

PROJECT DATA SHEET

A = Add
C = Change
D = Delete

Amendment Number

CODE 3

COUNTRY/ENTITY **TANZANIA**

3. PROJECT NUMBER
621-0182

4. BUREAU/OFFICE
USAID/TANZANIA

5. PROJECT TITLE (maximum 40 characters)
TANZANIA DEMOCRATIC GOVERNANCE INITIATIVES (TDGI)

6. PROJECT ASSISTANCE COMPLETION DATE (PACD)
MM DD YY
018 | 019 | 918

7. ESTIMATED DATE OF OBLIGATION
(Under "B" below, enter 1, 2, 3, or 4)
A. Initial FY **95** B. Quarter **2** C. Final FY **96**

8. COSTS (\$000 OR EQUIVALENT \$1 =)

A. FUNDING SOURCE	FIRST FY 95			LIFE OF PROJECT		
	B. FX	C. L/C	D. Total	E. FX	F. L/C	G. Total
AID Appropriated Total						
(Grant)	(1,000)	()	(1,000)	(2,000)	()	(2,000)
(Loan)	()	()	()	()	()	()
Other 1.						
U.S. 2.						
Host Country						
Other Donor(s)						
TOTALS						

9. SCHEDULE OF AID FUNDING (\$000)

A. APPROXIMATE DATE	B. PRIMARY PURPOSE CODE	C. PRIMARY TECH. CODE		D. OBLIGATIONS TO DATE		E. AMOUNT APPROVED THIS ACTION		F. LIFE OF PROJECT	
		1. Grant	2. Loan	1. Grant	2. Loan	1. Grant	2. Loan	1. Grant	2. Loan
(1) DEFA				0		1,000		2,000	
(2)									
(3)									
(4)									
TOTALS				0		1,000		2,000	

10. SECONDARY TECHNICAL CODES (maximum 6 codes of 3 positions each)
DICE DISCS DILJ DIME

11. SECONDARY PURPOSE CODE

12. SPECIAL CONCERNS CODES (maximum 7 codes of 4 positions each)
A. Code FBN INS MBN PVX TIC
B. Amount 1,150 2,300 1,150 1,104 413

13. PROJECT PURPOSE (maximum 480 characters)
TO STRENGTHEN CIVIL SOCIETY IN SUPPORT OF THE TRANSITION TO DEMOCRATIC GOVERNANCE IN TANZANIA

14. SCHEDULED EVALUATIONS
Interim MM YY **97** Final MM YY **98**

15. SOURCE/ORIGIN OF GOODS AND SERVICES
 000 941 Local Other (Specify) **935**

16. AMENDMENTS/NATURE OF CHANGE PROPOSED (This is page 1 of a _____ page PP Amendment.)

APPROVED BY
Signature **Mark M. Tentler**
Title **DIRECTOR, USAID/TANZANIA**
Date Signed **08 | 09 | 95**

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PROJECT PAPER

TANZANIA DEMOCRATIC GOVERNANCE INITIATIVES

Project Number 621-0182

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I. EXECUTIVE SUMMARY

A. Introduction

Tanzania is at a crossroads in the area of democratic governance. After 30 years of a socialist system, Tanzania has embraced multi-partyism and the first national multi-party elections are scheduled for October 1995. NGOs have been established by a variety of interest groups and while still weak, many are seeking ways to strengthen themselves. The media has expanded in a dramatic fashion. There are approximately 250 private publications in Tanzania, and there is access to foreign newspapers and journals. Three television stations, all private, have been established recently, and there are two private radio stations to compete with the state-owned station in Dar es Salaam. In the government, the Judiciary and Parliament are increasingly being seen as protectors of people's rights, and a government-mandated civic education course is being prepared for primary and secondary school students.

However, there are negative aspects to Tanzania's development. The most serious problem facing Tanzania is corruption at all levels of the government. Corruption is so rampant that donors are re-thinking the way they implement activities and are increasingly turning to the private sector and non-governmental organizations to achieve sustainable development. Such wide-spread corruption also has a serious effect on the economy, which is doing poorly. A series of economic factors have contributed to 40% inflation, and that figure may rise.

Given this situation, it is becoming evident that many citizens, and some politicians, are embracing the idea of democratic governance, with the hope of improving the economy of Tanzania and the lives of its citizens. Governance refers to those arrangements whereby resources, both human (governmental and non-governmental) and material, are structured to solve a given problem or achieve a certain goal. Democratic governance refers to a situation whereby these decisions are made transparently through some form of democratic process and where those in power are held accountable to the people through free and fair elections. This situation does not currently prevail in Tanzania, yet there are important areas where the USG, in collaboration with other donors, can help build the foundation for future change. Thus, the situation is ripe for a small, well-focused democratic governance project that focuses on improving civil society, an integral part of "democratic governance". A small, well-focused democratic governance program which helps empower local constituencies to begin applying the internal pressure essential to true reform could make a significant contribution to the future of the citizens of Tanzania.

B. USAID/Tanzania's Democratic Governance Activities

1. The Current Mission Portfolio

USAID/Tanzania has made democratic governance considerations a cross-cutting theme

throughout its portfolio. The Tanzania AIDS Project (TAP) works with NGOs, strengthening their capacity while fulfilling its objectives. The Finance and Enterprise Development Program (FED) and the Agricultural Transport Assistance Program (ATAP) support the transfer of various governmental functions into the private sector. For instance, ATAP promotes decentralization and improved accountability in GOT financial and contract management systems for road rehabilitation. Previously, the GOT undertook all rehabilitation and maintenance work. Through the ATAP program, these functions are now contracted out to the private sector. FED has conducted or funded policy studies addressing accountability, corruption, and regulatory issues. FED has also supported the transformation of the Bank of Tanzania from an implementing agency of the GOT to a restructured role as an independent central bank.

USAID has also worked with the Controller and Auditor General and the Institute of Accountancy in Arusha to upgrade the quality of auditing and accounting in Tanzania. In addition to these focused project-style interventions, USAID/Tanzania has increasingly introduced democratic governance considerations into our policy discussions with the Government of Tanzania (GOT) and other donors. A recent example is our participation in the 1995 World Bank-sponsored Joint Evaluation Mission, which investigated corruption and mismanagement in tax and customs administration in preparation for the 1995 Consultative Group meetings in Paris.

Because some of these activities are either small parts of larger projects or work directly with non-state actors, they do not fully convey to the GOT the importance the USG places on democratic governance (DG). A new stand-alone DG project will signal to the government and the people of Tanzania that the USG feels that fundamental governance reform is needed, and that it is willing to support it directly. This also will provide expanded opportunities for productive policy dialogue. As a result of extensive consultations with Tanzanians, the results of the 1994 DG assessment for Tanzania, and consultations with USAID/W staff, USAID/Tanzania determined that a multi-component civil society project will best assist Tanzania by supporting actors with the most potential for contributing to solid democratic governance in Tanzania.

2. Tanzania Democratic Governance Initiatives

The new Mission project focusing exclusively on democratic governance (DG) is the Tanzania Democratic Governance Initiatives (TDGI). TDGI is a 3-year, \$2 million dollar project that will assist in strengthening basic institutions of democratic governance. The institutions to be strengthened were selected based on a consultative process and are: 1) the judiciary, 2) the media (print, radio and television), 3) women's legal rights organizations, and 4) the Institute of Education.

TDGI should be viewed as a pilot activity in support of improved democratic governance in Tanzania. Tanzania is at a key transitional stage where democratic improvements may continue, or the current or new government could backslide if there is concern about the challenge of the opposition or citizens' increasingly vocal demands for accountability make the government too uncomfortable. Therefore, while TDGI

funds are limited, it was deemed important at this juncture to provide support to all four components as described below. Each component, while defined in the Project Paper, may change substantially without revising the project, provided in changed form, it still supports the project's purpose and goal.

The project is divided into four components as described below.

- Component 1: Access to justice, which is an important part of democratic governance, is low in Tanzania. The judicial system is extremely slow and it often takes years for a case to move through the system. This situation delays and denies justice to many who must either wait inordinately long for their case to be decided, or who never file a lawsuit because they do not have sufficient funds to maintain a case in the legal system for years. Component 1 will train judges, court registrars, magistrates and attorneys in Alternative Dispute Resolution (ADR) as a way to reduce the backlog in the courts and promote faster resolution of disputes.
- Component 2: While the media has grown both in size and in its willingness to criticize the government, the skill levels of people working in all forms of media have not improved. This component will assist in training media personnel in basic journalistic skills as well as specialized training in new issues and concepts (such as multi-party elections).
- Component 3: Of the many NGOs and similar organizations in-country, those that work on women's legal rights either full- or part-time are among the most viable. However, they are hindered in their efforts by lack of funding and insufficient capacity to fully pursue their objectives. To alleviate this situation, Component 3 of TDGI will create a small grants fund to support activities in the area of women's legal rights.
- Component 4: The Institute of Education, part of the Ministry of Education, has been charged with developing new civic education curricula for primary and secondary schools which will include a unit on democracy. However, there is a dearth of knowledge within the Institute, and the Ministry, on the subject of democratic principles. This component will assist the Institute in designing the democracy unit to be part of the secondary school civic education course.

II. PROJECT RATIONALE

A. The Setting

1. Opportunities

Democratic Governance (DG) issues lie at the heart of the Tanzanian development problem. Tanzania requires a government which manages resources well and transparently, and which can harness the energies of individuals, non-governmental organizations and the private sector to use the tremendous natural resources of the country wisely and effectively, while maintaining the long-standing values of social equity instilled since Independence. Ideally, such a government would be freely chosen by and accountable to the people.

Tanzania is in the early stages of transition from a socialist, one-party state to a free-market, multi-party country. Political reforms began to take place in the early 1980s and major economic reforms began in 1986. Initially, these reforms, especially in the economic arena, were broad and far-reaching, but recently the pace has slowed considerably. Thus far, the process of political reform has been largely managed by the ruling party, Chama Cha Mapinduzi (CCM), which has been in power since Independence. The government has completely controlled the nature, pace and limits of reform. The momentum for legal reform, public accountability and responsiveness seems to have slowed considerably, suggesting that top leaders have determined that the delinking of party and state in 1992 was as far as they needed to go. Ample evidence exists to show that governmental officials feel little urgency to respond to pressures from the media, political parties, and legal and academic communities, at least partially because the groups remain weak and ineffective at demanding change. However, while not responding completely to reform pressures from the judiciary, press, outspoken citizens and donors, neither has the GOT involved itself in large-scale human rights repression or refusal to recognize political parties other than CCM.

Tanzania's progress toward democratic governance must be understood in the context of its history since Independence in 1961 where a system of authoritarian rule dominated over roughly 30 years. The defining political characteristic of the former system was a de jure single party government protected by a constitution that established the governing party, CCM, as the supreme organ of government, superior even to the elected legislature. The party's constitutional supremacy was reinforced by a socialist economic approach that consolidated practically all of the country's major economic resources under state control. Organized opposition was not tolerated, extensive use was made of repressive laws to suppress perceived opponents of the government, and the atmosphere of fear greatly reduced the willingness of individual citizens to speak out against the system. Although occasional criticism was allowed to emerge, this was both limited in scope and negligible in effectiveness.

2. Constraints: Tanzania at a Crossroads

a) The Political Scene

1994/95 are crossroad years for the short-term future of Tanzania. Changes have occurred, and by far the most visible and palpable change is the new atmosphere of freedom. Tanzanians everywhere have said that they feel more free, and they clearly act that way. Although a number of repressive and seemingly unconstitutional laws remain on the books, Tanzanians are no longer as afraid of governmental repression as they were just a short time ago. This is perhaps best evidenced by the emergence of a host of independent newspapers¹, many of them critical of the government and the ruling party, and by the willingness of legal groups to challenge government actions, and the lack of peoples' rights, in court.

Since the late 1980s, significant and far-reaching changes have taken place in the constitutional framework, the party system and the overall atmosphere within which the political process takes place. The Constitution has been amended to end the constitutional supremacy of the governing party, CCM, and to permit multiple political parties. A dozen opposition parties have been registered, of which, by general opinion, nearly half a dozen have gained an important measure of public visibility and credibility. The government has now held three multi-party by-elections and, although the opposition has yet to win a single seat in the National Assembly, one of the opposition parties received nearly 40% of the popular vote in the most recent election. Additionally, opposition parties won approximately seven percent of contested seats in the first multi-party local elections, held in October 1994. The opposition parties will have more opportunity than ever before to reach potential voters for the October 1995 national elections. Radio Tanzania, the state-owned station that reaches more Tanzanians than any other media, will, for the first time, allow the opposition parties air time. All 14 registered parties (including CCM) have the opportunity to broadcast political statements on Radio Tanzania.

The judiciary is constitutionally mandated to operate independently from the executive branch, and has made significant recent progress in asserting this independence. In last year's most positive democratization development, the judiciary made a number of landmark decisions which were directly opposed to the government and CCM. In August 1994, a High Court judge nullified the results of a parliamentary by-election which had been won by CCM, after heavy politicking and much expenditure of resources by the ruling party. The decision was upheld by the Court of Appeal, the highest court in Tanzania². In October, a High Court judge struck down two pro-government laws: the requirement that political parties obtain a government permit to

¹250 daily and weekly newspapers are published in Tanzania.

²The High Courts are the second-highest courts in Tanzania.

hold a rally, and the prohibition of independent candidates in an election. However, in December, Parliament watered down the rally permit decision and passed a Constitutional amendment prohibiting independent electoral candidates. The latest example of judicial independence came in March 1995, when a local court nullified the results of a ward election won by one of the President's closest friends and advisors, the Mayor of Dar es Salaam. Judicial decisions against the government extend beyond the elections arena. For example, the courts recently blocked the government's attempt to expel a foreign businessman involved in a local scandal. The government wanted to expel the businessman before the issues arising out of the scandal could be resolved.

Even the legislature has become more outspoken. In the National Assembly, a group of Mainland MPs, known as the G-55, recently challenged the Union's current two-government structure, thereby questioning a long-held ruling party tenet. Ultimately, the CCM leadership succeeded in re-establishing party discipline and in August 1994, party debate on the issue was declared closed. More recently, parliamentary committees have begun to investigate government policies and actions and to grill responsible ministers and other government officials on controversies and misdeeds uncovered. While Parliament's reformist MPs lack the numbers to effect real change as yet, they are laying the foundations for an institution which can act as a counterweight to the executive branch.

Another change, critical to Tanzania's future as a democratic society, is the growing dynamism of civil society. Tanzanians have taken advantage of the new atmosphere of freedom to form a host of voluntary associations, including gender-based groups, neighborhood and community associations and locally based development organizations. Self-help organizations have emerged at the village level and development associations at the district level. These are efforts to create new local self-governance structures in the rural areas to build schools, clinics, roads, wells and provide other social services, no longer provided by the ineffectual state, grappling with widespread corruption and austerity measures imposed by structural adjustment. They are also responses to changing donor strategies which have increasingly given greater support to the non-governmental sector. The liveliness of civil society has given Tanzania's political changes a highly dynamic quality. While the growth of associational life is partly the outcome of a freer political environment, the pressures and demands of these organizations for better government are also contributing to the growth of political freedom.

While civil society has an increased capacity for action to meet the needs of Tanzanians, it has yet to effectively articulate its demands in the area of public policy, or to monitor government performance on behalf of the citizenry. The lack of government transparency and unwillingness to respond to societal pressures constrains the extent to which civil society can engage the government in pressing for policy change. Furthermore, political parties have yet to emerge as important channels for articulating popular demands. Only the media has shown significant progress in linking people to government through the provision of vital information and through its

monitoring and questioning role. However, even the media has its limits and weaknesses. In short, civil society as yet cannot impact on governance in Tanzania to the extent desired.

b) Economic Reform and the Recent Backlash

Tanzania started its economic reform program in 1986. Since then, the country has made significant strides in reversing its decades long socialist approach to economic development. The reforms range from decontrolling prices, interest rates, and the exchange rate to the elimination of monopolistic and monopsonistic positions of state-owned enterprises. Even though the sectoral reforms have had a positive impact on reinvigorating the private sector, there are a number of remaining barriers to creating an enabling environment conducive to private investment and growth of private enterprises. These barriers include such governance issues as corruption, lack of transparency, and lack of accountability.

For instance, the slow-down of economic reform may be linked to upcoming political events, i.e. elections in October 1995³. Since the Father of the Nation, ex-President Nyerere, has become particularly outspoken about privatization efforts, it seems even more unlikely that necessary structural adjustment and donor-supported reforms will take place. Although corruption has existed for a long time in Tanzania, the recent upsurge on the part of some of the country's highest ranking politicians to intensify their financial predations may also be linked to upcoming political events. The sense of worry may be greatest among those who are the most corrupt and ineffectual. Regardless of the cause, corruption, both petty and large-scale, is a critical problem within the Tanzanian government. This corruption undermines development objectives in all sectors, including land reform, wildlife management, foreign investment, and revenue collection. Although development takes place in these sectors, the pace is slowed considerably.

A recent, serious example of the corruption that exists in Tanzania concerns the collection of taxes, and particularly the manner in which the Government granted tax exemptions. Tax exemptions were granted by either the Investment Promotion Center (IPC) or by the Minister of Finance. The system was not transparent, and until a private company issued a list of all tax exemptions, nobody knew the exact number and propriety of the exemptions granted. When the list became public, there was concern, especially among donors, regarding the evident lack of transparency in the process, and the resulting corruption encouraged by this lack of transparency and accountability. As a result, the GOT has taken several steps to improve the system. For example, unless mandated by statute, such as tax exemptions to diplomatic missions, the Minister of Finance no longer grants discretionary tax exemptions. Additionally, a list of firms which have received IPC tax exemptions appears regularly in

³Under Tanzanian law, a President may only serve two five-year terms; therefore, President Mwinyi must step down at the end of this year.

the Government-controlled newspaper. These measures, however, do not completely eliminate the potential for corruption, especially since the tax rates can be particularly burdensome for companies involved in importation of goods.

Moreover, GOT corruption has led to donor fatigue. Several donors are assessing their programs in Tanzania and have discovered that development assistance is severely hindered by the corruption practiced at all levels of government. That some donors are unwilling to allow GOT corruption to go unpunished is clear: Sweden and Norway suspended their balance of payments assistance when the tax exemption corruption story, described above, became public. Other donors are waiting for the results of an informal donor's conference, to be held in July 1995, to decide on funding levels. Meanwhile, these donors have made it clear to the GOT that they will likely cut levels of assistance if the Government cannot show evidence of attacking the problem of corruption.

B. A Role for USAID

Given the situation described above, it is not surprising that the Democratic Governance (DG) Assessment⁴ undertaken in 1994 found that Tanzania was still in the early stages of the transition process toward democratic governance. This is substantiated by more recent analyses done by the Mission and outside consultants⁵. The past year has been marked by a number of developments in Tanzania which both confirm the need for progress, and which reinforce a sense that progress is possible. These developments include the following:

- The judiciary, particularly the High Court and Court of Appeals, but also certain Resident Magistrates courts, have issued a series of rulings asserting the independence of the judiciary and their commitment to a society based on the rule of law.
- Civic education has become a major theme in Tanzanian society. Among non-governmental organizations, preparations for the October 1995 elections have been intense and are progressively reaching deeper into rural and non-elite sectors of Tanzania. There is also a commitment on the part of schools to

⁴West, Tina, Robert Charlick, Michael Lofchie and Alli Mari Tripp, "The Transition to Democratic Governance in Tanzania: An Assessment and Guidelines for Near-Term Action". ARD/MSI, March 15, 1994. D.O. 13 under Contract No. AFR-05420Q-00-1109-00.

⁵Luche, Jenna, "Gender Analysis of and Recommendations for TDGI". G/WID Senior Advisor for Democracy, Governance and Gender, April 19, 1995.

Charlick, Robert, "The Proposed Tanzania Democratic Governance Project", Reports I and II. ARD/MSI, April 30, 1995.

Comedy, Yolanda. "Report on the USAID Tanzanian Democratic Governance Project: The Civic Education Component". G/DG, May 4, 1995

create a new obligatory civic education program to introduce a democratic civics program.

- The capacity of civil society has been growing, both on the Mainland and Zanzibar, as new associations with civic aspirations emerge, and where a variety of apex or umbrella associations have organized to attempt to better link and coordinate NGO activity in the civic realm.
- New associations of journalists, and increasing numbers of private media sources have even made an impact on the public and "mass organization" media, which now does a better job of informing the public. Training opportunities for journalists, particularly in the capital, have increased as well.

These conclusions have been confirmed and amplified in recent papers presented by Tanzanian scholars.⁶ These Tanzanian writers conclude that the direction and pace of the transition has been carefully managed and largely controlled by the ruling party, separation of powers is far from being achieved with abuse of executive authority and police powers continue as a result. The writers also find that free expression, especially through private media, has expanded dramatically; however, freedom of the media continues to be in jeopardy given existing legislation. Civil society has been growing in importance but is still weak compared to the power of the state. Political parties, as instruments for mobilizing ordinary Tanzanians and linking them to public decisions and choice processes, thus far constitute a poor basis for expanded and stable democracy.

In this environment, a small, well-focused democratic governance program which helps build the local constituency to begin applying the internal pressure essential to true reform could make a significant contribution to the future of the citizens of Tanzania. This situation does not currently prevail in Tanzania, yet there are important pressure points where the USG, in collaboration with other donors, can help build the foundation for future change. USAID is a relatively small donor in Tanzania, and can certainly hope to make only a modest contribution in the DG area compared to a number of other donors (notably the Nordic countries and the Netherlands). However, by carefully examining where it can fill important gaps, and where it can usefully supplement existing activities, USAID can make its own important contributions. Not only will

⁶"Transition to Democracy in Tanzania, A Study for the Global Coalition for Africa" and "Africa Leadership Forum Study of Transitions to Democracy in Africa". The Tanzanian study was directed by Professor Samuel Mushi of the Department of Political Science at the University of Dar es Salaam and consists of a series of papers on various aspects of the transition by political scientists and members of the Faculty of Law at the University of Dar es Salaam. See also, Mwalusanya, Judge James L., "Checking the Abuse of Power in a Democracy", presented to the conference on Constitutionalism and the Legal System in a Democracy, Arusha March 28-29, 1995; Mmuya Max and Amon Chalighia, Political Parties and Democracy in Tanzania, University of Dar es Salaam Press, 1994.

these contributions be useful to the furtherance of **democracy in Tanzania**, but in the long-run they should contribute to an improved **overall governance environment** in which both the private sector and the state can **better fulfill their roles** in economic development.

II. RELATIONSHIP TO AGENCY, AFRICA BUREAU AND MISSION STRATEGIES

A. Democratic Governance: A Working Definition

The USAID agenda promoting "sustainable development" reflects the United States official policy of promoting democracy and economic growth overseas. For USAID, the promotion of democracy is both an end and a means through which other development objectives can be achieved in a sustainable manner. Above all, democratic development means development in which opportunities for meaningful participation are enhanced and institutionalized. It also implies widespread acceptance of regular and legitimate processes whereby people have the opportunity to choose their leaders in an open and at least potentially competitive manner. Furthermore, the U.S. Government strongly believes that a reasonable record with regard to internationally accepted human rights is a prerequisite for democratic development.

The notion of "democratic governance" continues to present problems to both scholars and to practitioners who employ it in various ways. It can best be understood by distinguishing three concepts: governance, democracy, and good governance, and by appreciating the relationships between the three in the context of Tanzanian development.

Governance simply means the way in which societies organize themselves for the management of their "public" or collective resources. In many policy documents the term has been confused with what the British for a number of years have called "good governance". At a minimum, good governance implies public management which is effective, efficient and responsive. In addition, most analysts and donors also include in their understanding of good governance the notions of accountability, transparency and predictability. In essence, these are ways in which public management can be improved and kept "good" against the tendencies of leaders and bureaucracies in all political systems to avoid responsibility and to manage in the interest of the few (including themselves). In a recent interview, the Speaker of the Tanzania National Assembly, Pius Msekwa captured all these dimensions of "good governance."⁷

Democracy is a form of governance in which public management is based on, and is responsive to, the "people" or the popular will. Western theories of democracy, such as the notion of "polyarchy," stress the process whereby this consent is effectively

⁷John Kulekana, "Msekwa Spells out his Strategy", in Daily News, April 27, 1995, p4. Msekwa is quoted as stating ". . . good governance covers all of the following . . . the rule of law . . . respect for human rights . . . the capacity to make correct and timely social and economic decisions . . . [and] transparency in the conduct of public affairs."

exercised, emphasizing the need for truly competitive choices between leaders and programs contending for control over public management functions (in order to facilitate meaningful political accountability), and broad and freely expressed political participation. As African historian Achille Mbembe writes, without broad and meaningful participation, governance arrangements, even those which have the appearance of democratic structures in national constitutions and institutions can be merely "shadow democracies", in other words, administrative multi-partyism created from above.

While it is possible conceptually to treat democracy and good governance as separate dimensions of societal development, many recent USAID policy papers, including the February 1994 policy papers on Sustainable Development, argue that democracy and good governance overlap. The argument is that, in the context of regimes which have been rooted in personal rule and narrowly-based patronage, effectively structured democratic practices are vital to improving governance performance in responsiveness, transparency and accountability. The concept of "democratic governance" that the Africa Bureau has developed in its Democratic Governance Project emphasizes the ways in which donors and host country nationals can improve governance performance by encouraging the growth of effective democracy. In essence, although not all aspects of democratic development necessarily contribute directly to improved governance, there is a link between democracy and good governance.⁸ USAID will concentrate on ways to promote both democratic accountability and responsiveness and effective governance in its DG activities. The exact mixture will depend on the country situation, including the stage of regime transition and consolidation of democracy.

B. Agency and Africa Bureau Strategies for Democratic Governance

The Agency's strategic objective in the democratic governance area is "to support the transition to and consolidation of democratic societies throughout the world" - - as an end in itself and because it is a critical element in promoting sustainable development. This objective is achieved through the establishment of democratic institutions, free and open markets, an informed and educated populace, a vibrant civil society, and a relationship between state and society that encourages pluralism, inclusion and peaceful conflict resolution. It is based on the premise that democratic governments are inherently more stable and therefore more reliable international partners. They are more likely to advocate and observe international law and agreements and thus have long-term sustainability. Thus, the democratic governance goal will contribute to peace and security, advance international economic development, and protect and expand human rights.

To assist USAID in achieving its democracy goal, the Agency has identified four sub-

⁸For example, high stakes winner-take-all elections can provide incentives for electoral corruption and for fierce patronage after elections. Also, interest group pluralism can make policy formulation and conflict management more difficult in certain settings.

goals: 1) increasing competition and participation in decision making, 2) fostering respect and adherence to the rule of law and human rights, 3) supporting the development of civil society, and 4) promoting more efficient, accountable and transparent governance.

These priority areas represent USAID's current and planned focus in democratic governance based on the Agency's collective experience and wisdom to date. All of these priorities have been considered in the design of TDGI, which is to meet long-term sustainable development concerns while responding to the U.S. Government's interest in maintaining stability in Tanzania. The Africa Bureau has specifically focussed on the relationship between democracy and governance. For the Bureau, democratic governance is a form of improved governance which uses democratic processes to improve governance performance and to help ensure that the ideals of responsiveness, transparency and accountability are made meaningful. The underlying assumption is that if governance decisions are to be truly responsive to public values, the public must have meaningful ways in which to express those values, to obtain adequate information about performance of actors who presumably act on their behalf, and to limit those actors when they do not. The notion of democratic governance employed by the Africa Bureau, therefore, focuses not only on the efficiency and financial accountability of the public sector, but on increasing the opportunities of citizens to enforce sanctions for poor performance, and to choose those domains of public resource management over which they wish to limit the role of the central government. TDGI is fully congruent with the Bureau's approach to DG considering Tanzania's gradual political transition.

C. USAID Mission Strategy for Democratic Governance

The USAID/Tanzania program goal is real growth and improved human welfare. The program sub-goal is improved household socioeconomic well being. A new DG strategic objective 4, "Improved Democratic Governance", has recently been added to the Mission's objective tree. Target 4.1 of the SO is "Strengthen Basic Institutions of Democratic Governance", with the following subtargets:

- 4.1.1: Improve Administration of National Court System
- 4.1.2: Improve Quality of Print and Broadcast Media Reporting
- 4.1.3: Strengthen Legal Rights and Civic Education Organizations

Target 4.2 of the S.O., "Improved GOT Accountability and Administration", will be met through a variety of activities, including TAP, ATAP and FED.

TDGI is consistent with the Agency's DG Implementation Guidelines. Specifically, the Guidelines call for a phased process. The Tanzania Mission began with a consideration of the broader goals USAID/Tanzania sought to address and a consideration of the most

important political constraints to sustainable development in-country. Next, USAID/Tanzania undertook a strategy design (a) assessing the overarching political context, (b) considering various assistance opportunities, (c) reviewing what other donors were contributing, and (d) sequencing interventions in a way that leads to safeguarding of basic democratic rights to establishing and strengthening key institutions. The result was the selection of TDGI as presented below.

IV. GOAL AND PURPOSE

The goal of the Tanzania Democratic Governance Initiatives (TDGI) Project is "Improved democratic governance in Tanzania". The purpose is to "strengthen civil society in support of the transition to democratic governance in Tanzania". This goal is supportive of the Mission Program goal, as improved democratic governance contributes to an enabling environment that fosters economic growth and improvements in individual welfare.

V. PROJECT DESCRIPTION

A. The Approach

TDGI should be viewed as a pilot activity in support of improved democratic governance in Tanzania. Tanzania is at a key transitional stage where democratic improvements may continue, or the current or new government could backslide if there is concern about the challenge of the opposition or citizens' increasingly vocal demands for accountability make the GOT too uncomfortable. Therefore, while TDGI funds are limited, it was deemed important at this juncture to provide support to all four components as described below. Each component, while defined in the Project Paper, may change substantially without revising the project, provided that in changed form, it still supports the project's purpose and goal.

A phased approach to project implementation is required due to the constantly changing political and governance environments, and to provide the flexibility to be responsive to needs as they arise. Assistance mechanisms have been designed to ensure that a broad range of counterparts and customers are involved, assuring full participation of Tanzanian groups, both governmental and non-governmental. The flexible design of TDGI allows initial activities to be undertaken, while providing time to gain a clearer view of how TDGI components can be implemented for maximum effectiveness.

B. Components

TDGI proposes to encourage democratic governance in Tanzania by assisting the institutional development of carefully selected government and non-governmental organizations. This will help build civil society, an important way of ensuring democratic governance. The preliminary choice of groups and activities proposed herein is based on the USAID/Tanzania 1994 DG Assessment, ongoing reports and

assessments of the Alternative Dispute Resolution Project by USIS, subsequent analyses by USG staff in-country, consultation with USAID/W Democracy Center and PPC staff on TDY in December 1994, DG and WID specialist TDYs in March and April 1995, and agency DG guidelines. The design has been reviewed by Tanzanian citizens, NGOs and the GOT.

By supporting groups which have the potential to act as advocacy organizations pushing for governmental reform, TDGI will help enable Tanzanians themselves to be in the forefront of defining their political future, an essential prerequisite for sustainability. In Tanzania, the judiciary, press, and private attorneys are the most important actors for fostering the transition to democratic governance. The judiciary has been trying to reduce the amount of time it takes to rule on a case and the press has been one of the most vital and critical advocates for change. Lawyers, acting individually or through associations, are among the most active people shaping the rules of democratic transition. To capitalize on these forces of change, TDGI includes components to assist: 1) the courts, 2) the media, 3) women's legal rights organizations, and 4) civic education. Component 1 is linked to subtarget 4.1.1 (see page 14) of the Mission's objective tree. Component 2 is linked to subtarget 4.1.2, and components 3 and 4 are both linked to subtarget 4.1.3.

1. The Courts

a) Background

It can take years to bring cases through Tanzania's slow court system. This makes the court system ineffective in dispute resolution and results in widespread lack of faith in the judicial process. As a result, the ability of the judiciary to contribute to governance through case decisions is weakened. Such a situation needs to be remedied to enable the judiciary to participate fully as a civil society actor. The Judiciary, under the direction of Chief Justice Nyalali of the Court of Appeal fully understands the need to strengthen the court system and has long been seeking ways to combat the increasing number of undecided cases. In fact, since 1991 the courts of Tanzania have been working on reducing caseloads in order to administer justice more efficiently and effectively as part of a more general effort to increase public faith in the rule of law.

In May 1993, the Chief Justice appointed a team of three judges to make recommendations on how the courts could best combat the backlog of cases. The judges' final report recommended using an alternative to traditional court cases, which gave rise to Alternative Dispute Resolution (ADR) in Tanzania. ADR is basically a form of mediation, where the two sides meet with a neutral third party and that third party assists in resolving the dispute. If both parties agree to the final resolution obtained in the ADR sessions, then the resolution is entered in court, and there is no trial. USIS played an active role in making the ADR recommendation a reality by funding U.S. judges' visits to Tanzania to promote ADR, and USIS/USAID sent four Magistrates from Tanzania to the U.S. to study ADR mechanisms. Last year, USIS sponsored two judges from the U.S. to teach ADR to several pilot groups associated with the judiciary. As a

result of the success of the seminars attended by members of the Tanzanian judiciary, a pilot project has been implemented in the Court of Appeal and High Court in Dar es Salaam and the High Courts in Arusha and Mwanza.

At the same time, the Chief Justice has combined these efforts with an emphasis on the Constitution as the basis for law and is, together with donors, moving toward rationalizing not only legal procedures but the internal coherence and structure of the laws themselves. In order to facilitate the provision of justice throughout Tanzania, this component of TDGI will evaluate the current pilot project for ADR and, with the exact mode based on the results of the evaluation, extend ADR to lower levels of the court system. Insofar as practicable, the training for ADR in the lower courts will also be used to enhance magistrate's awareness of the role of law in a democratic society.

b) Activities

Component 1 consists of a number of discrete parts, some of which will take place simultaneously. In all phases, the component will build on work already done in the area of ADR and the results of previous component phases. The first activity, which will take place prior to training, is an evaluation of the current ADR activity managed by USIS. Also taking place prior to training will be the adaptation of an existing American Bar Association film on ADR, which will be dubbed or re-produced in Kiswahili. When these two activities have been completed, and the training element has been modified to reflect findings of the evaluation, training will begin.

The following groups will be trained in the use of ADR: 1) Judges and Registrars of the High Courts, 2) Magistrates at the Regional and District Court levels, and 3) Attorneys⁹. Approximately 500 people will receive ADR training and ADR will be in use in at least five regions. In addition to the training, a filing system for court clerks to track the resolution of disputes through ADR will be developed and implemented.

Attorneys also need to know how to use ADR and to have confidence in the system. Therefore, two types of attorney training for ADR will be instituted. The first is for attorneys who are already practicing law. U.S. materials on ADR will be adapted and distributed among attorneys, probably through the bar association, to ensure that the materials are available to all members of the bar. A significant percentage of the attorneys in Tanzania are female, and will be specifically targeted for this training. The second type of attorney training will be for future lawyers. A unit on ADR will be developed for a course to be taught by the Law Faculty of the University of Dar es Salaam¹⁰. Because there are few women professionals in the court system, especially at the higher levels (Court of Appeal, High Courts and Regional Courts), women can

⁹For purposes of this document, "attorneys" refers to anyone licensed to practice law in Tanzania. This group includes lawyers in private practice, those working for any part of the government, and those working for companies, NGOs, etc.

¹⁰The only law school in Tanzania.

best be reached through attorney training. Moreover, most of the women attorneys in Tanzania do not practice commercial law. It is expected that the business community will make the most extensive use of ADR; therefore, women attorneys trained in ADR will be in the position to gain clients from the commercial sector. This is especially important because more female lawyers than male lawyers provide legal aid to disadvantaged groups and the commercial sector will provide a secure income source for attorneys with business clients.

The positive democratic governance effects from supporting ADR in the current Tanzanian context are:

-- Overall, problems which citizens have and which might require judicial solutions will be resolved much more quickly. The widespread use of ADR will result in a significant proportion of civil cases being resolved without going to lengthy trials. Cases which must go to adjudication will move much more quickly because the overall judicial workload will be reduced.

-- Significantly more support for the judicial system and respect for it as an effective instrument of rule of law will emerge. Because disputes will be able to be resolved much more quickly, and with less adversarial behavior, citizens, including commercial operators, will develop more respect and confidence in the judicial process. Since fewer cases will need to go to court, and fewer will be the subject of numerous steps involving the discretion of judicial authorities, opportunities and demands for illegal and corrupt side-payments will be reduced as well.

-- Finally, the spread of ADR, with the training and resources it will bring to the professional judiciary, and eventually to the broader legal community, will reinforce and help strengthen the position of actors in a leading sector in the promotion of democracy and rule of law in Tanzania.

2. The Media

In a system undergoing political transition toward democracy, institutions which assist civil society to participate in governance are of critical importance. One of the most important of these institutions is the media. Fora which permit associations to network, share views and bargain with one another, and which permit them to interact with agencies of the state may also provide important avenues for expanded participation.

a) The Press

The press has been one of the most vital and critical forces for change in Tanzania. Journalists have become increasingly fearless in challenging the abuses that economic and political monopoly have created. The bolder papers have exposed scandals implicating government officials in the case of illegal land sales, Zanzibar's unconstitutional application for membership in the Organization of Islamic Conference,

President Mwinji's misuse of funds at the 1992 UN Environment conference in Rio de Janeiro, and violations of the Open General License. More conservative papers like *Business Times* have veered away from such scandals. These papers prefer to push for greater political openness by showing major discrepancies in approaches to the market system, trying to give legitimacy to opposition parties, exposing unnecessary CCM force and exposing the systemic bases of corruption and fundamental weaknesses of the system.

Most journalists have little if any training in journalism and are usually trained on the job. The best trained have studied for two years at the School of Journalism which they start after four years of secondary school. The School graduates 30 students a year, most of whom return to their former employment in government and party institutions. Furthermore, teachers at the School admit the training provided in this institution is inadequate by any standards. Moreover, journalists often lack exposure to the foreign media and few have traveled abroad for additional training; they have limited access to newspapers and journals from other parts of the world. Analyses undertaken for TDGI indicate that there is an urgent need for improving journalists' skills, and the Mission determined that TDGI will assist in meeting this immediate need. Therefore, long-term institutional development of the School of Journalism is beyond the scope of this project. Instead, short-term training will be done.

b) Radio and Television

While the press has seen the most change in recent years, the fate of radio is at least as important as that of the press. Radio is the single most important vehicle of mass communication, reaching approximately 30-50% of the population 15 years and over. As in the press, business interests have asserted themselves in this sector and there are three independent radio stations. There are also numerous new efforts to establish community radio stations, which are contributing to the breakup of the monopoly of Radio Tanzania. The government-appointed National Broadcasting Commission was created in 1993 to regulate this sector.

The privately owned CTN was the first TV station to be granted a license to operate on the mainland and it started broadcasting in 1994. Since then, two other stations, DTV and ITV, have started broadcasting. Although TV can potentially reach approximately 150,000 sets in Dar, these belong primarily to the elites and business people.

Radio and television journalists suffer from the same lack of training as their press counterparts. The education is often the same, or at least similar, and opportunities to learn overseas are few. Moreover, for television journalists, the increased use of in that medium of reporting has not been matched by training for television journalists.

Thus, most journalists have little, if any, formal training in journalism and very weak grounding in the subject matters on which they report. As a result, journalistic standards are uniformly low throughout Tanzania. Articles and reports about issues that should be communicated to the reader or listener in clear, easily-understood terms

are often presented in a confusing, technically inept fashion. This hinders the role that Tanzania's media plays in fostering accountability and transparency in public affairs.

c) Activities

TDGI Component 2 will provide journalism training for members of the press, radio and television. The training will be conducted through a series of seminars for middle level journalists held at various sites around the country. The approach to supporting improved political reporting in Tanzania will be through the training of journalists to improve their knowledge of democratic governance principles and institutions, and their specific journalistic skills to report on an increasingly more competitive and democratic political system. The strategy for training to be employed contains three working principles:

- situating training on the coverage of issues of most immediate salience to reporters and editors, so that they can quickly make use of the knowledge and skills acquired;
- spreading the skills and knowledge to journalists in regions outside the capital, and to lower-level journalists (middle-level reporters, not just editors and the most highly trained);
- deepening understanding of democratic politics and institutions so that reporting can be more informed and informative, thus assisting readers to make more informed choices.

This strategy will be employed in all of the training sessions, which will be led by a two-person team composed of one American and one Tanzanian. The structure of the team will therefore enhance training resources in Tanzania while at the same time training journalists. For the first three seminars (see below), the Tanzanian trainer will most likely be drawn from the University of Dar es Salaam faculty; for the remainder of the seminars the individual is likely to be a member of the faculty of one of the journalism training institutes, such as the Nyegezi Social Training Institute. Thus, by the end of TDGI, at least four Tanzanians will have experience as trainers. The seminars will cover the following topics:

1. Civic Education: potential topics include elections, electoral systems, political parties, the roles and responsibilities of elected officials, and the role of the constitution.
2. Journalists and Political Parties: this seminar will examine the interaction between political parties and journalists.
3. Law and the Legal System: possible topics are the role of law in a society (including the structure of the Tanzanian legal system), how courts function, and reporting on legal issues. This session will include the

- ethics of covering legal issues.
4. Editorials versus Articles: the difference between editorials and other types of reporting will be examined.
 5. Obtaining Information: this seminar will cover sources and techniques for obtaining information; and the necessity of, and methods of, substantiating rumors or facts.
 6. Interviews and Interview Techniques: journalists will learn various methods of obtaining germane, detailed information in an interview.
 7. Economic Reporting: both basic economic concepts and business reporting will be addressed.

These seminars will be held in several cities. To ensure greater institutional impact, where possible, seminars will be held at the facilities of local Press Clubs, on the premises of newspapers, TV or radio stations or at the Institute of Journalism itself. Although most media reporters are in Dar es Salaam, there are sufficient reporters in other cities, such as Arusha and Dodoma, that holding seminars in various regions of the country is warranted. The Dar es Salaam staff of Daily News is approximately 50% women, and there is a women's media organization based in the city; therefore, the seminars in Dar es Salaam will target women participants. Efforts will be made to include both journalists on staff and those who are independent. It is expected that a total of 100 journalists and reporters will receive training through the seminars. Although up to 140 or more attendees are expected, it is hoped that the same individuals will attend several sessions.

This component of the TDGI serves a series of DG objectives. First, it will assist the media to do a better job of educating the public so that readers and listeners can make more informed choices in an emerging democratic system. Specifically, it seeks to assist journalists in being a link between political leaders and state power-holders on the one hand, and an informed public on the other. With the weakness of other linkage institutions (such as political parties, and policy fora) this role is vital.

Second, it seeks to strengthen civic education for journalists, so that they can be more informed about and sensitive to the political events unfolding as Tanzania democratizes. A related aspect is TDGI's focus on supporting journalists in the development of their craft, so that they can become more professional, and can protect themselves more fully against charges of bias, error, and unprofessional behavior.

Finally, it seeks to contribute to the improvement of public governance in Tanzania, by better equipping journalists to get important information about what government is doing, to oblige the government to be more transparent, and to inform the public accurately about its performance.

3. Women's Legal Rights Associations

a) Background

A transition to democracy puts an extra burden on law associations and lawyers to bring test cases and to educate people in the new rules. The opening up of civil society in Tanzania has also increased the opportunities to carry out activities to meet ongoing needs such as legal aid counselling, taking on legal aid and public interest cases, legal literacy programs, particularly about women's rights, and human rights activities.

Lawyers in Tanzania, individually and through their associations, represent, after the private press, the greatest force in civil society for shaping the rules of the democratic transition. Lawyers have used their meetings and seminars over the last three years to define issues of debate within the legal community and with the government. This includes the questionable legitimacy of the GOT's transition steps so far; the government's preservation and use of laws that violate the current Constitution and generally accepted human and civil rights; and the principles that will guide multi-party democracy in Tanzania.

As well as debating, lawyers are testing their points in the courts. They are handicapped by, among other things, the slowness with which cases are tried. The delay in trying cases increases the expense of bringing pro bono and test cases. Attorneys are also constrained by the slowness with which decisions and new legislation are disseminated and the lack of funding for test cases and legal aid, which limits the number of cases brought to court.

Lawyers in Tanzania are active in civic society individually and as members of NGOs. There is a wide range of burgeoning and established Tanzanian NGOs in a variety of areas. Of these associations, those dealing with legal rights have shown the most consistent success in terms of articulating their positions and having an impact on their target audience. This may be due in part to the long-term existence of some of these NGOs (30 years), many of which include attorneys, who, as a group in Tanzania, are often in the forefront of engendering change. These groups have used meetings, seminars, workshops, and court test cases to shape the extent of people's rights. While both men and women are modifying their roles in society today, many Tanzanians recognize the importance of improving the status of women. Women are disadvantaged in many legal situations in comparison with men in Tanzania. For example, the custody of children in divorce cases is generally awarded to the husband or his family. Women have, however, been making progress in improving their status by opening their own businesses, obtaining advanced degrees, and going to court over the issue of their rights. Many of these cases are brought on a pro bono basis by women's legal rights organizations, necessarily limiting the number of cases that can be contested. Further, these legal rights organizations are overwhelmed by the number of requests they receive. The women's rights organizations are very good at informing people about women's rights and trying to effect change through the courts. However,

they are hampered by a lack of capacity.

b) Activities

To assist women's legal rights organizations, a grant fund will be established under component 3. The grants will be given to groups that work in at least one of the following areas to assist women: 1) legal aid services and improving access to justice; 2) legal literacy and improving knowledge of women's rights; and 3) legal reform advocacy. By the end of TDGI, at least four groups will have received grants.

The grants will be awarded based on proposals in response to a solicitation for requests in the areas listed above. This strategy will enable organizations to take advantage of particular experience they have, as well as to suggest activities not contemplated by USAID/Tanzania. Organizations awarded grants will not be limited to NGOs or groups working exclusively on women's rights. Proposals will be considered from any group that works to any degree on women's legal rights. Also, proposals from trusts, non-profit societies¹¹, associations, committees and NGOs will be considered. The criteria for grant eligibility will include such factors as previous experience working with women's legal rights, level of assistance from other donors, and the accounting procedures used, the soundness of which will be determined in conjunction with USAID/Tanzania's Controller's Office. Prior to beginning implementation (not expected until early-mid 1996), USAID and USIS will review the USG experience and procedures in Tanzania for small grants (i.e. 116e funds), and the latest policies and rules for USAID small grants programs. Criteria will be established for giving grants including minimum and maximum amounts and what types of commodities can be procured.

This component serves several DG objectives. First, women are among the most disadvantaged group in the country in terms of laws regulating their rights and their access to justice. For the most part, women have been unable to learn of their existing legal rights, and have had little opportunity to exercise those rights. Women pay a very high price for this situation in terms of their condition upon divorce or the death of a spouse, and in terms of their ability to have adequate recourse in the event of rape, battery, and even murder. The assistance provided by component 3 will aid in the fair application of laws to women, as well as improving the laws regarding women's legal rights.

Second, women can be among the biggest beneficiaries of an increasingly democratic political environment in which the state at all levels is lobbied to respect the law. For the most part, women have been disproportionately excluded from exercising their political rights. As women learn about their civic as well as their legal rights, they are likely to become an even more vocal pressure group for democratic reform and for a rule of law based on statutory law. Third, thus far, Tanzanian women have shown a remarkable talent for organizing and networking, and for creating inclusive and tolerant

¹¹Under Tanzanian law, non-profit societies are different from NGOs.

associations. The growth of women's NGOs and other forms of associations (such as trusts) in the past few years has been truly remarkable. Grants will assist in strengthening these groups, making them more effective in advocacy and reform efforts.

4. Civic Education

a) Background

No donor expects that educating Tanzanians on their rights and responsibilities as citizens will be an easy or quick task. Changing people's attitudes after thirty years of one-party rule and a socialist economy may take a generation. Nevertheless, Tanzanians urgently need to learn what government should and should not be doing if progress toward democratic governance is ever to be achieved. Thus, educating Tanzanians regarding basic democratic principles is imperative. One step in the right direction is the recent elimination of a political ideology course, which was taught in primary and secondary schools. This course was essentially instruction on the history of TANU (CCM's predecessor) and CCM. In order to graduate from either primary or secondary school, a student could receive no lower than a "C", thus ensuring successive generations' knowledge of (or as one Tanzanian stated, indoctrination to) the socialist system.

This course has been replaced with a mandatory course on civic education, including a unit on democracy. The Institute of Education, part of the Ministry of Education, has been charged with establishing the curricula for the courses. The Institute's efforts so far have been minimal because the Ministry does not have sufficient funding to fully develop civic education curricula and also lacks in-house expertise in the subject.

b) Activities

TDGI will provide technical assistance to the Institute of Education in developing the unit on democratic principles for the secondary schools. Because the Institute is part of the Ministry of Education, the unit will meet requirements set by the Ministry. The Institute works with the Political Science Department at the University of Dar es Salaam in other activities; discussions are currently underway to determine if the Political Science Department faculty will work with the Institute as part of TDGI.

The unit will include a discussion of the basic principles underlying a democracy, with special emphasis on how a democracy can work in Tanzania. It is expected that the unit will have "participatory" sections, so students can use role play to understand and begin to think about personal application of the principles. The unit will also introduce women "role models" in democracy by discussing women's contributions to, and leadership in, democracy. This is especially important because women are rarely held up as role models in Tanzania. Moreover, the unit will convey the message of Tanzanian democracy to administrators, teachers, students, and parents who are connected with the secondary school system. This component may change by the

time of implementation (mid-late 1996) depending on specific support already provided by other donors, GOT interest and needs at that time. For instance, training of trainers may be urgent if adequate curricula has already been developed. Discussions are underway with the Institute of Education to explore the possibility of using the democracy unit in adult education programs.

Civic education, stressing democratic values and processes can contribute to improved democratic governance in Tanzania in the following ways:

- it can promote broader and more informed political participation in the life of the nation on the part of learners;
- it can encourage the use of democratic values in the learner's life which can contribute to more democratic behavior in other associations, including local-level associations and clubs;
- it can encourage the acceptance of such values as tolerance, opposition, and equality before the law, as principles important for maintaining a peaceful and orderly settlement of differences;
- it can contribute to better governance by equipping the learner with the information he/she needs to know how to demand more public accountability and transparency, and more lawful behavior on the part of public officials.

VI. PARTICIPATION: CUSTOMERS, STAKEHOLDERS, AND PARTNERS

A. Other Donors

Other donors are involved in the court system in a wide variety of activities. The largest single project is FILMUP, which is funded by a consortium of donors (Britain, Canada and Sweden) and headed by the World Bank in Washington. FILMUP is active in ten sectors of the legal system, including Administration of Justice, court technology and revising laws, with activities at various stages of implementation. For each sector the first step is an assessment report. On the basis of an assessment of the status of a particular sector an activity is designed. Under FILMUP, the World Bank will computerize the higher courts, Sweden is funding a law revision activity, and the British have recently completed the Administration of Justice assessment. Assessments are in progress on legal training and administrative law and tribunals.

In addition to FILMUP, the donors assist the legal system in other ways. Canada has a continuing series of workshops and seminars on the Administration of Justice; the latest conference was on the legal profession. Britain has two projects with the University of Dar es Salaam Law Faculty, one a linkage with the University of Warwick School of Law and the other support for the Human Rights Resources Unit in the School of Law at the University of Dar es Salaam. The World Bank provided funding for the High Court Library and Norway is providing funding for improvements to the

Several media training workshops and seminars have been funded by donors recently. ODA provided two senior media executives as technical assistance to the Daily News for several months and a British journalist recently delivered two weeks of training for Daily News reporters. NGOs, such as Friedreich Naumann Stiftung, also are involved in media assistance; this German NGO will hold a seminar on elections for Radio/Tanzania. The Goethe Institute will hold a two week training workshop on elections for radio broadcasters. The Media Institute for Southern Africa, MISA, is also holding two workshops on radio broadcasting for elections; MISA will hold another workshop on investigative reporting as well.

In the area of women in development, the donors are also very active. Various donors work with women's NGOs and women's groups, mainly in the area of economic empowerment. Most donors have a gender advisor, and there is a donor's coordination group on women in development. The Netherlands has taken the lead in the area of women in development by establishing a women's trust fund. This fund provides grants in all areas of women's development to organizations that work exclusively with women.

Many of the civic education activities undertaken by the donors focus on the upcoming national elections. For instance, the Scandinavian donors (Denmark, Finland, Norway and Sweden) are funding the National Electoral Commission civic/voter education activities. Britain is funding a series of radio programs on civic and voter education, as is Germany. In addition, the British are publishing three booklets on civic education and has contributed to the printing of the book, Who Votes in Tanzanian and Why?. Finally, ODA is sending two parliamentary clerks to Britain on a study tour.

While it may appear that there will be donor duplication between TDGI and ongoing activities in the media and women's NGOs, that is not the case. TDGI component 2 is unique in that it will assist in the training of journalists in other cities in addition to Dar es Salaam, while other donor activities are located only in Dar es Salaam. Further, component 2 includes a series of seminars to give journalists from all forms of media an opportunity to learn about a wide variety of topics. Putting radio, television and print journalists together will allow each type of journalist to learn from journalists in other fora. The other donor seminars separate the journalists by medium, so there is no cross-over among, for example, television and radio journalists. Moreover, all but one of the other donor-funded seminars are limited to consideration of the elections.

Regarding the Netherlands women's trust fund and component 3, there are several obvious differences. First, the Netherlands limits its assistance to organizations working exclusively with women, while the TDGI grant fund will accept requests from any organization dealing with any aspect of women's legal rights. The other obvious difference is that the Netherlands trust funds any type of activity that works with women, with much funding going to economic empowerment activities. The TDGI grant fund, however, will fund activities dealing only with women's legal rights. The

administrator of the Netherlands activity views the TDGI grant fund as a positive development which will complement other donor efforts to assist Tanzanian women.

B. Customers/Stakeholders

To ensure that TDGI truly meets the needs of Tanzanians, the Mission involved Tanzanians actively in explaining their ideas and specifically in designing each of the components of TDGI. In addition to individual interviews held with donors, judges, attorneys, media personnel, people active in women's legal rights, and staff of the Ministries of Education and Justice, the Institute of Education and faculty at the University of Dar es Salaam, several larger-scale meetings were held. One such meeting convened people who will benefit from TDGI, and other donors, to discuss the implications of TDGI for women. Regular meetings were also held with the Foreign Service National (FSN) staff of USAID/Tanzania and the FSN DG Committee to discuss areas of assistance for TDGI and, later, to review the project as it developed. Finally, USAID/Tanzania created a DG External Council, composed of Tanzanians, who reviewed and commented on the proposed components of TDGI. Comments and suggestions from all of the participants were noted and considered in both the preliminary and the final development of TDGI. The Mission is confident, therefore, that TDGI is geared to the needs and interests of Tanzanians.

VII. IMPACT

The benefits arising out of TDGI are listed below, by subtarget of USAID/Tanzania's S.O. 4.

Subtarget 4.1.1 - Improve Administration of National Court System (Component 1):

The ADR component will contribute to a decrease in the backlog of cases throughout the court system. As a result of having fewer cases to preside over, judges will be able to hear and decide on cases in a more timely fashion, thus promoting confidence in the legal system. This confidence is essential to the rule of law in any country. Litigants and attorneys who are involved in a lawsuit will spend less time (and for the litigant, money) waiting for the outcome of the case. Potential litigants who participate in ADR will have a low-cost, timely resolution to their disputes. ADR will also give more people an opportunity to take advantage of the justice system; Tanzanians who cannot afford an attorney and who have been turned down as a pro bono client will be able to choose ADR.

Subtarget 4.1.2 - Improve Quality of Media Reporting (Component 2): Tanzanians who read the newspapers or listen to the radio will benefit from articles and programs that will better inform them about issues that affect their lives. It is knowing and understanding political, economic and legal issues that often serve to galvanize people into action. Moreover, people will generally be better informed about their rights and whether the current government is transparent, accountable, and responsive to the general population. Journalists will also have a better understanding of important concepts, such as the role of courts in a democracy, and will be able, over the long

term, to keep abreast of developments in these areas and report on them competently. Finally, the Tanzanian trainers will be sources of information for both current and future journalists.

Subtarget 4.1.3 - Strengthen Legal Rights and Civic Education Organizations

(Components 3 and 4): By strengthening women's legal rights organizations, TDGI will increase the capacity of these NGOs to reach women and men at all levels of Tanzanian society. People will have more opportunities to attend seminars on women's legal rights due to an increase in the number of seminars given. Increased capacity of the NGOs will also result in their ability to accept more clients who want to file suit. These clients will also benefit from the decreased backlog of cases resulting from ADR. Thus, women and men will be more informed about women's legal rights in Tanzania, and there will be more of an opportunity for women, individually, and women's legal rights NGOs, to advocate improved women's rights.

Teaching students the basics of democratic principles will ensure that children for succeeding generations will know and discuss these principles. It is quite likely that these ideas will be discussed in the children's homes, as well as communities and gathering places. Thus, the generations of adults who did not learn about democratic principles as children will have the opportunity to learn about democracy and how it can be a part of Tanzanian life through future generations. The potential spread effect of the democracy unit of the civic education curricula is enormous - teachers, administrators, students, friends, parents and older relatives can all be reached through the civic education curricula.

VIII. PROJECT FINANCING

Proposed Life of Project Financing: \$2 million (DFA)

FY 95 Obligations \$1 million

ILLUSTRATIVE BUDGET
\$000,000

<u>Component</u>	<u>FY 95</u>	<u>FY 96</u>	<u>FY 97</u>
ADR*	0.32	0.20	0.0
Media	0.11	0.15	0.0
Women's Legal Rights	0.06	0.14	0.0
Civic Education	0.30	0.00	0.0
Management	0.21	0.21	0.0
Audit/Evaluation	<u>0.00</u>	<u>0.30</u>	<u>0.0</u>
Total	1.0	1.0	0.0

* The evaluation of the current ADR project will use funds allotted to the ADR activity.

Type of Assistance

Technical Assistance (Civic Education)	\$ 300,000
Training (ADR and Media)	\$ 760,000
Grants (Women's Legal Rights Organization)	\$ 200,000
Contracts (Management)	\$ 380,000
Commodities (Management)	\$ 40,000
Audit/Evaluation (Entire Project)	<u>\$ 320,000</u>
Total	\$ 2,000,000

USAID Management Costs

One USDH shall spend 1/4 time managing the project at a cost of approximately \$50,000 per year.

This budget is illustrative and is based upon best available information at the time of project design. Changes in line items can be made without amending the project, but must be documented through a memorandum designed to record changes in the financial structure of the project.

IX. IMPLEMENTATION PLAN

A. Management

The project will be implemented by USIS. Because the Government cannot contract with itself, the document transferring implementation to USIS will be a Participating Agency Service Agreement (PASA), which is a type of interagency agreement under Section 632(b) of the FAA. The PASA will be executed between USAID, as represented by the USAID/Tanzania Mission Director, and USIS in Tanzania, as represented by the Public Affairs Officer in Tanzania. This PASA will be executed with USIS due to the comparative advantage that agency has in the areas of ADR, media training, women's organizations and education. The comparative advantage exists both in activities already undertaken in Tanzania and in resources available in the United States, especially in media training and education.

As part of the PASA, USAID and USIS will agree in writing exactly how financial reporting will be done to ensure that USAID/Tanzania can be responsive to USAID/Washington's tracking requirements. To implement TDGI, USIS will hire a full-time PSC, a full-time FSN administrative assistant and a part-time FSN who will be responsible for donor coordination and logistics. Additional support staff will be hired on an as-needed basis. In addition to the project implementors/managers, consultants for a specific component will be contracted as required, including spousal hires on a part-time or short-term basis. The Public Affairs Officer (PAO) will be responsible for day-to-day oversight. This consists of both overseeing the progress in implementing

the components and ensuring that the USAID/Tanzania project manager is advised of each component activity as it is implemented. Moreover, the PAO will be responsible for advising the Mission project manager of any delays in implementation, regardless of the cause of the delay.

Under the terms of a PASA as stated in Handbook 12, the USAID/Tanzania project manager will have continuing responsibility for monitoring the effectiveness of services being provided and will keep Mission management advised of any problems or need for changes. Thus, the project manager will be responsible for monitoring implementation progress, including ensuring that the implementation schedule is met to the extent practicable. USAID/Tanzania will be responsible for informing USIS of any changes in Agency policy or programming guidelines. Other requirements of PASAs as outlined in Handbook 12, such as review of billings and governing principles, will be followed.

Quarterly reports will be required from USIS for each component. These reports will include, but not be limited to, information on the progress of each component, funds disbursed during the reporting period, results of any component activity that ended (e.g. the number of men and women attending a media seminar and their evaluation of the seminar), changes in the implementation schedule that occurred, and problems to be addressed. Semi-Annual Project Implementation Reviews and Portfolio Reviews will be held in accordance with standard USAID policy. Any report including funds disbursement or an accounting of funds will be done in accordance with USAID requirements, in order to meet MACS standards. The USAID/Tanzania Controller's Office will provide guidance to USIS on financial reporting requirements, as well as review the PASA to ensure that the agreement includes proper guidelines on financial reporting.

The implementation will be phased, due to the upcoming elections and the current ADR project. Component 1 will begin immediately to take advantage of the momentum begun by the USIS ADR project. The journalism seminars on civic education are scheduled to take place before the elections; thus, component 2 will begin shortly after obligation of funds.

Component 3 will not begin until several months after the election. Many women's legal right organizations are involved in voter education activities for the elections and do not have the capacity to begin a project in another area right now. By delaying implementation of this component, the women's legal rights organizations will be able to finish the voter education projects and the corresponding evaluations and audits, if any. Because the civic education course in secondary schools was mandated by the current government, implementation of component 4 will be delayed until after the elections, to ensure that the new government is also committed to teaching civic education in the schools. This last component may be changed considerably to reflect evolving GOT needs and donor support.

B. Procurement Plan

For management purposes, USIS will procure two computers, a printer and a project vehicle. File cabinets for the courts, as well as one computer for each of the High Courts, will be procured under Component 1, to start the filing system for tracking cases handled through ADR. Commodities for grantees under Components 2 and 3 may include computers, faxes, photocopiers and tape recorders. Vehicles will not be procured for any recipients of assistance under any of the components.

C. Monitoring and Evaluation

The TDGI monitoring and evaluation plan forms a part of the Mission's overall monitoring, evaluation, and reporting program, which is under the guidance of the Program Office and the Impact Assessment Advisor. Monitoring and evaluation of TDGI will contribute directly to the Mission's required annual reporting on monitoring and evaluation activities, as well as to the Assessment of Program Impact reporting. The achievements of TDGI will be assessed at goal level and at purpose level. In addition, specific levels of accomplishment have been established for each of the four components of TDGI (ADR, media training, women's legal rights, civic education).

The key inputs (technical assistance, training, small grants) will be monitored as part of the actual process of project implementation, and will be documented in annual work plans and progress reports. Output monitoring (the key outputs including numbers trained, grants awarded, workshops/seminars held) will be documented in semi-annual program/project implementation reviews. Both input and output surveillance can therefore be accomplished as elements of routine project management and will be the responsibility of the TDGI Project Manager, under the guidance of the Project Development Officer. Many of TDGI-supported activities are in-country training. Therefore, it will be important for the TDGI Project Manager and the USAID Training Officer to collaborate closely to ensure that adequate tracking of participants is done. This will also enable USAID to better determine how to allocate additional training funds in support of Strategic Objective Four.

Determining the effectiveness and impact of TDGI constitute purpose and goal-level monitoring, and cannot be achieved within the context of routine project management. Such impact assessment will require special resources and will be achieved by the following means.

At the goal level: The TDGI Project is intended to contribute to the goal of "improved democratic governance". The indicator which is employed to establish whether this goal is achieved is the formation of a democratic society that supports economic growth and social welfare improvements. National accounts data and Mission-funded social and economic surveys and studies will provide the means of verification. It must be pointed out, however, that USAID/Tanzania and the TDGI project are not the only elements in Tanzania contributing to an improved climate of DG in Tanzania. At this level it will not be possible to disaggregate actual impacts of TDGI. The project must

be viewed as contributing to the overall process of development but its explicit contribution to goal achievement will not be possible to establish.

At the purpose level: The purpose of TDGI is to "strengthen civil society in support of the transition to democratic governance in Tanzania". This purpose will be accomplished by assisting the institutional development of selected organizations, both government and NGO, including the courts, women's legal rights NGOs, the media, and educational institutions, through four project components. Project impact will be established through routine surveillance and special studies of key indicators. In order to accomplish this, specific pre-intervention baseline information is needed for verifiable indicators for each of the four components.

The Courts: What is the present size of the backlog of undecided cases in the courts that will be assisted with ADR training? What is the mean elapsed time between bringing a case and its hearing? What specific types of cases are most suitable for mediation using ADR?

The Media: How many people, disaggregated by gender, are employed as journalists in each medium (print, radio, television)? What proportion of these active journalists (from each medium) has received any formal training in journalism? How regularly or with what frequency do articles and broadcasts explicitly focused on DG issues appear in the media at present? What is the circulation/print run of the principal English- and Kiswahili-language periodicals?

Women's Legal Rights Organizations: What is the present inventory of NGOs which deal with legal rights issues, particularly pertaining to women? What proportion of these organizations presently brings pro bono and/or test cases involving women's legal issues to the courts, and/or arranges seminars on women's legal issues? What are the current numbers of such cases brought and seminars given on an annual basis?

Civic Education: The baseline for this component is known; the "mandatory" civic education course is not yet being taught in government secondary schools because there is no curriculum or teaching materials. Also, teachers have not yet been trained (although provision has been made for training). It is possible, however, that some form of civic education has been introduced in some of the private secondary schools, particularly those sponsored by or affiliated with churches; what proportion of these schools has been able to offer this course? What materials do they use, how are teachers trained, and how is the course received by teachers, students, and the wider community?

These baseline data will provide a means of measuring project achievements and impact over the longer term. They are directly linked to the verifiable indicators for each project subtarget in the project logframe. Data collection, as well as monitoring and impact assessment, will require additional resources and personnel beyond what is needed for routine project management. The project budget contains ample support for such efforts; baseline data collection, surveillance, and impact assessment will be

conducted under the general supervision of the Impact Assessment Advisor, employing the services of Tanzania-based consultants. Since the project activities will actually be implemented through USIS, close co-ordination with that agency and the TDGI project manager based in the Mission will be critical.

Evaluation: TDGI is scheduled for implementation over a three-year period, FY 1995 through FY 1997. Thus two evaluations will be scheduled, a midterm review after 18 months of implementation, and a final evaluation. Both of these evaluations will rely heavily on data the baseline data obtained from various sources, routine monitoring and updating of this data base, and impact assessments of the specific project components, as well as data obtained from other sources, particularly evaluation/assessment of other donor initiatives and activities in the democratic governance area.

D. Audit

Grants, contracts and the inter-agency transfer executed under this project will provide that the audit and inspection requirements set forth in the Inspector General Act of 1978 (the Act), as amended, shall apply. USAID's Office of the Inspector General shall ensure full compliance with all applicable provisions of the Act.

X. KEY ASSUMPTIONS AND RELATED RISKS

The biggest assumption, and correspondingly the biggest risk, is that the October general elections will be both free and fair. If the elections are not free and fair, USAID/Tanzania will immediately assess the value of continuing to implement any activities in Tanzania, including TDGI. If the elections are judged by observers to be free and fair, but Tanzanians disagree, there may be a backlash. The severity of the backlash against the government by Tanzanian citizens will determine the extent to which the TDGI components become unworkable in their present form. For example, a backlash by Tanzanians may result in a government crackdown on people's rights in an attempt to restore "order". This crackdown may include restrictions on suitable topics for media stories. Should that occur, the media component would no longer be viable in its present form and would have to be restructured or eliminated.

A second assumption is continued support by the GOT. In order for TDGI to achieve full impact, the new government must support the project. In addition, if the new government remains as unaccountable as the current one, the validity of the entire USAID/Tanzanian portfolio will be called into question, including TDGI.

Each component of TDGI will be monitored on a continuous basis, to ensure that component design will effect the desired results. Should one of the above assumptions prove to be incorrect, each component will be reviewed, both as a separate activity and as a part of the entire project. This dual evaluation will include an assessment of whether or not the component is achieving the desired results. The component will also be evaluated as part of the entire project to determine if the project as a whole is proper, given the changed circumstances in Tanzania. Finally, the

viability of a DG project in Tanzania will be assessed in relation to the political situation at that time.

NARRATIVE SUMMARY	OBJECTIVELY VERIFIABLE INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS
<p><i>Program Goal</i></p> <p>Improved Democratic Governance</p>	<p><i>Measures of Goal Achievement</i></p> <p>Formation of democratic society that supports economic growth and social welfare improvements.</p>	<p>Mission economic studies and of analyses of economy.</p>	<p>There will not be a recession or depression.</p> <p>There will not be an overt or covert crackdown on people's rights by the ruling government.</p>
<p><i>Project Purpose</i></p> <p>To strengthen civil society in support of the transition to democratic governance in Tanzania.</p>	<p><i>End of Project Status</i></p> <ol style="list-style-type: none"> 1. Use of ADR in at least 5 regions of Tanzania 2. Newspaper articles on DG, economics and legal issues are clear and logical. 3. Increased capacity of women's legal rights organizations. 4. Democracy Unit taught in secondary schools 	<p><i>Data Sources</i></p> <ol style="list-style-type: none"> 1. Court reports, law society reports, media reports. 2. Collection of newspaper articles. 3. Grant reports from women's legal rights organizations 4. Secondary school curricula list from Ministry of Education. 	<ol style="list-style-type: none"> 1. Litigants and potential litigants will use ADR. 2. Freedom of press will not be restricted. 3. Women's legal rights organizations will not be prevented from operating. 4. The government coming into power after the Oct. 95 election will not eliminate the civic education course from secondary school curriculum.
<p><i>Project Outputs:</i></p> <ol style="list-style-type: none"> 1. Use of access to justice mechanism other than traditional system. 2. Improved media reporting 3. Increased dissemination of information on women's legal rights. 4. Increased opportunity for Tanzanians to learn about democratic principles. 	<p><i>End of Project Status</i></p> <ol style="list-style-type: none"> 1.1 500 judges, magistrates and registrars trained in ADR. 1.2 All attorneys have access to "ADR for Attorneys" materials. 1.3 ADR taught in the law school. 2.1 140 attendees at media seminars. 2.2 4 Tanzanians assist in leading media seminars. 3. Grants to at least 4 women's legal rights organizations. 4. Democracy Unit developed for inclusion in secondary school civic education courses 	<p><i>Data Sources</i></p> <ol style="list-style-type: none"> 1.1 List of attendees at training courses. 1.2 Notice on ADR training from bar association to bar members. 1.3 Law school curricula list from Faculty of Law. 2.1 Lists of attendees at seminars. 2.2 Names of Tanzanians assisting in leading seminars. 3. List of recipient organizations. 4. Contractor reports. 	<ol style="list-style-type: none"> 1.1 Judges, magistrates and registrars will continue to accept the use of ADR. 1.2 Attorneys will want to be trained in the use of ADR. 2. Journalists will attend the seminars. 3. There are women's legal rights organizations that meet minimum USAID grant requirements. 4. The Ministry of Education will provide civic education training to secondary school teachers.
<p><i>Project Inputs</i></p> <ol style="list-style-type: none"> 1. Provide ADR training to judges, magistrates, registrars, attorneys and law school students. 2. Provide training to media reporters 3. Provide grants to women's legal rights organizations. 4. Assist Institute for Education in developing democracy unit for secondary school civic education course. 5. Coordination with other donors 	<p><i>Implementation Budget</i></p> <p>\$2 million over 3 years</p>	<ol style="list-style-type: none"> 1. Signed grant agreements/contracts. 2. Project financial reports. 3. Evaluations, audits. 	<p>Timely funding available at requested levels to facilitate project implementation.</p>

ANNEX TWO: PROJECT PAPER REFERENCE DOCUMENTS

ARD/MSI, An Assessment of USAID's Capacity for Rapid Response in Support of Improved Governance in Africa, January 14, 1994.

Bautigam, Deborah, Governance and Economy: A Review, The World Bank, December 1991.

Charlick, Robert, The Proposed Tanzania Democratic Governance Project Reports I and II, ARD, April 30, 1995.

Comedy, Yolanda, Report on the USAID Tanzanian Democratic Governance Project: The Civic Education Component, G/DG, May 4, 1995.

Equality and Legal Rights: The Concern for Tanzanian Women, Tanzania Association of Non-Governmental Organizations, 1995.

Global Center for Democracy and Governance Strategic Plan, USAID 1995.

Guidelines for Strategic Plans, Technical Annex C, Democracy, USAID, February 1995.

High Court of Tanzania Alternative Dispute Resolution (ADR) Training Material, USIS, July 18, 1994.

Information Memorandum for the USAID Senior Staff, Rule of Law Working Group, 1995.

Luche, Jenna, Gender Analysis and Recommendations for The Tanzanian Democratic Governance Initiative (TDGI), G/WID Senior Advisor for Democracy, Governance and Gender, April 1995.

Manual for The Introduction of Alternative Dispute Resolution Mechanism (ADR) in Tanzania, USIS, July 18, 1994.

Minutes from the Meeting of the USAID/Tanzania DG External Council, May 22, 1995.

Mwangunga, Patrick and Robert Saulanga, Preliminary Financial Assessment of Selected NGOs, USAID/Tanzania, Office of the Controller, May 1995.

Ngowi, Daniel, Economic Analysis for TDGI, USAID/Tanzania Economist, May 15, 1995.

Reimers, Fernando, Harvard Institute for International Development, Education and Human Resources Technical Services Advocacy Series: Education and Development:

Innovations to Provide Quality Basic Education with Equity; #4: Education and Consolidation of Democracy in Latin America, USAID, Bureau for Latin America and the Caribbean, 1993.

Report on the Dissemination Workshop on the Law of Succession/Inheritance and Research Findings, Commission Secretariat, The Law Reform Commission of Tanzania, October 1994.

Second and Third Periodic Report on the Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women, United Republic of Tanzania, 1994.

Strategies for Sustainable Development, USAID, March 1994.

Structural Adjustment and Gender Empowerment or Disempowerment, Tanzania Gender Networking Programme Symposium Report, February 26, 1994.

USAID/Tanzania, Office of the Controller: Assessing Financial Management Capacity of LPVOs, April and May, 1995.

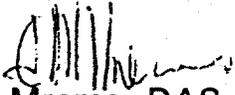
Weighing in On the Scales of Justice: Strategic Approaches for Donor-Supported Rule of Law Programs, Center for Development Information and Evaluation, February 1994.

West, Tina, Robert Charlick, Michael Lofchie and Alli Marie Tripp, The Transition to Democratic Governance in Tanzania: An Assessment and Guidelines for Near-Term Action. AFR/MSI March 15, 1994.



U.S. Agency For International Development
memorandum

DATE: July 17, 1995

REPLY TO: 
ATTN OF: H.A. Mrema, DAS

SUBJECT: TANZANIA DEMOCRATIC GOVERNANCE INITIATIVES (TDGI) EXTERNAL COUNCIL MEMBERS MEETING.

TO: THE FILES

On May 22, 1995 the External Council for the Tanzania Democratic Governance Initiatives (TDGI) met to review the (TDGI) Project Paper.

The members of the Council are: Prof. S. Mushi, Political Science Department, University of Dar es Salaam; Ms. M. Majaar, Attorney; Mr. T. Mmari, Secretary, Civil Service Commission; Prof. R. Mukandala, Political Science Department, University of Dar es Salaam; and Ms. J. Mhaville, Journalist with ITV One. Prof. Mushi, Ms. Majaar and Mr. Mmari attended the meeting. Prof. Mukandala and Ms. Mhaville could not attend, but were requested to provide written comments by May 29, 1995. Ms. Mhaville responded by May 29, and her comments are attached as appendix A.

The meeting started at 10 a.m. chaired by Ms. C. Blair, who provided a general overview of the project, followed by discussions on each component:

1. Alternative Dispute Resolution (ADR) Component :
No questions were raised.
2. Media Reporting Component:
It was noted that (a) there are other donors doing this kind of activity; (b) USAID/T will focus on specific topics that are not fully covered by other donors in the training of journalists in all types of media i.e. Television, Radio, and Newsprint.
3. Women's Legal Rights Associations (NGO) Component:
In response to Council questions, Ms. Blair noted that (a) this component will be open to those NGOs working in the area of women's legal rights, (b) it will be limited to those groups that meet USAID financial reporting requirements.

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4. Civic Education Component:

It was noted that teacher training will be part of this component to the extent that the funds available will allow.

Observation and Conclusion: Everyone like the project concept very much and they emphasized that Zanzibar should be included.

The meeting ended at 11.30 hours.

Clearance: CBlair: In draft

: DPutman: A/PDO: In Draft

DG-extcM1

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AID/AFR/EA:SPULASKI:SP

03/28/95 7-6331

AID/DAA/AFR:NFIELDS

AID/AFR/LA:GSLOCUM

AID/G/DG:MBROWN (DRAFT)

AID/AFR/SD:DMUNCY (DRAFT)

AID/AFR/EA:AHARDING (DRAFT)

AID/AFR/DP:GCASHION (DRAFT)

AID/GC/AFR:DLUTEN (DRAFT)

ROUTINE DAR ES SALAAM

ROUTINE NAIROBI

ADM AID USAID/DAR ES SALAAM AND NAIROBI REDSO/ESA

E.O. 12356: N/A

TAGS:

SUBJECT: TANZANIA DEMOCRATIC GOVERNANCE INITIATIVES
PROJECT NEW ACTIVITY DESCRIPTION REVIEW AND APPROVAL

1. THE MEETING FOR THE TANZANIA DEMOCRATIC GOVERNANCE INITIATIVES (TDGI) NEW ACTIVITY DESCRIPTION (NAD), 621-0182, WAS HELD MARCH 21. THE MEETING WAS CHAIRED BY AFR/EA, AND ATTENDED BY REPRESENTATIVES FROM AFR/EA, AFR/DP, AFR/SD, GC/AFR AND G/DG. THERE WERE NO ISSUES RAISED PRIOR TO OR AT THE MEETING, AND CONSEQUENTLY, REVIEW PARTICIPANTS ENDORSED THE RECOMMENDATION THAT THE NAD BE APPROVED AND THAT APPROVAL OF THE PROJECT PAPER AND PROJECT AUTHORIZATION BE DELEGATED TO THE USAID/TANZANIA MISSION DIRECTOR. A SHORT DESCRIPTION OF THE CONCERNS RAISED, ALONG WITH THE REVIEW COMMITTEE'S SUGGESTIONS AND RECOMMENDATIONS, FOLLOWS.

2. THE MEETING BEGAN WITH AN OVERVIEW AND BACKGROUND OF THE MISSION'S CPSP STRATEGY AND THE ELEMENTS OF DG INCLUDED THROUGHOUT THE MISSION'S PORTFOLIO: I.E. ATAP AND FED ADDRESSING THE ACCOUNTABILITY AND TRANSPARENCY OF THE GOT, AND THE TANZANIA AIDS PROJECT WORKING WITH NGO'S TO STRENGTHEN THEIR CAPACITY. MENTION WAS MADE THAT WHILE THESE ACTIVITIES IMPROVED DG IN TANZANIA, THEY DID NOT SIGNAL TO THE GOT THE IMPORTANCE THE USG PLACES ON

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DEMOCRATIC GOVERNANCE IN THE SAME WAY A STAND-ALONE ACTIVITY WOULD. SUBSEQUENTLY, THE MISSION SUBMITTED A CONCEPT PAPER TO USAID/W FOR REVIEW IN JANUARY 1995, WHICH RESULTED IN MOVING THE DG TARGET OF OPPORTUNITY TO AN EXPANDED STRATEGIC OBJECTIVE FOUR: IMPROVED DEMOCRATIC GOVERNANCE.

3. ONE CONCERN OF THE REVIEW MEETING WAS THE MECHANISM FOR CREATING SMALL GRANTS TO ASSIST ORGANIZATIONS THAT ADVANCE WOMEN'S RIGHTS. MISSION SHOULD ENSURE THAT, PRIOR TO DISBURSING USAID FUNDS FOR USE UNDER THE SMALL GRANTS MECHANISM, THE ORGANIZATION RECEIVING THESE FUNDS HAS/WILL HAVE THE APPROPRIATE FINANCIAL ACCOUNTING AND MANAGEMENT APPARATUS IN PLACE. ALSO, THE SMALL GRANTS MECHANISM MAY BE TOO STAFF INTENSIVE AND THE MISSION SHOULD REVIEW THE STAFFING REQUIRED FOR MANAGING THIS COMPONENT DURING THE PP DESIGN. IT WAS SUGGESTED THAT THE MISSION MAY WANT TO CONSIDER SELECTING A LEAD WOMEN'S NGO TO MANAGE/ADMINISTER THIS COMPONENT.

4. THE MISSION SHOULD DETERMINE HOW FAA SECTION 110 (25 PERCENT HOST COUNTRY CONTRIBUTION REQUIREMENT) WILL BE COMPLETED WITH OR WHETHER A WAIVER WILL NEED TO BE REQUESTED FROM AA/AFR.

5. ALTHOUGH REVIEW PARTICIPANTS UNDERSTOOD THE RATIONALE FOR THE ASSISTANCE TO BE PROVIDED, IT WAS RECOMMENDED THAT THE MISSION SHOULD CONSIDER DELETING TERMINOLOGY FROM THE NAD THAT REFERS TO QUOTE PRESSURE GROUPS UNQUOTE, AND NOT USE SUCH TERMINOLOGY IN THE PP OR OTHER DOCUMENTS. SUGGESTED ALTERNATE TERMINOLOGY WHICH COULD BE SUBSTITUTED MIGHT INCLUDE INTEREST OR ADVOCACY GROUPS. G/DG WILL COMMUNICATE WITH THE MISSION DIRECTLY ON THIS MATTER TO FIND APPROPRIATE REPLACEMENT LANGUAGE WHICH CAPTURES THE TYPE OF WORK AND GROUPS AS CONCEIVED IN THE DOCUMENT.

6. MISSION IS TO BE COMMENDED FOR CONCEIVING SUCH A TIMELY PROGRAM TO STRENGTHEN CIVIL SOCIETY IN SUPPORT OF THE TRANSITION TO DEMOCRATIC GOVERNANCE IN TANZANIA AROUND A CORE THEME OF IMPROVING THE ADMINISTRATION OF THE NATIONAL COURTS, IMPROVING THE QUALITY OF MEDIA REPORTING, STRENGTHENING WOMEN'S LEGAL RIGHTS UNDER NGOS AND ASSISTING IN THE DEVELOPMENT OF PRIMARY AND SECONDARY SCHOOL CIVIC EDUCATION CURRICULA. THE DOCUMENT WAS WELL WRITTEN AND PARTICIPANTS ALSO COMMENDED THE MISSION FOR

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ITS CLOSE COLLABORATION WITH G/DG IN THE NAD DESIGN.

7. THIS CABLE PROVIDES AD HOC DELEGATION OF AUTHORITY TO THE DIRECTOR OF USAID/TANZANIA TO APPROVE THE PROJECT PAPER AND TO AUTHORIZE THE TANZANIA DEMOCRATIC GOVERNANCE INITIATIVES PROJECT IN AN AMOUNT NOT TO EXCEED USD TWO MILLION, SUBJECT TO THE LIMITS SET FORTH IN DOA 551, DATED MARCH 19, 1989.

7. PLEASE KEEP AFR/EA INFORMED OF PROGRESS IN DESIGNING THE PP AND PROJECTED OBLIGATION DATE. YY

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MINISTRY OF FINANCE

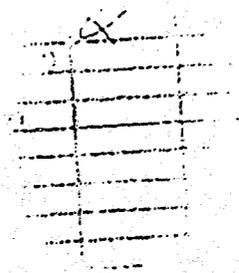
Telegram: "TREASURY", DAR ES SALAAM.
Telephone: 21271.
All Official communications should be addressed
to the Principal Secretary to the Treasury and
NOT to individuals).

P.O. Box 9111,
DAR ES SALAAM.

In reply please quote:

Ref. No.....TYC/E/550/7

25 July, 1995



Mr. G. W. Anderson,
Acting Director,
USAID/Tanzania,
P.O Box 9130,
Dar-es- salaam.

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Dear Sir,

**RE; SUPPORT TO TANZANIA DEMOCRATIC GOVERNMENT
INITIATIVES -US \$2.0M PROJECT GRANT.**

Reference is made to our letter Ref. No. TYC/E/550/7 dated 20th July 1995 in which we confirmed our acceptance of the project paper and the terms agreed during the meeting with all the concerned parties.

This is to inform you that the Government of the United Republic of Tanzania is pleased to learn that the Government of the United States of America is nearly finishing the process of designing a Us \$ 2.0m Tanzania Democratic Governance Initiatives (TDB) project to strengthen civil society support of the transition to democratic governance in Tanzania.

The proposed project is highly desired as it would (a) improve the administration of the national courts system (b) improve the quality of media reporting (c) strengthen women's legal rights and NGO'S and (d) assist in the development of secondary school civic education curricula.

We are in agreement with your design concepts and would therefore kindly request your assistance in securing approval from your Government for the entire project and the proposed Us \$1.0m initial project grant at your earliest.

Yours Sincerely,

M. T. Kibwana
M. T. Kibwana.

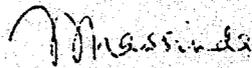
For Principal Secretary.

For project efficacy we recommend that training seminar/meetings or workshops be held away from the work stations of the targeted lawyers. This is because experience has shown that a lawyer attending a workshop or seminar away from his/her work station is not likely to be interrupted both for official or domestic purposes.

With regard to the aspect of Civic Education, we suggest that you consider the preparation of Teachers to teach Civic Education in Teachers Colleges together with in service training of serving teachers.

We look forward to the approval of funds for the implementation of this project.

Yours sincerely,



N. Massinda

for: **PRINCIPAL SECRETARY**

cc: The Principal Secretary
Ministry of Education
DAR ES SALAAM
(Att: Mr. Mwenisongole)

cc: The Principal Secretary
Ministry of Justice
DAR ES SALAAM
(Att: Mrs M. Ndossi)

INITIAL ENVIRONMENTAL EXAMINATION
OR
CATEGORICAL EXCLUSION

PROGRAM/PROJECT DATA:

Program Number:
Project Number: 621-0182
Country/Region: Tanzania
Program/Project Title: Tanzania Democracy and Governance Initiatives (TDGI)
Funding Begin: FY95 Funding End: FY98 LOP Amount: \$ 2,000,000
Sub-Activity Amount: \$ _____
EIS Prepared By: Charlotte Bingham, Regional Environmental Advisor, REDSO/ESA

ENVIRONMENTAL ACTION RECOMMENDED: (Place X where applicable)

Categorical Exclusion: X Negative Determination: _____
Positive Determination: _____ Deferral: _____

ADDITIONAL ELEMENTS: (Place X where applicable)

EMEMP: _____ CONDITIONS: _____ PVO: _____

SUMMARY OF FINDINGS:

The purpose of the Tanzania Democracy and Governance Initiatives (TDGI) project is to strengthen civil society in support of the transition to democratic governance in Tanzania by (a) improving the administration of the national courts system, (b) improving the quality of media reporting, (c) strengthening women's legal rights NGOs and (d) assisting in the development of secondary school civic education curricula. The components of TDGI are described in more detail below.

The TDGI qualifies for a categorical exclusion, because it has no component that would directly affect the environment in accordance with 22 CFR Part 216.2(c)(1)(i). The component activities of TDGI meet the criteria for categorical exclusion in accordance with 22 CFR Part 216.2(c)(2)(i) that excludes education, technical assistance or training programs, 216.2(c)(2)(iii) that excludes analyses, studies, academic or research workshops and meetings, and 216.2(c)(2)(v) that excludes document and information transfers.

APPROVAL OF ENVIRONMENTAL ACTION RECOMMENDED: (Type Name Under Signature Line)

CLEARANCE:
Mission Director: [Signature] Date: 5/24/95

CONCURRENCE:
Bureau Environmental Officer: [Signature] Date: 5/24/95
John J. Gaudet Approved: [Signature]
Disapproved: _____

CLEARANCE:
General Counsel (Africa Bureau) [Signature] Date: 5/26/95

Best Available Copy

A.I.D. PROJECT STATUTORY CHECKLIST FOR TANZANIA

Introduction

The statutory checklist is divided into two parts:
5C(1) - Country Checklist; and 5C(2) - Assistance Checklist.

The Country Checklist, composed of items affecting the eligibility for foreign assistance of a country as a whole, is to be reviewed and completed by AID/W at the beginning of each fiscal year. In most cases responsibility for preparation of responses to the Country Checklist is assigned to the desk officers, who would work with the Assistant General Counsel for their region. The responsible officer should ensure that this part of the Checklist is updated periodically. The Checklist should be attached to the first PP of the fiscal year and then referenced in subsequent PPs.

The Assistance Checklist focuses on statutory items that directly concern assistance resources. The Assistance Checklist should be reviewed and completed in the field, but information should be requested from Washington whenever necessary. A completed Assistance Checklist should be included with each PP; however, the list should also be reviewed at the time a PID is prepared so that legal issues that bear on project design are identified early.

The Country and Assistance Checklists are organized according to categories of items relating to Development Assistance, the Economic Support Fund, or both.

These Checklists include the applicable statutory criteria from the Foreign Assistance Act of 1961 ("FAA"); various foreign assistance, foreign relations, anti-narcotics and international trade authorization enactments; and the FY 1995 Foreign Assistance Appropriations Act ("FY 1995 Appropriations Act").

These Checklists do not list every statutory provision that might be relevant. For example, they do not include country-specific limitations enacted, usually for a single year, in a foreign assistance appropriations act. Instead, the Checklists are intended to provide a convenient reference for provisions of relatively great importance and general applicability.

Prior to an actual obligation of funds, Missions are encouraged to review any Checklist completed at an earlier phase in a project or program cycle to determine whether more recently enacted provisions of law included on the most recent Checklist may now apply. Because of the reorganization and consolidation of checklists reflected here, such review may be particularly important this year. Space has been provided at the right of the Checklist questions for responses and notes.

Listed below are statutory criteria applicable to the eligibility of countries to receive the following categories of assistance: (A) both Development Assistance and Economic Support Funds; (B) Development Assistance funds only; or (C) Economic Support Funds only.

A. COUNTRY ELIGIBILITY CRITERIA APPLICABLE TO BOTH DEVELOPMENT ASSISTANCE AND ECONOMIC SUPPORT FUND ASSISTANCE

1. Narcotics Certification (FAA Sec. 490): (This provision applies to assistance provided by grant, sale, loan, lease, credit, guaranty, or insurance, except assistance relating to international narcotics control, disaster and refugee relief assistance, narcotics related assistance, or the provision of food (including the monetization of food) or medicine, and the provision of nonagricultural commodities under P.L. 480. This provision also does not apply to assistance for child survival and AIDS programs which can, under section 522 of the FY 1995 Appropriations Act, be made available notwithstanding any provision of law that restricts assistance to foreign countries, and programs identified in section 547 of that Act and other provisions of law that have similar notwithstanding authority.) If the recipient is a "major illicit drug producing country" (defined as a country in which during a year at least 1,000 hectares of illicit opium poppy is cultivated or harvested, or at least 1,000 hectares of illicit coca is cultivated or harvested, or at least 5,000 hectares of illicit cannabis is cultivated or harvested) or a "major drug-transit country" (defined as a country that is a significant direct source of illicit drugs significantly affecting the United States, through which such drugs are transported, or through which significant sums of drug-related profits are laundered with the knowledge or complicity of the government):

(1) has the President in the March 1 International Narcotics Control Strategy Report (INCSR) determined and certified to the Congress (without Congressional enactment, within 30 calendar days, of a resolution disapproving such a certification), that (a) during the previous year the country has cooperated fully with the United States or taken adequate steps on its own to satisfy the goals and objectives established by the U.N. Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, or that (b) the vital national interests of the United States require the provision of such assistance?

(a) YES
(b) N/A

(2) with regard to a major illicit drug producing or drug-transit country for which the President has not certified on March 1, has the President determined and certified to Congress on any other date (with enactment by Congress of a resolution approving such certification) that the vital national interests of the United States require the provision of assistance, and has also certified that (a) the country has undergone a fundamental change in government, or (b) there has been a fundamental change in the conditions that were the reason why the President had not made a "fully cooperating" certification.

Tanzania has not been defined as a major illicit drug producing country or a major drug transit country.

(a) N/A
(b) N/A

2. Indebtedness to U.S. citizens (FAA Sec. 620(c): If assistance is to a government, is the government indebted to any U.S. citizen for goods or services furnished or ordered where: (a) such citizen has exhausted available legal remedies, (b) the debt is not denied or contested by such government, or (c) the indebtedness arises under an unconditional guaranty of payment given by such government or controlled entity?

NO

3. Seizure of U.S. Property (Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, Sec. 527): If assistance is to a government, has it (including any government agencies or instrumentalities) taken any action on or after January 1, 1956 which has the effect of

NO

nationalizing, expropriating, or otherwise seizing ownership or control of property of U.S. citizens or entities beneficially owned by them without (during the period specified in subsection (c) of this section) either returning the property, providing adequate and effective compensation for the property, offering a domestic procedure providing prompt, adequate, and effective compensation for the property, or submitting the dispute to international arbitration? If the actions of the government would otherwise prohibit assistance, has the President waived this prohibition and so notified Congress that it was in the national interest to do so?

4. Communist and other countries (FAA Secs. 620(a), 620(f), 620D; FY 1995 Appropriations Act Secs. 507, 523): Is recipient country a Communist country? If so, has the President: (a) determined that assistance to the country is vital to the security of the United States, that the recipient country is not controlled by the international Communist conspiracy, and that such assistance will further promote the independence of the recipient country from international communism, or (b) removed a country from applicable restrictions on assistance to communist countries upon a determination and report to Congress that such action is important to the national interest of the United States? Will assistance be provided directly to Cuba, Iraq, Libya, North Korea, Iran, Serbia, Sudan or Syria? Will assistance be provided indirectly to Cuba, Iraq, Libya, Iran, Syria, North Korea, or the People's Republic of China? Will assistance be provided to Afghanistan without a certification, or will assistance be provided inside Afghanistan through the Soviet-controlled government of Afghanistan?

NO

5. Mob Action (FAA Sec. 620(j)): Has the country permitted, or failed to take adequate measures to prevent, damage or destruction by mob action of U.S. property?

NO

6. OPIC Investment Guaranty (FAA Sec. 620(l)): Has the country failed to

NO

enter into an investment guaranty agreement with OPIC?

7. Seizure of U.S. Fishing Vessels (FAA Sec. 620(o); Fishermen's Protective Act of 1967 (as amended) Sec. 5): (a) Has the country seized, or imposed any penalty or sanction against, any U.S. fishing vessel because of fishing activities in international waters? (b) If so, has any deduction required by the Fishermen's Protective Act been made?

(a) NO; (b) N/A

8. Loan Default (FAA Sec. 620(q); FY 1995 Appropriations Act Sec. 512 (Brooke Amendment)): (a) Has the government of the recipient country been in default for more than six months on interest or principal of any loan to the country under the FAA? (b) Has the country been in default for more than one year on interest or principal on any U.S. loan under a program for which the FY 1995 Appropriations Act appropriates funds?

(a) NO; (b) NO

9. Military Equipment (FAA Sec. 620(s)): If contemplated assistance is development loan or to come from Economic Support Fund, has the Administrator taken into account the percentage of the country's budget and amount of the country's foreign exchange or other resources spent on military equipment? (Reference may be made to the annual "Taking Into Consideration" memo: "Yes, taken into account by the Administrator at time of approval of Agency OYB." This approval by the Administrator of the Operational Year Budget can be the basis for an affirmative answer during the fiscal year unless significant changes in circumstances occur.)

N/A

10. Diplomatic Relations with U.S. (FAA Sec. 620(t)): Has the country severed diplomatic relations with the United States? If so, have relations been resumed and have new bilateral assistance agreements been negotiated and entered into since such resumption?

NO

11. U.N. Obligations (FAA Sec. 620(u)): What is the payment status of the country's U.N. obligations? If the

While Tanzania was slightly in arrears as of July 31, 1994, it was not delinquent within the meaning of article 19 of the UN Charter. These arrears were taken into consideration in approving the 0

country is in arrears, were such arrearages taken into account by the A.I.D. Administrator in determining the current A.I.D. Operational Year Budget? (Reference may be made to the "Taking into Consideration" memo.)

12. International Terrorism

a. Sanctuary and support (FY 1995 Appropriations Act Sec. 529; FAA Sec. 620A): Has the country been determined by the President to: (a) grant sanctuary from prosecution to any individual or group which has committed an act of international terrorism, or (b) otherwise support international terrorism, unless the President has waived this restriction on grounds of national security or for humanitarian reasons?

(a) NO
(b) NO

b. Airport Security (ISDCA of 1985 Sec. 552(b)): Has the Secretary of State determined that the country is a high terrorist threat country after the Secretary of Transportation has determined, pursuant to section 1115(e)(2) of the Federal Aviation Act of 1958, that an airport in the country does not maintain and administer effective security measures?

NO

c. Compliance with UN Sanctions (FY 1995 Appropriations Act Sec. 538): Is assistance being provided to a country not in compliance with UN sanctions against Iraq, Serbia, or Montenegro and, if so, has the President made the necessary determinations to allow assistance to be provided?

NO

13. Countries that Export Lethal Military Equipment (FY 1995 Appropriations Act Sec. 563): Is assistance being made available to a government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 40(d) of the Arms Export Control Act?

NO

14. Discrimination (FAA Sec. 666(b)): Does the country object, on the basis of race, religion, national origin

NO

or sex, to the presence of any officer or employee of the U.S. who is present in such country to carry out economic development programs under the FAA?

15. Nuclear Technology (Arms Export Control Act Secs. 101, 102): Has the country, after August 3, 1977, delivered to any other country or received nuclear enrichment or reprocessing equipment, materials, or technology, without specified arrangements or safeguards, and without special certification by the President? Has it transferred a nuclear explosive device to a non-nuclear weapon state, or if such a state, either received or detonated a nuclear explosive device? If the country is a non-nuclear weapon state, has it, on or after August 8, 1985, exported (or attempted to export) illegally from the United States any material, equipment, or technology which would contribute significantly to the ability of a country to manufacture a nuclear explosive device? (FAA Sec. 620E(d) permits a special waiver of Sec. 101 for Pakistan.)

NO

16. Algiers Meeting (ISDCA of 1981, Sec. 720): Was the country represented at the Meeting of Ministers of Foreign Affairs and Heads of Delegations of the Non-Aligned Countries to the 36th General Assembly of the U.N. on Sept. 25 and 28, 1981, and did it fail to disassociate itself from the communique issued? If so, has the President taken it into account? (Reference may be made to the "Taking into Consideration" memo.)

While Tanzania was represented and failed to disassociate itself, this was taken into consideration by the Administrator.

17. Military Coup (FY 1995 Appropriations Act Sec. 508): Has the duly elected Head of Government of the country been deposed by military coup or decree? If assistance has been terminated, has the President notified Congress that a democratically elected government has taken office prior to the resumption of assistance?

NO and N/A

18. Exploitation of Children (FAA Sec. 116(b)): Does the recipient government fail to take appropriate and adequate measures, within its means, to

NO

protect children from exploitation, abuse or forced conscription into military or paramilitary services?

19. **Parking Fines (FY 1995 Appropriations Act Sec. 564):** Has the overall assistance allocation of funds for a country taken into account the requirements of this section to reduce assistance by 110 percent of the amount of unpaid parking fines owed to the District of Columbia as of August 23, 1994?

Tanzania owes \$37,026 in unpaid parking fines, and 110% of this amount will be withheld if the fines remain unpaid.

B. COUNTRY ELIGIBILITY CRITERIA APPLICABLE ONLY TO DEVELOPMENT ASSISTANCE ("DA")

Human Rights Violations (FAA Sec. 116): Has the Department of State determined that this government has engaged in a consistent pattern of gross violations of internationally recognized human rights? If so, can it be demonstrated that contemplated assistance will directly benefit the needy?

NO

C. COUNTRY ELIGIBILITY CRITERIA APPLICABLE ONLY TO ECONOMIC SUPPORT FUNDS ("ESF")

Human Rights Violations (FAA Sec. 502B): Has it been determined that the country has engaged in a consistent pattern of gross violations of internationally recognized human rights? If so, has the President found that the country made such significant improvement in its human rights record that furnishing such assistance is in the U.S. national interest?

N/A

5C(2) - ASSISTANCE CHECKLIST

Listed below are statutory criteria applicable to the assistance resources themselves, rather than to the eligibility of a country to receive assistance. This section is divided into three parts. Part A includes criteria applicable to both Development Assistance and Economic Support Fund resources. Part B includes criteria applicable only to Development Assistance resources. Part C includes criteria applicable only to Economic Support Funds.

CROSS REFERENCE: IS COUNTRY CHECKLIST UP TO DATE?

A. CRITERIA APPLICABLE TO BOTH DEVELOPMENT ASSISTANCE AND ECONOMIC SUPPORT FUNDS

1. Host Country Development Efforts (FAA Sec. 601(a)): Information and conclusions on whether assistance will encourage efforts of the country to: (a) increase the flow of international trade; (b) foster private initiative and competition; (c) encourage development and use of cooperatives, credit unions, and savings and loan associations; (d) discourage monopolistic practices; (e) improve technical efficiency of industry, agriculture, and commerce; and (f) strengthen free labor unions.

(a), (b), (c), (d), (e) and (f) are not express goals of this project; however, countries with strong Democratic Governance often adhere to (a) - (f).

2. U.S. Private Trade and Investment (FAA Sec. 601(b)): Information and conclusions on how assistance will encourage U.S. private trade and investment abroad and encourage private U.S. participation in foreign assistance programs (including use of private trade channels and the services of U.S. private enterprise).

N/A

3. Congressional Notification

a. General requirement (FY 1995 Appropriations Act Sec. 515; FAA Sec. 634A): If money is to be obligated for an activity not previously justified to Congress, or for an amount in excess of amount previously justified to Congress, has Congress been properly notified (unless the Appropriations Act notification requirement has been waived because of substantial risk to human health or welfare)?

YES

b. Special notification requirement (FY 1995 Appropriations Act Sec. 520): Are all activities proposed for obligation subject to prior congressional notification?

YES

c. Notice of account transfer (FY 1995 Appropriations Act Sec. 509): If funds are being obligated under an

N/A

appropriation account to which they were not appropriated, has the President consulted with and provided a written justification to the House and Senate Appropriations Committees and has such obligation been subject to regular notification procedures?

c. Cash transfers and nonproject sector assistance (FY 1995 Appropriations Act Sec. 536(b)(3)): If funds are to be made available in the form of cash transfer or nonproject sector assistance, has the Congressional notice included a detailed description of how the funds will be used, with a discussion of U.S. interests to be served and a description of any economic policy reforms to be promoted?

N/A

4. Engineering and Financial Plans (FAA Sec. 611(a)): Prior to an obligation in excess of \$500,000, will there be: (a) engineering, financial or other plans necessary to carry out the assistance; and (b) a reasonably firm estimate of the cost to the U.S. of the assistance?

YES

5. Legislative Action (FAA Sec. 611(a)(2)): If legislative action is required within recipient country with respect to an obligation in excess of \$500,000, what is the basis for a reasonable expectation that such action will be completed in time to permit orderly accomplishment of the purpose of the assistance?

N/A

6. Water Resources (FAA Sec. 611(b)): If project is for water or water-related land resource construction, have benefits and costs been computed to the extent practicable in accordance with the principles, standards, and procedures established pursuant to the Water Resources Planning Act (42 U.S.C. 1962, et seq.)?

N/A

7. Cash Transfer/Nonproject Sector Assistance Requirements (FY 1995 Appropriations Act Sec. 536). If assistance is in the form of a cash transfer or nonproject sector assistance:

N/A

a. **Separate account:** Are all such cash payments to be maintained by the country in a separate account and not commingled with any other funds (unless such requirements are waived by Congressional notice for nonproject sector assistance)?

N/A

b. **Local currencies:** If assistance is furnished to a foreign government under arrangements which result in the generation of local currencies:

N/A

(1) Has A.I.D. (a) required that local currencies be deposited in a separate account established by the recipient government, (b) entered into an agreement with that government providing the amount of local currencies to be generated and the terms and conditions under which the currencies so deposited may be utilized, and (c) established by agreement the responsibilities of A.I.D. and that government to monitor and account for deposits into and disbursements from the separate account?

N/A

(2) Will such local currencies, or an equivalent amount of local currencies, be used only to carry out the purposes of the DA or ESF chapters of the FAA (depending on which chapter is the source of the assistance) or for the administrative requirements of the United States Government?

N/A

(3) Has A.I.D. taken all appropriate steps to ensure that the equivalent of local currencies disbursed from the separate account are used for the agreed purposes?

N/A

(4) If assistance is terminated to a country, will any unencumbered balances of funds remaining in a separate account be disposed of for purposes agreed to by the recipient government and the United States Government?

N/A

8. **Capital Assistance (FAA Sec. 611(e)):** If project is capital assistance (e.g., construction), and total U.S.

assistance for it will exceed \$1 million, has Mission Director certified and Regional Assistant Administrator taken into consideration the country's capability to maintain and utilize the project effectively?

N/A

9. Multiple Country Objectives (FAA Sec. 601(a)): Information and conclusions on whether projects will encourage efforts of the country to: (a) increase the flow of international trade; (b) foster private initiative and competition; (c) encourage development and use of cooperatives, credit unions, and savings and loan associations; (d) discourage monopolistic practices; (e) improve technical efficiency of industry, agriculture and commerce; and (f) strengthen free labor unions.

N/A

10. U.S. Private Trade (FAA Sec. 601(b)): Information and conclusions on how project will encourage U.S. private trade and investment abroad and encourage private U.S. participation in foreign assistance programs (including use of private trade channels and the services of U.S. private enterprise).

N/A

11. Local Currencies

a. Recipient Contributions (FAA Secs. 612(b), 636(h)): Describe steps taken to assure that, to the maximum extent possible, the country is contributing local currencies to meet the cost of contractual and other services, and foreign currencies owned by the U.S. are utilized in lieu of dollars.

N/A

b. U.S.-Owned Currency (FAA Sec. 612(d)): Does the U.S. own excess foreign currency of the country and, if so, what arrangements have been made for its release?

NO

12. Trade Restrictions

a. Surplus Commodities (FY 1995 Appropriations Act Sec. 513(a)): If assistance is for the production of any commodity for export, is the commodity likely to be in surplus on world markets

at the time the resulting productive capacity becomes operative, and is such assistance likely to cause substantial injury to U.S. producers of the same, similar or competing commodity?

N/A

b. Textiles (Lautenberg Amendment) (FY 1995 Appropriations Act Sec. 513(c)): Will the assistance (except for programs in Caribbean Basin Initiative countries under U.S. Tariff Schedule "Section 807," which allows reduced tariffs on articles assembled abroad from U.S.-made components) be used directly to procure feasibility studies, prefeasibility studies, or project profiles of potential investment in, or to assist the establishment of facilities specifically designed for, the manufacture for export to the United States or to third country markets in direct competition with U.S. exports, of textiles, apparel, footwear, handbags, flat goods (such as wallets or coin purses worn on the person), work gloves or leather wearing apparel?

NO

13. Tropical Forests (FY 1991 Appropriations Act Sec. 533(c)(3) (as referenced in section 532(d) of the FY 1993 Appropriations Act): Will funds be used for any program, project or activity which would (a) result in any significant loss of tropical forests, or (b) involve industrial timber extraction in primary tropical forest areas?

NO

14. PVO Assistance

a. Auditing and registration (FY 1995 Appropriations Act Sec. 560): If assistance is being made available to a PVO, has that organization provided upon timely request any document, file, or record necessary to the auditing requirements of A.I.D., and is the PVO registered with A.I.D.?

N/A

b. Funding sources (FY 1995 Appropriations Act, Title II, under heading "Private and Voluntary Organizations"): If assistance is to be made to a United States PVO (other than a cooperative development organization),

N/A

does it obtain at least 20 percent of its total annual funding for international activities from sources other than the United States Government?

15. Project Agreement Documentation (State Authorization Sec. 139 (as interpreted by conference report)): Has confirmation of the date of signing of the project agreement, including the amount involved, been cabled to State L/T and A.I.D. LEG within 60 days of the agreement's entry into force with respect to the United States, and has the full text of the agreement been pouched to those same offices? (See Handbook 3, Appendix 6G for agreements covered by this provision).

The full text of the Agreement will be pouched to State L/T and USAID/LEG immediately after signature.

16. Metric System (Omnibus Trade and Competitiveness Act of 1988 Sec. 5164, as interpreted by conference report, amending Metric Conversion Act of 1975 Sec. 2, and as implemented through A.I.D. policy): Does the assistance activity use the metric system of measurement in its procurements, grants, and other business-related activities, except to the extent that such use is impractical or is likely to cause significant inefficiencies or loss of markets to United States firms? Are bulk purchases usually to be made in metric, and are components, subassemblies, and semi-fabricated materials to be specified in metric units when economically available and technically adequate? Will A.I.D. specifications use metric units of measure from the earliest programmatic stages, and from the earliest documentation of the assistance processes (for example, project papers) involving quantifiable measurements (length, area, volume, capacity, mass and weight), through the implementation stage?

N/A

17. Abortions (FAA Sec. 104(f); FY 1995 Appropriations Act, Title II, under heading "Population, DA," and Sec. 518):

N/A

a. Are any of the funds to be used for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions? (Note that the term "motivate"

does not include the provision, consistent with local law, of information or counseling about all pregnancy options including abortion.)

b. Are any of the funds to be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations?

NO

c. Are any of the funds to be made available to any organization or program which, as determined by the President, supports or participates in the management of a program of coercive abortion or involuntary sterilization?

NO

d. Will funds be made available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services? (As a legal matter, DA only.)

N/A

e. In awarding grants for natural family planning, will any applicant be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning? (As a legal matter, DA only.)

N/A

f. Are any of the funds to be used to pay for any biomedical research which relates, in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning?

NO

g. Are any of the funds to be made available to any organization if the President certifies that the use of these funds by such organization would violate any of the above provisions related to abortions and involuntary sterilization?

NO

18. Cooperatives (FAA Sec. 111): Will assistance help develop cooperatives, especially by technical assistance, to assist rural and urban poor to help themselves toward a better life?

N/A

19. U.S.-Owned Foreign Currencies

a. Use of currencies (FAA Secs. 612(b), 636(h); FY 1995 Appropriations Act Secs. 503, 505): Are steps being taken to assure that, to the maximum extent possible, foreign currencies owned by the U.S. are utilized in lieu of dollars to meet the cost of contractual and other services.

N/A

b. Release of currencies (FAA Sec. 612(d)): Does the U.S. own excess foreign currency of the country and, if so, what arrangements have been made for its release?

N/A

20. Procurement

a. Small business (FAA Sec. 602(a)): Are there arrangements to permit U.S. small business to participate equitably in the furnishing of commodities and services financed?

Yes, small business may compete equitably.

b. U.S. procurement (FAA Sec. 604(a)): Will all procurement be from the U.S., the recipient country, or developing countries except as otherwise determined in accordance with the criteria of this section?

The source/origin on goods and services under the project is Code 935 in accordance with DFA legislation.

c. Marine insurance (FAA Sec. 604(d)): If the cooperating country discriminates against marine insurance companies authorized to do business in the U.S., will commodities be insured in the United States against marine risk with such a company?

The country does not discriminate against foreign insurance companies doing business outside.

d. Insurance (FY 1995 Appropriations Act Sec. 531): Will any A.I.D. contract and solicitation, and subcontract entered into under such contract, include a clause requiring that U.S. insurance companies have a fair opportunity to bid for insurance when such insurance is necessary or appropriate?

N/A

e. Non-U.S. agricultural procurement (FAA Sec. 604(e)): If non-U.S. procurement of agricultural commodity or product thereof is to be financed, is there provision against such

N/A

procurement when the domestic price of such commodity is less than parity? (Exception where commodity financed could not reasonably be procured in U.S.)

f. Construction or engineering services (FAA Sec. 604(g)): Will construction or engineering services be procured from firms of advanced developing countries which are otherwise eligible under Code 941 and which have attained a competitive capability in international markets in one of these areas? (Exception for those countries which receive direct economic assistance under the FAA and permit United States firms to compete for construction or engineering services financed from assistance programs of these countries.)

N/A

g. Cargo preference shipping (FAA Sec. 603): Is the shipping excluded from compliance with the requirement in section 901(b) of the Merchant Marine Act of 1936, as amended, that at least 50 percent of the gross tonnage of commodities (computed separately for dry bulk carriers, dry cargo liners, and tankers) financed shall be transported on privately owned U.S. flag commercial vessels to the extent such vessels are available at fair and reasonable rates?

NO

h. Technical assistance (FAA Sec. 621(a)): If technical assistance is financed, will such assistance be furnished by private enterprise on a contract basis to the fullest extent practicable? Will the facilities and resources of other Federal agencies be utilized, when they are particularly suitable, not competitive with private enterprise, and made available without undue interference with domestic programs?

YES

i. U.S. air carriers (International Air Transportation Fair Competitive Practices Act, 1974): If air transportation of persons or property is financed on grant basis, will U.S. carriers be used to the extent such service is available?

YES

j. Consulting services (FY 1995 Appropriations Act Sec. 559): If assistance is for consulting service through procurement contract pursuant to 5 U.S.C. 3109, are contract expenditures a matter of public record and available for public inspection (unless otherwise provided by law or Executive order)?

YES

k. Metric conversion (Omnibus Trade and Competitiveness Act of 1988, as interpreted by conference report, amending Metric Conversion Act of 1975 Sec. 2, and as implemented through A.I.D. policy): Does the assistance program use the metric system of measurement in its procurements, grants, and other business-related activities, except to the extent that such use is impractical or is likely to cause significant inefficiencies or loss of markets to United States firms? Are bulk purchases usually to be made in metric, and are components, subassemblies, and semi-fabricated materials to be specified in metric units when economically available and technically adequate? Will A.I.D. specifications use metric units of measure from the earliest programmatic stages, and from the earliest documentation of the assistance processes (for example, project papers) involving quantifiable measurements (length, area, volume, capacity, mass and weight), through the implementation stage?

N/A

l. Competitive Selection Procedures (FAA Sec. 601(e)): Will the assistance utilize competitive selection procedures for the awarding of contracts, except where applicable procurement rules allow otherwise?

YES

m. Notice Requirement (FY 1995 Appropriations Act Sec. 568): Will project agreements or contracts contain notice consistent with FAA section 604(a) and with the sense of Congress that to the greatest extent practicable equipment and products purchased with appropriated funds should be American-made?

YES

21. Construction

a. Capital project (FAA Sec.

601(d)): If capital (e.g., construction) project, will U.S. engineering and professional services be used? N/A

b. Construction contract (FAA Sec. 611(c)): If contracts for construction are to be financed, will they be let on a competitive basis to maximum extent practicable? N/A

c. Large projects, Congressional approval (FAA Sec. 620(k)): If for construction of productive enterprise, will aggregate value of assistance to be furnished by the U.S. not exceed \$100 million (except for productive enterprises in Egypt that were described in the Congressional Presentation), or does assistance have the express approval of Congress? N/A

22. U.S. Audit Rights (FAA Sec. 301(d)): If fund is established solely by U.S. contributions and administered by an international organization, does Comptroller General have audit rights? N/A

23. Communist Assistance (FAA Sec. 620(h)). Do arrangements exist to insure that United States foreign aid is not used in a manner which, contrary to the best interests of the United States, promotes or assists the foreign aid projects or activities of the Communist-bloc countries? YES

24. Narcotics

a. Cash reimbursements (FAA Sec. 483): Will arrangements preclude use of financing to make reimbursements, in the form of cash payments, to persons whose illicit drug crops are eradicated? N/A

b. Assistance to narcotics traffickers (FAA Sec. 487): Will arrangements take "all reasonable steps" to preclude use of financing to or through individuals or entities which we know or have reason to believe have either: (1) been convicted of a violation of any law or regulation of the United States or a foreign country relating to narcotics (or other controlled substances); or (2) been (1) YES (2) YES

an illicit trafficker in, or otherwise involved in the illicit trafficking of, any such controlled substance?

25. Expropriation and Land Reform (FAA Sec. 620(g)): Will assistance preclude use of financing to compensate owners for expropriated or nationalized property, except to compensate foreign nationals in accordance with a land reform program certified by the President?

N/A

26. Police and Prisons (FAA Sec. 660): Will assistance preclude use of financing to provide training, advice, or any financial support for police, prisons, or other law enforcement forces, except for narcotics programs?

N/A

27. CIA Activities (FAA Sec. 662): Will assistance preclude use of financing for CIA activities?

N/A

28. Motor Vehicles (FAA Sec. 636(i)): Will assistance preclude use of financing for purchase, sale, long-term lease, exchange or guaranty of the sale of motor vehicles manufactured outside U.S., unless a waiver is obtained?

N/A

29. Export of Nuclear Resources (FY 1995 Appropriations Act Sec. 506): Will assistance preclude use of financing to finance--except for purposes of nuclear safety--the export of nuclear equipment, fuel, or technology?

N/A

30. Publicity or Propaganda (FY 1995 Appropriations Act Sec. 554): Will assistance be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress, to influence in any way the outcome of a political election in the United States, or for any publicity or propaganda purposes not authorized by Congress?

NO

31. Exchange for Prohibited Act (FY 1995 Appropriations Act Sec. 533): Will any assistance be provided to any foreign government (including any instrumentality or agency thereof), foreign person, or United States person in exchange for that

NO

foreign government or person undertaking any action which is, if carried out by the United States Government, a United States official or employee, expressly prohibited by a provision of United States law?

32. Commitment of Funds (FAA Sec. 635(h)): Does a contract or agreement entail a commitment for the expenditure of funds during a period in excess of 5 years from the date of the contract or agreement?

NO

33. Impact on U.S. Jobs (FY 1995 Appropriations Act, Sec. 545):

a. Will any financial incentive be provided to a business located in the U.S. for the purpose of inducing that business to relocate outside the U.S. in a manner that would likely reduce the number of U.S. employees of that business?

NO

b. Will assistance be provided for the purpose of establishing or developing an export processing zone or designated area in which the country's tax, tariff, labor, environment, and safety laws do not apply? If so, has the President determined and certified that such assistance is not likely to cause a loss of jobs within the U.S.?

NO

c. Will assistance be provided for a project or activity that contributes to the violation of internationally recognized workers rights, as defined in section 502(a)(4) of the Trade Act of 1974, of workers in the recipient country, or will assistance be for the informal sector, micro or small-scale enterprise, or smallholder agriculture?

NO

B. CRITERIA APPLICABLE TO DEVELOPMENT ASSISTANCE ONLY

1. Agricultural Exports (Bumpers Amendment) (FY 1995 Appropriations Act Sec. 513(b), as interpreted by conference report for original enactment): If assistance is for agricultural development activities (specifically, any testing or breeding feasibility study, variety

N/A

improvement or introduction, consultancy, publication, conference, or training), are such activities: (1) specifically and principally designed to increase agricultural exports by the host country to a country other than the United States, where the export would lead to direct competition in that third country with exports of a similar commodity grown or produced in the United States, and can the activities reasonably be expected to cause substantial injury to U.S. exporters of a similar agricultural commodity; or (2) in support of research that is intended primarily to benefit U.S. producers?

2. Tied Aid Credits (FY 1995 Appropriations Act, Title II, under heading "Economic Support Fund"): Will DA funds be used for tied aid credits?

NO

3. Appropriate Technology (FAA Sec. 107): Is special emphasis placed on use of appropriate technology (defined as relatively smaller, cost-saving, labor-using technologies that are generally most appropriate for the small farms, small businesses, and small incomes of the poor)?

N/A

4. Indigenous Needs and Resources (FAA Sec. 281(b)): Describe extent to which the activity recognizes the particular needs, desires, and capacities of the people of the country; utilizes the country's intellectual resources to encourage institutional development; and supports civic education and training in skills required for effective participation in governmental and political processes essential to self-government.

The activity strengthens indigenous basic institution of democratic governance building on the needs, desires and capacities of Tanzanians. The activity specifically includes civic education and training in skills required for effective participation.

5. Economic Development (FAA Sec. 101(a)): Does the activity give reasonable promise of contributing to the development of economic resources, or to the increase of productive capacities and self-sustaining economic growth?

N/A

6. Special Development Emphases (FAA Secs. 102(b), 113, 281(a)): Describe extent to which activity will: (a) effectively involve the poor in

(a) The activity strengthens participation of the poor in the benefits of development on a sustained basis, using appropriate U.S. institution

development by extending access to economy at local level, increasing labor-intensive production and the use of appropriate technology, dispersing investment from cities to small towns and rural areas, and insuring wide participation of the poor in the benefits of development on a sustained basis, using appropriate U.S. institutions; (b) encourage democratic private and local governmental institutions; (c) support the self-help efforts of developing countries; (d) promote the participation of women in the national economies of developing countries and the improvement of women's status; and (e) utilize and encourage regional cooperation by developing countries.

- (b) The activity strengthens women's legal rights organizations and increase the capacity of NGO's to reach women and men at all levels of Tanzanian societ
- (c) NO
- (d) See (b) above
- (e) N/A

7. Recipient Country Contribution (FAA Secs. 110, 124(d)): Will the recipient country provide at least 25 percent of the costs of the program, project, or activity with respect to which the assistance is to be furnished (or is the latter cost-sharing requirement being waived for a "relatively least developed" country)?

YES

8. Benefit to Poor Majority (FAA Sec. 128(b)): If the activity attempts to increase the institutional capabilities of private organizations or the government of the country, or if it attempts to stimulate scientific and technological research, has it been designed and will it be monitored to ensure that the ultimate beneficiaries are the poor majority?

YES

9. Contract Awards (FAA Sec. 601(e)): Will the project utilize competitive selection procedures for the awarding of contracts, except where applicable procurement rules allow otherwise?

YES

10. Disadvantaged Enterprises (FY 1995 Appropriations Act Sec. 555): What portion of the funds will be available only for activities of economically and socially disadvantaged enterprises, historically black colleges and universities, colleges and universities having a student body in which more than 40 percent of the students are Hispanic

Such organizations will be eligible to compete.

Americans, and private and voluntary organizations which are controlled by individuals who are black Americans, Hispanic Americans, or Native Americans, or who are economically or socially disadvantaged (including women)?

11. Biological Diversity (FAA Sec. 119(g): Will the assistance: (a) support training and education efforts which improve the capacity of recipient countries to prevent loss of biological diversity; (b) be provided under a long-term agreement in which the recipient country agrees to protect ecosystems or other wildlife habitats; (c) support efforts to identify and survey ecosystems in recipient countries worthy of protection; or (d) by any direct or indirect means significantly degrade national parks or similar protected areas or introduce exotic plants or animals into such areas? (Note new special authority for biodiversity activities contained in section 547(b) of the FY 1995 Appropriations Act.)

N/A

12. Tropical Forests (FAA Sec. 118; FY 1991 Appropriations Act Sec. 533(c) as referenced in section 532(d) of the FY 1993 Appropriations Act):

a. A.I.D. Regulation 16: Does the assistance comply with the environmental procedures set forth in A.I.D. Regulation 16?

YES

b. Conservation: Does the assistance place a high priority on conservation and sustainable management of tropical forests? Specifically, does the assistance, to the fullest extent feasible: (1) stress the importance of conserving and sustainably managing forest resources; (2) support activities which offer employment and income alternatives to those who otherwise would cause destruction and loss of forests, and help countries identify and implement alternatives to colonizing forested areas; (3) support training programs, educational efforts, and the establishment or strengthening of institutions to improve forest management; (4) help end

N/A

destructive slash-and-burn agriculture by supporting stable and productive farming practices; (5) help conserve forests which have not yet been degraded by helping to increase production on lands already cleared or degraded; (6) conserve forested watersheds and rehabilitate those which have been deforested; (7) support training, research, and other actions which lead to sustainable and more environmentally sound practices for timber harvesting, removal, and processing; (8) support research to expand knowledge of tropical forests and identify alternatives which will prevent forest destruction, loss, or degradation; (9) conserve biological diversity in forest areas by supporting efforts to identify, establish, and maintain a representative network of protected tropical forest ecosystems on a worldwide basis, by making the establishment of protected areas a condition of support for activities involving forest clearance or degradation, and by helping to identify tropical forest ecosystems and species in need of protection and establish and maintain appropriate protected areas; (10) seek to increase the awareness of U.S. Government agencies and other donors of the immediate and long-term value of tropical forests; (11) utilize the resources and abilities of all relevant U.S. government agencies; (12) be based upon careful analysis of the alternatives available to achieve the best sustainable use of the land; and (13) take full account of the environmental impacts of the proposed activities on biological diversity?

c. Forest degradation: Will assistance be used for: (1) the procurement or use of logging equipment, unless an environmental assessment indicates that all timber harvesting operations involved will be conducted in an environmentally sound manner and that the proposed activity will produce positive economic benefits and sustainable forest management systems; (2) actions which will significantly degrade national parks or similar protected areas which contain tropical forests, or introduce exotic plants or animals into such areas;

N/A

(3) activities which would result in the conversion of forest lands to the rearing of livestock; (4) the construction, upgrading, or maintenance of roads (including temporary haul roads for logging or other extractive industries) which pass through relatively undergraded forest lands; (5) the colonization of forest lands; or (6) the construction of dams or other water control structures which flood relatively undergraded forest lands, unless with respect to each such activity an environmental assessment indicates that the activity will contribute significantly and directly to improving the livelihood of the rural poor and will be conducted in an environmentally sound manner which supports sustainable development?

d. Sustainable forestry: If assistance relates to tropical forests, will project assist countries in developing a systematic analysis of the appropriate use of their total tropical forest resources, with the goal of developing a national program for sustainable forestry?

N/A

e. Environmental impact statements: Will funds be made available in accordance with provisions of FAA Section 117(c) and applicable A.I.D. regulations requiring an environmental impact statement for activities significantly affecting the environment?

N/A

13. Energy (FY 1991 Appropriations Act Sec. 533(c) as referenced in section 532(d) of the FY 1993 Appropriations Act): If assistance relates to energy, will such assistance focus on: (a) end-use energy efficiency, least-cost energy planning, and renewable energy resources, and (b) the key countries where assistance would have the greatest impact on reducing emissions from greenhouse gases?

N/A

14. Debt-for-Nature Exchange (FAA Sec. 463): If project will finance a debt-for-nature exchange, describe how the exchange will support protection of: (a) the world's oceans and atmosphere, (b) animal and plant species, and (c) parks

N/A

and reserves; or describe how the exchange will promote: (d) natural resource management, (e) local conservation programs, (f) conservation training programs, (g) public commitment to conservation, (h) land and ecosystem management, and (i) regenerative approaches in farming, forestry, fishing, and watershed management.

15. Deobligation/Reobligation (FY 1995 Appropriations Act Sec. 510): If deob/reob authority is sought to be exercised in the provision of DA assistance, are the funds being obligated for the same general purpose, and for countries within the same region as originally obligated, and have the House and Senate Appropriations Committees been properly notified?

N/A

16. Loans

a. Repayment capacity (FAA Sec. 122(b)): Information and conclusion on capacity of the country to repay the loan at a reasonable rate of interest.

N/A

b. Long-range plans (FAA Sec. 122(b)): Does the activity give reasonable promise of assisting long-range plans and programs designed to develop economic resources and increase productive capacities?

The project activity will contribute to improved democratic governance and, in turn, long-term sustainable development with improved human welfare is more likely to occur.

c. Interest rate (FAA Sec. 122(b)): If development loan is repayable in dollars, is interest rate at least 2 percent per annum during a grace period which is not to exceed ten years, and at least 3 percent per annum thereafter?

N/A

d. Exports to United States (FAA Sec. 620(d)): If assistance is for any productive enterprise which will compete with U.S. enterprises, is there an agreement by the recipient country to prevent export to the U.S. of more than 20 percent of the enterprise's annual production during the life of the loan, or has the requirement to enter into such an agreement been waived by the President because of a national security interest?

N/A

17. Development Objectives (FAA Secs. 102(a), 111, 113, 281(a)): Extent to which activity will: (1) effectively involve the poor in development, by expanding access to economy at local level, increasing labor-intensive production and the use of appropriate technology, spreading investment out from cities to small towns and rural areas, and insuring wide participation of the poor in the benefits of development on a sustained basis, using the appropriate U.S. institutions; (2) help develop cooperatives, especially by technical assistance, to assist rural and urban poor to help themselves toward better life, and otherwise encourage democratic private and local governmental institutions; (3) support the self-help efforts of developing countries; (4) promote the participation of women in the national economies of developing countries and the improvement of women's status; and (5) utilize and encourage regional cooperation by developing countries?

18. Agriculture, Rural Development and Nutrition, and Agricultural Research (FAA Secs. 103 and 103A):

a. Rural poor and small farmers: If assistance is being made available for agriculture, rural development or nutrition, describe extent to which activity is specifically designed to increase productivity and income of rural poor; or if assistance is being made available for agricultural research, has account been taken of the needs of small farmers, and extensive use of field testing to adapt basic research to local conditions shall be made.

N/A

b. Nutrition: Describe extent to which assistance is used in coordination with efforts carried out under FAA Section 104 (Population and Health) to help improve nutrition of the people of developing countries through encouragement of increased production of crops with greater nutritional value; improvement of planning, research, and education with respect to nutrition, particularly with reference to improvement

N/A

The component of the activity will impact (2) and (4). (1), (3) and (5) are not to be addressed by this program. Our entire project focus includes encouraging democratic private and local government institutions and a component devoted to improving women status (2 & 4). The other components will include gender consideration.

and expanded use of indigenously produced foodstuffs; and the undertaking of pilot or demonstration programs explicitly addressing the problem of malnutrition of poor and vulnerable people.

c. **Food security:** Describe extent to which activity increases national food security by improving food policies and management and by strengthening national food reserves, with particular concern for the needs of the poor, through measures encouraging domestic production, building national food reserves, expanding available storage facilities, reducing post harvest food losses, and improving food distribution.

N/A

19. **Population and Health (FAA Secs. 104(b) and (c)):** If assistance is being made available for population or health activities, describe extent to which activity emphasizes low-cost, integrated delivery systems for health, nutrition and family planning for the poorest people, with particular attention to the needs of mothers and young children, using paramedical and auxiliary medical personnel, clinics and health posts, commercial distribution systems, and other modes of community outreach.

N/A

20. **Education and Human Resources Development (FAA Sec. 105):** If assistance is being made available for education, public administration, or human resource development, describe (a) extent to which activity strengthens nonformal education, makes formal education more relevant, especially for rural families and urban poor, and strengthens management capability of institutions enabling the poor to participate in development; and (b) extent to which assistance provides advanced education and training of people of developing countries in such disciplines as are required for planning and implementation of public and private development activities.

(a) Civic Education component of the project will educate Tanzanian school children regarding basic democratic principles.

(b) N/A

21. **Energy, Private Voluntary Organizations, and Selected Development Activities (FAA Sec. 106):** If assistance is being made available for energy,

private voluntary organizations, and selected development problems, describe extent to which activity is:

a. concerned with data collection and analysis, the training of skilled personnel, research on and development of suitable energy sources, and pilot projects to test new methods of energy production; and facilitative of research on and development and use of small-scale, decentralized, renewable energy sources for rural areas, emphasizing development of energy resources which are environmentally acceptable and require minimum capital investment; N/A

b. concerned with technical cooperation and development, especially with U.S. private and voluntary, or regional and international development, organizations; N/A

c. research into, and evaluation of, economic development processes and techniques; N/A

d. reconstruction after natural or manmade disaster and programs of disaster preparedness; N/A

e. for special development problems, and to enable proper utilization of infrastructure and related projects funded with earlier U.S. assistance; N/A

f. for urban development, especially small, labor-intensive enterprises, marketing systems for small producers, and financial or other institutions to help urban poor participate in economic and social development. N/A

22. Capital Projects (Jobs Through Export Act of 1992, Secs. 303 and 306(d)): N/A
If assistance is being provided for a capital project, is the project developmentally sound and will the project measurably alleviate the worst manifestations of poverty or directly promote environmental safety and sustainability at the community level?

C. CRITERIA APPLICABLE TO ECONOMIC SUPPORT FUNDS ONLY

1. Economic and Political Stability (FAA Sec. 531(a)): Will this assistance promote economic and political stability? To the maximum extent feasible, is this assistance consistent with the policy directions, purposes, and programs of Part I of the FAA? N/A

2. Military Purposes (FAA Sec. 531(e)): Will this assistance be used for military or paramilitary purposes? N/A

3. Commodity Grants/Separate Accounts (FAA Sec. 609): If commodities are to be granted so that sale proceeds will accrue to the recipient country, have Special Account (counterpart) arrangements been made? (For FY 1995, this provision is superseded by the separate account requirements of FY 1995 Appropriations Act Sec. 536(a), see Sec. 536(a)(5).) N/A

4. Generation and Use of Local Currencies (FAA Sec. 531(d)): Will ESF funds made available for commodity import programs or other program assistance be used to generate local currencies? If so, will at least 50 percent of such local currencies be available to support activities consistent with the objectives of FAA sections 103 through 106? (For FY 1995, this provision is superseded by the separate account requirements of FY 1995 Appropriations Act Sec. 536(a), see Sec. 536(a)(5).) N/A

5. Capital Projects (Jobs Through Exports Act of 1992, Sec. 306): If assistance is being provided for a capital project, will the project be developmentally-sound and sustainable, i.e., one that is (a) environmentally sustainable, (b) within the financial capacity of the government or recipient to maintain from its own resources, and (c) responsive to a significant development priority initiated by the country to which assistance is being provided. (Please note the definition of "capital project" contained in section 595 of the FY 1993 N/A

Appropriations Act. Note, as well, that although a comparable provision does not appear in the FY 94 Appropriations Act, the FY 93 provision applies to, among other things, 2-year ESF funds which could be obligated in FY 94.)

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