

## Transparency International Anti-Corruption Helpdesk Answer

# Overview of corruption and anti-corruption in Tanzania

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The Tanzanian government under the presidency of John Magufuli has cracked down heavily on corruption. Despite the current anti-corruption campaigns, however, political, petty and grand corruption seem to be endemic in the country. The regime is becoming increasingly authoritarian, resulting in the suppression of dissent, banning of protests, and a crackdown on media and opposition forces. Observers state that populist anti-corruption operations have to give way to initiatives aimed at a systemic and structural overhaul to bring about lasting and meaningful change.

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## Query

Please provide an overview of corruption and anti-corruption in Tanzania.

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### Background

The United Republic of Tanzania comprises of a union between the Tanzanian mainland (formerly Tanganyika) and the semi-autonomous archipelago of Zanzibar (Bertelsmann Stiftung 2018; Oxford Business Group 2018). Development in the two parts of the union, however, have taken their individual forms as they each have their own constitution, parliament, government and budget (Bertelsmann Stiftung 2018). As an example of the different developments in these two parts of the country, the one-party system was replaced by a multi-party arrangement on the mainland with relative ease in the 1990s (Bertelsmann Stiftung 2018). However, the same transformation was characterised by intense clashes in Zanzibar, resulting in the persistent repression of opposition parties, especially the Civic United Front (CUF) (Makulilo 2016; Bertelsmann Stiftung 2018).

Despite the establishment of a multi-party system, the ruling Chama Cha Mapinduzi (CCM) party has retained power for over 50 years, and the opposition remains relatively weak (Freedom

### Main points

- The incumbent government is cracking down heavily on corruption.
- Critics allege that President Magufuli is steering the state towards greater authoritarianism, with little tolerance of dissent.
- Citizens perceive that corruption levels have fallen in the country, but many still fear reporting acts of corruption.

House 2019). In 2015, CCM's John Magufuli won the presidential election with 58 per cent of the vote. Observers cited the elections as credible but highlighted a few areas of concern (Freedom House 2019). An observer mission from the European Union characterised the elections as "highly competitive, generally well-organized... but with insufficient efforts at transparency from the election administrations". They also added that, during their campaigning, the ruling CCM made use of state resources (public stadiums, for example), while limiting access to the opposition (Freedom House 2019).

Freedom House, in its 2019 Freedom in the World report, accords the status of partly free to Tanzania with an aggregate freedom score of 45/100. The

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report highlights the severity of the government's increasing crackdown on critics, press and civil society (Freedom House 2019). According to the 2018 Ibrahim Index of African Governance, Tanzania ranks 14 out of 54 with a 2017 score of 58.5 out of 100 in overall governance (Mo Ibrahim Foundation 2018).

In terms of economic and human development, Tanzania's human development index scores have improved, from a score of 0.353 in 1990 to 0.531 in 2015, yet the country still ranks among the lowest levels of human development (Bertelsmann Stiftung 2018). Tanzania has sustained a relatively high economic growth over the last decade, averaging 6 to 7 per cent a year (World Bank 2019b). Although the poverty rate in the country has declined<sup>1</sup>, the absolute number of poor citizens has not because of the high population growth rate mixed with the fact that growth has been insufficiently broad based (Ministry of Foreign Affairs of Denmark 2019; World Bank 2019b). More than 30 per cent of the population live in severe poverty and almost 70 per cent live on less than US\$1.25 a day (Bertelsmann Stiftung 2018). The country still has one of the highest levels of income inequality in the world (Freedom House 2019).

Sectors with the highest rates of growth are predominantly capital-intensive and concentrated in large urban areas, while the larger portion of the population is rural and engaged in agriculture (Ministry of Foreign Affairs of Denmark 2019). Agricultural growth has been the slowest, and the lack of secure land tenure to ensure traditional users in the rural districts do not lose their land remain essential issues (Ministry of Foreign Affairs of Denmark 2019). Thus, growth has largely failed

to affect the great challenges to generate more employment and additional jobs in all parts of society and improving incomes for the vast majority of the population (Ministry of Foreign Affairs of Denmark 2019).

Grand corruption, embezzlement of funds, poor management of public funds and natural resources, and red-tape bureaucracy in government offices have all acted as barriers to poverty reduction in the country (Xinhua 2017a). Despite being the second largest recipient of foreign aid in sub-Saharan Africa and having relatively stable economic growth over the last decade, around two-thirds of the Tanzanian population still live in poverty. Observers point to corruption as a leading cause of inequitable outcomes (McNeish 2015), as well as to the role of development assistance with weak fiduciary controls in generating "low-risk rent-seeking opportunities to the ruling elite and sections of the private sector" (Cooksey 2011).

It has been reported that Tanzania's efforts to counter corruption remain key to the country's efforts in eradicating poverty and building inclusive growth (Xinhua 2017a). Tanzanians view poverty, high costs of living as well as notably low wages and heavy workloads as major obstacles to overcoming corruption (Camargo 2017). There is a common belief that relying only on meagre formal salaries to meet personal needs is virtually impossible, and thus graft becomes another source of survival (Camargo 2017). Such findings reflect a cycle of cause and effect between corruption and poverty in the Tanzanian context where one reinforces the other.

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<sup>1</sup> The national poverty rate declined from 34.4 per cent in 2007 to 26.8 per cent in 2016 (World Bank 2019b).

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Magufuli, often called the Bulldozer for his track-record as the erstwhile public works minister and his general anti-graft practices, was celebrated by citizens for his strong-armed approach to tackling corruption when he came to power (Allison 2015). He has since diverted funds from lavish state dinners to hospitals in need, removed 16,000 ghost workers from the government payroll, banned foreign travel for all government officials except the top three – president, vice president and prime minister (Allison 2015; Robi 2016).

However, observers have noted that the deep structural issues that fuel Tanzania's endemic corruption were not being fully addressed by such programmes (Allison 2015). Currently, Magufuli maintains his stance on anti-corruption. The administration has come out with phase III (2017-22) of the National Anticorruption Strategy and Action Plan (US Department of State 2018). He has directed the Prevention and Combating of Corruption Bureau (PCCB) to tackle corruption head-on and without bias, even if that means indicting members from his own CCM party (Buguzi 2019).

Ahearne (2018) notes that the current administration is responsible for some noteworthy anti-corruption victories. However, Ahearne (2018) adds that authoritarianism is creeping into the state and shrinking political spaces. Magufuli is following a nationalist agenda positing any opposition as “against the nation” (Ahearne 2018). For example, the government has restricted freedom of peaceful assembly and association through bans (Bertelsmann Stiftung 2018). In 2016, Magufuli declared that there should be no political activities in the form of public rallies or demonstrations until the next election in 2020, saying that people should focus on work and not

on politics (Mtulya 2016; Kabwe 2017; Bertelsmann Stiftung 2018). Earlier this year, amid international and domestic criticism, the president stated that no political leaders have been restricted from organising rallies but must do so only in their areas of jurisdiction (Simtowe 2019).

Zitto Kabwe, a member of the opposition and a critic of the incumbent government, contends that the president has shown that he favours quick and tough actions, with less focus on strengthening institutions that uphold accountability and the rule of law (Kabwe 2017). Kabwe (2017) states that by acting in breach of the law, Magufuli's actions actively fuel impunity. In fact, Kabwe, who has written extensively on Tanzania's turn to autocracy, has been arrested several times for his anti-government comments (Ahearne 2018).

Freedom House's Freedom in the World 2019 report on Tanzania states that the government has been cracking down with growing severity on its critics in the political opposition, the press and civil society, with prominent leaders from the other parties being arrested, a student being killed by the police in a rally and regulations being used to silence journalists.

Despite the government's heavy-handed anti-corruption approach, the country is still plagued by endemic corruption fuelled by an administration prone to inefficiency and the embezzlement of public funds (Bertelsmann Stiftung 2018; Sadeque 2018).

## Extent of corruption

Tanzania ranks 99<sup>2</sup> out of 180 countries in Transparency International's 2018 Corruption Perceptions Index (CPI) with a score of 36/100 (Transparency International 2019). Tanzania's scores have been steadily improving since 2015<sup>3</sup> (Transparency International 2019a; Trading Economics 2019). The Worldwide Governance Indicators, from the World Bank (2019c), accord the following scores in percentile rank<sup>4</sup> to the country:

Indicator	2016 percentile rank	2017 percentile rank
Control of corruption	35.1	39.4
Government effectiveness	34.1	28.4
Political stability and absence of violence/terrorism	29.0	25.7
Regulatory quality	35.5	29.8
Rule of law	38.0	34.6
Voice and accountability	39.4	36.9

The 2018 TRACE Bribery Risk Matrix places Tanzania in the "high" risk category, ranking it 139

<sup>2</sup> Tanzania ties with Albania, Bahrain, Colombia, Philippines and Thailand. The 2018 CPI draws on 13 surveys and expert assessments to measure public sector corruption in 180 countries and territories, giving each a score from zero (highly corrupt) to 100 (very clean) (Transparency International 2019).

<sup>3</sup> Transparency International's CPI scores for Tanzania: 2015 – 30/100; 2016 – 32/100; 2017 – 36/100 (Trading Economics 2019).

out of 200 surveyed countries with a risk score of 60 (TRACE International 2019).

Bertelsmann Stiftung's Transformation Index of 2018 ranks Tanzania 64 out of 129 countries with a transformation score of 5.51 (on a 1 to 10 scale). The 2018 report also states that corruption is structurally ingrained among the political and economic elite, stemming from the one-party era, but also at the lower levels of the administration and public service, in the private sector, media, civil society, faith-based organisations and the general public (Bertelsmann Stiftung 2018).

Tax Justice Network awards the country a high secrecy score of 73 in the Financial Secrecy Index 2018, stating that even with extensive secrecy policies, it is only recently that this jurisdiction has been brought under the spotlight (Tax Justice Network 2018).

Africa Integrity Indicators scores Tanzania a weak 37/100 under transparency and accountability 2019 (Global Integrity 2019). In fact, the country's scores have been steadily declining from 45 (2016 and 2017) and 43 (2018) to its current value (Global Integrity 2019).

The percentage of Tanzanians who paid a bribe when they came into contact with a public service was 25 per cent, according to Transparency International's 2017 Global Corruption Barometer (GCB) survey of People and Corruption: Citizen's

<sup>4</sup> Percentile rank indicates the country's rank among all countries covered by the aggregate indicator, with 0 corresponding to lowest rank, and 100 to highest rank (World Bank 2019c).

Voices from Around the World. Findings from the 2019 GCB Africa (2019b) are as follows<sup>5</sup>:

#### Corruption by institution

Institution <sup>6</sup>	2015	2019
President/prime minister	15%	4%
Members of parliament	21%	8%
Government officials	25%	12%
Local government officials	25%	10%
Police	50%	36%
Judges and magistrates	36%	21%
Religious leaders	10%	3%
Business executives	31%	32%
Traditional leaders	13%	3%
NGOs	-	11%

In terms of Tanzanian perception of corruption, the results were (Transparency International 2019b):

<sup>5</sup> The numbers represent the proportion of surveyed people who think that most or all in the given institution are involved in corruption (Transparency International 2019b).

Other questions	2015	2019
Percentage of people who agree that ordinary people can make a difference in the fight against corruption	55%	50%
Percentage of people who think the government is handling the fight against corruption badly	58%	23%
Percentage of People who think corruption has increased in the past 12 months	66%	10%
Percentage of public service users who paid a bribe in the previous 12 months	25%	18%

A 2017 survey by Afrobarometer found that 72 per cent of respondents said that the level of corruption in Tanzania has decreased “somewhat” or “a lot” over the past year, which is a contrast from 2014, when only 13 per cent had reported a decrease (Olan’g and Msami 2017). Sadeque (2018) opines that, while these survey results are

<sup>6</sup> The list of institutions cover only those which were surveyed in the survey

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promising, the less savoury aspect of Magufuli's administration involving the stifling of freedom of speech and opposing views must not be forgotten. Sadeque (2018) adds that the effect of this restrictive environment is reflected in the fact that 71 per cent of the survey respondents say that people fear adverse consequences if they report corruption incidents to the authorities, with only half (50 per cent) thinking that ordinary citizens can make a difference in countering corruption (Olan'g and Msami 2017).

## Nature of corruption challenges

### Bureaucratic corruption

Tanzanian bureaucratic arrangements for licences and permits are known to be burdensome, time-consuming and prone to corruption (GAN Integrity 2019). Corruption, nepotism, theft, embezzlement, negligence and a culture of impunity have all been contributing factors leading to the undermining of bureaucratic efficiency in the country (Bertelsmann Stiftung 2018).

Such a culture of implementation deficits in the bureaucracy may be attributed to several factors such as:

- privileges and preferences being granted to influential players – entrepreneurs, members of the ruling party, and others (Bertelsmann Stiftung 2018)
- an underpaid and unmotivated administration, particularly at the lower levels (Bertelsmann Stiftung 2018). In fact, low pay for civil servants has encouraged a culture of graft (Allison 2015).
- a severe gap in knowledge and capabilities between the higher and lower levels, as

well as unclear job-descriptions for specific tasks (Bertelsmann Stiftung 2018)

- a top-down culture along with regular reshuffling of personnel (Bertelsmann Stiftung 2018)
- insufficient funds for implementation of policy recommendations (Bertelsmann Stiftung 2018).
- regular political interference (GAN Integrity 2019)

The current administration has cracked down on bureaucratic corruption (Allison 2015). It has declared that it will change the existing culture of impunity, and hundreds of officials suspected of corruption have lost their jobs. However, only a few legal proceedings were initiated, which raised concerns that these measures were politically motivated (Bertelsmann Stiftung 2018). Many are of the view that Magufuli's "populist" surprise visits and persecutions will have to give way to structural reform if lasting change is to be assured (Allison 2015; Collord 2019).

Public officials have also been widely accused of "sextortion", using their positions of power to extort sexual favours from women. TAMWA, a women's rights group recently reported that up to 89 per cent of women in the public sector have experienced some form of sexual harassment while looking for a job, promotion or seeking a service (Makoye 2015).

### Petty corruption

Petty corruption is part of everyday life for Tanzanians (Kilimwiko 2019). When dealing with government officers in various departments, especially healthcare, education, traffic, customs and immigration, citizens often find themselves

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paying bribes or making facilitation payments (GAN Integrity 2019).

In fact, high levels of corruption have infiltrated all aspects of public administration and have been a consistent reality for Tanzanians in their interactions with the state, especially when it comes to the delivery of public services (Camargo 2017).

Camargo (2017) states that practices of petty corruption have become normalised in the country because the transactional logic<sup>7</sup> of social networks permeates the public sector to an extent that it almost informally regulates the provision of public services. The generalised notion is that petty corruption “gets things done”, which in turn manifests informal rules that dictate the criteria on the basis of which services are provided (Camargo 2017).

According to the recent GCB Africa 2019 (Transparency International 2019b), there has been a drop in the percentage of people who think that local government officials are corrupt (25 per cent in 2015 to 10 per cent in 2019). This signals the perceived improvement of petty corruption.

Tanzanians have high expectations from the current government to bring about meaningful transformations that will result in better livelihoods for families and individuals (Camargo 2017). Research outcomes suggest that change is being felt at the level of service provision in terms of stronger enforcement of punishment for corrupt actions and decreased opportunities for rent-

seeking, with about 70 per cent of respondents to a 2017 survey by Basel Institute on Governance saying that corruption is declining when compared to previous years (Camargo 2017).

## Grand corruption

Grand corruption in Tanzania affects government procurement, privatisation processes, election finance, taxation and customs clearance, among others (Kilimwiko 2019). Before Magufuli took office in 2015, the country had been rocked by a number of corruption scandals, especially between 2005 and 2015.

One of the most salient scandals includes the 2012 case involving Stanbic Bank (subsidiary of Standard Bank) and the Tanzanian government (Andreoni 2017) in which the government borrowed US\$600 million as a part of its sovereign debt for development projects at the fee of 1.4 per cent. It was later discovered that the fee had been raised from 1.4 to 2.4 per cent, and the difference in amount was directly transferred to a local company called EGMA whose chairman, Harry Kitilya, was Tanzania Revenue Authority’s (TRA) commissioner general at the time of the deal (Andreoni 2017). Within 10 days of the amount (US\$6 million) being transferred, the account had been almost entirely emptied after four cash withdrawals of between US\$1.17m and US\$1.45m (Bowers 2015).

In 2015, the Serious Fraud Office (SFO) in its first UK deferred prosecution agreement (DPA)<sup>8</sup> with Standard Bank PLC (now known as ICBC Standard

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<sup>7</sup> Gift-giving is widely used to establish a relationship with the service provider (co-opting that person into one’s network) because the expectation of a counter-gift – in the form of a service or a favour – is inherent (Camargo 2017).

<sup>8</sup> A deferred prosecution agreement allows a prosecutor to suspend a prosecution for a defined period as long as the organisation completes actions specified in the agreement

under the supervision of a judge. The US Justice Department has a similar practice (Sun 2018).

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Bank PLC) indicted the bank, alleging failure to prevent bribery contrary to section 7 of the UK Bribery Act 2010 (SFO 2015).

As a result of the landmark DPA<sup>9</sup>, Standard Bank had to pay financial orders of US\$25.2 million and was required to pay the government of Tanzania a further US\$7 million in compensation. The bank has also agreed to pay the SFO's reasonable costs of £330,000 concerning the investigation and subsequent resolution of the DPA (SFO 2015).

Standard Bank further agreed to continue to cooperate fully with the SFO and to be subject to an independent review of its existing anti-bribery and corruption controls, policies and procedures regarding compliance with the UK Bribery Act 2010 and other applicable anti-corruption laws. It was required to implement recommendations of the independent reviewer (Price Waterhouse Coopers LLP) (SFO 2015).

Currently, Standard Bank will not face further prosecutions by the SFO after having met the terms of the DPA (Sun 2018). Back in Tanzania, Magufuli had ordered the arrest of Kitilya, who is currently facing corruption charges (Andreoni 2017).

Tanzania has faced other grand corruption scandals in the last two decades. In 2006, Richmond Development Company LLC, was awarded the tender for emergency power supply, despite having its initial proposal rejected by Tanzania Electric Supply Company Limited (TANESCO) (Cooksey 2017). The main political support for Richmond allegedly came from Mr Msahaba, the Minister for Energy, and his successor Mr Nazir Karamagi, as well as from the

prime minister, Edward Lowassa (Gray 2015). While the Prevention of Corruption Bureau found no evidence of corruption when concerns over irregularities in the tendering process came up, a parliamentary commission was established to investigate the matter due to Richmond's non-performance (Gray 2015; Cooksey 2017). The commission revealed that Richmond was a shell company with no power generation experience, that the tender was fixed, and that the delays in commissioning were in large part the result of the company's inability to finance the procurement and transport of the generators, and technical hitches with their installation (Cooksey 2017). These revelations prompted the resignations in February 2008 of Prime Minister Edward Lowassa and Minister of Energy and Minerals Nazir Karamagi (Cooksey 2017).

In 1995, Independent Power Tanzania Limited (IPTL) and the Tanzanian government concluded a contract despite serious accusations of corruption surrounding the tendering process (Gray 2015; Cooksey 2017). The agreement tied Tanzania into an expensive deal that was not in the national economic interest (Gray 2015). Although the case was presented to the International Centre for Settlement of Investment Disputes in 1998, the charges of corruption were dropped due to the inability of the government to provide further substantiating evidence on corruption in the given timeframe (Gray 2015).

Another controversy surrounding IPTL emerged in 2014 when the Public Accounts Committee was asked to investigate alleged fraudulent payments from an escrow account set up by TANESCO to the energy firm and to a number of senior CCM

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<sup>9</sup> Lisa Osofsky, director of the SFO, notes, "DPAs are a way of holding companies to account without punishing

innocent employees and are an important tool in changing corporate culture for the better" (Sun 2018).

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politicians (Gray 2015). Despite overwhelming evidence in the public domain of malfeasance, the then President Jakaya Kikwete (2005–2015) settled the matter with a few symbolic resignations and minor prosecutions (Cooksey 2017).

Gray (2015) argues that Tanzanian grand corruption “occurs behind a veil of secrecy that is rarely punctured”, and facts behind such cases remain contested by the parties involved. Scholars have linked grand corruption in Tanzania to the nature of elite politics within the ruling CCM party (Gray 2015). Gray (2015) writes that the relationship between the foreign and the local private sector and the state has changed in significant ways since the shift towards economic liberalisation from the mid-1980s and the gradual lifting of restrictions on private accumulation and foreign investment. However, the grand corruption cases described above showcase extensive informal relations between the top leadership within the ruling party and prominent members of Tanzania's small domestic private sector.

In the current scenario, Olan'g and Msami (2017) contend that the dismissals of many government officials under Magufuli's presidency signal a departure from the erstwhile clientelist networks, though some of these officials have subsequently been reinstated.

## Political corruption

Tanzania's president has vowed to root out corruption in the country, showing “no mercy” for anyone giving or taking bribes, including members of his political party, CCM (Ng'wanakilala 2016). However, rooting out political corruption is not an

easy task in the Tanzanian context. The president holds almost imperial powers, for example, and cannot be taken to court for decisions made while in office (Allison 2015). Also, auditing expenditures of the presidency is forbidden by law, even for the office of the controller and auditor general (Allison 2015). Damas Lucas, a Tanzanian journalist, notes that such powers may prove too tempting for even the most upstanding of leaders.

Guaranteeing clean elections is also a challenge, given that political parties do not disclose donations received from private individuals or organisations. An audit report for the financial year 2016/2017 by the controller and auditor general noted that the main opposition party, CHADEMA, had failed to disclose how and why it ended up using the donations it received from the public to pay an individual (Global Integrity 2019). Moreover, existing laws such as the Political Parties Act of 2015 disproportionately benefit the incumbent CCM (Freedom House 2019). A pending 2018 bill to amend the existing act of 2015 could erode the opposition's rights even further (Freedom House 2019) as it would ban political parties from working as a pressure or activist group<sup>10</sup> and criminalise politicians holding rallies outside of their constituencies, except in election years (Said 2018; Freedom House 2019).

All Tanzanian political parties are regulated by a registrar, whom the opposition condemns for partisan bias. Once passed, the amendments to the Political Parties Act would protect the registrar from legal complaints, further reducing accountability for the office (Freedom House 2019). Moreover, under the proposed amendment, the registrar may ask for

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<sup>10</sup> The bill defines an activist or pressure group as a “group of people that influences public opinion or government action in the interest of a particular cause” (Said 2018).

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any information from a party, leader or member, which the opposition alleges will be used to spy against them (Said 2018).

As mentioned earlier, apart from being currently banned from the holding rallies, opposition members face serious threats. Take, for example, the case of two CHADEMA party officials who were “hacked to death” with machetes in 2018 (News24 2018). CHADEMA leaders allege these murders were politically motivated assassinations as the party workers were defending victims of land grabbing by the local ruling party officials (News24 2018).

The government’s repression of the opposition continues with the arrest of several high-profile figures (Freedom House 2019). Zitto Kabwe, the ACT-Wazalendo party leader was arrested in 2018 for remarks in which he disagreed with government figures saying that more than 100 people had died in the fighting between herders and the police in his home district (The Citizen 2018). He was charged with “incitement” (Freedom House 2019). In the same year, CHADEMA lawmaker Joseph Mbilinyi was sentenced to five months in prison for criticising the president at a public meeting, as it was argued that insulting the president could lead to a “breach of peace” (Ng’wanakilala 2018).

CCM has also managed to successfully co-opt up to 100 local and national politicians since 2015. The opposition parties allege that these were a result of bribery (Freedom House 2019). Upon being arrested and interrogated by the police for criticising the president on social media, former CUF leader Julius Mtatiro chose to defect to CCM (Freedom House 2019). The ruling party has also been accused of vote buying and other incentives

to influence voters, while their party militias make sure that citizens toe the party line (Freedom House 2019).

The alleged attempted political assassination of the Tanzanian opposition chief whip, Tundu Lissu, should also be noted. A vocal critic of Magufuli, Lissu was arrested on several occasions and charged with incitement before he was attacked in broad daylight in 2017 (Africa News 2019). His car was sprayed with 38 bullets from unknown gunmen (Omboki 2018). He was shot 16 times, but managed to survive (Omboki 2018). Lissu cited his assassination attempt coupled with the disappearances of government critics, such as Mwananchi Communications Limited journalist Azory Gwanda and former CHADEMA chairman Freeman Mbowe, as signs that Tanzania was “fast sliding down a dark road to dictatorship” (Omboki 2018). Lissu was expelled and replaced due to “absenteeism and ethical issues” (Africa News 2019). No suspects in the attempted assassination case have been arrested (Africa News 2019).

Magufuli has become the focus of political power by surpassing both the legislature and judiciary (Bertelsmann Stiftung 2018; Freedom House 2019).

## Sectors affected by corruption

### Police

Corruption and impunity are deemed to be pervasive in the Tanzanian police force (GAN Integrity 2019). Thus, it comes as little surprise that according to the 2019 GCB results, 36 per cent of respondents viewed the police as corrupt – the highest among all the institutions (Transparency International 2019b). A factor contributing to high incidents of bribery among the police is their low

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salaries – they are paid an average salary of less than US\$40 a month (Jennings 2018). In fact, bribes in the force are so common that there are directives for tourists on how to deal with officers demanding payments (Jennings 2018).

The police are increasingly accused of extrajudicial killings (Freedom House 2019), and arbitrary arrests of politicians, journalists and civil society leaders remain common (Freedom House 2019). Moreover, due process in investigation and detentions are not always followed, with pre-trial detentions commonly lasting for years due to case backlogs (Freedom House 2019).

Acting on the president's directive, the Prevention and Combating of Corruption Bureau (PCCB) is currently investigating at least seven government officials from the TRA and the police for their involvement in demanding bribes (US\$870) from a Dar es Salaam trader for releasing their unlawfully held cargo (The Citizen 2019). Businesses are known to be harassed by police demanding bribes (GAN Integrity 2019).

While there is no specific mechanism for public reporting of police misconduct in Tanzania, there is a provision to report crime and human rights abuses which has been used to report several cases against the police (US Department of State 2019). However, this apparatus is faulty as reports against the police and those of general crime are not separated, and they go to the police, making it nearly impossible for the force to investigate itself (US Department of State 2019).

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<sup>11</sup> The ease of doing business score captures the gap of each economy from the best regulatory performance observed on each of the indicators across all economies in the Doing Business sample since 2005 (World Bank 2019a). An

## Business

The business environment in Tanzania remains vulnerable due to the regulatory framework. For instance, the licensing process costs over five times the average level of annual income (The Heritage Foundation 2019). Bribes and facilitation payments seem to be regular occurrences for business operations (GAN Integrity 2019).

The country's Doing Business rank for 2019 is 144/190 with an Ease of Doing Business score<sup>11</sup> of 53.63, which is slightly better than the regional average for sub-Saharan Africa (51.61) (The World Bank 2019a). In fact, the country ranks a dismal 163/190 for starting a business and scores a mere 20.21/100 for trading across borders (the World Bank 2019a). This may be a result of the prevailing system of bribery in the customs, tax and land administration services (GAN Integrity 2019).

The privatisation process that began in the 1990s was accompanied by rampant corruption due to the current system of informal agreements, clientelism and lack of transparency (Bertelsmann Stiftung 2018). Companies fighting for government tenders are required to pay bribes and offer gifts in exchange for contracts (GAN Integrity 2019). Officials in departments such as tax, land administration and customs administration are known to frequently solicit bribes (GAN Integrity 2019). It should be noted that extortion may also be rampant across public sectors, with businesses considering Tanzania as one the worst in the world when it comes to irregular payments and bribery (GAN Integrity 2019). In the past, GAN Integrity (2019) estimates that Tanzanian transport

economy's ease of doing business score is reflected on a scale from 0 to 100, where 0 represents the lowest and 100 represents the best performance. The ease of doing business ranking ranges from 1 to 190 (World Bank 2019a).

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corporations have paid in the region of US\$13,000 a month in bribes to police and customs officials to avoid unnecessary delays, harassment and payment of penalties. Moreover, since the state owns all land and leases it to individuals and private entities, there are often clashes over land rights between citizens and companies, including those engaged in extractive industries (Freedom House 2019).

The current administration has made several provisions to intervene in the working of the private sector, especially the mining industry. Many argue that while the government's moves may revolutionise the economy, it may also scare away foreign investors (Norbrook 2019). For example, there are new import and export bans such as a ban on importing coal, increased taxes, and land which investors have allegedly failed to develop has been expropriated (Collord 2019, Norbrook 2019).

## Judiciary

According to the 2019 Global Corruption Barometer, 21 per cent of respondents in Tanzania believe that "most or all" judges and magistrates are corrupt, down from 36 per cent in 2015 (Transparency International 2019b).

The improvement in perceived judicial corruption may be attributed to several government and developmental initiatives. For example, there are projects such as the World Bank supported Citizen-Centric Judicial Modernization and Justice Service Delivery Project, which aims at reforms such as upgrading infrastructure, training officers of the court, building facilities in underserved areas, and introducing technology (World Bank 2017). Even Magufuli's special court to fight graft has instilled hope in the citizenry (Xinhua 2017b).

Nevertheless, the Tanzanian judiciary is still known to suffer from underfunding, corruption, nepotism, a lack of information and inefficiency, especially in the lower courts (Bertelsmann Stiftung 2018; US Department of State 2018; Freedom House 2019). Since judges are political appointees and the judiciary does not have an independent budget, it is left highly vulnerable to political pressure (Freedom House 2019). Lengthy legal proceedings, the inadequacy of financial resources and qualified personnel, and mistrust from the citizenry hamper the legal system's potential to fulfil its role (Bertelsmann Stiftung 2018).

Court clerks often ask for bribes to get cases started or to slow them down. Magistrates take bribes to give soft sentences, reduce penalties, withdraw charges or release arrested persons on bail (Kilimwiko 2019).

Even Magufuli has expressed concerns over judicial corruption, opining that several judges are living lifestyles that they should not be able to afford. He has ordered anti-graft prosecuting authorities to hold judicial employees accountable (Mohammed 2018). The new chief justice Ibrahim Hamis Juma has issued a statement rebuking those who wish to politicise the judiciary, but it remains to be seen whether respect for judicial independence and efficiency will become a reality (Freedom House 2019).

## Natural resource management and land administration

Tanzania has an abundant reserve of natural resources, and it is estimated that up to 80 per cent of Tanzania's rural population relies on the use of natural resources to support their livelihood, making its management a prerogative for the country's stability and growth (USAID 2018).

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Tanzania's mining sector scores 49 of 100 points and ranks 42nd among 89 assessments in the 2017 Resource Governance Index (RGI) (NRGI 2017).

In the past, the government seemed unable to establish protections for the population and ecosystem due to a lack of financial, technical and human resources, which led to serious human rights violations, land grabbing and damage to the natural environment (Bertelsmann Stiftung 2018). Lack of transparency around mining agreements between companies and the government led to preferential treatment in the past (GAN Integrity 2019). It is also interesting to note that most corruption investigations by the PCCB in the mining and energy sectors have found government involvement in the violation of norms of disclosure and transparency (GAN Integrity 2019). The Natural Resource Governance Institute in the 2017 RGI states that shortcomings in licensing and state-owned enterprise governance needs to be addressed. Control of corruption and government effectiveness are viewed as necessary measures to improve the Tanzanian mining sector (NRGI 2017).

Although the state is not technically allowed to seize land without paying a fair price to the owner, there have been several cases of officials confiscating land on grounds of the "general good", without paying any or only inadequate compensation (Bertelsmann Stiftung 2018). There is also a new policy to seize undeveloped land larger than 20 hectares from investors and give it to local farmers, which is increasing uncertainty among investors (Bertelsmann Stiftung 2018).

The stark reality is that most Tanzanians do not benefit from the country's extensive natural-resource wealth (Freedom House 2019). However, the current administration aims to change this

(Norbrook 2019). The government is targeting the mining industry as it wants to double the sector's contribution to the country's GDP to 10% by 2025 (Tax Justice Network 2018). However, there are fears that "exploitation of Tanzania's massive natural resource reserves will strain the government's abilities to manage new-found wealth, [and] avoid corruption" (Tax Justice Network 2018).

The Natural Wealth and Resources Contracts law passed in 2017 allows for officials to sift through two decades' worth of contracts to see if any of the terms are unfavourable to the government (Ng'wanakilala 2017; Norbrook 2019). In other provisions, the royalty rate on gold has been increased from 4 to 6 per cent, the government has a 16 per cent stake in mining companies, and concentrates and unprocessed minerals are banned from being exported (Norbrook 2019). There is also a ban on importing coal, to boost domestic mining (Norbrook 2019).

The government became embroiled in a major standoff with the largest mining company in the country (Acacia Mining, owned by Canada's Barrick Gold) when it halted the export of mineral concentrates at the port, asserting that the company had been understating the value of exports to avoid tax since 2000 (Norbrook 2019). Magufuli's administration then submitted a tax bill of US\$190 billion to the company (Norbrook 2019). The matter was later resolved with Barrick paying a fine of US\$300 million (though this has yet to be paid), handing over 16 per cent stake in three of its mines and splitting profits from its operations with the government (Norbrook 2019; Shabalala and Saminather 2019).

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According to Guégan and Schilis-Gallego (2019), Barrick has a documented history of human rights abuses and environmental damage in its North Mara gold mine. NGOs organisations have documented 22 alleged killings by the police or mine security workers since 2014. The victims were for the most part illegal miners, called “intruders” by the company (Guégan and Schilis-Gallego 2019). Most of these “intruders” were small-scale miners with government licences who lost their livelihood and were not adequately compensated when the company acquired the land for mining (Guégan and Schilis-Gallego 2019). Women intruders have reportedly been taken to an isolated location and raped by the mine security officers (Guégan and Schilis-Gallego 2019).

Tanzanian authorities have also fined the company 5.6 billion Tanzanian shillings (US\$2.4 million) for alleged pollution from North Mara’s tailings dam. Reporters are severely discouraged from reporting on the realities of the mine, with some receiving anonymous threats, others were censored by authorities, while one even decided to flee the country (Guégan and Schilis-Gallego 2019).

## Legal framework

### International conventions

Tanzania signed and ratified both the United Nation Convention against Corruption (UNCAC) and the African Union Convention on Preventing and Combating Corruption (AUCPCC) in 2007 (Andreoni 2017; UNODC 2019).

### Domestic legal framework

The country’s legal and institutional anti-corruption framework has been developing since 1971, with the introduction of the Prevention of

Corruption Act (Andreoni 2017). The act was amended in 2002 and again revised in 2007 to the Prevention and Combating of Corruption Act (PCCA) (Andreoni 2017; GAN Integrity 2019).

### Prevention and Combating of Corruption Act (PCCA)

The PCCA criminalises attempted corruption, extortion, passive and active bribery, money laundering and bribery of a foreign official. Corruption is understood as an economic offence, and while provisions for imprisonment exist, there are no financial penalties for economic crimes except for the recovery of assets (Andreoni 2017; GAN Integrity 2019).

Other legislation to counter corruption in the country are: Public Leadership Code of Ethics Act 1995 (amended in 2001); Public Finance Act 2001; Public Service Act 2002; Political Parties Act 2002; Public Procurement Act 2004; Anti-Money Laundering Act 2006 (amended in 2012); Public Audit Act 2008; Elections Expenses Act 2010 (Andreoni 2017; GAN Integrity 2019).

While Tanzania may have a comprehensive legal framework to tackle corruption, it has been poorly enforced historically (GAN Integrity 2019). As of 2017, 71 per cent of Tanzanians in an Afrobarometer survey said that the government is fighting corruption “fairly well” or “very well”, almost twice the level of approval in 2014 (37 per cent) (Olan’g and Msami 2017).

### Anti-money laundering

Tanzania is no longer on the Financial Action Task Force list of countries identified as having strategic anti-money laundering deficiencies (ESAAMLG 2018). In fact, the country has made significant advances in improving the legal framework of its

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anti-money laundering and countering financing of terrorism (AML/CFT) regime in its 2018 post-evaluation progress report by Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG). The Prevention of Terrorism Act has been made applicable throughout Tanzania, regulations on prevention of money laundering and terrorism have been established, and miscellaneous laws have been tweaked to strengthen AML/CFT provisions (ESAAMLG 2018).

However, even with AML/CFT provisions in place, Tanzania suffers from the lack of a comprehensive legal framework that would ensure the disclosure of beneficial ownership of companies registered in the jurisdiction (Tax Justice Network 2018). While the government has shown assistance towards the campaign against money laundering, it has kept its position of securing the confidentiality of the principal owner of the accounts, unless appropriate documents are presented to them (Tax Justice Network 2018). Such practices have attracted various Chinese and Indian investors who deem Tanzania's secrecy jurisdiction an appropriate destination for their wealth (Tax Justice Network 2018).

### **Access to information**

In 2016, Tanzania adopted an access to information act. However, critics note several issues with the functioning of the act. Firstly, it gives precedence to any other law governing the handling of government information. Second, information requests are handled by a government minister rather than an independent body. Fourth, the law also imposes prison terms on officials who improperly release information. Lastly, there is no clear penalty for those who improperly withhold information (Freedom House 2019).

The Global Right to Information (RTI) Rating (2016) scored Tanzania a weak 73/150 points, citing issues such as: definitions of information and record being limited to operational information; the act appears to cover only statutory bodies and no other bodies which may be created by ministries to do their work for them; and there are no special provisions on procedures for appeals before the courts.

In 2017, Tanzania also withdrew from the Open Government Partnership (OGP) (Freedom House 2019). OGP makes key government data freely available to the public through a single online portal and constitutes a country action plan to promote transparency, empower citizens, fight corruption and harness new technologies to strengthen governance (Open Society Foundations 2015). The withdrawal from the OGP may limit anti-corruption efforts in the country.

### **Whistleblower laws**

The Whistleblower and Witness Protection Act of 2015 also has severe loopholes. For example, there is a list of exceptions to whistleblower protection if they cause prejudice to the "sovereignty and integrity of the United Republic of Tanzania, the security of the state, friendly relations with a foreign state, public order, decency or morality or in relation to contempt of court, defamation or incitement to commit an offence and the disclosure of proceedings of the cabinet". Such a broad list undermines the efficacy of the act itself (Centre for Law and Democracy 2016).

### **Government efforts to tackle corruption**

The incumbent government came to power on a promise to root out corruption (Allison 2015). Even in the administration's five-year development plan (2016/17-2020/21), the key targets in terms

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of good governance are to prioritise tackling of mismanagement of public resources, corruption, poor service provision, tax evasion and bureaucratic snags (Paget 2017).

As mentioned throughout this paper, Magufuli has spearheaded several anti-corruption drives, including but not limited to surprise visits to government offices, striking off 16,000 ghost workers from the government payroll, changing mining laws, and regulating imports and exports, and cracking down on corrupt officials (Allison 2015; Paget 2017; Norbrook 2019). His efforts to counter corruption are well known in Tanzania.

Despite recent anti-corruption campaigns, few senior politicians have been arraigned, and the investigations that have been launched tend to drag out. It is almost understood that Magufuli's "word or signal is taken as a nod to either investigate and charge suspects or not" (Global Integrity 2019). Tanzania's withdrawal from the Open Government Partnership in 2017 also seems to contradict expressed efforts to fight corruption in the country (Tax Justice Network 2018). It is worth noting that officials found to be involved in corrupt practices were usually forced to step down from their posts or transferred to other posts, but rarely prosecuted (Bertelsmann Stiftung 2018; US Department of State 2018).

Despite the president's strong attitude against corruption, his trend toward political authoritarianism has provoked widespread criticism (Bertelsmann Stiftung 2018).

To understand Tanzania's authoritarian departure, one must not forget that the erstwhile levels of frustration around service delivery and corruption had reached a certain threshold which led to the

popular enthusiasm for a "bulldozer" who gets things done no matter who or what is crushed along the way (Gavin 2019). Such a situation may lead to a "society more and more dependent on the goodwill and honesty of the leader at the top, with few protections should those factors change or dissipate" (Gavin 2019).

The 2018 Bertelsmann Stiftung report states that "it is obvious that the ongoing repressions of the political opposition, civil society, media and ordinary citizens are counterproductive in the short and the long run, [and] it will be difficult to convince the president to soften his heavy-handed stance". The report goes on to point out that it now must be development partners' responsibility to strongly remind the government to respect human rights (Bertelsmann Stiftung 2018).

Anti-corruption efforts in authoritarian regimes tend to follow a top-down approach as political will originates at the top of the system. However, anti-corruption without civil and political rights is an incomplete exercise as it allows only for the use of limited tools (Kukutschka 2018). Moreover, since control of corruption in such cases comes from the top, most efforts are aimed at curbing only certain types of corruption, most likely petty and bureaucratic corruption. Political or grand corruption are usually not targeted by the government as the ruling elite often attempts to secure some degree of privilege and access to specific rents (Kukutschka 2018).

If Magufuli's rigorous measures to counter against corruption, theft, wastage and the embezzlement of public funds, ineffectiveness and a poor work ethic in the public sector is to be sustained then populist orders must be replaced by genuine, structural reforms (Bertelsmann Stiftung 2018).

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Some of the government's decisions have had unintentional negative effects and also caused growing reservations among the business community. Although greater emphasis on tax discipline and a reduction in redundant public expenditures is necessary, these actions should not affect the survival of the many small business enterprises (Bertelsmann Stiftung 2018).

Recently, The Financial Times, Bloomberg and others reported on the move by the government to block the International Monetary Fund from releasing a report critical of the government's economic management. The report projects a 4 to 5 per cent growth should the government stay on its current authoritarian course, which is a departure from its decade-long trend of over 6 per cent growth and well under the government's projected growth of 7 per cent (Collord 2019).

Furthermore, the parliament decided, at the direction of the speaker, to discontinue work with Tanzania's comptroller and auditor general (CAG). This decision followed the CAG report raising serious questions about government economic management and accountability (Collord 2019).

The Tanzanian parliament has also adopted amendments to eight laws, including the Companies Act, the Non-Governmental Organizations Act, the Societies Act, the Statistics Act and the Films and Stage Plays Act, introducing sweeping restrictions on the country's already precarious human rights (Amnesty International 2019). Moreover, The Written Laws (Miscellaneous Amendments No. 3 of 2019) bill is being debated under a "certificate of urgency" to speed up its passage. If passed, the law would restrict the rights to freedom of expression and peaceful assembly and association, including

placing further restrictions on civil society organisations and censorship (Amnesty International 2019).

Catherine Ruge, a member of parliament was asked to present evidence to the ethics committee when she highlighted that the government had not conducted a long-term environmental assessment of the Stiegler's Gorge power project, which could put the lives of 50,000 people at risk (Sauwa 2019). Such cases, together with the attempted assassination of Tundu Lissu, raise concerns of parliament's anti-corruption role.

It comes as no surprise that 71 per cent of the 2017 Afrobarometer survey respondents said that people fear adverse consequences if they report corruption incidents to the authorities (Olan'g and Msami 2017). Currently, only half of the 2019 GCB respondents think that ordinary citizens can make a difference in efforts to counter corruption (Transparency International 2019b).

Thus, despite Magufuli's anti-corruption initiatives delivering some results, his "vertical" approach to countering corruption has already faced several limitations. The need for incremental and sector-specific interventions is made evident by the fact that high-profile cases appear not to have had a significant impact in reducing overall levels of corruption (Andreoni 2017).

From the perspective of donors, decades of development investment are definitely at risk when a state prohibits any questioning of its statistics or deviation from its preferred narrative (Gavin 2019). Kabwe, one of the president's harshest critics, opines that Magufuli is doing "right thing, but in the wrong way" (Norbrook 2019).

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## Institutional framework

### The Prevention and Combating of Corruption Bureau (PCCB)

PCCB has had a poor record as far as efficiency and effectiveness of discharging its duties are concerned. Observers opine that the “politically constrained” body “dances to the tune” of the president. (Bertelsmann Stiftung 2018; Global Integrity 2019). Anecdotal evidence also suggests that well-connected and powerful individuals can often escape punishment for corruption from the PCCB (Zinnbauer and Kukutschka 2017).

Discussions with officers at the agency reveal that the body is burdened by a backlog of cases due to poor budgetary funding, lack of personnel and poor skills. The PCCB’s toll free number, 113 for SMS and calls, operates erratically (Global Integrity 2019). There seems to be no publicly available data involving PCCB investigations and case progress (the latest publication available on the PCCB website is from September 2016) (Global Integrity 2019).

Cooksey, Mikongoti and Wazambi recently *found that the PCCB states that it is present in every region and most districts in the country* (Policy Forum 2018). However, the number of corruption cases brought to court is a small fraction of the cases reported and investigated, and the number of convictions remain remarkably low, a fact noted in various other reports (Bertelsmann Stiftung 2018; Policy Forum 2018, US Department of State 2018). Backlogs of cases, convicting only petty corruption and overlooking the “big fish”, threatening and buy-off witnesses and judges recusing themselves from “sensitive cases” all contribute the current poor performance of the PCCB (Policy Forum 2018).

In addition, the PCCB’s jurisdiction applies only to mainland Tanzania. In Zanzibar, anti-corruption measures are led by the Zanzibar Anti-Corruption and Economy Crimes Agency (Andreoni 2017). Lastly, it ought to be noted that the PCCB is still not anchored in the constitution, and its head serves at the discretion of the president, making it a target for political instrumentalisation (Zinnbauer and Kukutschka 2017).

### National audit office (NAO)

The national audit office, headed by the CAG of Tanzania, has the authorisation to audit the government and related public institutions, even though exceptions like the office of the president, the armed forces and the PCCB are not audited (Global Integrity 2019).

The CAG is supposed to enjoy autonomy in their work, independent of other government offices. Recently, Tanzanian MPs have refused to work with the CAG, leaving the fate of the latest annual audit report on government expenditure hanging in the balance (Karashani 2019). It ought to be noted that, since 2016, the CAG’s budget has been slashed by half (Mtulya 2015).

### Financial intelligence unit (FIU)

The Anti-Money Laundering Act institutes the FIU, which is tasked with collecting, examining and disseminating suspicious transaction reports and other information regarding potential money laundering and terrorist activities from financial and other institutions (Tax Justice Network 2018). The head of the unit is appointed by the president (FIU 2019). It has an up to date website publishing relevant reports, regulations and legislations (FIU 2019).

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## Commission for Human Rights and Good Governance (CHRAGG)

CHRAGG became operational on the 1 July 2001 and it has “protective, promotive, advisory and mediatory/conciliatory functions” pertaining to human rights in the country (CHRAGG 2017). It is supposed to receive and investigate complaints from victims of human rights violations, proactively monitor violations of human rights and principles of good governance, observe compliance with the government’s obligations under ratified treaties and instruments, among a host of other functions (CHRAGG 2017).

It did not have a chairperson or commissioners for two years, but earlier this year it has called for public comments on candidates which have been interviewed, ushering in hope for the survival of the commission, though the budget remains woefully inadequate (Said 2019).

## Economic, Corruption and Organised Crime Court

President Magufuli promised to establish this anti-corruption court in presidential campaigns for the October 2015 general election, as countering corruption was one of his priorities (Xinhua 2017b). It was established in 2016 under the Economic and Organised Crime Control Act (U4 Anti-Corruption Resource Centre 2019). While the court is currently operational, there seems to be little information on its current progress.

## Other stakeholders

### Media

The crackdown on media in Tanzania has been increasing with the rise in authoritarianism,

affecting traditional news sources as well as social and online media (Freedom House 2019).

The 2016 Media Services Act grants the government broad authority over media content and the licensing of outlets and journalists. It also endorses harsh penalties, including prison terms, for publication of defamatory, seditious or other illegal content (Freedom House 2019).

According to Kabwe (2017), the Cybercrimes Act and Media Services Act of 2015 has been used to repress mainstream and social media, by arresting several people for allegedly insulting the name of the president online (Kabwe 2017).

In 2018, authorities issued the Electronic and Postal Communications (Online Content) Regulations, which entail that bloggers and owners of online discussion platforms and streaming services have to pay over US\$900 per year in registration fees for licences which may be revoked at any time if the site is deemed to threaten public order and national security (Ahearne 2018; Freedom House 2019). Users potentially face 12 months in prison, or a fine of up to US\$2,300 for violating the regulation, and all of this is in a country in which GDP per capita stands at US\$877.50 (Ahearne 2018).

In response to the planned protest against these regulations, Dodoma’s Regional Police Commissioner Gilles Mutoto said that protesters would get “a toothless dog’s beating”, and would end up with a “broken leg and go home as a cripple” as there is “no space for protest in Dodoma” (Ahearne 2018).

In such a milieu, attacks against journalists have increased. Freelance journalist Azory Gwanda, who was investigating extrajudicial killings, has been

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missing since November 2017. In 2018, reporter Finnigan wa Simbeye of the Guardian was beaten unconscious and found in a ditch (Freedom House 2019). Such incidents have caused an atmosphere of fear and repression of independent media, with many media houses practicing self-censorship (Freedom House 2019). Magufuli has supervised the closures and suspensions of media outlets.

All of these incidents have constituted a major infringement on the freedom of expression, which may be summed up in Magufuli's own words while he addressed the media in 2017: "Media owners, let me tell you: be careful. Watch it. If you think you have that kind of freedom – not to that extent" (Paget 2017).

Reporters Without Borders (2019), in a pun on the nickname given to the president, has opined that "bulldozing the media" in the country has become the new norm. Tanzania currently has a World Press Freedom Index rank of 118, which has fallen by 25 places from its 2018 rank of 93 (RSF 2019).

## Civil society

Civil society leaders, opposition politicians, journalists, and businesspeople feel unsafe in their own land as crossing the regime can mean arrest on trumped-up charges, abductions or extrajudicial violence (Gavin 2019). Gavin (2019) states that the legal climate is becoming more draconian by the day, which is shrinking political space and limiting public access to information.

The European Union recalled its ambassador in 2018 over "the deterioration of human rights and rule of law" after a regional official called for the outing and arrest of homosexuals (Baynes 2018). The US State Department also issued a statement expressing deep concern about the "atmosphere of

violence, intimidation, and discrimination" created by the Tanzanian government (Burkholder 2018).

The government is revising NGO legislation, apparently to bring all NGOs under one law to ensure that their services reach all parts of Tanzania and to facilitate coordination. The new registration policy requires NGOs to re-register with the government and provide detailed financial records within 30 days. Failure to do so would risk suspension. Civil society representatives have raised concerns that the objective of this legislation is to apply greater political control over the NGO sector (Freedom House 2019).

Several NGO leaders risk arrest for carrying out their activities. In 2018, authorities detained and interrogated two visiting international staff members of the Committee to Protect Journalists, for allegedly holding meetings with local journalists (Freedom House 2019). Aidan Eyakuze, the executive director of a prominent NGO, Twaweza, that had reported a fall in support for government based on public opinion surveys, had his passport seized in an investigation into his citizenship status (Niekerk 2019). The government has also asserted that NGOs should concentrate on service delivery and avoid advocacy work that could be viewed as political (Freedom House 2019).

Protests are absolutely not tolerated, and authorities, including the president, are known to sometimes threaten protesters with violence. President Magufuli has also openly threatened protesters saying, "Let them demonstrate and they will see who I am" (Freedom House 2019; Niekerk 2019).

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Nevertheless, there are still a few civil society organisations (CSOs) engaged in anti-corruption activities.

The Konrad Adenauer Stiftung (KAS) is a German foundation implementing a project along with the European Union worth 2.5 billion Tanzanian shilling (the equivalent of US \$1m) to empower grassroots structures for fighting local corruption. The project is named United for Our Rights. The partners in this effort are two Tanzanian NGOs, the Civic Education Teachers Association and Actions for Democracy and Local Governance (Kilimwiko 2019).

The Tanzania Extractive Industries Transparency Initiative (TEITI) is a multi-stakeholder initiative that aims to increase transparency and accountability in the extractive industries in the country, according to the principles and criteria of the Extractive Industries Transparency Initiative (EITI) (TEITI 2019).

Through the TEITI, Tanzania has joined other countries in establishing the beneficial ownership of the extractive companies operating in its jurisdiction (disclosure of beneficial owners is mandatory for EITI implementing countries from 2020). TEITI also seeks to establish a central registry to house information from companies in the extractive industry (Tax Justice Network 2018).

## Role of research and media in influencing social change

The passage of 2015 Statistics Act, which requires that data which is released publicly must first be approved by the National Bureau of Statistics (NBS) has far-reaching effects on academic freedom. Such a provision makes the NBS the de

facto arbiter of the validity of any independent research produced by academics. Moreover, in 2018, the parliament passed amendments to the Statistics Act that calls for fines or a minimum of three years in prison, or both, for anyone who disputes official government figures. These amendments have effectively criminalised any academic data that contradict official government statistics (Freedom House 2019).

As mentioned earlier, the climate of fear has resulted in huge amounts of self-censorship in the media. Moreover, there are signs of growing authoritarianism in the country, including the suppression of dissent, parliamentarians refusing to work with the CAG and Magufuli defending the actions of the Regional Commissioner of Dar es Salaam who, with the help of the police, forced a private radio station to broadcast a recording incriminating one of his opponents (Nyabola 2018, RSF 2019; Freedom House 2019).

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