

**COMMITTEE ON THE  
RIGHTS OF THE CHILD**

**WRITTEN REPLIES BY THE GOVERNMENT OF TANZANIA  
CONCERNING THE LIST OF ISSUES  
(CRC/C/Q/TAN/1)  
RECEIVED BY THE COMMITTEE ON THE RIGHTS OF THE CHILD  
RELATING TO THE CONSIDERATION OF THE INITIAL REPORT OF  
TANZANIA  
(CRC/C/8/Add.14.Rev.1)**

**[Received on 26 April 2001]**

CRC/C/Future...

**REPLY TO ISSUES ARISING FROM THE SPECIAL COMMITTEE ON THE  
TANZANIA COUNTRY REPORT OF 1998 ON THE IMPLEMENTATION OF  
THE CONVENTION ON THE RIGHTS OF THE CHILD**

**1.0 INTRODUCTION**

In response to the requirements of the Committee on the Rights of the Child, which convened from 29 January to 2 February 2001 in its 27<sup>th</sup> Session of Pre-Sessional Working Group, the Government of the United Republic of Tanzania wishes to submit the reply to the specific issues raised. However in the process of replying to those issues there were some limitations encountered. These are:

- (i) Children issues are crosscutting and decentralized. In that connection most of the data is sectorally and locally managed. In view of the short time available it was difficult to obtain all the required data from all the stakeholders involved.
- (ii) The lack of adequate and updated disaggregated data from the National Bureau of Statistics due to its limited capacity in terms of human resource, data collection facilities including equipment such as computers.
- (iii) Since the last National Population Census of 1988, there has not been another census to date, which made it difficult to secure accurate data on some of the issues given limited time.
- (iv) Lack of computerized database except for a few institutions.

Despite the limitations mentioned above, the government recognizes the need for and the importance of database in both social and economic development. At present efforts are being made to build institutional capacity for data and information collection and dissemination on various development aspects. The Ministry of Community Development, Women Affairs and Children has established a Women's Information Centre whose activities includes, but not limited to:

- ◆ Collect information and maintain a comprehensive collection of materials related to women, children and community development with a special focus on gender and micro enterprises,
- ◆ Facilitate users' access to information related to these issues available in the country and abroad, through a computerized system linked telemetrically to Internet.

This is an ongoing project, upon its completion will facilitate data collection and dissemination.

This reply covers Part IA and B, Part II and Part III of the issues raised by the Committee. Also we would like to inform that copies of the Convention on the Rights of the Child in Kiswahili text could not be submitted in electronic form due to technical reasons. The same will be forwarded by Expedited Mail Service (EMS) to the Committee.

## **2.0 PART I**

### **A: Data and Statistics**

1. Demographic data of the under-18 population, disaggregated by sex, in urban and rural areas. Please note that, we do not have official statistics on minority and indigenous groups in our country.



Table 1: Population by sex under-18 in Five Year Age Groups in Rural Tanzania Mainland in 1998\*

Age	Male	Female	Total
0-4	2,131,864	2,167,652	4,299,516
5-9	2,014,181	1,997,005	4,011,186
10-14	1,697,587	1,662,591	3,360,178
15-17	840,330	809,263	1,649,593
Total	6,683,962	6,636,511	13,320,473

Source: National Bureau of Statistics

\* Projections based on Population Census of 1988

Table 2: Population by sex under-18 in Five Year Age Groups in Rural Tanzania Mainland in 2000\*

Age	Male	Female	Total
0-4	2,254,654	2,292,504	4,547,158
5-9	2,130,193	2,112,028	4,242,221
10-14	1,795,364	1,758,352	3,553,716
15-17	888,731	855,875	1,744,606
Total	7,068,942	7,018,759	14,087,701

Source: National Bureau of Statistics

\*Projections based on Population Census of 1988

**Table 3: Population by sex under-18 in Five Year Age Group in Urban Tanzania Mainland in 1998\***

<b>Age</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
0 – 4	397,706	401,091	798,797
5 – 9	369,364	382,959	752,323
10 – 14	329,068	353,495	682,563
15 – 17	129,894	207,479	337,373
<b>Total</b>	<b>1,226,032</b>	<b>1,345,024</b>	<b>2,571,056</b>

Source: National Bureau of Statistics

- Projections based on Population Census of 1988

**Table 4: Population by sex under-18 in Five Year Age Groups in Urban Tanzania Mainland in 2000\***

<b>Age</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
0 – 4	420,613	424,193	844,806
5 – 9	390,639	405,017	795,656
10 – 14	348,022	373,855	721,877
15 – 17	137,376	219,429	356,805
<b>Total</b>	<b>1,296,650</b>	<b>1,422,494</b>	<b>2,719,144</b>

Source: National Bureau of Statistics

- Projections based on Population Census of 1988

2. Specific disaggregated data on Budgetary allocation and spending for social need for the period 1998 – 2000:

- (a) Due to inevitable circumstances the data in relation to budgetary allocation to the education sector could not be available in time. However the same will be forwarded to the Committee in due course.
- (b) For the same reason as (a) above the data on health could not be forwarded with this reply.
- (c) The national budgetary allocation and spending for child protection for the period 1999/2000 was USD 25,500.0 which

in 2000/2001 until the time of writing this report it was USD 17, 600.0.

- (d) In collaboration with UNICEF the Department of Social Welfare in the Ministry of Labour, Youth Development and Sports has developed tools for early identification of children with disabilities.
- (e) Data is being sought.

3. Disaggregated data covering the period of 1997 – 1999 on the number of children deprived of their family environment:

- (a) On the question of children separated from their parents, we would like to uniform that traditionally Tanzania does not have a custom of separating children from their parents.
- (b) Children adopted domestically by sex (Tanzania Mainland)

Table 5:

Year	No. of Children		
	M	F	Total
1997	8	8	16
1998	7	7	14
1999	6	9	15
<b>Total</b>	<b>21</b>	<b>24</b>	<b>45</b>

- (c) Children living in institutions from 1997 – 1999
  - (i) There are 56 Children's homes which provide care and support to orphans and needy children. For 1997 – 1999 a total of 3123 children (1674 boys and 1449 girls) were in these homes and welfare institutions.
  - (ii) There are 5 remand homes with 5229 children in total  
There is one approved school with 531 children
- (d) Children placed with relatives were 1003 from 1997 to 1999

4. The disaggregated enrolment and dropout rates for the period of 1998 – 2000 (Tanzania Mainland).

Table 6: Enrolment of pupils by sex from 1998 – 2000

Level	Year									
	1998					1999				
	Total	Male	%	Female	%	Total	Male	%	Female	%
Kindergarten	51,446	-	-	-	-	174,457	-	-	-	-
Primary (Elementary) (I – VII)	4,042,568	2,033,281	50.3	2,009,287	49.7	4,182,677	2,095,955	50.1	2,086,722	49.9
Secondary (Form I – VI)	226,903	121,429	53.5	105,474	46.5	247,579	133,454	53.9	114,125	46.1
Vocational (VETA)	-	-	-	-	-	-	-	-	-	-
Religious	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>4320917</b>	<b>2154710</b>	<b>50.5</b>	<b>2114761</b>	<b>49.5</b>	<b>4604713</b>	<b>2229409</b>	<b>50.3</b>	<b>2200847</b>	<b>49.7</b>

Source: Ministry of Education and Culture

\*Projection

Remarks : - Data not available/collected  
Enrolment of pupils includes public and private schools  
Religious schools are included in Private schools

VETA – Vocational Education Training Authority

Table 7: Enrolment in Nursery Schools by Sex – October 1998 - Zanzibar

District	Nursery		Junior		Senior	
	Male	Female	Male	Female	Male	Female
Urban	217	248	277	316	267	315
West	49	32	52	35	39	50
North 'A'	52	37	52	53	54	55
North 'B'	19	21	12	14	13	16
Central	48	49	45	44	38	49
South	34	39	38	54	34	35
Micheweni	17	23	21	28	6	10
Wete	41	54	43	48	33	40
Chakechake	63	51	62	61	28	25
Mkoani	48	52	41	48	45	42
<b>Total</b>	<b>589</b>	<b>606</b>	<b>643</b>	<b>701</b>	<b>657</b>	<b>637</b>

Abstract 1998



Table 8: Enrolment in Nursery Schools by sex- October 1999 - Zanzibar

District	Nursery		Junior		Senior	
	Male	Female	Male	Female	Male	Female
Urban	290	279	215	265	263	285
West	45	57	39	49	45	44
North 'A'	38	38	49	34	46	50
North 'B'	13	13	16	19	10	15
Central	58	57	67	66	79	88
South	41	26	28	37	33	53
Micheweni	9	7	18	20	14	24
Wete	36	40	40	40	37	44
Chakechake	43	45	52	39	51	54
Mkoani	18	28	48	51	35	42
Total	591	590	572	620	613	699

Abstract 1999

Table 9: Enrolment of Nursery Schools by Age Distribution – October 1999 - Zanzibar

Age in Year Schools	4		5		6		7		Above 7		Total		Grand Total
	M	F	M	F	M	F	M	F	M	F	M	F	
Saateni	0	0	58	62	64	87	99	76	0	0	221	225	446
Kidutani	0	0	92	88	70	89	68	67	0	0	230	244	474
Jang'ombe	70	80	27	33	60	90	0	0	0	0	157	203	360
Magomeni	70	49	54	56	36	52	0	0	0	0	160	157	317
Mfenesini	0	0	30	32	24	28	20	26	0	0	74	86	160
Dole	10	20	23	16	14	23	8	5	0	0	55	64	119
Gamba	2	3	9	10	10	10	26	15	1	2	48	40	88
Kivunge	0	0	15	15	36	30	28	27	6	10	85	82	167
Donge	13	13	16	19	10	10	0	5	0	0	39	47	86
Bambi	22	20	28	30	27	31	0	0	0	0	77	81	158
Mpapa	0	3	19	14	20	15	19	25	5	5	63	62	125
Uroa	13	16	18	18	33	34	0	0	0	0	64	68	132
Sogeani	18	11	14	21	16	34	0	0	0	0	48	66	114
Kijigoni	3	2	7	2	22	22	18	18	4	6	54	50	104
Konde	9	7	9	7	1	12	0	0	0	0	25	26	51
Wingwi	0	0	9	13	1	12	0	0	0	0	16	25	41
M/Ulaya	7	3	18	16	4	10	13	23	0	0	42	52	94
Jadida	9	7	35	40	27	25	0	0	0	0	71	72	143
Madungu	18	14	18	14	27	27	0	0	0	0	63	55	118
Machomane	0	0	20	25	36	29	26	29	1	0	83	83	166
Mkoani	0	0	18	28	20	27	14	18	0	0	52	73	125
Uweleni	0	0	0	0	28	24	21	24	0	0	49	48	97
Total	264	248	537	559	598	721	360	358	17	23	1776	1909	3685

Abstract 1999

Table 10: Enrolment of Nursery Schools by Age Distribution – October:  
1998

Age in Year Schools	4		5		6		7		Above 7		Total		Grand Total
	M	F	M	F	M	F	M	F	M	F	M	F	
Saateri	0	0	63	87	94	74	70	80	0	0	227	241	468
Kidutani	0	0	84	86	69	89	75	72	0	0	228	247	475
Jang'ombe	0	0	24	26	60	90	73	107	0	0	157	223	380
Magomeni	0	0	46	49	54	63	49	56	0	0	149	168	317
Mfenesini	0	0	7	13	24	18	0	0	35	26	66	57	123
Dole	30	19	28	16	16	25	0	0	0	0	74	60	134
Gamba	10	9	24	17	9	6	13	19	8	4	64	55	119
Kivunge	0	0	0	0	44	44	27	32	23	14	94	90	184
Donge	27	40	9	8	8	3	0	0	0	0	44	51	95
Bambi	26	28	26	24	13	10	8	17	0	0	73	79	152
Mpapa	3	3	15	12	23	27	11	14	6	7	58	63	121
Sogeani	0	0	16	18	12	28	15	16	0	0	43	62	105
Kijigoni	6	4	27	31	11	14	12	13	7	4	63	66	129
Konde	11	10	11	13	6	10	0	0	0	0	28	33	61
Wingwi	0	0	0	0	2	3	6	11	8	14	16	28	44
M/Ulaya	2	2	15	19	6	10	23	31	2	2	48	64	112
Jadida	0	0	24	33	23	20	20	22	2	3	69	78	147
Madungu	0	0	0	0	28	25	33	34	0	0	61	59	120
Machomane	0	0	35	26	26	25	29	27	2	0	92	78	170
Mkoani	0	0	19	28	19	20	22	22	0	0	60	70	130
Uweleni	0	0	0	0	29	24	22	28	23	20	74	72	146
Total	115	115	473	506	576	628	508	601	116	94	1788	1944	3732

Abstract 1998

Table 11: Enrolment in Primary Schools by District, Age and Gender -  
October 1999 - Zanzibar

Age Years/ District	In 6		7		8		9		10		11		12		13
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M
Urban	37	24	393	486	1028	1171	1768	1781	1912	1982	1873	2022	2628	2276	213
West	2	3	222	217	853	1022	1211	1295	1502	1588	1050	1642	1775	1782	189
North 'A'	7	8	234	334	625	591	887	797	852	766	946	872	1111	992	118
North 'B'	7	11	205	193	336	294	450	450	436	375	512	474	514	505	523
Central	6	0	273	258	601	598	687	730	821	763	770	695	792	743	101
South	1	1	129	142	433	437	475	451	432	408	417	366	406	430	444
Micheweni	0	0	226	226	485	460	787	676	742	666	698	572	731	530	632
Wete	6	9	308	319	681	626	936	941	1088	1081	1231	1089	1294	1217	130
Chakechake	17	13	185	160	496	556	721	750	987	1012	1007	875	1083	1086	107
Mkoani	7	10	252	279	586	575	841	791	1010	985	1194	1011	1087	1067	106
Total 1998	90	79	2427	2605	6219	6330	8763	8662	9782	9629	9698	9618	11421	10628	112
Z'bar 1999	169		5041		12549		17425		19441		19915		21461		219
Z'bar 1998	210		4323		12045		16151		19320		18095		19081		207

Abstract 1999

Table 12: Enrolment in Primary Schools (Std I - VII) By Age:  
Distribution - October 1999 - Zanzibar

Standard/ Age In Years	I		II		III		IV		V		VI		VII
	M	F	M	F	M	F	M	F	M	F	M	F	
6	90	279	0	0	0	0	0	0	0	0	0	0	0
7	2328	2499	99	115	0	0	0	0	0	0	0	0	0
8	4146	4197	1925	1982	120	151	28	0	0	0	0	0	0
9	3412	3327	3453	3222	1709	1916	111	125	45	68	33	14	
10	2136	1974	2905	2692	8203	3423	1339	1385	124	108	75	27	
11	1189	795	1944	1655	3031	2840	2771	2945	1185	1241	162	127	
12	674	409	1007	850	2250	1956	2929	2027	2631	2890	1192	1903	
13	340	199	545	360	1413	1084	2062	1797	2812	2897	2827	2999	1
Above 13	90	41	240	125	655	430	1601	1034	2690	2041	4326	3782	5
Total 1999	14405	13620	12127	11001	12381	11800	10836	10213	9477	9235	6615	8252	6
Z'bar 1999	27925		23128		24181		21049		18712		16867		

Abstract 1999

Table 13: Vocational Training Centres – October 1998 - Zanzibar

District	Type of Centres	Number of Centres	Number of Adult Literate	
			Male	Female
Urban	Domestic Science	12	0	241
	Carpentry	1	8	0
West	Domestic Science	1	0	10
North 'A'	Domestic Science	3	0	86
	Poultry	1	0	36
	Agriculture	1	0	40
	Handcraft	1	0	40
North 'B'	Domestic Science	3	0	75
	Poultry	1	0	28
Central	Domestic Science	3	0	85
	Carpentry	1	0	13
South	Domestic Science	4	0	114
Micheweni	Domestic Science	4	0	63
Wete	Domestic Science	5	0	47
	Agriculture	4	0	42
Chakechake	Domestic Science	1	0	18
	Agriculture	1	0	17
	Typing	1	0	40
	Black Smith	1	8	0
Mkoani	Domestic Science	3	0	45
	Agriculture	3	0	47
	Carpentry	1	13	0
	Fishing	1	0	22
	TOTAL	56	41	1109

Abstract 1998

Table 14: Vocational Training Centres – October 1999 - Zanzibar

District	Type of Centres	Number of Centres	Number of Adult Literates	
			Male	Female
Urban	Domestic Science	11	0	26
	Carpentry	1	13	0
West	Domestic Science	3	0	42
North 'A'	Domestic Science	4	0	10
	Poultry	1	0	87
North 'B'	Domestic Science	4	0	80
Central	Domestic Science	4	0	67
	Carpentry	1	11	0
South	Domestic Science	5	0	99
Micheweni	Domestic Science	4	0	75
Wete	Domestic Science	10	0	13
Chakechake	Domestic Science	4	0	75
	Agriculture	1	0	17
	Typing	1	0	40
	Black Smith	1	5	0
Mkoani	Domestic Science	3	0	45
	Agriculture	3	0	47
	Carpentry	1	13	0
	Fishing	1	0	22
	<b>TOTAL</b>	<b>63</b>	<b>43</b>	<b>118</b>

Abstract 1999

Table 15: Dropout of pupils by sex from 1998 - 2000 (Tanzania Mainland)

Level	Year											
	1998					1999					Total	%
	Total	Male	%	Female	%	Total	Male	%	Female	%		
Kindergarten	-	-	-	-	-	-	-	-	-	-	-	-
Primary (Elementary) Schools (I - VII)	71,748	37,918	52.8	33,830	47.2	69,089	36,851	53.3	32,238	46.7	-	-
Secondary Schools (Form I - VI)	-	-	-	-	-	-	-	-	-	-	-	-
Vocational Education and Training Authority (VETA)	-	-	-	-	-	-	-	-	-	-	786	-
Religious	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>71748</b>	<b>37918</b>	<b>52.8</b>	<b>33830</b>	<b>47.2</b>	<b>69089</b>	<b>36851</b>	<b>53.3</b>	<b>32238</b>	<b>46.7</b>	<b>786</b>	<b>-</b>

Source: Ministry of Education and Culture

Remarks: - Data not available/collected



5. Quantitative and qualitative data on children with disabilities disaggregated by sex.

(a) Children living with their families from (1998 – 2001) – Tanzania Mainland

Table 16:

Type of disability	1998/99			1999/2000			2000/2001			TOTAL		
	M	F	T	M	F	T	M	F	T	M	F	T
Visually Impaired	116	597	713	736	602	1338	745	623	1368	1597	1822	3419
Deaf	198	451	649	213	428	641	346	441	787	757	1320	2077
Mentally Handicapped	1051	198	1249	1085	187	1272	1146	199	1345	3282	584	3866
Physically Handicapped	150	75	225	272	75	347	298	125	423	720	275	995
Deaf and Blind	2	4	6	3	4	7	3	4	7	8	12	20
Autism	7	3	10	8	3	11	8	3	11	23	9	32

Source: Ministry of Education and Culture

(b) Children with disabilities living in institutions (Tanzania Mainland)

Table 17:

TYPE OF DISABILITY	NO. OF INSTITUTIONS	M	F	TOTAL
Visual Impaired	25	716	597	1313
Deaf	18	198	451	649
Mental handicapped	86	1051	198	1249
Deaf Blind	1	2	4	6
Autism	1	7	3	10
Physically handicapped	4	140	85	222
	135	2114	1338	3452

Source: Ministry of Education and Culture

(c) Children with disabilities attending regular schools (1998 – 2000)

Table 18:

Type of disability	1998/99			1999/2000			TOTAL		
	M	F	T	M	F	T	M	F	T
Visually Impaired	27	17	44	27	17	44	54	34	88
Deaf	16	11	27	16	11	27	32	22	54
Physically handicapped	6	3	9	10	6	16	16	9	25

Source: Ministry of Education and Culture

(d) Children with disabilities attending special schools – Tanzania Mainland

Table 19:

<b>TYPE OF DISABILITY</b>	<b>NO. OF SCHOOLS</b>	<b>M</b>	<b>F</b>	<b>TOTAL</b>
Visual Impaired	8	110	50	160
Hearing Impaired	4	49	28	77
Physical Impaired	2	18	12	30
<b>TOTAL</b>	<b>14</b>	<b>177</b>	<b>90</b>	<b>267</b>

Source: Ministry of Education and Culture

Teachers with Special Education Training – Tanzania Mainland

Table 20:

<b>TYPE OF DISABILITY</b>	<b>COURSE</b>	<b>TOTAL</b>
Visual Impaired	Pre-Service Teachers Certificate	105
	Diploma	44

Source: Ministry of Education and Culture

6. (a) Data is being sought.
- (b) The number of children who were sent to approved schools between 1993 and 2000 were 531.
- (c) 52 cases were suspended during that period
- (d) None
- (e) Data not available

**B: GENERAL MEASURES OF IMPLEMENTATION**

1. The Law Reform of Tanzania have considered all the inconsistencies between domestic law and the Convention. According to the report of the Law Reform Commission, it is recommended that there is a need to have a Consolidated Law Relating to Children in Tanzania. Efforts have been made by the Ministry of Justice and Constitutional Affairs to review the reports which touches on all Domestic Laws relating to children. The Committee was formed for that purpose and was supposed to make further recommendations on various issues as discussed in the reports of the Law Reform Commission, study various legislations with a view to learn how other countries dealt with the same problems, and finally prepare a report which will form the basis for the initial legislative process. The report is ready and has touched on all those laws affecting children as shown below\*.

- \* The Law of Marriage Act, 1971
- \* Affiliation Ordinance, Cap. 278
- \* Penal Code, Cap. 16
- \* Education Act, 1978
- \* Children and Young Persons Ordinance Cap. 13
- \* Probation of Offenders Cap. 247
- \* Adoption Ordinance Cap. 337

- \* Employment Ordinance Cap. 366
- \* Probate and Administration of Deceased Estate Ordinance  
Cap. 445
- \* Age of Majority (Citizenship Laws) Act, 1970
- \* Disabled Persons Care and Maintenance, 1982
- \* Customary Law Declaration Ordinance, 1963
- \* Children Homes Act, 1968
- \* Day Care Centres Act, 1981
- \* Births and Deaths Registration Ordinance Cap. 108

With regard to the Customary Law of Inheritance to property, upon death this law limits the right of inheritance of children born out of wedlock. According to Rule 43 of the Customary Law (Declaration) (4) Order, children born out of wedlock are not allowed to inherit unless the deceased left a will bequeathing part of the property on them. Similarly children born out of wedlock can only inherit if they were legitimated by the deceased before his death.

Measures taken to address this inconsistency is within the proposal by the Law Reform Commission that this law should be changed, for which the Ministry of Justice and Constitutional Affairs is currently working on.

2. Measures taken to strengthen the (formal power) resources (financial and human) allocated to the Ministry of Community Development, Women's Affairs and Children for the promotion and implementation of children's programmes as well as the Conventions are:

- ◆ The budgetary allocation for recurrent expenditure to the Ministry has progressively increased from US\$1,026,210 allocated in 1997/98 to US\$2,719,600 in 1999/2000.

- ◆ Each year the Ministry of Community Development, Women's Affairs and Children is allocated funds to cater for children development related activities including:

- Revision and Dissemination of Child Development Policy;
- The Commemoration of the Day of the African Child;
- Participation at National, Regional, Sub-Regional and International Meetings and Summits on the Rights of the Child
- Preparation of National Reports on children

In addition there have been Capacity Building Programmes for the Ministry implemented with the support of cooperating partners namely UNICEF, UNDP, Ireland Aid, Royal Netherlands Government with the objective of mainstreaming gender and children issues into policies, strategies and programmes.

3. The Commission for Human Rights and Good Governance referred to in paragraph 56 of the report was established in year 2000 following 13<sup>th</sup> amendments to the Constitution of the United Republic of Tanzania. Following such amendments, Chapter Six was repealed and replaced. Article 129 (1) provides for the establishment of the Commission. Article 131 (1) provides that the Parliament may enact a law providing for the functions, powers, privileges and other matters of the Commission for Human Rights and Good Governance and for related matters.

Pursuant to Article 131 (1) of the Constitution of the United Republic of Tanzania, the National Assembly on the 28<sup>th</sup> March 2001 passed a Bill for the enactment of a law entitled "The Commission for Human Rights and Good Governance Act, 2001".

Regarding the principles of the Convention, both Article 130 of the Constitution and Section 6 (1) of the Commission for Human Rights and Good Governance Act, 2001 addresses matters relating to the child. Accordingly, among others, the functions of the Commission are:

- (a) to promote within the country the protection and preservation of human rights and duties to the society in accordance with the Constitution and the Laws of the Land;
- (b) under the auspices of the Government, to cooperate with agencies of the United Nations, the OAU, the Commonwealth and other bilateral or regional and national institutions of other countries which are competent in areas of protection and promotion of human rights and administrative justice;
- (c) to use commission's good office so as to promote, protect and where necessary to provide assistance to persons whose human rights have or are in imminent danger of being violated.

On the other hand, the Act provides that the Commission may, on its own initiative or on an application, take measures and make any order it consider necessary, where it is satisfied that there is a likelihood that life, liberty or physical safety of a person or the interests of vulnerable persons, including children, will be endangered.

As regard to human and financial resources and mandate of the Commission, the Commission will have a fleet of experts requisite for the expedite of its functions. These will be drawn within the Government and private sector. Sources of the funds for the Commission includes money appropriated by the Parliament, grants from local and international institutions donations, etc. currently, Denmark is funding initial set up necessary for operationalization of the Commission.

The mandate of the Commission is well provided for both in the Constitution and in the Act. They include, promotion and development of mediation and reconciliation amongst the persons and institutions who come or are brought to the Commission. The Commission may conduct research and investigate on a complaint, hear and make decisions.

The decisions of the Commission may be submitted to relevant authorities by way of recommendations and, finally the Commission may institute

proceedings in the Courts of Law. These may be in the form of civil or criminal proceedings.

4. Measures taken to implement article 4 of the Convention, including through international cooperation and technical assistance.

- ◆ Provision and strengthening of maternal and child care, immunization and preventive health, implementation of water projects, environmental sanitation campaigns, establishment and strengthening of feeding posts and day care centres, establishment of pre-schools, establishment and care of playgrounds and provision of primary education for all.
- ◆ Encouraging non-governmental organizations, individual, etc to establish centres for Children in Need of Special Protection Measures,
- ◆ Established special schools and institutions to cater for children with particular problems;
- ◆ Established juvenile courts so that those suspected of breaking the law are dealt with in such a way that their status as children is not violated.
- ◆ Ensuring that Policies and strategies adopted takes into consideration children's issues such as the Tanzania Assistance Strategy and Poverty reduction Strategy Paper within the framework of the HIPC.
- ◆ Government/UNICEF Country Programme of cooperation has since year 2000 adopted a holistic, life-cycle approach to human rights programming for Child Survival, Protection and Development.

5. Dissemination of principles and provisions of the Convention at the community level and all the regions of the country are:

- ◆ Translation of the CRC into Kiswahili language
- ◆ Through National Parliament: Members of Parliament
- ◆ Through Child Survival, Protection and Development Programme which is considerably spread throughout the country
- ◆ Through workshops for multi-sectoral institutions and organisations



- ◆ Through mass media such as radios, television, newspapers, traditional dances, drama, posters, etc
- ◆ Through the Commemoration of the Day of African Child
- ◆ Through collaboration with NGOs advocating for children's rights throughout the country
- ◆ Local Government Reform Process – focusing on Participatory Rural Approach to planning and implementation of programmes including mobilization of resources
- ◆ Through seminars and training of communities on children rights
- ◆ Training of Trainers (TOT) of 79 District Community Development Workers on the community Child Labour Programme
- ◆ The Department of Social Welfare of the Ministry of Labour, Youth, Development and Sports has undertaken training as follows:
  - training of 49 (21 male and 28 female) Probation and Social Welfare Officers on skills and techniques on how to deal with poor urban children who are in conflict with the law.
  - Training of 56 (38 male and 18 female) Social Welfare Officers to develop plans on children issues with relation to Human and Child Rights.
- ◆ **In Zanzibar the following efforts were taken:**
  - Development of CRC information package to enlighten the general public on children's rights. The package was for different media channels such as radio, TV programmes, theatre performance, Drama, posters, etc.
  - Educate the general masses on CRC through Radio and TV programmes. The programmes also were conducted via Population and development newsletters, educational development newsletters and other dailies.
  - Conducted various workshop sessions to sensitize 50 district officials, 24 mass media personnel, 10 women officers and 75 members of the

House of Representatives on CRC. It was anticipated that the training will enable the professionals integrate child concern in their developmental activities and disseminate the information at grass root.

- Train the community on CRC. The Ministry of Youth, Employment, Women and Children Affairs has trained 1900 students and 330 people from the community including civic leaders.
- Also district functionaries in Unguja Island have conducted a number of CRC sensitisation trainings at community level.
- The government has been celebrating the Day of the African Child in which CRC implementation in the Isles is evaluated.

## **PART II**

The CRC has been translated into the official language which is Kiswahili. Copies of the same will be forwarded to the Committee by Expedited Mail Service.

Also available are texts made in simpler Kiswahili to enable all the communities including children to understand the CRC. These were made available through the support of UNICEF to some NGOs dealing with children.

## **PART III**

Updating the information provided in the United Republic of Tanzania Report with regard to:

- (i) New bills or enacted legislation
  - (a) According to Cabinet Decision No. 23 of 1997 on the key issues in Law of Marriage Act 1971 Child Law and Succession Law, Section 13

of the 1971 Marriage Act should be revised so that the age of marriage should be 18 years for both genders instead of 15 years for girls and 18 years for boys.

- Under Section 23 (1), Emergency Marriages should be avoided and strictly controlled.
  - Under Section 160 – Care and Protection of the Child, the Law should clearly spell out indicators to be used in giving the child custody once the marriage is broken.
  - In case of divorce or separation children less than 15 years especially girls, should be left with their mothers because this is the time when children need counselling from their mothers.
  - In case of divorce all parents should take equal responsibility in upbringing their children. Proper arrangements should be made to guarantee safe children upbringing in case separation occurs by deducting from the salary of the father an amount that can serve the children. In rural areas, the fathers should contribute something in kind to guarantee children's comfort.
- (b) According to Inheritance Rights, it should be made a crime to chase the widow and children from the residence of the deceased unless the house belongs to an employer.
- Children born out of wedlock should inherit their mother's side. Foster fathers can also make the children inherit their property.
- (c) The Affiliation Ordinance Cap 278/1949 Amm. 1964 of the Laws on children have been revised so that, the amount to be [paid for child maintenance should be based on the income of the father and the cost of living at that particular time. In rural areas where incomes are low, the fathers should make their contributions of food on in kind which can reduce the upbringing burden on the woman,

- (d) Under the children and Young Persons Ordinance Cap 13/1937 Rev. 1964, probation of offenders Cap 247/1947 Rev. 1962, the revised Law and regulations are such that, in punishing children who committed crimes, the punishment given should not violate the International Convention on the Rights of the Child (CRC). Children who have committed crimes should not be mixed with adults in prison.
- (e) Under Employment Ordinance Cap. 366, the age of employment should be 18 years. If it is necessary for one to be employed under the age of 15, precautions should be taken to guarantee safe health of the child.

(ii) **New Institutions**

New Non-governmental organizations that emerged since 1998 are:

- The Network of Non-governmental Organizations for Children (NNOC) which has united some of the NGOs working for children.
- The Youth and Cultural Information Centres (YCIC) based in Dar es Salaam, the capital city of Tanzania. YCIC deals with both Youth and Children in Need of Special Protection Measures.

(iii) **Newly implemented policies**

- Women in Development and Gender Policy
- Education Policy - revised
- Child Labour Policy
- Youth Development Policy
- Water Development Policy – revised
- Health Policy - revised

(iv) Newly implemented programmes

- The Sub-Programme for Women's and Gender Advancement.
- Poverty Reduction Strategy Programme (PRSP).
- Tanzania Social Action Fund (TASAF)
- Population Advocacy Sub-Program

