

# TANZANIA 2018 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. Sixty-one members of Uamsho, an Islamist group advocating for Zanzibar's full autonomy, remained in custody without a trial since their arrest in 2013 under terrorism charges. In May the Office of the Registrar of Societies, an entity within the Ministry of Home Affairs charged with overseeing religious organizations, released a letter ordering the leadership of the Catholic and Lutheran Churches to retract statements that condemned the government for increasing restrictions on freedoms of speech and assembly, and alleged human rights abuses. After a public outcry, the minister of home affairs denounced the letter and suspended the registrar. The Zanzibar Ministry of Agriculture and Natural Resources destroyed a church being built on property owned by the Pentecostal Assemblies of God after the High Court of Zanzibar ruled the church was built on government property. This followed a protracted court battle in which Zanzibar courts ruled the church was allowed on the property.

Vigilante killings of persons accused of practicing witchcraft continued to occur. As of July, the government reported 117 witchcraft-related incidents. There were some attacks on churches and mosques throughout the country, especially in rural regions. Civil society groups continued to promote peaceful interactions and religious tolerance.

The embassy launched a three-month public diplomacy campaign in support of interfaith dialogue and sponsored the visit of an imam from the United States to discuss interfaith and religious freedom topics with government officials and civil society. Embassy officers continued to advocate for religious tolerance in meetings with religious leaders in the country. The Charge d'Affaires hosted iftars and interfaith roundtables with religious leaders to promote and highlight the country's religious diversity.

## Section I. Religious Demography

The U.S. government estimates the total population at 55.5 million (July 2018 estimate). A 2010 Pew Forum survey estimates approximately 61 percent of the population is Christian, 35 percent Muslim, and 4 percent other religious groups. 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 the 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, but the penalties for failing to comply with this requirement are not stated in the law.

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 administration 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 provide facilities for worship for prisoners.

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

### **Government Practices**

Sixty-one members of Uamsho, an Islamist group advocating for Zanzibar's full autonomy, remained in custody following their arrest in 2013 on terrorism charges. The cases were not brought to trial during the year, and the investigation continued. Those charged remained imprisoned on mainland Tanzania. They were initially arrested and detained in Zanzibar, which has an independent court system. In January 24 of the Uamsho members were separately sentenced to six months in prison for public indecency after they protested their detention and poor prison conditions by undressing before entering a court chamber. This charge was separate from and in addition to their original terrorism charge.

In January unknown persons kidnapped five members of the Uamsho movement in Zanzibar and held them for seven days before releasing the captives. One kidnapping victim alleged they were abducted by state police in retaliation for their support for families of the imprisoned Uamsho leaders.

In May the Ministry of Home Affairs sent a letter to the Evangelical Lutheran Church of Tanzania and the Tanzania Episcopal Conference (which represents the Catholic bishops) threatening legal action after the churches issued statements that criticized the government's perceived repression of basic freedoms. The letter gave a 10-day ultimatum to denounce the criticism of the government. The

government letter was leaked on social media and went viral. After strong public backlash against perceived government interference in religious affairs, the government disowned the letter and suspended the registrar of religious communities and societies, who had signed the letter.

In September the Department of Immigration deported seven Islamic clerics from Pakistan who had arrived two weeks earlier in Kilwa, a Muslim-majority region on the southeast coast. Department officials stated the clerics did not have permission to enter the country from the head Mufti of BAKWATA, although a Kilwa legislator, Suleiman Bungara, said the clerics had a letter from BAKWATA. The English-language daily newspaper *The Citizen* reported that Bungara's efforts to resolve the issue with Minister of Home Affairs Kangi Lugola were unsuccessful and Bungara questioned whether BAKWATA or the Immigration Department had the authority to approve international religious visitors.

In August a court in Mwana Kwerekwe acquitted and freed a Pentecostal pastor in Zanzibar accused of abusing a Muslim girl in 2014, ending a protracted court case. The court originally closed the case in 2015, with charges against the pastor twice dropped for lack of evidence. Christian leaders in Zanzibar stated that the government later reopened the case as a pretext for jailing the pastor, and that Christians found it difficult to obtain a fair court hearing in Zanzibar.

In March the Zanzibar Ministry of Agriculture and Natural Resources confiscated and destroyed a church being built on property which the Pentecostal Assemblies of God stated it owned, but the High Court of Zanzibar ruled the church was built on government property. After opponents to the construction demolished several temporary church structures between 2004 and 2007, the group had completed approximately half the construction of a stone building in 2009 when local Muslims filed suit, arguing the church was being built illegally. A lower court ruling in 2011 in favor of the church had allowed the construction to move forward, although the court later decided the party who originally sold the property to the church was not the rightful owner. According to Christian media, church leaders stated the court ruled due to religious bias and threatened the survival of the congregation on the island.

During the year, the Tanzanian Revenue Authority (TRA) announced religious organizations would no longer receive automatic tax exemptions for charitable in-kind donations. Religious groups must hereafter 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. The Ministry of Home Affairs reported 117 incidents from January through June. The Legal and Human Rights Centre (LHRC) reported 106 such killings in the same time period. More than three-quarters of the victims were men. Approximately the same number of witchcraft-related killings were reported in the same period in 2017. The LHRC reported that 501 persons were killed due to mob violence spurred by witchcraft suspicion between January and June. On March 23, according to the LHRC, an angry mob killed a woman of the Taba Village in Kilauwa District over suspicion of witchcraft.

In May a burglar broke into a Catholic church in Dar es Salaam and stole money and church equipment. Police were investigating at year's end.

Unknown assailants broke into a mosque in the Tabora Region and stole 720,000 Tanzanian shillings (\$310) in June. No motive was known, and an investigation was ongoing. Observers stated that houses of worship were usually regarded as sacred regardless of religion and, as such, attacks on mosques and churches could be seen as religiously targeted.

In January courts in Bukoba issued a three-year prison sentence to three men found guilty of burning churches in 2015 in the Kagera Region in the northwest part of the country. The men were already serving life sentences for other crimes related to burning churches.

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

During the year, the embassy supported interfaith dialogue through a three-month public diplomacy campaign aimed at underscoring the importance of religious freedom and tolerance in preventing violent extremism.

As part of this campaign, the embassy sponsored the visit of a U.S. imam for a one-week program in Dar es Salaam, Pemba, and Unguja (the main island in the Zanzibar archipelago) in August. The imam engaged with the leadership and members of the Supreme Council of Muslims in Tanzania, the Inter-Religious Council for Peace in Tanzania, the Zanzibar and Pemba Association of Imams,

former participants in U.S. government exchange programs, and secondary school students through a series of lectures on religious freedom, diversity, and expression. In these meetings and discussions, the imam promoted interfaith cooperation in addressing community and social issues and shared experiences on how religious organizations and secular institutions can work together to teach tolerance in their communities.

On June 7 and 8, the Charge d’Affaires hosted iftars in Dar es Salaam and Arusha, bringing together influential civil society, interfaith, and media leaders to launch the interfaith dialogue campaign. Media coverage of both events, including articles and photographs in leading English and Swahili newspapers, reached a potential readership of one million individuals.

During a July interfaith roundtable in the coastal town of Lindi, the Charge d’Affaires met with a local peacekeeping council comprised of eight Christian and Muslim religious leaders to discuss how to address the area’s economic and social challenges collectively from a position of religious solidarity.

The U.S. government continued 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.