defend and protect human rights as well as prevent all acts leading to human rights violations. The presence of the media in this training was significant in conveying messages relating to all matters of human rights protection for local communities.

*Result: Human rights training to Police Officers has increased the level of awareness on human rights and reduced the number of breaches of human rights by Police Officers. In 2016, there was only 5 such cases reported at the Centre, unlike previous where a large numbers of cases reported.*

### **(c) Human Rights and Good Governance Training for ZLSC stakeholders.**

One of the activities of the work plan was to provide human rights training to stakeholders. With this in mind the Centre, organized a two-day seminar for stakeholders on human rights and good governance. The training was conducted in Pemba only because the stakeholders of Unguja were given training on the same subject matter in 2015. The training was to raise awareness on human rights promotion and protection together with the importance of having good governance in the country and how good governance could promote the accessibility of rights for citizens.

The training was also intended to give opportunity to stakeholders to advice the Centre on how best to ensure that the level of awareness on human rights is increased. The seminar was held on 18<sup>th</sup> and 19<sup>th</sup> July 2016 at ZLSC conference hall and was attended by 45 participants (18 female and 27 male) from various government and non-governmental institutions. The topics presented included: Human rights, international, regional and national; Effects of Corruption in the management of Human rights; Good governance; Civil Society Organizations in the management of human rights; the procedures for criminal proceedings and its challenges together with the success of the centre on Human rights.



*Stakeholders during the Human rights training as organized by the Centre on 18<sup>th</sup> July 2016*

The seminar offered the stakeholders the opportunity to voice the challenges and recommendations on what could best be done to promote and protect human rights in Zanzibar.

#### **(d). Conduct semi-annual visits to law enforcement agencies in Unguja and Pemba**

Human rights are not a matter under the exclusive jurisdiction of the State or its agents. Rather, they are a legitimate concern of the international community, which has been engaged for half a century in the setting of standards, the establishment of implementation mechanisms and the monitoring of compliance with the standards. Prison officials carrying out their functions in a manner that respects and protects human rights bring honour not just to themselves, but also to the Government which employs them and the nation which they serve.

ZLSC organized semi-annual visits to law enforcement agencies commonly known as “The Institute of Education for Offenders” as a strategy for ensuring that access to justice for all is adhered to. The main purpose of the visit was to investigate if there were challenges facing offenders in the prisons when serving their sentences.



*Some the prison Officials involved in sharing of experiences and ZLSC staff on the existing human rights situation for the prisoners at their institution.*

The visit was also intended to investigate existing incidences on human rights violations in prisons. To achieve this, the Centre organized an open debate among the offenders in the Institute of Education for Offenders and prison officials where they discussed the efforts taken by the Centre in providing human rights training for different groups including the prison officials and which has resulted in respect for human rights and reduction of violation of human rights. Even then, the offenders explained some of the challenges they face, included limited health care facilities. They praised and offered congratulations on the good cooperation existing between them and prison officials that made them feel comfortable and proud that they are treated like other human beings and are entitled to all basic rights.

The visit in Unguja was conducted on 20<sup>th</sup> June 2016 and involved 72 prisoners (69 male and 3 female) together with 23 prison officials (20 male and 3 female). In Pemba, the visit was organized on 23<sup>rd</sup> June 2016 in the South region of Pemba and involved 54 prisoners (49 male and 5 female) and 16 prison officials (11 male and 5 female)

*Result: The visits by the Centre to the law enforcement agencies have contributed to a high level of promotion and protection of human rights among prisoners. The human rights abuses that were normally carried out by prison officials have now greatly decreased as stated by one of prisoners “We feel that we are not in prison (jail) since our rights are not violated, and we are trained how to live a moral and virtuous life”*

#### **(e). Human Rights Training for Zanzibar Court Clerks.**

Court clerks play a very important role in the process of the administration of justice. They stand between those wanting to access the courts and the court officers. They can

therefore block justice if they are not well trained and are not exposed to ethics and human rights. In the implementation of its work plan of 2016, ZLSC planned to conduct human rights training to Court clerks whose main responsibility is to manage all the administrative and clerical functions related to running the court including processing legal documents, scheduling court cases, and auditing files to ensure accuracy and consistency within the court records. Court clerks also prepare files and forward documents and case files.

Therefore, their role in strengthening the promotion and protection of human rights in the country cannot be overlooked. In line with its 2016 work plan, the Centre organized a two-day human rights training session for this group both Unguja and Pemba, for the purpose of providing a comprehensive understanding of human rights aimed at better management of human rights especially for all vulnerable groups. In Unguja the training was conducted on 29<sup>th</sup> and 30<sup>th</sup> October 2016 at the ZLSC conference hall and attended by 40 participants (26 male and 14 female). In Pemba the training was held on 16<sup>th</sup> and 17<sup>th</sup> July 2016. Forty (40) participants attended the training (27 male and 13 female). The following topics were presented, including; Corruption and its impact on the accessibility of human rights, Courts reception and service, Court records keeping, Rights and duties of the police on human rights, Order of the Court file and Code of Conduct of public service



*The Court clerks during human rights training organized by the Centre on 17<sup>th</sup> July 2016 at the Centre conference hall- Pemba*

This training was very important as it raised issues of the right to a fair trial especially the rights of victims and accused persons who currently do not enjoy all these rights. It also raised the awareness of these court clerks on the need to have additional training, such as the use of sign language in dealing with the more vulnerable groups.

*Result: This training was very important to know about all rights and how to be fair in court, especially with regards to the rights of victims and accused persons. One among the participants who works as a court clerk at Regional court-Pemba was quoted as saying “As court clerks we are the representatives of the government so we should try our best to guarantee people’s rights.” This indicates the increased level of human rights awareness in the courts that guarantee the access to justice for indigent.*

### **(f). Right to Life and the Death Penalty.**

The right to life is a moral principle based on the belief that every human being has the right to live and, in particular, should not be killed by another human being. Several human rights agreements such as The Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966) and the African Charter on Human and Peoples' Rights (1981) include specific provisions to highlight the importance of the right to life.

Although the Tanzanian Constitution of 1977 recognizes the importance of life, it does not protect right to life since United Republic of Tanzania and Zanzibar uphold the death penalty. Therefore, although the importance of life is mentioned in the Constitution, the death penalty directly inhibits the protection of life.

In Zanzibar, many associate the death penalty with Islam, thereby inviting religion into the conversation of human rights and complicating the situation even more. The Zanzibar Legal Services Centre, however, has consistently taken a stance against the death penalty. As a result, the Centre has been condemned on several occasions in mosques but that has not deterred the Centre from calling for an end to this form of punishment.

Every year on October 10<sup>th</sup>, the World Coalition promotes World Day against the Death Penalty. In support of this, the Centre organises meetings and seminars to initiate dialogues on the death penalty. This is because it believes that the death penalty is one of the most barbaric, inhumane and brutal forms of punishment that is still practiced around the world.



*Participants during the celebration of World Day against the Death Penalty in Unguja*

To mark World Day against the Death Penalty and to promote the abolition of capital punishment in Zanzibar, ZLSC held a death penalty dialogue on 10th October 2016 at Haile Selassie Conference Hall. The centre invited numerous stakeholders, students and representatives from various organizations to discuss the abolition of the death penalty and the current challenges of the death penalty in Zanzibar. The event was attended by 109 participants (56 male and 53 female). A topic on death penalty was presented from a Christian and a Muslim perspectives looking into challenges of its implementation, and the psychological effects of the death penalty. The theme for the event was in line with the International theme “*Execution is a terrorist tool, stop the cycle of violence*”.

*Result: The marking of world day against death penalty has encouraged and increased awareness of different government actors, stakeholders and the public at large on the evils of death penalty. ZLSC still remains a driving force pushing for the abolishment of the death penalty in either law or practice*

### **(g) Celebrating Human Rights Day**

Human Rights Day is observed every year on 10<sup>th</sup> December. It marks the day when, in 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights. ZLSC joins the rest of the world in commemorating Human Rights Day with the intention of leading people in Zanzibar to state loud and clear that no matter where they live, what they believe, or how much they love each other, they each individually deserve the most basic fundamentals of human needs. The Centre every year marks Human Rights Day dedicated to ensuring that these ideals are pursued, and that the basic Human Rights of every person is made a priority in the global theatre.

Hence the theme for the 2016 celebration calls on everyone to ‘stand up for someone's rights’. Disrespect for basic human rights continues to be wide-spread in all parts of the globe. Extremist movements subject people to horrific violence. In 2016, the Centre celebrated Human rights day at ZLSC conference hall. 138 people (75 male and 63 female) participated in the event. The participants included community members, government officials, reporters and facilitators from ZLSC. The event included discussion on topics including the meaning and history of human rights, human rights in both the Tanzanian and Zanzibar Constitution and the tools used to implement human rights. The participants shared experiences on the violation of human rights incidences occurring in different areas in Zanzibar and suggested the appropriate measures against them. The guest of honour of this event was the Deputy Minister of Internal Affairs of the United Republic of Tanzania, Mr Hamad Yussuf Masauni.



*The guest of honour, the Deputy minister of Internal Affairs, Mr Hamad Yussuf Masauni in a picture with ZLSC Director, Board members, and ZLSC staff during Human Rights day organized in Unguja*



### **(h). Annual Zanzibar Human Rights Report**

The year 2016 was the first time when Zanzibar Legal Services Centre (ZLSC) prepared and launched its own Human Rights Report unlike previous years where the report was prepared and launched jointly with its Tanzania Mainland counterpart, Legal and Human Rights Centre (LHRC). The Zanzibar Human Rights report is intended to raise public awareness on Human Rights issues and to some extent, contributes to the decrease of human rights violation incidences in Zanzibar through advocacy procedures. Compilation of the research is a year-long process and it is finally reviewed by a joint editorial board. The main objective of preparing and launching this report is to provide an account of the implementation of human rights and reporting human rights violations in Tanzania. Each year ZLSC monitors and evaluates the extent of human rights implementation and how those rights are violated whether it be by citizens themselves, leaders or human rights enforcers including defence and security, judiciary and others.

The launching of Annual Human Rights Report of 2016 makes a total of ten reports published from 2006 to date. The report was launched on 21<sup>st</sup> May 2016 at Haile Selassie conference hall and was attended by a total of 152 participants (60 female and 92 male) who came from different government and non government institutions including universities students, officers of the army, police, prison officials and other forces, political leaders, government officials, private institutions and religious leaders as well as ordinary citizens. The guest of honour was the Speaker of the House of Representatives Hon. Zubeir Ali Maulid.



*The guests of honour Speaker of the House of Representatives, launching the annual human rights report at haile selassie conference hall, Unguja*

### **(i) May Day**

May Day is celebrated to remember international labour and left-wing movements and is generally marked with marches and processions. May 1<sup>st</sup> was originally recognized to commemorate the 1886 Haymarket Massacre in Chicago and the working class struggle.

To mark May Day, the Centre organized a colloquium (round table discussion) for employees from different government and non-governmental institutions aimed at reminding them of the Employment Act No. 11 of 2005 and on the rights of workers, their

interests, and their responsibilities and also to discuss the challenges they face in their working environments. The event also intended to educate the participants on legal provisions relating to the workplace and the rights and freedom of workers. Many of the present challenges faced by workers in Zanzibar include the fact that some of the employers do not allow the establishment of trade unions in the work place and often employers do not even offer their employee's contracts. The colloquium convinced the employees to establish trade unions in their work place that would help advocate for their rights.

In Unguja, the colloquium was held on 25<sup>th</sup> June 2016 at Haile Selassie conference hall, attended by 64 participants (28 male and 36 female) while in Pemba, the event was held on 29<sup>th</sup> April 2016 at Madungu conference hall and attended by 80 participants (44 female and 36 male).

#### **(n). Successes**

The publication of the Annual Zanzibar Human Rights Report can be said to be one of the biggest achievement. The Report is authoritative in its fairness and political and social neutrality. It is thus relied upon by various sections of the society including practitioners; academics; diplomats and others. Interestingly, even the Police Force use the Report as a measure of their performance of the preceding year in order to improve on their performance. 95% of the Centre's planned activities in this strategic aim were achieved.

#### **Challenges**

During most of the human rights trainings, participants highlighted the issue of corruption that is practised by the different organs managing human rights such as the Courts and at some police stations. They asserted this challenge as one of the obstacle for accessing justice for poor and marginalized groups. Hence, education on corruption needs to be prioritized in the coming new strategic plan to emphasize and sensitize the community on how to fight against corruption.

## PART FIVE

### **Strategic Aim Five: Demand Driven Civic and Legal Education of the General Public Enhanced**

#### **(a). Introduction**

Civic education is an important component of education that cultivates in citizens the importance of participating in democracy, exercising their rights and discharging their responsibilities with the necessary and relevant knowledge and skills. The emphasis of civic education on public participation in governance overlaps with human rights, but the two fields have distinct and separate conceptual bases. Civic education seeks to give citizens the understanding and the habit of engaging in such a non-violent contest to participate constructively in politics and more broadly, in civic life and service to the community. Such education then, can help stabilize societies affected by violence and should be seen as an important positive feature of a post conflict landscape.

The Centre played a vital role in the provision of civic education for the purpose of raising public awareness on their civic rights and how to protect them. To achieve this, the following were carried out.

#### **1. Civic and Voter Education of the general public in Zanzibar improved**

In 2016 ZLSC focused on engaging individuals to become informed and active citizens through the provision of Civic Education where citizens were inculcated with values such as tolerance, equality and justice, important to nurturing a healthy and vibrant civil society. As a result of increased knowledge and capacity, citizens often engaged at a higher rate in their communities and would be more likely to participate in activities such as elections. The Centre managed to improve awareness on civil rights to more than 500 people<sup>9</sup>, through different outreach programmes as well as TV and Radio programmes. The following activities have contributed to achieving this result:-

##### **(a). Outreach programs on Civic rights.**

In Zanzibar, awareness of laws governing civil rights is low for most Zanzibaris, a situation which sometimes results in a loss of some of their basic rights. For example, it was estimated that a great number of children enrolled in different schools in Zanzibar do not have birth certificates which is a key instrument to enjoying other rights. There are also many youth who do not have the Zanzibar identity card. These problems are the result of several factors including the community failing to understand the importance of having those documents

ZLSC organized outreach programmes to sensitise the community on different laws that govern civil rights. The program was designed to impress upon the public the importance of following those laws so as to facilitate accessibility of their rights. The outreach programmes were organized in all eleven districts of Zanzibar and attended by 390 people (178 male and 212 female). Three main issues presented included Registration of Birth, Marriage, Death and Divorce Certificate, Enrolment of Zanzibar and Tanzania Identity

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<sup>9</sup> internal Progressive reports

card and its significance, Enrolment of Vote Identification Card and how to obtain a passport.

*Result: The programmes were attended by large number of people who appreciated the work done by the Centre to make Citizen aware on those laws that govern civil rights. They suggested that the Centre have specific campaigns of encouraging community on the importance of having birth certificates since most of them do not aware on its importance and its application in accessing other rights. As a result the Centre has taken into account and putting that idea in 2017 work plan as one of the priority activities in this strategic aim*

### **(b). Conduct one day seminar on good governance for members of the House of Representatives**

ZLSC conducted a one day seminar for Members of House of Representative intended to inform them of their responsibilities, discipline and duties as members of the House of Representatives. The seminar also was intended to strengthen accountability of these members in fostering civil rights among their citizens. The seminar held on 4<sup>th</sup> June 2016 at Zanzibar Ocean View conference hall was attended by 84 participants (33 female and 51 male). Two topics were presented namely: Work and Responsibility of members of the House of Representatives in their constituencies as well as Discipline and Good Governance in the House of Representatives.



*Members of House of Representatives who participated in a seminar at Ocean View Hotel Zanzibar on 4<sup>th</sup> June 2016*

### **(c). Conduct consultative workshop for CSOs on civic and voters education**

Civic and Voter education provides background attitudes, behaviour, and knowledge amongst citizens that stimulate and consolidate democracy. During elections, this education ensures effective organisation and activism by citizens in support of parties and/or causes, behaviour by citizens that is appropriate to a peaceful election, acceptance of the results, and tolerance of competition and opposition. In 2016 the Centre conducted capacity building workshops for CSOs to empower them to stand on their own in raising the public awareness on fighting for their civic and voter's rights. The purpose of civic and voter education is to emphasise not only citizen awareness but citizen participation in

all aspects of democratic society since it is an ongoing process, not tied to the electoral cycle only. The workshop was conducted in Unguja on 18<sup>th</sup> June 2016 with 50 participants (28 male and 22 female) and in Pemba on 19<sup>th</sup> June 2016 at ZLSC conference hall, where a total of 50 participants (30 male and 20 female) attended. The topics presented included Zanzibar Law making process, Civil rights as well as good governance and the rule of law.

*Result: Civic and voter's education as provided by the Centre to the general public in 2016 has contributed greatly to addressing a wide variety of political and governance issues (such as corruption, civic apathy or post-conflict reconciliation) as well as important social issues (like domestic violence, drug abuse, and HIV/AIDS). Currently Civic Education is frequently used in conjunction with other capacity-building and dialogue approaches to strengthen the ability of citizens and civil society groups to organize themselves, interact with others and make their voices heard by those in power*

#### **d). Civic Education for Police officers**

Awareness rising is one of the best deterrents when it comes to the police and avoiding the abuse of civil rights. The police are required to act responsibly but there have been



*Police Officers in an awareness training session on civil rights*

many cases in Zanzibar where the police abuse the rights of suspects. The police are not above the law and there can be legal consequences if citizen's rights are abused. The police can be sued, disciplined or even prosecuted if they infringe or abuse the rights of members of the public. The Centre therefore conducted a sensitization workshop for Police officers aimed at raising their awareness on civil rights and how they ought to take the deliberate measures to promote and protect those rights for the welfare of Zanzibar society. The training was organized

in Unguja on 12th March 2016 at ZLSC conference hall and attended by 48 participants (44 male and 4 female). The topics presented during the session included: Rights of the child at the police station, Right of Assembly, Rights of citizens in arrest and raids and Human rights

*Civic education given to Police Officers has increased the level of awareness on the civil rights and contributed to a decrease of civil rights abuse carried out by Police officers. Generally in 2016 Human rights violation incidences caused by Police Officers has decreased from 22 cases reported in 2015 to 5 cases reported in 2016. This was due to the efforts taken by the Centre on raising human rights awareness to different groups including police officers.*

## **2. Knowledge and skills of Secondary School students on civics and legal education improved.**

The Centre was also instrumental in improving knowledge and skills on civic education, through organizing different awareness raising seminars and initiating civic and legal education clubs that are being used as change agents in sensitizing people on their civic and legal rights. This year, the Centre managed to educate 300 students ((200 in Unguja

(98 male and 102 female) and 100 in Pemba (56 male and 44 female)) on civic and legal rights. By far, the most widespread application of civic education is in formal school education. Civic education is being taught as part of the regular curriculum in primary and secondary schools. Therefore, the following activities have been undertaken in 2016:-

**(a). Five regional awareness seminars for students on Zanzibar Identity cards**

The Centre organised five regional awareness seminars for students intended to highlight the importance of having the Zanzibar Identity card which now has been given priority in enjoying civic and political rights. A Zanzibar Identity card is issued to a person who has reached the age of 18 and is used as an identity to access most of the basic services like transport, employment opportunities, voting and other services that fall under civil and political rights. The awareness raising seminar conducted in both Unguja and Pemba is shown in the table below:-

Date	Region	Female	Male	Total
19 <sup>th</sup> Aug 2016	North Unguja	16	27	43
20 <sup>th</sup> Aug 2016	South Unguja	20	28	48
23 <sup>rd</sup> Aug 2016	Urban West	23	25	48
23 <sup>rd</sup> July 2016	South Pemba	6	43	49
24 <sup>th</sup> July 2016	North Pemba	21	23	44



*Students from Urban West region being informed about Zanzibar Identity card on 23<sup>rd</sup> July 2016 at ZLSC conference hall*

*Result: Following this training, the Centre received 27 youth from different regions where the local authority, (sheha), refused to issue them a letter which would enable them to get their Identity cards. No reason was given by the Sheha for the refusal. The Centre wrote a letter to these local authorities urging them to provide them with the necessary documentation to get the identity cards since this is part of their civil rights. From the positive responses provided, all 27 youth were given Zanzibar Identity cards and are now enjoying their civil and political rights.*

**(b). Conduct a seminar for women on Voter education**

When planning the implementation of civic and voter education programmes, it is important to be mindful not only of current eligible voters but also of future voters. The freedom of citizens to choose their elected representatives is a critical feature of

democratic governance. During an election citizens need to be informed of their rights and the voting process, political consciousness and informed choices are key factors in an electoral democracy. For voters to participate effectively in the electoral process, they need to be familiar with the requirements of registration and voting and balloting procedures as well as aspects such as party choice and preference. To ensure the improvement of participation of women in accessing their civil and political rights, the Centre conducted a seminar for women, educating them on the voting process. The seminar was generally used to describe the dissemination of information, materials and programmes designed to inform voters about the specifics and mechanics of the voting process for a particular election. The education involved providing information on who is eligible to vote, where and how to register, how electors can check the voter lists to ensure they have been duly included, what type of elections are being held, where, when and how to vote, who the candidates are and how to file complaints.

The seminar was held at Unguja on 6th September 2016 at the Centre conference hall where a total of 25 women from different groups including members from Zanzibar Women Paralegals (ZAWOPA) attended.

*Result: Voter and civic education provided by the Centre was very useful since it prompted women to understand their rights, their political system, the contests and competition they face, and how and where to vote. This education also helped to enhance women participation in elections particularly through the dissemination of positive images of women as voters, leaders and participants in all aspects of the political process.*

### **(c). Establishment of Civic and Legal education clubs in secondary school.**

In its strategy to improve civic and legal education in Zanzibar, the Centre managed to establish what was known as civic and legal education clubs among the secondary schools students for both Unguja and Pemba with the intention of disseminating legal literacy and raising awareness on civil rights in their neighbourhood and act as a bridge between persons in need of legal services and the Centre. Since students are considered future leaders, they would be the best medium to communicate between those in need and Zanzibar Legal Services Centre (ZLSC). They would be helpful in the dissemination of information about legal aid programmes, creating legal awareness among the masses, and to make use of their potential and spirit in the cause of the disadvantaged and marginalized sections of the society while



*Students from Southern region schools setting up civic and legal education club*

encouraging them to identify the problems of the people and make justice accessible to all. 15 Civic and Legal clubs (10 in Unguja and 5 in Pemba) were established in all five regions of Zanzibar. After the establishment of the clubs, ZLSC took deliberate efforts to conduct one-day trainings on leadership for school clubs in both Unguja and Pemba. The trainings were intended to inform students on how the clubs could be managed and operated. In Unguja, the training conducted on 5th October 2016 at the Centre conference hall was attended by 51 participants (21 female and 30 male). In Pemba the training was held on 6th October 2016 and was attended by 55 participants (27 female and 28 male) from North and South regions of Pemba at ZLSC conference hall-Pemba.

*Result: The establishment of Civic and Legal education clubs has contributed greatly to improving awareness on legal and civil rights through debates organized in schools dealing with different topics such as human rights violation, GBV, effects of drug abuse and all matters pertaining to legal problems. The clubs have also been played a great role in advertising the work and services offered by the Centre even to non-clients. This has resulted in an increase in the number of people who understand the Centre and its services as shown in the 2016 Client Satisfaction Survey where about 85% of people in Zanzibar understand the services offered by the Centre.*

#### **(d). Internship Programme**

For several years, the Centre has opened its doors and accepted interns from various institutions of learning including colleges in Zanzibar and mainland Tanzania. During their internship programmes at ZLSC, interns are paired with Programme Officers in order to learn about the law and observe the day to day work of a lawyer in the field of human rights. Interns are encouraged to participate in interviewing legal aid clients, prepare briefs and accompany Programme Officers when they appear in court as advocates for their clients.

During their internship, students are also offered full access to the ZLSC Documentation Centres and computers with full internet access. The interns are given access to these amenities not only to help them with their work at ZLSC but also to aid them in any research pursuits or studies. Therefore, receiving an internship placement at ZLSC is always quite competitive as several students are very interested in the position.

During 2016, the Centre received a total of 32 students (13 male and 19 female) from Zanzibar University and Azania College for their internship programme. All the students from Zanzibar University were in their 3<sup>rd</sup> year of study in the Faculty of Law and Shariah.

#### **(e). Successes and Challenges**

The most important success of the Centre in this area is its ability to develop civic and voter education for awareness raising purposes. The Centre can also take pride in the establishment of Civic and Legal education clubs in secondary schools in all five regions in Zanzibar. The Centre believes that it has agents who will spearhead change by working closely with the Centre in raising awareness on civil rights. The Centre has also further strengthened its cooperation with Ministry of Education and Vocational Training who is an important stakeholder through identifying potential students to engage in civic and voter education training.

The main challenge under this strategic aim is the inability of the Centre to procure and disseminate IEC materials based on civic and voters education because of many factors beyond the control of the Centre. It is hoped that this programme will be carried out in the coming year.



## PART SIX

### Strategic Aim Six: Organizational Development and Sustainability Strengthened

#### (a). Introduction

As ZLSC continues to grow, increase the number of its activities, and extend its reach throughout Zanzibar, it is vital for the Centre to review its organisational development and strengthen its own sustainability. In order to match the growth of the Centre and meet their day to day challenges, the staff of the Centre must be constantly trained in terms of law and new technology. Keeping the staff well informed and prepared to succeed enables the Centre to ensure that its current work is both effective and efficient and that its future work will not only continue, but also improve every year.

The Centre is committed to regularly evaluating its staff and build their capacity by offering staff trainings in order to guarantee that the strategic aims of the Centre are fulfilled. The Centre is also dedicated to creating a positive work place for all of its employees, enabling them to perform their best for both ZLSC and the people of Zanzibar.

Under this Strategic Aim, we evaluate the organisational capacity and the move towards sustainability within the Centre.

#### (b). Capacity of the Staff at the Centre

In 2016, the Centre continued its 2015 policy of allowing staff members work on specific activities from the 2016 Work Plan to guarantee that their best expertise and best skills were utilized in the relevant areas without compromising the core activities of the Centre. In 2016 the capacity of the staff was strengthened through different trainings and experience-sharing with other stakeholders working under the same umbrella of legal aid provisions and human rights aspect. In July 2016, ZLSC met with staff from TAWLA located in Dar es Salaam who came to the centre to learn and share experiences on Paralegals and human rights issues. In this meeting, the Centre gained new knowledge on how Paralegal services need to be improved to facilitate the provision of quality and timely legal aid services to the target groups.

Also, in October 2016, the Centre sought the services of a consultant to offer capacity building training for its finance and account staff on financial management. The training was intended to empower them on planning, organizing, directing and controlling financial activities such as procurement and utilization of funds of the Centre and applying general management principles to financial resources of the Centre.

Furthermore in May 2016, the Centre had a consultant as assigned by SIDA to conduct capacity building training for staff on M&E learning on doing. The training was intended to empower the staff on the overall concept of M&E and how to report in terms of results that occurred after the implementation of activities (RBM).

Likewise, in November 2016 the Centre acquired the services of a consultant to conduct capacity building training for its librarians and secretaries on record keeping and documentation. As a part of learning experiences, in October 2016, the centre sent its staff (7 Programme Officers) to Arusha and (7 Programme Officers) to Mbeya for learning and sharing experiences on legal aid services. The staff learnt how others practise the issue of

legal aid provision so as to improve legal aid services in Zanzibar and ensure that the poor and marginalized are enjoying justice as required.

*The Capacity building as offered by the Centre to its staff through different trainings and experiences, shared meetings with other stakeholders has created changes and improved their ability to perform their core roles and responsibilities, solve problems, define and achieve objectives, understand and address needs, and effectively work together in order to ensure that access to justice to the poor and marginalized groups is guaranteed. Currently, ZLSC is strong and has the capacity to provide quality and timely legal aid services to marginalized groups in Zanzibar and it is one of the major actors that work to promote and protect the human rights for different groups including people with disabilities. This has earned the Centre recognition and appreciation both locally and internationally. This can be proved by the increased number of clients come to the office for legal aid purpose every year together with the existing close and long term relation between ZLSC and its development partners and sponsors.*

### **(c). Governance of the Centre**

The governance of the Centre is under the Registered Trustees of the Centre. The Trustees of the Centre meet quarterly and provide policy guidance to the ZLSC management and staff. During 2016, the Trustees met for every scheduled quarterly meeting. Extraordinary meetings of the Trustees were also called for when their expertise and opinions were needed or appreciated. Through these quarterly and extraordinary Board meetings, the Centre was able to ensure good governance and to conduct its activities within the realm of the law.

In 2016, the Centre involved its Board members in different capacity building trainings as organized inside and outside of the organization. They participated in M&E learning by doing training conducted at the Centre conference hall in May 2016 sponsored by SIDA, They were also involved in a training organized by USAID under the project of Pamoja Twajenga on how to develop succession plan. The training was in May 2016 at Dar es salaam. The training was aimed at empowering and improving the capacity of Board members

In November of 2016, the Board Members attended a 3 day retreat. The main aim of this retreat was to approve Work Plan and budget of ZLSC before submitting it to Development Partners. During the retreat, the Board also reviewed ZLSC consultants' reports which are ZLSC evaluation reports. They also reviewed organizational capacity assessment (OCA) reports (2016) and the ZLSC strategic baseline reports.

Article 11 of the ZLSC's Constitution defines stakeholders as the persons and institutions that work closely with the Centre and have a vested interest in its activities and success. Every year the Centre hosts a Stakeholders' meeting which provides the opportunity for stakeholders to give feedback on the performance of the Centre, offer suggestions for improvement of existing programmes and propose future programmes that they believe would benefit the communities of Zanzibar. In 2016, the stakeholders' meeting was very successful as participants offered constructive criticism on various programmes of the Centre and suggested new programmes. The stakeholder meeting was held in October 2016 at the Centre conference hall with 21 participants (16 male and 5 female) in attendance. The Centre values the feedback offered during this annual stakeholders' meeting because it is through the constructive criticism and suggestions from stakeholders that the Centre can improve its programmes and better serve the community.

In another effort to pursue good governance and sustainability of the Centre, both an Annual Review Meeting and a Midterm Review Meeting were held with Development Partners in 2016. The Annual Review Meeting was held on 29<sup>th</sup> May 2016. The Midterm Review Meeting was held on 12<sup>th</sup> of December, 2016. During these meetings, Development Partners discussed and approved the Centre's Work Plan and budget for 2016.

#### **(d). Resource Mobilisation**

Unlike the financial insecurity that marked the beginning of 2016, ZLSC later began its activities in 2016 with great confidence as it had successfully acquired full approval of all funding for the year. The generous funders of the Centre include: Swedish International Development Agency (SIDA), Save the Children (International) Royal Norwegian Embassy and Ford Foundation Office for Eastern Africa. Towards the middle of 2016, the Centre also received funds from UNICEF to pursue the legal aid programme for Children in Conflict with Law (CCL) and Open Society Foundation for East Africa (OSEA).

#### **(e). Evaluation of the Work of the Centre**

Every organisation requires self-evaluation of its performance. The Centre's self-evaluation this year was completed during the Centre's annual retreat held from the 12<sup>th</sup> to the 15<sup>th</sup> of November, 2016. The Members of the Board of Trustees were invited for the opening of the retreat to highlight the expectations of the Board and provide directions for 2016. The Members of the Board exchanged ideas with the staff and answered their questions. This was followed by a serious and soul searching meeting where each member of staff presented his/her work. Questions were asked and each presentation was intensely discussed. The Management of the Centre presented its Annual Report and projections of what was to be done in the coming year. These projections were also subject to an open discussion. In addition, the work of the Centre by consultants was evaluated and debated at length during the meeting. The staff noted its strengths and weaknesses in 2016 and speculated upon the reasons for these performances.

The staff retreat also worked together to brainstorm and prepare the Work Plan and budget for the coming year. The adopted 2016 Work Plan was prepared to be sent to Board of Trustees for approval. The retreat was thus time well spent.

#### **(f). Functioning M&E System and Baseline Indicators**

Monitoring and evaluation tools are essential for any organisation that is implementing a work plan to which it would wish to make a report to gauge changes, if any, in an effort to tap on successes and challenges in future planning. ZLSC through its five years strategic plan 2013-2017 envisages using a result based management system of monitoring. ZLSC has identified six main results/outcomes with a number of indicators to measure changes over time. ZLSC this year has succeeded in engaging a consultant who worked closely with the internal M&E Officer in conducting the Annual Client Satisfaction Survey for improving service delivery to the Centre's stakeholders and beneficiaries. The survey was held in November 2016 in both Unguja and Pemba. The Centre also through the M&E Officer, conducted field visits to some of the programme sites to observe directly the changes occurring in society as a result of the work done by the Centre including the services offered by Paralegals.

### **(g). Successes and Challenges**

The year 2016 marked the fourth year of ZLSC 2013-2017 Strategic Plan which was in most cases successfully conducted and culminated with the evaluation of the work plan for the year and an annual Client Satisfaction Survey. The evaluation report and survey report clearly showed the effectiveness of ZLSC as evidenced by the timely provision and quality and timely services to (i) the paralegals, rights holders through the legal aid clinics, the human rights monitors, students etc. and (ii) to duty bearers through ZLSC's technical services to Members of House of Representatives, training and capacity building of government officials including the police, Shehas, Councillors, Court clerks, community coordinators etc. The substantive impact of ZLSC's outputs is both the prevention of human rights violations and the resolution of human rights violations in a variety of ways.

Although the Centre was very successful in 2016 in securing funding for the full year and improving the computer skills of the staff, the Centre faced several challenges in Strategic Aim Six, many of which were recurring challenges that were carried over from 2015. These challenges are explained in detail below.

**(i). Sustainability of the Centre:** Securing sustainability for the Centre is a recurring challenge that was also faced in 2016. As pointed out by the Centre's Development Partners, there are two major ongoing obstacles that hinder the Centre's ability to ensure its own sustainability. The first obstacle is that the Centre still operates on rented premises and is therefore dependent on a landlord. The second major challenge to sustainability is the lack of endowment facilities to keep ZLSC afloat in times of need. However, the sustainability of the organization was pointed out as one of the critical challenges that need to be addressed through diversification of Development Partners during the next Strategic plan.

## CHAPTER FOUR

### The Way Forward and Conclusion

#### The Way Forward

The year 2016 witnessed ZLSC embarking on its fourth year of the Strategic plan 2013-2017. ZLSC believes that all what was learnt from its interventions and from its partners will enrich the coming implementation of the five years strategic plan 2018-2022. ZLSC will make use of this background information and ensure that all best practices are maintained while the rest of the interventions that were not so successful will be changed to get the desired impact. It is expected that all these results that have been indicated herein above is a clear illustration on how ZLSC is progressively contributing towards having in place a just and equitable society in Zanzibar.

In 2017 the Centre planned to conduct end of strategic plan evaluation as the existing strategic plan comes to a close in December 2017. Evaluation of the implementation of the ZLSC Strategic plan will assess progress made towards the organizational priorities and the lessons learned from the evaluation could be used for improvement of the coming new strategic plan. The mission of the Evaluation Section is to develop and maintain an evaluative culture that seeks out information on the relevance, effectiveness, efficiency, sustainability, coverage, coherence, coordination and impact of the Organization in order to use that information to learn how to better manage and deliver ZLSC programmes and services, and thereby improve its performance. This is a key to building more effective results management and evaluation approaches. The Evaluation Section through its work is also committed to enhance a climate in the Organization where evidence resulting from independent evaluations is valued, sought out and seen as essential to good management.

In 2017 the Centre has also planned to develop the new strategic plan (2018-2022) which expected to cover different areas that fall under the mandate of ZLSC. The new strategic plan is expected to benefit a large population of Zanzibaris including the poor, women, the elderly, people with disabilities and other marginalized groups especially those who do not have an access to legal aid services. The new strategic plan will assure that the organization remains relevant and responsive to the needs of its community, and contributes to organizational stability and growth. It will provide a basis for monitoring progress, and for assessing results and impact.

Furthermore, as has been done in the previous years, ZLSC will, in 2017, also conduct an annual client satisfaction survey so as to assess the level of client's satisfaction on legal aid services and other human rights awareness provided by the Centre. The main purpose of this survey is to identify, articulate, and document the existing situation of the Zanzibar people and communities regarding their awareness and access to legal aid and education in relation to the baseline survey of 2014 due to the work of ZLSC as guided by its strategic plan 2013-2017.

## **Conclusion**

ZLSC has retained its reputation of being a reputable organization by improving its financial and human resource management. Together with that, it has implemented its governance mechanisms by conducting statutory and periodic meetings of management, Board and annual meetings for governance and accountability. ZLSC has maintained its financial management by conducting annual auditing of its accounts and improved its participatory budget management at implementation levels. Its sustainability was improved by continuing to carry out resource mobilization, capacity building of its staff and upholding its organizational values and professional ethics. Working tools were also improved to enable better delivery of services offered.

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## ANNEXTURE ONE

## Number of Centre's Clients in Unguja and Pemba in 2016

Type of Dispute	Unguja				Pemba			
	Males	Females	Child	Total	Males	Females	Child	Total
Land	180	48	0	228	50	44	0	94
Employment	51	30	0	81	18	11	0	29
Family/ Matrimonial	64	51	0	115	34	47	0	81
Child Abuse	0	0	14	14	0	0	0	0
Gender Based Violence	11	74	0	85	0	22	0	22
Criminal (Including theft and grievous bodily harm)	43	27	0	70	44	24	0	68
Human Rights Cases	15	7	10	32	10	16	0	26
Child maintenance			35	35	0	0	0	0
Inheritance	27	18	0	45	31	22		53
Civil cases	130	67	0	197	33	23	0	56
<b>Grand Total</b>	<b>521</b>	<b>322</b>	<b>59</b>	<b>902</b>	<b>220</b>	<b>209</b>	<b>0</b>	<b>429</b>

**Number of Clients receiving Legal aid from Paralegal in Unguja and Pemba in 2016**

Type of Dispute	Unguja				Pemba			
	Males	Females	Child	Total	Males	Females	Child	Total
Land	59	23	0	82	33	21	0	54
Employment	17	12	0	29	17	9	0	26
Family/ Matrimonial	21	11	0	32	18	23	0	41
Child Abuse	0	0	43	43	0	0	37	37
Gender Based Violence	23	13	0	36	28	22	0	50
Criminal (Including theft and grievous bodily harm)	25	13	0	38	29	12	0	41
Human Rights Cases	23	13	0	36	25	19	0	44
Child maintenance	0	0	46	46	0	0	31	31
Inheritance	30	41	0	71	62	53	0	115
Civil cases	29	23	0	52	29	14	0	43
<b>Grand Total</b>	<b>227</b>	<b>149</b>	<b>89</b>	<b>465</b>	<b>241</b>	<b>173</b>	<b>68</b>	<b>482</b>



## ANNEXTURE TWO

### The Board of Trustees and the Staff of the Centre

#### I. Members of the Board of Trustees of Zanzibar Legal Services Centre

- a) Prof. Chris Maina Peter      Chairperson
- b) Mrs. Josefrieda Pereira      Member
- c) Ms. Salma Haji Saadat      Member
- d) Mr. Daudi Othman Kondo      Member
- e) Ms. Harusi Miraji Mpatani      Secretary

#### II. Staff of the Zanzibar Legal Services Centre

##### (a). Unguja Office

- a. Ms. Harusi Miraji Mpatani      Executive Director (ED)
- b. Mr. Nassor Abdulla Mbarak      Administrative & Finance Officer (A&FO)
- c. Mohammed Khatib Mohammed      M&E Officer
- d. Mr. Ahmed Ali Hassan      Accountant
- e. Mr. Omar Hamad Faki      Assistant Accountant
- f. Ms. Farhat Rashid Omar      Programme Officer (PO)
- g. Mrs. Jamila Masoud Khamis      Programme Officer (PO)
- h. Ms. Saida Amour Abdalla      Programme Officer (PO)
- i. Mr. Thabit Abdullah Juma      Programme Officer (PO)
- j. Mr. Ali Haji Hassan      Programme Officer (PO)
- k. Ms. Mariam Majiba      Programme Officer (PO)
- l. Mr. Nassor Zahran Mohammed      Programme Officer (PO)
- m. Ms. Moza Nzole      Programme Officer (PO)
- n. Ms. Sikudhani Muhidini      Librarian
- o. Mr. Mohammed Rashid Ngope      IT Officer
- p. Mr. Suleiman Abdulla Salim      Information Officer
- q. Ms. Khadija Mussa      Secretary
- r. Mr. Hamza Kuwa      Administrative Assistant
- s. Mr. Amour Humoud Khelef      Driver

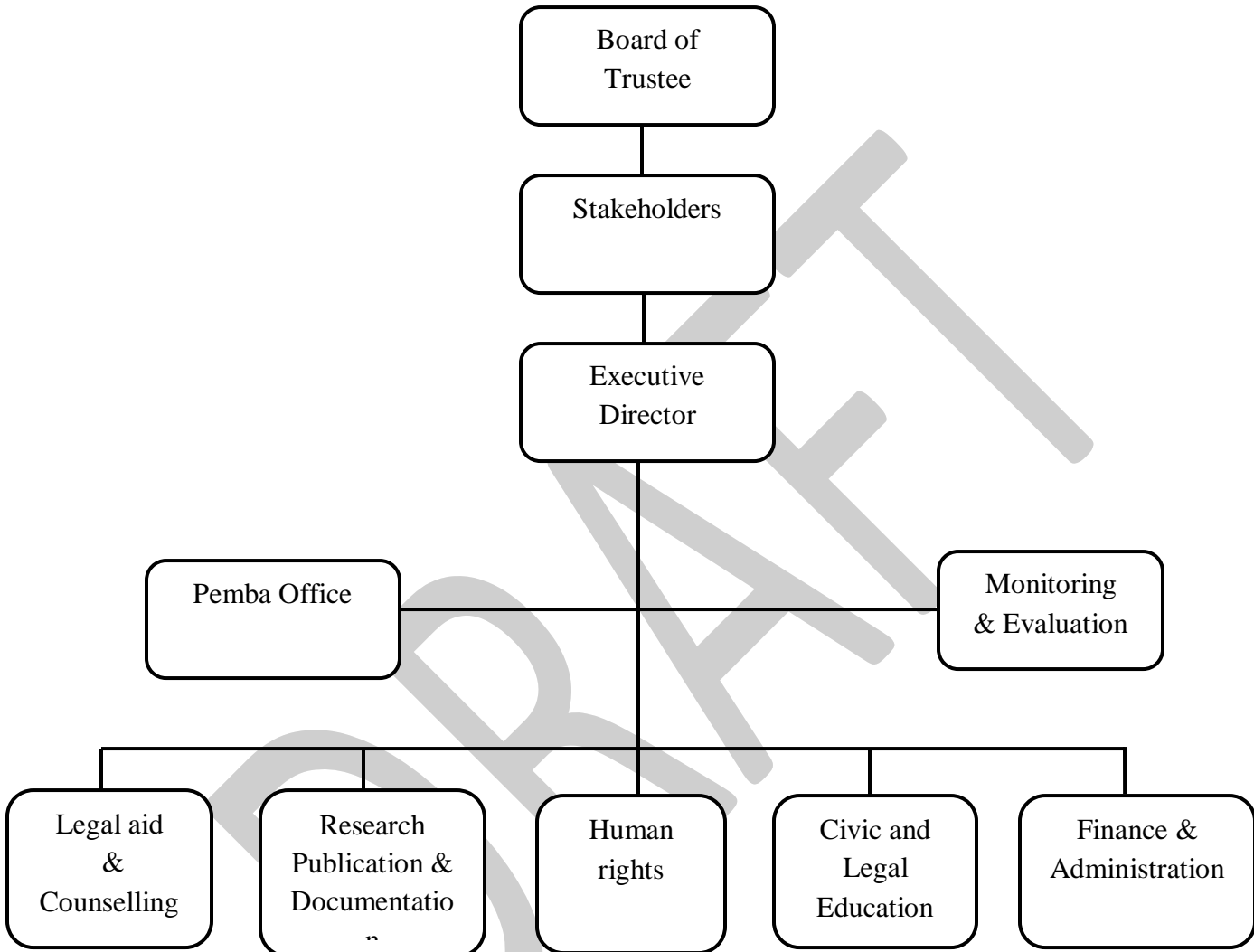
##### (b). Pemba Office

- a) Ms. Fatma Khamis Hemed      Pemba Programme Co-ordinator
- b) Mr. Mohamed Hassan Ali      Programme Officer (PO)
- c) Ms. Safia Saleh Sultan      Programme Officer (PO)
- d) Mr. Khalfan Amour Moh'd      Programme Officer (PO)

e) Ms. Bimkubwa Mmadi	Assistant Accountant
f) Ms. Siti Habib Mohamed	Programme Officer (PO)
g) Ms. Asya Ahmed Awadh	Secretary
h) Mr. Said Rashid Hassan	Office Attendant/ Driver

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**ANNEXTURE THREE**  
**ZLSC ORGANIZATION STRUCTURE**



## **ANNEXTURE FOUR**

### **Statement of Receipts and Payments of Zanzibar Legal Services Centre for the Year ended on 31<sup>st</sup> December, 2016**

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