



## **Statement on the detention and deportation of Observers of the trial in Tanzania of Tundu Lissu**

On 18<sup>th</sup> May 2025, 2 Kenyan lawyers, Martha Karua (SC) and Gloria Kimani (Law Society of Kenya's Council Member) and Lynn Ngugi, a humanitarian and human rights activist, were detained at the Julius Nyerere International Airport in Dar es Salaam, Tanzania. They were intending to attend and observe the trial of Tanzanian lawyer and Opposition Leader, Tundu Lissu. His trial was scheduled for Monday, 19<sup>th</sup> May 2025.

All 3 were denied entry into Tanzania and deported to Kenya.

The East Africa Law Society (EALS) issued a Statement on 18<sup>th</sup> May 2025 unequivocally condemning these deportations. EALS referred to various provisions of the Treaty for the Establishment of the East Africa Community ("EAC") and the EAC Common Market Protocol, which guarantee free movement of EAC citizens across Partner States.

On Monday 19<sup>th</sup> May 2025, two Human Rights activists, Hanifa Adan and Hussein Khalid together with Dr. Willy Mutunga Chief Justice Emeritus – Kenya, were also detained at the airport in Dar es Salaam. They too intended to attend and observe the trial. They were also later deported to Kenya.

The CLA is very concerned by the imperious conduct of the authorities in Tanzania that appears calculated to impede observers from attending the trial, and to curtail open justice through a public hearing in the Tanzanian courts. While we acknowledge that the immediate former Chief Justice of Kenya, Hon. David Maraga was allowed entry into Tanzania and was able to attend the arraignment proceedings of Tundu Lissu, the selective application of immigration law and the detaining of other observers raises serious concerns of arbitrary and discriminatory conduct.

As a member of the Commonwealth, Tanzania has embraced the Commonwealth Charter as part of its fundamental values. The Commonwealth Charter confirms that all members are committed to the Universal Declaration of Human Rights and other relevant human rights covenants and international instruments. The Charter also states that members believe in the rule of law as an essential protection for the people of the Commonwealth.

Article 10 of the Universal Declaration of Human Rights states:

*"Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him"*

The CLA urges the authorities in Tanzania to respect and adhere to obligations on freedom of movement within the EAC, and to refrain from any actions that would be violative of those obligations.

The CLA reminds the authorities of Tanzania's international obligations under the Universal Declaration of Human Rights, and that these obligations cannot be honoured in flagrant breach and non-compliance, and,

The CLA calls upon the authorities to abide by Tanzania's commitments under the Commonwealth Charter, and to uphold and preserve the rule of law and to conduct a fair and public hearing that can be observed by respected international observers exercising their rights to travel freely in the region and to attend a public hearing.

**Commonwealth Lawyers Association (CLA)**

**23<sup>rd</sup> May 2025**

Note to Editors: The **Commonwealth Lawyers Association** is an international non-profit organisation which exists to promote and maintain the rule of law throughout the Commonwealth by ensuring that an independent and efficient legal profession, with the highest standards of ethics and integrity, serves the people of the Commonwealth. [commonwealthlawyers.com](http://commonwealthlawyers.com)