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2023 Trafficking in Persons Report: Tanzania

OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS

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The Government of Tanzania does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared with the previous reporting period, considering the impact of the COVID-19 pandemic, if any, on its anti-trafficking capacity; therefore Tanzania remained on Tier 2. These efforts included amending the 2008 anti-trafficking law to remove sentencing provisions that allowed fines in lieu of imprisonment; establishing specialized anti-trafficking units on the mainland and in Zanzibar; referring all identified victims to services; developing shelter guidelines in Zanzibar; providing ad hoc assistance to support victims' participation in investigations and prosecutions of traffickers; and increasing anti-trafficking training for law enforcement officials and social welfare officers. The government significantly increased dedicated funding for the Anti-Trafficking Secretariat (ATS) and anti-trafficking activities to implement the 2021-2024 national action plan (NAP). The government took steps to increase ethical recruitment of Tanzanian migrant workers and prevent trafficking among this population. However, the government did not meet the minimum standards in several key areas. The government investigated fewer trafficking crimes and did not convict any traffickers. Due to inconsistent use of formal identification procedures and limited protection services, authorities reportedly deported, detained, and arrested potential trafficking victims for alleged prostitution or immigration crimes without screening them for trafficking indicators. The government continued to rely on civil society organizations to provide most

victim services without providing financial or in-kind support. Zanzibar did not adopt the 2008 anti-trafficking law, undermining overall anti-trafficking efforts on the archipelago.

PRIORITIZED RECOMMENDATIONS:

In Zanzibar, adopt the 2008 antitrafficking law.

Implement a systemic victim-witness assistance program to increase protective services for victims participating in the criminal justice process and prevent re-traumatization.

Increase efforts to investigate and prosecute alleged traffickers, including complicit officials, and seek adequate penalties for convicted traffickers, which should involve significant prison terms.

Using the standard operating procedures for victim identification, systematically and proactively identify trafficking victims by screening for trafficking indicators among vulnerable populations, including individuals involved in commercial sex, refugees, and foreign workers from neighboring countries and Cuba, and refer all trafficking victims to appropriate services.

Develop, finalize, and implement a formal national referral mechanism to refer victims to appropriate care.

Ensure victims are not inappropriately penalized solely for unlawful acts committed as a direct result of being trafficked.

Increase protections for Tanzanian trafficking victims exploited abroad, including by training Tanzanian embassy staff to identify and assist victims and assigning additional labor attachés to Tanzanian embassies to monitor migrant working conditions abroad.

Continue to allocate increased financial and personnel resources for antitrafficking efforts, including provision of services for victims in partnership with NGOs, and implementation of the 2021-2024 NAP, and subsequent activities in Zanzibar.

Consistently enforce strong regulations and oversight of labor recruitment companies, including by training labor inspectors to identify and report trafficking crimes and increasing efforts to identify fraudulent labor recruiters and hold them criminally accountable.

Develop a comprehensive and centralized database on trafficking crimes to improve interagency coordination and accurately report anti-trafficking law enforcement efforts and victim identification statistics.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The 2008 Anti-Trafficking in Persons Act, as amended, criminalized sex trafficking and labor trafficking. During the reporting period, the law was amended to increase penalties for trafficking offenses and remove the option of a fine in lieu of imprisonment. The law prescribed punishments of 20 to 30 years' imprisonment and a fine between 50 million to 100 million Tanzania shilling (TZS) (\$21,470 to \$42,940) for offenses involving adult victims and a minimum of 30 years' imprisonment and a fine between 50 million to 100 million TZS (\$21,470 to \$42,940) for those involving child victims. These penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with those for other serious crimes, such as kidnapping.

The government did not maintain a centralized law enforcement data collection system on trafficking crimes, hindering its ability to disaggregate national human trafficking statistics and likely resulting in underreported anti-trafficking statistics. The government investigated 12 trafficking cases, compared with 113 investigations during the previous reporting period and 19 in 2020. The government initiated six prosecutions involving nine alleged traffickers under the 2008 anti-trafficking law, compared with seven prosecutions involving 18 alleged traffickers in the previous reporting period. Officials reported prosecuting alleged traffickers for cases involving internal and transnational trafficking. The government did not convict any traffickers, compared with 13 convictions in the previous reporting period and three in 2020. The government did not disaggregate data to distinguish between sex and labor trafficking cases. Officials reported resource and capacity limitations, including a lack of vehicles and evidence gathering technology, impeded their ability to comprehensively investigate trafficking crimes, particularly outside urban areas. Prosecutors and judges continued to rely on in-person victim testimony and regularly dropped cases or acquitted defendants due to a lack of evidence, as victims often chose not to participate in court proceedings due to the lack of available victim-witness assistance.

The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking crimes; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action. Although not explicitly reported as human trafficking, the UN reported five new allegations submitted in 2022 of alleged sexual exploitation with trafficking indicators by Tanzanian peacekeepers deployed to the UN peacekeeping mission in the Democratic Republic of the Congo. UN investigations into the allegations were pending at the end of the

reporting period, and the government had not yet reported accountability actions taken, if any. Investigations and accountability actions also remained pending for similar allegations reported in previous years, including two in 2021 and two in 2020.

In July 2022, the government, in partnership with foreign donors, established the Anti-Human Trafficking and Child Protection Task Force (AHTCPTF) in the Office of the Director of the Public Prosecutions (DPP) to act as a specialized unit focused on human trafficking and crimes against children. The government dedicated 27 staff, including members of ATS, police officers, prosecutors, immigration officials, and social welfare officers to the AHTCPTF. During the reporting period, ATS supported the establishment of an anti-trafficking working group (ATWG) in the country's North Western Zone to increase coordination of trafficking cases. The ATWG included resident magistrates, police officers, immigration officers, social welfare officers, prosecutors, and labor officers from the Geita, Kagera, Katavi, Kigoma, Shinyanga, and Tabora regions. The government, both independently and in partnership with international organizations, local NGOs, and foreign governments, trained police officers, immigration officials, prosecutors, magistrates, social welfare officers, labor officers, prison wardens, and airline personnel on anti-trafficking laws, trafficking trends and vulnerabilities, victim-centered investigations and prosecutions, and victim identification. Despite these trainings, observers reported officials continued to misidentify and prosecute potential trafficking crimes as migrant smuggling or kidnapping. The DPP continued to collaborate with the Governments of Malawi and Mozambique on potential trafficking cases through informal border enforcement coordination arrangements and mutual legal assistance activities. The DPP facilitated evidence collection in an ongoing trafficking case involving a Tanzanian citizen in Mozambique.

PROTECTION

The government maintained protection efforts. Due to the lack of coordinated data collection, the government only provided data from shelters that had a formal MOU with ATS; however, the government provided disaggregated data for the first time in recent years. The government identified 151 trafficking victims, compared with 185 potential victims during the previous reporting period. Of the 151 identified victims, traffickers exploited 28 in sex trafficking, 113 in labor trafficking, and 10 in unspecified forms of trafficking; 38 were adults (nine men and 29 women), and 113 were children (27 boys and 86 girls); 147 were Tanzanian nationals, three were foreign nationals from Burundi and Kenya, and one victim's nationality was unspecified. The government coordinated information sharing between ATS and the Department of Social Welfare (DSW); social welfare officers often worked closely with police

and designated “gender and children’s desk officers” to identify and refer victims to assistance. Although the government maintained formal SOPs to guide officials in the proactive identification of victims, officials did not consistently use these SOPs, and few officials were trained to do so; in practice, officials routinely bypassed the SOPs and directly contacted NGOs to coordinate victim assistance. ATS, in collaboration with the Director of Refugee Services, conducted trafficking screening in the Nduta and Nyarugusu refugee camps; however, the government did not provide information on the number of victims identified during these specific screenings.

The government remained without a formal national referral mechanism to refer victims to services. In 2022, the government, in partnership with an international organization, finalized and published a national anti-trafficking service provider directory; however, the government did not publish the directory online or train officials on its use, which limited its implementation. The government continued to rely on civil society organizations to provide the vast majority of victim services; it did not report providing financial or in-kind support to such organizations. ATS maintained MOUs with eight NGO-operated shelters that offered lodging, medical assistance, counseling, and family reunification services to trafficking victims. ATS began drafting new MOUs with additional organizations in Dar es Salaam and Kilimanjaro during the reporting period. The government reported referring all 151 identified victims to NGO-operated shelter services; DSW reported directly providing medical assistance, counseling, and family reunification services to victims in addition to referring them to NGO-provided services. Some NGO shelters for children provided access to government schools or vocational training and offered separate accommodations for boys and girls. The government did not operate any trafficking-specific shelters, and NGO shelters primarily accommodated women and children; there were no shelters available for adult male trafficking victims. The government maintained the Anti-Trafficking Fund to provide assistance to trafficking victims; however, the government did not allocate additional resources to the fund, compared with 3 million TZS (\$1,290) to set up the fund in 2021. The government did not utilize the fund due to a lack of available resources; however, ATS spent 5 million TZS (\$2,150) of its operating budget to assist victims with repatriation and family reintegration services.

Due to the inconsistent use of formal identification SOPs, authorities reportedly deported, detained, and arrested potential trafficking victims, including children, for alleged immigration crimes without screening for trafficking indicators. Additionally, given the limited availability of protection services, the government sometimes held potential victims in detention facilities for extended periods of time, often alongside traffickers; authorities did not always separate children from adults. The 2008 antitrafficking law required authorities to consider legal

alternatives for foreign trafficking victims who believed they may face hardship or retribution if returned to their country of origin, but the government did not report providing this protection to victims during the reporting period. The government did not require victims to participate in criminal justice proceedings to receive protection services, and the Whistle Blowers and Witness Protection Act of 2015 and the 2008 anti-trafficking law allowed any crime victim, including trafficking victims, the option to decline participation in the criminal justice process. Victims could testify during trial in private sessions or via video testimony; however, most courts did not have adequate equipment to accommodate alternatives to in-person appearances. The government reported 48 victims willingly participated in police investigations during the reporting period; the government provided all 48 victims with legal assistance and funding for transportation and lodging. Despite these ad hoc efforts, the government remained without a systemic victim-witness assistance program, deterring some victims from testifying in court. Observers reported victims often decided not to participate in criminal proceedings due to the lack of assistance available. The anti-trafficking law entitled victims to restitution from convicted traffickers; however, as there were no convictions during the reporting period, the government did not report awarding restitution.

PREVENTION

The government increased efforts to prevent trafficking. ATS, the government's national coordinating task force composed of working-level officials, continued to lead anti-trafficking efforts. During the reporting period, the government formalized ATS within the Ministry of Home Affairs, which allowed ATS to expand its anti-trafficking efforts across the country. The Anti-Trafficking Committee (ATC), composed of 19 senior-level representatives from various government agencies, maintained oversight over ATS; however, ATC's efforts were limited due to ongoing personnel and financial constraints. The government significantly increased its allocation for anti-trafficking programs led by ATS; the 2022 federal budget provided 560 million TZS (\$240,450) to ATS, compared with 130 million TZS (\$55,820) in 2021. The government also allocated 1.3 billion TZS (\$558,180) to various government agencies for additional anti-trafficking activities. The government continued to implement its 2021-2024 anti-trafficking NAP, including by allocating resources dedicated to the construction of three government-owned shelters and establishment of an ATS office in Zanzibar. ATS, in partnership with international organizations and local civil society, held awareness campaigns throughout the country for religious leaders, law enforcement officials, social welfare officers, teachers, journalists, and village-level community leaders to discuss trafficking trends and potential community risks. The government continued to fund and publicize a national 24-hour, toll-free hotline operated by a local NGO to report violence against children, including

child trafficking. The hotline identified and referred to DSW 34 cases of child trafficking – 29 for domestic servitude and five for sex trafficking – compared with 16 cases in the previous reporting period.

The Prime Minister's Office of Labor, Youth, Employment and Persons with Disabilities (PMO-LYED) and the Tanzania Employment Services Agency (TAESA), housed within PMO-LYED, continued to regulate labor migration, including labor trafficking, and increased efforts to improve ethical recruitment practices. The Companies Act of 2002 required recruitment agencies to be registered and licensed, and the government required recruitment agencies to ensure migrant workers received training on worker rights and destination countries' laws prior to departure. Following a government ban on all recruitment agencies in 2021 for failing to meet legal standards of operations, TAESA inspected and provided licensing and registration to 42 private recruitment agencies. TAESA oversaw the migrant worker recruitment process from job request to placement using an online services system, which reportedly included a database of Tanzanians seeking work abroad. TAESA, in partnership with private recruitment agencies, provided mandatory pre-departure training for Tanzanians seeking work abroad, including on job skills, employment contracts, worker rights, and resources for assistance. TAESA also implemented government-funded vocational training programs, ranging from two weeks to one year for potential migrant workers. Tanzanian embassies abroad continued to require employers submit security deposits to ensure registration of Tanzanian migrant workers upon their arrival and verify workers possessed the proper documentation, including employment contracts and passports. Despite these requirements, the government did not employ labor attachés at Tanzanian diplomatic missions and relied on virtual engagements with TAESA for verification, which potentially hindered the government's overall ability to monitor migrant worker conditions abroad. The government did not report efforts to hold fraudulent or unregistered labor recruiters criminally accountable.

Labor inspectors overseeing working conditions in the country conducted regular inspections; however, the government did not report training labor inspectors on human trafficking or efforts to report potential trafficking crimes identified during inspections to law enforcement. The government cooperated with a foreign donor to provide Tanzanian troops with antitrafficking training prior to their deployment abroad on international peacekeeping missions. The government did not make efforts to reduce the demand for commercial sex acts.

Trafficking in persons occurs in Zanzibar, a semi-autonomous region of Tanzania. Zanzibar did not adopt the 2008 anti-trafficking law, which remained pending submission to the Zanzibar House of Representatives. Therefore, the law did not apply within the province. Zanzibar had other laws that it could use to prosecute some forms of trafficking. The Penal Act Decree of 2004 criminalized some forms of labor trafficking and sex trafficking. The Children's Act of 2011 criminalized some forms of child labor trafficking and child sex trafficking. Of the 12 investigations and nine prosecutions the government reported, two investigations were in Zanzibar; no prosecutions occurred in Zanzibar. Officials reported families or village elders continued to settle most allegations of violence, including human trafficking, informally through traditional means without recourse to the formal criminal justice system. In July 2022, the government, in partnership with foreign donors, established the Serious Organized Crime Unit in Zanzibar to act as a specialized investigation unit focused on organized crime, including human trafficking and crimes against children. Law enforcement officials reported resource and capacity limitations, including low awareness of trafficking crimes and relevant legislation among police, prosecutors, and judges impeded investigations and prosecutions.

Of the 151 victims identified, 41 victims were identified in Zanzibar, compared with 38 victims identified in Zanzibar during the previous reporting period. All 41 victims were children (seven boys and 34 girls). The government prioritized screening vulnerable populations at entry, exit, and transit points at Malindi Port for trafficking indicators and ensured a social welfare officer or local NGO-employed social worker was present at the port for all ship arrivals and departures. Officials reported the lack of a dedicated space to conduct victim interviews at the port created challenges to actively avoid re-traumatizing victims, especially unaccompanied minors. In 2022, the Ministry of Community Development, Gender, Elderly, and Children (MoCDGEC) signed an MOU with a local research and training firm to build the capacity of MoCDGEC and NGO social workers to identify and intercept potential trafficking victims at Malindi Port. The MoCDGEC provided services, including shelter, medical care, and family reunification assistance, to at least five victims at a government-operated safe house in Unguja funded by an international organization. In August 2022, Zanzibari officials, in partnership with an international organization, launched shelter guidelines for survivors of violence and human trafficking. In June 2022, the Zanzibar DPP established a victim-witness assistance unit to provide services to victims of gender-based violence, including human trafficking, participating in criminal justice proceeding.

The MoCDGEC, in collaboration with ATS, led anti-trafficking efforts in Zanzibar. ATS and MoCDGEC, in partnership with an international organization, conducted awareness campaigns in Pemba and Unguja targeting religious leaders, law enforcement officials, and

social welfare officers to discuss trafficking trends – including the increasing use of technology to recruit and exploit potential victims – and identification and reporting procedures. ATS and MoCDGEC also conducted community dialogues with local community leaders, known as *shehes*, to discuss trafficking vulnerabilities among local populations and encourage *shehes* to regularly raise awareness during community gatherings.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit domestic and foreign victims in Tanzania, and traffickers exploit victims from Tanzania abroad. Traffickers exploit men, women, children, and individuals from underserved communities – particularly impoverished children, orphans, and children with disabilities from rural areas – in forced labor in domestic work, mining, agriculture, and forced begging and in sex trafficking in urban cities, such as Arusha, Dar es Salaam, Dodoma, Mbeya, and Mwanza. Traffickers exploit children in sex trafficking, including child sex tourism, and domestic servitude in Zanzibar. Traffickers and brokers often fraudulently promise family members, friends, or intermediaries to provide their children with education, better living conditions, or employment, but instead they exploit them in forced labor and sex trafficking. Some unscrupulous individuals manipulate the traditional practice of child fostering – in which parents entrust their children into the care of wealthier relatives or respected community members – and exploit children in forced labor, particularly in domestic work, or sex trafficking. Traffickers often promise Tanzanian women and girls from rural areas marriage, education, or employment in Zanzibar, facilitate their travel from the mainland, and subsequently exploit them in forced labor in domestic work and farming. Traffickers exploit children in forced labor in tobacco and sea salt farming, cattle herding, mining, quarrying, and fishing. Traffickers exploit women and girls in domestic servitude throughout the country and in sex trafficking, particularly in tourist hubs along the border with Kenya.

Traffickers exploit Tanzanians in forced labor and sex trafficking in other African countries, the Middle East, and Asia. Increasingly, traffickers utilize social media and online technology to recruit Tanzanians abroad through fraudulent job postings or other advertisements, and use initial payment for travel documents, accommodation, and transportation to exploit victims through debt-based coercion. Tanzanians from rural areas, including the island of Pemba, are particularly vulnerable to trafficking schemes. Traffickers bring children and persons with physical disabilities from Tanzania to Kenya and exploit them in forced begging; traffickers often coerce victims to serve as facilitators to further such trafficking schemes. Traffickers increasingly use Zanzibar to transit Tanzanian women to the Middle East, namely Oman and

the United Arab Emirates, where traffickers subsequently exploit them in domestic servitude. Observers report traffickers exploit Zanzibari migrant workers in forced labor abroad, including in the fishing sector in Yemen and in domestic servitude in Oman. Fraudulent recruiters promise Zanzibari migrant workers employment as security guards in Qatar; however, upon arrival traffickers may exploit these individuals in situations indicative of forced labor, including domestic servitude.

Tanzania hosts more than 240,000 refugees and asylum-seekers from Burundi and the Democratic Republic of the Congo, primarily in the Nduta and Nyarugusu refugee camps in Kigoma. Refugee populations are particularly vulnerable to domestic servitude in western Tanzania, and refugee children are vulnerable to forced labor in farming and sex trafficking. Traffickers exploit migrant children, particularly from Burundi and Rwanda, in forced labor in agriculture and girls from Burundi and Malawi in domestic servitude and sex trafficking in Tanzania. Observers report vulnerable migrants, including potential trafficking victims, from the Horn of Africa transit Tanzania en route to South Africa where they are vulnerable to trafficking. Observers also report migrants from neighboring countries, primarily Burundi, are increasingly transiting Dar es Salaam en route to the Middle East and to Mayotte, a French department; traffickers may exploit these individuals in forced labor or sex trafficking. Cuban medical professionals working in Tanzania may have been forced to work by the Cuban government.

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