

THE NON- GOVERNMENTAL ORGANIZATIONS ACT, 2002

THE CONSTITUTION

OF

TANZANIA NETWORK AGAINST HUMAN TRAFFICKING (TANAHUT)

Drawn by:

DAR ES SALAAM

PART I

PRELIMINARY

ARTICLE 1

SHORT TITLE AND COMMENCEMENT

NAME

This Constitution shall be known as the constitution of **TANZANIA NETWORK AGAINST HUMAN TRAFFICKING (TANAHUT)** of the year 2022 and shall come into operation upon being registered by the registrar of Non Governmental Organization.

ARTICLE 2

INTERPRETATION

In this constitution unless the context otherwise requires;

Article means an article of this constitution.

Assembly means the body of the organization comprising all members

TANAHUT is an abbreviation for **TANZANIA NETWORK AGAINST HUMAN TRAFFICKING**

Chairperson means the chairperson of the TANAHUT as pointed out under Article 17

HIV means Human Immunodeficiency Virus.

Member means a member of an organization as prescribed in this Constitution.

Members means plural of members.

Office bearers shall include chairperson, Vice chairperson, Coordinator and treasurer.

Organization means **TANZANIA NETWORK AGAINST HUMAN TRAFFICKING.**

Coordinator means the officer of **TANZANIA NETWORK AGAINST HUMAN TRAFFICKING** appointed under Article 18.

Treasurer means the officer of **TANZANIA NETWORK AGAINST HUMAN TRAFFICKING** elected under Article 19

ARTICLE 3

PREAMBLE

WHEREAS, we the registered NGOs have solemnly resolved to form a Network styled as ‘Tanzania Network Against Human Trafficking’ (TANAHUT)

AND WHEREAS, we are bound by Principles of Collective Participation, equality, and fairness in pursuit for the liberation of Victims and survivors of human trafficking:

NOW WHEREFORE; THIS CONSTITUTION IS PASSED BY THE GENERAL ASSEMBLY OF THE MEMBERS OF TANAHUT for Purposes of Joint collaboration in advocacy and awareness raising against human

trafficking, research and Publications of human trafficking related information, community engagement, outreach programs and stakeholders' capacity enhancement with view to combat human trafficking in Tanzania.

PART II

CONSTITUTION, DENOMINATION, REGISTRATION, HEAD OFFICE, AREA OF OPERATION

ARTICLE 4

NAME OF THE ORGANIZATION

There shall be an organization named **TANZANIA NETWORK AGAINST HUMAN TRAFFICKING** (TANAHUT).

ARTICLE 5

REGISTRATION

TANZANIA NETWORK AGAINST HUMAN TRAFFICKING shall be a Non-Governmental Organization registered under the Non-Governmental Organization Act No. 24 of 2002 as amended in 2005.

ARTICLE 6

HEAD OFFICE

The headquarters of the Organization shall be in Dar es Salaam Tanzania.

The TANAHUT shall be tentatively hosted by one of its member organisations, TRI until when it is able to run itself in terms of facilities, manpower and resources.

ARTICLE 7

AREA OF OPERATION

The organization area of operation shall be in Tanzania mainland, with a vision of having a branch in Zanzibar in the near future.

PART III

VISION, MISSION, OBJECTIVES, PROTECTION OF THE ORGANISATION

ARTICLE 8

VISION

To have a strong network in which members organization plays an effective collective role in ensuring eradication of human trafficking.

ARTICLE 9

MISSION STATEMENT

To coordinate, empower and act as a link to human trafficking organizations with other stakeholders through transparency and accountability.

ARTICLE 10

OBJECTIVES

The general objectives of the Organization shall be as provided hereunder:

1. To enhance the capacity of the member organizations in the issues pertaining human trafficking
2. To act as a unifying organ between its members and creating conducive working environment.
3. Engage in awareness raising on human trafficking from bottom – top
4. To encourage and promote research both academic and scientific with the view to update magnitude data on human trafficking
5. To conduct legal and policy review and analysis with the view to strengthen the legal frame work combating human trafficking in Tanzania
6. Cooperate with the government agencies and developing partners to strengthen government institutional and human capacity in combating human trafficking in Tanzania

ARTICLE 11

APPLICATION OF PENAL CODE AND CONTRAVENING BY-LAWS

The organization shall not exclude by any means the application of the Penal Code Cap 16 R.E 2002 and any other laws of the country.

PART IV

MEMBERSHIP AND TYPES OF MEMBERS

ARTICLE 12

The membership of the network shall be open to any registered organization in Tanzania mainland under the Non-Governmental Organizations Act, 2002, higher learning institution interested with the promotion of objectives of TANAHUT.

ARTICLE 13

TYPES OF MEMBERS

The membership of **TANZANIA NETWORK AGAINST HUMAN TRAFFICKING (TANAHUT)** shall be open to any organization that is interested with the objectives of TANAHUT and any other activity as provided under the Constitution. The Organization shall have founder Members, ordinary (appointed), and honorary members.

- i) Founder members are those initiated the formation of this organization.
- ii) Ordinary members are those members who shall join the organization after registration.

- iii) Honorary members are those members who shall be invited by the organization due to their outstanding contribution to the objectives of the organization.

ARTICLE 14

RIGHTS OF MEMBERS

The members of TANZANIA NETWORK AGAINST HUMAN TRAFFICKING (TANAHUT) shall have the following rights:-

- a) To attend members meeting and other meetings that may be conducted by the Organization.
- b) To request and obtain general information concerning the activities of the Organization
- c) To inspect the books of account when need be.
- d) Participate in decision making.
- e) Elect and or be elected as a leader save for honorary members who shall have no right to vote in organization meetings.

ARTICLE 15

CEASATION OF MEMBERSHIP

Members of the organization shall cease to be member due to the following occurrences:-

- i) If member organization act contrary to the objectives of this constitution.

- ii) If a member organization fails to attend General meeting for two consecutively without notice.
- iii) If a member organization fails to pay prescribed fees for 2 years consecutively.
- iv) Upon written resignation of a member organization.
- v) If a member organization ceases.

ARTICLE 16

OBLIGATIONS OF MEMBERS

All members shall have obligation to;

- a) Attend all meetings under this constitution and discharge their respective assignments.
- b) Pay prescribed fees.
- c) Participates in all activities of the Organization.
- d) Procure an atmosphere of transparency and accountability between and among themselves.
- e) Provide access to all forms of information pertaining and relevant to the functioning of the Organization.
- f) Support the creation of a democratic and participatory leadership within the Organization.
- g) Strive towards unity and avoidance of all forms of division among the members of the Organization.
- h) Promote and respect equality of all the member organizations and avoid domination of the organization by a member organization or group of member's organization.
- i) Respect the autonomy and independence of member's organization.

- j) Enhance the spirit of participation without danger of imposition and / or manipulation.
- k) Foster constant dialogue and sharing of resources, information, expertise, and responsibilities among the member organizations.
- l) Maintain a high standard of professionalism in service.
- m) Promote and preserve the sanctity of this constitution.
- n) Observe personal integrity, dignity, respect and rights of other member organizations.
- o) Refrain from influencing the Organization or its members in any way or manner, which may appear to prejudice the status of the Organization.

PART V

ORGANIZATIONAL STRUCTURE AND OFFICE BEARER

ARTICLE 17

CHAIRPERSON

There shall be chairperson of the organization who:

- i) Shall be chief spokesperson of the organization
- ii) Shall preside over all meetings of the General meeting.
- iii) Shall be signatories in contracts and documents for agreements and payments
- iv) Shall be answerable to the Board and General meeting
- v) Shall initiate innovative projects and programs for the organization
- vi) Shall help to plan and implement fundraising activities and institutional capacity building of the organization

- vii) To report the organization activities to all meetings
- viii) Shall perform such other functions and duties as may be assigned by the General meeting.
- ix) shall be elected and removed from the office by the General meeting
- x) He/she shall be the secretary of the board of Directors meetings

VICE CHAIRPERSON

There shall be the Vice Chairperson of the organization who shall assist the chairperson of the organization by:

- i. Being the principal assistant to the Chairperson in respect of all matters pertaining to welfare of the Organization
- ii. Promoting and advocating the values and objectives of TANAHUT in consultation with the Chairperson
- iii. Perform all duties assigned to him by the Chairperson
- iv. shall be elected and removed from the office by the General meeting

The Chairperson and the Vice Chairperson shall not be coming from the same member organization.

ARTICLE 18

COORDINATOR

There shall be a Coordinator who shall:

- i) Be Secretary of all TANAHUT meetings.
- ii) Be one of the signatories into the contracts and documents for agreements and payments
- iii) Shall be answerable to the Board and General meeting

- iv) Shall prepare regular reports of organization's activities.
- v) Shall initiate plans of actions of the organization
- vi) Shall work out plans for fundraising and capacity building of the organization
- vii) Informing on a regular basis, through official letters, media, website and Newsletters all TANAHUT Partners on developments and activities of the organization
- viii) To issue circulars, convene all meetings and keep Minutes of the Proceeding thereof.
- ix) To keep the roll of members and an inventory of properties of the Organization
- x) To control and co-ordinate various activities of the Organization
- xi) To fulfill any other duties entrusted to him/her by Annual General Meeting or Executive committee
- xii) She/he shall be appointed by the executive committee and approved by the General meeting

ARTICLE 19

TREASURER

There shall be a Treasurer who:

- i) Shall be an accountant of the organization
- ii) Shall advice the organization and executive committee on financial matters and assets.

- iii) Shall collaborate with the Board and executive Committee to secure funds and to organize fundraising program.
- iv) Shall be chief advisor and actor in the preparation of budget and financial reports.
- v) Shall be one of the signatories of the contracts and documents for agreements and payments.
- vi) Shall report to all meetings income and expenditures of the organization.
- vii) The treasurer may be elected and removed from office like the chairperson and vice chairperson. Depending on the professional qualifications he/she may be employed and fired.
- viii) To send notice to members regarding arrears of subscription and other financial matters
- ix) To follow the financial procedures manual in all the transaction made as per General Accepted Accounting Principles and other regulations.
- x)

PART VI

ARTICLE 20

OFFICE BEARERS

The office bearers shall be elected among members to hold an office for a term of three years which may be renewed only once.

ARTICLE 21

ORGANS OF THE ORGANIZATION

a) Composition

The Board Members shall consist of twelve members namely Chairperson of the network who shall be the secretary of the board, Chairperson of the board, Zone representatives and any other appointed prominent person who shall be appointed by the Founding members and approved by the AGM.

b) Tenure

The tenure of the member organizations shall be liable to pay membership subscription fee each year.

c) Meetings

Board meetings take place as set out in the schedule of meetings forwarded to any of the chairperson or to any office bearer in his absence, the notice, Agenda and documentations if any shall be sent to the board members by the coordinator at least five days before hand.

d) Quorum

- i) Two fourth (2/3) of the board members, with a minimum of eight (8) shall constitute a quorum at the regular meetings requiring a vote. At Executive Board meetings, two thirds (2/3) of the executive Board members shall constitute a quorum. Ad hoc committees and the nominating committee do not count for quorum.
- ii) When there is a need or interest of the organization to expand its vision there will need to be a 2/3 vote by the TANAHUT. The sole purpose of selling, buying or donating land will be for the expansion and support of the original mission and purpose of the

organization to help children, young women and the vulnerable who are victims or survivors of human trafficking.

- iii) The Founder Member is the permanent voting membership which includes two members of the TANAHUT Founder who must also adhere to the character and behavior characteristics required of all TANAHUT board members. The founding members can be officers of the board and/or corporation but must be voted upon as any officer and again meeting the same criteria and terms required by all members. If a founder member does not meet the requirements as outlined in the constitution they can be removed by board vote in the General meetings. They must be approved in AGM after their nomination by the executive committee. They shall appoint two (2) person to represent as a signatory from group b.

Meeting of the organization shall therefore include the following

- i. Annual General Meeting – Supreme organ of the Network that has final decision making power.
- ii. Board of Directors Meeting (Annually) to be appointed by the Founding members and approved by the Annual General Meeting.
- iii. Executive Committee meeting (3month after) – This is a supervisory and management organ of the network that is responsible for daily operations.
- iv. Zonal Meeting (quarterly (3month after). We will have seven zones in the network as indicated below. Organizations from same zone will come together to formulate TANAHUT zone as listed down. They will be required to have regular meetings after 3month each.
 - 1. Eastern zone (Dar, Pwani, Morogoro)
 - 2. Northern Zone (Tanga, Kilimajaro, Arusha and Manayra)
 - 3. Lake Zone (Kagera, Mwanza, Geita, Simiyu, and Mara)

4. Southern highlands zone (Iringa, Njombe, Ruvuma, mtwara and Lindi)
 5. South west highlands zone (Rukwa, Mbeya and Songwe)
 6. Central Zone (Dodoma, Singida and Tabora)
 7. Western Zone (Katavi, Kigoma and Shinyanga)
 8. Zanzibar (Unguja and Pemba – HQ Unguja).
- v. Committee Meeting (Monthly) – Departments will be formulated based on each organization thematic areas, those who have similar interventions will form same department as shown below. They have an obligation to issue monthly reports
- Advocacy and awareness Raising committee
 - Victim identification, rescue, support services and referral committee
 - Case reporting, case management, Investigation and prosecution committee
 - Survivors empowerment committee
 - Research and publication committee
 - Resource mobilization committee

ARTICLE 22

FUNCTIONS OF BOARD MEMBERS

- i) Be informed about the organization’s mission, services, policies, and programs.
- ii) Review agenda and supporting materials prior to board and committee meetings.

- iii) Serve on committees or task forces and offer to take on special assignments.
- iv) Make a personal financial contribution to the organization.
- v) Inform others about the organization.
- vi) Keep up-to-date on developments in the organization's field.
- vii) Suggest possible nominees to the board who can make significant contributions to the work of the board and the organization
- viii) Follow conflict-of-interest and confidentiality policies.
- ix) Assist the board in carrying out its fiduciary responsibilities, such as reviewing the organization's annual financial statements.

PART VII

FINANCIAL MANAGEMENT, SOURCES OF FUNDS AND USES OF FUNDS

ARTICLE 23

FINANCIAL YEAR

The financial year of the organization shall commence on 1st January and shall end on 31st December each year.

ARTICLE 24

SOURCES OF FUND

The funds of the organization shall come from both local and international donors. The Organization shall accept funds from any source whatever,

provided the same are legitimate and the receipt thereof is not contrary to the general philosophy and principles governing the organization. They shall include.

- i. Registration fees
- ii. Annual Membership Fee
- iii. Grants/Contribution/Donation
- iv. Survivors Relief Fund (SRF)
- v. Any other investment for the purpose of resource mobilization.

ABOUT TANAHUT SURVIVORS' RELIEF FUND (TSRF)

This is a special fund within TANAHUT that will be responsible for supporting and empowering survivors of TIP to simplify their transition to independent living. TSRF will have mandate to mobilize financial and other resources that may be needed in the process of empowering survivors. The fund will respond to the sustainable human development of the survivors within Tanzania by intervening in the process of restoration, development as well as their future wellbeing. TSRF will also cut across emergency needs of the survivors as one of our priority to ensure they have access to all the services they need and deserve at any point during their healing journey. **TSRF** will be funded by TANAHUT Members through agreed annual rate, donation and any other form of contribution from other sources. Qualifying candidate/beneficiary must have acquired reasonable and appropriate approval from respective authority.

ARTICLE 25

USES OF FUND

The funds received or generated by the organization shall be applied only to the objectives of the organization.

ARTICLE 26

BANK ACCOUNT

The organization shall have its own bank account (s) and the signatories shall be the Chairperson, Coordinator and Treasurer. All Monetary transactions on bank accounts shall require at least two signers.

ARTICLE 27

ANNUAL REPORT

The chairperson shall from time to time cause to be prepared and to be laid before the General meeting profit and loss account, balance sheets and reports as to financial status of the meeting.

ARTICLE 28

AUDITING AND CONTROL

- a) The General meeting shall annually appoint a reputable independent auditor to conduct audit of the organization annually and submit to the General meeting an annual audit report in writing.
- b) The entire Organization accounts, records and documents shall be open for inspection of the auditor at any time.
- c) An auditor shall remain an independent person and his/her report shall be publicly declared/presented at the General meeting.

PART VIII

GENERAL MEETING (ORDINARY AND GENERAL)

ARTICLE 29

COMPOSITION OF GENERAL MEETING

A general meeting of members of the organization shall be held at least once per year composed of all members.

ARTICLE 30

POWER FUNCTION OF THE GENERAL MEETING

The power of General meeting shall be to:-

- a) To approve admission of new members
- b) Amend the constitution when need be
- c) Approve annual plans budgets and annual reports

ARTICLE 31

DELEGATION OF POWER

Powers of the general meeting may be delegated to the board members subject to be approved in a subsequent general meeting.

ARTICLE 32

ANNUAL GENERAL MEETING (AGM)

- i) The Annual General meeting of the organization shall be held once in every financial year of the organization.
- ii) The AGM shall have a quorum of 2/3 of all members.
 - iv) The notice shall be issued not less than 30 days.

ARTICLE 33

SPECIAL GENERAL MEETING (SGM)

- v) The SGM shall be called at any time where there is an urgent matter to be discussed.
- ii) The quorum for SGM shall be ½ of all members.
 - vi) The notice for SGM shall be not less than seven (7) days.

PART IX

CONSTITUTIONAL AMENDMENTS, DISSOLUTION AND COMMON SEAL

ARTICLE 34

CONSTITUTION AMENDMENTS

The General meeting shall alter this constitution as follows:

- 1) By giving 21-days' notice before the meeting by giving the particulars of Article or matter to be amended, repealed, enacted or added.
- 2) The quorum shall be three quarters $\frac{3}{4}$ of the all active members of the General meeting.
- 3) For the purposes of amending, repealing or adding any Article to this constitution, the two thirds ($\frac{2}{3}$) votes of the present members is needed.

ARTICLE 35

DISSOLUTION

The organization may be dissolved by a decision of the general meeting where $\frac{2}{3}$ of all members accept to that change. Upon dissolution of the organization the executive committee shall supervise the cessation and disposal of the liabilities in which the remains shall be distributed to any other registered organization having similar objectives as this organization.

ARTICLE 36

COMMON SEAL

- i) The organization shall have a common seal that shall bear the registered name of TANZANIA NETWORK AGAINST HUMAN TRAFFICKING
- ii) The common seal of the organization shall be affixed in the presence of the chairperson.
- iii) The custodian of the said seal shall be the Coordinator

ARTICLE 37

CONFLICT RESOLUTION

In the event of any dispute arising among members of the organization, members shall use their best efforts to settle such dispute amicably. If members are unable to resolve the dispute by negotiation then members agree to move and seek a settlement by arbitration in accordance with the Arbitration laws of Tanzania.

All matters arising from or in connection with the organization, its validity, existence or dissolution shall be determined in accordance with the laws of the United Republic of Tanzania.

**PART X
MISCELLANEOUS DISPOSITION**

Founding Member Organizations.

N/A	NAME	Organization	Title	Signature
1	Edwin Mugambila	Tanzania Relief Initiatives	Chairman	
2	Suzan Shoo	Courage Worldwide	Secretary	
3.	Benson Brian	Gracility Welfare	Member	
4	Stephanie Midthun	Courage Worldwide.	- II -	
5	Dorcas Mnkande	Tanzania Relief Initiatives	Member	
6	Damian Edward	Tanzania Relief Initiatives	Accountant	
7	Elius Clemence.	Tanzania Relief Initiatives	Member	
8	Hemed Ngochele	Nugget Development Tanzania	Member	
9	Julius Kambarage	KIWOHEDE	- II -	
10	Riziki Mbegalo	KIWOHEDE	- II -	
11	Samwel Phanuel	ROWODO	Member	
12	Rose Mutakyahwa	Romme Love Justice Centre	Member	
13	Mwanaisha Mndeme	Women and Youth Voice Foundation	member	
14	Irene Lulu	LHLC	Member	
15	Furaha Calopius	COMHESWA	- II -	
16	Erick Kimashi	DMI	Member	
17	Njiti Batty	TRI	Member	
18	Michael Kyande	SAHRiNGON	Member	
19	Shubi	Tanzania Child welfare	member	
20	Muksin Salum	ROWODO.	- II - II -	

WE the several persons, whose names and postal addresses are subscribed above, are desirous of being formed into a non-Governmental organisation pursuant to this Constitution: -

Dated at **Dar es Salaam** this _____ day of _____
2022.

BEFORE ME:

NAME:

ADDRESS:

SIGNATURE:

QUALIFICATION: