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THE NATIONAL POLICY
ON
NON-GOVERNMENTAL ORGANIZATIONS (NGOs)
IN TANZANIA

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1.0 INTRODUCTION

1.1 Introduction:

1.1.1 Non-Governmental Organisations (NGOs) are increasingly being recognized by governments as potent forces for social and economic development; important partners in nation building and national development; valuable forces in promoting the qualitative and quantitative development of democracy and not least, important contributors to GDP. The Government of Tanzania recognizes the need to work together with NGOs and the need for such cooperation to extend to other key players, including funders, disadvantaged people themselves, other sectors of civil society and the wider public. NGOs have themselves been re-examining and evaluating their work, re-defining their roles, whom they serve and are accountable to, and endeavouring to function more effectively and efficiently.

1.1.2 The government and other stakeholders recognize the fact that at this point of our development process, NGOs are partners in development and that an enabling environment be put in place for them to operate and thrive.

1.1.3 Initial consultations noted that an NGO Policy which will guide the operations of NGOs in Tanzania need to come from both the Government and the NGOs. Many Laws governing the registration and operation of NGOs were a cause of confusion, inconsistency and created room for fraud and abuse. It was also observed that collaboration between the Government and NGOs was inadequate, internal co-ordination and self-regulation within the NGOs themselves need to be improved.

1.1.4 The consultations recognized the need for a new policy and legislative framework which would help to address many of the problems that are currently experienced by NGOs.

1.2 Background to the NGO Policy Formulation Process:

1.2.1 The NGO Policy is a result of a process of consultations and proposals made by different stakeholders at different fora. It started with a Consultative Workshop organized by the Vice President's Office with the assistance of the United Nations Development Programme (UNDP) on the basis of studies commissioned by the International Labour Organisation (ILO) in November 1996. Consultations and researches were conducted with the objective of soliciting views and ideas from different parties involving the beneficiaries/target groups in designing the Policy.

1.2.2 The first consultative workshop held in November 1996 reflected the perception that an NGO Policy could guide the growth and operations of NGOs in Tanzania. The workshop also recognized the need for the consultative process to continue being **participatory and democratic**. It therefore recommended the formation of a democratically elected National Steering Committee comprising of the major stakeholders to work together with the Vice President's Office and the Chief Minister's Office in Tanzania Mainland and Tanzania Zanzibar respectively, in developing the National NGO Policy.

1.2.3 The findings of the preliminary studies by ILO and UNDP were used by the National Steering Committee to draft the second document. Copies were distributed and hundreds of respondents were received.

1.2.4 The second National Workshop on NGO policy was held on 24 – 26 February, 1998 in Dar es Salaam. The workshop was financed by the Government of Tanzania assisted by CIDA, the British High Commission and NIGP. The workshop, attended by 221 representatives from various NGOs, Government, Donor Agencies and Diplomatic missions discussed the Third draft of the NGO Policy. Among other things the Workshop

recommended the widening of the consultation process by holding Zonal Workshops to involve more stakeholders at Regional and District levels.

- 1.2.5** The National Steering Committee incorporated the comments of the National Conference on the Third Draft to produce a Fourth Draft of the NGO Policy. Resources were mobilised to facilitate further consultations with stakeholders at zonal centres. With the assistance from DFID, USAID, FE, AA (T), EU, Sweden, SCF-UK, AKF, OXFAM (T), FES and COOPIBO Tanzania, the National Steering Committee was able to organise consultative workshops in seven zones. The workshops were held between March 4 and April 28, 1999. The number of participants varied from zone to zone, ranging between 50 to 85 participants representing two-third NGOs and one-third Government.
- 1.2.6** The Fifth Draft of the NGO Policy incorporates the comments from the Zonal workshops; Umbrella NGOs and Networks; concerned groups and individuals; International NGOs and Embassies with the ultimate goal of coming up with a policy for and by the NGOs in Tanzania.

2.0 CURRENT STATUS OF NGOS

2.1 Growth and Role of NGOs

- 2.1.1** Currently there are about 2000 both local and International NGOs in Tanzania. Some of these deal with gender, human rights, environment, advocacy, participatory development etc. All of them have been assisting in strengthening the civil society through informing and educating the public on various issues for example their legal rights or entitlements to services or by helping attune to Government policies.
- 2.1.2** The activities of NGOs have increased since 1985 when major political, social and economic reforms were introduced. However, due to various factors such as lack of information on who should register, inadequate definition of what is an NGO and to some extent cumbersome processes of registration, there are organizations which are not registered, but which qualify to be identified as NGOs. There exist Umbrella Organizations which have been formed in response to the need for NGOs Coordination, Networking and Information exchange, etc.

2.2 Deficiencies in the existing laws:

2.2.1 Societies Ordinance, 1954.

The organization comes into being without automatically obtaining corporate status. To remedy this shortcoming, the society needs to have its Trustees registered by the Registrar General of Trustees under the Trustees Incorporation.

Common problems faced under the ordinance are that the initial registration requirements are complex and time-consuming especially where requirements of different agencies have to be satisfied. For instance for an environmental NGO to accomplish registration formalities, it has to get clearance from the Environmental Department and finally it is registered and regulated by the Ministry of Home Affairs.

2.2.2 National Sports Act, 1967.

The discretionary powers of the Registrar to refuse registration are so wide that they can amount to abuse of power. For example under section 12 (e) (iv) of the Act, the Registrar has powers to cancel registration if he/she is of the opinion that it is undesirable to register any association. Along the same lines, the Minister has powers to direct the Registrar to refuse registration of an association if it is in the public interest to do so. Unfortunately there is no given definition of what constitutes public interest. If such powers remain unchecked, there is the possibility of refusing registration of an NGO for political or any other reasons.

Under the Act, the Registrar has powers to refuse and/or cancel registration of an association for reasons inter-alias that the sports association has affiliation or connection with Afro-Shiraz Party which was a ruling party in Zanzibar prior to the formation of Chama Cha Mapinduzi in 1977. This provision is irrelevant under the current situation and especially under the multiparty system.

Lastly there is a provision for the finality clause, that the decision of the Registrar and the Minister cannot be questioned by any Court of Law.

2.2.3 Companies Ordinance, 1935.

The main problem with the registration of NGOs under the Companies Ordinance is the diversity of the objects as enshrined in the Memorandum of Association. This amounts to a wide spectrum of operation which can distort the objects for which an NGO has been formulated. The NGOs have to be advised to stick to the main object clause which encompasses all the important functions of the company registered under the ordinance. This will help to evaluate the success or failure of the existence of the organization.

2.2.4 Trustees Incorporation Ordinance, 1956.

The Administrator General has the right to impose some additional conditions on the issued certificates. Such conditions can be the size of the land to be owned and its use. The Ordinance imposes a condition that certain trustees have to be residents in the country.

The Administrator General has enormous powers to revoke the incorporation of a body formed under the Ordinance.

These factors call for a comprehensive policy, which will not only solve the immediate problems of NGOs, but also, assist in the promotion and development of the NGO sector in Tanzania. However, this policy reiterates and retains all the fundamental principles of NGOs, that is, they are formed, run, developed or terminated only through free and voluntary acts of individuals and associations; are managed and controlled by members, trustees or directors independent of the Government but within the framework of liberties and constraints provided for in the laws.

3.0 JUSTIFICATION FOR THE NGO POLICY

Since the Governments of the United Republic of Tanzania and that of Zanzibar are downsizing their role in the provision of social and economic services, NGOs, have more prominent role to play in the development process.

3.1 NGOs address diverse issues ranging from lobbying, advocacy and human rights to service provision. They bring creativity, innovation and develop strong community links thereby playing a catalytic role in improving the delivery of various types of services, hence the justification of an NGO Policy which recognizes NGOs as development actors in their own right.

3.2 To enhance self-regulation, transparency and accountability of NGOs and establish modalities for interaction between NGOs and the state and between NGOs and other stakeholders.

4.0 OBJECTIVES OF THE NGOs POLICY

The overall objective of the policy is to create an enabling environment for the NGOs to operate effectively, and efficiently in the social, political and economic transformation of the country. Specific objectives of the NGO Policy are:

- (i) To provide an operational definition of NGOs,
- (ii) To provide a broad framework for legal and institutional arrangements to facilitate the operations of NGOs in Tanzania.
- (iii) To put in place registration procedures which are transparent, decentralized and which will facilitate better co-ordination of NGOs while safeguarding the freedom of association.
- (iv) To strengthen the relationship between the Government and the civil society.
- (v) To enhance mechanisms for collaborative relations between NGOs, the Government, funding agencies and other stakeholders.
- (vi) To facilitate mechanisms for Government support to NGOs.
- (vii) To promote transparency, accountability and awareness among NGOs themselves, the Government and other stakeholders.
- (viii) To facilitate exchange and flow of information on NGOs activities in order to maximize utilization of resources and also share experiences or research findings.

5.0 DEFINITION OF NGOS

To avoid the pitfalls of complexity and exclusion, it is necessary to set out a basis in which, within the NGO Policy framework, there can be some common understanding of the term NGOs.

Policy Statement:

NGOs shall have specific characteristics which distinguish them from government organisations or other registered private groupings.

The term NGOs will be applied to organisations which possess the following defining characteristics:

- (i) **Organisation:**
This means an established or permanent institution. This is demonstrated by a degree of organisational structure, i.e. regular meetings and rules of procedures.
- (ii) **Voluntary:**
These are bodies that are formed freely, willingly, spontaneously by individuals, groups of people or organisations with an element of voluntary participation.
- (iii) **Self-governing:**
Non-Governmental Organisations have their own internal procedures for governance but nonetheless operate within the laws of society as a whole.
- (iv) **Not For Profit Sharing:**
NGOs are not-for-profit sharing organisations. Profits and/or benefits accrued are not for personal or private gain by members or leaders.
- (v) **Non-Political:**
NGOs are organisations that do not seek political power or campaign for any political party.
- (vi) **Objective:**
This requires that the organisations are not self servicing: aim to improve the circumstances and prospects of a particular group or act on concerns and issues which are detrimental to the well being, circumstances or prospects of people or society as a whole.

(vii) **Founders:**

NGOs can be formed either by individuals or organisations.

(viii) **Definition:**

For the purpose of this Policy Document, the following definition shall be used in Tanzania:

An NGO is a voluntary grouping of individuals or organizations which is autonomous, non-political and not-for-profit sharing; organized locally at the grassroots level, nationally or internationally for the purpose of enhancing the legitimate economic, social and/or cultural development or lobbying or advocating on issues of public interest or interest of a group of individuals or organizations.

This definition excludes Trade Unions, political parties or religious/faith organisations.

6.0 INSTITUTIONAL FRAMEWORK

There exist Ministries vested with the responsibilities for co-ordinating the activities of NGOs in Tanzania Mainland and the Government of Zanzibar. In some sector Ministries there are Contact Officers who deal with NGOs matters under their respective ministries. There is need to have co-ordination mechanisms at regional and district levels.

Policy Statement:

At National, Regional and District levels appropriate frameworks and mechanisms be established to facilitate communication and consultation between Government and NGOs.

6.1 NGOs Coordination

The Office of the Director for NGOs Co-ordination in the Ministry shall be the contact between the Government and NGOs. Under the Office of the Director, there shall be the Registrar who shall be charged with the responsibility of actual registration of NGOs after the Board has made approvals of application for registration. The Director shall be the Secretary to the Board and there shall also be established zonal registries for the speeding up of registration process.

6.1.1 The functions of the Director shall among others be:

- (i) to advise the Ministry on policy and legislative changes;
- (ii) to ensure proper implementation of the policy and legislation;
- (iii) to ensure that information about NGOs and their activities are ready available for the Government by requiring on a consistent basis, NGOs to submit their reports;
- (iv) to encourage co-operation by using sector ministries;
- (v) to encourage dialogue or negotiations concerning unmet needs;
- (vi) other functions assigned by the Board.

6.1.2 Sector Ministries will designate 'Contact' Officers to enhance relations in each Ministry having common interest with NGOs.

6.2 NGO – Coordination Board:

Co-ordination Boards shall be formed in Tanzania Mainland and in Zanzibar, and the Boards shall be Bodies Corporate. The NGOs Co-ordination Boards shall be required to delegate some of its powers to the Districts.

6.2.1 Composition of NGO Co-ordination Board.

The NGO Co-ordination Board shall consist of two-thirds of its members representing NGOs and one-third representing the Government. NGOs representatives shall be elected by the National NGO Bodies.

6.2.2 Functions of the National NGO Co-ordination Board:

- a) To approve and co-ordinate registration of NGOs.
- b) To facilitate the Implementation of this Policy.
- c) To maintain a register of NGOs.
- d) To review complaints on registration and de-registration.
- e) To have the sole authority to de-register an NGO.
- f) To facilitate information sharing, policies, guidelines and networking between NGOs and the Government.

6.2.3 Office of the Registrar:

The Government will create the Office of the Registrar of NGOs in the Ministry responsible for NGOs Co-ordination both in Tanzania Mainland and Zanzibar respectively.

6.3 NGOs Networks and Fora:

Networking, collaboration and co-ordination of NGOs is most effectively achieved if there is a National Body to facilitate such co-operation. This will assist NGOs in putting forward their different concerns to the public, government and the international community.

6.3.1 For the purpose of co-ordination and networking among the NGOs, individual NGOs may form NGO National Body. There shall be two National Apex Bodies in the country representing NGOs in Tanzania Mainland and Zanzibar. These bodies shall be self-regulatory.

6.3.2 The National Body of NGOs shall determine their own structures, rules and procedures for the efficient administration of their activities.

6.3.3 Functions of the National Bodies of NGOs:

The National Bodies of NGOs shall regularly organise discussions of matters pertaining to policy co-ordination, assist the NGOs Co-ordination Board on issues of concern to NGOs. Support or facilitate projects programmes or activities geared at promoting the works of NGOs and act as a link between the Government and the NGO Community.

6.3.4 There shall continue to be Umbrella NGOs and Networks through which joint action, representation of common interests, provision of training, information sharing and co-ordination of activities can be pursued.

7.0 LEGAL FRAMEWORK

Policy Statement:

Legislation shall be such that NGO registration is streamlined and current deficiencies in the existing laws removed.

7.1 Legislations exist which spells out the requirements NGOs must satisfy in order to be registered. In Tanzania Mainland while the majority of NGOs are registered under the Societies Ordinance Cap. 337, other avenues for NGOs formal existence are the National Sports Council Act No. 12, the Trustees Incorporation Ordinance Cap. 375, the Companies Ordinance Cap. 212. In Zanzibar, NGOs are registered under the Societies Act No. 6 of 1995. Hence there are five Registrars in the country.

7.2 *All existing laws dealing with NGO matters shall be harmonised and a new law be enacted to cater for NGOs*

7.3 Registration of NGOs:

NGOs shall be required to obtain legal existence through registration for the purposes of ensuring that they operate in accordance with the constitution of the United Republic of Tanzania and the Constitution of Zanzibar. International NGOs shall enter into Agreement of Co-operation with the Governments of the United Republic of Tanzania or Zanzibar.

7.4 Eligibility for Registration:

Local NGOs: Organizations which fit into the definition as per section 5 item 5 (viii) are eligible for registration as Local NGOs. Organizations currently registered under the existing laws which fit into this definition shall be provided with a certificate of compliance.

International NGOs: International NGOs shall be registered through the NGO Co-ordination Board after it has been satisfied that the organization is recognized in the country of origin and that its objects as contained in its instrument are compatible with the Tanzania Laws. As for International NGOs which have already been registered in Tanzania under the existing laws the Board shall issue a certificate of compliance.

7.5 Registration Process:

To obtain registration founder members of an organization will be required to submit their application which includes; letter of application, constitution, minutes and signature of founder members and personal particulars of leaders. The minimum number of founder members shall be five individuals of 18 years and above, or five registered organizations. In case a Network or coalition aspires to become an NGO or Umbrella, such aspiration shall be expressed to the Registrar by submitting an application for registration.

(i) The maximum time for registration process shall be three months from the date of submission of an application. The Registrar shall be required to inform the applicant(s) on whether the application has been rejected for a period of not more than one month from the date of submission of an application. In the event that the Board has rejected the registration, the applicant will have the right to appeal to the Minister responsible for NGOs who will have to make a decision within 2 months. If the applicant is dissatisfied can file a case in the court of law within the United Republic of Tanzania.

(ii) There shall be a registration fee to be determined by the NGO Co-ordination Board and the fees collected shall be retained and be used by the Board to enhance NGOs development.

(iii) An NGO, which intends to operate within a District only, shall be required to register itself at the district level. An NGO, which intends to operate in the whole region, shall be registered at the Regional level while those with a National

coverage in terms of their programmes, including International NGOs shall be registered at the National Level.

- (iv) The District and the Regions shall submit information regarding all registered NGOs, including copies of certificates of registration to the NGOs Co-ordination Board.

7.6 Deregistration:

Before deregistration, the relevant NGO must be amply notified and afforded the right to be heard by the Board. A notice in writing will be given to the NGO and the NGO will be required to respond within three months. The maximum time of suspension before a decision is made on the fate of the NGO shall be six months.

7.6.1 Reasons for de-registration

- a) Breach of the NGO Code of conduct as approved by the National NGO Body.
- b) If the NGO does not operate according to its objectives and constitution unless they have notified the Board and have been allowed to change their objectives.
- c) If as requested by the Registrar the NGO does not submit Annual Activity Report to the Registrar for three consecutive years.
- d) If as provided in the law the NGO does not submit Financial Report to the Registrar for three consecutive years.

7.6.2 Appeal against de-registration:

If the NGO concerned is dissatisfied with the decision of the NGO Co-ordination Board it has a right to appeal to the Minister who shall decide within 30 days. In case the appeal fails the NGOs can file a case in the courts of law within the United Republic of Tanzania. While the case is still under appeal the NGO should be allowed to operate.

7.7 Termination, Dissolution and Liquidation:

The highest governing body of an NGO has the authority to voluntarily terminate its activities, dissolve it as a legal entity, and liquidate its assets. If an NGO is deregistered the liquidation shall take place within the guidelines under the laws applicable for liquidation of corporate bodies.

8.0 EXCHANGE OF INFORMATION AND REPORTING

Policy statement:

To facilitate exchange of information and regular dialogue among all parties involved in or with NGOs in Tanzania.

- 8.1** To maximise utilisation of resources, minimise loss of understanding and general lack of information there is need for exchange of information and reporting.
- 8.2** The NGO National Bodies and the Ministry responsible for NGOs Coordination shall take initiatives to publish and update NGO Directories in order to facilitate networking and exchange of information. The Governments shall provide information relevant to NGO activities so as to promote a fair information exchange between the Government and NGOs. The National NGO Bodies, NGO Umbrellas, Individual NGOs, Networks as well as NGO Resource Centres shall equally be at liberty to publish directories and produce publications of their constituent clients and members.
- 8.3** All Local and International NGOs shall be required to produce activity reports. These reports shall be made available to the public, National Bodies of NGOs, the Government and other stakeholders for use on request.

8.4 All NGOs, Local and International NGOs, shall be required to make available annual financial and/or audited reports to the Registrar's Office and other stakeholders.

8.5 Each NGO shall have a physical address, a sign post and whenever possible, a notice board displaying its activities.

9.0 NGOs ACCOUNTABILITY AND TRANSPARENCY

Policy Statement:

Each NGO shall maintain its own code of conduct for the purpose of accountability and transparency.

9.1 Prohibition of Distribution of Assets, Earnings, and Profits and/or other Benefits:

The Code of Conduct for NGOs will provide that the assets, earnings, and profits of an NGO state not be used to provide special benefits, directly to any founders, members, officers, board members, employees, or donors connected with the NGO.

9.2 Governing Documents:

The Constitution and other instruments issued other than authority of the Constitution of an NGO shall be the governing document.

9.3 Conduct:

In carrying out their operations and in communicating information about their work, International NGOs operating in Tanzania should:

- respect the laws governing their operations.
- respect the culture and traditions of the people and communities in which they operate.
- at all times act to foster and promote the capacities and abilities of local NGOs including participating in relevant NGO Umbrellas and Networks and avoiding actions which may cause rivalry or competitions among Local NGOs.

9.4 Fundraising Activities:

NGOs shall be allowed to engage in all legally and acceptable fundraising activities.

10.0 GOVERNMENT – NGO PARTNERSHIP:

Policy Statement:

The Government recognises the significant role and contributions of NGOs in the society and considers them as important partners in the development process. It is therefore in the interest of the Government to create a conducive and enabling environment to ensure that NGOs potentials are utilised.

10.1 Partnership in Delivery of Services:

The Government shall work in partnership with NGOs in the delivery of Government services and programmes. That is, the government shall be free to subcontract NGOs to undertake programmes, where NGOs have comparative advantages and have expressed interest.

10.2 Direct grant from Government:

In order to further the development work in Tanzania, the Governments shall set aside development budget for NGOs for which NGOs will be accountable.

10.3 Tax exemptions:

There is need for the Government to broaden the tax relief for NGOs. The present narrow exemptions discriminate unjustifiably against equally important NGO activities such as health, social and economic development and protection of environment. *The*

categories of exempted NGO need to be broadened to meet the contemporary needs and activities of NGOs in Tanzania.

There shall be established a mechanism under which goods, materials and services required for NGO projects whether imported or locally purchased are to be exempted from import duty and taxes. Donated goods/money shall not be taxed.

11.0 IMPLEMENTATION:

Policy Statement:

The implementation of the National NGO Policy will require the participation of all actors at different levels.

11.1 Key Players for Implementation:

All Local and International NGOs, the Ministries responsible for NGOs Co-ordination in Tanzania Mainland and Zanzibar, The National NGO Bodies, Umbrella NGOs and Networks, Government Ministries, Regions, Local Government Authorities shall work together to ensure effective implementation of the National NGO Policy.

11.2 Adoption of this policy:

Government Ministries, State Agencies, Regional and Local Government Authorities shall adopt policies, practices and guidelines which are in line with the NGO policy. They will also maintain up-to-date and accurate information about NGOs operating in their fields of interest and or geographical area with which they are concerned.

11.3 Revision of this Policy:

This policy document may be reviewed from time to time for the purpose of updating it to match with fast-changing social, political and economic context of Tanzania. The revision, whenever deemed necessary, shall be made through a participatory and democratic process.

12.0 CONCLUSIONS:

Governments and International Agencies are giving increased recognition to the potentials of NGOs particularly in enhancing people-centred development. Implementation of the above policy statements will promote efficiency and accountability of the NGOs and make a maximum contribution to the country's development process. Likewise, by creating an efficient institutional framework, this policy should help streamline and simplify the procedures for registration of NGOs.

As noted in the definition of NGOs, operations of NGOs enhance the development of a democratic society since they are formed by independent, voluntary associations and contribute to the society through their care and welfare, gender equality, human rights and development activities. It is also clear that the roles played by NGOs and expectations placed upon them are increasing. At the same time, NGOs' missions, objectives, activities, structures and relationships are diversifying. Therefore, the implementation of this policy that retains the positive virtues of the existing NGOs practices will enhance the effectiveness and efficiency of NGOs in the country's development process.

The NGO sector in Tanzania is just emerging and is made up of largely small NGOs. Concerted efforts in the implementation of this policy will ensure that the numerous small NGOs which are the majority, are strengthened.

APPENDICES:

RECOMMENDATIONS FROM VARIOUS CONSULTATIVE MEETINGS

(i) The preliminary surveys by the UNDP and ILO

Identified weaknesses and strengths of the NGO sector in the country.

- Findings of the studies were shared among government officials, NGO representatives and donors.
- The dialogue was the beginning of the process of formulation of this policy.

(ii) The first consultative conference (1996)

- Agreed on the need to research into specific activities roles of NGOs and government in order to streamline division of labour between them.
- Research into donor policies.
- Study relevant government policies.
- There is a need for a series of round table meetings between the government officials, donors and NGOs.
- Research on how best NGOs can be co-ordinated.
- Research on which could be the best guidelines for accountability and transparency.
- Set up a democratically elected National NGO Policy Steering Committee.

(iii) The second consultative workshop (1998)

- There were 26 government representatives, 131 NGOs/CBOs representatives from Tanzania Mainland and Zanzibar, 16 representatives of International NGOs, 16 participants from international organizations and embassies, five moderators from SIDO/GTZ, eight members of the secretariat comprised of people from TANGO, TACOSODE, ANGOZA, NIGP and the VPO, and 19 media representatives.
- Further consultations with the participation of more NGOs and CBOs and other stakeholders.
- The National Steering Committee for NGO Policy formulation be strengthened [by reducing its size] and continue to spearhead the policy formulation process up to the final stage.
- Zonal consultations be conducted in order to capture the views of the rural based NGOs/CBOs.
- The national NGO Council be formed as a recognized NGO apex co-ordinating body.

Statements by International Organizations and Diplomatic missions

UNDP:

- Sees the workshop as an important forum for interaction between the government and NGOs.
- Committed itself to continue supporting the process.

Canadian High Commission:

- Canada commended the government for taking the initiative to consult the NGO community in an open and transparent manner towards trying to put in place an NGO policy.
- Called upon all parties to critically examine the existing laws in Tanzania which can be utilized to achieve the set forth objectives: e.g. the criminal code and tax laws.

British High Commission:

- Observed that current legislation gives inadequate protection to bona fide NGOs.
- Committed to support the ongoing Policy consultative process.

USAID:

- Commended the VPO for its concern with promoting the NGO sector.
- Wishes to see an NGO Policy that ensures the rights for NGOs to exist, individuals to create or become a member of NGO, etc.
- The government should play a role of creating a conducive and an enabling environment for NGOs' operation.

UNICEF:

- Commended the efforts made by the government in putting the NGO Policy in place.
- Called for government-NGOs partnership which is forward looking.

ILO:

- Considered the workshop as a milestone in the process of democratization in Tanzania since the workshop has involved "all stakeholders from both the government and the NGOs."

The Embassy of Sweden:

- The NGO policy has to be demand-driven.
- It calls for the review of the current procedure of registering and deregistering of NGOs by the government.
- Commitment in supporting the NGOs Policy Consultation process.

Norwegian Embassy:

- The policy guidelines should state clearly the limits to government interference with NGOs.
- Concern was registered on the draft policy document boundaries and limitations which are not well clarified.

14.1 The Zonal Workshops

Zanzibar Centre

- Expected participants were 40. Total participants were 59 from Unguja and Pemba.
- There were 42 NGOs and CBOs representatives, 17 government representatives.

Generally agreed conclusions were:

- There should be two National NGO Councils, one for NGOs in Tanzania Mainland and another for NGOs in Zanzibar.
- The existence of the NGO policy will establish transparent procedures in mobilizing resources to support NGO activities; to ease registration through decentralization of the process; and make the NGOs known to various authorities from village to national levels.
- The highest body should be the registration board.
- Government should assist NGOs that cannot afford to pay for auditing charges.
- Finalize the policy process after the Zonal Workshops.

Dodoma Centre

- Expected participants were 80. Total participants were 85 from Dodoma, Singida, Tabora and Kigoma Regions.
- There were 46 NGOs and CBOs representatives, 39 government representatives.

Generally agreed conclusions were:

- The maximum time for suspension before a decision is made on the fate of the NGO shall be three months to give room for an NGO to decide on the fate.
- In case the Registrar refuses to grant registration to an NGO, it should be possible for the concerned NGO to appeal to the high court.
- The maximum time for registration shall be three months from the date of submission of the application.
- The National NGO Councils to have regional representation. Each region to be represented by 10 NGOs.
- Membership to the National NGO Councils shall be compulsory.
- The National NGO Councils shall ensure the development of a Code of Conduct for NGOs.
- The fifth draft of the NGO policy should be the final version to be submitted to the Government for action.

Morogoro Centre

- Expected participants were 70. Total participants were 74 from Dar es Salaam, Morogoro, and Pwani Regions.
- There were 58 NGOs and CBOs representatives, 16 government representatives.

Generally agreed conclusions were:

- The fifth draft should be the final, and the NGO policy should be in place by May 1999.
- The Government should set aside 10% of its development budget for NGOs.
- Decentralize the registration process and limit time to two months.
- The definition of NGOs should also mention its intent of cultural and political development.
- Registration board to be formed by NGO and Government representatives.
- Maximum suspension be reduced from one year to six months.
- The National Councils of NGOs should be consulted in the event of deregistration of an NGO.
- Minimum number of founder members to be five instead of 10.
- Clearly known documents to proof existence of an NGO seeking registration: constitution, minutes, letters of application and form of requisition.
- International NGOs shall register under a sole ministry. The board shall record all international and local NGOs, their affiliates, chapters and other organizations.
- Some participants wanted an Apex Body instead of an NGO Council. The issue had to be settled by voting. 74 votes were for the formation of a National Council of NGOs; five votes were for the Apex Body. The majority won.
- The National Councils of NGOs shall be formed in a participatory manner. A committee which started formulating the council is not acceptable.
- There is a need for the National NGO Council to establish an information centre, database.
- The Government should also facilitate the human resource development for the NGO sector. That is, the Government could provide training opportunities (in the country or outside the country) for NGO personnel.

Mbeya centre

- Expected participants were 80. Total participants were 78 from Iringa, Mbeya, Ruvuma and Rukwa Regions.
- There were 52 NGOs and CBOs representatives, 26 government representatives.

Generally agreed conclusions were:

- The policy has to establish criteria to assess success or failure of NGOs in the country.
- There is a need to establish transparency procedures and mechanisms for the accountability of NGOs to the public.
- The policy will lead to well defined mission and statements and objectives of NGOs.
- There is a need for a glossary of words used in the policy document.
- The government also needs to be answerable to NGOs.
- NGOs are organisations which are guided by truth, transparency and accountability.
- There shall be a Voluntary NGO networks to facilitate NGOs activities.
- There will be a National Forum which will comprise of representatives from all regions, Regional Consultative Committees and which will represent all registered NGOs.

Mwanza Centre

- Expected participants were 80. Total participants were 84 from Mwanza, Shinyanga, Kagera and Mara Regions.
- There were 52 NGOs and CBOs representatives, 32 government representatives.

Generally agreed conclusions were:

- NGOs means a voluntary group of persons organised for a common purpose of achieving the economic, social, cultural or spiritual goal with equity of the stakeholders.
- NGOs should be to different levels of NGOs Council which will be formed.
- NGOs should not have affiliation or leanings to any political party.
- There is a need to expand or enrich the section of objectives.
- There is a need to for agreed registration procedures and requirements to be publicised to all stakeholders.

Mtwara centre

- Expected participants were 40. Total participants were 39 from Mtwara and Lindi Regions.
- There were 24 NGOs and CBOs representatives, 15 government representatives.

Generally agreed conclusions were:

- There is lack of mechanisms for interaction between NGOs themselves, between NGOs and the Government and between NGOs and members.
- The registration procedures for NGOs are not clear. There is a need to have a decentralised registration under one law.
- There is a need to establish a specific time limit within which the registrar has to register or refuse registration and modalities for appeal.
- Registration of NGOs should start at district given current process of Local Government Reform.
- One ministry should handle registration issues.
- The public should recognise the role of NGOs in national development thus enabling the government to its level of collaboration with them.
- There is a need to put in place the NGO Policy and National Council to speed up the implementation of the mission and objectives of NGOs.
- The name of NGO should be changed to Voluntary Development Organisation (VDOs).
- The registrar General at National level should be assisted at district level by D.C's office.

- The maximum time of suspension should be 6 months.
- The Board should investigate the existing NGOs before being issued with a certificate of compliance.
- Membership to the NGO Council will be automatic by registration.

Arusha Centre

- Expected participants were 60. Total participants were 64 from Arusha, Kilimanjaro and Tanga Regions.
- There were 43 NGOs and CBOs representatives, 21 government representatives.

Generally agreed conclusions were:

- The voluntary power of the registrar to refuse registration should neither be sanctioned by the NGO Policy nor by the NGO legislation.
- NGOs are autonomous organisations and are controlled by members, trustees, board of directors and by registrar of NGOs.
- The principle aim of NGOs is to work in partnership with the government to realise sustainable development for the target groups and to challenge the government and its institutions to carry out its responsibilities.
- There is a need to seek advice from other relevant bodies for suspension and deregistration of NGOs.
- The minimum number of founder members should be 5.
- Representation in the Council will consist of representatives from different levels local, national and international.
- Each NGO should have a physical address and a sign post and a notice board displaying its activities.
- The government should provide in its annual budget a percentage of funds to support NGOs.
- The government should support NGOs that are weak to meet the costs of auditing.

After the zonal workshops, the Vice President's Office continued to receive comments from the following organisations:

(i) TANGO

- ◆ NGOs are creative, flexible, can work with speed, can mobilise, involve and contribute to the development of human resources. Consequently, government not only recognise the need to work with NGOs, but also the need for such co-operation to extend to other key players in development.
- ◆ The NGO policy would lay a basis for legislation which will review the existing laws on NGOs and provide mechanism for administrative simplicity.
- ◆ Administration and management: NGOs should be autonomous and their affairs managed, controlled and administered by their members.
- ◆ NGOs should be encouraged on their own to have a code of conduct to regulate their operations within and outside for the purpose of attaining higher standards of conduct and performance.

National Steering Committee on NGO Policy
The 26-member first National Steering Committee

From CBOs

1. Mr. Alfian Othman Maalim (PIRO-Pemba)
2. Mr. Uwesu Y. Msumi (Rufiji)
3. Mr. Benedict Kapinga (Songea)

From Government

1. Mr. Damas S. Dandi (DSM)
2. Mrs. P. Ole Kambaine (MCDWA&C-DSM)
3. Mr. B.B. Claudio (PMO-DSM)
4. Mr. Rajab Ali Juma (NGO Co-ordination-CMO, Zanzibar)
5. Mr. E.N. Mushi (NGO Co-ordination-VPO, DSM)
6. Mr. F.W.P. Mushy (State Attorney Ministry of Home Affairs, DSM)

From International NGOs

1. Mr. Paul Murphy (Concern WorldWide, DSM)
2. Mr. Seamus Dunne (Tanzania Red Cross Society, DSM)

From Local NGOs

1. Mr. Khalfan H. Khalfan (ANGOZA, Zanzibar)
2. Mrs. Sabah Saleh Ali (COWPZ)
3. Mr. Mgeni Haji Nassor (NGO of Disabled, Zanzibar)
4. Ms. Theofrida A. Kapinga (TACOSODE, DSM)
5. Mr. B.P. Mbunda (TCRS, DSM)
6. Mrs. Cathleen Sekwao (TANGO executive committee, DSM)
7. Prof. Marjorie Mbilinyi (TGNP/TANGO, DSM)

From Religious NGO

1. Alhaj M.R. Kundyia (BAKWATA, DSM)
2. Mr. Stewart Chisongole (CCT-EMAU, DSM)
3. Mr. Clement Rweramira (TEC, DSM)
4. Sheikh Yusuf Abul'Rahman (Religious Representative, Zanzibar).

Other co-opted members

1. Mr. Dennis Muchunguzi (AFREDA, DSM)
2. Mrs. Mary Mzeru (NIGP)
3. Prof. S.I. Mohamed (OIC, Zanzibar)
4. Ms. Waheeda Shariff (AKF-Tanzania, DSM)

The 16-member second National Steering Committee

1. Mr. Affan Othman Maalim (PIRO-Pemba)
2. Mr. Khalfan H. Khalfan (ANGOZA, Zanzibar)
3. Ms. Samia Hassan (ANGOZA, Zanzibar)
4. Mr. Dennis Muchunguzi (TANGO/AFREDA, DSM)
5. Mrs. Mary Mzeru (NIGP, DSM)
6. Ms. Freda Chale (TAHEA, DSM)
7. Mr. Malik Jaffer (AKF-Tanzania, DSM)
8. Mr. Rajab Ali Juma (NGO Co-ordination-CMO, Zanzibar)
9. Mr. E.N. Mushi (NGO Co-ordination-VPO, DSM)
10. Ms. Fatuma Simba (MJCA, DSM)
11. Ms. C. Shinyambala (Cabinet Secretariat, DSM)
12. Mrs. Cathleen Sekwao (TANGO executive committee,

- DSM)
13. Mr. Cleophas Rugalabamu (AMAP, DSM)
 14. Alhaj A. Kundyia (BAKWATA, DSM)
 15. Ms. Theofrida A. Kapinga (TACOSODE, DSM)
 16. Ms. Monica Mhoja (TAWLA)