

# **TANZANIA 2015 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitutions of the union government and of the semi-autonomous government in Zanzibar both prohibit religious discrimination and provide for freedom of religious choice. The government made arrests following cases of arson at six churches in the west of the country, but again made little progress in prosecuting outstanding cases involving violent attacks against religious targets. Several members of a self-described Islamic community development organization were charged under a terrorism statute for a series of violent incidents, including several attacks against Muslim and Christian religious leaders. By year's end, the case had not yet come before the court for a hearing.

There were incidents of arson targeting churches in two districts. Civil society groups continued to promote religious tolerance and interfaith cooperation.

The U.S. embassy continued to advocate for religious peace and tolerance in meetings with government and faith leaders, including with the Office of the Mufti of Zanzibar. The embassy continued to sponsor the restoration of a cathedral in Zanzibar by Muslim artisans. Embassy officers also met regularly with religious leaders to develop interfaith community development projects.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 51 million (July 2015 estimate). A 2010 Pew Forum survey estimates that approximately 60 percent of the population is Christian, 36 percent Muslim, and 4 percent other religious groups. There are no domestic polls covering religious affiliation. Local commenters, however, consistently say there are roughly equal numbers of Christians and Muslims in the country.

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

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of which 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 of semi-autonomous Zanzibar both provide for equality for all 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 the purpose of protecting the rights of others; promoting the national interest and defense, safety, peace, morality, and health; and for other listed reasons. 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. In order to register as a political party, an entity cannot use religion as a basis to approve membership, nor can the promotion of religion be a policy of that entity.

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, 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) courts 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, can be appealed to the Union Court of Appeals on the mainland. Decisions of Zanzibar's *qadi* courts can 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.

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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 can then list individual congregations, which do not need separate registration. In addition, Muslim groups registering on the mainland must provide a letter of approval from the National Muslim Council of Tanzania (BAKWATA), a government body. 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 can 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 Zanzibar mufti 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 and 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, though it is not required, and generally follow the national educational curriculum unless they receive a waiver from the Ministry of Education for a separate curriculum.

The government does not designate religion on passports or records of vital statistics. Police reports must state religious affiliation if an individual will have to give sworn testimony. Applications for medical care must specify religious affiliation so that any specific religious customs may be observed.

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### Government Practices

Police investigations and prosecutions of past shootings, acid attacks, and bombings against religious leaders and institutions continued but made little progress.

In October and November police in Bukoba, a mixed Muslim-Christian area in the western Kagera Region, detained 37 people, including the district Civic United Front chairman, for reported acts of arson in September toward churches throughout the district. Those arrested were taken to the Central Police Station in Kagera, according to the Kagera regional police commander. As of the end of the year, three people were charged with arson, although the police had not yet turned the cases over for prosecution. The other detainees were released for lack of sufficient evidence, but the investigation was continuing. Some press reported the incidents were not based on religious tensions, but rather on the usage of the churches as meeting places by rival political groups.

By year's end, there had not been a hearing on the case of the leaders of the Association of Islamic Mobilization and Propagation (known as Uamsho, meaning "Awakening" in Swahili), a Muslim community development organization. Twenty-two of the group's leaders were arrested in 2013 and charged with terrorism in connection with a number of incidents around the country, including at least two attacks on religious leaders, and remained in custody. In December 2014, the High Court ruled that the Kisumu Magistrates' Court had jurisdiction to hear the case. During the year the government appealed this decision. As of the end of the year, the Court of Appeal had not made a determination on the proper jurisdiction for the case.

According to the prosecutor, Victor Ambrose Kalisti and 12 other suspects charged in connection with the 2013 bombing of St. Joseph's Roman Catholic Church near Arusha, which killed three and injured 60, were brought to Dar es Salaam. The case was joined with the case of the Uamsho leaders, whom the prosecutor also linked to the bombing. The Court of Appeal had yet to make a determination on the proper jurisdiction for the case, as the crimes occurred in several regions.

On November 3, the High Court in Zanzibar dismissed the case of Omar Makame, who had been charged with the 2013 killing of a Catholic priest in Zanzibar, on the

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grounds that the government did not present sufficient evidence resulting from its investigation to continue the prosecution.

The government made no progress in the case of a suspect arrested in 2013 for alleged involvement in a clash between Muslims and Christians near Mwanza that led to the death of a pastor, multiple persons injured, and property damage, nor the case of a 2013 acid attack against a Catholic priest in Zanzibar.

Between July 2014 and March 2015, the registrar of societies on the mainland received 70 registration requests from religious groups. The registrar approved 45, rejected 23, and five were pending at year's end. Most of the rejections were reportedly for procedural reasons, according to an official at the registrar's office. Determinations on complete applications were often made in a matter of months, but if the registrar required further information, the follow-up process could take years. There were reports that some religious organizations operated for more than four years without full registration. Registrations in Zanzibar were generally quick, often taking no more than a week.

On September 17, religious leaders met with the inspector general of police, the chairman of the National Electoral Commission, the registrar of political parties, and the director general of the Anti-Corruption Bureau. The meeting produced a joint communique urging stakeholders to maintain peace and tranquility by adhering to the country's laws and regulations throughout the October 25 general election process.

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

On January 20, arsonists set a church building in Mashewa in Tanga Region, a Muslim-majority area, on fire. According to local media reports, the pastor of the church had been repeatedly threatened prior to the arson attack. Authorities were investigating the case, but by year's end had not identified suspects or established a conclusive motivation for the incident.

Members of several churches, as well as prominent Muslim citizens, expressed concern a prior killing and an acid attack on religious leaders had gone unresolved after several years of investigations by police.

Religious leaders from various faiths continued to discuss tensions in Zanzibar. The Zanzibar Interfaith Committee (ZIC), which includes Muslim and Christian

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leaders, as well as government officials from the Office of the Mufti, organized a workshop on March 7. At the workshop, religious leaders were urged to advocate for peace in advance of a planned (but later postponed) constitutional referendum and the October 25 general election.

The mufti of Zanzibar stated relations between different faiths remained peaceful, after instances of suspected religious violence in past years. Several religious leaders on the mainland agreed with this assessment of the situation in Zanzibar.

On October 12, teams from the Amani (Peace) and Mshikamano (Solidarity) sports clubs, comprised of high-ranking diplomats and religious leaders of different faiths on mixed teams, competed in an interreligious football match in observance of the International Day of Peace.

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

In meetings with the government, U.S. officials discussed cooperation between religions, especially ahead of the possibility of political unrest, and religious freedom, including the ability of members of all faiths to freely exercise religious practices. U.S. embassy officials also met regularly with religious leaders to discuss issues of religious freedom. The Ambassador met with the mufti of Zanzibar to discuss Christian-Muslim relations and religious freedom generally in Zanzibar. Embassy officers held frequent meetings with other representatives in the Office of the Mufti, as well as Christian religious leaders of different denominations in Zanzibar.

Work concluded in December on the embassy-supported rehabilitation of the Christ Church Anglican Cathedral in Stone Town, Zanzibar. The cathedral, which sits on the site of the former Zanzibar slave market, remained a key symbol of religious tolerance within Zanzibari society. The project promoted Muslim-Christian cooperation by employing Muslim artisans to restore and renovate the cathedral, providing an active example of people of different faiths coming together to respect a religious building.

Embassy officers held several meetings with religious leaders throughout the year to discuss religious freedom issues and identify community projects that would unite leaders from different religious groups. Leaders discussed projects to counter religious extremism by improving economic opportunities and combatting corruption.