
NGOs MODEL POLICY

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Tanzania Human Rights NGOs

Proposed Non Governmental Organization
Model Policy by Members of the Tanzania
Human Rights Defenders Coalition and
Affiliate Organizations

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Foreword

National NGOs Model Policy

NGOs in Tanzania have for a long time be guided by the current NGOs Policy 2001 which seems to be outdated given the emerging issues in the NGO sector. Noting this anomaly, the government through the Ministry of Health, Community Development, Gender, Elderly and Children announced its willingness to have a review of the 2001 Policy with a view to incorporate the needs of stakeholders in the NGOs sector. Tanzania Human Rights Defenders Coalition being a membership organization coordinated the collection of recommendations form its members and affiliate NGOs and hence the development of this Model Policy.

This NGOs Model policy incorporates a number of policy statements and recommendations of NGOs from across the country. It aims to facilitate among other things free registration and coordination of NGOs in Tanzania; the presence of a vibrant NGOs Sector in Tanzania; creation of an enabling environment for NGOs and the Government to work as partners; addressing issues of civic space and smooth operation of NGOs; and a well-defined and practical NGOs self-regulatory framework.

The completion of this proposed model policy could not have been possible without the support of esteemed development partners namely TWaweza and International Centre for Non-Profit Law (ICNL). On behalf of the NGOs sector we sincerely extend our gratitude to them for their esteemed support throughout the process at various stages.

A debt of gratitude is also owed to the National Council of Non-Governmental Organizations (NACONGO) and the office of the registrar of NGOs under the Ministry of Health, Community Development, Gender, Elderly and Children (MoHCDEC) for their cooperation, technical and structural support throughout the process.

Last but not least, we would like to appreciate the enormous work done by Non-Governmental Organizations across the country. Without them, this work would have been not complete since they have been very committed and active from the inception stage, collection of recommendations and the validation stages. A total of 209 human rights NGOs (see their list at the end of this policy) participated effectively in the process of developing this Model Policy.

National Coordinator
THRDC

June 2018

Preamble

Noting that the right to Freedom of Expression, Assembly and Association is guaranteed under Article 19 and 20 of the Universal Declaration of Human Rights and that, everyone has the right to freedom of opinion, expression, peaceful assembly and association;

Bearing in mind the fact that Tanzania is a signatory and has ratified a number international and regional human rights instruments;

Recalling Article 19 and 22 of the International Covenant on Civil and Political Rights (ICCPR), Article 8 of the International Covenant on Economic Social and Cultural Rights (ICESCR), and provisions of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979 which guarantees the Freedom of Expression and Association;

Bearing in mind Articles 10 and 11 of the African Charter, guaranteeing the rights to freedom of association and assembly;

Recalling the duty of the Government of the United Republic of Tanzania towards the development and prosperity of its people and noting the importance of guaranteeing the rights to freedom of association, assembly and the freedom to participate in Public affairs as provided under article 18, 20 and 21 of the Constitution of the United Republic of Tanzania, and noting further that the rights to freedom of association and assembly are inextricably intertwined with other rights;

Concerned also by the internal and external challenges facing NGOs in Tanzania, which **hinders** the realization of the work of NGOs to their maximum potential; and stressing the obligation of the Government to provide full protection and good environment for those who seek by legitimate means in the development of our nation;

Concerned further by the fact that NGOs contribute highly to the national economy and that the Government and NGOs are partners in development;

Conscious of the need to put in place proper mechanisms for the establishment and operation of NGOs in Tanzania and take relevant measures necessary in order to ensure free, efficient and vibrant NGOs sector;

Now, therefore, We Human Rights NGOs (the undersigned) under the Coordination of Our Umbrella Organization(THRDC), call on the Government of Tanzania to kindly adopt this Proposed NGOs Model Policy as the National NGOs Policy.

Abbreviations & Acronyms

CBOs	Community-Based Organizations
CSOs	Civil Society Organisations
DBOs	District Based NGOs
FCS	Foundation for Civil Society
ICNL	International Center for Not-for-Profit Law
IMF	International Monetary Fund
INGOs	International NGOs
LHRC	Legal and Human Rights Centre
MoEVT	Ministry of Education and Vocational Training
MoHCDGEC	Ministry of Health, Community Development, Gender, Elderly and Children
NACONGO	NGOs Council of Tanzania
NGOs	Non-Government Organization
NNGOs	National NGOs
PO-RALG	President's Office, Regional Administration and Local Governments
RBOs	Regional Based NGOs
REPOA	Policy Research for Development
SOSPA	Sexual Offences Special Provisions Act
SWOC	Strengths, Weaknesses, Opportunities and Challenges
TANGO	Tanzania Association of NGOs
TANGO	Tanzania Association of Non-Governmental Organization
TEN/MET	Tanzania Education Network/Mtandao wa Elimu Tanzania
TFL	Tanzania Federation of Labour
TGNP	Tanzania Gender Networking Programme
THRDC	Tanzania Human Rights Defenders Coalition
TAWLA	Tanzania Women Lawyers Association

General Introduction

1.1 Introduction

Non-governmental Organizations (NGOs) have since the colonial period played a significant role in socio-economic development in Tanzania. This role has increased in the post-independence period, especially from the 1980s -1990s following the demonstrated failure of the state all over the Africa continent, as a credible provider of basic needs services to the poor both in the rural and urban (Oyugi, 2004). Since the adoption of structural adjustment programmes by the Tanzanian economy in the 1980s and early 1990s, the role for civil society in development and service delivery has increased dramatically, encouraging explosive growth in the non-government sector (REPOA, 2007)¹. The insights gained from these studies suggest that NGOs sector is an important partner in the development process. This view is also supported by Lange et al (2000), who argue that social scientists commonly see contemporary societies as consisting of three sectors: the governmental sector, the private sector and the civil sector. In this regard, the civil sector is an essential element in the governance domain.

1.2 An Overview of NGOs Sector in Tanzania

For the case of Tanzania, the historical development of Non-Government Organization (NGOs) or Civil Societies reflects the changing social, economic and political environment that has taken place from the colonial period to the present day.² It is, however, important to note that during the colonial period the emergence and formation of the civil society/NGOs was influenced by an attempt by the colonial masters to engineer significant changes in the economic roles of their colonies while exerting control over social and political processes in the colonies (Kiondo, et al 1999).

After independence control over CSOs/NGOs continued, and when the country went “One Party” the previously autonomous civil society organized around labour and peasantry (Cooperatives) was gradually integrated into the mainstream of the state machinery (as re-organized affiliates of the Political Party). Expansion of free civil society organization was restricted; between 1961 and the late 1970s only 7 NGOs were formed, the number rising to 18 towards the end of the 1980s.³

1 Tanzanian Non-Governmental Organisations - Their Perceptions of their Relationships with the Government of Tanzania and Donors, and their Role in Poverty Reduction and Development, Special Paper 07.21

2 Kiondo, A. et al, (1999) Developing and Sustaining NGOs in Tanzania; Challenges and Opportunities in the New Millennium, February, University of Dar es Salaam.

3 Ibid

From the mid-1980s it had become evident that the role of the state as the sole (or even the primary) provider and controller of all social and economic activities was disintegrating, as part and parcel of the globalization. This was evident when the government of Tanzania signed agreements with the World Bank and the International Monetary Fund (IMF) to adopt the structural adjustment programs, whose conditionality's, among other things, required the government to reduce its expenditure on social services.⁴ It is these World Bank and IMF conditionalities that saw the expanding role of Civil Society Organizations (CSOs) and NGOs in development and service delivery and the number of registered NGOs in Tanzania shot up.⁵

NGOs became more active in 1990s in filling the gaps as the government retreated from its front-line service role due to severe budgetary restrictions. As people realized the willingness of donors to give direct support to NGOs and Community-Based Organizations (CBOs), the number of organizations exploded.⁶ Thus, while the decade of prior to liberalization (1971 – 80) saw the formation of 18 NGOs (registered with TANGO) the decade of initial liberalization efforts (1980 – 90) saw the formation of 41 new civil society organization. By 1992 there were about 100 District Development Trusts and other standard NGOs and civil society organizations which by 1999 were about 9000.⁷

Due to this rapid development and expansion of NGOs sector in the 1990s, the NGOs sector developed several challenges such as lack of information on who should register, inadequate information of what is an NGO and to some extent the cumbersome process of registration, there are Organization which are registered under other laws but operating as NGOs. There was no proper NGOs coordination and self-regulation mechanism.

1.3 The Rationale for the Review of NGOs Policy

In January 2018 the Registrar of NGOs announced the beginning of the process of developing a New NGOs Policy. This follows several economic and social changes that have taken place in the past 17 years since the adoption of the current NGOs Policy in 2001. Following this process of developing a new NGOs Policy in Tanzania, the Tanzania Human Rights Defenders Coalition (THRDC) has collected recommendations from its 150 members and other 50 affiliated NGOs. All recommendations were analysed by policy consultants who have been hired by the THRDC from University of Dar es Salaam. Accordingly, the Consultants in collaboration with THRDC policy experts have prepared this draft model NGOs Policy based on the collected recommendations to be submitted to the Registrar of NGOs.

THRDC encouraged an open and inclusive approach. This has triggered identification of policy issues and policy gaps that came after thorough consultation with wider group of NGOs in Tanzania. The policy issues emerged around the experiences of the implementation and the use of the current NGOs Policy and the NGOs Law. The hired policy experts guided the review and the development of the CSOs policy recommendations.

4 Research on Poverty Alleviation, Tanzanian Non-Governmental Organizations - Their Perceptions of Their Relationships with the Government of Tanzania and Donors and Their Role in Poverty Reduction and Development, Special Paper No. 07.21, Mkuki Na Nyota Publishers, Dar es Salaam, 2007, at pg 1

5 Ibid

6 Ibid

7 Ibid

The need for a new policy or policy review could be identified at any level. However, the overall context in which a policy might be developed and reviewed should be done in consultation with the relevant NGOs and partners who will be affected by the policy. Now, it has been more than 17 years since the first NGOs Policy was developed in 2001. The needs and challenges facing NGOs sector change over time depending on economic, political, technological and social changes. The 2001 NGOs Policy was developed to address NGOs challenges of the day, which may not be relevant due to the changing socio-economic changes in the country. The following sections provide some reasons for the need of a comprehensive policy review.

Why Review of the Current NGOs Policy?

For some time now there have been discussions about whether the laudable goals of the NGOs policy are being realized in practice. This is because, whereas some public officials have publicly argued that the current policy has worked, others, especially those outside the government, including the NGOs, have thought otherwise. This lack of consensus, therefore, raises certain pertinent questions. First, how far are the NGOs' policy objectives being met? Second, are there any ways in which the policy formulation and implementation processes could be improved to ensure the realization of its stated goals if they are not already being achieved?

It was these challenges that justified the development of NGOs Policy in 2001. The Policy aimed not only to solve the immediate problems of NGOs but assist in the promotion and development of the NGOs in Tanzania. Then NGOs Policy was formed in 2001 followed by its NGOs law in 2002. The NGO Policy of 2001 and the subsequent Tanzania Non-Governmental Organizations Act of 2002 were formulated to establish the legislative framework to allow NGOs to operate freely and effectively. However, according to the policy review report many provisions remain unclear and in need of revision.⁸ Moreover, recent donor funding strategies are increasingly re-directing development aid to the Government of Tanzania, thereby transferring greater responsibility to the government for the future development of autonomous civil society. As yet, it is unknown how NGOs will be affected or will respond, but this trend may usher in a new era of cooperation and collaboration between NGOs, donors, and the State.

In addition, various reports indicate that the implementation of the 2001 NGOs policy has failed to meet the desired outcomes. The current policy has no clear objectives, which also lacks sound implementation strategies, and hence being an overreliance on the NGOs law to meet its policy objectives.

A major conclusion from the opinions expressed by the stakeholders during the review of 2001 policy, on the implementation of the policy objectives is that all the eight policy objectives have some challenges and problems in their implementation hence not effectively implemented. Most of the stakeholders are not satisfied with the intention of the policy objectives as well as the way they are being implemented.

⁸ Please refer a comprehensive Policy Review Report of the 2001 NGOs Policy coordinated by THRDC as part of this policy development process.

In the same vein, the NGOs sector has so many challenges that the current policy has failed to address them. Some of these challenges include;

- (i) Challenges in the current regulatory and legal framework for the registration and operations of NGOs;
- (ii) Lack of precise definition of what constitutes NGOs operations;
- (iii) Lack of clear and well-designed programs for the development of NGOs sector in Tanzania
- (iv) No well-developed mechanism that facilitates the documentation of NGOs contribution to national development
- (v) A large part of NGOs sector is donor dependence hence make the issue of sustainability a challenge.
- (vi) The weak self-regulatory framework that has an overreliance on one organ
- (vii) No developed strategies for NGOs and government partnerships
- (viii) Policy Implementations strategies were not put in place

In line with the challenges above, the NGOs Policy of 2001 also acknowledges the need for a review of the policy from time to time. For example, the policy states that:

This policy document may be reviewed from time to time for the purpose of updating it to march with fast-changing social, political and economic context of Tanzania. The revision, whenever deemed necessary, shall be made through a participatory and democratic process (NGOs Policy, 2001).

The fast-changing social, political and economic contexts mentioned above by the Policy have thus dramatically changed since 2001 and there is a dire need for a policy review.

1.4. The Definition of NGOs

There is no generally accepted definition of an NGO, and the term carries different connotations in different circumstances. Nevertheless, there are some fundamental features.

- An NGO must be independent of the direct control of any government.
- An NGO will not be constituted as a political party; and
- It will be non-profitmaking, not a criminal group, and in particular, it will be non-violent.

The current NGOs Policy (2001) has attempted to define what is Non-Governmental Organization but the definition has failed to address some of the NGOs coordination complexities. Accordingly, the following definition of NGO is proposed:

“An NGO is any legally constituted but voluntary groups of individual or private organizations; independent from government; citizen-based organization; not-for-profit sharing; organized locally at the grassroots level, nationally, regionally or internationally for the purpose of serving specific and legitimate purposes ranging from economic, social, cultural or political; or advocating issues of public interest, human rights, development, social welfare, citizen participation or interest of a group of individuals or organizations”

1.5 The Role of NGOs

NGOs have been regarded as key partners in the development agenda, especially in local service delivery. Since the liberalisation of Tanzania in the early 1990's, NGOs had blossomed nationwide. For example, there are about 10,000 NGOs in Tanzania. Moreover, while the NGO Policy reflects the government's recognition of NGOs in Tanzania as key partners in development, the 2002 NGOs Act does not seem to create a favourable environment within which these organisations can work. This has been one of the major reasons that NGOs in Tanzania have reiterated their call for the NGOs Policy of 2001 to be reviewed because of its restrictiveness which allows for too much governmental control.

NGOs have important roles to play in the governance domain. They are important agencies for socio-economic development. Gemmill and Bamidele-Izu (undated)⁹ summarize the key roles of NGOs as follows:

- Expert advice and analysis. NGOs can facilitate negotiations by giving politicians access to competing ideas from outside the normal bureaucratic channels;
- Intellectual competition to governments. NGOs often have much better analytical and technical skills and capacity to respond more quickly than government officials;
- Mobilization of public opinion. NGOs can influence the public through campaigns and broad outreach;
- Representation of the voiceless. NGOs can help vocalize the interests of persons not well-represented in policymaking;
- Service provision. NGOs can deliver technical expertise on particular topics as needed by government officials as well as participate directly in operational activities;
- Monitoring and assessment. NGOs can help strengthen international agreements by monitoring negotiation efforts and governmental compliance;
- Legitimization of global-scale decision-making mechanisms. NGOs could broaden the base of information for decision-making, improving the quality, authoritativeness, and legitimacy of the policy choices of international organizations.
- Human Rights Promotion and Protection. NGOs promote and protect human rights against both state violation (Vertical Violation) and non-state related violations (Horizontal violation).

For past two decades NGOs in Tanzania have been playing the wide variety of roles that can be identified as important as follows:

- a) Developmental Roles
- b) Complementing Provision of Social Services
- c) Innovative projects and youth empowerment
- d) Community empowerment
- e) Advocated for citizen participation and inclusive democracies
- f) Provision of Civic education and election monitoring

⁹ Gemmill B. and Bamidele-Izu A. (Undated) The Role of NGOs and Civil Society in Global Environmental Governance. <https://environment.yale.edu/publication-series/documents/downloads/a.../gemmill.pdf> Accessed on 24.04.2018

- g) Facilitated a good communication between the public and the government
- h) Research and Publications on various issues of public interest
- i) Policy advocacy and engagement for the interest of the poor and the public
- j) Technical and training support various departments of the state
- k) Human right promotion and protection
- l) Monitoring and evaluation of various government programs and project
- m) Advocated for legal reforms and the respect for rule of law

1.6 Contribution of the NGO sector to the National Development

Several reports by Policy Research for Development (REPOA), Tanzania Association of NGOs (TANGO), Foundation for Civil Society (FCS) and other NGOs indicate that NGOs sector gained momentum since 1990s. For instance, the mapping study (Kilemile, 2005) and the situational analysis of CSOs (Kilemile, 2006) indicate that CSOs were working in different developmental and social sectors and thematic areas, including: "HIV/AIDS; CSOs capacity building and coordination (networks); good governance and democracy; social economic development; poverty alleviation; human rights and litigation; rural development; education; women development; media; science and technology; gender and equity; youth development; social welfare and health". Thus, education is only one of those sectors that CSOs are engaged in nationally.¹⁰

According to the Ministry of Health, Community Development, Gender, Elderly and Children (MoHCDGEC), NGOs are among the key partners of Development in Tanzania.¹¹ The report on the NGOs contribution in development by MoHCDGEC indicates that NGOs have been contributing greatly in various sectors such as of health, education, water, good governance, agriculture, education, environment, gender, social protection and multisectoral.¹² The NGOs sector has been reported to be among the big three employers after the Private Sector and the Government. NGOs sector is a big employer of youth graduates particularly in urban areas.

1.6.1 NGOs Contribution in Education Sector

NGOs have been playing an important role in the development of education sector in Tanzania. These roles can be categorised into three major areas. These areas include; provision of educational service where state provision is absent or insufficient (Service Provision), Innovations and serving as sources of new thinking and practices (Innovation), and thirdly, informed critics and advocates on a whole range of development issues (Advocacy). For instance, NGOs in the education sector have been doing a lot in the education sector ranging from building of schools' facilities, provision of school fees, advocacy and protection of education rights.

According to Ten-Met, officials from the Ministry of Education and Vocational Training (MoEVT) established that there were in 2005 more than 557 organizations working to improve education in Tanzania (Majjid, 2006). As an example, Tanzania Education Network/Mtandao wa Elimu Tanzania (TEN/MET), a membership umbrella organization, began with 39 members in 1999. Its membership is growing by the year. By June 2009, it had 260 organizations in its database,

¹⁰ TEN-MeT (2009)

¹¹ MoHCDGEC (2015) The Tanzania Report on the Contribution of NGOs in Development. At page vi.

¹² Ibid.

but only 147 were voting members (TEN/MET, 2009), that is, they had paid their registration and annual subscription fees.¹³ Hakielimu has done a significant work around issues of policy influence and social accountability in education sector. Others NGOs support children from poor families to attend schools and colleges.

1.6.2 NGOs and the Development of People With Disabilities (PWDs)

PWDs lives have been highly improved due to the contribution of NGOs in Tanzania, particularly NGOs working on the rights of People with Disabilities. Different organizations such as the Federation of Disabled People Organizations (SHIVYAWATA) has been advocating for full participation of all disabled peoples in the mainstream of life, particularly those in rural areas who form the vast majority of the country's disabled people's population. Also NGOs like Under the Same Sun (UTSS) has been playing a very important role in the protection of People with Albinism (PWA) in our country. This include relocation of those at risk of being killed, provision of sunscreen lotion, sun glasses and so on. These and many other NGOs have been playing an incredible role to the development of PWDs through service delivery and advocacy.

1.6.3 The Role of NGOs to the Development of Women and Children

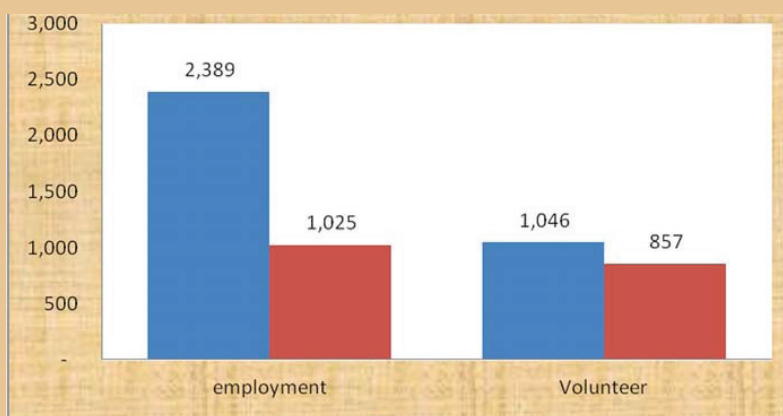
The contribution of NGOs to the improvement of the lives of women and children cannot be ignored. Some organizations have been playing an important role in the field by conducting programs on women empowerment, care for children and fight against poverty. They have also been conducting awareness programs about women rights through sessions and educational programs. NGOs such as the TGNP, TAMWA, TAWLA and mal any others have been conducting several activities in the protection of women and children, and also engaging policy and law makers and enacting conducive laws and policies for the protection of women and children.

1.6.4 Employment and Income

NGOs Operating in Tanzania therefore provide income, human dignity and economic security in Tanzania. For instance, according to THRDC and NaCoNGO, NGOs verification report indicates that about 4000 NGOs were verified and found operating. All these NGOs have employed at least 2-10 staff and volunteers. By taking an average of 10 employees to all 4000 NGOs, the total number of people employed in the NGOs sector becomes 40,000. This is just an estimated number but the real number of people employed in the NGOs/CSOs sector requires a comprehensive study.

As per UNDP 2015 human development report, jobs/employment provided not only creates income and support human dignity but also contribute towards participation and economic security. According to the Ministry, NGOs operating in Tanzania, for the year 2015 participated well in provision of income, human dignity and economic security among Tanzanians. The analysis of the NGOs contribution report of 2015 by the Ministry reveals that in 2015 more than 5,317 individuals (both Local and foreign) were employed and volunteered in the sector in 2015. It should be remembered these statistics have been generated from only 300 NGOs who submitted there audited reports to the Ministry in 2015 as illustrated in figure below.

¹³ Ibid.



Source:

*MoHCDGEC NGOs
Contribution report
of 2015*

According to Public Private Partnership (PPP), the cooperation between the Government and other actors such as NGOs is the engine of growth of Tanzania economy. NGOs are very instrumental in complementing government roles to bring about economic and welfare development to the society both in rural and urban areas. NGOs are also partners in implementing government developments programs such as SDGs and 2025 Development Vision.

1.6.5 Human Rights Education and Human Rights Protection

On the other hand, other NGOs working on human rights and gender rights have also successfully managed to change the situation of human rights and gender issues in Tanzania since 1990's to date. Major reforms such as the reforms of penal laws and enactment of SOSPA was mainly advocated by Women Rights organizations such as Tanzania Gender Networking Programme (TGNP), Tanzania Women Lawyers Association (TAWLA) and Legal and Human Rights Centre (LHRC) etc.

NGOs are also very instrumental in supporting community initiatives through sensitization, empowerment, and capacity building programs at all levels in Tanzania. For instance, human rights NGOs have contributed significantly in creating social capital in Tanzania and human rights education. Today in Tanzania, citizens can stand and defend their rights through available human rights complain mechanism rather than using violent interventions.

1.6.6 NGOs Contribution in the Health Sector

According to MoHCDGEC (2015), NGOs are leading in providing health services in Tanzania. In the year 2015 NGOs continue to support the health sector through the implementation of the series of projects on health as elaborated in the discussion followed. In complementing the government efforts on the availability of health services to Tanzanian community as emphasized by the National Health Policy NGOs continued to build the health centers which offered free medical services to some members of the community particularly vulnerable children and women.

As a supplementary means of ensuring health services are accessed by community timely, NGOs also established mobile health clinical services which were able to reach rural indigenous and offer free medical services. For instance, according to MoHCDGEC (2015) the Organization called Outreach Tanzania offered free mobile health clinic in Nkungu, Kinampundu, Ilunda, Lambi, Singa, Mdilika, Ipuli, Mwando, Mwangeza and Kipamba villages along Singida Region. Also, NGOs

facilitated more than 85 health laboratories with new modern facilities in Tanzania Mainland. NGOs are also significantly involved in country-wide HIV/AIDS health services. According to MoHCDGEC (2015), in 2015 NGOs managed to test HIV status of more than 209,105 people in Tanzania Mainland.

1.6.7 NGOs and Social Security

As per National Social Security Policy, NGOs were also entrusted with the role of complimenting the Government efforts towards social assistance, supplementary schemes and creation of public awareness on social protection. For instance, in 2015 according to the Ministry report of 2015, NGOs provided social assistance to more than 11,403 Vulnerable children regarding education support (school fees and supplies), food, shelter and more important the psycho-social support. In regards to insurance of health accessibility among MVC, NGOs facilitated enrollment of about 42,316 MVCs to attain the CHF cards for free.

NGOs also provided social protection services to poor women and widows regarding accessibility to health services whereby about 12,543 women and more than 945 women headed household were trained on entrepreneurship skills and supported to establish income-generating activities. On the side of aged people, MoHCDGEC report of 2015 indicates that more than 750 retired persons were trained on life after retirement. Moreover, about 12,868 elders were provided with free CHF Cards and over 25,115 older people were enabled to receive 20,000Tshs as a pension per month. NGOs also reached people with disabilities through awareness creation on their rights, whereby about 10,052 disabled people were empowered to receive free various services such as health and education.

1.6.8 NGOs and Environmental Conservation

On the other hand, NGOs have been on the frontline on issues of climate change and environmental protection. As part of implementing the National Environmental Policy, NGOs have been doing the following; planted over 63,500 trees in different regions of Tanzania Mainland; provision of environmental conservation education to more than 7,200 members of the communities and research works on water scarcity. Furthermore, there is much work which has been done on reducing the problem of trees cutting for fuel purposes whereby NGOs continued to introduce different technologies for efficient household energy use techniques. For instance, in 2015 more than 62 households were supplied with biomass technology for fuel use.

1.6.9 NGOs and Provision of Water Services

As part of complementing the role of government in water provision services, NGOs in 2015 enabled construction of 9 water tanks and rehabilitation of 7 water tanks in Kingori and Leguruiki in Arumeru districts. Furthermore, five boreholes and 14 hand pump concrete were constructed in Mpwapwa, Kongwa and Chamwino while water supply systems and water supply facilities were upgraded in several primary health facilities. The contribution of NGOs sector in water is more than what was reported by the Ministry in 2015 because its only 300 NGOs which provided their reports for examination.

Furthermore, NGOs interventions are implementing Tanzania Vision 2025 which demands universal access to safe water in all areas. The Poverty Reduction Strategy Paper recognizes the heavy dependence of the poor on the environment (soil, water and forests), particularly on the households' reliance on environmental resources for income generation. Water is considered a critical factor in the socio-economic development and the fight against poverty.

1.6.10 NGOs and Civic Education

Good Governance is fundamentally a fundamental need for ensuring participation of the community at large in decision making for their development. Citizens must have a sufficient knowledge to be capable of holding their leaders that are not accountable to them regarding effective utilization of resources that are allocated to various projects in their areas. Educating and helping citizens on the rights and responsibilities are activities required to make sure that all citizens have equal rights and responsibilities for development programmes. NGOs sector has been useful in this area as many programs have been implemented since the 1990s as the best way to ensure citizens' participation on issues of public interest. Election monitoring and civic education are some of the key areas where NGOs have been doing well as the best way to improve democracy and good governance.

Furthermore, NGOs working in Multisector in collaboration with other stakeholders participated well in increasing the citizen's incompetence and monitoring of the policy implementation especially on the delivery of the services. Citizens have been empowered, and more people were given awareness on their rights and responsibilities which led to increased demanded for accountability in the management of the public resources.

Even though NGOs play this significant role in economic development, yet it is very hard to find the recognition of NGOs sector in the National economic growth reports such as GDP etc. This is the high time now for NGOs economic contributions to be realized in economic development reports and GDP.

1.7 Characteristics and Levels of NGOs

The characteristics of the NGOs are not static as they depend on some specific needs and contexts. However, NGOs are best known and distinguished by their mandates, modes and level of their operations.

1.7.1 Levels of Operations

- (i) Community-Based NGOs (CBOs)
These NGOs are formed by communities at grassroots levels and operate at ward level or village level.
- (ii) District-Based NGOs (DBOs)
These NGOs are formed by individuals or organizations at District level and operates within the District

- (iii) Regional Based NGOs (RBOs)
These NGOs are formed by individuals or organizations at Regional level and operates within one region
- (iv) National NGOs (NNGOs)
These NGOs are formed and registered at National Level and operate from across the country.
- (v) International NGOs (INGOs)
These NGOs are all those that have been registered in other countries and operate in more than one country.

1.7.2 Levels of Independence

The main Identity of NGOs is autonomy and free from state control. NGOs are mainly known to be pro-community and complement what the government is doing. NGOs are also non-partisan by nature and restricted to participate in active politics such as supporting political campaigns, being elected into political party positions etc.

1.7.3 Community Based

The basis of any NGOs establishment must be to serve the interest of public, community or a certain group of interest. NGOs being one of the main family members of Civil Society Family are supposed to get their legitimacy and trust from the community they intend to serve. NGOs are therefore accountable to the public and the community or groups they serve and not their partners or government.

1.7.4. Volunteerism

NGOs in Tanzania have been operating on voluntary basis while some of them depend solely on donor funds. In Tanzania, NGOs have not exhausted the use of local philanthropy as it for other western courtiers. Majority of NGOs in Tanzania are do not receives donor funds, this was revealed during verification process. It was discovered that it is only few NGOs out of 8000 registered NGOs had donor funds and majority are in town and cities.

1.8 The Scope of the NGOs Policy

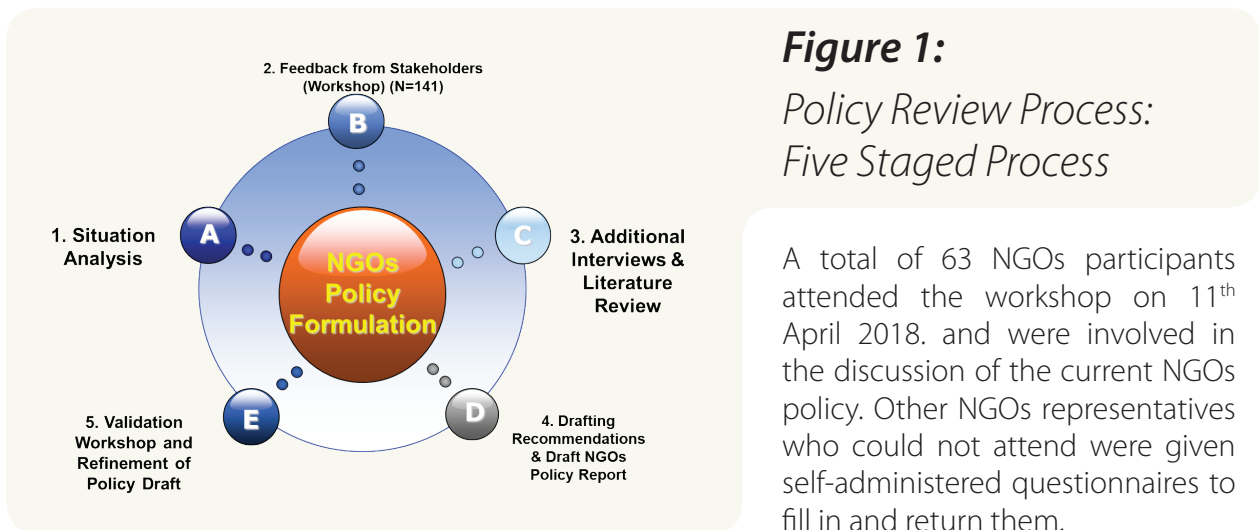
This NGOs policy will only apply to mainland Tanzania; however, the policy will provide special procedures to be followed by those NGOs or networks with particular interest in both sides of the country. There is already an NGOs policy for Zanzibar which was formulated in 2009. The Policy will only regulate and coordinate NGOs registered under laws formulated to implement this policy or any other Civil Society Organization registered elsewhere but compiled under this policy.

1.9 Policy Formulation Process

The review process used a five-staged participatory approach which involved a series of consultations and discussions with a wide range of stakeholders. The first stage involved a critical review of the literature on the civil society in Tanzania, with the aim of establishing a

situation analysis of the NGOs sector in Tanzania. This was followed by a second stage which was a workshop for one day that involved resource persons and key stakeholders which saw various presentations on issues of the NGOs Policy as well as the NGOs Act of 2002. This was followed by discussion groups sessions on the policy contents.

Accordingly, the review of the NGOs policy followed a five-staged process as depicted in Figure 1 below.



The THRDC as a network of more than 150 NGOs conducted several NGOs stakeholders’ consultative meetings as the best way to collect NGOs recommendations. More than 200 NGOs from across the country participated in this consultation process through meetings, online discussions and filling of recommendations collection tools. This NGOs Model Policy carries in the policy format of the recommendations of 200 NGOs listed at the end of this Policy.

It is therefore in the expectation of all the undersigned NGOs that the proposed NGOs policy will facilitate free registration and coordination of NGOs in Tanzania ; Policy which will facilitate the presence of a vibrant NGOs Sector in Tanzania; a policy that creates an enabling environment for NGOs and the Government to work as partners; a Policy that address issues of civic space and smooth operation of NGOs; policy that provides for a well-defined and practical NGOs self-regulatory framework.

1.10 Organization of the Policy Document

This policy document has main six chapters/Parts. Chapter one provides a general introduction, the background of the NGOs sector, definition, the contribution of NGOs sector, and justification of the policy. Chapter two describes the situation analysis of NGOs sector in Tanzania by providing the performance of NGOs in Tanzania, governance partnership, legal framework, institutional framework, financing and SWOC analysis of NGOs. It also provides the strategic policy issues. Chapter three present policy statements including the goal of the policy, vision, mission, objectives and general principles and values. Chapter four indicates how this policy will be implemented and groups of policy implementers. Chapter five presents how this policy will be monitored.

The Current Situation of NGOs

2.1 Introduction

A large number of NGOs operate in Tanzania, and most of them are development or advocacy organizations located mostly in urban areas although a significant number of them operate in rural areas. These NGOs have much diversity, and the characteristics of them are not uniform. While most organizations operating in the country are small and run by volunteers, there is a fair number of very large organizations, many of which have branches around the country to offer services to outlying areas.

This chapter discusses the current situation of NGOs in Tanzania by also looking at their interactions with the government agencies, the legal and institutional frameworks, financing, SWOC analysis and the strategic policy issues.

2.2 NGO – Government Partnership

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.

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. In order to further the development, work the Government shall develop partnership with NGOs in all sectors. The Government will also continue to exempt NGOs from tax / VAT under the current laws and other statutory requirements as charitable organizations.

The Policy recognizes the imperative of strengthening the partnership between Government and the NGO sector based on clear principles and practices. It seeks to articulate and address the key issues of mutual concern and sets out clear policy objectives and strategies as well as entry points for the critical players in development of a productive partnership with the NGO sector.

2.3 The NGOs Sector: Growth, Strengths, Weaknesses, Opportunities and Challenges

NGOs have become significant players in development policy over the past two decades in Tanzania. NGOs vary in their missions, internal management, the scope of engagement, the source of funding, relationship with the government and targeted areas of operations. NGOs are vanguards of civil society. They have increasingly been the vehicles of the new policy agenda of economic liberalization and political democratization. However, some strengths, weaknesses, opportunities and challenges need to be examined on the NGOs sector in Tanzania.

Strengths

- NGOs have forged an active collaboration for engaging with the government i.e. NGO council (NACONGO) and other networks such as THRDC have largely contributed in awareness creation among NGOs, government and other stakeholders
- NGOs have strong leadership and good networking among themselves
- NGOs in Tanzania are found both in rural and urban areas.
- NGOs in Tanzania is among the largest providers of employment in Tanzania.
- NGOs have been at the forefront in the development process in Tanzania through the provision of social services such as education, health, agriculture etc. For example, NGOs have provided social protection services to poor women and widows regarding accessibility to health services in many parts of Tanzania.
- NGOs have been centers for democratic learning through the provision of civic education and good governance principles. i.e. NGOs are working on various issues related to human rights and gender rights

Weaknesses

- Lack of Funds: NGOs are experiencing difficulty in finding sufficient, appropriate and continuous funding for their work. There is a lack of financial, project and organizational sustainability.
- Inadequate integrity, transparency and accountability by some NGO actors for the public resources received
- Absence of Strategic Planning: Few NGOs have strategic plans which would enable them to have ownership over their mission, values and activities. This leaves them vulnerable to the whims of donors and makes it difficult to measure their impact over time.
- Poor Networking: Many NGOs, large and small, intervene at community level without any community mapping and implement projects without due regard ongoing community initiatives. NGO politics: one fighting another, one with resources but no community presence, another with community presence but no resources. NGOs most of the time feel uncomfortable to work jointly.
- Limited Capacity: NGOs have limited technical and organizational capacity. Few NGOs are able or willing to pay for such capacity building. Weak capacity in fundraising, governance, technical areas of development, and leadership and management. The speed of technology changes is also a challenge particularly in areas of IT capacity.

- NGO Board and National Council of NGOs: Many participants were poorly informed of the difference between these two institutions, NGO Coordination Board and the National Council of NGOs; the current National Council of NGOs is not well known, administered and supported, the new Policy must address this for the development of the NGOs sector. The NGOs Board is not independent and majority are appointed by the President.

Opportunities

- Existence of NGOs Policy - The NGO policy provides clear and transparent procedures for registration
- Existence of NGOs Law
- Government has provided supportive procedures and framework for NGOs registration across the country
- The NGOs policy allows NGOs to fundraise from various sources
- Regular recognition of NGOs' performance by the government
- There is a goodwill between government departments and NGOs. There is a space to raise voice and to participate. A notable example is the opportunity that NGOs have been given by the government to be part and parcel of policy review
- Many development partners willing to support the NGOs sector
- Existence of community challenges that require NGOs intervention

Challenges

- Poor Communications: There lack of understanding of the difference between the Board and Council is just one example of the knowledge gaps that exist.
- There is no formal forum where the registrar of NGOs can meet with NGOs and the Government
- Political Interference: Where NGOs are involved in sensitive issues, such as land disputes, PETs, political rights, elections, human rights issues, Politicians and local leaders can threaten NGOs with suspension in their areas. NGOs are not aware that the Board - and potentially the Council - is there to protect them from such intimidation.
- Relationships with INGOs: There is considerable concern among local NGOs that the giants, mainly INGOs, occupy so much space that it is very difficult to find room for them. INGOs often intervene without any concern for the building of sustainable local CSOs. It is difficult and inappropriate for local NGOs to compete with the international and national giants.
- Development Approaches: There is a lack of sustainability and ownership of development interventions by communities. Some communities have been spoilt by dependency creating interventions and are not inclined to do things for themselves.

2.4 Legal Framework

About 10 different laws govern the legal framework in Tanzania Mainland today with regard to registration of civil societies; The Constitution of the United Republic of Tanzania of 1977 as amended, the Trustees Incorporation Act, Cap 318 [R.E 2002], the Societies Act, the Legal Aid Act of 2017, Cap 337 [R.E 2002], the National Sports Council Act, Cap 49 [R.E 2002], the Companies Act, Cap. 212 and the Non-Governmental Organizations Act, 2002. The multiplicity of laws has brought anarchy in the registration and regulation of civil society organizations in Tanzania, Tanzania Mainland in particular.

To effectively achieve the objectives set out in the Policy, in 2002 the NGOs Act was enacted. The Act, together with amendments vide Written Laws (Miscellaneous Amendment) Act (No.2), 2005, basically lays down the legal framework regarding registration and regulation of NGOs/CSOs. Written Laws (Miscellaneous Amendment) Act (No.2), 2005 has defined the term NGO in such wide terms as to include even some organizations which are commonly known as CSOs. This tells that, this wide definition was intentionally so drafted to answer to the issue that was raised in the NGOs Policy of lack of a clear and common understanding of what an NGO means. It is from this wide definition that other organizations that were initially registered under other written laws before coming into force of the NGOs Act have now been considered to fall within the ambits of NGOs.

The desire to regulate both the registration process and compliance matters about organizations that are regarded as NGOs under the NGOs Act has brought about the enactment of sections 11 and 12 of the NGOs Act and the subsequent amendments vide sections 6 and 7 of the Written Laws (Miscellaneous Amendment) (No.2) Act, 2005.

Section 6 of the Written Laws (Miscellaneous Amendment) (No.2) Act, 2005 states clearly that NGOs/CSOs which have been registered under other written laws are required to apply for compliance before the Registrar and upon the applicant satisfying the Registrar as to the adherence to the required prescribed requirements, a certificate of compliance shall be issued to the applicant; whose status is the same as that issued to a newly registered NGO under the Act.

Sections 11 and 12 of the NGOs Act brings about two categories of CSOs which are both require, as per the Act, to be regulated by the NGOs board; those that have been registered under the NGOs Act and those that have been registered under other Act but have applied for compliance and issued with a certificate to that effect. As noted above, it is clear that CSOs registered as companies limited by guarantee and societies registered under the Societies Act are organizations which fall under the categories of NGOs referred to in section 11 of the Act. This type of CSOs forms a category of organizations which have to apply for a certificate of compliance, whose procedure for application and legal status is the same as the one issued to the newly registered NGOs under the NGOs Act.

Section 11 of the Act only requires those CSOs/NGOs that have been registered under other written laws to file for compliance. In other words, the CSOs/NGOs Act does not prohibit registration of CSOs/NGOs under other written laws, but rather forces such CSOs/NGOs to apply for compliance and be issued with a certificate whose process and effect is as good as the said CSOs/NGO has been newly registered under the Act.

2.5 Institutional Framework

The Current set up of NGOs institutional Framework is composed of mainly three main channels of coordination which include; The NGOs Board, The Director of NGOs and the National Council of NGOs (NACONGO). Some of the main roles of NGOs Board such as registration of NGOs have been delegated to Director of NGOs. The Office of the NGOs Unit is under the MoHCDGEC. The Director of NGOs is assisted by Regional and District Development officers to implement some of his roles at local government levels. The main challenge on the ground is the centralization of many key activities to the NGOs Unit hence creating some bureaucratic procedures to NGOs.

2.6 Financing

NGOs in Tanzania are solely depending on donor's funds and volunteering to implement their programs. NGOs in Tanzania do not receive any fund from the government. In most cases, overreliance on donor funds has significantly affected the growth and sustainability of NGOs in Tanzania. Majority of NGOs in Tanzania especially in rural areas work on voluntary basis.

2.7. Strategic Policy Issues

Among the key strategic issues that this Policy seeks to address include the following:

2.7.1 NGOs and Government partnership

There is a good relationship between NGOs and government in improving policy environment. However, the constitutional aspect seems to be posing some challenges. There is a need to create a better working environment in the policy and legal framework by enshrining this strategic partnership in the constitution. The existing inadequate clarity on the mutual roles and responsibilities, rights and obligations of key actors in the NGO sector creates some setbacks to the NGOs and government partnership. Therefore, some efforts should be made by the government to harmonize/facilitate the contribution of NGOs to national development.

2.7.2 Autonomy and Freedom of NGOs

There has been a significant concern on the existing environment on the part of the government which seeks to restrict freedom of expression, freedom association and operations of civil society. The government recognizes the freedom of expression and the right to dialogue with the Government and therefore there is a need for respecting the autonomy and freedom of NGOs in Tanzania. Freedom of association should be enhanced and awareness raising among the local communities made for self-determination on their fundamental rights.

2.7.3 Growth and Development of NGOs

Strong National Forum is required for the growth of the NGOs sector in Tanzania. It is worth noting that well-functioning civil society cannot be engineered from outside. In this regard, there must be a desire by both the government and other key partners such as donors to develop and nurture the development of NGOs in Tanzania. Although NGOs sector has been fast-growing, it is still characterized as weak, which implies that the sustainability of the NGOs is at risk.

The NGOs sector has been doing a lot but the level of sector development is still deplorable. The NGOs sector still lacks resources, professionalism and competence in certain areas of their operations. Many NGOs survive for a short period and disappear, only a few NGOs in Tanzania have managed to survive more than 10-20 years of their first operation due to many reasons including both external and internal factors.

2.7.4 The culture of accountability and transparency

A culture of accountability and transparency is an essential component for good NGOs governance. The NGOs Board will, therefore, issue national guidelines for the establishment of work regulations and accountability measures which will be used by all the NGOs. However, NGO will prepare its regulations and guidelines of work in line with the NGOs Board Guidelines and Regulations for ensuring that the culture of accountability and transparency is established across all the NGOs.

2.7.5 Inclusive and Decentralized Coordination

Proper and inclusive decentralized coordination of NGOs sector is the fulcrum of effective survival and enhancing good governance in Tanzania. In this regard, Regional and District coordinating bodies should be created at these levels for the smooth operation of the NGOs in Tanzania. In other words, specific authorities to regulate NGOs operations and ensure protection/security and sustainability of NGOs should be established at regional and district levels. Moreover, the capacity of NGO Coordinator at these levels should be improved to be able to guide and provide technical support to NGOs so that they comply with policy and legal frameworks. The capacity should go hand in hand with dissemination of different guidelines that govern NGOs. The powers of the National NGOs Registrar should be decentralized to the District and Regional registers for easy access and operation.

2.7.6 Self-regulatory

Self-regulation is a set of institutions in which standards and rules of conduct are set by an industry-level organization, rather than at the governmental or firm level (Gunningham and Rees, 1997)¹⁴. The goal of self-regulatory institutions is to develop some mechanisms that will shape or constrain organizational behavior in order to provide a signal of organizational quality to key stakeholders. These institutions can operate either as a substitute for or a supplement to government regulation.

Accordingly, apart from the constitutions of the NGOs, other regulatory institutions should be established to promote and strengthen the capacity and ability of the local NGOs. These self-regulatory mechanisms will set the specification of monitoring and other forms of performance measurement, the rules governing disclosure of monitoring information, and the specification of sanctions in cases of non-compliance.

14 Gunningham, N., Rees, N. (1997). Industry Self-regulation: An Institutional Perspective. *Law and Policy* 4: 363-414.

Policy Objectives, Key Policy Issues And Statements

3.1 Goal

The overall goal of this policy is to put in place a set of frameworks that create an enabling and secured environment for NGOs to operate freely, transparently, effectively, efficiently and accountable while serving the needs of the people of Tanzania.

3.2 Vision

Tanzania has a vibrant, sustainable and self-regulating NGOs sector which efficiently and effectively serves the interest of the society.

3.3 Mission

To develop an effective, secure and sustainable national system for NGOs to operate, grow and contribute to socio-economic development through efficacious partnerships with the Government and other stakeholders.

3.4 Specific Objectives

- a. To create a legally-secure and conducive environment for growth, development, operations and sustainability of NGOs in Tanzania
- b. To improve the current NGOs self-regulatory framework
- c. To promote efficacious NGOs and Government partnerships and cooperation including NGOs funding support by the government.
- d. To contextualize the definition of NGOs in Tanzania
- e. To promote a culture of accountability and transparency among NGOs
- f. To improve and ensure the autonomy and freedoms of NGOs
- g. To facilitate NGOs in order to work professionally and with high level of accountability

- h. To enhance mechanisms for collaborative relations between NGOs, the Government, funding agencies and other stakeholders.
- i. To put in place registration and coordination procedures of NGOs which are transparent, accessible, cost-effective, digitalized and decentralized to safeguard the freedom of association,

3.5 General Principles

The Government and NGOs shall promote and defend the following NGOs principles and standards:

1. NGOs must take good care of the resources entrusted with and make sure that they are used for the purpose intended (Principle of Stewardship).
2. NGOs must explain how they have used their resources and what they have achieved as a result for all stakeholders, including beneficiaries (Principles of Accountability)
3. NGOs must be open about their work, making information about its activities and plans available to relevant stakeholders (Principles of Openness)
4. On a personal level, individuals in the NGOs must operate with honesty and propriety (Principles of Integrity)
5. The NGOs system for keeping financial records and documentation must observe internationally accepted accounting standards and principles.
6. Individuals should be permitted to form, join and participate in NGOs of their choosing in the exercise of the rights to freedom of expression, peaceful assembly and association.
7. Any restrictions which may be placed on the exercise by members of NGOs of the rights to freedom of expression, peaceful assembly and association must be consistent with international legal obligations.
8. NGOs shall be permitted to carry out their peaceful work in a hospitable environment, free from fear of harassment, reprisal, intimidation and discrimination.
9. Acknowledging governments' authority to regulate entities within their territory to promote the public welfare, such laws and administrative measures should protect--not impede--the peaceful operation of NGOs and be enforced in an apolitical, fair, transparent and consistent manner.
10. Criminal and civil legal actions brought by governments against NGOs, like those brought against all individuals and organizations, should be based on tenets of due process and equality before the law.
11. NGOs should be permitted to seek, receive, manage and administer for their peaceful activities financial support from domestic, foreign and international entities.
12. NGOs should be free to seek, receive and impart information and ideas, including advocating their opinions to governments and the public within and outside the countries in which they are based.

13. Governments should not interfere with NGOs' access to domestic and foreign-based media.
14. NGOs should be free to maintain contact and cooperate with their own members and other elements of civil society within and outside the countries in which they are based, as well as with governments and international bodies.
15. The government and NGOs shall promote freedom and autonomy of NGOs, self-governance and self-regulation.
16. NGOs should be developed on a voluntary basis and for the public interest.
17. Respect for fundamental human rights and freedom about social Cultural and religious beliefs

3.6 Key Policy Areas, Policy Issues and Statements

This subchapter identifies policy issues, objectives and policy statements proposing actions to be taken to address the identified policy key issues.

3.6.1 Key Policy Area: NGO and Government Partnership in Development

3.6.1.1 Policy Issue

The Government recognizes the imperative of strengthening the partnership between Government and the NGO sector based on clear principles, practices, and the role played by NGOs in building this Nation. The NGOs sector in Tanzania is an important pillar of development but the Government doesn't commit more to its recognition, protection and support.

3.6.1.2 Policy Objective

To promote partnerships and cooperation between NGOs and the Government including effective NGOs support by the government.

3.6.1.3 Policy Statements

- a) The Government shall institute mechanism (councils) for regular consultations with the NGOs sector.
- b) The government commits to ensure smooth and secured operations of NGOs while serving the interest of the public.
- c) The government envisages, expects and supports NGOs to play active roles in all socio-economic areas of development.
- d) The Government shall strengthen the coordination of inter-ministerial concerns about NGOs through one ministry and provide clear procedures for smooth operations of NGOs.
- e) The government shall develop a guideline or policy implementation strategy articulating NGOs and government partisanships at all levels (Central and Local government)
- f) There shall be regular forum meetings between all stakeholders (CSOs, Registrar of NGOs and the Government).
- g) The Government shall facilitate, provide and ensure access to Government offices and Parliament during undertaking duties.

3.6.2 Key Policy Area: Autonomy and Freedoms of NGOs

3.6.2.1 Policy Issue

The right to freedom of association is guaranteed by various regional and international instruments including the Constitution of Tanzania. Therefore, the work of NGOs must be voluntary and free from any interference. Even though Tanzania has so many registered NGOs, some of these NGOs are sometimes subjected to undue surveillance, internal interference and regulated reporting requirements.

3.6.2.2 Policy Objective

The Government is committed to ensuring and protecting the autonomy and freedoms for NGOs to operate constructively for national socio-economic development.

3.6.2.3 Policy Statements

- a. NaCoNGO shall be maintained as an independent self-regulatory body, accountable to NGOs themselves.
- b. NGOs shall be free to lawfully act on their capacity without being interfered by politics.
- c. The Government requires/expects NGOs to be completely non-partisan and avoid all use of political tactics and interventions.
- d. Government shall allow and encourage NGOs to govern themselves through NaCoNGO and their networks while it deals with the registration and coordination role.
- e. The government shall ensure free operations of NGOs in urban and rural areas.
- f. The government shall ensure that decisions on registration, suspension and deregistration are taken by a body with majority representation of NGOs.
- g. Registration of NGOs shall remain a voluntary act and the time for an NGO to prove its existence shall be at most 6 months.
- h. NGOs shall be self-governing and free to determine their internal management structures, rules for selecting governing officers, internal accountability, sources of funds, type of activities and areas of implementations.

3.6.3 Key Policy Area: Threats to NGOs Personnel's and Operations

3.6.3.1 Policy Issue

Some Government officials and private actors sometimes consider NGOs as enemies, power mongers or groups of people who instigate public disobedience. As the results, several threats towards active NGOs have been recorded. Some NGOs officers have been arrested, interference with internal meetings, threats to deregistration and constant surveillance.

3.6.3.2 Policy Objective

To create an enabling environment for NGOs, operate freely without being subjected to any threats or illegitimate interference.

3.6.3.3 Policy Statements

- a. NGOs shall be allowed to engage in lawfully advocacy and lobbying activities as for the socio-economic development the country are concerned.
- b. The Government shall develop a guideline or strategy that protects NGOs against any threats during their operations.

3.6.4 Key Policy Area: Reporting, accounting and sharing of information

3.6.4.1 Policy Issue

The Government requires NGOs to provide details of their planned activities to the Registrar and NaCoNGO. The Government requires registered NGOs to submit annual reports and accounts. The Government requires maintenance of a public record of registered NGOs, including details of reports and accounts submitted and fees paid, which NGOs and members of the public can access free of charge, ideally online. However, the reporting mechanism seems to be bureaucratic and expensive for some NGOs. The requirement of submitting reports in hard copies at the NGOs Directory office in Dodoma is unnecessarily expensive as NGOs must travel from different parts of the country.

3.6.4.2. Policy Objective

To create a less expensive, digitalized and decentralized NGOs reporting mechanism and information sharing.

3.6.4.3 Policy Statements

- a. The government in collaboration with the NGOs body shall establish an online portal for sharing information related to NGO and Government activities.

3.6.5 Key Policy Area: Fundraising & Government Support

3.6.5.1 Policy Issue

NGOs financial capacity has in many ways been affected their level of performance and contributions to development. Many NGOs, especially in rural areas, have been operating on voluntary basis without getting any support from development partners and the government. Almost 99% of NGOs funded activities in Tanzania are donor-funded depending on foreign grants. This has significantly affected the sustainability of NGOs in Tanzania.

3.6.5.2 Policy Objective

To create an enabling environment for NGOs financial stability including getting funds from the government.

3.6.5.3 Policy Statements

- a. The NGOs are allowed and encouraged to engage in all legally acceptable fundraising activities and the Government will offer as much as support as necessary.
- b. The government shall provide NGOs with financial, materials and moral support as its resources and opportunities allow. It shall establish a fund for NGOs development.
- c. The government shall create an enabling environment for NGOs to seek and receive financial resources from local private sources, the national state, foreign states, international organizations, transnational donors and other external entities without restrictions.
- d. The government shall create an enabling environment for NGOs to conduct fundraising through various means, including engaging in economic activities designed to support the aims of the organizations.

3.6.6 Key Policy Area: Conducive environment for growth, development, and sustainability of NGOs in Tanzania

3.6.6.1 Policy Issue

The NGOs sector has been doing a lot but the level of sector development is still very poor. The NGOs sector still lacks resources, professionalism and competence in certain areas of their operations. Many NGOs survive for a short period and disappear; only a few NGOs in Tanzania have managed to survive more than 10-20 years of their first operations. This is because of many factors, both external and internal factors. Still, there is no favourable environment for NGOs to be exempted from tax payment.

3.6.6.2 Policy Objective

To create an enabling and conducive environment for growth, development and sustainability of NGOs in Tanzania

3.6.6.3 Policy Statements

- a) The Government shall create a multisector strategy that allows the growth and sustainability of NGOs
- b) A national forum of CSOs/NGOs shall be put in place and meet once a year with government officials, the private sector and development partners to discuss the sustainability of the NGOs sector
- c) The government shall explore innovative measures to support the growth and sustainability of NGOs such as tax exemptions and tariffs.

3.6.7 Key Policy Area: Effective NGOs Self-Regulatory Framework

3.6.7.1 Policy Issue

Currently in Tanzania, there is no an effective NGOs self-regulatory mechanism that allows NGOs regulate and discipline themselves. These self-regulatory mechanisms will set the specification of monitoring and other forms of performance measurement, the rules governing disclosure of monitoring information, and the specification of sanctions in cases of non-compliance.

3.6.7.2 Policy Objective

To create an effective, sectorial and multispectral NGOs self-regulatory framework at all levels

3.6.7.3 Policy Statements

- a) The government and NGOs shall promote freedom and autonomy of NGOs, self-governance and self-regulation.
- b) The government shall create an environment for NGOs to regulate themselves at sectorial levels through their networks and other established mechanisms.
- c) NGOs shall develop internal mechanisms to regulate and restrict some individuals in the NGOs sector who are taking direct leadership and contesting in political posts during elections while still holding positions in their respective NGOs.

3.6.7 Key Policy Area: Culture of accountability and transparent among NGOs

3.6.8.1 Policy Issues

At times NGOs have been labelled as less transparent and lacking in accountability. This problem affects the level of trust by development partners, the government and the public. NGOs are required to conduct themselves with high levels of openness while making themselves accountable to the people they serve. Some NGOs lack integrity as they don't account for the operational and programmatic grants they receive from development partners.

3.6.8.2 Policy Objective

To promote a culture of accountability and transparency among NGOs

3.6.8.3 Policy Statements

- a) The government requires the NGOs body to establish formal and proper NGO structures at National, regional and district levels.
- b) The NGOs body shall establish internal guidelines for ensuring accountability, transparency and mission commitment among NGOs.
- c) NGOs shall create an open and clear mechanism of communicating their programmes and activities including sources of funds to the public and other relevant authorities.
- d) NGOs shall be accountable to people they serve and report to donors and government authorities.

- e) Each NGOs shall maintain their code of conduct for accountability and transparency
- f) The government shall create strong and efficient mechanism for effective monitoring the contributions, performance and impact of the NGOs sector.

3.6.9 Policy Key Area: Decentralization, digitalization, and coordination of NGOs registration procedures in Tanzania

3.6.9.1 Policy Issue

The current NGOs registration process is not cost effective as many people must travel all the way from different parts of the country for registration process in the HQ of the NGOs Unit in Dodoma. The registration process is also still analogue as many people are still required to submit hard copies of printed documents to complete the process. Surprisingly even NGOs that are supposed to be coordinated at district level are forced to travel to the NGOs HQ for registration and other coordination matters.

3.6.9.2 Policy Objective

To put in place registration and coordination procedures of NGOs which are transparent, accessible, cost-effective, digitalised and decentralized to safeguard the freedom of association.

3.6.9.3 Policy Statements

- a. The government in consultation with the civil society leadership shall continuously streamline and improve registration process and adhering to other registration formalities.
- b. The government will also work to address all other regulatory challenges that unduly bog down the operations of NGOs.
- c. The NGO registration process and filling of annual returns shall be centralized at the District level and shall gradually be facilitated by an online system
- d. The Government requires each District to designated a competent and available NGO coordinator
- e. The Government shall put a digitalized mechanism for NGOs registration and coordination process including submission of annual reports online without travelling.

3.6.10 Key Policy Area: Compliance after Registration under Other Laws

3.6.10.1 Policy Issue

About about 10 different laws govern the legal framework in Tanzania Mainland today with regard to registration of civil societies. These laws include; the Trustees Incorporation Act, Cap 318 [R.E 2002], the Societies Act, the Legal Aid Act of 2017, Cap 337 [R.E 2002], the National Sports Council Act, Cap 49 [R.E 2002], the Companies Act, Cap. 212 and the Non-Governmental Organizations Act, 2002. This multiplicity of laws has brought anarchy in the registration and regulation of civil society organizations in Tanzania, Tanzania Mainland in particular. The NGOs Act, 2002 as amended in 2005, however requires CSOs operating as NGOs and which have been legally registered under the mentioned laws to comply with the NGOs Act. Section 6 of the Written Laws (Miscellaneous Amendment) (No.2) Act, 2005 states clearly that NGOs/CSOs which have been registered under other written laws are required to apply for compliance before the Registrar and.... a certificate

of compliance shall be issued to the applicant; whose status is the same as that issued to a newly registered NGO under the Act. Therefore, treating certificate of compliance as fresh registration has caused a problem of double registration which is a burden to NGOs.

3.6.10.2 Policy Objective

To avoid double registration and minimize unnecessary hurdles to NGOs registered under other laws.

3.6.10.3 Policy Statements

- h) The Government shall amend and/or enact the law that shall ensure all NGOs registered under other laws are provided with only certificate of compliance and not fresh registration.
- i) The Government shall strengthen the coordination of NGOs at inter-ministerial level to ensure clear and smooth registration and operations of NGOs.
- j) Government shall introduce one stop center where all CSOs registered under deferent laws meet for compliance purposes.

3.6.11 Key Policy Area: Operations of International NGOs and other International Entities

3.6.11.1 Policy Issue

The current trends indicate that there is an increasing number of international NGOs operating in Tanzania at the expense of local NGOs. The practice requires joint venture with local NGOs, but the situation on the grounds indicates that there is a significant number of INGOs operating in deferent parts of the country some time doing what could be done by local NGOs. If this practice is left unregulated, then almost all local NGOs will have nothing to do or will have all their sources of funds channelled to INGOs and other UN agencies. This practice has affected the participation of NGOs participation in development programs and other democratization activities such elections as it was in 2015.

3.6.11.2 Policy Objective

To develop a clear mechanism on how INGOs and other international agencies will operate in Tanzania without harming the space of local NGOs.

3.6.11.3 Policy Statements

- a) While carrying out their operations, INGOs shall respect laws of the country and the culture of Tanzania and the people they intend to reach.
- b) At all times INGOs shall work jointly with local NGOs while improving their capacity and growth.
- c) The Government shall put in place adequate clarity of the mutual roles and responsibilities, rights and obligations of key actors in the NGO sector and the need to harmonize/facilitate the contribution of NGOs to national development

Policy Implementation Framework

4.1 Introduction

It is essential for any policy to have sound and effective institutional and legal framework for its implementation. This will help to clarify and streamline the roles and responsibilities of principal actors involved in the policy implementation with the ultimate goal enhancing the effectiveness and efficiency of the services provided to the NGO sector. Clear and effective policy implementation arrangement will clarify and rationalize the role and responsibilities, rights and obligations of NGO actors; and to promote effective utilization of existing Government and NGO structures for the development process.

Accordingly, the following are the proposed institutional and legal framework for the implementation of NGOs policy.

4.2 Institutional Arrangement

The proposed policy shall have an institutional structure that will enhance the collaboration between NGOs and the government and make it easier for other stakeholders like the funding agencies to play their critical role. The following are the institutional structures proposed:

4.2.1 Office of the Director for NGOs Co-ordination

There shall be an office of the NGOs coordination within the Ministry responsible for NGOs which shall be headed by a director. The Minister responsible for NGOs shall set the roles and responsibilities of the director.

4.2.2 National Council

The NGOs shall establish a National Council of the NGOs (NaCoNGO) which will be an independent organ for building collaboration among its members and which will put in its own structure, laws, and better supervision procedures of its activities. NaCoNGO will be the national council for uniting the NGOs for Mainland Tanzania. The composition of NaCoNGO shall be composed of NGOs representatives. It will establish and supervise operational ethics and other regulations which will help the NGOs to be self-governance and will facilitate the exchange of information and issue directives for collaboration among the Organizations.

4.2.3 NGO Coordination Board

The National Body is meant to be an independent institution established by the NGOs jointly with the government. In addition to the above functions, the board is meant to help NGOs put forward their different concerns to the public, to the government and the international community. The board shall also act as a link between the government and the NGO community. The composition of the board shall be comprised of 2/3 NGO and 1/3 government representatives.

4.2.4 Registrar of NGOs

The Government will appoint Government Official to be the Registrar of NGOs. The duties and responsibilities of the Registrar will be set out in the NGOs law.

4.3 Coordination Arrangements

4.3.1 Coordination at National Level

The Government through the Ministry responsible for NGOs shall establish National Council of NGOs to be chaired by the chairperson elected from NGOs sector. The membership and functions of Council shall consist of members from the NGOs sector as shall be prescribed in the NGO law.

4.3.2 Coordination at Regional Level

The Government and NGOs sector shall establish Regional Council of NGOs to be chaired by the elected chairperson from amongst NGOs in the respective Region. The membership and functions of Council shall consist of members from NGOs sector as shall be prescribed in the NGO law.

4.3.3 Coordination at District Level

The Government and NGOs sector shall establish District Council of NGOs to be chaired by the elected chairperson from amongst NGOs in the respective District. The membership and functions of Council shall consist of members from NGOs sector as shall be prescribed in the NGO law.

4.3.4 Line Ministries and Departments

The Ministry responsible for the NGOs shall coordinate relations with the NGOs across all the ministries. In each Ministry, Department and Agencies the responsible for planning shall coordinate relations with the civil society.

4.3.5 Other Key Players

Successful policy implementation requires wider involvement of all community groups such as media, private sector, NGOs coalitions and networks, development partners and academic or research institutions. During the implementation of this policy, the Government shall ensure the following other key policy actors are taken on board;

4.3.5.1 NGO Umbrella Bodies

Registered NGO umbrella organizations/ clusters/networks have important roles to play during policy implantation as follow ;

- i) Popularizing the NGO Policy amongst member organizations and promoting compliance therewith;
- ii) Providing leadership to their respective memberships in operationalization of self-regulatory mechanisms designed to institutionalize professionalism, ethics, integrity, transparency and accountability in the NGO sector in the country;
- iii) Collaboration with the sector Lead Ministry, the NGO Board and other actors in identifying and addressing emerging policy, regulatory and other pertinent issues with a view to enhancing the contribution of the NGO sector to human development;
- iv) Coordinating the participation of their members and NGOs in government policy processes of interest to them and documenting their experiences so as to assess NGO contributions to development.

4.3.5.2 Development Partners

The Development Partner community plays a pivotal role in NGO sector development and activities. Support of the Development Partners comes in the form of very substantial direct resource flows to NGOs as well as through 'co-opting' NGOs to work on various programs and projects funded by the Development Partners. In order to improve coordination of development assistance, partner organizations supporting or otherwise active in the NGO sector shall bear the following responsibilities; i) Internalizing and complying with the objectives and principles of the NGO Policy and relevant legislation; ii) Supporting such NGO sector partnership coordination mechanisms as may be duly established from time to time with a view to promoting the orderly development of the sector.

4.3.5.3 Media

The media is expected to play a vital role in the successful implementation of this Policy through carrying out the following: i) Disseminating and popularizing the Policy amongst stakeholders; ii) Providing wide publicity to success stories in the NGO sector in Tanzania; and iii) Contributing to policy debate, review and improvements in NGO sector development in the country.

4.3.5.4 The Private Sector

Within the context of corporate social responsibility, the Private Sector is encouraged to extend innovative support to NGO sector development. This can take various forms including:

- i) Appreciating the complementary role of the NGO sector to the vision and mission of business enterprise;
- ii) Supporting the objectives and principles of the NGO Policy; and
- iii) Developing productive linkages with international, national and local NGOs aimed at improving the quality of life of communities.

4.3.5.5 Research and Academic Institutions

Research and academic institutions can contribute to successful implementation of the Policy through:

- i) Undertaking operational research in NGO sector policy management and development impact, and widely disseminating the findings thereof;
- ii) Participation in the implementation and evaluation of programs related to the NGO sector;
- iii) Participation in policy debates intended to improve the policy environment for NGO sector development.

4.4 Legal Framework

The legal framework is essential for enforcing standards, policy statements, rules and principles enshrined in this policy. Taking into consideration the current challenges affecting the legal framework governing NGOs and CSOs in general, comprehensive reforms of the current legal framework is paramount.

The existing legal and regulatory framework does not provide the necessary provisions to ensure the development of a modern, vibrant, secure, independent, efficient and competitive NGOs sector Tanzania. Proper implementation of this proposed NGOs policy entails review, harmonization and formulation of different NGOs/CSOs related laws and regulations. The following areas are earmarked as entry points for the improvement of the existing legal framework governing NGOs sector;

- i) NGOs Registration Process
- ii) NGOs operations
- iii) NGOs Coordination
- iv) Compliance of NGOs registered in another legal framework
- v) The formation and Structure of NGOs Board
- vi) Improving NGOs self-regulatory framework
- vii) NGOs protection and widening of space of NGOs
- viii) Discipline and Ethics of NGOs
- ix) NGOs funding and investments
- x) NGOs and Tax laws
- xi) NGOs reporting and accountability
- xii) The operations of International NGOs and UN agencies
- xiii) Operations of NGOs both in Mainland and Zanzibar

The Government shall therefore regularly and in a consultative manner review the current NGOs laws and other related laws to better support implementation of this policy. The best way to address the legal challenges is to take a multi-disciplinary approach where all responsible, line ministries and government departments will be involved at all stages of reforms. The proposed NGOs law shall therefore avoid any registration or compliance procedures that amount to double registration to CSOs registered under other laws of the country. The government shall also develop various strategies, guidelines, programs and regulations as part of putting into implementations standards and policy statements provided in this policy.

4.5 Funding Arrangement

Both the responsible Ministry and the National Union of NGOs shall promote mobilization of resources for supporting the development of the NGOs sector for maximum contribution to national and societal development. The national resources mobilization framework for the policy's implementation will include the following components:

4.5.1 National Level

- The Government to dedicate and allocate adequate resources to the ministries responsible for addressing NGOs and related issues.
- The Government to dedicate and allocate adequate resources to local governments for addressing NGOs and related issues.
- The Government to mobilise additional resources from the donor community for the development of the NGOs sector.
- Mobilization of resources from international and national NGOs and FBOs for the development of the NGOs sector.

4.5.2 Regional/District Level

- Regional and local governments to dedicate and allocate adequate funds from their revenue for the development of the NGOs sector.
- Support from many organizations and individuals willing to donate their time, resources, and staff for the development of the civil society sector.

4.6 Self-Regulation

4.6.1 National Council of NGOs

The NGOs sector shall establish National Council of NGOs to be chaired by the Chairperson elected from NGOs and a recruited secretariat of experts. The membership and functions of Council shall consist of all NGOs registered under the NGOs law. The Council shall also have its own Board composed of heads of selected NGOs networks at National Level.

4.6.2 National Networks

The Government will recognize, encourage and support the development of thematic and national networks of NGOs to address specific societal relevant agenda including self-regulation amongst themselves.

Policy Monitoring and Evaluation

The Ministry responsible for NGOs sector shall be responsible for monitoring and evaluation of this policy. It will early on prepare a comprehensive monitoring and evaluation (M&E) plan (for the policy). The M&E plan will define in operational terms the Key Performance Indicators (KPI), present a specific Monitoring Plan – for each KPI, provide tools to be used by implementing actors to report on the implementation of the policy, provide a schedule of planned reviews of the progress of implementing the policy, present a set of evaluations for assessing the outcomes and impacts being created by the policy, and define a set of reports to be produced and shared by all implementing actors, indicating the success in implementing the policy and achieving the desired effects.

The policy shall be reviewed once every five years based on M&E reports and stakeholder feedback.

ANNEXES

ANNEX 1: list of NGOs which participated in the Policy Review Process

The Review of The NGO Policy Zonal Distribution

No.	Zone	Number of Organizations	Percentage
	Coastal Zone (Dar es Salaam and Coastal Region)	59	28.2
	Zanzibar	23	11
	Western Zone (Tabora, Kigoma and Katavi)	10	4.78
	Iringa/Njombe	8	3.82
	Southern Highland (Mbeya, Rukwa)	16	7.65
	Central Zone (Dodoma, Singida and Morogoro)	16	7.65
	Northern Zone (Tanga, Manyara and Arusha)	31	14.2
	Lake Zone (Mwanza and Mara)	17	8.13
	West Lake Zone (Kagera, Shinyanga,)	14	6.69
	Southern Coast Zone (Ruvuma, Mtwara and Lindi)	15	7.17
TOTAL		209	100%

List of Organisations

Kanda ya pwani (Dar es Salaam na Pwani)				
Na.	Jina	Shirika	Mawasiliano	Mkoa
1	CHEDIEL MGAYA.	EFG	PO BOX 10618 DAR	ILALA/ Dar es Salaam
2	EDMUND SILAYO.	KIWOHEDE- Women Health and Development	CONTACTS: 0742 877 122 katri@kiwohede.org silayo66@gmail.com	KINONDONI – DSM
3	DAHLIA MAJID (MIRIAM S.CHAKWAWA)	RURAL WOMEN DEVELOPMENT INITIATIVE (RUWODI)	BOX 330 BAGAMOYO 0786 525575, 0658 838883	CHALINZE – PWANI

4	STEPHEN M.M.MWINUKA	ED-IMPROVEMENT AGENCY	P.O.BOX 54004 DAR ES SALAAM E-MAIL: edimprove@gmail. com	DAR ES SALAAM
5	ISRAEL K.LILUNDE	YOUTH PARTNERSHIP COUNTRYWIDE (YPC)	SLP 30260,KIBAHA	KIBAHA-PWANI
6	DOMINIC NDUNGURU	OPEN MIND	PO BOX 4859	DAR ES SALAAM
7	JOVIN SANGA	ASYLUM ACCESS REFUGEE SOLUTION TANZANIA	infoaatz@ asylumaccess.org (0788609094) jovin@ asylumaccess.org (0716062710)	DAR ES SALAAM
8	GODFREY PHILIMON	PEOPLE'S HEALTH MOVEMENT TANZANIA (PHM)	P. O. BOX 75619, DAR ES SALAAM, PHONE; +255659977752	DAR ES SALAAM
9	Nmbute Akaro	Vital Projection Limited	Nmbute.akaro@ gmail.com	DAR ES SALAAM
10	SABAS MASAWAWE	DOGODOGO CENTRE	ANUANI: P.O. BOX 22401, DAR ES SALAAM	DAR ES SALAAM/ KINONDONI
11	WILBERT KASSILE KINONDONI,	WOMEN IN LAW AND DEVELOPMENT IN AFRICA (WILDAF)	0713-193651	DAR ES SALAAM
12	Francis Kiwanga	FOUNDATION FOR CIVIL SOCIETY		DAR ES SALAAM
13	STEVEN MAYOMBO	JUST ECONOMY AND JOINT ACTION FOR HUMAN RIGHTS	P.O.BOX. 80913 DAR ES SALAAM	DAR ES SALAAM
14	Godfrey Kamugisha	Peoples Health Movement Tanzania (PHM)	phmtanzania@ gmail.com	DAR ES SALAAM
15	NEEMA KITAINDA KITUNDU	FORUM FOR AFRICAN WOMEN EDUCATIONALISTS TANZANIA – (FAWETZ)	+255 22 212 2871, +255 710 050 434/ 769 012 596	ILALA - DAR ES SALAAM

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21	Abraham Salim	ARUWE	0713662898	Pwani
22	Rita Ntagazwa	SAUTI YA HAKI TANZANIA	0716449264	
23	Dahlia Majid	RUWODI	0757245082	Pwani
24	Neema Mayunga	WILDAF	0713891189	Dar es Salaam
25	Edmond Silayo	KIWOHEDE	0742877122	Dar es Salaam
26	Ludovick Utouh	Wajib Institute of Public Accountability	0713322425	Dar es Salaam
27	Neema Olle Ndemno	TCRIP	0682070200	Dar es Salaam
28	Susan Kitainda	Sadeline Health Care Trust	0656567049	Dar es Salaam
29	Asha Abdallah	Jamii Forum	0767137137	Dar es Salaam
30	Evena Massawe	COSUPED	0754578593	Dar es Salaam
31	Lennyster Byalugaba	CDF	0713986842	Dar es Salaam
32	Joan Chamungu	TNW	0714578411	Dar es Salaam
33	Sophia Komba	CAGBV	0715578411	Dar es Salaam
34	Yakob Matena	Action Aid	0757944332	Dar es Salaam
35	Annastazia Rugaba	TWAVEZA	0684222197	Dar es Salaam
36	Jovic Sanga	AATZ	0716062710	Dar es Salaam

37	Rebeca Gyumi	MSICHANA	0762758281	Dar es Salaam
38	Asna Mshana	KEPA TZ	0714078881	Dar es Salaam
39	Martina Kabisama	SAHRINGON	0754550824	Dar es Salaam
40	Scolastica Pembe	NHNWF	0717592294	Dar es Salaam
41	Edna Kamaleki	LECRI	0715855114	Dar es Salaam
42	Gasirigwa G. S	MISATAN	0782164064	Dar es Salaam
43	Rose Sarwat	TAWIA	0716214686	Dar es Salaam
44	Christina Kamili	TANLAP	0716498457	Dar es Salaam
45	Tike Mwambipile	TAWLA	0713599486	Dar es Salaam
46	Ummu Nderiananga	SHIVYAWATA	0715723659	Dar es Salaam
47	Davis Lumala	TAMWA	0754462632	Dar es Salaam
48	Theodonsia Muhulo	WLAC	0784431699	Dar es Salaam
49	Jane Magigita	Equality for Growth (EFG)	0765477539	Dar es Salaam
50	Adv. Dominic Ndunguru	OMT	0713669044	Dar es Salaam
51	Abdallah Omari	TAS	0713255670	Dar es Salaam
52	Janeth Mawinza	WAJIKI	0713950625	Dar es Salaam
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55	Julias Kyrazuzi	Foundation for Human Rights and Community Development(FHC-RD)	lumanyika2004@yahoo.com 0767 066 605	Dar es Salaam
56	Helen Kijo Bisimba	LHRC	lhrc@humanrights.ortz +255 22 2773038/48	Dar es Salaam
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64	PETRO NZIKU	CAPITAL LEGAL AID SERVICES CENTRE (CLASEC)	P.O.BOX 2030, nziku17@yahoo. com +255 716 713 022 +255 768 021 997	DODOMA/ DODOMA MUNICIPAL
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67	Anthony Lyamunda	CESOPE	0753340690	Dodoma
68	Flora Masoy	MPLC	0768537272	Morogoro
69	Wada Shayo	WOWAP	0719726666	Dodoma
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93	Odero Odero	Civil and Legal Aid	0686941325	Arusha
94	Clemence Clelinus	DOOR OF HOPE TANZANIA	0656256757	
95	Johnson Luhende	SHALOM OPHANAGE	0784 904608	Arusha
96	Goodluck Malilo	TREE OF HOPE	0715440555	Tanga
97	Frank Mguunda	NCDE NGUVUMALI TANGA	0656044642	Tanga
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99	LESHABINGO	LESHABINGO	Laretok@yahoo. com/ ndungayo@yahoo. com 0767 851 434/ 0784 851 434	Arusha
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108	HASSAN ALEY ALI	JUMUIYA YA MAENDELEO JIMBO LA ZIWANI (JUMAJZI)	ANUANI: PO.BOX 249 CHAKE CHAKE	CHAKE CHAKE
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112	SAID SULEIMAN ALI	KOK FOUNDATION	S. L. P.62 KANGANI MKOANI, PEMBA	WILAYA YA MKOANI/ KUSINI PEMBA
113	SAID HAJI MSELEM	ZANZIBA ASSOCIATION FOR CHILDREN'S ADVANCEMENT (ZACA)	JANG'OMBE ZANZIBAR	MJINI MAGHARIB / WILAYA YA MJINI

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117	NURU MWALIM KHAMIS	ZASW		MAZIZINI/ ZANZIBAR.
118	SAID MOHAMED IDDI	JUMUIYA YA MAENDELEO VIJANA NA WATOTO CHAKECHAKE (JUMAVIWACHA)	P.O.BOX 249	CHAKE CHAKE/ PEMBA
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ANNEX 2: Data Collection Tool



Policy Engagement Stakeholders' Consultative Meeting

The Development of the New NGOs Policy

Date: 11 April 2018
Venue: Kisenga LAPF Building-Kijitonyama

NGOs Policy Review

Thrdc Recommendations Collection Tool

Following the current process of developing a new NGOs Policy in Tanzania, the THRDC is currently collecting recommendations from its 150 members and affiliated NGOs. All recommendations will be sent to the Consultants who have been hired by the Coalition. The Consultants will prepare a draft model NGOs Policy basing on the collected recommendations to be submitted to the Registrar of NGOs through already agreed modality under NACONGO coordination.

THRDC encourages an open and inclusive approach. This may trigger policy issues and policy gaps that may come after thorough consultation with wider group of NGOs in Tanzania. At this stage THRDC hired two policy development experts (Dr A. Kessy and Prof Beatus Kundi) from University of Dar es Salaam for review of the policy and the development of policy recommendations from THRDC members and affiliated NGOs. The policy issues log should record issues that emerged during the implementation and the use of the current NGOs Policy and NGOs Law. The hired policy experts will guide the review and the development of the CSOs policy recommendations. The need for a new policy, or policy review could be identified at any level. However, the overall context in which a policy might be developed and reviewed should be done in consultation with the relevant NGOs and partners who will be affected by the policy. We therefore kindly ask you to share your recommendations with the experts through this collection tool.

You are kindly requested to fill this questionnaire and send it back to the THRDC before 18th April 2018. All recommendations should be sent through email: thrddefenders@gmail.com. Thank you for agreeing to take part in this important process for the future of the NGOs sector in Tanzania.

Please fill the information requested below:

1. Do you support the idea of having an NGOs Policy Review? Why or why not?

2. How does the current NGOs policy affect the operations of NGOs in Tanzania?

3. How do you assess the efficacy of the NGOs policy in regulating and controlling NGOs?

4. Are the NGOs issues well addressed and what additional policy issues need to be added?

5. How do you assess the Institutional Framework of the current NGOs Policy in Tanzania?

6. To what extent have the NGOs’ Policy key objectives been achieved and what are the facilitating/constraining factors?

NGOs Policy (2001) Objectives	Facilitating/constraining factors
(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 of 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.	

NGOs Policy (2001) Objectives	Facilitating/constraining factors
(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 resource and also share experiences or research findings.	

7. Are these policy objectives adequate in terms of addressing the Civil Society Sector in Tanzania? What needs to be added or removed?

8. The mushrooming of the NGOs in Tanzania and the changing political, economic and social contexts seems to pose some challenges on the current NGOs policy. What are your views on this?

9. How do you assess the extent to which the government is pushing for enabling constitutional, legal and policy environment of NGOs?

10. In general, what are the main strengths and weaknesses of the current NGOs policy?

11. What are key recommendations do you suggest to improve the NGOs policy?

12. How do you assess the government's attitude towards NGOs?

13. Does the current NGOs policy in Tanzania cover the whole spectrum of political, economic and social contexts? If Yes or No, please explain.

What are the main NGOs problems that require policy and legal protection in Tanzania ?

14. Do you see any problem with the current multiple registration system and regulatory framework of CSOs in Tanzania?

15. How do you want the regulatory framework of NGOs in Tanzania to be in the next policy?

16. Propose how the next NGOs policy can be used to address security challenges facing NGOs in Tanzania and their shrinking space.

17. Do you know the tools used by the government to enforce the policy? If yes Mention

18. Can you suggest a vision and mission statement for the revised NGOs Policy in Tanzania?

20. How do you suggest the operations of International NGOs to be regulated in Tanzania?

NAME:.....

ORGANIZATION.....

REGION/DISTRICT.....

CONTACT.....

SERA YA MFANO YA MASHIRIKA YASIYO YA KISERIKALI TANZANIA

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Mashirika yasiyo ya Kiserikali ya Haki za Binadamu Tanzania

Nakala hii ya mapendekezo ya Sera ya mashirika yasiyo ya kiserikali imeandaliwa na Wanachama wa Mtandao wa watetezi wa Haki za Binadamu Tanzania na mashirika mengine yenye ushirika.

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Dibaji

Mashirika yasiyo ya kiserikali Tanzania kwa muda mrefu yamekuwa yakiongozwa na sera ya mashirika yasiyo ya kiserikali ya mwaka 2001 ambayo kwasasa inaonekana imepitwa na wakati kulingana na mabadiliko yanayotokea hapa nchini. Ifahamike kuwa, Serikali kupitia Wizara ya Maendeleo ya Jamii, Jinsia na Watoto ilitangaza utayari wake wa kuanza mchakato wa mapitio ya sera kwa njia ya kushirikisha wadau wa mashirika binafsi. Mtandao wa watetezi wa Haki za Binadamu Tanzania ndilo shirika lililoshiriki kukusanya mapendekezo kutoka kwa wanachama wake na mashirika mengine yenye ushirika hadi kupatikana kwa nakala hii ya mapendekezo ya sera.

Nakala hii ya mapendekezo ya sera inajumuisha tamko la sera na mapendekezo mbalimbali kutoka kwa mashirika yasiyo ya kiserikali nchi nzima. Inalenga kuhamasisha mbali na mambo mengine uhuru wa usajili na muunganiko wa mashirika yasiyo ya kiserikali Tanzania; uwepo wa mashirika mahiri Tanzania; utengenezaji wa mazingira wezeshi wa mashirika yasiyo ya kiserikali na Serikali kwa ujumla kufany kazi pamoja; kutoa wigo wa uwepo wa uhuru wa kiraia na kuandaa mazingira mepesi kwa mashirika yasiyo ya kiserikali kutimiza majukumu yao ipasavyo; na uwepo mzuri wa mifumo imara ya udhibiti wa mienendo binafsi ya kujiendesha ya mashirika.

Mapendekezo ya nakala hii yasingeweza kukamilika bila ushirikiano mkubwa kutoka katika asasi za kimaendeleo kama TWaweza na Kituo cha Kimataifa cha Msaada wa Kisheria (ICNL). Kwa niaba ya mashirika yasiyo ya kiserikali tunatoa shukrani zetu za dhati kwao kwa msaada na ushirikiano wao mkubwa waliotupa katika hatua mbalimbali za maandalizi ya nakala hii ya mapendekezo ya sera.

Shukrani zetu za dhati pia tunazipeleka kwa Baraza la Taifa la Mashirika yasiyo ya kiserikali (NACONGO) na ofisi ya msajili wa mashirika yasiyo ya kiserikali chini ya Wizara ya Maendeleo ya Jamii, Jinsia na Watoto kwa ushirikiano wa kitaalamu na kimuundo katika mchakato wa maandalizi ya nakala hii ya mapendekezo ya sera.

Mwisho, tungependa kupongeza kazi kubwa iliyofanywa na Mashirika yasiyo ya kiserikali nchini kote. Kwani bila ya wao, kazi hii isingeweza kukamilika kikamilifu kwani zimekuwa mstari wa mbele na imara kutoka hatua ya kuanzishwa, kukusanya mapendekezo hadi hatua za uthibitishaji. Jumla ya mashirika 209 yasiyo ya kiserikali ya haki za binadamu (tazama orodha ya mashirika hayo mwisho mwa sera hii) yaliyoshiriki kikamilifu katika mchakato wa kuendeleza Sera hii ya mfano.

Mratibu wa Taifa,

THRDC

Juni 2018

Utangulizi

Tambua kwamba haki ya uhuru wa kujieleza, kukusanyika na kushiriki shughuli za umma imetolewa katika ibara ya 19 na 20 ya Tangazo la Dunia kuhusu Haki za Binadamu na kwamba, kila mtu ana haki ya uhuru wa maoni, kujieleza, kukusanyika na kujumuika na wengine.

Ifahamike kwamba Tanzania imeridhia na kusaini mikataba mbalimbali ya kikanda na kimataifa ya Haki za Binadamu.

Ikumbukwe kuwa kifungu namba 19 na 22 cha Agano la Kimataifa la Haki za Kiraia na Kisiasa (ICCPR), Kifungu cha 8 cha Agano la Kimataifa juu ya Haki za Kijamii na Utamaduni (ICESCR), na masharti ya Mkataba wa kuondoa aina zote za Ubaguzi dhidi ya Wanawake (CEDAW), 1979 ambayo inalenga uhuru wa kujieleza na kujumuika.

Zingatia kwamba ibara ya 10 na 11 ya Mkataba wa Afrika na Miongozo juu ya uhuru wa kukusanyika na kujumuika imetoa uhuru wa watu kukusanyika na kujumuika.

Kazi ya serikali ya Jamhuri ya Muungano wa Tanzania kuelekea maendeleo na ustawi wa watu wake na kutambua umuhimu wa kuhakikisha haki za uhuru wa ushirika, mkusanyiko na uhuru wa kushiriki katika masuala ya umma kama ilivyoelezwa katika kifungu cha 18, 20 na 21 ya Katiba ya Jamhuri ya Muungano wa Tanzania 1977, na kuzingatia zaidi kwamba haki za uhuru wa ushirika na mkusanyiko zinaingiliana na haki zingine;

Kuhusu changamoto za ndani na nje zinazokabili mashirika yasiyo ya kiserikali nchini Tanzania, changamoto hizo zinazuia utekelezaji wa kazi za mashirika yasiyo ya kiserikali kikamilifu. Tunasisitiza Serikali itimize wajibu wake kwa kutoa ulinzi kamili na mazingira mazuri kwa wale wanaofanya kazi kwa maendeleo ya nchi yetu.

Kwa kuzingatia zaidi na ukweli kwamba mashirika yasiyo ya kiserikali yanachangia sana uchumi wa taifa na kwamba Serikali na mashirika yasiyo ya kiserikali ni washirika katika maendeleo;

Ufahamu wa haja ya kuweka njia sahihi za kuanzishwa na uendeshaji wa mashirika yasiyo ya kiserikali nchini Tanzania na kuchukua hatua zinazofaa ili kuhakikisha mashirika yasiyo ya kiserikali ili kuhakikisha uwepo wa mashirika imara na mahiri.

Hivyo basi, sisi mashiriki yasiyo ya kiserikali ya Haki za Binadamu (yaliyoorodheshwa) chini ya uratibu wa mwanvuli wa shirika la Mtandao wa watetezi wa Haki za Binadamu Tanzania (THRDC), wito wetu kwa Serikali ya Tanzania ni kupitisha kikamilifu Sera ya Mfano ya Mashirika yasiyo ya Kiserikali Tanzania iliyopendekezwa kama Sera ya Taifa ya mashirika yasiyo ya kiserikali

Vifupisho

AZAKi	– Asasi za Kiraia
CBOs	- Mashirika ya Kijamii
INGOs	- Mashirika ya Kimataifa yasiyo ya Kiseriakali
LHRC	- Kituo cha Sheria na Haki za Binadamu
MoEVT	- Wizara ya Elimu na Mafunzo ya Ufundi
MoHCDGEC	- Wizara ya Afya, Maendeleo ya Jamii, Jinsia, Wazee na Watoto
NACONGO	- Baraza la Taifa la Mashirika yasiyo ya kiserikali
NNGOs	– Mashirika yasiyo ya kiserikali ya Kitaifa
PO-RALG	– Ofisi ya Rais, tawala za Mikoa na Serikali za Mitaa
SOSPA	- Sheria Maalum ya Makosa ya kijinsia
TANGO	- Shirika la mashirika yasiyo ya kiserikali
TEN/MET	- Mtandao wa Elimu Tanzania
TGNP	- Mtandao wa Jinsia Tanzania
THRDC	– Mtandao wa Watetezi wa Haki za Binadamu Tanzania
TAWLA	– Chama cha Wanasheria Wanawake Tanzania
NGOs	- Mashirika yasiyo ya kiserikali
ICNL	- Kituo cha Kimataifa cha msaada wa Kisheria
IMF	- Shirika la Fedha la Kimataifa

Sura ya Kwanza

1.1 Utangulizi

Mashirika yasiyo ya kiserikali tangu kipindi cha ukoloni yamekuwa yakifanya jukumu kubwa katika maendeleo ya kijamii na kiuchumi nchini Tanzania. Jukumu hili limeongezeka katika kipindi cha baada ya uhuru, hasa kutoka miaka ya 1980--1990 (Oyugi, 2004). Tangu kupitishwa kwa mipango ya marekebisho ya miundo (Structural Adjustment Programmes) na serikali ya Tanzania katika miaka ya 1980 na mapema miaka ya 1990, jukumu la asasi za kiraia katika maendeleo na utoaji wa huduma imeongezeka kwa kasi, na kuhamasisha ukuaji mkubwa katika sekta isiyo ya serikali (REPOA, 2007). Maarifa yaliyotokana na masomo haya yanasema kuwa sekta ya mashirika yasiyo ya kiserikali ni mshirika muhimu katika mchakato wa maendeleo pamoja na mlinzi na mtetezi wa haki za binadamu, demokrasia, usawa na haki ya kijamii. Mtazamo huu pia unaungwa mkono na Lange et al (2000), ambao wanasema kuwa wanasayansi wa jamii huwa wanaona jamii za kisasa zinazojumuisha sekta tatu: sekta ya serikali, sekta binafsi na sekta ya kiraia. Katika suala hili, sekta ya kiraia ni kipengele muhimu katika uwanja wa utawala.

1.2 Maelezo ya Sekta ya mashirika yasiyo ya kiserikali Tanzania

Katika mazingira ya Tanzania, maendeleo ya kihistoria ya mashirika yasiyo ya kiserikali (NGOs) au asasi za kiraia zinaonyesha mabadiliko ya kijamii, kiuchumi na kisiasa mazingira ambayo yamefanyika tangu kipindi cha ukoloni hadi siku ya sasa. Hata hivyo, ni muhimu kukumbuka kuwa wakati wa ukoloni, kuibuka na kuundwa kwa mashirika ya kiraia / mashirika yasiyo ya kiserikali kulichochea zaidi na jaribio la wakuu wa kikoloni kutaka kufanya mabadiliko makubwa ya kiuchumi katika makoloni yao wakati wakiendelea na udhibiti wa maswala ya kijamii na kisiasa katika makoloni (Kiondo, et al 1999).

Baada ya uhuru, udhibiti wa AZAKi / NGOs uliendelea, na wakati nchi ilipopitisha mfumo wa chama kimoja, asasi za kiraia zilizokuwa huru za wakulima na wafanyakazi (Vyama vya Ushirika) zilibadilishwa taratibu na kuwa katika mkono na udhibiti wa Serikal na zilihusishwa na kuunganishwa na chama Tawala (TANU), Uwepo wa asasi huru za kiraia ulidhibitiwa; ni asasi 7 tu zilizoundwa kati ya mwaka 1961 na 1970 na ongezeko lilizidi kufikia asasi 18 kuelekea mwisho wa mwaka 1980.

Kutoka katikati ya miaka ya 1980 ilikuwa dhahiri kwamba jukumu la serikali kama mdhibiti, mtoa huduma na mtawala wa shughuli zote za kiuchumi na kijamii lilibadilika kutokana na mabadiliko ya utandawazi. Hii ilidhihirika zaidi wakati serikali ya Tanzania iliposaini makubaliano na Benki ya Dunia na Shirika la Fedha la Kimataifa (IMF) kupitisha mipango ya marekebisho ya miundo (Structural Adjustment Program), ambayo mashariti yake yalihitaji Serikali kupunguza utoaji wa huduma za kijamii.

Ni mashariti ya mashirika haya ndio yaliyopelekea kukua kwa asasi za kiraia na mashirika yasiyo ya kiserikali na utoaji wa huduma za kijamii na ongezeko la usajili wa mashirika yasiyo ya kiserikali kuongezeka.

Mashirika yasiyo ya kiserikali yailifanya kazi zaidi katika miaka ya 1990 na kujaza mapungufu katika maeneo ya demokrasia, utawala wa sheria, utoaji wa huduma, haki za binadamu na uwajibikaji wa jamii. Kwa kuwa watu walitambua utayari wa wafadhili kutoa msaada wa moja kwa moja kwa mashirika yasiyo ya kiserikali na mashirika ya jamii (CBOs), idadi ya mashirika yaliongezeka. Hivyo miaka kumi ya mwanzo kabla ya ubepari (1971 - 80) ilishuhudiwa uundwaji wa mashirika yasiyo ya kiserikali 18, miaka kumi ya mwanzo ya ubepari jitihada (1980 - 90) ilishuhudiwa uundwaji wa asasi mpya za kiraia 41. Mnamo mwaka 1992 kulikuwa na Vikundi 100 vya Maendeleo vya Wilaya na mashirika ya kiraia ambayo mwaka wa 1999 yalikuwa karibu 9000. Aina za mashirika yasiyo ya kiserikali yaliyotokea katika miaka ya 1990 ni pamoja na mashirika ya utoaji wa huduma za kijamii, mashirika ya utetezi na yale mashirika yanayohusika na uangalizi na haki za binadamu.

Kutokana na maendeleo ya haraka ya kukua kwa sekta za mashirika yasiyo ya kiserikali katika miaka ya 1990, changamoto mbalimbali zilijitokeza ikiwemo ukosefu wa taarifa juu ya nani anayepaswa kusajili, uhaba wa taarifa juu ya nini maana ya mashirika yasiyo ya kiserikali na kwa kiwango fulani palikuwa na ugumu wa kufanya usajili na kuna taasisi zilizosajiliwa kwa mujibu wa sheria lakini zinafanya kazi kama mashirika yasiyo ya kiserikali. Hapakuwa na uratibu wa kujitegemea wa mashirika yasiyo ya kiserikali.

1.3 Umuhimu wa kupitia upya sera ya mashirika yasiyo ya kiserikali

Mnamo Januari 2018 Msajili wa mashirika yasiyo ya kiserikali alitangaza mwanzo wa mchakato wa kuendeleza Sera mpya ya mashirika yasiyo ya kiserikali. Hii inafuata mabadiliko kadhaa ya kiuchumi na kijamii ambayo yamefanyika miaka 17 iliyopita tangu kupitishwa kwa Sera ya sasa ya mashirika yasiyo ya kiserikali ya mwaka 2001. Kufuatilia mchakato huu wa kuanzisha Sera mpya ya mashirika yasiyo ya kiserikali nchini Tanzania,

Umoja wa Watetezi wa Haki za Binadamu Tanzania (THRDC) umekusanya mapendekezo kutoka kwa wajumbe wake 150 na mashirika mengine ya kiraia 50. Mapendekezo yote yalichambuliwa na washauri wa sera ambao walijajiriwa kwa muda na THRDC kutoka Chuo Kikuu cha Dar es Salaam. Kwa hiyo, Washauri kwa kushirikiana na wataalam wa sera wa Mtandao wa watetezi wa Haki za Binadamu (THRDC) wameandaa rasimu hii ya sera ya mashirika yasiyo ya kiserikali kulingana na mapendekezo yaliyokusanywa yatawasilishwa kwa Msajili wa mashirika yasiyo ya kiserikali.

THRDC ilihimiza njia ya wazi na jumuisi. Hii imesababisha utambulisho wa masuala ya sera na mapungufu ya sera ambayo yalitokea baada ya mashauriano ya pamoja na mashirika yasiyo ya kiserikali nchini Tanzania. Masuala ya sera yametokana na uzoefu wa utekelezaji na matumizi ya Sera ya sasa ya mashirika yasiyo ya kiserikali na sheria ya mashirika yasiyo ya kiserikali. Wataalam wa sera walioajiriwa waliongoza uchambuzi, uhakiki na mapendekezo ya sera za AZAKi.

Uhitaji wa sera mpya au mapitio ya sera inaweza kutambuliwa kwa ngazi yoyote. Hata hivyo, muktadha wa jumla ambao sera inaweza kupitiwa inapaswa kufanyika kwa kushauriana na mashirika yasiyo ya kiserikali husika na washirika ambao wataathirika na sera. Sasa, imekuwa zaidi ya miaka 17 tangu sera ya kwanza ya mashirika yasiyo ya kiserikali ilianzishwa mwaka 2001.

Mahitaji na changamoto zinazokabili sekta ya mashirika yasiyo ya kiserikali hubadilika kwa muda kulingana na mabadiliko ya kiuchumi, kisiasa, teknolojia na kijamii. Sera ya mashirika yasiyo ya kiserikali ya 2001 ilianzishwa ili kushughulikia changamoto za mashirika yasiyo ya kiserikali, ambayo inaweza isiendane na mabadiliko ya maendeleo ya kijamii na kiuchumi nchini kwa kipindi hiki. Sehemu zifuatazo zinatoa sababu za uhitaji wa mapitio ya sera;-

Kwanini mapitio ya Sera ya sasa ya mashirika yasiyo ya kiserikali?

Kwa muda mrefu sasa tumekuwa na majadiliano juu ya kama malengo ya sera za mashirika yasiyo ya kiserikali yanatekelezeka kwa vitendo. Hii ni kwa sababu, wakati baadhi ya viongozi wa serikali wamepinga hadharani kwamba sera ya sasa imefanya kazi, wengine, hususani wale nje ya serikali, ikiwa ni pamoja na mashirika yasiyo ya kiserikali, wamefikiria vinginevyo. Kwa hiyo, ukosefu wa makubaliano hupelekea maswali fulani muhimu. Kwanza, ni kwa namnagani malengo ya sera za mashirika yasiyo ya kiserikali yanatekelezeka? Pili, kuna njia yoyote ambayo taratibu za uundaji na utekelezaji wa sera zinaweza kuboreshwa ili kuhakikisha ufanisi wa malengo yaliyotajwa kama yametekelezeka ipasavyo au la? Ni changamoto hizi ndizo zilizopelekea kuanzishwa kwa sera ya mashirika yasiyo ya kiserikali ya mwaka 2001. Sera hiyo haikukusudia tu kutatua matatizo ya haraka ya mashirika yasiyo ya kiserikali lakini ilikusudia katika kukuza na kuendeleza uwepo wa mashirika yasiyo ya kiserikali Tanzania. Kisha Sera ya mashirika yasiyo ya kiserikali ilianzishwa mwaka 2001 ikifuatiwa na sheria yake ya mwaka 2002. Sera ya mashirika yasiyo ya kiserikali ya mwaka 2001 na Sheria ya Mashirika yasiyo ya kiserikali ya Tanzania ya mwaka 2002 ilianzishwa ili kuimarisha mfumo imara wa kisheria unaoruhusu mashirika haya kufanya kazi kwa uhuru na ufanisi zaidi. Hata hivyo, kwa mujibu wa ripoti ya mapitio ya sera ya mwaka 2001 na sheria yake vifungu vingi vinamapungufu na vinahitaji mapitio zaidi.

Kwa kuongeza, ripoti ya mapitio ya sera ya THRDC inaonyesha kuwa utekelezaji wa sera ya mashirika yasiyo ya kiserikali ya mwaka 2001 imeshindwa kufikia matokeo yaliyohitajika. Sera ya sasa haina maono au dira, pia haina mikakati ya utekelezaji imara, na hivyo kupelekea utegemezi wa sheria ya mashirika yasiyo ya kiserikali katika kutimiza malengo ya sera yake.

Hitimisho kuu kutoka kwa maoni yaliyotolewa na wadau wakati wa mapitio ya sera ya 2001, juu ya utekelezaji wa malengo ya sera ni kwamba malengo yote nane ya sera yana changamoto na matatizo katika utekelezaji wake hiyo kupelekea utekelezaji mbovu. Wadau wengi hawaridhishwi na nia dhubuti ya malengo ya sera hadi namna ya utekelezaji wake.

Katika mstari huo huo, sekta ya mashirika yasiyo ya kiserikali ina changamoto nyingi ambazo sera ya sasa imeshindwa kushughulikia. Baadhi ya changamoto hizi ni pamoja na;

- (i) Changamoto katika mfumo wa sasa wa kisheria na wa usajili na uendeshaji wa mashirika yasiyo ya kiserikali;
- (ii) Ukosefu wa ufafanuzi sahihi wa shughuli za mashirika yasiyo ya kiserikali.
- (iii) Ukosefu wa programu za wazi na vizuri iliyoundwa kwa ajili ya maendeleo ya sekta ya mashirika yasiyo ya kiserikali nchini Tanzania
- (iv) Hakuna njia iliyopangwa vizuri ambayo inasaidia nyaraka za misaada ya mashirika yasiyo ya kiserikali kwa maendeleo ya kitaifa
- (v) Sehemu kubwa ya sekta ya mashirika yasiyo ya kiserikali ni utegemezi wa wafadhili hivyo kusababisha suala la ustawi kuwa changamoto.

- (vi) Mfumo dhaifu wenye kutegemea sheria tu bila sera yake.
- (vii) Hakuna mikakati ya maendeleo ya mashirika yasiyo ya kiserikali na ushirikiano wa serikali
- (viii) Mikakati ya utekelezaji wa sera haikuwekwa

Kwa mujibu wa changamoto zilizo juu, sera ya mashirika yasiyo ya kiserikali ya 2001 pia inakubali haja ya kupitiwa kwa sera mara kwa mara. Kwa mfano, sera inasema kuwa:

Hati hii ya sera inaweza kupitiwa mara kwa mara kwa lengo la kuifanya upya ili kuendana na mabadiliko ya haraka ya kijamii, kisiasa na kiuchumi ya Tanzania. Urekebishaji, wakati wowote unaonekana kuwa muhimu, utafanywa kupitia mchakato shirikishi na kidemokrasia.

Mabadiliko ya kijamii, kisiasa na kiuchumi yaliyotajwa hapo juu na Sera yamebadilika sana tangu mwaka 2001 na kuna haja kubwa ya mapitio ya sera.

1.4 Ufafanuzi wa mashirika yasiyo ya kiserikali

Hakuna ufafanuzi wa jumla wa mashirika yasiyo ya kiserikali, na neno hilo linabeba maana tofauti katika mazingira tofauti. Hata hivyo, kuna baadhi ya sifa za msingi.

- Shirika lisilo la kiserikali linapaswa kujitegemea nje ya udhibiti wa serikali
- Shirika lisilo la kiserikali halipaswi kujihusisha na chama cha siasa; na
- Shirika lisilo la kiserikali halipaswi kutenda majukumu yake kwa manufaa binafsi, na halipaswi kuwa kikundi cha uhalifu na pia halitakiwa kuwa kikundi cha kuhatarisha amani.

Sera ya sasa ya mashirika yasiyo ya kiserikali ya mwaka 2001 imejaribu kufafanua tafsiri ya shirika lisilo la kiserikali na maana ila imeshindwa kushughulikia matatizo mengine ya uratibu wa mashirika yasiyo ya kiserikali. Kwa hiyo, tafsiri ifuatayo ya mashirika yasiyo ya kiserikali inapendekezwa:

“Shirika lisilo la kiserikali ni kikundi chochote kilichopo kisheria au kisicho rasmi, kikundi cha watu binafsi au kikundi cha taasisi binafsi, kinachofanya kazi kwa hiari, chenye uhuru na bila kuingiliwa na Serikali kilichoundwa na raia sio kwa maslahi binafsi kilichoratibiwa kuanzia ngazi ya chini, kitaifa, kikanda au kimataifa kwa lengo la kutoa huduma mbalimbali za kijamii, kitamaduni, kisiasa au kuhudumu maswala ya utetezi wa maslahi ya umma, Haki za Binadamu, maendeleo, maslahi ya jamii, ushiriki wa wananchi au maslahi ya kikundi cha watu au cha taasisi mbalimbali”

1.5 Wajibu wa mashirika yasiyo ya kiserikali

Mashirika yasiyo ya kiserikali yameonekana kama washirika muhimu katika ajenda ya maendeleo, hasa katika utoaji wa huduma za kijamii; ulinzi wa haki za binadamu, demokrasia, haki ya kijamii na uwajibikaji wa jamii. Tangu uiliberali kuanza Tanzania miaka ya 1990, mashirika yasiyo ya kiserikali yalikuwa yameshamiri nchi nzima. Kwa mfano, kuna mashirika yasiyo ya kiserikali 10,000 hivi mwaka wa 2018. Aidha, wakati Sera ya mashirika yasiyo ya kiserikali inaonyesha kutambuliwa kwa serikali kwa mashirika yasiyo ya kiserikali nchini Tanzania kama washirika muhimu katika maendeleo, Sheria ya mashirika yasiyo ya kiserikali ya 2002 haionekani kuunda mazingira mazuri ambayo mashirika haya yanaweza kufanya kazi. Hii imekuwa moja ya sababu kubwa ambazo mashirika yasiyo ya kiserikali nchini Tanzania yameelezea wito wao wa mapitio ya sera ya mashirika yasiyo ya kiserikali ya 2001 kwa sababu ya mapungufu yake hupelekea Serikali kuwa na udhibiti mkubwa kwa mashirika yasiyo ya kiserikali.

Mashirika yasiyo ya kiserikali yana wajibu muhimu katika uwanja wa utawala. Ni mashirika muhimu kwa maendeleo ya kijamii na kiuchumi. Gemmill na Bamidele-Izu wametoa ufafanuzi wa majukumu ya msingi ya mashirika yasiyo ya kiserikali kama ifuatavyo:-

- Ushauri na uchambuzi wa Kitaalamu. Mashirika yasiyo ya kiserikali (NGOs) yanaweza kuwezesha majadiliano kwa kuwapa wanasiasa na watendaji wengine uwezo wa kupata maoni mazuri kutoka nje ya mifumo ya kawaida ya ukiritimba;
- Ushindani wa kitaaluma kwa serikali. Mashirika yasiyo ya kiserikali mara nyingi wana ujuzi wa uchanganuzi na ujuzi wa kiufundi na uwezo wa kujibu kwa haraka zaidi juu ya masuala muhimu ya wasiwasi wa umma;
- Uhamasishaji wa maoni ya umma. Mashirika yasiyo ya kiserikali (NGOs) yanaweza kuwashawishi watu kupitia kampeni na ufikiaji mkubwa;
- Uwakilishi wa wasiosikika. Mashirika yasiyo ya kiserikali yanaweza kusaidia kuimarisha maslahi ya watu wasiowakilishwa kikamilifu katika uundaji wa sera;
- Utoaji wa huduma. Mashirika yasiyo ya kiserikali (NGOs) yanaweza kutoa ujuzi wa kiufundi juu ya mada maalum kama itakavyohitajika na viongozi wa serikali na pia kushiriki moja kwa moja katika shughuli za uendeshaji;
- Ufuatiliaji na utathmini. Mashirika yasiyo ya kiserikali (NGOs) yanaweza kusaidia kuimarisha mikataba ya kimataifa na ahadi za kitaifa kwa kufuatilia juhudi za mazungumzo na utekelezwaji wa serikali;
- Uhalalishaji wa taratibu za uamuzi wa kimataifa. Mashirika yasiyo ya kiserikali (NGOs) yanaweza kupanua wigo msingi wa habari kwa uamuzi, kuboresha ubora, mamlaka, na uhalali wa uchaguzi wa sera ya mashirika ya kimataifa.
- Kukuza nakulinda Haki za Binadamu. Mashirika yasiyo ya kiserikali yanalenga kukuza na kulinda haki za binadamu dhidi ya ukiukwaji wa dola (Ukiukwaji wa wima) na ukiukwaji wa mashirika yasiyo ya serikali (ukiukwaji wa usawa).

Kwa miongo miwili iliyopita Mashirika yasiyo ya kiserikali (NGOs) nchini Tanzania yamekuwa yakifanya kazi mbalimbali ambazo zinaweza kutambuliwa kwa umuhimu kama ifuatavyo:

- a) Majukumu ya kimaendeleo
- b) Kuimarisha utoaji wa Huduma za Jamii
- c) Miradi ya ubunifu na uwezesaji wa vijana
- d) Uwezesaji wa jamii
- e) Kutetea ushiriki wa wananchi na demokrasia shirikishi,
- f) Utoaji wa elimu ya kiraia na ufuatiliaji wa uchaguzi
- g) Kuwezesha mawasiliano mazuri kati ya umma na serikali
- h) Utafiti na Machapisho juu ya masuala mbalimbali ya maslahi ya umma
- i) Utetezi wa sera na ushiriki wa maslahi ya maskini na umma
- j) Msaada wa kiufundi na mafunzo kwaidara mbalimbali za serikali
- k) Kukuza na kulinda wa haki za binadamu
- l) Ufuatiliaji na utathmini wa mipango na mradi mbalimbali ya serikali
- m) Kutetea marekebisho ya kisheria na heshima ya utawala wa sheria

1.6 Mchango wa sekta ya Mashirika yasiyo ya kiserikali kwa maendeleo ya Taifa

Ripoti kadhaa za Sera ya Utafiti wa Maendeleo (REPOA), Chama cha Mashirika yasiyo ya Kiserikali Tanzania (TANGO), Foundation for Civil Society (FCS) na mashirika mengine yasiyo ya kiserikali zinaonyesha kwamba, sekta ya Mashirikayasiyo ya kiserikali (NGOs) ilipata arizaidin tangu mwaka 1990. Kwa mfano, utafiti wa ramani (Kilemile, 2005) na uchambuzi wa hali ya mazingira ya AZAKi (Kilemile, 2006) zinaonyesha kwamba AZAKi zinafanya kazi katika sekta tofauti za maendeleo na sekta za kijamii na maeneo maalumu ikiwa ni pamoja na: “VVU / UKIMWI; Kuzijengea uwezo AZAKi na uratibu (mitandao); utawala bora na demokrasia; maendeleo ya kiuchumi na ya kijamii; kupunguza umasikini; haki za binadamu na madai; maendeleo ya vijijini; elimu; maendeleo ya wanawake; vyombo vya habari; sayansi na teknolojia; jinsia na usawa; maendeleo ya vijana; ustawi wa kijamii na afya “. Kwa hiyo, elimu ni moja tu ya sekta hizo ambazo AZAKi zinahusika katika taifa.

Kwa mujibu wa Wizara ya Afya, Maendeleo ya Jumuiya, Jinsia, Wazee na Watoto (MoHCDGEC), mashirika yasiyo ya kiserikali ni miongoni mwa washirika muhimu wa Maendeleo nchini Tanzania.¹¹ Ripoti ya Wizara juu yamchango wa mashirika yasiyo ya kiserikali (NGOs) katika maendeleo inaonyesha kuwa, mashirika yasiyo ya kiserikali (NGOs) yamechangia sana Sekta kama vile afya, elimu, maji, utawala bora, kilimo, mazingira, jinsia, ulinzi wa jamii na mataifa mbalimbali.¹² Eneo la mashirika yasiyo ya kiserikali limetajwa kuwa kati ya waajiri watatu wakubwa baada ya Sekta binafsi na Serikali. Sekta yamashirika yasiyo ya kiserikali (NGOs) ni mwajiri mkubwa wa wahitimu na vijana hasa katika maeneo ya mijini. Ikiwa mashirika yasiyo ya kiserikali na AZAKi kwa ujumla hayataungwa mkono kikamilifu, mchango wao mkubwa wa kijamii na kiuchumi nchini hauwezi kufikiwa.

1.6.1 Mchango wa Mashirika yasiyo ya kiserikali katika Sekta ya Elimu

Mashirika yasiyo ya kiserikali (NGOs) yamekuwa na umuhimu mkubwa katika maendeleo ya sekta ya elimu nchini Tanzania. Majukumu haya yanaweza kugawanywa katika maeneo makuu matatu. Maeneo haya ni pamoja na; utoaji wa huduma za elimu ambapo utoaji wa serikali haupatikani au hauoshelezi (Utoaji wa Huduma), Kubuni na kutumika kama vyanzo vya kufikiri na kutekeleza (ubunifu), na tatu, wakosoaji wa habari na wasemaji juu ya masuala yote ya maendeleo (utetezi). Kwa mfano, mashirika yasiyo ya kiserikali katika sekta ya elimu yamekuwa yakifanya shughuli nyingi katika sekta ya elimu kuanzia ujenzi wa vituo vya shule, utoaji wa ada za shule, utetezi na ulinzi wa haki za elimu.

Kulingana na Mtandao wa Elimu Tanzania (Ten-Met), viongozi kutoka Wizara ya Elimu na Mafunzo ya Ufundi (MoEVT) walieleza kuwa kuna mashirika zaidi ya 557 yanayofanya kazi ya kuboresha elimu nchini Tanzania mwaka 2005 (Majjid, 2006). Kwa mfano, Mtandao wa Elimu Tanzania (TEN/MET), shirika la mwavuli wa uanachama, lilianza na wanachama 39 mwaka 1999. Wanachama wake wameongezeka kila mwaka. Hadi mwezi Juni 2009, ilikuwa na mashirika 260 yaliyoorodheshwa kwenye orodha yake, lakini 147 tu walikuwa wanachama wa kupigia kura (TEN / MET, 2009), yaani, walilipa ada zao za usajili na ada za kila mwaka.¹³ Shirika la HakiElimu limefanya kazi muhimu juu ya masuala ya ushawishi wa sera na uwajibikaji wa jamii katika sekta ya elimu. Mashirika mengine yamesaidia watoto kutoka familia masikini kuhudhuria shule na vyo vikiuu.

1.6.2 Mashirika mengine yasiyo ya kiserikali (NGOs) na Maendeleo ya Watu wenye ulemavu

Maisha ya Watu wenye ulemavu (PWDs) yameboreshwa sana kutokana na mchango wa mashirika yasiyo ya kiserikali nchini Tanzania, hususan Mashirika yanayofanyia kazi haki za watu wenye ulemavu. Mashirika mbalimbali kama vile Shirikisho la Vyama vya Watu wenye Ulemavu Tanzania (SHIVYAWATA), limekuwa linalitetea ushiriki kamili wa watu wote wenye ulemavu katika maisha ya kawaida, hasa wale walio katika maeneo ya vijijini ambao huunda idadi kubwa ya watu wenye ulemavu nchini. Pia Mashirika kama Under The Same Sun (UTSS) limekuwa na mchango mkubwa katika ulinzi wa Watu wenye Ualbum (PWA) nchini. Hii ni pamoja na kuhamishwa kwa wale walio katika hatari ya kuuawa, utoaji wa mafuta maalumu ya kujikinga jua, miwani ya jua n.k. Mashirika hayana mengine mengi yasiyo ya kiserikali na yamekuwa na jukumukubwa kwa maendeleo ya Watu wenye Ulemavu (PWDs) kupitia utoaji wa huduma na utetezi.

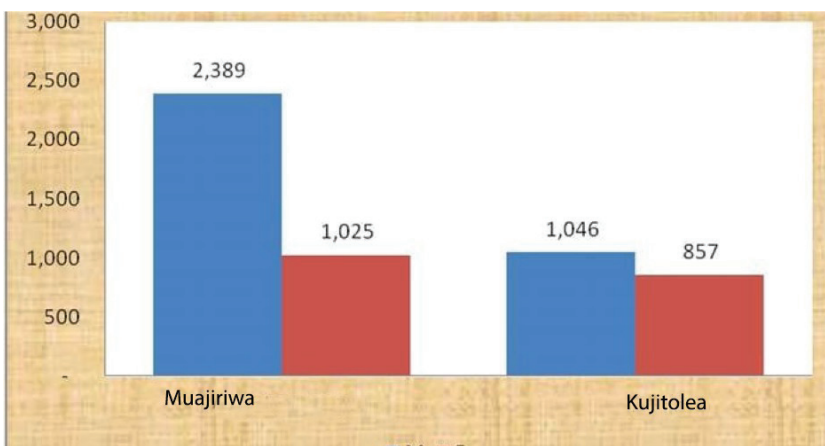
1.6.3 Wajibu wa Mashirikayasiyo ya kiserikali kwa Maendeleo ya Wanawake na Watoto

Mchango wa mashirika yasiyo ya kiserikali katika kuboresha maisha ya wanawake na watoto hauwezi kupuuzwa. Mashirika mengine yamekuwa na jukumu muhimu katika jamii kwa kufanya mipango ya uwezesaji wa wanawake, Malezi ya watoto na kupambana na umasikini. Pia yamekuwa yakifanya mipango ya ufahamu kuhusu haki za wanawake kupitia vikao na mipango ya elimu. Mashirika yasiyo ya kiserikali kama vile TGNP, TAMWA, TAWLA, WILDAF, WLAC, WoteSawa, Jukwaa la Haki za Watoto, PWC, ZAFELA na mengine mengi yamekuwa yakifanya shughuli nyingi katika ulinzi wa wanawake na watoto, na pia kuwahusisha watunga sera na sheria na kuwekasharia bora na sera za ulinzi wa wanawake na watoto.

1.6.4 Ajira na Mapato

Mashirikayasiyo ya kiserikali (NGOs) yanayofanya kazi Tanzania hutoa mapato, heshima ya kibinadamu na usalama wa kiuchumi nchini Tanzania. Kwa mfano, kwa mujibu wa Mtandao wa Watetezi Wa Haki za Binadamu (THRDC) na Baraza la Taifa la Mashirika yasiyo ya Kiserikali (NaCoNGO), ripoti ya ukaguzi wa mashirika yasiyo ya kiserikali (NGOs) inaonyesha kuwa, takribani Mashirika 4000 yalihakikiwa na kuonekana kuwa yanafanya kazi. Mashirika haya yote yameajiri wafanyakazi walau wawili hadi kumi na watu wakujitolea. Kwa kuchukua wastani wa wafanyakazi 10 kwa mashirika yote 4000 yasiyo ya kiserikali, idadi ya watu walioajiriwa katika sekta ya hii inakuwa 40,000. Hii ni idadi ya makadirio tu lakini namba halisi ya watu walioajiriwa katika sekta ya mashirika yasiyo ya kiserikali / AZAKI inahitaji utafiti kamili.

Kwa mujibu wa ripoti ya maendeleo ya binadamu ya Shirika la Maendeleo la Umoja wa Mataifa (UNDP) ya mwaka 2015, kazi / ajira zinazotolewa sio tu hutengeneza kipato na kusaidia heshima ya binadamu lakini pia huchangia katika ushiriki na usalama wa kiuchumi. Kwa mujibu wa Wizara, mashirika yasiyo ya kiserikali nchini Tanzania, kwa mwaka 2015 yalishiriki vizuri katika utoaji wa mapato, heshima ya kibinadamu na usalama wa kiuchumimiongoni mwa Watanzania. Uchunguzi wa ripoti ya misaada ya Mashirika yasiyo ya Kiserikali (NGOs) chini ya Wizara inaonyesha kwamba, zaidi ya watu 5,317 (wa ndani na nje) walijiriwa na kujitolea katika sekta hiyo mwaka 2015. Ni lazima ikumbukwe kwamba takwimu hizi zimepatikana kutoka Mashirika 300 tu ambayo yaliwasilisha taarifa zao kwa Wizara mwaka 2015 kama ilivyoonyeshwa katika mchoro hapa chini.



Chanzo: Ripoti ya Wizara ya Afya, Maendeleo ya Jamii, Jinsia, Wazee na Watoto (MoHCDGEC) ya 2015 juu ya Mchango wa Mashirika yasiyo ya kiserikali (NGOs).

Kwa mujibu wa ushirikiano wa umma na binafsi (PPP), ushirikiano kati ya Serikali na watendaji wengine kama Mashirika yasiyo ya kiserikali (NGOs) ni kiungo muhimu cha ukuaji wa uchumi wa Tanzania. Mashirika yasiyo ya kiserikali (NGOs) ni muhimu sana katika kuimarisha majukumu ya serikali katika kuleta maendeleo ya kiuchumi na ustawi kwa jamii zote vijijini na mijini. Mashirika yasiyo ya kiserikali (NGOs) pia ni washiriki katika kutekeleza mipango ya maendeleo ya serikali kama vile Malengo ya Maendeleo Endelevu (SDGs) na Dira ya Taifa ya Maendeleo 2025.

1.6.5 Elimu ya Haki za Binadamu na Ulinzi wa Haki za Binadamu

Kwa upande mwingine, Mashirika mengine yasiyo ya kiserikali (NGOs) yanayohusika na haki za binadamu na haki za kijinsia yamefanikiwa pia kubadili hali ya haki za binadamu na masuala ya kijinsia nchini Tanzania tangu mwaka 1990 hadi sasa. Mageuzi makubwa kama vile marekebisho ya sheria za adhabu na Utekelezaji wa Sheria Maalum ya Makosa ya kijinsia (SOSPA) ilitetewa hasa

na mashirika ya Haki za Wanawake kama vile Kitengo cha Mtandao wa Wanawake wa Tanzania (TGNP), Chama cha Wanasheria wa Wanawake wa Tanzania (TAWLA) na Kituo cha Sheria na Haki za Binadamu (LHRC) n.k.

Mashirika yasiyo ya kiserikali (NGOs) pia ni muhimu sana katika kusaidia mipango ya jamii kwa njia ya uhamasishaji, uwezesaji na mipango ya kujenga uwezo katika ngazi zote za Tanzania. Kwa mfano, Mashirika yasiyo ya kiserikali (NGOs) ya haki za binadamu yamechangia sana katika kujenga mtaji wa jamii nchini Tanzania na elimu ya haki za binadamu. Kwasasa, nchini Tanzania, wananchi wanaweza kusimama na kutetea haki zao kwa njia ya utaratibu wa kulalamika kwa haki za binadamu badala ya kutumia hatua za ukatili.

1.6.6 Mchango wa Mashirika yasiyo ya kiserikali katika sekta ya afya

Kulingana na Wizara ya Afya, Maendeleo ya Jamii, Jinsia, Wazee na Watoto (MoHCDGEC 2015), Mashirika yasiyo ya kiserikali (NGOs) yanaongoza katika kutoa huduma za afya nchini Tanzania. Katika mwaka 2015, Mashirika yasiyo ya kiserikali (NGOs) yaliendelea kusaidia sekta ya afya kwa njia ya utekelezaji wa mfululizo wa miradi ya afya kama ilivyoielezwa katika mjadala inayofuatia. Katika kuendana na jitihada za serikali juu ya upatikanaji wa huduma za afya kwa jamii ya kitanzania kama ilivyoielezwa katika Sera ya Afya ya Taifa, Mashirika yasiyo ya kiserikali (NGOs) yameendelea kujenga vituo vya afya ambavyo hutoa huduma za afya bure kwa baadhi ya wanachama wa jamii hasa watoto na wanawake walioathirika.

Kama njia za ziada za kuhakikisha huduma za afya zinapatikana kwa jamii kwa wakati, mashirika yasiyo ya kiserikali pia yalianzisha huduma za kliniki za afya za kuwazungukia ambazo ziliweza kufikia watu katika maeneo ya vijijini na kutoa huduma za bure za kiafya. Kwa mfano, kwa mujibu wa Wizara ya Afya, Maendeleo ya Jamii, Jinsia, Wazee na Watoto (MoHCDGEC 2015), Shirika litwalo Outreach Tanzania lilitembelea na kutoa kliniki ya afya ya bure katika vijiji vya Nkungi, Kinampundu, Ilunda, Lambi, Singa, Mdilika, Ipuli, Mwando, Mwangeza na Kipamba Mkoani Singida. Pia, Mashirika yasiyo ya kiserikali (NGOs) yaliwezesha maabara za afya za kisasa zaidi ya 85 na vifaa vipya kwa upande wa Tanzania Bara. Mashirika yasiyo ya kiserikali (NGOs) pia yanahusika sana katika huduma za afya za VVU / UKIMWI nchini kote. Kulingana na Wizara ya Afya, Maendeleo ya Jamii, Jinsia, Wazee na Watoto (MoHCDGEC 2015), mwaka 2015 Mashirika yasiyo ya kiserikali (NGOs) ziliweza kupima hali ya VVU ya watu zaidi ya 209,105 Tanzania Bara.

1.6.7 Mashirika yasiyo ya kiserikali na usalama wa Jamii

Kwa mujibu wa Sera ya Taifa ya Usalama wa Jamii, mashirika yasiyo ya kiserikali pia yalipewa jukumu la kupongeza juhudi za Serikali kuelekea msaada wa kijamii, mipango ya ziada na kuunda ufahamu wa umma juu ya ulinzi wa jamii. Kwa mfano, mwaka 2015 kulingana na ripoti ya Wizara ya mwaka 2015, mashirika yasiyo ya kiserikali yalitoa msaada wa kijamii kwa watoto zaidi ya 11,403 walio katika mazingira magumu kuhusu msaada wa elimu (ada ya shule na vifaa), chakula, makazi na muhimu zaidi, msaada wa kisaikolojia. Kwa upande wa upatikanaji wa uhakika wa afya kati ya Watoto walio kwenye mazingira magumu zaidi (MVCs), mashirika yasiyo ya kiserikali yaliwezesha usajili wa karibu watoto 42,316 ili kupata kadi za Mifuko ya Afya ya Jamii (CHF) bure.

Mashirika yasiyo ya kiserikali (NGOs) pia yalitoa huduma za ulinzi wa jamii kwa wanawake masikini na wajane kuhusu upatikanaji wa huduma za afya, ambapo takribani wanawake 12,543 na zaidi ya wanawake 945 wakaya mbalimbali walipewa mafunzo ya ujuzi wa ujasiriamali na kuungwa mkono kuanzisha shughuli za kuzalisha kipato. Kwa upande wa wazee, ripoti ya Wizara

ya Afya, Maendeleo ya Jamii, Jinsia, Wazee na Watoto ya mwaka 2015 inaonyesha kuwa, zaidi ya wastaafu 750 walifundishwa kukabiliana na maisha baada ya kustaafu. Zaidi ya hayo, takribani wazee 12,868 walipewa kadi za bure za Mifuko ya Afya ya Jamii (CHF) na watu wazima zaidi ya 25,115 walikuwa na haki ya kupokea Tsh 20,000 kama pensheni kwa mwezi. Mashirika yasiyo ya kiserikali (NGOs) pia yalifikia watu wenye ulemavu kwa kuwajengea ufahamu juu ya haki zao, ambapo watu 10,052 wenye ulemavu walipewa uwezo wa kupata huduma mbalimbali za bure kama afya na elimu.

1.6.8 Mashirika yasiyo ya kiserikali na uhifadhi wa mazingira

Kwa upande mwingine, mashirika yasiyo ya kiserikali yamekuwa mstari wa mbele katika masuala ya mabadiliko ya hali ya hewa na ulinzi wa mazingira. Kama sehemu ya kutekeleza Sera ya Taifa ya Mazingira, mashirika yasiyo ya kiserikali wamekuwa wakifanya yafuatazo; Kupanda zaidi ya miti 63,500 katika mikoa tofauti ya Tanzania Bara; utoaji wa elimu ya uhifadhi wa mazingira kwa wanachama zaidi ya 7,200 wa jamii na utafiti unaofanya kazi juu ya uhaba wa maji. Zaidi ya hayo, kuna kazi nyingi ambazo zimefanyika kuzuia miti isianguke kwa ajili ya mafuta ambapo Mashirika yasiyo ya kiserikali (NGOs) ziliendelea kuanzisha teknolojia mbalimbali kwa ajili ya mbinu bora za matumizi ya nishati majumbani. Kwa mfano, mwaka 2015 nyumba zaidi ya 62 zilisambaziwa teknolojia ya biomass kwa matumizi ya mafuta.

1.6.9 Mashirika yasiyo ya kiserikali na utoaji wa Huduma za Maji

Kama njia ya kuimarisha jukumu la serikali katika utoaji wa huduma za maji, mashirika yasiyo ya kiserikali yaliwezesha ujenzi wa mizinga 9 ya maji na ukarabati wa wengine 7 katika Kingori na Leguruki katika wilaya za Arumeru mwaka 2015. Zaidi ya hayo, vifuniko vitano na visima 14 vya pampu ya mkono zilijengwa huko Mpwapwa, Wilaya za Kongwa na Chamwino wakati mifumo ya usambazaji wa maji na vifaa vya maji vimeboreshwa katika vituo vya afya vya msingi. Mchango wa mashirika yasiyo ya kiserikali katika sekta ya maji ni zaidi ya yale yaliyoripotiwa na Wizara mwaka wa 2015 kwa sababu ni Mashirika yasiyo ya kiserikali (NGOs) 300 tu yalitoa taarifa zao kwa ajili ya uchunguzi.

Aidha, mashirika yasiyo ya kiserikali yanatekeleza Dira ya Taifa 2025 ambayo inahitaji usafi wa kila mahali kwa maji salama katika maeneo yote. Andiko la Mkakati wa Kupunguza Umaskini hutambua utegemezi mkubwa wa masikini juu ya mazingira (udongo, maji na misitu), hasa katika kutegemea kaya kwa rasilimali za mazingira kwa ajili ya kuzalisha mapato. Maji yanachukuliwa kuwa muhimu katika maendeleo ya kijamii na kiuchumi na kupambana na umasikini.

1.6.10 Mashirika yasiyo ya kiserikali na elimu ya uraia

Utawala Bora ni muhimu sana kuhakikisha ushiriki wa jamii katika uamuzi wa maendeleo yao. Wananchi wanapaswa kuwa na ujuzi wa kutosha kuwa na uwezo wa kuwawajibisha viongozi wao juu ya matumizi mazuri ya rasilimali zilizotengwa kwa miradi mbalimbali katika maeneo yao. Kuelimisha na kusaidia wananchi juu ya haki na majukumu ni shughuli zinazohitajika ili kuhakikisha kuwa wananchi wote wana haki sawa na wajibukwa miradi ya maendeleo. Sekta ya Mashirika yasiyo ya kiserikali (NGOs) imekuwa muhimu katika eneo hili kwani mipango mingi imetekelezwa tangu miaka ya 1990 kama njia bora ya kuhakikisha ushiriki wa wananchi juu ya masuala ya maslahi ya umma. Ufuatiliaji wa uchaguzi na elimu ya uraia ni baadhi ya maeneo muhimu ambayo mashirika yasiyo ya kiserikali yamefanya vizuri kama njia bora ya kuboresha demokrasia na utawala bora.

Aidha, Mashirika yasiyo ya kiserikali (NGOs) yanayofanya kazi katika sekta mbalimbali kwa ushirikiano na wadau wengine yamechangia vizuri kuongeza ushindani wa raia katika ufuatiliaji wa utekelezaji wa sera hasa kwa utoaji wa huduma. Wananchi wamepewa mamlaka, na watu zaidi walipewa ufahamu juu ya haki zao na majukumu ambayo yalisababisha kuongezeka kwa mahitaji ya uwajibikaji katika usimamizi wa rasilimali za umma.

Pamoja na mchango mkubwa uliofanywa na mashirika yasiyo ya kiserikali katika maendeleo ya kiuchumi, jukumu lao halikubaliki katika ripoti za Taifa za ukuaji wa uchumi kama Pato la Taifa nk. Huu ni wakati mzuri kwa mashirika yasiyo ya kiserikali kutambuliwa mchango waokatika ripoti za maendeleo ya uchumi na Pato la Taifa.

1.7 Sifa na ngazi za mashirika yasiyo ya kiserikali

Tabia za mashirika yasiyo ya kiserikali hubadilika kulingana na wakati, mahitaji na mazingira maalum. Hata hivyo, mashirika yasiyo ya kiserikali yanajulikana na yanajulikana kwa mamlaka, mifumo na viwango vya shughuli zao.

1.7.1 Ngazi za Utendaji

- (i) Mashirika yasiyo ya kiserikaliya msingi ya Kijamii (CBOs)
Mashirika yasiyo ya kiserikali haya huundwa na jamii katika viwango vya chini na kufanya kazi katika kiwango cha kata au kijiji.
- (ii) Mashirika yasiyo ya kiserikali ya msingi ya kiwilaya (NGOs)
Haya huundwa na watu binafsi au mashirika katika ngazi ya Wilaya na inafanya kazi ndani ya Wilaya
- (iii) Mashirika yasiyo ya Kiserikali ya Kimkoa (RBOs)
Mashirika haya huundwa na watu binafsi au mashirika katika ngazi ya Mkoa na hufanya kazi ndani ya mkoa mmoja.
- (iv) Mashirika yasiyo ya kiserikaliya kitaifa (NNGOs)
Mashirika haya huundwa na kusajiliwa katika ngazi ya kitaifa na hufanya kazi kote nchini.
- (v) Mashirika yasiyo ya kiserikali ya kimataifa (NGO)
Mashirika haya yote yamesajiliwa katika nchi nyingine na hufanya kazi katika nchi zaidi ya moja.

1.7.2 Viwango vya Uhuru

Utambulisho mkuu wa Mashirika yasiyo ya kiserikali (NGOs) ni uwezo wa kujiendesha na uhuru wake kutoka kwa serikali. Mashirika yasiyo ya kiserikali yanajulikana sana kuwa ya ki-jamii na kukinzana na kile serikali inachofanya. Mashirika yasiyo ya kiserikali pia sio mshiriki wa asili na huzuia kushiriki katika kazi za siasa kama vile kusaidia kampeni za kisiasa, kuchaguliwa katika nafasi za chama cha kisiasa nk.

1.7.3. Jumuiya ya msingi

Msingi wa kuanzishwa kwa mashirika yasiyo ya kiserikali lazima uwe na manufaa ya umma, jamii au kikundi fulani cha maslahi. Mashirika yasiyo ya kiserikali (NGOs) yakiwa kama moja ya wanachama muhimu wa familia ya AZAKIyanapaswa kupata uhalali wao na imani kutoka kwa jamii yanayotaka kuitumikia. Kwa hiyo mashirika yasiyo ya kiserikali yanajibika kwa umma na jamii au vikundi ambavyo hutumikia na sio washirika au Serikali.

1.7.4 Kujitolea

Mashirika yasiyo ya kiserikali (NGOs) nchini Tanzania yamekuwa yakifanya kazi kwa hiari wakati baadhi yao hutegemea tu fedha za wafadhili. Kwa Tanzania, mashirika yasiyo ya kiserikali hayafuati matumizi ya uhamasishaji wa mitaa kama ilivyo kwa wastaafu wengine wa magharibi. Mashirika mengi yasiyo ya kiserikali (NGOs) nchini Tanzania hawapati fedha za wafadhili, hii iligunduliwa wakati wa mchakato wa ukaguzi. Iligundulika kuwa kati ya mashirika yasiyo ya kiserikali (NGOs) 10,000 yalimosajiliwa, ni machache tu yalikuwa yanaweza kupata fedha za wafadhili na wengi kati ya hayo ni yale yanayofanya kazi katika mji na majiji.

Mataifa hayataamuru vyama kujiandikisha ili kuruhusiwa kuwepo na kufanya kazi kwa uhuru. Mwongozo wa Afrika juu ya Uhuru wa kukusanyika na kuchangamana unaeleza kwamba, mashirika yasiyo rasmi (de facto) hayataadhibiwa au kuhalifiwa chini ya sheria au kwa kutekeleza misingi ya ukosefu wao wa hali rasmi (de jure).

1.8 Upeo wa Sera ya mashirika yasiyo ya kiserikali

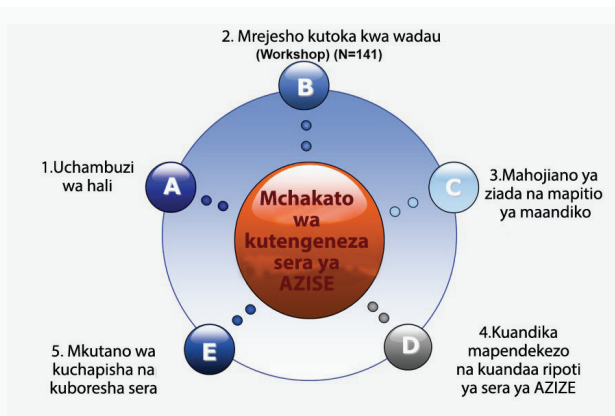
Sera hii ya mashirika yasiyo ya kiserikali (NGOs) itatumika Tanzania bara tu; hata hivyo, itatoa taratibu maalum za kufuatwa na mashirika yasiyo ya kiserikali au mitandao zenye maslahi rasmi kwa pande zote mbili za nchi. Tayari kuna sera ya mashirika yasiyo ya kiserikali (NGOs) ya Zanzibar ambayo ilianzishwa mwaka 2009. Sera hii itaweza kudhibiti na kuratibu mashirika yasiyo ya kiserikali yaliyosajiliwa chini ya sheria zilizoandaliwa kutekeleza sera hii au Shirika lolote a la kiraia lililosajiliwa mahali pengine lakini limeandaliwa chini ya sera hii.

1.9 Mfumo wa uundaji wa Sera

Mchakato wa ukaguzi ulitumia mbinu shirikishi iliyoshirikisha hatua tano ambapo ilihusisha mfululizo wa mashauriano na majadiliano na wadau mbalimbali. Hatua ya kwanza ilihusisha mapitio muhimu ya vitabu vya kiraia nchini Tanzania, kwa kusudi la kuanzisha uchambuzi wa hali ya sekta ya mashirika yasiyo ya kiserikali (NGOs) nchini Tanzania. Hii ilikuwa ikifuatiwa na warsha ya siku moja ambayo ilihusisha watu wataalamu na wadau muhimu ambao waliona maonesho mbalimbali juu ya masuala ya Sera ya mashirika yasiyo ya kiserikali pamoja na Sheria ya mashirika yasiyo ya kiserikali (NGOs) ya mwaka 2002. Warsha ilifuatiwa na vikao vya vikundi vya majadiliano juu ya yaliyomo kwenye sera.

Kwa hiyo, marekebisho ya sera za mashirika yasiyo ya kiserikali yalifuata michakato mitano kama ilivyoainishwa kwenye Mchoro Na.1 hapo chini.

*Mchoro wa 1:
Mchakato wa Uhakiki
wa Sera: Hatua tano
za mchakato*



Jumla ya Washiriki 63 wa mashirika yasiyo ya kiserikali walihudhuria warsha tarehe 11 Aprili 2018 na walihusika katika majadiliano ya sera ya sasa ya mashirika yasiyo ya kiserikali (NGOs). Wawakilishi wengine wa mashirika yasiyo ya kiserikali ambao hawakuweza kuhudhuria walipewa maswali ya binafsi ili kujibu na kuyarudisha.

THRDC kama mtandao wa mashirika yasiyo ya kiserikali (NGOs) zaidi ya 150 ilifanya mikutano kadhaa ya washiriki wa mashirika yasiyo ya kiserikali (NGOs) kama njia bora ya kukusanya mapendekezo yao. Zaidi ya mashirika yasiyo ya kiserikali 200 kutoka nchi nzima walishiriki katika mchakato huu wa mashauri kupitia mikutano, majadiliano ya mtandaoni na kujaza madodoso ya kukusanya mapendekezo. Sera hii ya mfano kwa mashirika yasiyo ya kiserikali (NGOs) inashikilia muundo wa sera ya mapendekezo ya mashirika yasiyo ya kiserikali 200 yaliyoorodheshwa mwishoni mwa Sera hii.

Kwa hiyo ni matarajio ya mashirika yasiyo ya kiserikali (NGOs) yaliyoidhinisha sera hii kuwa, sera ya mashirika yasiyo ya kiserikali (NGOs) iliyopendekezwa itawezesha uhuru wa usajili na uratibu wa mashirika yasiyo ya kiserikali nchini Tanzania; Sera ambayo itawezesha kuwepo kwa Sekta ya mashirika yasiyo ya kiserikali (NGOs) isiyohamishika nchini Tanzania; sera ambayo inaunda mazingira wezeshi kwa mashirika yasiyo ya kiserikali (NGOs) na Serikali kufanya kazi kama washirika; Sera ambayo inashughulikia masuala ya nafasi ya kiraia na uendeshaji mzuri wa mashirika yasiyo ya kiserikali (NGOs); sera ambayo inatoa tafsiri sahihi na inayotekelezeka ya mfumo wa udhibiti wa mashirika yasiyo ya kiserikali

1.10 Muundo wa Hati ya Sera

Hati hii ya sera ina sura/sehemu kuu sita. Sura ya kwanza inatoa utangulizi wa jumla, historia ya sekta ya mashirika yasiyo ya kiserikali, ufafanuzi, mchango wa sekta ya mashirika yasiyo ya kiserikali, na kuhalalisha sera. Sura ya pili inaelezea uchambuzi wa hali ya sekta ya mashirika yasiyo ya kiserikali (NGOs) nchini Tanzania kwa kutoa utendaji wa mashirika hayo nchini, ushirikiano wa utawala, mfumo wakisheria, mfumo wa kitaasisi, utoaji wa fedha na uchambuzi wa Uimara, Udhaifu, Fursa na Changamoto (SWOC) wa mashirika yasiyo ya kiserikali. Pia inatoa masuala ya kimkakati na sera. Sura ya tatu inaelezea sera za sasa zinazojumuisha lengo la sera, maono, ujumbe, malengo na kanuni za jumla na maadili. Sura ya nne inaonyesha jinsi sera hii itatekelezwa na makundi ya watunga sera. Sura ya tano inatoa jinsi sera hii itakavyofuatiliwa.

Hali ya Mashirika yasiyo ya Kiserikali kwa sasa

2.1 Utangulizi

Idadi kubwa ya mashirika yasiyo ya kiserikali yanayofanya kazi Tanzania, kati ya mashirika hayo mengi ni ya kimaendeleo au utetezi yaliyojikita katika maeneo ya mijini ingawa idadi kubwa ya mashirika hayo hufanya kazi katika maeneo ya vijijini. Mashirika mengi yamekuwa yakitofautiana na hata sifa hutofautiana pia wakati mashirika mengi yanayofanya kazi nchini ni machache na yanaendeshwa na wanaojitolea, ila kuna idadi kubwa ya mashirika hayo karibuni nchi nzima yanayotoa huduma hata katika maeneo ya mbali.

Sura hii inajadili hali ya sasa ya mashirika yasiyo ya kiserikali nchini Tanzania kwa kuangalia pia ushirikiano wao na mashirika ya serikali, mifumo ya kisheria na taasisi, fedha, uimara na udhaifu wa uchambuzi na masuala ya sera ya kimkakati.

2.2 Ushirikiano wa Serikali na mashirika yasiyo ya kiserikali

Serikali inatambua nafasi ya maana na michango ya NGOs katika jamii na inawaona kama washirika muhimu katika mchakato wa maendeleo. Kwa hiyo, kwa niaba ya Serikali kujenga mazingira mazuri na yenye kuwezesha kuhakikisha kwamba uwezo wa NGOs hutumiwa kikamilifu.

Serikali inatambua shughuli muhimu na michango ya mashirika yasiyo ya kiserikali katika utoaji wa huduma za umma na inawachukulia kama wadau muhimu wa maendeleo. Hivyobasi ni jukumu la Serikali kuandaa mazingira wezeshi kuhakikisha kwamba mashirika yasiyo ya kiserikali yanatumika ipasavyo.

Serikali itaendeleza ushirikiano na mashirika yasiyo ya kiserikali katika utoaji wa huduma kwa umma na programu mbalimbali. Serikali itaendelea kushirikisha mashirika yasiyo ya kiserikali katika mipango yake mbalimbali pale ambapo mashirika hayo yanauhitaji. Ili kukuza maendeleo Serikali itaendeleza ushirikiano na mashirika yasiyo ya kiserikali katika sekta zake zote. Serikali itaendelea kutoka msamaha wa kodi chini ya sheria zilizopo na mahitaji mengine ya kisheria kwa mashirika ya hisani na misaada.

Sera inatambua umuhimu wa kuimarisha ushirikiano kati ya Serikali na sekta ya mashirika yasiyo ya kiserikali kulingana na desturi. Inaelezea na kushughulikia masuala muhimu ya pamoja na kuweka malengo na mikakati ya wazi ya sera kwa watu muhimu kuendeleza uhusiano na sekta ya mashirika yasiyo ya kiserikali.

2.3 Mashirika yasiyo ya kiserikali: ukuaji, uimara, udhaifu, fursa na changamoto

Mashirika yasiyo ya kiserikali yamekuwa wadau muhimu katika sera za maendeleo katika kipindi cha miongo miwili iliyopita nchini Tanzania. Mashirika yasiyo ya kiserikali hutofautiana katika dira, usimamizi wa ndani, wigo wa ushiriki, vyanzo vya mapato, mahusiano na Serikali na katika sehemu tofautitofauti za ufanyaji kazi. Mashirika yasiyo ya kiserikali ni vikundi vya asasi za kiraia. Kwa kasi yamekuwa kama vichocheo vya ajenda mpya za ukombozi wa kiuchumi, kisiasa na demokrasia. Hata hivyo uimara, udhaifu, fursa, changamoto zinahitaji kuwekwa wazi katika mashirika yasiyo ya kiserikali nchini Tanzania.

Uimara

- Mashirika yasiyo ya kiserikali yameunganisha ushirikiano wa kushirikiana na serikali yaani baraza la mashirika yasiyo ya kiserikali (NACONGO) na mitandao mingine kama vile THRDC imechangia katika utoaji wa ufahamu kati ya mashirika yasiyo ya kiserikali, serikali na wadau wengine
- Mashirika yasiyo ya kiserikali yana uongozi mkubwa na ushirikiano mzuri kati yao
- Mashirika yasiyo ya kiserikali nchini Tanzania yanapatikana katika maeneo yote vijijini na mijini.
- Mashirika yasiyo ya kiserikali nchini Tanzania ni miongoni mwa watoa huduma wakubwa nchini Tanzania.
- Mashirika yasiyo ya kiserikali yamekuwa mbele ya mchakato wa maendeleo nchini Tanzania kupitia utoaji wa huduma za kijamii kama elimu, afya, kilimo nk Kwa mfano, mashirika yasiyo ya kiserikali yamewapa huduma za ulinzi wa jamii kwa wanawake masikini na wajane kuhusu upatikanaji wa huduma za afya katika sehemu nyingi za Tanzania.
- Mashirika yasiyo ya kiserikali yamekuwa vituo vya kujifunza kwa kidemokrasia kupitia utoaji wa elimu ya kiraia na kanuni za utawala bora. Yaani mashirika yasiyo ya kiserikali yanafanya kazi katika masuala mbalimbali kuhusiana na haki za binadamu na haki za kijinsia.

Udhaifu

- Ukosefu wa fedha:mashirika yasio ya kiserikali yanakabiliwa na changamoto za upatikanaji wa fedha za kutosha na endelevu zinazosaidia majukumu yao. kuna ukosefu wa kwa fedha na miradi endelevu ya taasisi .
- ukosefu wa uwamimifu ,uwazi ns uwajibikaji kwa watendaji baadhi wa mashirika hayo yasio ya kiserikali kwa rasilimali za umma zilizopo.
- Ukosefu wa Mipango mikakati: ni mashirika yasio ya kiserikali machache yenye mipango mikakati ambayo iinawawezesha kuwa na dira , maadili na shughuli za kutekeleza .ukosefu wa mipango mkakati unapelekea hatari kubwa kwa kwa ukosefu wa wafadhili sababu inakuwa ni vigumu kwa wao kupima matokeo ya shughuli zao baada ya muda fulani.

- Mtandao na muingiliano finyu katika jamii.mashirika mengi yasio ya kiserikali , makubwa na madogo, yanaingia katika ngazi ya jamii bila kuwa na sura halisi ya jamii hiyo hivyo kupelekwa mara zote kushindwa kufanya kazi kwa ushirikiano juu ya maswala yenye maslahi na jamii hiyo. Baadhi ya Mashirika ya sio ya kiserikali mara nyingi huhisi vibaya na tofauti kufanya kazi kwa pamoja .
- Uwezo mdogo kwa mashirika yasiyo ya kiserikali. Yana uwezo mdogo wa kiufundi na wakiuongozi. Mashirika machache ndio yana uwezo wa kujijenga kiuwezo,pia kuna udhaifu katika uwezo wa uchangishaji fedha,utawala, katika maeneo ya kiufundi ya maendeleo ,uongozi na usimamizi. Mabadiliko ya teknolojia pia ni changamoto hasa katika maeneo ya Teknolojia ya Habari.
- Bodi ya shirika lisilo la kiserikali na Baraza la Taifa la mashirika yasio ya kiserikali: Washirika wengi hawakujua vizuri tofauti kati ya taasisi hizo mbili, Bodi ya Uratibu wa shirika lisilo la kiserikali na Baraza la Taifa la mashirika yasio ya kiserikali; Baraza la Taifa la sasa haijulikani, halisimamiwa na kuongozwa vyema wala haliuungwi mkono, sera mpya inapaswa kushughulikia hili kwa maendeleo ya sekta ya mashirika binafsi. Bodi ya mashirika yasio ya kiserikali sio huru na wengi wao huteuliwa na Rais.

Fursa

- Kuwepo kwa Sera za mashirika yasio ya kiserikali- Sera ya mashirika yasio ya kiserikali inatoa taratibu za za usajili .
- Kuwepo kwa Sheria za mashirika yasio ya kiserikali,Serikali imetoa taratibu imara na mfumo imara wa usajili wa mashirika yasiyo ya kiserikali kote nchini.
- Sera ya mashirika yasio ya kiserikali inaruhusu mashirika yasiyo ya kiserikali kuchangisha na kupata fedha kutoka katika vyanzo mbalimbali
- Serikali kutambua mara kwa mara kazi kubwa zinazofanywa na mashirika hayo yasio ya kiserikali katika majukumu yao ya kila siku.
- Kuna ushiriki mkubwa na upendo kati ya idara za serikali na mashirika yasio ya kiserikali, kwani kuna fursa kwa mashirika yasio ya kiserikali kushiriki na kuinua sauti zao kwa maswala mbali mbali kwa serikali.mfano mzuri ni kama vile hii fursa iliyotolewa na Serikali kwa Mashirika yasio ya kiserikali katika huu mchakato wa mapitio na mapendekezo ya Sera.
- Wadau wengi wa maendeleo wana utayari wa kusaidia sekta ya mashirika yasiyo ya kiserikali.
- Kuwepo kwa changamoto za jamii zinazohitaji mashirika ya mashirika yasio ya kiserikali kuingilia kati.

Changamoto

- Mawasiliano duni: Kuna ukosefu wa uelewa tofauti kati ya Bodi ya shirika lisilo la kiserikali na Baraza la mashirika yasiyo ya kiserikali ni mfano mmoja wa mapungufu yaliyopo.

- Hakuna jukwaa rasmi ambalo msajili wa mashirika yasiyo ya kiserikali anaweza kukutana na mashirika yasiyo ya kiserikali.
- Muingiliano wa Kisiasa: Ambapo mashirika yasiyo ya kiserikali yanahusika katika masuala nyeti, kama vile migogoro ya ardhi, haki za kisiasa, uchaguzi, masuala ya haki za binadamu. Wanasiasa na viongozi wa mitaa wanaweza kutishia mashirika yasiyo ya kiserikali na kusimamisha majukumu katika maeneo wanayotawala. Katiba, mikataba ya kikanda na kimataifa hulinda mashirika yasiyo ya kiserikali dhidi ya vitendo hivyo, hivyo Bodi na Baraza zinapaswa kuwezesha mashirika yasiyo ya kiserikali kujua kwamba Bodi na Baraza zipo kwaajili ya kulinda mashirika dhidi ya hofu hiyo.
- Mahusiano na mashirika yasiyo ya kiserikali ya kimataifa: Kuna madai makubwa miongoni mwa mashirika yasiyo ya kiserikali ya ndani dhidi ya mashirika makubwa yasiyo ya kiserikali ya kimataifa kuchukua nafasi kubwa katika jamii. Ni vigumu na haifai kwa mashirika yasiyo ya kiserikali ya ndani kushindana na mashirika makubwa ya kimataifa yasiyo ya kiserikali. Kuna haja ya kuboresha ushirikiano, ushirikiano wa ujuzi na uhamisho wa ujuzi kati ya mashirika yasiyo ya kiserikali ya kimataifa na mashirika yasiyo ya kiserikali ya ndani ya nchi.
- Mbinu za Maendeleo: Kuna ukosefu endelevu na umiliki wa hatua za maendeleo kwa kushirikiana na jamii. Baadhi ya jamii zimeathiriwa na utegemezi mkubwa unaopelekea muingiliano wa kufanya mambo bila muelekeo wa kujitegemea wao wenyewe.

2.4 Mfumo wa kisheria

Sheria 10 tofauti huongoza mfumo wa kisheria Tanzania bara kuhusu usajili wa asasi za kiraia; Katiba ya Jamhuri ya Muungano wa Tanzania ya 1977 kama ilivyorekebishwa, Sheria ya Umoja wa Wadhamini, Cap 318 [RE 2002], Sheria ya Jamii, Sheria ya Msaada wa kisheria ya mwaka 2017, Cap 337, Sheria ya Taifa ya Michezo, Cap 49 [RE 2002], Sheria ya Makampuni, Cap. 212 na Sheria ya Mashirika yasiyo ya kiserikali, 2002.

Ili kufikia kwa ufanisi malengo yaliyowekwa katika Sera, mwaka 2002 Sheria ya mashirika yasiyo ya kiserikali ilianzishwa. Sheria, pamoja na marekebisho Sheria Zilizoandikwa (Sheria ya Marekebisho) (No.2), 2005, kimsingi huweka mfumo wa kisheria kuhusu usajili na udhibiti wa mashirika yasiyo ya kiserikali / AZAKi. Sheria zilizoandikwa (Sheria ya Marekebisho) Sheria (No.2), 2005 imeelezea neno shirika lisilo la kiserikali kwa maneno mengi kama vile AZAKi. Hii inaeleza kuwa, ufafanuzi huu mpana ulipangwa kwa makusudi ili kukabiliana na suala lililoletwa katika Sera za mashirika yasiyo ya kiserikali ya ukosefu wa ufahamu wazi na wa kawaida wa kile kinachohusisha mashirika yasiyo ya kiserikali. Ni kutokana na ufafanuzi huu mpana kwamba mashirika mengine yaliyosajiliwa mwanzo chini ya sheria nyingine zilizoandikwa kabla Sheria ya mashirika yasiyo ya kiserikali haijaanza kutumika sasa imefikiriwa kuanguka ndani ya malengo ya mashirika yasiyo ya kiserikali.

Matakwa ya kusimamia mchakato wote wa usajili na masuala ya kufuata juu ya mashirika ambayo yanaonekana kama mashirika yasiyo ya kiserikali chini ya Sheria ya mashirika yasiyo ya kiserikali imeleta utekelezaji wa kifungu cha 11 na 12 cha sheria za mashirika yasiyo ya kiserikali na mabadiliko yafuatayo sehemu ya 6 na 7 ya Sheria zilizoandikwa (Sheria ya Marekebisho) (No.2) Sheria, 2005.

Kifungu cha 6 cha Sheria zilizoandikwa (Sheria ya Marekebisho) (No.2) Sheria, 2005 inasema wazi kwamba mashirika yasiyo ya kiserikali / AZAKi ambazo zimesajiliwa chini ya sheria nyingine zilizoandikwa zinatakiwa kuomba kuzingatiwa katika kumfuata utaratibu mpya uliopo mbele ya Msajili na baada ya mwombaji kumridhisha Msajili kwa kufuata matakwa yanayohitajika, cheti cha utii kitatolewa kwa mwombaji; ambaye hali yake ni sawa na ile iliyotolewa kwa mashirika yasiyo ya kiserikali yaliyosajiliwa chini ya Sheria.

Kifungu cha 11 na 12 cha Sheria ya mashirika yasiyo ya kiserikali vinaelezea makundi mawili ya AZAKi ambayo yanahitajika kwa mujibu wa Sheria, kuendeshwa na bodi ya mashirika yasiyo ya kiserikali; yale ambayo yamesajiliwa chini ya sheria ya mashirika yasiyo ya kiserikali na yale ambayo yamesajiliwa chini ya Sheria nyingine lakini yameomba kupewa cheti cha utii/sifa baada ya kukidhi vigezo. Kama ilivyoelezwa hapo juu, ni dhahiri kwamba AZAKi zilizosajiliwa kama makampuni yaliyowekwa na dhamana na jamii zilizosajiliwa chini ya Sheria ya Mashirika ni mashirika ambayo yanaanguka chini ya makundi ya mashirika yasiyo ya kiserikali yaliyotajwa katika kifungu cha 11 cha Sheria hiyo. Aina hii ya AZAKi huunda aina ya mashirika ambayo yanahitajika kumfuata taratibu mpya zilizowekwa baada ya uundwaji wa sheria ya mashirika yasiyo ya kiserikali ili kuweza kupata cheti cha sifa na utii. Ambapo hatua zake za maombi na za kisheria zinafanana na zile za mashirika mapya yaliyosajiliwa chini ya sheria mpya.

Kifungu cha 11 cha Sheria kinahitaji AZAKi / mashirika yasiyo ya kiserikali ambayo yamesajiliwa chini ya sheria zingine kabla ya sheria mpya ziombe kutambuliwa na sheria. Kwa maneno mengine, Sheria ya AZAKi / mashirika yasiyo ya kiserikali haizuii usajili wa AZAKi / mashirika yasiyo ya kiserikali chini ya sheria nyingine zilizoandikwa, lakini badala yake inawalazimisha AZAKi / mashirika yasiyo ya kiserikali kuomba kufuata na kupewa cheti ambacho mchakato wake na matokeo ni sawa na AZAKi / mashirika yasiyo ya kiserikali yaliyosajiliwa na sheria mpya.

2.5 Mfumo wa Taasisi

Mfumo wa sasa wa kitaasisi wa mashirika yasiyo ya kiserikali kuanzishwa unajumuisha njia kuu tatu za uratibu zinazojumuisha; Bodi ya mashirika yasiyo ya kiserikali, Mkurugenzi wa mashirika yasiyo ya kiserikali na Baraza la Taifa la mashirika yasiyo ya kiserikali (NACONGO). Baadhi ya majukumu makuu ya Bodi ya mashirika yasiyo ya kiserikali kama vile usajili wa mashirika yasiyo ya kiserikali amepewa mkurugenzi wa mashirika yasiyo ya kiserikali. Ofisi ya umoja wa mashirika yasiyo ya kiserikali ipo chini ya Wizara ya maendeleo ya jamii, Afya, Jinsia, Wazee na Watoto. Mkurugenzi wa mashirika yasiyo ya kiserikali husaidiwa na maafisa wa Maendeleo ya Wilaya na Wilaya kutekeleza majukumu yake katika viwango vya serikali za mitaa. Changamoto kuu iliyopo ni kujilimbikizia majukumu kwenye kitengo cha mashirika yasiyo ya kiserikali hii hupelekea ukiritimba kwa mashirika yasiyo ya kiserikali.

2.6 Fedha

Mashirika yasiyo ya kiserikali nchini Tanzania yanategemea fedha za wafadhili na kujitolea kutekeleza programu zao. Mashirika yasiyo ya kiserikali nchini Tanzania hayapokei fedha yoyote kutoka serikalini. Katika hali nyingi, utegemezi mkubwa wa fedha za wafadhili umeathiri ukuaji na uendelevu wa mashirika yasiyo ya kiserikali nchini Tanzania. Wengi wa mashirika yasiyo ya kiserikali nchini Tanzania hasa katika maeneo ya vijijini hufanya kazi kwa kujitolea.

2.7 Masuala ya Sera ya Mkakati

Miongoni mwa maswala muhimu ya kimkakati ambayo Sera hii inataka kushughulikia ni pamoja na yafuatayo:

2.7.1 Mashirika yasiyo ya kiserikali na ushirikiano wa serikali

Kuna mahusiano mzuri kati ya mashirika yasiyo ya kiserikali na serikali katika kuboresha mazingira ya sera. Hata hivyo, kipengele cha kikatiba kinaonekana kuwa kinachosababisha changamoto. Kuna haja ya kujenga mazingira bora ya kazi katika sera na mfumo wa kisheria kwa kuimarisha ushirikiano wa kimkakati katika katiba. Uhaba wa maelezo ya wazi juu ya majukumu ya Serikali na mashirika yasiyo ya kiserikali, haki na wajibu wa watendaji muhimu katika sekta ya mashirika yasiyo ya kiserikali husababisha vikwazo vingine kwa mashirika yasiyo ya kiserikali na ushirika wa serikali. Kwa hiyo, jitihada zingine zinapaswa kufanywa na serikali ili kuunganisha / kuwezesha mchango wa mashirika yasiyo ya kiserikali kwa maendeleo ya kitaifa.

2.7.2 Uwezo wa kimamlaka na uhuru wa mashirika yasiyo ya kiserikali

Kumekuwa na wasiwasi mkubwa juu ya mazingira yaliyopo kwa upande wa serikali ambayo inataka kuzuia uhuru wa kujieleza, uhuru wa kujumuika na shughuli za mashirika ya asasi za kiraia. Serikali inatambua uhuru wa kujieleza na haki ya kuzungumza na Serikali na kwa hiyo kuna haja ya kuheshimu mamlaka na uhuru wa mashirika yasiyo ya kiserikali nchini Tanzania. Uhuru kujumuika unapaswa kuimarishwa na kuwa na ufahamu utolewe kwa jamii juu ya haki zao za msingi.

2.7.3 Ukuaji na Maendeleo ya mashirika yasiyo ya kiserikali

Jukwaa imara la Taifa linahitajika kwa ukuaji wa sekta ya mashirika yasiyo ya kiserikali nchini Tanzania. Ni muhimu kutambua kuwa asasi za kiraia imara haziwezi kuimarishwa na watu wan je. Katika suala hili, lazima kuwe na makubaliano na matakwa ya pamoja kati ya serikali na washirika wengine muhimu kama wafadhili wa kuendeleza na kukuza maendeleo ya mashirika yasiyo ya kiserikali nchini Tanzania. Ingawa sekta ya mashirika yasiyo ya kiserikali imeongezeka haraka, bado inaonekana kuwa dhaifu, ambayo ina maana kwamba uendeleo wa mashirika yasiyo ya kiserikali kuwa hatarini.

Sekta ya mashirika yasiyo ya kiserikali imekuwa ikifanya mengi lakini kiwango cha maendeleo ya sekta bado kinaharibika. Sekta ya mashirika yasiyo ya kiserikali bado haijapata rasilimali, utaalamu na uwezo katika maeneo fulani ya shughuli zao. Mashirika mengi yasiyo ya kiserikali huishi kwa kipindi kifupi na kutoweka, mashirika yasiyo ya kiserikali machache ndio yamekuwa na uwezo wa kudumu kati ya miaka 10 hadi 20 katika kipindi chao cha kwanza cha utendaji kazi kutokana na sababu nyingi za ndani na nje.

2.7.4 Utamaduni wa uwajibikaji na uwazi

Utamaduni wa uwajibikaji na uwazi ni sehemu muhimu kwa utawala bora wa mashirika yasiyo ya kiserikali. Bodi ya mashirika yasiyo ya kiserikali, itatoa miongozo ya taifa kwa ajili ya kuanzishwa kwa kanuni za kazi na hatua za uwajibikaji zitakazotumiwa na mashirika yote yasiyo ya kiserikali. Hata hivyo, shirika lisilo la kisherikali litaandaa kanuni zake na miongozo ya kazi kulingana na Kanuni za Bodi za mashirika yasiyo ya kiserikali kwa niaba ya kuhakikisha kuwa utamaduni wa uwajibikaji na uwazi unaanzishwa katika mashirika yasiyo ya kiserikali.

2.7.5. Uratibu wezeshi na jumuishi

Uratibu sahihi na shirikishi wa ubia wa mashirika yasiyo ya kiserikali ni ufasaha wa kuishi kwa ufanisi na kuimarisha utawala bora nchini Tanzania. Katika suala hili, mihimili ya kuratibu ya Mkoa na Wilaya inapaswa kuundwa katika ngazi hizi kwa ajili ya uendeshaji mzuri wa mashirika yasiyo ya kiserikali nchini Tanzania. Kwa maneno mengine, mamlaka maalum ya kusimamia shughuli za mashirika yasiyo ya kiserikali na kuhakikisha ulinzi / usalama na uendelevu wa mashirika yasiyo ya kiserikali inapaswa kuanzishwa katika ngazi za kikanda, wilaya na Mkoa. Aidha, uwezo wa Mratibu wa mashirika yasiyo ya kiserikali katika viwango hivi anapaswa kuboreshwa ili kuongoza na kutoa msaada wa kiufundi kwa mashirika yasiyo ya kiserikali ili waweze kuzingatia mifumo ya sera na ya kisheria. Uwezo unapaswa kuungwa mkono na usambazaji wa miongozo tofauti inayoongoza mashirika yasiyo ya kiserikali. Mamlaka ya msajili wa mashirika yasiyo ya kiserikali kitaifa yanatakiwa kupunguzwa kwenda kwa wasajili wa wilaya na mikoa ili kuboresha urahisi wa upatikanaji wa huduma na utendaji.

2.9.6 Udhhibiti binafsi

Udhhibiti binafsi ni sehemu ya sheria ambapo viwango na kanuni za maadili vinawekwa na shirika la ngazi ya sekta, badala ya ngazi ya serikali au kikampuni (Gunningham na Rees, 1997). Lengo la kuwa na sheria binafsi ya kujiongoza ni kuendeleza njia ambazo zitasimamia au kulinda tabia ya shirika ili kutoa ishara ya ubora wa shirika kwa wadau muhimu. Sheria hizi zinaweza kufanya kazi kama mbadala au kuongezea kanuni za serikali.

Kwa hiyo, mbali na katiba ya mashirika yasiyo ya kiserikali, sheria zingine za kujiendesha zinatakiwa kuanzishwa ili kukuza na kuwezesha uwezo wa mashirika ya ndani yasiyo ya bkiserikali Njia hizi za udhibiti binafsi zitaweka vipimo vya ufuatiliaji na aina nyingine za kipimo cha utendaji, sheria zinazolinda utoaji wa taarifa za uendeshaji na uwekaji wa vikwazo katika mazingira yasiyofuata utaratibu. Bodi ya udhibiti binafsi utaongeza uwazi na uwajibikaji, kutoa huduma za kuimarisha uwezo kwa mashirika yasiyo ya kiserikali.

Malengo ya Sera, Mambo ya Msingi ya Sera na tamko la sera

3.1 Lengo

Lengo kuu la sera hii ni kuweka mfumo wa mazingira yenye kuwezesha na kuyapa uwezo wa mashirika yasiyo ya kiserikali kufanya kazi kwa uhuru, kwa uwazi na kwa ufanisi wakati wa kutumikia majimbo yao na mahitaji ya watu wa Tanzania.

3.2 Maono

Tanzania ina mashirika yasiyo ya kiserikali ambayo ni mahiri, endelevu na yenye kujitegemea ambayo yanafanya kazi kwa umakini na ufanisi kwa maslahi ya majimbo yao.

3.3 Dira

Kuendeleza mfumo wa kitaifa wenye ufanisi na uendelevu kwa mashirika yasiyo ya kiserikali kufanya kazi kwa uhuru, kukua na kuchangia maendeleo ya kijamii na kiuchumi kupitia ushirikiano wenye ufanisi na Serikali na wadau wengine.

3.4 Malengo maalum

- a. Kujenga mazingira mazuri yenye ulinzi wa kisheria kwa ukuaji, maendeleo, uendeshaji na uendelevu wa Mashirika yasiyo ya kiserikali (NGOs) nchini Tanzania.
- b. Kuboresha mfumo wa sasa wa udhibiti wa ndani kwa Mashirika yasiyo ya kiserikali (NGOs).
- c. Kukuza ufanisi wa ushirikiano kati ya mashirika yasiyo ya kiserikali na Serikali ikiwa ni pamoja na misaada ya kifedha ya serikali kwa Mashirika yasiyo ya kiserikali (NGOs).
- d. Kuweka ufafanuzi wa tafsiri ya Mashirika yasiyo ya kiserikali (NGOs) nchini Tanzania
- e. Kukuza utamaduni wa uwajibikaji na uwazi miongoni mwa Mashirika yasiyo ya kiserikali (NGOs).
- f. Kuboresha na kuhakikisha uwezo na uhuru wa Mashirika yasiyo ya kiserikali (NGOs).
- g. Kuyawezesha Mashirika yasiyo ya kiserikali (NGOs) ili kufanya kazi kwa kitaaluma na kwa kiwango cha juu cha uwajibikaji

- h. Kuboresha mifumo ya mahusiano ya ushirikiano kati ya Mashirika yasiyo ya kiserikali (NGOs), Serikali, mashirika ya kifedha na wadau wengine.
- i. Kuweka taratibu za usajili na uratibu za mashirika yasiyo ya kiserikali ambazo ni za wazi, zinazopatikana, zenye gharama nafuu, za kidigitali na shirikishi ili kulinda uhuru wa kuchangamana.

3.5 Kanuni kuu

Serikali na mashirika yasiyo ya kiserikali wataendeleza na kulinda kanuni na viwango vifuatavyo:

1. Mashirika yasiyo ya kiserikali yanapaswa kutunza vizuri rasilimali zilizotolewa na kuhakikisha kuwa zinazotumiwa kwa lengo linalolengwa (Kanuni ya Usimamizi).
2. Mashirika yasiyo ya kiserikali (NGOs) lazima yaeleze jinsi yalivyotumia rasilimali zao na kile ambacho yamefanikiwa (Kanuni za Uwajibikaji).
3. Mashirika yasiyo ya kiserikali yanapaswa kuwa wazi juu ya kazi zao, na kuhakikisha upatikanaji wa taarifa juu ya shughuli na mipango yao kwa wadau husika (Kanuni za Uwazi)
4. Kwa viwango vya kibinafsi, watu binafsi katika mashirika yasiyo ya kiserikali wanapaswa kufanya kazi kwa uaminifu na mafanikio (Kanuni za Uaminifu).
5. Mfumo wa Mashirika yasiyo ya kiserikali (NGOs) wa kuhifadhi kumbukumbu na nyaraka za kifedha lazima zizingatie viwango na kanuni za hesabu za kimataifa.
6. Watu wanapaswa kuruhusiwa kuunda, kujiunga na kushiriki kwa hiari katika mashirika yasiyo ya kiserikali kwa kutumia haki za uhuru wa kujieleza, mikusanyiko ya amani na ushirika.
7. Vikwazo vyovyote vinavyoweza kuwekwa kwenye utekelezaji na wanachama wa mashirika yasiyo ya kiserikali ya haki za uhuru wa kujieleza, mikusanyiko ya amani na ushirikiano lazima iwe sawa na wajibu wa kisheria wa kimataifa.
8. Mashirika yasiyo ya kiserikali (NGOs) yataruhusiwa kutekeleza kazi zao kwa amani katika mazingira ya ukaribishaji, bila hofu ya unyanyasaji, kufadhaika, kutishiwa na ubaguzi.
9. Kwa kuzingatia mamlaka ya serikali ya kusimamia taasisi ndani ya mipaka yake ili kukuza ustawi wa umma, sheria hizo na hatua za utawala zinapaswa kulinda - sio kuzuia - operesheni ya amani ya mashirika yasiyo ya kiserikali na kuimarishwa kwa njia ya apolitiki, ya haki, ya uwazi na ya thabiti.
10. Uhalifu na vitendo vya kisheria vya kiraia vinavyoletwa na serikali dhidi ya mashirika yasiyo ya kiserikali, kama vile vinavyoletwa dhidi ya watu binafsi na mashirika, vinapaswa kuwa na misingi ya mchakato wa kutosha na usawa kabla ya sheria.
11. Mashirika yasiyo ya kiserikali (NGOs) yanapaswa kuruhusiwa kutafuta, kupokea, kusimamia na kuendesha shughuli zao za amani kwa msaada wa kifedha kutoka kwa vyombo vya ndani, vya kigeni na vya kimataifa.
12. Mashirika yasiyo ya kiserikali yanapaswa kuwa huru kutafuta, kupokea na kutoa habari na mawazo, ikiwa ni pamoja na kutetea maoni yao kwa serikali na umma ndani na nje ya nchi ambazo zinategemea.

13. Serikali hazipaswi kuingilia kati mashirika yasiyo ya kiserikali katika kufikia vyombo vya habari vya ndani na vya kigeni.
14. Mashirika yasiyo ya kiserikali (NGOs) yanapaswa kuwa huru kudumisha mawasiliano na kushirikiana na wanachama wao na mambo mengine ya kiraia ndani na nje ya nchi ambazo zina msingi, pamoja na serikali na vyombo vya kimataifa.
15. Serikali na Mashirika yasiyo ya kiserikali (NGOs) zitasaidia uhuru na uwezo wa mashirika yasiyo ya kiserikali, utawala binafsi na udhibiti binafsi.
16. Mashirika yasiyo ya kiserikali (NGOs) yanapaswa kuanzishwa kwa misingi ya hiari na kwa maslahi ya umma.
17. Kuheshimu haki za msingi za binadamu na uhuru juu ya tamaduni za jamii na Imani za kidini.
18. Utekelezaji utakuwa katika kuzingatia haki za uhuru wa ushirika na mkusanyiko
19. Mpangilio wowote wa kisheria unaowekwa au hatua nyingine zilizochukuliwa kuhusiana na haki za uhuru wa ushirika na mkusanyiko zitakuwa na kusudi la msingi la kuwezesha matumizi ya haki.
20. Uhuru wa mashirika ya kiraia na nyanja ya umma utahakikishwa, na ushiriki wa watu binafsi katika maisha ya kisiasa, kijamii na kiutamaduni ya jumuiya zao utawezeshwa.
21. Hatua zote za kikatiba, sheria, utawala na hatua nyingine zitazingatia kamilifu majukumu ya kikanda na ya kimataifa ya haki za binadamu, kutokana na haki za uhuru wa ushirika na mkusanyiko na haki nyingine zote zilizowekwa.
22. Mamlaka za uangalizi wa utawala zitafanya kazi yao bila upendeleo na kwa haki.
23. Taratibu zinazohusiana na utawala wa ushirika na makusanyiko utakuwa wazi, rahisi na unaoeleweka.
24. Maamuzi ya Serikali yataelezwa kwa uwazi; maamuzi yoyote mabaya yaliyotetewa na hoja ya maandishi kwa misingi ya sheria, yatapingwa katika mahakama za kujitegemea
25. Vikwazo vinavyowekwa na mataifa katika muktadha wa ushirika na mikusanyiko vitapaswa kulingana na uzito wa madhara husikana utatumika tu kama suala la mwisho na kwa kiwango kidogo.
26. Haki ya msingi itakuwa kulindwa katika kesi ya ukiukaji wa haki za ushirika na mkusanyiko

3.6 Maeneo muhimu ya sera, Masuala ya Sera na tamko la sera

Kipengele hiki kinaelezea masuala muhimu ya sera, malengo na tamko la sera pendekezi kwa hatua za kuchukuliwa iliili kushughulikia maswala muhimu ya sera.

3.6.1 Eneo Muhimu la Sera: Mashirika yasiyo ya kiserikali na Ushirikiano wa Serikali katika Maendeleo

3.6.1.1 Suala la Sera

Serikali inatambua umuhimu wa kuimarisha ushirikiano kati ya Serikali na sekta ya mashirika yasiyo ya kiserikali kwa kuzingatia kanuni, tamaduni, na jukumu la Mashirika yasiyo ya kiserikali (NGOs) katika kujenga Taifa hili. Sekta ya mashirika yasiyo ya kiserikali nchini Tanzania ni nguzo muhimu ya maendeleo lakini Serikali haielekezi zaidi juhudi za kuitambua, kuilinda na kuisaidia.

3.6.1.2 Lengo la Sera

Kukuza ushirikiano na uhusiano kati ya mashirika yasiyo ya kiserikali na Serikali ikiwa ni pamoja na uhakika wa msaada wa serikali kwa mashirika yasiyo ya Kiserikali.

3.6.1.3 Tamko la Sera

Serikali itaanzisha utaratibu (mabaraza) kwa kushauriana mara kwa mara na sekta ya Mashirika yasiyo ya kiserikali (NGOs).

- a) Serikali itahakikisha utendaji rahisi na wa kudumu wa mashirika yasiyo ya kiserikali katika kutekeleza maslahi ya umma.
- b) Serikali inakusudia, inatarajia na itasaidia mashirika yasiyo ya kiserikali kutekeleza majukumu yao kikamilifu katika Nyanja zote za maendeleo ya kijamii na kiuchumi, demokrasia na haki za binadamu.
- c) Serikali itaimarisha uratibu wa masuala ya kimamlaka kuhusu Mashirika yasiyo ya kiserikali (NGOs)kupitia Wizara moja na kutoa taratibu za wazi kwa ufanisi wa shughuli za Mashirika yasiyo ya kiserikali (NGOs).
- d) Serikali itaundamuongozo au mkakati wa utekelezaji wa sera unaotaja ushirikiano wa mashirika yasiyo ya kiserikali na serikali katika ngazi zote (Serikali kuu na za Mita)
- e) Kutakuwa na mikutano ya mara kwa mara kati ya wadau wote (AZAKi, Msajili wa Mashirika yasiyo ya kiserikali na Serikali).
- f) Serikali itasaidia, kutoa na kuhakikisha ufikiwaji wa ofisi za Serikali na Bunge wakati wa kufanya kazi.

3.6.2 Eneo la Sera muhimu: Uwezo na Uhuru wa Mashirika yasiyo ya kiserikali

3.6.2.1 Suala la Sera

Haki ya uhuru wa ushiriuka imethibitishwa na vyombo mbalimbali vya kikanda na kimataifa ikiwa ni pamoja na Katiba ya Tanzania. Kwa hiyo, kazi ya Mashirika yasiyo ya kiserikali (NGOs) lazima iwe ya hiari na bila kuingiliwa na jambo lolote. Ingawa Tanzania ina Mashirika yasiyo ya kiserikali (NGOs)mengi yaliyosajiliwa, baadhi ya mashirika haya wakati mwingine huwa na ufuatiliwaji usiofaa, uingiliwaji wa ndani na kuratibiwa mahitaji ya utoaji taarifa.

3.6.2.2 Lengo la Sera

Serikali imejitolea kuhakikisha na kulinda uwezo na uhuru kwa Mashirika yasiyo ya kiserikali kufanya kazi kwa ufanisi kwa maendeleo ya kitaifa ya kiuchumi na kijamii, haki za binadamu na haki jamii.

3.6.2.3 Tamko la Sera

- a. Baraza la Taifa la Mashirika yasiyo ya Kiserikali (NaCoNGO)litaendelezwa kama chombo huru kinachojitegemea, kikiwajibika kwa Mashirika yasiyo ya kiserikali (NGOs)yenyewe.
- b. Mashirika yasiyo ya kiserikali yatakuwa huru kisheria kutekeleza kwa kadiri ya uwezo wao bila kuingiliwa na siasa.

- c. Serikali inahitaji / inatarajia Mashirika yasiyo ya kiserikali (NGOs) kuwa sio mshiriki kabisa wa vyama vya siasa na kuepuka matumizi yote ya mbinu za kisiasa.
- d. Serikali itaruhusu na kuhimiza mashirika yasiyo ya kiserikali kujiongoza yenyewe kupitia Baraza la Taifa la Mashirika yasiyo ya kiserikali (NaCoNGO) na mitandao yao wakati yanachukua hatua za usajili.
- e. Serikali itahakikisha uendeshaji huru wa Mashirika yasiyo ya kiserikali (NGOs) katika maeneo ya mijini na vijijini.
- f. Serikali itahakikisha kuwa, maamuzi juu ya usajili, kusimamishwa na kufutiwa usajili yanachukuliwa na chombo chenye uwakilishi mkubwa wa Mashirika yasiyo ya kiserikali (NGOs).
- g. Usajili wa Mashirika yasiyo ya kiserikali (NGOs) utabaki kuwa ni kitendo cha hiari; na muda wa kuthibitisha uwepo wake utakuwa si zaidi ya miezi 6.
- h. Mashirika yasiyo ya kiserikali (NGOs) yatakuwa huru na uwezo wa kuamua miundo yao ya usimamizi wa ndani, sheria za kuchagua maafisa wa uongozi, uwajibikaji wa ndani, vyanzo vya fedha, aina ya shughuli na maeneo ya utekelezaji.
- i. Mashirika yasiyo ya kiserikali (NGOs) yatakuwa huru kuunda shirikisho / ushirikiano wa kitaifa kwa njia za kisheria kupitia utaratibu sawa na ule ambao Shilika lisilo la Kiserikali huundwa. Mashirika yasiyo ya kiserikali pia yatakuwa huru kuunda shirikisho lisilo rasmi au mitandao ya kitaifa.

3.6.3 Eneo muhimu la Sera: Vitisho kwa Wafanyakazi na Shughuli za Mashirika yasiyo ya kiserikali

3.6.3.1 Suala la Sera

Baadhi ya viongozi wa Serikali na watendaji binafsi wakati mwingine wanayachukulia Mashirika yasiyo ya kiserikali (NGOs) kama maadui, walafi wa madaraka au vikundi vya watu ambao husababisha kushuka kwa heshima ya umma. Kutokana na hayo, vitisho kadhaa kwa mashirika yasiyo ya kiserikali yameripotiwa. Maofisa wengine wa Mashirika yasiyo ya kiserikali (NGOs) wamekamatwa, kuingiliwa mikutano yao ya ndani, vitisho vya kufutiwa usajili na kufuatilia mara kwa mara.

3.6.3.2. Lengo la Sera

Kuunda mazingira wezeshi kwa Mashirika yasiyo ya kiserikali (NGOs), kufanya kazi kwa uhuru bila kuwa na vitisho vyovyote au kuingiliwa kinyume cha sheria.

3.6.3.3. Tamko la Sera

- a. Mashirika yasiyo ya kiserikali yataruhusiwa kushiriki katika utetezi wa kisheria na shughuli za ushawishi endapo maendeleo ya kijamii na kiuchumi ya nchi yatazingatiwa.
- b. Serikali itaunda mwongozo au mkakati ambao unalinda Mashirika yasiyo ya kiserikali (NGOs) dhidi ya vitisho vyovyote wakati wa shughuli zao.
- c. Nchi haitaweka vikwazo vya uhalifu katika mazingira ya sheria zinazosimamia mashirika yasiyo jitengenezea faida. Vikwazo vyote vya jinai vitaelezwa ndani ya kanuni ya adhabu na sio mahali pengine. Mashirika yasiyo ya kiserikali hayataongozwa na masharti ya sheria ya jinai tofauti na masharti ya jumla ya kanuni ya adhabu.

- d. Vikwazo vitatumika tu katika mazingira nmadogo na yaliyoelezewa kisheria; inapaswa kuwa kinyume na ukosefu wa maadili katika suala hilo, na litatumiwa tu na mahakama isiyo na upendeleo, huru na ya mara kwa mara, baada ya mchakato kamili wa kesi na rufaa.
- e. Uhalifu hautahesabiwa kutoka kwa shirika kwenda kwa watu au kinyume chake. Makosa yaliyofanywa na wanachama fulani wa shirika hayatachukuliwa kama msingi wa kuadhibu shirika zima, ambapo muundo rasmi wa uamuzi wa shirika hilo haukutumika kutekeleza makosa hayo. Vile vile, makosa yaliyotolewa na shirika, kwa mfano kupitia maamuzi ya maafisa wake, hayatakiwa kuhesabiwa kwa wanachama wa shirika ambao hawakushiriki katika maamuzi hayo.

3.6.4 Eneo muhimu la Sera: Taarifa, uhasibu na kupashana habari

3.6.4.1 Suala la Sera

Serikali inayataka Mashirika yasiyo ya kiserikali (NGOs) kutoa maelezo ya mipango ya shughuli zao kwa Msajili na Baraza la Taifa la Mashirika yasiyo ya kiserikali (NaCoNGO). Pia, huyatakamashirikayaliyosajiliwa kuwasilisha ripoti ya kila mwaka na mahesabu. Serikali inahitaji kutengeneza rekodi ya umma ya Mashirika yaliyosajiliwa, ikiwa ni pamoja na maelezo ya ripoti na mahesabu yaliyowasilishwa na ada zinazolipwa, ambapo mashirika yasiyo ya kiserikali na umma wanaweza kuipata bure, kwa hakika na kwa urahisi mtandaoni. Hata hivyo, utaratibu wa utoaji wa taarifa unaonekana kuwa na ukiritimba na wa gharama kubwa kwa baadhi ya mashirika yasiyo ya kiserikali. Mahitaji ya kuwasilisha ripoti kwa nakala ngumu kwenye ofisi ya Kurugenzi ya Mashirika yasiyo ya kiserikali (NGOs) huko Dodoma ni gharama kubwa zisizo za lazima kwanimashirika yasiyo ya kiserikali hutakiwa kusafiri kutoka sehemu mbalimbali za nchi kwenda Dodoma.

3.6.4.2 Lengo la Sera

Kuunda utaratibu wenye gharama nafuu, wa kidigitali na shirikishi wa utoaji taarifa na habari za mashirika yasiyo ya kiserikali,

3.6.4.3 Tamko la Sera

- a. Serikali kwa kushirikiana na vyombo vya mashirika yasiyo ya kiserikali itaanzisha tovuti ya mtandao kwa ajili ya kusambaza habari zinazohusiana na shughuli Mashirika yasiyo ya kiserikali (NGOs) na Serikali.
- b. Mashirika yasiyo ya kiserikali hayatadaiwa mahitaji makubwa ya utoaji wa ripoti, ripoti za kila mwaka na ukaguzi wa mahesabu viwe toshelevu.
- c. Mahitaji ya kutoa taarifa yatawekwa kikamilifu katika sheria moja, na ripoti zitatakiwa namamlaka moja tu ya nchi endapo Mashirika yasiyo ya kiserikali (NGOs) yataungana.
- d. Mahitaji yoyote ya utoaji wa taarifa hayatahitaji maelezo ya kina, isipokuwayatalenga kuhakikisha udhibiti wa fedha.
- e. Nchi itahakikisha kwamba haki za siri na faragha ya shirika, wanachama wao na wale ambao kwa niaba yao wanafanya kazi wanaheshimiwa wakati wa mchakato wa taarifa.
- f. Mahitaji ya kutoa taarifa yatakuwa sawa na ukubwa na upeo wa shirika, na shirika litasaidiwa kadili iwezekanavyo, kwa njia nyingine, kupitia utoaji wa muongozo, zana za teknolojia ya habari, na hatua nyingine.

- g. Mahitaji ya kutoa ripoti hayatatumiwa kama njia ya kubana au kugandamiza shirika, ikiwa ni pamoja na, aidha, kwa kutumia taarifa za ndani ya shirika kuhukumu hadharani au kwa kujaribu kuwaadhibukwa lengola kuhaributu shughuli zao katika uhusiano na malengo waliyojiwekea awali.

3.6.5 Eneo muhimu la Sera: Harambee na Msaada wa Serikali

3.6.5.1 Suala la Sera

Uwezo wa kifedha wa Mashirika yasiyo ya kiserikali (NGOs) imeathiri kwa njia nyingi kiwango cha utendaji na mchango wao katika maendeleo. Mashirika mengi hasa katika maeneo ya vijijini, yamekuwa yakifanya kazi kwa kujitolea bila kupata msaada wowote kutoka kwa washirika wa maendeleo na serikali. Karibu 99% ya mashirika yasiyo ya kiserikali yaliyofadhiliwa nchini Tanzania yanafadhiliwa na wafadhili kulingana na misaada ya kigeni. Hii imeathiri sana uendeleo wa Mashirika yasiyo ya kiserikali (NGOs) nchini Tanzania.

3.6.5.2 Lengo la Sera

Kuunda mazingira wezeshi ya ustawi wa Mashirika yasiyo ya kiserikali (NGOs) kifedha, ikiwa ni pamoja na kupata fedha kutoka kwa serikali.

3.6.5.3 Tamko la Sera

- a. Mashirika yasiyo ya kiserikali yanaruhusiwa na kuhimizwa kushiriki katika shughuli zote za harambee zinazokubalika kisheria, na Serikali itatoa msaada kadri utakavyohitajika.
- b. Serikali itayapatia Mashirika yasiyo ya kiserikali (NGOs) vifaa vya kifedha, msaada wa kimaadili kadri rasilimali na fursa zitakavyoruhusu. Itaanzisha mfuko wa maendeleo ya Mashirika yasiyo ya kiserikali (NGOs).
- c. Serikali itaunda mazingira wezeshi kwa Mashirika yasiyo ya kiserikali (NGOs) kutafuta na kupata rasilimali za kifedha kutoka kwa vyanzo binafsi vya ndani, serikali, nchi za kigeni, mashirika ya kimataifa, wafadhili wa kimataifa na vyombo vingine vya nje bila vikwazo.
- d. Serikali itaunda mazingira wezeshi kwa mashirika yasiyo ya kiserikali kujikusanyia fedha kwa njia mbalimbali, ikiwa ni pamoja na kushiriki katika shughuli za kiuchumi zilizopangwa kusaidia misaada ya mashirika.

3.6.6 Eneo muhimu la Sera: Mazingira bora kwa ukuaji, maendeleo, na uendeleo wa Mashirika yasiyo ya kiserikali nchini Tanzania

3.6.6.1 Suala la Sera

Sekta ya Mashirika yasiyo ya kiserikali (NGOs) imefanya mengi lakini kiwango cha maendeleo ya sekta bado ni duni sana. Sekta hii bado haijapata rasilimali, utaalamu na uwezo katika maeneo fulani ya shughuli zao. Mashirika mengi huishi kwa muda mfupi na kutoweka; Mashirika machache tu nchini Tanzania yameweza kuishi zaidi ya miaka 10-20 ya shughuli zao za kwanza. Hii hutokana na sababu mbalimbali nje na ndani. Hata hivyo, hakuna mazingira mazuri kwa mashirika yasiyo ya kiserikali kuondolewa malipo ya kodi.

3.6.6.2 Lengo la Sera

Kuunda mazingira wezeshi na mazuri kwa ukuaji, maendeleo na uendeleo wa Mashirika yasiyo ya kiserikali (NGOs) nchini Tanzania

3.6.6.3 Tamko la Sera

Serikali itaunda mkakati wa ushirikiano baina ya sekta mbalimbali ambao utaruhusu ukuaji na uendeleu wa mashirika yasiyo ya kiserikali.

- a) Jukwaa la kitaifa la AZAKI / Mashirika yasiyo ya kiserikali (NGOs) litaundwa na kukutana mara moja kwa mwaka na viongozi wa serikali, sekta binafsi na washirika wa maendeleo ili kujadili uendeleu wa sekta ya mashirika yasiyo ya kiserikali.
- b) Serikali itatafuta hatua za ubunifu kusaidia ukuaji na uendeleu wa Mashirika yasiyo ya kiserikali (NGOs) kama vile msamaha wa kodi na ushuru.
- c) Nchi itatoa msaada wa umma kwa Mashirika yasiyo ya kiserikali (NGOs), ikiwa ni pamoja na fomu ya faida ya kodi, itahakikisha kwamba fedha na faida zinasambazwa kwa namna isiyo ya upendeleo, isiyo bagua mlengo wa vyama na ya uwazi, kwa misingi ya vigezo na malengo ya wazi, na kwamba utoaji wa fedha au faida haitumiwi kama njia ya kudhoofisha uhuru wa nyanja ya kiraia.

3.6.7 Eneo muhimu la Sera: Mfumo thabiti wa udhibiti binafsi wa Mashirika yasiyo ya kiserikali

3.6.7.1 Suala la Sera

Kwasasa, nchini Tanzania hakuna mifumo thabiti ya udhibiti binafsi wa Mashirika yasiyo ya kiserikali (NGOs) ambao unaruhusu mashirika kujidhibiti na kujidhi wenyewe. Njia hizi za udhibiti zitaweza kuweka ufuatiliaji wa ufuatiliaji na aina nyingine za kipimo cha utendaji, sheria zinazoelezea kutoa habari za ufuatiliaji, na uagizaji wa vikwazo katika kesi za kutofuatilia.

3.6.7.2 Lengo la Sera

Kuunda mashirika yasiyo ya kiserikali yenye ufanisi, ya kitaifa na ya kimataifa ya mfumo wa udhibiti wa ngazi zote

3.6.7.3 Tamko la Sera

- a) Serikali na mashirika yasiyo ya kiserikali yatasaidia uhuru na uwezo wa Mashirika yasiyo ya kiserikali (NGOs) kiutawala wa ndani na udhibiti binafsi.
- b) Serikali itaunda mazingira kwa mashirika yasiyo ya kiserikali kujiendesha yenyewe katika viwango vya kisekta kupitia mitandao yao na mifumo mingine iliyoanzishwa.
- c) Mashirika yasiyo ya kiserikali yataandaa mifumo ya ndani ya kudhibiti na kuzuia watu fulani katika sekta ya mashirika yasiyo ya kiserikali ambao huchukua uongozi wa moja kwa moja na kushindana katika nafasi za kisiasa wakati wa uchaguzi huku bado wana nafasi katika mashirika.

3.6.8 Eneo muhimu la Sera: Utamaduni wa uwajibikaji na uwazi kati ya Mashirika yasiyo ya kiserikali

3.6.8.1 Masuala ya Sera

Wakati mwingine mashirika yasiyo ya kiserikali yameripotwa kuwa na viwango vya chini ya uwazi na uwajibikaji.

Tatizo hili huathiri kiwango cha uaminifu kwa washirika wa maendeleo, serikali na umma. Mashirika yasiyo ya kiserikali (NGOs) yanahitajika kufanya kazi kwa viwango vya juu vya uwazi huku wakiwajibika kwa watu wanaowahudumia. Baadhi ya mashirika yanakosa uadilifu kwa sababu hayatoi ripoti ya misaada ya kazi na programu wanazopokea kutoka kwa washirika wa maendeleo.

3.6.8.2 Lengo la Sera

Kukuza utamaduni wa uwajibikaji na uwazi kati ya Mashirika yasiyo ya kiserikali (NGOs),

3.6.8.3 Tamko la Sera

- a) Serikali inayataka mashirika yasiyo ya kiserikali kuanzisha muundo wake rasmi na maridhawa katika ngazi za kitaifa, za kikanda na za wilaya.
- b) Mashirika yasiyo ya kiserikali (NGOs) zitaanzisha miongozo ya ndani ili kuhakikisha uwajibikaji, uwazi na ahadi ya utume kati yao.
- c) Mashirika yasiyo ya kiserikali (NGOs) yatatengeneza utaratibu wa wazi na unaoeleweka wa kuwasilisha mipango na shughuli zao ikiwa ni pamoja na vyanzo vya fedha kwa mamlaka husika.
- d) Mashirika yasiyo ya kiserikali (NGOs) yatajibika kwa watu yanayowahudumia na kutoa ripoti kwa wafadhili na mamlaka ya serikali.
- e) Kila shirika lisilo la kiserikali (NGOs), litazingatia kanuni zao za uendeshaji kwa uwajibikaji na uwazi
- f) Serikali itaunda utaratibu mzuri na wenye ufanisi wa ufuatiliaji wa michango, utendaji na matokeo ya sekta ya Mashirika yasiyo ya kiserikali (NGOs),

3.6.9 Eneo muhimu la Sera: Uwezesaji, ujumuishaji, na uratibu wa taratibu za usajili wa Mashirika yasiyo ya kiserikali nchini Tanzania

3.6.9.1 Suala la Sera

Mfumo sasa wa usajili wa Mashirika yasiyo ya kiserikali (NGOs) hauzingatii gharama kwa sababu watu wengi wanalazimika kusafiri kutoka sehemu mbalimbali za nchi kwa ajili ya mchakato wa usajili katika Makao makuu ya Shirika la NaCoNGO huko Dodoma. Utaratibu wa usajili bado ni wa analogia ambapo watu wengi bado wanalazimika kuwasilisha nakala ngumu za hati zilizochapishwa ili kukamilisha mchakato. Cha kushangaza, hata mashirika yasiyo ya kiserikali ambayo yanatakiwa kuunganishwa katika ngazi ya wilaya wanalazimika kusafiri kwenda makao makuu ya NaCoNGO kwa ajili ya usajili na masuala mengine ya kuratibu.

3.6.9.2 Lengo la Sera

Kuweka utaratibu wa usajili na uratibu wa Mashirika yasiyo ya kiserikali ambao ni wa uwazi, unaopatikana, usio ghari, wa kidigitali na shirikishiili kulinda uhuru wa ushirika.

3.6.9.3 Tamko la Sera

Serikali kwa kushauriana na uongozi wa AZAKi itaendelea kuimarisha na kuboresha mchakato wa usajili na kuzingatia taratibu nyingine za usajili.

- a. Serikali pia itafanya kazi ya kukabiliana na changamoto nyingine zote za udhibiti ambazo zinahitajika chini ya shughuli za Mashirika yasiyo ya kiserikali (NGOs).
- b. Mchakato wa usajili wa Mashirika yasiyo ya kiserikali (NGOs) na rekodi za mrejesho wa kila mwaka utawekwa katika ngazi ya Wilaya na utawezeshwa hatua kwa hatua kwa mfumo wa mtandao
- c. Serikali itazitaka kila Wilaya kubuni sehemu mahsusi na zinazotambulika kwa ajili ya mashirika yasiyo ya Kiserikali
- d. Serikali itaweka utaratibu wa kidigitali wa usajili na uratibu wa Mashirika yasiyo ya kiserikali (NGOs) ikiwa ni pamoja na kuwasilisha ripoti ya kila mwaka mtandaoni bila kusafiri.

3.6. 10 Eneo muhimu la Sera: Ufuatiliaji baada ya Usajili chini ya Sheria nyingine

3.6.10.1 Suala la Sera

Takriban sheria 10 tofauti zinaongoza mfumo wa kisheria Tanzania bara kwa sasa kuhusu usajili wa AZAKi. Sheria hizi zinajumuisha; Sheria ya Umoja wa Wadhamini, Cap 318 [RE 2002], Sheria ya Mashirika, Sheria ya Misaada ya Kisheria ya 2017, Cap 337 [RE 2002], Sheria ya Taifa ya Baraza la Michezo, Cap 49 [RE 2002], Sheria ya Makampuni, Cap. 212 na Sheria ya Mashirika yasiyo ya Serikali, mwaka 2002. Utekelezaji wa sheria hizi umeleta mkanganyiko katika usajili na udhibiti wa mashirika ya AZAKi nchini, hususani Tanzania Bara. Sheria ya Mashirika yasiyo ya kiserikali (NGOs), 2002 kama ilivyofanyiwa marekebisho mwaka 2005, hata hivyo, inazitaka AZAKi zifanyike kama mashirika yasiyo ya kiserikali na ambazo zimeandikwa kisheria chini ya sheria zilizotajwa kutekeleza Sheria ya Mashirika yasiyo ya kiserikali (NGOs), Sehemu ya 6 ya Sheria zilizoandikwa (Sheria ya Marekebisho) (No.2, 2005 inasema wazi kwamba Mashirika yasiyo ya kiserikali (NGOs), / AZAKi ambazo zimeandikishwa chini ya sheria nyingine zilizoandikwa zinahitajika kuomba kuzingatiwa na Msajili na hati ya kuzingatiwa itatolewa kwa mwombaji; ambapohadhi yake ni sawa na ile iliyotolewa kwa shirika jipya liliyosajiliwa chini ya Sheria. Kwa hiyo, kuichukulia hati ya uzingatizi kama hatua ya usajili mpya umesababisha shida ya usajili mara mbili ambayo ni mzigo kwa Mashirika yasiyo ya kiserikali (NGOs).

3.6.10.2 Lengo la Sera

Ili kuepuka usajili mara mbili na kupunguza vikwazo visivyo vya lazima kwa Mashirika yasiyo ya kiserikali (NGOs) yaliyosajiliwa chini ya sheria nyingine.

3.6.10.3 Tamko la Sera

- a) Serikali itabadili na / au kutekeleza sheria ambayo itahakikisha kuwa Mashirika yasiyo ya kiserikali (NGOs) yote yaliyosajiliwa chini ya sheria zingine yanapewa hati ya kuzingatiwa na si usajili mpya.

- b) Serikali itaimarisha uratibu wa mashirika yasiyo ya kiserikali katika ngazi za wizara ili kuhakikisha usajili wa wazi na ufanisi na shughuli za Mashirika yasiyo ya kiserikali (NGOs).
- c) Serikali itaanzisha kituo kimojacha mwisho ambapo AZAKi zote zilizosajiliwa chini ya sheria tofauti zinakutana kwa madhumuni ya kuzingatiwa.

3.6.11. Eneo muhimu la Sera: Uendeshaji wa Mashirika yasiyo ya kiserikali (NGOs) na Mashirika mengine ya Kimataifa

3.6.11.1 Suala lasera

Mwelekeo wa sasa unaonyesha kuwa kuna ongezeko kubwa la mashirika yasiyo ya kiserikali ya kimataifa yanayofanya kazi nchini Tanzania kwa gharama za mashirika ya ndani. Utendaji unahitaji ushirikiano na mashirika ya ndani, lakini hali inaonyesha kuwa kuna idadi kubwa ya Mashirika ya Kimataifa yanayofanya kazi katika sehemu mbalimbali za nchi wakati fulani kufanya kile kinachoweza kufanywa na mashirika ya ndani. Iwapo mazoea haya yataachwa bila kushughulikiwa, basi karibu mashirika yote ya ndani hayatakuwa na kitu cha kufanya au yatajikuta vyanzo vyao vyote vya fedha vinapelekwa kwa Mashirika ya Kimataifa na mashirika mengine ya Umoja wa Mataifa. Mambo haya yameathiri ushiriki wa Mashirika yasiyo ya kiserikali (NGOs) katika mipango ya maendeleo na shughuli nyingine za kidemokrasia kama uchaguzi wa mwaka 2015.

3.6.11.2 Lengo la Sera

Kuweka utaratibu unaoeleweka juu ya jinsi Mashirika yasiyo ya Kiserikali ya Kimataifa (INGOs) na vyombo vingine vya kimataifa vitakavyofanya kazi Tanzania bila kuziba nafasi ya Mashirika yasiyo ya kiserikali (NGOs) ya ndani.

3.6.11.3 Tamko la Sera

- a) Wakati wa kufanya kazi zao, Mashirika yasiyo ya Kiserikali ya Kimataifa (INGOs) yataheshimu sheria za nchi na utamaduni wa Tanzania na watu wanaotaka kuwafikia.
- b) Wakati wote Mashirika yasiyo ya Kiserikali ya Kimataifa (INGOs) yatafanya kazi kwa pamoja na mashirika yasiyo ya kiserikali ya ndani huku yakiimarisha uwezo wao na ukuaji.
- c) Serikali itaweka ufafanuzi wa kutosha wa majukumu na wajibu, haki na wajibu wa watendaji muhimu katika sekta ya mashirika yasiyo ya kiserikali na haja ya kuunganisha / kuwezesha mchango wa Mashirika yasiyo ya Kiserikali ya Kimataifa (INGOs) kwa maendeleo ya kitaifa.
- d) Mashirika ya kigeni na ya kimataifa yanaweza kuanzisha matawi kwa mujibu wa taratibu zilizowekwa katika sheria ya kitaifa. Vikwazo vyovyote vinavyowekwa na serikali vitatakiwa kulingana na kanuni ya uhalali, kuwa na madhumuni ya maslahi ya umma, na kuwa njia muhimu yenye uwiano wa kufikia lengo hilo katika jamii ya kidemokrasia. Kwa kuwa kanuni hizi zinaeleweka kwa mujibu wa sheria za kikanda na kimataifa za haki za binadamu.

Muundo wa Utekelezaji wa Sera

4.1 Utangulizi

Ni muhimu kwa sera yoyote kuwa na mfumo wa kitaasisi na ufanisi na wa kisheria kwa utekelezaji wake. Hii itasaidia kufafanua na kuboresha majukumu ya watendaji wakuu wanaohusika katika utekelezaji wa sera na lengo la mwisho kuimarisha ufanisi wa huduma zinazotolewa kwa sekta ya mashirika yasiyo ya kiserikali. Mpangilio imara wa utekelezaji wa sera na ufanisi utaelezea shughuli na majukumu, haki na wajibu wa watendaji wa mashirika yasiyo ya kiserikali; pia na kukuza matumizi bora ya miundo ya Serikali na mashirika yasiyo ya kiserikali kwa mchakato wa maendeleo.

Kwa hiyo, zifuatazo ni miundo ya kitaasisi na ya kisheria ya utekelezaji wa sera za mashirika yasiyo ya kiserikali.

4.2 Mpangilio wa kitaasisi

Sera inayopendekezwa itakuwa na muundo wa kitaasisi ambao utaimarisha ushirikiano kati ya mashirika yasiyo ya kiserikali na serikali na itakuwa rahisi kwa wadau wengine kama mashirika ya kifedha ya katika kutekeleza wajibu wao muhimu.

4.2.1 Ofisi ya Mkurugenzi wa uratibu wa mashirika yasiyo ya kiserikali

Kutakuwa na ofisi ya uratibu wa mashirika yasiyo ya kiserikali ndani ya Wizara inayohusika na mashirika yasiyo ya kiserikali ambayo itaongozwa na mkurugenzi. Sheria na kanuni za mashirika yasiyo ya kiserikali zitaweka majukumu ya mkurugenzi.

4.2.2 Baraza la Taifa

Mashirika yasiyo ya kiserikali yataanzisha Baraza la Taifa la mashirika yasiyo ya kiserikali (NaCoNGO) ambalo litakuwa ni chombo huru cha kujenga ushirikiano kati ya wanachama wake na ambacho kitaweka muundo wake, sheria, na taratibu bora za usimamizi wa shughuli zake. NaCoNGO itakuwa baraza la kitaifa la kuunganisha mashirika yasiyo ya kiserikali kwa Tanzania bara. Muundo wa NaCoNGO utajumuisha wawakilishi wa mashirika yasiyo ya kiserikali. Itasimamia maadili ya uendeshaji na kanuni nyingine ambazo zitasaidia mashirika yasiyo ya kiserikali kuwa na utawala unaojitegemea na itawezesha upatikanaji wa habari na kutoa maagizo ya ushirikiano miongoni mwa Mashirika.

4.2.3 Bodi ya uratibu wa mashirika yasiyo ya kiserikali

Bodi ya mashirika yasiyo ya kiserikali inalenga kuwa taasisi huru inayoanzishwa na mashirika yasiyo ya kiserikali pamoja na serikali. Mbali na kazi zilizo juu, bodi hiyo ina maana ya kusaidia mashirika yasiyo ya kiserikali kuingiza maono yao mbalimbali kwa umma, kwa serikali na jumuiya ya kimataifa. Bodi hiyo pia itafanya kazi kama kiunganishi kati ya serikali na jumuiya ya mashirika yasiyo ya kiserikali. Muundo wa bodi utajumuisha 2/3 ya wawakilishi kutoka mashirika yasiyo ya kiserikali na 1/3 ya wawakilishi kutoka serikalini.

4.2.4 Msajili wa mashirika yasiyo ya kiserikali

Serikali itateua mtu huru kuwa Msajili wa mashirika yasiyo ya kiserikali. Kazi na majukumu ya Msajili yatawekwa katika sheria mashirika yasiyo ya kiserikali.

4.3 Mpangilio wa uratibu

4.3.1 Uratibu katika Ngazi ya Taifa

Serikali kupitia Wizara inayohusika na mashirika yasiyo ya kiserikali itaanzisha Baraza la Taifa la mashirika yasiyo ya kiserikali litaongozwa na mwenyekiti atakayechaguliwa kutoka sekta ya mashirika yasiyo ya kiserikali. Uanachama na kazi za baraza zitajumuisha wanachama kutoka sekta za mashirika yasiyo ya kiserikali kama ilivyoelezwa katika sheria ya mashirika yasiyo ya kiserikali.

4.3.2 Uratibu katika ngazi ya mkoa

Sekta ya serikali na sekta ya mashirika yasiyo ya kiserikali itaanzisha baraza la mkoa la mashirika yasiyo ya kiserikali ambalo litaongozwa na mwenyekiti aliyechaguliwa kutoka miongoni mwa mashirika yasiyo ya kiserikali katika Mkoa husika. Wajumbe na kazi za baraza zitajumuisha wanachama kutoka sekta ya mashirika yasiyo ya kiserikali kama itakavyoelezwa katika sheria ya mashirika yasiyo ya kiserikali.

4.3.3 Uratibu katika ngazi ya Wilaya

Sekta ya serikali na sekta ya mashirika yasiyo ya kiserikali itaanzisha baraza la wilaya la mashirika yasiyo ya kiserikali ambalo litaongozwa na mwenyekiti aliyechaguliwa kutoka miongoni mwa mashirika yasiyo ya kiserikali katika wilaya husika. Wajumbe na kazi za baraza zitajumuisha wanachama kutoka sekta ya mashirika yasiyo ya kiserikali kama itakavyoelezwa katika sheria ya mashirika yasiyo ya kiserikali.

4.3.4 Wizara na Idara za serikali

Wizara inayohusika na mashirika yasiyo ya kiserikali itaunganisha uhusiano na mashirika yasiyo ya kiserikali katika wizara zote. Katika kila Wizara, Idara na Wakala wanaohusika na mipango wataratibu uhusiano na mashirika ya asasi za kiraia.

4.3.5 Wadau wengine muhimu

Utekelezaji wa sera unahitaji ushiriki mkubwa wa makundi yote ya jamii kama vile vyombo vya habari, sekta binafsi, ushirika wa mashirika yasiyo ya kiserikali na mitandao, wadau wa maendeleo na taasisi za kitaaluma au za utafiti. Wakati wa utekelezaji wa sera hii, sera itahakikisha kuwa watendaji wengine wa sera muhimu wanahusishwa;

4.3.5.1 Mwamvuli wa mihimili ya mashirika yasiyo ya kiserikali

Mwamvuli wa mashirika yasiyo ya kiserikali yaliyosajiliwa/ makundi / mtandao wa pamoja wa mashirika yasiyo ya kiserikali yaliyosajiliwa yana majukumu muhimu ya kufanya wakati wa uanzishaji wa sera kama ifuatavyo;

- i) Kuitangaza sera ya mashirika yasiyo ya kiserikali na sheria yake miongoni mwa mashirika wanachama
- ii) Kutoa ujuzi wa uongozi kwa wanachama wao katika uendeshaji wa mifumo ya udhibiti iliyoundwa na kuwezesha taaluma, maadili, uadilifu, uwazi na uwajibikaji katika sekta ya mashirika yasiyo ya kiserikali katika nchi;
- iii) Kushirikiana na Wizara husika, bodi ya mashirika yasiyo ya kiserikali na watendaji wengine katika kutambua na kushughulikia sera zinazojitokeza, udhibiti na mambo mengine muhimu kwa lengo la kuimarisha mchango wa sekta ya mashirika yasiyo ya kiserikali kwa maendeleo ya binadamu;
- iv) Kuratibu ushiriki wa wanachama na mashirika yasiyo ya kiserikali katika michakato ya sera za serikali yenye manufaa kwao na kuandika uzoefu wao ili kupima mchango wa mashirika yasiyo ya kiserikali kwa maendeleo.

4.3.5.2 Wadau wa Maendeleo

Wadau wa Maendeleo ya jamii wana jukumu muhimu katika maendeleo na shughuli za sekta ya mashirika yasiyo ya kiserikali. Msaada wa wadau wa Maendeleo huja kwa njia ya mtiririko mkubwa wa rasilimali kwa mashirika yasiyo ya kiserikali na pia kwa kuteua mashirika yasiyo ya kiserikali kufanya kazi kwenye mipango na miradi mbalimbali inayofadhiliwa na wadau wa Maendeleo. Ili kuboresha uratibu wa misaada ya kimaendeleo, wadau wa mashirika yanayounga mkono au vinginevyo kazi katika sekta ya mashirika yasiyo ya kiserikali itachukua majukumu yafuatayo; i) Kuingiza na kuzingatia malengo na kanuni za Sera ya mashirika yasiyo ya kiserikali na sheria husika; ii) Kuunga mkono mfumo wa ushirikiano wa sekta ya mashirika yasiyo ya kiserikali kama inaweza kuanzishwa mara kwa mara kwa lengo la kukuza maendeleo ya utaratibu wa sekta hiyo.

4.3.5.3 Vyombo vya habari

Vyombo vya habari vinatarajiwa kuwa na jukumu muhimu katika utekelezaji wa Sera hii kwa ufanisi kupitia kufanya yafuatayo: i) Kusambaza na kupanua sera kati ya wadau; ii) Kutoa utangazaji mkubwa kwa hadithi za mafanikio katika sekta ya mashirika yasiyo ya kiserikali Tanzania; na iii) Kuchangia kwa mjadala wa sera, mapitio na uboreshaji katika maendeleo ya sekta ya mashirika yasiyo ya kiserikali nchini.

4.3.5.4 Sekta binafsi

Katika mazingira ya uwajibikaji wa kijamii, Sekta binafsi inahimizwa kupanua msaada wa ubunifu kwa maendeleo ya sekta ya mashirika yasiyo ya kiserikali. Hii inaweza kutokea kwa njia mbalimbali ikiwa ni pamoja na:

- i) Kutambua jukumu la ziada la sekta ya mashirika yasiyo ya kiserikali kwa maono na dira ya utoaji huduma ya kibiashara;
- ii) Kusaidia malengo na kanuni za Sera ya mashirika yasiyo ya kiserikali; na
- iii) Kuendeleza uhusiano mzuri na mashirika yasiyo ya kiserikali ya kimataifa, kitaifa na ya ndani yenye lengo la kuboresha ubora wa maisha ya jamii.

4.3.5.5 Utafti na taasisi za kitaaluma

Utafti na taasisi za kitaaluma zinaweza kuchangia utekelezaji wa Sera kwa ufanisi kwa njia ya:

- i) Kufanya uchunguzi wa uendeshaji katika usimamizi wa sera za kiserikali za mashirika yasiyo ya kiserikali na athari za maendeleo, na kusambaza sana matokeo yake;
- ii) Kushiriki katika utekelezaji na tathmini ya mipango inayohusiana na sekta ya mashirika yasiyo ya kiserikali;
- iii) Kushiriki katika mijadala ya sera ambayo inalenga kuboresha mazingira ya sera kwa maendeleo ya sekta ya mashirika yasiyo ya kiserikali.

4.4 Mfumo wa Kisheria

Mfumo wa kisheria ni muhimu kwa kutekeleza viwango, taarifa za sera, sheria na kanuni zilizowekwa katika sera hii. Kuzingatia changamoto zilizopo zinazoathiri mfumo wa kisheria unaosimamia mashirika yasiyo ya kiserikali na AZAKi kwa ujumla, marekebisho kamili ya mfumo wa sasa wa kisheria ni muhimu.

Mfumo wa kisheria na uhibititi uliowekwa hautoi masharti muhimu ili kuhakikisha maendeleo ya sekta ya mashirika yasiyo ya kiserikali ya kisasa, yenye usalama, yenye kujitegemea, yenye ufanisi na yenye ushindani nchini Tanzania. Utekelezaji sahihi wa sera hii inayopendekezwa ya mashirika yasiyo ya kiserikali inahusisha ukaguzi, uoanishaji na uundaji wa mashirika yasiyo ya kiserikali / AZAKi kwa kumfuata sheria na kanuni. Sehemu zifuatazo zimewekwa kama ya kuongeza uboreshaji wa mfumo wa kisheria unaosimamia sekta ya mashirika yasiyo ya kiserikali;

- i) Utaratibu wa Usajili wa mashirika yasiyo ya kiserikali
- ii) Shughuli za mashirika yasiyo ya kiserikali
- iii) Uratibu wa mashirika yasiyo ya kiserikali
- iv) Utekelezaji wa mashirika yasiyo ya kiserikali yaliyosajiliwa katika mfumo mwingine wa kisheria
- v) Uundwaji na muundo wa Bodi za mashirika yasiyo ya kiserikali
- vi) Kuboresha mfumo wa mashirika yasiyo ya kiserikali
- vii) Ulinzi wa mashirika yasiyo ya kiserikali na kuongezeka kwa nafasi za mashirika yasiyo ya kiserikali
- viii) Nidhamu na Maadili ya mashirika yasiyo ya kiserikali
- ix) Fedha za mashirika yasiyo ya kiserikali na uwekezaji
- x) Mashirika yasiyo ya kiserikali na sheria za kodi
- xi) Mashirika yasiyo ya kiserikali kutoa ripoti na uwajibikaji
- xii) Uendeshaji wa mashirika yasiyo ya kiserikali ya kimataifa na mashirika ya Umoja wa Mataifa
- xiii) Uendeshaji wa mashirika yasiyo ya kiserikali Tanzania bara na zanziba

Serikali mara kwa mara na kwa namna ya ushauri itapitia mapitio ya sheria za sasa za mashirika yasiyo ya kiserikali na sheria zingine zinazohusiana na usaidizi bora wa utekelezaji wa sera hii. Njia bora ya kukabiliana na changamoto za kisheria ni kuchukua mbinu mbalimbali za kinidhamu ambapo wawakilishi wa AZAKi / mashirika yasiyo ya kiserikali; watendaji wote, huduma za idara za serikali zitahusishwa katika hatua zote za marekebisho. Sheria inayopendekezwa ya mashirika

yasiyo ya kiserikali itazuia usajili wa aina yoyote au hatua za utii ambazo zinaashiria usajili mara mbili kwa AZAKi zilizosajiliwa chini ya sheria nyingine za nchi. Serikali pia itaendeleza mikakati, miongozo, mipango na kanuni kama njia ya kutekeleza viwango na taarifa za sera zinazopo katika sera hii.

4.5 Mipangilio ya Fedha

Wizara husika pamoja na umoja wa kitaifa wa mashirika yasiyo ya kiserikali yatasaidia kuhamasisha rasilimali za kusaidia maendeleo ya sekta ya mashirika yasiyo ya kiserikali kwa mchango mkubwa katika maendeleo ya kitaifa na kijamii. Mpango wa uhamasishaji wa rasilimali za kitaifa kwa utekelezaji wa sera utajumuisha vipengele vifuatavyo:

4.5.1 Ngazi ya Taifa

- Serikali itatoa na kugawa rasilimali za kutosha kwa wizara husika na kushughulikia mashirika yasiyo ya kiserikali na masuala yanayohusiana.
- Serikali itatoa na kugawa rasilimali za kutosha kwa serikali za mitaa kwa kushughulikia mashirika yasiyo ya kiserikali na masuala yanayohusiana.
- Serikali kuhamasisha rasilimali za ziada kutoka kwa jumuiya ya wafadhili kwa ajili ya maendeleo ya sekta ya mashirika yasiyo ya kiserikali.
- Kuhamasisha rasilimali kutoka mashirika yasiyo ya kiserikali ya kimataifa na ya kitaifa na mashirika ya kifedha kwa ajili ya maendeleo ya sekta ya mashirika yasiyo ya kiserikali.

4.5.2 Ngazi ya Mkoa / Wilaya

- Serikali za mitaa zitatoa na kugawa fedha za kutosha kutoka katika mapato yao kwa ajili ya maendeleo ya sekta ya mashirika yasiyo ya kiserikali.
- Msaada kutoka kwa mashirika mengi na watu binafsi wanaohitaji kuchangia muda, rasilimali, na wafanyakazi kwa ajili ya maendeleo ya sekta ya asasi za kiraia.

4.6 Kujiendesha kibinafsi

4.6.1 Baraza la Taifa la mashirika yasiyo ya kiserikali.

Sekta ya mashirika yasiyo ya kiserikali itaanzisha Baraza la Taifa la mashirika yasiyo ya kiserikali kuwa mwenyekiti na Mwenyekiti aliyechaguliwa kutoka mashirika yasiyo ya kiserikali na sekretarieti iliyoajiriwa ya wataalam. Wajumbe na kazi za Baraza zitajumuisha mashirika yasiyo ya kiserikali yote yaliyosajiliwa chini ya Sheria mashirika yasiyo ya kiserikali. Baraza litakuwa na Bodi yake yenye wajumbe wa mitandao ya mashirika yasiyo ya kiserikali iliyochaguliwa katika ngazi ya kitaifa.

4.6.2 Mitandao ya Taifa

Serikali itatambua, kuhimiza na kuunga mkono maendeleo ya mitandao ya kitaifa ya mashirika yasiyo ya kiserikali ili kushughulikia ajenda maalum ya kijamii ikiwa ni pamoja na udhibiti wa kibinafsi kati yao wenyewe.

Ufuatiliaji na Utathmini wa Sera

Wizara inayohusika na sekta ya mashirika yasiyo ya kiserikali itakuwa na jukumu la ufuatiliaji na utathmini wa sera hii. Itatayarisha mpango kazi dhabiti wa ufuatiliaji na utathmini (M & E) wa sera. Mpango wa ufuatiliaji na tathmini (M & E) utafafanua kwa maneno ya uendeshaji Viashiria muhimu vya utendaji (KPI), kuweka Mpango maalum wa Ufuatiliaji - kwa kila KPI, kutoa zana za kutumiwa na watendaji katika kutoa ripoti juu ya utekelezaji wa sera, kutoa ratiba ya ukaguzi wa mipango ya maendeleo ya utekelezaji wa sera, kuwasilisha orodha ya tathmini kwa ajili ya kupima matokeo na athari zinazotokana na sera, na kuainisha orodha ya ripoti zinazozalishwa na kugawanywa na watendaji wote, kuonyesha ufanisi katika kutekeleza sera na kufikia malengo yanazyhitajika .

Sera itarekebishwa mara moja kila baada ya miaka mitano kulingana na taarifa za ufuatiliaji na tathmini (M & E) na maoni ya wadau.

ANNEXES 1

Na.	Kanda	Idadi ya mashirika	Asilimia
1	Kanda ya pwani (Dar es Salaam na Pwani)	59	28.2
2	Zanziba	23	11
3	Kanda ya magharibi (Tabora, Kigoma and Katavi)	10	4.78
4	Iringa/Njombe	8	3.82
5	Kanda ya kusini (Mbeya, Rukwa)	16	7.65
6	Kanda ya kati (Dodoma, Singida na Morogoro)	16	7.65
7	Kanda ya kasikazini (Tanga, Manyara na Arusha)	31	14.2
8	Kanda ya ziwa (Mwanza na Mara)	17	8.13
9	Kanda ya ziwa magharibi (Kagera, Shinyanga,)	14	6.69
10	Kanda ya pwani kusini (Ruvuma, Mtwara na Lindi)	15	7.17
JUMLA		209	100%

Mapitio ya sera ya mashirika yasiyo ya kiserikali: mgawanyo wa kikanda orodha ya mashirika

Kanda ya pwani (Dar es Salaam na Pwani)				
Na.	Jina	Shirika	Mawasiliano	Mkoa
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25	Edmond Silayo	KIWOHEDE	0742877122	Dar es Salaam
26	Ludovick Utouh	Wajibu Institute of Public Accountability	0713322425	Dar es Salaam
27	Neema Olle Ndemno	TCRIP	0682070200	Dar es Salaam
28	Susan Kitainda	Sadeline Health Care Trust	0656567049	Dar es Salaam
29	Asha Abdallah	Jamii Forum	0767137137	Dar es Salaam
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31	Lennyster Byalugaba	CDF	0713986842	Dar es Salaam
32	Joan Chamungu	TNW	0714578411	Dar es Salaam
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36	Jovic Sanga	AATZ	0716062710	Dar es Salaam
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40	Scolastica Pembe	NHNWF	0717592294	Dar es Salaam
41	Edna Kamaleki	LECRI	0715855114	Dar es Salaam
42	Gasirigwa G. S	MISATAN	0782164064	Dar es Salaam
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113	SAID HAJI MSELEM	ZANZIBA ASSOCIATION FOR CHILDREN'S ADVANCEMENT (ZACA)	JANG'OMBE ZANZIBAR	MJINI MAGHARIB / WILAYA YA MJINI

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168	Sophia Donald	Sauti ya Wanawake Ukerewe	sautiyawanawake tanzania@gmail.com	Ukerewe/Mwanza
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170	Jimmy Luhende	ADLG	0754388882	Mwanza
171	Angela Benedicto	WOTESAWA	0769624323	Mwanza
172	Sylvester Kakinda	UVUUMA	0752664455	Magu-Mwanza
173	Juma Kalwani	RAI	0767065436	Serengeti/Mara
174	Edwin Soko	Initiative for good governance and transparency in Tanzania (IGT)	igt2015tanzania@ gmail.com 075455130 CCM Building near Kenyatta Road karibu na Central Police	Mwanza
175		YOUTH TO YOUTH	youthmovement 2012@gmail.com 0754 654 955	Mwanza
176	Maimuna Kinyamala	Mikono yetu Centre for Creativity and Innovation (MIKONO YETU)	mikonoyetu@gmail. com 0767222 229 0767722229 na 0786722229	Mwanza
177	Jackson Jonathan Mabula	Widows and Orphaned Development Organization (WODEO)	wodeo58@yahoo. com 0756 638 682/ 0682 852 223	Mwanza
178		MUSODEO	musodeomusodeo @yahoo.com 0756 270 528	MUSOMA
179	Rhobi Pristiana Samwelly	ACT – Mara Diocese – Mugumu Safe house	mndlutume@gmail. com +255 756 60 0806	MUGUMU MARA
180		TANZANIA YOUTH POTENTIAL ASSOCIATION	tzyouthpotentials @gmail.com 0756 290 672	MUSOMA

Kanda ya ziwa (Kagera, Geita, Shinyanga,)

181	DAVIS SHYOGOTERA	GOSPEL COMMUNICATION NETWORK OF TANZANIA	ANUANI: S.L.P. 210	NGARA –KAGERA
182	MARTIN MWEMEZI	TANZANIA AGRICULTURAL MODERNIZATION ASSOCIATION (TAMA)	OFFICE MOB. 0782362220	KAGERA REGION/ BUKOBA
183	MUSTAPHA SHAABANI ISABUDA	AGAPE AIDS CONTROL PROGRAM	+255755736908	SHINYANGA REGION
184	Deogratius Tindyeba	Biharamulo Community FM Radio (BCFM)	Bcfm2017@yahoo.com 0753664998	Kagera
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188	EMMANUEL EUSTACE	Human Rights Monitor	eishasi@yahoo.com 0715 915575	KAGERA
189	Ramadhani Birolele	BIHARAMULO NGOS NETWORK FORUM	bingoforum13@yahoo.com 0756 581 897	KAGERA
190	CHIBURA MAKONGORO	Human rights monitor	chiburamakorongo@yahoo.com/ cmakorongo@gmail.com 0768140069	SHINYANGA
191	Felista Oswald	Biharamulo Social Economic Development Association (BISEDEA)	bisedea@yahoo.com 0762 374 820	KAGERA
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194		Human rights monitor	kareny07@yahoo.com	SHINYANGA
Kanda ya pwani kusini (Ruvuma, Mtwara and Lindi)				
195	MWANJA	LINDI REGION PRESS CLUB	P.O.BOX 404 Lindi	LINDI/Lindi
196	JOHN NGINGA	TUNDURU PARALEGAL CENTRE (TUPACE)	CONTACT: +255 (0) 765 636161 / 787 523030	TUNDURU/ RUVUMA
197	ZUHURA MOHAMEDI	KITUO CHA KULEA WATOTO CHA HURUMA	P.O.BOX 2015 LINDI	LINDI MKOA WA LINDI
198	BALTAZARY KOMBA	FAIDIKA WOTE PAMOJA (FAWOPA)	fawopatanzania@ gmail.com	MTWARA
199	CLEMENCE CLELINUS	DOOR OF HOPE TO WOMEN AND YOUTH IN TANZANIA	info@tywf.or.tz	MTWARA
200	JUMA SADIKI NTEKABUKA	NAESO	P.O.BOX 291, NACHINGWEA,	NACHINGWEA, LINDI
201	FIDEN AMON RUANDA	MTWARA NGOS NETWORK (MTWANGONET)	MTWANGONET@ HOTMAIL.COM	MTWARA
202	ABDULAH MBELENJE	NOSODE	P.O.BOX 36,NACHINGWEA	NACHINGWEA, LINDI
203	MWANJA IBADI	LINDI REGION PRESS CLUB	Anuani:P.O.BOX 404 Lindi	LINDI Mkoa wa Lindi
204	Christopher Lilai	JOURNALIST	0762210850	Lindi
205	SHAZIRI ADAM MALAMAYE	MCHOMORO AIDS COMBAT GROUP {MACG}	S.L.P 90, 0752-464066 shaziradam@yahoo. com mchomorocombat @yahoo.com	NAMTUMBO- RUVUMA
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207	Abdul Komba	ARBD	0716532714	Mtwara
208	Salmin Hassan	VOYOHEDA	0745417193	Mtwara
209	Lawi Mohamed	Mukemba Group	0788128476	Mtwara

ANNEX1: Orodha ya mashirika yasiyo ya kiserikali yaliyoshiriki katika mchakato wa mapitio ya sera

ANNEX 2: Nyenzo za ukusanyaji taarifa



Policy Engagement Stakeholders' Consultative Meeting

The Development of the New NGOs Policy

Date: 11 April 2018
Venue: Kisenga LAPF Building-Kijitonyama

Nyenzo Zilizotumiwa Na THRDC Katika Ukusanyaji wa Mapendekezo

Kutokana na mchakato wa sasa wa kutunga Sera mpya ya Mashirika yasiyo ya Kiserikali (NGOs) nchini Tanzania, Mtandao wa Watetezi wa Haki za Binadamu (THRDC) unakusanya mapendekezo kutoka kwa wanachama wake 150 na mashirika yasiyoya kiserikali. Mapendekezo yote yatapelekwa kwa washauri ambao wameajiriwa na Mtandao. Washauri watatarisha sera ya mashirika yasiyo ya Kiserikali (NGOs) kulingana na mapendekezo yaliyokusanywa na yatawasilishwa kwa Msajili wa mashirika yasiyo ya kiserikali kwa njia ya kawaida iliyokubaliwa chini ya uratibu wa NaCoNGO.

Mtandao wa Watetezi wa Haki za Binadamu (THRDC) unahimiza uwazi na mbinu shirikishi. Hii inaweza kuibua madhaifu na mapungufu ya sera ambayo yanaweza kupatikana baada ya kushauriana na kundi kubwa la Mashirika yasiyo ya Kiserikali (NGOs) nchini Tanzania. Katika hatua hii, Mtandao umeajiri wataalam wawili wa utunzi wa sera (Dr A. Kessy na Prof Beatus Kundi) kutoka Chuo Kikuu cha Dar es Salaam kwa ajili ya kupitiwa kwa sera na kutengeneza mapendekezo ya sera kutoka kwa wajumbe wa THRDC na mashirika yasiyo ya kiserikali. Masuala yanayohusiana na sera lazima yarekodiwe kama masuala yaliyojitokeza wakati wa utekelezaji na matumizi ya Sera na Sheria ya sasa ya mashirika yasiyo ya Kiserikali (NGOs). Wataalamu wa sera walioajiriwa wataongoza mapitio na utengenezaji wa mapendekezo ya sera za AZAKi. Uhitaji wa sera mpya, au ukaguzi wa sera unaweza kutambuliwa katika ngazi yoyote. Hata hivyo, masuala ya msingi ambayo sera ihitaji kugusia na kupitia yanapaswa kufanyika kwa kushauriana na mashirika yasiyo ya Kiserikali (NGOs) husika na washirika ambao wataathirika na sera hiyo. Kwa hiyo, tunakuomba kwa upole na unyenyekevu, utoe mapendekezo yako na wataalam kupitia dodoso hili la ukusanyaji maoni.

Tafadhali jibu maswali haya na utume tena kwa THRDC kabla ya 18 Aprili 2018. Mapendekezo yote yanapaswa kutumwa kupitia barua pepe: thrddefenders@gmail.com. Asante kwa kukubali kushiriki katika mchakato huu muhimu kwa ajili ya mustakabali wa sekta ya Mashirika yasiyo ya Kiserikali (NGOs) nchini Tanzania.

Tafadhali jaza maelezo yaliyoulizwa hapa chini:

1. Je, unaunga mkono wazo la kuwa na ukaguzi wa sera za Mashirika yasiyo ya Kiserikali (NGOs)? Kwa nini?

2. Sera ya sasa ya Mashirika yasiyo ya Kiserikali (NGOs) inaathirije shughuli za Mashirika nchini?

3. Je, unaelezeaje ufanisi wa sera katika kusimamia na kudhibiti mashirika yasiyo ya kiserikali?

4. Je, masuala msingi ya mashirika yasiyo ya kiserikali yanashughulikiwa vizuri na masuala gani mapya ya kiseri yanahitajika kuongezwa?

5. Je, unauonaje muundo wa kisheria wa sasa wa Sera ya mashirika yasiyo ya Kiserikali (NGOs) nchini Tanzania?

6. Ni malengo gani muhimu ya Sera za mashirika yasiyo ya kiserikali yamefikwa na ni sababu zipi zilizoweza / kuzuia?

Malengo ya Sera za mashirika yasiyo ya Kiserikali (NGOs) ya Mwaka 2001	Sababu zilizowezesha/Vikwazo
i. Kutoa ufafanuzi wa uendeshaji wamashirika yasiyo ya Kiserikali (NGOs).	
ii. Kutoa mfumo mpana na unaoeleweka wa mipango ya kisheria na ya kitaasisi ili kuwezesha shughuli za mashirika yasiyo ya Kiserikali (NGOs) za Tanzania.	
iii. Kuweka taratibu sahihi za usajili ambazo ni za uwazi, za kuwezesha mamlaka na zitakazoboresha uratibu wa mashirika yasiyo ya kiserikali wakati wa kulinda uhuru wa ushirika.	
iv. Kuimarisha mahusiano kati ya Serikali na asasi za kiraia (AZAKi).	
v. Kuboresha mifumo ya mahusiano ya ushirikishi kati ya mashirika yasiyo ya Kiserikali (NGOs), Serikali, mashirika ya kifedha na wadau wengine.	
vi. Ili kuwezesha mifumo ya msaada wa Serikali kwa mashirika yasiyo ya Kiserikali (NGOs).	
vii. Kuendeleza uwazi, uwajibikaji na uelewa kati ya Mashirika yenyewe, Serikali na wadau wengine.	
viii. Kuwezesha mbadilishano na mtiririko wa habari juu ya shughuli za mashirika yasiyo ya Kiserikali (NGOs) ili kuwepo na matumizi sahihi ya rasilimali na pia kujadili uzoefu au matokeo ya uchunguzi.	

7. Je, malengo haya ya sera yanafaa kwa kuzingatia Asasi Za Kiraia (AZAKI) nchini Tanzania? Nini kinahitaji kuongezwa au kupunguzwa?

8. Ukuaji wa mashirika yasiyo ya kiserikali nchini Tanzania na mabadiliko ya hali ya kisiasa, kiuchumi na kijamii inaonekana kuwa na changamoto kadhaa juu ya sera ya sasa ya Mashirika hayo. Je, nini Maoni yako juu ya jambo hili?

9. Je, unatathminiye kiwango ambacho serikali inawezesha mazingira ya kikatiba, kisheria na sera ya mashirika yasiyo ya Kiserikali (NGOs)?

10. Kwa ujumla, Ni nini nguvu kuu na udhaifu wa sera za sasa za mashirika yasiyo ya Kiserikali (NGOs)?

11. Ni mapendekezo gani muhimu unayopendekeza ili kuboresha sera za mashirika yasiyo ya Kiserikali (NGOs)?

12. Je, unatathmini mtazamo wa serikali juu ya mashirika yasiyo ya Kiserikali (NGOs)?

13. Je, sera ya sasa ya mashirika yasiyo ya kiserikali (NGOs) nchini Tanzania inahusisha maeneo yote ya kisiasa, kiuchumi na kijamii? Ikiwa Ndiyo au Hapana, tafadhali kuelezea.

14. Ni matatizo gani hasa ya mashirika yasiyo ya Kiserikali (NGOs) ambayo yanahitaji ulinzi wa sera na kisheria nchini Tanzania?

15. Je! Unaona tatizo lolote juu ya mfumo wa usajili wa sasa na mfumo wa udhibiti wa AZAKi nchini Tanzania?

16. Je! Ungependa mfumo wa udhibiti wa mashirika yasiyo ya kiserikali nchini Tanzania kuwaje katika sera inayofuata?

17. Pendekeza jinsi sera ifuatayo ya mashirika yasiyo ya Kiserikali (NGOs) inaweza kutumika kushughulikia na kupunguza changamoto za usalama zinazokabili mashirika hayo nchini Tanzania.

18. Je unafahamu zana zinazotumiwa na serikali kutekeleza sera? Ikiwa ndiyo, zitaje.

19. Je! Unaweza kupendekeza maono na dira juu utume kwa Sera mpya ya mashirika yasiyo ya Kiserikali (NGOs) iliyorekebishwa nchini Tanzania?

20. Je, Una mapendekezo gani juu ya njia za uendeshaji wa mashirika yasiyo ya kiserikali ya kimataifa nchini Tanzania?

JINA:.....

SHIRIKA

WILAYA/MKOASIMU.

ANNEX 3: Orodha ya Mapendekezo ya Sera

Mapendekezo ya Sera

Kutokana na matokeo ya mjadala wa utafiti, kuna haja ya kupitia sera ikiwa mashirika yasiyo ya kiserikali nchini Tanzania yanapaswa kutimiza kazi zake kikamilifu. Kwa mtazamo huu mapitio ya sera yanahitaji mapendekezo / maoni yafuatayo kama njia ya kuchangia mjadala juu ya njia ya kuendelea katika kukuza nafasi ya kutosha ya kidemokrasia kwa mashirika yasiyo ya kiserikali nchini Tanzania.

1. Kuendelea kuingizwa kwa utetezi na kushawishi vitendo vyema vinavyoingia katika ufafanuzi wa mashirika yasiyo ya kiserikali.
2. Kuhakikisha kwamba aina mbalimbali za kisheria za shirika zinaweza kuleta faida tofauti kwa jamii.
3. Kuhakikisha kuwa usajili wa mashirika yasiyo ya kiserikali ni tendo la hiari.
4. Kutoa motisha kusajili kama shirika lisilo la kiserikali kwa kuhakikisha mashirika yasiyo ya kiserikali yaliyosajiliwa yameondolewa moja kwa moja kutoa kodi, kodi ya thamani na kodi ya faida.
5. Kuhakikisha kuwa uhuru wa mashirika yasiyo ya kiserikali unaheshimiwa kikamilifu kwa kuhakikisha kuwa maamuzi juu ya usajili, kusimamishwa na kutokusajiliwa yanachukuliwa na muhimili wa uwakilishi mkubwa wa mashirika yasiyo ya kiserikali.
6. Kuhakikisha kwamba asili ya hiari ya mashirika yasiyo ya kiserikali inaheshimiwa kikamilifu kwa kuondoa mahitaji ya kujiandikisha. Kwa hiyo, mashirika ambayo yamesimamishwa au kufutiwa usajili yataendelea kuwepo na kufanya kazi lakini hayatasajiliwa tena kama mashirika yasiyo ya kiserikali na hayatakuwa na msamaha wa kodi. Hii itaimarisha motisha [kifedha] kwa kuboresha usajili wao.
7. Kuongeza na kubadilisha muda unaohitajika kwa mashirika yasiyo ya kiserikali kuthibitisha kuwepo kwake kutoka siku 30 hadi kufikia siku 180.
8. Kutunza kumbukumbu za matukio ya umma za mashirika yaliyosajiliwa yasiyo ya kiserikali kwa umma yaliyosajiliwa, ikiwa ni pamoja na maelezo ya ripoti na akaunti zilizotolewa na ada zinazolipwa, ambazo NGOs na wanachama wa umma wanaweza kupata bure bila malipo, kwa urahisi mtandaoni.
9. Kudumisha NaCoNGO kama chombo cha kujiendesha na kujitegemea, ambayo inawajibika kwa mashirika yasiyo ya kiserikali yenyewe.
10. Kutunza desturi kwa mashirika yaliyosajiliwa kuwasilisha taarifa za kifedha na akaunti zao
11. Kuweka na kutoa haki kwa mashirika yasiyo ya kiserikali kushiriki katika shughuli za kuchangisha na kukusanya fedha, ili kuongeza rasilimali zinazopatikana kwa shughuli za maendeleo.
12. Sera inapaswa kuziweka pamoja asasi za kirai pamoja na kujenga mbinu shirikishi.
13. Kuanzisha kamati ya pamoja imara na na kuiendesha kikamilifu
14. Mashirika yasio ya kiserikali lazima yapewe uhuru wa kutenda kwa uwezo wao bila kuingiliwa na wanasiasa.
15. Usawa kwa Serikali na mashirika yasiyo ya kiserikali unapaswa kuingizwa katika sera kuhakikisha uangalizi imara na uwiano kwa sekta ya mashirika yasio ya kiserikali.

16. Usajili wa mashirika yasio ya kiserikali haupaswi kuhusisha malipo ya ada kwa mashirika yasiyo ya faida.
17. Serikali zinapaswa kutambua kazi za mashirika yasiyo ya kiserikali na kutangaza mchango wake katika sekta ya kijamii na kiuchumi na kupongeza.
18. Mashirika yasio ya kiserikali lazima yaepuke kujihusisha na masuala ya vyama vya kisiasa, na kuepuka kutumia njia na mbinu za kisiasa katika kutekeleza majukumu yao.
19. Mashirika yasio ya kiserikali yanatakiwa yawe imara kwa kutumia mbinu zenzi na zenye ushahidi wa kitafti.
20. Kimundo, muingiliano na mitandao ya kitaifa, kimataifa na ya wilaya inapaswa kuingizwa katika sera kama viungo vitakavyo ratibu mashirika yasio ya kiserikali katika ngazi zao.
21. Sera inapaswa kupitisha malengo ya kufikia na kuteleza.
22. Sera inapaswa kukuza uwazi na uwajibikaj.
23. Sera inapaswa kuwa na maono na dira ya wazi, tamko, na hatua za mafanikio yaliyofikiwa.
24. Sheria ya mashirika yasio ya kiserikali inapaswa kupitiwa upya ili kusaidia utekelezaji wa sera mpya.
25. Kuanzisha mamlaka maalumu ya kusimamia shughuli za mashirika ya sio ya kiserikali na kuhakikisha ulinzi / usalama na uendelevu imara wa mashirika yasiyo ya kiserikali.
26. Kwa kutambua mchango wa mashirika yasio ya kiserikali na watumishi wake serikali ichangie kiwango cha fedha katika mifuko ya hifadhi ya jamii (pension) itakayowasaidia baada ya kustaafu majukumu yao.
27. Serikali inatakiwa ibaki na majukumu ya kusajili na kuratibu tuu.
28. Sera inapaswa kuacha mashirika yasiyo ya kiserikali kujiongoza yenyewe.
29. Serikali inapaswa itoe msaada wa kifedha na kimawazo kwa mashirika yasio ya kiserikali.
30. Kuwezesha na kusaidia mashirika yasio ya kiserikali kupata taarifa mahususi za kibunge.
31. Jukwaa imara la kitaifa ambalo linaweza kukuza mahusiano mazuri kati ya serikali na mashirika yasio ya kiserikali.
32. Kuweka usajili kwa mamlaka ya serikali za mitaa pia.
33. Kuweka kiwango cha ada kwa ngazi ya wilaya, mkoa na kanda.
34. Kujumuisha kifungu ambacho kina lengo la kuendeleza na kukuza maadili kama vile heshima kati ya serikali na mashirika yasiyo ya kiserikali kama mashirika.
35. Pili, sera inapaswa kutengewa fedha na bajati katika ngazi tofauti tofauti kwaajili ya uratibu na utekelezaji.
36. Kuboresha kiwango cha ubora cha majukumu na kazi za mashirika yasiyo ya kiserikali ikiwa ni pamoja na msaada wa kiufundi katika ngazi za uratibu na utekelezaji.
37. Kujenga uwezo wa Mratibu wa mashirika yasiyo ya kiserikali katika ngazi ya baraza ili kuongoza na kutoa msaada wa kiufundi kwa mashirika yasiyo ya kiserikali ili waweze kuzingatia mfumo wa sera na kisheria. Uwezo unapaswa uende sambamba na usambazaji wa nakala za miongozo tofauti inayoongoza mashirika yasiyo ya kiserikali.

38. Kujumuisha kifungu cha sheria ambacho kitahitaji Serikali kupokea taarifa kupitia mitandaoni na sio kusafirisha nakala ngumu. Hiyo inapaswa kutumika pia kwa mashirika yasiyo ya kiserikali kuomba taarifa kupitia mifumo ya serikali kuu.
39. Kutoa nguvu zaidi na kugawa majukumu ya msajili wa kitaifa kwenda kwa msajili wa ngazi ya wilaya na mkoa.
40. Kunapaswa kuwa na ushirikiano imara kati ya mashirika yasiyo ya kiserikali na serikali Kuwa na ushirikiano kati ya mashirika yasiyo ya kiserikali na serikali
41. Kuwepo kwa uhuru wa kutosha kwa Mashirika yasiyo ya kiserikali (NGOs) kufanya kazi
42. Kuzingatia utetezi na ushawishi kama vitendo vyema vinavyoenda sambamba natafsiri ya Mashirika yasiyo ya kiserikali (NGOs).
43. Hakikisha kwamba aina mbalimbali za sheria za shirika zinaweza kuleta faida tofauti kwa jamii.
44. Hakikisha kuwa kujisajili kama Shirika lisilo la kiserikali ni tendo la hiari.
45. Kutoa motisha wa kujisajili kama Shirika lisilo la kiserikali kwa kuwezeshamashirika yote yaliyosajiliwa kuondolewa kodi ya mapato, kodi ya ongezeko la thamani, na kodi ya faida.
46. Hakikisha kuwa uhuru wa mashirika yasiyo ya kiserikali huheshimiwa kikamilifu kwa kuhakikisha kuwa maamuzi juu ya usajili, usimamishwaji na ufutwaji wa usajili huendesha na taasisi maalum pamoja na wawakilishi wa kutosha kutoka mashirika yasiyo ya kiserikali.
47. Hakikisha kwamba asili ya hiari ya mashirika yasiyo ya kiserikali inaheshimiwa kikamilifu kwa kuondoa mahitaji ya kujiandikisha. Kwa hivyo, mashirika ambayo yamesimamishwa au kufutiwa usajili yataendelea kuwepo na kufanya kazi lakini hayatakuwa yamesajiliwa tena kama mashirika yasiyo ya kiserikali na hayatakuwa na hali ya msamaha wa kodi. Hii itawaimarisha motisha [kifedha] yao kuboresha usajili.
48. Kuongeza muda unaohitajika kwa mashirika yasiyo ya kiserikali kuthibitisha kuwepo kwake kutoka siku 30 hadi siku 180.
49. Kuendeleza rekodi ya umma ya mashirika yasiyo ya kiserikali yaliyosajiliwa, ikiwa ni pamoja na maelezo ya ripoti na akaunti zinazowasilishwa na ada zinazolipwa, ambazo NGOs na wanachama wa umma wanaweza kuzipata bure bila malipo, kwa urahisi mtandaoni.
50. Kudumisha NaCoNGO kama kikundi cha kujitegemea cha kujitegemea, kinachowajibika kwa NGOs wenyewe.
51. Kuendeleza mahitaji ya mashirika yasiyo ya kiserikali NGOs yaliyosajiliwa kuwasilisha ripoti na akaunti za kila mwaka.
52. Kudumisha haki ya mashirika yasiyo ya kiserikali kushiriki katika shughuli za harambee, ili kuongeza rasilimali zinazopatikana kupitia shughuli za maendeleo.
53. Sera inapaswa kuleta pamoja mashirika yasiyo ya kiserikali na kujenga mbinu shirikishi.
54. Kuanzisha kamati ya umoja yenye nguvu na uwezo wa kuiendesha kikamilifu
55. Mashirika yasiyo ya kiserikali yanapaswa kupewa uhuru wa kutenda kwa uwezo wao bila kuingiliwa na hadithi ya kisiasa.
56. Usawa kati ya Serikali na mashirika yasiyo ya kiserikali unapaswa kuingizwa katika sera ili kuhakikisha ufuatiliaji na uwiano wa sekta ya mashirika yasiyo ya kiserikali.
57. Usajili wa mashirika yasiyo ya kiserikali haupaswi kuhusisha ada za mashirika yasiyo ya faida.

58. Serikali zinatakiwa kutambua mchango wa kazi za mashirika yasiyo ya kiserikali na kutangaza mchango wake katika sekta ya kijamii na kiuchumi.
59. Epuka Kikamilifu ushiriki wa uanachama wa kisiasa na matumizi yote ya mbinu na hatua za kisiasa.
60. Mashirika yasiyo ya kiserikali yanapaswa kuwa na msisitizo zaidi, kutumia mbinu ushahidi wa msingi wa maelewano.
61. Mfumo wa Mkoa na mtandao wa kiwilaya unapaswa kuingizwa katika sera kama viungo vinavyoweza kuratibu mashirika yasiyo ya kiserikali katika viwango vyao. \
62. Sera inapaswa kupitisha malengo ya kufikiwa
63. Sera inapaswa kukuza uwazi na uwajibikaji
64. Sera inapaswa kuwa na maono, ujumbe na vipimo vya mafanikio
65. Sheria ya Mashirika yasiyo ya kiserikali (NGOs) inapaswa kurekebisha ili kusaidia utekelezaji wa sera mpya
66. Kuanzisha mamlaka maalum ya kusimamia shughuli za mashirika yasiyo ya kiserikali na kuhakikisha ulinzi / usalama na uendeleu wa mashirika yasiyo ya kiserikali.
67. Kutambua Mashirika yasiyo ya kiserikali (NGOs) na wafanyakazi kama wana uwezo na kuwasaidi kadiri iwezekanavyo, serikali ichangie katika pensheni zao za usalama wa jamii.
68. Serikali iachiwe jukumu la usajili na uratibu.
69. Sera inapaswa kuyaacha mashirika yasiyo ya kiserikali kujitegemea yenyewe.
70. Kuhakikisha msaada wa kifedha na rasilimali toka kwa serikali kwenda mashirika yasiyo ya kiserikali.
71. Kuyapa Mashirika yasiyo ya kiserikali (NGOs) uwezo wa kulifikia Bunge
72. Jukwaa la Kitaifa lenye nguvu ambalo linaweza kukuza uhusiano mzuri kati ya serikali na Mashirika yasiyo ya kiserikali (NGOs)
73. Mamlaka ya Usajili kuachiwa Wilaya au Mkoa.
74. Kuweka upya ada za mwaka kwa kiwango cha wilaya au mkoa.
75. Kuweka kipengele kinacholenga kuendeleza na kukuza maadili kama vile heshima kati ya serikali na mashirika yasiyo ya kiserikali kama washirika.
76. Pili, sera zamalipo na bajeti itatengwa kwa ngazi tofauti ya uratibu.
77. Kuboresha uhakika wa ubora wa kazi za Mashirika yasiyo ya kiserikali (NGOs) ikiwa ni pamoja na msaada wa kiufundi wa Mratibu wa Mashirika yasiyo ya kiserikali (NGOs) katika ngazi ya baraza.
78. Kumjengea uwezo Mratibu wa Mashirika yasiyo ya kiserikali (NGOs) katika ngazi ya baraza ili kuongoza na kutoa msaada wa kiufundi kwa mashirika yasiyo ya kiserikali ili waweze kuzingatia mfumo wa sera na kisheria. Uwezo huo unapaswa kuwa pamoja na usambazaji wa miongozo tofauti inayoongoza mashirika yasiyo ya kiserikali.
79. Kuongeza kipengele ambacho inahitaji serikali kupokea ripoti mtandaoni na sio kusafiri na nakala ngumu. Hiyo inapaswa pia kutumiwa na mashirika yasiyo ya kiserikali kuwasilisha kupitia mifumo ya serikali kuu ya upokeaji taarifa.
80. Kutoa nguvu zaidi na kugawa majukumu ya msajili wa mashirika yasiyo ya kiserikali kutoka kitaifa hadi kimkoa na kiwilaya kwa urahisi na uendeshaji rahisi.
81. Kuwa na ushirikiano kati ya mashirika yasiyo ya kiserikali na serikali
82. Kuwepo kwa uhuru wa kutosha kwa Mashirika yasiyo ya kiserikali (NGOs) kufanya kazi

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