



THE REVOLUTIONARY GOVERNMENT OF ZANZIBAR

NON-GOVERNMENTAL NGOS (NGOs) POLICY

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## PREFACE

Civil Society Organizations, especially Non Governmental Organizations are recognized by the Government as an important force and necessary instrument in strengthening economic and social development. The Civil Society Organizations are important partners in development and national building and an important force in the promotion of democracy and contributing in the growth of national income and poverty reduction. From mid-1980s, when great political, social and economic changes took place, the activities of Non Governmental Organization have continued to increase and its number has grown.

The contribution of Non Governmental Organizations in the struggle for development on Zanzibar has been increasing since 1990s thus assisting the Government in its effort to bring development to its people. The increase of the contribution of those Organizations has led to the rapid increase in the number of organizations applying for official registration. Despite the increase in the number and their contribution in development, there has been no policy to guide the activities of those organizations thus making their activities lack an official recognized direction. In response to this the Government passed a Society Act Number 6 of 1995 on Registration of Non Governmental Organizations.

The Revolutionary Government of Zanzibar realized the need of working with the Non-Governmental Organizations. Those Organizations provide services to the society thus working with the Government and the Private Sector as important characters economically and socially. Those Organizations have a social and economic responsibility on one side and on the other they have a responsibility to the people as their targets and important partners. Also those organizations have a responsibility to their members and to the groups to express their needs and annoyances through the people they elected (Members of Parliament, Members of the House of Representatives and the Councilors).

The formation of the Ministry of State President's Office, Constitution and Good Governance in the year 2000 which was assigned the responsibility of coordinating the Non-Governmental Organizations provided a greater opportunity for the private and public sector to cooperate.

The preparation of this policy involved all the important stakeholders since the early stages when a special committee that was given the responsibility of preparing a draft of this policy was formed. That committee, whose all members were members of the civil society organizations, did a great job and that is what caused us to reach here.

After the recommendations of that committee were received by the Government, the Ministry with the assistance of the United Nation Development Programme (UNDP) employed an expert to review the draft policy and then to issue its proposals on how the policy should be. The expert completed that work and presented it to the Ministry upon which it was reviewed later in a meeting of all partners before final amendments were made to it.

The success of this policy will depend largely upon the participation of all stakeholders. I am therefore taking this opportunity to challenge every one concerned to full fill his/her responsibility accordingly in implementation of this Policy for the sake of Zanzibar development and her people.

In Conclusion, I would like to thank the leaders and members of different Organizations for their effort in completing this Policy. I would like to thank the workers of the Ministry of State, Constitution and Good Governance for the great effort they have made to complete the Policy, under the leadership of the Principal Secretary Mr. Mahadhi J. Maalim, Deputy Principal Secretary, Mr. Abdulghany H. Msoma, the Director, Department of Coordination (of) Good Governance, Mr Mwinyiusi A. Hassan and the Director, Plans and Policy Mr. Kai B. Mbarouk as well as the General Government Registrar Mr. Abdallah Wazir. Moreover, I would like to thank members of different Civil Society Organizations including the initial committee which caused the emergence this Policy. I would also like to thank the United Nations Development Program (UNDP)

Finally, I would like to sentient the stakeholders and all people in general that the development of the people is brought by the people themselves. Therefore the success of this Policy will depend largely upon the effort of every person, leaders and members of the Organizations including accountability by the concerned Institution. Let us unite so as to bring development to our Country.

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# POLICY ON NON GOVERNMENTAL NGOS

## CHAPTER ONE

### 1.0 INTRODUCTION

Civil Society Organizations, particularly (NGOs) are identified by the Government as an important force and a necessary tool in strengthening economic and social development. Those organizations are an important partner in the development of nation building, an eminent force in the promotion of democracy and which contributes to the growth of national income and poverty reduction. In order to reach the objective as classified in Zanzibar Development Vision (Vision 2020) and in Strategy for Economic Growth and Poverty Reduction, there is every reason to build good environments for the NGOs so that they can support each other with the government in the objective of sending important service to every person by the year 2020.

### 1.1 The need for the existence of Non-Governmental Organizations

The Revolutionary Government of Zanzibar is aware of the need to work together with Non-Governmental Organizations<sup>1</sup> and the need for that collaboration to extend to the stakeholders and the people in general. Non-Governmental Organizations generally provide services to the community thus working with the Government as well as the Private sector as important stakeholders in economic and social development.

Apart from providing services to the people, Non Governmental Organizations, as partners in development struggle are also a strong indicator of implementing the right to enjoy the freedom to mix up and association which is a basic human right ensured and recognized by the 1984 Zanzibar Constitution Section 20(1) of the Constitution stipulates:

“Except by his/her own will, there is no person who will be obstructed from enjoying his/her freedom to mix up or to associate, that is, his/her right to mingle and to associate with other people as he/she likes especially to form or to be a member of trade unions, human right associations or other associations and which are legally accepted for his /her benefit”.

### 1.2 The Growth of Non- Governmental Organizations in Zanzibar

From the mid 1980, when great political social and economic changes took place on Zanzibar, the Non-Governmental Organizations have continued to increase and their number has grown.

The number of registered Non-Governmental Organizations up to the end of the year 2007 is more than 510. There are also more than 50 village development organizations or development committees or other types of primary development committees or other types of primary community unregistered organisations. It is evident that the Non-Governmental Organization sector is growing rapidly.

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<sup>1</sup> In this policy the word NGO will mean Non Governmental NGO or/and it's plural that is, Non-Governmental Organizations depending upon where the word has been used.

### **1.3 Lack of Non-Governmental Organization Policy**

In spite of the growth and increase of Non-Governmental Organizations, lack of policy, records of the Organization and a legally acceptable interpretation of Non-Governmental Organizations have affected to a certain extent, the achievement of those Organizations.

### **1.4 Importance of Having an Institution Responsible for Non-Governmental Organizations**

Because of the need for good coordination, efficient networks, promotion of the ability and the actors as well as exchange of information among the Organizations and between the Organizations with the government and other institutions, it is important to form an institution which will deal with of Non Governmental Organizations' issues.

## **CHAPTER TWO**

### **2.0 THE MEANING OF NON GOVERNMENTAL NGOS**

For the purpose of this policy the following translation will be used for Zanzibar:

A Non Governmental Organizations<sup>2</sup> which is also known briefly as "NGOs" is a voluntary group or a voluntary private group or voluntary organizations that are free and do not base on a particular political side, which are not of benefit sharing, which are established at social level, nationally or internationally with the objective of benefiting the community especially with the purpose of bringing economic and cultural development or to persuade or to stand for issues that are of benefit to the people or to a group of people or Organizations.

This meaning of Non Governmental Organizations does not concern trade unions, cooperative societies, political parties or religious/faith groups, companies, schools or groups/institutions similar to those and even private organizations which provide services such as social clubs and entertainment and sports clubs.

### **2.1 Qualitative Statement of the Policy**

Non-Governmental Organizations will have qualities which will enable them to differ from Organizations or Governmental Institutions and registered or unregistered institutions or Organizations of the private sector.

### **2.2 Characteristics of Non Governmental Organizations**

The terminology of Non Governmental Organizations (NGOs) will be applied for NGOs having the following characteristics:

#### **2.2.1 Structural characteristics**

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<sup>2</sup> Here a Non Governmental NGO is depicted and not a civil NGO. A civil NGO is a terminology having a wider meaning than a Non Governmental organization; while all Non Governmental organizations are Civil NGONGOs, not all Civil NGONGOs are Non governmental NGONGOs

It will be a group, an institution or a union. The organization will have specific objectives and an open structure, recognized meetings, administrative procedures, a constitution and regulations.

### **2.2.2 Voluntary characteristics**

Non Governmental Organizations are institutions that are initiated by freedom and willingness of individual people, groups of people or Organizations which have a characteristic of voluntary participation. Membership must be free and voluntary and no one can be forced to form or join an Organization.

### **2.2.3 Self Leading characteristics**

Non Governmental Organizations work according to the law of the country and special purposes of their formation according to the objectives as they are laid down in their administrative procedures, and as they are stated in their constitution and regulations.

### **2.2.4 Not for profit sharing**

Non Governmental Organizations must be working in a way that does not show an aim of income or profit sharing. The profit that is obtained should not be for private benefit of members or leaders, but should be for the purpose of implementation of the responsibilities and objectives of those Organizations.

### **2.2.5 They should not base on any political wing**

Non Governmental Organizations should not seek political powers or campaign for any political party but may stand for issues of freedom and human rights.

## **CHAPTER THREE**

### **3.0 VISION AND OBJECTIVES OF NON-GOVERNMENTAL NGOS POLICY**

#### **3.1 Vision of the Policy**

The vision of this policy is the creation of strong and sustainable Non Governmental NGOs which are conducted on the basis of justice, transparency and accountability so that they can contribute fully in national development.

#### **3.2 Objectives of the Policy**

The main objective of the policy is to create conducive environment for Non Governmental Organizations so that they do their work efficiently in bringing social and economic changes in the Country.

**Specific objectives of the policy are:**

- i) To provide the real definition of Non Governmental Organizations



- ii) To provide a legal structures and institutional arrangements so as to simplify the working of Non Governmental Organizations.
- iii) To lay down clear registration procedures which facilitate better coordination of the Organizations as they safeguard the freedom of association.
- iv) To strengthen the relationship between the Government and Civil Organizations.
- v) To strengthen procedures for building relations between Non Governmental Organizations, the Government, donors, international organizations and other stakeholders.
- vi) To facilitate the exchange of information on Non Governmental Organizations activities in order to raise better use of resources and exchanges of experience or different research reports.
- vii) To build the legality of Civil Organizations as an important aspect in Good Governance issue.
- viii) To encourage participatory effort to the people so as to build the spirit of bringing development for themselves.

## **CHAPTER FOUR**

### **4.0 STRUCTURE**

#### **4.1 INSTITUTIONAL STRUCTURE**

##### **4.1.1 Institutional Policy Statement**

A structure to facilitate registration, report presentation, communication and consultation between the Government and Organization will be established

##### **4.1.2 Non Governmental Organizations Board**

There shall be established a Board which will be known as the Board of Coordination of Non Governmental Organizations, which will equally exist with (the power to sue, be sued, to own property etc.)

##### **4.1.3 Structure of the Board**

The Structure, the period to be in authority, meeting procedures and other issues related to the Board will be stipulated in the law on Non-Governmental Organizations.

The Board will comprise of members who will be appointed by the Minister from the proposals of the Non Governmental Organizations as well as members who will be appointed by the Minister according to their education or experience in supervision of development and prosperity who will represent the Government.

#### **4.1.4 Duties of the Board**

Duties, responsibilities, limitations, the ability to sue and be sued and other matters related to the Board of Non-Governmental Organizations will be stipulated in the Non Governmental Organization law .

#### **4.1.5 Coordination Unit of Non Governmental Organizations**

There shall be a coordination unit of the Non Governmental Organizations within the Ministry concerned with the NGOs which will facilitate coordination and integration between the different Government ministries and the NGOs. The unit will be a link between the Government, the NGOs and other development partners.

#### **4.1.6 Registrar of Non-Governmental Organizations**

The Revolutionary Government of Zanzibar will appoint a Government Official to be the Registrar of Non-Governmental Organizations. Duties and responsibilities of the Registrar will be stipulated in the law of the Organizations.

#### **4.1.7 Cooperation with the NGO networks**

The NGOs may establish cooperation and networks to represent their interest. This will help the Organizations to present their issues together to the people, Government, private sector and the International Community.

#### **4.1.8 An organ to unite National NGOs**

For the purpose of building collaboration among the Organizations, they will establish a National Council of the NGOs which will be an independent organ and which will put in position, its own structure, laws, and better supervision procedures of its activities.

There will be only one national council for uniting the NGOs which will be a national council of the NGOs for the purpose of coordination and promotion of networks for all NGOs which are working in Zanzibar.

The council of the NGOS will establish and supervise operational ethics and other regulations which will help the NGOs to be self governance and will facilitate exchange of information and issue directives for collaboration among the Organizations.

### **4.2 THE LEGAL STRUCTURE**

#### **4.2.1 The Legal Policy Statement**

A proper registration system of the NGOs will be established so as to facilitate registration.

#### **4.2.2 The New Non- Governmental Organizations Law**

A new NGOs law will be enacted to remove the existing weaknesses in registration, deregistration, appeals and closing down of the NGOs

The new law will comprise the definition of NGOs and will establish one registration system which will provide legal power of the of existing NGOs, by providing them the status of the ability to own property, to sue and be sued soon after their registration.

The current NGOs existing in Zanzibar and those that are outside Zanzibar, as affiliation or part of those outside NGOs will have to abide with legal and operational conditions which relate to the NGOs.

## **CHAPTER FIVE**

### **5.0 THE PARTNERSHIP OF THE GOVERNMENT AND NON-GOVERNMENTAL NGOS**

#### **5.1 The policy statement**

The Revolutionary Government of Zanzibar is conscious of the responsibilities and important contribution of the NGOs to the community and considers them as important partners in the development process. It is therefore for the interest of the Government and the Nation that the Government and the NGOs should cooperate and work together in bringing development to the Country.

#### **5.2 Collaboration in Providing Services, Preparation and Implementation of the Policy and Development Plans**

The Government will work in collaboration with the NGOs in providing services to the people and in participation of the people in the preparation and implementation of the policy and important development plans of the country. Therefore, the Government will be free to enter into contracts with the NGO in the implementation of different plans where the NGOs have shown the capacity and interest of doing so. In order to strengthen development activities, the Government will promote the cooperation with the NGOs in all sectors.

#### **5.3 Tax exemption**

The government may exempt taxes to the NGOs under the tax and/or revenue laws.

## **CHAPTER SIX**

### **6.0 EXCHANGE OF INFORMATION AND REPORTING**

#### **6.1 Policy statement on Informational and Reporting**

There shall be an exchange of information and discussions among NGOs, the people, the Government and International NGOs with the objective of promoting better use of resources, exchange information and reduction of misunderstanding.

#### **6.2 Exchange of Information**

In order to promote the exchange of information between the Government and the NGOs, the Government will issue important information for the activities of the NGOs to the NGOs Board and the NGOs Council so as to make the exchange of information between the NGOs and the Government possible

### **6.3 Procedure for Reporting**

All NGOs, local and international will have to prepare, according to the law, annual financial as well as implementation reports, reports on contributions collected and reports on tax paid. .These reports will be open to the public, the Government and other stakeholders

All local and international NGOs will be required to ensure the annual financial and/or audited reports are presented to the Registrar of NGOs and other stakeholders.

### **6.4 Address of the NGOs**

Every NGO will have an office, a symbol, and will place a board showing the name and activities of the NGO.

## **CHAPTER SEVEN**

### **7.0 ACCOUNTABILITY AND TRANSPARENCY**

#### **7.1 Policy statements on accountability**

A National Council of the NGOs will issue national guidelines for establishment of networks and to prepare work regulations which will be used for all NGOs. Every registered NGO will prepare its own regulations of work according to the national guidelines for the purpose of ensuring accountability and openness.

#### **7.2 Instruments for running NGOs**

The constitution and other regulations established according to the constitution of the concerned NGO will be the key instrument in leading the NGOs.

As part of job performance, and in reporting for their work, all International NGOs working in Zanzibar will be required:

- a) To respect the law of Zanzibar which guide their activities
- b) To respect the traditions, culture and norms of the people and the Zanzibari community.

To make effort all the time to promote and strengthen the capacity and ability of the local NGOs including participation in the NGOs' networks and to avoid actions that may lead to misunderstanding among the NGOs.

#### **7.3 Fund Raising**

The NGOs will be permitted to do any legal activities for fund raising. In order to bring about financial sustainability as well as increasing sources of income, the NGOs will be permitted to

charge small fees for their services and to be involved actively in income generating activities, provided they do not do commercialize their activities as the basis of their income and that any profit gained should be spent for the benefit of the people and should not be shared.

#### **7.4 Government Follow-ups for the NGOs' Resources**

All local and international NGOs will be required to ensure that the financial and or audited reports are presented to the Registrar, members and other stakeholders.

#### **7.5 Gender consideration**

In implementation of their duties as well as in provision of services to the target groups, the NGOs are required under this policy to highly consider the gender relation. This includes promotion of gender participation, equality and justice for all activities and plans of the NGOs.

#### **7.6 Sustainability and Resources**

In implementing their program NGOs are required to consider the importance of their plans and activities, sustainability in implementing their responsibilities, especially by promoting sustainable plans, activities, financial and institutionally sustainability, and building and strengthening the stability of the resources basis

## **CHAPTER EIGHT**

### **8.0 PROCEDURE FOR IMPLEMENTATION OF THE POLICY**

#### **8.1 Statement of the Policy Implementation**

Implementation of the NGOs' policy will need involvement of all concerned people at different levels.

#### **8.2 The main stakeholders in Policy Implementation**

All local and international NGOs, the Councils of the NGOs, Government Ministries, regions, local government authorities, and the private sector will work together to ensure better implementation of the NGOs.

#### **8.3 Application of the Policy**

Government ministries, parastatal Organizations, regional and local government authorities will apply the policy procedure and guidelines which are in accordance with this policy. They will also keep up to date and correct records concerning NGOs working in their field and/or geographical areas.

#### **8.4 Review of the Policy**

This policy may be reviewed from time to time so as to make it match with the real situation of social, political and economic changes taking place in the country. Changes will be made in democratic ways and involving all the responsible people whenever the changes are necessary.

## **CHAPTER NINE**

### **9.0 RESPONSIBILITIES OF IMPLEMENTATION ORGANS**

#### **9.1 The Ministry responsible for Coordination of the NGOs and Supervision of the Policy Implementation**

- i) To strengthen coordination of the NGOs and supervision of the policy implementation.
- ii) To persuade the involvement of the NGOs in national plans.
- iii) To collect, analyze and present records of the NGOs to the users.
- iv) To seek for resources for the implementation of the policy of the NGOs
- v) To motivate the donors to assist in policy implementation

#### **9.2 The Ministry responsible for Local Governments**

- i) To prepare the environment for working with the NGOs in bringing development in the areas concerned
- ii) To support the NGOs at the local, district and regional levels

#### **9.3 The Ministry responsible for Water, Construction, Energy and Land**

- i) To cooperate with the NGOs in developing and raising the level of the quality of the services from the concerned sector.
- ii) To ensure the existence of a procedure which will enable the resources related to their sectors are used well by the NGOs
- iii) To provide expert consultation to the NGOs concerning their sectors.

#### **9.4 The Ministry Responsible for Finance and Economy**

- i) To prepare an environment which will enable the NGOs to participate in national development plans.
- ii) To prepare an environment which will enable the NGOs to get tax exemptions for tools and equipments used by the NGOs with the objective of fulfilling their responsibilities
- iii) To prepare statistical information, assistances, distribution and coordination.

#### **9.5 The Ministry responsible for Information and Culture**

- i) To provide education concerning the Organizations' responsibilities and the real situation of conducting its activities.
- ii) To raise the level of awareness on the issues of the NGOs and implementation of its policy.
- iii) To ensure that Traditions, and Customs, Culture and norms are protected according to the environment of the country.

#### **9.6 The Ministry responsible for Health and Social Welfare**

- i) To establish a procedure which will enable the NGOs implement their duties in the sector of health and social welfare without any inconveniences.
- ii) To prepare a cooperative procedure between a particular sector with NGOs related to duties of the Ministry.
- iii) To prepare a procedure that will enable experts of the two sides cooperate academically.
- iv) To support and guide the NGOs in performing their duties sectorally and the existing importance at a particular time
- v) To harmonise the needs of health policy with the job performance of Non-Governmental NGOs.

#### **9.7 The Ministry responsible for Constitution and Good Governance**

- i) To ensure that there are laws and principles that provide the opportunity for the NGO to perform its duties well.

- ii) To establish a procedure for conflict resolution that will arise within and outside the NGOs

#### **9.8 The Ministry responsible for Youths, Development of Women and Children**

- i) To ensure that there is good participation of the community in matters related to sectors that are under the Ministry.
- ii) To ensure that implementation of the activities of the NGO is done according to the policy and law of the concerned sector.
- iii) To raise the level of awareness on activities of the NGO among women communities, children and youths at all levels.

#### **9.9 The Ministry responsible for Agriculture, Animal, Husbandry, Fishing and Environment**

- i) To involve NGOs in providing a special impetus to motivate agricultural activities and environment.
- ii) To ensure that there is good relation between the Ministry and the NGO in the concerned sector.

#### **9.10 The Ministry responsible for Education**

- i) To prepare good environment for the NGO to enable it to perform its duties in Education sector
- ii) To provide opportunity to the NGO working in special groups to do their work in Education sector.

#### **9.11 The Ministry responsible for Tourism, Trade and Investment**

- i) To provide cooperation to the NGOs dealing with tourism, trade and investment sectors.
- ii) To motivate investors to cooperate with the NGO in providing services to the community
- iii) To ensure that the Tourism and investment sector contributes in supporting and strengthening the NGOs.



## 9.12 The Ministry responsible for Communication and Transport

- i) To provide cooperation to the NGOs dealing with infrastructure
- ii) To prepare good environment for the NGOs to implement their duties in the sector which are under the Ministry.

# CHAPTER TEN

## 10.0

### 10.1 Follow up and Evaluation

Follow up and evaluation is an important aspect in implementing any plan. Follow up enables the concerned institutions and the main stakeholders to measure the implementation results of the programme policy.

Also follow up provides the opportunity of getting implementation report for every period and finally to understand the existing situation. Moreover, follow up and evaluation provide the opportunity to adjust in implementation where it is found that things were not moving as they were expected.

### 10.2 Procedure for implementation

The Ministry responsible for coordination of the NGOs will prepare a follow up procedure and assessment of implementation. The Ministry will ensure that it provides a follow up report on policy implementation at least once a year.

# CHAPTER ELEVEN

## 11.0 CONCLUSION

The Revolutionary Government of Zanzibar values greatly the ability of the NGOs especially in promoting development which considers human attitude especially in this era of globalization.

This policy establishes a better and efficient structure, institutionally and legally, which will facilitate registration procedures of the NGOs. It is hoped that its implementation will promote efficiency, openness and accountability to the NGO and will provide a great contribution to the development struggle in Zanzibar.

This policy emphasizes and protects all basic foundations of the NGO that is, it should be possible to be initiated, be operated, supervised, or abolished by the members, the trustees or its directors and not by a thrust of the Government, but by a procedure of freedom and restriction established by the constitution or laws of the land.

