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Oil, Gas Local Content Regulations almost ready

Oil and Gas Local content regulations will come into effect in November this year, the government has said.

National Economic Empowerment Council (NEEC) acting Director of Local Content Esther Mmbaga said in Dar es Salaam that both the policy and law are in place and the government is only finalising the regulations.

"The government will work closely with investors to ensure successful implementation of local content in the country," Ms Mmbaga said.

Ms Mmbaga explained that investors will need to provide information on what they need in terms of skills, products and services and, NEEC in collaboration with training institutions, will provide Tanzanians with the required training to attain the needed international standards.

Currently, the government is conducting a baseline study to identify the competence of Tanzanians to participate to the oil and gas sector before coming up with short and long-term plans to bridge the gap of capacity and skills.

"The law requires that Tanzanians be given priority in employment opportunities in the sector, in terms of providing services and direct jobs. But, this will only be achieved if we have skilled and capable Tanzanians," she explained.

The director noted that in case of skill deficiency in the country, the contracted foreign companies would be required to get into joint venture with Tanzanian companies, "the idea is to transfer technology and skills to local Tanzanians."

Energy and Water Utilities Regulatory Authority (EWURA) Gas distribution manager, Mr Thobias Rwelamila assured investors that whatever is done, the government will collaborate with all stakeholders.

Land policy 2016 attracts criticism

The government and stakeholders locked horns over the new Draft National Land Policy, 2016, which is being debated before its enactment next year.

While stakeholders blame the government for formulating a new land policy that intends to take land from the people, the government defends the instrument, which will replace the National Land Policy, 1995 since, as according to the government, it takes into account social, economic and political changes.

Government officials and stakeholders presented their views during a breakfast debate held at the British Council. It was organised by the Policy Forum under the theme: The New Lands Policy (Draft) 2016: giving land back to the people or taking it away from them?

Around the World

Kenya election: Kenyatta re-elected in disputed poll

Kenyan President Uhuru Kenyatta has been declared winner of a controversial re-run of the presidential election. He won 98% of the vote with turnout at just under 39% - less than half that recorded in August's vote, according to the election commission. The opposition leader, Raila Odinga, pulled out of the re-run and urged his supporters to boycott it. Mr Kenyatta was also declared the winner in the August vote, which was annulled because of "irregularities". The unprecedented decision from the Supreme Court cancelling the result did not attribute any blame to President Kenyatta's party or campaign.

Netherlands to hold referendum on surveillance law

The Netherlands Electoral Council announced Wednesday that a referendum will be held next year on a controversial surveillance law. The surveillance bill was passed in July after years of debate and criticism. Proponents of the legislation claim the increased powers are necessary to counter threats to national security in the modern era. Opponents of the bill warn that it gives the government intrusive access into the lives of law-abiding citizens. The council confirmed that it had received more than 384,000 citizen signatures requesting the referendum, clearing the 300,000 signature threshold needed to force a public vote under the country's referendum law. However, the referendum serves a purely advisory purpose and at least 30 percent of the electorate must vote in order for the referendum to have any legal weight.

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Speaking during the debate, a political science lecturer at the University of Dar es Salaam (UDSM), Mr Sabato Nyamsenda, said the Draft National Land Policy, 2016 was not good for the country as it promoted land grabbing from small-scale farmers to medium and large-scale farmers on the pretext of investment.

He noted that it had sidelined villagers in land ownership and decision-making processes. "Petty traders and poor urban dwellers haven't been considered in urban development plans, something that will escalate forced evictions without compensation," he explained. He noted that the country's state of poverty would worsen if the Draft National Land Policy, 2016 was endorsed and implemented.

"The Draft Land Policy, 2016 shouldn't be endorsed as the country's people are most likely to lose their land, which is a precious asset for them. Most of them use land for farming and get basic needs from it," he said, adding: "Tanzania has recorded increased land disputes that one million hectares have been grabbed from small-scale farmers between 2009 and 2016 in favour of foreign investors."

He noted that the government had copied some sections of the policy from the Indian Land Policy, warning that the latter had resulted in disasters in India and the same were most likely to be experienced in the country if the policy was endorsed.

Earlier, in his presentation, a political science lecturer at the UDSM, Mr Richard Mbunda, highlighted people's expectations from the New National Land Policy, 2016, including resettlement of people facing acute land shortages, as a way of empowering them.

"People want to know issues of ideology and philosophy connected with the new policy regarding investment. They want to know whether the policy takes care of people's development or just attracts foreign investment. In this regard, local people will not be considered as investors," said the UDSM don.

He said the Draft National Land Policy, 2016 was expected to consider issues of compensation and lay emphasis on improving the lives of affected families instead of either compensating them inadequately or not compensating them altogether.

Mr Mbunda said there was a need for taking into account the rights other social groups, such as hunter-gathers.

In general, the Draft National Land Policy, 2016 provides an important starting point for the formulation of a new people-centred land policy to be formulated.

The director of rural and town planning in the Ministry of Land, Housing and Human Settlements Development, Prof John Lupala, reacted to stakeholders' concerns, saying the new Draft National Land Policy, 2016 wasn't intended to take land from people, rather it was formulated following global changes in a social, economic and political atmosphere caused by globalisation. He said currently, the ministry was consulting ministries over cross-cutting issues in the draft to be accommodated in the final draft.

"Through consultation with the ministry responsible for gender development, issues related to women have been considered. Land interests for rural people, hunters and gathers have also been taken care of. Reserved land for pastoralists has been taken on board, but taking into account land capacity and the size of livestock," he said.

He said village powers in land decision making had been reinstated and the land commissioner would be responsible for overseeing decisions made by respective villages on land use.

Around the World

Black cab shape not distinctive enough to be trademark, say judges

New-style taxis could soon roll on to city roads after court of appeal judges ruled that the shape of the traditional London black cab was not distinctive enough to be a trademark. The London Taxi Company wanted to claim exclusive rights to the black cab shape and thwart a rival firm. But Lord Justice Kitchen and Lord Justice Floyd have upheld a ruling made last year by a high court judge. In January 2016, Mr Justice Arnold ruled that the shape was not a "valid registered trademark" after a high court hearing in London.

France counterterrorism bill signed into law

French President Emmanuel Macron formally signed a law to replace a two-year-old state of emergency established in the wake of violent Paris attacks that killed 130 people in November 2015. The new law gives police and other law enforcement officials authority to conduct searches, and more. It took effect on 31st October, just as the state of emergency was set to expire November 1. The lower house of parliament approved the bill October 3 with a sweeping 415-127 majority, and the French Senate voted 244-22 on October 17 to approve the bill.

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"The role of the private sector is vital in the implementation of the National Land Policy, 2016. The government is incapable of doing everything alone. Having 59 private land survey companies and 40 land planning companies, they are expected to share their experience and expertise for the benefit of the country," he said.

President orders strict implementation of Statistics Law

President John Magufuli directed the Ministry of Constitutional Affairs and Justice to start strict implementation of the Statistics Act, 2015 so as to deter people from giving misleading statistics. He said there were some data published by media and other people which were grossly misleading and if they are not checked, the trend will tarnish the image of the country.

President Magufuli gave the directive after awarding certificates to members of two committees that formed to investigate the operation and business of the mining activities after he banned the export of mineral sands in March. One of the committee was led by Prof Abdulkarim Mruma and the other was led by Nehemia Osoro.

"I want Tanzanians to ignore those who tried to change the data. I want Professor (Palamagamba) Kabudi (Minister for Constitution Affairs and Justice) to start dealing with them. You find someone reporting the revenue has dropped while he knows it's not true," he said.

He noted that in the Statistics Act 2015 there is a section saying if person changes the government's data should be jailed for three years jail.

"Why don't we implement this law?" he asked adding:

"If the revenue has dropped how come the government signed the deal of constructing Standard Gauge Railway from Dar es Salaam to Morogoro at a cost of TZS 7 trillion and the contractor is on site?"

He further wondered if the revenue has indeed dropped where the money from development comes from? He said the government has bought six aircraft at once and it announced a tender for Stieglers Gorge hydropower project and already 79 companies have submitted their tender proposal.

"I can give a lot of examples... if we don't have the money how we could accomplish all these projects?" he queried further.

Opposition up in arms over proposed Law

Opposition parties say the draft bill aimed at paving the way for a new political parties Act will eventually lead to further suppression of democracy in Tanzania.

Several opposition politicians have said that the proposed law, if passed by Parliament and enacted, would pose a serious threat to political pluralism in the country.

They particularly took issue with sections 45 (2) and 47 of the draft. Section 45 seeks to make it illegal for politicians and civic leaders to hold public rallies outside their constituencies and wards except during an election year. Section 47 proposes the outlawing of the formation of security units by political parties.

"No political party shall conduct, coordinate or order to be conducted or coordinated, military style training or any kind of training intended for use of force or any kind of weapon, to its members or any other person," the section says.

Around the World

Saudi Arabia to allow women to attend stadium sporting events

Saudi Princess Reema Bandar bint Al-Saud, vice president for women's affairs of the General Sports Authority, tweeted that the country will begin to allow women to attend sporting events in 2018. The kingdom's sports authority announced that stadiums in Riyadh, Jeddah and Dammam will be prepared to admit "families" at the beginning of next year, though the details of how the change will be carried out remain elusive. The country has strict guardianship laws regarding women, arising from cultural and religious beliefs associated with Sharia Law, that have shown signs of weakening recently. The announcement comes a month after a royal decree was made allowing women the right to obtain a driver's license in the kingdom come June 2018.

Brazil Olympic committee members and former Trump Hotel partner charged with corruption

Brazil's federal prosecutors charged individuals instrumental in obtaining Brazil's bid for the Olympic Games held last summer. Most notable of those charged of bribery are Carlos Nuzman, head of Brazil's Olympic Committee, Leonardo Gryner, right-hand man of Nuzman on the committee, and Arthur Cesar de Menezes Soares Filho, former Trump Hotel Rio de Janeiro partner. Sergio Cabral, former governor Brazil's Rio de Janeiro state, was sentenced to 14 years and two months in June for corruption and money laundering in connection to the Olympics. Filho is considered a fugitive in the US. Brazil has attempted to extradite the accused former partner, but has claimed that the US has not cooperated with the international investigation. There have been no allegations made in connection with the Trump organisation.

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New Communication Law must protect free speech

If the draft Electronic and Postal Communications (Online Content) Regulations, 2017, is to pass as it is, the Tanzania Communications Regulatory Authority (TRCA) is bound to have unfettered powers to police the web.

These powers will include the ability to deregister any service provider and punishing those convicted of breaking the proposed rules by slapping them with a fine or a jail term of a minimum 12 months. Authorities defend the measures, arguing that the unchecked use of the cyberspace might lead to moral decadence, and endangers national security and cohesion.

But rights activists won't buy that reasoning. They say the government's intentions are to curtail people's right to free speech. What this whole scenario shows is that the right balance must be sought. The law must be enforced and at the same time people's right to free speech must be protected.

Professor Luoga named as new BOT Governor

President John Magufuli appointed Professor Florens Luoga the new Bank of Tanzania (BoT) governor. Prof Luoga will take over from Professor Benno Ndulu, whose second five year term expires in January 2018.

The President revealed this during a ceremony to hand over certificates of appreciation to the members of the team that negotiated an agreement between the government and Barrick Gold Mining Corporation following a mineral export dispute.

Prof Luoga also sat in the team that negotiated with Barrick and is also the chairman of the board of Tanzania Revenue Authority (TRA), a position he was named to in July this year by President Magufuli.

"I know Prof Ndulu's term will come to an end at the end of this year or in January...I am therefore appointing Prof Luoga to be the next BoT governor," said president Magufuli.

The President asked the outgoing governor to quickly facilitate the take over of his successor.

SADC states agree on standard road, traffic signs

The road network was the main item of agenda for the Association of Southern Africa National Road Agencies' (ASANRA) 31st Board Meeting at the Arusha International Conference Centre here. The meeting addressed among other issues, harmonisation of the regional road networks with the view of creating safe, effective, efficient and sustainable world-class transport infrastructure.

Tanzania Roads Agency (TANROADS) Chief Executive Officer Engineer Patrick Mfugale said different levels of economies and individual countries' budget allocations resulted into different quality standards, road and traffic signs.

Around the World

Quebec Ministry of Justice releases guidelines on face-covering ban

Quebec Minister of Justice and Attorney General Stéphanie Vallée released guidelines for the implementation of Bill 62, legislation requiring those who wear face veils to remove them when using public services. The bill passed by a vote of 66-5 in the Quebec National Assembly. These guidelines provide further instructions concerning the implementation of the new enacted law. The guideline describes the law as requiring a staff of an organisation covered by the law to exercise his or her functions with the face uncovered. The guideline also describes the law as requiring anyone who requests a service from an organisation covered by the law to have their face uncovered when the service is being delivered. Essentially, the guidelines lays out the objectives of Bill 62 as: 1) ensuring quality communication between people 2) facilitating verification of identity, and 3) ensuring safety.

Germany top court rejects petition seeking to halt European Central Bank's bond-buying program

Germany's Constitutional Court rejected a petition to block the Bundesbank from participating in the European Central Bank plan to purchase bonds. The European Central Bank is currently purchasing EURO 2.3T (USD 2.7T) worth of bonds in order to keep inflation rates at just under 2 percent. So far, the European Central Bank has already purchased EURO 2T worth of bonds. The case was brought before the Constitutional Court by a group of German academics and politicians. The court's decision to reject the plea for an injunction still leaves the case with the European Court of Justice.

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"When member countries embark on construction of their individual roads, they should take into consideration SADC standards instead of just building them indiscriminately," said Engineer Mfugale.

Deputy Minister for Works, Transport and Communication Engineer Atashasta Ndtiye, pointed out that most of SADC road networks pass in Tanzania, which is becoming the region's road transport hub.

He said Tanzania's classified road network measures 86,472 kilometres, including the Tanzania-Zambia (TANZAM) highway, which links Dar es salaam to Lusaka and the Mtwara Corridor, which runs from Mtwara Port to Lilongwe in Malawi through Lake Nyasa.

According to the Minister; Tanzania also hosts the Central Corridor, joining Dar es Salaam Port to the Democratic Republic of Congo (DRC) and part of the Great North Road that runs from Cape Town in South Africa to Cairo, Egypt.

Established in 2001, ASANRA is an association of national roads agencies or authorities in the SADC region and operates in line with the community's protocol.

The main goal of the association is to enhance regional policy coordination and road transport system integration with the key objectives of improving intra-regional road transport efficiency and lowering transport cost.

ASANRA also fosters the development, operation and maintenance of a regional integrated road transport system, cooperating with other SADC agencies in considering matters of mutual interest in serving the regions highway needs.

It as well seeks to develop and improve methods of administration, planning, research, design, construction, maintenance and operation of infrastructure and facilities. The association further conducts regular consultations with SADC ministers on regional transportation policy while developing technical, administrative and operational voluntary standards and policies.

It was stated during the meeting that road transport is the most dominant mode of freight and passenger transport, carrying between 80 and 90 per cent of goods and services in the SADC region.

Road transport accounts for about 20 per cent of the regions cross border trade and is the only form of access to rural areas where majority of the population dwell.

New by-laws to protect environment in the offing

The government through the office of the Minister of State, President's Office - Regional Administration and Local Government (RALG) will soon issue new by-laws on environmental preservation, purposely to ensure protection of ecological system and nature across the country.

Minister of State, Vice President's Office-Union and Environment, Mr January Makamba said that his office has formed model by-laws aimed at strengthening efforts in fighting against environmental degradation.

Mr Makamba was speaking on the office's performance in the period of two years. "We have done a lot in preserving environment and protecting the nature, we have also managed to resolve various challenges regarding Union matters," said Mr Makamba.

Around the World

EU top court rules height requirements for police discriminate against women

The European Court of Justice (ECJ) ruled that Greek police cannot enforce a blanket height requirement for police recruits because such a policy discriminates against women. Prior to a previous ruling, Greece enforced a minimum height requirement of 1.7 meters (5 feet 7 inches) for entry into the police academy. In 2007, Marie-Eleni Kalliri, who is 1.68 meters tall, was denied enrolment to the police academy because she did not meet the height requirement. She then filed a complaint arguing that she was discriminated against on the basis of sex.

India Supreme Court rules sex with minor bride is rape

The Supreme Court of India ruled that sexual intercourse with a girl who is under the age of 18 is rape regardless of the marital status of the girl. Section 375 of the India Penal Code specifies that intercourse with someone under the age of 18 is considered rape. However, Exception 2 to section states that a husband can have intercourse with a girl between the ages of 15 and 18 if he is married to the girl, whether intercourse is consensual or not. The court noted that there are an estimated 23 million child brides in India. Although India's laws require that the minimum age to be married is 18, other laws regarding how child brides and grooms can nullify marriages has in some ways legitimized these marriages in the country. The Supreme Court of India ruled that sexual intercourse with a girl who is under the age of 18 is rape regardless of the marital status of the girl.

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He said his office formed a template on new by-laws and that if signed by the Minister, will assist in the war against environmental degradation. "The new by-laws are already on the table of the RALG Minister, I believe, they will soon become operational," he said.

He said the new by-laws are expected to help both the government and the public in preserving environment. "We believe the new by-laws will help us to protect environment and nature, it is obvious that environment is a major topic across the world, therefore, Tanzania like any other country must do everything in its capacity to protect the environment," said Minister Makamba.

Commenting on the measures that his office has been taking in preserving environment, Mr Makamba said various government and non-governmental organisations have been involved in preserving the environment. He said various organisations have been involved in protecting ecological system including Ruaha River, which is crucial for both animals, plants and human beings.

"We have involved Tanapa, Tanesco and many other organisations in protecting ecological system, my office coordinates various activities that aim at boosting environmental related matters," said Mr Makamba.

He added that in the past few years, Ruaha River was in a huge danger due to human activities along the river. On tourism and environment, Mr Makamba said there could not be tourism without good and well protected environment. He said that his office in collaboration with other ministries is forming a new environment policy that will consider the state of tourism in the country.

"We are forming a new policy that will greatly consider the importance of tourism in protecting environment; we all understand that there is a big link between environment and tourism," he noted.

On preparations for oil and gas environmental protection, Mr Makamba said the government is building capacity on the protection of environment in areas that are involved in gas and oil drilling activities.

Court limits murder case investigations to two years

Long public outcry on undue delays in investigating particularly murder cases has finally been addressed. In a recent landmark decision by the High Court at Tabora Registry, Judge Sam Rumanyika directed all cases to have their investigations completed within two years.

"No case, including murder related, shall be adjourned on the basis of incomplete investigations beyond the first two years," the judge ordered when determining a consolidated application for revision involving five cases.

He noted that the cases were two to eight-year old, with the accused having remained behind bars at the state costs since their first arraignments. Justice Rumanyika blamed case delays on increased congestions in prisons.

He ruled that committal and subordinate courts to the High Court are, as case managers, entitled and there was, in his considered view, no harm for them to dismiss the charges and free the accused on expiry of the two year maximum probe period.

Around the World

Smacking ban should prompt a national conversation in the UK

Scotland has banned smacking and England maintains the reasonable chastisement clause, so it makes sense for the whole of the UK to come together on this. However, June O'Sullivan who runs 37 nurseries across London working with 4,500 children and families, says that this ban will have little impact on behaviour at home unless we provide some means of helping parents learn other ways of managing children's behaviour. No one can police the way parents manage their children at home, yet it's the smallest children who are often smacked because parents are unable to get them to "do as they are told".

Germany same-sex marriage law takes effect

Germany's new same-sex marriage law took effect, allowing Karl Kreile and Bodo Mende, a couple for 38 years, to be the first same-sex couple to marry in the country. The couple was married in a civil ceremony at the town hall in Schöneberg, Berlin. The law, which had strong public support, was enacted in June by a large margin, making Germany the fifteenth European nation to legalise same-sex marriage after Chancellor Angela Merkel changed her conservative stance on the issue and asked lawmakers to vote with their conscience, instead of party lines.

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"It is my opinion that for avoidance of endless criminal investigations and prosecution, investigation officers, agencies and authorities should always be on their toes, checking and balancing each other," the judge ruled.

He said it was his considered opinion and unfortunate that both substantive and procedural laws quietly though, and by necessary implication provide for an open-ended period to investigate murder and similar cases.

"I think the loophole could be the reasons why public prosecutors repeatedly keep asking for further mention dates, casually saying that investigations are incomplete," he said.

Justice Rumanyika further charged that the prosecution tend to give lame excuses of not having police case files or assigned prosecutor being on annual leave to have the cases adjourned for years, until the Director of Public Prosecutions (DPP) decides to file the information.

"The regrettable trend in my opinion contravenes the constitutionally guaranteed presumption of innocence and rule against double jeopardy, leave aside national and international campaigns against prison congestions," he stated.

He further observed that the court's vision or mission of timely justice for all cuts across and it was of far reaching effects, from the murdered to the murder suspects. He was of view that lifetime sort of police investigations would safeguard interests of the public, courts or even the prosecution.

As various researches would clearly show, he said, the more or less open-ended investigations ended with majority of the cases reduced into lesser charges of manslaughter, nolle prosequi entered, criminal lunatic proceedings, abated charges and acquittals.

Government to review Forestry Policy

Owing to changes of time, environment degradation and increased demand for forest products, the government is presently seeking views from stakeholders in order to amend the Forestry Policy of 1998.

The Principal Forest Officer in the Ministry of Natural Resources and Tourism, Mr Nssoko Edwin, said the new policy seeks to protect forests from devastation and curb conflicts between villages and reserved forest areas.

Mr Edwin made the explanation when addressing delegates attending the 33rd Annual General Meeting (AGM) of the Association of Local Authorities in Tanzania (ALAT) at the Julius Nyerere International Convention Centre (JNICC).

According to the forest official, about 582,000 hectares of forests countrywide were destroyed through human activities last year up from 372,000 hectares in 2012.

On the other hand, he informed the delegates from local government authorities that annual demand for forest products stands at 62,000,000 cubic metres and yet the forest can provide just 42,000,000 cubic metres, translating into a shortage of 19,000,000 cubic metres.

"As such the government finds it suitable to amend the policy to accommodate the changes which affect forests; we have so far received views from seven zones countrywide," Mr Edwin explained.

Around the World

Six-month minimum sentence proposed for repeat acid offences

'Two strikes' rule, mirroring regime for knife crime, is part of proposals to counter threat of acid attacks
Anyone caught twice possessing corrosive substances without a good reason will automatically face a prison sentence of at least six months under government proposals to counter the threat of acid attacks. The "two strikes" rule would mirror the regime for those convicted of more than one knife possession offence. In addition, online retailers face criminal proceedings under the proposals if they deliver knives to a buyer's home, in a measure aimed at clamping down on the sale of blades to children and teenagers. The steps form part of a drive to tackle violent crime following a surge in offences recorded by police.

Couple who faked holiday sickness are jailed

The government has stepped up attempts to eliminate fake holiday sickness scams, as a middle-aged British couple who had boasted on social media about having "sun, laughter and fun" on their holidays were jailed after making false insurance claims. The couple tried to claim £20,000 compensation by stating they and their two children had fallen ill on holidays to Mallorca in 2015 and 2016, Liverpool crown court was told.

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He cited increased demand for firewood, charcoal, timber as well as 'nomadic agriculture and bush fires as among major factors putting pressure on forests and thus leading to their destruction.

Mr Edwin pointed further that forests were vital in supporting the country's industrialisation drive since they host water catchment areas. "It is water from the forests which supports agriculture, industries and generation of electricity, all of which are key inputs for factories," he explained.

Contributing to the presentation, Sikonge District Executive Director, Mr Simon Ngatunga, blamed the Tanzania Forestry Services (TFS) for failure to manage forest reserves in the country.

"Many people here will agree with me that forest reserves which are under management of local authorities are well protected compared to those under the TFS," Mr Ngatunga claimed.

The DED went on and accused some employees of TFS for colluding with officials in local government authorities in harvesting forest products for their personal interests.

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