



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-second session

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION**

Concluding observations: United Republic of Tanzania

1. The Committee considered the second periodic report of the United Republic of Tanzania (CRC/C/70/Add.26) at its 1135th and 1137th meetings (see CRC/C/SR.1135 and 1137), held on 19 May 2006, and adopted at the 1157th meeting, held on 2 June 2006, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the second periodic report which is generally in compliance with the Committee's guidelines. The Committee also notes with appreciation the written replies to its list of issues (CRC/C/TZA/Q/2), which allowed for a clearer understanding of the situation of children in the State party.

3. The Committee notes with appreciation the open and constructive dialogue with the high-level delegation of the State party, which included experts from various ministries. It further welcomes the positive reactions to the suggestions and recommendations made during the discussion.

B. Follow-up measures undertaken and progress achieved by the State party

4. The Committee notes with appreciation the adoption of policies and programmes aimed at protecting and promoting the rights of the child, such as:

(a) The National Policy on HIV/AIDS in November 2001 and the National Multi Sectorial Strategic Framework on HIV/AIDS for 2003-2007;

(b) The Policy for Child Survival, Protection and Development (CSPD) inaugurated by the Government of Zanzibar in 2001;

(c) The National Refugee Policy, which provides for better conditions for refugee children, adopted in September 2003; and

(d) The National Disability Policy in March 2004.

The Committee also welcomes the ratification of the following instruments:

(e) The Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, respectively in 2004 and in 2003;

(f) The International Labour Organization (ILO) Convention No. 182 (1999) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, in 2001; and

(g) The African Charter on the Rights and Welfare of the Child, in 2003.

C. Factors and difficulties impeding the implementation of the Convention

5. The Committee notes that the high incidence of the HIV/AIDS epidemic in rural areas, together with certain traditional practices and customs in use there, continues to hamper progress in the effective implementation of the provisions of the Convention.

D. Principal areas of concern and recommendations

1. General measures of implementation (arts. 4, 42 and 44, para. 6 of the Convention)

Committee's previous recommendations

6. The Committee notes with satisfaction that some concerns and recommendations (CRC/C/15/Add.156) made upon the consideration of the State party's initial report (CRC/C/8/Add.14/Rev.1) have been addressed through legislative measures and policies. However, recommendations regarding, inter alia, legislation, coordination, corporal punishment, child labour and juvenile justice have not been given sufficient follow-up. The Committee notes that those concerns and recommendations are reiterated in the present document.

7. The Committee urges the State party to make every effort to address those recommendations contained in its concluding observations on the initial report that have not yet been implemented, and to address the list of concerns contained in the present concluding observations on the second periodic report.

Legislation

8. The Committee welcomes the information provided by the State party about the current legislative review process and that views of all stakeholders, including children, will be compiled, through the national “White Paper”. However, the Committee remains concerned at the lack of a clear time frame to finalize the consultative process and enact “The Children’s Act”.

9. The Committee urges the State party as a matter of priority to engage all efforts and resources necessary for the enactment of the Children’s Act in Tanzania mainland and a similar Act in Zanzibar. It further urges the State party to ensure that all of its domestic and customary legislation conforms fully to the principles and provisions of the Convention, thus making possible its effective implementation.

Coordination

10. While noting with appreciation the different measures and programmes to coordinate child-related matters, including the establishment of the Department of Children Development in 2003 within the Ministry for Community Development, Gender and Children, the Committee remains concerned at the lack of a strong and effective coordination of all activities related to the implementation of the Convention on the Rights of the Child that ensure a uniform approach in both Tanzania mainland and Zanzibar.

11. The Committee urges the State party to strengthen the ability of the Department of Children Development to effectively coordinate with other ministries and departments, and local government authorities, dealing with children. Adequate human and financial resources should be provided for an effective performance of its tasks and responsibilities with a view to decreasing and eliminating disparity or discrimination between the Tanzania mainland and Zanzibar in the implementation of policies for the promotion and protection of the rights of the child.

National plan of action

12. The Committee welcomes the information that the State party has prepared the National Programme of Action for both Tanzania mainland and Zanzibar, and has circulated it to the various stakeholders for their comments. It is nevertheless concerned that the State party has not yet finalized its revised Child Development Policy of 1996.

13. The Committee recommends that the State party finalize the process of adoption of the revised Child Development Policy, which would provide a clear framework linked to broader intersectoral policies and strategies for children. It further recommends that the State party expedite its efforts in adopting a comprehensive national plan of action for the full implementation of the rights enshrined in the Convention, taking into account the objectives and goals of the outcome document entitled “A world fit for children” of the General Assembly Special Session for Children.

Independent monitoring

14. The Committee welcomes the establishment of the Special Desk for Children's Affairs within the Commission for Human Rights and Good Governance. It notes, in particular, the activities undertaken by the Commission to, inter alia, conduct inspection visits to prisons and to investigate complaints relating to children and youth. However, the Committee is concerned about the accessibility and availability of the Commission to all children in the country and about the human and financial resources allocated to it.

15. The Committee recommends that the State party, taking into account its general comment No. 2 of 2002 (see CRC/GC/2002/2) on the role of independent national human rights institutions, undertake all effective measures to ensure that the Commission for Human Rights and Good Governance be easily accessible to, and user-friendly for, all children. In particular, the Committee recommends that the State party conduct awareness-raising campaigns about the work of the Commission, including the work of the Special Desk for Children's Affairs and its procedures, in order to facilitate children's access to its complaints mechanisms. Adequate financial and human resources should be allocated for its effective functioning.

Resources for children

16. The Committee notes with appreciation the increase in budget allocations for the implementation of the Convention on the Rights of the Child. However, these allocations are insufficient to respond to national and local priorities for the protection and promotion of children's rights.

17. The Committee recommends that the State party pay particular attention to the full implementation of article 4 of the Convention, by developing appropriate mechanisms to track, monitor, and influence investments and to budget allocations in favour of children as a cross-cutting concern within the clusters and sectoral development programmes of the National Strategy for Economic Growth and Reduction of Poverty (NSGRP), known as Mkukuta in Tanzania mainland and Mkuza in Zanzibar.

Data collection

18. While taking note of the efforts made in improving the data collection system by the different ministries departments agencies, the Committee remains concerned at the lack of a centralized data collection system.

19. The Committee recommends that the State party strengthen its system of collecting disaggregated data as a basis to assess progress achieved in the realization of children's rights and to help design policies to implement the Convention. The Committee also recommends that the State party seek technical assistance from, inter alia, the United Nations Children's Fund.

Dissemination, training and awareness-raising

20. The Committee notes with appreciation the efforts made by the State party, including the translation of the Convention into Kiswahili, along with other programmes such as the Day of the African Child and the World Day Against Child Labour. Nevertheless, it is of the opinion that additional progress needs to be made by the State party with regard to raising awareness of the principles and provisions of the Convention.

21. **The Committee recommends that the State party strengthen its efforts to ensure that the provisions of the Convention are widely known and understood by adults and children. It also recommends that the State party develop and disseminate child-friendly versions of key documents, plans and policies that affect children. It also recommends the reinforcement of adequate and systematic training for all professional groups working for and with children, in particular law-enforcement officials; teachers, including teachers in rural and remote areas; health-service personnel; social workers; and personnel in childcare institutions.**

Cooperation with civil society

22. The Committee welcomes the cooperation between the State institutions, civil society organizations and non-governmental organizations (NGOs) in the implementation of projects related to children's rights. Nevertheless, the Committee notes that there is a need to further improve and formalize this cooperation in order to enhance sustainability and continuity.

23. **The Committee encourages the State party to strengthen its cooperation with NGOs and other sectors of civil society working for and with children, in a more systematic and consistent fashion throughout all stages of implementation of the Convention.**

2. Definition of the child (art. 1 of the Convention)

24. The Committee notes with appreciation that the State party has raised the minimum age of employment from 12 to 14 years. However, the Committee reiterates its concern that the minimum age for marriage is 15 years for girls and 18 for boys.

25. **The Committee recommends that the State party set a clear definition of a child in the draft Children's Act that is in line with the Convention on the Rights of the Child. It further recommends that the State party establish one legal minimum age for marriage, at an internationally acceptable level, for both boys and girls.**

3. General principles (arts. 2, 3, 6 and 12 of the Convention)

Non-discrimination

26. While noting that the State party has reviewed certain discriminatory legislation to ensure that children's rights are not breached, the Committee expresses concern at the fact that discrimination against certain groups of children still exists in legislation as well as in practice,

particularly with regard to teenage pregnant girls, children with disabilities, children of asylum-seekers, children infected with and/or affected by HIV/AIDS, and street children.

27. The Committee urges that the State party continue revising all its legislation in order to bring it in full compliance with article 2 of the Convention, and to ensure full implementation in practice of all legal provisions. The Committee recommends that the State party carry out comprehensive public education campaigns to prevent and combat all forms of discrimination.

28. The Committee requests that specific information be included in the State party's next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow-up on the Declaration and Programme of Action adopted at the 2001 World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, also taking into account the Committee's general comment No. 1 on the aims of education of 2001 (CRC/GC/2001/1).

Respect for the views of the child

29. The Committee is encouraged by the State party's efforts to promote and respect children's right to freely express their views, notably through the establishment of the Junior Council in 2002 with a nationwide initiative. Nevertheless, the Committee is of the view that children's right to free expression and to participation is still limited in the State party, partly due to traditional attitudes. It is also concerned that the Junior Council has not yet been incorporated into the decision-making process either at central or local levels.

30. The Committee recommends that the State party strengthen its efforts to ensure that children's views are given due consideration in the family, schools, courts, and other relevant administrative and non-administrative settings, in accordance with article 12 of the Convention. It also recommends that the State party formalize structures of participation for children and young people, and in particular that it provide support to the Junior Council, so that the Council can function effectively as the nationally representative body for children. It further recommends that the State party develop strategies to reach the most marginalized groups of children with necessary information, and that it involve them in public debates, by working with all stakeholders particularly at local level.

4. Civil rights and freedoms (arts. 7; 8; 13-17; and 37 (a) of the Convention)

Birth registration

31. While welcoming the measures taken by the State party in this respect, including the introduction of the Civil Registration Programme in Local Governments Authorities as well as the establishment of a Birth Registration office in all Districts and Shehias in Zanzibar, the Committee remains concerned at the difficulties in ensuring the birth registration of children, particularly in rural areas.

32. **In the light of article 7 of the Convention, the Committee recommends that the State party implement an efficient birth registration system that covers its territory fully, including through:**

- (a) Ensuring birth registration free of charge;**
- (b) Introducing mobile birth registration units in order to reach the remote areas;**
- (c) Taking appropriate measures to register those who have not been registered at birth; and**
- (d) Formalizing links between various service delivery structures and promoting awareness and appreciation of the importance of birth registration through mass campaigns that provide information on the procedure of birth registration, including the rights and entitlements derived from the registration, through, inter alia, television, radio and printed materials.**

Corporal punishment

33. While noting various initiatives undertaken by the State party in campaigning against corporal punishment, including the establishment of two non-corporal punishment pilot schools in Zanzibar, the Committee deeply regrets that corporal punishment is still lawful in schools and in the penal system. The Committee is further concerned that corporal punishment is lawful in the family and alternative-care institutions.

34. **Taking into account its general comment No. 1 on the aims of education (CRC/GC/2001/1) and general comment No. 8 on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment (CRC/GC/2006/8), the Committee urges the State party:**

- (a) To explicitly prohibit all forms of corporal punishment in the family, schools, the penal system and other institutional settings and alternative-care systems, as a matter of priority;**
- (b) To sensitize and educate parents, guardians and professionals working with and for children, by carrying out public educational campaigns about the harmful impact of corporal punishment; and**
- (c) To promote positive, non-violent forms of discipline as an alternative to corporal punishment.**

5. Family environment and alternative care
(arts. 5; 18, paras. 1-2; 9-11; 19-21; 25; 27, para. 4; and 39 of the Convention)

Alternative care

35. The Committee welcomes the National Guidelines for Care and Protection of Orphans and Vulnerable Children in Institutional Care, but it remains concerned that these Guidelines are not always effectively implemented.

36. **The Committee recommends that the State party undertake the necessary measures to fully implement the National Guidelines for the Care and Protection of Orphans and Vulnerable Children. The Committee reiterates its recommendation (see CRC/C/15/Add.156, para. 41) that the State party continue and strengthen its efforts to allocate appropriate human and financial resources to ensure the provision of adequate care and protection to children deprived of a family.**

Adoption

37. The Committee notes with satisfaction that domestic adoption is encouraged. Nevertheless, intercountry adoption exists for applicants who reside in other Eastern African countries.

38. **The Committee encourages the State party to further the steps undertaken to ratify the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.**

Child abuse and neglect

39. The Committee welcomes the adoption of a National Plan of Action by the Ministry of Community Development Gender and Children in 2003, aimed at combating violence against children and women. It further notes with appreciation the establishment of a Counselling Unit in Zanzibar to which neglected children can direct complaints. Nevertheless, the Committee is concerned that appropriate mechanisms for containing or preventing abuse of children are insufficient.

40. **The Committee recommends that the State party:**

- (a) Strengthen its existing measures to prevent child abuse and neglect;**
- (b) Strengthen the capacity of the Children's Desk within the Commission for Human Rights and Good Governance to investigate, review and respond to child rights complaints;**
- (c) Follow-up on recommendations of the Commission for Human Rights and Good Governance, which resulted from its public inquiry into violence against children;**
- (d) Consider establishing a toll-free, nationwide telephone helpline for children, resourced with well-trained professionals and volunteers; and**

(e) Stimulate the creation of networks and partnerships aimed at eliminating violence against children.

41. **In the context of the Secretary-General's ongoing in-depth study on the question of violence against children (see General Assembly resolution 56/138) and the related questionnaire to Governments, the Committee acknowledges with appreciation the written replies of the State party and its participation in the Regional Consultation for Eastern and Southern Africa, held in South Africa from 18 to 20 July 2005. The Committee recommends that the State party use the outcome of this regional consultation to take action, in partnership with civil society, to ensure the protection of every child from all forms of physical or mental violence, and to gain momentum for concrete and, where appropriate, time-bound actions to prevent and respond to such violence and abuse.**

**6. Basic health and welfare
(arts. 6; 18, para. 3; 23; 24; 26; 27, paras. 1-3 of the Convention)**

Children with disabilities

42. While welcoming the establishment of the National Advisory Council to monitor rehabilitation centres for children with disabilities, the Committee remains concerned at the limited understanding of the situation of children with disabilities, the limited capacities for early detection and treatment of children with disabilities, the inaccessibility of buildings and transportation to children with disabilities, and the absence of an inclusive policy with regard to children with disabilities.

43. **In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and its recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339), the Committee recommends that the State party:**

(a) Further encourage the integration of children with disabilities into the regular educational system and their inclusion into society;

(b) Pay more attention to special training for teachers and making the physical environment, including schools, sports and leisure facilities and all other public areas, accessible for children with disabilities; and

(c) Improve and strengthen early detection and treatment services through the health and education sector.

Health and health services

44. The Committee welcomes the introduction of the Integrated Management of Childhood Diseases (IMCI), but remains concerned at the high infant and under-five mortality rates, and at those health insurance schemes, such as the Community Health Funds (CHF), that are inaccessible to the very poor. Distances from villages to the health-care centres, and poorly resourced centres, also impact upon access. The Committee is also concerned that a high

percentage of children under 5 are chronically malnourished or stunted. It is further concerned at the enjoyment of the right to health by children, particularly with regard to access to generic medicine.

45. The Committee recommends that the State party:

(a) Undertake all necessary measures to reduce infant and under-five mortality rates, including by improving prenatal care and preventing communicable diseases;

(b) Allocate more financial resources to health services, in particular with a view to improving access to safe drinking water and sanitation facilities;

(c) Develop appropriate national strategies to address the critical nutritional needs of children, particularly among the most vulnerable groups, through a holistic and intersectoral approach that recognizes the importance of feeding practices;

(d) Ensure that regional and other free-trade agreements do not have a negative impact on the enjoyment of the right to health by children, in particular with regard to access to generic medicine; and

(e) Create an environment to reduce distances to child health clinics for mothers and pregnant mothers.

Adolescent health

46. The Committee notes with concern the high rate of teenage pregnancies and the fact that the State party does not pay sufficient attention to adolescent health issues, including developmental, mental and reproductive health concerns.

47. The Committee recommends that the State party:

(a) Undertake a comprehensive study to assess the nature and the extent of adolescent health problems and, with the full participation of adolescents, use this as a basis to formulate adolescent health policies and programmes with particular focus on the prevention of HIV/AIDS and other sexually transmitted diseases, taking into account the Committee's general comment No. 4 (2003) on adolescent health and development;

(b) Strengthen developmental and mental health counselling services, as well as reproductive counselling, and make them known and accessible to adolescents;

(c) Ensure the inclusion of reproductive health education in the school curriculum and fully inform adolescents of reproductive health rights, including the prevention of teenage pregnancies and sexually transmitted diseases, including HIV/AIDS; and

(d) Continue to provide support to pregnant teenagers and ensure the continuation of their education.

HIV/AIDS

48. While welcoming the establishment of the Tanzanian Commission on Aids (TACAIDS) in December 2000 and the adoption of a National Policy on HIV/AIDS in November 2001, the Committee remains concerned at the high prevalence rate of HIV/AIDS, especially among women in their childbearing years, compounded, in part, by inappropriate traditional practices, stigmatization and the lack of knowledge of prevention methods. It is further concerned at the fact that only a limited number of HIV/AIDS-infected children have access to antiretroviral medication.

49. **The Committee recommends that the State party, taking into account its general comment No. 3 on HIV/AIDS and the rights of children (CRC/GC/2003/3) and the International Guidelines on HIV/AIDS and Human Rights (E/CN.4/1997/37), continue:**

(a) To strengthen its efforts in combating the spread and effects of HIV/AIDS, in particular by effectively implementing the programme for preventing mother-to-child transmission of HIV/AIDS (PMTCT), by providing all pregnant women with adequate health and social services free of charge, and by ensuring the provision of antiretroviral drugs and formula-feeding for infants;

(b) To systematically include comprehensive information about HIV/AIDS and sex education, including condom promotion, and provide training to teachers and other education personnel on teaching about HIV/AIDS and sex education;

(c) To integrate respect for the rights of the child into, and involve children, in the development and implementation of its HIV/AIDS policies and strategies; and

(d) To expand assistance to children orphaned and made vulnerable by HIV/AIDS.

Harmful traditional practices

50. The Committee notes with appreciation the efforts undertaken by the State party to address the practice of female genital mutilation (FGM), including the launch of the East African Network on the Elimination of Female Genital Mutilation. However, the Committee reiterates its concern that FGM is still widely practiced.

51. **The Committee recommends that the State party strengthen its legislative measures regarding FGM and conduct awareness-raising campaigns to combat and eradicate this and other traditional practices harmful to the health, survival and development of children, especially girls. The Committee recommends that the State party introduce sensitization programmes for practitioners and the general public to encourage change in traditional attitudes, and to prohibit harmful practices, engaging with the extended family and the traditional and religious leaders.**

52. **The Committee recommends that the State party ratify the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.**

Right to an adequate standard of living

53. The Committee notes with appreciation that the revised Poverty Reduction Strategy, known as Mkukuta, pays particular attention to the need for a comprehensive social protection policy and a framework for its implementation. However, the Committee remains concerned about widespread poverty and the increasingly high number of children who do not enjoy the right to an adequate standard of living, including children belonging to disadvantaged families, children infected with and/or affected by HIV/AIDS, and street children.

54. **The Committee reiterates its recommendation (see CRC/C/15/Add.156, para. 55) that the State party strengthen its efforts to provide support and material assistance to marginalized and disadvantaged families and to guarantee the right of children to an adequate standard of living. The Committee further recommends that the State party, based on its commitment expressed in Mkukuta, urgently develop a comprehensive social protection framework with the highest priority given to most vulnerable children.**

7. Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)

55. The Committee commends the State party for the abolition of school fees for primary education in 2002 and the introduction of the Primary Education Development Plan in 2000-2005, which focused on increasing enrolment and retention, closing gender parity, improving the quality of learning and teaching, capacitating the education systems and strengthening the institutional arrangement that supports the planning and delivery of education services. Despite these positive steps, the Committee is concerned about access to quality education at all levels; the poor physical environment of schools, which often lack appropriate water and sanitation facilities; and the high dropout rates due to pregnancy, early marriage and retention.

56. **The Committee recommends that the State party:**

- (a) Improve the overall quality of education;**
- (b) Increase enrolment rates in secondary education as well as attempts to bring dropouts back to schools and to other vocational training centres;**
- (c) Review the 1992 Education Act on Tanzania mainland to prohibit the expulsion of pregnant teenagers from schools;**
- (d) Develop programmes that link learning with livelihood skills;**
- (e) Ensure that teachers are adequately trained and paid;**
- (f) Provide schools with adequate facilities;**
- (g) Undertake additional efforts regarding facilities for informal education to vulnerable groups, including street children, orphans, children with disabilities, and child workers; and**
- (h) Include human rights education as part of the curriculum.**

Leisure, recreation and cultural activities

57. The Committee is concerned at the limited access to leisure, recreational and cultural activities.

58. **The Committee recommends that the State party undertake measures to improving children's access to, and the quality of, sports facilities, cultural activities and other leisure facilities.**

8. Special protection measures (arts. 22; 38; 39; 40; 37, paras. (b)-(d); 32-36; 30 of the Convention)

Refugee, asylum-seeking and unaccompanied children

59. The Committee notes with appreciation the State party's long-standing generous approach to receiving refugees from the neighbouring countries and its ongoing efforts to revise and update its refugee legislation and policy, which attempts to incorporate international standards and best practices for the protection of refugees, particularly children. However, the Committee remains concerned at the current delay in the processing of newly arrived Burundian and Congolese asylum-seekers, including a high number of children. It is also concerned at the high number of incidents of rape and other forms of sexual abuse.

60. **The Committee recommends that the State party strengthen its efforts to address the current delays in the processing of newly arrived Burundian and Congolese asylum-seekers by establishing ad hoc committees. It also recommends that the State party improve the protection response and follow-up for cases of sexual and gender-based violence, particularly those involving children, and that it expedite the revision of its legislation on refugees' related matters. It further recommends that the State party continue seeking international assistance and cooperation with the United Nations High Commissioner for Refugees.**

Street children

61. The Committee welcomes the steps undertaken by the State Party to address the issue of street children, but expresses concern at the significant number of street children and the vulnerability of these children to various forms of violence, including sexual abuse and exploitation, and at the lack of a systematic and comprehensive strategy to address the situation of, and to protect, these children. The Committee is further concerned at the fact that street children are perceived as delinquents and criminals.

62. **The Committee recommends that the State party:**

(a) Develop a comprehensive strategy to address the high number of street children, with the aims of reducing and preventing this situation;

(b) Ensure that street children are provided with adequate nutrition and shelter, as well as with health care and educational opportunities, in order to support their full development;

(c) Raise awareness of the issue of street children in order to change negative public attitudes about them, particularly among law-enforcement officers; and

(d) Ensure that these children are provided with recovery and reintegration services, including psychosocial assistance for physical, sexual and substance abuse, and where possible and when in the best interests of the child, services for reconciliation with a view to reintegration with their families.

Economic exploitation, including child labour

63. While welcoming the ratification of ILO Convention No. 182 (1999) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, the Committee is deeply concerned at the high number of children engaged in economic activities, and that a high percentage of this group are involved in work that is hazardous, dangerous and deprives them of their health, education and development.

64. **The Committee urges the State party to strengthen the capacity of the institutions responsible for the control and protection of child labour. It further recommends that the State party, with the support of the ILO, UNICEF, and national and international NGOs, develop a comprehensive programme to prevent and combat child labour, in full compliance with ILO Convention No. 182 (1999) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and ILO Convention No. 138 (1973) concerning Minimum Age for Admission to Employment.**

Sexual exploitation

65. The Committee is concerned at the information provided by the State party that the phenomenon of children engaged in prostitution is growing quickly and steadily.

66. **The Committee recommends that the State party:**

(a) Strengthen its legislative measures and develop an effective and comprehensive policy that addresses the sexual exploitation of children, including the factors that place children at risk of such exploitation;

(b) Avoid criminalizing child victims of sexual exploitation; and

(c) Implement appropriate policies and programmes for the prevention, recovery and reintegration of child victims, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congress Against Commercial Sexual Exploitation of Children.

Drug abuse

67. The Committee notes with appreciation the extensive mass-awareness campaigns undertaken by the Drug Control Commission. However, the Committee remains concerned that many children and teenagers are involved in drug abuse.

68. **The Committee recommends that the State party strengthen its measures to prevent and end drug abuse among children and to support recovery programmes for child victims of drug abuse. The Committee further recommends that the State party seek technical cooperation from, inter alia, the World Health Organization and UNICEF.**

Juvenile justice

69. While recognizing the efforts made in this domain, including the introduction of human rights education in the police and prison college's curricula, so as to increase awareness on human rights, including child rights, the Committee remains concerned at the limited progress achieved in establishing a functioning juvenile justice system throughout the country. Children are in some instances detained in the same cells as adults, and those between the ages of 16 and 18 may not be afforded the same protection as younger children under the juvenile justice system.

70. **The Committee urges the State party to ensure the full implementation of juvenile justice standards, in particular articles 37, paragraph (b), 40 and 39 of the Convention, as well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), and in the light of the Committee's day of general discussion on the administration of juvenile justice. In this regard, the Committee recommends that the State party:**

- (a) **Extend to the rest of the country the experience of the juvenile justice court in Dar-es-Salam;**
- (b) **Clearly establish the age of criminal responsibility at 12 years, or at an older age that is an internationally accepted standard, and ensure that children between the ages of 16 and 18 are not considered as adults and are afforded the same protection as younger children under the juvenile justice system;**
- (c) **Prohibit all forms of corporal punishment for persons under the age of 18 years in penal institutions;**
- (d) **Take all necessary measures to ensure that persons under the age of 18 are only deprived of liberty as a last resort, and that children, if detained, remain separated from adults;**
- (e) **Implement alternative measures to deprivation of liberty, such as diversion, probation, counselling and community services;**
- (f) **Ensure that persons under 18 years of age in conflict with the law have access to legal aid as well as to independent and effective complaints mechanisms;**
- (g) **Improve child-sensitive court procedure in accordance with the United Nations Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime (annexed to Economic and Social Council resolution 2005/20 of 22 July 2005);**

(h) Ensure that both sentenced and released persons under the age of 18 are provided with educational opportunities, including vocational and life-skills training, and recovery and social reintegration services, in order to support their full development; and

(i) Continue to seek technical assistance and cooperation from, inter alia, the United Nations Inter-Agency Panel on Juvenile Justice.

9. Optional Protocols to the Convention on the Rights of the Child

71. The Committee recommends that the State party submit, preferably at the same time, its initial reports to the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict, in order to facilitate the consideration of both reports by the Committee.

10. Follow-up and dissemination

Follow-up

72. The Committee recommends that the State party take all appropriate measures to ensure full implementation of the present recommendations, inter alia, by transmitting them to the members of the Council of Ministers or the Cabinet or a similar body, the Parliament, and to provincial or State Governments and Parliaments, when applicable, for appropriate consideration and further action.

Dissemination

73. The Committee further recommends that the second periodic report and written replies submitted by the State party, and related recommendations (concluding observations) it adopted, be made widely available in the languages of the country, including (but not exclusively) through Internet, to the public at large, civil society organizations, youth groups, professional groups, and children, in order to generate debate and awareness of the Convention, its implementation and monitoring.

11. Next report

74. The Committee invites the State party to submit a consolidated third, fourth and fifth report by 9 January 2012 (that is, 18 months before the due date of the fifth report). This is an exceptional measure due to the large number of reports received by the Committee every year and the consequent delay between the date of submission of a State party's report and its consideration by the Committee. This report should not exceed 120 pages (see CRC/C/118). The Committee expects the State party to report every five years thereafter, as foreseen by the Convention.
