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## CATHOLIC SECRETARIAT

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### **STATEMENT OF THE TANZANIA CATHOLIC BISHOPS' COUNCIL (TEC) ABOUT THE AGREEMENT BETWEEN THE UNITED REPUBLIC OF TANZANIA AND THE "EMIRATE OF DUBAI" ON ECONOMIC AND SOCIAL COOPERATION FOR THE DEVELOPMENT AND IMPROVEMENT OF OCEANS, SEAS AND LAKES OF TANZANIA.**

***"THE VOICE OF THE PEOPLE, THE VOICE OF GOD"***

#### **INTRODUCTION**

*"My brothers, I beg you to beware of all who bring discord and objections against what you have received (tradition). Avoid them. Because such people ... serve their desires by using sweet and deceptive words to mislead the hearts of honest people" (Romans 16:17-18).*

#### **We the Bishops of the Catholic Church of Tanzania,**

1. We recognize that according to the Constitution of the United Republic of Tanzania (1977), "The United Republic of Tanzania is a country that follows the principles of democracy and social justice, and therefore - the people are the basis of all power, and the Government will gain power and all its authority from the people in accordance with this Constitution; (b) the main goal of the Government will be the welfare of the people; (c) the Government will be accountable to the people; (d) the people will participate in the activities of their Government in accordance with the provisions of the Constitution" (Refer to Article 8, subsection 1); so the Government must listen to the citizens.
2. Recognizing that the authority of the Government comes from the people, we, the Bishops of the Catholic Church of Tanzania, have listened to their

voices, we have listened to the Government, and other development stakeholders, we have prayed and reflected, and we pronounce as follows:

- 2.1. If we consider what has happened and is going on in the Tanzanian society since this Agreement was made public, the concern from the public debates, the debates that have divided the Nation.
- 2.2. And considering that it is not the first time we have made statements like this about issues concerning our society;
- 2.3. And in reference to the articles of the Agreement mentioned above which are controversial for productive investment for current Tanzanians and future generations;
- 2.4. And while we are witnessing the pressures of the amendment of the law intended to be done to protect this Agreement which the Parliament of Tanzania has ratified, we see a violation of the rule of law.

**THUS:**

3. We are driven by a conscience that aims to protect resources, solidarity, peace, freedom, and national unity; we dare to say that after 63 years of the independence of this country, the people have not wanted to leave the port of Dar es Salaam to be given to one investor to run it, since the Tanzanians themselves have the experience of running it.
4. We consider it important now to continue to build NATIONAL capacity, for our Tanzanian public and private sectors, establishing partnerships with technologically advanced companies from different parts of the world, and not partnerships from one country, using the productive agreements we prepared ourselves on our commercial organizations.
5. We admit that the Government's procedure of keeping foreign investors only in the main economic channels has made us lack the sustainability of our investments, especially when investors leave. Thus, if the port is

one of the main and natural ways of the economy that enables us to do great business with various countries, it must continue to be the business of Tanzanians themselves and remain in our hands even if we enter into productive partnerships.

6. In recalling the efforts we made to understand this Agreement and to give our advice that has not borne fruit so far, and referring to our meetings with the Government at the highest levels, on the 12th and 26th of June this year 2023:
  - 6.1. We have carefully monitored the discussions, opinions, suggestions and cries of the majority of citizens, who are the owners of all ports and resources, and we have realized that the majority of citizens do not want this Agreement which gives the foreign investor the authority and right to own the main economic routes as specified on this Agreement.
  - 6.2. We have found that if we invest and develop ports, and railways while running them ourselves. This is the interest of the people, so that we can continue to build our capacity. In the same way, we have discovered our shortcomings in the operation of the port; as well as we have the ability to continue to prepare ourselves to correct the emerging shortcomings, while the economic means remain in our hands.
  - 6.3. There are enough examples of how we Tanzanians were able to build capacity in running banks such as NMB and CRDB, sensitive public and private institutions and so on.
7. Now that the majority of citizens do not want investments with such bad conditions in all our ports; and since the Government is accountable to the people, the leaders must listen to the voice of the people, because their voice is the voice of God.

8. History has taught us that ignoring the voice of the people regarding contracts in the past, has caused the country great economic losses, unemployment, and income to run important services such as health, water and education. We are now witnessing the Government's inability to hire and pay enough workers in the education and health sectors, even though graduates of those fields are on the streets without jobs. This is because major sources of income, such as mineral mines, have been owned and operated by investors from bad contracts.
9. Ignoring the voice of the people on investments that do not hear their voice has also brought suffering to the people of the areas where they live, as seen in the Maasai communities of Loliondo, whose cultural and social rights have been violated. Investments have been given unproductive priority and the Maasai people have been left to suffer.
10. We have carefully considered this Agreement. This agreement has provoked the division of the people in fighting against serious violations of the rule of law, disregard for the independence of democratic institutions and the interaction of the pillars of the state, especially the Government and the Parliament and now the Court is being stalked. As Tanzanians we like to say that without the independence of these institutions and the rule of law we will destroy the nation.
11. It should be noted that, due to the wide discussion of this issue of one investor in Tanzanian ports, citizens with different ideas do not know who to go to so that their positions can be heard and considered; because the Members of Parliament who are their representatives have abandoned them by giving exclusive rights to one investor, and the Parliament ratifying this Agreement on the 10th of June, 2023.
12. Thus, we the Catholic Bishops of Tanzania who are responsible for managing the well-being of every human being are asking the Honorable President of the United Republic of Tanzania, with the authority she has, to stop the submission of this contract, and likewise the Parliament to cancel the this contentious Agreement.

13. This Inter-Governmental Agreement IGA has the following risks for our country:
  - 13.1. Destroying the unity and peace of our country. Let's remember that if peace is broken, it can take many generations to rebuild. Several neighboring countries have confirmed this.
  - 13.2. The resources of the country that are communally protected benefit some citizens and thus bring economic discrimination contrary to the Constitution of the United Republic of Tanzania, Article 27 Sub-Article 1, which says "Everyone has the responsibility to protect the natural resources of the United Republic, property of the country's authority and all property owned jointly by citizens... "
14. The following articles of this Agreement have problems that will cause the country not to achieve economic independence:
  - 14.1. Article 2 (1): which refers to the objective of this Agreement which is to establish a procedure that binds Tanzania legally in developing, improving and operating all sea and lake ports, special investment areas, cargo transportation areas, and other economic areas.
  - 14.2. Article 4: concerning the scope of Relations and Implementation that requires the Government of Tanzania to be responsible for informing Dubai whenever an investment opportunity arises. This conflicts with some laws of our country, for example the law of competition and procurement.
  - 14.3. Article 5: where DPWorld has been given the right to develop, manage and run its own projects, while Tanzania remains responsible for enabling it to enjoy that right.
  - 14.4. Article 6: which requires Tanzania to be responsible for providing DP World with permits and incentives to implement its projects as the Government. This is against some procedural rules.

- 14.5. Article 7: which requires the Government to be responsible for providing the authority required by the investor without delay.
- 14.6. Article 8: The right to use land where the Agreement causes a violation of land laws and laws related to land issues.
- 14.7. Article 10: Secrecy of the Agreement where the Agreement prevents other authorities such as the PCC / PARLIAMENT to monitor the agreements.
- 14.8. Articles 23 and 24: difficult to withdraw from the Agreement.

### **CONCLUSION:**

15. It is good, it is wise for the Government to listen to the people, because not listening to them will bring about bigger problems in the future. The people do not want the future generations to be burdened by this exploitation. For instance, we see in many cases going on right now in the international commercial courts of contracts broken by the Government of Tanzania. Let's remember the mining contracts in the 90s, religious leaders and civil society organizations opposed this kind of investment, and the Government used its powers to ratify these contracts and right now we are witnessing it being broken and the country paying huge compensation.
16. We emphasize that the VOICE OF THE PEOPLE IS THE VOICE OF GOD, so listening to the people and making decisions as much as they want will bring the government great honor for being responsive to the people. Contrary to this, God warns us through Prophet Jeremiah when he says: "Like a basket full of trapped birds, so are their houses full of deceitful wealth." That is why they have become big and rich people, fat and prosperous. In doing evil they have no limit, they do not judge the orphans with justice, so that they may prosper, they do not defend the rights of the poor" (Jeremiah 5:27-28).

17. So if we are morally responsible, we see it as the responsibility of the government to listen to the people who want this contract to be cancelled. Since we have shown that in Tanzania we have invested and developed ports, railways and land ports. We owe it to the Tanzanians to run these projects themselves. While we welcome ventures that we control ourselves. This is what the people are crying for so that we can build our own power. Now that we have identified our port operating deficiencies, we can work to correct those deficiencies while the economic means remain in our hands. For those reasons and all the information above, we the Council of Catholic Bishops of Tanzania do not support this Agreement.]

God Bless Africa, God Bless Tanzania. We are the Bishops of the Council of Catholic Bishops of Tanzania:

1. Archbishop Gervas Nyaisonga - Rais of Baraza la MaBishop Katoliki Tanzania, na Archbishop of Mbeya
2. Bishop Flavian Kassala - Makamu of Rais of Baraza la MaBishop Katoliki Tanzania, na Bishop of Geita
3. Archbishop Beatus Kinyaiya OFMcap - Archbishop of Dodoma
4. Archbishop Paul Ruzoka - Archbishop of Tabora
5. Archbishop Yuda Thadei Ruwa'ichi OFMcap - Archbishop of Dar es Salaam
6. Archbishop Damian Dallu - Archbishop of Songea
7. Archbishop Isaac Amani - Archbishop of Arusha
8. Archbishop Renatus Nkwande - Archbishop of Mwanza
9. 9. Mwadhama Protase Kadinali Rugambwa - Archbishop Mwandamizi of Tabora
10. Bishop Tarcisius Ngalekumtwa - Bishop of Iringa
11. Bishop Severine NiweMugizi - Bishop of Rulenge-Ngara
12. Bishop Augustine Shao CSSp - Bishop of Zanzibar
13. Bishop Michael Msonganzila - Bishop of Musoma
14. Bishop Ludovick Minde ALCP/OSS - Bishop of Moshi
15. Bishop Method Kilaini - Msimamizi of Kitume of Bukoba

16. Bishop Joseph Mlola ALCP/OSS - Bishop of Kigoma
17. Bishop Agapitus Ndorobo - Bishop of Mahenge
18. Bishop Rogath Kimaryo CSSp - Bishop of Same
19. Bishop John Ndimbo - Bishop of Mbinga na Msimamizi of Kitume of Njombe
20. Bishop Salutaris Libena - Bishop of Ifakara
21. Bishop Almachius Rweyongeza - Bishop of Kayunga
22. Bishop Liberatus Sangu - Bishop of Shinyanga
23. Bishop Titus Mdoe - Bishop of Mtwara
24. Bishop Eusebius Nzigilwa - Bishop of Mpanda
25. Bishop Bernadin Mfumbusa - Bishop of Kondoa
26. Bishop Prosper Lyimo - Bishop msaidizi of Arusha
27. Bishop Edward Mapunda - Bishop of Singida
28. Bishop Beatus Urassa ALCP/OSS - Bishop of Sumbawanga
29. Bishop Anthony Lagwen - Bishop of Mbulu
30. Bishop Filbert Mhasi - Bishop of Tunduru Masasi
31. Bishop Lazarus Msimbe SDS - Bishop of Morogoro
32. Bishop Simon Masondole - Bishop of Bunda
33. Bishop Henry Mchamungu - Bishop msaidizi of Dar es Salaam
34. Bishop Stefano Musomba OSA - Bishop msaidizi of Dar es Salaam
35. Bishop Wolfgang Pisa OFMcap - Bishop of Lindi
36. Bishop Christopher Ndizeye - Bishop of Kahama
37. Bishop Mteule Thomas Kiango - Bishop mteule of Tanga

Issued in Dar es Salaam,

The 18th of August in the Year of the Lord 2023.

His Excellency Archbishop Gervas Nyaisonga      Pd. Charles Kitima  
President of the Catholic Bishops of Tanzania.      Secretary General