



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Sixty-eighth session

12–30 January 2015

Item 4 of the provisional agenda

Consideration of reports of States parties

### List of issues in relation to the combined third to fifth periodic reports of the United Republic of Tanzania

**The State party is requested to submit in writing additional, updated information, if possible before 15 October 2014 (10,700 words maximum).**

*The Committee may take up any aspects of the children's rights set out in the Convention during the dialogue with the State party.*

#### Part I

**In this section, the State party is requested to submit its responses to the following questions.**

1. With reference to the Committee's previous recommendations (CRC/C/TZA/CO/2, para. 11; CRC/C/OPAC/TZA/CO/1, para. 9; and CRC/C/OPSC/TZA/CO/1, para. 13) please inform the Committee how the effective coordination of the implementation of the rights of the child is ensured at all levels. Please also inform the Committee of the efforts taken by the State party to ensure that the coordinating mechanism is provided with full authority, clarity of mandates and roles at all levels, as well as the necessary resources for its efficiency.
2. Please indicate the progress made and the resources available for the effective implementation and coordination of the State party's various existing national plans covering different areas of the Convention, including: the implementation of the Children's Act (Zanzibar) and the Law of the Child Act (Mainland); the National Human Rights Action Plan (2013–2017); the Strategy for Progressive Child Justice Reform (2013–2017); the National Plan of Action for the Elimination of Child Labour (2009–2015); the Multisector National Plan of Action to Prevent and Respond to Violence against Children (2013–2016); the Mainland Childhood Care and Development Policy currently under review; and the Children's Policy in Zanzibar.
3. Please indicate whether professionals working with and for children have been trained in the last three years, especially professionals working for children in vulnerable

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situations. Please specify which professional groups were targeted, which issues were dealt with and what has been the assessment of that training?

4. Please provide information on the State party's budgeting process, specifically budget allocation to children in the relevant sectors and ministries and whether indicators and tools for tracking and monitoring are incorporated. Please also provide information on whether targeted budget allocations for children in health and education exist. Please indicate whether economic growth resulting from the extractive industries has translated into investment prioritizing children and, if so, in which areas.

5. Please indicate the measures adopted by the State party to regulate the impact of the operations and activities of business enterprises on the rights of the child.

6. With reference to paragraph 37 of the report (CRC/C/TZA/3-5), please update the Committee on the consultative process to revise the Law of Marriage Act, 1971 as amended in 2002, and to raise the minimum age for marriage to 18 years, for both boys and girls. Please also inform the Committee of the measures undertaken to raise awareness of the negative consequences of child marriage.

7. With reference to the Committee's previous observations (CRC/C/TZA/CO/2, para. 26), please provide additional information on the steps taken to eliminate discrimination and social stigma against pregnant girls and teenage mothers, children with disabilities, children with HIV/AIDS and children in street situations, and to ensure effective access of those children to education, health and social services.

8. Please indicate whether a comprehensive strategy has been put in place to stop the gross violations of the right to life, survival and development of children with albinism in the State party. In particular, please provide precise and detailed information on:

(a) The educational and awareness-raising measures undertaken and currently being conducted by the State party to overcome traditional beliefs causing stigma and discrimination against children with albinism which leads to killings and a wide range of violence against them;

(b) The measures adopted to prevent, investigate and punish crimes against children with albinism, including the use of their body parts for witchcraft, and to provide redress to victims;

(c) The measures taken to improve the living and safety conditions in the centres where those children are placed, to ensure that they are not subject to degrading treatment or abuse in the centres, to adequately train staff and hold them accountable for any professional misconduct, and to ensure regular supervision and control of the centres;

(d) Any pilot initiative aimed at preventing the placement of those children and/or to encourage the reunification of children with albinism with their families, when possible.

9. Please indicate the specific measures taken to improve birth registration coverage, including allocation of implementation funds for the Under 5 National Birth Registration Strategy and the 6–18 Birth Registration Initiative. Please also clarify whether measures, including legal measures, have been taken to address “some of the institutional and systemic challenges that inhibit progress and coverage of birth registration”, as highlighted in paragraph 65 of the State party report.

10. Please give details on the measures taken to amend legislation, including the Law of the Child Act and the National Corporal Punishment Regulations, 1979 in Mainland Tanzania and the Child Act and the 1982 Education Act (Zanzibar), which still allow parents and teachers to use corporal punishment as a disciplinary measure. Please also inform the Committee of measures to put an end to the “justified cultural practices” and the

“justifiable ... application of caning of unruly students” referred to in paragraphs 86 and 87 of the State party report. Please indicate the follow-up given to the 2011 Commission for Human Rights and Good Governance inspection report on children in places of detention cited in paragraph 303 of the report, finding that 30 per cent of children reported being abused and beaten while in police custody and forced to confess through the threat or the use of violence.

11. Please provide information on the impact of the recommendations of the 2011 comprehensive survey on violence against children. In the light of the previous recommendation of the Committee (CRC/C/TZA/CO/2, para. 65), please give information on the practical measures undertaken to combat sexual violence, harassment and sexual exploitation of girls in the State party and to change attitudes that condone such violence. Please also clarify whether girl victims of domestic violence have to obtain a report from the police before being admitted into a hospital. Please also provide information on the efforts by the State party to end the practice of forced and mandatory pregnancy testing at schools on girls as young as 11 years of age and to ensure that pregnant girls are not expelled from school. What is the State party doing to guarantee the reinsertion of girls in schools after they have given birth?

12. Please indicate the efforts made to end the heightened risk of physical and sexual violence at school and on school grounds, and on the way to and from school, both on the Mainland and in Zanzibar. Please also include information on any disciplinary action brought against teachers for professional misconduct.

13. Please provide information on measures to eliminate female genital mutilation and to target policies and campaigns to end its prevalence in rural areas. Please also clarify the education and awareness-raising initiatives included in the National Plan of Action on Violence against Women (HRI/CORE/TZA/2012, para. 28), to inform the population of the existence of a law criminalizing female genital mutilation and of the risks and adverse consequences of the practice.

14. Please give details of specific measures to provide appropriate care and protection to children deprived of a family (CRC/C/TZA/CO/2, para. 36) and indicate how the State party ensures that even children that are perceived as “difficult” by existing care institutions, such as children in street situations and children in conflict with the law, are also covered. Please also inform the Committee of concrete measures: to deinstitutionalize children and to further develop placements with foster carers for children deprived of a family environment; ensure proper registration, regulation and supervision of alternative care institutions; and to improve living conditions. Please also provide updated information on the result of consultations with a view to ratifying the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption (para. 118 of the State party report).

15. With reference to paragraph 198 of the report according to which “Tanzanian youths face a number of threats to their health, including HIV infections ... sexually transmitted diseases” and death related to teenage pregnancies, please clarify the steps taken to ensure that sexual and reproductive health education and services for adolescents, including family planning and safe abortion services, are accessible and adequate throughout the State party. Please provide information on the efforts to increase capacity for early detection and identification of children who are born HIV-positive.

16. Please provide updated information about the process of adopting the draft Constitution that would make education a guaranteed right. Please also provide information on the measures taken to ensure that education is free, without hidden costs, and accessible to all children, and on the efforts made to improve the quality of education. In the light of paragraph 199 of the State party report, which stresses that “further investment in

education, vocational training and life skills, and in creating meaningful employment opportunities for young people is essential”, please inform the Committee on the specific efforts taken to make that investment and the results achieved.

17. Please provide detailed information on the measures taken to protect the rights of children and the specific efforts to:

(a) Eliminate and prevent stigma, discrimination, violence and exclusion of children with disabilities, particularly in rural areas;

(b) Ensure access to education for children with disabilities explaining in detail the education policies of the State party to supplement paragraph 43 of the State party report;

(c) Allocate sufficient funds to implement the existing legal and policy framework;

(d) Strengthen data collection and disaggregation efforts to accurately establish the situation of children with disabilities and provide an appropriate policy response.

18. Please provide information on the State party’s efforts to prevent and combat child labour, which persists in spite of legislation and policies (paras. 10, 19 and 293 of the report). Please also inform of the prevention and protection activities regarding children carried out by labour inspectors in the context of the National Plan of Action for the Elimination of Child Labour (2009–2015). Please provide information on the specific measures taken to urgently remove children who work in small-scale gold and gem mining, both licensed and unlicensed, at risk of their lives. Please also inform the Committee of the steps taken by the State party to decrease the overreliance on civil society organizations and donor funding for protecting children from child labour, in particular hazardous forms of child labour.

19. Please provide detailed information on measures to combat the sale, trafficking and commercial sexual exploitation of children, in particular to combat internal trafficking. Please inform the Committee whether regulations for the Anti-Trafficking in Persons Act, 2008 have been adopted, and the resources for protection and support services for children within the National Anti-Trafficking in Persons Action Plan 2013–2017 have been allocated.

20. Please provide information on the status of the reform of the juvenile justice system mentioned in paragraph 295 of the report and, in particular, about the Five-Year Strategy for Progressive Child Justice Reform (2013–2017) on the mainland, and the development of the Five-Year Strategy for Child Justice Reform (2013–2017) in Zanzibar, scheduled to be launched in May 2014. With reference to paragraph 303 of the report, please indicate the measures taken by the State party to address the identified challenges of “lack of reliable legal aid services to children, insufficient number of social welfare officers, and insufficient number of personnel with specialized training on juvenile justice” as well as long pretrial detention. Please clarify how, in Zanzibar, the rights of the child are guaranteed in both the Children’s Court and Kadhi Courts (para. 299).

## **Part II**

**In this section, the Committee invites the State party to briefly (three pages maximum) update the information presented in its report with regard to:**

(a) New bills and laws, and their respective regulations;

(b) New institutions and their mandates, and institutional reforms;

- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

### **Part III**

#### **Data, statistics and other information, if available**

1. Please provide consolidated budget information for the past three years on budget lines regarding children and social sectors, by indicating the percentage of each budget line in terms of the total national budget and gross national product and geographic allocation.
2. Please provide, if available, updated statistical data, disaggregated by age, sex, geographical location and socioeconomic status, for the past three years on:
  - (a) Cases of abuse and violence against children, including all forms of corporal punishment, with additional information on the type of assistance given to child victims and the follow-up provided, including prosecution of the perpetrators and the sentences handed down in the State party;
  - (b) Investigations of cases of sexual violence and rape, and on the outcome of trials, including information on the penalties to perpetrators, and redress and compensation offered to the victims;
  - (c) Investigations conducted into the cases of killings, mutilations and violence against children with albinism, including information on the penalties to perpetrators, and redress and compensation offered to the victims;
  - (d) Children in street situations;
  - (e) The prevalence of severe acute malnutrition and stunting in infant and children under 5 years of age and under-5 mortality;
  - (f) Children infected or affected by HIV/AIDS.
3. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location, for the past three years on the number of children:
  - (a) Separated from their parents;
  - (b) Living in child-headed households;
  - (c) Living in elderly-headed households;
  - (d) Placed in institutions;
  - (e) Placed with foster families;
  - (f) Adopted domestically or through intercountry adoptions.
4. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographical location, covering the past three years, on the number of children with disabilities:
  - (a) Living with their families;
  - (b) In institutions;
  - (c) Attending regular primary schools;
  - (d) Attending regular secondary school;

- (e) Attending special schools;
  - (f) Out of school;
  - (g) Abandoned.
5. Please provide data, disaggregated, inter alia, by age, sex, socioeconomic background, ethnic origin and urban/rural areas in the State party, for the past three years, on:
- (a) The enrolment and completion rates in percentages of the relevant age groups in pre-primary, primary and secondary schools;
  - (b) The number and percentage of dropouts and repetitions;
  - (c) The teacher-pupil ratio.
6. Please provide data on social protection measures disaggregated by age, sex, socioeconomic background and ethnic group, and urban/rural areas, for the past three years, on the number of children:
- (a) Involved in child labour;
  - (b) Performing domestic work and working in the mining, fishing and agriculture sectors;
  - (c) Involved in hazardous work.
7. Please provide data disaggregated, inter alia, by age, sex, ethnic origin and type of crime, for the past three years, on the number of:
- (a) Children who have allegedly committed a crime, reported to the police;
  - (b) Children who have been sentenced and type of punishment or sanctions handed down for the offences they have committed, and the length of deprivation of liberty;
  - (c) Detention facilities for children in conflict with the law and the capacity of those facilities;
  - (d) Children detained in those facilities and children detained in adult facilities;
  - (e) Children kept in pretrial detention and the average length of their detention;
  - (f) Reported cases of abuse and ill-treatment of children during their arrest and detention.
8. Please provide the Committee with an update of any data in the report which may have been superseded by more recent data collected or affected by new developments.
9. In addition, the State party may list issues affecting children that it considers to be of priority with regard to the implementation of the Convention.
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