



Key Lessons from Vyonheaven Exaud Urima & Andrew Fadhili Bomani v Registrar of Political Parties & Attorney General

By Legal and Human Rights Centre (LHRC)

August 2026

A. Introduction

Legal and Human Rights Centre (LHRC) is pleased to share this analysis of the recent High Court of Tanzania's ruling in [Vyonheaven Exaud Urima & Andrew Fadhili Bomani v Registrar of Political Parties & Attorney General, Judicial Review No. 3005 of 2026, decided on 14 August 2026](#) issued on 14th August 2026.

Nevertheless, the case was dismissed still the ruling provides important lessons on freedom of association and the powers, duties and conduct of the Registrar of Political Parties in the registration of political parties. It also highlights areas within the existing legal and regulatory framework that may require reform to ensure greater clarity, procedural fairness, accountability and protection of fundamental rights. The Court noted that, the Registrar of Political Parties acted according to Regulation 3 of the Political Parties (Registration and Monitoring) Regulations, 2019.

LHRC believes that the lessons arising from the ruling can contribute to strengthening Tanzania's legal and institutional framework governing political parties and enhancing the effective exercise of the right to freedom of association. The analysis objects to promote and protection Article 22 of the International Covenant on Civil and Political Rights, 1966, Article 10 of the African Charter on Human and Peoples' Rights (Banjul Charter), 1981 and Article 20 and 21 of the Constitution of the United Republic of Tanzania, 1966.

Specifically, the analysis sheds light on;

1. The Political Parties Act, Cap 258 R.E 2023
2. The Political Parties (Registration and Monitoring) Regulations, 2019.

B. Background of the case

On 11th April 2025, Vyonheaven Exaud Urima and Andrew Fadhili Bomani filed an application for judicial review before the High Court of Tanzania, seeking, among other reliefs, an order of *mandamus* compelling the Registrar of Political Parties to act on their pending application for the registration of a new political party, the Independent People's Party (IPP).

The applicants contended that their application for provisional registration had remained unresolved for more than two years. Through the judicial review proceedings, they sought to compel the Registrar to discharge his statutory and constitutional responsibilities by either granting the application or making a lawful decision rejecting it.

The case therefore raised important questions concerning the scope of the Registrar's discretion, the obligation to act within a reasonable period, procedural fairness and the implications of administrative inaction where the exercise of a fundamental right is at stake.

C. Post Judgment lessons

1. Clear statutory duties and timelines are necessary

The regulations should be reviewed to establish clear statutory duties and timelines within which the Registrar must consider and determine applications for registration.

Regulation 3 of the Political Parties (Registration and Monitoring) Regulations, 2019 does not provide sufficiently clear guidance on what constitutes a “valid application”. The absence of a precise definition or clear criteria may create uncertainty and disputes between applicants and the Registrar, particularly where there is disagreement as to whether an application has been properly and validly submitted. A revised framework should clearly define when an application is considered complete and valid, identifying the information and documentation required. Also establish the point at which the Registrar’s statutory duty to determine the application begins.

2. Procedural fairness, communication and reasons for decisions should be strengthened

The Political Parties Act and its regulations should provide stronger procedural safeguards for applicants. Regulation 3 is insufficiently clear on the Registrar’s obligations to communicate with applicants where deficiencies are identified in an application.

The case underscores the importance of procedural fairness and reasoned administrative decision making. Where an application concerns the exercise of a fundamental right an applicant should be informed of material deficiencies, given a reasonable opportunity to address them or respond and notified of the decision made on such application.

Where an application is rejected, delayed or otherwise not acted upon the applicant should be entitled to know the legal and factual basis for the decision or inaction. The regulatory framework should therefore provide for written decisions, reasons for decisions, timely notification to applicants and accessible mechanisms for administrative reconsideration or review.

3. The legal framework should define the Registrar’s discretion more precisely

The Political Parties Act and related regulations should be reviewed to strengthen the party registration process by establishing sufficiently precise eligibility requirements, procedural steps, decision-making periods and consequences for administrative delay. Although the Office of Registrar of Political Parties may require a degree of discretion to perform their statutory functions, such discretion should operate within clearly defined legal parameters. The current framework does not sufficiently prescribe these parameters and potentially create uncertainty for both applicants and the Registrar.

A. AREAS FOR REFORMS

Area 1

a) Introducing a statutory time limit for determining applications

The law should prescribe a reasonable period within which the Registrar must determine an application for political party registration, subject to clearly defined and limited exceptions. An applicant should not be left indefinitely uncertain about the status of an application because of administrative inaction. Where additional time is genuinely necessary, the Registrar should be required to communicate the reasons for the extension and indicate when a final decision is expected. Henceforth, Regulation 3 needs substantially reforms.

*R. 3 “The Registrar on receipt of the application made under paragraph (1) of this regulation shall scrutinize the same and shall within **thirty days of receipt of a valid application** issue a certificate of provisional registration on payment of the prescribed fees if he is satisfied that the prescribed conditions for such registration have been fulfilled.”*

The provision states the Registrar must act within 30 days of receiving a “valid application.”

Key concerns from the above provision

- a) Who determines whether an application is valid?
- b) At what point does the 30-day period begin?
- c) Can the Registrar repeatedly return an application for minor defects?
- d) Can the 30-day period effectively be restarted every time an applicant submits additional information?

b) LHRC recommendation

A stronger provision which state that the Registrar must acknowledge receipt immediately and identify any deficiencies within a specified short period. Once a complete application has been received, the 30-day statutory period should begin and should not be capable of indefinite extension.

Area 2

a) Establish an effective review and appeal mechanism

The legal framework should consider establishing an internal review or appeal mechanism against decisions as well as prolonged inaction by the Registrar. Such a mechanism could provide a faster and less costly avenue for resolving disputes while preserving the applicant’s right to seek judicial review where appropriate.

b) LHRC recommendation

There is a need to strengthen the law by reforming both section 43 and **section 44 of the Political Parties Act to remove the Council for Political Parties from the Office of**

the Registrar and make it more independent with the appellate mandate for reviewing the function in relation to decisions or inaction by the Registrar. At present, the framework does not sufficiently provide the Council with such appellate powers.

Area 3

a) Treat procedural safeguards as an essential component of constitutional rights protection

The case demonstrates that procedural deficiencies can develop into substantive constitutional concerns where administrative action or inaction affects fundamental rights. Legislative reform should therefore not focus exclusively on substantive eligibility requirements for registration. It should also address due process, transparency, communication with applicants, reasons for decisions and effective remedies.

This is particularly important in the context of political parties because registration directly affects the practical enjoyment of the freedom of association and the ability of citizens to participate in political life.

b) LHRC recommendation

The Office of Registrar of Political Parties to prioritize on facilitating registration of political parties and restriction should be taken under exceptional circumstances. This recommendation is based on the ground that political parties are vehicles through which citizens exercise their right to participate in public affairs.

B. CONCLUSION

A strengthened legal and regulatory framework should therefore ensure that applications for political party registration are processed through clear, predictable and transparent procedures; that applicants receive timely and reasoned decisions; and that effective mechanisms exist to challenge administrative decisions or prolonged inaction.

The Urima's case provides an important opportunity to review and strengthen Tanzania's political party registration framework in a manner that promotes administrative accountability, procedural fairness and the effective protection of constitutional rights.