

Parliamentary Roundtable and Consultations

The Role and Contribution of Parliamentarians on Abolition of death penalty

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INTRODUCTION

The parliament as a representative body assumes the following roles under Art 63;

- To pass laws for the good governance.
- To provide, by giving legislative sanction to taxation and acquisition
- To scrutinize government policy and administration, including proposal for expenditure; and to debate major issues of the day.

- When exercising its duty to pass the law as provided for in Art 63 of the Constitution of the URT, it can also
 - propose necessary legal framework
 - adopt relevant international Instruments.

As such the Members of the Parliament have a great role to play in the debate on major issues including the legislative sanctions, so as to maintain law and order in the Country.

Abolition of Death Penalty

- The Debate on the abolition of the death penalty was catalyzed by the importance of the right to alienated life. However the status of death penalty in Tanzania is still in debate.
- The Government of Tanzania has commissioned studies and review public opinion on the question of abolishing death penalty.

The Roles and Contribution of Parliamentarians

- Parliamentarians has a role to play in passing laws, but then this also includes their major role to review the same.
- Parliamentarians have an exclusive right to intervene at any point of law making process and advise the Government effectively.
- Parliamentarians may initiate a review or cause a law making process following the necessary events or international trends.

- It is these roles that can bridge the gap between the back log sentences of death penalty to the alternative penalty that is equally deterrent to the offenders.
- Parliamentarians through different debates, platforms and research regarding the matter, have aired their voices on this penalty.
Example though the Advisory Committee on the Presidential Prerogative of Mercy that is seated by among others a Minister who is also a Parliamentarian

- Again, the Parliamentarians as the representatives of the people in different groupings, can move the agenda though bringing awareness to the people, taking into account that the majority of Tanzanians have not been adequately exposed to the current level of human rights jurisprudence which does not accept death Penalty for a deterrent sanction but rather inhuman sanction.

Conclusion

The Parliament of Tanzania as a separate arm of the Government has a role to play in either abolition or retention of the death penalty in the Statutes today, by simply invoking the powers conferred to the Parliamentarians by Art 63 of the Constitution of the URT. The Government however, is not bound to withdraw the Penalty without warning itself on the global trend on criminal justice reform while taking account of its own situation on ground

Parliamentarians can lead a debate in order to make informed decisions

