

# TANZANIA 2019 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, the country has been governed by alternating Christian and Muslim presidents. 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 a trial since their arrest in 2013 on terrorism charges. In May the Office of the Registrar of Societies, an entity within the Ministry of Home Affairs charged with overseeing religious organizations, issued a public notice requiring all religious institutions and community faith-based organizations registered under the ministry to verify their registration status with supporting documentation. This countrywide process began in May in Dar es Salaam and the coastal regions and continued in June and July in the Dodoma, Morogoro, Singida, and Manyara Regions. In June a court in Bukoba convicted and sentenced three Muslim men to death for killings committed in 2015 during conflicts between Pentecostal Christians and Muslims. In February police arrested the Itigi town council executive and two game rangers on charges they shot and killed a Seventh-day Adventist Church member during church services. In September press reported the minister of home affairs ordered the arrest of a Pentecostal preacher for noise pollution; the government later clarified that noise pollution laws did not restrict use of church bells or the Islamic call to prayer. In July a local government official closed 13 unregistered churches in the Bukoba Region after reports preachers were charging fees to pray for sick persons.

Witchcraft-related killings continued in the country. According to the Legal and Human Rights Centre midyear report, there were incidents of witchcraft-related killings of children in Njombe and other killings in Mbeya, Dar es Salaam, Iringa, and Simiyu. These killings involved both persons suspected of practicing witchcraft and victims whose body parts were used to make potions.

The embassy organized an interfaith iftar in May for senior Muslim and Christian religious leaders, government representatives, Dar es Salaam interfaith committee members, and journalists. The Charge d'Affaires hosted iftars and interfaith roundtables with religious leaders to promote and highlight the country's religious diversity. 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 57 million (midyear 2019 estimate). A 2010 Pew Forum survey estimates approximately 61 percent of the population is Christian, 35 percent Muslim, and 4 percent other religious groups. 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 biggest denomination. The majority of Muslims are Sunni, although significant minority communities exist of Ismaili, Twelver Shia, Ahmadi, and Ibadi Muslims. A separate 2010 Pew Forum Report estimates more than half of the population practices elements of African traditional religions in their daily lives.

On the mainland, large Muslim communities are concentrated in coastal areas, with some Muslim minorities located inland in urban areas. Christian groups include Roman Catholics, Protestants (including Pentecostal Christian groups), Seventh-day Adventists, The Church of Jesus Christ of Latter-day Saints, and Jehovah's Witnesses. Other groups include Buddhists, Hindus, Sikhs, Baha'is, animists, and those who did not express a religious preference. Zanzibar's 1.3 million residents are 99 percent Muslim, according to a U.S. government estimate, of whom two-thirds are Sunni, according to a 2012 Pew Forum report. 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 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 the 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.

The law prohibits religious groups from registering as political parties. To register as a political party, an entity may not use religion as a basis to approve membership, nor may the promotion of religion be a policy of that entity.

The law prohibits any person from taking any action or making statements with the intent of insulting the religious beliefs of another person. Anyone committing such an offense is liable to 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. In June the fines for offenses under the Societies Act, including operating without registration, were increased from a minimum of ten thousand Tanzanian shillings (\$4) to a minimum of one million shillings (\$440), but not to exceed ten million shillings (\$4,400).

To register, religious groups must provide the names of at least 10 members, a written constitution, resumes of their 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 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*.

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 June during an Eid Al-Adha celebration at the Mtambani Mosque, a leader of the Coalition for Muslim Association, Sheikh Issa Ponda, announced the organization had written a letter to President John Magufuli complaining the government did not handle the case of the UAMSHO members correctly.

In May the Office of the Registrar of Societies, an entity within the Ministry of Home Affairs charged with overseeing religious organizations, issued a public notice requiring all religious institutions and community faith-based organizations registered under the ministry to verify their registration status with supporting documentation. Government officials stated the purpose was to gather data on the kinds of activities organizations were involved in and to verify they were active in their communities. Additionally, the process would allow the government to deregister any religious organizations that engaged in political activity, since these activities were in violation of the registration requirements that do not allow any political engagement by religious groups. The countrywide process began in May in Dar es Salaam and the coastal regions and continued in June and July in the Dodoma, Morogoro, Singida, and Manyara Regions. Organizations were required to provide original registration records, their constitutions, annual reports, proof of annual fee payments, and a letter from the ward executive officer to confirm that they were present in the community. While the ministry said failure to comply would result in removal from the registry, there were no reports of any removals as of year's end.

In June a court in Bukoba sentenced three Muslim men to death for decapitating four Christians in 2015 during an outbreak of violence that was attributed to religious conflict by legal experts. According to media reports, High Court Justice Lameck Mlacha found the three men guilty of murder based in part on a video that allegedly showed all three men admitting to police and local officials that they had been motivated by their religious convictions. According to prosecutor Hashim Ngole, the three men also were serving prison terms for their involvement in arson attacks on more than a dozen churches in 2015. Ngole said 13 more cases were under investigation from the 2015 church burning and decapitation incidents.

In February police in Singida arrested the Itigi town council executive, Pius Luhende, and two game rangers on charges that they shot and killed a Seventh-day Adventist Church member. According to the media report, the district executive director and game rangers went to collect taxes from the church member as the victim left church services. Church members said they had gathered outside after prayers and saw two Land Cruisers with government license plate numbers enter the church area. They said the three accused attackers fought with several church members before shooting the victim.

In September the Kisutu Resident Magistrate Court sentenced David Chirhuza and three other members of the Early Church of Lord Yeshwah to a one-year prison

term or a fine of two million shillings (\$870) after they were found guilty of illegally operating a church in Dar es Salaam. The court ordered their deportation back to the Democratic Republic of the Congo after the sentence is served.

In September Minister of Home Affairs Kangi Lugola instructed police to arrest Pentecostal Power Ministries preacher Eliya Mahela for noise pollution after residents complained of noise coming from his church. While Mahela was released, the case remained under investigation at year's end. During a tour of the area in which the church was located, Lugola also made a general call for the arrest of those causing what he termed noise pollution. According to interfaith religious leaders, the government later met with religious leaders and said the noise pollution law would not be used to stop the ringing of church bells or the Islamic call to prayer.

In July Karagwe District Commissioner Godfrey Mheruka closed 13 unregistered churches in the Bukoba Region. According to the media, the pastors of the churches, who were from Rwanda and Burundi, charged fees to sick individuals seeking prayers as treatment. Approximately 25 persons, mostly women and children, were taken from the churches by authorities to a government hospital to receive medical treatment.

As of year's end, religious leaders reported the government had not implemented the 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.

### **Section III. Status of Societal Respect for Religious Freedom**

Witchcraft-related killings continued in the country, although the government outlawed witchcraft in 2015. According to the Legal and Human Rights Centre's midyear report, there were incidents of witchcraft-related killings in Njombe, Mbeya, Dar es Salaam, Iringa, and Simiyu. In March police arrested 65 individuals described as "witchdoctors" on suspicion of involvement in the ritual killing of at least 10 children. Civil society organization representatives, religious leaders, and politicians condemned the killings.

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

#### **Section IV. U.S. Government Policy and Engagement**

During the year, the embassy supported interfaith dialogue through iftars, programs, and partnerships with nongovernmental organizations. In May the embassy organized an interfaith iftar to promote interfaith dialogue attended by senior Muslim and Christian religious leaders, government representatives, Dar es Salaam interfaith committee members, journalists, and former participants in U.S. government exchange programs. The Charge d'Affaires' remarks included issues of tolerance and religious freedom. The representative of the Chief Mufti of BAKWATA also mentioned the importance of tolerance and religious freedom in his speech.

The U.S. embassy 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 provided small grants to youth groups in five districts to help establish an interfaith dialogue platform between Christians and Muslims.

The U.S. government continued to support programs with religious communities in Kagera, Arusha, Mwanza, Dar es Salaam, and Zanzibar. With this support, nongovernmental organizations worked with local government officials, youth, media, and religious groups to improve relationships between communities and address drivers of marginalization that contribute to religious tensions.