

Reference No. 30 of 2020 Legal and Human Rights Centre and 3 Others v. The Attorney General of The United Republic of Tanzania.

Coming up for Delivery of Judgment: on the 31st day of March 2026.

Filed on: the 15th day of September,2020

Under Articles: 4,6(d),7(2),8(1) (c) ,27(1), & 30(1) of the Treaty.

Under Rules: 1 & 25 of the East African Court of Justice rules of procedures, 2019.

Subject matter: The Electronic and Postal Communications (Online Content) Regulations.

Summary;

This Reference was lodged in this court against the respondent on the ground that the Regulations in their current form, impose unjustified restrictions on the right to freedom of expression which is the corner stone of the principles of good governance which Respondent has committed to abide by, through the Treaty for the Establishment of the EAST African Community amongst many other international legal instruments.

The Applicant further allege that the said action, commission and/or omission by the government of Tanzania are a breach and a violation of the Treaty of EAC.

Wherefore, the Applicant prays for Orders and declarations that;

The provisions of Regulations 3,4,5,6,7,8,9(a), (b),(c), (d).(e),(f),(i), 10,11,12(a),13,15,16,16,17 ,18,19,20 and 20 &21 of the Regulation violate the aforementioned provisions of the Treaty in that they restrict freedom of expression, democracy and other fundamental principles and objective Partner States.

Applicants pray that this Honorable Court Order the Respondent State to cease the application and implementation of the Regulation and repeal or amend the Regulations to bring it in conformity with the fundamental and operational principles codified in Articles 6(d) and 7(2) of the Treaty.

Further more the Applicants pray that the Respondent State to guarantee non-repetition of the enacting laws and regulations which violates the principles of fundamental human rights.

Not only that, the Applicants also prays that this honorable court Order the Respondent State to educate public servants including, law enforcement, members of parliament and judicial officers to observe human rights standards in executing their respective duties.

The Applicants further pray that the honorable court Order the Respondent State to review and reform laws and regulations violating principles and standards of human rights with respect to freedom of Expression.

This Honorable Court make an Order that the costs of and incidental to this Reference be met by the Respondent.

And finally, this Honorable Court be pleased to make such further or other Orders as may be just, necessary or expedient in the circumstances.

This is a document produced by the Registry to assist in understanding forthcoming matters before the Court. It does not bind the Court. For authoritative Decisions, Judgments and general information about the Court please visit <https://www.eacj.org> Contact: Registrar, East African Court of Justice, P.O. Box 1096 Arusha, Tanzania Tel: +255 27 2506093 Fax: +255 27 27 2509493 Email: eacj@eachq.org