



Convention on the Rights of the Child

CRC/C/OPAC/TZA/Q/125 June
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COMMITTEE ON THE RIGHTS OF THE CHILD Forty-ninth session

15 September – 3 October 2008

OPTIONAL PROTOCOL ON THE INVOLVEMENT OF CHILDREN IN ARMED CONFLICT

List of issues to be taken up in connection with the consideration of the initial report of the United Republic of Tanzania (CRC/C/OPAC/TZA/1)

The State party is requested to submit in written form additional and updated information, if possible, before 8 August 2008.

Please indicate if there has been any progress made in incorporating the Optional Protocol into the domestic legislation.

According to paragraph 12 of the report of the State party (CRC/C/OPAC/TZA/1), in exceptional circumstances the law allows for the recruitment of persons under the age of 18, in practice there has been no such recruitment and no members of the Tanzania People Defence Forces (TPDF) are under 18. Please kindly elaborate further, particularly on the definition of “exceptional circumstances”.

Please provide further information on the criteria for recruitment into the armed forces and in particular on the “apparent” age of 18 (CRC/C/OPAC/TZA/1, para. 14). How does the lack of birth registration impact on the recruitment process?

Please provide information on the mandate of the Tanzanian Commission for Human Rights and Good Governance and the role it plays in monitoring the implementation of the Optional Protocol.

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Please indicate whether there is any legal provision in the legislation of the State party which criminalizes the recruitment of Tanzanian persons under 18 by armed groups.

Please provide information as to whether the State party assumes extraterritorial jurisdiction over the war crime of conscripting or enlisting children under the age of 15 into the armed forces or using them to participate actively in hostilities. Also in relation to extraterritorial jurisdiction, please indicate whether Tanzanian courts have jurisdiction in case of compulsory recruitment or involvement in hostilities of a person under 18 if committed outside the United Republic of Tanzania, by or against Tanzanian citizen.

Please provide disaggregated data, including by sex, age, and country of origin, covering the years 2005, 2006 and 2007 on the number of unaccompanied asylum-seeking, refugee and migrant children coming to the United Republic of Tanzania from areas affected by armed conflict. In this respect, please provide information on physical and psychological recovery and social reintegration programmes for asylum-seeking, refugee and migrant children in the United Republic of Tanzania who may have been involved in or affected by conflicts abroad.

Please indicate whether the legislation of the State party prohibits the trade and export of small arms and light weapons as well as military assistance to countries where children are involved in armed conflict. If not, has the State party given consideration to adopting such legislation?
