

HAKIRASILIMALI ANNUAL REPORT 2021



*“Positioning the extractive sector in realizing competitiveness and industrialization for Human Development.”*

**ABBREVIATIONS AND ACRONYMS**

ASM	Artisanal Small Mining
COVID-19	Corona Virus Disease of 2019
CSO	Civil Society Organization
CSR	Corporate Social Responsibility
EACOP	East African Crude Oil Pipeline
EB	Extractive Baraza
EITI	Extractive Industries Transparency Initiative
GoT	Government of Tanzania
HR	HakiRasilimali
i.e.	That is to say
MP	Member of Parliament
MS TCDC	Training Centre for Development Cooperation
MSG	Multi-Stakeholder Group
NEEC	National Economic Empowerment Council
NGO	Non-Governmental Organization
PWYP	Publish What You Pay
SP	Strategic Plan
STAMICO	State Mining Corporation
TEITA	Tanzania Extractive Industries (Transparency and Accountability) Act, 2015
TEITI	Tanzania Extractive Industries Transparency Initiative
URT	United Republic of Tanzania

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## A WORD FROM THE CHAIRMAN OF HAKIRASILIMALI BOARD

Dear Stakeholders

The year 2021 was the first year in rolling out the HakiRasilimali Strategic Plan 2021-2025. During the year, HakiRasilimali celebrated the successful implementation of flagship projects, particularly Hoja Yako Mezani, ESKi Tanzania, Strategic engagements with policy institutions, Research and thematic policy analysis and Capacity enhancement for members and local advocacy groups. Despite the disruptions caused by the COVID-19 pandemic necessitating the reset of core strategies, our participation to national and international dialogues provides opportunities for the organization to contribute towards strengthening good enough governance of the extractive sector in Tanzania.

Surveys conducted through partners and members on the perceived results of our work indicated that HakiRasilimali's direct contribution to strengthening natural resources governance in Tanzania has been highly remarkable and acknowledged through Parliamentary Committees, the TEITI Committee and Think Tanks.

During the year 2021, we witnessed the deepening of our rootedness in advocating for expanding spaces for visibility of extractive industries hosting communities, with evident heightening local representation to multistakeholder dialogues. We appreciate the continued support of our collaborators in government, corporate sector and civil society networks.

For all our institutional partners, we are grateful for the continued support towards realising our aspirations, prioritising what matters most and positioning our work to scale. We thank you for being with us in building an ecosystem in which we shall continue to thrive.

To the management and staff at HakiRasilimali, the team spirit and competencies for driving transformation provided assurance for sustainable resilience, an indelible mark we wish carry on with into 2022.

**Donald Kasongi**

HakiRasilimali Board of Directors - Chairman.

## MESSAGE FROM THE EXECUTIVE DIRECTOR

*“We have grown into a fully-fledged research and analysis organization, playing a pivotal role in evidence-based Advocacy at all levels.”*

The year 2021 has been successful, to say the least. We could define it as the year of evolution towards a stronger Civil Society Organization in the extractive landscape in Tanzania. The winds of change at national and organization level have pervaded every aspect of HakiRasilimali operations that are informed by the enrolled HR Strategic Plan 2021-2025.

Dear readers, it is my pleasure to briefly walk you through the major milestones of the year and give you a tale of our key achievements you will encounter throughout the report. As had been anticipated over the last couple of years, HakiRasilimali has expanded its advocacy wings by forming a caucus group composed with identified Members of the Parliamentary standing committees on Budget; Energy and Minerals; Constitutional and Legal affairs; the formed group is key in enhancing knowledge generation and experience sharing between HR and MPs.

From the Policy reform perspective, we have witnessed the Government (re)affirmation on its commitment to stabilize the Extractive (Mining) fiscal regime and the Business environment to attract large scale investment in sector.

At the Local level, we have expanded our wings to impact community advocacy through capacity enhancement to representatives of the Local Government Authorities, community media personnel, Community Based Organizations and other community practitioners. HakiRasilimali has been nurturing emerging community practitioners through ESKi Tanzania and Extractive Baraza programs.

I wish to share my sincere gratitude to all who made it possible and hoping that readers will find this report informative. HakiRasilimali will appreciate receiving your comments, ideas and thoughts to improve on the same in order to enhance its advocacy work around the mining, oil and gas sectors in Tanzania.

**Racheal Chagonja**

**HakiRasilimali Executive Director.**

## **ABOUT HAKIRASILIMALI**

HakiRasilimali is a platform of Civil Society Organizations (CSOs) incorporated as a Non-Governmental Organisation, working on strategic issues around minerals, oil and gas extraction in Tanzania. The coalition emerged from an online “Knowledge Community of Practitioners” in the extractive industries in 2010 to its current status as a joint learning and advocacy platform. The group started engaging in extractive advocacy in an ad-hoc manner, albeit some successes. Taking into account the lessons learnt since 2010, the group envisages to utilize the available potential to become more effective in influencing extractive industries related policies, laws and practices within the country; by adopting a more strategic and proactive approach. You can read more about HakiRasilimali through <https://www.hakirasilimali.or.tz/>.

### **Affiliation**

HR is also affiliated to Publish What You Pay (PWYP), the global movement working to ensure that revenues from oil, gas and mining help improve peoples’ lives. With more than 700 member organisations and 50 national coalitions, we campaign for an open and accountable extractive sector. Our shared vision is a world where everyone benefits from their natural resources – today and tomorrow (<https://www.publishwhatyoupay.org/about/>).



## 1. CONTEXTUAL ANALYSIS OF THE EXTRACTIVE SECTOR IN TANZANIA

In order to build competence and competitiveness of the economy by the year 2025, the Tanzania Development Vision 2025 calls for, among others, the utilization of domestic resources in a manner that “builds adaptive capacity for promoting economic activities that enjoy comparative and competitive advantages” that are free of external economic shifts and shocks (HakiRasilimali Budget Analysis, 2020). It should be noted that Tanzania’s Vision 2025 is in line with the Africa Mining Vision (AMV) which calls for a “transparent, equitable and optimal exploitation of mineral resources to underpin broad-based sustainable growth and socio-economic development” (African Union, 2009).

On June 2021, Tanzania launched the final Five-Year Development Plan (FYDP) III covering a period of 2021/22 to 2025/26. Under the theme “Realizing Competitiveness and Industrialization for Human Development. The plan is a continuation of the Government’s efforts in achieving the goals as set in the National Development Vision 2025. It is expected that Tshs 114.8 trillion plan is to finance the plan, Private and non-state Actors are expected to contribute d Tshs 40.6 trillion. Moreover, FYDP III committed to promote natural resource-based industrialization. Among others, key interventions include strengthening management of the large and medium scale mining; promotion of mineral value addition and beneficiation; empowering ASM including women; Strengthening STAMICO, TEITI and other government bodies that are directly involved in the governance of the mining sector.

Furthermore, among others, EACOP and LNG Plant have been earmarked as flagship project to enable Tanzania achieve its target by 2025. Thus, on 20<sup>th</sup> May 2021, Tanzania signs final Host Government Agreement (HGA) for East Africa Crude Oil Pipeline (EACOP) Project to finalize a protracted negotiation of \$3.5 billion pipeline project. This event come after a significant amendment done in Tanzania Extractive Legal Framework to freeze the application of some of the provision in/and the Legislations that seems to be hindrance factors for the project take off. The amendments whereunder “The Written Laws (Miscellaneous amendment no. 2) of 2021” and impact the Petroleum Act 2015, The Natural Wealth and Resource (Permanent Sovereignty) Act of 2017 and The Natural Wealth and Resource (Review and negotiation of Unconscionable Terms) Act of 2017. Despite the Step forward, the agreed interest rate for the delayed compensation in the EACOP is yet to be communicated to the Project Affected Persons (PAPs).

On the Other hand, the Government resumes negotiations of USD 30 Billion LNG project with investors (Shell and Equinor). The contraction of the project is expected to take about five years from 2023. On the same note, Compensation and resettlement for PAPs has started, and until March 2021 Tshs 5.71 billion was already paid for compensation and interest to 642 citizens at Likong'o and Mto Mkavu.

With an assumption that permanent sovereignty and state participation will enable Tanzania to obtain optimal economic benefits, the Government of Tanzania entered into agreement with 5 Mining Companies, these companies include; Blackrock Mining Company (Faru Joint Venture Company); Fungoni and Tajiri Heavy Minerals Project (Nyati Joint Venture Company); Nyanzaga Gold Mine (SOTA Joint Venture Company) and Petra Diamonds and Kabanga Nickel Mining Company. In the new signed agreements, the Mining Licenses were granted to the Joint venture companies whereby the GoT has 16% non-dilutable free carried interest and significant percent of benefits to be retained in Tanzania ranging from 45% to 66%.

In realizing FYDP III, State Mining Corporation (STAMICO) built mining refinery in partnership with Dubai's Lozera Company, which is expected to attract more investment by providing an opportunity for neighboring countries such as Uganda, Kenya, DRC and Rwanda to supply their minerals for refinery in Tanzania. At the moment, the production capacity is 480 kilograms of gold per day, moreover, the production capacity in Total for Tanzania is expected to be 960kg per day soon after the construction of the other two refineries in Geita and Dodoma is completed. This needs further cost benefits analysis based on the Geo Politics of the natural resources against country expectations on the same.

Generally, HakiRasilimali (HR) adopted emerging opportunities to advance its goal on strengthening extractive-resources governance in Tanzania. HR conducted a bright and most informative online broadcasting program in order to inform and recommend policy interventions and reforms. The context above provides a bigger picture on the political economy of the extractive sector in Tanzania from January to December 2021, whereas it situates HakiRasilimali program for the same period.

## 2. SUMMARY OF THE PROGRESS FOR CORE ACTIVITIES IMPLEMENTED IN 2021.

The part entails the progress of the implemented activities from January to December 2021, focus on the activity outputs, documented outcomes, challenges and gender representations.

### 2.1. Increased Transparency in Extractive Sector Revenue Management for Equitable Distribution of Resources

#### 2.1.1. Budget Analysis

To further advocacy on resources mobilization and equitable allocation, HakiRasilimali undertook budget analysis for the extractive sectorial Ministries (i.e. Ministry of Minerals and Ministry of Energy). Focus of the analysis was on Ministries budget priorities, trend of the ministerial revenue collection, allocation and disbursement. Among the key findings of the analysis include insufficient budget allocation for development projects in comparison to amounts allocated for other charges; slow pace of negotiation for oil and gas related projects; decreased tax revenue by the Ministry of Energy; inadequate Funding to support development initiatives towards enhancing transparency and accountability; development projects implemented in FY 2020/2021 did not align with ministerial priorities as had been set by the Ministry of Minerals, implemented activities as reported were carried forward from FY 2019/2020; the impact of Covid19 in the mining sector showed that gold production (Large scale Mining) was observed to be fluctuating between 2019 to 2020 while the Artisanal and Small-Scale Miners (ASM) were strongly impacted by the pandemic caused mainly by global travel restrictions and limited market supply (internationally).

### 2.2. Increased Citizen Capacity to Participate in Demanding Transparency and Accountability in Extractive Sector

#### 2.2.1. Extractive Sector Knowledge Transfer Incubator (ESKi-Tanzania) Program – Cohort 1.

To nurture community-based capacities in influencing policies and practices in the extractive sector, HakiRasilimali in partnership with the Training Centre for Development Cooperation (MS TCDC) hosted a Cohort 1 on the Fundamentals of Community Led Advocacy in Mining, Oil and Gas

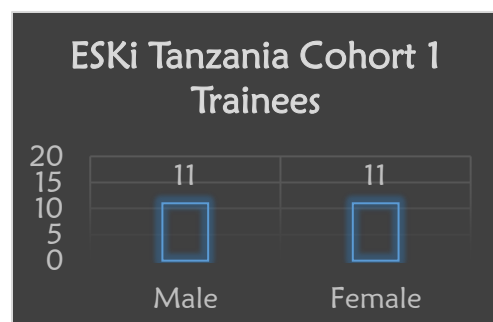


Figure 1: ESKi Tanzania Cohort 1 Gender representation

Governance [Short Course](#) in Arusha, Tanzania. 22 out of 50 applicants successful attended, where by 11 were male and 11 females. Trainees were able to interact and practically learn on ASM sector value chain and community development during the field visit to Ruby Mining Site in Mundarara, Longido. Community Development. Among other, major impact that was captured by the most of the trainees was the community

divergent from the original economic activities such as cultivation and pastoralism to mining activity.

### 2.2.2. Extractive Baraza: A training workshop, enhancing capacity to local councilors and community development officers on Fiscal regime and Accountability of the Extractive sector.

To amplify community voices to demand for transparency and accountability strengthened platforms are of high importance. In 2021 The Extractive Baraza participants were drawn from local councilors and community development officers. A total number of 34 Local councilors and

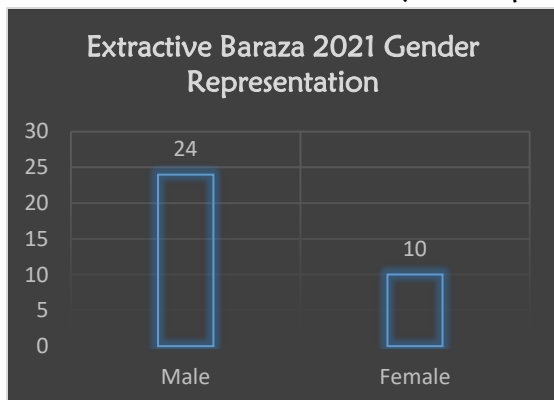


Figure 2: Gender representation in Extractive Baraza

Community Development officers attended the training whereby 24 were Male and 10 Female. As key players at the Local Level, networking and experience sharing deepen their understanding on the complex structure of the extractive sector fiscal regime, necessity of their engagement on Local revenue and expenditure tracking and advocacy strategy to ensure transparency and accountability of the extractive sector.

### 2.2.3. HakiRasilimali engagements on social media platforms

#### 2.2.3.1. Hoja Yako Mezani' Program on HakiRasilimali YouTube Channel.

Enhancing live dialogues and responsiveness of duty bearers to citizens on issues related to transparency and accountability in the extractive sector, HakiRasilimali produced and broadcasted five (5) Hoja Yako Mezani sessions. Among other, key policy recommendations raised during 2021

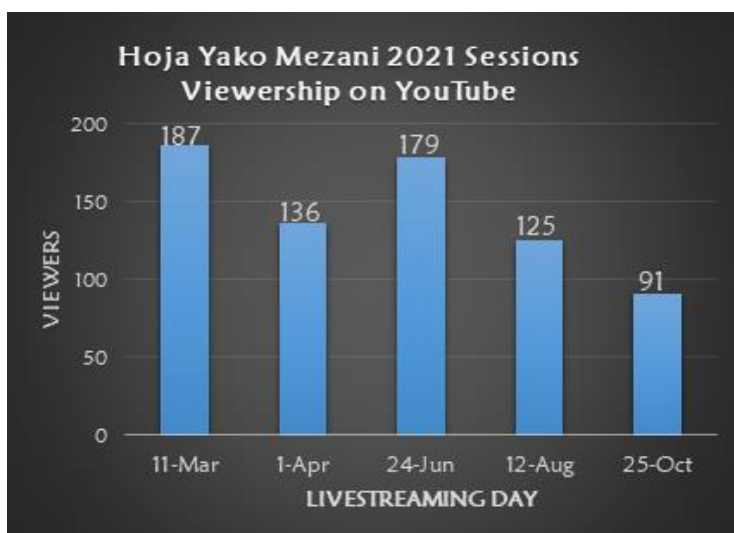


Figure 3: Hoja Yako Mezani 2021 Viewership

Hoja Yako Mezani Sessions include but not limited to; A need to enact a mining revenue management act that will regulate revenues generation, collection and allocation; Government and Parliament consideration to avoid enacting mining legislation under certificate of urgency; Strengthen human and financial capacity (adequate financial allocation and disbursements) of the Ministry of minerals institutions for development

projects; upholding transparency and accountability principle to further curb illicit financial flows within the extractive sector; and a lastly formulation of a strategy to guide local content implementation in across sectors of economy in Tanzania. Below table indicates a trend of viewership in all the sessions undertaken in 2021.

### 2.2.3.2. Twitter Engagements

HakiRasilimali social media platforms (twitter and Instagram) have been playing a significant role in enhancing public debates and engagements. Mainly HR social media engagements agenda

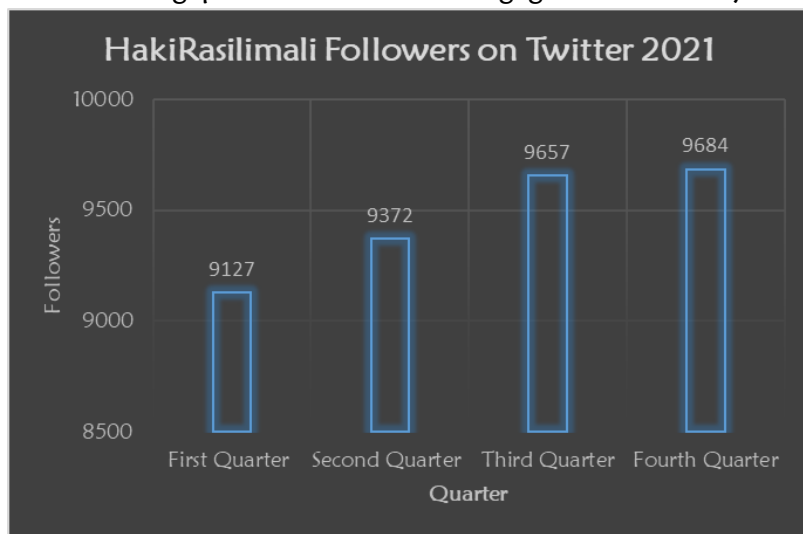


Figure 4: HakiRasilimali followers on twitter for 2021

derived from Hoja Yako Mezani sessions, Budget analysis engagement with legislators, Extractive Baraza, National Gender and extractive dialogue, ESKi Tanzania and the CSOs Week 2021 to mention but a few. Due to these engagements, HR witness an upward trajectory on the twitter followers (figure 4), thus, HR visibility has been increased and maintained throughout 2021.

Notably, in different occasion, HakiRasilimali conducted three twitter polls to get public perceptions and opinions on different agenda as following;

➤ **Perception on the role of women in Extractive sector:** In total, 46 votes were reached out of



which 46% agreed that women are key sector stakeholders, 28% and 15% of the votes affirm that to women need facilitation for their involvement in the sector while 11% of the votes affirm that women lack skills in the sector. Generally, the results provide a call for policy intervention to empower women participation and representation in

the entire extractive value chain as a key stakeholder.

- **Extent which Extractive Sector Revenue Management has benefited women:** Out of 109 total votes that engaged, 61% said that extractive sector revenue management has failed to benefit women, 27% said that there is low benefit while 12% said that extractive sector revenue management has succeeded to benefit women. Generally, the final results call upon CSO and all other stakeholders to further advocate for policy and institutional reforms on revenue management that will consider aspects of women inclusion.



- **Mining contract in Tanzania that you would wish to see:** a twitter poll, aimed at getting public perception on mining contract disclosure of the three giant mining contracts; Barrick and the Government of Tanzania Contract, Tembo Nickel Contract and the Geita Gold Mining (GGM) Contract. A total of 63 votes were reached whereby 21% votes wished to see the Tembo Nickel Contract, 40% of the votes wished to see the contract between Barrick and the Government of Tanzania also other 40% wished to see the GGM Contract. Generally, the results have shown that the public is more interested in the two contracts the Barrick and the Government of Tanzania contract and the GGM Contract due to social economic challenges in there are of operations.



#### 2.2.4. Gender and Extractive National Dialogue

In order to Intensify knowledge and Promoting Women Participation in the Extractive value chain in Tanzania, HakiRasilimali conducted a multistakeholder national Dialogue on gender and extractives on May 2021. The dialogue focused mainly on findings from the research commissioned in 2020 titled “Engendering the Mining Sector in Tanzania: To What Extent Are Women Benefiting or Losing Out in Revenue Management.” Despite participation of women in the mining value chain through ASM subsector, the research revealed that inadequate women participation, representation, legitimacy and that women are not benefiting from the extractives across the value

chain. In line with the above, the dialogue agreed to further advocacy on legal reforms, revenue management plan that will clearly provide a formula or mechanism for mineral revenue



Figure 5: A representative from Barrick mining company contributing during a national dialogue on gender and the extractives.

distribution that will serve women benefits and intergenerational equity benefits. Also, to advocate for affirmative action on mining revenues at the local level such as service levy, cooperate social responsibility (CSR) to be channeled on projects that targets women benefits.

A total of 78 people attended the dialogue whereby 44 were male and 34 females.

### 2.3. Enhanced Capacity, Skills and Knowledge of Stakeholders to Influence the Relevance and Responsiveness of Policies, Laws, Regulations and Practices Within the Extractive Sector.

In 2021, HakiRasilimali continued to ensure that policy analysis and research findings are generated for evidence-based advocacy. HakiRasilimali thus conducted 2 research studies, 3 analytical pieces and developed two policy papers as follows:

#### 2.3.1. Research on Implication of the Extractive Sector Fiscal Regime to the Economy: A Case of the Mining Sub-Sector in Tanzania

For years, existence of stabilization clauses in Mineral Development Agreement had a reversal effect to country Tax Reforms. Since 2017 Tanzania introduced the concept of Parment Sovereignty aimed at smoothing execution of the Tax Reforms to the existing MDAs. Therefore, HR study on “*Implication of the Extractive Sector Fiscal Regime to the Economy: A case of the Mining Sub-Sector in Tanzania*” published in 2021 among other reveals the complexity on striking a balance between obtaining an optimal benefits and attraction of the investment. Furthermore, the study provides a necessity to formulate a specific Mining Revenue Management legislation. Also, restructuring of the mining fiscal regime should be in a manner that does not implicate multiple-tax on the same subject matter.

#### 2.3.2. Research on Engendering the Mining Sector in Tanzania: To What Extent Are Women Benefiting or Losing Out in Revenue Management

HakiRasilimali published research titled “*Engendering the Mining Sector in Tanzania: To What Extent Are Women Benefiting or Losing Out*”. The research examines the extent to which different

social groups in Tanzania (women specific) are benefiting or losing out based on the existing mining revenue collection, allocation and distribution mechanism/process. The research reveals that women have been actively participating in the mining value chain for years, especially in the artisanal and small-scale miners (ASM) subsector which has witnessed a substantial growth with an increase in mineral production and establishment of mineral markets and mineral sub-centers across the country. However, Tanzania women have continued to face barriers in accessing and controlling major means of production such as land and capital. There is also a variance in women participation in key sectors including the extractive industry. Unequal power relations in decision-making at all levels and the presence of discriminatory laws and customary practices against women exacerbate the situation. This is likely to affect how women benefit from mining production which have witnessed an increased revenue generation. Women are likely to also be affected through allocation of mining revenue as Tanzania distribute mining revenue evenly to all Tanzanians across the country since there is no formula or mechanism for mineral revenue distribution. The available affirmative action to enable to the local community development such as service levy, cooperate social responsibility (CSR) do not guarantee that they will be channeled to project that would ensure women are benefiting from the same.

### **2.3.3. The Downfall of Acacia Mining Plc in Tanzania: Will Tanzania Get a Better Deal: A case of the new agreement between Barrick and the government of Tanzania 2nd Edition.**

In 2021 HakiRasilimali conducted an analysis of the agreement between the Tanzanian Government (GoT) and Barrick Mining Corporation entered in 2020 as a means to provide a postmortem assessment of the first analysis by HakiRasilimali titled “The downfall of ACACIA mining plc in Tanzania: will Tanzania get a better deal?”<sup>1</sup>

Among others, the analysis reveals the secret nature of negotiations and the final agreement, with little details published. The analysis also reveals that the Parliament was not afforded the opportunity to exercise public scrutiny before finalization of the agreement and undermined role of the sectoral ministry in negotiation process. Nevertheless, the analysis raises the question as to whether the agreement was going to be beneficial to the country as compared to benefits before entering the agreement, with the status of the 16% GoT free carried interest. However, the agreement has offered stability to other companies which were in joint venture with GoT because having GoT as a shareholder has helped minimizing political and investment risks. The analysis

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<sup>1</sup> <https://www.hakirasilimali.or.tz/wp-content/uploads/2019/09/The-Downfall-of-Acacia-Web.pdf>



further reveals other areas of concern such as details of the 9 agreements signed between the parties, details of unfinished and the actual GoT power within the established Twiga minerals Company.

The analysis recommends areas for further research on issues such as carry-forward losses vs genuine investment costs and the impact of the framework agreement on anticipated taxes and revenues, mineral prices and forecasts, as well as actual and projected sales volumes.

#### **2.3.4. Five-Year Development Plan Phase Two (FYDP II)**

HakiRasilimali conducted an analysis of the Five-Year Development Plan Phase Two (FYDP II) in the context of the extractive sector with the aim of examining its performance drawing lessons for the formulation of FYDP III. The analysis conducted the review of the FYDP II in the context of the selected extractive sector related flagship projects and their interventions namely, the construction of the East Africa Crude Oil Pipeline (EACOP), Construction of the Liquefied Natural Gas plant (LNG). The analysis also examined issues of transparency and accountability, human development, gender and extractive, and resources industrialization linkages. The analysis further looked at ministerial budget for the period of implementation of FYDP II (2016/2017-2020/2021) examining to what extent the budget has facilitated implementation of FYDP II. Lastly, the analysis examined legislations that were enacted during the implementation period and to what extent they have strengthened the governance of the sector. HakiRasilimali used the findings of the analysis to engage the Parliamentary Standing Committees on Budget; Minerals and Energy and on Constitution and legal affairs.

#### **2.3.5. Investigative Journalism on “Environmental Impacts and Companies’ Adherence to the National Laws on Rehabilitation and Closure Plans: A Case of Buzwagi Gold Mine”**

In order to inform policy and regulatory reforms which guide mining closure practices in Tanzania through policy brief/paper, factsheets and feature articles, HakiRasilimali conducted an analysis to examine the extent in which Buzwagi Gold Mine Rehabilitation and Closure plans are adhered as required by Environmental management frameworks in 2021. Among others things, the analysis reveals that the rehabilitation of the Buzwagi mining area has since stalled, with the government and Twiga Mineral Company not in agreement on how the site is to be rehabilitated as to whether by filling the mining area with soil or let nature take its course. The analysis further reveals that the Mine Closure Plan (MCP) states that the rehabilitation cost for Buzwagi has reached USD 31.7 million by August 2021, approximately 13m USD more than 18m USD that was envisaged during the feasibility study and the MCP is still a secret document with its content known to very few people. The analysis also reveals that the government has not followed the advice given by the defunct Tanzania Mineral Auditing Agency (TMAA) to use the banking guarantee mode of

rehabilitation however the government followed the “untested” insurance bond. Further, the analysis reveals that there has been no constant monitoring of the rehabilitation process as indicated by the fact that the two parties are still negotiating on rehabilitation at the time of mining closure, which should have been resolved much earlier.

The analysis recommends formulation of regulation under the Mining Act to regulate mining closure. Further, the Ministry of Mining and the National Environment Management Council (NEMC) should collaborate to monitor MCP’s in all operating mines in the country. Also, the bank guarantee bond should be preferred to other bonds when it comes to mega mining projects. In order to enhance transparency, rehabilitation information should be publicly available to allow stakeholders assessment.

### 2.3.6. Production of feature articles based on the research Engendering the Mining Sector: To What Extent Are Women Benefiting or Losing Out from Revenue Management

Table 1: List of articles on gender and extractives published in 2021

Newspapers	Date published	Article published	Copies printed	Expected Number of readers
The citizen	Sunday 7 <sup>th</sup> March	<i>Role of women in extractive sector</i>	25,000	800,000
Jamhuri	Tuesday 9 <sup>th</sup> March.	<i>“Uziduaji: changamoto za wanawake bado lukuki, wataka wadau kukubaliana kuwa The future is female”</i>	30,000	300,000
Raia Mwema	Wednesday 10 <sup>th</sup> March	<i>“Uziduaji: changamoto za wanawake bado lukuki”</i>	18,000	180,000
Majira	Monday 15 <sup>th</sup> March	<i>“Wanawake kwenye Uziduaji na changamoto za kisera, mapokeo”</i>	7,000	70,000

### 2.3.7. Engagement meetings with Legislators and Government officials

To increase transparency in the extractive sector, understanding and generation of information on local and national resource mobilisation is key that will further be translated into equitable distribution of resources. Therefore, on 28<sup>th</sup> January 2021 a caucus group composed of Members



Figure 6: Members of the Parliament during an engagement meeting based on the findings of Ministry of Minerals budget analysis FY 2021/22

of the Parliamentary standing committees on Budget; Minerals and Energy; Constitutional and Legal affairs; and HakiRasilimali members was formed. The formation of the group is key in enhancing knowledge generation and experience sharing; establishment of the common understanding; and enhancement of the synergies between HR and MPs to catalyze the transparency and accountability agenda in the Revenue management of extractive

resources in Tanzania. The formation of the Caucus resulted from HakiRasilimali numerous engagements especially on budget processes with Parliamentarians which revealed the need to expand collaboration in areas relating to HR activities.

### 2.3.8. HakiRasilimali Representation during the International Mining Sector Investment Conference (Madini day 2021: Mining Sector for a Sustainable Economy and Sustainable Development.)

On 23<sup>rd</sup> February 2021, the minister for minerals Hon. Doto Biteko identified that the mining sector has continued to improve year by year and is now the leading sector in foreign exchange earnings, the sector has grown by 17.7 percent in 2019 leading in growth compared to other sectors in the country whereby its contribution has increased from percent 3.4 in 2015 to 5.2 percent in 2019. The minister went further to insist that the government is working hard to ensure that the mining sector achieve the target of contributing at least 10% to GDP by the year 2025. This was said during the International Mining Sector Investment Conference organized by the Ministry of Minerals annually.

The conference provides an opportunity for the mining sector stakeholders including Government Institutions, Financial Institutions, mining companies, small-scale miners, miners, and civil society organisations to meet, learn, share experience and discuss the mining industry in Tanzania, its achievements, opportunities, challenges and

Figure 7: Interviews with media during the exhibitions

deliberate solutions to different obstacles hindering the development of the sector in order to increase its contribution to the national income, create stable relations between mining stakeholders and the community.



From 21<sup>st</sup> to 23<sup>rd</sup> February 2021, HakiRasilimali participated in the aforementioned International Mining Sector Investment Conference (“Madini Day 2021”) through exhibitions by showcasing its Mining sector related activities in publications, documentaries and banners. Moreover, through interviews with prominent media who visited the exhibition booth such as Clouds TV and Dar Mpya TV HakiRasilimali managed to publicize the organisation and its work in the sector.

### 2.3.9. PWYP Africa Conference 2021

On 24<sup>th</sup> to 26<sup>th</sup> March HakiRasilimali participated in the PWYP Africa conference which was held virtually. The main theme for the conference was centered on how the resource governance movement can build resilience and collaborate for impact in Africa, in the face of big global challenges like the Covid-19 pandemic, climate change and energy transition, and threats on civic space. HakiRasilimali Executive Director Ms. Racheal Chagonja made a presentation in session 4 of the conference titled “Shining A Light on Extractive Tax for Optimal Revenue Generation.” In her presentation, Ms. Chagonja reiterated that Tanzania has made several changes in the mining sector aimed at increasing government control and sovereign authority over natural resources. Tanzania is practicing a 50/50 sharing formula for revenue generated from investments in the extractive sector. These changes will distribute revenues across all social groups, incentivize investors and curb tax avoidance. All tax incentives being provided within the regime are computed and converted into government equity. However, the challenge of tax avoidance persists. The country lacks the institutional ability to track revenues generated by the sector. The Tanzania EITI and its practices have no direct link to the Tanzania Revenue Authority, impeding scrutiny of extractive sector revenues. Policy reforms can help Tanzania improve its revenues – for example, by ensuring the Oil and Gas Revenue Management Act (2015) contains implementing regulations, and ensuring audits of the Oil Fund are carried out. By way of reforms, the country needs legal instruments to help it manage revenues from the mining sector. These legal changes should include a revenue-sharing model for local government authorities. Laws should be clear about what constitutes local

and domestic entities in the country. There is also need to develop a model to enhance domestic participation in the extractive sector and differentiate between CSR and local-content practices.

### 2.3.8. Energy and Minerals Week Symposium

On 15<sup>th</sup> October 2021, in the Energy and Minerals Week Symposium organized by the Mwananchi Communications Ltd, Hon. January Makamba, Minister for Energy affirmed the government commitment to resume LNG Project negotiations with Equinor and Shells, further the Minister committee to partner with non-state actors (CSOs in particular) to ensure that Transparency and Accountability in the Extractive sector is achieved.

Alongside the Minister for Energy, the symposium was addressed by; Hon. Prof Shukrani E. Many,



former Deputy Minister for Minerals and other Panel speakers; Mr. Maharage Chande, Managing Director-TANESCO; Mr. Simon Shayo, Vice President-Geita Gold Mine; Mr. Anael Samuel, Managing Director-SONGAS; Hon. Abdulsamad Abdulrahim, Chairman-ATOGS and Ms. Racheal Chagonja, Executive Director-HakiRasilimali.

Among others the emphasis was on stabilization of the legal framework and enhancement of the open dialogue among stakeholders to ensure stable investment and mutual understanding among stakeholders. On her part, Ms. Racheal Chagonja critically discuss on the local content and inclusive growth in the extractive sector, among other she highlighted that Local content agenda in the extractive industries is not well understood among the locals. This is attributed to the lack of integrated local content strategy which hinders proper implementation of the agenda in the extractive sector. The symposium theme was Growth, Challenges and The Future of the Energy and Mining Sector in Tanzania.

### 2.3.9. HakiRasilimali participation in the CSO week, 2021

On 25<sup>th</sup> October 2021 during the CSO week 2021, the Minister of Minerals Hon. Doto Biteko committed that the Government will stabilize the fiscal regime and the investment environment in order to attract large scale investment in the mining sector. He further reiterated the Government's commitment in improving conditions for and uplifting small scale miners in the country. Moreover, on the same day, Hon. Stephen Byabato- Deputy Minister for Energy affirmed that EACOP negotiations are expected to begin on 8<sup>th</sup> November 2021 and last for three months. Construction of the pipeline is expected to begin in early 2022. Whereas, Hon. Exaud Kigahe- Deputy Minister for Industry and Trade affirmed that, the Ministry is working in reforming outdated policies and laws governing trade, industry and investment. He further affirmed that the Ministry will continue working with stakeholders of the oil, gas and mineral sectors in order to create necessary linkages.



Figure 8: Hon. Doto Biteko, Hon. Stephen Byabato and Hon. Exaud Kigahe participating in the Hoja Yako Mezani Session during the CSOs Week 2021

This was during a Hoja Yako Mezani session that was held on 25<sup>th</sup> October 2021 during the CSOs Week 2021.

HakiRasilimali participated in the aforementioned CSO week which was held in Dodoma, Tanzania from 23<sup>rd</sup> to 28<sup>th</sup> October through both exhibitions and dialogue

sessions. Through exhibitions HakiRasilimali showcased its extractive sector related publications, banners and documentaries, in general activities of the organization in relation to Mining, Oil and Gas sectors. Through dialogue sessions, HakiRasilimali participated in three dialogue sessions such as; Session 1-CSOs and the Five Years Development Plan III-Opportunities for Transformative Collaboration; Session 2-Positioning the Extractive sector in realizing competitiveness and industrialization for human development; and a Masterclass class session: Auditing the Auditor: Learning from CAG reports from across the continent.

### 2.3.10. International Transparency and Accountability Conference (ITAC) 2021

From 18<sup>th</sup> to 19<sup>th</sup> November 2021, HakiRasilimali participated in the International Transparency Conference 2021 which was organized by Wajibu Institute of Accountability. The conference took place in Arusha at the Grand Melia Hotel in Arusha, Tanzania. Specifically, HakiRasilimali

participated as part of the discussant in a session titled “Becoming more Transparent and Accountable with Public Private Partnership (PPP) initiatives in the Extractive Sector in Africa.” The session aimed at enhancing multistakeholder dialogue on whether Tanzania achieves terms that are favorable to the national interest and maximize benefits to the broader human development. The key note speaker in the session was the Minister for Minerals Hon. Dotto Biteko whose presentation focused on how the mining sector can help in optimization of Tanzania’s economy, using the Twiga Minerals Corporation (a Joint Venture Company between Barrick Gold Corporation and The Government of the United Republic of Tanzania) as the case study. HakiRasilimali was represented by its Executive Director Ms. Racheal Chagonja who was the discussant to the keynote speech made by the Ministry. In her presentation Ms. Chagonja expressed the wind of change that the mining sector has gone through over times and the contribution of the sector through GDP, revenue collection etc. Ms. Chagonja went on to express that despite commendable efforts made by the government in the extractive sector, the sector is still facing one major challenge on transparency of the sector, especially on revenue management.

#### **2.3.11. Launch of the 11<sup>th</sup> Tanzania EITI Reports.**

In enhancing transparency and accountability in the extractive sector as provided by the EITI standards of 2019 and the TEITA Act of 2015, the 11<sup>th</sup> Tanzania EITI reports were produced launched and published. HakiRasilimali participated during the launch of the 11<sup>th</sup> Tanzania EITI reports on 27<sup>th</sup> October 2021. The discrepancy from the reconciliation was reported to be equivalent to 0.64% of the total revenues collected from the extractive sector for that particular period. Even if the percent of discrepancy is not qualified to be forwarded to the CAG for special Audit, the Ministry of Minerals is committed to use internal Audit to further audit the discrepancy.

#### **2.3.12. The Signing Ceremony of Mining Contracts between GoT and the Mining Companies.**

On 13<sup>th</sup> December 2021, during the signing ceremony of mining contracts between the government and mining companies, Her Excellency the President of URT, Samia Suluhu Hassan reaffirmed that it is a mandatory for the minerals value addition to be done within Tanzania, and that negotiation on value addition outside Tanzania is not acceptable. HakiRasilimali participated during this signing ceremony where by the GoT and four (4) Mining Companies entered into agreement, these companies include; Blackrock Mining Company (Faru Joint Venture Company); Fungoni and Tajiri Heavy Minerals Project (Nyati Joint Venture Company); Nyanzaga Gold Mine (SOTA Joint Venture Company) and Petra Diamonds. In the new signed agreements, the Mining License was

granted to a Joint venture company whereby the GoT has non dilutable free carried interest and significant percent of benefits to be retained in Tanzania ranging from 45% to 66%.

## **2.4. Institutional Sustainability of HakiRasilimali is enhanced**

### **2.4.1. Governance meetings**

In 2021, three (3) Board Meetings were held providing oversight and scrutiny on the annual activity implementation plan alongside committed Funding in the Fiscal year whereas, the Annual General Meeting (AGM) was held on 8<sup>th</sup> to 9<sup>th</sup> July 2021. The meeting among others, discussed a number of issues such as update on HakiRasilimali strategic plan 2021-2025; discussion on the HakiRasilimali resource mobilization strategy; presentation and adoption of the 2020 narrative and financial reports; HakiRasilimali membership and compliance status.

As a result, members of the general meeting were able to approve the aforementioned reports. The HR Audited Financial Reports for the year ending 2020 as tabled before the meeting was adopted, the meeting further agreed that there should an appointment of the new auditor, the board should issue the tender and approve the new Auditor on behalf of AGM as agreed by the members. Among other resolutions the meeting resolved that the Secretariat should issue an official notice to ONGEA who has been a dormant member for years on why cessation of membership should not be taken against them and bring the feedback to HR Board who will then inform members.

### **2.4.2. Undertaking of HakiRasilimali Digital Security Assessment**

From January to March, HakiRasilimali commissioned a consultant to undertake HakiRasilimali digital security assessment with the main objective of building capacity on digital safety and provide support to HakiRasilimali. The assessment focused on identifying possible threats in and to HakiRasilimali, its capacity to deal with them, data management and organizational device usage.

The consultant completed the assessment and submitted the assessment report to HakiRasilimali. The assessment revealed that overall, the digital security Capacities of HakiRasilimali is somewhat low due to the semi consciousness of the staff and relying more on the outsourced ICT Consulting Company, who is depended to be the driving force to the security of the organization. That, a lot of work is required to ensure that HakiRasilimali is aware of the nature of the digital security challenges they face and also is encouraged to enforce digital security policies in the organization. And further that even though there is a little training and support network developing, there is a need to ensure there is a sustained engagement between HakiRasilimali and Digital Security auditors/training providers and a guaranteed implementation of the key practices at organizational



level. Based on the findings of the assessment, HakiRasilimali is working with the consultant to develop a work plan that will result into building HakiRasilimali capacity on digital safety and support.

#### **2.4.3. Undertaking of HakiRasilimali Organizational Rebranding**

HakiRasilimali has recently developed its Strategic Plan for 2021-2025, and therefore engaged consultancy services to enhance its brand identity. Since May 2021, a consultant was commissioned to undertake HakiRasilimali Organizational Rebranding with an objective of increasing HakiRasilimali visibility to the stakeholders as well as increase its efficiency in conducting and implementing its activities. Upon presentation of the developed brand manual before the board, the board has approved it; however, one color (reddish) has been dropped off from the suggested organization colors that appear on the new Organization logo.

### 3. SUMMARY OF OUTCOME HARVESTS AS DOCUMENTED FROM JANUARY TO DECEMBER 2021.

#### 3.1. Strategic Outcome 1: Increased transparency in extractive sector revenue management for equitable distribution of resources

To increase transparency in the extractive sector, understanding and generation of information on local and national resource mobilisation is key that will further be translated into equitable distribution of resources. Therefore, on 28<sup>th</sup> January 2021 a caucus group composed of Members of the Parliamentary standing committees on Budget; Minerals and Energy; Constitutional and Legal affairs; and HakiRasilimali members was formed. The formation of the group is key in enhancing knowledge generation and experience sharing; establishment of the common understanding; and enhancement of the synergies between HR and MPs to catalyze the transparency and accountability agenda in the Revenue management of extractive resources in Tanzania. The formation of the Caucus resulted from HakiRasilimali numerous engagements especially on budget processes with Parliamentarians which revealed the need to expand collaboration in areas relating to HR activities.

Furthermore, on April 29, 2021 during the Ministry of Minerals budget session different members of Parliament Hon Jesca Kishoa, Hon. Salome Makamba and Hon. Joseph Kasheku (who are part of the caucus group) tabled their concerns relating to Local content policy and practices, Human Violations and Labour rights, contract transparency, Inadequate Funding to support development initiatives, Revenue disclosure and TEITI reconciliation exercises on reported discrepancy of over TZS. 90 billion and USD 328,865. Tabling of these concerns come after HakiRasilimali analysis on the Ministry of Minerals and Ministry of Energy Budgets for the Government Financial Year 2021/2022 that aims at Increasing transparency in extractive sector revenue management for equitable distribution of resources.

#### 3.2. Strategic Outcome 2: Increased citizen capacity to participate in demanding transparency and accountability in extractive sector

Active citizenship is required in demanding for transparency and accountability in the extractive sector. Thus, nurturing community-based capacities in influencing policies and practices in the extractive sector is vital. On 23<sup>rd</sup> to 28<sup>th</sup> October 2021 ESKi Tanzania Cohort 1 trainees from Kahama FM Radio, Nipashe and Mwananchi Communications Ltd were engaged to publish articles based on the HakiRasilimali representation during the CSOs Week 2021. Publications made by the ESKi Tanzania Cohort 1 trainees are of significant in demanding transparency and accountability in mining oil and gas sector. ESKi Tanzania Cohort 1, 2021 trainees have been able to utilize the knowledge acquired from the training. Trainees have been able to utilise the knowledge acquired

in pushing forward community led advocacy in mining oil and gas. Subsequently, on 23<sup>rd</sup> to 28<sup>th</sup> October 2021 trainees from Kahama FM Radio, and Mwananchi Communications Ltd were engaged to publish articles based on the HakiRasilimali representation during the CSOs Week 2021.

### **3.3. Strategic Outcome 3: Enhanced capacity, skills and knowledge of stakeholders to influence the relevance and responsiveness of policies, laws, regulations and practices within the extractive sector.**

In order to have effective policies, gauged through research and analysis centered advocacy with strategic stakeholders, the capacity, skill and knowledge of stakeholders should be enhanced in order to influence the relevance and responsiveness of policies, laws, regulation and practices within the extractive sector. Thus, on 11th March 2021 during Hoja Yako Mezani session (YouTube) the Minister of Minerals Hon. Doto Biteko (re) affirmed on the government commitment to stabilize the fiscal regime and the investment environment in order to attract large scale investment in the mining sector. Further, he insisted that the GoT continues to value recommendations brought forward by key sector stakeholders arising from the HakiRasilimali media dialogue program. The commitment made by the Minister is significant on attracting foreign investment to optimal benefit for the mineral wealth.

Furthermore, HR developed a draft model legislation titled the "Mineral Revenue Management Act of 2020" providing a desired framework for collection, allocation and management of mineral revenues in a responsible, transparent, accountable and sustainable manner. The draft model legislation will be used as an advocacy tool by HakiRasilimali to influence reforms and engagements with other stakeholders such as the office of the Attorney General (AG); the Parliamentary Committees on Constitutional and Legal Affairs; and Energy and Minerals and advocate for the enactment of the Revenue Management Act to reform the current practice on public revenue management.

The development of the draft model law and commitment made by the Minister come after HakiRasilimali been engaging on advocating for competitiveness of the fiscal regime in the mining sector to realize the meaningful contribution to the economy.

## 4. COLLABORATION AND NETWORKING

In order to strengthen collaborations and complimenting advocacy work around the extractive sector, during the reporting period, HakiRasilimali was able to work collaboratively with a wider range of stakeholders including but not limited to;

### 4.1. Member Organizations

HakiRasilimali collaborated with its member organizations in undertaking budget analysis for the Ministry of Minerals and Ministry of Energy FY 2021/2022, in particular these members included; LEAT and HAKIMADINI. HakiRasilimali further collaborated with its member organizations during the engagement meetings with the Parliamentary Standing Committees on Energy and Minerals; on budget and on Constitutional and Legal affairs and the Caucus Group. The members included Tanzania Women Miners Association (TAWOMA), Policy forum, Governance Economic Policy Centre (GEPC), Lawyers Environmental Action Team (LEAT), Haki Madini and Tanganyika Law Society (TLS), Governance Links and ADLG. The aforementioned engagements were based on the engagement with the Parliament of URT on the FYDP II analysis and during the Ministerial budget processes.

Collaboration with the members was further experienced during the undertaking of undertaking of HakiRasilimali mega activities such as Hoja Yako Mezani Sessions whereby members such as TAWOMA, Policy Forum, HAKIMADINI, TLS, GEPC and LEAT were involved during Hoja Yako Mezani sessions as speakers and participants of the dialogues.

### 4.2. Partners

HakiRasilimali collaborated with its partners during the Hoja Yako Mezani sessions where by representatives from partners such as; Natural Resource Governance Institute (NRGI), SWISS AID Tanzania, Oxfam, OSIEA, Women Fund Tanzania (WFT), Tanzania Chamber of Mines, Association of Small Scale Miners (FEMATA), Law Age Consult and WAJIBU Institute of Accountability were involved as speakers during Hoja Yako Mezani sessions on position of Women in the extractive sector and on the understanding of the significance of Ministry of Minerals and Ministry of Energy development projects.

### 4.3. Government

In 2022 HakiRasilimali was graced by the Government appearance through its representatives in HR engagement activities such as; The Ministry of Minerals, The Ministry of Energy; The Ministry

of Industry and Trade; Tanzania Revenue Authority (TRA), the National Economic Empowerment Council (NEEC), the Institute of Tax Administration Tanzania, Local Government Authorities (LGAs). Ministers for the aforementioned Ministries participated during HakiRasilimali Hoja Yako Mezani Session that was held during the CSOs Week 2022. Other representatives from TRA, the National Economic Empowerment Council (NEEC) and the Institute of Tax Administration Tanzania were involved as speakers during Hoja Yako Mezani session.

HakiRasilimali further collaborated with NEEC and the Institute of Tax Administration during undertaking of budget analysis process and ESKi Tanzania Cohort 1 respectively. During the undertaking of the Extractive Baraza HakiRasilimali collaborated with the LGAs through selected Local councillors and Community Development Officers to enhance their capacity on Fiscal regime and Accountability of the Extractive sector.

#### 4.4. The Parliament of the United Republic of Tanzania.

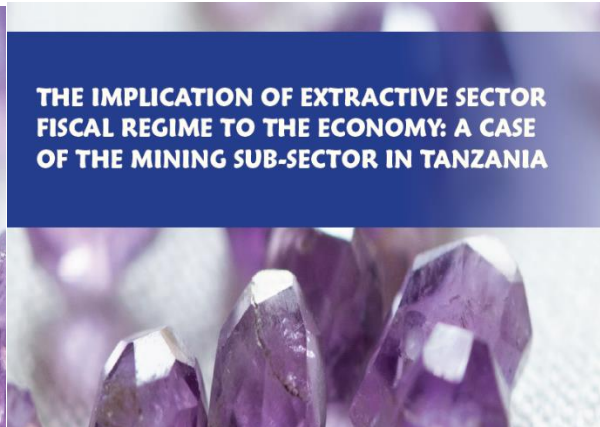
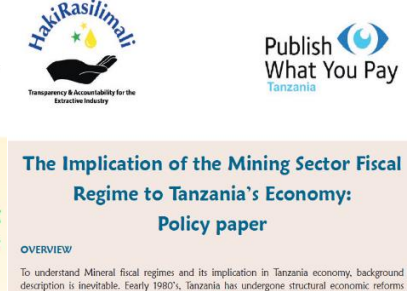
In 2021 HakiRasilimali collaborated with the Parliament of URT through engagement meetings with the Parliamentary Standing Committees on Energy and Minerals; on Budget; on Constitutional and legal affairs and the Caucus Group. These engagements based on the analysis of the FYDP II and the Ministerial budget processes.

### 5. HAKIRASILIMALI HUMAN RESOURCES BY GENDER REPRESENTATION

NAME	DESIGNATION	GENDER	CONTACTS (Email)
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6. ANNEXES

Annex: Copies of publications produced by HakiRasilimali in 2021



Annex: Copies of Articles produced and published in Newspapers by HakiRasilimali



