

TANZANIA 2022 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The United Republic of Tanzania is a multiparty republic consisting of the mainland region and the semiautonomous Zanzibar archipelago, whose main islands are Unguja (Zanzibar Island) and Pemba. The union is headed by a president, who is also the head of government. Its unicameral legislative body is the National Assembly (parliament). Zanzibar, although part of the union, exercises considerable autonomy and has its own government with a president, court system, and legislature. In 2020 the country held its sixth multiparty general election, resulting in the reelection of the union president, John Magufuli, with 85 percent of the vote, and the election of Hussein Mwinyi, with 76 percent of the vote for his first term as president of Zanzibar. International observers noted widespread irregularities and largely categorized the election as neither free nor fair. In March 2021, Vice President Samia Suluhu Hassan was sworn in as the country's first woman president following the death of President Magufuli.

Under the union's Ministry of Home Affairs, the Tanzania Police Force has primary responsibility for maintaining law and order. The Field Force Unit, a special police division, has primary responsibility for controlling unlawful demonstrations and riots. The Tanzania People's Defence Forces include the army, navy, air force, and National Services. The defense forces also have some domestic security responsibilities and report to the Ministry of Defence and National Service. Civilian authorities maintained effective control over the security forces. There were reports that members of domestic security forces committed numerous abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings; torture or cruel, inhuman, or degrading treatment or punishment by the government or on behalf of the government; harsh and life-threatening prison conditions; arbitrary arrest or detention; political prisoners or detainees; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; serious restrictions on free expression and media, including unjustified arrests or prosecutions of journalists,

censorship, and enforcement of criminal libel laws; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operations of nongovernmental organizations and civil society organizations; refoulement of refugees to a country where they would face a threat to their life or freedom or other mistreatment of refugees that would constitute a separate human rights abuse; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; lack of investigation of and accountability for gender-based violence, including domestic or intimate partner violence, sexual violence, child, early, and forced marriage, female genital mutilation/cutting, and other forms of such violence; sexual exploitation and abuse by peacekeepers; crimes involving violence or threats of violence targeting persons with disabilities, members of national/racial/ethnic minorities, or Indigenous people; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; and existence and enforcement of laws criminalizing consensual same-sex sexual conduct between adults.

In some cases the government took steps to investigate and prosecute officials who committed human rights abuses or were involved in corruption, but impunity in police and other security forces and civilian branches of government was widespread.

There were isolated reports of abuses by peacekeepers and authorities took steps to identify and investigate officials who committed alleged abuses.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were several reports that the government or its agents committed arbitrary or unlawful killings, most often at the hands of police or prison guards. The Tanzania Police Force was primarily responsible for investigating whether security force killings were justifiable and pursuing prosecutions. Members of marginalized racial and ethnic communities were not disproportionately impacted or

overrepresented among victims of abuse.

In January a businessman and resident of Mtwara region, Mussa Hamisi, was allegedly beaten to death by police officers after they seized more than 33 million Tanzanian shillings (\$14,300) from him. Following an investigation, seven police officers, who were allegedly involved, were arrested, court martialled, terminated from the police force, and arraigned in Mtwara Residents' Magistrate Court pending prosecution. The implicated former officers were Superintendent of Police Gilbert Kalanje, Officer Commanding Criminal Investigation Department in the Mtwara Police District, two of his subordinate investigators Inspector John Msuya Mganga and Inspector Shirazi Mkupa, Assistant Superintendent of Police Charles Onyango, Officer Commanding Station in the Mtwara Police District, Assistant Superintendent of Police Nicholas Kisinza, Assistant Inspector Marco Mbuta, the head of the Mtwara Police Medical Unit, and his subordinate Corporal Salimu Juma Mbalu (see also section 1.g., Conflict-related Abuses, Killings).

b. Disappearance

In contrast with 2021, there were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The constitution prohibits such practices; however, the law does not reflect this constitutional restriction nor define torture. There were reports that police officers, prison guards, and soldiers abused, threatened, or otherwise mistreated civilians, suspected criminals, and prisoners. These abuses often involved beatings. In June, Acting Regional Police Commander Mairi Mikori confirmed that Mwanza police detained one of its officers for allegedly brutally beating a student at Saint Augustine University. On May 16, Warren Lyimo was arrested by police after being accused of stealing a laptop from a family member. Police transferred Lyimo to Buhongwa police station where he was allegedly beaten and later admitted to Bugando Zonal Referral Hospital intensive care unit with severe injuries. Mikori said an investigation was ongoing. The law allows caning. Local government officials and courts occasionally used caning as a punishment for both

juvenile and adult offenders. Caning and other corporal punishments were also used routinely in schools (see also section 1.g., Conflict-related Abuses, Physical Abuse, Punishment, and Torture).

Impunity was not a significant problem in the security forces. In response to public accusations of abuse by police and prison guards using excessive force against detainees, in June Minister of Home Affairs Hamad Yusuf Masauni informed the public he had established a commission to handle public complaints against the police force and address police misconduct in coordination with the national Commission for Human Rights and Good Governance (CHRAGG). On August 31, President Hassan directed the Director of Criminal Investigations to ensure the police force conducts thorough investigations and obtains sufficient evidence prior to arresting a suspect.

Prison and Detention Center Conditions

Prisons and prison conditions remained harsh and life threatening due to gross overcrowding, physical abuse, and inadequate sanitary conditions.

Abusive Physical Conditions: Prisons continued to hold more inmates than their capacity. In March the Ministry of Home Affairs stated that there were 32,671 imprisoned persons. The nongovernmental organization (NGO) World Prison Brief estimated in 2020 the country's prisons had a capacity of 29,760 persons. Pretrial detainees and convicted prisoners were held together.

Authorities held minors together with adults in several prisons due to lack of detention facilities. Information on the prevalence of deaths in prisons was not available. Physical abuse of prisoners was common, and there were reports of mistreatment during the year. Women prisoners reported they were subject to sexual harassment and beatings by prison authorities. Members of marginalized racial and ethnic communities were not disproportionately impacted or overrepresented among victims of abuse.

Prison staff reported a lack of electricity, inadequate lighting, and insufficient medical supplies. Prisons were unheated, but prisoners in cold regions reportedly received blankets and sweaters. Sanitation was insufficient. While some prisons provided prisoners with food, the Ministry of Home Affairs reported that some

prisoners were growing food for themselves. The Board of Prison Force Production Agency is responsible for ensuring prisons had sufficient food supply from their own cultivation projects. Other prisoners, however, reported receiving no food from the prison authorities and relied solely on what family members provided.

Medical care was inadequate. The most common health problems were malaria, tuberculosis, HIV and AIDS, respiratory illnesses, and diseases related to poor sanitation. Prison dispensaries offered only limited treatment, and friends and family members of prisoners generally had to provide medications or the funds to purchase them. Transportation to referral health centers and hospitals was limited. In addition, requests for medical care were often met with bureaucracy that delayed prisoners' access to health care. While doctors conducted routine checkups in the prison clinics, they did not have adequate testing equipment or medicine.

Administration: Judges and magistrates regularly inspected prisons and heard concerns from convicts and detainees. In addition, relatives of inmates made complaints to CHRAGG, which investigated reports of abuse. The results of those investigations were not made public.

On the mainland prisoners could submit complaints to judicial authorities. The CHRAGG also served as the official ombudsperson. The union Ministry of Home Affairs' Public Complaints Department and a prison services public relations unit responded to public complaints and inquiries regarding prison conditions sent to them directly or through media.

Independent Monitoring: The law prohibits members of the press from visiting prisons. Generally, access to prisoners was difficult for outside organizations, and the process for obtaining access was cumbersome.

Improvements: On April 26, President Hassan pardoned 3,826 prisoners marking 58 years of the union between Tanganyika and Zanzibar.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention, although regional and district commissioners have authority to detain a person for up to 48 hours without

charge. This authority was frequently used to detain political opposition members or persons criticizing the government.

The law allows persons arrested or detained, regardless of whether on criminal or other grounds, the right to challenge in court the legal basis or arbitrary nature of their detention and obtain prompt release and compensation if found to have been unlawfully detained. The law requires, however, that a civil case must be brought to make such a challenge, and this was rarely done.

Arrest Procedures and Treatment of Detainees

On the mainland the law requires that an arrest for most crimes, other than crimes committed in the presence of an officer, be made with an arrest warrant based on sufficient evidence; however, authorities did not always comply with the law. Police often detained persons without judicial authorization. The law also requires that a person arrested for a crime, other than a national security detainee, be charged before a magistrate within 24 hours of arrest, excluding weekends and holidays, but authorities failed to comply consistently with this requirement. There were reports of police detaining individuals without charge for short periods on the orders of local authorities.

The law does not allow bail for suspects in cases involving murder, treason, terrorism, drugs, armed robbery, human trafficking, money laundering, other economic crimes, and other offenses where the accused might pose a public safety risk. In some cases, courts imposed strict conditions on freedom of movement and association when they granted bail. In the primary and district courts, persons reportedly sometimes bribed officials to grant bail.

The law gives accused persons the right to contact a lawyer or talk with family members, but police often failed to inform detainees of this right. Indigent defendants and suspects charged with murder or treason could apply to the registrar of the court to request legal representation. Prompt access to counsel was often limited by the lack of lawyers in rural areas, lack of communication systems and infrastructure, and accused persons' ignorance of their rights.

Arbitrary Arrest: By law the president may order the arrest and indefinite detention without bail of any person considered dangerous to the public order or

national security. The government must release such detainees within 15 days or inform them of the reason for their continued detention. The law also allows a detainee to challenge the grounds for detention at 90-day intervals. The mainland government has additional broad detention powers under the law, allowing regional and district commissioners to arrest and detain anyone for 48 hours who is deemed to “disturb public tranquility.”

In July 2021, police arrested Freeman Mbowe, chairman of the opposition Chadema party (Party for Democracy and Progress) in Mwanza alongside 14 other party members ahead of a scheduled forum on constitutional reform. Police confirmed Mbowe’s arrest for terrorism-related charges, while releasing the other members without charges. On March 23, Mbowe was released after seven months in police custody. The Director of Public Prosecution dropped the charges and dismissed the case after filing a motion of no intent to proceed with the case.

Pretrial Detention: Arrests often preceded investigations, and accused persons frequently remained in pretrial detention, known as “remand,” for days, months, or years before going to trial, usually with no credit for pretrial confinement at the time of sentencing. There is no trial clock or statute of limitations. Prosecutors obtained continuances based on a general statement that the investigation was not complete. According to the Ministry of Home Affairs, approximately 50 percent of the prison population consisted of pretrial detainees. Detainees generally waited three to four years for trial due to a lack of judges, an inadequate judicial budget, and the lengthy time for police investigations. Pretrial detention did not frequently exceed or equal the maximum sentence for the crime.

On February 25, Director of Public Prosecutions Sylvester Mwakitalu authorized the release of three persons from Mtwara region who were imprisoned for five years on terrorism charges. Principal Magistrate Lugano Kasebele at Mtwara Resident Court organized a provisional liberty arrangement for Ramadhani Kakoso, Omari Bumbo, and Waziri Mkwaliaganda since the prosecution had yet to complete the investigations that began in 2017.

In July, Judge J.M. Karayemahaya of the High Court in Mbeya region ordered the release of seven members of the opposition party Chadema who were imprisoned for 18 months after being charged with murder following the 2020 general

election. The seven Chadema members were arrested at different times with some members charged during the announcement of election results, while others were charged during the process to return candidate nomination forms before the election. The judge said the prosecution no longer had interest in pursuing the case against the accused.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, but many components of the judiciary remained underfunded, corrupt, inefficient (especially in the lower courts), and subject to allegations of executive influence. Judges and senior court officers were political appointees of the president. The need to travel long distances to courts imposes logistical and financial constraints that limit access to justice for persons in rural areas. There were fewer than two judges per million persons. In August, President Hassan appointed 22 new judges to the High Court, a step to add staff to a traditionally understaffed branch of government and reduce the backlog of pending cases.

Court clerks reportedly continued to take bribes to open cases or hide or misdirect the files of those accused of crimes. Magistrates of lower courts reportedly occasionally accepted bribes to determine the outcome of cases. There were instances in which the outcomes of trials appeared predetermined by the government or where the government generally did not appear to respect judicial independence or impartiality. Authorities respected and enforced court orders.

Trial Procedures

The law provides for the right to a fair and public trial, but a weak judiciary often failed to protect this right. All trials are bench trials; there are no jury trials. Trials were not held continuously from start to finish. Instead, a trial might start, break for an indeterminate amount of time, and resume, perhaps multiple times. As a result, trials were often inefficient and could last for months or even years.

The law provides for the presumption of innocence, and the standard for conviction in criminal cases is “beyond a reasonable doubt.” Despite such provisions executive branch entities regularly accused political parties, civil society organizations, and international organizations of breaking the law and then

demanded the accused clarify or defend their innocence. Courts that hold closed proceedings (for example, in cases of drug trafficking or sexual offenses involving juveniles) generally are required to provide reasons for closing the proceedings. In cases involving terrorism, the law states that everyone, except the interested parties, may be excluded from court proceedings, and witnesses may be heard under special arrangements for their protection.

In Zanzibar the government sometimes provided public defenders in manslaughter cases. Authorities did not always allow detainees sufficient time to prepare their defense, and access to adequate facilities was limited. Prosecutors had no disclosure obligations in criminal cases, and often the defense did not know what evidence the prosecutor would rely upon when the trial begins.

Political Prisoners and Detainees

There were no new reports of political detainees. During the year, under orders from President Hassan, the director of public prosecutions dropped charges against various political detainees. There was an unknown number of political prisoners on the mainland and Zanzibar who remained in prison. The political detainees were given the same protections as other detainees, although the government continued to threaten to charge opposition leaders with nonbailable offenses. There were no reports of the government denying access to political detainees by human rights organizations.

In March the director of public prosecutions dropped terrorism charges against Chadema party chairman Freeman Mbowe and three other persons (see section 1.d, Arbitrary Arrest).

Civil Judicial Procedures and Remedies

Persons may bring civil lawsuits seeking damages for or the cessation of human rights abuses and can appeal those rulings to the Court of Appeal on the mainland and other regional courts. Civil judicial procedures, however, were often slow, inefficient, and corrupt. In 2019 the government withdrew the right of individuals and NGOs to file cases directly against it at the Arusha-based African Court on Human and Peoples' Rights. During a meeting with the Tanzania Human Rights Defenders Coalition in March, the minister for constitution and legal affairs

defended the decision to withdraw from the court but announced the government was in the process of making progress toward rejoining the court.

The law also curtails the ability of citizens to challenge legally government legislative or executive action unless an individual can prove the action has affected him or her personally, effectively outlawing public interest litigation. In September 2021, Onesmo Olengurumwa, a human rights activist, filed a civil case at the High Court challenging the law regarding citizens' ability to sue the government. On February 15, the judge presiding over the case dismissed the petition.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law generally prohibits such actions without a search warrant, but the government did not consistently respect these prohibitions. While only courts may issue search warrants, the law also authorizes searches of persons and premises without a warrant if necessary to prevent the loss or destruction of evidence or if circumstances are serious and urgent. The law relating to terrorism permits police officers at or above the rank of assistant superintendent or in charge of a police station to conduct searches without a warrant in certain urgent cases. In June, police in Pwani region allegedly searched the house of Chadema member and regional secretary Lilian Kimei without a warrant. Police reportedly accused Kimei of owning military-grade equipment and weapons with intent to form her own army. Police did not find any such equipment inside the house. It was widely believed government agents monitored the telephones and correspondence of some citizens and foreign residents. The nature and extent of this practice were unknown, but due to fear of surveillance, many civil society organizations and leaders were unwilling to speak freely over the telephone. According to Freedom House, the government reportedly acquired social media monitoring and spyware technology and admitted that it monitored social media in previous years.

g. Conflict-related Abuses

Killings: On July 31, two Tanzanian peacekeepers from the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)

Force Intervention Brigade were arrested for allegedly firing on Congolese security forces and civilians, killing two persons and wounding 15 others in Kasindi town, North Kivu province in the Democratic Republic of the Congo. According to the United Nations, Congolese authorities opened an investigation, and the Tanzanian government sent a four-person military team to conduct a separate investigation.

Physical Abuse, Punishment, and Torture: According to the *Conduct in UN Field Missions* online portal, there were four allegations submitted during the year of sexual exploitation and abuse by the country's peacekeepers deployed to UN peacekeeping missions, three against military personnel deployed to MONUSCO and one against a military officer deployed to the UN Multidimensional Integrated Stabilization Mission in the Central African Republic. In total there were 17 allegations submitted between 2015 and 2022 of sexual exploitation and abuse by the country's peacekeepers deployed to UN peacekeeping missions. The alleged abuses involved rape of a child, transactional sex with an adult, exploitative relationship with an adult, and sexual assault. As of September investigations into 13 of the allegations remained pending, and the government had not yet reported action taken on four substantiated allegations (one from 2015, one from 2016, and two from 2018).

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution provides for freedom of speech but does not explicitly provide for freedom of expression for members of the press and other media. There were criminal penalties for libel, and authorities used these laws to stifle freedom of expression. The rights of free expression were further limited through several formal (legislative, regulatory) and informal (executive, government, and police statements) actions. These include laws that give the government the authority to shut down media outlets.

Freedom of Expression: Public criticism of the government resulted in punitive action in some cases. Authorities used the Cybercrimes Act to bring criminal charges against individuals who criticized the government on a variety of

electronic media.

On August 22, Dar es Salaam regional manager of the Tanzania Railway Corporation, Jonas Afumwisye, was fired from his job allegedly after posting messages in a WhatsApp group opposing the government's proposed electronic banking transaction charges, criticizing President Hassan's international travel as costly to citizens, and claiming the president was being used by "imperialists." The Tanzania Railway Cooperation director issued a dismissal letter to Afumwisye alleging that his statements were contrary to public service regulations. On August 27, Afumwisye was arrested by police for publishing false information online and violating the Cybercrimes Act. He was released on bail four days later and was not reinstated in his civil service position.

On August 30, Minister of Home Affairs Hamad Yusuf Masauni directed security forces to investigate persons who mocked the president and criticized the government online. He urged strict action against those involved.

Violence and Harassment: Authorities harassed and intimidated journalists during the year. Journalists and media outlets frequently self-censored to avoid government retribution.

On February 3, police and wildlife officers arrested and detained six journalists in Ngorongoro Conservation Area Authority (NCAA) Arusha region who were covering a village meeting regarding the ongoing land dispute between pastoralist residents and law enforcement officials. NCAA officials alleged the journalists were detained for failing to follow proper media procedures. The journalists arrested were from Mwananchi Digital, Nipashe, Wasafi TV, Daily News Digital, and Start TVI. The journalists were released from custody hours later.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: Censorship of media reporting related to security matters remained in place under President Hassan. Authorities require a permit for reporting on police or prison activities both on the mainland and in Zanzibar, and journalists need special permission to cover meetings of the National Assembly or attend meetings in the Zanzibar House of Representatives. Anyone publishing information accusing a Zanzibari representative of involvement in

illegal activities is liable to a monetary fine, three years' imprisonment, or both. The government may fine and suspend newspapers without warning.

The government of Zanzibar controlled content on the radio and television stations it owned but allowed discussions on media policy reform to take place. There were government restrictions on broadcasting in tribal languages, and broadcasts in Kiswahili or English were officially preferred.

In January police arrested journalists in Loliondo division of Ngorongoro district for attempting to cover the ongoing land dispute between pastoralists residents and authorities. In June, when tensions reemerged in Loliondo, independent media did not report on the tensions due to self-censoring and fear of government reprisal and arrest, in addition to journalists being regularly prohibited from accessing the Loliondo area for media coverage.

On June 27, the government issued a letter to DarMpya Media accusing the media outlet of misrepresenting the June 17 demonstration outside of the Kenyan Embassy in Dar es Salaam related to tension between Maasai residents and authorities in Loliondo area of Ngorongoro district. DarMpya stated it was invited to cover the protest and did so without misleading the public. The government also accused DarMpya of operating without a license and prohibited the outlet from publishing online content. DarMpya applied to renew its publishing license in August and was subsequently denied by the Tanzania Communications Regulatory Authority (TCRA). In September the outlet rebranded to Zama Mpya TV following ongoing challenges obtaining a license. On September 9, the TCRA content material committee fined Zama Mpya TV a two million Tanzanian shillings (\$862) for allegedly publishing inflammatory and unsubstantiated content regarding the government's introduction of fees on electronic banking. The committee accused the outlet of endangering the peace, unity, and safety of the country and ordered Zama Mpya TV under TCRA supervision and surveillance for three months.

Libel/Slander Laws: The law provides for arrest, prosecution, and punishment for the use of seditious, abusive, or derogatory language to describe the country's leadership. The law makes defamation a criminal act. Defamation is defined as any matter likely to injure the reputation of any person by exposing him to hatred,

contempt, or ridicule, or likely to damage any person in his profession or trade by an injury to his reputation. The law prohibits a person from taking any action or making any statement with the intent of insulting the religious beliefs of another person. Anyone committing such an offense may be punished with a year's imprisonment. Blasphemy laws were in effect in areas under sharia law.

On June 11, during an interview with a local media outlet, longtime Chama Cha Mapinduzi (CCM) politician Baraka Shamte made comments critical of Zanzibar President Hussein Mwinyi, suggesting he was not a good leader, his investment policies were “selling the country through the back door,” and he did not deserve a second term. Shamte was arrested and subsequently released on bail after police charged him with sedition for allegedly making statements demeaning to government officials. On June 12, Shamte was allegedly kidnapped and beaten by unknown assailants. Following his release from the hospital, the Zanzibar Revolutionary Government condemned the attack on Shamte and promised to investigate those responsible for the beating of the elderly politician. On June 13, CCM announced that it had stripped Shamte of his party membership, citing “slandering in public” of President Mwinyi as the reason behind its decision.

National Security: The law authorizes police to raid and seize materials from newspaper offices and authorizes the minister responsible for overseeing media to “prohibit or otherwise sanction the publication of any content that jeopardizes national security or public safety.”

Internet Freedom

The government restricted access to the internet and monitored websites and internet traffic. Online material deemed “offensive, morally improper” or that “causes annoyance” is prohibited, and those charged with violating the regulations face a substantial monetary fine or a minimum sentence of 12 months in prison. The law criminalizes the publication of false information, defined as “information, data, or facts presented in a picture, texts, symbol, or any other form in a computer system where such information, data, or fact is false, deceptive, misleading, or inaccurate.” While the number of arrests of individuals who made critical comments on electronic media regarding the government diminished under President Hassan, individuals were still publicly threatened for publishing critical

remarks or opinions, even if they were factually true.

On September 11, Minister of Information, Technology, and Communication Nape Nnauye warned the public that the government would take stern action against those promoting homosexuality or distributing media depicting same-sex relations on social media. During his speech at the TCRA, Nnauye reminded administrators of WhatsApp groups that they are responsible for taking action against members who post such content. Minister Nnauye also said distributing online content that motivates, supports, or promotes homosexuality, even if the intention is to raise public awareness, is illegal and may result in a fine of 20 million Tanzanian shillings (\$8,620) or three years in jail. Nnauye's remarks preceded a public statement by President Hassan encouraging the public to ensure people are not engaged in "unacceptable behavior" on social media.

Restrictions on Academic Freedom and Cultural Events

The law allows persons to collect and disseminate statistical information and puts a system in place for persons who want to access or publish national data. The law no longer provides prison sentences for groups or individuals for publishing independent statistical information. Researchers, however, were still required to obtain permission to conduct and publish research. There continued to be a degree of self-censorship due to the government's lack of tolerance for criticism.

On March 30, Tanzanian hip-hop artist Afande Sele released his song "*Bila Marekani*" (Without America) on YouTube and other social media platforms. The song was a scathing indictment of U.S. foreign policy missteps, asserting that the world would be better off if the United States had not instigated wars and conflicts around the globe. On April 2, Sele was summoned by the National Arts Council and the TCRA and was pressured to remove the song.

b. Freedoms of Peaceful Assembly and Association

The constitution provides for the freedoms of peaceful assembly and association, but the government generally did not respect these rights. The government continued to limit freedoms of peaceful assembly for opposition political parties. Additionally, government attacks on human rights defenders and the arrest of opposition leaders calling for peaceful, democratic protests were restrictions on

freedom of assembly and association.

Freedom of Peaceful Assembly

The government restricted freedom of peaceful assembly, including through bans decreed by authorities but not supported by law. The 2016 government ban on political parties organizing political activities and rallies outside of election periods remained in place at year's end. The government requires organizers of political rallies to obtain police permission. Police may deny permission on public safety or security grounds or if the permit seeker belongs to an unregistered organization or political party. The government and police limited the issuance of permits for public demonstrations and assemblies to opposition political parties, NGOs, and religious organizations. Any organizing of demonstrations or rallies online is prohibited. The only allowable political meetings were by members of parliament in their constituencies; outside participants, including party leaders, were not permitted to participate. The government restricted nonpolitical gatherings deemed critical of the government.

On May 24, police temporarily detained 20 Chadema youth and women's wing members, including the chairperson of the party's youth council, who attended a Chadema forum on constitutional reform in Manyara region. Chadema's director of communications John Mrema said police accused the members of holding an illegal assembly and alleged that some of the leaders were beaten while in police custody. The leaders were released hours after being detained following sustained public outcry, especially on social media platforms.

On September 4, police arrested and detained Chadema leaders David Nyakimwe and Oswald Mangombe in Nyamagana district, Mwanza region for their alleged intent to hold a public forum. According to Chadema Regional Secretary Zakaria Obadi, Chadema informed the District Commissioner's office that the meeting would occur on September 4 and the party did not receive notification stating the meeting was not allowed. Regional Police Commander Gideon Msuya denied that he had been informed of the meeting but said he would investigate further. The two members were released hours after being detained. On the same day, ruling party CCM Vice Chairman Abdulrahman Kinana held a public meeting in Sengerema district in Mwanza without incident.

Freedom of Association

The constitution provides for freedom of association, and the government generally respected this right, although organizations regarding the interests of lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons experienced difficulty registering (see section 6, Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics). Thousands of NGOs and societies operated in the country. Political parties were required to register and meet membership and other requirements. Freedom of association for workers was limited (see section 7.a.).

According to the Legal and Human Rights Centre (LHRC) and the International Center for Not-for-Profit Law, freedom of association for NGOs has been jeopardized by the law, which reduces the autonomy of NGOs and provides for excessive regulation of the NGO sector. The government's registrar of NGOs, a presidential appointee, stated that the process of deregistration underscored the need for NGOs to comply with the law and provide transparency and accountability in their activities. Under existing law, however, the registrar of NGOs is granted sweeping powers to suspend and deregister NGOs, leaving loopholes that could be used to obstruct political opposition and human rights NGOs (see section 3, Political Parties and Political Participation, and section 5, Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights).

The law makes a distinction between NGOs and societies and applies different registration procedures to the two. It defines a society as any club, company, partnership, or association of 10 or more persons, regardless of its purpose, and notes specific categories of organizations not considered societies, such as political parties. The law defines NGOs to include organizations whose purpose is to promote economic, environmental, social, or cultural development; protect the environment; or lobby or advocate on topics of public interest. Societies and NGOs may not operate until authorities approve their applications.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at

<https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

In-country Movement: Refugees are confined to camps. The government limited refugee movement and enforced its encampment policy during the year, including the arrest of refugees caught moving outside the camps without official permission. With permits more difficult to obtain and livelihood opportunities inside the camps heavily constrained, police apprehended and arrested refugees who left the camps in search of work. Authorities usually prosecuted and sentenced these persons in local courts to six months' detention or payment of a fine (see section 2.f.).

Foreign Travel: In April the government lifted its outright denial of exit permits for Burundian refugees to depart the country for the United States. After initially denying exit permits for Burundian refugees and Burundian spouses of Congolese primary applicants, arguing that conditions in Burundi were conducive to voluntary repatriation, the government during the year reversed its decision and began issuing exit permits without discrimination.

e. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has an established system for providing protection to refugees. The National Eligibility Committee, which makes determinations on asylum applications, however, had reportedly not convened since 2018, stalling the status determination process. The asylum rejection rate was 77 percent. The protection environment for refugees, particularly from Burundi, remained a concern during the year. Additionally, the government did not grant UNHCR or diplomatic

missions access to the southern border to assess the status of refugees entering from Mozambique. The government continued to deny that asylum seekers crossing into the country from Mozambique merited refugee status (see section 2.f., Refoulement).

UNHCR intervened in cases of irregular migrants in need of international protection following their arrest by authorities in Dar es Salaam or other urban centers to ensure that the migrants had access to national asylum procedures and were protected from forced return to their country of origin. As of June, 37 persons of concern in police and immigration custody were supported by UNHCR with legal services and assisted with transportation to their respective camps. During the year, a group of 48 Burundian migrants, including three refugees, were apprehended in Katavi region by immigration authorities. Three refugees were returned to Nduta and Nyarugusu camps, thirty Burundian migrants were repatriated to Burundi, and 15 naturalized Tanzanian citizens and former Burundian refugees were arraigned in court following arrest. Immigration authorities accused the 15 individuals of allegedly smuggling Burundian migrant children into Tanzania and illegally enrolling them in schools.

Safe Country of Origin/Transit: No policy for blanket or presumptive denials of asylum exists for applicants arriving from a “safe country of origin” or through a “safe country of transit.” All asylum applications were evaluated individually. The law provides that, unless the transit country is experiencing a serious breach of peace, an asylum claim can be refused upon failure to show reasonable cause as to why asylum was not claimed in the transit country prior to entry into Tanzania.

Refoulement: There were reports of asylum seekers from Mozambique who were returned without access to UNHCR assessments of the voluntariness of the returns. In addition there were reports that some long-standing Mozambican migrants living in the southern part of the country, including those with Tanzanian family members, were also expelled from the country. The government did not accept Mozambican asylum seekers who were fleeing violence in the northern province of Cabo Delgado into the southern part of the country. According to an agreement with the government of Mozambique, the government continued to return Mozambicans who crossed into Tanzania back to unknown locations in Mozambique.

While more than 140,000 Burundian refugees have been repatriated from Tanzania since September 2017, there was a significant decrease in returns during the year with only 3,600 Burundians returning from Tanzania as of August. Reports of refugees facing intimidation or pressure by Tanzanian authorities to return home continued during the year. UNHCR expressed concerns regarding validating the voluntariness of the returns. Some refugees who were pressured into returning to Burundi became refugees in other countries or returned to Tanzania. The government does not allow UNHCR to reregister those who return, preventing them from accessing humanitarian assistance or basic services.

Abuse of Migrants and Refugees: According to NGOs working in the camps, there was an increase in gender-based violence and other problems due to the loss of livelihoods, COVID-19-related lockdowns, and other stress factors. There were reports of refugees found outside the camps being detained, beaten, abused, raped, or killed by officials or citizens.

Gender-based violence against refugees continued, including allegations against officials who worked in or around refugee camps. During the year, service providers identified nearly 700 survivors of gender-based violence in Nduta and Nyarugusu camps. Some of the cases were women who were forced to repatriate to Burundi by their spouses and who had returned to the camps due to lack of shelter and services in Burundi, or spousal abuse or neglect. UNHCR worked with local authorities and residents in the two refugee camps to strengthen coordination and address violence, including sexual violence, against vulnerable persons. The public prosecutor investigated, prosecuted, and punished perpetrators of abuses in the camp, while international NGOs assisted the legal team when requested by a survivor. Local authorities and the public prosecutor handled most cases of refugee victims of crime and abuse outside the camp. Residents of the refugee camps suffered delays and limited access to courts, common problems also faced by citizens.

Freedom of Movement: Refugees apprehended more than 2.5 miles outside their camps without permits are subject by law to sentences ranging from a fine up to a three-year prison sentence (see section 2.d.). Policy restrictions limiting refugee freedom of movement and access to livelihoods left the refugee population almost totally dependent on humanitarian assistance and vulnerable to a range of

protection risks, including sexual and gender-based violence.

At least 24 Burundian and Congolese refugees were arrested during the year and held in prisons for allegedly leaving the camps and seeking outside employment.

Employment: There were credible reports that the government-imposed restrictions on refugees' ability to work after their status as refugees was official. The government continued restricting livelihood options for refugees by closing businesses operating inside the camps and common markets outside the camps where refugees and the surrounding communities could exchange goods.

Durable Solutions: During the year the government focused on repatriation and did not support naturalization or local integration as a durable solution. The government enhanced pressure on Burundian refugees to return to Burundi, promoting repatriation as the only durable solution for Burundian refugees. UNHCR continued to assist voluntary returns under the framework of a tripartite agreement between the governments of Burundi and Tanzania and UNHCR, while stressing that conditions inside Burundi were not yet conducive for large-scale returns because many Burundian refugees remained in need of international protection.

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage, but it allows parliament to restrict this right if a citizen is mentally infirm, convicted of certain criminal offenses, or omits or fails to prove or produce evidence of age, citizenship, or registration as a voter. Citizens residing outside the country are not allowed to vote. The National Election Commission (NEC) is responsible for mainland and union electoral affairs, while the Zanzibar Electoral Commission manages elections in Zanzibar.

Elections and Political Participation

Recent Elections: In 2020 the country held its most recent multiparty general election. Separate elections are held for the union and for Zanzibar, ordinarily on the same day, in which citizens of the two parts of the union elect local officials,

members of the national parliament, and a union (national) president. Additionally, Zanzibar separately elects a president of Zanzibar, members of the Zanzibar House of Representatives, and Ward Councilors. In 2020 Zanzibar held two election days, with one election day taking place the day before the general election to allow security officials and others working on election day the opportunity to vote. International and local observers noted that the 2020 elections were marred with numerous credible reports of irregularities, along with internet and social media outages.

In March 2021, the government announced the death of President John Magufuli. Vice President Samia Suluhu Hassan was sworn in as Tanzania's first woman president and sixth president since independence. Due to a constitutional provision permitting the president's deputy to carry out the remaining presidential term in the event of death, there was no need to conduct a new election following Magufuli's death.

In December 2021, the NEC held a by-election in Ngorongoro constituency to fill a vacant seat after the death of CCM member William Tate Ole Nasha. CCM, ACT-Wazalendo, and one other political party participated in the by-election. Ngorongoro CCM candidate Emmanuel Lekishon Shangai won in a landslide victory with 62,017 votes. Participating opposition parties did not contest the results of the election but Chadema, which boycotted the election, considered it to be noncompetitive.

Political Parties and Political Participation: The constitution establishes the country as a multiparty democracy and requires that persons running for office represent a registered political party. The law prohibits unregistered parties. There were 19 political parties with full registration and three with provisional registration. In the 2020 election, 17 parties participated. To secure full registration, parties must submit lists of at least 200 members in 10 of the country's 31 regions, including two of the five regions of Zanzibar.

The registrar of political parties has sole authority to approve registration of any political party and is responsible for enforcing regulations. A 2019 amendment expanded the registrar's powers, a move opposition members of parliament asserted would cement one-party rule. Under the amended law, the registrar may

prohibit any individual from engaging in political activities and request any information from a political party, including minutes and attendee lists from party meetings. During the 2020 elections, the political opposition faced difficulty forming a coalition due in part to the legal requirement that all minutes, areas of agreement, and strategic plans be shared with the registrar. As the government is primarily comprised of one party, membership in the dominant party may confer advantages, including appointments to government jobs. President Hassan maintained at least one opposition party member as a regional commissioner but did not appoint any other opposition party members to high-level government positions. The government in Zanzibar appointed two opposition party members to ministerial positions, and maintained a first vice president from the opposition, primarily through its establishment of a government of national unity, which included members of the opposition.

The law requires political parties to support the union between Tanganyika (mainland Tanzania) and Zanzibar; parties based on ethnic, regional, or religious affiliation are prohibited.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of historically marginalized groups, including persons with disabilities, LGBTQI+ persons, and Indigenous persons (see section 6), from voting or otherwise participating in elections, political parties, and public services organizations and activities. There were special seats allocated to women in both parliament and the Zanzibar House of Representatives.

The government participated in several meetings and events with NGOs related to policy or regulatory improvements to enhance the participation of women, youth, and persons with disabilities in political and electoral processes.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively. There were isolated reports of government corruption during the year. President Hassan and President Mwinyi took several steps to signal a commitment to fighting corruption. These included surprise

inspections of ministries, hospitals, and the port of Dar es Salaam, often followed by the immediate dismissal or suspension of officials.

Corruption: While efforts were being made to rein in corruption, it remained a problem. The Prevention and Combating of Corruption Bureau has historically reported that most corruption investigations concerned government involvement in mining, land, energy, and investments.

NGOs reported allegations of corruption involving the Tanzania Revenue Authority, local government officials, police, licensing authorities, hospital workers, and media. On August 27, Zanzibar Controller and Auditor General Othman Abass released the 2020-2021 audit report, which showed 4.6 billion Tanzanian shillings (\$1.98 million) of public funds unaccounted for by government ministries, including health, works, and finance. Following the report, President Mwinyi accepted the resignation of the Zanzibar Anti-Corruption and Economic Crime Authority director Ahmed Khamis Makarani and reaffirmed plans to transform the authority and arrest those responsible for misuse of public funds.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views. The government delayed work and residency permits for some international organizations. Some human rights NGOs continued to complain of a negative government reaction when they challenged government practice or policy. On June 15, Minister of Home Affairs Hamad Yussuf Masauni directed an investigation of all activities undertaken by NGOs operating in the Loliondo division of Ngorongoro district following international criticism against the government for alleged human rights abuses against the Maasai and pastoralist residents while demarcating 371,000 acres purportedly for tourism and conservation efforts. The government accused NGOs of stoking tensions between residents and authorities.

To improve coordination between NGOs and the government at the district and regional level, the government appointed 26 regional assistant registrars (Community Development Officers) and 185 council assistant registrars. There remained concerns, however, regarding how the government could use this process to monitor or deregister organizations that are perceived to be antigovernment.

The United Nations or Other International Bodies: The government generally cooperated with visits from UN representatives, such as special rapporteurs, as well as those from UN specialized agencies such as UNHCR or other international organizations (but not including NGOs) that monitor human rights. UNHCR during the year reported fewer bureaucratic hurdles to conducting work inside refugee camps (see section 2.f.).

Government Human Rights Bodies: The union parliamentary Committee for Constitutional, Legal, and Public Administration is responsible for reporting and making recommendations regarding human rights.

The CHRAGG operated on both the mainland and Zanzibar, but its effectiveness was limited. The commission has no legal authority to prosecute cases but can make recommendations to other offices concerning remedies or call media attention to human rights abuses and other public complaints. It also has authority to issue interim orders preventing actions in order to preserve the status quo, pending an investigation. Human rights stakeholders expressed concerns that the government was censoring the human rights body, citing the failure of the CHRAGG to condemn human rights abuses.

On June 5, CHRAGG Chairman Mathew Mwaimu, appointed by former president Magufuli, released the commission's report on police conduct. The report concluded that law enforcement officers generally adhered to laws, rules, regulations, and human rights. The report, however, noted there had been several complaints against police for use of undue force and bodily harm. The report followed the 2020-2022 monitoring period of police operations in 13 regions and 10 inquiries into public complaints. Despite CHRAGG concluding it was satisfied with police conduct, the report revealed police's use of inhuman treatment, including use of violence on detainees to obtain criminal information, which sometimes resulted in serious bodily injury or death. In response, Minister of

Home Affairs Hamad Yusuf Masauni announced that he had established a separate commission to handle public complaints against police.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law provides for life imprisonment for persons convicted of rape of women and men younger than age 18, including spousal rape during periods of legal separation. The law does not mention rape of men older than 18. The law stipulates persons wishing to report a rape must do so at a police station, where they must receive a release form before seeking medical help. This process contributed to medical complications, incomplete forensic evidence, and failure to report rapes. Survivors often feared that cases reported to police would be made public.

The law prohibits assault but does not specifically prohibit domestic violence. Domestic violence against women remained widespread, and police rarely investigated such cases.

Authorities rarely prosecuted persons who abused women. Persons close to the victims, such as relatives and friends, were most likely to be the perpetrators. Many defendants who appeared in court were set free because of corruption in the judicial system, lack of evidence, poor investigations, or poor evidence preservation.

There were some government efforts to combat gender-based violence. Police increased the number of gender and child desks in regions throughout the country to support survivors, address relevant crimes, and address mistrust between members of key populations and police. Their effectiveness, however, varied widely. Police validated a referral guide to improve the quality and consistency of responses to cases of gender-based violence. Despite government efforts, reports of gender-based violence increased. The LHRC released a statement that condemned an increase in gender-based violence within the community during COVID-19 restrictions. In an effort to combat its incidence, the government introduced a social media campaign called *Shujaa wa Maendeleo na Ustawi wa*

Jamii or “Heroes of Community Development and Social Welfare,” which aimed to raise public awareness regarding the issue and encourage reporting instances of gender-based violence.

In prisons the government also continued to coordinate policies, strategies, and guidelines in reference to gender matters. The government introduced gender desks within the prison department as a reporting mechanism for gender-based violence in prisons.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C from being performed on girls younger than age 18, but it does not provide for protection to women ages 18 or older.

Prosecutions were rare. Many police officers and communities were unaware of the law, victims were often reluctant to testify, and some witnesses feared reprisals from FGM/C supporters. Anti-FGM/C NGOs reported perpetrators were increasingly targeting children below one year to evade enforcement of the law. In 2019 the Ministry of Health reported that approximately 10 percent of women had undergone FGM/C. The areas with the highest rates of FGM/C were Manyara (58 percent), Dodoma (47 percent), Arusha (41 percent), Mara (32 percent), and Singida (31 percent). On September 6, a safe house in Mara region rescued 65 girls from Serengeti district who fled FGM/C in their communities, five of whom had already undergone cutting. The manager of the safe house reported that families took advantage of the August 23 National Population and Housing Census holiday and invited the perpetrators to their homes where the girls were waiting to be counted for the census. The girls were between eight and 17 years of age and were received by the gender and children’s desk and accompanied by a district social welfare officer after reaching out to the local C-SEMA 116 National Child Hotline. The perpetrators, allegedly from Kenya, were detained by police and, as of October 1, the investigation was ongoing.

Sexual Harassment: The law prohibits sexual harassment of women in the workplace. According to the Women’s Legal Aid Center, police rarely investigated reported cases and the government rarely enforced applicable laws. Those cases that were investigated were often dropped before they got to court – in some instances by the plaintiffs due to societal pressure and in others by

prosecutors due to lack of evidence. The LHRC's 2020/2021 *Human Rights and Business Report* found that the issue of sexual harassment was among the most pressing matters facing women in the business sector. Women reported experiencing sexual exploitation in order to obtain relief and privileges at work, an issue primarily observed in Mara, Mbeya, Shinyanga, Dar es Salaam, Mwanza, and Dodoma Regions. The LHRC's survey in Shinyanga also illustrated cases of sexual harassment against women in Chinese-owned mines, where women reported sexual harassment by Chinese workers and supervisors.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Fewer than one-third of married women used modern contraceptives. Nearly one in four women would like to prevent pregnancy but lacked access to family planning. Family planning, including contraceptives, were covered in the national health system. One in four adolescent girls between ages 15 and 19 were already mothers or were pregnant with their first child. Of adolescents living in rural areas, 32 percent had a live birth or were pregnant, compared with 19 percent of those living in urban areas. Adolescence was associated with a high frequency of child marriage, insufficient knowledge about sexually transmitted infections, and restricted access to sexual and reproductive health services. Persons with disabilities (especially adolescents) had greater unmet sexual and reproductive health needs than the general population due to lack of information and increased risk for sexual abuse and rape, HIV, and sexually transmitted infections, and stigma.

Access to sexual and reproductive health services was hindered by communication and environmental barriers, physical inaccessibility, and negative interaction with service providers including lack of confidentiality, mistreatment and disrespect, and inadequacy of service delivery.

Despite government efforts to improve the availability and quality of postabortion services, women and girls who suffered complications avoided seeking treatment due to being prosecuted, and many health-care providers were not aware they were legally allowed to provide treatment and that women had the right to such service.

Within the Reproductive and Child Health Unit in the Ministry of Health and implemented by the President's Office for Regional Administration and Local Government, the government has national guidelines managing the health sector response to and the prevention of gender-based violence. Health facilities trained on sex and gender-based violence and provided sexual and reproductive health information, as well as emergency contraceptive and prophylaxis to survivors of sexual violence, per standard operating procedures.

From 2007 to 2015, maternal mortality increased from 454 to 556 per 100,000 live births. Only 57 to 68 percent of pregnant women delivered with a skilled birth attendant. A recent study conducted in Lindi and Mtwara Regions in the southern part of the country found that traumatic and nontraumatic postpartum hemorrhage was the most common cause of maternal deaths: 51 percent of women died within 24 hours of delivery; 60 percent of those who died were ages 25 to 36; and 63 percent were lower-income rural inhabitants.

Many women had untreated obstructed fistula, a situation resulting in large part from deficiencies in the health system. Women attributed fistula development to negative experiences such as disrespectful maternity care. Multiple studies reported that women also perceived that their fistula resulted from prolonged wait times in the primary health-care facility due to nurses' negligence and failure to make decisions to transfer them to a better prepared facility in a timely manner. Moreover, mothers reported persistent systematic barriers and dismissive institutional norms and practice, including poor communication, denial of husbands' presence at birth, denial of mobility, denial of safe traditional practices, no respect for their preferred birth positions, and poor physical condition of facilities. Community stigma was another major factor that delayed women seeking obstetric fistula treatment. On July 5, President Hassan inaugurated a new maternal and newborn wing at a Dar es Salaam hospital, which incorporated specialized programs for pregnant women with disabilities, teenage pregnancy, and women with prior histories of obstructed fistula.

Menstrual hygiene also remained a prohibitive factor for girls' access to education, as most girls did not have access to feminine hygiene products and decided to remain home during their menstrual period. Schools did not provide comprehensive sexuality education, and students reported they did not have

adequate information to prevent pregnancy. In addition many girls became pregnant as a result of rape. Under the Education and Training Policy launched by the government in 2015, pregnant girls may be reinstated in schools. In 2017, however, President Magufuli declared that girls would not be allowed to return to school after giving birth. Human rights NGOs criticized the policy as contrary to the country's constitution and laws. This policy led to girls being excluded from educational opportunities, while the fathers of the babies were often their teachers or other older men who frequently did not suffer any consequences (see section 6, Children). In November 2021, the government announced it would allow persons who had dropped out of school, including pregnant school-age girls and adolescent mothers, to return to the formal education system. On March 31, the government announced that 384 girls who had dropped out of school due to pregnancy or childbirth resumed their studies.

Discrimination: The law provides the same legal status and rights for women and men, including in employment, housing, education, and health care, and the government generally enforced the law; however, the law also recognizes customary practices that often favor men.

While women faced discriminatory treatment in marriage, divorce, inheritance, and nationality, overt discrimination in education, credit, business ownership, and housing was uncommon. There are no legal restrictions on women's employment in the same occupations, tasks, and working hours as men. Nevertheless, women, especially in rural areas, and LGBTQI+ persons faced significant disadvantages due to cultural, historical, and educational factors.

Systemic Racial or Ethnic Violence and Discrimination

During the year there were isolated reports of systemic racial or ethnic violence or discrimination. There are no laws for the specific protection of racial or ethnic minorities.

Indigenous Peoples

The country does not recognize the rights of Indigenous peoples or those who self-identify as Indigenous. Indigenous persons may face forcible evictions from

traditionally Indigenous lands for conservation or development efforts.

On June 9, Maasai residents and NGOs were subject to threats and violence in Loliondo division of Ngorongoro district, including by police and immigration officials, following their advocacy for environmental and Indigenous rights. As security forces began the demarcation process of approximately 580 square miles of land at the center of a dispute that started in 1992 when the land was provided as a concession to a private business, pastoralist residents protested by removing the beacons the security forces had erected. According to Amnesty International, the livelihood of the Maasai community depended on the “ancestral” land that was being confiscated by the government. Residents were reportedly met with use of force and more than thirty persons sustained injuries, including bullet wounds, and many fled across the border into Kenya to receive medical treatment, according to media reports. On June 17, the government arrested 27 Loliondo residents on charges of murder and conspiracy to commit murder following the killing of a police officer during the protest. On July 28, three were acquitted, while the remaining accused remained held in Kisongo Central Prison in the Arusha region.

Children

Birth Registration: Citizenship is derived by birth within the country or abroad if at least one parent is a citizen. Registration within three months of birth is free; parents who wait until later must pay a fee. Public services were not withheld from unregistered children. The Registration, Insolvency and Trusteeship Agency facilitated birth registrations. The registration program continued, issuing 7.5 million birth certificates by year’s end in 23 regions including Shinyanga, Mbeya, Njombe, Mwanza, Iringa, Geita, and Temeke.

Education: According to law, primary education is compulsory and universal on both the mainland and Zanzibar until age 13. Secondary school is tuition-free in Zanzibar but is not compulsory. The ruling CCM party manifesto includes a policy to provide fee-free education for primary and secondary students. Parents must still provide food, uniforms, and transportation.

Girls represented approximately one-half of all children enrolled in primary school but were absent more often than boys due to household duties and lack of sanitary

facilities. At the secondary level, child, early, and forced marriage and pregnancy often caused girls to be expelled or otherwise prevented girls from finishing school (see section 6, Women, Reproductive Rights).

During the year, the government continued to allow pregnant girls who had been expelled from school under former President Magufuli to attend both formal and alternative education opportunities after giving birth. President Hassan has not, however, officially reversed the expulsion policy of girls who become pregnant.

Child Abuse: Violence against and abuse of children were major problems. The law prohibits infringing upon the rights of the child, including causing physical, moral, or emotional harm, as well as neglect, sexual abuse, and exploitive labor. Corporal punishment was employed in schools, and the law allows head teachers to cane students. The National Violence against Children Survey, conducted in 2009 (the most recent data available), found almost 75 percent of children experienced physical violence prior to age 18. In response to a reported increase in child abuse, Minister for Community Development, Gender, Women, and Special Groups Dorothy Gwajima announced on August 13 that the government would review existing law.

Child, Early, and Forced Marriage: The law sets the legal age for marriage at 18 for boys and 14 with parental consent for girls. The law makes it illegal to marry a primary or secondary school student. To circumvent these laws, individuals reportedly bribed police or paid a bride price to the family of the girl to avoid prosecution. According to Human Rights Watch, girls as young as age seven were married. Zanzibar has its own law on marriage, but it does not specifically address child, early, and forced marriage. The government provided secondary school-level education campaigns on gender-based violence, which included information on child, early, and forced marriage.

On August 16, the Shinyaga regional police commander confirmed the arrest of four persons in Morogoro region for allegedly kidnapping a girl, age 16, with intent to force her to into marriage for a dowry of 30 cows. On August 3, police raided a wedding between an age 15 bride and age 17 groom in Dodoma. Police arrested the bride's parents who received a dowry of four cows and between six to eight goats. The head of Makang'wa Secondary School identified the bride and

said she had already reported the girl to authorities after she failed to report to school in January. At year's end, the investigation was ongoing.

The Women's Legal Aid Center reported increasing patterns of early marriage within refugee camps, further complicated by laws of the child, which refer to children as younger than 18. The marriage law, however, allows girls to marry at age 14.

Sexual Exploitation of Children: The law criminalizes commercial sexual exploitation of children, including prostitution, sexual exhibitions, and child pornography. During the year there were no reported prosecutions based on this law. The law provides that sexual intercourse with a child younger than 18 is rape unless within a legal marriage. The law was not always enforced because cases were not always reported or because girls, facing pressure, dropped charges. For example, there were accounts of statutory rapes of girls that went unreported in Zanzibar. There were unofficial reports that the number of cases of statutory rapes in Zanzibar increased, but there were no official statistics to substantiate those claims.

Infanticide, Including Infanticide of Children with Disabilities: Infanticide continued, especially among poor rural mothers who believed themselves unable to afford to raise a child. Nationwide statistics were not available.

Displaced Children: According to the Ministry of Community Development, Gender, Women, and Special Groups, large numbers of children were living and working on the street, especially in cities and near the borders. After data collection throughout 26 regions and 138 districts, the ministry reported in 2021 that 29,983 children were living in hazardous conditions during the year. These children had limited access to health and education services because they lacked a fixed address or money to purchase medicines, school uniforms, and books. They were also vulnerable to sexual abuse. According to the Ministry of Community Development, during the year, displaced children received necessities, including food, clothing, education, and health services, from a combination of government and private organizations.

Antisemitism

The Jewish population was very small, and there were no reports of antisemitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: Consensual same-sex sexual conduct is criminalized. The law on both the mainland and Zanzibar punishes “gross indecency” by up to five years in prison or a fine. The law punishes any person convicted of having “carnal knowledge of another against the order of nature or permits a man to have carnal knowledge of him against the order of nature” with a prison sentence on the mainland of 30 years to life and in Zanzibar of imprisonment up to 14 years. In Zanzibar, the law provides for imprisonment up to five years or a fine for “acts of lesbianism.” In the past, courts charged individuals suspected of same-sex sexual conduct with loitering or prostitution. LGBTQI+ advocacy organizations reported more than 50 known arrests between November 2018 and April 2020.

LGBTQI+ persons were afraid to report violence and other crimes, including those committed by state agents, due to fear of arrest for same-sex sexual conduct. On July 25, the Sexual Orientation and Gender Identity Coalition Tanzania reported the outing of several LGBTQI+ persons online on the *Mange Kimambi* App, a tabloid-type app, which exposed those persons to potential criminal prosecution. In July the app distributed without his consent a video of a gay man, identifying him by name, engaging in same-sex sexual conduct in Dar es Salaam. He reported the incident to the cybercrime unit of the Tanzania Communications Regulatory Authority who informed him that while he was able to report the video to police, he might be subject to arrest and investigation for engaging in illegal conduct. He decided not to move forward with a police investigation, but the video was

eventually removed.

Violence against LGBTQI+ Persons: Incidents of violence against LGBTQI+ persons occurred, but reporting was limited because individuals feared identification, arrest, and discrimination or violence from police, family members, or strangers; advocates for the rights of LGBTQI+ persons worked with few resources; and the government did not systematically track violence or discrimination against LGBTQI+ persons.

There were no safe houses or shelters in Zanzibar for LGBTQI+ persons facing discrimination, violence, or abuses based on sexual orientation or gender identity and expression.

Discrimination: The law does not prohibit discrimination based on sexual orientation, gender identity or expression, or sex characteristics, and does not recognize LGBTQI+ individuals, couples, or their families. Police often verbally and sometimes physically harassed or intimidated persons believed to be LGBTQI+ based on their dress or mannerisms. LGBTQI+ persons faced societal discrimination that restricted their access to health care, including access to information regarding HIV, housing, and employment. There were no known government efforts to combat such discrimination.

Availability of Legal Gender Recognition: There is no legal means for individuals to update their gender markers on personal identity documents. The inability to obtain legal identity documents that align with their gender expression creates significant problems for transgender and nonbinary persons in employment, education, housing, and virtually all aspects of life.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: There were reports of the use of involuntary or coercive practices in an effort to change a person's sexual orientation, gender identity, or expression, primarily through nonphysical means such as talk "therapy" by medical or mental health practitioners or religious or community leaders. There were no efforts by government or medical associations to condemn such practices.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

NGOs reported difficulty registering organizations under LGBTQI+ focused names, often needing to use aliases or vague language. The Key and Vulnerable Population Forum, a consortia of civil society organizations working to address HIV among high-risk populations, including men who have sex with men, transgender persons, and gay men, were able to complete the NGO registration process using a nondescriptive name after several failed attempts. While there was continuing fear among these NGOs about their ability to operate freely and openly, they reported remaining relatively free from targeting and deregistration by authorities under President Hassan (see also section 2.a., Internet Freedom).

In March police raided an LGBTQI+ safe house in Morogoro region for allegedly operating against the law. The safe house was previously raided by police in 2021 and community members paid requested bribes between one and five million Tanzanian shillings (\$431 to \$2,160) to avoid arrest.

LGBTQI+ individuals cannot freely assemble, associate, or express themselves publicly out of fear of identification, arrest, and discrimination or violence by police or family members.

Persons with Disabilities

Persons with disabilities sometimes could not access education, health care, and transportation on an equal basis with others. The law provides equality in status and prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities. The government, however, did not effectively enforce these provisions. Few public buildings were accessible to persons with disabilities. New public buildings, however, were built in compliance with the law to provide access. The law provides for access to information and communication, but not all persons with disabilities had such access.

According to the Annual Education Survey of 2020/21, the government expanded school infrastructure for children with disabilities as part of its National Strategy for Inclusive Education. The government procured equipment such as braille machines, magnifiers, large print books, audiometers, and specialized furniture. More than 340,000 learners with special needs remained out of school. Limits to the political participation of persons with disabilities included inaccessible polling

stations, lack of accessible information, limited inclusion in political parties, the failure of the NEC to implement directives concerning disability, and prejudice toward persons with disabilities.

Other Societal Violence or Discrimination

The law prohibits discrimination against any person “known or perceived” to be HIV-positive and establishes medical confidentiality standards to protect persons with HIV and AIDS. Police abuses of HIV-positive persons, particularly in three key populations (sex workers, drug users, and LGBTQI+ persons), were not uncommon and included arbitrary arrest, extortion, and refusal to accept complaints from victims of crime. In the health sector, key populations experienced denial of services, verbal harassment and abuse, and violations of confidentiality. In May in response to community complaints, police conducted a crackdown on sex workers in Dar es Salaam. During the operation, there were credible reports of arbitrary arrests, in addition to prolonged detention, extortion, rape, sexual assault, and other physical violence. Similar crackdown operations were reported in the Iringa region in June.

The 2013 *People Living with HIV Stigma Index Report* indicated persons with HIV and AIDS experienced significant levels of stigma countrywide (39 percent), with stigma particularly high in Dar es Salaam (50 percent). The report highlighted that most common forms of stigma and discrimination were verbal insults and exclusion from social, family, and religious activities. Results also showed that more than one in five persons with HIV and AIDS experienced a forced change of residence or inability to rent accommodations. In Dar es Salaam nearly one in three of these persons experienced the loss of a job or other source of income. In 2021, the country completed its second *People Living with HIV Stigma Index Report* to further assess levels of HIV and AIDS social stigma. Researchers were denied approval by the national ethics committee to include any marginalized populations including men who have sex with men and gay men in the study sample. The study is expected to be reconducted in 2023 as researchers reported the ethics committee is extend approval for inclusion of marginalized groups under President Hassan.

Since 2017, the government has prohibited the free distribution of lubricant as an

HIV harm reduction strategy, as well as the establishment of key population drop-in centers to offer HIV care and treatment services to marginalized populations.

Despite efforts by the government and NGOs to reduce mob violence through educational outreach and community policing, mob violence continued. On July 29, an angry mob in Kiloka district of Morogoro region killed a resident following allegations of marital infidelity. On June 10, police arrested 12 persons in Manyara region after a mob killed a woman following allegations that she was trafficking human body parts.

Witchcraft-related attacks and killings continued to be a problem and were largely underreported, according to Under the Same Sun, a Christian organization advocating for the rights of persons with albinism. According to the LHRC's 2020 report, there were 112 witchcraft-related killings in 2020. Major victims or targets of such killings were often children or elderly women. In 2015 the government outlawed witchdoctors in an attempt to curtail killings of persons with albinism. Attacks on persons with albinism declined, but there was one reported case of a person with albinism being attacked during the year. Persons with albinism remained at risk of violence, however, especially during election times, since some ritual practitioners sought body parts from persons with albinism in the belief they could be used to bring power, wealth, and good fortune. According to the Africa Albinism Network, police arrested a resident of Shinyanga region on August 28 after he allegedly attempted to purchase the body parts of a woman with albinism for seven million Tanzanian shillings (\$3,020). On April 27, LHRC condemned the attempted amputation of a person with albinism in Dar es Salaam. At the year's end, there was no suspect in police custody.

Farmers and pastoralists sometimes argued over traditional animal grazing areas, and violence occurred during some disputes. In January the inspector general of police announced the arrest of 20 individuals after six persons were killed in Kilindi district as pastoralists who were armed clashed with farmers in a dispute over resources. On July 28, District Commissioner Siriel Shaidi confirmed a violent clash between farmers and pastoralists erupted in Kilindi district in Tanga region. Farmers were reportedly protesting the destruction of their farms by pastoralists in the area and escalated into violence, which left two farmers injured and hospitalized.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The mainland and Zanzibari governments have separate labor laws. The mainland's law provides for the right of workers to form and join independent trade unions, bargain collectively, and conduct legal strikes, except for workers in the categories of "national service" and prison guards. The law prohibits some forms of antiunion discrimination but does not require employers to reinstate workers fired for trade union activity nor prevent retribution against workers taking part in legal strikes. Trade unions in the private sector must consist of more than 20 members and register with the government, while public-sector unions need a minimum of 30 members. Five organizations are required to form a federation. Trade union affiliation with nonunion organizations can be annulled by the Labor Court if it was obtained without government approval, or if the union is considered an organization whose remit is broader than employer-worker relations. A trade union or employers association must file for registration with the registrar of trade unions in the Ministry of Labour within six months of establishment. The law, however, does not provide for specific time limits within which the government must register an organization, and the registrar has the power to refuse registration on arbitrary or ambiguous grounds. The government prescribes the terms of office of trade union leaders. Failure to comply with government requirements is subject to fines, imprisonment, or both.

The law requires unions to submit financial records and a membership list to the registrar annually and to obtain government approval for association with international trade unions. The registrar can apply to the Labor Court to deregister or suspend unions if there is overlap within an enterprise or if it is determined the union violated the law or endangered public security.

Collective bargaining agreements must be registered with the Labor Commission. Public-service employees, except for limited exceptions, such as workers involved in "national service" and prison guards, may also engage in collective bargaining.

Employers have the right to initiate a lockout, provided they comply with certain legal requirements and procedures. For a strike to be declared legal, the law

requires three separate notifications of intent, a waiting period of at least 92 days, and a union vote in the presence of a Ministry of Labour official that garners approval by at least 75 percent of the members voting. All parties to a dispute may be bound by an agreement to arbitrate, and neither party may then engage in a strike or a lockout until that process has been completed. Disputes regarding adjustments to or the terms of signed contracts must be addressed through arbitration and are not subject to strikes.

The law restricts the right to strike when a strike involves an “essential service” that could endanger the life and health of the population. Picketing in support of a strike or in opposition to a lawful lockout is prohibited. Workers in almost 50 percent of all service sectors were defined as “essential” (water, sanitation, electricity, health services, health laboratory services, firefighting, air traffic control, civil aviation, telecommunications, and any transport services required for these services); these employees may not strike without a preexisting agreement to maintain “minimum services.” Workers in other sectors may also be subject to this limitation as determined by the Essential Services Committee, a tripartite committee composed of employers, workers, and government representatives with the authority to deem which services are essential. An employer may not legally terminate an employee for participating in a lawful strike or terminate an employee who accedes to the demands of an employer during a lockout.

Penalties for violations were not sufficient to deter violations. Penalties were commensurate with penalties for similar violations. Disputes concerning antiunion discrimination must be referred to the Commission for Mediation and Arbitration, a governmental department affiliated with the Ministry of Labour. There was no public information available regarding cases of antiunion discrimination.

There were no reports of sector-wide strikes or any other major strikes. On July 24, Minister of State Joyce Ndalichako, overseeing labor, employment, and youth, issued a public statement warning truck drivers that inciting a strike was a violation of the law and stated appropriate measures would be taken against those who do so in an effort to receive an increase in travel allowances and improved work conditions. Prime Minister Kassim Majaliwa said the government was working to remedy the drivers’ concerns regarding the lack of job contracts, health insurance, and social security services. Penalties were not commensurate with penalties for

similar violations. Penalties were sometimes applied against violators.

In Zanzibar the law requires any union with 50 or more members to be registered, a threshold few companies could meet. The law sets literacy standards for trade union officers. The law provides the registrar considerable powers to restrict union registration by setting criteria for determining whether an organization's constitution protects its members' interests. The law applies to both public- and private-sector workers and bans Zanzibari workers from joining labor unions on the mainland. The law prohibits a union's use of its funds, directly or indirectly, to pay any fines or penalties incurred by trade union officials in the discharge of their official duties. In Zanzibar both government and private-sector workers have the right to strike, but the right to strike is strictly regulated, requiring a long prior notice and compulsory mediation. In addition, workers in essential sectors may not strike, and picketing is prohibited. The law does not protect those taking part in legal strikes from retribution.

The law in Zanzibar provides for collective bargaining in the private sector. Public-sector employees have the right to bargain collectively through the Trade Union of Government and Health Employees; however, members of the police force and prison service, and high-level public officials (for example, the head of an executive agency) are barred from joining a trade union. Zanzibar's Dispute Handling Unit addresses labor disputes. In Zanzibar judges and all judicial officers, members of special departments, and employees of the House of Representatives are excluded from labor law protection. In Zanzibar the courts are the only venue in which labor disputes can be heard. Enforcement of labor law in Zanzibar was inadequate, especially on the island of Pemba. In Zanzibar managerial employees do not have the right to bargain collectively on salaries and other conditions of employment.

The government did not effectively enforce the law protecting the right to collective bargaining on the mainland or in Zanzibar. On both the mainland and in Zanzibar, private-sector employers adopted antiunion policies or tactics, although discriminatory activities by an employer against union members are illegal.

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminalizes all forms of forced or compulsory labor. The government did not adequately enforce the law. Neither the government nor the International Labor Organization (ILO) provided statistics on government enforcement.

The law allows exceptions consistent with ILO Convention No. 29 of compulsory labor for prisoners, compulsory national service, civic obligations, and work in emergency situations. For example the law allows prisoners to work without pay on construction and agriculture projects within prisons. The law deems such work acceptable if a public authority ensures the work is not for the benefit of any private party. The law also allows work carried out as part of compulsory national service in certain limited circumstances. The constitution provides that no work shall be considered forced labor if such work forms part of compulsory national service in accordance with the law, or “the national endeavor at the mobilization of human resources for the enhancement of society and the national economy and to ensure development and national productivity.”

The ILO reported unspecified instances of forced labor, including those involving children from the southern highlands forced into domestic service or labor on farms, in mines, and in the informal business sector. Forced child labor occurred (see section 7.c.). The government continued to implement the 2018-2022 child labor strategy, addressing elimination of forced child labor.

Prisoners perform unpaid and nonvoluntary labor on projects outside of the prison, such as road repair, agriculture, and government construction projects. On July 3, the commissioner general of the national Prison Service said plans were underway for correction facilities to pay prisoners for their labor. This was a result of government efforts to reintegrate prisoners into society upon release. At years end, the plans had yet to be implemented. The minister of home affairs’ budget speech of 2022/23 included a statement regarding allocating an additional 2.5 billion Tanzanian shillings (\$1.08 million) to improve irrigation infrastructure in corrections facilities to increase agricultural production.

Also see the Department of State’s *Trafficking in Persons Report* at

<https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

d. Discrimination with Respect to Employment and Occupation

The law prohibits workplace discrimination, directly or indirectly, against an employee based on skin color, nationality, tribe, place of origin, race, national extraction, social origin, political opinion, religion, sex, gender, pregnancy, marital status, family responsibility, disability, HIV and AIDS, age, or station in life. The law does not specifically prohibit discrimination based on sexual orientation or gender identity, language, citizenship, or other communicable disease status. The law distinguishes between discrimination and an employer hiring or promoting based on affirmative action. The government in general did not effectively enforce the law, and penalties were insufficient to deter violations and were rarely applied against violators. Penalties were commensurate with penalties for similar violations.

Women have the same status as men under labor law on the mainland. According to the LHRC 2020/2021 *Human Rights and Business Report*, however, gender-based discrimination was common at workplaces, although the law prohibits workplace discrimination and calls for promotion of equality and treatment in employment. The rule also categorizes harassment of an employee, whether sexual or otherwise, as a form of discrimination. Every employer is required to develop and publish a workplace plan to prevent discrimination and to promote equal opportunity in employment.

According to the Trade Union Congress of Tanzania (TUCTA), gender-based discrimination in terms of wages, promotions, and legal protections in employment continued to occur in the private sector. It was difficult to prove and often went unpunished. While employers in the formal sector were more attentive to laws against discrimination, problems were particularly acute in the informal sector, in which women were disproportionately employed. Women often were employed

for low pay and in hazardous jobs, and they reported high levels of bullying, threats, and sexual harassment. A 2020 study by the LHRC found that women faced particular discrimination in the mining, steel, and transport industries (see section 6, Women). The LHRC 2020/2021 *Human Rights and Business Report* showed women still experienced discrimination based on pregnancy and maternity, as well as sexual harassment in the workplace. Women workers across all surveyed regions expressed concern regarding discrimination against them because of pregnancy, breastfeeding, or menstrual cycles, despite maternity leave being guaranteed under the law. Women workers noted that pregnancy was a means of discrimination in the workplace, reporting that most employers preferred to replace them rather than granting maternity leave and allowing them to return to work. Women in male-dominated professions were also targeted for insults and sexist jokes; for example, in August a government official questioned the “femininity” and gender of the country’s women soccer players at a sports ceremony.

Discrimination against migrant workers also occurred. They often faced difficulties when seeking documented employment outside of the informal sector. The law gives the labor commissioner authority to deny work permits if a citizen with the same skills is available. During the year foreign professionals, including senior management of international corporations, frequently faced difficulties obtaining or renewing work permits. Because refugees lived in camps and could not travel freely (see section 2.d.), few refugees worked in the formal sector.

Discrimination and inaccessible workplaces excluded persons with disabilities from the workplace and reduced the country’s GDP by \$480 million each year, according to the Comprehensive Community Based Rehabilitation health-services group. This group also noted that only 3.1 percent of persons with disabilities in the country received income from paid employment. While nongovernment and government actors made efforts to curb discrimination and violence against persons with albinism, the LHRC reported that this population continued to live in fear of their personal security and therefore could not fully participate in social, economic, and political activities.

Inspections conducted since the enactment of a law in 2015 revealed 779 foreign employees worked without proper permits. Of these, 29 were repatriated and 77 were arraigned in court.

e. Acceptable Conditions of Work

Wage and Hour Laws: The government established minimum wage standards in 2015 for employees in both the public and private sectors on the mainland, and it divided those standards into nine employment sectors. The minimum wage was above the government poverty line, but in many industries, it was below World Bank standards for what constitutes extreme poverty. The government's poverty line was last updated in 2012. The law allows employers to apply to the Ministry of Labour for an exemption from paying the minimum wage. The labor laws cover all workers, including foreign and migrant workers and those in the informal sector. The minimum wage on Zanzibar was above the poverty line.

The standard workweek is 45 hours, with a maximum of nine hours per day or six days per week. Any work in excess of these limits should be compensated with overtime pay at one-and-a-half times the employee's regular wage. Under most circumstances it is illegal to schedule pregnant or breastfeeding women for work between 10 p.m. and 6 a.m.

The law states employees with 12 months of employment are entitled to 28 days of paid annual leave, and it requires employee compensation for national holidays. The law prohibits excessive or compulsory overtime, and it restricts required overtime to 50 hours in a four-week period or in accordance with previously negotiated work contracts. The law requires equal pay for equal work.

Human rights groups pointed out that some employees believed they were pressured to work longer than normal hours due to the risk of losing their jobs. Some employment contracts required employees to work 10 hours per day in violation of labor laws and standards. Employees on the mainland reported they were required to work until their employer told them to leave, even past normal working hours; in Mbeya and Geita workers reported being forced to work on weekends and holidays, according to a 2020/21 large scale survey conducted by the LHRC.

Violations occurred most frequently in the hospitality, transportation (bus and truck drivers), construction, and private-security sectors, according to the LHRC survey. All employees in the survey indicated they had worked overtime at some

point, but only 38 percent received overtime pay.

Occupational Safety and Health: Several laws regulate occupational safety and health (OSH) standards in the workplace. According to TUCTA, OSH standards were appropriate for the main industries and enforcement of these standards improved, but challenges remained in the private sector. OSH standards, however, were not effectively enforced in the informal economy. The Occupational Safety and Health Authority did not employ sufficient inspectors. Most inspections were routine and planned, although inspectors have authority under the law to conduct unannounced inspections. OSH experts rarely identified unsafe conditions, including lack of protective equipment against COVID-19 in addition to responding to workers' OSH complaints. In dangerous industries such as construction, employees often worked without protective equipment such as helmets, gloves, and harnesses. According to the 2008 Accident Notification Survey (the latest available), the sectors with the highest rates of fatal accidents were construction and building, transport, and mining and quarrying. Domestic workers suffered injuries after being abused by their employers; physical abuse of domestic workers occurred frequently. By law workers can remove themselves from situations that endanger health or safety without jeopardy to their employment, but authorities did not effectively enforce this protection.

Workers may sue an employer if their working conditions do not comply with the Ministry of Labour's health and environmental standards. Disputes were generally resolved through the Commission for Mediation and Arbitration. There were no exceptions for foreign or migrant workers.

Many workers did not have employment contracts and lacked legal protections. The LHRC reported 41 percent of workers indicated they did not have written contracts, while 59 percent of workers said they did have written contracts, although even those who did were often not provided with written copies of their contract. Compared to the LHRC's 2019 report, the number of workers with written employment contracts decreased by nearly 25 percent. Additionally, employers often kept copies of the contracts that differed from the versions given to the employees. Companies frequently used short-term contracts of six months or less to avoid hiring organized workers with labor protections.

Wage, Hour, and OSH Enforcement: Minimum wage compliance is regulated through the Labour Administration and Inspection Services Department, which works under the Ministry of Labour and Employment. On the mainland, labor officers working in the Ministry of Labour monitor employment contracts, wages, and working time. The ILO noted that there were six labor officers in the Labour Administration and Inspection Section for the mainland to oversee the labor inspection system of 32 labor “area offices,” but the number of inspectors was insufficient to enforce compliance among a population of 28 million workers. In Zanzibar the Labour Commission has direct responsibility over labor inspection matters. On both the mainland and Zanzibar, labor officers may issue a compliance order to require employers to comply with labor laws under penalty of fines, imprisonment of up to three days, or both. On the mainland, labor officers working in the Ministry of Labour monitor employment contracts, wages, and working time. The government did not effectively enforce minimum wage, overtime, and OSH laws. Several laws regulate OSH standards in the workplace. The Occupational Safety and Health Authority did not employ sufficient inspectors. Most inspections were routine and planned, although inspectors have authority under the law to conduct unannounced inspections. In the case of a violation, inspectors could issue improvement notices with a deadline, issue a stop work order, or prohibit the use of dangerous equipment. There is no sanction or fine, however, that labor inspectors can directly apply in the mainland or in Zanzibar. Penalties for violations were not commensurate with those for similar crimes, such as fraud or negligence.

Informal Sector: The government did not adequately enforce labor standards, particularly in the informal sector, where most workers were employed, or for part time workers. The ILO reported that 76 percent of nonagricultural workers in the country were in the informal sector. According to the World Bank, the informal sector including small household enterprises was the fastest growing sector of the economy and drawing many workers away from low-productivity farming. The largest sectors within the informal economy included wholesale and retail trade, accommodation and food service, manufacturing, construction, and transportation. Women and young persons were more likely to work in the informal economy, with women more likely to be self-employed in wholesale or retail trade; manufacturing, which included crafts; and services, including running small hotels

or restaurants. Around 5 percent of the working population (mostly women and girls) was employed in informal domestic work. Domestic workers suffered negative impacts during the COVID-19 epidemic, including more layoffs, salary reductions and unpaid wages, deteriorating working conditions, and food insecurity. Domestic workers are covered by some laws setting minimum wages and some terms of employment, but ministry of health researchers indicated domestic workers were unaware of their rights and remained vulnerable to excessive working hours, extremely low pay or no pay, and exploitative conditions.

Men were more likely to be involved in trade (with men having larger businesses with one or more employees), mining, construction, or transport activities. Most informal workers lived in urban and more populated areas close to potential customers. Informal work in rural areas consisted mostly of small-scale farming. Some informal workers benefited from the Productive Social Safety Net Program backed by the World Bank providing cash transfers to impoverished households and work for one adult per household during the annual lean season. The program relies on external funding and covers only some rural areas and a small, vulnerable subset of the population. Some informal worker associations have privately arranged unregulated social protections for their members, such as rotational savings groups or schemes offering limited protection against health problems or death in some particularly hazardous professions such as transportation and construction. Although the law provides for enrollment of self-employed persons, stringent contribution conditions exclude many informal workers from joining and accessing benefits. The government introduced a National Informal Sector Scheme in 2021 for old-age pension, healthcare, and loans to bolster productive activities.