

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GOVERNMENT NOTICE No. 28 published on 30/01/2015

THE ANTI-TRAFFICKING IN PERSONS ACT
(CAP.432)

—————
(Made under section 37)
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REGULATIONS

THE ANTI-TRAFFICKING IN PERSONS (PREVENTION, PROTECTION AND TREATMENT)
REGULATIONS, 2015

ARRANGEMENT OF SECTIONS

Regulation

Title

PART I
PRELIMINARY PROVISIONS

1. Short title and Commencement.
2. Application.
3. Interpretation.

PART II
PREVENTIVE AND COMBATIVE MEASURES

4. Preventive and combative measures to be taken by Government and Non-Government Bodies.

PART III
COLLECTION OF DATA AND EXCHANGE OF INFORMATION
ON TRAFFICKING IN PERSONS

5. Establishment of National Database.
6. Institutions to provide information.
7. Use of information.

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

PART IV

ASSISTANCE, REHABILITATION AND REINTEGRATION OF VICTIMS

8. Victim to be identified by authorized officer.
9. Provision of temporary shelter.
10. Anti-trafficking Committee to establish refereral.
11. Rehabilitation, reunification, reintergration and resettlement of victims.
12. Repatriation and reception.
13. Prohibition of repatriation.

PART V

PROCEDURE FOR PROTECTION, REHABILITATION AND ASSISTANCE
TO VICTIMS OF TRAFFICKING IN PERSONS

14. Protection procedure.
15. Rehabilitation and assistance.
16. Action to be taken by Social Welfare.
17. Special consideration for children.
18. Police officer to use friendly procedure.

PART VI

PROSECUTION, FORFEITURE AND RECOVERY OF DAMAGES

19. Custodial Legis.
20. Remedies in criminal cases.
21. Property forfeited to Anti-Trafficking Fund.

PART VII

MISCELLANEOUS PROVISIONS

22. International Cooperation.
23. The Anti-Trafficking budget.
24. Eligible entity to receive grant.
25. Application for Fund.
26. Establishment of Anti-Trafficking Secretariat.
27. Employees of the Secretariat.
28. Annual budget.
29. Secretariat to keep records of expenditure.
30. Auditing.

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

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REGULATIONS

THE ANTI-TRAFFICKING IN PERSONS (PREVENTION, PROTECTION AND TREATMENT)
REGULATIONS, 2015

PART I
PRELIMINARY PROVISIONS

Short title and Commencement	1. These Regulations may be cited as the Anti-Trafficking in Persons (Prevention, Protection and Treatment) Regulations, 2015.
Application	2. These Regulations shall apply to Mainland Tanzania as well as Tanzania Zanzibar.
Interpretation	3. In these Regulations unless the context otherwise requires:
Cap.432	“Act” means the Anti-Trafficking in Persons Act; “child” means a person below the age of eighteen years; “child victim of trafficking” means any person under the age of eighteen years who has been recruited, transported, transferred, harboured and received for the purpose of exploitation irrespective of the means applied; “court” means the District Court or Resident Magistrate’s Court; “EARPCCO” means Eastern Africa Regional Police Chiefs Corporation Organisation;

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

“exploitation” shall include, at a minimum, the exploitation for the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal or sale of human organs;

“INTERPOL” means International Criminal Police Organisation;

“involuntary servitude” means a condition of enforced, compulsory service induced by means of any scheme, plan or pattern, intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or other forms of abuse or physical restraint, or the abuse or threatened abuse of the legal process;

“NGOS” means Non Government Organisations;

“preventive measures” means actions and initiatives against trafficking in persons including establishment and strengthening of effective policies and programmes to prevent trafficking in persons;

“protection” means measures that enable individuals at risk to enjoy the rights and assistance foreseen by international conventions as translated into laws, policies, strategies and action plans;

“rehabilitation” means recovery of physical and mental health of the victim of trafficking in persons through shelter provision, medical care and psycho-social support;

“reintegration” means the process of facilitating the victim’s safety, dignified and sustainable return to the family, community, or country of origin, and to live a normal life thereafter;

“resettlement” means the process of facilitating relocation and integration of victims into another geographical area and environment, usually a third country;

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

“reunification” means the returning of victims of trafficking to the custody of their families, after they have been rescued or involved in a period of foster care placement outside their family home;

“SARPCCO” means Southern African Regional Police Chiefs Corporation Organisation;

“trafficker” means a person who recruits, transports, transfers, harbours or receives a person within or across Tanzanian border by force, threats, fraud or deception, abduction, coercion, illegally adopts children, destroys or denies access to identity or travel documents or threat to abuse the legal system or some other form of power or gives or receives payments to achieve consent for the purpose of exploitation;

“trafficking in persons” mean a recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation;

"victim of trafficking" means any person who has been recruited, transported, transferred, harboured and received by means of threat or use of force, coercion, abduction, fraud, deception, abuse of power, abuse of a position of vulnerability for the purpose of exploitation which may be in form of forced labour or services, slavery or practises similar to slavery, servitude, removal of organs, prostitution or other forms of sexual exploitation.

PART II

PREVENTIVE AND COMBATIVE MEASURES

Preventive
and
combative
measures to
be taken by
Government
and Non-
Government
Bodies

4.-(1) The Ministry responsible for Foreign Affairs shall:-

- (a) make available its resources and facilities overseas and provide services for trafficked persons regardless of the manner of their entry to the receiving country;
- (b) identify Tanzanians working abroad, follow up their welfare and periodically report to relevant home authorities;
- (c) establish guidelines to implement pre-marriage, onsite and pre-departure counseling programmes on intermarriages in collaboration with Ministry responsible for Social Welfare;
- (d) enter bilateral agreements with other countries to safeguard the interest of Tanzanians working abroad by, among others, adopting model employment contracts;
- (e) integrate into the pre-departure orientation seminars for Foreign Service Personnel a training module on trafficking in persons;
- (f) explore means to enhance its assistance in eliminating trafficking activities through closer networking with government agencies in the country and overseas.

(2) The ministries responsible for Social Welfare both in Mainland Tanzania and Tanzania Zanzibar shall:

- (a) establish and run centres for protection and assistance to victims of trafficking;
- (b) develop a system for accreditation among NGOs for purpose of establishing Centres, prescribing how Centres for assistance of victims shall be established and managed;
- (c) develop and implement rehabilitative and protective programmes for victims of trafficking;

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

- (d) provide counseling and temporary shelter to trafficked persons;
- (e) support family reunification, reintegration and resettlement of victims of trafficking;
- (f) develop training programmes for Social Welfare Officers and medical practitioners on identification and assistance to victims;
- (g) inspect, monitor and evaluate implementation of NGOs activities in their shelters;
- (h) order closure and removal of accreditation of NGOs which operate shelters against government standards.

(3) The ministries responsible for Labour and Employment both in Mainland Tanzania and Tanzania Zanzibar shall:-

- (a) develop and implement rules and guidelines relating to preventing labour trafficking;
- (b) develop policies and guidelines to regulate domestic worker's employment and welfare by collaborating with the Ministry responsible for Foreign Affairs and Ministry of Home Affairs;
- (c) conduct awareness programmes for labour officers, labour inspectors and communities on trafficking in persons matters;
- (d) conduct training to labour officers and labour inspectors on trafficking in persons.

(4) The Ministries responsible for Legal Affairs both in Mainland Tanzania and Tanzania Zanzibar through:

- (a) the Directorate of Public Prosecutions in both Mainland Tanzania and Tanzania Zanzibar shall:
 - (i) train state attorneys and public prosecutors to prosecute cases of trafficking in persons;
 - (ii) coordinate investigation and fast track prosecution of human trafficking cases;

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

- (iii) establish mechanisms for victim of trafficking in persons and witness protection;
 - (iv) recommend laws to be reviewed to enhance protection against trafficking in persons;
 - (v) recommend negotiation of mutual assistance and extradition treaties with other countries;
- (b) the Commission for Human Rights and Good Governance shall:
- (i) conduct advocacy and training programmes to its officials relating to trafficking in persons;
 - (ii) provide legal assistance, including representation in the courts of law to victims of trafficking;
 - (iii) integrate trafficking in persons issues in the National Human Rights Action Plan;
 - (iv) monitor compliance to international human rights treaty obligations related to elimination of trafficking in persons and;
 - (v) monitor violation of the rights of the victims of trafficking.
- (c) the Judiciary in both Mainland Tanzania and Tanzania Zanzibar shall:
- (i) train Judicial Officers; and
 - (ii) fast track cases of trafficking in person.

(5) The ministries responsible for Community Development, Gender and Children both in Mainland Tanzania and Tanzania Zanzibar shall:-

- (a) mainstream trafficking matters in all policies, programmes and institutions geared towards assisting communities, women and children;

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

- (b) train community development officers and gender and children development officers on trafficking in persons matters;
 - (c) create awareness raising programmes on trafficking in persons in communities;
 - (d) design and implement preventive programmes on trafficking in persons in collaboration with Ministries responsible for Local Government Authorities.
- (6) The ministries responsible for Transportation and Communication both in Mainland Tanzania and Tanzania Zanzibar shall:-
- (a) review policies for mainstreaming trafficking in persons matters, develop guidelines for the ports and the airports for the implementation of reviewed policies and establish tools for tracking trafficking in persons incidences;
 - (b) under Tanzania Ports Authority and Zanzibar Ports Corporation, provide for and monitor mandatory training of ports personnel on curbing of trafficking in persons;
 - (c) under Tanzania Civil Aviation Authority, provide for and monitor mandatory training of airport personnel on curbing trafficking in persons;
 - (d) under Tanzania Communication Regulatory Authority, monitor communication to track trafficking in persons incidences and provide information regarding tracked trafficking in persons cases to relevant authorities; and
 - (e) under Surface and Marine Transport Regulatory Authority, provide for and monitor mandatory training of transport personnel on curbing trafficking in persons.
- (7) The Ministry responsible for Home Affairs shall have the overall responsibility of coordinating and overseeing matters relating to trafficking in persons.

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

(8) The Ministry shall disseminate guidelines to all its network members, local and international, on policies and programmes addressing issues on trafficking in persons. In furtherance of this mandate, the Ministry through-

(a) the Tanzania Immigration Services shall:

- (i) undertake surveillance, investigation and arrest of individuals or persons suspected to be engaged in trafficking in persons;
- (ii) take necessary measures, with counterparts, to protect the integrity of Tanzania passports, *visas*, and other travel documents to reduce the incidences of trafficking in persons through the use of fraudulent travel documents;
- (iii) undertake installation of machine readers and fraud detection equipments at all departure and entry points in the country;
- (iv) integrate in basic training programs issues of trafficking in persons and conduct periodic training and seminars on how to identify victims of trafficking in persons and detect suspected human traffickers;
- (v) establish networks with other law enforcement agencies and immigration counterparts in other countries to facilitate exchange and sharing of information on the activities of trafficking in persons syndicates;
- (vi) develop and distribute publicity materials containing advisory and other pertinent information to enhance awareness against trafficking in persons;
- (vii) conduct periodic studies on trends, routes and modus operandi employed by human traffickers including its recruitment, base, transit countries and countries of destination;

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

- (viii) design procedures to be implemented for parental travel authority duly processed by immigration for minors travelling abroad unaccompanied or accompanied by one parent;

(b) the Tanzania Police Force shall:-

- (i) undertake surveillance, investigation and arrest of individuals or persons suspected to be engaged in trafficking in persons;
- (ii) coordinate closely with other law enforcement agencies to secure concerted efforts for effective investigation and apprehension of suspected traffickers of persons;
- (iii) establish a system to receive complaints and information to assist victims, and conduct rescue operations;
- (iv) supervise the conduct of investigations relating to apprehension occurring at land transportation terminals, domestic seaports and airports and compile relevant facts to be submitted to the Directorate of Public Prosecution for filing of appropriate cases against human traffickers;
- (v) in collaboration with other law enforcement organs, formulate plans and programmes for the prevention of trafficking in persons;
- (vi) integrate in their training programmes issues pertaining to trafficking in persons in all Police Academies and other training schools operated and managed by the Tanzania Police Force;
- (vii) integrate anti-trafficking issues under the Police Gender and Children Desk nationally;

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

- (viii) foster cooperation and coordination with the law enforcement agencies of other countries and the INTERPOL, SARPCCO and EARPPCO in the investigation and apprehension of suspected human traffickers;
- (ix) undertake strategic researches on the structure and dynamics of trafficking in persons with transnational crime dimension and predict trends for the formulation of strategies for the prevention and detection of trafficking in persons.

(8) The ministries responsible for Local Government Authorities for both Mainland Tanzania and Tanzania Zanzibar shall:-

- (a) conduct advocacy and prevention campaigns against trafficking in persons;
- (b) promote family and community empowerment programmes to prevent trafficking in persons;
- (c) strengthen, activate and mobilize existing committees, councils, similar organizations and special bodies at the local level to prevent and suppress trafficking in persons;
- (d) monitor and document incidences of trafficking in persons in their areas of jurisdiction and submit to the Department of Social Welfare;
- (e) effect the cancellation of licenses of institutions which violate the provisions of the Act;
- (f) encourage and support community based initiatives which address trafficking in persons;
- (g) provide basic social services for the prevention, rescue, recovery, rehabilitation and reintegration/after-care support services to victims of trafficking in persons and their families;
- (h) develop by-laws or issuances aimed at providing protection and support to trafficked persons and

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

adopt measures to prevent trafficking in persons;
and

- (i) report incidences regarding trafficking in persons to relevant authorities.

(9) The ministries responsible for Tourism in both Mainland Tanzania and Tanzania Zanzibar shall:-

- (a) formulate and implement preventive measures against sex tourism, and other activities of tourism establishments which might contribute to trafficking in persons;
- (b) provide training to Tourism Officers and tour guides on surveillance, assist in investigation and rescue operation strategies;
- (c) integrate trafficking in persons issues in tourism policies and guidelines.

(10) The ministries responsible for Education and Vocational Training in both Mainland Tanzania and Tanzania Zanzibar shall:

- (a) incorporate migration and human trafficking matters in primary and secondary levels *curricula*;
- (b) provide opportunities for children victims of human trafficking in education system through the basic education and vocational training; and
- (c) raise awareness to school committees and education stakeholders on human trafficking matters.

(11) Non-Governmental Organisations may:-

- (a) support government agencies in formulating and implementing policies, programmes and campaigns against trafficking in persons;
- (b) complement government efforts and share experiences and expertise in assisting victims of trafficking in persons;
- (c) collaborate with relevant government agencies and Local Government Authorities in reporting

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

alleged human traffickers and rescuing victims of human trafficking;

- (d) undertake programmes and activities for the prevention, rescue, recovery and reintegration of the victims of trafficking in persons and other support services for their families;
- (e) document cases of trafficking in persons and submit them to the Department of Social Welfare;
- (f) sensitize communities on matters related to trafficking in persons; and
- (g) assist the government in facilitating shelters for victims of trafficking in persons.

(12) The Anti-Trafficking Committee shall coordinate the development of specialized training programmes on combating trafficking in persons for security services personnel and relevant stakeholders as established under section 30 of the Act.

PART III

COLLECTION OF DATA AND EXCHANGE OF INFORMATION
ON TRAFFICKING IN PERSONS

Establishment
of National
Database

5. The Anti-Trafficking Secretariat shall establish a national database system on victims of trafficking and traffickers in persons.

Institutions to
provide
information

6. All institutions responsible for responding to cases of trafficking in persons shall give information in the Form No.1 prescribed in the Schedule to the agency responsible for updating the national database on trafficking in persons.

Use of
information

7. Any information fed or derived from the national database on trafficking in persons can be used or shared for the following purposes:-

- (a) investigation, prosecution and assisting victims;
- (b) sharing to relevant stakeholders;
- (c) writing reports to international and regional bodies;

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

- (d) planning different programmes and strategies to combat trafficking in persons;
- (e) monitoring and evaluation of interventions to combat trafficking in persons;
- (f) research; and
- (g) fund raising

PART IV

ASSISTANCE, REHABILITATION AND REINTEGRATION OF VICTIMS

Victim to be identified by authorized officer

8. Every victim of trafficking shall be interviewed by an authorized officer and the particulars shall be filled in the Form No.2 prescribed in Schedule.

Provision of temporary shelter

9. Every victim of trafficking in persons shall be provided with temporary shelter and other forms of assistance.

Anti-trafficking Committee to establish refereral

10. The Anti-Trafficking Committee in collaboration with the ministries responsible for Social Welfare shall oversee the establishment of a referral mechanism for multi-sectoral coordination in assisting victims of trafficking in persons.

Rehabilitation, reunification, reintergration and resettlement of victims

11. The ministries responsible for Social Welfare shall oversee the entire process of victims' rehabilitation, reunification and reintegration with their families communities or resettlement; in carrying out this mandate it shall collaborate with other relevant stakeholders.

Repatriation and reception

12. The Ministry of Home Affairs in collaboration with the Ministry of Foreign Affairs and other appropriate agencies shall have the primary responsibility for the repatriation and reception of victims of human trafficking. In facilitating the repatriation and reception, process prescribed in the Forms No.3A and 3B in the Schedule shall be used.

Prohibition of repatriation

13. A victim may not be repatriated if there is an indication, following a risk and security assessment, that such repatriation would not be in his best interest.

PART V

PROCEDURE FOR PROTECTION, REHABILITATION AND ASSISTANCE TO
VICTIMS OF TRAFFICKING IN PERSONS

Protection
procedure

14.-(1) The following procedures shall be undertaken in implementing comprehensive programmes for protection, rehabilitation and assistance to victims of trafficking in persons-

- (a) any person who has any knowledge or learns of facts or circumstances that give rise to a reasonable belief that a person will be, or may be or has been trafficked shall immediately report the same, either orally, in writing or through other means, to the Police, Social Welfare Office or Local Government Officials and Civil Society Organizations for the protection of victim; provided that Local Government Officials, Civil Society Organizations and Faith Based Organizations shall immediately report to Police and Social Welfare;
- (b) the potential victim of trafficking may report or be referred to the nearest Social Welfare Office, Police or designated NGOs for assistance in the Form No.4 prescribed in the Schedule;
- (c) upon receiving report or referral, Police or Social Welfare Officer shall conduct an intake assessment or investigation or inquiry to determine appropriate intervention to be undertaken;
- (d) the Social Welfare Officer shall prepare a social case study report or case summary in the prescribed form (Form No.5) as prescribed in the Schedule for the victim admission to a residential facility for temporary shelter;
- (e) any person or medical practitioner who has any knowledge or learns of facts or circumstances that give rise to a reasonable belief that a person will be, or may be, or has been trafficked for the removal or sale of organ shall immediately report

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

the same, either orally or in writing or through other means to the nearest police station, the members of the Anti-Trafficking Committee or other law enforcement agencies, or the Social Welfare and Community Development Officers.

Rehabilitation and assistance

15.-(1) Any center providing shelter facilities shall provide services or interventions based on the rehabilitation plan in coordination with appropriate agencies.

(2) These services referred to under sub-regulation (1) shall include psychosocial support, counseling, legal, medical support, educational assistance, livelihood and/or skills training.

Action to be taken by Social Welfare

16. The Department of Social Welfare shall:-

- (a) develop rehabilitation, reunification and resettlement plan and shall monitor implementation and periodically evaluate or update the plan until the victim has been reintegrated in his family and/or community;
- (b) maintain regular contact with the victim once he has been resettled, reunified with the family or re-integrated in the community;
- (c) coordinate data collection, research and documentation of victim support programmes in order to identify efficient and effective measures and services for the victims of trafficking and their families.

Special consideration for children

17. Special consideration need to be undertaken in assisting children, women, persons with disabilities and any other persons with special needs who are victims of human trafficking.

Police officer to use friendly procedure

18. Police Officer shall use a child friendly special procedure when interviewing child victims.

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

PART VI

PROSECUTION, FORFEITURE AND RECOVERY OF DAMAGES

Custodial
Legis

19. During the pendency of the criminal action, no property or income used or derived therefrom which are subject to confiscation and forfeiture, shall be disposed, alienated or transferred and the same shall be in *custodia legis* and no bond shall be admitted for the release of the same until the final determination of the case.

Remedies in
criminal
cases

20. The prosecution shall avail the provisional remedies in criminal cases to ensure the confiscation, preservation and forfeiture of the said properties.

Property
forfeited to
Anti-
Trafficking
Fund

21. All proceeds and properties derived from trafficking, and instrumentalities used in furtherance of the trafficking in persons offence shall be confiscated and forfeited to the Anti Trafficking Fund.

PART VII

MISCELLANEOUS PROVISIONS

International
Cooperation

22. Anti-Trafficking Committee, in collaboration with the Ministry responsible for Foreign Affairs and other concerned agencies, shall promote cooperation, technical support and partnership with other States, Regional and International Organizations on the following aspects-

- (a) prevention, protection, prosecution, repatriation and reintegration aspects of trafficking in persons, especially women and children;
- (b) systematic exchange of information and good practices among law enforcement agents and immigration authorities;
- (c) prevention, detection, investigation and prosecution of trafficking in persons, including the protection of victims through exchange and joint training at the bilateral, regional and international levels, between and among relevant officials and law enforcement agents; and

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

- (d) repatriation of victims of trafficking with due regard to their safety, humanitarian and compassionate factors.

The Anti-Trafficking budget

23. All relevant Government Ministries, Departments, Agencies and Local Government Authorities shall, include in their Medium Term Expenditure Framework the funding necessary to implement programmes and services required by the Act and these Regulations.

Eligible entity to receive grant

24. The following persons or institutions, among others, shall be considered competent to receive grant from the Fund, based on the principle of reasonable need, namely:

- (a) victim and, in an appropriate case, his legal representative;
- (b) witness of trafficking in persons cases and whistleblowers;
- (c) any government organization which deals with trafficking in persons issues;
- (d) law enforcing agencies including Police, Prosecutions, Prisons and Immigration;
- (e) any Tanzania embassy or mission abroad;
- (f) any Non-Governmental Organisation providing services to victims of trafficking in persons; and
- (g) any other person or organisation considered by the Anti-Trafficking Committee to be competent to receive a grant as per committee's guidelines.

Application for Fund

25. The Anti-Trafficking Committee may, upon receiving application from any competent applicant, grant a donation from the fund for any of the following purposes or programs, namely:-

- (a) the undertaking and maintenance of any preventive programme including creating awareness to prevent trafficking in persons;
- (b) special campaign to deter and suppress trafficking in persons;

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

- (c) investigation of offences, especially conducting cross-border investigation;
- (d) financial aid to the victim and witness for matters related to prosecution;
- (e) protective measures for the victim and witness, such as, rescue, repatriation, rehabilitation, medical care and protection; and
- (f) any programme adopted for the implementation of these Regulations.

Establishment of Anti-Trafficking Secretariat

26.-(1) It is hereby established a Secretariat called the 'Anti-Trafficking Committee Secretariat with its headquarters in Dar es Salaam under the Ministry of Home Affairs.

(2) Meetings, decision-making and functions of the Secretariat shall be regulated by the rules of procedure prepared by the Secretariat and approved by the Minister responsible for Home Affairs.

Employees of the Secretariat

27.-(1) Employees within the Secretariat shall be employed in consultation with the Permanent Secretary of the Ministry of Home Affairs and Anti-Trafficking Committee Chairperson as per public service employment procedures.

(2) The employees referred to under sub-regulation (1), their remuneration, allowances and terminal benefits shall be as per Government Regulations and Salary Scales.

Annual budget

28. The Secretariat shall prepare a budget of the amount of funds to be spent from the Anti-Trafficking Fund, and shall send an application to the Minister detailing the amount of monies needed from the government's budget for that purpose.

Secretariat to keep records of expenditure

29. The Secretariat shall keep the accounts of such Fund properly, and prepare an annual accounts report.

Auditing

30. The Anti-Trafficking Secretariat accounts shall be audited as per Government Regulations.

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SCHEDULE
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Form 1:
Required information from institution for the Database (victim-centered dataform).

Form 2:
Victim interview form.

Form 3A:
Repatriation form for child/disabled victim of trafficking in persons.

Form 3B:
Repatriation and reception form for victim of trafficking in persons.

Form 4:
Referral form.

Form 5:
Case summary for victim admission form.

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

FORM NO. 1

REQUIRED INFORMATION FROM THE INSTITUTIONS FOR THE DATABASE

(VICTIM –CENTRED DATA FORM)

Instructions

After the victim is rescued or admitted to care/safe custody, this Form has to be filled out and sent to the Anti-Trafficking Secretariat and, in case of a foreign national, to the proper authority of the victim's home country.

A. Personal information

Photograph

Surname: _____

Given names: _____

Mother tongue: _____

Date of birth: Date _____ Month _____ Year _____

Height: _____

Distinguishing feature: _____

Sex: _____ (Male/Female)

Nationality: _____

Religion _____

Permanent _____

address:

Marital status when trafficked _____ (married, unmarried, divorced/separated, widowed)

Number of children when trafficked _____

Experience of abuse _____ (sexual, physical, psychological or unknown)

Perpetrator of abuse _____ (spouse, sibling, father, mother, other relative, partner/boyfriend/girlfriend/friend/ community member, other, unknown)

Education level: _____

Reason for migrating/leaving home _____ (Job opportunity, study opportunity, wanted adventure, chronic economic need, force/kidnapped/crisis in the family (i.e. illness), marriage, family conflict/problems, to escape violence, unknown, other)

Activity at recruitment _____ (study, study and work, unemployed, paid work, unpaid work, unknown, none, other)

Community setting _____ (national capital, city, town, village/shehia, isolated, nomadic, other, unknown)

B. Recruitment experience

Date of recruitment _____

Country of recruitment _____

Means of recruitment/entry into trafficking _____ (via personal contact, via advertisement, via agency, abduction/force, other, unknown)

Victim's relationship to recruiter _____ (immediate family member, extended family member, close friend, acquaintance, stranger, other, unknown)

Sex of recruiter _____ (male, female)

Recruiter's citizenship _____

Recruiter's country of residence _____

Recruitment conditions _____ (work offer, marriage, travel/tourism, forced/kidnapped, unknown, other)

Proposed destination country at recruitment _____

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

C. Transportation and travel routes

Means of transport _____ (*on foot, private car, taxi, bus, commercial plane, private plane, train, boat, other, unknown*)

Use of documents _____ (*legal, false/falsified, non, unknown*)

Border crossings _____ (*legal, illegal, no border crossed, unknown*)

D. Exploitation experience

Form(s) of trafficking/exploitation _____ (*sexual exploitation, forced labour, begging, delinquency, adoption for purpose of exploitation, removal of organs, other*)

Country (ies) of exploitation _____

Date when trafficking exploitation began _____

Date exited trafficking/exploitation _____

Means of exit _____ (*released by trafficker, escaped on own, escaped with help of third party, intervention of law enforcement, intervention of social welfare officer, intervention of outreach workers, finished work contract, died, other, unknown*)

Year(s) of previous trafficking _____

Country of previous trafficking _____

Identification/assistance during previous trafficking _____ (*identified, assisted, unknown, not identified, not assisted, decline identification, decline assistance*)

E. Identification and assistance

Country of identification _____

Date victim was identified _____

Identifying institution/actor _____ (*border authority, police officers, outreach workers/program, social welfare officers, labour inspectors, helpline, transportation personnel, client, private citizen, medical personnel, lawyer, other, unknown*)

Date entered assistance _____

Date exited assistance _____

Type of assistance _____ (*short term shelter, mid to long term accommodation assistance, emergence medical care, longer term medical services, emergency psychological assistance, longer term psychological assistance, housing subsidy/assistance, education, vocational training, job placement, reintegration grant, business training, family mediation, financial assistance, humanitarian assistance, transportation, other*)

Statement to Police _____ (*Yes/No/Unknown*)

Name of the Police Station: _____

Description of case (*IR number and dates*) _____

Testified in legal proceedings against the trafficker _____ (*Yes/No/Unknown*)

Court of first appearance of the case, date of appearance: _____

Is the case in progress: Y/N _____, If yes, details of case _____

Protection pre, during or post-trial _____ (*pre-trial, during trial, post-trial or a combination of these*)

Victim compensation _____ (*Yes/No/Unknown/Not applicable*)

F. Other

Comments (*enter additional details and clarification*)

Signature of the Recorder (*with name and contact details*)

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

FORM NO. 2

VICTIM INTERVIEW FORM

(To be filled separately for each case)

Basic screening questions to identify if the person is a victim of trafficking:

- 1) Did the person move out of his/her community because he/she was offered an opportunity to improve his/her family's conditions of life _____ (YES / NO) or because he/she was forced to leave his/her community against his/her will or because he/she was told lies about the place or nature of work he/she was going to do _____ (YES / NO)
- 2) Was the person exploited and not able to leave the situation of exploitation? _____ (YES / NO)

If both answers are **YES**, please, inform the person that what happened to him/her is called **trafficking in persons** and that you would like to interview him/her to understand better the situation and help him/her. If both answers are **NO**, refer the client for appropriate assistance accordingly

A. VICTIM'S INFORMATION

Case ref no _____

Surname _____ Given names: _____

Date of birth (*if known*): _____ Age: _____

Country of birth: _____ Nationality: _____

Identity document: passport identity card birth certificate has no documents

If has: Series _____ No. _____ Expiry date: _____

Sex: _____ (*Male/ Female*); Education Level: _____

Home address (if known): _____

Physical residence/village/Shehia/City/Town: _____

i. FOR ADULTS:

Marital status _____ (*Single/Married/Divorced/Widowed/Other, please specify*):

Number of dependants in household _____

What language do you use on a daily basis? _____

What are your main income generating activities before being trafficked? _____

Other source of income _____

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

ii. FOR CHILDREN:

Is the child victim living with his/her biological parents? _____ (YES / NO)

Is the child victim an orphan? _____ (YES / NO); Relationship with guardian: _____

Names of the parents/guardian at home: _____

Physical address of the parents/guardian _____

Occupation/means of livelihood of;

(a) Mother _____

(b) Father _____

(c) Guardian _____

B. DESCRIPTION OF THE TRAFFICKING PROCESS

Section I: Recruitment

Did you come by yourself from your home? _____ (YES / NO). If YES:

Did anyone organize your trip from home? _____ (YES / NO). If YES: Provide name _____ was it a man or a woman? _____ (Man / Woman).

Who brought you here from home? _____ Was it a man or a woman? _____ (Man / Woman)

Is your family related to the person who brought you here? _____ (YES / NO). If family is related, what is the relationship? _____ (Sister, brother, uncle, aunt, cousin, grandmother, other, please specify)

If not family-related, what is the relationship between you and that person? _____

Section II: Reasons for leaving

What were you promised when you were brought here? _____ (vocational training, basic education, domestic work, gardening, selling, begging, other)

Were you promised to be paid for that job? _____ (YES / NO). If YES, how much? _____

Was your family informed about your trip? _____ (YES/NO). If YES, who was informed? _____ If NO, why? _____

If yes, do you know if any money/other item(s) was given to your family in advance? _____ (YES / NO); If yes, how much/what item(s)? _____

Were you forced/deceived/threatened to leave by your family? _____ (YES/NO)

Did anyone take you away from your family by force/threat/deceit? _____ (YES/NO)

Section III: Travel

When did you arrive here? _____

How long ago did you leave home? _____

How did you travel? _____ (Bus, Train, Truck, Foot, Other)

Did you travel alone? _____ (YES/NO)

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

Did you travel with other people? _____ (YES/NO); If YES who _____ (Recruiter, Exploiter, Other people going to do the same job, Other)

Did you cross any international border? _____ (YES/NO); If yes, did you use your own passport? _____ (YES/NO); If you did not, how did you cross the border? _____ (Crossed with no papers, With fake papers, Recruiter paid someone, Hid myself, Other)

Did you receive any pocket money? _____ (YES / NO); If YES, from whom? _____

How much was it? _____

Section IV: Exploitation

What activities did you engage in when you arrived at your destination? _____ (Begging, Domestic work, Labour in the farms, Fishing, Sexual exploitation, Forced marriage, Prostitution, Other)

Were you forced to engage in this activity? _____ (YES/NO); If YES, how were you forced? _____ (Beaten, Sexually abused/raped, Starvation, no food, Isolation, locked up, Threats, No money to survive, Other)

Were you paid for this work? _____ (YES/NO); If YES, how much? _____

Section V: Working conditions

Were you allowed to keep any money? _____ (YES/NO); If yes, how much money? _____

If a minor – did you have access to education? _____ (YES/NO)

How many hours were you working per day on average? _____

How many days were you working per week on average? _____

At work, which of the following situations did you face? _____ (Beaten, Sexually, abused/raped, Starvation, no food, Isolation, locked up, Threats, No money to survive, No medical care, Harsh living conditions, Psychological abuse (insults, torture), Threats, Forced to use drugs or alcohol, Debt bondage, Punishment, Personal documents taken away, Other)

Section VI: Escape/rescue from exploitation

How did you exit from exploitation? _____ (Escape, Helped by someone, Set free, Other)

If helped by someone, whom? _____

Were you aware of any organizations/institutions that provide assistance to victims of human rights abuses at your place of destination? _____ (YES/NO). If YES, did you try to contact them? _____ (YES / NO). If YES, what is the name of the organization that assisted you? _____

Section VII: Additional comments

Narrative description/Additional details on the case:

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

C. BENEFICIARY'S NEEDS

From the interviewer's point of view, what is the condition of the victim with regard to:

Health: _____ (*Excellent, Good, Average, Poor, Extremely bad*)
Education: _____ (*Excellent, Good, Average, Poor, Extremely bad*)
Family situation: _____ (*Excellent, Good, Average, Poor, Extremely bad*)
Work options: _____ (*Excellent, Good, Average, Poor, Extremely bad*)

Does the person need:

- i. Emergency assistance _____
- ii. Shelter _____
- iii. Clothing _____
- iv. Medical screening _____
- v. Medical care (short/long term) _____
- vi. Psychosocial assistance _____
- vii. Legal aid _____
- viii. Reintegration assistance _____

(*Mark the 3 most important*)

- i. Vocational training (specify) _____
- ii. Informal education _____
- iii. Formal education _____
- iv. Family reunification _____
- v. Support to the family (specify) _____
- vi. Counselling about return home _____
- vii. Counselling about small business _____
- viii. Other (specify) _____

Is the victim willing to be assisted? _____ (YES / NO)

Is the victim willing to be reunified with his/her family? _____ (YES / NO)

Is family reunification possible (*i.e. the victim is willing to be reunified, the family is willing to have the victim back, the family was not involved in the trafficking process, there is no risk of re-trafficking*) _____ (YES / NO). If NO, what is the preferred option? _____

Types of assistance provided by the service provider (*mark all the items that will be/are offered*):

- (i) Shelter _____
- (ii) Clothing _____
- (iii) Medical screening _____
- (iv) Medical care (short/long term) _____
- (v) Psychosocial assistance _____
- (vi) Legal aid _____
- (vii) Vocational training (specify) _____ on _____
- (viii) Informal education _____
- (ix) Formal education _____
- (x) Family reunification _____
- (xi) Support to the family (specify) _____
- (xii) Counseling about return home _____
- (xiii) Counseling about small business _____
- (xiv) Other (specify) _____

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

D. INTERVIEW DATA

Where the interview was conducted? NGO office/police office/other specify

Type of referring agency and contact address/details

Signature of the Recorder (*with name and contact details*)

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

FORM NO. 3A

REPATRIATION FORM FOR A CHILD/ DISABLED VICTIM OF TRAFFICKING

A: PARTICULARS OF VICTIM

Names:

FIRST NAMES _____ MIDDLE NAME _____ SURNAME _____

Gender: F M Date of Birth: _____ Place of Birth: _____

Identity document: passport identity card birth certificate has no documents

ID NO _____ DATE OF ISSUE _____ PLACE OF ISSUE _____

Expiry date: _____

Citizenship: _____ Other _____ Country of Residence _____

Nationality: _____

Physical address _____

Permanent address _____

B: DESCRIPTION OF THE VICTIM

Child

Disabled person _____ (specify).

C: PARTICULARS OF RELATIVES, NEXT OF KIN;

Names:

FIRST NAMES _____ MIDDLE NAME _____ SURNAME _____

Gender: F M Date of Birth: _____ Place of Birth: _____

Relationship _____

Physical Address _____

Permanent residence _____

Telephone number _____

NAME OF DESIGNATED OFFICER OF THE EMBASSY _____

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

RECOMMENDATIONS:

Signature _____

Date _____

D: CHILD/DISABLE OPINION:

.....

.....

.....

.....

DATE.....

SIGNATURE.....

E: PARTICULAR OF RECIPIENT OFFICER

NAME:

ADDRESS.....

DESIGNATION.....

SIGNATURE.....

DATE.....

REPATRIATION AND RECEPTION OF VICTIM OF TRAFFICKING

REPATRIATION FROM _____ TO _____

A: PARTICULAR OF THE VICTIM

Names:

FIRST NAMES _____ **MIDDLE NAME** _____ **SURNAME** _____

Gender: F M **Date of Birth:** _____ **Place of Birth:** _____

Identity document: passport identity card birth certificate has no documents

ID No. _____ **Place of Issue:** _____ **Date of Issue** _____ **Expiry date:** _____

Citizenship: _____ Other _____ **Country of Residence** _____

Physical address _____

Home address/ Permanent address _____

B: PARTICULARS OF RELATIVES OR NEXT OF KIN

Names:

FIRST NAMES _____ **MIDDLE NAME** _____ **SURNAME** _____

Gender: F M **Date of Birth:** _____ **Place of Birth:** _____

Relationship _____

Physical Address _____

Permanent residence _____

Telephone number _____

C: NAME OF DESIGNATED OFFICER OF THE FOREIGN AFFAIRS _____

RECOMMENDATIONS:

Signature _____

Date _____

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

D: PARTICULAR OF RECIPIENT OFFICER

NAME:

ADDRESS.....

DESIGNATION.....

SIGNATURE.....

DATE.....

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

FORM NO. 4

REFFERAL FORM

In respect to _____ (Full name of Victim)

Currently accommodated in _____ (name of the Institution)

I _____ (In charge of the Institution)

Authorize the discharge of the named victim on the understanding that this victim shall be referred to
: _____ (name of the Institution)

Address: _____ Location: _____

Reason of the referral: _____

Full name, Title, Signature and date of the in charge of the Institution

Full Name: _____ **Title:** _____

Signature: _____ **Date:** _____

Full name, Title, Signature and date of the officer escorting the victim

Full Name: _____ **Title:** _____

Signature: _____ **Date:** _____

Full name, Signature and date of the head of the institution where the victim is referred

Full Name: _____ **Title:** _____

Signature: _____ **Date:** _____

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

FORM NO. 5

CASE SUMMARY FOR VICTIM ADMISSION FORM

To be completed by the Social Welfare Officer for a victim admission.

Photograph

Victim's name				
Sex	Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Is the victim a child?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If the victim is a child, is his/her birth registered?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Date of birth, if known:				
Victim's actual or approximate age (when date of birth is not known)				
Name and address of the informant				
Relationship of the informant with the victim				

Victim's Mother's name and occupation				
Is the victim's mother alive?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Victim's Father's name and occupation				

Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

Is the father alive?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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More description of the victim (*please specify*).....

 (i.e. Victim with disabilities; victim's parent(s) has/have disabilities; Working person, Working child; others)

Write reasons for giving information. Give details of the situation and location of the victim and how she/he was brought into the present situation.

Victim's status before trafficking (<i>Tick the most appropriate</i>)	Was living with both parents	<input type="checkbox"/>	Was living with mother/father only	<input type="checkbox"/>
	Was living with an adult sibling/other member(s) of the family	<input type="checkbox"/>	Was living with someone other than any relatives	<input type="checkbox"/>
	Was living in an orphanage/elsewhere	<input type="checkbox"/>	Others (<i>please describe</i>)	<input type="checkbox"/>

Current family status (<i>Tick one</i>)	Child of living parents	<input type="checkbox"/>	Orphaned (<i>mother/father/ both parents deceased</i>)	<input type="checkbox"/>
	Separated from parent(s)/family	<input type="checkbox"/>	Others (<i>Please describe</i>)	<input type="checkbox"/>
	Living in an orphanage		Living in an institution	

Victim's current/pre-trafficking problem (<i>Tick as appropriate</i>)	Physically abused/ victim of domestic violence	<input type="checkbox"/>	Victim of sexual abuse	<input type="checkbox"/>
	Early marriage/victim of dowry	<input type="checkbox"/>	Victim of serious neglect	<input type="checkbox"/>
	Was subjected to migration fraud	<input type="checkbox"/>	Other problem(<i>Specify</i>)	<input type="checkbox"/>

What action has been agreed upon by the Social Welfare Officer and the informant/law-enforcing agency?

Name of the person recording information and contact details	
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Anti-Trafficking In Persons (Prevention, Protection and Treatment)

GN. No. 28 (Contd.)

For office use

Name and signature of Social Welfare Officer charged to verify the information	
Date of verification of information	

Dar es Salaam,
23 January, 2015

MATHIAS M. CHIKAWA (MP.)
Minister for Home Affairs