



2017 Trafficking in Persons Report - Tanzania

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TANZANIA: TIER 2

The Government of Tanzania does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Tanzania was upgraded to Tier 2. The government demonstrated increasing efforts by investigating, prosecuting, and convicting more traffickers than in the previous reporting period. The government sentenced several convicted traffickers to significant time in prison; however, many traffickers continued to receive sentences including only fines. The government conducted an anti-trafficking awareness raising campaign for school students. However, the government did not meet the minimum standards in several key areas. The implementing regulations for the protection provisions of the 2008 anti-trafficking law were not widely applied and protection services for trafficking victims remained limited. The government did not report identifying any victims or fund any services for victims, but did provide in-kind assistance. The government did not allocate sufficient funding for nationwide public awareness campaigns and did not fund the victims' assistance fund.

RECOMMENDATIONS FOR TANZANIA

Fully implement the protection provisions of the anti-trafficking act, as outlined in the implementing regulations and the updated national action plan, including by allocating resources to the victim assistance fund; increase funding and training to law enforcement authorities for proactive victim identification and the implementation of standardized policies and procedures related to victim identification and referral to protective services; amend the anti-trafficking act to remove the provision of fines as an alternative to incarceration; continue efforts to enforce the 2008 Anti-Trafficking in Persons Act by investigating and prosecuting trafficking offenses, convicting trafficking offenders and imposing adequate penalties; continue to train judges and prosecutors to identify trafficking crimes and delineate differences between trafficking and smuggling; increase the budget allocation for the anti-trafficking committee and anti-trafficking secretariat to implement the national action plan to combat trafficking; and develop and use a trafficking-specific law enforcement and victim protection database at the national level that differentiates between forced labor and sex trafficking.

PROSECUTION

The government increased its anti-trafficking law enforcement efforts. The 2008 Anti-Trafficking in Persons Act prohibits all forms of trafficking and prescribes punishments of one to 10 years imprisonment or a fine between one and 150 million Tanzanian shilling (TZS) (\$459 and \$68,871), or both. When allowing for a fine in lieu of imprisonment, the prescribed punishment is not commensurate with those for other serious crimes, such as rape. However, during the reporting year the Anti-Trafficking Secretariat (ATS) the lead government agency on trafficking that includes representatives of all ministries involved in anti-trafficking efforts officially endorsed a proposal to eliminate the alternative sentence of fines, which it sent to the attorney general's office.

The government did not have a system to compile comprehensive law enforcement statistics so reported data may be inexact. In 2016, the government reported investigating approximately 100 suspected trafficking cases, compared to 12 during the previous year. The government reported prosecutions of at least 23 defendants and convictions of at least 19 traffickers in 2016, compared with 10 prosecutions and one conviction in 2015, all under the 2008 anti-trafficking act. Prosecution of four cases remained ongoing. For the first time, courts sentenced traffickers to significant punishments including imprisonment, sentencing one trafficker to 10 years imprisonment, two traffickers to seven years imprisonment, three traffickers to five years imprisonment, and three traffickers to two years imprisonment. Nonetheless, 13 of the 19 convicted traffickers were given the option to pay fines; however, none were able to pay the fine and all went to prison. In one case the courts convicted, and sentenced to five years imprisonment, three traffickers for fraudulently recruiting nine girls for forced labor in Oman. The government continued to include human trafficking components in standard police academy training, which reached approximately 100 new recruits. The government also incorporated information on root causes of trafficking and effective use of victim referral manuals into the curriculum of standard law enforcement training. The government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking offenses despite widespread claims of corruption within the judicial system.

PROTECTION

The government made inadequate protection efforts. Officials inconsistently applied the implementing regulations for the protection provisions of the 2008 anti-trafficking law. The government did not establish a database to track and compile information on victims identified and referred for protective services, which the implementing regulations required. The implementing regulations also required police and immigration authorities to follow standardized procedures and use standardized forms for case investigation, and victim identification and referral; however, such procedures were not widely used in 2016, partly due to a lack of government funding for dissemination. The government was not able to estimate how many victims were identified during the reporting period. The government identified 80 domestic and four foreign trafficking victims (Burundian forced child labor victims), and referred all identified victims for care to NGOs, where they received assistance. The government did not operate any trafficking shelters, but it streamlined its referral process to more effectively place victims in NGO-run shelters. NGO-run shelters provided medical care, psycho-social counseling, and family tracing for victims. Government officials offered psycho-social support for victims in those shelters, though it was not able to estimate how many victims received services. An international organization estimated that at least 100 trafficking victims received assistance from the government. The government placed children in special shelters, where they were enrolled in government schools or given vocational training.

There were no reports the government arrested or punished trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking. However, officials detained a large number of Africans for immigration offenses without proactive screening as mandated by the implementing regulations. The 2008 anti-trafficking law provides foreign victims legal alternatives to their removal to countries where their safety or that of their families may be endangered; however, the government did not grant residency or temporary stay to any victims during the reporting period. The government-funded and facilitated the repatriation of four Tanzanian victims during the reporting period, including three from India and one from China; a significant decrease from 22 repatriations in the previous reporting period. Victims typically testify in trafficking cases, but the Whistle Blowers and Witness Protection Act of 2015 gives any victim of crime the option to refuse to participate in the prosecution; however, the government did not report whether this occurred during the reporting period.

PREVENTION

The government maintained its efforts to prevent trafficking. For the third consecutive year, the government allocated a budget of 80 million TZS (\$36,731) to the ATS. In February 2015, the ATS updated the national action plan, effective through 2017, which incorporated the implementing regulations of the 2008 anti-trafficking law; however, efforts to implement the revised plan or allot funding for its implementation remained minimal, although the government did commit in-kind support.

Several government agencies conducted periodic inspections of large employers to detect cases of forced labor. During the inspections, labor commissioners verified whether employers had work permits for foreign

workers. The commission of labor monitored employment abroad by requiring Tanzanians to have a letter of permission which is approved when an official examines valid passports, and inspects labor contracts for salary, leave, and health care provisions. In the semi-autonomous region of Zanzibar, the Ministry of Labor assists and oversees the contracts for Zanzibaris who are seeking employment abroad. Zanzibari officials continued to conduct anti-trafficking public awareness campaigns across the island. Immigration officials on the mainland disseminated informational brochures on trafficking for use at public events; however, the government lacked sufficient resources to effectively raise awareness among its nationals on trafficking issues. The government, in partnership with an international organization, collaborated on an anti-trafficking public awareness campaign called "Be Their Voice." The campaign targeted primary and secondary school students through performances in 50 schools in Dar es Salaam, Arusha, Mwanza, and Dodoma. Officials made no discernible efforts to reduce the demand for commercial sex acts during the reporting period. A foreign donor facilitated specialized anti-trafficking training for Tanzanian troops prior to their deployment abroad on international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Tanzania is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Internal trafficking is more prevalent than transnational trafficking and characteristically facilitated by victims' family members, friends, or intermediaries offering assistance with education or securing employment in urban areas. Impoverished children from the rural interior remain most vulnerable to trafficking. Girls are exploited in domestic servitude throughout the country and in sex trafficking particularly in tourist hubs and along the border with Kenya. Children are subjected to forced labor on farms including as cattle herders and occasionally as hunters and in mines and quarries, the informal commercial sector, and on fishing vessels operating on the high seas. Some unscrupulous individuals manipulate the traditional practice of child fostering in which poor children are entrusted into the care of wealthier relatives or respected community members to subject children to domestic servitude and other forms of exploitative labor. Previous media reports indicate Tanzanian children with physical disabilities are transported to Kenya for forced begging or to work in massage parlors, and girls are subjected to sex trafficking in China. Tanzanian nationals are sometimes subjected to forced labor, including domestic servitude, and sex trafficking in other African countries, the Middle East, Europe, Asia, and the United States. Trafficking victims from other countries particularly children from Burundi, Rwanda, and Kenya, as well as adults from India, Nepal, and Yemen are subjected to forced labor in Tanzania's agricultural, mining, and domestic service sectors; some are also subjected to sex trafficking. Citizens of neighboring countries may transit Tanzania before being subjected to domestic servitude or sex trafficking in South Africa, Europe, and the Middle East.

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