

TANZANIA 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitutions of the union government and of the semiautonomous government in Zanzibar both prohibit religious discrimination and provide for freedom of religious choice. Since independence and by tradition, the country has been governed by alternating Christian and Muslim presidents. Some Muslims said they believe the government used the 2002 Prevention of Terrorism Act (PTW) to unjustly attack, kill, or imprison Muslims. Twenty-two members of the Association for Islamic Mobilization and Propagation (UAMSHO), an Islamist group advocating for Zanzibar's full autonomy, remained in custody without trial since their arrest in 2013 on terrorism charges. Some religious leaders said that they were under increased pressure to support the President and that they were told to stay out of politics or their religious organizations would face deregistration by the Registrar of Societies. According to civil society organizations, the government used a 2019 process requiring all previously registered religious institutions and community faith-based organizations to verify their registration status to intimidate religious leaders. Under this process, the Registrar of Societies verified the registration of 213 societies. According to civil society organizations, religious organizations that usually were accredited to observe elections were denied accreditation by the National Electoral Commission to observe October 28 national elections.

Following an attack on a village on October 28, the Islamic State issued a statement claiming its fighters had burned three villages in Mtwara "inhabited by Christians." Witchcraft-related killings continued in the country. In January in Kasulu, community members killed four persons from the same family for allegedly practicing witchcraft.

The U.S. embassy met with prominent religious leaders to discuss religious freedom and freedom of speech. The embassy brought together youth leaders and religious and community leaders to discuss local concerns around violent extremism related to religion and conflict.

Section I. Religious Demography

The U.S. government estimates the total population at 58.6 million (midyear 2020 estimate). A 2020 Pew Forum survey estimates approximately 63 percent of the population identifies as Christian, 34 percent as Muslim, and 5 percent practice

other religions. According to the Berkley Center for Religion, Peace, and World Affairs, Christians are approximately evenly divided between Roman Catholics and Protestant denominations. Other local observers believe that Roman Catholics constitute the majority of Christians, with Lutherans as the second largest denomination. Additional Christian groups include other Protestant denominations such as Anglicans, Pentecostal Christian groups, Seventh-day Adventists, The Church of Jesus Christ of Latter-day Saints, and Jehovah's Witnesses. The majority of Muslims are Sunni, although significant minority communities exist, including Ismaili, Twelver Shia, Ahmadi, and Ibadi Muslims. On the mainland, large Muslim communities are concentrated in coastal areas, with some Muslim minorities located inland in urban areas. Other groups include Buddhists, Hindus, Sikhs, Baha'is, animists, and those who did not express a religious preference. A separate 2010 Pew Forum report estimates more than half the population practices elements of African traditional religions.

Zanzibar's 1.3 million residents are 99 percent Muslim, according to a U.S. government estimate. According to a 2012 Pew Forum report, two-thirds are Sunni. The remainder consists of several Shia groups, mostly of Asian descent.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitutions of the union government (United Republic of Tanzania) and Zanzibar both provide for equality regardless of religion, prohibit discrimination on the basis of religion, and stipulate freedom of conscience or faith and choice in matters of religion, including the freedom to change one's faith. The union government constitution allows these rights to be limited by law for purposes such as protecting the rights of others; promoting the national interest; and safeguarding defense, safety, peace, morality, and health. The Zanzibar constitution allows rights to be limited by law if such a limitation is "necessary and agreeable in the democratic system" and does not limit the "foundation" of a constitutional right or bring "more harm" to society.

Since independence and by tradition, the country has been governed by alternating Christian and Muslim presidents who appoint a prime minister from the other religious group with the endorsement of parliament.

The law prohibits religious groups from registering as political parties. To register as a political party, a group may not use religion as a basis for approving membership, nor may it follow a policy of promoting a religion.

The law prohibits a person from taking any action or making any statement with the intent of insulting the religious beliefs of another person. Anyone committing such an offense may be punished with a year's imprisonment.

On the mainland, secular laws govern Christians and Muslims in both criminal and civil cases. In family-related cases involving inheritance, marriage, divorce, and the adoption of minors, the law also recognizes customary practices, which could include religious practices. In such cases, some Muslims choose to consult religious leaders in lieu of bringing a court case.

Zanzibar, while also subject to the union constitution, has its own president, court system, and legislature. Muslims in Zanzibar have the option of bringing cases to a civil or *qadi* (Islamic court or judge) court for matters of divorce, child custody, inheritance, and other issues covered by Islamic law. All cases tried in Zanzibar courts, except those involving Zanzibari constitutional matters and sharia, may be appealed to the Union Court of Appeals on the mainland. Decisions of Zanzibar's *qadi* courts may be appealed to a special court consisting of the Zanzibar chief justice and five other sheikhs. The President of Zanzibar appoints the chief *qadi*, who oversees the *qadi* courts and is recognized as the senior Islamic scholar responsible for interpreting the Quran. There are no *qadi* courts on the mainland.

Religious groups must register with the Registrar of Societies at the Ministry of Home Affairs on the mainland and with the Office of the Registrar General on Zanzibar. Registration is required by law on both the mainland and in Zanzibar. The fines for offenses under the Societies Act, including operating without registration, range from one million to ten million shillings (\$430 to \$4,300).

To register, a religious group must provide the names of at least 10 members, a written constitution, resumes of its leaders, and a letter of recommendation from the district commissioner. Such groups may then list individual congregations, which do not need separate registration. Muslim groups registering on the mainland must provide a letter of approval from the National Muslim Council of Tanzania (BAKWATA). Muslim groups registering in Zanzibar must provide a letter of approval from the mufti, the government's official liaison to the Muslim community. Christian groups in Zanzibar may register directly with the registrar general.

On the mainland, BAKWATA elects the mufti. On Zanzibar, the President of Zanzibar appoints the mufti, who serves as a leader of the Muslim community and as a public servant assisting with local governmental affairs. The Mufti of Zanzibar nominally approves all Islamic activities and supervises all mosques on Zanzibar. The Mufti also approves religious lectures by visiting Islamic clergy and supervises the importation of Islamic literature from outside Zanzibar.

Public schools may teach religion, but it is not a part of the official national curriculum. School administrations or parent-teacher associations must approve such classes, which are taught on an occasional basis by parents or volunteers. Public school registration forms must specify a child's religious affiliation so that administrators can assign students to the appropriate religion class if one is offered. Students may also choose to opt out of religious studies. Private schools may teach religion, although it is not required, and these schools generally follow the national educational curriculum unless they receive a waiver from the Ministry of Education for a separate curriculum. In public schools, students are allowed to wear the hijab but not the *niqab*, a veil for the face that leaves the eyes clear.

The government does not designate religious affiliation on passports or records of vital statistics. Police reports must state religious affiliation if an individual will be required to provide sworn testimony. Applications for medical care must specify religious affiliation so that any specific religious customs may be observed. The law requires the government to record the religious affiliation of every prisoner and to provide facilities for worship for prisoners.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

Twenty-two members of the Association for Islamic Mobilization and Propagation (UAMSHO), an Islamist group advocating for Zanzibar's full autonomy, remained in custody on the mainland following their arrest in 2013 on terrorism charges.

In May 2019, the Office of the Registrar of Societies required all religious institutions and community faith-based organizations registered under the Ministry of Home Affairs to verify their registration status with supporting documentation. According to religious and civil society organizations, the process was designed in part to allow the government to deregister any religious organizations that engaged in political activity, since these activities were in violation of registration

requirements that do not allow any political engagement by religious groups. The countrywide process was completed in 2019, and the registrar confirmed 213 societies. While the ministry said failure to comply would result in removal from the registry, there were no reports of any removals. Some observers stated the government used the new registration process, completed in 2019, to intimidate religious leaders from speaking out against the government and or the ruling party. They said that the government allowed religious leaders supporting the ruling Chama Cha Mapinduzi party to speak out, but not those who said anything in support of the opposition or anything criticizing the government.

According to some religious organizations, various governmental bodies, including the National Electoral Commission, enforced measures that served to exclude religious groups or societies from any perceived political role, ostensibly to enforce 2019 changes related to the organizational status and operational scope of religious societies,. Human rights groups said that this led to the exclusion of religious organizations, including the Tanzania Episcopal Conference, from organizing domestic election observation missions or from providing civic and voter education, which they said had been a longstanding and positive role played by many religious organizations.

On July 9, the Council of Imams issued a document calling for the government to ensure independent and fair elections, legislative reform, and equality for Muslims. On July 11, police arrested Sheikh Issa Ponda, secretary of the Council of Imams, at his office in Dar es Salaam. Media reported that he was “allegedly circulating a document containing elements of incitement and breach of peace towards the 2020 general election.” Police detained Ponda for nine days, then released him on bail. Ponda also reported that some Muslims believed the government was using the 2002 Prevention of Terrorism Act (PTW) to unjustly attack, kill, or imprison Muslims.

There were additional instances where, according to some religious leaders, the government penalized prominent religious leaders for voicing views it deemed political. Examples included the government questioning the citizenship of several religious leaders when they expressed concerns about the actions of the government. Some religious leaders had their passports confiscated, according to observers.

As of year’s end, religious leaders again reported the government had not implemented a policy change on tax exemptions for charitable in-kind donations. In 2018, the Tanzanian Revenue Authority (TRA) announced that religious

organizations would no longer receive automatic tax exemptions for charitable in-kind donations and would be required submit individual requests to the TRA to receive tax exemptions on donations.

The government used various public forums to emphasize that religious organizations should be self-funded and not rely on international donors. On August 23, President John Magufuli used a church event to raise money to build a mosque in Dodoma. According to media reports, this was a gesture to illustrate religious tolerance.

Section III. Status of Societal Respect for Religious Freedom

On October 14, the Islamic State in Mozambique (IS-M) conducted a significant attack in Mtwara Region along the country's southern border in which approximately 20 persons were killed. This was the first IS-M attack in the country since November 2019, and the first ever in the country to be claimed by the Islamic State. On October 23, the police inspector general said that 300 fighters took part in the attack and escaped across the border into Mozambique. On October 28, IS-M fighters conducted another attack in Mtwara region, killing approximately five persons in one village. On October 30, Islamic State issued a statement saying its fighters had burned three villages in Mtwara "inhabited by Christians," along what it described as the country's "artificial border" with Mozambique. The statement did not specify the date of the attack or the names of the villages, but it was the second attack in the country claimed by Islamic State.

In February in Moshi, 20 persons were killed and at least a dozen others were injured during a stampede that occurred at a church meeting. It was reported that worshippers were told they could give an offering in order to walk on "anointed oil" following a prayer that was led by preacher Boniface Mwamposa of the Arise and Shine Ministry of Tanzania. The government reported that it was investigating the incident and cited it as an example of the reasons for registering religious organizations, including the need to ensure that religious leaders did not use their positions for financial gain, to launder money, or to commit other financial crimes.

Witchcraft-related killings continued in the country, although the government outlawed witchcraft in 2015. In January in Kasulu, community members killed four persons from the same family for allegedly practicing witchcraft. The victims included a pregnant woman.

The Interreligious Council for Peace Tanzania continued its work as an independent body representing more than 120 groups nationally. The groups provided a platform for interfaith dialogue on social issues facing communities throughout the country.

Section IV. U.S. Government Policy and Engagement

The embassy met with religious leaders to discuss the October elections and how the religious community could help to maintain peace if needed in a potentially politically tense post-election environment.

A U.S.-funded program brought together youth and religious and community leaders to discuss local concerns around violent extremism related to religion and conflict. The program included town hall meetings and information sessions that addressed issues of religious intolerance. The embassy continued to provide small grants to youth groups in five districts to support an interfaith dialogue platform between Christians and Muslims. These activities continued without disruption during the COVID-19 pandemic, with appropriate precautions and mitigation efforts and in accordance with local regulations.