



THE UNITED REPUBLIC OF TANZANIA

**THE NATIONAL POLICY ON
NON-GOVERNMENTAL ORGANIZATIONS
(NGOs)**

Vice President's Office
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1.0. INTRODUCTION

1.1. Introduction:

- 1.1.1. Non-Governmental Organizations (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, which they serve and are accountable to, and endeavoring 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, needs to come from both the Government and the NGOs. Many laws governing the registration and operation of NGOs were a cause of confusion and that collaboration between the Government and NGOs was inadequate, internal coordination 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.

2.0. CURRENT STATUS OF NGOs

2.1. Growth and Role of NGOs

2.1.1. Currently there are about 3000 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.

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 NGOs 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

The Government encourages partnership with private sector to complement on government efforts and therefore NGOs have a role to play in the provision of social and economic services.

- 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. Given the increasing numbers of NGOs, there is need 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 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 coordination 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. POLICY ISSUES

5.1. 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 organizations or other registered private groupings”.

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

(i) *Organization:*

This means an established or permanent institution. A degree of organizational structure i.e. regular meetings and rules of procedures demonstrate this.

(ii) *Voluntary:*

These are bodies that are formed freely, willingly, spontaneously by individuals, groups of people or

organizations with an element of voluntary participation.

(iii) ***Self-governing:***

Non-Governmental Organizations 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 organizations. Profit and/or benefits accrued are not for personal or private gain by members or leaders.

(v) ***Non-Political:***

NGOs are organizations that do not seek political power or campaign for any political party.

(vi) ***Objective:***

This requires that the organizations 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 organizations.

(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 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, social clubs and entertainment sports clubs, political parties, or faith propagating organizations.

5.2. Institutional Framework:

Policy Statement:

“At national, regional and district levels appropriate frameworks and mechanisms be established to facilitate communication and consultations between the Government and NGOs”

The Office of the Vice President is vested with the responsibilities to coordinate the activities of NGOs. In the sector ministries, contact officers have been dealing with NGOs matters under their respective ministries. There is need to have coordination mechanisms at regional and district levels.

Sector ministries will designate ‘Contact’ officers to enhance relations in each ministry having common interest with NGOs.

5.2.1. NGO Coordination Board:

A National Coordination Board will be formed and be conferred with a legal personality. Mechanisms will be devised to stipulate the ways the Board will be financed and be accountable.

(a) ***Composition of NGO
Coordination Board***

The NGO Coordination Board shall consist of members representing NGOs and the Government. The National NGO Body shall elect NGOs representatives.

(b) ***Office of the Registrar***

There shall be a Registrar of NGOs in the ministry/office responsible for NGOs coordination. The Registrar shall affect the actual registration of NGOs.

5.2.2. NGOs Networks and Fora:

Networking, collaboration and coordination of NGOs is most effectively achieved if there is a national body to facilitate such cooperation. This will assist NGOs in putting forward their different concerns to the public, Government and the International community.

- For the purpose of coordination and networking among the NGOs, NGOs

shall form NGO National Body representing NGOs. This body shall be self-regulatory.

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

6.0. LEGAL FRAMEWORK

Policy Statement:

“Registration mechanism for NGOs shall be put in place to enable the streamlining of NGOs registration”

- 6.1. A new law shall be enacted to cater for the current deficiencies in NGOs registration, deregistration, appeals and termination.

7.0. 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”.

- To maximize utilization of resources, minimize loss of understanding and general lack of information there is need for exchange of information and reporting.
- 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 Government 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.
- 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.

- All NGOs, Local and International, shall be required to make available annual financial and/or audited reports to the Registrar's Office and other stakeholders.
- Each NGO shall have a physical address, a sign post and whenever possible, a notice board displaying its activities.

8.0. NGOs ACCOUNTABILITY AND TRANSPARENCY

Policy Statement:

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

The Constitution and other instruments issued other than the authority of the Constitution of an NGO will be the government document.

In carrying out their operations and in communicating information about their work, International NGOs operating in Tanzania will be required to:

- Respect the Tanzanian 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.

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

9.0. GOVERNMENT-NGO PARTNERSHIP

Policy Statement:

“The Government recognizes 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 fully utilized”.

- (a) *Partnership in Delivery of Services*

The Government shall work in partnership with NGOs in the delivery of public 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.

(b) *Government/NGO partnership*

In order to further the development work the Government shall develop partnership with NGOs in all sectors.

(c) *Tax exemptions*

The Government will continue to exempt NGOs from tax/VAT under the existing tax laws.

.0 IMPLEMENTATION

Policy Statement:

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

(a) ***Key players for implementation***

All Local and International NGOs, the ministry responsible for NGOs coordination, National NGO Body, Umbrella NGOs and Networks, Government ministries, regions, Local Government Authorities shall work together to ensure the effective implementation of the National NGO Policy.

(b) ***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.

(c) ***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.

11.0. 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 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 independent, voluntary associations form them 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 diversified. 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.