



THE UNITED REPUBLIC OF TANZANIA

**COMBINED FIFTH, SIXTH AND SEVENTH PERIODIC REPORT ON THE
IMPLEMENTATION OF THE AFRICAN CHARTER ON THE RIGHTS AND
WELFARE OF THE CHILD BY THE GOVERNMENT OF THE UNITED REPUBLIC
OF TANZANIA**

**Submitted to the African Committee of Experts on the Rights and Welfare of the
Child (ACERWC)**

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ABBREVIATIONS

ACRWC	African Charter on the Rights and Welfare of the Child
AG	Attorney General
AGYW	Adolescents Girls and Young Women
AU	African Union
BRN	Big Results Now
CAB	Child Advisory Board
CBO	Community-Based Organisation
CBR	Community Based Rehabilitation
CCM	Chama cha Mapinduzi
CHADEMA	Chama cha Demokrasia na Maendeleo
CHRAGG	Commission for Human Rights and Good Governance
CJF	Child Justice Forum
CMA	Commission for Mediation and Arbitration
COBET	Complementary Basic Education in Tanzania
CPU	Child Protection Unit
CRC	Convention on the Rights of the Child
CSO	Civil Society Organisation
CUF	Civic United Front
CWAs	Children with Albinisms
CWD	Children with Disability
CPMIS	Child Protection management Information Systems
DAC	Day of the African Child
DHU	Dispute Handling Unit
DPP	Director of Public Prosecutions
DCMS	District Health Monitoring System
ELRA	Employment and Labour Relations Act
EPI	Expanded Programme on Immunization
ESRAC	Educational Support and Resource Centre
FBO	Faith-Based Organisation
FGM	Female Genital Mutilation
GBV	Gender Based Violence
GDP	Gross Domestic Product
GN	Government Notice
GNU	Government of National Unit
HAPCA	HIV and AIDS (Prevention and Control) Act
ICT	Information and Communication Technology
IECD	Intergraded Early Child Development
INEC	National Electoral Commission
IJA	Institute of Judicial Administration
ILO	International Labour Organisation
IMCI	Integrated Management of Child Illness
IOM	International Organization on Migration
JoT	Judiciary of Tanzania
LGA	Local Government Authorities
LHRC	Legal and Human Rights Centre
LIA	Labour Institutions Act

MDA's	Ministries, Departments and Agencies (Government entities)
MDGs	Millennium Development Goals
MoEST	Ministry of Education, Science and Technology
MoHCDGEC	Ministry of Health, Community Development, Gender, Eldery and Children
MoHA	Ministry of Home Affairs
MKUKUTA	Mkakati wa Kukuza Uchumi na Kupunguza Umasikini Tanzania
MKUZA	Mkakati wa Kukuza Uchumi na Kupunguza Umaskini Zanzibar
MMAM	Mpango wa Maendeleo ya Afya ya Msingi
MoEVT	Ministry of Education and Vocational Training
MoCLA	Ministry of Constitutional and Legal Affairs
MoHSW	Ministry of Health and Social Welfare
MVC-MIS	Most Vulnerable Children Information Management Information System
MESWYWC	Ministry of Empowerment, Social Welfare, Youth, Women and Children
MoLE	Ministry of Labour and Employment
MVC	Most Vulnerable Children
NAP	National Action Plan
NBS	National Bureau of Standards
NGO	Non-Governmental Organisation
NOLA	National Organization for Legal Assistance
NSGRP	National Strategy for Growth and Reduction of Poverty
OPAC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
PADEP	Participatory Agricultural Development and Empowerment Project
PCE	Permanent Commission of Enquiry
PEPFAR	President Emergence Plan for AIDS Relief
PF3	Police Form Number Three
PHCSDP	Primary Health Care Service Development Programme
PMCT	Prevention of Mother to Child Transmission
PMO	Prime Minister Office
PMO-RALG	President Office- Regional Administration and Local Government
PWAs	Persons with Albinism
RCH	Reproductive Child Health
RITA	Registration, Insolvency and Trusteeship Agency
SGBV	Sexual and Gender-Based Violence
SMZ	Serikali ya Mapinduzi Zanzibar
SOPs	Standard Operating Procedures
TASAF	Tanzania Social Action Fund
TBC	Tanzania Broadcasting Corporation
TCRF	Tanzania Child Rights Forum
TDHS	Tanzania Demographic and Health Survey
TEHIP	Tanzania Essential Health Interventions Project
TLP	Tanzania Labour Party
TV	Television
U5BRI	Under 5 Birth Registration Initiative
UDP	United Democratic Party
URT	United Republic of Tanzania
VAC	Violence Against Children
VAWC	Violence Against Women and Children

WCPTC	Women and Children Protection Committees
YCSPD	Young Child Survival Protection and Development
ZABEIP	Zanzibar Basic Education Improvement Programme
ZACA	Zanzibar Association for Children Advancement
ZAFELA	Zanzibar Female Lawyers Association
ZANECRI	Zanzibar Network for Children Rights
ZAPHA+	Zanzibar Association of People with HIV/AIDS+

INTRODUCTION

1. The United Republic of Tanzania (henceforth, 'Tanzania') ratified the African Charter on the Rights and Welfare of the Child (the Charter) in March 2003 and submitted its Initial Report in 2008, which was considered by the Committee in 2009. The Government also submitted its 2nd, 3rd and 4th Consolidated Periodic Report which was considered by the Committee during the 29th Session held in May, 2017. This is a combined 5th, 6th and 7th Periodic Report submitted to the Committee in accordance with Article 43 of the Charter. The report outlines the measures that have been undertaken by Tanzania since 2015 to give effect to the provisions of the Charter and responds to the Concluding Observations appeared in the 2nd, 3rd and 4th Country Periodic Report.

2. In preparing this report, the State Party used the Guidelines on the Form and Contents of Periodic State Party Reports Submitted Pursuant to Article 43(1) (b) of the Charter. The drafting process also benefited from relevant and compatible information contained in the 6th Report on the Implementation of the CRC the State Party submitted by Tanzania to the CRC Committee in January 2020.

3. In particular, the drafting process was coordinated by two Ministerial Departments representing both Tanzania Mainland and Zanzibar: The Department of Children Development in the Ministry of Community Development, Gender, Women and Special Groups representing the mainland; and the Department of Children Development in the Ministry of Health, Social Welfare, Elderly, Gender and Children representing Zanzibar. The two departments were responsible for coordinating preparation of the Report in collaboration with the Ministry of Constitutional and Legal Affairs, which oversees and coordinates human and peoples' rights in Tanzania. This is a specific mandate prioritised by the Government by establishing a Human Rights Division in the Ministry since 2018.

4. The process was both consultative and inclusive, bringing on board a wide array of state and non-state actors (NSA's) including children whose views have been used to inform the preparation of this report. In particular, stakeholders' views were obtained through meetings, interviews, dialogues and observations.

5. Therefore, this report sets out specific measures undertaken by the State Party to implement the Charter in the period between 2017 and 2025 in accordance with the Charter and the Committee's Guidelines.

I. GENERAL INFORMATION ABOUT THE STATE PARTY

6. This is a combined 5th, 6th and 7th Periodic Report submitted to the Committee by Tanzania in accordance with Article 43 of the Charter. It covers the period between 2017 when the Committee considered the combined 2nd, 3rd and 4th Periodic Report submitted by Tanzania in 2017 and 2025. In terms of general and specific information relating to the State Party's on the political structures and mode of governance, the same remain generally as they were reported in the combined 2nd, 3rd and 4th Periodic Report, save for two significant developments that occurred during the reporting period.

In Zanzibar, through the political reforms that took place in 2010 through the 10th Constitutional Amendment of the Zanzibar Constitution, the Government of National Unity (GNU) was sustained after the general election held in 2020 which saw the ruling party, *Chama cha Mapinduzi* (CCM), and the main opposition in Zanzibar, the Alliance for Change and Transparency (ACT – *Wazalendo*) forming the GNU. As reported in the previous Periodic Report, the GNU has reduced the hitherto political tensions that had engulfed the Isles since the first multi-party elections in 1995, creating a peaceful environment for people's participation in socio-economic and political undertakings. In terms of the realisation of children's rights, the advent of the GNU continues to help in strengthening a specific Child Development Department within the MESWYCD that, *inter alia*, oversees the implementation of the Charter in Zanzibar.

6.2. The review of the current Constitution that was commenced in April 2012¹ was halted by the 5th phase Government in 2016 after a Proposed Constitution was adopted by the Constituent Assembly in 2014 due to, *inter alia*, political tensions. This suspension was done together with the ban of political rallies and assemblies across the country. To resuscitate the constitutional review and re-writing process and reform the political and democratic processes in the country, towards the end of 2021, political parties and stakeholders in Tanzania's democracy met in Dodoma under the auspices of Registrar of the Political Parties centre for to discuss on the future of democracy in Tanzania. Amongst the key recommendations at this meeting were resuscitating the stalled constitutional reform process and allowing political rallies and assemblies. Following these recommendations, in early 2022, President Samia formed a 24-member presidential task force to collect stakeholders' opinions on the democratic situation in Tanzania, political and legislative reforms in Tanzania. On 21 October 2022, the task force submitted its report to the president recommending, *inter alia*, for both immediate and long-term proposals aimed at reforming the political and democratic processes in Tanzania.² Amongst the short-term recommendations, the taskforce proposed legislative reforms to amend the National Elections Act and the Political Parties Act in attempt to build environment that would allow free and fair elections in the country. The taskforce, however, recommended that the constitutional reform process should, as one of the long-term proposals, be embarked on after the 2025 general elections. Subsequently, political rallies and assemblies were allowed in 2022 and the new Independent National Electoral Commission (INEC) was established in 2024. While the completion of the constitutional reform process will be continued after the 2025 general elections, the 2014 Proposed Constitution, unlike the 1977 Constitution, contains a specific provision in the Bill of Rights guaranteeing the rights of the child.³ It also defines

¹ See the Constitutional Review Act (Cap. 83 R.E. 2012).

² Bob Karashani, 'Taskforce Says New Constitution to Take Time to Draft,' *The Citizen* newspaper (Dar es Salaam), Saturday, 22 October 2022; available at <https://www.thecitizen.co.tz/tanzania/news/national/taskforce-says-new-constitution-to-take-time-to-draft-3993498> (accessed 7 March 2025).

³ Article 53 of the Proposed Constitution of the United Republic of Tanzania (October 2014).

a child as any person below the age of eighteen years in a similar manner as Article 2 of the Charter.⁴

II. GENERAL MEASURES OF IMPLEMENTATION OF THE CHARTER

7. In compliance with the Committee's previous recommendations and in accordance with the relevant provisions (particularly Article 1) of the Charter, the State Party has undertaken several necessary measures to adopt such constitutional, policy, legislative and other administrative measures that it deems necessary to give effect to the provisions of the African Charter on the Rights and Welfare of the Child (African Children's Charter). The scope and nature of the adoption and implementation of these measures are set out below:

(a) Constitutional Measures

8. The children's rights in Tanzania continue to be guaranteed and vindicated under the Constitution of the United Republic of Tanzania, which aptly guarantees the enjoyment of human rights by 'every person', which includes children. The Bills of Rights enshrined in Articles 12-29 of the 1977 Constitution and Articles 12-29 of the Constitution of Zanzibar not only protects children's rights, but also contain a comprehensive enforcement framework whereby a person (including a child) whose rights are violated may bring a complaint either to the High Court of Tanzania or High Court of Zanzibar for vindication.

9. Besides these constitutional guarantees to children's rights, children in the State Party are at liberty on the behalf of the children to refer complaints about the violation of their rights guaranteed under the Charter before the Committee or any other international or regional human rights mechanism under which Tanzania has subjected itself by virtue of ratification or accession to a specific human rights instrument. In the period under report, for example, the Committee determined (on the merit) *LHRC & CRR v. Tanzania*.⁵ During the same period, the African Court on Human and Peoples' Rights (AfCHPR) also received and determined (on admissibility) the case of *Tike & EN v. Tanzania*.⁶

(b) Policy and Legislative Measures

10. In 2023, the State Party revised its Education and Training Policy 2014 to address emerging challenges and align with national and international educational objectives. The 2023 edition of the Education and Training Policy outlines comprehensive strategies to overcome existing educational challenges, enhance quality, and ensure the system's relevance to the dynamic socio-economic landscape, ultimately aiming for a well-educated and skilled Tanzanian child and the

⁴ Ibid, Article 53(3).

⁵ *Legal and Human Rights Centre & Centre for Reproductive Rights (on behalf of Tanzanian girls) v. United Republic of Tanzania*, ACREWC, Communication No: 0012/Com/001/2019 (Decision No 002/2022) ('*LHRC & CRR v. Tanzania*'). In this communication, the complainants successfully alleged that primary and secondary school girls in Tanzania Mainland are subjected to forced pregnancy testing and expulsion from schools in events where they are found pregnant or married in violation of certain rights enshrined under the Charter.

⁶ *Tike Mswambipile & Equality Now v. United Republic of Tanzania*, AfCHPR, Application No. 042/2020 ('*Tike & EN v. Tanzania*'). In this case, the applicants challenge the Respondent State's policies that exclude pregnant and parenting girls from public schools and allege that the ban violates the rights to education and non-discrimination guaranteed in the African Charter on Human and Peoples' Rights (the Charter) and in other international human rights instruments ratified by the Respondent State. However, the matter was not admitted for want of jurisdiction on the part of the AfCHPR.

population at large by 2025. In Zanzibar, the State Party is reviewing the Child Policy so as to improve the implementation of child rights and bring about gender equality among the children.

11. The State Party has enacted two comprehensive laws that promote, protect and maintain the welfare of a child: the Law of the Child Act⁷ applicable in Tanzania Mainland and the Children's Act⁸ applicable in Zanzibar. In addition to these child-specific laws, several Regulations have been enacted in the period under report to facilitate the implementation of these laws outlined in the previous report. Further to the previously mentioned Regulations, in 2020, the State Party promulgated the Fit Person Regulations to facilitate effective placement of children in homes instead of institutions in the context of the Charter. Currently, the State Party is striving to amend the Zanzibar Children's Act by collecting public opinions and views from stakeholders implementing the law. So far, a total of 500 people (representing public and private institutions) has participated in reviewing the Act. A report of the review process will be submitted to Zanzibar House of Representatives for validation and further reforms to the Children's Act. Notably, the law review seeks to harmonize the Children's Act with Zanzibar Child Policy so as to improve the implementation of child rights and bring about gender equality among children.

12. Besides the foregoing child-specific laws, the State Party has also adopted and amended other child protection-related laws and regulations, including those that have been adopted under the Employment and Labour Relations Act,⁹ and the Anti-Trafficking in Persons Act.¹⁰ These include the Employment and Labour Relations (General) Regulations (2017),¹¹ and the Law of the Child (Designation of Juvenile Courts) (Amendment) Notice (2017), the Electronic and Postal Communications (Online Content) Regulations (2018), which are applicable in Tanzania Mainland. In the period under review, the State Party has also enacted the Legal Aid Act (2017)¹² and its regulation: the Legal Aid Regulations (2018) and the Code of Conduct for Legal Aid Providers, Lawyers and Paralegals (2021). In 2019, the Birth and Death Registration Act¹³ was also amended vide the Written Laws (Miscellaneous Amendment) Act (No.14) of 2019 to further strengthen child birth and death registration.

13. In respect of Zanzibar, the State Party has revised, amended and enacted several laws to bring them in conformity with the ACRWC during the reporting period. These laws include the Evidence Act (2016),¹⁴ the Kadhi's Court Act (2017),¹⁵ the Care and Protection of Children Regulations (2017), the Foster Care Regulations (2017), the Approved Residential Establishment Regulations (2017), the Penal Act (2018),¹⁶ the Criminal Procedure Act (2018),¹⁷ the Legal Aid Act (2018), and the Zanzibar Civil Status Registration Act (2018).¹⁸

14. In implementing the Committee's recommendation urging to harmonize laws relating to children, the State Party has conducted a preliminary evaluation of the Child Development Policy (applicable in Tanzania Mainland) to oversee progress and challenges regarding to child rights in Tanzania. Meanwhile, the State Part has developed the National Multisectoral Early Childhood

⁷ Act No. 21 of 2009.

⁸ Act No. 6 of 2011.

⁹ Act No. 6 of 2004.

¹⁰ Act No. 6 of 2008.

¹¹ G.N. No. 47 of 2017.

¹² Cap. 21 R.E. 2017.

¹³ Cap. 108 R.E. 2019.

¹⁴ Act No. 9 of 2016.

¹⁵ Act No. 9 of 2017.

¹⁶ Act No. 6 of 2018.

¹⁷ Act No. 7 of 2018.

¹⁸ Act No. 3 of 2018.

Development Program (2021/22 – 2024/25) to strengthen the parenting services and interventions for children under 8 years. This is program which is implemented in parallel with Child Development Policy of 2008. These program initiatives also frame coordination and harmonisation of laws and their implementation across sectors.

15. The State Party has also continued to comply with the Court of Appeal decision in the case of *Attorney General v. Rebecca Z. Gyumi*¹⁹ on the issue of age of marriage, the Court directed the Government to amend the Law of Marriage Act within a period of 1 year. After the decision was rendered by the Court of Appeal of Tanzania in 2020, the Government submitted a Bill to Parliament seeking to amend the Law of Marriage Act (1971)²⁰ through Announcement No. 1 Vol. 102 dated 5 February 2021. Through this Bill, the State Party's Executive recommended the minimum age of marriage for both males and females to be 18 years. The Parliament Steering Committee for Administration directed the Government to engage citizens to collect their views about this issue. The Government subsequently gathered the views of the people. On 26 April 2023, the Ministry of Constitutional and Legal Affairs also held a televised consultative meeting in Dodoma to collect public opinions on the minimum age of marriage with a view to amending the Law of Marriage Act. After gathering public opinions, the Government is currently finalizing a report on public opinions to be submitted to the National Assembly.

(c) Administrative Measures to Ensure Availability of Financial Resources

16. In its Concluding Observations on the State Party's Second, Third and Fourth Periodic Report, the Committee urged the State Party to take concrete measures to fund child rights issues (para. 8). The State Party has ensured that resources are available for the effective implementation and coordination of various existing Policies, laws, regulations, National Action Plans, strategies and programmes which are reflected in line Ministries' budgets. The State Party has developed the National Guideline for Council Comprehensive Social Welfare Plan 2021 (CCSWOPG) which the Government and social welfare stakeholders are using for budget allocation to children's welfare. According to the Guideline, 3% of local government authority councils' revenue collection is allocated to social welfare. Moreover, the President's Office – Regional Administration and Local Government (PO-RALG) disburses about Tanzanian shillings 1,359 trillion out of 10.1 trillion that is equivalent to 14% of the total budget (dedicated to education, health and community development).²¹

17. In Zanzibar, the State Party allocates 1.2% of the national budget allocated children's issues. A 42% increase in funding was allocated to the Ministry of Community Development, Gender, Elderly, and Children in the 2024/2025 fiscal year. Tanzanian shillings 23,315,462,000 billion was allocated to the portfolio ministry responsible for children in 2024/2025, an increase from Tanzanian shillings 9,887,311,000 billion in 2023/24. Budget increases signify the State Party's ongoing attempts to reduce children's rights issues mainly on participation and protection. The financial allocation for Shehia²² Women and Children Coordinators has been increased from Tanzanian shillings 30,000/= to Tanzanian shillings 60,000/= every quarter, or Tanzanian shillings 20,000/= in monthly equivalent. Increasing the budget of Shehia Women and Children Coordinators has enabled them to actively engage with children, as they are the guardians of children's rights at the Shehia level.

¹⁹ Court of Appeal of Tanzania at Dar es Salaam, Civil Appeal No. 204 of 2017.

²⁰ Cap. 29 R.E. 2002.

²¹ Source: PORALG Report 2024.

²² In Zanzibar, a *Shehia* is the lowest government administrative structure at the community level. See the Registration of Zanzibaris Resident Act (No. 7 of 2005) and the Regional Administration Authority Act (No. 1 of 1998).

18. In combating child labour for the past four years 2016/2017 – 2019/24, the Prime Minister's Office – Labour, Youth, Employment and Disabilities, in the Mainland allocated funds amounting to 3.2 billion while the PO-RALG has allocated for primary education TShs 1.8 trillion and Secondary Education TShs 1.2 trillion.

19. The State Party's budgeting for children every sector has been shown in respective sectoral Medium Term Expenditure Review Frameworks (MTEF's). However, the MTEF's does not provide separate budgetary information for children, which is only done in respect of certain Ministries like the MoHCDGEC, Prime Minister's Office, MoEST and PO RALG. For the first three years consecutive, Ministry of Health Community Development Department released fund against approved is less than 50%. For the last two years, released fund increased over 50% of approved budget as shown in **Table 1** below:

Table 1: Budgetary Allocation for Children in Tanzania

No	Ministry	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
	Community Development	1,200,000,000	2,233,380,000	3,844,000,000	4,200,987,900	4,380,097,000	4,570,187,100		4,671,438,513	4,910,984,450
	Health	22,110,098,000	22,398,098,000	23,990,910,800	27,220,888,000	30,120,998,000	30,897,320,000	33,074,473,800	42,711,188,000	50,137,206,858
	PHO	278,996,000	290,772,000	342,886,000	415,000,000	600,000,000	675,000,000	689,000,000	986,000,000	988,345,000
	MoEST	1,396,929,798,025	1,358,685,241,000	1,406,488,026,000	1,386,508,723,272	1,348,563,375,000	1,384,414,800,000	1,493,864,355,868	1,679,755,327,000	1,945,330,380,000
	PO RALG	2,290,098,600,340	2,303,100,900,450	3,233,787,800,000	3,696,100,690,000	3,693,706,900,188	3,770,200,200,100	3,983,200,100,000	3,799,000,000,000	3,899,098,600,340

In addition to the foregoing measures, the State Party has adopted several legal and administrative measures in order to meet its budgetary allocation for sectors relevant in the implementation of children's right as outlined below:

19.1 Raising tax revenues through widening the tax base: These efforts have been made by the Tanzania Revenue Authority (TRA) to increase tax collections from TZS 13.3 trillion in 2015/16 to TZS 16.528 trillion in 2024. This big outcome has resulted in an increase in the budgetary allocation to children from 1.1 % in 2015 to 4.9% in 2024.

19.2 Ensuring sustainability of nutrition interventions and reach national and global nutrition targets (*i.e.*, reducing stunting burden by 40% by 2025), in which case the State Party has ensured minimum budget allocations for nutrition using domestic funding to reach the global target by 2025 of US\$ 8.5 per child under-five per year and integrate nutrition interventions in councils' mid-term expenditure frameworks (MTEFs).

19.3 There has been a fluctuation in the budgetary allocations to social sectors such as health services, water and education from 2015/16 to 2024/25. Budgetary allocation to education has increased from TZS 3.8 billion in 2015/16 to TZS 1.9 trillion in 2024/25. Budgetary allocation to the water sector has increased from TZS 573.5 billion in 2015/16 to TZS 1 trillion in 2025/26 budget, government continues to focus in the implementation of flagship projects, including those related to social services such as health, water and education. In ensuring effective implementation of the planned projects, the government set different measures to increase domestic revenue and management of expenditures which include: improving domestic revenue collection, manage and monitor implementation of tax laws, regulations and procedures and improve ICT systems including Electronic Fiscal Device Management System (EFDMS); improve the business and investment environment as outlined in the Blueprint Action Plan; and closely monitor the performance of Government institutions and promote local tourism.

19.4 The State Party, continued undertaking interventions to improve the living standards of people, in extreme poverty and protecting the children's human capital living in vulnerable households through the Productive Social Safety Net (PSSN) Program implemented by TASAF. PSSN interventions are implemented through three windows namely: Conditional Cash Transfer, Public Works Program (PWP) and Livelihood Enhancement (LE). Up to December 2020, there were 1,087,622 Program beneficiary's households with 5,641,008 direct beneficiaries compared to 1,067,041 household beneficiaries with 5,474,231 direct beneficiaries in 2019. Out of those, women were 2,858,523, equivalent to 50.8 % while men were 2,782,485.

Table 2: Productive Social Safety Net Direct Beneficiaries

Gender	Number of Beneficiaries (Year)	Years 0-2	Years 3-5	Years 6-18	Years 19-60	Over 60
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	2019	2020					
Men	2,635,238	2,782,485	97,470	185,234	1,174,859	1,006,655	313,847
Women	2,838,993	2,858,523	66,119	125,021	1,053,339	1,170,774	447,690
Total	5,474,231	5,641,008	163,589	310,255	2,228,198	2,177,429	761,537
%age of beneficiaries			2.9	5.5	39.5	38.6	13.5

Source: Ministry of Finance and Planning – Economic Survey 2020

19.5 In addition, 473,844 children under five years have attended clinic, which is equivalent to 8.4 % of all beneficiaries; and beneficiaries who are attending primary and secondary schools aged between 6 to below 18 were 2,228,198, equivalent to 39.5 %.

(d) Judicial Measures

20. The State Party has made remarkable progress in the judicial sector for protecting and providing a conducive environment for juvenile justice systems. In particular, the following measures have been undertaken in this regard: -

20.1 In Tanzania Mainland, in 2016, the Chief Justice issued the Law of the Child (Juvenile Court Procedure) Rules,²³ which provides for General principles / procedures of child-friendly justice, Juvenile Courts in Tanzania were also adopted by the High Court. In 2017, the State Party made amendments to the Law of the Child Act (LCA)²⁴ that vested power only in the Resident Magistrate Court in the respective District to determine children's cases despite of designated Juvenile Courts. Through G.N. No. 158 of 2019, the Chief Justice revoked G.N. No. 314 of 2016²⁵ and designated 141 Primary Courts premises to be used as Juvenile Courts including Mbeya Juvenile Court.²⁶ Thereafter, challenges regarding Primary Courts' infrastructure, accessibility and operationalization arose in some designated courts. Therefore, in 2020, through the Written Laws (Miscellaneous Amendments) Act,²⁷ the Chief Justice's powers under Section 97(2) of LCA to designate Primary Court premises to be Juvenile Courts were extended to the District Courts and Resident Magistrate court's premises that are now recognized and used as Juvenile Courts. Therefore, all District Courts and Resident Magistrate's Courts in Tanzania Mainland are conferred with jurisdiction and powers to hear and determine any matter triable by a Juvenile Court subject to the procedure prescribed under Section 99 of the LCA.

20.2 In 2018, the Chief Justice issued Circular No. 2 of 2018 (on protection of identities of children in any matter before the court), including identities of parents and guardians of the child in the adoption proceedings and of victims of sexual offences of whatever age, The Circular requires Juvenile Courts to set specific days to hear cases involving children to ensure the privacy of the children in question. In addition, in 2019, the Chief Justice issued the Judicature and Application of Laws (Practice and Procedure of Cases Involving Vulnerable Groups) Rules²⁸ and the Judicature and Application of Laws (Adoption of Juvenile Court Rules in the High Court of Tanzania) Rules.²⁹ In 2023, the Judiciary of Tanzania (JOT) issued the Standardized Operating Guide (SOG) in order to

²³ G.N. No. 182 of 2016.

²⁴ The Law of the Child (designation of Juvenile Courts) (Amendment) Notice (G.N. No. 367 of 2017).

²⁵ The Designation of Primary Court Premises to be Used as Juvenile Courts (G.N. No. 314 of 2016).

²⁶ G.N. No. 158 of 2019 revoking G.N. No. 314 of 2016.

²⁷ Act No. 1 of 2020.

²⁸ G.N. No. 110 of 2019.

²⁹ G.N. No. 154 of 2019.

guide magistrate and other stakeholders on how to handle children's cases in court.³⁰ The Chief Justice has also issued a directives to Judicial Officers to fast-track cases involving children. The directive aims at ensuring children cases are handled timely and reduce the time spent by the children in detention facilities.

20.3. The State Party has also ensured that there is sufficient number of child justice personnel, whereby between 2017 and 2025 there were about 2,616 child justice frontline workers, who had received specialised training in the administration of child justice. , The Judiciary has adopted the Judicial Statistic Dash Board 2 (JSDS 2), which provides information on cases filed, decided and pending in any court within the State Party. The information enables stakeholders (including those working in the child justice sub-sector) to know court proceedings, orders and decisions on particular matters. In addition, there are special physical registers for Juvenile courts which are inspected by supervisors in every quarter of the year.

20.4 In Zanzibar, the State Party has established four Children's Courts, which have already been designated and operated in Vuga, Mahonda, Wete and Chake Chake. In addition to that, Zanzibar Director of Public Prosecutions Manual has been reviewed to include guidelines on how prosecutors should handle criminal cases which are involving children. Moreover, the State Party has developed the Zanzibar Prisons Strategic Plan 2016-2021 through which the State Party strives to, among other things, facilitate the construction of a new facility for children at Hanyegwa Mchana.

(c) Domestication and Publicization of the Charter, International Treaties and Domestic Laws and Policies Relating to Children's Rights

21. The State Party has undertaken the following measures to realize the rights and welfare of the child enshrined in the Charter, the children's laws of the State Party and/or in any other international convention or agreement in force in that State:

21.1 In January 2020, the State Party submitted its 6th Report to the Committee on the Rights of the Child, which exhibits the commitments and initiatives of the State Party in fulfilling its international obligations to ensure the realization of children's rights and welfare in its jurisdiction.

21.2 The State Party has continued to commemorate the International Day of a Girl Child, the World Children's Day and the Day of the African Child, which have been decentralized to the Regional and District levels to enable many people, particularly children, at the grassroots to effectively and actively participate in the celebrations. Children have been active participants in these commemorations. These events also serve as promotional sessions about the rights and welfare of the child in the State Party.

21.3 The State Party has continued to cooperate with various national and international stakeholders for purposes of promoting and fulfilling the obligations arising from the international child rights instruments, including the Charter and the CRC, and all the Optional Protocols thereto since the State Party is a signatory.

21.4 The State Party, in collaboration with stakeholders has translated and widely disseminated the Charter and the CRC into Kiswahili, a language widely spoken by natives. In addition to Kiswahili versions, the State Party has, in collaboration with stakeholders, prepared and disseminated simplified versions of the Charter and CRC in both English and Kiswahili, largely targeting children as the main audience.

³⁰ Judiciary of Tanzania, *Standard Operational Guide for Magistrates on Managing Children Cases in Tanzania* (Dar es Salaam: Judiciary of Tanzania, February 2023).

21.5 In implementing the Committee's previous concluding Observation, urging it to prepare child-friendly versions of laws and policies concerning children (para. 9), the State Party has undertaken the following in relation to Tanzania Mainland:

- (i) Translation of the Law of the Child Act and its Regulations and Rules into Kiswahili and simplified, child-friendly versions;
- (ii) Preparation of Children's Council Guidelines in Kiswahili;
- (iii) Preparation of Online Child Sexual Exploitation and Abuses education materials in Kiswahili;
- (iv) In 2021, the Interpretation of Laws Act (Cap. 1) was amended in Section 84(1) by particularly inserting a new provision (*i.e.*, Section 84A (1)), which has introduced Kiswahili as the language of all courts, including Juvenile Courts; and
- (v) Wide dissemination of the child-friendly versions of the LCA, its Regulations and Rules to children.

21.6 In respect of Zanzibar, the State Party has undertaken the following measures in preparing child-friendly versions of laws and policies concerning children:

- (i) Development of the Zanzibar Child Policy in Kiswahili to create a conducive policy environment for improving child rights and well-being;
- (ii) Reviewing the Children's Act (2011) and translating it into Kiswahili to create a conducive legal environment for improving child rights and well-being;
- (iii) Reviewing of the Kadhi's Act (2017)³¹ leading to the amendment of the Kadhi's Act in 2022.³² This new law strengthens parenting skills and systems to support children, ensures the availability of basic services and upholds the child's best interests including broader child protection measures.
- (iv) Preparing a child-friendly version after reviewing the Guideline for Children's Councils Manual of 2024 (Junior Council's Manual) to enhance awareness and advocacy of children's rights and responsibilities. The manual also aims to foster good behaviour among children and support the rehabilitation of their conduct, promoting positive values and responsible citizenship.

(f) Promotion of Positive Values and Traditions

22. The State Party has undertaken the following measures to promote positive cultural and traditions values and discourage that are inconsistent with the rights, duties and obligations contained in the Charter:

22.1 The State Party has developed the Anti-FGM Strategy (2020/21 - 2024/25) as an effort to eliminate practices that violate women and children's rights.

22.2 The State Party has developed the National Guideline for Effective Community Dialogue which Facilitate dialogue in Communities on the existing norms and values that encourage violence, perpetuate unequal relationships and ultimate action. The Guideline also supports the implementation of Thematic area Number 2 of the National Action Plans to end Violence against Women and Children in Tanzania Mainland and Zanzibar.

³¹ Act No. 9 of 2017.

³² Act No. 8 of 2023.

22.3 The State Party has developed the Guidelines for Good Parenting (2016) and its Training Manual that aims at supporting and achieving transformation in parents' behaviour and processes for influencing social norms. Through these initiatives, the State Party has facilitated the establishment of 3,963 parental groups that aim to, *inter alia*, impart positive parenting skills to parents.

22.4 The State Party has established 2 Women and Children Protection Committees at the National level, 26 at the regional level, 126 at the district level, 3,501 at the ward level and 14,509 at the village/*mtaa* level to make a total of 18,186 Committees in Tanzania Mainland. Moreover, in Zanzibar, 11 Districts and 387 Shehia established Women and Children Protection Committees to protect Children within their localities.

(g) Collecting Disaggregated Data on the Number and Status of Children

23. In implementing the Committee's previous Concluding Observation urging it to collect disaggregated data on the number and status of children (para 8), the State Party has undertaken the following measures in this regard: The State Party has continued conducting the National Population and Housing Census in every ten years, with the latest being the one conducted in 2022.³³ According to the 2022 National Census, the State Party has a population of 30,257,196 children (15,128,975 males and 15,128,231 females) constituting 49.01% of the population of Tanzania, which is about 61,741,120 people (30,053,130 males and 31,687,990 females).³⁴ In Tanzania Mainland, there are 29,365,234 children (under the age of 18) among the total population of 59,851,347 (14,684,339 males and 14,680,895 females), which is equal to 49.1% of the total population. In Zanzibar, there are 891,962 children under 18 years among the total population of 1,889,773 (444,636 males and 447,326 females), which is equal to 47.2% of the total population.

(h) Coordination and Monitoring of the Implementation of the Charter

24. The State Party has put in place the following mechanisms at the National and local levels for coordination and monitoring the implementation of the Charter:

24.1 Although children's rights are not amongst constitutionally-entrenched 22 Union Matters, the State Party has streamlined coordination of children's issues in both Union and Zanzibar Revolutionary Governments. In particular, the State Party has created a coordination mechanism for child rights issues between Zanzibar and Union Governments, with representation at both the ministerial and technical levels. At the technical level, regular technical coordination meetings between senior officers (particularly line Directors) from both Union and Zanzibar Revolutionary Governments are conducted, highlighting and making proposals on areas of joint action and collaboration to Permanent Secretaries who then report to the portfolio ministers. To strengthen this, terms of reference (TOR's) for establishing the union coordination body for children affairs have developed and adopted.

24.2 The State Party has also regularly conducted interministerial consultative meetings and discussions to endorse formal collaboration and coordination of children matter in Tanzania, including the contents of this Periodic Report that held in December 2024. Through this coordination framework, the State Party has also conducted a survey on Violence against Children (VAC Report

³³ The 2022 Census was conducted in accordance with the Statistics Act (Cap 351), which mandates the Government to conduct a Population and Housing Census every ten years.

³⁴ Ministry of Finance and Planning, National Bureau of Statistics and President's Office – Finance and Planning, Office of the Chief Government Statistician, Zanzibar, *The 2022 Population and Housing Census: Initial Results* (Dodoma, Tanzania, October 2022).

2024),³⁵ which covers both Zanzibar and Tanzania Mainland. After the compilation of the survey, the State Party will undertake joint action to address the issues arising out of the survey in both Zanzibar and Tanzania Mainland.

24.3 The State Party has issued a Government Policy Instrument that clearly stipulates the mandate of different bodies for ACRWC issues in Tanzania Mainland and Zanzibar. This instrument provides mechanisms for coordinating children rights at the National and at the local government authorities (LGAs) with financial, human and technical resources.

24.4 The State Party has developed functional institutional coordination mechanisms, both sectorial and across sectorial, involving all relevant line ministries and MDAs, as well as other key stakeholders in the implementation of the ACRWC both in Tanzania mainland and Zanzibar. This coordination has brought effective operationalization of national plans, policies and strategies by involving all key stakeholders and implementing actors from national to subnational level. Examples of these mechanisms can be seen from the following major National Plans:

24.5 In Tanzania Mainland, at the national level, the MoHCDGEC has a general mandate for coordination and implementation of ACRWC. This is to ensure the children's right are reflected in the policies, laws and regulations. At the Regional Secretariat and LGAs, the coordination mandate and implementation is vested to the President's Office - Regional Administration and Local Government Authority (PO-RALG).

24.6 In Zanzibar, the Ministry of Health, Social Welfare, Gender, Elderly and Children coordinates all relevant sectors in the implementation of ACRWC from National to sub-national levels (Shehia). The Ministry works closely with other Ministries as well as CSOs to implement the provisions of the Charter.

24.7 In Tanzania Mainland, the National Plan of Action to End Violence Against Women and Children (NPA-VAWC) 2017-2022) is coordinated by a unified multisectoral and cross-jurisdictional body at national and sub-national levels. At the national level, coordination structures are the National Protection Steering Committee (NPSC), NPA-VAWC National Protection Technical Committee (NPTC) and Thematic Working Groups (TWGs). The NPSC is the highest inter-ministerial body under the leadership of the Permanent Secretary-Prime Minister's Office. Its secretariat is under the MoHCDGEC that provides overall policy guidance and coordination of the NPA-VAWC. The mentioned structures are composed of relevant line ministries, Government Departments and Agencies, Commission for Human Rights and Good Governance (CHRAAG), Civil Society Organizations (CSOs), Faith-Based Organizations (FBOs) and representatives of Development Partners. PO-RALG, through Regional Secretariat and Local Government authorities coordinate Women and Children Protection Committees (WCPCs).

24.8 In Zanzibar, the National Committee on Violence Against Women and Children (NC-VAWC) coordinates the National Plan of Action to End Violence Against Women and Children 2017-2022 at the national level. The Committee is chaired by the Minister Responsible for Legal Affairs and co-chaired by the Minister responsible for Women and Children. It is composed of Ministers and Regional Commissioners, the Principal Secretaries, Commissioners and Directors from relevant Government ministries, departments and agencies. NC-VAWC meets biannually to review and report on progress in the implementation of the NPA. It also provides regular reports to the Revolutionary Council of Zanzibar. At the local level, the District Committees on Violence Against Women and Children have been established in each District. District Committees oversee

³⁵ The survey is supported by the Centre for Disease Control and Prevention (CDC) and UNICEF.

the planning, coordination, implementation and monitoring of interventions addressing violence against women and children in each District. At the sub-national level, Shehia Committees on Violence Against Women and Children have been established at the Shehia as the first effective structures in preventing and responding to violence against women and children. They report to the District Committees through Shehia Women and Children Coordinators.

24.9 Despite the previously mentioned measures taken to enhance the efficiency and effectiveness of children rights implementation, the State Party faces several challenges, including the fact that children's issues are not Union Matters, thus, they are implemented by two separate ministries in both parts of the Union, which makes it difficult in coordinating interventions of two different bodies of both parties of the Union. Inadequate financial, technical and human resources of MDAs to effectively execute children rights and related plans also constrain effective implementation of the Charter in the State Party.

III. DEFINITION OF THE CHILD

25. As stated in Part II(b) above, the State Party has undertaken several measures to harmonise the definition of the child in different settings, including efforts to amend Sections 13 and 17 of the Law of Marriage Act to upgrade the minimum age to 18 years. In addition, the Law of the Child Act, Cap 13³⁶, which is applicable to Tanzania Mainland, and the Zanzibar Children Act (2011)³⁷ continue to retain provisions that define a child as any person below the age of 18 years. Remarkably, as reported in the previous Periodic Reports by the State Party, the two child laws have domesticated the principles enshrined in the Charter and the CRC; and, as such, they repeal, replace and/or amend the laws which were repugnant to the Charter to make them compliant with the ACRWC principles and standards.

IV. GENERAL PRINCIPLES

(a) Non-Discrimination

26. In its previous Concluding Observation, the Committee urged the State Party to enshrine the non-discrimination principle in all sectors, including in the education, health and other services (para. 11). The State Party continues reviewing and revising all its legislation to bring it in full compliance with Articles 3 and 26 of the Charter as well the Committee's Concluding Observation. In particular, the State Party has completed the said review, which has culminated in several amendments to the Law of the Child Act (applicable in Tanzania Mainland) and the Children's Act (applicable in Zanzibar). In addition, both pieces of legislation have domesticated the provisions of Article 3 of the Charter that prohibit discrimination of any kind, irrespective of race of the child or his or her parent or legal guardian, colour, sex, language, religion, political affiliation or other opinion, national ethnic or social origin, property, disability, birth or other status. Moreover, both constitutions – *i.e.*, the Constitution of the United Republic of Tanzania (1977) and the Constitution of Zanzibar (1984) – have specific provisions that comply with Article 3 of the Charter. This constitutional framework makes it mandatory for all laws enacted in the State Party to comply with the non-discrimination principle. Where any law is contrary to this principle, the High Courts of the

³⁶ Under section 4

³⁷ Under section 2

United Republic of Tanzania and Zanzibar has power to declare the said law to be unconstitutional for being repugnant to the said constitutional provisions.

27. In addition, in 2014, the State Party adopted a New Education Policy, which was revised in 2023 (applicable in the mainland), which provides for access to education without any discrimination. Further, the State Party has increased the number of inclusive education schools, which provides children with disabilities opportunity to interact with other children; hence, they help in decreasing the level of stigma and discrimination of children with disabilities. However, this goes together with recruiting qualified teachers for this purpose.

28. In Zanzibar, all children who have special education needs (including children with disabilities) have access to education based on inclusive education. The Ministry of Education and Vocational Training, through the Special Education Unit, has increased the number of inclusive education schools up to 87. In addition, the number of students has increased from 3,883 in 2011 to 8,993 in 2019 and the number of teachers, who have been trained on sign language and "Braille", has increased from 10 in 2018 up to 30 in 2024. Through the Revolutionary Government of Zanzibar, the State Party has undertaken the following measures to eliminate discrimination of children in different settings:

28.1 Ensuring the enshrinement of non-discrimination across all sectors, including education, health, and justice services. In the education sector, Zanzibar allows girls who become pregnant to continue their studies. From 2021 to the present, a total of 64 girls (48 from Unguja and 16 from Pemba) have continued their education.

28.2 Providing counselling and psychosocial services to ensure that these girls are not harmed as a result of their pregnancies. (Source: Ministry of Education and Vocational Training, Zanzibar 2022-2024).

28.3 Implementing Section 6 of the Children's Act (2011), which provides that no person or institution shall discriminate against a child on grounds such as race, disability, colour, other opinions, etc.

28.4 In the Health sectors through the policy and health guidelines, providing medical services up to the delivery stage for girls who get pregnant while at school.

28.5 Providing legal aid services and support to girls and boys in need, without discrimination. A total of 286 Girls were provided with legal aid services.

29. In relation to Tanzania Mainland, the State Party has undertaken the following measures to eliminate discrimination of children in different settings:

29.1 Issuing Education Circular (No. 2 of 2021) and Re-entry Guidelines of 2022, which allows dropout school girls due to pregnancy and marriage to re-entry schools of their choice. These measures have increased the number of girls who are allowed to return to formal education and the number of girls who have been accommodated in the Folk Development College and vocational centers. The Government have been funding and supporting all of them indiscriminately.

29.2 Offering fee free education from primary education to advanced level education, by virtue of Education Circular (No. 5 and 6 of 2016) and the Education and Training Policy of 2014 (2023 edition).

29.3 Improving school transportation policy for the children and the National Transport Policy and other guidelines that provide safeguards and protection of children while on transit from home to school and vice versa.

29.4 Adopting the National Guide for Responsible Parenting and Family Care of (RPFC-2022), which insists on parental roles on how to care, communicate and protect children with disabilities. Through this Guide, different message has been developed on how to sensitize parents including infrastructure that accommodate needs of children with disability within the family (*e.g.*, *Huduma rafiki kwa vijana* – Youth Friendly Services).

30. In implementing the Committee's previous Concluding Observation, urging it to sensitizing law enforcement officers, *etc.*, on equality of all children (para. 11); the State Party has conducted several sensitization programmes to law enforcement officers, *etc.*, including:

30.1 In Zanzibar, the State Party has sensitized a total number of 591 law enforcers on equality of all children under review of the Children's Act no.6 of 2011. Those law enforcers includes Police (230), Prisons 198), Immigration (73), Judiciary/Prosecutors (23), and Social Welfare Officers (67).

30.2 In Tanzania Mainland, a total number of 1,147 social welfare officers, childcare workers 2,118, para social workers 3,170, Police 798, Prisons 77, Immigration 45, Judiciary/Prosecutors 87 were trained on child protection intervention

(b) Best Interests of the Child (Article 4)

31. The State Party has ensured integration of the principle of the best interest of the child in various legislation, policies, programmes and judicial decisions. The guiding criteria provisions have been enshrined in the Law of the Child Act (LCA, 2009) and the Zanzibar Children's Act (CA, 2011), both of which stipulate, in similar phraseology, that the best interest of a child should be of primary consideration in all actions concerning a child whether undertaken by public or private entities, social welfare institutions, courts or administrative bodies. Legislatively, in Tanzania Mainland, the principle has been enshrined in various Regulations and Rules to guide all persons who work for or deal with children. Thus, there are clear-cut procedures and guidance to magistrates, parents, police and prison officers, teachers, social welfare officers, labour officers, guardians and other persons of authority to accord due preference to the best interest of the child principle.

32. In Zanzibar, Children's Act (2011), the Child Care and Protection Regulation (2017), the Foster Care Regulation (2017) and the Approved Residential Establishment Regulations (2017) reiterate the best interests of the child as a paramount consideration in reaching any decision or taking any action concerning or relating to the child by all public and private actors and institutions. The enactment of the Evidence Act in 2016 and the Penal Act in 2018 has also considered the best interests of the child. The admissibility of testimony of an independent witness and intimidated witness aim at protecting children who are vulnerable to sexual abuse. Likewise, the enhancement of penalties in the Criminal Procedure Act and restricting bail provision in relation to GBV cases intend to protect children from various abuse in the criminal justice system.

33. In Tanzania Mainland, the State Party has also mainstreamed the principle of the best interest of the child in prison system. A separate prison has been set-aside at Kingolwira to accommodate female prisoners incarcerated with children. Furthermore, Gender and Children Desks have been

introduced in prisons. At the policy level, the Prison Gender and Children Policy was adopted in 2018 to address the needs and challenges of children within the prison system.

34. The State Party, has carried out through different media, several awareness raising activities to traditional and religious leaders, as well as government officials to sensitize them on the applicability of the best interest of the child principle, in issues relating to harmful practices, parenting, respect for the views of the child, participation and children rights in general. Personal relationship between the child and the parents, or any specific parent; and the child and any other care-giver or person relevant in those circumstances.

35. In further implementing the Committee's, previous Concluding Observation urging it to take actions to ensure that the best interest is respected in all procedures, and decisions of all Government machineries (para. 12), the State Party has undertaken the following specific measures:

35.1 In Zanzibar, the State Party has, apart from implementing the specific provisions guaranteeing the best interest in the child set out in Section 3 of the Children's Act (2011, ensured that law enforcers were sensitized and uphold this principle while dealing with children. Under these initiatives, a total of 350 children were reached between 2022 and 2024, in which law enforcement officers made sure they considered the best interest of the child before placing children in custody. Moreover, the State Party reviewed the Children's Act (2011) to ensure the best interest is effectively considered in all decisions and actions taken concerning children.

35.2 In Tanzania Mainland, the State Party continued to uphold the best interest of the child as guaranteed in the Charter, the CRC, the Law of the Child Act (2009) and other child-related laws and Regulations. In particular, the State Party carried out the following measures:

- (i) Developing Regulations and Guidelines for service provision and monitoring to the following social welfare facilities: deployment of a total of 1,147 Social Welfare Officers in all 26 Regions and 184 LGA Councils, establishment of 438 children's homes in Tanzania Mainland, establishment of 3,473 privately-owned day care centres, setting up 206 community day care centres for children, running and managing 1 approved school at Irambo (in Mbeya Region), running and managing 6 retention homes, establishment of 16 safe houses, designating 141 Juvenile Courts (manned by specialised Resident Magistrates, Prosecutors and Social Welfare Officers), setting up 420 Gender and Children Desks (GCDs) in Police Stations, establishing 23 One Stop Centres, and commissioning all 16 free toll Child Helpline.
- (ii) Amendment of the Child Protection Laws (Miscellaneous Amendments) Act (2024), which has introduced several provisions to the Law of the Child (2009), including: Section 71A(1), which requires the court to consider the best interest of the child before granting revocation of adoption order; Section 157(j), which vests powers in the portfolio Minister to make Regulations prescribing matters to be taken into consideration in determining the best interest of the child; Section 115(4), which makes the involvement of the social welfare officer in all proceedings where a child is called as a witness a mandatory requirement; and Section 115(6), which requires the Chief Justice to make Rules prescribing procedure for conducting cross examination of a child in matters involving a child.
- (iii) Through the Child Protection Laws (Miscellaneous Amendments) Act (2024), the Cyber Crimes Act (Cap. 443) was amended to incorporate provisions concerning protection of the child in online sexual abuse and cyber terrorism.

- (iv) Through the Child Protection Laws (Miscellaneous Amendments) Act (2024), the Legal Aid Act (2017) was amended to incorporate provisions requiring a Magistrate in-charge of a District Court or Resident Magistrate's Court to assign advocates to provide legal aid to a child who is accused in any criminal proceedings.
- (v) In 2021, the Interpretation of Laws Act (Cap. 1) was amended to introduce Section 84A, which has designated Kiswahili to be the language of the laws and of the courts in Tanzania Mainland.
- (vi) The Legal Sector Laws (Miscellaneous Amendments) Act (2023) amended Section 127 by adding sub-section (7) to the Evidence Act (Cap. 6), which now enables the court to dispense justice in cases related to children without being tied up with technicalities that may obstruct dispensation of justice in pursuant to Article 107A(2)(e) of the Constitution of the United Republic of Tanzania (1977).
- (vii) The 2014 Education and Training Policy was revised in 2023 to embrace, *inter alia*: a conducive policy environment for all learners (including children) in Tanzania Mainland (clause 1.3(iv)); address specific needs of children with disabilities (clause 1.4, 2.4.1(c)); gender equality (clause 2.3(j) (k)); and freedom of expression (multilingual) for all learners (clause 2.4.2(b)).
- (viii) The National Gender and Women Development Policy (2023) was adopted addressing, *inter alia*, the need for improvement of girls' and boys' participation in education (clause 3.2.5) through the following policy statement and strategies: creation of a child-friendly environment in the school setting (clause 3.2.5(ii)), increasing enrolment and retention of girls and boys (clause 3.2.5(iv)), and protection of child against GBV and sexual abuse (clause 3.2.5(v)).
- (ix) Several court decisions were rendered in accordance with the principle of the best interest of the child. For instance, in *Mary Gasper Lyaruu v. Costantino Revocatus Kabadi*,³⁸ the court stressed the need for the court to consider a social inquiry report prepared by a Social Welfare Officer under Section 45(1) of the Law of the Child Act (as amended by Section 17 of the Child Protection Laws (Miscellaneous Amendments) Act (2024)), and taking into account the child's wishes before the court decides the custody of a child as provided under Section 125(2)(b) of the Law of Marriage Act (Cap. 29) and Section 11 of the Law of the Child Act.

(c) The right to life, survival and development (Article 5)

36. The State Party recognizes and guarantees the right to life, survival and development both in the Constitutions of Zanzibar and Tanzania as well as in the child-specific laws. In addition, through specific disability laws that classify persons with albinism (PWAs) as persons with disabilities (PWDs), the State Party has taken concrete efforts to end discrimination and violence against people with albinisms including children. Hence, to safeguard against superstitious beliefs and witchcraft practices that fuel attacks on children with albinism, the State Party issued a directive in 2015 requiring the compulsory registration of all traditional healers. This move was a mechanism to eliminate nefarious traditional healers who encourage the use of people with albinism's body parts for power and wealth creation. In Tanzania Mainland, the State Party continues to prioritize investigation and prosecution of cases where PWAs are victims.³⁹ While in 2006 there were 68

³⁸ High Court of Tanzania at Temeke (Sub-Registry), Civil Appeal No. 17 of 2023 (Unreported).

³⁹ The Police Force has formed a Multi-Agency Task Force which is composed of prosecutors and investigators in order to fast track investigation of cases. In combating incidences against persons with albinisms police use both proactive and reactive measures. The trial of these cases is prioritised through special sessions and completed within few days from commencement of hearing.

incidences of attacks and killings of PWAs which were reported in police stations; in 2017, the number was reduced to 3 reported incidences. All forms of violence against PWAs are criminalized and perpetrators have been charged with criminal offences including murder, attempted murder, assault, causing bodily harm, trafficking and kidnapping. All perpetrators are arrested and prosecuted and by 2024, 34 cases had been prosecuted with 8 in the Court of Appeal, 10 in the High Court and 16 in the Resident Magistrates Court. The same administrative and legal measures have been geared towards protecting vulnerable groups.

37. In respect of the Committee's previous Concluding Observation that children with albinism (CWA) do not receive protection, care and support from the Government (para. 13); the State Party states that:

37.1 In relation to Tanzania Mainland, the State Party has developed the National Action Plan on the Rights and Welfare of Persons with Albinism (NAP 2024/25-2028/29). The NAP addresses four areas of (i) protection, (ii) prevention, (iii) non-discrimination, and (iv) accountability. The State Party has also adopted the National Strategy on Assistive Technology (2024/2027), which serves as a guide to service providers on procurement and service provision. Moreover, the State Party has allocated a specific budget for local production of Sunscreen Lotion totalling 60,000,000 to the Kilimanjaro Christian Medical Centre (KCMC) to produce the lotion.

37.2 In Zanzibar, there were no threats to children with albinism (CWAs) in the period under report and the State Party gives all children equal opportunities such as in education services, protection and participation according to the Zanzibar culture, customs and norms. The State Party has successfully conducted capacity-building programmes for 1,034 teachers (772 females and 262 males), equipping them with the knowledge and skills needed to support children with albinism and disabilities. This initiative was driven by the increasing number of children with albinism and disabilities in primary and secondary schools in Zanzibar, which rose from 10,299 in the 2023/2024 academic year to 10,449 in 2024/2025. This situation prompted the government to improve services for students and enhance infrastructure in schools to better accommodate their needs. According to key indicators for basic demographic and social economic profile, Tanzania's 2022 Census, there are 2,642 CWAs in Zanzibar.

38. By December 2024, the State Party, through the National Immunization Programme, was able to provide immunization services at a rate of 103% for children under one year of age compared to 97% achieved in 2015/2016. The immunization service has contributed to the reduction in under-one-year mortality rate from 43 deaths per 1,000 live births in 2015/2016 to 33 deaths in 2022. In addition, under-five mortality rate has decreased from 67 out of 1,000 live deaths in 2015/2016 to 43 deaths among live births in 2022.

According to Tanzania Demographic Health Survey Report (2022), nearly 9 in 10 women received antenatal care services from a skilled provider for their last live birth in the two years. During the reporting period, a total of 1,543,856 women (93.7%) were delivered by the support of skilled Health workers across the country. Also, 65% of women received 4 or more antenatal care service visits during the pregnancy, that resulted in their last live birth in the 2 years and 81% of women took any iron-containing supplements during the pregnancy.

39. The State Party has conducted various protective activities and programmes to CWAs during the implementation of national plans and strategies such as the National Human Rights

Action Plan 2013-2017, NPA-VAWC 2017-2022 for both Tanzania Mainland and Zanzibar. Tanzania is also a part to the Regional Action Plan on Albinism in Africa 2017-2021. This Plan provides guidance to Tanzania in developing a strategy to protect and support people with albinism.

40. The State Party, through the office of the National Prosecutions Service (NPS), has taken heightened measures to expedite the investigation and the prosecution of killers of persons with albinism, including CWAs. The NPS has placed under close supervision 8 regions with high reported incidences of assaults and killings of CWAs to enhance the investigation and prosecution. The supervised regions include Mwanza, Kagera, Geita, Simiyu, Tabora, Mara, Shinyanga and Kigoma. In particular, the Director of Public Prosecutions (DPP) has been leading and coordinating investigations and prosecuting several cases relating to the assault and killings of children with albinism. In the reporting period, 44 cases were filed in different magistrate whereby 14 accused people at Court of Appeal, 33 at High Court and 17 at the District/Magistrate Court 33 were convicted and sentenced to death. Generally, 26 cases were withdrawn under section 91(1) of the Criminal Procedure Act.

41. During the reporting period, several efforts were undertaken to reunite CWAs placed in boarding schools or shelters for children with special needs. In this respect, the State Party has adopted the National Guidelines on Children's Reintegration with Families (July 2019).

These Guidelines are one of the concrete measures undertaken to ensure the availability of laid down procedures to facilitate the integration of the children, including those with albinism to their families as set out in the International Guidelines developed by the Inter-agency Group on Children's Reintegration of 2016. During that period, about 100 children were united with their families in five Regions namely Tabora, Shinyanga, Mwanza, Simiyu and Kigoma.

42. To raise public awareness about condition of albinism and curbing violence, discrimination and stigma to CWAs, the State Party has taken the following measures:

- (i) The formulation of the Ministry responsible for policy, coordination of parliamentary affairs, labour, employment, youth and the disabled in the Prime Minister's Office. The inclusion of disabled within a ministry portfolio is a mechanism for mainstreaming persons with disabilities, including those with albinism issues, in the decision-making process including appointment of Deputy Minister responsible for persons with disabilities;
- (ii) Appointment of persons with albinism to serve in political and administrative posts such as Ambassadors, Deputy Minister of Ministry of Information, Culture, Arts and Sports, Assistant Directors in various Ministries, Members of Parliament and Councillors. These appointments have raised awareness, debunked myths and stigma to people with albinism Celebrating international albinism awareness day on 13 June of every year. The State Party continues to celebrate and use the day to reflect and raise awareness among to the members of public about albinism;
- (iii) Developing Guidelines on Early Identification and Intervention of Children with Disability (2015). The Guidelines have been piloted in two regions. Their main objective is to assist parents and caregivers to identify early signs of disability in children and take early appropriate intervention. The Guidelines were launched on 3rd December 2021 during the commemoration of International Disability Day;
- (iv) Public sensitization, efforts undertaken by the State Party and other stakeholders, aimed at dispelling deadly and discriminatory myths about albinism to bring about a better understanding of albinism and to protect community members with albinism. notably through

marking of International disability days, such as commemorations of international albinism awareness day on 13 June every year, workshops and public service announcements on radio and television, particularly in rural and isolated communities;

- (v) Organising the formulation of Security and Safety Committees, for Persons with Albinism which are fully functional from the local level up to the regional level to oversee the security, safety and provision of support to Persons with Albinism; and
- (vi) Providing assistive devices to children with albinism such as wide brim hats, sunglasses, large prints and low vision educational materials, magnification devices, and long sleeves clothes. A total of 18,000 of these devices have been distributed to Persons with Albinism.

43. In spite of the above-mentioned efforts, the State Party faces a countless challenge to effectively protect PWAs especially children as outlined below;

- (i) Deep-rooted harmful cultural practices especially superstitious beliefs that body parts of a person with albinism bestow good fortune;
- (ii) Inadequate financial resources to law enforcement agencies and social welfare officers. This limit reunification and integration of children with albinism to the community;
- (iii) Secrecy nature of the assault, mutilations and killings of people with albinism; and
- (iv) Difficult in investigation due to fear of witnesses to report against witch doctors and depraved traditional healers.

44. The State Party, has addressed the Committee's previous Concluding Observation, that there was insufficient number of health care workers (HCWs) to address child mortality rate (para. 13). In Tanzania Mainland, by 2024/2025, service delivery centres increased to 12,266 compared to 7,113 stations in 2015/2016. The Health Sector had a total of 126,925 health workers, which is equivalent to 57.9 % of the total of 219,061 workers required in the Health Sector, whereby a total of 101,733 workers is equivalent to 80.2 %, are working at primary health level and 25,192 workers, equivalent to 19.8 %, are working at the Regional, Zonal, Specialized and National Referral Hospital levels

45. In Zanzibar, a total of number of 4,501 HCWs have been deployed in various sectors, such as nursing and medical doctors who are providing services for children and adults on health services. Health services have been improved; thus, reducing child mortality rate in Zanzibar in 11 Districts and 5 Regions. Around 3,500 children were vaccinated from day 1 up to 17 years.

According to the Budget Speech of the Zanzibar Ministry of Health for 2022/2023 and 2023/2024, the number of children given vaccination rose from 84% in 2022/2023 to 95% in 2023/24. In the education sector, the Revolutionary Government of Zanzibar built 38 child-friendly infrastructures in schools; whereby 140 secondary school pupils (100 females and 40 males) participated in Science, Technology, Engineering and Mathematics (STEM) dialogue. Students were motivated by STEM learning and used school science hubs effectively.

46. In its previous Concluding Observations, the Committee urged the State Party to work on the listed measures [para. 13(a)-(h)] with a view to reducing the child mortality rate. The State Party has undertaken the following measures in this regard:

46.1 In relation to Tanzania Mainland, the State Party has undertaken the following measures to reduce the child mortality rate:

- (i) The National Multisectoral Nutritional Action Plan (NMAP II 2021/22 – 2025/26) was developed to address and has been implemented with inclusion of different sectors such as agriculture, water, education and health. Through the NMAP II, the State Party has been providing dietary food in schools for students/pupils; vegetables garden in schools, nutrition education to parents and supervision; education to mothers and pregnant women on nutrition attending health facilities;
- (ii) Provision of public awareness to all women attending RCH clinic and through Community Health Workers (CHW) educating pregnant women at home on nutritional feeding; emphasis and free administering of Folic acid and albendazole tablets; health education and emphasis on exclusive breastfeeding, all employed mothers to be given 3 months of maternity leave after delivery and deduction of working hours from 8 to 6 hours without reduction in salary until the child reaches the age of 9 months old;
- (iii) Vulnerable families are being supported by TASAF to get money to run their life including nutrition support. Education is provided in villages on how to use the available food to get dietary meals;
- (iv) Through reproductive child health clinic (RCH Clinic), children are being monitored of their health progress, including nutrition parameters using the monitoring tool “child health booklet” which was developed in adaption of WHO version. Mothers are being educated and enhanced on breastfeeding and nutritional feeding to their children;
- (v) In all health facilities, deliveries are attended by skilled personnel following an increase in recruitment of midwives and also continually refresher training conducted in all Regions. Implementation of RMNCAH strategy of refresher training involves capacity building to health care workers including midwives from higher level facilities to lower levels (hub and spoke strategy). In 2023 the government registered 52,188 nurses and midwives with an increase of 18,464 (54.8%) from 33,724 nurses and midwives in 2017; and
- (vi) Budget allocation for health services has been increased from TZS.1,235,316,516,000/= in financial year 2017/18 to TZS.1,593,166,516,000/= in 2023/24.⁴⁰

46.2 In Zanzibar, the State Party has undertaken the following measures to reduce child mortality rate:

- (i) The State Party has undertaken initiatives to make sure the mortality rate is reduced from 119 in 2017 to 145 for each living generation of 100,000 for 2023; and
- (ii) In addition, child mortality rate has decreased from 56 deaths per 1,000 live births in 2015 to 47 in 2022. A total of 41,129 pregnant women have given birth in Zanzibar health centres. This is attributed to the relocation and construction of health infrastructure in each district.⁴¹

47. In its previous Concluding Observations, the Committee urged the State Party to take measures to increase the coverage of safe drinking water to children in all parts of the country (para. 14). The State Party has undertaken the following measures in relation to this issue:

47.1 In respect of Tanzania Mainland, in 2023, the State Party has ensured the availability of safe water services reaching to 79.6% in rural areas and 90.0% in urban areas by 2025. Overall,

⁴⁰ Source: TDHS (2022).

⁴¹ Source: Zanzibar, Ministry of Health Budget Speech for 2023/2024.

these achievements have been attributed to the completion of 1,633 rural water projects and 213 urban water projects.⁴²

47.2 In Zanzibar, the State Party has undertaken measures to ensure the availability of safe water and improve the hygiene of the children in and out of schools. A total of 36 wells have been drilled and connected to the main water supply infrastructure. In addition, 554,973 citizens have been connected to water services to eliminate disruptions in access to clean and safe water. 70.4% of the water supply target has been reached. This helps to reduce the disturbance and protect the child from the violence in their villages and town areas.

47.3 In the education sector in Zanzibar, the State Party has improved school water, sanitation, and hygiene (SWASH) facilities by constructing toilets in public primary schools. A total of 13 toilet blocks with 195 pits were constructed in 8 schools in Unguja and 5 schools in Pemba. Additionally, the government trained 40 teachers on the use of the SWASH guidelines, ensuring that schools effectively utilize the child-friendly SWASH facilities.

(d) Respect for the views of the child (Article 7) and Provision of information to children and promotion of their participation (Articles 4, 7 and 12)

48. The State Party has taken several measures to strengthen the right to respect for the views of the child, including entrenching the same in the Constitutions of Tanzania and Zanzibar, the Law of the Child Act (applicable in Tanzania Mainland) and the Children's Act (applicable in Zanzibar), as previously reported. Administratively, to promote meaningful and empowered participation of all children in all matters concerning them in all settings, the following measures have been undertaken by the State Party in respect of Tanzania Mainland:

- (i) Section 96A(1) of the Child Protection Laws (Miscellaneous Amendments) Act (2024) establishes a Children Council in every village, ward, district, regional and at the national level, setting a legal basis for budget commitment;
- (ii) Development and implementation of the National Action Plan for Child Participation (2014-2019). The plan provides a framework for promoting children's participation, establishes structures that enhance the participation of children by coordinating the effort of all stakeholders and provides a guide for the child participation at all levels;
- (iii) Establishment of the Women and Children Protection Committee (WCPC) at the district, ward and villages/*mtaa* levels that provides a platform for children to participate in decisions that affect their lives;
- (iv) The State Party, in collaboration with stakeholders, developed and launched the Junior Council Training Manual in 2019 for strengthening Junior Councils across the country. A total of 1,669 Junior Councils have been established by 2025. The State Party has established Child Protection Desks in school settings, human rights clubs and children clubs in primary and secondary schools. A total of 185 child protection desks, 250 human rights club and 2,475 children's clubs have been established by 2025;
- (v) The State Party has sensitized children to report abuse cases through Child Helpline (CHL 116) established in 2013. The Helpline has been a useful tool in report Violence against children's cases and promoting respect for the views of the child. A total of 7,637,320 responsive calls were made from 2016 to 2024; and

⁴² Source: WASH in school, water facilities – BEST 2023. Haule, provide full citation of this source.

- (vi) The state party has amended the HIV and AIDS (Prevention and Control) Act No. 28 of 2008 through Written Laws (Miscellaneous Amendment) Act No.14 of 2019 by introducing self- testing for a child who has attained the age of 15 years without the prior consent⁴³ of the parents/guardians. The aim of introducing the age of consent is to prevent and protect children from HIV infections by knowing their status as well as starting ARV programs at the early stages.

49. In Zanzibar, at the legislative level, the Zanzibar Youth Council Act⁴⁴ of 2013 to provide a forum for youth and children to air their views on matters of their concern. To this end, 387 Children Councils have been established in all districts in Unguja and Pemba (258 in Unguja and 129 are in Pemba) where, through these Councils, children participate in the preparation of the National Child Status Reports submitted annually to the House of Representatives for consideration on the 16th June of every year, which is the Day of the African Child (DAC). Further, the National Children Advisory Board (NCAB) has been established to supervise and monitor accountability of the Children Councils at the Districts and Shehia levels.

50. Recent legislation in Zanzibar also takes into account the views of the child including the Child Care and Protection Regulations (2017), the Foster Care Regulations (2017) and the Approved Residential Establishment Regulation (2017). These regulations require that a child's views be given due weight in accordance with their age and maturity if the child is capable of forming his or her own views.

51. The effective implementation of the right for opinion/views of the child is limited by deep-rooted cultural norms that children are unable to decide on their own or involved in adult affairs. Moreover, resources constraints also limit the State Party capacity to create effective mechanism for ensuring views of children in vulnerable situations are taken on board in the decision-making process.

52. In its previous Concluding Observations, the Committee urged the State Party to increase budgetary allocations to Junior Councils (para. 15). In Zanzibar, the State Party has allocated annually to Junior Councils (FY 2017/2018-2024/2025) for National Children Advisory Board (NCAB) and District level a total of TZS 61,000,000/= for supporting capacity building and operationalization of the Children councils. (Sources from MCDGEC- Zanzibar). In Tanzania Mainland, Section 96A (1) of the Child Protection Laws (Miscellaneous Amendments) Act (2024) – which establishes a Children Council in every village, ward, district, regional and at the national level – sets a legal basis for budget commitment. In addition, in FY 2022/2023, the State Party budgeted TZS 356,750,000/= for children; TZS 77,895,000/= for FY 2023/24; and TZS 131,260,000/= for FY 2024/25.

53. In its previous Concluding Observations, the Committee urged the State Party to sensitize parents and members of the community on child participation (para 15). The State Party has carried out several sensitization programmes. In Zanzibar, the State Party has, in collaboration with Zanzibar Child Rights Forum Organization (ZCRF), been running the Zanzibar Child Rights and Climate Change Programme through which awareness raising and advocacy of child rights in

⁴³ Section 15 of Act no 14 of 2019 which amended section 3 of HIV and AIDS (Prevention and Control) Act No.28 of 2008 by introducing a definition of a Child in the context of testing HIV and AIDS.

⁴⁴ Section 5 of the Zanzibar Youth Council Act (No. 16 of 2013).

Zanzibar are also conducted. By 2025, this programme has reached 879 people (496 men and 383 women) in Unguja and Pemba. In Tanzania Mainland, the State Party runs several awareness raising programmes, including the *Furaha* Teen Programme, the *Furaha* App, Skilful Parenting, and Positive Parenting. For the previous 5 years since 2017/18 until 2024/2025, The State Party has, so far, sensitized a total number of 4,110,805 parents.

54. In its previous Concluding Observations, the Committee also urged the State Party to invest in children themselves to empower them to contribute to debates and discuss on high level public issues (para 15). The State Party has implemented this observation through a number of measures.

54.1 In Zanzibar, the State Party has carried out efforts to empower children, which form a crucial component in various aspects of development planning, policy, and regulations in Zanzibar, focusing on the best interests of the child. The National Vision Program (2025-2050) is among the key areas involved, along with the review of the Children's Act No. 6 of 2011, the NPA VAWC 2024-2029, and the Children's Policy for 2024, which also engages children to express their views and opinions. A total of 510 children participated in high-level programs in Zanzibar that addressed children's issues and empowered them to gain knowledge, skills, and share their opinions. To ensure children participate in debates and discussions, the government established a child-friendly framework through the Children's Councils Manual. This manual enables children to effectively organize and manage their activities under the supervision of the department responsible for child rights.

54.2 In Tanzania Mainland, the State Party has undertaken the following measures in its bid to invest in children themselves to empower them to contribute to debates and discussions on high level public issues:

- (i) Section 96A (1) of the Child Protection Laws (Miscellaneous Amendments) Act (2024) sets out a legal basis for governmental budget commitment to the establishment Children Council at the village, ward, district, regional and national levels;
- (ii) Government efforts to empower children continues to execute by developing National Guideline for Establishment of Children Desks in and out of schools and Guidelines for Establishment and Operationalization of Junior Council of Tanzania. By 2025, a total of 4,082 Child Protection Desks and 1,460 Junior Councils were established at different levels in schools and the community, respectively;
- (iii) In 2022, the State Party organized a two-days session for members of the Junior Council from 26 Regions of Tanzania Mainland and 2 Members from Zanzibar to air their views that will contribute to the development of national curriculum for primary, secondary and tertiary education in Tanzania where a total of 56 children, including children with disability participated; and
- (iv) Children from Junior Council participated to air their views on the National Development Vision of 2050, whereby 400 children from Tanzania Mainland and Zanzibar participated.

V. CIVIL RIGHTS AND FREEDOMS

(a) Name, nationality, identity and Registration at birth (Article 6)

55. In its previous Concluding Observations, the Committee noted that the birth registration

laws in the State Party are outdated and needed reform (para 16). In implementing this observation, the State Party has undertaken the following law reform measures reform its birth registration:

55.1 In Zanzibar, the State Party has reformed the birth registration legislation through:

- (i) Guarantees to every child the right to be registered upon birth⁴⁵ subject to the provisions of the Birth and Death Registration Act⁴⁶ and health authorities and any other relevant person or agency are obliged to co-operate with the Registrar of Birth in measures to secure the registration of all births;⁴⁷
- (ii) The enactment of the Civil Registrations Agency Act in 2018.⁴⁸ This Act strives, *inter alia*, to improve the availability of birth registration services in all parts of Zanzibar through decentralization of the Birth Registrar's Offices to the District and grassroots levels;
- (iii) The Civil Registrations Agency Act has established the Zanzibar Civil Status Registration Agency (ZCRSA) to deal with, among other things, civil status registration.⁴⁹ This law imposes, *inter alia*, a duty to every parent, guardian or a person having charge of a child to immediately after birth or finding of a child to notify a registration officer or a *Sheha*⁵⁰ for registration of a new-born child. The duty to notify is extended to an officer in-charge if the birth of a child takes place in a prison facility, police station, hospital or in a quarantined area.⁵¹
- (iv) In a bid to decentralize registration services, the ZCRSA, has established registration offices in all 11 Districts in Unguja and Pemba (the two islands forming Zanzibar);
- (v) To ensure universal coverage, the ZCRSA has created an electronic birth registration system that is currently operational in three out of 11 Districts of Zanzibar. As of March 2019, 39,089 birth certificates had been issued through the electronic system.⁵² The goal is to register electronically all births and vital events by 2024/25; and
- (vi) Section 8 of the Children's Act has also guaranteed the child's rights to identity, nationality and birth registration.

55.2 In Tanzania Mainland, the State Party has reformed the birth registration legislation through:

- (i) The enactment of the Written Laws (Miscellaneous Amendments) (No.4) Act in 2019, which has amended the Births and Deaths Registration Act (Cap. 108) in relation to delegation of powers and functions of the Registrar General, extending registration of death occurring outside the country, deletion of entry in register, registration on presumption of death, confidentiality in relation to births and deaths,

⁴⁵ Section 8(1) of the Zanzibar Children's Act.

⁴⁶ Act No. 10 of 2006.

⁴⁷ Section 8(2) of the Zanzibar Children's Act.

⁴⁸ Act No. 3 of 2018.

⁴⁹ Section 3 of Civil Registrations Agency Act.

⁵⁰ Under Zanzibari law, a *Sheha* is a leader of a *Shehia*. See the Registration of Zanzibaris Resident Act (No. 7 of 2005) and the Regional Administration Authority Act (No. 1 of 1998).

⁵¹ Section 22 of Civil Registrations Agency Act.

⁵² The covered areas are Urban District, West District A and West District B of Zanzibar's Urban West Region. To date 40,957 births have been registered in Urban District and 6,747 births have been registered in West Districts (both A and B); a total of 47,704.

issuance of registration certificates upon child adoption; as well as ensuring protection and realisation of children's rights;

- (ii) In addition, the Written Laws (Miscellaneous Amendments) (No.4) Act has been amended the Births and Deaths Registration Act by particularly adding Section 5A, which empowers the Registrar General to delegate its powers to Ward Executive Officers, *Mtaa* (Street) Executive Officers and Village Executive Officers to register births and deaths occurring in their respective jurisdictions.

Table 3: Statistics on the trend of birth registration in Tanzania Mainland

YEARS	MALE	FEMALE	TOTAL
2017/2018	591,407	590,186	1,181,593
2018/2019	470,612	467,931	938,543
2019/2020	721,529	718,033	1,439,562
2020/2021	556,698	555,807	1,112,505
2021/2022	728,423	706,319	1,434,742
2022/2023	633,743	612,973	1,246,716
2023/2024	1,045,859	1,004,845	2,050,704
2024/2025	327,574	326,267	653,841
	5,075,845	4,982,361	10,058,206

- (iii) In 2021, the Births and Deaths Registration Act was amended by adding Section 19A, which empowers the Registrar General to keep and maintain an Electronic Register of Births and Deaths.

56. The State Party, has continued to decentralize births registration to the local government level, primarily to ward offices and local health facilities. In Tanzania Mainland, this has resulted into the creation of about 7,582 registration points closer to the community, 2,861 Ward Offices and 4,721 health facilities. For all registered births at this level, a handwritten birth certificate is issued free of charge. A computer-generated printed-paper certificate is available through application to the District Executive Officer (DED) at a little fee. Births registration with civil authority for children under five years has reached 55.5 % compared to 14 % in 2015/16.⁵³

57. In its previous Concluding Observations, the Committee urged the State Party to decentralize its birth registration facilities, increase mobile registration services, allocate budget and deploy human resources and sensitize members of the public on birth registration (para 16). To implement this observation, the State Party has undertaken the following measures aimed at the decentralization of its birth registration system:

57.1 To cover rural areas in Tanzania Mainland, the State Party is implementing a programme known as Under Five Birth Registration Initiative (U5BRI) to register births by mobile phones free of charge, in collaboration with key stakeholders. Under the programme, the

⁵³ Tanzania Demographic Health Survey (TDHS), 2015/16.

- * Registration Insolvency and Trusteeship Agency (RITA) register new births as well as those of children under five via an SMS- like service that is accessible on mobile phone. The programme has accelerated birth registration whereby 18 regions and 132 Councils have been covered. A total number of 4,598,682 children have been registered as of October 2020.

57.2 The programme is expected to cover all the 26 regions in Tanzania mainland both for children under five as well as clearing backlog of children aged 5 to 17 years. Furthermore, the use of mobile phone in birth registration process, has been expanded and successfully implemented to register children outside of health facilities and children who have never been registered.

57.3 In Tanzania Mainland, the State Party has allocated funds to support various birth registration strategies and activities carried out by RITA. To ensure universal coverage, the National Civil Registration and Vital Statistics Strategy (CRVS), has already been approved by the Inter-Ministerial Technical Committee and currently awaits final approval.

57.4 As of October 2024, a total number of 10,345,253 children (5,099, 226 males, 5,246,027 females) were registered and issued with birth certificates covering all 26 Regions in Tanzania Mainland, which is a huge progress compared to only 305,890 children who were registered in July 2013 covering only two Regions.

57.5 Through the Electronic Register of Births and Deaths established by law in 2019, there was an increase use of mobile registration services from 2 Regions in 2013 to all 26 Regions in Tanzania Mainland in 2024. A total of 3,957 wards and 7,096 health facilities are now providing mobile registration services for under-five year old children.

57.6 In Tanzania Mainland, the State Party has allocated a budget for under-five birth registration from TZS 2.8 in 2019/20 to TZS 3 billion in 2024.

57.7 Through the decentration of the birth registration system, the State Party has started using the public officers at the Ward Executive Offices and primary health facilities to provide birth registration services to children in all parts of the country. These officers are trained to effectively deliver birth registration services. As of 2024, a total number of 21,831 birth registration officers have been trained.

57.8 Public awareness has been conducted in all the regions in the mainland through special launching events where the community is educated on the importance of registration and where to get services. Public awareness is ongoing in registration centres, health facilities and through media.

57.9 In Zanzibar, the State Party continues to take operational measures to improve birth registration in Zanzibar by raising awareness to communities through radio on the importance of child registration. In 2018, four (4) radio programmes were broadcasted to encourage parents to ensure their registration of their children at birth. In 2018 a 1-day outreach programme was carried out to support late registration of children. During this exercise 200 children were registered.

Table 4: Trend of Birth Registration in Zanzibar from 2016-2018

District	2016		2017		2018		Total
	Male	Female	Female	Male	Female	Male	
Kaskazini "A"	1513	1743	2,456	2621	1614	1594	13,353

Kaskazini "B"	879	1,127		1,654	1981	905	936	8,572		
Kati	211	385		564	645	493	491	3,119		
Kusini	460	463		812	945	465	456	4,023		
Magharibi	1732	2,717		2,865	3456	1005	991	15,374		
Mjini	10798	15,605		16,543	16734	8511	8721	91,495		
Wete	1987	2,278		2,315	2632	1870	1,928	15,209		
Micheweni	1856	1,513	1,415	1,432	1500	1616	1,647	10,979		
Chake chake	2086	2,736	2,597	2,546	2610	2128	1,967	16,670		
Mkoani	2,440	2,253	2,315	2,560	2600	1,718	1,811	15697		
Total	23,962	30,820	29,371	33,747	35,724	20,325	20,542	194,491	0325	205

Source: MLEWC (2019).

57.10 In Zanzibar, the State Party has, by 2024, registered 63,258 in 2020; 106,403 in 2021. However, there has been no improvement in the registration numbers for 2022 and 2023 due to data analysis issues. For the period from July to September, 2025 a total of 16,663 children were registered.

57.11 Both RITA and ZCRSA have collaborated with the media to raise public awareness, and understanding the developmental importance for birth registration for all children. In addition, primary and secondary schools in both Zanzibar and in the mainland have been engaged to raise awareness for birth registration to children who do not have birth certificates. The government continues to sensitize the community to register their children in order to ensure the implementation of their rights, as outlined in the Children's Act and the Civil Registrations Agency Act no.3 of 2018 in Zanzibar. In addition, the government has reduced bureaucratic barriers and improved accessibility to birth registration services by establishing registration centres in each district, with a total of 11 centres developed across Zanzibar.

57.12 The State Party faces a number of challenges in its endeavours to ensure that children in its jurisdiction do effectively realize their rights to name, nationality, identity and registration at birth, including:

- (i) Despite efforts undertaken, there are some members of the community, especially in rural and remote areas, who are unaware on the importance of birth registration;
- (ii) Donor dependence to operationalize the birth registration initiatives still constrains the State Party; and
- (iii) Inadequate human resources to carry out effective and nationwide birth registration.

(b) Freedom of Expression (Article 7)

58. The State Party has entrenched express constitutional and statutory guarantees of the freedom of expression for persons, including children. In Article 18 of the 1977 Constitution of Tanzania and Article 18 of Zanzibar, both of have removed the claw-back clauses that used to subject the right to freedom of expression to any law enacted by the Parliament. Under these constitutional provisions, the right to freedom of expression is absolute, and it requires that "every person" (which includes a child) has: (i) the freedom of expressing one's opinion and views; (ii) the right to seek, to receive and impart information irrespective of national frontiers; (iii) the freedom to

communicate with others without being interfered in such communication; and (iv) the right to be informed, at any time, of various events important to his or her life and other members of the community and about any other events important to the society around him or her.

59. In addition to the foregoing constitutional guarantee, the State Party has incorporated statutory guarantee of the right of opinion to children in both Section 11 of the Law of the Child Act (applicable in Tanzania Mainland) and Section 5 of the Children's Act (applicable in Zanzibar).

60. Apart from the foregoing express constitutional and statutory measures to promote and protect the freedom of opinion and expression, the State Party has also incorporated it in various legislation including the Access to Information Act (2016),⁵⁴ which guarantees to 'every person'⁵⁵ the right of access 'to information which is under the control of information holders.'⁵⁶ The State Party has also adopted legislative measures to protect children against abuses that occur while children exercise their freedom of expression. In particular, the Cybercrimes Act (2015),⁵⁷ which makes provisions for criminalizing offences related to computer systems and ICT, especially criminalizes child pornography,⁵⁸ cyber bullying,⁵⁹ and online child sexual exploitation (OCSE).⁶⁰ The offence of OCSE was introduced through amendments made to the Cybercrimes Act in 2024 by the Child Protection Laws (Miscellaneous Amendments) Act (2024), which (in effect) extends the prohibition of sexual exploitation of children laid down in Section 83 of the Law of the Child Act (2009). Moreover, the Postal Communications (Online Content) Regulations (2018) ensures that the exercise of fundamental freedoms related to access to information, freedom of expression should be exercised in due regard for protecting other persons, including children, citizens against any kind of abuse.

61. Moreover, the State Party guarantees the right to freedom of expression for children through the establishment of Junior Councils,⁶¹ Child Protection Desks, Human Rights Clubs, Children Clubs, School Councils and Police Gender and Children Desk (*see* Part IV (d), paras. 48-54 above).

62. As to the administrative measures established to ensure that the child's right of expression is guaranteed and protected, the State Party has established (in both Tanzania Mainland and Zanzibar) ministries responsible for communication, transport, science and technology that have respective committees responsible for issuing licences to private bodies that desire to provide communication services to the public including running of internet café. The committees have the duty to inspect and cancel licence to any institution if have abuse the licence, which include destructing public morals through allowing access to restricted sites particularly so in respect of allowing children to access pornographic sites.

63. In addition, in both the Mainland and Zanzibar, there are portfolio ministries responsible for education and vocational training that are responsible for providing and imparting vital information, for the well-being of children through education syllabuses and other curricula aimed at

⁵⁴ Act No. 6 of 2016.

⁵⁵ Under Section 5(4) of the Access to Information Act (2016), for purposes of this provision, a "person" means a citizen of the United Republic of Tanzania, which includes a child.

⁵⁶ *Ibid.*, Section 5(1).

⁵⁷ In 2024, Cybercrimes Act (No. 14 of 2015, Cap. 443) was amended by the Child Protection Laws (Miscellaneous Amendments) Act (No. 8 of 2024).

⁵⁸ Section 13(1) of the Cybercrimes Act (No. 14 of 2015).

⁵⁹ *Ibid.*, Section 23.

⁶⁰ *Ibid.*, Section 13(2).

⁶¹ As noted above, Section 96A(1) of the Child Protection Laws (Miscellaneous Amendments) Act (2024) establishes Children's Councils at the village, ward, district, regional and national levels in Tanzania Mainland. It also sets out the legal basis for governmental budgetary obligations and commitment.

making such children both responsible and productive adults. The State Party has, thus, carried out media programs throughout the country whereby media outlets – such as television, radios and newspapers public and private – air special programs that aim at imparting children with relevant information for their wellbeing. There are also junior councils and clubs used by children to express their views. Moreover, all detention facilities are equipped with television sets and radio, which enable children incarcerated in such facilities to access information.

64. In addition to strengthening Junior Councils and empowering them through capacity building on child rights, the State Party has operationalized toll-free child helplines (*i.e.*, number 116) through which reports of child abuse cases are made and the abuses addressed promptly. Moreover, a series of TV and radio programmes enable children to air their voices through specific children-run plug-ins.

65. In its previous Concluding Observations, the Committee urged the State Party to (i) allocate sufficient budgetary resources to create space for children to air their views, and (ii) Sensitizing parents as to their roles in guiding children on these freedoms (para 17). The State Party has addressed these concerns as indicated in Part IV (d), paras. 48-54 above. In addition, the State has undertaken the following measures in respect of Zanzibar:

65.1 Through the formation and development programmes in partnership with UNICEF, ZCRF, ZAPHA+, and other organizations; the State Party has been able to encourage and create a childcare enhancement programme by providing children with opportunities for expression and fostering their development. A total of 120 trainers of trainees (TOT's) have been trained to carry out the message of giving a voice to the child and listening to the child. Additionally, 1,546 parents have been equipped with parenting skills in Zanzibar and Pemba.

65.2 Moreover, through media programmes, the State Party has undertaken several initiatives striving at sensitizing members of the community and parents on prevention measures and responsibilities toward the child's rights and responsibilities, especially the right to freedom of expression.

66. In addition, in its previous Concluding Observation, the Committee urged the State Party to create accountability amongst law enforcement officers and others who come into contact with child issues to ascertain that such person's respect and protect the child's right to privacy (para 18). The State Party has undertaken the following measures in this regard:

66.1 In Tanzania Mainland, a total number of 1,009 Social Welfare Officers, 920 childcare workers, 3,170 para-social workers and 870 law enforcers have trained on child protection intervention, child justice, including respecting and protecting the child's right to privacy by the end of 2024.

66.2 In Zanzibar, the State Party has carried out major initiatives to capacitate law enforcers on accountability and respect of the child's right to privacy, by particularly building infrastructure to manage cases for children in conflict with the law and those not in conflict with the law and training law enforcement officers. By the end of 2024, a total number of 256 magistrates, police officers, and public prosecutors were trained on accountability and respect of the child's right to privacy when they come into contact with child issues during arrest, detention, investigation, prosecution and correction of children in contact and conflict with the law. Additionally, a special magistrate has been deployed to every court in 5 regions in Zanzibar in light of Section 18(1) of the Zanzibar Children's Act, which establishes the Children's Court in every Region in Zanzibar for purposes of hearing civil and criminal cases involving children. Moreover, Juvenile Court Regulations have been established for operating juvenile courts, which are distinct from ordinary courts. Moreover, by the

end of 2024, the State Party has, in collaboration with civil society organizations (CSOs), trained 57 law enforcers (22 men and 35 women) on accountability and respect of the child's right to privacy in the criminal justice system.

(c) Freedom of thought, conscience and religion (Article 9)

67. The State Party is a secular state whereby its citizens are free to choose religion⁶² of their own choice without state intervention or coercion. Therefore, children residing in the State Party do normally belong to their parents' or guardians' religion as per the Charter; although they may change their childhood religion on their own volition upon attaining adulthood in light of Article 19(1) of the Constitution of Tanzania and Article 19(1) if the Constitution of Zanzibar. Under both constitutions, protection of the right to freedom of thought, conscience and religion must be exercised 'in accordance with the provisions prescribed by the laws which are of importance to a democratic society for security and peace in the society, integrity of the society and the national coercion.'⁶³

68. In order to enable its citizens to enjoy their freedom of thought, conscience and religion; the State Party has undertaken the following measures:

68.1 It has a constitutional duty to guarantee the right of every citizen to profess religion of their choice.

68.2 This guarantee entails prohibition of insulting other people's religion as provided by the Penal Code.⁶⁴

68.3 Both Section 5 of the Zanzibar Children's Act and Section 11 of the Law of the Child Act guarantee to children the freedom of opinion, including the right to express an opinion, be listened and participate in decisions concerning religious matters that affect their wellbeing.

68.4 Section 158(2)(e) of the Law of the Child Act assures freedom of religion to children placed under adoption and foster care by particularly prohibiting forcing such children to change their birth religion.

68.5 Under Section 10(1)(e) of the Zanzibar Children's Act, a child has the right to good conditions of living necessary for his development, including religious education, in which case the child's parents, guardian or any other person having custody of a child have the duty to secure, within their abilities and financial capacities, the said condition of living.⁶⁵

(d) Freedom of association and peaceful Assembly (Article 8)

69. The State Party recognizes the fact that children, like any other person, have the right to freedom of association and peaceful assembly. In order to effectively guarantee this freedom, the State Party has constitutionalized it and it forms part of the enforceable provisions to both Constitutions of Zanzibar and Tanzania.⁶⁶ Through these constitutional provisions, "every person" (including a child) has the freedom to associate with others and to peacefully assemble with a view to publicly expressing their opinion or views.

70. In order to give these constitutional provisions a practical application, the State Party has also entrenched the child's freedom of association and peaceful assembly in that it has allowed the formation, in both Zanzibar and Tanzania Mainland,⁶⁷ of Children Councils and children's clubs in

⁶² Under Article 19(3) of the Constitution of Tanzania, (reference to the term "religion" is construed as including reference to 'religious denominations, and cognate expressions (which should be construed accordingly).'

⁶³ Article 19(2) of the Constitution of Tanzania and Article 19(2) if the Constitution of Zanzibar.

⁶⁴ S. 129, [Cap 16 R.E. 2019]

⁶⁵ Section 10(2) of the Zanzibar Children's Act.

⁶⁶ Article 20 of the Constitution of Zanzibar and Article 20 of the Constitution of Tanzania.

⁶⁷ See Part IV (d), paras. 48-54 above.

schools and various social life circles, whereby children do associate and assemble to discuss matters concerning their well-being.

(e) Protection of Privacy (Article 10)

71. The State Party recognizes the need for protecting the child's right to privacy. In compliance with this pre-requisite, both the Constitution of the United Republic of Tanzania⁶⁸ and the Constitution of Zanzibar⁶⁹ contain provisions that expressly protect the right to privacy and prohibits unlawful or arbitrary interference with a person's privacy, unless in furtherance of express legal requirement or in compliance with a lawful court order.

72. In particular, Section 33(2) of the Law of the Child Act criminalizes the publication of any information or photograph of a child and a person who contravenes this provision commits an offence and upon conviction is liable to a fine of not less than two million shillings and not more than fifteen million shillings or to imprisonment for a term not exceeding three years or to both. In addition, Sections 33 and 48 of the Zanzibar Children's Act prohibit publication of any information relating to a child who is accused committing an offence or is a victim of any act. In a similar wording, Sections 33(2) of the Zanzibar Children's Act makes it an offence to publish prohibited information concerning the child and any person who publishes such information or a photograph of a child commits an offence and upon conviction is liable to a fine not less than five hundred thousand shillings and not exceeding three million shillings or to imprisonment for a term not less than six months and not exceeding two years or to both such a fine and imprisonment.

73. In 2022, the State Party enacted the Personal Data Protection Act.⁷⁰ Under Section 4, this law aims at (i) regulating the collection and processing of personal data; (ii) ensuring that the collection and processing of personal data of a data subject (including a child) is guided by the principles set out in this law; (iii) protecting the privacy of individuals including children; (iv) establishing a legal and institutional mechanism to protect personal data; and (v) providing data subjects with rights and remedies to protect their personal data from collection and processing that is not in accordance with this law.⁷¹

74. In addition, the State Party has enacted the Whistle Blower and Witness Protection Act (2015), which has safeguards to right to privacy of an individual, including child, who whistle blows or reports the commission of a criminal offence or is a witness in a trial. In handling children in conflict with law, the State Party has adopted the Retention Homes Rules, Approved School Regulations (2012) and Juvenile Court Rules (2016)⁷² both which protect the privacy of a child who comes into conflict or contact with the law. In 2019, the Chief Justice issued Circular No. 2 on protection of identities of children in any matter before the court.

(f) Protection against child abuse and torture (Article 16)

75. The State Party continues to take measures to ensure legislation and regulations are reviewed and revised towards progressive abolition of corporal punishment in schools and other institutional settings. The State Party acknowledges the fact that the process of reviewing and revising the laws relating to corporal punishment may require further research and consultation

⁶⁸ Article 16 of the 1977 Constitution of Tanzania.

⁶⁹ Article 15 of the 1984 Constitution of Zanzibar.

⁷⁰ (Act No. 11 of 2022, Cap. 44).

⁷¹ See particularly the Personal Data Protection (Complaints Settlement Procedures) Regulations (G.N. No. 449B of 2023).

⁷² Law of the Child (Juvenile Court Procedure) Rules (G.N. No. 182 of 2016).

considering the current situation in relation to prevailing dominant traditional and cultural norms as well as religious values on care and upbringing of children in its jurisdiction.

76. Parallel to this, efforts have been taken to prohibit corporal punishment in all settings through:

76.1 In Tanzania Mainland, the State Party has undertaken the following measures:

- (i) Section 13(1) of the Law of the Child Act prohibits a person from subjecting a child 'to torture, or other cruel, inhuman punishment or degrading treatment'⁷³ including any cultural practice which dehumanizes or is injurious to the physical and mental well-being of a child.' Under Section 13(2), this law stipulates that: 'No correction of a child is justifiable which is unreasonable in kind or in degree according to the age, physical and mental condition of the child and no correction is justifiable if the child is by reason of tender age or otherwise incapable of understanding the purpose of the correction.'
- (ii) Regulation 11(1) (f) of the Foster Care Placement Regulations (2012) prohibits corporal punishment of children in foster care placement.

76.2 In Zanzibar, the State Party has undertaken the following measures aimed towards the abolition of corporal punishment:

- (i) Introducing in schools a positive discipline approach, rather than corporal punishment. Through this initiative, students are encouraged to maintain good behaviour by being given opportunities to develop vocational skills such as garden for vegetables, tailoring and engaging in activities that are neither physically nor mentally harmful;
- (ii) The portfolio ministry responsible for education has introduced an education curriculum for students from nurseries through primary to secondary schools in Zanzibar for the financial year 2022/2023, which emphasizes positive parenting in schools rather than administering school discipline through corporal punishment; and
- (iii) In 2018, the State Party enacted the Criminal Procedure Act (2018), which has, *inter alia*, removed corporal punishment from the list of punishments that the courts may impose following conviction in criminal proceedings

77. In its previous Concluding Observations, the Committee urged the State Party to take measures to proscribe corporal punishment in the school setting, which is legalized National Education Act and the National Corporal Punishment Regulations (1976) (para. 19). While legislative measures are continuously undertaken as indicated in para. 76 above, the State Party is cognizant of the fact that legal proscription of corporal punishment in the school setting is not the only measure. As such, the State Party has undertaken several efforts to end corporal punishment in all settings. One of these measures is the inclusion of positive discipline in the teachers' training curriculum of 2023. This has encouraged teachers to use positive discipline measures in the school setting. In addition, the Teachers Code of Conduct and Professional Ethics of 1963 has been revised in 2018. The revision incorporates child protection issues, including those against child abuse and harassment. In 2015, the State Party established the Teachers Service Commission (TSC), which has further enhanced enforcement of the Teachers Code of Conduct and Professional Ethics as well as raising awareness among teachers about the use of positive discipline and the harmful impact of corporal punishment.

⁷³ Under Section 13(3) of the Law of the Child Act, the term "degrading treatment", as used in this context, means 'an act done to a child with the intention of humiliating or lowering his dignity.'

78. In imparting parenting knowledge among parents, the State Party has developed a National Guideline to Responsible Parenting and Family Care in Tanzania (2022) to guide community development workers, other frontline workers and community-based facilitators on delivering non-violent parenting practices education to parents and caregivers in Tanzania. It also promotes positive, non-violent and participatory forms of child rearing and discipline in all settings. Until, December, 2024 a total of 7,445 community development officers and social welfare officers have been trained who reached 3,899,089 parents and 117. Furthermore, this training resulted in the establishment of 4,063 parenting groups in 23 regions in Tanzania Mainland.⁷⁴ These groups were also trained to raise awareness in communities on the negative impact of corporal punishment on children. Furthermore, various parenting programmes have been implemented under the auspices of the National Plan of Action to end Violence Against Women and Children (NPA-VAWC 2017-2022). The State Party is piloting a safe schools initiative, which addresses violence-prevention in schools as part of the child protection system at the local government level.

79. In its previous Concluding Observations, the Committee urged the State Party to promote positive parenting and disciplining mechanisms that are in line with customs of the communities (para. 19). The State Party has undertaken the following measures to raise public awareness on the harmful impact of corporal punishment and promoting positive parenting and disciplining mechanisms that are in line with customs of the communities in both Tanzania Mainland and Zanzibar:

79.1 The State Party has continued collaborating with different stakeholders to provide education to parents, guardians, teachers and members of the community at large. A total of 2,345 teachers in Tanzania Mainland and 230 in Zanzibar have been trained on positive discipline measures, guidance and counselling to children affected by violence.

79.2 In Tanzania Mainland, the Inter-Faith Guide to Child Protection has been developed, adopted and rolled out to 393 religious leaders through District Inter-Faith Forums. The Guide promotes positive child protection practices including non-violent ways of disciplining children.

79.3 In Zanzibar, the State Party has undertaken the following measures to promote positive parenting and disciplining mechanisms that are in line with customs of the communities:

- (i) In collaboration with stakeholders, the State Party, runs the Family Strengthening Programme/Positive Parenting Programme (known as *Familia Bora, Taifa Imara*), which consists of three major pillars: care, protection and communication. The State Party has also developed a communication strategy to ensure the implementation of the strategy and simplify the awareness of reaching targeted people;
- (ii) A total of 171 children participated in developing the communication strategy and NPA VAWC for 2024 -2029. About 36 foster carers and 195 parents were capacitated on positive parenting skills and knowledge on parenting children and protecting them against violence;
- (iii) In collaboration with Zanzibar Child Rights Forum (ZRCF), the State Party reached a total number of 879 parents (496 men and 383 women) through capacity building on positive discipline and mechanisms that are in line with the traditions and customs prevalent in Zanzibar;
- (iv) The implementation of the NPA/VAWC 2017-2022 has resulted in the establishment of the child protection system in all Districts and *Shehia's*. The system, apart from reporting cases, is also important for raising public awareness on child abuse and neglect; and

⁷⁴ MoHCDGEC Budget Speech 2018/19, p. 204.

Table 5: Abuse and Neglect cases reported and monitored by CPU in Zanzibar from 2016-2020

Incidences of abuse/neglect	2016-2017	2017-2018	2018-2019	2019-2020	Total
	1,184	571	406	458	2,619 6

Source: MLEEWC 2019

- (v) The State Party has conducted community theatre performances for creating and raising public awareness on violence against women and children focusing on prevention and reporting of cases at the *shehia* level. During the campaign, a total of 120 *Shehia*'s (55-Unguja and 65 Pemba) were covered and 270 schools were reached. Also 112, 656 people were sensitized including 88 religious leaders (55 Unguja and 33 Pemba)

79.4 In Tanzania Mainland, the State Party has undertaken the following measures to promote positive parenting and disciplining mechanisms that are in line with customs of the communities:

- (i) Under the plan, Women and Children Protection Committees (WCPTs) have been established in all 26 Regions and 1,845 District/ Urban/Town Councils in Tanzania Mainland;
- (ii) Conducting capacity building on the National Standard of Child Protection module in 26 Regions and 124 District/ Urban/Town Councils to Social Welfare Officers;
- (iii) Creation of the District Case Monitoring System (DCMS) whereby all data for child violence have been entered into it. To date a total of 16,438 child protection cases have been managed; and
- (iv) to improve reporting of cases of domestic violence, the State Party has developed a comprehensive Child Protection Management Information System (CPMIS) since 2016 and currently works in 46 District/ Urban/Town Councils. It is made up with the District Case Management Monitoring System (which includes information on other sectors' contribution to case management), the Police Gender and Children Desk and the National Child Helpline. CPMIS has a standard data collection form for reporting and case management, between the District Child Protection Team (DCPT) and relevant service providers. The system reported 2,020 cases up to August 2024. In Zanzibar, under the NPA-VAWC, each district established child protection units that deal closely with child-related issues. The establishment of these units has improved data collection relating to children. Data collected in each district is easily transferred to the central Child Protection Unit at MLEEWC. This system has enabled the Child Protection Unit at the ministerial level to have a comprehensive database and therefore easily conduct assessments on causes and nature of problems facing children in Zanzibar. Up to 2020, a total of 2,891 cases were reported.

80. In an effort to ensure that children have access to a child-friendly mechanism to report abuses, in 2013, the State Party created the National Child Helpline. In Tanzania Mainland, the Child Helpline is operated by *C-Sema*, a local non-state implementing partner. In Zanzibar, it was established in 2015, and is directly operated by the MLEEWC. The Child Helpline is a toll-free telephone service available twenty-four hours a day by dialling 116. It facilitates community reporting on cases of violence against children. It is a mechanism for children from both the

Mainland and Zanzibar to report cases of abuse as part of child protection measures. Between 2016 and 2024 a total number of 5,974 calls (153 responsive and 5,821 non-responsive) were received.

Out of the 153 responsive cases received, 145 cases were successfully intervened through referral to child protection service providers, including: Social Welfare Officers, Police Gender and Children's Desks, Police Officers and the National Prosecutions Service (NPS), *Sheha's* and Women and Children's Coordinators at the local government authority level, portfolio ministries both in the Mainland and Zanzibar as well as child and women's rights implementing partner CSOs. 8 cases were responded to by directly by helpline counsellors through guidance and counselling and signposting.

81. To combat sexual exploitation in schools, the State Party has taken initiatives to conduct National Campaign on Child Online protection in 26 regions and disseminate the National Guideline for Establishment and Operationalisation of Child Protection Desks in Primary and Secondary Schools (2022). The Guidelines promote a safe learning environment by ensuring that schools play an active role in preventing and responding to all forms of child harassment, abuse, neglect and violence. Furthermore, the revised Tanzania Teachers' Code of Conduct and Professional Ethics of 1963 in 2018, while the Teachers Service Commission has taken several measures to enforce the Code among teachers in public service through disciplinary measures against unethical behaviour. Apart from disciplinary measures, efforts have also been taken to educate teachers in public sector on compliance with the Public Service Regulations (2022) which prohibits engagement in sexual relationship at the work place. Contravening these regulations attract dismissal and possibility of a criminal trial.

82. In an effort to effectively protect children from abuse and neglect, the State Party has prioritized child protection issues in its plans, policies and strategies. In doing so, the Ministry of Finance has instructed all LGAs to budget for the implementation of the NPA-VAWC. To this end, Councils have made provision in their Medium-Term Expenditure Framework (MTEF) budgets for child protection including abuse and neglect. To date, a total of 1,050 regions and councils' child front workers have been trained on child protection-friendly budget to reflect child protection in their medium-term expenditure frameworks using government sources.

83. To combat violence against children, efforts have also been taken to strengthen Police Gender and Children Desks in both Tanzania Mainland and Zanzibar. In this direction, the number of desks has increased from 417 in 2017 to 420 in 2024 in the mainland while in Zanzibar are 37 Desks and managed to deal with 69,977 cases reported at the period between 2016 and 2024. Additionally, more capacity building sessions were conducted during the preparation for developing the Police Gender and Children Desks Action Plan (2017-2020). In Zanzibar, Children Protection Units at District and Shehia levels have closely worked with PF-GCD and jointly combat violence against children. Furthermore, in both Tanzania mainland and Zanzibar, one police officer has been posted to the One Stop Centre to facilitate easy delivery of services to victims of exploitation and abuse.

84. In its previous Concluding Observations, the Committee urged the State Party to take concrete measures to prosecute perpetrators of killings of, and attacks on children, with albinism (CWA) (para. 20). While there was no incident of attack or killing of CWA in Zanzibar in the period under report, in Mainland there were recorded cases of attack or killing of CWA. In response, the State Party has developed an electronic data base to register all Children with Disabilities (PWA) including CWA, for protection and service provision (People with Disabilities Management

Information System in 2023 (PDMS). It has also developed the National Guidelines on Early Identification and Proper Intervention for Children with Disabilities (2021) to guide on needs assessment and service provision. Between 2017 and 2024, there were 7 cases concerning incident of attack or killing of CWA in the Mainland.

85. In Zanzibar, special guidelines on dealing with GBV cases have prepared and properly used by police in the investigation process. The Office of the DPP has also developed a comprehensive prosecution manual of 2022 on children's cases to provide the best techniques in handling children cases. Collaboration has been fostered between juvenile criminal justice actors in the investigation and prosecution of cases. The Office of the DPP has established a special unit responsible for children's cases. The Unit is technically empowered to handle sexual violence cases. The DPP assigns cases to a special team with sufficient resources to analyse the evidence collected, fill gaps and bring cases before courts for adjudication. In Tanzania, the Police, the Director of Public Prosecutions (DPP), and the Judiciary collaborate to handle cases involving children, focusing on expediting investigations and prosecutions while upholding the rights of suspects and accused individuals. Training programs for juvenile justice actors like doctors, social workers, and legal professionals have improved the system, leading to increased conviction rates for sexual exploitation and abuse. The DPP's office has issued guidelines and established a dedicated unit to streamline the handling of cases involving children.

86. In addition, the Committee urged the State Party to provide physical and psychological support to CWA victims of inhumane and degrading attacks (para. 20). In response, the State Party has adopted the National Action Plan on the Rights and Welfare of Persons with Albinism 2024/25-2028/29, which has a psychosocial support component for CWA. Through the International Albinism Awareness Day, more than 550 PWA (including CWA) are provided with psychosocial services annually – Annual Implementation Report PMO.

87. The State Party takes cognisance that stigmatization of child survivors of sexual violence and abuse is a serious threat to the normal upbringing and development of the child. To address this, deliberate efforts have been taken to raise awareness among children, caregivers, parents and the community at large. This has been done through campaigns, trainings, preparation of brochures and fliers, workshops and seminars. Women and Children Protection Committees in Tanzania Mainland and Zanzibar have conducted campaigns in their respective localities to prevent stigmatization. In the case of Zanzibar, these Committees have prepared annual action plans outlining strategies to fight GBV and VAC including issues of sexual violence and abuse survivors. Furthermore, a total of 7,000 brochures on behaviour change and mindsets on prevention and responses to violence have been prepared and publicly disseminated. In addition, 3600 radio and TV programs on behaviour changes were aired from 2017 to 2018.

88. Apart from widely disseminating copies of translated copies and simplified versions of laws relating to prohibition of the FGM practices, the State Party has also taken efforts to develop the Anti-FGM Strategy (2020/21-2024/25) to reduce FGM practices by 50%. Additionally, dissemination of translated copies and simplified versions of the Law of Child Act has been carried out through tailor-made trainings, workshops, seminars and the media. Advocacy campaigns involving influential and religious leaders to promote positive norms and values have been conducted as well. More significantly, a total of 43 *ngariba*'s (those who perform FGM) have been actively involved in the fight against FGM.

89. In Tanzania Mainland, the State Party has also prepared and disseminated the Integrated Communication and Outreach Strategy 2017/18 – 2021/22 to support the implementation of the NPA-VAWC (2017-2022). The Strategy addresses harmful norms and values through community dialogues and developing effective VAWC messages with engagement of community members for changing society's attitude. Under this Strategy, specific and contextualized messages have been prepared and disseminated in areas with high FGM prevalence. These messages, among other things, contain simplified legal provisions intending to create awareness on the existence of the law and its attendant punishment to public especially in rural areas.

90. In a bid to investigate and prosecute FGM cases promptly and effectively, the State Party has strengthened the capacity building of 209 Police officers dealing with Gender and Children Desks officers and 48 public prosecutors of DPP especially through tailor-made training on forensic evidence of GBV and VAC.

91. To safeguard girls at risk, the State Party collaborates with stakeholders on undertaking preventive interventions such as victim linkage to fit persons/families; and, in the most affected areas, the survivors of FGM are accommodated in temporary shelters run by both state and non-state actors.

92. The State Party, has engaged into widespread public awareness campaign to increase awareness and encourage discussions about the negative consequences of FGM and other harmful traditional practices. These efforts include conducting a three-day national dialogue to end FGM, child marriage and teenage pregnancies in the run up to the International Day of the Girl Child in 2018. Religious leaders (43), traditional leaders (22), those who perform mutilations, Regional Commissioners (6), children (120), parliamentarians (10), CSOs representative (78) and 624 academics from higher learning and research institutions attended the dialogue. In addition, international and regional commemorative events have been used as a platform to create awareness to the general-public through numerous activities. These celebrations include Zero Tolerance to FGM Day (6th February), International Women's Day (8th March), the Day of African Child (16th June), International Day of the Girl Child (11th October), International Day of the Child (20th November), and 16 Days (25th November to 10th December) of Activism against GBV. Moreover, the State Party has been using these commemorative events to issue high profile declarations and political commitments against FGM and directives in support of the laws as well as denouncing cultural practices hostile to human rights.

93. At the regional level, as part of the East African Community (EAC), the EAC Female Genital Mutilation Act was enacted in 2016 by the block's legislative organ. The enactment of the Act is an effort to promote cooperation in the prosecution of perpetrators of FGM through the harmonisation of laws, policies and strategies to end FGM across the region. In line with this, in April 2019, the State Party held a regional inter-ministerial meeting with Kenya, Uganda, Ethiopia and Somalia to end cross-border FGM.⁷⁵ The meeting aimed at strengthening coordination and cooperation to eliminate FGM and, in particular, the cross-border dimensions of FGM. In Tanzania Mainland, the law enforcers including Police, Migration and Social welfare Officers of four borders of Sirari, Longido, Holoholo and Holili were capacitated on combating cross border FGM and teenage pregnancies.

⁷⁵ The meeting was hosted by the Government of Kenya and was convened in Mombasa on 17th April 2019.

94. The State Party, continues to address challenges that are hampering the effective combating of harmful traditional practices including FGM. Examples of these challenges includes prevalence of norms and cultures that support FGM as part of acceptable cultural practices in some communities, difficulty of proof before courts of laws due to secrecy nature of the practice and fear of witnesses to come forward and testify, lack of adequate victims supports systems due to human, technical and financial resources and corruption.

VI. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

(a) Overall Policy, Legislative and Administrative Measures

95. In the period under report, the State Party implemented the provisions of Article 18 of the Charter relating to family environment and parental guidance by undertaking several constitutional, policy, legislative, judicial and administrative measures. Over this period, the State Party has revised and continued to implement the Law of the Child Act in the Mainland and the Children's Act in Zanzibar, both of which require that a child should basically be raised within the family environment. Both laws provide that every parent should be responsible for caring, maintaining and protecting the children. In case the biological parents of a child are deceased, parental responsibility may be passed to a relative of either parent or a custodian by way of court order or any traditional arrangement.

96. In terms of policy measures, the revised Child Development Policy (2008) – applicable in the Mainland – and the revised Child Survival, Protection and Development Policy (2001) – applicable in Zanzibar – clearly vest in parents the primary responsibility for caring, guiding and protecting the child. In addition, in MKUZA II, Cluster II (Social Wellbeing and Quality Social Services) (under para 2.6) strives to improve safety nets and social protection for the vulnerable and vulnerable groups, which include children. The cluster outlines strategies and intervention packages which address the issue of family environment and parental guidance or responsibilities in the upbringing of children, which includes provision of support to vulnerable families and households to provide care and protection to the children under their care, target safety nets and transfers for vulnerable pregnant women and children.

97. In Tanzania Mainland, the State Party has ensured that children who are deprived of family environment or in need of care and protection (in accordance with Section 16 of the Law of the Child Act) are provided with alternative care arrangements in light of the Children's Home Regulations (2012), the Foster Care Placement Regulations (2012), the Adoption of Children Regulations (2012), and the Fit Person Regulations (2020). Between 2016 and 2024, 73 out of 184 councils in the mainland carried out training for Social Welfare Officers on fit persons through tailor-made modules. Through this arrangement, 598 fit persons were identified and trained, and 787 children (393 males and 394 females) were placed under the care of fit persons. The presence of fit persons in those LGA Councils has provided alternative care to homeless children and those in need of alternative care. In addition, over the same period, 92 children's homes were registered, whereby 2,565 children (1,307 females and 1,258 males) were provided with shelter and all other basic services equally to other children.⁷⁶

⁷⁶ MoHCDGEC Annual Performance Report, 2020/2021.

98. In Zanzibar, alternative care services are provided in accordance with the Approved Residential Care Regulations (2017) and the Foster Care Replacement (2017). In the period under report, there were 178 registered Children's Homes, 295 identified and trained fit persons (43) fostered and 17 adopted children in Zanzibar. All these efforts ensure that children are provided with care in a manner of promoting their rights, welfare and protection in accordance with traditional and religious values prevalent in Zanzibar.

99. The legal frameworks governing out-of-home placements in both the Mainland and Zanzibar establish mechanisms for independent monitoring, review and inspection of both family-based care and children's homes. In 2018, the State Party, in collaboration with stakeholders, conducted a situational analysis on children living in residential care in the Mainland. The assessment recommended, among other things, scaling-up of family-based alternative care as well as conducting regular monitoring, inspections and supervisions to assure compliance with laws guiding children's homes. In Tanzania Mainland, the Commissioner of Social Welfare (CSW) regularly inspects children's homes on standards of treatment, care and protection and facilities. Similarly, Social Welfare Officers (SWOs) conduct inspections at least once in every six months on children's homes in their respective districts. Moreover, for both in the Mainland and Zanzibar, Welfare Committees have been established in each children's home and residential home, which independently inspect residential homes on their compliance with the set standards.⁷⁷

100. Both residential and children's homes in Zanzibar and Tanzania Mainland have in place accessible channels through which children report all forms of violence. All complaints are reported to the manager or appropriate authority in the children's home or residential home. These homes maintain complaints registers that record all incidents that violate the applicable Regulations on institutionalized children's home care.⁷⁸ Legal and administrative actions have been taken in cases of violations. Homes that are found wanting in compliance issues have been de-registered. In 2022 Zanzibar conducted a rapid assessment of children living in residential care. The assessment's findings showed that some children's centres were not complying with the law. In response, the Revolutionary Government of Zanzibar banned the operation of 11 children's homes.

101. The State Party, however, acknowledges challenges constraining monitoring, review and inspection of informal family-based alternative care due to the unavailability of adequate information and resources. Children cared for informally are not registered and hence unrecognizable to SWOs.

(b) State Support to Family-based Care

102. Legal and administrative measures have been undertaken to support and facilitate family-based care for children with a view to reducing the institutionalization of children. To reinforce the legal framework under the Law of the Child Act in Tanzania Mainland, the State Party developed a Fit Persons Guidelines (2020) to effectively guide the Fit Persons Scheme. Tanzania Mainland has developed a Fit Persons Training Manual in 2024 and until 2024 trainings on the establishment of Fit Person Scheme have been conducted in 34 LGA Councils whereas a total of 430 fit persons has been identified and trained to provide care and protection to needy children who wait for family re-integration. A total number of 662 children have been placed under fit person scheme.

⁷⁷ Regulations 11-13 of the Foster Care Placement Regulations (2012).

⁷⁸ Regulations 35-40 of the Children's Home Regulations (2012).

103. The State Party, developed the National Guidelines on Child Reintegration with Families in 2019 as an effort striving to domesticate the International Guidelines developed by the Inter-agency Group on Children's Reintegration in 2016. These Guidelines form an important tool for reintegrating children back to their families based on standardized procedures. Currently a total of 1,310 children have been reintegrated with their families. Moreover, the State Party conducted the National Alternative Care Reintegration Assessment (2024) with the view to measuring the adequacy of the exit strategy in children's homes for reintegration back into their families.

104. Another significant measures that has been undertaken by the State Party to support family care, is the establishment of a National Parenting Task Force in 2015.⁷⁹ The task force coordinates actions and interventions on family care programmes. It also harmonises training materials on parenting education. In a similar vein, a National Parenting Agenda to promote responsible parenting and family care was launched in 2019. The agenda mobilises the readiness of members of local communities to develop a conducive, positive environment for children's development within the family setting.

105. In both Tanzania Mainland and Zanzibar, under their respective NPA-VAWC, family and parenting support is one of the interventions in addressing violence against women and children. Hence, various family-based care interventions have been done under this arrangement. For instance, a National Guideline for Responsible Parenting was developed in 2022. Capacity building has been carried out for 635 community facilitators on positive parenting in 17 regions, 132 District Councils of Tanzania Mainland.⁸⁰ In addition, training on parenting skills (focusing on issues like guidance, counselling and advising) has been conducted for members of the grassroots communities to enhance families' cohesion.

106. In its previous Concluding Observations, the Committee urged the State Party to take additional measures (apart from adopting policies) to support parents to discharge their parentage duties – *e.g.* training, health care support, increasing income through financial support, job creation, *etc.* (para. 21). In addition to the foregoing policy, legislative and administrative measures, the State Party has undertaken the following additional measures to support parents to discharge their parentage duties:

106.1 In Zanzibar, the State Party has undertaken the following additional measures to support parents in discharging their parental duties:

- (i) Empowering parents, guardians, and child officials to strengthen parental and children's accountability and rights, prioritizing health, education, and talent development. 467 childcare partners (257 women and 210 men) have been engaged;
- (ii) Supporting women's groups on economic empowerment through the TASAF Programme whereby around 2,449 women have been empowered through training on entrepreneurship and financial support to reduce household poverty by raising the family income and supporting child well-being system at the rural and urban vulnerable families; and

⁷⁹ The Task Force is composed of key ministries and partners.

⁸⁰ These community facilitators were drawn from amongst Community Development Officers, Social Welfare Officers, Primary School Teachers, Folk Development Colleges (FDC's), Tutors and representatives of CSOs.

- (iii) From 2021 to 2025 the Revolutionary Government of Zanzibar, in collaboration with SOS Zanzibar, built a total of 12 houses and repaired 8 houses to support family strengthening through improved housing and settlements. Additionally, 36 families were provided with income-generation support to enhance the well-being of children, particularly those living in vulnerable conditions. These measures were part of the family strengthening system programme, which also included foster care and other child rights initiatives.

106.2 In Tanzania Mainland, the State Party has undertaken the following additional measures to support parents to discharge their parentage duties:

- (i) Economically empowering 14 women and 11 groups of women entrepreneurs whereby a sum of TZS 664,500,000 was granted to them in five regions through the Women Development Fund (WDF) coordinated by the MoCDGWSG.
- (ii) Providing a countrywide positive parenting education to parents and family on their responsibility to care and protect children;
- (iii) Assisting in income generating activities, including setting aside 10% of District Councils own Sources that is being distributed to women, disability and youths, which enhances job creation and support parents to effectively discharge their parental roles and duties. For the year 2017-2021, through LGA Councils' own sources, the State Party provided minimum interest rate to youth, women and persons with disabilities which increased from Tsh.15.6 billion in 2017 to Tsh.37.59 billion in 2022;
- (iv) Through TASAF, the State Party is helping communities with inadequate access to social services, households suffering from food insecurity and individuals living in vulnerable households by cash transfer mechanism. Through TASAF III, 5,180,684 programme beneficiaries were registered from 184 Councils – households eligible to receive subsidies with consideration of women at about 56%. Grants amounting to TSH. 854,059,751,272 were issued to vulnerable households between July 2017 and June 2024; and
- (v) Provision of free basic education to all children, which has reduced the burden to parents to execute their other parental roles. Through this initiative, the number of pupils in primary schools has increased from 9,317,791 in 2017 to 10,739,975 in 2025; the number of students in secondary schools increased from 2,172,257 in 2017 to 2,999,530 in 2025.

(c) Ratification of the Hague Convention on Protection of Children and Cooperation in Respect of Inter-country Adoption

107. In its previous Concluding Observations, the Committee urged the State Party to ratify the Hague Convention on Protection and Cooperation in Respect of Inter-Country Adoption (para. 23). Through the Office of the Attorney General, the State Party continues to undertake consultations with key stakeholders and State authorities in its bid to ratify the Hague Convention on Protection of Children and Cooperation in Respect of Inter-country Adoption in accordance with its constitutional order and processes.

(d) Parental responsibility and guidance (Article 20)

108. The State Party, ensures that parents have the primary and common responsibility for taking care and protection of a child through provision of food, shelter, clothing, education, medical care, liberty and right to play and leisure as stipulated in Section 8 and 16 of the Law of the Child Act (2009) (applicable in the Mainland) and Section 10 of the Zanzibar Children's Act (2011). The

primary and common parental responsibility for taking care and protection of a child is discharged by parents through the provision of food, shelter, clothing, education, medical care, liberty and the right to play and leisure. Both laws provide that every parent or person legally responsible for a child has the duty to ensure that the best interests of the child are their basic concern at all times in discharging their parental responsibility. In case of need to provide material assistance and support programmes, the State Party has a duty to safeguard and promote the welfare of the child.

109. The foregoing statutory parental responsibility for the child, is derived from the policy foundations laid down in the Child Development Policy (2008) for Mainland and Child Survival Protection and Development Policy (2001) for Zanzibar, both of which set out the responsibility of the State Party in preparing, managing and implementing laws, regulations and guidelines related to welfare, development and the rights of the child and coordinating its implementation at family, community and district levels. In addition, the State party has developed the Guidelines for Care, Counselling and Child Protection for Schools and Teachers' Training Colleges in Tanzania (November 2020).

110. In Tanzania Mainland, in 2020, the State Party developed and disseminated the National Guidelines for Establishment and Management of Day Care Centres, the National Guidelines for Establishment and Management of Creche, and the National Guidelines for Establishment and Management of Community-based Day Care Centres. Since these Guidelines were adopted, service provision to children has improved, and service providers also now abide by the Guidelines and Regulations. The dissemination of these Guidelines has enhanced the registrations of day care from 1,844 2016 to 4,384 in 2025 with children aged 0 to 5 years about 197,899 (85,175 girls and 78,219 boys). In 2023 the Monitoring of these centres has been carried out in the regions of Dar es Salaam, Arusha, Tanga, Mwanza, Shinyanga, Kagera, Geita, Kigoma, Rukwa, Simiyu, Morogoro, Mara, Manyara, Kilimanjaro and Songwe whereby a total of 2,691 centres were inspected including 597 registered stations and 2,094 unregistered. In addition, 290 centres were closed due to non-compliance with operating conditions and qualified unregistered centres are in the process of obtaining registration certificates.

111. In Zanzibar, a Training Manual on Parenting Skill on VAC and Positive Parenting developed in 2014 and 70 Social Welfare Officers, community development officers from government and CSOs staff were trained by 2024 All these guidelines guide the parents and caregivers on children care and development.

112. According to the Most Vulnerable Children (MVC) database, a total of 894,519 MVCs have been identified in 111 District Councils through the standard identification process, and the identified children receive at least one service from the Local government, CSOs and communities in Tanzania Mainland.

113. In addition, both Tanzania Mainland and Zanzibar have developed a training manual for MVCs in order to train MVC Committees at the Local Government Authority on supporting and protecting MVC in their locality. From 2018 – 2025 total 542 of MVC (288 male and 254 female) were identified, and 152 families (86 Unguja and 66 Pemba) received support services such as food, clothes, milk and other basic needs for children living with the most vulnerable condition. Also, total of 50 children were supported through health insurance coverage on Tumbatu Island in Unguja. In the Mainland, a total of 245 MVC have been identified and provided with the requisite support.

114. The State Party, has adopted the National Integrated NPA -VAWC Communication Strategy in the year 2018 (applicable in the mainland), which acts as one of the tools of implementing the NPA VAWC and guides those working with parents to enhance child care and protection at the family level. Through this Strategy, the State Party has undertaken the following measures:

114.1 Training 52 TOTs in 26 Regions from every region (involving Social Welfare Officers and Community Development Officers) on rolling out the integrated NPA-VAWC Communication Strategy;

114.2 Developing culturally appropriate messages in 10 Regions in the Mainland (*i.e.*, Mara, Tabora, Dodoma, Singida, Katavi, Kigoma, Mbeya, Songwe, Rukwa and Shinyanga) on ending violence against children and airing them through 53 community radios in 22 Regions as well as TV Stations with national coverage; and

114.3 Conducting community-based sensitization meetings on ending harmful traditional norms and practices with 360 religious and traditional leaders in 6 Regions in the Mainland (*i.e.*, Mara, Katavi, Shinyanga, Dodoma, Tabora and Singida).

115. In its previous Concluding Observations, the Committee noted that it is difficult for the Government to apply the law, regulations and standards to monitor the living conditions in private residential facilities; and, as such, urged the State Party to provide redress to this situation (para. 22). The State Party has undertaken the following measures to address this constraint:

115.1 In Zanzibar, data on monitoring of the living conditions in private residential facilities exist to coordinate and the government use the regulation under the Children's Act (2011) in operating the residential home. This law has allowed the private sector to establish and operate the residential home.

115.2 In Tanzania Mainland, Social Welfare Officers at the regional and Council levels conduct quarterly supportive supervision visits in social welfare facilities and undertake requisite interventions. Between 2020 and 2024, a total of 5,503 supervision missions were conducted in Tanzania Mainland.⁸¹

116. In its previous Concluding Observations, the Committee urged the State Party to strive to protect the family and prevent separation of the family (para. 21). In response, the State Party has undertaken the following measures:

116.1 In Zanzibar, the State Party has undertaken the following measures to protect the family and prevent the separation of the family:

- (i) 1,876 families/households have received psychosocial support services and counselling on conflict resolution through the Ministry and the Legal Aid Unit.
- (ii) The Kadhi Court successfully resolved a total of 509 cases, reunifying families and preventing separation. This achievement is significant as it promotes family unity, reduces conflict, and strengthens social cohesion within communities.

⁸¹ Source: PO – RALG annual reports.

116.2 In Tanzania Mainland, the State Party has undertaken the following measures to protect the family and prevent the separation of the family:

- (i) Enacting the Legal Aid Act (2017) applicable in the Mainland and the Zanzibar Legal Aid Act (2018), both of which recognize paralegals who primarily deal with matrimonial cases through facilitation of mediation and reconciliation;
- (ii) Adopting the Guidelines for Marriage Conciliation Boards in Tanzania (*Mwongozo wa Mabaraza ya Usuluhishi wa Ndoa*) in 2023;
- (iii) In 2016 -2024, Social Welfare Officers dealt with 171,811 matrimonial cases particularly through reconciliation;
- (iv) Between 2022 and 2025, the Mama Samia Legal Aid Campaign (MSLAC) was conducted in both the Mainland and Zanzibar. The campaign focuses on providing legal education to citizens, especially on issues of gender-based violence, land disputes, inheritance, alternative dispute resolution, and human rights issues in general. The campaign increases legal awareness and human rights in the community, especially the rights of women and children. In the reporting period, the campaign reached 4 million people in both Tanzania Mainland and Zanzibar; and
- (v) Training religious leaders from the Tanzania Episcopal Conference (TEC), the Muslim Council of Tanzania (MCT, popularly known as BAKWATA),⁸² Council of Pentecostal Churches of Tanzania (CPCT), Christian Council of Tanzania (CCT) and Seventh-day Adventist Church (SDA) to roll out the National Agenda on Responsible Parenting and Family Care; whereby a total of 110,805 beneficiaries were trained in 2019/20; 812,927 in 2020/21; and 35,000 in 2021-2024.

(e) Separation from parents, separation caused by the state party, separation caused by internal displacement arising from armed conflict.

117. Save for the refugee children within the territory of the State Party, the State Party does not have among its citizens those who are separated from their parents due to armed conflicts but rather due to abuse, GBV or poverty.

118. During the period of reporting, the State Party continued to implement Article 25 of the Children's Charter, which requires the States Parties to ensure that a child is not separated from his or parents against their will, except where competent authorities subject to judicial review so determine, in accordance with applicable law and procedure, that such separation is necessary for the best interests of the child. In case there is a circumstance that may cause separation from their parents, the best interests of the child will be considered. This will be done by competent authorities subject to judicial review that will determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Both Law of the Child Act (applicable in Mainland) and the Zanzibar Children's Act (2011) provide that where the parents of a child are separated or divorced, a child shall have a right to maintenance and education of the quality he or she enjoyed immediately before his parents were separated or divorced; live with the parent who, in the opinion of the court, is most capable of securing the child's best interests; and access to the other parent, in which case both parents have mutual responsibility to secure such access, unless the court specifies to the contrary.

⁸² BAKWATA stands for Baraza la Waislamu Tanzania.

119. According to section 9(3) of the Zanzibar Children's Act, where a Children's Court determines that it is in the best interests of a child to separate him from his parents, the best substitute care available shall be provided for the child. As such, it is the law in Zanzibar that a child who is separated from his parents shall have the right to maintain personal relations and direct contact with both parents regularly basis, except when it is not in the best interests of the child. There is a rebuttable presumption under the State Party's legal system that a child under seven years has to stay with the mother until s/he attains the age of seven years, although the Court must have regard to the undesirability of disturbing the life of the child by changes of custody.

120. Under the Law of the Child Act, one of the paramount considerations for granting the order of custody of the child when parents are separated is 'the best interest of the child and the importance of the child being with his mother.'

121. In addition to this paramount consideration, the court must also consider the following factors:

- (a) The rights of the child under section 26 of the Law of the Child Act;
- (b) The age and sex of the child;
- (c) That a child should be with his parents except if his rights are persistently being abused by his parents;
- (d) The views of the child, if the views have been independently given;
- (e) That it is desirable to keep siblings together;
- (f) The need for continuity in the care and control of the child; and
- (g) Any other matter that the court may consider relevant.

122. On its part, the Law of Marriage Act⁸³ states that the paramount consideration in granting custody of a child should be the welfare of the child. Besides, the court shall have regard to: (a) the wishes of the parents of the child; (b) the wishes of the child, where he or she is of an age to express an independent opinion; and (c) the customs of the community to which the parties belong.

123. In compliance with the provisions of paragraph (2) of Article 25 of the Charter, both the Law of the Child Act and the Zanzibar Children's Act, allows all interested parties to participate in proceedings relating to the separation of a child from his or her parents. The interested parties are also allowed to make their views and are considered by the court in making the order for separation.

124. The State Party, continues to implement Article 25 of the Children's Charter concerning the reunification of children living in a different country from that of their parents. The State Party continued to implement the National Refugee Policy (2003), which covers various aspects of the management of refugee matters in Tanzania; and the Refugees Act (1998). This law protects the interests of the child through various provisions. In particular, section 35 of the Refugees Act sets out the right of family reunion and the procedure to be followed to achieve this end. The procedure for reunion is provided in subsection (1) of this section as follows: (1) A recognised refugee resident in Tanzania who wishes to join or to be joined by any member of his family outside or within Tanzania respectively shall make application for a family re-union to the Minister through the UNHCR or the Director who shall submit the application to the Committee which shall recommend to the Minister whether to allow the family re-union or not, provided that such family re-union shall

⁸³ S. 125 [Cap. 29 R.E. 2019]

not take place before permission is granted under this section. Failure to abide to this provision shall be an offence under this Act.

Under subsection (2) there is an appeal mechanism for a person affected or aggrieved by a decision of the Minister refusing or granting family reunification, who may file a petition for review with the Minister.

125. In addition, Section 35(3) of the Refugee Act requires that where there is disunity in the family of a refugee as a result of divorce, separation, death, *etc.*, any member of that family 'may remain in Tanzania and shall have to apply within a maximum period of 2 years from the time of disunity of the family for the acquisition of the refugee status on his own right or for a legalization of the residence in Tanzania under the Immigration Act 160, failure of which shall be an offence under this Act.'

(f) Family reunification and children deprived of family environment (Article 25.2 (b))

126. In its previous Concluding Observations, the Committee noted that residential homes are constrained by poverty and ostracization due to stigma in the case of HIV/AIDS; and, as such, urged the State Party to address this constraint (para. 22). In response, the State Party has undertaken the following measures to address this constraint:

126.1 In Zanzibar, the State Party, in its fight against HIV infection and its impact on children, is committed to eradicating the disease by 2030 and it has taken the following measures:

- (i) As of March 2024, a total of 65,643 people (29,990 men and 35,653 women) had received HIV counselling and screening, with 572 (0.8%) diagnosed with HIV. Of these, 519 cases were in Unguja (353 women and 166 men) and 53 in Pemba (32 women and 21 men). However, counselling and testing services have decreased;
- (ii) In 2022/2023, a total of 93,912 people were tested for HIV, with 659 (416 women and 243 men) diagnosed as HIV positive. To prevent mother-to-child HIV transmission, 51,880 pregnant women attended clinics during pregnancy, with 46,430 (90%) tested for HIV, compared to 96% in 2022/2023. Among them, 58 pregnant women were diagnosed with HIV;
- (iii) A total of 347 babies born to HIV-positive mothers were tested for HIV using DNA-PCR machines, with 6 children diagnosed with HIV, representing 1.7%. This is compared to 2022/2023 when 212 children were tested, and 3 were diagnosed with HIV (1.4%); and
- (iv) In collaboration with SOS Village Zanzibar, the State Party supports vulnerable families by building 8 houses for households in North A Region in Unguja including North A District 6 houses and North B 2 houses. This leads them to live in security and peace and protect their children from any kind of harm.

126.2 In Tanzania Mainland, the State Party, in its fight against HIV infection and its impact on children, has developed the fifth National Multisectoral Strategic Framework for HIV 2021/22 – 2025/26 (NMSF V) and adopted the HIV Prevention 2020 Road Map, including the 10-point actions. The adopted 2017 - 2020 Road Map was aligned with the NMSF IV and HSHSP IV and was built around five (5) prevention pillars – combination HIV prevention for key and priority populations, Combination HIV prevention for Adolescent Girls and Young Women (AGYW), Comprehensive Condom Program (CCP), PreExposure Prophylaxis (PrEP), and Voluntary Medical Male Circumcision (VMMC).

127. In Tanzania mainland, the State Party has continued to identify and support the Most Vulnerable Children in the communities. Through these efforts several children deprived of family environment like orphans, street children and neglected children were identified and connected with basic needs as indicated in the table below.

Table 6: Number of MVC supported

Years	Number of MVC	Support Provided	
		SOCIAL	MATERIALS
2018	1,809,117	Psychosocial support and reunification	Shelter, food and cloths
2019	829,211	Psychosocial support and reunification	Shelter, food and cloths
2020	703,680	Psychosocial support and reunification	Shelter, food and cloths
2021	436,404	Psychosocial support and reunification	Shelter, food and cloths
2022	263,976	Psychosocial support and reunification	Shelter, food and cloths
2023	821,933	Psychosocial support and reunification	Shelter, food and cloths
2024	837,043	Psychosocial support and reunification	Shelter, food and cloths

Table 7: Children Reunified with their families in Zanzibar

NO.	Name of Centres	District	Total	Females	Males
1.	SOS Children's Village	Magharibi "B"	84	48	36
2.	Assalam Orphans Centre	Magharibi B	20	6	14
3.	Kidundo Orphanage Centre	Kati	19	7	12
4.	Fatima House	Kati	10	4	6
5.	Sakina Girls Home (Nyota)	Kati	13	13	0
6.	Montessory Ophans Centre	Magharibi" A"	15	8	7
7.	Darul Ahbaab Micheweni Pemba	Micheweni	50	0	50
	Total		211	86	125

Source: MOHSWEGC (2020).

128. In its previous Concluding Observations, the Committee urged the State Party to de-institutionalise children through resorting to foster care and adoption procedures (para. 23). In response, the State Party has undertaken the following measures:

128.1 In Zanzibar, the State Party has continued implementing the Charter, the CRC and the Children's Act in alignment with norms, traditions, and Islamic perspectives prevalent in Zanzibar. Domestic adoption follows Islamic procedures alongside foster care. It is estimated that 2-3 children are adopted annually through Islamic procedures in the Kadhi's Court, in accordance with the

Children's Act. From 2021 to March 2024, approximately 10 children were adopted domestically. 42.4% of the PLHIV reported at least one of the 10 forms of HIV-related stigma or discrimination.⁸⁴

128.2 In Tanzania Mainland, the State Party has undertaken the following measures to de-institutionalise children through resorting to foster care and adoption procedures:

- (i) Introducing Section 54 of the Law of the Child Act – as amended by S.17 of the Child Protection Laws (Miscellaneous Amendments) Act (2024) – to vest jurisdiction in the Juvenile Court to determine open adoption, which simply means adoption of the child by a relative;⁸⁵
- (ii) In 2024 and 2025, the State Party is conducting an assessment on alternative care to reform, *inter alia*, institutional care with the view to de-institutionalising children, among other goals;
- (iii) In 2019, the State Party developed the National Guidelines for Reintegration of Children with Families;
- (iv) In 2024, the State Party adopted the Facilitators' Guide for Reintegration of Children with Families;
- (v) In 2024, a total number of 1,310 children (702 boys and 608 girls) in the children's home were reintegrated with their families;
- (vi) In 2016-2024, the number of fit persons identified to take care of children in need of family care was 1,803;
- (vii) In 2017-2024, the number of children cared for by fit persons was 3,678 (1,695 boys and 1,983 girls);
- (viii) Between 2017/2028 and 2023/2024, the number of children fostered was 285 (136 boys and 149 girls), and
- (ix) Between 2017 /2018 and 2023/2024, the number of children adopted was 260 (96 boys and 164 girls).

129. In its previous Concluding Observations, the Committee observed that children with albinism (CWA), who are concentrated in government care facilities, do not receive education and health care services and urged the State Party to redress this challenge (para. 24). In response, the State Party has undertaken the following measures to ensure that CWA in these care facilities receive education and health care services;

129.1 In Zanzibar, the State Party has undertaken the following measures to ensure that CWA in government care facilities receive education and health care services;

- (i) Creating a conducive environment for access to education and health services for CWA by establishing equitable education and health systems. Schools and health services are freely and easily accessible to the public, addressing challenges faced by children with disabilities. The government has distributed medicines to children with disabilities in

⁸⁴ Revolutionary Government of Zanzibar, *Zanzibar PLHIV Stigma Index 2.0 Assessment Report*, March 2022, p. 34.

⁸⁵ Section 54(3) of the Law of the Child Act.

health facilities and provided glasses to enhance their participation in education and health services; and

- (ii) Undertaking efforts to promote and integrate access to education, which have been prioritized through the establishment of a specialized Integrated Education Unit in Zanzibar, tasked with coordinating issues related to children with disabilities and albinism.

130. In Mainland, the State Party has prepared and is implementing the National Plan of Action on the Rights and Welfare of People with Albinism (2024/2025 - 2028/2029) to address discrimination, abuse and violence against people with albinism, including children. The main pillars of the plan include Prevention, Care, Equality and Non-Discrimination, and Accountability. In the area of protection, the focus will be on strengthening existing systems for the protection and security of people with albinism at the village/*mtaa*, ward, council, regional and national levels. undertaken the following measures to ensure that CWA in government care facilities receive education and health care services:

131. In its previous Concluding Observations, the Committee urged the State Party to take measures to re-unite children who are placed in government care facilities for CWA with their families (para 24). Whereas there were no cases of CWA placed in government institutions in Zanzibar during the period under report; in Tanzania Mainland, the State Party has undertaken the following measures to make sure that children who are placed in government care facilities for CWA are re-united with their families:

- (i) In 2019, the National Guidelines for Reintegration of Children with their Families were adopted and also take care of the reunification of CWA with the families;
- (ii) In the implementation of the foregoing Guidelines, CWA have been reintegrated into schools (and not in CWA centres) as follows: at Mitindo, Misungwi District, there were 82 CWA (36 girls and 46 boys) in 2021, 11 CWA (3 girls and 8 boys) at Kabanga, in Kasulu District; 15 CWA (8 girls and 7 boys) at Buhangija, Shinyanga Region; 15 (4 girls and 11 boys) at Salvation Army, in Dar es Salaam Region, all of whom constituting a total of 123 CWA (51 girls and 72 boys) who were in schools in the period under report; and
- (iii) At the Bikira Maria Mama wa Mungu Children's Home located in Lamadi, Busega District, there were a total of 51 CWA (24 girls and 27 boys).

(g) Maintenance of the child (Article 18.3)

132. During the period under report, the State Party, has taken appropriate measures in the implementation of Article 18.3 of the Children's Charter, which requires States Parties 'to take appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad.' The State Party has complied with this provision by enacting specific provisions on this subject in the Law of the Child Act and the Zanzibar Children's Act. Section 42(2) of the Law of the Child Act and section 64(2) of the Zanzibar Children's Act provide, *mutatis mutandis*, that an application for maintenance 'may be made against any person who is eligible to maintain the child or contribute

towards the welfare and maintenance of the child.’ Under the Law of the Child Act,⁸⁶ failure to discharge the duties to maintain a child attracts punishment with a fine not exceeding five million shillings or imprisonment not exceeding six months or both.

(h) Adoption and periodic review placement (Article 24)

133. The State Party has repealed and replaced the old provisions relating to adoption with new provisions currently embodied in the Law of the Child Act and the Zanzibar Children’s Act.

133.1 In Tanzania Mainland, there are two types of adoption: ordinary adoption and ‘open’ adoption.⁸⁷ The procedure for applying for an adoption order is set out under Section 54 of the Law of the Child Act and the Adoption of Children Regulations (2012). This law requires, in Section 54(1)(a), that an application for adoption order of a child be made to the High Court. As noted in para. 127.2(i) above, under Section 54(1)(b) of the Law of the Child Act, an application for ‘open’ adoption must be made to the Resident Magistrate’s Court, the District Court, or the Juvenile Court. The State Party places primary emphasis on domestic adoption. In order to adopt a child, an applicant must be a *bona fide* resident of Tanzania. The Law of the Child Act⁸⁸ allows adoption by foreigners whereas non-Tanzanian citizens must be married, reside in Tanzania for three consecutive years and provide foster care to a child for three months under supervision of social welfare.

133.2 Section 76(1) of the Zanzibar Children’s Act provides that, in Zanzibar, adoption does not apply to persons subscribing to the Muslim faith; rather, persons of Muslim faith are obliged to follow “*kafalah*” as prescribed in section 75 of this law. According to Section 2 of this law, *kafalah* means the commitment to voluntarily take care of the maintenance, protection and education of the child in the same way as the biological parents of the child would do. So, under the Zanzibar Children’s Act adoption applies to non-Muslims only, whereby an application for an adoption order shall be made to the High Court and heard by such court in terms of section 76. An application for adoption of a child may also be made by an applicant who is a citizen of the United Republic of Tanzania but does not reside within Zanzibar under section 83.

134. In its previous Concluding Observations, the Committee encouraged the State party to take further steps to ratify the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption. As reported in para. 106 above, the State Party is currently at the consultation stage with a view to ratifying the Hague Convention on Intercountry Adoption.

135. The Committee also urged the State Party to undertake measures to promote public aware in the community to promote domestic adoption (para. 23). In Zanzibar, the State Party has been raising public awareness about domestic adoption (*i.e.*, *kafalah*) through various workshops, media programmes, religious events and community meetings in the context of the Zanzibar Children’s Act, taking into account the local environment and community as well as religious beliefs. Communities have utilized this opportunity to apply for adoption based on their needs and the existing legal framework. In Tanzania Mainland, the State Party has been raising public awareness on domestic adoption through social media, local radios, televisions, CSOs media campaigns, and line ministries’ websites. As a result, the number of applications for foster care that lead to adoption has risen from 78 in 2021 to 103 in 2024.

136. Moreover, the Committee urged the State Party to take efforts to monitor and follow-up on adoptions in both domestic and international settings (para. 23). In response, the State Party has undertaken the following measures to monitor and follow-up on adoptions in both domestic and

⁸⁶ Sections 8 and 9(3) of the Law of the Child Act.

⁸⁷ Under Section 54(3) of the Law of the Child Act, ‘open’ adoption simply means adoption of the child by a relative.

⁸⁸ *Ibid*, Section 74.

international settings:

136.1 In Tanzania Mainland, between 2017 and 2024, 285 children who are under foster care were being supervised by Social Welfare Officers employed in the public service as per the Foster Care Regulations (2012). 25 applications for foreigners were received between 2021 and 2024, with 16 applications being successful and 6 children under such arrangements living outside Tanzania. Amongst the 16 successful applications, social investigation reports were received from the International Social Services (ISS) in the applicants' countries of origin.

136.2 In Zanzibar, the State Party has been investing in implementing both domestic and international adoption frameworks. However, greater emphasis is placed on domestic adoption due to the norms and culture of the Zanzibar community. It is rare to handle international cases, as the number of clients seeking domestic adoption is very limited.

(i) Abuse, neglect, exploitation including physical and psychological recovery and social integration (Art 16 and 27)

137. The State Party, was the first country in Africa to conduct a national household survey on Violence Against Children (VAC) in the mainland in 2011. The report of this study, which identified all forms of violence against children (Sexual, Physical and Emotional) and their underlying causes, informed the development of current and developing Multi-sectoral National Prevention and Response Strategies and Policies for better protection of the children within Tanzania. As a consequence, the study findings enabled the State Party to commit itself towards developing the first three-year National Plan of Action to Prevent and Respond to Violence against Children (2013-2016) by creating enabling policy and legislative environment to establish sustainable intervention to prevent and respond to all forms of child abuse. In the reported period, the State Party has prepared and implemented the National Action Plan to End Violence against Women and Children (NAP-VAWC 2017/18-2021/22) aiming at reducing Violence against women and children by 50% by June, 2022. The main key areas of implementation include; household economic strengthening, norms and values, safe environment, parenting, family support and relationships, Implementation and enforcement of the Laws, responses and support services, safe school and life skills and Coordination, Monitoring and Evaluation. After the end evaluation of NPA-VAWC, the State Party decided to develop the NPA-VAWC II to be implemented between 2024/25 to 2028/29 for extending the prevention and response initiatives to end violence against children in Tanzania.

138. The result of the Tanzania survey provides sound and validated evidence to inform the development of guidelines and regulations associated with the implementation of the Law of the Child Act. In addition, the campaign on violence against women, children, and people with albinism was conducted throughout the country with the support of Mobile Cinema, TV and Radio Programmes, and community sensitization. Similarly, those who were involved in the killings were sued and some were accordingly sentenced. As a result, in a short period of time, the act of killing albino was minimized to a large extent. Furthermore, a boarding school specific for albino children has been established in Misungwi District to provide safer and friendly environment for children with albinism to study.

139. In addition, the Commission of Human Rights and Good Governance (CHRAAG) has established a special Children's Desk and conducted an assessment in 2022 on abuse of children and made several recommendations upon which the State Party undertook the following actions: (i) the

Children's Desk at CHRAGG concerning violation and abuse against their rights has been established. Awareness raising is continued to be conducted to in relation to the existence of children's desks and high number of complaints have been registered; (ii) Complaints are investigated and recommendations submitted to authorities for remedies; and (iii) Children's/Gender Desks have been established at Police Stations/Posts to perform consultation with children and communities to verify various mental and physical violence/abuse against children. The consultancies are conducted at private offices within Police Regional Offices. Children are given special treatment where their evidences are taken by camera (confidentiality). Furthermore, advocacy campaigns through meetings, Radios, TVs, leaflets, brochures and placards play a big role in minimizing violence against children such as Female Genital Mutilation.

140. The CHRAGG also conducts regular visits in detention and prison facilities to monitor, *inter alia*, child abuses. In the period between 2018 and 2024, the CHRAGG conducted 7 visits and found that there were 234 children in such facilities. It, *inter alia*, recommended for their removal from the facilities and expedited determination of their cases pending in courts of law.

141. Moreover, in Tanzania Mainland, the State Party has managed to establish a child protection system in 32 councils and a total of 800 presiding officers have been trained on child protection issues. Due to the importance of tracking child protection data, the State Party has also developed the Child Protection Management Information System (CPMIS) and 425 District Child Protection Teams have been trained on the Child Protection Management Information System in 17 Councils. Additionally, 77 social welfare officers in 6 Councils formed the national team on child protection management information system. These teams have been working collaboratively in prevention and responding to violence, abuse, neglect and exploitation in their respective locality.

142. In Zanzibar, 11 Districts have established child protection system units and 2 headquarters coordinate child protection. In this a total of 50 officers have been trained on child protection issues. Also total of 4 Shehia Committees trained Child Protection, volunteers and Officers from other MDAs and CSOs who deal with children's issues are involved in training.

143. The State Party has also developed a National Child Helpline in June 2015 and it is available toll-free across all networks in the country where various cases of violence, abuse, neglect and exploitation of children, where currently a total of 12,790 cases have been reported and referred to the respective locality for response. The State Party, through the MoHSW and in collaboration with UNICEF, has trained the national team on child helpline and is in the process to develop a national-based training manual for child help line staff. So far, Social Welfare Officers (SWOs) have been trained to manage the referral centres for 24 hours; whereby the Department of Social Welfare (DSW) ensures that the programme is wholly mainstreamed in government. Currently, the child helpline is being operated by the State Party in collaboration with C-SEMA, an NGO working on child protection. The child help line aims at reporting, supporting, and responding to violence against and, abuse, neglect and exploitation of, children.

144. In respect of Zanzibar, the State Party conducted a Study on Violence Against Children (VAC) that was launched in September 2011.⁸⁹ The study has informed the adoption of all subsequent strategies to address issues of child abuse and neglect in Zanzibar and the State Party has

⁸⁹ The launch of the VAC Report was graced by Honourable Ambassador Seif Ali Iddi (the then Second Vice President of Zanzibar) in the presence of Ms. Marta Santos Pais (the then Special Representative of the UN Secretary-General on Violence Against Children).

developed and established the actions: (i) the Child Protection Unit; (ii) a Multispectral Implementation Plan on Violence Against Children; (iii) Shehia District and Regional Committees dealing with Gender Based Violence and Children; (iv) Counselling Units under Department of Women and Children Development and Social Welfare; (v) One Stop Centre under the Ministry of Health at Mnazi Mmoja Hospital dealing with child victims of violence whereby Officers from Police, Lawyer, Counsellor and Medics; and (vi) National Guidelines for the Protection and Welfare of Children. The study also resulted in the adoption of the National Action Plan on Violence against Women and Children (NAP-VAWC I and II) for Zanzibar which has 8 areas of implementation namely Household Economic Strengthening,

(j) Other information on Measures to Protect Children with Special Needs

(i) Children with disabilities

145. The State Party has undertaken specific measures to strengthen the implementation of laws and policies on persons with disabilities (PWA), including children with disabilities (CWD). In this context, the National Guideline for Early identification of Children with Disabilities (2022) was developed and effectively implemented to help minimizing negative impact in life of CWDs. another success story is the awareness creation programmes conducted in collaboration with the media on stigma and exclusion.

146. Furthermore, the Inclusive Education Strategy (IES2012-2017) was reviewed in 2021. The new strategy (IES 2021/22-2025/26) ultimate goal is to ensure that all children including those with disabilities in Tanzania Mainland have equitable access to quality education in an inclusive environment. The Implementation plan for the strategy was developed in 2019 by the State Party in collaboration with inclusive education stakeholders. In Zanzibar, an Inclusive Education Policy has been prepared and is currently awaiting cabinet endorsement.

147. The State Party acknowledges the lack of a specific fund for implementing the National Strategy on Inclusive Education. Nevertheless, the implementation of programmes under the Education Sector Development Plan (2016/17-2020/21) financed by the education sector budget promote inclusive education. To this end, the State Party, based on the availability of funds, is ensuring that facilities for special needs education are procured (see Annex Table for SNE facilities). Furthermore, other inclusive education budgetary component is covered in other ministries on issues such as health and infrastructure. In addition, various stakeholders support the implementation of Inclusive Education Strategy. In 2018/19, the State Party proposed a new formula for calculating the Capitation Grant to students with disabilities as one measure of supporting inclusive education funding.

148. Specific measures have been taken to expedite the availability of the necessary infrastructure to accommodate children with different disabilities in public places in light of the Persons with Disabilities Act (2010). The State Party, through the Tanzania Building Agency (TBA), has issued directives to all contractors to ensure all constructed buildings have the necessary infrastructure to accommodate children with different disabilities. All District Councils have been directed to ensure that all newly constructed public buildings are accessible to people with disabilities. In addition, the State Party has established the Tanzania Rural and Urban Road Agency (TARURA) in 2017. TARURA is responsible for managing the development, rehabilitation, maintenance, axle road control, environmental and road reserve management of rural and urban roads for the socio-economic development of Tanzania. TARURA have managed to put road signs that support children with disabilities.

149. To challenge negative cultural norms about CWDs, the State Party collaborated with different stakeholders to raise public awareness under interventions outlined in the NPA-VAWC in both Tanzania Mainland and Zanzibar. Therefore, through collaboration with organizations advocating for the rights of persons with disabilities like the Tanzania Federation of Disabled People's Organizations (SHIVYAWATA), the organization for Intellectual Disabilities, associations of individuals with disabilities and mass media have conducted programs to raise awareness geared to change community negative attitudes and beliefs about disability. Moreover, the State Party celebrates and marks major international and regional days on disability such as the *Disability Day* (celebrated on the 3rd day of December of each year), the *White Cane Day* (celebrated on the 15th day of October of each year), the *World Braille Day* (celebrated on the 5th day of January of each year), the *International Albinism Awareness Day* (celebrated annually on 13 June) and *World Down Syndrome Day* (celebrated annually on the 21st March). these days, various activities and community awareness programmes are done both at the national and subnational levels to increase people's awareness about the exclusion and stigmatization of children with disabilities in all settings.

150. The establishment of schools with special need units (units attached to regular schools) is also an effort to address children with severe disabilities, stigmatization and exclusion of children in school settings. In Tanzania Mainland, in the period between 2013 and 2018, the number of schools with special need units in the country has increased from 377 to 561 schools distributed across 144 LGAs. In addition, 2485 mainstream schools in all 184 LGAs accept students with disabilities. Also, the number of special needs teachers has increased reaching 3,246 in 2024 of which 967 teachers are for children with autism and mental impairments. And for the year 2024 pupils /students with special needs enrolled within Tanzania Main Land were 1,989.

Table 8: Enrolment of Secondary School students with disabilities in Tanzania Mainland 2016-2020

Sex	Years								
	2016	2017	2018	2019	2020	2021	2022	2023	2024
Boys	20,000	23,000	19,962	24,024	19,897	17,766	22,711	23,243	21,765
Girls	15,000	17,000	25,229	20,711	22,843	19,356	20,564	20,171	20,675
Total	35,000	40,000	115,191	44,795	42,740	37,122	43,275	43,414	42,440

Source: BEST (2024).

Table 9: Enrolment of Pre-school Children with Disability in Zanzibar 2013-2018

Sex	Years								
	2016	2017	2018	2019	2020	2021	2022	2023	2024
Boys	3,416	4,388	3,502	3,676	3,876	3,901	4,807	3,454	3,988
Girls	3,818	4,681	6,404	6,438	6,490	6,534	6,604	5,897	4,980
Total Enrolment	7,234	9,069	9,906	10,114	10,366	10,435	11,411	9,351	8,968

Source: MoEVT.

(ii) Eliminating disparities in education and ensuring equal access to all levels of education and vocational training for the vulnerable

151. In Zanzibar, the State Party has focused on eliminating disparities in education and ensuring equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities. The focus also concentrates on building and upgrading education facilities that are child, disability and gender-sensitive provides safe, non-violent, inclusive and effective learning environments for all. Two key performance indicators that the Ministry of Education monitors in each district are the number of schools that have at least one teacher with training on alternative education and whether schools have met the standards of infrastructure that meets the needs of children with disabilities.

152. The State Party has continued to support the National Council for People with Disabilities in the Mainland. Through this support, the Council has established People with Disability Committees (PWD) in all 26 Regions in the Mainland, 130 Councils, 5,024 villages and 2284 towns. These Committees play a big role in community sensitization about disability at the grassroots level.

VII. HEALTH AND WELFARE

(a) Budget Allocation and Availability of Health Facilities and Trained Health Workers

153. The State Party, has progressively increased budget allocation on health to ensure increased access to quality health services as well as the availability of sufficient health workers in rural and urban areas. In Tanzania Mainland, the health sector budget has increased from 2.22 billion in 2017/18 to 1.3 trillion in 2024/25. Similarly, in Zanzibar budgetary allocation on health increased from 6.9% in 2013/14 to 7.7% of the GDP in 2024/25. On the part of human resources, additional health workers have been recruited in the public service. For instance, in 2024/25 alone, 1,031 health workers were employed in Tanzania mainland whereby 710 were posted to work under the LGAs and 321 were posted to public health facilities.

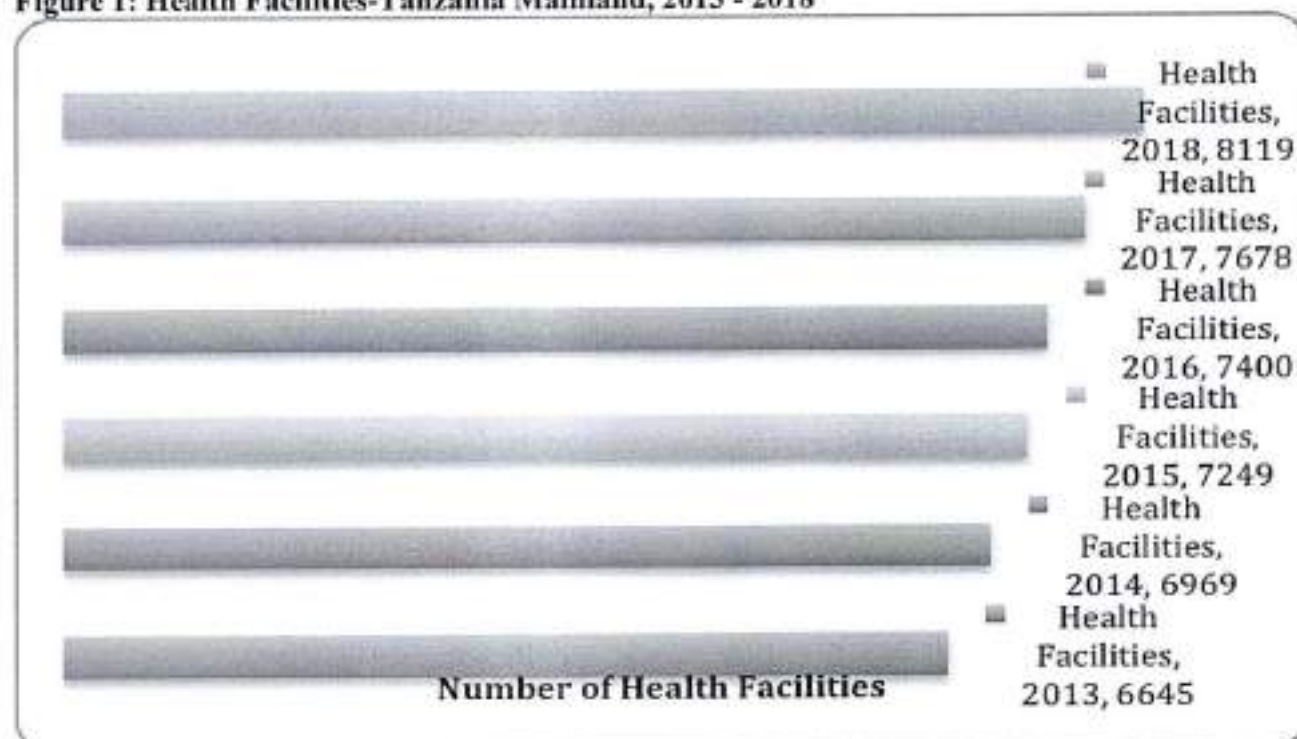
154. To ensure the availability of trained health workers, the State Party has increased number of enrolled students eliminating disparities in education and ensuring equal access to all levels of education and vocational training for the vulnerable in health colleges from 16,214 students in 2017 to 35,000 students in 2024. For two years consecutively, the State Party has surpassed its annual enrolment target of 15,000. Currently, enrolment stands at 123.6 %. Similarly, the State Party has granted sponsorship to 311 medical doctors worth 2 billion Tanzanian shillings.

155. The State Party is implementing the Direct Health Facility Financing (DHFF) programme from 2018 in all district councils in Tanzania Mainland. The programme aims to implement fiscal decentralization in the health sector while fostering health services improvement. The programme's goals are improving the structural quality of maternal and child health services by improving the services on these two groups, increasing accountability and governance in the health system at the primary healthcare level, increasing health system at the primary healthcare level, increasing health system responsiveness for patients who receive healthcare in the respective health facilities and improving health seeking behaviour and service utilization at the primary health facility level.

156. Considerable progress has been made to ensure appropriate health care for expectant and nursing mothers by accelerating the availability of child and maternal health clinics, access to safe and trained delivery services and the availability of trained health workers with necessary equipment. Health facilities in Tanzania Mainland have increased from 8,881 in 2020 to 9,366 in 2024 and health workers have increased from to 100,631 in 2025

157. In Zanzibar, the number of health facilities increased from 153 in 2013 to 177 in 2018. The increase has improved the availability of health services in rural areas that reduce distances for mothers and pregnant women. The number of births delivered in health facilities reached 66% and 63% in 2016 for Zanzibar and Tanzania mainland respectively.⁹⁰ This represents 50% increase compared to the data in the 2010 TDHS. In addition, more than half of all births (64%) were assisted by health professionals in the 2015-16 TDHS-MIS compared to 51% in the 2010 TDHS. Also, the state party rehabilitates and equips 352 primary health facilities so that they could perform Comprehensive Emergency of Obstetric and Newborn Care (Cemo NC).⁹¹ Similarly, medical supplies such as Depo-Provera vials, microvalsnorplant, intrauterine contraceptive device, Microgynon, oxytocin injection vials and magnesium sulphate vials were distributed to health care facilities.

Figure 1: Health Facilities-Tanzania Mainland, 2013 - 2018



Source: NBS- Economic Survey Book (2018).

158. In its previous Concluding Observations, the Committee urged the State Party to devise strategies to address the urban-rural disparities in the accessibility and quality of health care centres by children (para. 26). In response, the State Party has undertaken the following measures to address

⁹⁰ Source: Tanzania Demographic and Health Survey (2022).

⁹¹ Source: MoHCDGEC Budget Speech 2018/19.

the urban-rural disparities in the accessibility and quality of health care centres by children:

158.1 In Zanzibar, the State Party makes sure that equal access to health services by children is crucial and has potential in the livelihood of all people in Zanzibar, especially children. To ensure that it adequately addresses the urban-rural disparities in the accessibility and quality of health care centres by children, the State Party has built a total of 10 District Hospitals (one in each district), 1 Regional Hospital in each Region, and 142 health centres and dispensaries. The State Party has also improved health services facilities in these hospitals, health centres and dispensaries.

159.2 In Tanzania Mainland, the State Party has built Zonal Referral Hospitals in every Zone, Regional Referral Hospitals and Regional Hospitals in every Region, District Hospitals in every District, health centres and dispensaries in all wards. The State Party has also recruited health care workers and deployed them to these hospitals, health centres and dispensaries. This has helped in making sure that in both rural and urban areas there is availability of health facilities and services and children equally access them without any impediments.

160. In its previous Concluding Observations, the Committee also urged the State Party to ensure the enrolment of more families in the health insurance schemes in rural areas (para. 26). The State Party has undertaken the following measures to ensure the enrolment of more families in the health insurance schemes in rural areas:

160.1 In Zanzibar, the State Party has enacted the Health Insurance Act, which ensures, *inter alia*, the enrolment of more families in the health insurance schemes in rural areas. The State Party has started implementing this law with all government healthcare workers, ensuring uniform standards without distinction between rural and urban populations. This service is accessible and understood by all. Additionally, the initiative prioritizes vulnerable children, providing access to health services, including specialist doctors, diagnostic services, and medical advice. In addition, in 2023, the State Party enacted the Zanzibar Health Services Fund Act⁹² that aims at, *inter alia*, improving health services for every person (including children) in Zanzibar. In addition to these legislative measures, the State Party has conducted public awareness-raising on the Zanzibar Health Services Fund Act in both public and private sectors. A total of 19 ministries and 8 public corporations were reached during the awareness-raising campaign. The initiative aims to encourage volunteers to join the Health Fund Services under the various packages offered by the Fund. The response from public services workers is very nice and huge in receiving the services.

160.2 In Tanzania Mainland, in 2023, the State Party repealed the 2007 National Health Insurance Act and replaced it with the landmark Universal Health Insurance Act (UHA).⁹³ Under the UHA, all persons (including children in both rural and urban areas) in Tanzania are mandated to have at least a minimum level of health insurance coverage,⁹⁴ from the National Health Insurance Fund or from other approved providers.

(b) Reducing Maternal and Child Mortality

161. In Zanzibar, Kangaroo Mother Care (KMC) interventions have been conducted in 5 hospitals and supportive supervision, mentoring and coaching of staff are also undertaken relatively regularly. Medical staff have been trained on the provision of Basic Emergency Obstetric and Newborn Care (BEmONC) services at Primary Health Care Units (PHCUs) level. Furthermore, 45 PHCUs providing these services have been strengthened in terms of logistics, procurement of

⁹² Act No. 1 of 2023.

⁹³ Act No. 13 of 2023.

⁹⁴ *Ibid*, Sections 4 and 5.

equipment, drugs and supplies, renovation and deploying the required staff. Moreover, guidelines and strategies have been developed such as the Zanzibar Reproductive, Maternal, Newborn, Child and Adolescent Health Strategic Plan 2019-2024.

162. In Tanzania Mainland, a National Antenatal Care Guideline, 2018 was developed to necessitate pregnant women to attend 8 ANC contacts instead of 4 visits as it was outlined in the previous ANC guideline (FANC) 2015. Various measures have been undertaken to reduce infant and under-five mortality rates through implementing programs to improve reproductive and child health care. Implementation of the programs encouraged many pregnant women to attend the clinic where the number of pregnant women attending the clinic until the fourth antenatal care visit increased from 42 % in 2016 to 46 % in 2017 and those who received IPT2 to prevent malaria increased from 60.4 % in 2016 to 65.9 % in 2017. The decline in childhood mortality can be attributed to continued improvement in the health sector, especially in the areas of maternal and child health, with specific references to vitamin A supplementation, immunization and malaria prevention initiatives.

163. The State Party is also implementing a campaign on reducing maternal and child mortality rate, inaugurated by Vice President of the then Tanzania (now President of the then Tanzania) Hon. Samia Suluhu Hassan in November 2018. The campaign is popularly known as *Jiongeze Tuwavyushe Salama* requiring all 26 Regional Commissioners in mainland to sign an MoU pledging to fight maternal deaths and the under- five-child mortality in all levels of their administrative jurisdiction and report back.

(c) Improving Children's Nutrition Status

164. The State Party, is committed to improving children's nutrition status as indicated in the Five-Year Development Plan II 2016-2021. The plan contains a number of key nutritional targets to improve maternal, infant and young child feeding practices. In Tanzania mainland, a National Multi-sectoral Nutrition Action Plan (NMNAP) 2016-21 has been developed and operationalized to address the critical nutritional needs among children. The second NMNAP 2022-2026 sets out a coordinated multi-sectoral approach to nutrition that involves nutrition specific interventions on matters such as maternal, infant, young child and adolescent nutrition, and management of micronutrient deficiencies and integrated management of acute malnutrition. Further, 87 per cent of all district nutrition officers and 60 per cent of regional nutrition officers were trained in order to strengthen their capacities on the management of nutrition programs. In addition, all districts and regions in Tanzania Mainland have established Regional and Council Multisectoral Nutrition Steering Committees. These committees are well established to coordinate Multisectoral efforts to address nutritional challenges.

165. To operationalize the national nutrition strategy, the State Party collaborated with 163 stakeholders to complement the government's effort to address malnutrition in the country. Among the nutrition programs that are implemented by stakeholders in Tanzania those aimed at Promotion of Sustainable, Healthy Diets and Behaviour Change Strategies for Improved Diets and Better Nutrition, vitamin A supplementation and implementation of Child Health and Nutrition Months among others (see **Figure 2** below).

Figure 3: Budget allocation for nutrition in 2017/18 to 2020/21

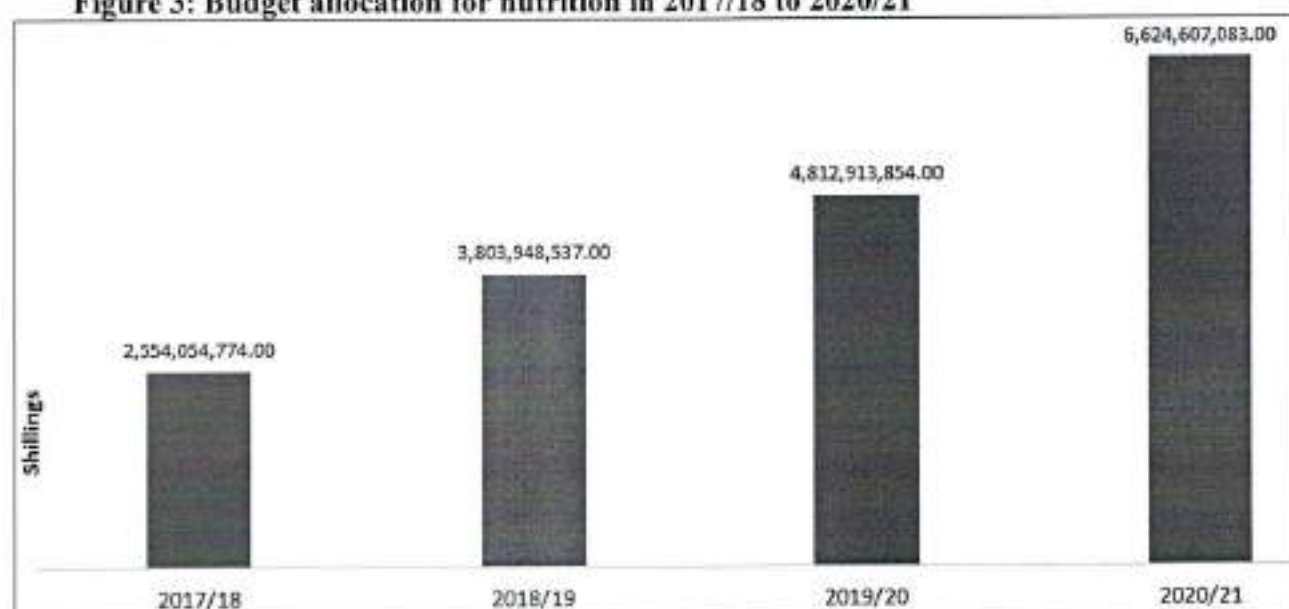


Figure 1: Funds spent by Local Government Authorities to cater for Nutrition Interventions (Source: Joint Multisectoral Nutrition Review, 2021)

166. In 2018, the State Party conducted the National Nutrition Survey using SMART methodology in 26 regions in Tanzania mainland and 5 in Zanzibar. The survey showed a marked improvement in the prevalence of stunting among children less than five years. From 2014-2018 chronic malnutrition or stunting was reduced from 34.4% to 31.8%.⁹⁶ Vitamin A coverage has also stabilized, with 97.2 percent (8,015,463 children) receiving the supplements in July 2018 and 97 percent (8,305,565 children) in December 2018, among all children aged 6 and 59 months.

167. In Zanzibar, the State Party launched the Multi-Sectoral Nutrition Action Plan 2019-23. The plan guides nutrition interventions in Zanzibar. The aim is to coordinate the Government's efforts in providing nutritional needs to children, including those who are vulnerable, which includes the provision of vitamin A supplements.

(d) Safe Drinking Water and Adequate Sanitation

168. To improve access to safe drinking water and adequate sanitation, the State Party continues to implement the National Water Policy 2002 through various programmes such as the Water Sector Development Programme (WSDP) II 2014/2015-2018/2019 that strive, among other things, to increase access to safe and clean water to all. Budget allocation to the water sector has increased in the period between 2007 and 2018. The State party allocated and spent 1,364 million USD to finance WSDP I (2007 – 2014). The implementation of WSDP II will cost 3,275,386 million

⁹⁶ Ministry of Health, Community Development, Gender, Elderly and Children (MoHCDGEC) [Tanzania Mainland], Ministry of Health (MoH) [Zanzibar], Tanzania Food and Nutrition Centre (TFNC), National Bureau of Statistics (NBS), Office of the Chief Government Statistician (OCGS) [Zanzibar] and UNICEF. 2018. *Tanzania National Nutrition Survey using SMART Methodology (TNNS) 2018*. Dar es Salaam, Tanzania: MoHCDGEC, MoH, TFNC, NBS, OCGS, and UNICEF.

USD. For rural households in Tanzania Mainland, less than half (48%) in 2016 obtained drinking water from improved water sources. Nevertheless, the percentage of households accessing water sources in urban Tanzania Mainland dropped from 86% in 2016 to 78% in 2017. The drop is attributed to increased urban population and depreciation of water supply infrastructure. The State Party is currently implementing projects to improve water supply infrastructures to reduce water waster.

169. In 2018, the State Party continued to implement rural water projects through the Water Sector Development Program II, aimed at increasing the availability and access to water in rural areas. As of December 2018, construction of 1659 water infrastructure projects was completed and 482 projects were at different levels of construction. These projects include the rural water supply and sanitation project, strategic projects, expansion and rehabilitation of water infrastructure projects as well as projects sponsored by Development Partners. During that period, constructed water infrastructure had a total of 131,370 water points capable of serving 32,842,500 people, equivalent to 83.9% of the rural population. Out of those, 86,780 water points are operational and serve 25,659,290 people equivalent to 64.8%.

170. Use of improved non-shared toilet facilities has increased from 13% in 2010 to 19% in 2016.⁹⁷ In 2018, households with improved toilet facilities were 45.7%. Although more efforts are needed, the percentage of households lacking toilets is declining. Households with hand washing facilities (water and soap) increased to 19.5% in 2019 compared to 14.5% in 2018⁹⁸.

171. Recognizing the importance of the availability of safe drinking water, dignified sanitation, and appropriate hygiene practices in schools, the Government of Tanzania developed National Guidelines for Water, Sanitation, and Hygiene in Schools in 2016. This was followed later that year with the development of School WASH Guidelines for Zanzibar. The two sets of guidelines are comprehensive documents that articulate the standards for a full package of school WASH including infrastructural facilities (sex-separated toilet blocks, development of safe drinking water supplies, installation of group hand washing stations and special rooms for menstrual hygiene management for adolescent girls). The presence of a full package of school WASH is an important enabler in improving the overall learning environment. The two guidelines also provide for the establishment of school WASH clubs in which participants learn about improved hygiene practices and disseminate this to other pupils through peer interaction. As a result of these guidelines, the Government of Tanzania and partners have initiated a programme of school WASH improvements in which several hundred schools have already been provided with a full package of school WASH facilities. Availability of sanitation facilities for children in schools (primary and secondary) has improved by 10.3% from 238,373 facilities in 2016 to 264,458 facilities in 2020.⁹⁹

172. The provision of WASH in healthcare facilities has equally been a priority for the State Party. In this regard, the State Party prepared the National WASH in Healthcare Facility Guidelines in 2017. The guidelines provide a framework to guide WASH developments in healthcare facilities to curb hospital acquired infections caused by inadequate or absent WASH facilities. In recognition of the high incidence of sepsis which contributes to the high maternal and neonatal morbidity and mortality, the guidelines emphasize protocols for use in the prenatal, delivery, and postnatal wards.

⁹⁷ United Republic of Tanzania, *Tanzania Demographic and Health Survey 2010 and 2015-16 Demographic and Health Survey and Malaria Indicator Survey*.

⁹⁸ Ibid.

⁹⁹ MoEST Budget Speech, 2019/2020.

173. Moreover, SWASH projects have been implemented under the auspices of the National Environmental Health, Hygiene and Sanitation Strategy (2008 – 2017), the National Sanitation Campaign Implementation Guideline 2014 and the National Strategic Plan for School, Water, Sanitation and Hygiene (SWASH) 2012-2017. These projects, programs and activities have significantly improved latrines and wash facilities in schools, health facilities and market areas. A good example is the national campaign under the theme “*Usichukulie Poa Nyumba ni Choo.*” This campaign has addressed the problem of open defecation and other hygiene issues by awareness creation. So far, 617,100 households have upgraded their toilet facilities or constructed new ones and 305,724 households have built designated places for hand washing. In Zanzibar, in collaboration with UNICEF, the State Party from 2013/14 to 2017/18, constructed toilets and installed water facilities to 39 schools in both Pemba and Unguja.

174. The State Party has continued to mainstream the Human Rights Approach in the formulation and implementation of policies, strategies and programs relating to the reduction and elimination of preventable mortality and morbidity of children under 5 years of age. In doing so, the State Party has regularly consulted technical assistance from the Office of the High Commissioner for Human Rights, UNICEF, WHO and others.

(e) HIV/AIDS

175. The State Party has intensified efforts to prevent mother-to-child HIV transmission by counselling, testing, and offering antiretroviral (ARVs)¹⁰⁰. PMTCT services are now available in almost all of the reproductive health centres 96 % in Tanzania Mainland. In 2017, 1,967,260 pregnant women were counselled and tested for HIV whereas 79,242 women, equivalent to 4% were tested HIV positive. Out of those tested HIV positive, 79,240 women equivalent to 99.9% of HIV-positive women were given antiretroviral (ARVs). In addition, a total of 72,960 children equivalent to 92% were tested for HIV, whereby 2,918 children equivalent to 4.0% were HIV positive. Generally, it is estimated that HIV transmission from mother to child has decreased to 4.9 % in 2017 from 12% in 2011. In 2018, a total of 2,196,001 pregnant women, equivalent to 97.2 % of 2,260,123 pregnant women were counselled and tested for HIV. Out of those, 78,238 women, equivalent to 3.6 % were tested HIV positive. Further, a total 54,840 children equivalents to 70% were tested for HIV, whereby 1865 children equivalent to 3.4% were HIV positive. The State Party is on the right trajectory to attain a goal of eradicating mother-to-child HIV transmission to below 2% in 2021.¹⁰¹ Achievements of all these, have been largely contributed by the implementation of several policies, strategies and plans related to HIV prevention such as the third Health Sector HIV and AIDS Strategic Plan 2013-2017, third National Multi-sectoral Strategic Framework for HIV/AIDS 2013/14 – 2017/18 and fourth Health Sector HIV and AIDS Strategic Plan 2017 – 2022.

176. In Zanzibar, a Guideline on Prevention and Treatment of HIV/AIDS 2017 was developed to provide the procedures and technicalities on dealing with provision of PMTCT services provision of PMTCT services expanded from 159/164 (97 %) in 2015 to 168/171 (98 %) in 2017. percentage of pregnant women getting ART has increased from 51.9 % in 2015 to 87.7 % in 2017. To strengthen provision of PMTCT services, Zanzibar developed Similarly, the Zanzibar National HIV and AIDS Strategic Plan III (2016-2021) on HIV and AIDS was developed to scale up coverage and quality of services in order to meet both the 90-90-90 targets. In 2019/20 45,331 pregnant

¹⁰⁰ Data presented under this part are according to Tanzania HIV Index Survey 2014-2017. Collection of data for new HIV Index Survey is expected to start in March 2022 and the final report will be issued in January 2023.

¹⁰¹ The Economic Survey Book (2018).

women were tested on HIV among them 84 (0.2) were found HIV positive Out of 233 children who were born with mother with HIV/AIDS 3 among them were found positive. Moreover, the Government in collaboration with ZAPHA+ continue to provide awareness on prevention and response services on HIV/AIDS for pupils at several school whereby a total of 448 (198 male and 280 female) were reached.

177. In Zanzibar, ZAPHA + provides a conducive environment to the rights of survival for children living with HIV, by providing food and fare to access monthly services at CTCs whereby 21(male 2, female 19) children benefited in 2019/2020. Furthermore, Zanzibar through ZAPHA+ implementing a mother- mentors approach to health facilities with high number of HIV positive women. The mentor makes follow-ups of mother infant pair for early initiation of ARV, helping in disclosure, adherence and early infant testing. Special adolescent clinics and treatment centres were introduced in 2017 to provide HIV care and treatment free of charge. Adolescents' clubs have also been introduced to disseminate awareness about sexual and reproductive health among peers as well as to provide counselling services.

(f) Adolescent health

178. The State Party has continued to undertake legal, policy and administrative measures State Party has adopted the Nation Roadmap Strategic Plan to Improve Reproductive, Maternal, Newborn, Child and Adolescent Health (2016-2020) One Plan II, the National Adolescent Health and Development Strategy 2018-2022 and the Health Sector HIV and AIDS Strategic Plan (HSHSP IV) 2017-2022. The operationalization of the above-mentioned plans has resulted in interventions aiming to raise awareness on SRH to prevent HIV/AIDS, other Sexually Transmitted Diseases (STIs) and reduce teenage pregnancy. Zanzibar continues to implement the Multi-Sectoral Strategic Framework for HIV and AIDS III (2013/14-2017/18). One of the interventions is the provision of quality comprehensive sexuality and life skills education in primary, secondary and tertiary education institutions through the core curriculum. In this regard, HIV/AIDS issues have been mainstreamed in the syllabus from primary to ordinary secondary school. The measure is a mechanism to reduce teenage pregnancies and subsequently maternal death relating to teenage abortions.

179. In Zanzibar, the State Party has developed the Adolescent and Reproductive Health Strategy 2014- 2018 to guide service provision for adolescents' health at Youth Friendly Services Centres. Services that are provided include information and counselling on reproductive health, sexuality and safe sex, testing services (Sexually Transmitted Infections, VCT and pregnancy), focused antenatal care, care during childbirth, post-natal care, post abortion care, condom etc). Currently there are 11 Youth Friendly Services Centres that provide training to youth from 5 years. Youth Friendly services have also been integrated with the Health Management Information System. Furthermore, a Training of Trainers (TOT's) was conducted to public primary school teachers and currently almost all-public primary school has a teacher trained on Sexual and Reproductive health education.

180. Accessibility of contraceptives in public health facilities has increased. In 2017, for Tanzania Mainland, the State Party purchased and distributed medicines and contraceptives as follows: 2,986,853 Depo-provera vials; 19,357 microvals; 227,976 norplant; 61,599 intrauterine contraceptive devices; 28,953 emergency contraceptives; 209,050 jadelle; 1,500,000 microgynon; 6,902,646 male condoms; 61,599 female condoms¹⁰².

¹⁰² The Economic Survey Book (2018).

181. Nevertheless, despite increased accessibility to contraceptives and increased knowledge on contraceptives adolescent pregnancy has remained one of the key reasons for dropout in both primary and secondary schools. Available data shows that the number of girls dropping out of primary education because of pregnancy in 2017 (1,040) is four times than in 2013 (246).¹⁰³

182. Access to information is key to enable young people to make informed decisions on sexuality issues. In this respect, the State Party collaborates with various stakeholders to raise awareness among girls, boys and men and women through the *Mimi ni Msichana Najitambua Elimu Ndiyo Mpango Mzima* Campaign launched in October 2017 and reached 2.4 million pupils and students, DREAMS which stand for Determined, Resilient, Empowered, AIDS-Free, Mentored and Safe (a Public-Private Partnership) is implemented by TACAIDS. It aims at reducing rates of HIV among Adolescent Girls and Young Women (aged between 10 and 24 years) in the highest HIV Burden regions in Tanzania. The program has reached 150,000 AGYW in the regions of Kagera, Shinyanga, Mwanza, Mbeya and Iringa. The core package of DREAMS aimed at empowering AGYW reduce risk through youth-friendly reproductive health care and social asset building, mobilizing communities for change with school and community based HIV and violence prevention, reduce risk of sex partners through PERFAR programming, including HIV testing, treatment and voluntary medical male circumcision and strengthen families with social protection (education subsidies, combination socio-economic approaches) and parent/care givers programs. Timiza Malengo programme, which was launched in 2018 with a focus on Adolescent Girls and Young Women as well as Adolescent Boys and Young Men. The programme is implemented in Morogoro, Singida, Dodoma, Geita and Iringa Regions with a target of reaching 1 million AGYW and 1million ABYM by 2022 (aged between 10 and 24years old).

(g) Early identification of children with disabilities and their accessibility to health services

183. In its previous Concluding Observations, the Committee urged the State Party to ensure early identification of children with disabilities (CWDs) and provision of health support to such children (para 27). The State Party has enacted the Persons with Disabilities Act (2010) applicable in Tanzania Mainland and the Disability Act (2022)¹⁰⁴ applicable in Zanzibar. These laws provide, *inter alia*, that relevant health facilities and experts should ensure early identification of CWDs. The State Party has also established dedicated health personnel to conduct early identification of CWDs. The Zanzibar Disability Act (2022) establishes the Zanzibar National Disability Council to coordinate all disability-related matters, protect the rights and responsibilities of persons with disabilities, and oversee the implementation of conventions on the rights of persons with disabilities.

184. The Committee also urged the State Party to ensure that health care facilities are accessible to CWDs (para. 27). In response, the State Party has ensured that; all infrastructures and facilities in the existing hospitals, healthcare facilities and dispensaries are child-friendly and accessible by CWDs in light of the Persons with Disabilities Act (2010) applicable in Tanzania Mainland and the Disability Act (2022) applicable in Zanzibar. The State Party has also ensured that; in all hospitals and healthcare settings, health care workers are trained to serve CWDs and provide them with support through sign language and communication equipment tailored to their needs. In addition to these legislative and administrative measures, the State Party has continued conducting

¹⁰³ BEST (2017).

¹⁰⁴ Act No. 8 of 2022.

public awareness-raising efforts to members of the public to uphold the rights of CWDs, promoting gender equality and ensuring that no one is left behind in the provision of services.

185. Moreover, the Committee urged the State Party to ensure that the special needs of CWA are integrated in health care policies (para. 27). Apart from the foregoing policy, legislative and administrative measures, the State Party has integrated in its health care operations the provision of sunscreen lotion in the essential medicine lists and the same is freely accessible to CWA. There is free consultation and screening services through 39 Dermatologists at tertiary and secondary hospital levels and 94 Community Dermatology officers at Secondary and primary levels offering free oncology services in Tanzania Mainland.

VIII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

186. During the period under report, the State Party continued to undertake policy, legislative, judicial, administrative and other measures to implement Articles 11 and 12 of the Charter that respectively guarantee the child's rights to education (including vocational training and guidance) as well as to leisure, recreation and cultural activities.

(a) Policy, Legislative and Administrative Measures

187. As stated in Part II, paras. 10-15 above, one of the policy measures undertaken by the State Party in the period under report is the revision of the Education and Training Policy (2014) in 2023, which strives to address emerging challenges and align it with national and international educational objectives. The 2023 edition of the Education and Training Policy outlines comprehensive strategies to overcome existing educational challenges, enhance quality, and ensure the system's relevance to the dynamic socio-economic landscape, ultimately aiming for a well-educated and skilled Tanzanian child and the population at large by 2025. In Zanzibar, the State Party is reviewing the Child Policy so as to improve the implementation of child rights and bring about gender equality amongst children. In 2018, the State Party also reviewed and revised the Zanzibar Education Policy (2006) to formalize free and compulsory basic education of 12 years, including 2 years of pre-primary education.

188. In its previous Concluding Observations, the Committee urged the State Party to revise its school policies that allow schools to expel pregnant and married girls as well as prosecute the perpetrators such discriminatory acts; [para. 28(d)]. In addition, in 2022, the Committee held the same position in *CRR & LHRC v. Tanzania*.¹⁰⁵ In response, the State Party has undertaken the following measures:

188.1 In Tanzania Mainland, the State Party has undertaken the following measures to revise its school policies that allow schools to expel pregnant and married girls as well as prosecute the perpetrators of such discriminatory acts:

- (i) As stated in Part II paras. 10-15 above, in 2023, the State Party revised the Education and Training Policy (2014) (now the 2023 Edition) by particularly introducing a policy statement which stipulates that: 'The Government will create conducive environment which allows all children to complete their education without hindrance';
- (ii) The State Party has issued a special Education Circular No. 02 of 2021 sanctioning re-entry to school for primary and secondary school students who dropped out of school for various reasons, including marriage and pregnancy;¹⁰⁶ and
- (iii) Currently, the State Party is reviewing the Education Act and its Regulations to accommodate the foregoing policy and administrative measures.

188.2 In Zanzibar, the State Parties continue to implement the Spinsters and Single Parent Children Protection (2005),¹⁰⁷ which allows impregnated school girls to be reinstated back to school

¹⁰⁵ *Center for Reproductive Rights (the Center) & Legal and Human Rights Centre of Tanzania (LHRC) v. United Republic of Tanzania*, ACERWC, Communication No. 0012/Com/001/2019, Decision No. 002/2022 ('*CRR & LHRC v. Tanzania*'). Cf. *Tike Mwambipife & Equality Now v. United Republic of Tanzania*, Application No. 042/2020, Ruling on Jurisdiction and Admissibility dated 1 December 2022 ('*Tike & EN v. Tanzania*').

¹⁰⁶ Education Circular No. 2 of 2018 allows school administrators (for primary and secondary schools) to let students repeat a class if they are not performing well academically.

in 'the next academic year following their delivery or at any time deemed most appropriate by the education authority, but not exceeding two academic years.¹⁰⁸

189. The Committee also urged the State Party to curb the increasing number of pregnancies by girls during school by incorporating life skills sessions in the education curriculum, and by taking measures against those who impregnate and marry girls [para. 28(e)]. In response, the State Party has undertaken the following measures:

189.1 In Tanzania Mainland, the State Parties continue to implement the Education (Imposition of Citation Penalties to Persons who Marry or Impregnate a Schoolgirl) Rules (2003).¹⁰⁹ Rule 3 of these Rules obliges every head of school to 'ensure that every school girl enrolled in a school¹¹⁰ regularly attends and completes the period of instruction specified in respect of the level of education for the attainment of which she is enrolled.' The Rules also criminalizes the act of a person who impregnates, aids, abates, or solicits a school girl to marry while pursuing primary or secondary education.¹¹¹

189.2 The State Party has amended the Education Act (applicable in the mainland) to impose a minimum prison sentence of 30 years for anyone who impregnates or marries a school girl.

189.3 The State Party has also introduced the National Accelerated Action and Investment Agenda for Adolescent Health and Well-being (NAIA) for 2021/22 to 2024/25, which aims to improve the health and well-being of adolescents.

190. The Education and Training Policy (2014), which is applicable in Tanzania mainland, provides for tuition-free education to all children of school-going age. This has necessitated the increase in the enrolment of pupils for pre-primary education by 33% from 1,069,823 pupils in 2015 to 1,422,868 pupils in 2018.¹¹² Enrolment for primary education reached 10,111,671 pupils in 2018 from 8,222,667 pupils in 2014, a 22.9% increase.¹¹³ Net enrolment rate for secondary school education (1-6) decreased from 28.8% in 2013 to 27% in 2017.¹¹⁴ Net enrolment for pre-primary education increased from 35.5% in 2013 to 39.9% in 2018 while primary school net enrolment rate increased from 85.6% in 2016 to 91.1% in 2018.¹¹⁵

191. In Zanzibar, through the revision of the Education Policy (2006) in 2018 that allows free and compulsory basic education of 12 years including 2 years of pre-primary education, enrolment in primary education has increased by 12% reaching 276,858 pupils in 2018 from 247,353 pupils in 2013.

¹⁰⁷ Act No. 4 of 2005.

¹⁰⁸ Ibid, Section 4(2).

¹⁰⁹ G.N. No. 265 of 2003.

¹¹⁰ Under Rule 2 of the Education (Imposition of citation Penalties to Persons who Marry or Impregnate a Schoolgirl) Rules (2003), a "school" means a primary or secondary school.

¹¹¹ Ibid, Rule 4.

¹¹² BEST Report (2018).

¹¹³ Ibid.

¹¹⁴ Ibid.

¹¹⁵ Ibid.

192. The State Party has undertaken administrative measures to ensure the elimination of hidden costs of compulsory education such as, contributions for study tours, desks, food and laboratory services. In 2015, Education Circular No. 5 (on the implementation of the Education and Training Policy, 2014) was issued banning all unofficial contributions in schools. It directed all heads of primary and secondary schools to ensure that education is free to all children. The Circular, among other things, removed all forms of education-related fees and contributions for pre-primary, primary and secondary school pupils. Furthermore, the State Party continues to take administrative and legal measures against heads of schools who contravene these government directives.

(b) Budgetary Allocation

193. In its previous Concluding Observations, the Committee urged the State Party to increase budgetary allocation for the education sector to at least substitute the revenue that was collected in the form of fees [para. 28(a)]. In implementing this recommendation, the State Party has undertaken the following measures:

193.1 In Zanzibar, the State Party has increased the budget allocated to the education sector from TZS 265,549,743,000 in FY 2021/2022 up to TZS 800,830,955,702,000 in FY 2024/2025. It is estimated that the budget for FY 2025/2026 will add up to 1 trillion Tanzanian shillings to improve education services by capacitating the capacity of teachers and procuring teaching material.

193.2 In Tanzania Mainland, the State Party has been spending 20.8 billion Tanzanian shillings to support tuition free education each month. It has also continued to issue capitation grant of TZS 10,000 per primary school pupil and TZS 25,000 per secondary school student in Tanzania Mainland. Consultations are ongoing to increase the amount of capitation grant per child. In Zanzibar, a capitation grant for every secondary student is TZS 32,000. The State Party continues to prioritize education sector budget in the total national budget. In addition, the education grant provided monthly by the State Party since the start of this programme in the 2015/16 fiscal year has increased from 13.46 billion shillings to 33.30 billion shillings per month in FY 2023/24, which is equivalent to an increase of 147.26%.

(c) Enhancing accessibility to education facilities and improving facilities in schools

194. In its previous Concluding Observations, the Committee urged the State Party to build more secondary schools to make them accessible in rural areas where vulnerable families do not have the means to pay for transport to send their children to further located secondary schools [para. 28(b)]. In implementing this recommendation, the State Party has undertaken the following measures:

194.1 In Zanzibar, the State Party has undertaken the following measures to make schools accessible to all children, particularly in rural areas:

- (i) It has built 19 new school flats (12 in Unguja and 7 in Pemba), all equipped with special facilities for children with disabilities. This helps to reduce the number of students in the classroom and shift sessions; and
- (ii) It has installed in all new schools all facilities that are required according to the concluding observation such as water, electricity, ramp, and latrine services for girls and for children with disabilities in all schools of Zanzibar as follows:

Total of Public schools Pre-primary = 67
Primary = 328

Basic	=	5
Secondary	=	217
Total	=	617

PRIVATE SCHOOLS

Pre-primary	=	282
Primary	=	299
Basic	=	92
Secondary	=	19
Total	=	692

The total number of public and private schools is 1309.

Total number of student Government = 503,331

Private	=	117,278
Total	=	620,609

Total number of teachers: -		
Government	=	15,529
Private	=	7,669
Total	=	23,196

194.2 In Tanzania Mainland, the State Party has undertaken the following measures to make schools accessible to all children, particularly in rural areas:

- (i) It has developed two National School Construction Guidelines that guide on construction of classrooms (2021) and latrines (2016) that accommodate persons (including children) with disabilities in all schools in Tanzania Mainland. This has led enrolment of students with disabilities to increase from 42,783 in 2017 to 74,295 in 2023 for primary education, while in secondary school increment has increased from 8,778 in 2017 to 16,120 in 2023;¹¹⁶
- (ii) In 2017, the number of primary schools was 16,014, while in 2024 there was a total of 17,986 government schools, representing an increase of 10.9%. For secondary schools, in 2017 there were 3,604 schools, and in 2024 there were 4,894 schools, which is an increase of 26%;¹¹⁷
- (iii) In 2017, the number of primary schools was 16,014, while in 2024 there were a total of 17,986 government schools, representing an increase of 10.9%. For secondary schools, in 2017 there were 3,604 schools, and in 2024 there were 4,894 schools, which is an increase of 26%;¹¹⁸

¹¹⁶ BEST Reports (2017) and in (2023).

¹¹⁷ Ibid.

¹¹⁸ Ibid.

- (iv) In its efforts to ensure that children living in poverty and in rural areas do not travel long distances to schools, the State Party has established a total of 1,040 temporary and permanent satellite schools in Tanzania Mainland;¹¹⁹
- (v) Measures have been taken to improve the infrastructure and accessibility of transport by pupils in rural areas; and
- (vi) The State Party, through the MoEST, has issued a guideline requiring all programmes and projects in the education sector to allocate 70 % of their budget on infrastructure development. Establishment of TARURA is another State Party's effort to improve the availability of passable roads that connect rural communities with schools.

195. In its previous Concluding Observations, the Committee urged the State Party to provide water supply and appropriate sanitary materials to girls from vulnerable families during their menstruation cycle [para. 28(h)]. The State Party has constructed 24,066 latrines in primary schools and 16,795 latrines in secondary schools. Furthermore, the State Party, in collaboration with the Tanzania Menstrual Health and Hygiene Coalition ('the TMHH Coalition') and other Stakeholders, distributes sanitary pads to various schools across the country, especially in schools located in rural areas.

196. The Committee also urged the State Party to formulate school feeding and other support mechanisms in vulnerable communities to ensure that children attend school instead of engaging in child labour to support their families [para. 28(i)]. In response, in 2020, the State Party adopted the School Feeding Guidelines for all schools. Furthermore, a school meal coalition has been established with the purpose of assisting vulnerable families to access food whereby different stakeholders contribute food to children who come from vulnerable families. This, in turn, has reduced the school dropout, specifically those who come from vulnerable communities.

(d) Measures to Strengthen Vocational Training

197. The State Party has taken measures to strengthen vocational training institutions by increasing funding. Efforts have been directed towards scaling up the establishment of Vocational Education Training Authority (VETA) centres at the district level while improving Post-Primary Vocational Training Centres. VETA centres have increased from 759 in 2013 to 887 in 2018; VETA -owned centres from 28 in 2014 to 32 in 2019. Enrolment of VETA trainees has increased from 159,345 in 2013 to 191,184 in 2018 and trained informal operators from 3,481 in 2015 to 10,007 in 2018. Enrolment in Folk Development Colleges (FDC) and Vocational Education Training Centres (VTC) has also shown a positive trend over the years. Available data indicate that enrolment has increased from 189,687 in 2013 to 196,091 in 2015 whereas at the same period graduates increased from 150,649 to 180,450.

198. In Zanzibar, in order to cater for school dropouts, two Alternative Learning Centres (ALCs) have been established which accommodate 31 alternative learning classes. The centres deal with students who drop out of schools for various reasons. So far, more than 7012 children have received alternative learning skills across all districts in Zanzibar. In Tanzania Mainland, Folk Development Colleges (FDCs) also serve as one of the alternative pathways for children and young people especially those who drop out of school including those who become pregnant during their school years. FDCs are strategically located in most parts of Tanzania, including rural areas. In these

¹¹⁹ The Satellite schools' assessment exercise is currently ongoing. Final data will be made available once concluded.

colleges young people learn vocational skills such as tailoring, masonry, carpentry, cookery and baking which enable them to acquire useful skills for self-employment and life sustenance.

Table 11: Alternative Learning Centres in Zanzibar 2016 to 2020

Year	2016	2017	2018	2019	2020	Total
Female	73	142	99			518
Male	274	434	234			1,474
Total	347	567	333			1,992

Source: MOEST.

Table 12: Alternative Learning Classes in Zanzibar 2016-2020

Year	2016	2017	2018	2019	2020	Total
Female	60	114	79			926
Male	221	350	185			2343
Total	281	464	264			3269

Source: MOEST.

(c) The child's right to rest, leisure and recreation

199. In its previous Concluding Observations, the Committee urged the State Party to give due consideration to the child's rights to play in its city plans and sensitise LGAs on the importance of allocating space for recreational activities in their respective regions (para. 29). In implementing this recommendation, the State Party has undertaken the following measures:

199.1 In Zanzibar, the State Party has carried out the following efforts to give due consideration to the child's rights to play in its city plans:

- (i) To ensure that cities and towns prioritize the establishment and operation of recreational activities for children, with a focus on their safety; the State Party has welcomed local investors to various areas of Zanzibar's cities;
- (ii) Between 2020 and 2021, three children's amusement parks were established: Karikoo Park, Zanzibar Park, and Tibizi Park in Pemba. Additionally, from 2022 to 2024, two recreational centres were added in the Western Urban Region of Zanzibar, located in Kisakasaka and Fumba; and
- (iii) Local Government Authorities (LGAs) emphasize the importance of allocating space for recreational activities in their respective regions, particularly during special events and celebrations. Areas are designated for leisure and business activities during occasions such as Eid al-Fitr, Eid al-Adha, and Christmas holidays. All events ensure the safety of children during these periods.

199.2 In the Mainland, the State Party has carried out the following efforts to give due consideration to the child's rights to play in its city plans:

- (i) The Central Government has issued an order to the District, Municipal, City and Town Councils instructing them to identify all public areas including recreational areas within Councils and provide reports to the portfolio Ministries responsible for land and local government;
- (ii) The Central Government has issued demolition orders to owners of the buildings that were constructed in the public recreation areas and open spaces; and

- (iii) The State Party ensured the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts by reserving 2213 playgrounds across the country in the Mainland.

(g) Adolescent education

200. In compliance with the Committee's previous Concluding Observations, the State Party has established programmes striving to ensure education for all adolescents in its jurisdiction. To this end, the Secondary Education for Out of School Adolescent Girls (SEOSAG) programme has been piloted in Tanga region and its districts whereby 700 girls have registered to continue with school. Moreover, an Integrated Programme for Out of School Adolescents (IPOSA) was established in eight regions in Tanzania mainland namely Dar es Salaam, Njombe, Kigoma, Iringa, Tabora, Dodoma, Mbeya and Songwe to train youth on vocational skills, life skills and entrepreneurship.). The program targets to reach 10,000 youths by 2021, so far 3,238 youth have been registered (1798 boys and 1440 girls). Additionally, the State Party is implementing Elimu Haina Mwisho-Skills Development program for Young Women through FDCs. This program involves young mothers along with their children. The objective is to impart skills for becoming self-employed, formally employed or to continue with education. So far, 569 girls have been trained for the period from 2017-2018.

(g) Improve the quality of teachers' training

201. In order to improve the quality of teachers' training, the State Party has developed the National School-Based Continuous Professional Development Framework. The framework aims to improve teaching quality by guiding and strengthening effective national implementation of in-service teacher training. Also, the State Party in collaboration with supporting partners is scaling up the School-Based National Primary In-Service Education Training Strategy (INSET). Furthermore, a National Framework for Continuous Professional Development for Practicing Teachers (NFCPDPT) was developed in 2017. In 2017, a total of 2,472 teachers underwent intensive in-service teacher training in Tanzania Mainland. In respect of Zanzibar, over 98% of all teachers in public schools have received in-service training from 2013 to 2018. Teacher-student ratio in Zanzibar for primary and secondary schools ranges between 1: 30 and 1:31 in period covering 2016 to 2018.

Table 13: Student-Teacher Ratios for Primary and Secondary Level Education (Standard 1 to Form 6) in Zanzibar 2018 (2019-2020?)

Year	Total		
	Students	Teachers	Students-Teacher Ratio
2016	368,306	11,995	31
2017	377,840	12,540	30
2018	403,882	13,160	31

Source: BEST Report (2017).

Table 14: Students Teachers Ratios for Primary and Secondary Level Education, Mainland 2014 – 2018(2016-2018)

Level/Year	2016	2017	2018
Primary	1:42	1:42	1:51
Secondary	1:17	1:18	1:21

Source: BEST Report (2018).

IX. SPECIAL PROTECTION MEASURES

(a) Children in situations of emergency:

(i) *Refugee Children and Children Involved in Armed Conflicts (Articles 22 and 25)*

202. The State Party, through the Ministry of Home Affairs and MoHCDGEC, remains committed to its international legal obligations in respect of the protection of refugees and asylum seekers. It has taken several measures (in collaboration with other supporting agencies such as UNHCR, UNICEF and humanitarian NGOs) to address cases of sexual violence, educational needs and basic assistance for children without family in the camps. These measures include the followings:

- (i) Integration of refugee children into child protection systems through deployment of 30 government trained SWOs in camps and hosting communities to support case management. In furtherance of this refugee child protection issues have been incorporated into the National Standard Training Manual for Child Protection;
- (ii) It has prioritized prevention, mitigation and response to sexual and gender-based violence (SGBV) through developing a National Action Plan that mainstreamed SGBV across all sectors. Thus, WASH, energy, shelter, education, environment and livelihood have been prioritized in refugee camps. A guideline for caring for child survivors of sexual abuse was introduced in Nyarugusu camp by UNHCR in 2016;
- (iii) It has strengthened awareness of and access to reporting mechanisms for sexual exploitation and abuse and access to legal, medical, and psychosocial assistance for SGBV survivors. Referral mechanisms and case management systems have been put in place to identify survivors of SGBV and provide care to mitigate the consequences of SGBV;
- (iv) Engaging community leaders and conducting sensitization programmes whereas in 2017, about 420 community leaders and 38,930 people were trained about SGBV. Nearly 73 per cent of the youth population in Nyarugusu participated in recreational and capacity-building projects, including adolescent sexual and reproductive-health awareness programmes; and
- (v) Through the support of UNHCR, more than 96 per cent of children in Nyarugusu Camp, of whom 52% are girls and 1% per cent are children with disabilities, attended primary school. The average water supply in both camps maintained at 33 litres per person per day, well above the minimum standard, while latrine coverage stood at more than 96 per cent. The health situation in the camps was remained stable, with both the crude mortality and under-five mortality rates at average levels.

203. In its previous Concluding Observations, the Committee observed that refugee camps in the State Party are accommodating more refugees than their requisite capacities, which compromises the living conditions therein and urged the State Party to address this challenge (para 30). While there was no single refugee in Zanzibar in the period under report; in the Mainland, as of 31st October 2024, the State Party hosted 231,944 refugees (155,701 males and 116,243 females) by end of 2024. Out of this population, refugee children were about 110,557 equal to 47.7% of the refugee population whereby girls were 55,105 and boys are 55,452. A total of 190,947 refugees are living in refugee camps, while 390 are located in urban areas, 19,100 are in settlement and 21,507 are in different villages around Kigoma, Katavi and Kagera Regions. The origin homes of refugee are: Burundi (144,549 refugees), DRC (86,764 refugees), and other countries (631 refugees). By 31st

October 2024, the Nyarugusu refugee camp (with the gross capacity of 300,000 refugees) hosted 134,333 refugees, and the Nduta camp (with the gross capacity of 175,000 refugees) hosted only 56,614 refugees.

204. In collaboration with the UNHCR and other implementing partners, the State Party has made significant efforts to find a lasting solution to the refugee problem. By the end of 2024, a total of 20,096 refugees were voluntarily returned to Burundi and 6,059 were shifted to a third country (as part of the settlement) into America, France, Canada and Australia. Between 2018 and 2024, the State Party has allocated the following budget to refugee services:

Table 15: Budget allocation to refugee services in Tanzania between 2018 and 2024

NO.	YEAR	BUDGET (TZS)
1.	2018/19	2.2 billion
2.	2019/20	1.9 billion
3.	2020/21	1.5 billion
4.	2021/22	1.32 billion
5.	2022/23	1.4 billion
6.	2023/24	1.73 billion
TOTAL		10.05 billion

Source: Ministry of Home Affairs.

205. The Committee also observed that there were reported allegations of sexual violence against refugee children (popularly known in refugee protection parlance as sexual and gender-based violence, SGBV) in refugee camps and urged the State Party to take measures to address this issue (para 31). The State Party has noted that; between 2020 and 2024, the trend of cases of sexual violence against refugee children in refugee camps was as follows:

Table 16: The trend of cases of sexual violence against refugee children in Nyarugusu and Nduta refugee camps in Tanzania

Year	Nyarugusu Refugee Camp	Nduta Refugee Camp	Sub-Total
2020/21	16	10	26
2021/22	24	12	36
2022/23	16	9	25
2023/24	37	13	50
TOTAL	93	44	137

Source: Routine Data from Kibondo and Kasulu District Councils.

206. The State Party applied its Penal Code and the Criminal Procedure Act to investigate, prosecute and sentence perpetrators of cases of sexual violence against refugee children in refugee camps. Between 2020 and 2024, 147 perpetrators were prosecuted and 13 were convicted sentenced by the court, and 22 cases were pending in court.

207. Apart from these legislative and judicial measures, the State Party has also engaged in public awareness-raising to prevent and combat incidents of sexual violence against refugee children in refugee camps in Tanzania, including:

207.1 In collaboration with the UNHCR, the State Party continues to implement a specific strategy for action (updated in June 2011) against SGBV in humanitarian settings.¹²⁰ This strategy is geared towards the prevention, identification, and response to SGBV cases in refugees.

207.2 Through the *SASA!*¹²¹ Programme, the State Party has been engaging its partners in running this evidence-based, community mobilization and prevention approach for addressing SGBV and HIV in refugee camps.¹²²

207.3 Through the e 'Zero Tolerance Village Alliance' Model (ZTVA),¹²³ the State Party conducts, in collaboration with the UNHCR and its implementing partners, an intensive community-mobilization intervention geared toward community-led and community-owned SGBV prevention and response.

207.4 Drawing on gender transformative tools, the State Party in collaboration with the UNHCR and its implementing partners, is implementing the Engaging Men in Accountable Practices (EMAP) model.¹²⁴ Through the EMAP model, men – who usually have an important role to play in preventing SGBV, and gender transformative tools – are engaged as a key in challenging deep-seated beliefs held by men, as well as power structures which facilitate men's abuse of women. EMAP aims to reduce SGBV through accountable male engagement. The approach aims to achieve behaviour transformation at the individual level, drawing on an evidence-based, 1 year-long curriculum. The approach targets both women and men, with a special emphasis on men to enable to identify their role in preventing violence against women, and become women's allies.¹²⁵

207.5 In collaboration with the UNHCR and its implementing partners, the State Party continues providing Safe Environments Safe Housing for SGBV Survivors, which is a community-led provision of safe environments that has emanated from a recognised need for safe housing for female and male SGBV survivors, including LGBTI persons. This initiative aims to find alternative options for temporary safe housing for such survivors (including refugee children, secure their physical safety, reduce the risk of further abuse, reduce the stigma survivors face, build community capacity to respond to SGBV, and facilitate survivor reintegration into the community after the necessary rehabilitation following an SGBV incident. Recognizing that communities typically have their own approaches to housing SGBV survivors, this approach to safe housing builds on existing systems by organizing, monitoring, regulating, and resourcing them.¹²⁶

¹²⁰ Mirchani, Z., et al., *Community Engagement in SGBV Prevention and Response: A Compendium of Interventions in the East and Horn of Africa and the Great Lakes Region* (Nairobi: Population Council, 2017).

¹²¹ 'Sasa' means 'now' in Kiswahili, emphasizing the urgent need to foster SGBV prevention in communities. The term 'SASA' is also an acronym representing the phases of the approach: Start, Awareness, Support, Actions.

¹²² Mirchani, Z., et al., op. cit, p. 8.

¹²³ The ZTVA Model was pioneered in rural South Africa by the Thohoyandou Victim Empowerment Programme. Mirchani, Z., et al., ibid, p. 9.

¹²⁴ TEMAP model was developed by IRC and implemented in cooperation with UNHCR and other actors. Mirchani, Z., et al., ibid, p. 10.

¹²⁵ Ibid, pp. 10-11.

¹²⁶ Ibid, p. 12.

208. Its previous Concluding Observations, the Committee urged the State Party to enrol refugee children in regular education facilities and health centres, with special attention being given to children with vulnerability (para. 32). The refugee policy and legal regimes in the State Party require all refugees, including children, to be placed and obtain all necessary social amenities and services (such as education and health) in refugee camps. It is only in exceptional cases that the law would allow a refugee to stay and obtain social services outside of a refugee camp. As such, the State Party has ensured that refugee children are enrolled and receives education and access to health services that are obtained from facilities located within refugee camps. In the period between 2020 and 2014, the State Party has facilitated the enrolment of refugee children in refugee camp-based education facilities as follows:

Table 17: Enrolment of refugee children in refugee camp-based education facilities in Tanzania

Year	Nyarugusu Refugee Camp	Nduta Refugee Camp
2020/21	20	11
2021/22	15	8
2022/23	12	4
2023/24	4	6
TOTAL	51	29

(b) Children in conflict with the law

209. The State Party has entrenched the administration of juvenile justice in its jurisdiction by enacting and implementing specific provisions in the Law of the Child Act and its child justice-related Regulations (applicable in Tanzania Mainland) and the Children's Act (applicable in Zanzibar). These laws establish specialized Juvenile Courts (in the Mainland) and Children's Courts (in Zanzibar) and require these judicial organs to be manned by specialized personnel (magistrates, social welfare officers, prosecutors and advocates).

210. In addition to enacting and implementing the foregoing child justice-specific laws, the State Party has also, in the period under report, enacted other laws, Regulations, Rules, Guidelines and Strategies to further ensure the strengthening of the child justice system. These include:

210.1 In Tanzania Mainland, the State Party has continued to undertake legislative and administrative measures to bring the juvenile justice system into alignment with the ACRWC and other relevant standards. These measures include the following:

- (i) The enactment of the Legal Aid Act in 2017¹²⁷ and the adoption of the Legal Aid Regulations in 2018¹²⁸ as well as the Judicature and Application of Laws (Legal Aid in

¹²⁷ Cap. 21.

¹²⁸ G.N. No. 44 of 2018.

Civil Proceedings) Rules in 2019.¹²⁹ These pieces of legislation cater for legal aid to, *inter alia*, children in conflict with the law.

- (ii) Accordingly, the law provides for the right to legal representation and other appropriate assistance to a child who is a party to proceedings in a criminal or civil case.¹³⁰ In civil proceedings involving a person in need of legal aid (including a child), where it appears to the 'certifying authority'¹³¹ that: (i) a party to a proceeding is indigent; and (ii) the interests of justice so require that such party should have legal aid, the authority is obliged to cause such person to be provided with legal aid.¹³² Such legal assistance is provided free of charge whenever practicable.
- (iii) In addition, the Legal Aid Act recognizes paralegals as a new cadre of legal aid providers; hence, widening the scope of legal aid provision to children especially in rural areas where most children have limited access to legal aid services. In the period under report, the State Party, through the MoCLA, has registered 188 legal aid providing organizations and 1,477 paralegals (653 females and 824 males) as indicated in **Table 18** below:

Table 18: Number of Registered Legal Aid Providers and Paralegals in Tanzania Mainland

TOTAL	Region	Status of LAPs		Paralegals		TOTAL
		Registered	Statutory	Men	Female	
1	Arusha	07		36	23	59
2	Coast Region	06		33	22	55
3	Dar es Salaam	30		37	47	84
4	Dodoma	11		15	03	18
5	Geita	05		35	25	60
6	Iringa	04		11	22	33
7	Kagera	11		65	47	112
8	Katavi	02		3	2	5
9	Kigoma	06		33	35	68
10	Kilimanjaro	09		17	25	42
11	Lindi	08		37	36	73
12	Manyara	01		12	9	21

¹²⁹ G.N. No. 153 of 2019.

¹³⁰ Sections 33, 35 and 36 of the Legal Aid Act (2017).

¹³¹ Under Rule 2 of the Judicature and Application of Laws (Legal Aid in Civil Proceedings) Rules (2019), a "certifying authority" means-

'(a) in the case of proceedings before the High Court, the Principal Judge, the Judge in charge or the presiding Judge of the High Court where the proceedings are conducted; and
(b) in the case of proceedings before a district court, Juvenile Court or a court of a resident magistrate, a Magistrate-in-charge of the respective court or the presiding magistrate where the proceedings are conducted.'

¹³² Ibid, Rule 3.

13	Mara	09		56	28	84
14	Mbeya	10		32	47	79
15	Morogoro	07		35	46	81
16	Mtwara	06		26	13	39
17	Mwanza	06		59	38	97
18	Njombe	07		53	26	79
19	Rukwa	04		28	16	44
20	Ruvuma	05		22	16	38
21	Shinyanga	07		45	45	90
22	Simiyu	04		30	23	53
23	Singida	04		18	06	24
24	Songwe	05		27	18	45
25	Tabora	07		40	14	54
26	Tanga	07		19	21	40
TOTAL		188		824	653	1477

Source: Office of the Registrar of Legal Aid Providers (MoCLA, 2024).

- (iv) The Law of the Child Act (Juvenile Court Procedures) Regulations were adopted in 2016¹³³ to provide for the procedure applicable in Juvenile Courts and to protect the rights of the child in court proceedings;
- (v) In 2019, the Chief Justice adopted the Legal Aid (Remuneration of Advocates) Rules¹³⁴ to facilitate the remuneration of advocates to whom the court assigns legal aid cases involving indigent and needy persons (including children) pursuant to the provisions of Section 33 of the Legal Aid Act (2017);
- (vi) In 2021, the Minister responsible for legal affairs issued the Code of Conduct for Legal Aid providers, Lawyers and Paralegals¹³⁵ to ensure that the provision of legal aid is regulated and coordinated with a view to maintaining internationally accepted standards of conduct, which legal practitioners and persons performing legal functions must observe to protect the rights and interests of the aided person in a competent and non-discriminatory manner;
- (vii) Through the Ministry of Constitutional and Legal Affairs (MoCLA) in collaboration with key stakeholders, the State Party is implementing the Second Five-year Child Justice Strategy for Progressive Reform 2020/21 – 2024/25 ('the Second Child Justice Strategy').¹³⁶ The Second Child Justice Strategy succeeded the First Child Justice Strategy

¹³³ G.N. No. 182 of 2016.

¹³⁴ G.N. No. 109 of 2019.

¹³⁵ G.N. No. 669 of 2021.

¹³⁶ The Second Child Justice Strategy has five main objectives: (i) increased child rights awareness among community members and children; (ii) strengthened capacity of the child justice system to effectively implement and dispense justice for children; (iii) strengthened child protection system to effectively protect children from all forms of violence, neglect

– 2012/13 – 2017/2018, which aimed at aligning relevant policies, laws and practices with the national, regional and international standards and norms governing child justice. The First Child Justice Strategy guided and coordinated policy, legal and procedural reforms needed from a “system-point-of-view” in order to improve child justice. Furthermore, during its implementation, Tanzania adopted and amended several laws aligning them with national, regional and international child rights standards and norms that facilitated the reform of the child justice system. These reforms included the adoption of Whistleblower and Witness Protection Act in 2015 and the Legal Aid Act in 2017 and the amendment of the Evidence Act (Cap. 6 R.E. 2002);

- (viii) In 2019, MoHCDGEC revised National Guidelines for Implementation of Community Rehabilitation Programs. Countrywide, children in conflict with the law and those at risk of offending now can access effective community-based rehabilitation services that address their needs and tackle the root causes of their offending in a holistic manner through the available social welfare officers present in the councils. Social Welfare Officers from Six Regions in the Mainland were trained on CRP programmes following the principles and requirement of National Guideline for Implementation of Community Rehabilitation Programmes whereby 975 children (193 girls and 782 boys) benefited from the programmes and they were rehabilitated through the available CRP Programmes. By the end of 2024, the CRPs programmes were established in 13 LGA Councils with a total number of 1,073 children being enrolled in the CRP programme (in both private and public models) between 2017 and 2024;
- (i) In response to the Committee’s previous Concluding Observation to the effect that the State should ensure that juvenile courts are established in all regions (para. 33), the State Party has designated all District Courts and Resident Magistrates’ Courts as Juvenile Courts.¹³⁷ Therefore, there are total of 147 Juvenile courts including two special juvenile courts (Kisutu and Mbeya) with a conducive environment for entertaining children;
- (ii) Under Section 97 of the Law of the Child Act (2009) as amended by Section 28 of the Amendment of the Child Protection Laws (Miscellaneous Amendments) Act (2024), the Chief Justice has designated all Primary, District and Resident Magistrate’s Courts as Juvenile Courts;
- (iii) In response to the Committee’s previous Concluding Observation to the effect that the State should ensure that Juvenile Courts and Gender and Children’s Desks (DCD’s) are renovated to create a child-friendly environment (para. 33); the State continues to renovate all designated Juvenile Courts and the 420 DCD’s in both Zanzibar and the Mainland; and
- (iv) In 2018, the Chief Justice issued Circular No. 2 of 2018 (on protection of identities of children in any matter before the court), including identities of parents and guardians of the child in the adoption proceedings and of victims of sexual offences of whatever age. In addition, the Circular requires Juvenile Courts to set specific days to hear cases involving children to ensure the privacy of the children in question;
- (v) In 2019, the Chief Justice issued the Judicature and Application of Laws (Practice and Procedure of Cases Involving Vulnerable Groups) Rules¹³⁸ and the Judicature and

and exploitation (VANE); (iv) policy and legal framework reformed to strengthen child justice system; and (v) improved coordination and M&E of the Strategy’s implementation.

¹³⁷ Section 97(2) of Law of the Child Act (2009) as amended by the Written Laws (Miscellaneous Amendments) Act (No. 1 of 2020).

¹³⁸ G.N. No. 110 of 2019.

Application of Laws (Adoption of Juvenile Court Rules in the High Court of Tanzania) Rules;¹³⁹

- (vi) In 2023, the Judiciary of Tanzania (JOT) issued the Standardized Operating Guide (SOG) to guide magistrates and other stakeholders on how to handle children's cases in court.¹⁴⁰ The Chief Justice has also issued a Directive to Judicial Officers to fast-track cases involving children. The directive aims at ensuring children cases are handled on time and reducing the time children spend in detention facilities;
- (vii) The State Party has also ensured that there is a sufficient number of child justice personnel whereby between 2017 and 2024 there were about 998 child justice frontline workers, who had received specialised training in the administration of child justice;
- (viii) The Judiciary has adopted the Judicial Statistic DashBoard 2 (JSDS 2), which provides information on cases filed, decided and pending in any court within the State Party. The information enables stakeholders (including those working in the child justice sub-sector) to know court proceedings, orders and decisions on particular matters. IN addition, there are special physical registers for Juvenile courts which are inspected by supervisors in every quarter of the year; and
- (ix) Through the Ministry of Constitutional and Legal Affairs (MoCLA) in collaboration with key stakeholders, the State Party is conducting the Mama Samia Legal Aid Campaign (MSLAC) in both the Mainland and Zanzibar to provide legal aid and public legal education to the indigent and needy persons (including children).

210.2 In Zanzibar, the following measures to bring the juvenile justice system into alignment with the ACRWC and other relevant standards:

- (i) The enactment of the Legal Aid Act in 2018,¹⁴¹ which has a specific provision of legal aid to children (Section 34). The Act provides for legal services to indigents who include children in conflict with the law (civil and criminal proceedings) who cannot, by their means, afford hiring advocates;
- (ii) The establishment and implementation of the Community Rehabilitation Programme 2015- 2018 in the Urban West Region in Unguja. Under the programme, children in conflict with the law or at risk of offending received various skills such as handcrafts, weaving and welding during their four months stay at the centre. The programme has rehabilitated and reintegrated a total of 172 children into their families. In 2019, the programme will be rolled out to all regions in Zanzibar;
- (iii) Specialized trainings have been provided to judges, magistrates, prosecutors, court clerks and social welfare officers who serve in the children's courts. The court has developed a training manual that is used to guide courts officials and other personnel. SWOs have been recruited to work in children courts. The Office of Public Prosecutions has developed a Prosecution Manual for Children's Cases to provide guidance to prosecutors when dealing with child cases. Standard operating Procedures have also been developed by the office of the DPP for the effective prosecution of children cases. The Office has also developed a Training Manual for prosecutors and State Attorneys in handling cases involving children;
- (iv) Corporal punishment as a sanction by the court has long been abolished. During the reporting period no child has ever subjected to corporal punishment;

¹³⁹ G.N. No 154 of 2019.

¹⁴⁰ Judiciary of Tanzania, *Standard Operational Guide for Magistrates on Managing Children Cases in Tanzania* (Dar es Salaam: Judiciary of Tanzania, February 2023).

¹⁴¹ Act No. 13 of 2018.

- (v) The Zanzibar Education for Offenders Institute which is responsible for keeping the remand and convicted people developed guidelines on complaint procedures and dealing with allegations of ill treatment for children. Further there is a Justice Committee which is mandated to receive allegations of maltreatment and other violations of rights. This Committee makes inspections of detention facilities and recommends the proper way of treating the inmates including children;
- (vi) Establishing four Children's Courts, which have already been designated and are operational in Vuga, Mahonda, Wete and Chake Chake. In addition, the Zanzibar Director of Public Prosecutions Manual has been reviewed to include guidelines on how prosecutors should handle criminal cases involving children. Moreover, the State Party has developed the Zanzibar Prisons Strategic Plan 2016-2021 through which the State Party strives to, among other things, facilitate the construction of a new facility for children at Hanyegwa Mchana;
- (vii) In collaboration with stakeholders, the State Party has trained law enforcement officers, magistrates/judges and social welfare officers working in the child justice system to improve the justice for children under the requirements of Children's Act (2011). By the end of 2024, a total of 70 officers were trained and now each Children's Court is served by 7 specifically trained personnel;
- (viii) Ensuring the separation of juveniles from adult offenders in detention facilities and prisons. Children in conflict with the law are sentenced individually and sent to rehabilitation programmes focused on behaviour change;
- (ix) In complying with the Committee's previous Concluding Observations urging the State to ensure that Community Rehabilitation Programmes (CRPs) are established in all regions to ensure rehabilitation and reintegration of juvenile delinquents (para. 33); the State Party in Zanzibar has continued to implement the CRP Programmes. A total of 55 (male 42 and female 13) CRPs established in all regions to ensure rehabilitation and reintegration of juvenile delinquents are efficient and just.

(c) Children of imprisoned mothers

211. In Tanzania Mainland, the State Party has put in place the following policy, legislative and administrative measures to provide special treatment to expectant mothers and to mothers of infants and young children who have been found guilty by law as required by Article 30 of the Charter;

211.1 the Law of the Child Act,¹⁴² The Prisons Act (1967),¹⁴³ The Prisons Standing Orders and the Criminal Procedure Act¹⁴⁴ provide safeguards to parents or caregivers incarcerated by their children.

211.2 To actualize the implementation of these laws; the State Party has developed the Child Protection Policy and Procedures for Prisons (2015). The Policy aims at promoting good practices by setting standards for the protection of children and provides children with an appropriate safe environment and/or protection while in the care of Tanzania Prisons Service (TPS) in accordance with the foregoing laws and international child rights treaties, including the Charter.

211.3 In particular, the Policy strives to provide protection and assistance to children born in prisons and those accompanying their mothers in prisons. The Policy also strives to provide an enabling environment to ensure that all four categories of children who find themselves compelled to

¹⁴² Cap. 13 R.E. 2019.

¹⁴³ Act No. 34 of 1967 (Cap. 58 R.E. 2002).

¹⁴⁴ Cap. 20 R.E. 2019.

be in prisons¹⁴⁵ are provided with treatment in line with the foregoing laws and international child rights treaties, including the Charter. The Policy will be incorporated in the Prisons Standing Orders as well as in the Prisons Curriculum for Prisons Colleges in the State Party to ensure that all trainees in the colleges are specifically trained on the principles underlying the Policy.

211.4 Section 144(1) of the Law of the Child Act (2009) obliges prison authorities to ensure that children accompanying their mothers in prisons receive adequate diet, nutrition, health care including immunization and alternative care arrangements through a District Social welfare after completing breastfeeding.

211.5. Section 144(2) of the Law of the Child Act (2009) obliges the prison authorities to inform the District Social Welfare Officer about the child who is in prison with his mother and who is no longer breastfeeding. Where the said Social Welfare officer has received information from the prison authority, he or she should determine the most suitable place for the child, which may be: (i) the parent who is not in prison;¹⁴⁶ (ii) a relative;¹⁴⁷ (iii) a guardian;¹⁴⁸ or (iv) a fit person.¹⁴⁹ In the absence of persons referred above, the Social Welfare Officer is obliged to cause the child to be admitted in an approved residential home until such times when the mother is discharged from prison.¹⁵⁰

212. In Zanzibar, there were no children who were incarcerated with their caregivers during the period under report. The State Party has designed 4 correctional facilities (*vyuo vya mafunzo*) in Zanzibar that provide the services to mothers incarcerated with children, fully equipped with facilities and services to provide adequate diet, nutrition, health care including immunization and alternative care arrangements to children and their mothers in prison.

(c) Children in situations of exploitation and abuse

(i) Economic exploitation, including child labour (Article 15)

213. The State has continued to progressively undertake policy, legislative and administrative measures to enhance legal prohibition of hazardous child labour that interferes with the child's physical, mental, spiritual, moral or social development. The Employment and Labour Relations (General) Regulations¹⁵¹ was adopted in 2017 to expand the prohibition of hazardous tasks for children to the fishing industry.

214. The implementation of the National Action Plan for the Elimination of Child Labour 2009-2017 has resulted in the formation of the National Child Labour Committees at the District level in 68 District Councils. Currently, the State Party is implementing the NPA-VAWC 2017-2022 which also covers child labour.

¹⁴⁵ The four categories of children are: children in conflict with the law; children who accompany their mothers/caregivers who have infringed or are accused of infringing the law; children of detainees and deportees; and children born with prison premises while their mothers are serving their sentences.

¹⁴⁶ Section 144(3)(a) of the Law of the Child Act (2009).

¹⁴⁷ Ibid, Section 144(3)(b).

¹⁴⁸ Ibid, Section 144(3)(c).

¹⁴⁹ Ibid, Section 144(3)(d).

¹⁵⁰ Ibid, Section 144(4).

¹⁵¹ G.N. No. 47 of 2017.

2015. The State collaborated with other partners to implement the NPA for the elimination of child labour through various projects and programmes as outlined below;

- (i) Promoting Sustainable Practices to Eradicate Child Labor in Tobacco (PROSPER) Platform for Unity and Sustainability (PROSPER+) (2016–2017). The project implementers were Winrock International, the Tanzania Association of Women Leaders in Agriculture and the Environment, and the Tabora Development Foundation Trust. The project, among other things, aimed to provide decent work for youth and combat hazardous work; and expand access to quality education and economic opportunities. It conducted child labour awareness events in targeted communities involving 9,725 participants. It has also trained 101 tobacco cooperative leaders on combating child labour and sensitized other crop boards on child labour issues;
- (ii) Another important program dealt with eradicating the Worst Forms of Labor in the Mining Wards of the Geita District, Phase 2 (2015–2019). This program enhanced social protection mechanisms to prevent and improve awareness of child labour among children, parents and mining employers near the mining areas. It has supported vulnerable children by training community leaders and SWOs on child protection issues;
- (iii) Ending the Worst Forms of Child Labour in Artisanal Gold Mines in Kahama (2016–2017). The project was implemented to remove, counsel, provide employment training to child labourers, establishing child rights clubs and provide training for government officials at multiple levels on child labour issues; and
- (iv) End Exploitation and Trafficking of Child Domestic Workers in Mwanza (2016–2017). The project was implemented to remove and train child domestic workers, establishes child domestic worker committees, empowers children and to refer violations to local authorities.

216. In its previous Concluding Observations, the Committee encouraged the State Party to ensure that legislative and policy efforts are harmonised with child labour prevention and protection activities (para. 39). The State Party has undertaken several measures to harmonise policy and legislative efforts with programmes to prevent child labour, including:

216.1 In the Mainland, the State Party has not enacted laws and adopted policies, but it has also allocated TZS 75,000,000/= for the Review of National Employment Policy, it has allocated TZS 83,300,000/= for developing the Implementation Strategy, and TZS 45,200,000/= allocated to Decent Employment/work. As noted above, the State Party has also undertaken several amendments of the labour laws to harmonise them with the existing policy and administrative frameworks.

216.2 In Zanzibar, the State Party has not enacted laws and adopted policies, but it has also harmonised them with policy and other administrative frameworks to prevent and combat child labour. In this regard, the State Party has conducted a national survey on child labour to assess the magnitude of the underlying challenges and develop strategies to combat it, including the harmonization of legislative procedures.

217. In complying with the Committee's previous Concluding Observations that it should increase its budgetary allocation for labour inspection, removal of child labourers, and enforcement of law and policy against child labour (para. 39); the State Party has, in relation to Tanzania Mainland, allocated TZS 2,009,913,215/= in FY 2024/2025 for conducting labour inspection, removal of child labourers, and enforcement of law and policy against child labour. By the end of

2027, the State Party has set a target to inspect 55,238 workplaces striving at, *inter alia*, child labourers and enforcing the law and policy against child labour.

218. The State Party, through the Office of the Attorney General, is conducting consultations aimed at considering ratifying ILO Convention No. 189 (2011) concerning Decent Work for Domestic Workers. However, through the support of ILO, the State Party has developed and adopted the Decent Work Country Programme 2017-2022. The programme focuses on promoting employment and employability, enhancing fundamental principles and rights at work, social protection and social dialogue.

219. In respect of Zanzibar, the State Party has effectively implemented the National Plan of Action for the Elimination of Child Labour (2009-2015), which aimed to reduce the harmful impacts of child labour. In addition, a Multi-Sectoral Technical Working Group for Child Labour and a Child Labour Steering Committee have been established. It has achieved a total number of 5,067 children (2079 girls and 2988 boys) returned to schools and *Madrassa* through the child labour fighting project.

(ii) Sexual exploitation and sexual abuse (Article 27)

220. The State Party has undertaken several concrete measures to combat sexual violence, harassment, sexual exploitation of girls and to change attitudes that condone such violence. In particular, it has undertaken the following measures:

- (i) Strengthening the Health System by advocating for the provision of health services immediately post violence at the middle and lower level;
- (ii) Conducting capacity building to health managers in 26 Regions and 135 Districts in Tanzania Mainland was facilitated to enable them provide health services immediately post violence matters. In Zanzibar 10 health staffs have been trained for the same purpose;
- (iii) Conducting capacity building and skill training to health care providers for provision of comprehensive care to victims of violence including post rape care was done at least in every health facility because the URT have trained 1 health staff in each District in 5 Regions and 10 Districts to ensure availability of the services;
- (iv) Establishing 19 One Stop Centres in 12 Regions of the Mainland namely Dar es Salaam (3), Iringa (1), Kilimanjaro (2), Kigoma (2), Tabora (1), Mbeya (1), Simiyu (1), Shinyanga (3), Pwani (1), Arusha (1), Mwanza (2) and Mara (1) that serves as a one-point reference facility for all required services to the child abuse victims areas of the Mainland. In Zanzibar, there are 6 One Stop Centres, within 5 Regions with one such centre and one of them having two centres. Currently, VAC cases are highly reported due to the availability of such services; but there are some challenges facing those facilities – for example, lack of stationeries, furniture, office equipment, counseling rooms, unavailability of One Stop Centres at the Borders offices which still affect children who are cross border and unavailability of One Stop Centres in most the border Regions;
- (v) The State Party conducts awareness campaigns to sensitize community on the effects of violence against children during the commemoration of Day of African Child on 16th June, the Day of the Girl Child on 11th October, and the International Day of a Child on 20th November every year. In addition, the State Party conducts a national campaign known as *Twende Pamoja Kampeni* aiming at raising awareness on effect of child marriage, early pregnancy and female genital mutilation another form of violence and National Dialogue on the same. Campaigns through programmes aired using media which includes mainstream and online televisions, radios, and community radios, using specific VAC messages created to deliver a key communication focus for children;

- (vi) Through Global Fund Grants Agreement (2017-2020), in 2020, 3,420 parents and guardians were imported with the knowledge on self-testing for children aged 15 years and above through seminars conducted in the region of Kigoma (Uvinza and Kakonko), Tabora (Urambo), Dar es salaam (Temeke and Ilala), Arusha (Arusha city), Iringa (Mafinga) and Njombe (Makambako). The aim of this knowledge to inform parents and guardians and to create awareness for the same to allow children participation in decision making for their lives;
- (vii) The State party has developed Guidelines for the Establishment of Junior Councils in 2010. The guideline encourages children's participation as a platform for obtaining skills and knowledge sharing also an opportunity to give their views on matters concerning them. The Guidelines are currently under reviews to include other aspects necessary to promote functionality of junior councils. One of the aspects is parents' participation in raising awareness within the community on the importance of child participation in junior councils;
- (viii) The State Party has ensured the provision of essential equipment and supplies for the management of victims of sexual violence;
- (ix) The State Party has reviewed and revised the Tanzania Teachers' Code of Conduct and Professional Ethics of 1963 to include specific measures on promotion and protection of children in schools;
- (x) In 2019, the State Party adopted the Child Protection Guidelines in School Setting for Primary and Secondary Schools with main objective being to promote safe learning environment by ensuring that school play an active role in preventing and responding to all forms of child harassment, abuse, neglect and also the state party developed a National guideline for establishment and management of safe houses of aiming at providing shelter and other basic needs for children who are victim of gender based violence and human trafficking, currently there are 6 safe houses in Dar es salaam, Arusha, Kilimanjaro, Mara and Kigoma regions; and
- (xi) The State Party has undertaken initiatives to prevent girls from early pregnancy like reproductive health education in school, employing school counsellors to support the adolescent girls to understand clearly the issues associated with behaviour and biological changes in their body.

221. In addition, the State Party has undertaken several measures to ensure that girls who are victims of domestic violence in the Mainland have fewer obstacles in obtaining a report from the police before being admitted to the hospital, including:

- (i) Children victims of domestic violence are advised to seek medical care and treatment first and quickly to report to the police later; and
- (ii) As per National Policy Guidelines for the Health Sector Prevention and Response to Gender Based Violence 2011 which requires to saving the life of the victim i.e. in acute conditions like bleeding and rape survivors that need to obtain post exposure prophylaxis within 72hours provided emergency contraceptive to prevent an unexpected pregnancy within 120 hours from the assault. All of these are important to be done within the limited time as shown above thus way survivors were advised to report first to the health facilities then to Police.

222. In respect of Zanzibar, the State Party has undertaken a number of policy, legislative and administrative measures, including:

- (i) In the implementation of the National Plan of Action (NAP) to Prevent and Respond to Violence Against Children,¹⁵² 15 sectors including Government Ministries (6), Government Department (7) and CSOs (2) formed a Multi sectoral Task Force to monitor the NAP on VAC through quarterly meetings and report sharing whereby the resolution and recommendations are set and used to improve its implementation;
- (ii) A Communication Toolkit has been developed for the aims of disseminating various VAC messages to different audiences like pupils, teachers, parents, community etc. For understanding the types and behaviour of perpetrators of child abuse. Posters, brochures, wall charts, TV and radio programmes have been eared and widely communicated to assist in delivering the said messages;
- (iii) The State Party in Zanzibar has established parenting groups at the grassroots level (*Shehia*) and now they are strengthened to provide child care to parents and children. The aim of establishing these groups is to enable parents to take their role and responsibility as parent by imparting them with positive parenting skills. The State Party trained 35 TOTs National on VAC and Positive Parenting Skills, among them were Social Welfare Officers, Women and Children Officers, Ministry Agencies and NGOs dealing with Children issues; and
- (iv) The State Party has also developed a Roadmap (2014-2016) on Violence against Children and Gender Based Violence for raising awareness and campaigning against violence against children. It outlines the list of activities to be carried out during the lifespan of the roadmap some of which include the development of TV SOPs and radio dramas.

223. In addition, the State Party in Zanzibar has taken various measures to combat sexual violence, harassment and sexual exploitation of girls, including supporting the Department of Social Welfare in collaboration with Save the Children to establish a One-Stop Centre in each of the six Districts (*i.e.*, Mnazi moja, Makunduchi, Kivunge, Mkoani, Micheweni, Wete, Chakechake – Pemba, Mjini – Mjini Magharibi Unguja, Kusini and Kaskazini “A” Unguja). At the One-stop Centres, children who are victims of violence and abuse do not require a report from police before being admitted. Moreover, the State Party has established the National GBV Committee, parenting groups, *Polisi Jamii* (*i.e.*, Community Policing) and a VAC Communication Strategy to address the issues of violence against children. Furthermore, the State Party wishes to make it very clear that in Zanzibar there is no compulsory testing of pregnancy for girls of any age.

224. Similarly, the New Education and Training Policy of 2014 (applicable in the Mainland) has incorporated a statement that the government shall remove all things and environment which hindering the access to education and completion of the respective level of education.

225. In addition, the State Party has undertaken efforts to end the heightened risk of physical and sexual violence at school, school grounds and on the way to and from school both on the Mainland and in Zanzibar. In the Mainland there are efforts to harmonize the legal and policy framework to make sure that there will be clear Code of Ethics and professional conduct user-friendly to teachers and other school members. The Public Service Regulations (2003) provides, in the Third Schedule, for the adoption of a code of ethics and conduct in the public service. These regulations also regulate the conduct of teachers. Paragraph 6 of this Schedule provides to the effect that any public servant should refrain from having sexual relationships in the work place. A servant needs to avoid all types of conduct which may constitute sexual harassment. Moreover, a public servant should respect all human rights and be courteous. A servant who contravenes shall be subject

¹⁵² 2017/2018, and 2022.

to dismissal and brought before the courts of law for criminal charges. The procedures to dismiss a servant are provided under section 23 of the Public Service Act¹⁵³. The State Party is also in the process of preparing the Teachers Registration Act under which there are specific schedule with regard to the Teachers' Code of Ethics and Professional Conduct; during the reporting period the progress on the mentioned registration was at the government structures for further comments before being approved.

226. In respect of addressing issues relating to physical and sexual violence at school and on the way to and from school in Zanzibar, the State Party has established a pilot programme on alternative discipline in 20 schools in Zanzibar's 10 districts (2 in each district). Through this initiative, the pilot schools have stopped administering corporal punishment to pupils; rather, misbehaving pupils are given other, alternative forms of discipline, including counselling, and extra studies/extra curriculum activities. The Police Force has also designated one police officer in 50 constituencies to assist in stopping child abuse. Furthermore, there is an enhancement of the Community Police where community police have joined their efforts in combating violence against children; all these are government commitments to curb child rights abuse in schools and on the way to schools and at family level.

(iii) Sale, trafficking and abduction (Article 29)

227. The State Party has developed Regulations for the implementation of the Anti-Trafficking in Persons Act (2008),¹⁵⁴ which promotes human dignity, protects the people including children from any threat of violence and exploitation. Besides, the State Party has carried out several measures to combat the sale, trafficking and commercial sexual exploitation of children, in particular to combat internal trafficking. As such, the State Party, in collaboration with the International Organization for Migration (IOM), has conducted special training to Police Officers on how to identify and detect perpetrators and victims of human trafficking within the country, whereby 40 Police Officers have been trained between 2013 and 2014. In 2013, the Tanzania Police Force established the Community Engagement Unit which, among other things, deals with raising awareness in the community on the issues relating to, *inter alia*, anti-trafficking.

228. State Party conducted several trainings to CSOs officials on how to assist child victims of human trafficking and developed a Manual for Civil Society Organizations for the Operationalization of the Tanzania Anti-Trafficking in Persons Act 2008 specifically focusing on identification, providing direct assistance to victims of trafficking (including child victims. In 2014, a series of trainings were conducted for Journalists from Arusha, Dar es Salaam, Dodoma, Kigoma, Mwanza and Zanzibar on ethical reporting on human trafficking cases and Media Guidelines on how to report cases of human trafficking without re-victimizing the victims (including children) were developed. Trainings were also conducted to Local Government Authorities on prevention of child trafficking and developing by-laws in their respective villages to prevent child trafficking and developed awareness raising materials on prevention of child trafficking and human trafficking in general such as wall posters, flyers, banners, newsletters and shared them with different stakeholders, service providers and public schools.

229. The State Party is finalising the Regulations for the Anti-Trafficking in Persons Act (2008) and resources (however minimal) have been allocated for the implementation of the National

¹⁵³ Act No. 8 of 20002.

¹⁵⁴ Act No. 5 of 2008.

Anti-Trafficking in Persons Action Plan 2013-2017 including protection and support services for children.

230. A National Committee has also been set up to coordinate the implementation of this law. Furthermore, the State Party through the Ministry of Home Affairs and the Ministry of Health and MoHCDGEC in collaboration with the International Organization on Migration (IOM), has prepared draft Standing Operating Procedures (SOPs) to be adopted later after consultations with relevant state and non-state actors. The SOPs aim at assisting victims (including women) of human trafficking. In July 2014 the anti-trafficking secretariat and other stakeholders such as the police, the public prosecutors, magistrates, social welfare officers, medical practitioners and NGOs met to develop the SOPs which will outline the laws and responsibilities of all the parties involved and provide guidelines for case management and information sharing. In addition, the State Party has adopted the National Anti-trafficking Action Plan and is in the final stages of developing the Regulations for the implementation of the Act.

231. In addition, the State Party has ensured the allocation of resources for the protection and support services for children within the National Anti-Trafficking in Persons Action Plan 2013-2017.

(d) Children victims of harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child

(i) Betrothal of girls and boys (Article 21.2)

232. The State Party has undertaken legislative and administrative measures to ensure that there is no betrothal of boys and girls in its jurisdiction by particularly having specific provisions in the Penal Code and the Law of the Child Act that criminalize using children in prostitution and earning an income through prostitution. In particular, the Law of the Child Act imposes primary duties on parents to provide maintenance and protection to children and to ensure that their children do not get lured into prostitution. The State Party has also continued to raise public awareness on this matter.

(ii) Early and forced marriage (Article 21.2)

233. The State Party has undertaken several constitutional, policy, legislative and administrative measures striving to end early marriages of girls. In 2014 the State Party adopted the Education and Training Policy (revised in 2023), which prohibits early and forced marriages for school girls and has resulted in several positive changes in policy formulations and administrative measures. Of late, the MoEVT has prepared the Re-entry Guidelines for Impregnated Children to return to school based on the Policy. The Guidelines, which are awaiting to be approved by the relevant authorities, strive to ensure that a child will be back to school after two years after giving birth; whereby she will be provided with appropriate counselling services to assist her in managing to cope with the roles of child-mother as well as a pupil, altogether.

234. In response to the Committee's previous recommendation in its Concluding Observations that the State should reform laws giving room to child marriage (para. 40); the State has pointed above that, after the Court of Appeal in *Gyumi v. AG* ruled that Sections 13 and 17 of the Law of Marriage Act are unconstitutional thus should be removed from the statute books, the State Party's Parliament debated a Bill to the effect and directed the MoCLA to conduct public consultations to get their views on the content of the proposed amendments. Once the consultation is

over, a report and recommendations thereof will be laid before Parliament for consideration and further action.

235. In Zanzibar, the State Party is in the process of reviewing the Marriage (Solemnisation and Registration) Decree,¹⁵⁵ to impose an obligation on couples to enter in marriage contracts/agreements outlining duties during marriage and in the event of its dissolution. Zanzibar is also reviewing the Succession Decree¹⁵⁶, a colonial piece of legislation which is outdated, to ensure that succession procedures to be followed by courts of laws are clearly set out and properly adhered to. The objective is to develop rules of procedure that smooth succession proceedings in courts.

236. Additionally, according to the Zanzibar Children Act (2011), no child is allowed to get married until they have completed their basic education. This is in line with the cultural norms of Zanzibar, where Sections 3 and 4 of the Zanzibar Children Act emphasize the best interests of the child and prohibit child marriage.

(iii) Measures to Prevent and Combat female genital mutilation (Article 21.1(a, b))

7. The State Party has undertaken measures, including legislation, to accelerate the ending of harmful traditional practices and stereotypes that discriminate against children, in conformity with Article 21 of the Charter. In response to the Committee's previous Concluding Observation to the effect that the State Party should embark on efforts to eliminate FGM/C in cooperation with the community including traditional and religious leaders (para. 41); the State Party amended the Penal Code in 2019 to criminalise FGM in line with the Penal Code¹⁵⁷ to protect girls from FGM.

238. Moreover, Section 158(1(a) of the Law of the Child Act prohibits the performance of FGM to children.

239. In addition, in 2024, the State Party enacted the Child Protection Laws (Miscellaneous Amendments) Act, amending, *inter alia*, the Law of the Child Act to incorporate provisions concerning payment of compensation of a specified amount to the child in respect of whom the offence FGM was committed and for the injuries caused by FGM.

240. Moreover, there are various strategies established by the State Party geared towards curbing harmful traditional and negative cultural practices, including:

- (i) The National Plan of Action to End Violence against Women and Children (2017/18-2021/22);
- (ii) The National Community Sensitization Strategy to Prevent and Respond to Gender-based Violence;
- (iii) Adoption of the Multi-Sectoral Strategy and Action Plan for Preventing and Responding to Gender Based Violence (GBV) in Zanzibar (developed in 2011);
- (iv) Adoption of the National Human Rights Action Plan (2013-2017);
- (v) Establishing the Ministerial GBV Committee¹⁵⁸. In 2013 to monitor GBV cases in Zanzibar;

¹⁵⁵ Cap. 92 of the Laws of Zanzibar.

¹⁵⁶ Cap. 21 of the Laws of Zanzibar.

¹⁵⁷ Section 169A of the Penal Code, Cap 16 of R.E. 2019.

¹⁵⁸ This committee comprises of ministers responsible for justice and constitution, education, health and empowerment, social, welfare, youth, women and children.

- (vi) Establishment of National Anti-Female Genital Mutilation of 2020/2021- 2024/2025 which guides to accelerate the end of FGM up to 5%;
- (vii) Conducting cross-border sensitization on the negative impact of FGM, which was held in Namanga, Holili, Horororo, and Sirari where different participants participated including District Security Committee member, Community Development, Social Welfare, Education Officer and teachers with a total of 100 officials participating from 4 District;
- (viii) Carrying out a campaign to end FGM in Manyara Region, where all District were reached out involving children, Ngariba, parents and traditional leaders with a total of 200 participants participating in the campaign; and
- (ix) Conducting tailor-made sensitization to 1,800 *ngariba's* (those administering FGM) who subsequently dropped the FGM practice.

241. In Zanzibar, the State Party is in the final stages of a process of adopting a New Gender Policy that, *inter alia*, seeks to address the issue of elimination of negative cultural practices, sex role stereotyped and prejudice against women and girls. In particular, the State Party has continued to strengthen the implementation of the Zanzibar Penal Act (2004), which consolidates the provisions of the Sexual Offences Special Provisions Act (1998).¹⁵⁹

242. In response to addressing the challenges uncovered in the Tanzania VAC Study, both Tanzania Mainland and Zanzibar prepared their respective National Plans to Prevent and Respond to Violence against Children.

243. Similarly, the State Party, through Zanzibar Law Reform Commission,¹⁶⁰ has reviewed some laws which affect the development and welfare of women and children. These laws include the Evidence Decree¹⁶¹ and the Kadhi's Court Act (1985).

244. To reinforce these laws, the State Party has been carrying out public awareness-raising campaigns and media programmes to ensure that female genital mutilation is eliminated as well as to enhance a positive and non-stereotypical portrayal of women. The State Party has also complied with the Committee's request by devising programmes for alternate sources of income for 463 women who perform female genital mutilation (known in Kiswahili as '*Ngariba*') as a means of livelihood in Manyara, Mara and Singida.

245. In addition, the State Party has continued to collaborate with other stakeholders in carrying out public awareness-raising campaigns using community media and traditional village leaders focusing on eliminating and preventing gender-related cruelties and malpractices against women and girls. These are particularly prominent in Arusha, Dodoma, Kilimanjaro, Manyara, Mara, and Shinyanga Regions where incidents of violence against women and children rooted in harmful traditional and cultural practices are more prevalent.

246. In further combating and eliminating FGM/C, the State Party recognizes this as one of the critical gender-based violence (GBV) issues that has serious health implications needing specific

¹⁵⁹ Act No.7 of 1998.

¹⁶⁰ The Revolutionary Government of Zanzibar established the Law Reform Commission in 2011. The Commission is chaired by a Judge of the High Court of Zanzibar and has the mandate keeping the laws of Zanzibar under regular review.

¹⁶¹ Cap. 5 of 1917.

attention. Therefore, the State Party has resolved to monitor the issue of FGM/C to be monitored through the TDHS.

(f) Risky, Vulnerable or Street Children

247. The State Party has put in place several measures that aim at providing appropriate care and protection to children deprived of a family (Para 14 of the List of Issues). These measures include developing the National Coasted Plan of Action for MVC II 2013 – 2017 (NCPA II) The National Integrated Case management system 2017 and NPA-VAWC 2017/18-2021/22. The goal of these plans is to establish MVC response of identification and service delivery to MVC and their households. These plans Strengthen the capacity of households and communities to provide care, support and protection of MVC, increase access to effective gender responsive child protection services, improve access and utilization of primary health care and education including early childhood care and development services and strengthen the coordination and leadership, policy and service delivery environment.

248. In particular, The Law of Child Act¹⁶² identifies children who are wandering and have no homes or settled places of abode, being in need of care and protection. Children living and working in the streets are among the most vulnerable children in Tanzania and are the target group of NCPA II plan. Moreover, these children are better supported through the Child Protection System which has been scaled up to 17 District Councils of Tanzania mainland. The child protection team has 25 members from different sectors.

249. In addition, the State Party has adopted a Guide on the Establishment and Implementation of Community Rehabilitation Programmes in 2019, which guide to all stakeholders in establishment and, management of Community Rehabilitation Programme. 199. The State Party has also established a National Child helpline which is available across all telephone networks in the country through dialling 116. The call is used by the community members to report on VAC and GBV. Other initiatives include the Development of the guideline for Psychosocial Care and Support Services for Most Vulnerable Children and Youth in Tanzania in 2014. The main objective of this guideline is to promote the effective and comprehensive fulfilment of basic psychosocial needs and the realization of high quality of psychosocial outcomes for MVC and their families in Tanzania. Moreover, those measures to a great extent have ensured that MVC, such as street children and children in conflict with the law, are provided with appropriate care and protection.

250. The State Party has also taken measures to ensure children grow up in a family environment with family reintegration and deinstitutionalize children to family alternative care with foster care placement and adoption.

251. Currently, the State Party is widely consulting with all stakeholders on its endeavour to ratify the Hague Convention on International Adoption. Once the consultations are complete it will be in a position to state the consensus so far reached.

252. In implementing the Committee's previous Concluding Observation to the effect that it should take preventive measures to support families, orphaned children and child-headed families (para. 43), the State Party has, between 2015 and 2024, identified 6,697,251 most vulnerable children (MVC) among them 66, 070 are child in headed households, and 10, 11029.7 are orphans due to HIV/AIDS and other courses. In the same period, MVC households identified were

¹⁶² Section 16 (f) of the Law of the Child Act, Cap. 13 R.E. 2019.

23,042,183. In mitigating this scourge, the State Party provided response services to households between 2015 and 2024, including nutrition services to 2,082,835 MVC; conducting economic capacity building to 3,954,138 MVC; providing child protection to 4,317,837 MVC; providing ECD and PSS services to 1,491,640 MVC; issuing birth certificates to 1,309,680 MVC; and enrolling in schools 3,937,708 MVC.¹⁶³

253. In its previous Concluding Observations, the Committee urged the State Party to ensure that children on the street are reunified with their parents in case their parents are alive (para. 43). In response, the State Party ensured that a total number of 37,764 children leaving and working on the street in 2015 -2024 were identified. It has also provided support services to a total number of 2,468 of children living and working on the street who were reintegrated with families, and 5,542 children were reintegrated with their families and communities.¹⁶⁴

254. The Committee also urged the State Party to ensure that rehabilitation and reintegration of children, and they are placed in alternative care (para. 43). In response, the State Party identified a total number of 438 Children's homes with 13,245 (6,752 boys and 6,493 girls). In 2024, a total of 1,310 children (702 boys and 608 girls), who were accommodated in Children's Homes, were reintegrated with their families. In 2016 -2024, the number of identified fit persons amounted to 1,803, whereby the number of children cared for under fit persons between 2017 and 2024 was 3,678 (1,695 boys and 1,983 girls). In the FY 2017/2028 – 2023/2024, the number of children fostered was 285 (136 boys and 149 girls). Moreover, in the FY 2017 /2018 – 2023/2024, the number of children adopted totalled 260 (96 boys and 164 girls).

X. RESPONSIBILITIES OF THE CHILD

255. The State Party has undertaken several legislative, judicial, administrative and other specific measures to ensure that children in its jurisdiction effectively discharge their duties in light of Article 31 of the Charter. This part also sets out the major factors and difficulties encountered and progress achieved in implementing the relevant provisions of the Children's Charter.

256. The Law of the Child Act (2009) (applicable in the Mainland) as well as the Zanzibar Children Act (2011) have all incorporated specific provisions as regards to the general responsibilities and duties of the child in the context of the Charter to dedicate physical and intellectual abilities serving their families, community and nation, respect of elders, assist superiors in case of need and preserve positive social cultural values of his community and the nation. To this end, the State party has conducted efforts to sensitize children to fulfil their obligations.

257. In its previous Concluding Observations, the Committee urged the State Party that; to ensure that children discharge their Charter and statutory duties, the State should empower children through education and participation (para. 44). In response, the State Party has taken the following measures:

¹⁶³ Source; MVC MIS.

¹⁶⁴ Ibid.

257.1 In Zanzibar, it has empowered children through education and participation involves providing access to quality education and opportunities for children to engage in decision-making processes. In Zanzibar, the Children Act No. 6 of 2011 promotes these rights by ensuring that children can actively participate in matters affecting them, particularly through children's councils and forums. The State Party has also made efforts to increase children's awareness of their rights and responsibilities, focusing on education as a key tool for empowerment. Additionally, programs have been established to encourage children's involvement in civic activities, debates, and leadership roles, enhancing their understanding of societal issues and encouraging active citizenship.

257.2 In Tanzania Mainland, the State Party has, through Section 96A (1) the Child Protection Laws (Miscellaneous Amendments) Act (2024) which has amended under Section 26 of the Law of Marriage Act, established Children Councils in every village, ward, district, region and one at the national level.