



**Permanent Mission of the United Republic of Tanzania
to the United Nations**

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STATEMENT BY

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FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION OF
THE UNITED REPUBLIC OF TANZANIA,**

**AT THE SIXTH COMMITTEE OF THE SIXTY-NINTH SESSION OF
THE UNITED NATIONS GENERAL ASSEMBLY,**

ON

**AGENDA ITEM ⁸²83: RULE OF LAW AT THE NATIONAL AND
INTERNATIONAL LEVELS**

NEW YORK, 9TH OCTOBER, 2014

MR. CHAIRMAN,

My delegation aligns itself with the statements delivered by Iran on behalf of the Non-Aligned Movement and South Africa on behalf of the African Group.

We welcome the report of the Secretary-General on the subject before us. It provides good insight on the progress made on strengthening the rule of law, nationally and internationally.

MR. CHAIRMAN,

My delegation welcomes the importance that the United Nations attach to the promotion of the rule of law at all levels of governance. We commend this year's theme: "Sharing States' national practices in strengthening the rule of law through access to justice".

The rule of law has been among the items of this Committee that has evolved over time. Nationally, the cardinal principle entails a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated. In addition, the principle must be equally enforced and independently adjudicated and consistent with international human rights norms and standards.

At the international level, the rule of law principle forms an integral part of peaceful co-existence and co-operation among nations. Within the context of the United Nations, the doctrine entails adherence to the United Nations Charter.

MR CHAIRMAN,

Tanzania is currently in a process of formulating a new constitution by a Special Constitutional Assembly. This effort seeks to uphold a government that adheres to the principles of good governance, rule of law and democracy. The proposed draft constitution is expected to be approved through a national referendum. Access to justice is an important pillar of the new dispensation.

The report of the Secretary-General emphasizes the need of integrating rule of law, as a reality beyond the establishment of formal institutions and accessibility of judicial systems by all individuals and groups. The Report correctly observes that, a major obstacle to accessing justice is the cost involved in legal aid and representation services.

Cognizant of its importance, the Government has made deliberate efforts to increase the number of State Attorneys, Judges, Magistrates, building new courts and renovating old ones. Modernization of the judiciary services by inter alia introducing

tele justice is underway. The number of advocates in private practice has also steadily increased with the establishment of the Law School of Tanzania and thus making representation and access to justice in Tanzania more approachable. The establishment of Case Flow Management Committees to speed up adjudication of civil and criminal cases is another measure designed to ensure that justice is dispensed in a fair and timely manner.

MR. CHAIRMAN,

Tanzania is conscious that legal systems play a significant role in the development processes from state formation to enshrining of democratic principles through the constitution; from the provision and protection of human rights to the regulation of economic relationships. Legal systems contribute to the development process as they enable the establishment and strengthening of institutions, stimulate confidence in governance, engender an environment of stability and security, and provide a benchmark for social and economic interaction that is pivotal to the construction of the foundations necessary for effective development.

Where justice is apparent, and the rule of law upheld, the processes of development and democratization are supported and where justice is not evident, these processes are undermined. In order for justice to prevail, everybody should have equal access to the mechanisms of justice. Barriers such as illiteracy, poverty, cumbersome legal mechanisms, chronic underfunding and personnel deficits, serve to undermine the developmental process. These barriers present long-term challenges to the provision of justice and as such serve to further marginalize social groups such as the poor, women, children and the disabled.

These constraints represent a significant challenge to most developing countries. In Tanzania, long-term government efforts to ensure people's access to justice have registered some progress. However greater effort still needs to be exerted at the grassroots level. In order to address this challenge, the Government has established a Legal Aid Unit in the Ministry of Justice with the responsibility of overseeing the availability of legal aid to those who do not have access.

Lack of sufficient funding is one of the key factor limiting capacities of responsible government organs and legal aid organizations in taking services down to the grassroots in the context of enhancing access to justice for the needy.

In efforts towards enhancing access to justice in Tanzania, development partners have contributed in supporting the Government for instance through the Legal Services Facility (LSF), a funding instrument set up a year ago in collaboration with Denmark. The Facility has provided valuable assistance to legal aid organizations in the country.

MR. CHAIRMAN,

As a result access to justice, which had largely remained elusive for most of the poor in the country, is gradually becoming a reality as the government and development partners join forces to scale up legal aid services to marginalized communities. Currently, the Legal Services Facility (LSF) projects covers 105 districts out of over 148 districts countrywide. It is our hope that in the next two years the scope of the project will cover all districts, countrywide.

MR. CHAIRMAN,

In conclusion, let me reiterate the commitment of the United Republic of Tanzania in working vigorously in our common endeavor in advancing the rule of law.

I thank you.