

Committee on the Application of Standards

Date: 19 May 2025

Governments appearing on the preliminary list of individual cases have the opportunity, if they so wish, to supply on a purely voluntary basis, written information before 19 May 2025.

► Information on the application of ratified Conventions supplied by governments on the preliminary list of individual cases

United Republic of Tanzania (ratification: 1962)

Abolition of Forced Labour Convention, 1957 (No. 105)

The Government has provided the following written information.

Introduction

This submission seeks to update the Committee on key developments and measures undertaken by the Government since the last Article 22 report concerning the implementation of the Convention. The purpose of this update is to inform the committee of recent actions, reforms, and planned interventions which have not yet been assessed by the Committee of Experts

Basis for the voluntary submission

The United Republic of Tanzania ratified the Convention on 30 January 1962 and has taken various legislative, institutional, and policy measures to give effect to its provisions in both law and practice. The current inclusion on the preliminary list, as per the Office's communication of 2nd May 2025, appears to be based on comments raised by the social partners in April 2025, with a focus on several domestic legal provisions that have been the subject of the Committee of Experts' observations.

Overview of the Committee of Experts' comments on national legislation in relation to the Convention

(a) Observations under Article 1(a) of the Convention

The Committee of Experts raised concerns regarding the use of penal sanctions involving compulsory labour in relation to the expression of political or ideological views. Specific legislation cited includes:

- (i) Media Services Act No. 12 of 2016: The Committee urged amendment of sections 50–54 to prevent imprisonment for political views not involving incitement to violence. It also requested data on prosecutions and penalties imposed.
- (ii) Non-Governmental Organizations Act of 2002: The Committee requested assurances that section 35 is not used to punish expression of dissenting views and requested relevant judicial statistics.
- (iii) Economic and Organized Crime Control Act: The Committee has repeatedly called for revision of section 10(1) of the First Schedule to eliminate potential use of forced labour sanctions.
- (iv) General Request: The Committee welcomed Tanzania's willingness to seek technical assistance and urged continued engagement with the ILO.

(b) Direct Requests of the Committee

- (i) Penal Act of 2018, sections 40(a), 43, and 54: The Committee requested legal review to ensure these provisions are not used to impose imprisonment for expression of political or ideological views and sought practical information on their enforcement.
- (ii) Societies Act, section 6: The Committee asked for continued information on how this provision is applied, especially in relation to imprisonment for ideological expression.
- (iii) Technical assistance: The Committee noted the Government's request for ILO assistance and expressed hope that this support would help align national law with the Convention.

Government responses and developments

(a) Implementation of recommendations from the Special Presidential Committee on Criminal Justice Reform

In 2023, Her Excellency President Dr Samia Suluhu Hassan appointed a Special Committee, chaired by former Chief Justice Mohamed Chande Othman, to review the criminal justice system. The report submitted on 15 July 2023 proposes significant amendments to laws potentially inconsistent with the Convention.

The Government commits to aligning these reforms with the Committee of Experts' recommendations and will formally request ILO technical support during the drafting process.

(b) Reconstitution and Operationalization of the National Tripartite Council (LESCO)

On 3 March 2025, the Government inaugurated the new National Tripartite Council for Labour, Economic and Social Matters (LESCO). The Council, chaired by retired Judge Victoria L. Makani, held its first meeting on 4 March 2025, and prioritized the review of legal issues raised by the Committee of Experts in their action plan for its next sessions.

All identified laws – including the Media Services Act, NGOs Act, Penal Code, Societies Act, and others – have been included on LESCO's agenda for discussion in its next session.

(c) Capacity-building for LESCO and legal stakeholders

From 12–14 May 2025, with ILO Country Office support, a capacity-building workshop was held in Arusha to train LESCO members and secretariat staff. The sessions were facilitated by an ILO specialist on social dialogue and labour administration from the ILO Office in Pretoria, South Africa, and a consultant, both of whom emphasized the roles and responsibilities of

LESCO, social dialogue, international labour standards and legal compliance with the Conventions generally.

This initiative has empowered stakeholders to expedite discussions and review of laws in line with the guidance of the Committee of Experts.

(d) Strengthening judicial infrastructure and independence

The Government inaugurated a new judiciary headquarters in Dodoma – a landmark judicial complex intended to enhance the independence, accessibility, and efficiency of the judiciary. This effort is part of broader reforms to ensure that the judiciary can fairly interpret and enforce laws consistent with ILO Conventions.

Importantly, this strengthens the safeguard against misuse of legal provisions for ideological repression, as observed by the Committee of Experts in reference to the Societies Act and the Penal Act.

(e) Strengthening the High Court – Labour Division

The High Court Labour Division continues to benefit from targeted capacity-building initiatives focused on international labour law, particularly the Convention. The Court has sustained a collaborative relationship with the ILO, receiving both technical support and visits from former and current ILO Country Directors. Most recently, in May 2025, a training session on Enhanced Leadership Skills for Effectiveness and Efficiency in Labour Justice Delivery was held in Arusha for all judges in-charge and key labour justice stakeholders throughout the country. This sustained judicial engagement strengthens the Court's capacity to interpret national laws fairly and in alignment with international labour standards.

Additional clarifications

(a) Constitutional Provisions and National Service (Articles 1(1), 2(1), and 2(2) of Convention No. 29)

The Government acknowledges the Committee of Experts' concern regarding Article 25(1) and 25(3)(d) of the Constitution, which may be interpreted as permitting compulsory labour in the context of national development programmes or national service. Tanzania affirms that all forms of labour, including through the National Service (Jeshi la Kujenga Taifa – JKT), are voluntary, legally structured, and aimed at youth development, vocational training, and fostering national unity. They are not forms of economic coercion. Although the 2013 draft Constitution did not proceed to referendum, the Government remains committed to constitutional reform in a manner that ensures consistency with international obligations and welcomes ILO technical guidance on language that aligns with Convention No. 29.

(b) Media Services Act, 2016 (Article 1(a) of the Convention)

The Government appreciates the Committee of Experts' ongoing engagement and notes that the Written Laws (Miscellaneous Amendments) Act No. 1 of 2023 reduced custodial sentences under the Media Services Act. While sections 50–54 remain, their enforcement is guided by constitutional safeguards on freedom of expression. These provisions are not applied to suppress political opinion but are limited to cases involving incitement to violence or threats to public order. No person has been imprisoned solely for expressing dissent. Further legal refinements are under consideration, and the Government is open to civil society

consultations and ILO technical support. Prosecution data and court outcomes will be shared in future reports.

(c) **Non-Governmental Organizations Act (2002), section 35 (Article 1(a))**

The Government reiterates that this provision has not been used to penalize individuals for political or ideological expression. Enforcement actions have been grounded in procedural issues such as non-compliance with registration or reporting requirements. Nonetheless, a legal review is underway to prevent any potential misuse. The Government welcomes ILO assistance to ensure the law fully complies with the Convention.

(d) **Economic and Organized Crime Control Act (Cap. 200) (Article 1(c))**

The Government acknowledges concerns about the use of imprisonment for certain administrative or disciplinary offences under this Act. The intent of the relevant provisions is to address gross misconduct or corruption resulting in substantial public loss – not to penalize ordinary negligence. However, the Government is reviewing the law to clearly distinguish between criminal behaviour and workplace discipline. ILO technical guidance will be sought to ensure compliance with the Convention and to avoid any unintended imposition of forced labour.

(e) **Technical Assistance from ILO Regional Expert on Conventions to Zanzibar Labour Advisory Board Members (LAB)**

The Revolutionary Government of Zanzibar through the President's Office, Labour, Economic Affairs and Investments has already sought the technical assistance and capacity-building for members of LAB established under The Labour Relations Act No.1 of 2005. The Regional Office has positively responded to this and it is expecting to provide the said technical assistance and capacity-building to the LAB members in Zanzibar in July 2025. The expected technical assistance and advice will assist the board members to acquire vast knowledge and experience including possible ways in which the Government may respond to the Committee of Experts' observations and requests for the six Conventions which are about to be ratified by the country. This technical assistance will also assist LAB members to initiate amendments in all provisions where the Committee of Experts has seen that there is such a need, including in relation to the Convention.

(f) **In March 2025, Tripartite Experts in the country through the Country Office received technical assistance on the interpretation and application of the Domestic Workers Convention, 2011 (No. 189)**

This was done through the BRMM-II Project. The Government will continue to collaborate and engage closely with the Office to receive the dedicated technical assistance for all the provisions of the legislations as per the observations and direct request made by the CEACR.

(g) **On 23 April 2025, Her Excellency President Dr Samia Suluhu Hassan unveiled the consolidated, revised laws to boost justice in the country**

The consolidated revised laws will come into force in July 2025. Her Excellency has described this revision of the laws as a transformative step that would bring the country's legal system closer to the people it serves. Hence, through the current improvements in the Office of the Chief Parliamentary Draftsman, the Government will be able to revise and amend all provisions of the law, which for a number of years have been found to be problematic.

- (h) Informal meeting between the Deputy Minister in the Prime Minister's Office of Labour, Youth, Employment and Persons with Disability, Honourable Patrobas Paschal Katambi and the Assistant Director-General, Ms Manuela Tomei, during the 353rd Session of the ILO's Governing Body (March, 2025) in Geneva, Switzerland

While attending the 353rd Session of the Governing Body in Geneva, Switzerland in March 2025, the Government, through the Honourable Deputy Minister, had the opportunity for informal consultations with the ILO's Assistant Director-General on the various ways that the Government could continue working closely with the Office. The aim of the consultations was, among other things, to seek advice on how the Government could receive technical assistance to enhance its commitment to strengthen decent jobs in the country. The Government is working with the guidance provided through the fruitful deliberations between the Assistant Director-General and the Honourable Deputy Minister. The Government's commitment will include the implementation of the Committee of Experts' observations and requests for alignment with the Convention.

Conclusion

The Government reiterates its strong commitment to the objectives of the Convention and to upholding fundamental principles and rights at work. While the concerns of the Committee of Experts are noted and respected, the Government emphasizes that the process of reform is ongoing and being undertaken in good faith, in consultation with national stakeholders and with the technical support of the ILO. Therefore, this voluntary submission is a demonstration of the Government's transparency, progress, and constructive engagement with international supervisory mechanisms. The Government stands ready to provide any additional information required and remains open to continued dialogue with the Committee of Experts, this Committee and the ILO in general.