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# THE AFRICAN COURT ON HUMAN AND PEOPLES RIGHT

*The African Court on Human and Peoples' Right becomes an eye opener to the Law School of Tanzania Students and Staff*



*This seminar was attended by 400 plus students and lecturers and is said to be a part of the Court's 15th Anniversary.*

The visit to the law school was basically to create a foundation of the relationship of the school and the court in the terms of legal practice in the country.



It was learnt that, the court's engagement with learning institutions in the member states help and clarify to the next generation of lawyers on the what the purpose of the African Court is and what is not in implementing the objective of the Court.

The visit to the school provides an opportunity of the Court to share insights with scholars especially the advocate in making on the functioning of the African Court and thereby subject ourselves to "fair" and "constructive" criticism, voiced in scientific publications. Therefore, during the seminar, attendees were guided on how to use the available resources of the Court, with evidence-based recommendations contained in the Court's Portal.

Notwithstanding, the African Court considers the law schools it its member states and more specifically law students to be particularly important stakeholders of the African Court because they are the future of the legal profession. It is envisioned that, after practical legal trainings scheme, graduates are able to qualify as a registered lawyer on the roster of legal counsel of the African Court and may be invited by the Court to represent clients before through its legal aid scheme.

**O**n 13th November 2021 the Law School of Tanzania Students and staff were honoured to have visitors from the African Court on Human and Peoples Rights Arusha Tanzania. This was the first strategic seminar of the Court to the LST 32nd and 33rd Cohorts Students and staff. The seminar that was officiated by the President of the African Court Hon Lady-Justice Imani Aboud led Judges and the Principal of the Law School of Tanzania Judge Dr. Benhajj Masoud. The President of the Court was accompanied by other Honourable Judges and the Court Staff. The event was preceded by the keynote presentations by the Registry staff.



It is also important to note that, candidates or legal practitioners who work in law firms or in the ministry of justice and would want to strengthen their legal arguments before national courts they may be referring to the case law of the African Court on key issues such as fair trial rights, both in criminal and civil proceedings, or to our case law dealing with electoral matters, or on equality issues.

Alternatively, it is possible that for the candidates or practicing lawyers who may even have a case that to litigate directly before the African Court and would wish to be familiar with the procedures of litigation before the African Court the doors are always open for them.

The seminar was an eye opener to the LST students and staff as the Courts admits learners as interns, legal officers, staff exchange or later as Honourable Justices.

Students had time to ask questions, during the Q&A session with the Honourable Justices

This visit is seen as an opportunity to the students and legal practitioners in the country, in that, some might be inspired and take up judges' robes and in that capacity, feel compelled to ensure the interpretation and application of Tanzanian law in conformity with African human rights law is upheld.

*“The African Court is not the main custodian of human rights law in Africa”*  
by  
*Dr. Micha Wiebusch*  
*African Court Focal point for Universities, Law Schools and Research Centres*



Dr. Micha Weibusch said this statement when addressing the Law School of Tanzania (LST) Students and Staff during the sensitization seminar by the African Court on Human and Peoples Right at the Las School of Tanzania, Dar es Salaam, on 13th November 2021 as one of the 15th Anniversary Celebrations of the Court.

He reiterated several reasons why the visit to the Law School of Tanzania, but also making remarks on number of important issues that the Court do, among others are clarifying issues of Human Rights to the key stakeholders of the Court.



***Dr. Micha Weibusch***

During his address stated why human rights law and human rights litigation is not a niche area. He said, Human rights is concern all of us as humans, in our being and in our doing. In all our aspects of life. Giving an example of the Court and Law School event, the school bring us together – the right to education, in our meals and nourishment after this event – the right to food, in the representation here of so many bright female students and judges – the right to non-discrimination, to just name a few.

How does one access the African Court?

Dr. Micha elaborated the ways in which the African Court can be accesses, he explained that, the African Court always considers whether it has material, personal, territorial and temporal jurisdiction. The Court assesses different admissibility criteria. This should come to you as no surprise. He argued that, the level of detailed knowledge of procedural law distinguishes the good from the great lawyers! Therefore, I called up on all attendees to carefully study arguments relating to procedure to make them most powerful sword or mightiest shield when accessing the Court.

What is the relationship between the Court and the Government of Tanzania?

On his presentation, Dr. Micha said that, the African Court’s relationship with the Government of Tanzania is not any different, and like any healthy relationship, they require work and effort. Both the Government of Tanzania and the African Court have shown their willingness to work together, to continue a constructive dialogue and to find mutually acceptable solutions. The Court remains a trusted partner of Tanzania and that both continue to provide the highest level of human rights protection to the most vulnerable members of our society



On his presentation he went further to cite few treaties about African Problems to African Solutions, in order to helping participants to understand issues of Human Rights in Africa, and for those willing to fight injustice in whatever form, he said they can present themselves, as a “Shared Values” instruments of the African Union, which include the African Charter on Human and Peoples’ Rights, the African Charter on Democracy, Elections and Governance, the Maputo Protocol on women’s right and the African Charter on the Rights and Welfare of the Child, among others. He encouraged participants to read some, not all, academic literature on the African Court and the African Human Rights System to help familiarise yourself with some of the key concepts and the jargon used. Just two or three general texts to have a better understanding of the Court’s organisation, its history and its landmark cases.



in the direct aftermath of the Rwanda Genocide. It was the sad reality of that large scale human rights crisis that formed the context of the birth of the African Court. he then added that, however, since then the Rwandan tragedy has not been the only human rights disaster on the continent. The Congo wars, the Darfur crisis, the ongoing conflict in Somalia, Libya, and now Ethiopia do not emerge out of nowhere. All of these crises were the result of small and consistent human rights violations, that slowly but surely accumulated to create a context in which massive human rights violations could take place. The ultimate aim with the African Court is to stop those small infringements and to create a context, based on the rule of law, where such great injustices are much more difficult or hopefully impossible, to repeat. Thus, the African battles cannot be fought alone, hence visiting learning institutions like LST is another way of instilling knowledge and skills that will lead to the understanding of what is for Africa and open up constructive dialogs to fight against injustice by using the tools and legal arguments that are researched-based to pave your future Africa.

In concluding his presentation to the students and staff of the law school of Tanzania, Dr. Miche highlighted what the African Court has been doing to resolve human rights conflicts and to restore harmony in communities, he said, it may be worthwhile to recall that conflict is inevitable, but violence is optional.

And although the idea of having an African Court can be traced back as far as to the 1960s, the actual process of drafting the treaty, the Protocol to establish the African Court, started in 1994,

## 33rd Cohort students oriented on LST Programs



During orientation program, candidates are taken through a number of procedures to enable them study smoothly. Some of the areas that students were taken through are



Academic Programs & Course Delivery, Performance Assessment and Awards, Field Placement, ICT and Library Services and more importantly, this time there

was a presentation titled: Meeting the Increasing Demand for Students' Mental Health Services and Self Care Challenges. This was meant to assist learners to self-understanding and evaluation so as to be able to use their time for studies.

## 33rd Cohort students oriented on LST Programs

As the matter of practice, on 20th July 2021 the 33rd Cohort students were oriented on practical legal training programme as the new entrants. Amongst the topic presented are the students' general welfare issues during the time of studies. This is a mandatory program where all candidates must attend.

The program started during the Covid 19 outbreak, therefore candidates were highlighted on the important matters of the pandemic. The presenters went further and presented a topic on *Preventive Measures Against Covid- 19 and other Infectious Diseases followed by a presentation on Reproductive Health, VCT, CTC, ART & Stigma*. These are some of the basic topics that are presented to all students once they join the Law School of Tanzania.



*Assessment to LST Academic Staff*



*Curriculum Development experts from NACTE in a group photo with LST staff*

The training was officiated by the Principal, Justice Dr. Benhaji Masoud, and during his remarks, he stated the importance of the training to all attendees, and thanked NACTE for the accepting the request to training our staff members. This was a special training for the Law School of Tanzania (LST) members of staff that took place from 19th to 23rd July, 2021 at the LST Library building. The training comes at a time when the school is planning to launch its Paralegal Certificate program in 2022.

The training was attended by all academic staff, plus legal aid officers from different stakeholders including CLE, TLS and others who will be participate in the teaching the certificate program. It is also one of the NACTE requirement, that, before launching the certificate program, all trainers must be thoroughly trained on the delivery and assessment mode.



*Group Discussion to Some of the trainees in the Sessions*

Teaching, training, delivery and assessment skills and knowledge from the foundation of the Learning by Doing (LBD) Model, the method that is used in teaching and learning at the Law School of Tanzania for the postgraduate diploma in practical legal training.

Participants were introduced on National Council for Technical Education (NACTE) System of Awards to help them understand how the awards are offered. It was also important to comprehend the key differences between CBET and KBET Curricula enabling trainees to understand what and how to teach the new students at their levels.

On the first day, trainees were taken into an Overview of CBET Curriculum development processes with reference to the New Paralegal Certificate program document, Interpreting CBET curriculum,

On the second day, the training covered skills on how to guide students in their professional development, how to facilitate learning strategies, skills on how to design a competence-based learning (CBL) programme.



The third day was group presentations whereby trainees made their presentation on designing of CBL programme that covered Complex Integrated Professional Challenge, Learning activities and learning plan matrix.

All these presentations made their references to the New Paralegal Curriculum. Other topics covered in the third day were an Assessment Basics Leading to Certification of National Technical Awards (NTA); Framework for developing assessment plan, and finally, trainees prepared and Developed Assessment Plans and presented.

The fourth day had lots of practical on Construction of Test Items, Construct Test Items /Evaluation of day four, Group Presentation: Construction of Test Items, Processing Examination Results at Institutional Level and Feedback, way Forward and Closure of the Training.



## Why Information Literacy and Searching Skills Training is Important to Practical Legal Training Students?



Information Literacy (IL) and Searching training skills enables Law School of Tanzania Students and staff able to effectively search the available electronic resources for their studies.



A ten days training was conducted to all 33rd Cohort students as part of the orientation programme. The training was conducted from 20th to 31st January 2021 at the Law School of Tanzania Computer Lab.

Why IL training is important to practical legal training students? Legal practice training and learning is embedded with lots of research that requires searching skills and techniques, especially for electronic resources, bearing in mind that, there are plenty available electronic resources in that, there are plenty available electronic resources in different sources to date.

One of the core function of the library, is to train all its users on the searching skills, not only on the printed resources. 553 students of the 33rd cohort attended the training. Students were introduced to the searching techniques, acquaint with knowledge on different databases that contain legal resources like, TANZLII, EACJ Portal, African Court on Human and Peoples Rights Portal, Research4Life databases analysis of the results obtained. Students were also trained on how to prepare search strategies in order to précised obtain the most relevant results. .



The training acted as a starter towards the beginning of the practical legal training lectures. The aim of this training was to prepare students to be able to conduct own online searches and be able to obtain all documents or resources toward their self-studying and class activities. The wide knowledge obtained in this training will enable students not only be able to search documents during their studies but also, even after their studies to be able to attend their clients diligently with relevant documentation.

All the attendees commended the effort taken by the School Management on this arrangement and requested similar regular and frequent training be conducted to the forthcoming cohorts to enable them effectively use and utilize all the available electronic resources to support their learning and practical legal training. This training was useful and enabled students to acquire research skills and knowledge during and after their studies.

# Understanding Your Mental Health



It is important for the academic staff to accept their mental status. As part of capacity building to students' mentors on provision of guidance and counseling services to student, department of Students

Affairs and department of Practical Legal Training invited Prof. Kakoko, D.C.V. from Muhimbili University of Science and Allied Sciences (MUHAS) to conduct a one-day seminar on Mental Health and the Need for Self-Care. The seminar aimed broadening understanding on Mental health issues to both academic or mentors and students they serve.

This seminar took place on Thursday 16th September, 2021 from 2:00 pm- 4:00 pm at room no 005 ground floor Teaching Block.

Prof. Kakoko highlighted a number of issues regarding to mental health among academic staff in the higher learning institutions in Tanzania where Law School of Tanzania is also a part. Some of the topics he presented and shared experiences from various universities were: The Concept of health and mental health, Significance of mental health, signs of mental health, Causes of mental illness, Importance of mental health services, Concept of self-care, Self-care strategies. This was one of the most interactive seminar, as it touches daily lives of everyone at the school of Tanzania..



Based on the seminar, the attendees supported the effort made by the departments but they were of the views that, more time should be allocated to such an important training, and more to say, these should be amongst the regular training to all staff, especially those who directly serve students.

# LST Academic Staff Trained on LST LAW SARIS



The training came during the marking retreat at the Institute of Judicial Administration (IJA) Lushoto. All academic staff require to understand the way the system works. This training was officially opened by Justice Dr. Benhaj Masoud.

This was a one-day training aimed at imparting skills and knowledge on how the LST LAW SARIS works, in order for them to be able to execute some of their responsibilities as academic staff. The training was attended by Course Coordinators, Instructors and academic officers.

The training content was basically to make all academic staff understand how the system works, their responsibilities and limitations in executing results. The Skills and knowledge from this training will enable course coordinators to be able to upload students results to the system following all quality check processes.

