

**STATEMENT BY HON, MARGARET SIMWANZA SITTA (MP) MINISTER FOR
COMMUNITY DEVELOPMENT, GENDER AND CHILDREN OF THE UNITED
REPUBLIC OF TANZANIA BEFORE THE COMMITTEE ON THE RIGHTS OF THE
CHILD -GENEVA SWITZERLAND, 29TH SEPTEMBER, 2008**

**Honourable Chairperson,
Members of the Committee,
Your Excellencies,
Ladies and Gentlemen.**

On behalf of the Government of the United Republic of Tanzania, and on my own behalf, I wish to express my profound gratitude for the opportunity which has been availed to the Government to present to your esteemed committee, reports on the Optional Protocol to the United Nations Convention on the Rights of the Child (CRC) on the Involvement of Children in Armed Conflict and the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography.

Chairperson,

The Government appreciates the importance of promoting and protecting the rights of the child. To that end, the Government has taken various measures with the aim of achieving that goal. These measures include, among others the ratification of relevant instruments and dissemination of the same. Despite all these efforts, still many and varied challenges such as poverty, poor infrastructure and inadequate financial and human resources remain. However, with the political will and presence of justice institutions and ministries that cater for children issues we are making positive progress.

Chairperson,

The Government ratified the UN Convention on the Rights of the Child in 1991. It acceded to the Optional Protocol to the CRC in the Involvement of children in Armed Conflict in

November, 2004 and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography in April 2003.

In August, 2004, Tanzania submitted its second periodic report on the CRC. The report was considered by the United Nations Committee on the Rights of the Child here in Geneva in May, 2006. Tanzania's initial reports to the Committee on Optional Protocol on the CRC on the Involvement of Children in Armed Conflict was submitted in accordance with Articles 8, paragraph 1, while that of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography was submitted in accordance to Article 12. In preparing these reports, Tanzania followed the guidelines adopted by the committee.

Chairperson,

These reports are a result of a consultative process with various stakeholders including state and non-state actors. This process was led by the Ministry of Community Development, Gender and Children for Tanzania Mainland and the Ministry of Labour, Youth Development, Women and Children of Zanzibar.

The Government commends the efforts of the Committee on the Rights of the Child in monitoring the implementation of the CRC and its two optional protocols and closely following up progress made by Member States and advising on challenges identified. I wish to assure you of my delegation's willingness to engage in a constructive dialogue and greater engagement with the Committee.

Chairperson,

The United Republic of Tanzania covers an area of 945,000 square kilometers and has a population of 39 million according to projections of the 2002 Population and Household Census. Out of the population, 50.6% are children between the age of 0-18 years.

Chairperson,

This being the case, the well being of children is an important issue for the Government of the United Republic of Tanzania as our population projection indicates that children below the age of 18 years constitute half of the population. Children therefore, are the present and future generation.

Chairperson,

The government has put in place legal framework to protect children from all forms of exploitation. These include inter alia: The Employment and Labour Relations Act No. 6 of 2004 and Zanzibar (2005) which protect children from worst forms of child labour including sexual exploitation. The Anti Trafficking in Persons Act of 2008 which prohibits the exploitation of persons including children.

Chairperson,

The Government has also put in place various strategies , including The National Strategy for Growth and Reduction of Poverty (NSGRP) in 2005. This strategy aims at reducing child labour including sexual exploitation of children. The National Strategy for the Elimination of Child Labour (2005) aims at addressing the issue of child labour.

A Plan of Action for the Prevention of Violence Against Women and Children (2001-2015) has been developed. It aims at having a society free of physical, psychological and sexual violence against women and children by the year 2015. On the other hand, the government is currently implementing the legal sector reforms programme which addresses human rights issues particularly those of juvenile justice.

Chairperson,

The government is committed to address the issue of children's welfare for instance in the budget allocation 2008/09 education was given priority with 18.3% of the total budget. Secondary Schools have been established at ward level throughout Tanzania to ensure that children who complete primary education are enrolled in secondary schools. The government is also expanding

vocational schools to reach every district in order to absorb other children who missed enrollment for secondary education. In order to capture children who are out of formal primary schools for various reasons, in 1997 we established a Complementary Basic Education in Tanzania (COBET). The programme aims at providing opportunity for out of school children to access quality basic education, life and survival skills and a route back to normal life. Specific emphasis is given to girls in order to give them a second chance, given their different vulnerable situations that led them to either dropping out of school or not being enrolled.

Chairperson,

The Ministry of Community Development, Gender and Children in Tanzania mainland and the Ministry of Labour, Youth, Women and Children Development in Zanzibar coordinate children issues. The Government has also formed the Commission for Human Rights and Good Governance which is responsible for monitoring among other things human rights issues including those of children. The Commission is independent and acts as a watch dog. The Commission has a children desk through which in 2005 conducted a public hearing on violence and abuse against children in 11 out of 21 regions of Tanzania mainland. A total of 307 cases were reported. Twenty nine percent involved sexual offences, 29 percent involved physical violence, 32 percent neglect and abandonment and 13 percent emotional abuse.

Chairperson,

In view of the need for increased awareness on violence, Tanzania Police Force has formed Tanzania Police Female Network on violence against women and children. On the other hand, the Ministry of Community Development, Gender and Children has formed a Task Force involving various stakeholders to address issues of violence against women and children. In addition, Tanzania Mainland is in the process of establishing a Commission on the Rights of the Child that will be tasked with the follow up of the implementation of child rights. On the other hand, Zanzibar established a National Child Rights Committee in 2004.

Chairperson,

Since the ratification of these Optional Protocols in 2004, several measures have been taken to effect the implementation of the Optional Protocols. As regards to the Optional Protocol on Involvement of Children in Armed Conflict the Government is in the process of amending laws related to children in order to incorporate the international conventions into local legislation. Such legislations include the National Defence Act which stipulates the age of recruitment of persons into Armed Forces to be 18 years of age. The Government has established criteria of recruitment into the armed forces to be the age of 18 years in which the Ministry of Defence and National Service in collaboration with the Registration, Insolvency and Trusteeship Agency (RITA) have to check genuineness of birth certificate of applicants; as the issue of apparent age in recruitment in the armed forces is no longer acceptable.

The registration of Insolvency and Trusteeship Agency (RITA) is currently sensitizing the general public in the whole country on the importance of birth registration and are also registering those who have missed the registration.

Chairperson,

Tanzania has not experienced conflict since ratification of the Optional Protocol hence the question of armed groups does not arise. However, we are faced with the problem of unaccompanied asylum seeking refugees and migrant children coming to Tanzania from areas affected by armed conflict in the Great Lakes Region. Although we do not have a long history of armed conflicts, we are committed to observance of international humanitarian laws.

The United Republic of Tanzania works closely with UNHCR to ensure that refugee children who may have been involved in armed conflict in their countries are given support through Rehabilitation Programmes in order to re-integrate them in the society.

Chairperson,

Tanzania does not have armed groups operating on or from its territory. It also prohibits refugees from engaging themselves in activities that may compromise the security of civilians. The Government in collaboration with United Nations High Commission for Refugees operates a separation facility for any subversive activities. This is to ensure that refugees designated areas maintain a civilian and humanitarian character.

Chairperson,

The Government of the United Republic of Tanzania is also in the process of reviewing all laws related to the protection of children to harmonize the Optional Protocol. These laws include the Law of Marriage Act No. 5 of 1971, The Affiliation Act Cap 278 R.E, 2002, Children and Young Persons Act Cap 139 R.E 2002 and Adoption Act Cap 335 RE 2002.

Chairperson,

Tanzania prohibits the sale of children, child prostitution and child pornography under the Mainland Penal Code as amended by the Sexual Offences (Special Provisions) Act Cap 101 of 1998 and the Zanzibar Sexual Offences Special Provisions Offences Act No. 7 of 1998. Legal protection is guaranteed to all children under the age of 18 years without any discrimination in line with Article 2 and 3 of the CRC.

Chairperson,

Government efforts to curb trafficking have included advocacy and awareness creation on trafficking issues. The Government with the support of the International Organization for Migration (IOM) has established a support project to combat trafficking. The project is designed to enhance institutional capacity and training for relevant NGOs, law enforcers, prosecutors, and justice service providers.

Chairperson,

Other protection measures for victims include commitment by the Government to eliminate worst forms of child labour by the year 2010. The Time Bound Programme (TBP) for elimination of worst forms of child labour focuses on all forms of exploitation of

children. With regards to children withdrawn from exploitation are provided with rehabilitation, counseling as well as formal education and life skills training for income generating activities. Children wishing to be united with their families and communities are also supported and monitored closely. This programme is in line with the implementation of the National Strategy for Growth and Reduction of Poverty (NSGRP) famously known as MKUKUTA for mainland and MKUZA for Zanzibar.

Chairperson,

The Government commends the role played by the NGOs as important stakeholders in protecting children's rights in Tanzania. We have worked closely in outreach programmes such as counseling, alternative skills, mobilizing and sensitizing victims of child prostitution and communities.

Chairperson,

Despite these positive developments, Tanzania still faces a number of challenges, including poverty where three quarters of its population are living below the poverty line. The vastness of the country with poor infrastructure continues to affect efforts to reach all the children. In the same vein, lack of resources both human and financial affect collection of data, conducting studies and research, conducting awareness programmes, and provision of adequate shelters.

Chairperson,

In conclusion, since there is political will to address children issues we call upon the International community including your committee to assist us in this endeavour, which include carrying out research, capacity building, dissemination of protocols and translation of the same into simplified user friendly versions and provision of resources both financial and human.

Chairperson,

On behalf of my delegation, I would like to take this opportunity to register my delegation's appreciation for commendable work done by the pre-sessional working group

of the Committee on the Rights of the Child, for identifying questions likely to be raised in connection with our country reports.

We look forward to constructive exchange of ideas in reviewing and appraising our achievements on the implementation of the Optional Protocols to the CRC. We believe that this session will come up with suggestions and recommendations for a successful implementation of the CRC and its two optional protocols for the year to come.

Chairperson,

We have a revised version of the matrix which was earlier submitted to your committee which we would like to distribute now.

I thank you very much chairperson .