



Freedom in the World 2018 - Tanzania

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Freedom Status: Partly Free

Aggregate Score: 52 (0 = Least Free, 100 = Most Free)

Freedom Rating: 4.0 (1 = Most Free, 7 = Least Free)

Political Rights: 4 (1 = Most Free, 7 = Least Free)

Civil Liberties: 4 (1 = Most Free, 7 = Least Free)

Quick Facts

Population: 54,200,000

Capital: Dar es Salaam

GDP/capita: \$872

Press Freedom Status: Partly Free

OVERVIEW

Tanzania has held regular multiparty elections since its transition from a one-party state in the early 1990s, but the opposition remains relatively weak, and the ruling party, Chama Cha Mapinduzi (CCM), has retained power for over half a century. Since 2015, the government has cracked down with growing severity on its critics in the political opposition, the press, and civil society.

Ratings Change:

Tanzania's political rights rating declined from 3 to 4 and it received a downward trend arrow due to mounting repression of the opposition, media outlets, and social media users who are critical of the increasingly authoritarian president, John Magufuli.

Key Developments in 2017:

- A prominent opposition politician was shot and wounded by unidentified assailants in September, and other members of the opposition faced arrests and criminal charges during the year.
- An independent newspaper was suspended in June, two more papers received suspensions in September, and a trial against the founders of a well-known online discussion site began in August. A freelance journalist went missing in late November and remained unaccounted for at year's end.
- In August, authorities instructed all nongovernmental organizations (NGOs) to verify their registration status by submitting a series of documents or risk deregistration. NGOs were separately threatened with deregistration if they supported the rights of LGBT (lesbian, gay, bisexual, and transgender) people or challenged the president's June declaration that girls who were excluded from school for being pregnant should not be allowed to return.

POLITICAL RIGHTS: 22 / 40 (-3)

A. ELECTORAL PROCESS: 7 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president of Tanzania is elected by direct popular vote for up to two five-year terms. In the 2015 presidential election, held concurrently with parliamentary elections, the CCM's John Magufuli won with 58 percent of the vote, while Edward Lowassa of Chama Cha Demokrasia na Maendeleo (CHADEMA) took 40 percent. Domestic and international observers generally deemed the election to be credible, but noted a number of areas of concern. An observer mission from the European Union (EU) described "highly competitive, generally well organized elections, but with insufficient efforts at transparency from the election administrations." The EU mission noted that the CCM had drawn on state resources, such as public stadiums, to support its campaign.

The semiautonomous region of Zanzibar elects its own president. Although international observers found that the 2015 election was lawfully conducted and the National Election Commission (NEC) accepted the Zanzibar results for national offices, the Zanzibar Electoral Commission (ZEC) annulled the vote for regional offices before official results were announced. The opposition Civic United Front (CUF) accused the ZEC of attempting to save the CCM from defeat. A rerun of the Zanzibar election was held in March 2016, but the opposition boycotted, allowing the CCM to rule unilaterally. The preelection period featured an increased military presence in the region and reports of attacks on political party offices and journalists. CCM legislators voted in September to change Zanzibar's constitution, eliminating a 2010 amendment establishing the Government of National Unity, a CCM-CUF power-sharing arrangement that had enabled years of stability.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Legislative authority lies with a unicameral, 393-seat National Assembly (the Bunge) whose members serve five-year terms. There are 264 seats filled through direct elections in single-member constituencies, 113 are reserved for women elected by political parties, 10 are filled by presidential appointment, and 5 members are elected by the Zanzibar legislature. The attorney general holds an ex officio seat. In the 2015 parliamentary elections, the CCM won a total of 253 seats, CHADEMA took 70, the CUF won 42, and the Alliance for Change and Transparency (ACT) and the National Convention for Construction and Reform (NCCR)-Mageuzi each won one.

Members of Zanzibar's 85-seat House of Representatives serve five-year terms and are seated through a mix of direct elections and appointments. The opposition boycott of the Zanzibari rerun elections in 2016 left the CCM with full control of the regional legislature.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

Tanzania's constitution dates to 1977, when the country was under single-party rule, and an effort to adopt a new constitution drafted in 2014 has since stalled amid opposition parties' complaints that their input was ignored. Among other proposed changes, the 2014 draft would create a three-tiered federal structure, allow independent candidates for office, limit executive powers of appointment, and include a bill of rights.

In addition to the ZEC's controversial annulment of the 2015 Zanzibari elections, the structures of the NEC and ZEC contribute to doubts about their independence. The NEC is appointed by the Tanzanian president, and the ZEC is appointed by the Zanzibari president, though the opposition nominates two of the seven ZEC members. The national president maintains the ability to appoint regional and district commissioners – administrative officials who can be influential during elections.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16 (-2)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Tanzanians have the right to organize into political parties, but the ruling CCM enjoys considerable advantages related to its long and unbroken incumbency. For example, government subsidies for party campaigns continue to disproportionately benefit the CCM. In 2016, the government banned all political rallies and demonstrations outside election periods, sharply curtailing parties' ability to mobilize public support.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4 (-1)

Tanzania's opposition, which performed better in the 2015 elections than it ever had before, still controls only 29 percent of the National Assembly seats and faces significant interference, harassment, violence, and criminal prosecutions by the government and its allies.

The pressure on leading opposition figures increased during 2017. Tundu Lissu of CHADEMA, a senior opposition lawmaker, was arrested several times on different charges, including for insulting Magufuli. In September he was shot and wounded by unidentified attackers in Dodoma. The government failed to mount an effective investigation and was accused of complicity. Lissu sought medical treatment in Kenya, where he remained at year's end.

CHADEMA chairman Freeman Mbowe was accused of drug trafficking in February, and CHADEMA legislator Halima Mdee was arrested in July and charged with insulting the president. A number of other CHADEMA officials were arrested separately during the year. The leader of ACT was detained in October for alleged sedition and reporting inaccurate statistics on the economy, and the party's offices were later raided. In March, a police officer threatened recently fired information minister Nape Nnauye with a gun to block him from speaking to the media; in November, the former tourism minister became the target of a corruption investigation two weeks after he resigned and defected to the opposition.

Score Change: The score declined from 3 to 2 due to increased pressure on the opposition, including arrests of politicians for criticizing the president and the attempted murder of a senior opposition lawmaker.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 3 / 4

Tanzanian voters and politicians are mostly free of undue influence from forces outside the political arena. However, chronic problems include partisan violence; excessive force against the opposition by police, particularly in Zanzibar; and the alleged use of vote-buying and other material incentives by the ruling party.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4 (-1)

Members of cultural, ethnic, religious, and other minority groups have full political rights, but parties formed on explicitly ethnic or religious bases are prohibited. In December 2017, the government threatened to revoke the licenses of religious organizations whose leaders comment on politics.

Several incidents during 2017 indicated that women's interests are not adequately represented in the political system, despite quotas guaranteeing seats for women lawmakers. For example, in June the president declared that girls expelled from school for becoming pregnant should not be allowed to return, and in December some regional and district commissioners ordered the arrest of pregnant schoolgirls. Mdee, the opposition lawmaker arrested in July, was charged over her objections to Magufuli's order, and women's rights organizations that criticized such policies were threatened with deregistration. Separately, groups supporting the rights and health needs of LGBT people faced an ongoing crackdown that began in 2016.

Score Change: The score declined from 3 to 2 because the rights and interests of women and LGBT people are not adequately addressed by the political system.

C. FUNCTIONING OF GOVERNMENT: 6 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4 (-1)

Magufuli has consolidated political power in the presidency since taking office, sidelining the legislature – in part by suppressing dissent within the ruling party – and exerting greater control over cabinet ministers through dismissals and reshuffles. Among other changes during 2017, he dismissed the information minister in March after the latter opened an investigation into regional officials' raid on a media organization. Former military and police commanders have been prominent among the president's newly appointed regional and district commissioners, and Magufuli has relied heavily on intelligence and law enforcement agencies to advance his anticorruption agenda and weaken political rivals through criminal investigations.

Score Change: The score declined from 3 to 2 due to the president's centralization of power in the executive and marginalization of both the legislature and his own cabinet.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Magufuli's anticorruption drive has had mixed results. It has earned some popular support for targeting petty corruption, and in 2017 the government penalized foreign firms and complicit officials for undervaluing exports from extractive industries. However, the Prevention and Combating of Corruption Bureau (PCCB) has been accused of focusing on low-level corruption and doing little to address graft committed by senior government officials. Magufuli has dismissed some cabinet ministers over corruption allegations, but critics argue that such ad hoc efforts led personally by the president are no substitute for strong and independent institutions that can pursue cases impartially.

C3. Does the government operate with openness and transparency? 2 / 4

An access to information act was adopted in 2016, but implementation stalled during 2017. Critics noted that the act gives precedence to any other law governing the handling of government information, and appeals of decisions on information requests are handled by a government minister rather than an independent body. The law also imposes prison terms on officials who improperly release information, but no clear penalties for those who improperly withhold information. Among other impediments to government transparency, live broadcasts of parliament sessions have been suspended since April 2016. Tanzania withdrew from the Open Government Partnership in September 2017.

CIVIL LIBERTIES: 30 / 60 (-3)

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16 (-2)

D1. Are there free and independent media? 1 / 4 (-1)

The 2016 Media Services Act created statutory regulators with broad authority over media content and the licensing of outlets and journalists. It also prescribes harsh penalties, including prison terms, for publication of defamatory, seditious, or other illegal content. Officials repeatedly invoked the new law during 2017 to punish alleged violations by critical media outlets. The newspaper *Mawio* was suspended for two years in June for articles that linked mining-related corruption to two former presidents. In September, the newspaper *Mwanahalisi* was also banned for two years, for content that was allegedly seditious, insulting to the president, and a threat to security. Another newspaper, *Raia Mwema*, was suspended for 90 days that month after suggesting that Magufuli's presidency would be a failure.

In March, regional authorities raided a private broadcaster and demanded, without success, that it air a video attacking a popular local pastor. Also that month, a rapper was arrested over a song that indirectly questioned Magufuli's tolerance of criticism. Separately, freelance journalist Azory Gwanda, who had investigated a series of murders targeting police and local officials in Pwani Region, went missing in November and remained unaccounted for at year's end.

Score Change: The score declined from 2 to 1 due to the implementation of the restrictive Media Services Act, lengthy suspensions of critical newspapers, and the disappearance of an investigative journalist, among other problems.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Freedom of religion is generally respected, and interfaith relations are largely peaceful, though there have been periodic cases of violence. Religious figures have faced government pressure for commenting on political affairs. Muslim leader Sheikh Issa Ponda was arrested and interrogated in October 2017 over allegedly seditious remarks at a press conference following his return from Kenya to visit Lissu, the opposition leader who had been shot the previous month. Religious organizations must register with the Home Affairs Ministry to operate legally, and in December the government threatened to revoke the registration of those whose leaders make political statements. A prominent Christian cleric had recently criticized political repression in a sermon.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Historically, there have been few government restrictions on academic freedom. The 2015 Statistics Act – which requires data released publicly to be first approved by the National Bureau of Statistics – has raised concerns about its potential effects on researchers and academics. It was reported in August 2017 that the bureau had warned a polling firm to stop releasing unofficial statistics on television viewership.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4 (-1)

The CCM has traditionally monitored the population through a neighborhood-level party cell structure, but the government has turned its attention to social media in recent years, and constraints on individuals' freedom to discuss political topics online have grown.

Social media users in 2017 continued to face the risk of prosecution under the 2015 Cybercrimes Act and other laws for offenses such as insulting the president, and government officials threatened to prosecute users for supposedly spreading homosexuality through social media. The cofounders of the popular discussion site JamiiForums, who were arrested in December 2016, went on trial in August for refusing to identify anonymous users who had written about corruption and other sensitive topics; the trial was ongoing at year's end.

In September, the National Assembly approved the draft Electronic and Postal Communications (Online Content) Regulations, which would require all online content publishers – including blogs – to register and pay license fees and to ban anonymous users. Social media users would be liable for content deemed to "cause annoyance" or "lead to public disorder," among other vague standards. Internet cafes would have to install surveillance cameras. Violations of the regulations, which were awaiting final approval by the information minister at year's end, could be punished with fines and jail terms.

Score Change: The score declined from 2 to 1 due to the government's increased prosecution of and threats against social media users who discuss sensitive topics including the president, corruption, and LGBT identity since 2015.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution guarantees freedom of assembly, but the government can limit this right. All assemblies require police approval, and critical political demonstrations are at times actively discouraged. A ban on political rallies has been in place since mid-2016.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Tanzania has a diverse and active civil society sector, but current laws give the government broad authority to deregister NGOs, and officials repeatedly threatened to use that power against critical groups in 2017. For example, in June the home affairs minister threatened to deregister women's rights organizations that challenged the president's ban on teen mothers returning to school as well as any group working to support the rights of LGBT people. Some individual human rights activists faced arrest during the year, and in August the government instructed all NGOs to submit documents to "verify" their registration status, threatening deregistration for those that failed to comply. Also that month, a well-known elephant conservationist was shot and killed after receiving multiple death threats.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Trade unions are ostensibly independent of the government and are coordinated by the Trade Union Congress of Tanzania and the Zanzibar Trade Union Congress. The Tanzania Federation of Cooperatives represents most of Tanzania's agricultural sector. The government has significant discretion to deny union registration, and many private employers engage in antiunion activities. Essential public service workers are barred from striking, and other workers are restricted by complex notification and mediation requirements. Strikes are infrequent on both the mainland and Zanzibar.

F. RULE OF LAW: 8 / 16 (-1)

F1. Is there an independent judiciary? 2 / 4

Tanzania's judiciary suffers from underfunding and corruption. Judges are political appointees, and the judiciary does not have an independent budget, which makes it vulnerable to political pressure. Of two High Court judges who resigned in May 2017, one had been criticized over her suspiciously flawed handling of drug-trafficking cases, and the other had been implicated in a corruption scandal.

F2. Does due process prevail in civil and criminal matters? 2 / 4 (-1)

Due process does not always prevail in civil and criminal matters. Policies and rules regarding arrest and pretrial detention are often ignored, and pretrial detention commonly lasts for years.

Magufuli's anticorruption campaign since 2015 has been marked by a pattern of abrupt firings that circumvent institutional rules on reviewing and dismissing public servants. In April 2017, he demanded the resignation of nearly 10,000 state employees after a presidential task force – having supposedly reviewed hundreds of thousands of records since it was formed in February – accused them of holding fraudulent credentials. Some officials have been removed over policy disputes with the president; in January 2017, for example, Magufuli fired the head of the state-owned Tanzania Electric Supply Company (TANESCO), Felchesmi Mramba, for raising electricity tariffs, despite the fact that the company had obtained approval from the government regulator to do so.

In its disputes with companies engaged in extractive industries, the government has used aggressive tactics that may entail due process violations. For instance, the state imposed a ban on gold and copper ore exports in March 2017, and in July the goldmining company Acacia was ordered to pay a total of \$190 billion in back taxes and penalties for allegedly underreported export revenues since 2000. Acacia had total annual revenues of \$1.05 billion in 2016 and less in previous years, and observers said the government's claims were implausible. Also in July, the government pushed through a series of laws, without consultation, that effectively allow it to seize stakes in mining firms.

Score Change: The score declined from 3 to 2 because the president's aggressive efforts to advance his anticorruption and economic policy agendas since 2015 have apparently led to infringements on the principles of due process.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Security forces reportedly abuse, threaten, and mistreat civilians routinely and with limited accountability. Vigilante justice and mob violence are common, and security forces are often unable or unwilling to enforce the rule of law. Prisoners suffer from harsh conditions, including overcrowding and poor medical care.

The Pwani (Coast) Region has suffered from a spate of murders targeting police and local government leaders since 2015, with at least 39 killings documented by mid-2017. In April 2017, seven police officers in Rufiji District, part of the Coast Region, were assassinated. In August police killed 13 suspected criminals who were allegedly involved in the murders.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Women's rights are constitutionally guaranteed but not uniformly protected. Women face de facto discrimination in employment, including sexual harassment, which is rarely addressed through formal legal channels. Women's socioeconomic disadvantages are more pronounced in rural areas and the informal economy.

Same-sex sexual relations are punishable by lengthy prison terms, and LGBT people face discrimination and police abuse in practice, leading most to hide their identities. The government continued a crackdown on organizations providing health and other services to LGBT people in 2017, barring a group of 40 private health centers from providing HIV/AIDS services in February. In September, 20 people were arrested in Zanzibar as they met to receive training about HIV/AIDS education programs, and a dozen activists and legal advocates were arrested in October at a meeting on HIV policy in Dar es Salaam. In some cases police have carried out forced anal examinations of men detained for suspected same-sex conduct.

There were more than 300,000 refugees and asylum seekers from Burundi and the Democratic Republic of Congo in Tanzania in 2017, with most living in overcrowded camps featuring poor health and safety conditions. In January, the Home Affairs Ministry began requiring individual reviews to grant refugee status to Burundians, who had previously received prima facie refugee status. During a visit by Burundi's president in July, Magufuli urged Burundian refugees to return to their home country.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Residents generally enjoy basic freedoms pertaining to travel and choice of residence, employment, and education, though corruption remains an obstacle.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Tanzanians have the right to establish private businesses but are often required to pay bribes to license and operate them. The state remains the owner of all land and leases it to individuals and private entities, leading to clashes over land rights between citizens and companies engaged in extractive industries.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Rape, domestic violence, and female genital mutilation (FGM) – which is concentrated in certain regions – are reportedly common but rarely prosecuted. Activists criticized Magufuli for including two convicted child rapists in a mass pardon in December 2017. The government has stalled implementation and pursued appeals of a 2016 High Court ruling that called for the minimum age of marriage to be raised to 18 for girls as well as boys. Tanzania's adolescent fertility rate is more than twice the global average. Girls can be expelled from school for becoming pregnant, and in June 2017 Magufuli prohibited those who had given birth from

returning to school. In December, some local officials began arresting students who had become pregnant. Laws and practices regarding marriage, divorce, and other personal status issues favor men over women, particularly in Zanzibar.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Sexual and labor exploitation remain problems, especially for children living in poor rural areas who are drawn into domestic service, agricultural labor, mining, and other activities. Tanzanians are also vulnerable to trafficking for work under exploitative conditions abroad.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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