

TANZANIA 2016 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. Three individuals were convicted and sentenced to life imprisonment for the arson of a church in Kagera. A Christian bishop in Dar es Salaam was arrested and accused of sedition for speaking on political matters from the pulpit. The church's license was withheld while police continued to investigate at year's end. The president and prime minister, along with local government officials, emphasized peace and religious tolerance through dialogue with religious leaders. Prime Minister Kassim Majaliwa addressed an interfaith iftar in July, noting his appreciation for religious leaders using their place of worship to preach tolerance, peace, and harmony.

In May 15 masked assailants bombarded and attacked individuals at the Rahmani Mosque, killing three people, including the imam, and injuring several others. Arsonists set fire to three churches within four months in the Kagera Region, where church burning has been a recurring concern of religious leaders. The police had not arrested any suspects by the end of the year. Civil society groups continued to promote peaceful interactions and religious tolerance.

The U.S. embassy began implementing a program to counter violent extremism narratives and strengthen the framework for religious tolerance. A Department of State official visited the country to participate in a conference of Anglican leaders on issues of religious freedom and relations between Christians and Muslims. Embassy officers continued to advocate for religious peace and tolerance in meetings with religious leaders in Zanzibar.

Section I. Religious Demography

The U.S. government estimates the total population at 52 million (July 2016 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 over half of the population practices elements of African traditional religions in their daily lives. There are no domestic surveys covering religious affiliation. Local observers, however, state 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 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 (Mormons), and Jehovah's Witnesses. Other groups include Buddhists, Hindus, Sikhs, Bahais, 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 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. 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.

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 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 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 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 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 have to give 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

In September three suspects were convicted and sentenced to life imprisonment for arson in the case of the 2015 burning of an Evangelical Lutheran Church in the western Kagera Region. Little progress was made in several other cases of arson in the region.

In July Bishop Gwajima of the Pentecostal Glory of Christ Tanzania Church in Dar es Salaam was arrested on the basis of sedition and questioned by the police. The police reportedly arrested Gwajima after he spoke from the pulpit on political issues involving the leadership of Tanzania's ruling party in June. Police released the bishop after four hours, but his church's license was suspended until the end of the investigation. Bishop's Gwajima's followers (approximately 10,000 people) operated under the licenses of other churches. The Pentecostal Pastor Fellowship of Tanzania clerics revoked his membership and urged the Ministry of Home Affairs to deregister the bishop. As of the end of the year, the investigation was ongoing.

By year's end, there had not been a hearing on the 2013 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. The authorities subsequently charged additional suspects in the case. No suspects received bail and all remained in custody. The government's appeal of a 2014 High Court ruling that the Kisutu

Magistrates' Court had jurisdiction to hear the case was still pending. Some of the accused appeared in court during the year, but there were no new developments in the case.

There were no new developments 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, injuries of multiple persons, and property damage. Similarly there were no new developments in the case of a 2013 acid attack against a Catholic priest in Zanzibar.

Between July 2015 and March 2016, the registrar of societies on the mainland received 102 registration requests from religious groups. The registrar approved 26, rejected 13, and 55 were pending at year's end. Most of the rejections were reportedly because of missing information, according to the official record. 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.

Over the course of the year, media sources reported President John Magufuli attended services at four different churches and one mosque. During these visits, he asked for religious leaders to preach peace in the country. He also called for peace and religious tolerance at an iftar he hosted. Prime Minister Kassim Majaliwa addressed an interfaith iftar program in July, noting his appreciation for religious leaders using their places of worship to preach tolerance, peace, and harmony.

In August the Regional Commissioner of the Shinyanga Region assembled religious leaders in the area to discuss peace and security. Leaders represented Christian and Muslim congregations and stated they would like the government to conduct a dialogue with religious leaders.

Section III. Status of Societal Respect for Religious Freedom

On May 18, 15 masked assailants stormed the Rahmani Mosque in the Mwanza region with explosives, machetes, and axes. The assailants killed three people, including Imam Ferouz Ismail Elias, and injured several others. Media sources reported the attackers were motivated by the concurrent arrests of Muslims in the area. The Mwanza regional police commander reported three people were arrested

in connection with the attack. Investigations into the attack were ongoing at the end of the year.

From February to May, arsonists burned down three churches in the Kagera Region, including the Roman Catholic church in Nyarwele, a Tanzanian Assemblies of God church, and a Pentecostal Assemblies of God church. No group claimed responsibility for any of the fires as of the end of the year. The attacks followed a series of arson attacks in the region in previous years. According to the secretary of the Bukoba Pastors Fellowship, arsonists burned at least 13 churches in Kagera between 2013 and 2015.

According to media reports, the Kagera Region experienced heightened levels of religious tension in recent years. The sources attributed the tension to the recent growth in fundamentalist Muslim groups in the area.

In August arsonists attacked the home of a pastor of the Calvary Assemblies of God church in Kidimuni. Media sources reported the arsonists included violent extremists from outside the area with ties to local Muslims who objected to the pastor's evangelical work. The pastor stated he received leaflets at his door warning him to stop evangelizing. The pastor reported the incident to police patrolling the area following the attack.

On March 12, religious leaders from the mainland and Zanzibar took part in a meeting in Zanzibar organized by the Inter-Religious Council for Peace Tanzania (IRCPT) and UNESCO. At the meeting, participants resolved that religious leaders should be dissociated from politics and preach peace and religious tolerance during the Zanzibar election re-run that was held on March 20.

The Christian Council of Tanzania (CCT) held two seminars during the year for bishops and imams on religious radicalization.

Section IV. U.S. Government Policy

The embassy engaged government and security officials in discussions on the potential for religious issues to play a role in community unrest. To underscore themes of diversity and tolerance the embassy launched a program on countering violent extremism and promoting interfaith dialogue in the country. The program was designed to mitigate tensions between communities and address drivers of marginalization and religious tensions contributing to conditions that lead to violent extremism. Key objectives of the program include countering violent

extremism and strengthening the country's legal and policy framework for religious tolerance.

In April a Department of State officer participated in a conference in Dar es Salaam convening Anglican leadership from Africa and North America. Participants at the conference discussed a variety of issues including religious freedom, relations between Christians and Muslims, and relations between the government and Anglican churches, especially those working in areas considered at-risk for community violence.

Embassy officials frequently held meetings with both Muslim and Christian religious leaders in Zanzibar and discussed interfaith dialogue and cooperation between Christian and Muslim communities to reduce social tensions in the islands.