

DARUBINI

Balancing Prosperity and Rights: Advancing Tanzania's Business and Human Rights Agenda in Extractives



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Introduction

In today's global business environment, corporate responsibility towards host community welfare, particularly safeguarding and respecting human rights, has become a pivotal concern. The issue reached a watershed moment in 2011 with the development of the [United Nations Guiding Principles on Business and Human Rights \(UNGPs\)](#). These principles rest on a three-pillar framework: Protect, Respect, and Remedy, which underscores the dual expectations on corporates and states to ensure responsible business practices and human rights protections.

This seventh edition of DARUBINI explores Tanzania's ongoing journey to implement the UNGPs framework by developing and adopting a dedicated National Action Plan (NAP). The aim is to encourage sustainable corporate operations that align with human rights principles while fostering accountability and justice for affected communities.

Building a Framework for Accountability in Tanzania's Extractive Sector

The UNGPs have driven global efforts to address human rights challenges in business, encouraging the creation of NAPs as tailored strategies for embedding these principles into national policies. In 2016, the UN Working Group on Business and Human Rights (BHR) provided [guidelines](#) to support states in developing NAPs that reflect their unique contexts and priorities.

Acknowledging that there is no 'one-size-fits-all' approach, the [UN Human Rights Council](#) called on all member states to tailor BHR NAPs to their unique circumstances. Despite this global push, progress in Africa has been slow. The status shows that, only 11 of 55 countries on the continent have adopted BHR NAPs ([Danish Institute for Human Rights & CHRAGG, 2021](#)).

Tanzania, a growing hub for business activity and investment, particularly in the extractive sector, lags behind regional peers like Kenya and Uganda, which have made notable progress in aligning national policies with the UNGPs ([Danish Institute for Human Rights & CHRAGG, 2021](#)).

Human Rights at the Crossroads of Tanzania's Economic Growth

Tanzania's abundant mineral and gas resources have drawn significant investment in the extractive sector, contributing substantially to national economic growth. However, the profit-driven nature of these enterprises often sidelines critical social and environmental responsibilities. A [2024 report](#) by the Legal and Human Rights Centre (LHRC) paints a grim picture, documenting a range of abuses in mining communities, including environmental degradation, labor rights violations, and limited access to remedies.

The report reveals that in 2022/23 alone, the National Environmental Management Council (NEMC) received 317 complaints related to environmental pollution from small-scale mining operations. Among surveyed communities, 46% identified labor rights violations as the most pressing corporate human rights issue, followed by environmental pollution (39%) and systemic barriers such as corruption (27%) and gender insensitivity (45%) in accessing justice.

Notably, only 23% of community members were aware of grievance mechanisms, underscoring the urgent need for greater public awareness and accessible platforms for seeking redress. At the 2024 [Jukwaa La Uziduaaji forum](#), a Tanzania's main multi-stakeholder extractive sector conference organised by HakiRasilimali, [LHRC called for comprehensive legal reforms](#) to improve access to justice and urged businesses to enhance grievance mechanisms to support victims of human rights violations in mining areas. LHRC's report emphasizes the adoption of a BHR NAP as a critical step for aligning business operations with human rights standards. This blueprint would address violations, mitigate environmental harm, and promote sustainable practices.

The Urgent Case for a Business and Human Rights National Action Plan

The adoption of a BHR NAP is essential for Tanzania to strike a balance between economic growth and the social and environmental obligations of its extractive sector. A BHR NAP provides a robust framework that aligns corporate activities with the UNGPs, ensuring that businesses benefiting from Tanzania's natural resources also mitigate the negative impacts of their operations.

By adopting a BHR NAP, Tanzania can:

- Define clear roles for corporations in protecting human rights.
- Strengthen corporate guidelines and legal frameworks.
- Establish mechanisms for mitigating harm, addressing violations, promoting sustainable practices, and enhancing access to justice for affected communities.

Progress and challenges in Tanzania

Since 2017, Tanzania's National Human Rights Institution, the Commission for Human Rights and Good Governance (CHRAGG), has been pushing efforts to develop a BHR NAP (CHRAGG, 2017). While initial progress was slow, by 2021, CHRAGG obtained a stronger government commitment to advancing the plan (see for instance, IPIS, 2021). However, as of 2024, a finalized and actionable NAP has yet to be realized.

In 2024, CHRAGG made notable strides by intensifying stakeholder engagement, public consultations, and data collection, signalling renewed dedication to the NAP's development and implementation. For instance, on October 29th, CHRAGG hosted a public dialogue with children's rights stakeholders to align the plan with the UNGPs' three core pillars.

Voices from the Ground: Why Communities Demand Justice in Extractives

Communities affected by extractive activities are increasingly advocating for the adoption of a BHR NAP, citing ongoing human rights and environmental challenges. A stark example is the Williamson diamond mine, partially owned by Petra Diamonds, where legacy grievances include allegations of severe human rights abuses by a private security company, such as beatings, torture, and illegal detentions. These concerns are compounded by more recent harms, such as the mine's 2022 tailings dam breach, which displaced 304 people, causing significant environmental damage and disrupting livelihoods (IPIS, 2023). Together, these incidents highlight the pressing need for a robust framework to address corporate accountability and protect the rights of affected communities.

During a policy discussion (Hoja Yako Mezani): an online dialogue session focused on access to remedy for victims of human rights abuses in the extractive sector diverse stakeholders from communities and civil society highlighted systemic challenges such as the lack of robust grievance mechanisms and engagement frameworks tailored to local needs.

CHRAGG's Efforts to Include Local Voices

CHRAGG has made efforts (from July to October, 2024) to address these pressing challenges by incorporating stakeholder feedback and public input during its data collection process. According to CHRAGG Deputy Chairman Hon. Mohamed Hamad, these efforts have uncovered critical issues, such as widespread employment without formal contracts and escalating conflicts between investors and local communities.

"... the preparation of this action plan will help improve areas that we have identified as having challenges", he affirmed.



"NAP will serve as the government's tool and framework, providing the local context for implementing the United Nations Guiding Principles on Business and Human Rights. (Nyanda Shuli, Commissioner from CHRAGG) during the Hoja Yako Mezani Aug, 2024.

While assessing education and child protection in the Kagera region, CHRAGG Commissioner Hon. Amina Talib highlighted alarming cases of child labor in various business sectors ([CHRAGG, 2024](#)). "There have been incidents of child labor in various business areas, which have led to the violation of these children's fundamental rights, such as the right to education and protection," she noted, calling for urgent government intervention through the adoption of a BHR NAP to address such systemic violations.

Conclusion: Charting Tanzania's Path to Responsible Extractive Practices

Adopting a BHR NAP is essential for Tanzania to address persistent human rights violations, environmental degradation, and inadequate grievance mechanisms in the extractive sector. This framework would align Tanzania's practices with the UNGPs, fostering corporate accountability, protecting affected communities, and ensuring sustainable development. By committing to a BHR NAP, Tanzania can balance economic growth with social and environmental responsibilities, setting a precedent for responsible resource management in the region.

News in Brief

1. The vast majority of formal sector workers lack contracts ([The Citizen](#)).
2. LHRC and CHRAGG are launching a review to develop a national action plan on business ([LHRC](#)).
3. Commission proceed to analyze the stakeholders contribution on BHR NAPs ([CHRAGG](#)).
4. Commission received the feedback of stakeholders contribution on BHR NAPs ([CHRAGG](#)).
5. Commission started to collect the opinions and contribution from the key stakeholders on BHR NAPs ([Global Publishers](#)).
6. Commission proceed to a collect a key stakeholder contribution and opinions on BHR NAPs ([CHRAGG](#)).
7. UN emphasizes human rights ahead of September summit ([The Guardian](#)).
8. North Mara expansion: Human rights inquiry throws out Canadian NGO's eviction claims ([IPP](#)).
9. The commission begins the collection of views on business and human rights ([CHRAGG](#)).
10. THBUB organizes a Working Session on the Literature Review amid the development of the National Action Plan on Business and Human Rights in the country ([CHRAGG](#)).

