



EU ROADMAP FOR ENGAGEMENT WITH CIVIL SOCIETY IN (TANZANIA) FOR THE PERIOD (2021-2024)

GENERAL INFORMATION

Status: Public

Date of approval:

Update of a previous RM: Yes

Part of the Joint Strategy? No

List of MS endorsing the RM: Belgium, Denmark, Finland, France, Germany, Ireland, Italy, the Netherlands, Poland, Spain and Sweden

Introduction

EU Country Roadmaps (RM) for engagement with civil society are a strategic tool to i) ensure complementarity between EU bilateral programmes and CSO thematic programmes, and ii) to provide a shared analysis of the civil society landscape and a strategy for Team Europe engagement with civil society, defining priorities and concrete actions for support and dialogue. This roadmap is the result of consultations jointly conducted with the development of the EU Human Rights and Democracy Country Strategy 2021-2024 and EU Gender Action Plan III 2021-2025. Consultations took place with around 200 civil society organisations. The RM process was also informed by the programming consultations during the preparation of the MIP, which also included more than 250 CSOs.

The New European Consensus on Development¹, reaffirm the commitment of the EU and its Member States to supporting the participation of CSOs in development processes as follows:

Art. 17. The EU and its Member States value the participation of civil society organisations (CSOs) in development and encourage all parts of society to engage actively. They recognise the multiple roles that CSOs play as promoters of democracy and defenders of rights holders and of the rule of law, social justice and human rights. The EU and its Member States will promote civil society space and enhance their support for building the capacity of CSOs, to strengthen their voice in the development process and to advance political, social and economic dialogue.

Art. 62. The EU and its Member States will support an open and enabling space for civil society, inclusive approaches and transparency in decision-making at all levels.

Art. 105 NDICI commits to: "promoting an enabling environment for civil society organisations and foundations, enhancing their meaningful, continuous and structured participation in domestic and international policies and their capacity to perform their roles as independent development and governance actors; and strengthening multi-stakeholder approaches and new ways of partnering with civil society actors, including women's rights organisations; supporting democracy and expanding civic space; promoting a substantive and structured dialogue with the Union and the effective use and implementation of country roadmaps for EU engagement with civil society"

The first EU Roadmap for Engagement with Civil Society in Tanzania covered the period from 2014-2017. The changing operating context necessitated a revision of the Roadmap's priorities for support to civil society, in line with the principles set out in the New European Consensus. The second roadmap 2019-2021 had four strategic priorities that emerged. 1. Strengthen capacity and

¹ New European Consensus on Development – 'Our world, our dignity, our future', Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission, 6 June 2017. Swahili language version available at: https://ec.europa.eu/europeaid/sites/devco/files/devco-2017-00004-01-01-sw-tra-00_0.pdf



participation of civil society in accountability systems and policy dialogue across all sectors. 2. Support women and youth economic and social empowerment and participation in decision-making, in line with the five GAP II objectives selected for Tanzania. 3. Promote pluralism of voices in development processes (including of marginalised and vulnerable groups) and safeguard freedom of expression. 4. Reinforce civic engagement in the electoral process and in mechanisms supporting dialogue and conflict prevention.

The third roadmap 2021-2024 will work to (i) fostering an enabling environment for civil society, ii) promoting meaningful participation of civil society in multi-stakeholder policy processes, and iii) strengthening of civil society organizations' capacity to hold authorities accountable, be legitimate representatives of the interests of citizen groups and effectively perform their roles as independent development actors. In addition to being a development partner in its own right, and a central actor for governance, engagement with civil society is a priority to be mainstreamed under all the three EU priorities for Tanzania: Green Deals, Human Capital Development, and Governance. In terms of key stakeholders, this roadmap will focus on local CSOs, youth and women organisations, networks, foundations, professional bodies, cooperatives, (not-for profit) media organisations, think tanks, faith-based organisations, grass-roots organisations, professional bodies and marginalised groups such as minorities and people living with disabilities.

PART I – BRIEF ANALYSIS OF THE CONTEXT AND PAST EU ENGAGEMENT

A. THE STATE OF CIVIL SOCIETY: BRIEF UPDATE ON RECENT DEVELOPMENTS

The exact number of NGOs in Tanzania is difficult to determine given the variety of legal reforms and the re-registrations required following the government's NGO verification exercise in 2017–18. The Registrar of NGOs in the Ministry of Health, Community Development, Gender, Elderly, and Children, which has primary oversight responsibility for NGOs, reported approximately 9,000 organizations registered in 2018. According to the ministry records, in 2019, there were 617 NGOs newly registered NGOs in Tanzania mainland. Of this number, 44 organizations were international, 551 national, and 7 regional, and 15 district level. Approximately 3,400 NGOs were registered in Zanzibar, a semi-autonomous region.

Since becoming an independent state in 1961, Tanzania has earned a reputation for political stability. Tanzania is currently going through a political transition following President John Magufuli's sudden death on March 17, 2021. The late president was accused of stifling dissent and squeezing civic, democratic, and civil society space through political, legal, and administrative restrictions, with a weakened civil society as a result. The legal framework for civil society work has been undermined through restrictive laws that are applied selectively. Examples include the 2016 Media Services Act, the 2015 Statistics Act, the 2015 Cybercrimes Act, the 2016 Access to Information Act, the Online Content Regulations of 2018, the 2018 NGOs Act (Amendment) Regulations, and the 2019 Written Laws (Miscellaneous Amendments) (No. 3) Act. Several of the above-mentioned laws had limited meaningful consultations with key stakeholders. Some Civil society actors have also suffered harassment, arbitrary arrests, stigmatization and unlawful restrictions to their rights to express themselves, peacefully assemble, and associate. Women Human Rights Defenders are even more vulnerable as they face sexual assault and rarely have



institutional support and resources to ensure their safety. A number of NGOs were deregistered for promoting LGBTI rights.

CSOs' organisational capacity was reduced as a result of burdensome new regulations and statutory requirements, reduced funding, and internal governance challenges. There was little diversification in CSOs' funding strategies. Most organisations remained dependent on foreign funding. More stringent government approval processes made it more challenging for development partners to fund activities in areas not supported by government. The legal reforms of 2018 did prompt CSOs to improve their financial management systems and reporting. For example, the NGO Act (Amendments) Regulations of 2018 require CSOs to submit their fundraising plans, donor contracts, and expenditures to the registrar and treasurer and publish them on a biannual basis. The NGO Act 2002 for the mainland and the NGO Act 2009 for Zanzibar provide for NGOs to undergo annual audits and submit copies of their accounts and activity reports to the NGO Registrar, NGO Board, and the National Council of NGOs (NaCONGO). Large organizations generally have solid financial management systems. However, many district-level organisations lack the financial and technical capacity to conduct audits and rely on development partners to conduct program audits. They submit their annual reports to district community development officers.

CSOs' ability to advocate was hampered by the government's tendency to introduce reforms under a pretext of urgency, giving CSOs very little time to mobilise and unite on the issues. CSOs have increasingly shied away from engaging publicly on national issues. For example, CSOs did not challenge the government in court when local CSOs were denied accreditation to conduct voter education or to observe the 2020 general election. Few CSOs raised objections to the government's unilateral decision to withdraw from the African Court on Human and Peoples Rights in 2019. Absence of effective structured and regular platforms for civil society and the government has resulted in CSO views missing in the public decision-making processes. Unlawful restrictions to CSOs' freedom of expression continued to worsen the situation. Nevertheless, some CSO advocacy efforts were more successful. For example, in 2019, Legal and Human Rights Centre (LHRC), Media Council of Tanzania (MCT), and THRDC argued successfully in the East Africa Court of Justice that the Media Services Act of 2016 severely violated freedom of expression by criminalizing defamation and sedition and giving excessive discretionary powers to the minister of information, culture, arts, and sports. Another remarkable effort was CSOs mobilization and support during Rebeca Gyumi's case against the United Republic of Tanzania on the Law of the Marriage Act (LMA) 1971 which allows girls marriage below the age of 18. In 23rd October 2019 the Court of Appeal ruled under 18 marriage unconstitutional, after the Attorney General appealed High Court decision in 2016 that the provisions of sections 13 and 17 of the LMA offended the principles of equality provided for in Articles 12(1) and 13(1) of the Constitution and declared the said sections unconstitutional. However the government has not taken any step to amending the act since then, but the CSOs efforts were paramount during the case.

Networking opportunities are limited. The National Council of NGOs (NaCONGO) has not been an effective platform for dialogue and consultation since its establishment. The election of new leadership has taken place in July 2021 and risen expectations from different stakeholders on how it is going to improve its functioning to effectively coordinate the sector. Some umbrella organizations supported by the Foundation for Civil Society have nevertheless been trying to create space for dialogue between CSOs, government and the parliament including development partners.



The annual CSOs Week, which started in 2018, aims to show case CSOs' contribution to the Tanzania development agenda. In 2019 the event involved about 671 CSOs. Due to COVID-19, it did not take place in 2020, while in 2021 the event took place in October involving about 1000 CSOs with the theme “*CSOs Contribution to the National Development*”.

In 2020 a network of NGO, led by THRC and LHRC, with the support of Save the Children successfully submitted a joint CSOs report in the framework of the 3rd UPR cycle. Nevertheless, other specific thematic report were also submitted by specialized groups of NGOs (Pastoralists; LGBTI; etc).

The new president Samia Suluhu Hassan has signaled some positive changes, for example lifting a ban on closed online media outlets. Such actions have raised hope for a more liberal and open future. However, optimism around the democratization prospects remain tempered given Tanzania's history. The new Zanzibar unity government has also been sending positive signals to CSOs and the opposition party ACT-Wazelendo, with whom it co-governs under a Government of National Unity (GNU), potentially laying the ground for improved dialogue between stakeholders.

COVID-19

COVID-19 continues to have (economic, social, organizational, psychosocial, and physical) impacts on NGOs as well as HRDs. The pandemic exacerbated existing inequalities, affecting the poor and vulnerable people in many countries where public health care has been weak. Furthermore, NGOs did not have contingency plan to ensure continuity of their operations. While large international NGOs with sufficient financial resources managed to maintain business continuity to a certain degree, this is not the case for the majority of local NGOs. In addition, most field activities had to be suspended and the inability to gather a large number of people halted community mobilization work. One of the main challenges for NGOs during the pandemic has been figuring out their role in an area that requires a certain level of specialized knowledge (public health), and doing so in an environment of policy uncertainty, as well as mobilizing resources to engage.

B. LESSONS LEARNT FROM THE PAST ENGAGEMENT WITH CSOs

The 2019-2021 roadmap priorities were relevant in the context of restrictive CSO laws, interference with the rights of peaceful assembly and freedom of association, and restrictions on political participation. Specific projects were designed to address CSO roadmap priorities, such as increasing civil society capacity and participation in advocacy on media policy, citizen access to information and fundamental freedoms, and CSOs-media partnerships for amplifying youth and women's voices. The EU used available opportunities to build capacity, promote dialogues between CSOs and government, and improve the operating environment. In collaboration with the Ministry of Finance and Planning, the Registrar of NGOs from Tanzania Mainland and the Registrar of Societies from Zanzibar, EU conducted a two days training to empower all EU CSOs grantees on the new legal framework of NGOs to ensure they comply and discuss key bottlenecks with authorities for improvement. Support to stakeholders such as media and human right defenders meant that accountability mechanisms could continue to function to a certain extent. However, that same context also presented challenges. For example, during the 2020 General Elections (President and National Assembly), the National Electoral Committee issued accreditation for civic education to only 24 CSOs, mainly the smaller and more inexperienced ones. Since none of the accredited CSOs had the financial or technical capacity to carry out effective national voter education campaigns, few actual voter education messages reached citizens especially during the voter registration period. The same applied to accreditation for domestic observation.



The consultation process for updating the CSOs roadmap for 2021-2024 was conducted jointly with the development of the *EU Human Rights and Democracy Country Strategy 2021-2024* and the Country Level Implementation Plan for the *EU Gender Action Plan III 2021-2025*. Consultations took place with around 200 civil society organisations across different sectors, and including national, international, and faith-based organizations. Eight consultation clusters were created: human rights and defenders, gender equality (GAP III discussion), freedom of expression and media, vulnerable groups and minorities (PLWD, albinos, indigenous and pastoralist people), LGBTIQ, Environment, business and human rights), CSO support (specific discussion about CSO Roadmap), and democracy (including electoral cycle). EU Member States took part in the consultations.

Key issues raised by CSOs during the consultations:

- The state and a vibrant civil society are two sides of the same coin and must complement each other. Civil society must be seen as a reservoir of social capital capable of contributing to all aspects of the country's development.
- EU should support key reforms, legislative and administrative, to open space for meaningful citizen participation and civic activism. Public interest litigation is important to advance legal and policy reforms. Develop laws based on regional and international good practices, including gender sensitive approaches to support of women in leadership positions.
- Support CSOs efforts to promote increased accountability. Encourage exchanges of good practices on electoral processes with all relevant stakeholders.
- Strengthen the capacity of CSOs, especially local CSOs, to organise and articulate their agenda, through a combination of technical and financial assistance, and exchange programmes with EU institutions and European civil society organisations. Partnerships between 'intermediary' CSOs and Community-Based Organisations can strengthen capacity through programmes of coaching and mentoring.
- Ensure a specific focus on increasing the digital literacy and resilience of local organisations.
- Complex subjects such as countering violent extremism can also be addressed taking a regional approach.



PART II – EU STRATEGY AND ACTION PLAN TO ENGAGE WITH CSOs

A. THE STRATEGY FOR ENGAGEMENT WITH CSOS AND HOW IT RELATES TO THE EU COUNTRY ENGAGEMENT AND AGENDA 2030/SDG

(i) fostering an enabling environment for civil society, ii) promoting meaningful participation of civil society in multi-stakeholder policy processes, and iii) strengthening of civil society organizations' capacity to hold authorities accountable, be legitimate representatives of the interests of citizen groups and effectively perform their roles as independent development actors.

OBJECTIVES FOR THE EU ENGAGEMENT WITH CSOs	RELATED SECTOR & COMMISSION PRIORITY	RELATED SDG
<p>i) Fostering an enabling environment for civil society</p> <p>ii) Promoting meaningful participation of civil society in multi-stakeholder policy processes</p> <p>iii) Strengthening of civil society organizations' capacity to hold authorities accountable, be legitimate representatives of the interests of citizen groups and effectively perform their roles as independent development actors.</p>	<p>Team Europe Initiatives (TEI)</p> <p>Green Deals²; Agriculture, Forestry, Fishery, Environment Protection, Urban Development</p> <p>Governance³; Government and civil society, Business and other services</p> <p>Human Capital and Employment⁴; Education, Employment, digital technologies, Social Infrastructure and Services, Industry, including SMEs development</p>	<p>Goal 5</p> <ul style="list-style-type: none"> 5.5 Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision making in political, economic and public life 5.5.1 Proportion of seats held by women in (a) national parliaments and (b) local governments <p>Goal 16.</p> <ul style="list-style-type: none"> Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels 16.6 Develop effective, accountable and transparent institutions at all levels 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels 16.10 Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements

² Non-state actors, including CSOs, can play an active role in enhancing skills, particularly among women and youth as well as working with communities on climate adaptation and value chain development.(MIP 2021-2027)

³ Non-state actors, including CSOs, are an integral part of an inclusive society and essential for durable institutional change. They can provide services such as legal aid to vulnerable groups or help promote transparency and dialogue. Private sector organisations can offer key insight in the challenges private sector operators face and the desired policy changes (MIP 2021-2027)

⁴ Non-state actors, including CSOs, play an important role, being notably able to reach out to vulnerable communities and to act as specialised service providers in skills training, access to finance or business development. They will contribute to building inclusive democracy and respect for human rights for all (2021-2027)



B. THE ACTION PLAN

OBJECTIVES FOR THE EU ENGAGEMENT WITH CSOs	ACTIONS (including analysis, policy and political dialogue, operational support)	MEANS (EU programmes / instruments to implement the actions)
i) Fostering an enabling environment for civil society	<ul style="list-style-type: none"> • Conduct assessments of the legislation for civil society and associated reform agenda. • Support public interest litigation to advance legal and policy reforms. • Review laws and practices inhibiting women and girls inclusion in political and leadership positions. • Review laws and practices related to freedom of expression, access to information, including online and also freedom of assembly. • Strengthen CSOs coordination and collaboration through networks and platforms to foster collective action and their ability to better represent their constituencies. • Foster regional networks of CSOs on securitization of civic space. 	MIP, CSO and EIDHR grants, technical assistance, MS programmes
ii) Promoting meaningful participation of civil society in multi-stakeholder policy processes	<ul style="list-style-type: none"> • Support the systematic participation of CSOs in relevant national and sectoral level legislative and institutional reform processes. • Strengthen role of CSOs in policy dialogue and budget processes. • Support gender mainstreaming through the participation of CSOs promoting the rights of women and girls rights. • Support freedom of expression and access to reliable information 	MIP, CSO and EIDHR grants, technical assistance, MS programmes
iii) Strengthening of CSOs' capacity to hold authorities accountable, be legitimate representatives of the interests of citizen groups, and effectively perform their roles as independent development actors.	<ul style="list-style-type: none"> • Support the concept of public accountability, and thereby advance CSO oversight role in relation to key issues such as the use of natural and public resources, corruption, gender equality, human rights defenders. • Empower CSOs to strengthen financial sustainability, representational legitimacy, and institutional capacity. • Support CSO advocacy capacities, including monitoring and evaluation of public policies. • Provide support to increase the digital capacity and digital resilience of local organisations. • Support effective civil society monitoring and advocacy in relation to democratic processes, including fundamental freedoms and human rights situation. 	MIP, CSO and EIDHR grants, technical assistance, MS programmes



PART III— FOLLOW-UP OF THE RM

OBJECTIVES FOR EU ENGAGEMENT WITH CSOs	OUTCOME INDICATORS	TARGET	BASELINE INFORMATION (if available)	SOURCES OF INFORMATION & MEANS OF VERIFICATION
Fostering an enabling environment for civil society	<ul style="list-style-type: none"> -Level of responsiveness of the government to the needs of CSOs when drafting/updating civil society legislation -CSOs perception on the quality of the legal framework regulating CSOs 	<ul style="list-style-type: none"> Increased government responsiveness Positive perception on the legal framework. All legal conditions for NGOs respect international commitments 	<ul style="list-style-type: none"> Limited responsiveness by the government e.g. NGO Act 2001; Miscellaneous Amendment 2019. Negative perception by CSOs. Some legal conditions for NGOs and media violate legally binding international commitments 	<ul style="list-style-type: none"> -Laws and other regulations on civil society (i.e. laws, by-laws, decrees...) -Public consultation reports and minutes of Government and CSOs meetings -Minutes of Parliamentary meetings (or sub-commission meetings) related to the discussion of the legal framework regulating CSOs -Global World bank governance indicators / regional governance indexes (e.g. the Ibrahim index on Governance for African countries -Specific studies commissioned by CS and/or other donors, SDGs report
Promoting meaningful participation of civil society in multi-stakeholder policy processes	<ul style="list-style-type: none"> -Existence of appropriate dialogue and consultation processes -Adequate and timely information to CSOs on the content of draft laws with sufficient time to respond -Evidence of more structured dialogue spaces between CSOs and EU/MSs 	<ul style="list-style-type: none"> Increased space Improved consultation process Regular structured dialogues 	<ul style="list-style-type: none"> Limited spaces for dialogues and consultations Inadequate information and insufficient time to CSOs during drafting of laws Informal and irregular dialogues 	<ul style="list-style-type: none"> -Official Gazette -MoU, protocols regulating public consultations -Public consultation reports and minutes of the meetings organised between the Government (national or local) and CSOs meetings/ of public hearings -EU-funded projects/programme reports -Reference in Media (formal and informal) to initiatives where CS is involved in public consultations/public affairs
Strengthening of CSOs' capacity to hold authorities accountable, be legitimate representatives of the interests of citizen groups, and effectively perform their roles as independent development actors.	<ul style="list-style-type: none"> -Level of adherence to operational standards to promote better governance, transparency and accountability within the CSOs' sector -Trend in the number of CSOs who use evidence-based argumentation and analysis in advocacy 	<ul style="list-style-type: none"> Improved adherence of public authorities to operational standards Positive trend 	<ul style="list-style-type: none"> Many cases of noncompliance to operational standards CSOs lack evidence based argumentation and analysis for achieving advocacy goals 	<ul style="list-style-type: none"> -Public opinion poll on CSOs -CSOs mapping studies -OCAT27 or other institutional assessment reports undertaken within the programme to assess the capacity level of the target CSOs -National Codes of conduct/covenants/etc. reports -National indexes/ratings to assess CSOs capacities -EU-funded project/programme reports -CSOs activities reports



PART IV - ANNEXES & REFERENCES

ANNEX 1: THE PROCESS

ANNEX 2: RELEVANT REFERENCES AND SOURCES TO DEEPEN THE UNDERSTANDING ON THE STATE OF CS AND EU ENGAGEMENT WITH CIVIL SOCIETY

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- CIVICUS Monitor (<https://monitor.civicus.org/country/tanzania/>)
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- Open letter from 110 CSOs regarding the security of citizens, Human Rights and the Rule of Law in Tanzania, February 2018 (<https://africanarguments.org/wp-content/uploads/2018/03/CIVIL-SOCIETIES-CALL-REGARDING-THE-SECURITY-OF-CITIZENS-HUMAN-RIGHTS-AND-RULE-OF-LAW-IN-TANZANIA.output.pdf>)
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