Tanzania Police

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At least two people were reportedly shot dead in Tanzania by police this week during a disturbance associated with a public demonstration. Earlier this month, 16 prominent human rights activists were arrested in Dar es Salaam on the grounds of unlawful assembly. The human rights defenders were arrested at the Muhimbili National Hospital, where the police allege they had gathered illegally and were intending to hold an illegal demonstration. Article 20 of the Constitution of Tanzania enshrines the right for people; "to freely and peaceably assemble, associate and cooperate with other persons". However, as expressed in the constitution, this right can be limited by other national legislation for certain purposes, including ensuring public order or where it is in the public interest.

The Police Force and Auxiliary Services Act gives the police broad powers to prohibit the assembly if they believe it "is likely to cause a breach of the peace, or to prejudice public safety or the maintenance of public order". a public assembly held to observe (or allegedly protest) negotiations about health sector issues is likely to be found as one that is reasonable in a free and democratic society, and one that is not likely to unreasonably breach public order or public safety. Again regarding the legal use of force by the police, the United Nations Basic Principles on Use of Force and Firearms, specify that force must only be used in exceptional circumstances, when strictly necessary and that the force must be proportionate to the threat posed. Further, firearms should only be used to prevent death or serious injury of another, and only when less extreme means are insufficient. On Tuesday, according to media reports, the police fired directly into a crowd in Songea, as the crowd was moving towards a police station compound. The police reportedly first tried to disperse the crowd by firing in the air and using teargas, before resorting to firing directly into the crowd.