



# Averting Violence in Zanzibar's Knife-edge Election

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**What's new?** Zanzibar's 2020 election looks set to be fiercely contested. Past votes have ended in violence. This one could be especially contentious: parties refuse to enter into dialogue due to ill-will inspired partly by the annulment of the 2015 vote, which the opposition claims to have won.

**Why does it matter?** The ruling party has pushed through legal reforms likely to render the elections unfair. Tanzania's President John Magufuli, whose security forces control the semi-autonomous archipelago, has shown an intolerant streak and the police and paramilitaries could try to stop opposition rallies or meet protests with force.

**What should be done?** Civil society, particularly religious leaders, should encourage ruling and opposition party chiefs to engage with each other and agree on changes that could lay the ground for a more credible vote. Western partners and regional bodies should support such efforts and warn that anyone inciting violence could face sanctions.

## I. Overview

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Elections in Zanzibar are always contentious and often violent. The opposition in the semi-autonomous Indian Ocean archipelago claims, with backing from international observers, that the ruling party has cheated its way to victory in every poll since 1995, the first vote since the reintroduction of multiparty elections. Violence after balloting in 2000 killed dozens and displaced hundreds from their homes. The 2005 vote was also marked by pitched battles between supporters of the two main parties. Political leaders brokered power-sharing arrangements endorsed by referendum in July 2010 that helped prevent fighting and brought a measure of calm to elections that year. But the electoral commission's controversial annulment of the 2015 election largely rendered that pact irrelevant. With President John Magufuli's administration leading a crackdown on the opposition in both Zanzibar and the Tanzanian mainland, including by unilaterally pushing through reforms that tilt the playing field further in the ruling party's favour, the 2020 vote could be Zanzibar's most dangerous yet.

To prevent another bout of bloodshed:

- ❑ Civil society groups, particularly religious leaders who are among the few to have escaped Magufuli's crackdowns, should urgently broker a new round of talks between the leaders of the ruling Chama Cha Mapinduzi (Party of the Revolution, CCM) and the main opposition ACT-Wazalendo (Alliance for Change and Transparency). The focus should be on levelling the playing field ahead of the election. The ruling party in Zanzibar should drop, or at least suspend, its most controversial reforms. Opposition leaders should in turn commit to avoid rhetoric that could inflame passions ahead of the vote.
- ❑ Regional partners, including the Southern African Development Community and the East African Community, should encourage these talks. Western governments, which provide important funding for the Tanzanian government, should do likewise. Those governments also should re-engage with the Zanzibari ruling party; their decision to boycott that government after the botched 2015 vote was principled but in the current environment prevents them from trying to persuade the parties to talk. Diplomats should press authorities on the mainland and in Zanzibar to allow opposition rallies, unshackle the media and civil society, and allow for a credible vote. They should warn that the European Union, the U.S. and other countries will meet abuses with a coordinated response, including targeted sanctions against the culprits among state and electoral officials.
- ❑ The Tanzanian authorities should rein in their security forces and paramilitaries, which have repeatedly unleashed violence on Zanzibaris in past elections. President Magufuli, who makes no secret of his disdain for the opposition, is unlikely to do this on his own. Ruling-party grandees, including Tanzania's former presidents, should warn that excessive repression including the killing of opposition supporters will further destabilise the tenuous union between the mainland and Zanzibar and could push more Zanzibaris, especially the youth, to lose confidence in peaceful methods of agitating for change.

## II. The Long Shadow of History

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For centuries, Zanzibar has been a commercial hub on the East African coast. Its position along the Indian Ocean sea route drew settlers from South Asia and the Arabian Peninsula, who joined Africans from the mainland living on the archipelago's two main islands, Unguja and Pemba. At various points the Portuguese, French and British all sought control of the strategic archipelago. The most consequential arrivals were representatives of the Omani sultanate, which ruled Zanzibar on and off for two and a half centuries, between 1698 and 1964, and turned it into a centre of the Arab slave trade.<sup>1</sup>

If Zanzibar is strikingly multicultural, racial differences have long been a source of tension. During British rule (1890-1963), the authorities, who exercised indirect rule along with the sultan of Zanzibar, organised society and encouraged the for-

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<sup>1</sup> For background on efforts by competing powers to control Zanzibar, see Robert Nunez Lyne, *Zanzibar in Contemporary Times* (Stone Town, 2006).

mation of political parties mainly along racial lines. They issued adult males colour-coded identity cards (green for South Asians, brown for Arabs and tan for Africans).<sup>2</sup> Before granting independence in 1963, the British arranged elections that pitted the Zanzibar Nationalist Party (ZNP), an Arab-dominated party, against its African-dominated rival, the Afro Shirazi Party (ASP). Official results handed victory to the ZNP. Abeid Karume, leader of the ASP, accused the British of manipulating the vote in the ZNP's favour, but nevertheless accepted the results. Zanzibar became independent in December 1963.

A month later, Africans rose up in a revolution against the sultan. It was a brief but bloody uprising. Revolutionaries killed thousands of Arabs, Indians and Persians, while many more fled Zanzibar. Karume prevailed after a brief power struggle among the putschists and became president. In April 1964, Zanzibar joined mainland Tanganyika in a union to form Tanzania. In 1977, the Afro Shirazi Party merged with the mainland party, the Tanganyika African National Union (in power since 1961) to form a new entity, Chama Cha Mapinduzi (CCM). CCM, one of Africa's longest-ruling parties, has held power in both the mainland and Zanzibar ever since.

Support for the two main parties, the ruling CCM and the opposition Civic United Front (CUF), tracks the racial and ethnic divide, though not as closely as in the past.<sup>3</sup> For years many Africans associated the CUF with the old Arab oligarchy, but recently the party has attracted an increasing number of votes of African Zanzibaris frustrated by economic problems, which they blame on the mainland's neglect. The two parties diverge principally on the key issue of Zanzibar's autonomy. The CUF, which draws most of its support from Pemba, the smaller of the two main islands, favours greater autonomy for Zanzibar. While in principle Zanzibar enjoys self-rule, with its own president, judiciary and legislature, the opposition contends that the mainland continues to exercise too much power and that its policies contribute to Zanzibar's underdevelopment.<sup>4</sup> Many in CCM, whose stronghold is the largest island of the archipelago, Unguja, also say they favour enhanced autonomy but accuse the CUF's leaders of wanting to go a step further to independence.<sup>5</sup> They generally defend the mainland authorities' policies.

Racialised narratives are never far beneath the surface. Some CCM leaders openly say they are a revolutionary party that captured power by force and will not willingly

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<sup>2</sup> See Andrea Brown, "Political Tensions in Zanzibar, Echoes from the Revolution?", *Canadian Journal of Development Studies*, vol. 30, nos. 3-4 (2010), pp. 615-633; and Bernadeta Killian, "The State and Identity Politics in Zanzibar: Challenges to Democratic Consolidation in Tanzania", *African Identities*, vol. 6, no. 2 (2008), pp. 99-125.

<sup>3</sup> As outlined on p. 9, the CUF's principal leaders recently defected to another party, ACT-Wazalendo, which is now the main opposition party in Zanzibar.

<sup>4</sup> Some in Zanzibar argue that the mainland authorities implement policies designed to frustrate the archipelago's economic prospects, fearing that greater wealth may feed demands for independence. Crisis Group interviews, local civil society and politicians, Zanzibar, March-May 2019.

<sup>5</sup> A senior ruling-party official argued that union with the mainland was helpful as the mainland was in overall control of security. Without that, he said, competition for power between the two main parties would have been more violent. Crisis Group interview, Zanzibar, April 2019. Officially, the CUF was in favour of a three-component government with sovereignty resting at the union level. But some of its officials publicly advocated a looser confederal arrangement whereby Zanzibar would be more or less fully independent. Crisis Group interview, civil society representative who followed the debate, June 2019.

cede it in an election.<sup>6</sup> They regularly brand the CUF a proxy of the Omani sultanate. CUF leaders accuse the ruling party of playing the racial card to distract Zanzibaris from its incompetence and failure to deliver on its promises.<sup>7</sup> The CUF's adoption of Zanzibari nationalism is another factor that has led an increasing number of CCM's traditional supporters to back the opposition party.<sup>8</sup>

Zanzibar's charged racial history explains in part why elections have been far more contentious there than on the mainland, where ethnic relations have historically been among the continent's most harmonious. The first vote in 1995 was contested between the CCM incumbent Salim Amour and opposition leader Seif Sharif Hamad (more commonly known as Maalim Seif). In a theme that would recur in subsequent elections, the vote was marred by delays in opening polling stations and allegations of rigging. After a four-day delay in releasing results, the Zanzibar Electoral Commission (ZEC) declared that Amour had won by one percentage point. The Commonwealth observer mission condemned the process:

In many places this election was a shambles. The cause is either massive incompetence or a deliberate attempt to wreck at least part of this election. We are not yet in a position to know which. Either way, the outcome represents a colossal contempt for ordinary Zanzibari people and their aspirations for democracy. ... On the evidence of polling day, the elections should be held again, in their entirety. But first, the existing election management machinery must be reformed from top to bottom.<sup>9</sup>

The next two elections followed the same pattern, with the opposition, backed by observers, accusing the ruling party and electoral officials of manipulating the vote. Common complaints were the electoral commission's delays or failure to deliver voting materials to polling stations in the opposition stronghold of Pemba, authorities' intimidation of voters using paramilitaries (infamously referred to locally as "zombies") and refusing to register voters on the basis of inflexible residency requirements.<sup>10</sup> The vote in 2000 ended especially badly. Hundreds of opposition supporters took to the streets to protest what they regarded as a stolen election. The police opened fire, killing dozens. The official death toll was placed at 30 but the opposition

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<sup>6</sup> Crisis Group interviews, senior government officials and CCM party leaders, Zanzibar, April 2019. A common refrain from ruling party figures is that: "We captured power by the gun; we can't give it away by the pen".

<sup>7</sup> A CUF official pointed out that the party receives many votes from the African majority in elections, saying most do not buy the ruling party's racialised narratives and are instead concerned with the islands' paucity of economic opportunity. Crisis Group telephone interview, May 2018. The islands' economic doldrums are the chief source of discontent among many Zanzibaris, especially the youth. The unemployment rate in Zanzibar stands at 17 per cent, almost twice the national average. See "Zanzibar pushes to curb unemployment", *Daily News*, 24 November 2014.

<sup>8</sup> Nicomedus Minde, Sterling Roop and Kjetil Tronvoll, "The Rise and Fall of the Government of National Unity in Zanzibar: A Critical Analysis of the 2015 Elections", *Journal of African Elections*, vol. 17, no. 1 (2018), pp. 163-184.

<sup>9</sup> "Report of the Commonwealth Observer Group Tanzania General Elections", The Commonwealth, 1995.

<sup>10</sup> For analysis of the electoral environment and political realignments leading up to the 2015 vote, see Sterling Roop, Kjetil Tronvoll and Nicodemus Minde, "The Politics of Continuity and Collusion in Zanzibar: Political Reconciliation and the Establishment of the Government of National Unity", *Journal of Modern African Studies*, vol. 56, no. 2 (2018), pp. 245-267.

says many more died.<sup>11</sup> Thousands fled to neighbouring Kenya and, fearing forcible relocation back to Zanzibar, some went on to seek refuge in Somalia.<sup>12</sup> Repeated efforts to end the cycle of violence, including two agreements brokered by the Commonwealth in 1999 and 2001, bore no fruit.

Things changed following an election in 2005 that again proved contentious and was marred by fierce clashes between opposition and ruling-party supporters. That vote marked a watershed after Zanzibari elites decided to pursue a formula to prevent the recurrent violence. Amani Abeid Karume (son of the former president), at the time serving his second and final term after taking office in the violence-ridden 2000 vote, agreed to talks with Maalim Seif, the opposition leader. After fourteen months of deliberations, the two sides signed a settlement known as Maridhiano (in Swahili, “reconciliation agreement”). The arrangement aimed to soften the blows of Zanzibar’s winner-take-all system. Its key clause, endorsed by referendum in July 2010, gave the runner-up in an election the power to nominate a vice president; the president was also required to appoint several ministers from that party to a national unity government. This deal paved the way for a peaceful vote in 2010, with the electoral commission again declaring that the opposition had finished second. This time, Seif joined the government as vice president.

If the unity deal engendered a degree of peace and stability in Zanzibar, it proved short-lived. The parties found themselves again bitterly at odds as the next vote approached after taking opposite sides in a debate on the shape of a new Tanzanian constitution, a review of which was initiated by Jakaya Kikwete, then the country’s president, in 2011. In Zanzibar, the CUF and some CCM supporters favoured the idea of a governing structure involving separate but co-equal authorities in the mainland and Zanzibar, overseen by a federal government. Ruling-party leaders, however, expressed opposition, again accusing the CUF of seeking greater autonomy with the ultimate goal of breaking the union apart. This dispute set the stage for another divisive campaign, with CCM leaders reviving its tropes that the CUF sought to seize power and “restore the Sultanate”.<sup>13</sup> President Kikwete eventually decided against advancing the constitutional review.

Just as in the three elections before 2010, the 2015 vote ended in a grim deadlock. The fallout from that vote has set the stage for a potentially dangerous election in 2020. Though observers concluded that the voting process was credible, the electoral commission delayed vote counting and on 27 October troops from the mainland arrived at the vote counting hall and ejected observers.<sup>14</sup> A day earlier, Maalim Seif, as opposition candidate, had released tallies compiled by CUF observers in all polling stations – tallies which he said indicated he had won. On 28 October, following the announcement of results from 31 of 54 polling stations, Jecha Salim Jecha, the electoral commission chair, cancelled the entire vote without consulting the oth-

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<sup>11</sup> “‘The Bullets Were Raining’: The January 2001 Attack on Peaceful Demonstrators in Zanzibar”, Human Rights Watch, 26 January 2001.

<sup>12</sup> “From Mogadishu with love: a refugee’s dream to see Zanzibar again”, UN High Commissioner for Refugees, 10 July 2012.

<sup>13</sup> See Roop et al, “The Politics of Continuity”, op. cit.

<sup>14</sup> “Report of the Commonwealth Observer Mission to Tanzania”, The Commonwealth, June 2016.

er commissioners as required by law.<sup>15</sup> The opposition announced that it would boycott a rerun scheduled for March 2016. Several Western donors, including the U.S., condemned the decision to cancel the voting and announced that they would reduce aid to Tanzania.

### III. CCM “Will Rule Forever, for Eternity”

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President John Magufuli’s increasingly repressive governance on the mainland has not helped ease the combustible environment on Zanzibar created by the disputed 2015 vote. Magufuli, who came to power in October 2015 and quickly backed Zanzibari authorities’ refusal to negotiate with the opposition a settlement to the election crisis, initially drew praise from the public for his decisive leadership style and stand against corruption. But his autocratic leadership has since alienated many Tanzanians in Zanzibar and on the mainland alike. He has curtailed civil liberties, closed independent newspapers and introduced laws to stifle civil society. Government critics have come under repeated, though unexplained, assaults. In one incident unidentified assailants detonated explosives at a law firm associated with Fatma Karume, a leading government critic.<sup>16</sup>

Room for the opposition to operate in both the mainland and Zanzibar has been almost entirely closed. In July 2016, Magufuli banned opposition rallies. He prohibited state television from broadcasting parliamentary proceedings live. In a country previously hailed for its tolerant political culture, Magufuli has been remarkably frank about his rejection of opposition.<sup>17</sup> CCM “will rule forever, for eternity”, he told party members in a meeting in July 2018.<sup>18</sup> Authorities have saddled almost all top oppo-

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<sup>15</sup> Section 119 (10) of the Zanzibari constitution requires that a majority of the commission’s members support its decisions and that the quorum for all meetings include the chairman, vice chairman and four members. Recent amendments to the Elections Act give the commission chairman expanded powers to act unilaterally in managing the election. But the changes do not override the constitutional provisions requiring a quorum for all commission decisions. For analysis of the decision to declare the 2015 election invalid, see Roop et al, op. cit.

<sup>16</sup> At considerable risk to themselves, a number of women, including Fatma Karume, an advocate who was until recently president of the Tanganyika Law Society, Maria Sarungi Tsehai, a founder of the #ChangeTanzania civil society group, and prominent Instagram figure Mange Kimambi, have been vocal critics of Tanzania’s backsliding and Magufuli’s policies. See “Tanzania: Law firm hit by an explosion”, *The Citizen*, 26 August 2017. Kimambi, who lives in exile in the U.S., called street protests in April 2018 in response to authorities’ crackdowns on the opposition. President Magufuli deployed the police in large numbers to counteract the protests. “Tanzania police threaten to beat protesters ‘like stray dogs’ to halt demos”, Reuters, 25 April 2018.

<sup>17</sup> Crisis Group interview, opposition MP, Dar es Salaam, April 2019. The MP said President Magufuli’s public declarations of his intentions to “crush” the opposition were striking and out of keeping with the genteel manner expected of Tanzanian leaders. Though Magufuli has been especially frank about his plans to stifle dissent, Tanzania’s democracy has always been limited, with the ruling party integrated within state institutions and the opposition tolerated but only up to a point. Crisis Group interviews, civil society activists, Dar es Salaam, March-April 2019.

<sup>18</sup> “Chama Cha Mapinduzi will rule forever”, AFP, 17 July 2018. Apart from targeting the opposition, Magufuli and his allies have lashed out at a wide range of targets, including the LGBT community.

sition party leaders with court cases and held some without bail for months.<sup>19</sup> According to opposition leader Zitto Kabwe:

The state has created a situation where parties are not able to mobilise and recruit members, challenge the government or air their views in public. This means that the opposition is taking part in a boxing fight with their hands tied behind their backs.<sup>20</sup>

Some opposition figures have also suffered attacks similar to those on government critics. In a still unresolved case, Tundu Lissu, one of the most prominent opposition figures, was shot sixteen times outside his home in September 2017. He survived and plans to return to Tanzania from Belgium, where he has been receiving treatment, on 7 September 2019 (the second anniversary of the shooting).<sup>21</sup>

The drift toward intolerance risks setting the stage for violent repression during the 2020 election, both in Zanzibar and the mainland. First, Magufuli has upended the Tanzanian tradition of dialogue among political players, closing avenues for discussion between rivals. This step might lead opposition parties to see as their only option demonstrations that would then likely draw a forceful reaction from the state. Secondly, Magufuli's previously sky-high popularity has fallen. Early polls showed 96 per cent support for his policies. Two years later, this figure had dropped to 55 per cent.<sup>22</sup> Polls are now essentially banned and authorities in April 2018 confiscated the passport of the head of Twaweza, a respected firm that carries out periodic public surveys. The more vulnerable CCM feels going into the election, the more likely it is that the state will turn to repression. The party's vote share has consistently fallen in recent elections, from 80 per cent in 2005 to 58 per cent in 2015.

A crucial third factor is the economy. Magufuli has taken an unconventional approach to economic policy, notably by funding major projects using domestic resources instead of seeking external development finance. This approach has sapped funds from social spending in a country that, despite its vast wealth in natural resources, remains relatively poor and donor-dependent. A drive to tax small traders in the informal sector and to issue them cards for which they must pay annually has frustrated many of the urban poor.<sup>23</sup> The cards offer vendors license to operate in markets. The administration also aims to use these to broaden the tax base and increase government revenue by registering players in the informal economy.<sup>24</sup>

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<sup>19</sup> "Tanzania court sends opposition leaders to jail after revoking bail", *The East African*, 23 November 2018.

<sup>20</sup> Crisis Group interview, Dar es Salaam, May 2019.

<sup>21</sup> "Who is so afraid of Tundu Lissu to shoot and injure him?", *The East African*, 9 September 2017. A number of other unexplained incidents, including the torture of prominent pro-opposition supporters by unknown men and the prosecution of ordinary citizens for criticising the president on social media, have likewise sent a chill through society.

<sup>22</sup> "Tanzania was East Africa's strongest democracy. Then came 'The Bulldozer'", *The Atlantic*, 15 May 2019.

<sup>23</sup> Crisis Group interviews, business association officials, April 2019. Farmers have also borne the brunt of some of these erratic policies, including an attempt by the government to purchase cashew nuts, a mainstay of the agricultural economy, directly from growers, cutting out middlemen. Many farmers were not paid their just due. "Tanzania threatens to deploy army in cashew nuts crisis", BBC, 10 November 2018.

<sup>24</sup> "JPM now goes all-out to bring informal sector into the tax net", *The Guardian*, 11 December 2018.

Huge tax bills on foreign mineral companies have been more popular but, imposed in a seemingly arbitrary manner, have chilled investment. Local investors have not been spared. In February, officials from the central bank and the revenue authority closed dozens of privately owned foreign exchange bureaus across the country, ostensibly to prevent money laundering.<sup>25</sup> That came a few days after authorities suspended the license of a newspaper that reported the Tanzanian shilling's depreciation. Even ruling-party stalwarts say the government will have a fight on its hands if the economic decline continues, meaning that authorities will be tempted to crack down harder on the opposition.<sup>26</sup>

President Magufuli's curtailing of political space bodes ill for the country's stability. Some say that the president genuinely feels that to improve Tanzania's economic situation he must effect radical change. Figures in his close circle say the president is conscious that he has a relatively short time to do so (Tanzania strictly enforces a two-term limit) and has decided to limit space for his rivals in order to accomplish as much as possible.<sup>27</sup> Even if this claim has merit, by taking Tanzania off its historical path of tolerance and dialogue, Magufuli risks setting the country up in the longer run for the social fractures that have sown strife in Kenya or, in other neighbouring countries, led disgruntled groups to take up arms.

The atmosphere of intolerance has affected political relations in Zanzibar in particular. Since the first hotly disputed election in 1995, Zanzibari elites have institutionalised dialogue with rival camps, sometimes with the help of outside actors such as the Commonwealth and the EU. Dialogue has not prevented violence but has helped limit it. Today, however, the parties are not talking to each other. The ruling party in Zanzibar, which often takes its cues from leaders on the mainland, has restricted space for the opposition on the archipelago, notably by unilaterally amending laws governing elections, much as CCM has done in the largest city and commercial hub Dar es Salaam on the mainland. Such steps make Zanzibar's opposition, which suspended dialogue with the ruling party following the 2015 vote, even less inclined to talk. Despite this, senior figures from both sides have told Crisis Group they would be willing to enter into discussions before the next election. But no Tanzanian or external actor is working to bring this about.<sup>28</sup>

In this environment, the Zanzibari opposition is investing in a strategy aimed at securing a decisive victory in 2020. Leadership wrangles in the opposition CUF party, which its principal leaders claimed were instigated by the state to weaken the opposition, led Seif and his allies in a surprise 18 March decision to defect en masse to another opposition party, ACT-Wazalendo.<sup>29</sup> Because most CUF supporters are more

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<sup>25</sup> "More bureaux de change shut in Tanzania over money laundering allegations", *The Nerve* (Africa), 14 February 2019. Several company executives purported to have failed to settle tax dues have also been jailed on the unailable offence of "economic sabotage". "Vodacom, Tala bosses charged with economic sabotage in Dar", *The East African*, 3 April 2019.

<sup>26</sup> Crisis Group interview, senior CCM figure, Dar es Salaam, May 2019.

<sup>27</sup> Crisis Group interviews, CCM officials and Western diplomats, Dar es Salaam, February-May 2019.

<sup>28</sup> Crisis Group interviews, opposition and ruling party officials, Zanzibar, April-May 2019.

<sup>29</sup> "Those were six minutes that changed Zanzibar", one opposition MP said, referring to the press conference at which Seif announced his decision. "People had given up. Now the hope is back. Politics is revived". Crisis Group interview, Zanzibar, April 2019. Maalim Seif accused his rivals within the party of working with the Registrar of Political Parties to weaken the CUF and keep it tied up in



attached to its leader than the party itself, many are expected to cross over to ACT-Wazalendo.<sup>30</sup> Ismail Jussa, another prominent CUF leader who switched to ACT-Wazalendo with Seif, said the new party might also attract support from people who were reluctant to back the CUF in the past due to CCM-driven perceptions that it represents the country's previous Arab rulers. In his words:

There were people from Zanzibar who were fed up with CCM but would not join the CUF openly because of stigma from the regime's messaging. They said the CUF is a stooge of the Arabs, that it wants to bring back slavery and the sultanate – all this nonsensical stuff. Now with ACT that no longer applies.<sup>31</sup>

Ruling-party officials also express confidence that they will win but admit to being caught by surprise by Maalim Seif's defection to the new party. The authorities in Dar es Salaam and Zanzibar have taken steps to limit the opposition's chances.<sup>32</sup> In February, the national parliament passed amendments to the political party law giving the registrar of political parties, a presidential appointee, extraordinary powers to regulate party activity.

On the surface, the new regulations, giving the Registrar power to monitor intra-party elections and nomination processes, for example, and regulating how coalitions of parties should be formed, appear to be aimed at encouraging intra-party democracy. Civil society and the opposition, however, perceive the changes as an effort to meddle in opposition parties' internal affairs with a view to limiting their chances to compete effectively. Because the Registrar is a political appointee and given that office's record in targeting opposition parties with threats of deregistration, a coalition of civil society groups appealed to parliamentarians to shelve the bill, which they argued "grants excessive discretionary powers to the Registrar, seriously affecting the autonomy of parties".<sup>33</sup> The groups called instead for parliament to recommend the formation of an independent political parties' dispute tribunal. The ruling party rejected the appeal and parliament, which is dominated by CCM, endorsed the changes.

Several amendments appear to target the Zanzibari opposition. A new section on the registration of political parties requires all parties to "promote the union of the United Republic (of Tanzania)". The Zanzibari opposition does not advocate secession but authorities could interpret its various positions, including on constitutional amendments to create separate, co-equal governments on the mainland and Zanzibar as a first step toward withdrawal from the union and could accordingly sanction the opposition. A week after Seif joined ACT-Wazalendo, the Registrar of Political Parties office wrote to that party's leader Zitto Kabwe accusing it of breaching several regulations that could lead to its deregistration.<sup>34</sup>

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wrangles so it could not effectively challenge the ruling party. See "Tanzania: Battle for CUF soul in shocking new twist", *The Citizen*, 28 July 2017.

<sup>30</sup> Crisis Group interview, civil society activist, Zanzibar, April 2019.

<sup>31</sup> Crisis Group telephone interview, May 2019.

<sup>32</sup> Crisis Group interview, CCM-aligned government official, Zanzibar, April 2019.

<sup>33</sup> See "Outcry over 'sinister' plan in changes to Parties Act", *The Citizen*, 21 November 2018.

<sup>34</sup> "Zitto's party stirs up Tanzania but is the party about to come to an end?", *The East African*, 30 March 2019. Among the charges are that supporters burned CUF flags and chanted religious slogans after Seif announced his defection.

Perhaps more significant than the national-level changes, CCM in Zanzibar has instituted its own reforms that reinforce its advantage as the incumbent. First, MPs in the Zanzibari House of Representatives gave the Zanzibar electoral commission chairman, a CCM appointee, expanded powers to manage elections without consulting other commissioners, though constitutional quorum requirements remain untouched. Previously, the commission could only take such decisions collectively.<sup>35</sup> Secondly, reforms permit the security forces to vote in advance of election day. In itself, this measure is innocuous, but opposition leaders fear that independent observers will be hindered in monitoring polling in barracks.<sup>36</sup>

Lastly, they strip the opposition of power to nominate two of seven electoral commissioners. The ruling party is reportedly considering wider amendments to provide that a unity government be formed not between the winning party and the runner-up but between the one that wins and any other parliamentary party.<sup>37</sup> This change would undercut the power sharing at the heart of the 2010 reconciliation agreement, which helped minimise violence in 2010 and 2015.

#### **IV. Averting Violence**

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Zanzibar's next election could be its most dangerous yet. The annulment of the last vote and the subsequent opposition boycott poisoned relations among politicians and drove a wedge between opposition and ruling-party supporters as well.<sup>38</sup> That the parties are not talking to each other means that they risk approaching another fiercely contested vote in which neither of the two main contenders is willing to contemplate defeat or has an off-ramp for avoiding crisis.

##### *A. Clear Dangers*

The most immediate danger is police and paramilitary violence against opposition supporters. President Magufuli has taken a hard line toward the opposition. His ban on opposition rallies effectively closes space for opposition leaders to campaign. By all indications, he might give security forces and paramilitaries in Zanzibar free rein to confront opposition supporters as the election nears, at a time when public trust in the authorities is already at a low ebb.<sup>39</sup> If the election commission announces the opposition's defeat, and its leaders call for protests, these could descend into bloodshed unless the security forces are measured in their response.

There are medium- and longer-term dangers, too. By most accounts, Zanzibari opposition leaders over the years have warned their supporters not to turn to violence

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<sup>35</sup> See fn 13.

<sup>36</sup> Crisis Group telephone interview, Zanzibari opposition official, May 2019.

<sup>37</sup> Crisis Group interviews, civil society and opposition leaders, Zanzibar, April 2019.

<sup>38</sup> Crisis Group interview, civil society representative, Dar es Salaam, March 2019.

<sup>39</sup> Ismail Jussa, the opposition official, told Crisis Group that the public perceived the security forces not as guardians of the law but as agents of the authorities mandated to stifle dissent. "You would expect in a civilised country for the public to see the defence forces as people sent to protect them. In Zanzibar, unfortunately, that is not the case. There is always anxiety. People see the security forces as bad actors and deeply distrust them".

and to pursue change through peaceful and democratic means. Much of the credit goes to Maalim Seif. According to one veteran observer:

I have told him personally he is possibly the most moderate leader Africa has seen since (Nelson) Mandela. But the cruel irony is that this is the very reason he has not taken power. He is not willing to let people die on the streets, which unfortunately, is the only way to get world attention to the plight of the Zanzibaris.<sup>40</sup>

In the medium term, youth impatience could translate into greater sympathy for those who advocate more direct action to secure a rupture with the mainland. Beginning in the mid-2000s, preachers linked to a group known as Jumuiya ya Uamsho na Mihadhara ya Kiislam (the Association for the Awakening and Propagation of Islam) openly campaigned for secession and condemned the political opposition for its timidity.<sup>41</sup> Uamsho leaders were detained in October 2012 and, after an initial court appearance in the mainland, remain in jail without appearing again in court. Sentiment supporting the cause they advocated – secession – is, nevertheless, widespread.<sup>42</sup>

Some youth have also fallen under the sway of Islamist militants, such as Al-Shabaab, which exploit local frustration and perceptions that the country's Christian-dominated leadership and bureaucracy discriminate against Zanzibar and other predominantly Muslim areas in Tanzania.<sup>43</sup> Though in still relatively small numbers, several Zanzibari youth have crossed into Kenya and Somalia to fight alongside Al-Shabaab. Local elders fear that they could return to join ranks with those who seek to challenge the state through violent means.<sup>44</sup>

The long-run danger is that if frustration persists and more Zanzibaris, especially young people, perceive democratic channels to be rigged and their political elites impotent, the appeal of a full-blown secessionist campaign could grow. This is unlikely to happen in the short term but cannot be ruled out over time. Ongoing exploration for natural gas deposits off Zanzibar's coast adds another complicating factor; if deposits are found, it could further fuel the debate on secession.

## **B. *How to Encourage Dialogue***

The steps needed to prevent or limit violence are not hard to identify; the challenge is persuading the authorities to take them. President Magufuli brooks no criticism and demonstrated his intolerant streak with the November 2018 expulsion of the EU's ambassador to Tanzania.<sup>45</sup> Still, a variety of actors – civil society, particularly religious leaders; the country's former presidents, who remain influential within the ruling party; regional bodies including the East African Community (EAC) and the

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<sup>40</sup> Crisis Group telephone interview, May 2019.

<sup>41</sup> For background, see Marie-Aude Fouéré, "Zanzibar Independent in 2015? Constitutional Revision, Politicised Islam and Separatist Claims", French Institute for Research in Africa Working Papers, vol. 10, no. 2 (2012).

<sup>42</sup> Crisis Group interviews, civil society, political leaders and clerics, Zanzibar, February–May 2019. "Support for the union is at an all-time low", one opposition politician said, citing frustration over repeated botched elections and a struggling economy.

<sup>43</sup> Crisis Group interviews, Muslim clerics, local elders and political leaders, Zanzibar, February 2018.

<sup>44</sup> See Crisis Group Report N°265, *Al-Shabaab Five Years After Westgate: Still a Menace in East Africa*, 21 November 2018, p. ii.

<sup>45</sup> "EU envoy leaves Tanzania amid queries", *The Citizen*, 3 November 2018.

Southern African Development Community (SADC); and Western powers – can help persuade the authorities to change course. The goal should be to convince the Magufuli administration to engage with the opposition in both Zanzibar and the mainland, allow them to campaign freely, restrain the security forces from violently barring opposition gatherings and drop or at least suspend laws that tilt the playing field in the ruling party's favour.

Civil society groups, notably religious leaders, and the Mwalimu Nyerere Foundation, a respected organisation that has brought parties in Zanzibar together before, should lead in urging the parties to engage one another. Due to the short time that remains before the vote, such talks should have a lean agenda. Addressing the structural factors that render a genuinely free election impossible (notably the fact that state institutions and public administrators back the ruling party) is unrealistic. But talks should at a minimum aim to restore the partially free conditions that in past elections enabled the opposition to take part with some hope of victory.

The first step should be for the ruling party in Zanzibar to put on hold plans to pass the bill to permit the election-winning party to share power with another party of its choosing rather than the party that comes in second. Nor should the Registrar of Parties, whose office has summoned the opposition ACT-Wazalendo leadership for alleged breaches, ban the party from contesting the vote as that would court chaos. Ideally, too, the ruling party would suspend recent electoral amendments that skew the playing field even further in its favour, notably by reinstating opposition representatives in the electoral commission and stripping the electoral commission chairman of his power to annul the election unilaterally. Tanzanian authorities should warn the security forces against restricting the opposition from campaigning.

It is unlikely that President Magufuli will on his own change course and permit such reforms. But senior ruling-party officials, including recent presidents Jakaya Kikwete and Benjamin Mkapa, and regional leaders still have influence. They should prevail on Magufuli to moderate policies that jeopardise Tanzania's hard-earned stability and social harmony. According to party insiders, the common perception that Magufuli has brought CCM to heel and will not listen to its leaders is overblown.<sup>46</sup> Instead, CCM grandees, following party tradition, appear to have given him space to effect his agenda and are waiting out his term. But those leaders should not underestimate the risks inherent in his crackdowns.

Neighbouring countries, including members of the EAC and SADC, should lend their voices to calls to avoid violence. They should use their ties to the Tanzanian government to persuade ruling-party figures to engage the opposition and to Magufuli to persuade him not to unleash a wave of repression that could destabilise Tanzania, historically one of the most peaceful nations in the region and a host country to thousands of refugees.

Western partners can help. Following the controversial 2015 election, most of them suspended all engagement with the Zanzibari ruling party. The U.S. cancelled nearly \$500 million in aid to Tanzania. The decision to downgrade ties was principled, but in effect took Western countries that had previously encouraged dialogue out of the game. With the next election looming, Western countries should consider re-engaging to encourage both sides to talk and create conditions for an election that

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<sup>46</sup> Crisis Group interviews, CCM officials, April 2019.

does not end in violent contestation. True, they face a dilemma, due in part to China's growing footprint, which gives Magufuli another option for financial support in the face of Western pressure, and the president's explicit warnings to them. In the words of one diplomat, they have to strike a careful balance "between values and interests".<sup>47</sup> That balance, however, should tip toward support for a credible vote in Zanzibar as a means of reducing risks of instability.<sup>48</sup>

Western governments have tools to influence the authorities. Rather than threatening to suspend aid, they should warn that actors, including security forces, government and electoral officials who subvert the election or mete out violence against protesters will face sanctions.<sup>49</sup> Many senior officials travel regularly to Europe; some educate their children there and have family in those countries. Threats of visa bans and asset seizures will almost certainly matter to them. The EU, African Union, Commonwealth and others should deploy long-term observers early and issue regular statements in advance of the vote.

## V. Conclusion

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Zanzibar matters. It is a historical, cultural and trade centre, home to some of East Africa's oldest ports. Residents up and down the coast have long looked to it as a bastion of learning. If it erupts into long-run instability or violence, the actors most likely to gain would be those with malign intentions, potentially including Islamist militants. Preserving at least a degree of pluralism and give-and-take between the ruling party and its rivals on the archipelago in the forthcoming elections is critical to avoiding such an outcome.

**Nairobi/Brussels, 11 June 2019**

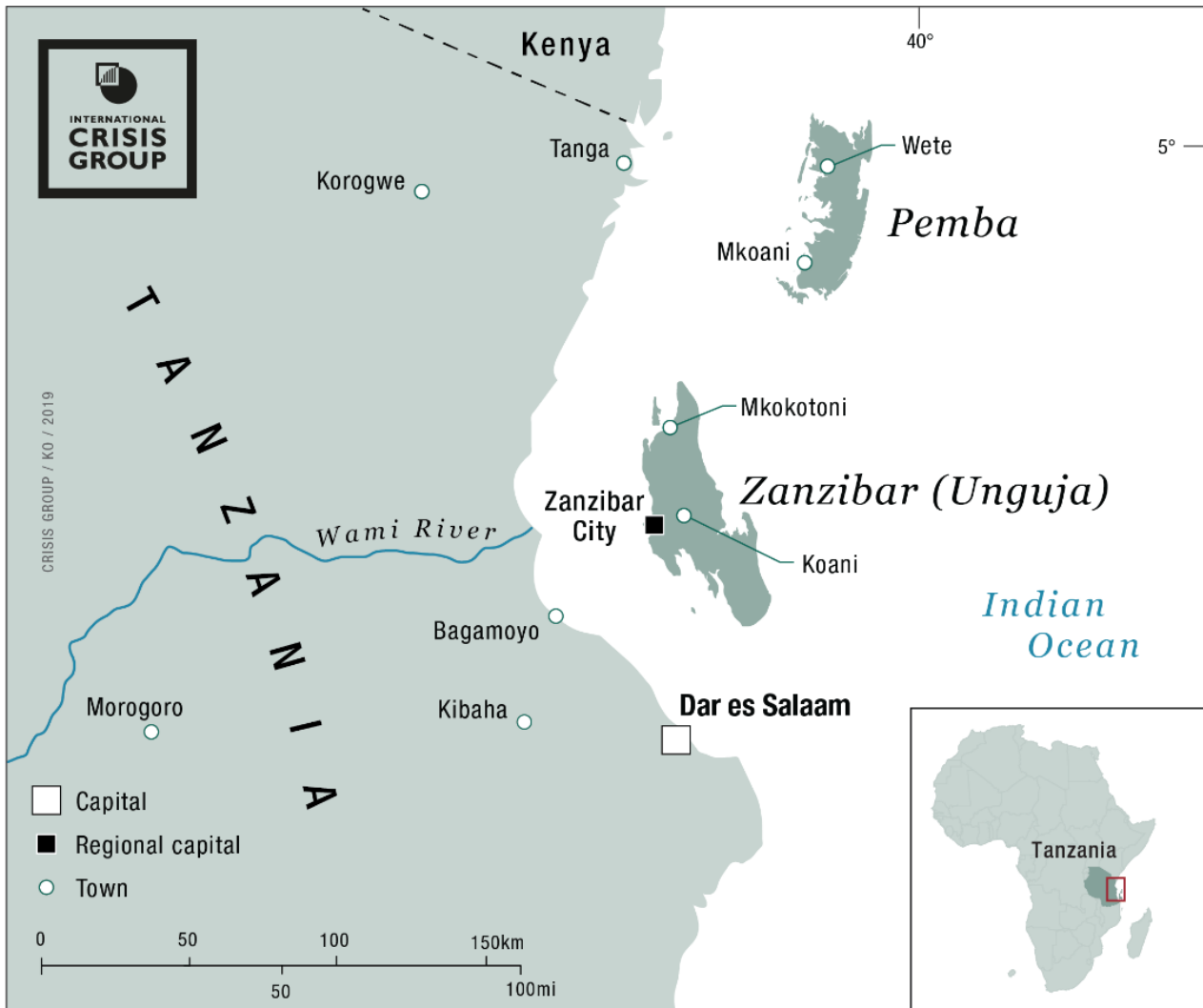
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<sup>47</sup> Crisis Group interview, Western diplomat, Dar es Salaam, March 2019.

<sup>48</sup> Crisis Group interviews, Western diplomats and civil society activists, Dar es Salaam, March-April 2019. Though Tanzanian officials have praised China's stance in not criticising Tanzanian authorities and compared them favourably with Western powers, several Chinese projects and investments have also been frozen. In particular, a planned \$10 billion port, a key part of China's Belt and Road Initiative, has stalled after the Tanzanian government demanded to renegotiate terms. "Tanzania's China-backed \$10 billion port stalls over terms: official", Reuters, 23 May 2019.

<sup>49</sup> A source of frustration among many opposition supporters is the fact that, unlike in the Democratic Republic of Congo, where the African Union initially took a strong stand and the U.S. imposed targeted sanctions on electoral officials, neither has taken similar action against Tanzanian officials. Crisis Group telephone interview, opposition official, May 2019.

Appendix A: Map of Tanzania Highlighting Zanzibar's Archipelago



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## Appendix B: About the International Crisis Group

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The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 120 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes *CrisisWatch*, a monthly early-warning bulletin, providing a succinct regular update on the state of play in up to 70 situations of conflict or potential conflict around the world.

Crisis Group's reports are distributed widely by email and made available simultaneously on its website, [www.crisisgroup.org](http://www.crisisgroup.org). Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board of Trustees – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policymakers around the world. Crisis Group is chaired by former UN Deputy Secretary-General and Administrator of the United Nations Development Programme (UNDP), Lord (Mark) Malloch-Brown.

Crisis Group's President & CEO, Robert Malley, took up the post on 1 January 2018. Malley was formerly Crisis Group's Middle East and North Africa Program Director and most recently was a Special Assistant to former U.S. President Barack Obama as well as Senior Adviser to the President for the Counter-ISIL Campaign, and White House Coordinator for the Middle East, North Africa and the Gulf region. Previously, he served as President Bill Clinton's Special Assistant for Israeli-Palestinian Affairs.

Crisis Group's international headquarters is in Brussels, and the organisation has offices in seven other locations: Bogotá, Dakar, Istanbul, Nairobi, London, New York, and Washington, DC. It has presences in the following locations: Abuja, Algiers, Bangkok, Beirut, Caracas, Gaza City, Guatemala City, Hong Kong, Jerusalem, Johannesburg, Juba, Mexico City, New Delhi, Rabat, Tbilisi, Toronto, Tripoli, Tunis, and Yangon.

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