

TANZANIA: COUNTRY SURVEY (NOV 2022)

1. Ratification of International Instruments

IND	Q	Sub	Subtheme	Question	Relevant sources	Answer: YES/NO	Answer: N/A	Date of ratification/accession / Date of signature	Comment	Source used	Score available	Score achieved	Note on score
RATIFICATION OF INTERNATIONAL INSTRUMENTS (RII)						TANZANIA							
RII	1	a	1954 Convention relating to the Status of Stateless Persons	Is your country party to the 1954 Statelessness Convention (signed and ratified/acceded)? Yes/No. Provide date of ratification / accession.	https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	NO				https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	2	0	2 for yes
RII	1	b		If yes, did your country make any reservations? Yes/No/NA. Please list any relevant reservations in comment column.	https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en		N/A			https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	0	0	-1 for yes
RII	2	a	1961 Convention on the Reduction of Statelessness	Is your country party to the 1961 Statelessness Convention (signed and ratified)? Yes/No. Provide date of ratification / accession.	https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	NO				https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	2	0	2 for yes
RII	2	b		If yes, did your country make any reservations? Yes/No/NA. Please list any relevant reservations in comment column.	https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en		N/A			https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	0	0	-1 for yes
RII	3	a	African treaties	Is your country a party to the African Charter on Human and Peoples' Rights 1981? Yes/No.	https://au.int/en/treaties	YES				https://au.int/en/treaties	1	1	1 for yes
RII	3	b		Is your country a party to the African Charter on the Rights and Welfare of the Child 1990? Yes/No.	African Charter on the Rights and Welfare of the Child	YES		16-Mar-03		https://au.int/en/treaties	1	1	1 for yes

TANZANIA: COUNTRY SURVEY (NOV 2022)

RII	3	c		Is your country a party to the Protocol to the ACHPR on the Rights of Women 2003? Yes/ No.	https://au.int/en/treaties	YES		07-May-07		https://au.int/en/treaties	1	1	1 for yes
	3	d		If yes, did your country make any reservations? Yes/No/NA. Please list any relevant reservations in comment column.	https://au.int/en/treaties	NO				https://au.int/en/treaties	0	0	-1 for yes
RII	3	e		Is your country party to the AU Protocol on free movement of persons in Africa? Yes/No	https://au.int/sites/default/files/treaties/36403-treaty-protocol_on_free_movement_of_persons_in_africa_e.pdf	NO				https://au.int/en/treaties	1	0	1 for yes
RII	4	a	Sub-regional treaties (as relevant)	Is your country party to the 2005 SADC Protocol on the Facilitation of Movement of Persons (signed and ratified)? Yes/No	https://www.sadc.int/files/9513/5292/8363/Protocol_on_Facilitation_of_Movement_of_Persons2005.pdf	YES		18-Aug-05		https://www.sadc.int/files/9513/5292/8363/Protocol_on_Facilitation_of_Movement_of_Persons2005.pdf	1	1	1 for yes
RII	4	b		Is your country party to the 2008 SADC Protocol on Gender and Development (signed and ratified)? Yes/No	https://www.sadc.int/files/8713/5292/8364/Protocol_on_Gender_and_Development_2008.pdf	YES		17-Aug-08		https://www.sadc.int/files/8713/5292/8364/Protocol_on_Gender_and_Development_2008.pdf	1	1	1 for yes
RII	5	a	Other UN treaties	Is your country party to the Convention on the Rights of the Child 1989 (signed and ratified)? Yes/No	https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	YES		10-Jun-91		https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	1	1	1 for yes
	5	b		If yes, did your country make any reservations related to nationality (arts.7&8)? Yes/No/NA. Please list any relevant reservations in comment column.		NO				https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	0	0	-1 for yes

TANZANIA: COUNTRY SURVEY (NOV 2022)

RII	5	c		Is your country party to the Convention on the Elimination of all Forms of Discrimination Against Women 1979 (signed and ratified)? Yes/No.		YES		20-Aug-85		https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	1	1	1 for yes
	5	d		If yes, did your country make any reservations related to nationality (art.9)? Yes/No/NA. Please list any relevant reservations in comment column.	https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	NO				https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	0	0	-1 for yes
RII	5	e		Is your country party to the Convention on the Elimination of Racial Discrimination 1965 (signed and ratified)? Yes/No.	https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	YES		27-Oct-72		https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	1	1	1 for yes
RII	5	f		If yes, did your country make any reservations related to nationality (art.5)? Yes/No/NA. Please list any relevant reservations in comment column.	https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	NO				https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	0	0	-1 for yes
RII	5	g		Is your country party to the International Covenant on Civil and Political Rights 1966 (signed and ratified)? Yes/No.	https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	YES		11-Jun-76		https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	1	1	1 for yes
RII	5	h		If yes, did your country make any reservations related to nationality or birth registration (art.24)? Yes/No/NA. Please list any relevant reservations in comment column.	https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	NO				https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	0	0	-1 for yes
	5	i		Is your country party to the Convention on the Rights of Persons with Disabilities (signed and ratified)? Yes/No.	https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	YES		10-Nov-09			1	1	1 for yes

TANZANIA: COUNTRY SURVEY (NOV 2022)

	5	j		If yes, did your country make any reservations related to nationality or birth registration (art.18)? Yes/No/NA. Please list any relevant reservations in comment column.	https://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en	NO						0	0	-1 for yes
RII	6	a	Direct effect	Once ratified, does an international treaty apply automatically in domestic laws of the country? That is, the treaty does not need to be domesticated in national legislation before it has effect. Please note any relevant constitutional provisions in the Comment column.	Constitutional provisions on status of international law	NO		Constitution section 63				0,5	0	,5 for yes
												15,5	10	

2. Access to birth registration

IND	Q	Sub	Subtheme	Question	Relevant sources	Answer: YES/NO	Answer: N/A	General answer	Legislation: Name of law (act, regulation, directive) & section numbers	Relevant court rulings	Comment	Source used (other than legislation)	Score available	Score achieved	Note on score
SOUTH AFRICA															
ACCESS TO BIRTH REGISTRATION															
ABR	1	a	Access to birth registration - data	What is the official rate of birth registration of children under five in your country? Indicate percentage in general answer column. Please indicate in comments column if a different age limit is applied in	Official country statistics or if not available: https://dhsprogram.com/ https://data.unicef.org/crvs/ https://data.unicef.org/topic/child-protection/birth-registration/ (refer to UNICEF BR sheet) OR https://unstats.un.org/			26,0%				UNICEF	2	0	2 for > 99%; 1 for > 90% 0,5 for > 75%

TANZANIA: COUNTRY SURVEY (NOV 2022)

				relation to recording completeness.	org/sdgs/indicators/database/										
ABR	1	b		What is the official rate of birth certificates issued? Indicate percentage in general answer column.	Official country statistics or if not available reports from DHS: https://dhsprogram.com/ or MICS: https://mics.unicef.org/surveys			14%					1	-1	1 for same as BR rate. 0 for within 10% of BR rate. -1 for more than 10% difference
ABR	1	c		Have percentages increased /decreased over the past (approx.) 5 years? Indicate increased / decreased in general answer column, with percentage in comment column.	Official country statistics or if not available previous DHS/MICS report			No info available.					1	0	1 for increased. 0 for within 2% of former score. -1 for decreased.

TANZANIA: COUNTRY SURVEY (NOV 2022)

ABR	2	a	Access to birth registration - law	Does the law provide that all children must be registered immediately upon birth? Yes/No. Indicate name of law and section in legislation column. Specify time limit for registration in comments column.	National civil registration law, family, and children's law	YES			TZN Births and Deaths Registration Act section 11.				1	1	1 for yes
ABR	2	b		Does the law allow for late registration of birth? Yes/No. Indicate name of law and section in legislation column. Specify time limits for late registration in comments column.	National civil registration law, family and children's law	YES		https://rita.go.tz/page.php?lang=en&pg=85	TZN Births and Deaths Registration Act section 19.		Late registration is only allowed up to 10 years. Half a point should be deducted.		1	0,5	1 for yes. 0.5 for yes, but up to a limited age.
ABR	2	c		If yes, does the law require a fee for late registration of birth (LRB)? Yes/No. Indicate name of law and section in legislation column. Indicate amount of fee in general answer column.	National civil registration law, family and children's law	YES		https://rita.go.tz/page.php?lang=en&pg=85					1	0	1 for no
ABR	2	d		Are there additional requirements for LRB (such as DNA proof of parentage or interviews)? Yes/No. Indicate name of law and section in legislation	National civil registration law, family and children's law	YES		https://rita.go.tz/page.php?lang=en&pg=85			Higher fee than in time registration. Additional affidavits.		0	-1	-1 for yes

TANZANIA: COUNTRY SURVEY (NOV 2022)

				column. Indicate additional requirements in general answer column.											
ABR	2	e		Does the law make provision for the registration of birth and LRB of orphaned/abandoned unaccompanied children whose parents are unknown? Yes/No. Indicate name of law and section in legislation column and note in the comments column any information about implementation of the law in practice.	National civil registration law, family and children's law	YES			TZN Births and Deaths Registration Act section 13.		Registration of an exposed child.		1	1	1 for yes
ABR	3	a	Issue of birth certificate	Does the law provide for all children to be issued with birth certificates upon registration? Yes/No. Indicate name of law and section in legislation column.	National civil registration law, family and children's law	NO							1	0	1 for yes
ABR	3	b		Is the issue of birth certificates free? Yes/No. If no, indicate the cost (amount) in general answer section. Indicate name of law and section in the	National civil registration law	NO		https://rita.go.tz/page.php?lang=en&pg=85		TSh 3500, high transport bcs few centres			1	0	1 for yes

TANZANIA: COUNTRY SURVEY (NOV 2022)

				legislation column.											
ABR	3	d		Do the birth registration entry and birth certificate record the nationality and/or place of birth of the parent(s)? Yes/No. If yes, please indicate in comment column how this is determined (e.g., if the nationality documents of the registering parent(s) are inspected, or nationality / place of birth is self-reported).	National civil registration law; identification law	YES					See a birth certificate.		1	1	1 for yes
ABR	4	a	Discrimination in law: Parents immigration status	Does the law require proof of a parent's legal residence (either citizenship or, if foreign, valid passports and residence permit) for registration of the child to be possible? Yes/No. Indicate name of law and section in legislation column. Specify the required proof or any other barriers in comments column.	National civil registration law; identification law	NO							0	0	-1 for yes
ABR	5	a	Discrimination in law: Parents marital status & equal rights	Does the law require the parents to show proof of legal marriage in order to be able to	National civil registration law; marriage law; nationality law	NO							0	0	-1 for yes

TANZANIA: COUNTRY SURVEY (NOV 2022)

				register the child in both their names? Yes/No. Indicate name of law and section in legislation column.											
ABR	5	b		Does the law allow a mother to register the birth of her child without the consent/presence of the father? Yes/No. Indicate name of law and section in legislation column. Specify the rules in comments column including in relation to the child's birth in or out of wedlock.	National civil registration law	YES			TZN Births and Deaths Registration Act section 12.			Where out of wedlock father is not required to be present or added to birth certificate.	1	1	1 for yes
ABR	5	c		Does the law allow a father to register the birth of his child without the consent/presence of the mother? Yes/No. Indicate name of law and section in legislation column. Specify the rules in comments column including in relation to the child's birth in or out of wedlock.	National civil registration law	YES			The Act does not specify.				1	1	1 for yes

TANZANIA: COUNTRY SURVEY (NOV 2022)

ABR	6	a	Consular registration	Does the law provide for the consular authorities of the country to provide birth and other civil registration services to nationals? Yes/No. Please indicate any relevant law or directive in the legislation column. Please indicate any fees or other conditions in the comments column.	National civil registration law; any law governing ministry of foreign affairs	YES		https://rita.go.tz/page.php?pg=121&lang=en				Registration of birth of citizens outside of Tanzania is done through an email system.	1	1	1 for yes
ABR	6	b		Does the law provide alternative routes for the births of the children of citizens born abroad to be registered in the national register if there is no consular representation in the country of birth (e.g., direct registration with the central registry)? Yes/no. Please indicate any relevant law or directive in the legislation column. Please describe the procedure and fees, if known, in the comments column.	National civil registration law; any law governing ministry of foreign affairs	YES							1	1	1 for yes
													15	5,5	

TANZANIA: COUNTRY SURVEY (NOV 2022)

3. Prevention of statelessness at birth

IN D	Q	Sub b	Subtheme	Question	Relevant sources	Answer: YES/ NO	Answer: N/A	General answer	Legislation: Name of law (act, regulation, directive) & section numbers	Court rulings	Comment	Source used (other than legislation)	Score available	Score achieved	Note on score
TANZANIA															
PREVENTION OF STATELESSNESS AT BIRTH															
PS B	1	a	Right to a nationality	Does the constitution or law provide for every child to have the right to a nationality?	Constitution & nationality code / citizenship act	YES			Section 6 of the Tanzania's Law of the Child Act				1	1	1 for yes
PS B	2	a	Born on the territory	Does the law provide that a child born in the territory has citizenship automatically at birth based on the child's birth in the territory (jus soli)? Yes/No. Indicate name of law and section in legislation	Nationality code/ citizenship act	YES			Section 5 of Tanzania's Citizenship Act (1995)		Yes, but generally not interpreted and implemented by government and even lawyers.		2	1	2 for jus soli. 1 for yes, but not implemented.

TANZANIA: COUNTRY SURVEY (NOV 2022)

			column. Please note any discrepan cy in the law as written and the law as implemen ted in the comment column.											
2	b		Does the law provide that a child born in the territory of parents who hold a particular immigration status (e.g., permanent resident) has citizenship automatically at birth? Yes/No. Indicate name of law and section in legislation column. Please note any discrepancy in the law as written and the law as implemented in the	Nationality code/ citizenship act	NO			Section 5 of Tanzania's Citizenship Act (1995)		Because of jus soli, the children of all kinds of migrants (except diplomats will have citizenship automatically at birth.		1	0	1 if yes

TANZANIA: COUNTRY SURVEY (NOV 2022)

			comment column.											
PS B	2	b	Double jus soli	Does the law provide that a child born in the territory has citizenship automatically at birth based on the child's and one parent's birth in the territory (double jus soli)? Yes/No. Indicate name of law and section in legislation column. Please note any discrepancy in the law as written and the law as implemented in the comment column.	Nationality code/ citizenship act	NO				No specific provision, but jus soli applies. But is not implemented.		1	0	1 for double jus soli

TANZANIA: COUNTRY SURVEY (NOV 2022)

PS B	2	c	Delayed jus soli	Does the law provide that a person can acquire citizenship based on birth in the territory and habitual residence during childhood (automatically or on application)? Yes/No. Indicate name of law and section in legislation column. Please describe the procedure and note any discrepancy in the law as written and the law as implemented in the comment column.	Nationality code/ citizenship act	NO							1	0	1 for delayed jus soli automatic. 0.5 for upon application.
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TANZANIA: COUNTRY SURVEY (NOV 2022)

PS B	3	a	Otherw ise, stateles s born in the territor y	Is there a provision in law for children born on the territory to be granted nationalit y if not granted nationalit y at the time of birth by any other state in accordanc e with its laws? Yes/No	Nationali ty code/ citizensh ip act	NO							2	0	2 for yes. -1 for lack of implementa tion.
PS B	3	b	Parents stateles s	Is there a provision in law for children born in the territory of stateless parents to be granted nationalit y? Yes/No. Specify law and section.	Nationali ty code/ citizensh ip act	NO							1	0	1 for yes
PS B	3	c	Parents unknow n nationa lity	Is there a provision in law for children born in the territory of parents of unknown nationalit	Nationali ty code/ citizensh ip act	NO							1	0	1 for yes

TANZANIA: COUNTRY SURVEY (NOV 2022)

				y to be granted nationality? Yes/No. Specify law and section.											
PS B	4	a	Foundlings	Are children of unknown parents and unknown place of birth (foundlings) granted citizenship automatically by law? Yes/No. If known, please describe the procedure in comment section	Nationality code/citizenship act	NO							1	0	1 for yes
PS B	4	b		Is there a restriction to 'new-born' or 'infant' in law or practice specifying when a foundling would qualify for citizenship? Yes/No	Nationality code/citizenship act		N/A						0	0	-0,5 for yes

TANZANIA: COUNTRY SURVEY (NOV 2022)

PS B	4	c		Where nationality is provided to foundlings, is there a specific provision for withdrawal of nationality from foundlings; if so, is there a protection against statelessness? Yes/No. Please specify in comments box.	Nationality code/citizenship act	N/A						0	0	-0.5 for yes and no protection against statelessness or withdrawal is possible after the child becomes an adult
PS B	5	a	Adoption	Where a child national is adopted by foreign parent(s), does the child lose their original nationality before it is confirmed that the new nationality is acquired? Yes/No.	Nationality code/citizenship act	NO						1	1	1 for no

TANZANIA: COUNTRY SURVEY (NOV 2022)

PS B	5	b		Does a foreign child adopted by national parents acquire nationality? Please indicate whether this is automatic with an adoption order or on application and whether any other conditions apply.	Nationality code/ citizenship act	NO				Although, sec 10 of the Tanzania Citizenship Act could be employed as a pathway to citizenship for such children. It provides for naturalisation of minor children of a citizen.		1	0	1 for automatic with adoption order; 0.5 if a separate application is required; 0 if no provision
PS B	6	a	Descent born in the territory	Is the child of a national parent born in the country automatically attributed nationality at birth, without discrimination based on sex of the parent or birth in or out of wedlock? Yes/No. Please specify in comment column if provision discrimina	Nationality code/ citizenship act	YES			Sec 5 Tanzania Citizenship Act.			1	1	1 for yes; 0,5 if discrimination based on gender or marital status of parent.

TANZANIA: COUNTRY SURVEY (NOV 2022)

				tes based on sex or marital status of the parents.										
PS B	7	a	Descent born abroad	Is the child of a national parent born outside the country automatically attributed nationality at birth, without discrimination based on sex of the parent or birth in or out of wedlock? Yes/No. If not, please specify discriminatory provisions in comments column. Please describe in the comment column any restrictions or additional requireme	Nationality code/ citizenship act	NO				Descent born abroad is dependent upon whether the citizen parent was also born in Tanzania.		1	0,5	1 for yes; 0,5 if discrimination based on gender or marital status of parent, or place of birth of parent.

TANZANIA: COUNTRY SURVEY (NOV 2022)

				comment column, including the rights of each parent in case of birth in or out of wedlock.													
GEL	2	b		Does the law provide for women to transmit nationality to their spouses on an equal basis with men? Yes/No If no, please note the type of discrimination in the comment column.	Constitution; Nationality code/ citizenship act	No			Sec 11 TCA 1995				1	0	1 for yes		
GEL	3	a	Adoptions	Does the law allow men and women to transmit nationality to an adopted child on an equal basis, regardless of their marital status? Yes/No	Constitution; Nationality code/ citizenship act	No			Law of the Child		Men and women do not have equal rights to adopt children.		1	0	1 for yes		
GEL	4	a	Birth registration	Does the law provide equal rights for mothers and fathers to register the birth of a child (subject only to proof of parentage, where relevant). Yes/No	Civil registration law	No			Tanzania Births and Deaths Registration Act				1	0	1 for yes		
													5	2			

5. Naturalisation

IND	Q	Sub	Subtheme	Question	Relevant sources	Answer: YES/NO	Answer: N/A	General answer	Legislation: Name of law (act, regulation, directive) & section numbers	Relevant court rulings	Comment	Source used (other than legislation)	Score available	Score achieved	Note on score
TANZANIA															
NATURALISATION															

TANZANIA: COUNTRY SURVEY (NOV 2022)

NAT	1	a	Marriage	Does the law provide for facilitated acquisition of nationality based on marriage to a national (that is, make it easier than for other foreigners)? If yes, please indicate law and section in legislation column, and note in the comments column whether men and women have equal rights to transmit nationality to their spouses, and any required period of marriage or residence.	Nationality law; immigration law	YES			L1995ART11		Only men to women.		1	0,5	1 if facilitated acquisition -0.5 if gender discrimination
NAT	2	a	Residence-based naturalisation	Does the law provide for a foreigner who has been habitually resident in the territory to be able to acquire nationality? Yes/No Please indicate the law and section number under legislation column. Please specify the minimum number of years of residence required and any other conditions in the comments column, including fees if known.	Nationality law; immigration law	YES			Art 39 Constitution Sec 8 - 10 TZA 1995		8 years		1	1	1 if provision based on 10 years residence or less; 0.5 up to 15 years; 0 more than 15 years
NAT	2	b		In relation to any other conditions applied, including that residence must be legal, are there exceptions for stateless persons or those of undetermined nationality?	Nationality law; immigration law	NO							0	-1	Previous score cancelled if no exception to conditions in case of stateless persons
NAT	3	a	Dependents	Does the law allow for the minor child of an applicant for naturalisation to be included in their parent or parents' application and granted	Nationality law; immigration law	YES			C1977(1995) ART39 L1995ARTS8-10, & 2nd schedule				1	1	1 if yes

TANZANIA: COUNTRY SURVEY (NOV 2022)

				naturalisation in his or her own names? Yes/No Please indicate law and section number in legislation											
NAT	4	a	Equal rights	Does a naturalised citizen enjoy all the rights of a citizen who was attributed citizenship at birth, including the right to transmit nationality to his or her own children? Yes/No. Please indicate law and section number in legislation column. Please indicate any restrictions in comments column.	Constitution; Nationality law; immigration law	YES			Constitution Art 39 & 47		Naturalised citizens cannot hold presidency or vice presidency		1	1	1 if yes; -1 if no right to transmit to children
NAT	5	a	Facilitated acquisition for refugees and stateless persons	Does the law make specific provision for the naturalisation of refugees? Yes/No. Please indicate law and section number in legislation column. Indicate in the comment section if any sort of facilitation is provided (e.g., reduced fees or residence period)	Nationality law; immigration law; refugee law	NO							2	0	2 if specific provision for facilitated acquisition by refugee persons; 1 if specified that may apply; 0 if no provision exists; -1 if refugees are specifically excluded

TANZANIA: COUNTRY SURVEY (NOV 2022)

NAT	5	b		Does the law make specific provision for the naturalisation of stateless persons or persons of undetermined nationality? Yes/No. Please indicate law and section number in legislation column. Indicate in the comment section if any sort of facilitation provided (e.g., reduced fees, residence period)	Nationality law; immigration law; refugee law	No							2	0	2 if specific provision for facilitated acquisition by stateless persons; 1 if specified that may apply; 0 if no provision exists; -1 if stateless persons are specifically excluded
NAT	6	a	Renunciation of another nationality	Is there a requirement to renounce before acquiring citizenship based on marriage, residence etc? Yes/No. If there is a requirement, is proof only required after naturalisation confirmed.	Nationality law	Yes			Cit Act Art 7(5)				0	-1	-1 if renunciation required & no protection against statelessness
													8	1,5	

6. Loss and deprivation of nationality

IND	Q	Sub	Subtheme	Question	Relevant sources	Answer: YES/NO	Answer: N/A	General answer	Legislation: Name of law (act, regulation, directive) & section numbers	Relevant court rulings	Comment	Source used	Score available	Score achieved	Note on score
TANZANIA															
LOSS OR DEPRIVATION OF NATIONALITY															
LDN	1	a	Loss (by operation of law)	Does the law make provision for automatic loss of nationality of nationals from birth in any other circumstances than voluntary acquisition of another nationality? Yes/No	Constitution, nationality law	Yes							0	-1,5	-1 if yes -1.5 if no verification of other nationality is done.

TANZANIA: COUNTRY SURVEY (NOV 2022)

LDN	2	a	Dual nationality (right to opt)	Does the law allow dual nationality for an ADULT born with two nationalities? Yes/No Please specify any conditions in comment column.	Constitution, nationality law	NO			L1995ART7			1	0	1 if dual nationality permitted
LDN	2	b		If no, is it permitted for children? Yes/No	Constitution, nationality law	Yes			Sec 7 TZA 1995		For children who have dual citizenship from birth	0	0	-1 if not allowed for children
LDN	3	b	Deprivation (by decision of govt)	If the law makes provision for the deprivation of nationality by decision of the government, does the law prohibit deprivation if the person would be made stateless? Yes/No	Constitution, nationality law	No						0	-1	-1 if no
LDN	4	a	Marriage	Does the law provide that the marriage of a national to a foreigner or a foreigner's divorce from a national results in automatic loss of nationality for the spouse or children? Yes/No	Constitution, nationality law	No			No specific provision			0	0	-1 if yes
LDN	5	a	Children	Does the law make provision for loss or deprivation of nationality for the children of a person who has lost or been deprived of his/her nationality? Yes/No	Constitution, nationality law	No			No specific provision			0	0	-1 if yes
												1	-2,5	

7. Due process in nationality decisions

IND	Q	Sub	Subtheme	Question	Relevant sources	Answer: YES/NO	Answer: N/A	General answer	Legislation: Name of law (act, regulation, directive) & section numbers	Relevant court rulings	Comment	Source used (other than legislation)	Score available	Score achieved	Note on score
TANZANIA															
DUE PROCESS IN NATIONALITY DECISIONS															

TANZANIA: COUNTRY SURVEY (NOV 2022)

DPN	1	a	Constitutional protections	Does the constitution establish the right not to be arbitrarily deprived of nationality? Yes/No	Constitution	NO						1	0	1 if yes
DPN	2	a	Procedural fairness	Does the law require any decision to refuse recognition or grant of nationality (from birth or by naturalisation/ registration), or to deprive a person of citizenship to be reasoned and notified to the person concerned in writing? Yes/No Please note details in comment column	Constitution, nationality law, legislation on administrative procedures	NO			Tanzania Citizenship Act 1995 sec. 23.			1	0	1 if yes, but 0 if not applied
DPN	2	b		In case of loss or deprivation of nationality, does the law allow an affected person to make representations before loss or deprivation of citizenship takes effect? Yes/No Please note details in comment column	Constitution, nationality law, other law on administrative procedures	NO			Tanzania Citizenship Act 1995 sec. 23.			1	0	1 if yes, but 0 if not applied
DPN	3	a	Administrative review / appeal	Does the law provide for an administrative appeal/review (within the relevant executive branch) of decisions to refuse recognition of nationality (e.g., by refusal of an official identity document recording nationality), or to deprive a person of nationality Yes/no. Please describe the procedure in comments column.	Constitution & legislation on nationality, identity cards, passports	NO			Tanzania Citizenship Act 1995 sec. 23.			1	0	1 if yes

TANZANIA: COUNTRY SURVEY (NOV 2022)

DPN	3	b		In case a person's nationality is in dispute and the person has ever held an official document that records his or her nationality (such as a national identity card or passport) is it for the state to disprove that he or she is a citizen? Yes / No	Constitution, & legislation on civil procedure, nationality, identity cards, passports	YES			Tanzania Births and Deaths Registration Act section 25(3) a certificate is prima facie evidence.				1	0,5	1 for yes, but - 0,5 for no shared burden
DPN	4	a	Independent oversight of executive action	Are there independent bodies (other than courts) that have the mandate to review executive branch decisions in relation to nationality (ombuds person, human rights commission, etc)	Constitution / legislation establishing these bodies	NO							1	0	1 if yes
DPN	5	a	Judicial oversight	Are decisions relating to the issue of nationality documents by the executive appealable to the usual court system?	Constitution / legislation on civil procedure, nationality, identity cards, passports	NO			TZA Sec 23				1	0	1 if yes
DPN	5	b		Are there any specific exclusions in law from court review of executive decisions in relation to the recognition, grant or deprivation of nationality? Yes/No	Constitution / legislation on nationality, identity cards, passports	YES			Anudo v Anudo African Court (not implemented)				0	-2	-2 if yes
DPN	6	a	Legal assistance	Is legal assistance available enabling a person to challenge a decision to refuse to recognise or grant nationality or to deprive nationality in court? Yes/no	Legislation relevant to legal assistance	NO							1	0	1 for yes
													8	-1,5	

TANZANIA: COUNTRY SURVEY (NOV 2022)

8. Resolution of unknown nationality and protection of stateless persons

IND	Q	Sub	Subtheme	Question	Relevant sources	Answer: YES/NO	Answer: N/A	General answer	Legislation: Name of law (act, regulation, directive) & section numbers	Relevant court rulings	Comment	Source used (other than legislation)	Score available	Score achieved	Note on score
TANZANIA															
RESOLUTION OF UNKNOWN NATIONALITY & PROTECTION OF STATELESS PERSONS															
RU N	1	a	Nationality determination procedure: children	In case of a child of unknown parents, is there a procedure to seek to establish the child's identity and nationality, and to issue documents confirming nationality if it is determined either that one parent is a national or that the parents cannot be identified? YES/NO If yes, please describe the procedure, including the legal grounds, deadlines and competent authority.	Nationality law; children's law; civil registration law	NO		There is provision for a certificate of citizenship in cases of doubt for those who may be citizens. Tanzania Citizenship Act 1995, sec. 21.					2	0	2 for yes
RU N	1	b		In case of a child whose parents are stateless or of unknown nationality, or who cannot transmit nationality to the child, is there a procedure to determine the nationality of the child (including liaising with the authorities of other states where the child may have a link), and to issue documents confirming nationality if it is determined that the child is otherwise stateless. YES/NO. If yes, please describe the procedure, including the legal grounds, deadlines	Nationality law; children's law; civil registration law	NO							2	0	2 for yes

TANZANIA: COUNTRY SURVEY (NOV 2022)

				and competent authority.													
RUN	2	a	Nationality determination procedure: adults	Is there a procedure established in law to determine nationality of an adult person ordinarily resident in the country in case of doubt? Yes/No. If yes, please state the competent authority and describe procedure.	Nationality law; civil registration law; law on national identity cards	NO		There is provision for a certificate of citizenship in cases of doubt for those who may be citizens. Tanzania Citizenship Act 1995, sec. 21.						2	0	2 if yes	
RUN	2	b		Is there a presumption in law that a person who has always acted and been treated as a national (has apparent status as a national) should be presumed to be such, & a procedure to establish this status? Yes/No	Nationality law	NO								2	0	2 for yes	
RUN	3	a	Special initiatives	Has the government implemented any measures specifically aimed at identifying groups and persons of unknown nationality, or very long residence, in order to resolve their status & provide citizenship? Yes/No. If yes, describe in comment section (e.g., identification, registration or naturalisation campaigns, reform of	Information from UNHCR, general media reporting; Parliamentary reporting	YES		Burundians.						2	2	2 for yes	

TANZANIA: COUNTRY SURVEY (NOV 2022)

				discriminatory laws, etc.)													
RUN	4	a	Protection of stateless persons	In case it is not possible to determine a person's nationality, is there a statelessness determination procedure (SDP) established in law, administrative guidance, or judicial procedure or other administrative procedures through which stateless persons can be identified and protected? Yes/No	Nationality law; Immigration / refugee laws; Civil registration laws	NO									2	0	2 for yes
RUN	4	b		Is there a referral mechanism from refugee status determination & immigration procedures to the statelessness procedure (e.g., if refused asylum, cannot be deported)? Yes/No	Refugee and immigration laws	NO									1	0	1 for yes
RUN	4	c		Does legal recognition as a stateless person result in automatic permission to stay/legal status? Yes/No. Please describe any additional requirements or time-limits to the status.	Immigration laws; Civil registration laws	NO									1	0	1 for yes
RUN	4	e		Are identity and travel documents issued to people recognised as stateless? Yes/No	Immigration laws; Civil registration laws	NO									1	0	1 for yes
RUN	5	a	Immigration detention	If immigration detention powers are provided for in law, are they time-limited if a person cannot be deported? Please	Immigration laws	NO									1	0	1 if time-limited

TANZANIA: COUNTRY SURVEY (NOV 2022)

				provide the legal source(s).														
RUN	5	b		Are there procedural safeguards to ensure that stateless persons in detention are released & protected (e.g., by referral to procedure identified above)? Yes/No.	Immigration laws		NO									1	0	1 if yes
																17	2	

Bonus: Pledges

IND	Q	Sub	Subtheme	Question	Links to sources	Answer: YES/NO	Comment	Source used	Score available	Score achieved	Note on score
BONUS SECTION: PLEDGES											
TANZANIA											
BSP	1	a	Pledges: ratification of treaties	Has your country pledged to ratify either or both of the UN Statelessness Conventions?		NO			0	1	1 BONUS for yes
BSP	1	b		Has your country pledged to ratify any other relevant convention?		NO			0	0	1 BONUS for yes

TANZANIA: COUNTRY SURVEY (NOV 2022)

BSP	2	a	Pledges: birth registration	Has your country made a pledge towards improving rates of birth registration? Yes/No/NA. Please specify date and content of pledge in the comment column.	See pledges at https://www.unhcr.org/ibelong/results-of-the-high-level-segment-on-statelessness/	NO			0	0	1 BONUS for yes
BSP	2	b	Pledges: prevention of statelessness at birth	Has your country made a pledge towards prevention of statelessness at birth? Yes/No/NA. Please specify date and content of pledge in the comment column.	See pledges at https://www.unhcr.org/ibelong/results-of-the-high-level-segment-on-statelessness/	NO		See pledges at https://www.unhcr.org/ibelong/results-of-the-high-level-segment-on-statelessness/	0	0	1 BONUS for yes
BSP	3	a	Pledges: gender equality	Has your country pledged to eradicate gender discrimination in its domestic laws or other gender related pledge? Yes/No. Please specify date of pledge in the comment column.	See pledges at https://www.unhcr.org/ibelong/results-of-the-high-level-segment-on-statelessness/	NO			0	0	1 BONUS for yes

TANZANIA: COUNTRY SURVEY (NOV 2022)

BSP	4	a	Pledges: Naturalisation	Has your country made a general pledge relevant to access to naturalisation, based on long residence? Yes/No/NA. Please specify date of pledge in the comment column.		NO			0	0	1 BONUS for yes
BSP	5	a	Pledges: loss and deprivation	Has your country made a pledge relevant to loss and deprivation of nationality? Yes/No/NA. Please specify date of pledge in the comment column.	See pledges at https://www.unhcr.org/ibelong/results-of-the-high-level-segment-on-statelessness/	NO			0	0	1 BONUS for yes
BSP	6	a	Pledges: due process	Has your country made a pledge relevant to due process? Yes/No. Please specify date of pledge in the comment column.	See pledges at https://www.unhcr.org/ibelong/results-of-the-high-level-segment-on-statelessness/	NO			0	0	1 BONUS for yes
BSP	7	a	Pledges: resolution of unknown nationality & protection of stateless persons	Has your country made a pledge relevant to the resolution of persons with unknown nationality or at risk of statelessness? Yes/No/NA. Please specify date of pledge in the comment column.	See pledges at https://www.unhcr.org/ibelong/results-of-the-high-level-segment-on-statelessness/	NO			0	0	1 BONUS for yes
BSP	7	b		Has your country made a pledge relevant to the identification and protection of stateless persons? Yes/No/NA. Please specify date of pledge in the comment column.	See pledges at https://www.unhcr.org/ibelong/results-of-the-high-level-segment-on-statelessness/	NO			0	0	1 BONUS for yes

TANZANIA: COUNTRY SURVEY (NOV 2022)

BSP	8	i	Pledges: other	Has your country made any other related pledges not mentioned yet such as at the GRF in 2019? Yes/No/NA. Please specify date of pledge in the comment column.	https://globalcompactrefugees.org/index.php/channel/pledges-contributions	NO				0	0	1 BONUS for yes
										0	1	

	Indicator	IND	Score available	RSA	RSA %	ESW	ESW %	BOT	BOT %	TZN	TZN %	ZIM	ZIM%
1	Ratification of international instruments	RII	15,5	9,5	61	14	90	7	45	10	65	12	77
2	Access to birth registration	ABR	15	9	60	7	47	6,5	43	5,5	37	5	33
3	Prevention of statelessness at birth	PSB	15	6	40	4,5	30	4,5	30	4	27	4	27
4	Gender equality in nationality law and birth registration	GEL	5	4	80	2	40	4	80	2	40	4	80
5	Naturalisation	NAT	8	2,5	31	2,5	31	1	13	1,5	19	2	25
6	Loss and deprivation of nationality	LDN	1	-2	-200	-0,5	-50	-2,5	-250	-2,5	-250	0	0
7	Due process in nationality decisions	DPN	8	2,5	31	2,5	31	-0,5	-6	-1,5	-19	1,5	19
8	Resolution of unknown nationality and protection of stateless persons	RUN	17	1	6	0	0	0	0	2	12	0	0
		Total	84,5	32,5		32		20		21		28,5	
9	Pledges	Bonus	0	2		4		0		1		4	