Submission to the Universal Periodic Review (UPR) 4th Cycle – United Republic of Tanzania

Focus: Migration, Refugees, and Integration With particular attention to the vulnerabilities of women and children

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I. Introduction

1. Solidarity & Unity, an Amsterdam-based non-governmental organization dedicated to promoting social and human rights worldwide through research, campaigns and education, submits this country-specific stakeholder report for the 4th cycle Universal Periodic Review (UPR) of the United Republic of Tanzania.
2. Built and sustained by a global network of volunteers, primarily based in the Netherlands, Solidarity & Unity is committed to advancing human rights accountability through evidence-based research and submissions to international mechanisms. This report examines Tanzania's obligation under international human rights law in the areas of migration, refugees, and integration. Attention is particularly given to the heightened vulnerabilities faced by women and children, including risks of gender-based violence, family separation, and statelessness.
3. This submission reviews Tanzania's human rights duties toward migrants and refugees, with particular attention to the specific vulnerabilities faced by women and children. Tanzania continues to play a significant role as a host country in the region, currently accommodating more than 214,000 refugees and asylum seekers. Most of these individuals come from neighboring Burundi (approximately 126,730 people) and the Democratic Republic of Congo (around 87,154 people). In recent months, the number of arrivals has increased due to ongoing violence, insecurity and instability in these countries, forcing many families to flee in search of safety. Within this context, women and children make up a substantial proportion of the displaced population and often heightened risks, including gender-based violence, exploitation, limited access to education, and inadequate healthcare services.[i] Their protection needs are therefore more complex and require targeted responses. This submission highlights the importance of Tanzania upholding its international and regional human rights commitments by ensuring that policies and Practices are responsive to these vulnerabilities while also maintaining safe, dignified, and humane conditions for all refugees and migrants within their borders.
4. We examine three prioritized key themes that reflects some of the most pressing issues faced by migrants and refugees in Tanzania. First, it considers concerns related to violations of the principle of **non-refoulement**, including instances where individuals are returned or pressured to return to

their countries of origin despite facing potential risks to their safety and well-being. Such as practices raise serious questions regarding compliance with international refugee and human rights law, particularly in situations involving ongoing insecurity in countries such as Burundi and the Democratic Republic of Congo.[ii]

5. Second, the submission highlights challenges in **accessing asylum procedures**, including administrative barriers, limited information, and significant delays in the processing of refugee status determinations. These obstacles can leave asylum seekers in prolonged uncertainty, restrict their access to basic rights and services, and increase their vulnerability to exploitation and marginalization.[iii]
6. Third, the report addresses the **implications of encampment policies**, whereby refugees are required to reside in designated camps. While such policies are often justified on administrative or security grounds, they can result in poor living conditions, restricted freedom of movement, and limited opportunities for self-reliance and integration into host communities. These conditions can be particularly detrimental for women and girls, who may face heightened risks or gender-based violence, economic dependency, and social exclusion within camp settings.[iv]
7. Taken together, these themes highlight systemic issues that directly affect the protection, dignity, and long-term prospect of refugee protection, and sustainable integration, and underscore the need for comprehensive, right-based policy responses.
8. This report is based on desk research, including recent UNHCR operational updates, Review UPR documents (3rd cycle, 2021), government statistics, and findings from UN Treaty bodies. When possible, priority is given to first-hand information from UN partners and field collaborators, while other sources are cited in the endnotes. The project reviews how relevant recommendations from the 3rd cycle UPR have been implemented, such as those on birth registration for refugee children, expanding work rights, and naturalization processes. Many of these recommendations have only been partly implemented or have stalled.[v] Positive developments are also recognized/ including Tanzania's continued hosting of refugees despite challenges and the naturalization of about 162,000 Burundian refugees between 2010 and 2014.[vi]

II. Legal Framework

9. Tanzania is a party to several important international agreements, including the 1951 Refugee convention and its 1967 Protocol (joined in 1964), the 1969 OAU Refugee Convention, the International Convention on Civil and Political Right (ICCPR), the Convention on the Rights of Child (CRC), the African Charter on Human and People's Rights. Under customary international law, Tanzania must also follow the principle of non-refoulement.[vii] However, Tanzania has not ratified the 1954 and 1961 Statelessness Conventions or the International Conventions on the Protection of the Rights of All Migrants Workers and Members of Their Families.[viii]
10. In Tanzania, refugee issues are mainly governed by the Refugees Act of 1998 and the National Refugee Policy of 2003 (currently under review), together with constitutional protections dignity, liberty, and equality. However, policy changes after 2018 strengthened strict camp-based policies and limited refugees' ability to be self-reliant, moving away from earlier positive steps such as the mass naturalization of refugees.[ix]

11. Relevant recommendations from 3rd- cycle UPR, such as improving birth registration for refugee children and expanding work rights, have only been partly implemented or have stalled. This has led to continued gaps in protection and long-term solutions.[x]

III. Main Findings

a. *Theme 1:* *Breaking the rule of non-refoulement and forcing people to return to their home country.*

12. Tanzania has increased the return of Burundian refugees, despite reports or pressure, shelter demolition and mistreatment and ongoing risks in Burundi.[xi]
13. UNHCR has raised concerns about possible forced returns and pressure on refugees. In the first two months of 2026, more than 28,000 Burundian refugees returned quickly, exceeding the targets set in the tripartite agreement.[xii] New arrivals from the DRC (4,131 since January 2025) have also faced similar pressure at the border.[xiii]
14. Article 33 of the 1951 Refugee Convention on the principle of non-refoulement (also Article II of the OAU Convention); Article 7 of the ICCPR, which prohibits cruel, inhuman, or degrading treatment.[xiv]
15. Some Burundian refugees, including political activists and former military members, report being pressured to sign 'Voluntary' return forms, sometimes with their shelters demolished during the process.[xv]
16. These practices wake up the principle of voluntary, safe, and dignified returns. They especially of affect women, who may face higher risks of gender-based violence, and children, who may experience family separation and trauma. This contradicting Tanzania's long history of hosting refugees and its previous UPR commitments to protect them.

b. *Theme 2:* *Limited access asylum procedures and delays in processing refugee status application*

17. Strict camp process and individual refugee status procedures have created a backlog of more than 42,000 asylum seekers, mostly from the Democratic Republic of Congo (DRC). The National Eligibility Committee (NEC), which reviews these cases, has been inactive since 2022 because of logistical challenges.[xvi]
18. UNHCR data shows delay in processing claims from new arrivals from the Democratic Republic of Congo (DRC). People who enter the country irregularly face detention or are turned away at the border.[xvii]
19. 1951 Refugee Convention Article 31-33 (protecting refugees from punishment for irregular entry and ensuring non-refoulement); CRC Article 22 (rights of child asylum seekers); ICCPR Article 9 (protection from arbitrary detention).[xviii]
20. Long delays and being denied at the border put new arrivals at greater risk of exploitation, trafficking, and forced return.
21. The backlog increases risks for women, who may face trafficking or gender-based violence, and children, who have limited access to education and healthcare. This worsens protection gaps and shows that previous recommendation on asylum access has not been fully implemented.

c. *Theme 3:* *Keeping refugees in camps leads to poor living conditions, makes it harder for them to integrate and increase risks for women.*

22. The Refugees Act 1998 camp restrictions, banning work and movement outside camp, closing markets and causing dependency and poor living conditions.[xix]
23. UNHCR reports that limiting self-reliance raises protection risks. Refugees caught outside camps may face beating or killings, and 1972-era Burundian refugees continue to live prolonged displacement.[xx]
24. ICCPR Article 12 (freedom of movement); 1951 Refugee Convention Article 17-18 (rights to work and education); CRC Article 7-8 (birth registration and preventing statelessness.[xxi]
25. Limited access to services can lead to exploitation, and restriction on birth registration puts children at risk of becoming stateless. Living in camps keeps refugees excluded, increases risks of gender-based violence and family separation for women and children, and blocks integration, show long-term solutions despite past naturalization efforts.

IV. Recommendations

26. Solidarity and Unity recommend that the Government of the United Republic of Tanzania:
27. Amend the Refugees Act 1998 and National Refugees Policy to ban forced return, including shelter demolition and pressure tactics, and make sure all returns are voluntary, safe, dignified, and monitored by UNHCR, with clear safeguards in place by December 2027.
28. Restart the National Eligibility Committee immediately to clear the refugee status backlog within 12 months, train border officials on non-refoulement, and ensure all arrivals can access asylum procedures without obstacles.
29. Reform the current encampment policy to give refugees freedom of movement, the right to work and study outside camps, and the Government should also establish and promote community-based living options by 2028, to foster self-reliance and reduce dependency
30. Resume and finish naturalization for eligible long-term refugees, ensure all refugee children are registered at birth, and ratify the 1954 relating to the Status of Stateless persons and the 1961 Convention on the Reduction of Statelessness within the next two years.
31. Set up protection programs to prevent gender-based violence against refugee women, support family reunification, and provide children with education, health, and psychosocial care. These programmes should include clear indicators and annual reporting to the UN Human Right Council.
32. Build on Tanzania's positive record with Democratic Republic of Congo (DRC) arrivals and past naturalization by aligning national policies with international standards for durable solutions, including opportunities for local integration. This should include the development of clear pathways for local integration where appropriate, in close cooperation with UNHCR and civil society organizations.

V. Conclusion

33. Tanzania has shown strong commitment as a host country by welcoming refugees for many years. This includes important steps such as naturalization programmes and the continued reception of new arrivals from the Democratic Republic of the Congo (DRC), even while facing significant

political and economic pressures. These actions reflect the country's long history of providing protection to people fleeing conflict and instability.

34. However, several ongoing challenges weaken these positive efforts. Concerns remain about respect for the principle of non-refoulment, delays in processing asylum applications, and strict camp policies that limit refugee freedom of movement and opportunities for self-reliance. These issues can reduce the level of protection available to refugees and slow progress toward long-term solutions. As a result, women and children are often the most affected, facing higher risks of gender-based violence, exploitation, family separation, and the possibility of statelessness. Addressing these challenges would help strengthen Tanzania's refugee protection system and build on its positive record or hosting refugees.

    The partial or stalled implementation or relevant cycle UPR recommendations highlight the need for urgent, concrete reforms to align with national practices with Tanzania's international obligations under the 1951 Refugee Convention, ICCPR, CRC, and other instruments.

35. Solidarity & Unity urges the Government of Tanzania to prioritize the SMART recommendations outlined above, in close cooperation with UNHCR and civil society, to strengthen refugee protection, promote durable solutions, and advance human rights for all migrants and refugees. Implementing these measures would reinforce Tanzania's leadership in regional refugee hosting and contribute meaningfully to global accountability and best-practice sharing through the UPR process.

VI. Endnote

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Tanzania11 June 1976) 999 UNTS 171; African Charter on Human and Peoples' Rights (rat. by Tanzania 9 March 1984) 1520 UNTS 217.

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