

Tanzania



Introduction

Although the [1977 Constitution](#) guarantees basic human rights and freedoms, the legal framework in Tanzania is not favorable for civil society organizations (CSOs) and civic freedoms. The government has in recent years enacted several laws restricting the freedoms of association, expression, and peaceful assembly. Moreover, the laws provide the executive branch with overly broad discretionary powers; consequently, human rights defenders, journalists, politicians, bloggers, and critics are often subject to criminal charges. These trends have accelerated since 2016 and laws have been adopted speedily and with virtually no meaningful consultation with civil society, the public, and other relevant stakeholders.

The roots of civil society in Tanzania can be traced to the pre-colonial period in Tanganyika in the 1920s. In 1922, for example, the Tanganyika Territory African Civil Servants Association was formed for securing the interests and welfare of indigenous civil servants. In addition, mutual cooperative movements and pastoralist movements were established to focus on land ownership

and security. These movements eventually led to the formation of the associations that fought for the country's independence in 1961. CSOs rose to further prominence in the 1980s after the government began to privatize and downsize the public sector under structural adjustment programs of the IMF and World Bank. These structural adjustment programs sought to strengthen CSOs' ability to promote accountability and counter corruption.

Currently, the civil society sector is comprised of non-governmental organizations (NGOs), associations, trustees, trade unions, community-based organizations, faith-based organizations, societies, and professional associations. In Tanzania, CSOs are classified into three entities: NGOs, Trustees, and Societies. These entities are further regulated by different government institutions, departments or ministries under the auspices of different laws.

The number of CSOs increased rapidly after the country shifted to multi-party governance in 1992. Moreover, the existence of strong and powerful religious institutions that channeled their social services to rural areas also played a role in the acceptance and recognition of CSOs by the communities they served. Before the enactment of the NGOs Act in Tanzania, CSOs were registered under the Society Act, The Company Law Act and Trustee Act.

Trustees are regulated by Trusteeship Incorporation Act Cap.318 through the Administrator-General under the Ministry of Constitution and Legal Affairs. "Trust" as per section 1A of the Trustees Incorporation Act is defined to mean "a legal relationship created by personal acts, by an order of the court or operation of the law." Meanwhile, societies are regulated by the Societies Act Cap.337 through the Registrar of Societies under the Ministry of Home Affairs. Before the 2019 amendments, some CSOs used to be registered as companies limited by guarantee. As defined under S.2 of the Act (Act Cap.337 R.E 2019), a society is "a non-partisan and non-political association of ten or more persons established for professional, social, cultural, religious, or economic benefits or welfare of its members, formed and registered." In 2001, the government formulated and adopted the NGO Policy that aimed at bringing all different segments of the civil society sector together.

Eventually, in 2002, the NGO Act was enacted. Since then, CSOs have generally been recognized as an important sector in promoting democracy, good governance, and development in Tanzania. NGOs are regulated by the NGOs Act No. 24 R.E 2019 (as amended) through the Registrar of NGOs, who is appointed by the President under section 3(1) thereof and overseen by the Ministry of Community Development, Gender, and Special Groups.

At a Glance

Organizational Forms	Non-Governmental Associations
Registration Body	Office of the Registrar of NGOs, within the Ministry of Community Development, Gender, Women and Special Groups
Barriers to Entry	Mandatory registration NGO Coordination Board can refuse to register an organization as an NGO under certain circumstances NGOs must renew registration every 10 years Registration fee (\$40 for domestic NGOs, \$350 for international NGOs) and annual subscription fees (\$20 for domestic NGOs, \$30 for international NGOs)

Barriers to Operations/Activities	Limited purposes permitted NGOs must publish an annual activity report and an annual audited financial report, and there are additional transparency and reporting obligations Government has significant powers to monitor NGO activities
Barriers to Speech and/or Advocacy	Government implements certain acts in a way that undermines freedom of expression. Problematic laws include the Police Force and Auxiliary Service Act, the Cyber Crime Act, the Statistics Act, the Media Services Act, the Access to Information Act, the Political Parties (Amendment) Act, and the Electronic and Postal Communications (Online Content) Regulations.
Barriers to International Contact	None
Barriers to Resources	An NGO that receives more than 20 million Tanzanian Shillings (\$8,500) must publish bi-annually the funds received and the costs incurred in raising such funds. All funding contracts must be submitted to the Registrar within 14 days.
Barriers to Assembly	The Police Force Auxiliary Services Act grants the police powers to prevent certain assemblies from taking place and broadly defines an “unlawful assembly.”

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Key Indicators

Population	67,462,121 (2024 est.)
Capital	Dodoma
Type of Government	Presidential republic
Life Expectancy at Birth	Total population: 66.08 years (2024 est.)

Literacy Rate	Total population: 83% (male: 86%, female: 79%) (2022 est.)
Religious Groups	Christian 63.1%, Muslim 34.1%, folk religion 1.1%, Buddhist <1%, Hindu <1%, Jewish <1%, other <1%, unspecified 1.6% (2020 est.)
Ethnic Groups	mainland – African 99% (of which 95% are Bantu consisting of more than 130 tribes), other 1% (consisting of Asian, European, and Arab); Zanzibar – Arab, African, mixed Arab and African
GDP per capita	\$3,972.6(2023 est.)

Sources: CIA World Factbook and World Banks

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International Rankings

Ranking Body	Rank	Ranking Scale (<i>best – worst</i>)
UN Human Development Index	167 (2023)	1 – 193
World Justice Project Rule of Law Index	98 (2023)	1 – 142
Transparency International	87 (2024)	1 – 180
Freedom House: Freedom in the World	Status: Partly Free Political Rights: 12 Civil Liberties: 24 (2024)	Free/Partly Free/Not Free 1 – 40 1 – 60
Foreign Policy: Fragile States Index	62 (2024)	179 – 1

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Legal Snapshot

International and Regional Human Rights Agreements

Key International Agreements	Ratification*	Year
International Covenant on Civil and Political Rights (ICCPR)	Yes	1976
Optional Protocol to ICCPR (ICCPR-OP1)	No	—
International Covenant on Economic, Social, and Cultural Rights (ICESCR)	Yes	1976
Optional Protocol to ICESCR (OP-ICESCR)	No	—
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	Yes	1972
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	Yes	1985
Optional Protocol to the Convention on the Elimination of Discrimination Against Women	Yes	2006
Convention on the Rights of the Child (CRC)	Yes	1991
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW)	No	—
Convention on the Rights of Persons with Disabilities (CRPD)	Yes	2009
Regional Treaties		

African Charter on Human and People's Rights	Yes	1986
East African Community Treaty	Yes	1999

** Category includes ratification, accession, or succession to the treaty*

Constitutional Framework

ARTICLE 3.-(1) The United Republic is a democratic, secular and socialist state which adheres to multi-party democracy.

ARTICLE 9. The object of this Constitution is to facilitate the building of the United Republic as a nation of equal and free individuals enjoying freedom, justice, fraternity and concord, through the pursuit of the policy of Socialism and Self Reliance which emphasizes the application of socialist principles while taking into account the conditions prevailing in the United Republic. Therefore, the state authority and all its agencies are obliged to direct their policies and programmes towards ensuring

- (a) that human dignity and other human rights are respected and cherished;
- (b) that the laws of the land are upheld and enforced;
- (c) that activities of the Government are conducted in such a way as to ensure that the national wealth and heritage are harnessed, preserved and applied for the common good and also to prevent the exploitation of one person by another;
- (d) that the national economy is planned and promoted in a balanced and integrated manner;
- (e) that every person who is able to work does work, and work means any legitimate activity by which a person earns a living;
- (f) that human dignity is preserved and upheld in accordance with the spirit of the Universal Declaration of Human Rights;
- (g) that the Government and all its agencies accord equal opportunities to all citizens, men and women alike without regard to their colour, tribe, religion or station in life;
- (h) that all forms of injustice, intimidation, discrimination, corruption, oppression or favouritism are eradicated;

Article 18 protects the right to freedom of expression: “Every person –

1. has a freedom of opinion and expression of his ideas;
2. has a right to seek, receive and, or disseminate information regardless of national boundaries;
3. has the freedom to communicate and a freedom with protection from interference from his communication;

4. has a right to be informed at all times of various important events of life and activities of the people and also of issues of importance to the society.”

Article 20 protects the rights to freedom of association and assembly: “Every person has a freedom, to freely and peaceably assemble, associate and cooperate with other persons, express views publicly and to form and join with associations or organisations formed for purposes of preserving or furthering his beliefs or interests or any other interests.” It also states that “It shall be unlawful for any person to be compelled to join any association or organization, or for any association or any political party to be refused registration on grounds solely the ideology or philosophy of that political party.” It includes limits on this right for “political entities,” however.

Article 21 protects the right to participate in public affairs: “. . . every citizen of the United Republic is entitled to take part in matters pertaining to the governance of the country, either directly or through representatives freely elected by the people, in conformity with the procedures laid down by, or in accordance with, the law.” It goes on to state that “Every citizen has the right and the freedom to participate fully in the process leading to the decision on matters affecting him, his well-being or the nation.”

ARTICLE 26. Duty to Abide and Protect the Constitution

(1) Every person has the duty to observe and to abide by this Constitution and the laws of the United Republic.

(2) Every person has the right, in accordance with the procedure provided by law, to take legal action to ensure the protection of this Constitution and the laws of the land.

National Laws and Regulations Affecting Sector

1. Non-Governmental Act of 2002 (as amended in 2005)
2. The Societies Act
3. The NGO Code of Conduct for Tanzania NGOs
4. The National Policy on Non-governmental Organizations
5. Amendments to the Value Added Tax
6. Constitution of the United Republic of Tanzania
7. [The Non-Governmental Organizations Regulations, GN No. 152 of 2004](#)
8. [The Non-Governmental Organizations \(The National Council Operational\) Regulations GN No. 92 of 2016](#)
9. [The Non-Governmental Organizations \(Amendments\) Regulations GN No, 609 of 2018](#)
10. [The Non- Governmental Organizations \(Renewal and Incentives\) Regulation GN No. 686 of 2019](#)
11. [NGO \(Rights and Duties of Assistant Registrars\) Regulations, 2019](#)
12. [Non-Governmental Organizations Code of Conduct GN No. 363 of 2008](#)
13. The Tax Administration Act
14. The Finance Act of 2024/2025
15. Income Tax Act (ITA) 2015.
16. The Basic Rights and Duties Enforcement Act No. 33 of 1994 (2020 Amendments)
17. The Police Force and Auxiliary Services Act, 1939 Cap. 322, [R.E. 2002]
18. The Non- Governmental Organizations Act 2002.
19. The Written Laws (Miscellaneous Amendment) Act No3 of 2019
20. The Written Laws (Miscellaneous Amendment) Act No3 of 2020
21. The Non-Governmental Organizations Act (Amendment) Regulations, 2019
22. The Electronic and Postal Communications (Online Content) Regulations, 2020
23. The Political Party Act (2019 Amendments)
24. The Media Services Act, 2016
25. The Cyber Crimes Act, 2015
26. The Statistics Act, 2015and its 2019 Amendments
27. The National Security Act of 1970, [Cap. 47 [R.E 2002]

28. The National Defence Act, Cap 192 [R.E 2002]
29. The Prevention and Combating of Corruption, Act No. 11 of 2007
30. The Area Commissioner Act 1962 & Regions and Regional Commissioners Act 1962
31. The Civil Service Act 1989
32. The Film and Stage Act No 4 of 1976, and its 2019 amendments
33. The Penal Code
34. The Media Services Regulations, 2017.
35. The Whistleblower and Witness Protection Act 2016
36. The Whistleblower and Witness Protection Regulations, 2023.
37. The Personal Data Protection Act, 2022.
38. The Personal Data Protection (Personal Data Collection and Processing) Regulations, 2023.

Pending NGO Legislative / Regulatory Initiatives

1. In May 2023, CSOs called for [amendment of the NGO Regulations](#). However, there are not any amendments which have been made by the government of the responsible ministry.
2. The Constitution-making process in Tanzania commenced in 2014 with the Fourth Phase President, Jakaya Mrisho Kikwete. [Historically](#), the first draft of the Constitution is embedded in the 1977 version of the Constitution and has fourteen amendments, followed by a second draft, which was presented to the President of the United Republic of Tanzania and the President of the Revolutionary Government of Zanzibar on December 30, 2013. However, the process stalled from 2014 to date and without any clear signs of when the process will be revived. When the late President Maguful came into power in 2015, he openly declared that developing a new Constitution was not his priority. When President Samia Suluh Haassan assumed presidential power, she also maintained the same position that making a new constitution was not his priority. However, President Samia formed a National Task Force for minimum reforms led by Prof Mukandala. Among other things, this task force recommended new pathways to a new Constitution. Consequently, on May 6, 2023, the government issued a [statement](#) directing the Registrar of Political Parties to convene a [political parties council meeting](#) to discuss, among other things, the Constitutional review. As of August 2024, there is no any meaningful initiatives or strategies that suggest Tanzania will very soon get its new Constitution. This is manifested by the current position of the Government, which has been emphasizing on continuous public education about the current constitution for the period of three years before re-embarking into the new constitution making process. This has been interpreted as a delay technique by the ruling party CCM which benefit from the current constitution and sees the new constitution as the threat to its status quo.
3. In November 2023, the Tanzanian Human Rights Defenders Coalition (THRDC) [gathered](#) human rights defenders from all regions of the country to celebrate the 25th anniversary of the UN Declaration on Human Rights and discuss its implementation in the country and the needs to strengthen the legal framework for the promotion and protection of the rights for defenders through the adoption of a policy on human rights defenders. A draft policy was then presented to the participants. Among other things, it includes important principles and rights, such as the right to freedom of expression, freedom of peaceful assembly and ensuring that decisions on registration, suspension and de-registration of organizations are taken by a mechanism the majority of whose members are from civil society. The policy also provides for state obligations such as the need to ensure an enabling environment for defenders. The policy was adopted by civil society and at this point a commitment has been made by the office of the Minister of Constitutional and Legal Affairs to kickstart the process of its implementation with particular attention given to the needs expressed by defenders.
4. In 2017, Tanzania Human Rights Defenders Coalition in collaboration with Media Council of Tanzania, Legal and Human Rights Centre instituted a case at the East African Court of Justice challenging 16 provisions of the Media Services Act that was

enacted in 2016 with provisions contravening the freedom of expression. In 2019, the East African Court of Justice issued the judgement stating that the Media Services Act contravenes the Constitution of Tanzania and the EAC Treaty. The court ordered the government to amend 14 provisions of the Act. In 2023, sections 50 and 51 were amended to remove criminal defamation from the Act.

5. Tanzania Human Rights Defenders Coalition has influenced the amendments of the Electronic and Postal Communications (Online Content) Regulations of 2020 by reducing registration and annual fees for online television from Tzs 1,000,000 to Tzs 500,000. The Regulations were enacted in 2020 and THRDC since then advocated for the removal of the registration and annual fees. The advocacy by THRDC led to the amendments of the Regulations though not as wished by the coalition.
6. CSOs under the Coordination of THRDC in collaboration with Tanzania Revenue Authority for many years have advocated for CSOs tax reforms in Tanzania with proposed recommendations. In July 2024, the President of the United Republic of Tanzania formed a commission to advise her on tax issues within the country.
7. In January 2023, the President of Tanzania formed a commission for reviewing the criminal justice system of Tanzania. CSOs Coalition actively participated in submitting recommendations for reforming the criminal justice system in Tanzania in April 2023. THRDC members submitted a list of recommendations proposing amendments to all institutions handling criminal issues like the Police, Judiciary, Prisons and the laws regulating these institutions. The Commission issued a draft report incorporating many of those recommendations. Though meaningful changes have not been made, civil society hopes that this will influence and lead to changes in the criminal justice system in the near future.
8. The Government of Tanzania has just published the Finance Act No. 6 of 2024 on June 30, 2024, which became effective from July 1, 2024. Part X of the Finance Act 2024, specifically Section 38, has amended the Income Tax Act, Cap. 332. The significant change involves the amendment of Section 64(8), which now includes the advancement of health and environmental protection as criteria for obtaining charitable organization status for NPOs. This amendment aims to promote charitable services related to health and environmental protection, addressing the effects of global climate change. Even though major parts of NPOs recommendations for review have not been considered this financial year, we appreciate the government for coming up with these few amendments impacting positively the NPOs. The updated Section 64(8) of the Income Tax Act now recognizes health and environmental protection activities as qualifying criteria for charitable status. The amendments to Section 64 of the Income Tax Act provides slight progress in our ongoing advocacy for review of tax regime laws in favor of all major thematic areas of non-governmental organizations. Therefore, the scope of charitable activities recognized for tax exemptions is now widened to include non-profit organizations focusing on health and environmental activities. THRDC and TRA have also published the second edition of CSOs Tax Tool Kit.

If you are aware of any pending legislative or regulatory initiatives that affect civic freedoms in Tanzania, please write to ICNL at ngomonitor@icnl.org.

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Legal Analysis

Organizational Forms

The legal framework in Tanzania provides for a range of organizational forms for CSOs. These include, among others, societies, trusts, and non-governmental organizations (NGOs).

On June 30, 2019, the [Written Laws \(Misc. Amendments\) Act No. 3 of 2019](#) (“the Miscellaneous Amendments Act”) took effect in Tanzania. It amends key laws governing civil society – namely,

the Non-Governmental Organizations (NGO) Act, the Societies Act and the Companies Act.

An NGO is defined under section 2 of the [NGO Act, 2002](#), as amended by section 29 of the Miscellaneous Amendments Act:

‘Non-Governmental Organization’ also known by its acronym ‘NGO’ and which includes Community Based Organisation (CBO) means a voluntary grouping of individuals or organizations which is non-partisan or non-profit sharing established and operates for the benefit or welfare of the community or public organized at the local, national or international levels for the purpose of enhancing or promoting economic, environmental, social or cultural development or protecting environment, good governance, law and order, human rights, and lobbying or advocating on such issues; but does not include:

- *a company formed and registered under the Companies Act, Cap. 318*
- *a trust formed and registered under the Trustees’ Incorporation Act; Cap. 366*
- *a trade union formed and registered under the Employment and Labour Relations Act;*
- *a religious or faith propagating organisation; Cap. 211*
- *a cooperative society formed and registered under the Cooperative Societies Act;*
- *an agricultural association formed and registered under any written law other than this Act; Cap. 337*
- *a society formed and registered under the Societies Act; Cap. 258*
- *a political party formed and registered under the Political Parties Act; Act No. 10 of 2018*
- *a microfinance group (VICOBA) registered under the Microfinance Act; Cap. 49*
- *a sports association formed and registered under the National Sport Council of Tanzania Act; and*
- *any organisation which the Minister may, by order published in the Gazette, declare not to be a non-governmental organisation for the purpose of this Act.*

The Ministry of Community Development, Gender, Women and Special Groups maintains a public database of registered NGOs on its [website](#).

A society is defined under section 2 of the Societies Act, as amended by section 35 of the Miscellaneous Amendments Act:

“Society” means a non -partisan and non -political association of ten or more persons established for professional, social, cultural, religion or economic benefits or welfare of its members, formed and registered as such under this Act, but does not include –

- (a) a company formed and registered under the Companies Act;*
- (b) a trust formed and registered under the Trustees’ Incorporation Act.*

This country note will focus predominantly on NGOs.

Public Benefit Status

NGOs in Tanzania are not automatically exempted from paying taxes. Rather, under the [Income Tax Act, 2004](#), they must apply to the Commissioner-General of the Tanzania Revenue Authority for recognition as a charitable organization. Section 64(8) of the Act states, “For the purposes of this section, “charitable organisation” means a resident entity of a public character that satisfies the following conditions: (a) the entity was established and functions solely as an organisation for: (i) the relief of poverty or distress of the public; (ii) the advancement of education; or (iii) the provision of general public health, education, water or road construction or maintenance; and (b) the entity has been issued with a ruling by the Commissioner under section 131 currently in force stating that it is a charitable organisation or religious organization.”

Public Participation

Public participation is protected by the Constitution, which provides for the right to vote (art. 5(1)), the right to freedom of expression (art. 18), the right to freedom of association (art. 20), and the freedom to participate in public affairs (art. 21). In addition, a number of laws speak to the right:

- The [Access to Information Act No 6 of 2016](#) provides for access to information and defines the scope of information that the public has a right to access.
- The [Elections Act Cap 343 RE 2015](#) regulates the election of the President and election to the national assembly.
- The [Local Government \(District Authorities\) Act No. 7 of 1982 \(as amended in 2019\)](#) provides for the establishment and registration of local government authorities.
- The [Political Parties Act Cap 258 RE:2019](#) provides for the conditions and procedure for registration of political parties in Tanzania.
- The [Environmental Management Act No. 20 of 2004](#) provides a legal framework for environmental management, outlines principles for public participation.
- The [Non- Governmental Organizations Act No 24 of 2002](#) provides for the registration and regulation of non-governmental organizations.
- The [Media Services Act of 2016](#) provides for the promotion of professionalism in the media industry, establishes the Journalists Accreditation Board and an Independent Media Council.
- The [Public Procurement Act No.7 of 2011](#) provides for the regulation of public procurement.

Furthermore, the [Elections \(Presidential and Parliamentary Elections\) Regulations of 2010](#) and the [Local Government \(Election of Councilors\) Regulations of 2020](#) contain provisions relevant to the right to public participation. In addition, with regard to environmental impact assessments specifically, Section 46 of the Environmental Management Act No. 20 of 2004 provides for public participation in preparation of the national environmental action plan, and Regulation 17 of the Environmental Impact Assessment and Audit Regulations GN No. 349 of 2005 provides for public participation. In general, the legal framework protects the participation rights of marginalized groups or those facing discrimination in society, through, for example, the [HIV and AIDS \(Prevention and Control\) Act No. 28 of 2008](#), [Persons with Disabilities Act No. 9 of 2010](#), and [National Policy on Aging of 2003](#). However, legal and societal discrimination against LGBTQI individuals, and the failure to recognize LGBTQI rights overall, means that the participation rights of LGBTQI individuals and groups are limited in practice, and public participation on LGBTQI issues is restricted. For instance, the government [warns](#) against dissemination of online messages and short videos and went as far as [threatening](#) to de-register any NGO advocating for LGBTQI rights.

There are some laws that have the effect of restricting participation, as organizations such as [Human Rights Watch](#) have recognized and criticized:

- The [Cybercrimes Act of 2015](#) creates the offense of receiving unauthorized information or computer data, regardless of whether the defendant intended to access the information/data. It also allows for [abuse by law enforcement officers](#): They are allowed to search homes of suspected violators, seize their electronic hardware, and demand data from online service providers.
- The [Media Services Act of 2016](#) gives government agencies broad power to censor and limit the independence of the media by creating stringent rules for journalist accreditation and creating offences and oversight powers that are open to [abuse by the government](#).
- The [Non-Governmental Act of 2002](#) allows for unchecked powers of administrative authorities, and the government has deliberately targeted NGOs for their civic engagement, for instance for challenging the president's statements or for advocating for LGBTQI rights. In addition, immigration authorities within the Ministry of Home Affairs have raised questions about the nationality of those perceived to be government

critics to frustrate and silence them; in several cases, they have summoned individuals for questioning or seized their passports.

- The [Political Parties Act Cap 258 RE 2019](#) restricts the space in which political parties can independently operate in Tanzania. The [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. It, therefore, created a small space for the opposition and provided the registrar of political parties the power to deregister political parties, to interfere with parties' internal affairs including the power to suspend individual party members and prevent them from undertaking political activities. [Bertelsmann Stiftung](#) has reported that political parties are prohibited from acting as "a group of people that influence public opinion or government action in the interest of a particular cause."

The restrictions on public participation tend to fall disproportionately on organizations, journalists, and advocates that deal with rule of law, human rights, and democracy issues, as well as those who [criticize the government](#). There have also been cases where the public participation rights of [environmental defenders](#) have been restricted.

To [some degree](#), citizens are indeed aware of opportunities for public participation. Information is shared via online publications on different government websites and through public meetings and workshops. Other means of publications or dissemination are through government gazettes. The [President's Office Public Service Management and Good Governance](#) provides a list of [government gazettes](#), newspapers, and radio and television broadcasts.

Barriers to Entry

All NGOs must register to operate under the NGO Act (NGO Act, Section 11(1)). All NGOs must apply for registration with the Office of the Registrar of NGOs, which is part of the Ministry of Community Development, Gender, Women and Special Groups (Section 11(1)).

Section 12 of the NGO Act, 2002 outlines the process and required documents to apply for registration:

(1) A group of persons who wish to apply for registration of a Non-Governmental Organization shall make application in the prescribed form to the Registrar.

(2) An application for registration shall be submitted by one or more persons, being founder members, which shall be accompanied by:

(a) A copy of the constitution of the Non-Governmental Organization;

(b) Minutes containing full names and signature of founder members;

(c) Personal particulars of the office bearer;

(d) The address and physical location of the head office of the Non-Governmental Organization;

(e) An application fee; and

(f) Any other particulars or information as may be required by the Registrar.

The NGO Act, 2002 authorizes the NGO Coordination Board (Board) to (1) approve and coordinate registration of NGOs; (2) examine annual reports of NGOs; and (3) investigate NGO adherence with their governing documents (NGO Act, Sections 7(1)(a), (c), (d), (f) and (l)). Upon acceptance

of the application, the Board directs the Registrar of NGOs to issue a certificate of registration to the applicant.

The Board can refuse to register an organization as an NGO if (1) the activities are not in the public interest or are contrary to any written law; (2) the application contains false or misleading information on any material matter; or (3) the Council has recommended that the NGO not be registered (NGO Act, Section 14). (The Council is the National Council for NGOs, established under the NGO Act as a collective forum of NGOs to coordinate and provide a network for NGOs in Tanzania. (NGO Act, Sections 25(2)-(3), 27, and 28)).

If the Board denies the application, it must provide a reason for the denial within 21 days and the applicant may apply to the Board to review the decision. If the Board upholds the rejection, the applicant may then apply to the Minister of Health, Community Development, Gender, Elderly and Children to evaluate the case. The Minister may either (a) uphold, quash, or alter the decision of the Board; (b) require the Board to revise or review its decision; or (c) require the Board to request additional information from the appellant for further consider the application. The decision of the Minister is final and binding.

NGOs must renew their certificate of registration every 10 years. (NGO Act, Section 17(3)). Applications for renewal of registration must be made 6 months before the expiry date (NGO Act, Section 17(4)).

The registration fees for domestic NGOs are 100,000 Tanzania shillings (\$43), while fees are \$500 for international NGOs. Similarly, the annual subscription fees for domestic NGOs are 4,000 Tanzania Shillings (\$20), while the fees for an international NGO are 60,000 Tanzania Shillings (\$30).

Barriers to Operational Activity

Section 2 of the NGO Act, 2002, as amended by the Miscellaneous Amendments Act, limits NGO purposes to “enhancing or promoting economic, environmental, social or cultural development or protecting the environment, good governance, law and order, human rights, and lobbying or advocating for such issues.” Any purpose not covered by this definition is not permitted. NGOs are not permitted to become involved in political platforms or conduct activities that are aimed toward influencing or mobilizing citizens to engage in a certain political party.

In terms of reporting, NGOs must publish two annual reports: (1) the annual activity report (made available to the public, the Council, the Board, and other stakeholders) (NGO Act, Section 29(1)); and (2) the annual audited financial report (submitted to the Council and Board and made available to the public) (NGO Act, Section 29(1)(b)).

In addition to the annual audited financial report, NGOs have financial transparency and reporting obligations under the NGO Act (Amendment) Regulations of 2018:

- NGOs must disclose to the public, Registrar, Council, Board, and other stakeholders the source, expenditure, purpose, and activities related to funds or resources obtained within 14 days from the date of completing fundraising activities (NGO Regulations, Regulation 12); and
- If the NGO receives funds exceeding twenty million shillings, then it must submit contracts or agreements entered with donors to the Treasury and Registrar for approval; declare to the Registrar any resource received in cash or in kind before its expenditure; and publish biannually in a widely-circulating newspaper or other media channels funds received and expenditures (NGO Regulations, Regulation 13).

International NGOs also have additional duties. These include (1) fostering and promoting the capacities and abilities of other NGOs, (2) participating in the activities of the Council; and (3)

refraining from acts likely to cause competition or misunderstanding among NGOs (NGO Act, Section 31).

The government has significant powers to monitor NGO activities. The NGO Registrar may conduct monitoring and evaluation of NGO activities on a quarterly basis and report to the Board (NGO Act, Section 4(1)(i)); investigate any matter as required, through collaboration with law enforcement organs (NGO Act, Section 4(A)(1)); and require cooperation from law enforcement and public entities to provide facilities and services of employees deemed necessary to help the Registrar perform its functions (NGO Act, Section 4(A)(2)). Moreover, the relevant Minister may issue guidelines necessary for monitoring and evaluating the operations of NGOs (NGO Act, Section 4(4)).

Regarding sanctions, a person commits an offense if he/she, among others, operates an NGO without registering under the NGO Act (NGO Act, Section 35(1)). In such a case, the person is liable for a fine of up to 500,000 shillings or imprisonment for up to one year, or both a fine and imprisonment (NGO Act, Section 35(1)); and disqualified from holding office in any NGO on mainland Tanzania for a maximum period of 5 years (NGO Act, Section 35(2)).

Regarding involuntary dissolution, the NGO Registrar may suspend the operations of any NGO that violates the provisions of the NGO Act, pending final determination by the Board (NGO Act, Section 4(1)(i)). The Board may suspend or cancel a certificate of registration if the NGO has violated terms or conditions of the certificate of registration; the NGO has ceased to exist; the NGO operates “in variance” to its constitution; or the Council has submitted a recommendation for the suspension/cancellation of the NGO (NGO Act, Section 20(1)).

NGOs have generally been able to collaborate with state bodies, such as the judiciary and parliament, although this has varied depending on the nature of NGOs’ activities and methods.

Barriers to Speech and Advocacy

Article 18 of the 1977 Constitution of Tanzania provides for freedom of expression without exception. Nevertheless, in practice, state agencies implement provisions of certain laws, such as the Police Force and Auxiliary Service Act, 2002, and the Media Services Act, 2016, in ways that undermine the freedom of expression. Several studies and analysis done by THRDC for the past five years indicates many laws were enacted or reviewed deliberately suppress free speech and media rights in Tanzania. Some of these laws include, the Media Services Act, Media Services Regulations, Cybercrimes Act, Electronic and Postal Communications (Online Content) Regulations, Electronic and Postal Communication (Sim-Card Registration) Regulations of 2020, Personal Data Protection Act, Personal Data Protection Regulations, Statistics Act, and Access to Information Act. These reviews, along with analyses from various stakeholders over the years, indicate that freedom of expression in Tanzania is not respected.

According to THRDC, human rights Defenders Civic Space Reports about 1000 HRDs, including journalists, online activists, political activists, and journalists have been affected by the implementation of various laws, including media laws, between 2014 and 2024. On average, at least 30 cases per year of journalists and media outlets are registered and supported by THRDC. These cases are mostly involve arbitrary arrests, unlawful detention, criminal charges on false information, malicious prosecution, and confiscation of work equipment.

The main challenge with these laws are they do not meet international standards on limitations to freedom of expression under international law. This is why most of the lower court decisions on cybercrimes were overturned by the High Court. For instance, in the cases of Bob Wangwe, Abdul Nondo and the East African Court of Justice, it was stated that 14 provisions in the Media Services Act do not meet the international standards. Therefore, there is a need to amend these laws in order to meet international standards.

The following laws have been used to impede the freedom of expression in Tanzania:

The Cyber Crime Act, 2015 criminalizes certain online activities, including the publication of false, deceptive, misleading, or inaccurate information. The Act gives law enforcement broad powers to search and seize electronic equipment. In addition, the Act does not require investigating officers to obtain a warrant before carrying out activities such as surveillance or interception of communications; “reasonable grounds” are sufficient. Procedural safeguards and due process guarantees are also largely left out of the Act. Key terms, including “offences,” are further not clearly defined. The Act also includes a “sedition offence” that carries severe penalties. More generally, its criminal sanctions are highly disproportionate, and it only recognizes a small number of available defenses. The government has prosecuted the independent online activities of bloggers, journalists, and citizens under this law.

The 2024 study by THRDC and East Africa Human Rights Institute on freedom of expression and media law related cases, indicates that the Cybercrimes Act No. 14 of 2015, and especially Section 16, has often been used in cases involving the publication of false information intended to defame, insult, or mislead. Section 16 was the most frequently cited across numerous cases, including:

1. Livinus Kidamabi @ Tengwa v. Republic, Criminal Appeal No. 96 of 2022, High Court of the United Republic of Tanzania, Shinyanga Sub-Registry. This is an appeal of the above stated case at the High Court of Tanzania.
2. Republic vs Abdul S/O Mahamoud Omary Nondo Criminal Case No 13/2018. In the Court of Resident Magistrates of Iringa, Nondo was charged with two counts, namely Publication of false information, contrary to section 16 of The Cybercrimes Act No. 14 of 2015 and giving false information to a person employed in the public service, contrary to section 122(a) of the Penal Code Cap 16 RE 2002.
3. The Director of Public Prosecutions Abdul Mohamed Omary Nondo, Rm. Criminal Appeal No. 10 of 2019. This is an appeal from the above case where the DPP withdrew the case.
4. Japhet Ibrahim Matarra V Republic, Criminal Appeal No 51 of 2023. It is an appeal before the High Court of Tanzania Moshi District Registry, at Moshi, the Appellant appealed against his charges and sentence of 5 years or pay fine of seven million shillings for the offence of publication of false information, contrary to section 16 of the Cybercrimes Act, 2015, by the District Court of Moshi at Moshi.
5. Raymond Paul Kanegene & BOB Chachawangwe s. The Attorney General. Consolidated misc. cause no. 15/2019 and no. 5/2020. This is a Constitutional case which challenged the constitutional validity of Sections 16 and 39(2)(a) &(b) of the Cybercrimes Act No. 14 of 2015. It was dismissed.
6. Republic Vs. Opptertus John Fwema. [criminal case 156/2021]. [miscellaneous criminal application no 27 of 2021]. Mr. Fwema, a cartoonist, was arrested for allegedly posting false information on his Instagram account, which is contrary to section 16 of the Cyber Crimes Act, 2015. The case was withdrawn by the prosecution.
7. Republic vs Alex Emmanuel Magoti, criminal case no. 205/2022. Magoti was arrested for publishing false content through a YouTube channel called Gatta Online Media, which was contrary to section 16 of the Cyber Crimes Act. He was also accused of providing online content services without a license from the Tanzania Communications Regulatory Authority (TCRA), which violated regulations 4 (1) and (2) the Electronic and Postal Communications (Online Content) Regulations of 2020. He was sentenced to pay fine of Ten million or three years of imprisonment.
8. Werdy S/O Mwaipopo vs The Republic. [Crim Appeal No. 108/2020]. Mr. Werdy Mwaipopo, was convicted for posting a derogatory image and message on Facebook regarding Prophet Mohammad, which was deemed to incite racism and xenophobia. The trial magistrate sentenced him to three years and six months in prison for publishing racist and xenophobic-motivated insults contrary to section 18(1) and (2) of the Cybercrimes Act No. 14 of 2015.
9. Omary Nzobalakila Vs R, Criminal Appeal No. 56 OF 2022, High Court of Tanzania, Morogoro District Registry. Omary Nzobalakila, a Burundian national employed as a driver, was arrested and charged with cyberbullying under the Cyber Crime Act 14 R.E. 2015. Upon arraignment, he pleaded ‘it is true’, which was interpreted as a plea of

- guilty. Subsequently, he was convicted and sentenced to three years in prison or a fine of TZS. 5 million. He appealed and was set free by the High Court.
10. David Peter @ Sembosi and Another vs Republic, Criminal Appeal No. 45/2022. The appellants were accused of creating and operating a website that distributed DSTV content without authorization. They were charged for violation of intellectual property rights Contrary to Section 24(1) & (2) (b) of the Cyber Crimes Act No. 14 of 2015 trial court sentenced them to pay a fine of Twenty Million Tanzanian Shillings (TZS 20,000,000/=) or to imprisonment for a term of five (5) years in default to pay the said fine. They were aggrieved by the verdict of the trial Court and hence appealed to the High Court whereby they were set free by the High Court.
 11. Leonard Mulokozi Kyaruzi vs Republi, Criminal Appeal No. 290/2018. Mulokozi Kyaruzi was arraigned before the Resident Magistrates' Court at Kisutu and charged with two counts: Publication of defamatory information contrary to Section 16 of the Cybercrimes Act No. 14 of 2015 and Transmission of Offensive Communication by means of application service contravening the Electronic and Postal Communications Act No. 03 of 2010. The High Court set him free.
 12. Bob Chacha Wangwe Versus Republic, Criminal Appeal No. 370 of 2018. Bob Chacha Wangwe, the appellant, was initially accused and convicted at the Kisutu Resident Magistrate's Court of posting misleading and potentially harmful information on Facebook contrary to Section 16 of the Cybercrimes Act. He was sentenced to 1 year and 6 months imprisonment or fine of Five Million. He paid fine and appealed to the High Court which set him free.
 13. Aman Yohana Mandeville vs. the Republic Hc. Criminal Appeal No. 22 of 2021. High Court of Tanzania, Mwanza Sub-Registry, At Mwanza. Aman was charged with three counts in the Resident Magistrates' Court of Geita: (i) Computer related forgery under sections 11(2) and (2) of the Cyber Crime Act, 2015, (ii) Being in possession of illegal devices under sections 10(1)(a) and (2) of the Cyber Crime Act, 2015, and (iii) Data espionage under sections 8(1) and (2) of the Cyber Crime Act, 2015. He was found guilty on one offence. He appealed and was set free by the High Court.
 14. Anord Jifike Nzali and 10 others vs. Republic, Consolidated Miscellaneous Criminal Application No. 73, 75 & 76 of 2023, the High Court of Tanzania, Mbeya District Registry. Anord and 10 others were arrested and charged for economic offences and unlawful possession of illegal device contrary to sections 10 (1) (a) of the Cyber Crimes No. 14 of 2015.

The Statistics Act of 2015 made it a crime for people in Tanzania to publish "false official statistics" or to disseminate information that would result in the "distortion of facts." In 2018, Parliament amended the law to make it a crime to publish statistics without the approval of the National Bureau of Statistics, and to disseminate statistics that "invalidate, distort or discredit" the government bodies' statistics. In 2019, the Written Laws (Miscellaneous Amendments) Act No. 3 amended the Statistics Act yet again to affirm that every person has a right to collect and disseminate statistical information and removes criminal liability for publishing independent statistics. These law has significantly affected reaserchers and the capacity of CSOs to conduct social and human rights studies by denying them research permit and also by subjecting unofficial and normal surveys to be scrutinized like scientific research.

The Media Services Act (MSA), 2016 contains vague and ambiguous terminology, such as "false statements," "rumors," and "disturbing the public peace." Among the most problematic provisions is section 58, which gives the Minister of Information, Youth, Culture and Sports "absolute discretion" to prohibit importing a foreign publication. Furthermore, section 59 provides the Minister discretionary powers to prohibit or otherwise sanction the publication of any content that jeopardizes national security or public safety. This section has been used to ban or suspend independent media and has been a key tool in the crackdown on civic space.

The MSA has been criticized for over regulating the media industry in Tanzania. In 2017 THRDC collaborated with the Media Council of Tanzania (MCT) and LHRC to file a public interest case before the East African Court of Justice in Arusha challenging 16 provisions of the Media Services Act, 2016 (Media Council of Tanzania & 2 Others V. The Attorney General of the United Republic

of Tanzania, Reference No. 2 of 2017) Eventually, the East African Court of Justice issued directives in 2019 to the Government of Tanzania that have yet to be fully implemented on amending the 14 provisions of the Media Services Act that were successfully challenged. Even though there is no any case reached in courts of law as the result of this law, this law has significant impact on media freedom in Tanzania,

Section 7 of the Media Services Act still restricts type of news and content without justifiable cause while Section 9 (b) of the Media Services Act empowers the Director of Information Services Department to suspend or cancel license of a media outlet and make him or her complainant, prosecutor and a judge at the same time.

The incoming of President Samia into Power in 2021 provided certain kind of relief to civic space and media from. For instance, on June 13, 2023, Parliament [passed amendments](#) to the Media Services Act. The amendments are [generally seen as enabling](#), and include removing criminal defamation offenses, eliminating courts' power to confiscate media equipment, and increasing media self-regulation and opportunities to earn resources through advertising. Previously, in April 2021, H.E President Samia Suluhu Hassan had [lifted](#) the suspension of about 20 media outlets such as Tanzania Daima and Mwanahalisi, Mawio etc. The recent minor amendments have failed to remove criminality aspects of some offenses such those in section 35,36,37,38,39, 53, 54 and 40 of the Media Services Act..

The Access to Information Act, 2016, promotes transparency and supports the right of access to information, as guaranteed under Article 18 of the Constitution. However, it also imposes severe penalties for wrongly releasing information to the public. The authorities may also withhold information if its disclosure is deemed likely to, *inter alia*, undermine Tanzania's international relations, hinder or cause substantial harm to the government's management of the economy, or distort records of court proceedings before the conclusion of a case. The scope of "information relating to national security" in section 6 is exceedingly broad, and any person who discloses exempt information can face three to five years in prison.

The Political Parties (Amendment) Act, 2019, regulates political activities and political parties in Tanzania. The Registrar of Political Parties, which regulates the civic education of political parties, has broad leeway to reject the application of any CSO that seeks to provide political and civic education to political parties, as stipulated in section 5(2).

The amendments also include severe penalties for administrative offences. For instance, a political party can be suspended for failing to maintain an updated register of its members or leaders (section 8C(3)), creating fear that political parties may unwittingly contravene the law. In addition, section 5B authorizes the Registrar to request information from political parties, and the failure to honor requests from the Registrar is a criminal offence. Furthermore, the penalties envisioned are disproportionate. For instance, failing to provide any information can result in fines of millions of shillings for both individuals and institutions, or even jail terms. In some cases, parties can be suspended indefinitely or deregistered for these administrative offences.

Another law that has negative implication on media freedom and freedom of expression with a number of litigation the Electronic and Postal Communications (Online Content) Regulations, 2018. The law has been used to impose hefty fines, stern warnings, and even banning of some media houses or outlets against what was translated as unacceptable content contrary to the law regulating online content or non-registration or licenses, for example, in the complaints against Zamampya Online Tv, Radio Free Africa, Jambo TV. For example, Zamampya Tv was ordered to pay a two million fine on the pretext of allowing what was considered inappropriate content.

The Regulations, which were enacted by the Minister of Information under the Electronic and Postal Communications Act 2010, came into effect in April 2018. They allow the government to arbitrarily regulate and ban online content produced by bloggers, citizen journalists, forum administrators, and social media users, as well as content on websites, online television, and radio stations. The Regulations apply to everyone in Tanzania, as well as to Tanzanian citizens living abroad. The Tanzania Communications Regulatory Authority (TCRA) regulates online content and

has sweeping powers to remove it. It is also tasked with keeping a register of bloggers, online forums, and online radio and television stations, and can impose significant fines for violations.

The Regulations require all online blogs and forums to register with the TCRA, and registration and licensing are mandatory for any blogging or citizen journalism activity. The initial annual licensing fee was 2,000,000 Tanzanian Shillings (\$850), a prohibitively high amount that is equivalent to roughly one-third of the average annual per capita income in Tanzania. However due to the recent reforms, the annual fees have been reduced to 250 USD. In addition to restricting fundamental freedoms, the law creates a climate of fear for journalists, human rights activists, opposition parties, anyone critical of the government, and social media influencers.

The [Electronic and Postal Communications \(Online Content\) \(Amendment\) Regulations, 2022](#) (Amended Online Content Regulations) amend the [Electronic and Postal Communications \(Online Content\) Regulations, 2020](#), which were published on 17 July 2020 (2020 Online Content Regulations) (both collectively referred to as the Online Content Regulations).

These [amendments](#) include:

- A requirement for online media service providers to obtain a license from the Authority, and removal of the reference to online content services;
- An exemption for mainstream media licensees from obtaining online media services licenses for simulcasting or re-publication of content through the internet;
- The prescribed application form and fees to obtain an online media service license;
- Removal of the obligation for licensees to establish a policy or guidelines on making online content safe use and making the same available to online content users;
- A repeal of the prohibition on mainstream content service providers with district or regional licenses from simulcasting content using online platforms;
- Removal of the onerous obligations that were placed on internet café operators.
- A reduction of the online media services license fees provided under the Second Schedule of the 2020 Online Content Regulations;
- A detailed list of prohibited content, as per the Third Schedule to the 2020 Online Content Regulations.

Some of decided cases by TCRA Content Committee

- *Complaint Against Zamampya Tv, No. 15 Of 2022*

The Tanzania Communication Regulatory Authority. ZamaMpya TV, a licensed online broadcaster, published contentious content on its Twitter page. It was attributed to a noted musician, *Selemani Masindi @ Afande Sele* who criticized leaders for lack of innovation in public projects linked to increased taxes. The biased publication was deemed to stir public discontent and misinformation, breaching the broadcasting content regulations stipulated in the Electronic and Postal Communications (Online Content) Regulations of 2020. Zamampya was fined to pay two million shillings.

- *The case of Watetezi Tv by TCRA Content Committee*

On September 25, 2019, Watetezi Tv was summoned by the TCRA Content Committee to give explanations for not making available to the users an Online Policy or guideline contrary to Regulation 5(1) (c) of the Electronic and Postal Communication (Online Content) Regulations. Watetezi Tv was sentenced to pay fine of Five Million and a warning. Watetezi Tv appealed to the Fair Competition Tribunal and the fine was reduced to Three million.

- *The case of Radio Free Africa,*

On May 3, 2017, the Tanzanian government issued a directive through the Minister of Information, Culture, Arts, and Sports, prohibiting radio and television broadcasters from reading detailed content from newspapers, restricting them to read only headlines, to protect the market for printed newspapers. On February 1, 2019, Radio Free Africa was alleged to have violated this directive by

reading detailed newspaper content on its program “Good Morning Africa” during the segment “Tuzungumze Magazetini”. The Content Committee found that Radio Free Africa did violate the government directive by reading detailed newspaper content on air. The committee issued a formal warning to Radio Free Africa and instructed them not to repeat the violation.

Barriers to International Contact

The laws and policies governing NGOs do not limit or restrict international contact or partnerships that domestic organizations may form with international entities. The government also does not hinder the free movement or travel of NGO representatives into and out of the country.

Barriers to Resources

Regulation 13(b) of the Non-Governmental Organizations (Amendments) Regulations, 2018, requires an NGO that receives more than 20 million Tanzanian Shillings (\$8,500) to publish bi-annually the funds received and the costs incurred in raising such funds. This information must be published in widely circulated newspapers and other media channels that are easily accessible to the organization’s beneficiaries. The law also requires all funding contracts to be submitted to the Registrar of NGOs and National Treasury within 14 days from the date of entering into such an agreement.

Barriers to Assembly

Tanzania’s legal framework theoretically guarantees freedom of expression, association, and assembly. The Tanzanian Constitution provides for fundamental rights and freedoms, including freedom of expression, assembly, and association. Articles 18, 19, and 20 guarantee these rights, subject to limitations prescribed by law. However, in practice, civic space is affected by several repressive laws such as the Cybercrimes Act, the Media Services Act, the Statistics Act, Penal Code, etc. These laws empower authorities to stifle dissent and limit citizens’ ability to freely express themselves, associate with others, and assemble peacefully.

Article 20(1) of the 1977 Constitution of Tanzania provides for freedom of assembly: *Every person has a freedom, to freely and peaceably assemble, associate and cooperate with other persons, and for that purpose, express views publicly and to form and join with associations or organizations formed for purposes of preserving or furthering his beliefs or interests or any other interests.*

The organization and conduct of assemblies are subject to the rules set forth in the Police Force Act and Auxiliary Service Act, 2002. Article 43 of the Police Force Act requires that anyone organizing an assembly to submit a written notification to the police at least 48 hours in advance of the assembly. The notification must specify the time and place of the assembly; the purpose of the assembly; and “such other particulars as the Minister may ... specify.” The Police Force Act authorizes the police to prevent an assembly from taking place if such assembly “breaches the peace or prejudices the public safety or the maintenance of peace and order.” (Article 44) The Police Force also defines an “unlawful assembly” to be “[a]ny assembly or procession in which three or more persons attending or taking part neglect to obey any order for dispersal” when given under the law. (Article 44). In practice, police and security forces have sometimes used excessive force to disperse peaceful protestors.

The Public Order Act (CAP 385 R.E 2002) regulates public gatherings and assemblies in Tanzania. While it provides for the right to peaceful assembly, it also imposes restrictions and requires organizers to obtain permits from authorities. The requirement for permits has been used to suppress legitimate gathering in Tanzania.

Penal Code (CAP 16 R.E 2022) includes provisions that criminalize defamation, sedition, and publication of false information. These provisions have been used to target journalists, activists, and political opponents critical of the government, stifling dissent, and free speech.

The Prevention of Terrorism Act criminalizes acts of terrorism and provides for measures to combat terrorism in Tanzania. While the Act aims to enhance national security, it has been criticized for its potential to be used against political dissenters and activists.

The scrutiny of Tanzanian legal framework indicates that, Tanzanian laws nominally guarantee freedoms of expression, association, and assembly whilst restricting these fundamental freedoms in Tanzania .

A July 2016 blanket ban on political rallies has been selectively applied against opposition parties whose leaders have faced intimidation, harassment, arbitrary arrest and prosecution on trumped-up charges. Moreover, although there are no procedural requirements for closed or internal meetings, the police have raided opposition parties’ internal meetings, claiming the parties did not follow lawful procedures. These raids have resulted in opposition members being harassed, detained, beaten, and forcibly arrested. After the 2020 general election President Magufuli passed away in early 2021 hence President Samia Suluhu Hassan took over the position of presidency in the country.

On January 3, 2023, President Samia Suluhu Hassan stated at a meeting with political party leaders lifted the longstanding ban on political rallies, which the opposition had been demanding, to create a level playing field ahead of civic elections next year 2025 and local election in 2024. The President directed the police and other security forces to allow parties to hold rallies without undue hassle. “The government’s responsibility is to provide sufficient space for such rallies to be held peacefully regardless of the party’s political affiliation and not to try and obstruct them as political rallies are constitutionally legal,” said President Samia.

Despite this positive progress and political will of the president, there have been instances where political assemblies have been denied. For instance, Tundu Antipas Lissu, a prominent opposition figure and lawyer, was arrested after holding political rallies in Ngorongoro. Lissu defied warnings not to hold a meeting in Ngorongoro and openly criticized the government for evicting Maasai from Ngorongoro and a controversial Dubai Port Deal. The arrest of former ambassador to Tanzania Dk. Wilbrod Peter Slaa, advocate Boniface Mwabukusi, and activist Mpaluka Said Nyagali, who were arrested in August 2023 after calling for non-stop nationwide rallies to oppose the Tanzania-Dubai port deal, has also raised concerns.

Overall, while Tanzania’s constitution provides for freedom of assembly and presidential pronouncements promises fundamental freedoms, the reality on the ground has often been characterized by restrictions, intimidation, and harassment of those seeking to exercise this right,

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Reports

UN Universal Periodic Review Reports	May 9, 2016 (Tanzania)
Reports of UN Special Rapporteurs	Report of the Independent Expert on the enjoyment of human rights by persons with albinism – Mission to the United Republic of Tanzania (A/HRC/37/57/Add.1) Special Rapporteur on Freedom of Expression and Access to Information in Africa – 75OS

Council on Foundations Country Notes	N/A
U.S. State Department	2023 Human Rights Report: Tanzania
Fragile States Index Reports	Foreign Policy Fragile States Index
IMF Country Reports	2023 (Tanzania)
Global Voices	Freedom of expression in Tanzania is on a downward spiral (2022)
International Center for Not-for-Profit Law Online Library	Tanzania

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News and Additional Resources

[Tanzanians in Diaspora Seek Improved Civic Space to Contribute to Democratisation at Home](#) (June 2024)

Perhaps no restriction bothers Tanzania's diaspora more than their inability to vote in elections, a restriction they've been urging authorities to remove so they can participate in democratic processes that determine their country's future. Several countries worldwide, including Kenya, the Democratic Republic of Congo, and South Africa, allow their citizens to vote wherever they are.

[Civic Groups alarmed over Tanzania's crackdown on EACOP dissenters](#) (February 2024)

On March 11th, 2024, nine project-affected people (PAPs) from Golimba and Diloda villages in Hanang District, Tanzania, were split up and interrogated by police for several hours. This included being asked why they are resisting and/or are opposed to the EACOP project, who is supporting them, and whether they know and/or are working with specific Tanzanian civil society actors who have been working to shed light on the environmental harm and human rights violations associated with the EACOP project. Inclusive Development International and other global human rights organizations are urging the Tanzanian government, international human rights organizations, as well as the leading companies involved in EACOP, TotalEnergies and CNOOC, to take action to uphold the rights of PAPs and activists.

[Tanzania's elections are vulnerable to state abuse](#) (February 2024)

Tanzania's electoral law reform is overdue for an overhaul. This was made most apparent by the 2019 local elections and the 2020 general elections. The results were big wins for the ruling party, Chama Cha Mapinduzi (CCM). These margins of victory were contested. The United Nations, research think-tanks and various media noted these elections as the most unfree and unfair since the return of the multiparty system in 1992.

Tanzanian civil society validates a human rights defenders policy (November 2023)

On October 19, the Tanzanian Human Rights Defenders Coalition organized a one day event with defenders from all around the country to reflect on the 25th anniversary of the UN Declaration on human rights defenders and validate the civil society led draft on the promotion and protection of the rights of defenders in Tanzania. Discussing and reflecting on the advancement in Africa since the adoption of the UN Declaration on human rights defenders ('the Declaration'), speakers highlighted the numerous legislative progress in some countries and the increase in legislative restrictions in others.

How Tanzania SDGs platform led to the national Civil Society Organisations VNR consultations (June 2023)

For the second time in July this year, Tanzania will submit its second Voluntary National Review (VNR) 2023 report highlighting the progress of Sustainable Development Goals (SDGs) at the High Level Political Forum.

CSOs push for SADC national committee formation (May 2023)

The government has been asked to accelerate the process of forming the national committee for the Southern African Development Community (SADC) for the sake of enabling Tanzanians benefit fully from all economic potentials available in the bloc. Members of Civil Societies Organisations (CSO's) made the request on Tuesday during their meeting with the Parliamentary committee on Foreign Affairs, Defence and Security.

NGOs deregistration worry activists (May 2023)

As the Registrar of Non Governmental Organisations (NGOs) deregistered nearly 5000 institutions, human rights activists have called for thorough research to find out why they fail to conform to registration conditions. The call comes barely 10 days after the NGOs Registrar issued a 14-day ultimatum to about 3,000 entities to show cause why legal measures should not be taken against them for breaching the law while nearly 5000 of them were deregistered in January.

Tanzania's Data Protection Law comes into effect (May 2023)

The Personal Data Protection Act in Tanzania came into effect on May 1, 2023, five months after it was passed in parliament.

Stakeholders Want Nyalali Recommendations on Multipartyism Adopted (April 2023)

The ongoing democratic drive in Tanzania has brought Nyalali recommendations on political pluralism back into the mainstream, with stakeholders demanding the government adopt them wholly as part of national efforts to nurture competitive politics in the country. The call has intensified since it was given prominence at the [national dialogue on 30 years of democratic experiment](#) jointly organised by the Centre for Strategic Litigation (CSL) and the Legal and Human Rights Centre (LHRC) between March 30 and March 31, 2023, in Dar es Salaam. Bringing Tanzanians from different walks of life, the two-day event served as a tool to reclaim the space for civic participation in a process previously dominated by the political class. Participants of the dialogue agreed that shirking Nyalali's recommendations on multipartyism will serve the country no good purpose.

Vested interests behind Tanzania law change push (February 2021)

There are two groups behind the growing calls for constitutional change in Tanzania. One is campaigning for changes that will bring equity to the political scene while the other is seeking an extension of President John Magufuli's tenure. The first group, made up of activists, is campaigning for constitutional reform that would enable the formation of an Independent Electoral Commission. The other group is made up of several ruling party legislators.

While we aim to maintain information that is as current as possible, we realize that situations can rapidly change. If you are aware of any additional information or inaccuracies on this page, please keep us informed; write to ICNL at ngomonitor@icnl.org.

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