



Global Monitoring

status of action against commercial
sexual exploitation of children

TANZANIA



2nd EDITION

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GLOSSARY OF TERMS AND ACRONYMS

- **AIDS:** Acquired Immune Deficiency Syndrome
- **CRC:** Convention on the Rights of the Child
- **CSEC:** Commercial Sexual Exploitation of Children
- **CSO:** Civil Society Organisation
- **EAC:** East African Community
- **ECPAT:** End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes
- **GNRC:** Global Network of Religions for Children
- **HIV:** Human Immunodeficiency Virus
- **ICT:** Information and Communication Technology
- **ILO:** International Labour Organisation
- **IOM:** International Organisation for Migration
- **IPEC:** International Programme on the Elimination of Child Labour
- **ISP:** Internet Service Provider
- **KIWOHEDE:** Kiota Women's Health and Development Organisation
- **LHRC:** Legal and Human Rights Centre
- **MCDGC:** Ministry of Community Development, Gender and Children
- **MKUKUTA:** Tanzania National Strategy for Growth and Poverty Reduction
- **MKUZA:** Zanzibar Strategy for Growth and Poverty Reduction
- **MSWYWCD:** Ministry of Social Welfare, Youth, Women and Children Development
- **MVC:** Most Vulnerable Children
- **MVCC:** Most Vulnerable Children's Committees
- **NGO:** Non-Governmental Organisation
- **NOLA:** National Organisation for Legal Aid
- **NPA:** National Plan Of Action
- **NSPF:** National Social Protection Framework
- **OLPC:** One Laptop Per Child Project
- **OPSC:** Option Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography
- **PEDP:** Primary Education Development Programme
- **PEPFAR:** USAID President's Emergency Plan for AIDS Relief
- **PRSP:** Poverty Reduction Strategy Paper
- **REPSSI:** Regional Psychosocial Support Initiative
- **RITA:** Registration, Insolvency and Trusteeship Agency
- **SADC:** Southern African Development Community

- **SEDP:** Secondary Education Development Programme
- **TBP:** Time Bound Programme
- **TCRF:** Tanzania Child Rights Forum
- **TEHAMA:** Ministry of Education and Vocational Training curriculum for ICT in primary and pre-primary education
- **TWCWC:** Tanzanian Women and Children Welfare Centre
- **UN:** United Nations
- **UNAIDS:** Joint United Nations Programme on HIV/AIDS
- **UNFPA:** United Nations Population Fund
- **UNHCR:** United Nations High Commissioner for Refugees
- **UNICEF:** United Nations Children's Fund
- **USAID:** United States Agency for International Development
- **WFP:** United Nations World Food Programme
- **WHO:** World Health Organisation
- **ZACA:** Zanzibar Association for Children's Advancement

FOREWORD

At the First World Congress against Commercial Sexual Exploitation of Children (CSEC) held in Stockholm in 1996, governments from around the world first gave recognition that commercial sexual exploitation of children is a global crime of epidemic proportions. The Stockholm Declaration and Agenda for Action - a strategic framework for actions against CSEC - was adopted by the 122 governments participating in the Congress in order to guide a systematic global response against the sexual exploitation of children.

The outcome document of the First World Congress was soon followed by the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OPSC). Adopted in 2000 as a legally binding treaty of the United Nations, the Optional Protocol (and other relevant international treaties) reaffirms the urgent need for political will and concrete actions from governments to ensure that children in their countries can live free from all forms of commercial sexual exploitation.

In 2001, high-level delegates from 136 governments, local and international non-governmental organisations and children and young people, convened in Yokohama for the Second World Congress to review the achievements and challenges in combating CSEC as well as to identify new priorities

needed to bolster and enhance action. Seven years later, the World Congress III in Rio de Janeiro provided the largest global platform to date for delegates from 137 governments to renew their state's commitment to protect children from commercial sexual exploitation. The Rio Declaration and Call for Action strongly urges all stakeholders, including the private sector, to continue their due diligence in taking the necessary follow-up actions to eliminate CSEC. The Rio Call for Action emphasises the obligation to uphold the rights of the child as identified in existing international human rights and child rights instruments. It also offers a framework for the accountability of all duty-bearers of children's rights, particularly governments, in the fight against sexual exploitation of children and re-affirms the continuing relevance of the Agenda for Action, first agreed to in Stockholm twelve years earlier.

This report, as part of the Second Edition series of country monitoring reports produced by ECPAT International, provides a comprehensive baseline of information on all manifestations of CSEC in the country and an assessment of achievements and challenges in implementing counteractions (including the participation of children and young people themselves) to eliminate CSEC. The report, which follows the framework of the Stockholm Agenda for Action, serves as an instrument for the sharing of information and experiences among various stakeholders

and duty-bearers within the country as well as internationally. It also suggests concrete priority actions urgently needed to proactively advance the national fight against CSEC. Furthermore, this report enables the monitoring of the implementation of international instruments on child rights, related to commercial sexual exploitation that have been ratified by the concerned state.

The production of this report is achieved through extensive collaboration within the ECPAT global network. ECPAT International would like to thank ECPAT member groups in the countries assessed,

local and global experts and other organisations for their invaluable inputs to this report. ECPAT International would also like to express its profound appreciation of all the hard work of its dedicated team from within the Secretariat and for the generous support of its donors that helped make the finalisation of this report possible. The contributions of all involved have greatly strengthened the monitoring of the Agenda for Action and the heightened collaboration needed to fight the new and evolving complex manifestations of commercial sexual exploitation of children.

METHODOLOGY

The Agenda for Action against Commercial Sexual Exploitation of Children provides a detailed framework and categories of actions to be taken by governments in partnership with civil society organizations and other relevant actors for combating commercial sexual crimes against children. Broadly, these actions are focused on: 1) Coordination and Cooperation; 2) Prevention; 3) Protection; 4) Recovery, Rehabilitation and Reintegration; and 5) Child Participation. The Agenda for Action is thus the formal and guiding structure used by governments that have adopted it and committed to work against CSEC. As such, the Agenda for Action is also the main organising framework for reporting on the status of implementation of the Agenda as seen in the World Congress II of 2001, the Mid-Term Review meetings held between 2004 and 2005 and the World Congress III in 2008. It has been used in the same way to structure and guide the research, analysis and preparation of information presented in these reports on the status of implementation of the Agenda in the individual countries.

Preparatory work for this 2nd Edition report involved a review of the literature available on sexual exploitation for each of the countries where ECPAT works. A number of tools were prepared, such as a detailed glossary of CSEC terms, explanatory literature on more difficult themes and concepts and a guide to relevant CSEC-related research tools, to assist researchers in their work and to ensure consistency in the gathering, interpreting and analysing of information from different sources and parts of the world.

Desktop research has shown a continuing lack of information in the areas of Recovery, Rehabilitation and Reintegration. After extensive efforts to collect information relevant to these areas for each of the countries covered, it was decided that as this information was not consistently available, the reports thus focus only on those areas of the Agenda for Action where verifiable information can be obtained. Thus, the report covers: Coordination and Cooperation; Prevention; Protection and Child and Youth Participation, and where information on recovery, rehabilitation and reintegration, was available, it has been included under the country overview. These 2nd Edition Reports also reflect a greater focus on integrated and inter-sector collaboration for the realisation of the right of the child to protection from sexual exploitation, including the need nationally for comprehensive child protection systems.

Research of secondary sources, including CRC country and alternative reports, OPSC country and alternative reports, the reports of the Special Rapporteurs, as well as research and field studies of ECPAT, governmental and non-governmental organizations, regional bodies and UN agencies, provided the initial information for each report. This information was compiled, reviewed and used to produce first draft reports. In-house and consultant specialists undertook a similar process of review to generate information on specialised areas of the reports, such as the legal sections. Nevertheless, researchers often encountered a lack of information. While sources also included unpublished reports and field and

case reports of ECPAT and other partners, many countries lacked up-to-date data and information on areas relevant to this report.

Despite these limitations, sufficient information was gathered to provide a broad overview of the situation in each country. Subsequently, first drafts were prepared and shared with ECPAT groups, which then supplemented the information with other local sources and analysis (taking care to identify them and source appropriately). Upon receipt of these inputs, a series of questions were generated by the ECPAT International team for deeper discussion, which involved ECPAT groups and specialists invited by them. The information from these discussions was used to finalise inputs to each of the reports. These consultations proved to be invaluable for analysis of the country situation. They also served as a measure for triangulating and validating information as different actors offered their perspective and analysis based on their direct work.

As previously noted, the information of each country report is organised to correspond to the structure of the Agenda for Action. Thus all the 2nd Edition reports feature updated information in relation to: (i) an overview of the main CSEC manifestations affecting the country; (ii) analysis of the country's National Plan of Action (NPA) against CSEC and its implementation (or the absence of an NPA); (iii) overview and analysis of coordination and cooperation efforts during the period under review; (iv) overview and analysis of prevention efforts; (v) overview and analysis of protection efforts, which includes detailed information on national legislation related to CSEC (see www.ecpat.net for further details); (vi) overview and analysis of country's efforts incorporate participation of children in youth in the development and implementation of efforts to combat CSEC and (vii) priority actions required.

TANZANIA



INTRODUCTION

After achieving independence from Britain in the early 1960s, Tanganyika and Zanzibar merged to form the nation of Tanzania in 1964, although Zanzibar maintains a semi-autonomous status.¹ Today, the United Republic of Tanzania is a developing East African nation with a population of approximately 40 million, (44 million census 2012) half of whom are under 18 years of age.²

Rural poverty in Tanzania was cut in half from 1985 to 2001, but poverty is still widespread and occurs primarily in rural areas where 85% of the country's poor people live.³ Although Tanzania's United Nations Development Programme's Human Development Index rose from 0.3 in 1991

to 0.4 in 2002,⁴ the country is currently only ranked 152 out of 186 countries on the Human Development Index.⁵

Tanzania's location, bordering eight other countries, makes it a popular destination for refugees and allows for large migration flows to, from and through the country.⁶ It also has a large number of orphan children due to the HIV/AIDS epidemic.⁷ Tanzania has over two million orphaned/abandoned children, only 8% of children under five years old have birth certificates, and 20% of 5-17-year-olds are involved in child labour.⁸ Taken together, these factors increase the number of vulnerable children in Tanzania and their risk of commercial sexual exploitation.

Violence Against Children

According to a study undertaken by UNICEF in 2009 on behalf of the Government of Tanzania, almost 75% of children in Tanzania are victims of physical violence. In addition, nearly 30% of girls and 13% of boys will experience at least one incident of sexual violence during childhood. As a result, a minimum of three-quarters of children in Tanzania have experienced some kind of violence during childhood, and the real rate of abuse is likely to be significantly higher. Given that approximately half of all Tanzanians are under the age of 18, these statistics highlight a concerning social problem facing the country.⁹

The reliable data on the nature and extent of commercial sexual exploitation of children (CSEC) in Tanzania is limited due to lack of research on the topic as well as the taboo nature of CSEC related issues in society.

There is evidence, however, that CSEC is a growing problem, especially in urban areas. Due in part to extreme poverty, children are forced to drop out of school and some have no other means of survival than prostitution.

Some parents sell their children into sexual exploitation or give their daughters away for a dowry, and children are trafficked from rural areas to urban areas because it is believed that they are free from AIDS. Sexual exploitation of children in tourism is increasing in urban areas as well.¹⁰

The root causes of CSEC in the country have remained the same for more than a decade.¹¹ A recent study by the Kiota Women's Health and Development Organisation (KIWOHEDE) of all children admitted for care and support revealed that 40% of children involved in commercial sex work were children from poor families and that the most interactive areas such as mining and fishing sites are now known locations for child prostitution.¹² There are chains of pimps and children submit themselves to commercial sex work due to multiple contributing factors including parental separation, poverty, school dropout, migration,

trafficking, and hazardous domestic work.¹³ All major cities including Arusha, Mwanza, Geita, Dar es Salaam, and Mbeya have high rates of child commercial sex workers particularly in truck stops along the highways, mining sites, fishing sites and in the agricultural sector.¹⁴

Following the 1996 Stockholm and the 2001 Yokohama global forums on CSEC, Tanzania reaffirmed its commitments at the World Congress III against the Sexual Exploitation of Children and Adolescents, in November 2008 in Brazil. The World Congress III renewed global commitment and galvanised international resolve to combat sexual exploitation of children and adolescents. In total, more than 3000 people took part in the three-day gathering, including representatives from government, the private sector and civil society as well as 300 children and adolescents from around the world.

Prostitution of children

Based on limited available data, there is evidence that child prostitution not only exists in Tanzania, but that it is growing due to poverty, increased tourism, and a growing number of street children in urban areas.¹⁵ Children from 9-17 years of age were found to be involved in prostitution and while a 2001 assessment found that the common age of these children was 17, there was a small percentage under 10 years old.¹⁶

Many of these children were trafficked to the bigger cities from rural areas with false promises of employment as house girls and bar maids and then sold to brothels, guesthouses, or left to live on the streets.¹⁷ Areas in Dar es Salaam as well as suburbs like Uwanja, wa Fisi, Temeke stereo, Buguruni Sewa, Buguruni Alabama, Magomeni Kwa Macheni, Manzese and Kinondoni are well known for child prostitution.¹⁸ The Dar es Salaam city authority has conducted

operations to clear child prostitutes out of certain areas, but these operations have only targeted the children involved in the prostitution.¹⁹ The police tend to arrest the child and not the offender who is breaking the law by engaging in child sexual exploitation.²⁰ Additionally, the police have also been known to exploit child prostitutes by arresting them and offering to release them in exchange for sexual favours.²¹

The problem of child prostitution in Tanzania can be attributed to many factors including, *inter alia*, poverty in general, limited educational opportunities (especially for girls), urban migration, orphanhood due to HIV/AIDS, child headed families, marital separation, parents irresponsibility, peer influence, cultural practices that favour early/forced marriages (causing young girls to run away to urban areas) and a preference by adult males for young girls as sexual partners in

the belief that these girls are free from HIV/AIDS.²²

Clients of child prostitutes vary depending on the price of the child. Tourists, business men and NGO workers may be willing to pay more for sexual acts, while locals and teenagers may exploit those children who charge the lowest rates – sometimes only

asking for food.²³ Some child prostitutes operate out of hotels and bars and have clients that include wealthy tourists, business men and politicians while others have sexual intercourse in the street, for lower prices.²⁴ The prostitution business is mobile in Tanzania, with girls travelling to mining sector areas around payday, or to the capital Dodoma when Parliament is in session.²⁵

“Big Mamas”

“Big Mamas” are women who recruit vulnerable girls who arrive in the city from impoverished rural areas. These girls are picked up by other girls working for a “Big Mama.” To ensure that they stay and continue to work for “Big Mama,” the girls are held by a financial bond or otherwise intimidated. The documentary “Hyena Square” portrays this recruitment scheme in Hyena Square, a chaotic area of Dar es Salaam where prostitutes and beggars congregate.²⁶

According to the Tanzanian government, out of approximately 16.5 million children in Tanzania, the overall percentage of working

children has fallen from 25% to 21%. The number of children working as prostitutes over the same period however, has risen.²⁷

Child trafficking for sexual purposes

Tanzania is a source, transit, and destination country for men, women and children subjected to forced labour and sex trafficking.²⁸ Internal trafficking is more prevalent than transnational trafficking and is many times facilitated by friends or family members promising employment in the larger cities.²⁹ A 2001 study of sexually exploited girls aged 9–17 in Tanzania’s major cities found that many had been trafficked from the country’s interior; some were trafficked

to serve as domestic workers, others were trafficked directly into prostitution.³⁰ The exploitation of young girls in domestic servitude continues to be Tanzania’s largest human trafficking problem; however, according to the United States Department of State’s *Trafficking in Persons Report*, cases of child trafficking for commercial sexual exploitation are increasing along the Kenya-Tanzania border.³¹

The US Department of State annually releases a *Trafficking in Persons Report* which categorises countries into different “tiers” based on the extent of government action to combat human trafficking. Countries that have the highest level of compliance with the *Trafficking Victims Protection Act*’s minimum standards for the elimination of trafficking are placed in **Tier 1**. Those that have made “significant efforts” to meet the standards are placed in **Tier 2** and countries that are not making significant efforts to combat human trafficking are placed in **Tier 3**.

In the 2012 report, Tanzania was placed in **Tier 2**. Tanzania had been on the **Tier 2** Watch List in 2010 and 2011.³²

While the US Department of Labour reported in 2010 that trafficking for forced labour and commercial sexual exploitation was a problem in Tanzania,³³ the Tanzanian government reported that there has been little research or data collected on human trafficking and related abuses.³⁴ However, there have been several research studies done by local NGOs, including one done in 2007, which established that the sale of children from upcountry regions to major cities was “rampant” in Tanzania.³⁵

There are children trafficked for the purposes of domestic servitude and sex trafficking

into other countries, including South Africa, Oman, the UAE, Saudi Arabia, the United Kingdom, the United States, and France.³⁶ Child trafficking victims, mostly from Burundi and Kenya, are forced to work in agriculture, mining, or domestic service in Tanzania.³⁷

According to a research study conducted by the International Organisation for Migration (IOM) in 2008, there were certain characteristics associated with a child’s likelihood of being trafficked, including: lower levels of education for girls, the death of one or both parents, and proximity to busy roads.³⁸

Child pornography/child sexual abuse images

According to Terre de Hommes Netherlands,³⁹ child pornography is produced in Tanzania and it is suspected that its production is coordinated and organised on a professional level, in part by Europeans.⁴⁰ It has also been reported by various NGOs that tabloid newspapers and magazines, known as “udaku” in Kiswahili, have published immoral pictures of children and that no legal action was taken against them, even though it is restricted by law.⁴¹

Tanzania is a member of the East Africa Internet Governance Forum which seeks to address a wide range of ICT elements, including cybercrime and child pornography.⁴² There is little evidence, however, that the Forum has taken concrete steps to address or prevent child pornography.

In 2010, representatives from Tanzania attended a three-day regional workshop organised by ECPAT International and ECPAT Uganda on the Make-IT-Safe campaign, a global initiative to empower children and youth to promote the issue of Internet safety.⁴³ The meeting provided an opportunity for participants to discuss trends and patterns in the sexual exploitation of children online in their countries.⁴⁴ Participating cybercafés and mobile phone networks were trained on the implementation of the Code of Conduct for Safe Internet Use and at the conclusion of the workshop, it was decided that the Make-IT-Safe campaign would be advanced in the countries involved.⁴⁵ There is little evidence, however, that this campaign has been promoted in any significant way in Tanzania.

Sexual Exploitation of Children in Tourism

According to Tanzanian NGOs, the sexual exploitation of children in tourism is increasing, especially along the Indian Ocean’s beach hotels where tourists come specifically looking to have sexual intercourse with children, both male and female.⁴⁶ Zanzibar is recognised as one of the countries most affected by the sexual exploitation of children

in tourism in Africa.⁴⁷ Although child prostitution is strongly denied in Zanzibar, the sexual exploitation of children in tourism can be readily observed.⁴⁸ Additionally, Zanzibar is a desirable destination for men looking to have sexual intercourse with young boys and there are certain locations that are well-known for finding boy prostitutes.⁴⁹

These travelling child sex offenders have been identified as foreigners involved in mining and other industries, as well as NGO employees.⁵⁰

A study on the sexual exploitation of children in tourism was conducted by KIWOHEDE, along with various government stakeholders.⁵¹ The study covered four regions of Tanzania

and those interviewed included victims of CSEC, tour guides, community leaders, hotel workers, tourist board, beach boys, food vendors, taxi drivers, and community members living near tourist sites.⁵² The study revealed that the sexual exploitation of children in tourism is a problem, especially in Dar es Salaam, Arusha and Zanzibar; areas that are well known for tourist attractions.⁵³

Other factors contributing to CSEC

Birth registrations

Tanzania's Registration, Insolvency, and Trusteeship Agency has estimated that only about 20% of the population of more than 40 million have birth certificates.⁵⁴ Registration is free if done within three months of the birth, but a fee must be paid if registering after the three month period of time.⁵⁵ Children entering school are required to present a birth certificate, but this condition has not been strictly enforced.⁵⁶ It has also been reported that the percentage of poor children that are registered is much lower than that of rich children.⁵⁷ Universal standards require that registration of birth is free, compulsory and universal.⁵⁸ The current Constitution does not contain such guarantees, the current *Birth and Death Registration Act Cap 108* is not well disseminated to the public, and the infrastructure for registration is neither accessible nor effective.⁵⁹ The lack of birth registration makes children more vulnerable to trafficking, as there is no official record of them.

Child marriage

Tanzanian law permits girls as young as 15 to get married with the consent of a parent or guardian – no consent is needed for orphaned girls – and the courts may allow marriages of 14-year-old girls in the case of pregnancy.⁶⁰ Furthermore, Muslim and Hindu girls may marry legally at 12 years of age, so long as the marriage is not consummated until the girl reaches 15 years of age.⁶¹ Some people evade

the law in order to marry even younger girls by bribing the police or paying a “bride price” to the girl's family.⁶²

Article 162 of Tanzania's *Law of the Child Act 2009* changed the definition of a child from the *Law of Marriage Act* to “a person under the age of eighteen.”⁶³ Consequently, a girl of 15 years of age is a child under Tanzanian law, but is still legally permitted to marry. This contradiction is also contrary to the *African Charter on the Rights and Welfare of the Child*.⁶⁴

Zanzibar's *Children and Young Person's Decree* was amended to become the *Children's Act 2011*, which defines a child as anyone under the age of 18.⁶⁵ Zanzibar's *Penal Code* also defines a child as anyone under the age of 18;⁶⁶ however, it excludes from this definition those who are married or have given birth. Under Islamic law, the age of a child is determined when he/she reaches puberty.⁶⁷

According to data collected by UNICEF Tanzania from 2000–2009, 38% of women between the ages of 20 and 24 were married before the age of 18.⁶⁸ It was reported in 2011 that 9% of females on the Mainland and 6% of females in Zanzibar were married before the age of 18; 29% of these females were married when they were 14–15 years old, and 65.3% were married when they were 16–17 years old.⁶⁹

This cultural tradition of child marriage increases the vulnerability of girls to sexual abuse and exploitation throughout their lives. It is also associated with divorce or

abandonment, which often leads to severe poverty for the girl or young woman and leaves them more vulnerable to resorting to some form of commercial sex to survive.⁷⁰

Displaced children

There are large numbers of street children in urban areas such as Dar es Salaam, Mwanza and Arusha.⁷¹ In 2011, there were reportedly approximately 802,000 children living in “adverse conditions” and close to 668,000 street children with limited access to health and education services due to lack of a fixed address or money to purchase medicine or school uniforms.⁷² These street children were also identified as being especially vulnerable to sexual abuse.⁷³ According to the government, there are centres in 89 out of 133 municipalities where orphans and street children can gain access to some of these services.⁷⁴ However, these centres do not begin to effectively address the problems facing the large number of street children.

HIV/AIDS

In Tanzania’s 2002 population census, it was shown that nearly 10% of all children had been orphaned – close to two million children.⁷⁵ In 2005, indirect demographic analysis by UNAIDS, WHO and UNICEF estimated that 44% of orphanhood in Tanzania was the result of HIV/AIDS – approximately one million children.⁷⁶ The International Labour Organisation and the International Programme on the Elimination of Child Labour (ILO/IPEC) found a strong correlation in Tanzania between the HIV/AIDS epidemic and the high percentage of orphaned children involved in violent activities such as domestic work and prostitution.⁷⁷ According to KIWOHEDE, existing national efforts to curb mother-to-child HIV transmission have reduced the level of neonates born infected with HIV. The promotion of breast feeding and emphasis on nutrition and close follow-ups on postnatal care have reduced child mortality in Tanzania.⁷⁸

NATIONAL PLAN OF ACTION

Each government should develop and implement specific policies and National Plans of Action (NPA) to protect children from all forms of CSEC in order to establish a comprehensive framework for intervention in the following five key areas: coordination and cooperation, prevention, protection, recovery and reintegration, and child participation.

In 2010, the US Department of Labour reported that the Tanzanian Ministry of Community Development, Gender and Children had prepared a *National Plan of Action to Combat Commercial Sexual Exploitation of Children*;⁷⁹ however, in 2011, the department was unable to find any information on the status of the Plan.⁸⁰ In 2011, it was reported in the Tanzanian media that the government had developed

such a plan and, when finalised, it would be shared among stakeholders for validation.⁸¹ KIWOHEDE worked with the Ministry of Community Development, Gender and Children (MCDGC) to develop a NPA on CSEC. Its main objectives were to establish a set of agreed upon actions, probable actors, types of activities, resources and indicators of achievement that would be implemented to combat CSEC in Tanzania and to implement a timeframe to achieve these goals; strengthen existing community based initiatives and safety nets; and promote advocacy and education on the implementation of existing legislation/policies in the best interests of the child.⁸² The NPA on CSEC was based on four key strategic priorities: (1) strengthen and support the capacity of families to protect and care for commercial sex victims and vulnerable children; (2) mobilise and

strengthen community-based responses for care, support and protection of commercial sex victims and vulnerable children; (3) ensure that legislation and policy strategies and programmes are in place to protect commercial sex victims and other vulnerable children; (4) raise awareness and advocate for a conducive environment for vulnerable children.⁸³ Despite the development of these objectives and priorities, the NPA on CSEC was not approved by the Cabinet because it was determined that the government did not have the budget for it.⁸⁴

In its most recent report to the Committee on the Rights of the Child on the Implementation of the Convention on the Rights of the Child in 2012, Tanzania stated that it was in the process of forming a high level national body which would have a clear mandate to coordinate and evaluate the implementation of the provisions of the *Convention on the Rights of the Child's* (CRC) *Optional Protocol on the sale of children, child prostitution and child pornography* (OPSC) and provide it with adequate human and financial resources.⁸⁵

In its Concluding Observations on Tanzania's initial report on the OPSC, the Committee on the Rights of the Child recommended that Tanzania implement a specific plan of action to combat the sale of children, child prostitution and child pornography.⁸⁶ In its most recent report in 2012 to the Committee, Tanzania responded that it had complied with this request by forming a National Coordination Committee for child trafficking.⁸⁷ While this action has reportedly aided in protecting child victims of trafficking,⁸⁸ it is not on par with creating a national plan of action specifically addressing CSEC issues, especially as it focuses only on child trafficking and does not address child prostitution or child pornography.⁸⁹

In 2011, the government initiated an Anti-Trafficking Committee and Anti-Trafficking Secretariat to coordinate its national activities and within months, the Committee created

the *National Action Plan to Combat Trafficking 2011-2014*, ratified by the government in March 2012.⁹⁰ During this same time period, however, the government made no efforts to reduce the demand for forced labour or commercial sex acts.⁹¹

In 2009, both Tanzania and Zanzibar put forth *National Action Plans for the Elimination of Worst Forms of Child Labour*.⁹² The NPAs identified key stakeholders and ministries responsible for child labour interventions as well as policies/strategies to combat the worst forms of child labour.⁹³ The implementation of the NPAs was overseen by district labour officers in collaboration with education officers, social welfare officers, and women and child welfare officers.⁹⁴ In Zanzibar, the *National Action Plan for the Elimination of Child Labour* is part of the Zanzibar Strategy for Growth and Poverty Reduction (MKUZA) and serves to remove children from involvement in activities that negatively affect their physical, social and psychological well-being.⁹⁵ The NPA seeks to bring together different stakeholders involved with children's welfare and development, to implement child labour provisions, and provide a framework for the elimination of child labour in Zanzibar.⁹⁶ In order to support the implementation of the *National Action Plan on Child Labour*, as well as the *National Plan of Action for Child Protection in Zanzibar*, two projects were launched in 2011: *Fighting Against Worst Forms of Child Labour* and *Strengthening of the Multi-Stakeholder Child Protection System in Zanzibar*.⁹⁷ The projects focused on protecting and withdrawing children from the worst forms of child labour in 50 communities of nine districts in Zanzibar, as well as securing education and vocational training for vulnerable children and providing economic support to their families.⁹⁸

Tanzania's Ministry of Health and Social Welfare developed the *National Costed Plan of Action for Most Vulnerable Children 2007-2010* in order to, *inter alia*, increase the national response to most vulnerable children

(MVC) with more services over a longer period of time by 2011 and ensure that these children were protected and received access to essential services.⁹⁹ One of the NPA's objectives, under protection and security, was to address "all forms of child abuse and exploitation, including child trafficking, child labour, and commercial sex."¹⁰⁰ The NPA described the government's commitment to a time bound programme that would eliminate the worst forms of child labour by the year 2010.¹⁰¹ Four priority areas were selected for the programme; one of these was children in commercial sex work where 5000 children were targeted for prevention, withdrawal and rehabilitation in certain districts.¹⁰²

According to USAID, as of 2009, progress had been made in many areas, including in identifying MVC, coordinating NGO action, mobilising resources and developing a national data management system.¹⁰³ It has been reported that the NPA supported 857,118 vulnerable children.¹⁰⁴ During this time it was also reported that 8,586 Most Vulnerable Children's Committees (MVCCs) were formed.¹⁰⁵ In 2009, the Ministry of Health and Social Welfare developed *National Guidelines for Improving Quality of Care, Support, and Protection for Most Vulnerable Children in Tanzania*.¹⁰⁶ Studies have shown that with the aid of MVCCs, these guidelines have helped to improve children's wellbeing in certain areas.¹⁰⁷ In many areas, however, the support provided by MVCCs is inadequate and/or inconsistent.¹⁰⁸ Significant foreign

investments in the *National Costed Plan of Action for Most Vulnerable Children* have improved children's access to basic rights (food, education and health services), but there has been little focus on identifying and responding to children in need of protection from abuse, violence and exploitation.¹⁰⁹

At the launching of the second phase of the *National Costed Plan of Action for Most Vulnerable Children 2013-2017* (NCPA II) in February 2013, Tanzania's Prime Minister stated that the number of MVC in the country was increasing "at an alarming rate" while the government was short on funds to address the problem.¹¹⁰ He estimated that the government would spend Sh330 billion on the new Plan.¹¹¹ Zanzibar also adopted a *Most Vulnerable Children Costed Action Plan 2010-2015*,¹¹² but there is little available information on its objectives or implementation.

An *Operational Plan for the National Birth Registration Strategy (Costed Operational Plan for the Implementation of the U5NBRS – Under Five National Birth Registration System)* was developed and seeks to reform the birth registration system to allow for free birth registration, with certificates delivered at the registration point, and not as a two step process.¹¹³ According to UNICEF's *2011 Annual Report* on Tanzania, 6,348 out of 8,848 identified MVC were assisted in obtaining a birth certificate.¹¹⁴

COORDINATION AND COOPERATION

Coordination and cooperation are crucial for an efficient and effective fight against CSEC. In accordance with the Stockholm Declaration, close interaction and cooperation between government and non-government sectors is necessary to effectively plan, implement and evaluate measures to combat CSEC.

At an international level, effective cooperation is required between countries and international organisations, including regional organisations, to ensure a concerted and coordinated approach is taken in eliminating CSEC.

Local and national level

In an effort to better coordinate and implement the provisions of the CRC and children's rights issues in general, the government created the Ministry of Community Development, Gender and Children (MCDGC) on the Mainland and the Ministry of Social Welfare, Youth, Women and Children Development in Zanzibar (MSWYWCD).¹¹⁵ According to the government, regular meetings take place between the officials of these Ministries in an attempt to promote the coordination of children's issues across the nation.¹¹⁶ The government also contends that it has strengthened its cooperation with NGOs and community-based organisations regarding children's programmes, as evidenced by its relaxation of restrictions on NGO registration and the absence of any NGO deregistration.¹¹⁷ This cooperation can also be observed by the formation of the Tanzania Child Rights Forum (TCRF), created in 2009 along with the *Law of the Child Act*.¹¹⁸ The role of the TCRF is to coordinate civil society organisation (CSO) initiatives to support the government in implementing the *Law of the Child Act*, international child rights instruments, and recommendations of international child rights treaty bodies.¹¹⁹ In February 2013, the Second Annual CSOs Child Rights Forum was held in Dodoma.

NGOs and community based organisations have been involved in the preparation of country periodic reports, in the drafting and enactment process of the *Law of the Child Act 2009 and Zanzibar's Children Act 2011*, and in advising the government on how to effectively implement the CRC and its Optional Protocols.¹²⁰ The government has also worked with the media to raise awareness of the CRC and its Optional Protocols which include the formation of groups of child/young journalists that report on children's issues.¹²¹

The Children's Agenda, chaired by the Children's Development Department of the

MCDGC, is a coalition of organisations, government and other partners who are collaborating on the development and implementation of a national advocacy strategy for child rights in Tanzania.¹²² The Children's Agenda "creates a context for collective advocacy for child rights among government, civil society organisations, development partners, the media and the private sector."¹²³ It also promotes child participation through the Baraza la Watoto (Children's Council) and other school or community-based structures so that children can contribute their ideas and influence decisions that affect them.¹²⁴ The Children's Agenda 2012-2015 advocacy strategy seeks to more effectively budget allocations to the Top Ten Investments for Children which were determined through a consultation process involving, *inter alia*, children from various regions of Tanzania.¹²⁵ One of the Investments was in the protection of children from violence, abuse, and exploitation, as it was determined that "the structures and systems to protect children from violence, abuse and exploitation are either weak, under resourced or non-existent in Tanzania."¹²⁶

The National Inter-Sectoral Committee on Child Labour coordinates action to bring attention to child labour issues and strengthen local structures to eliminate child labour and includes government ministries and NGOs.¹²⁷ According to KIWOHEDE, its role and mandate is to oversee all child commercial sex work initiatives.¹²⁸ District-level entities report on the prevalence of working children and local-level child labour interventions; however, the regional governments between the district and national level are not involved.¹²⁹ In 2011, the Committee met only once.¹³⁰

The Tanzanian government, in coordination with the International Programme on the Elimination of Child Labour (IPEC) and various NGOs, implemented a Time Bound

Programme on the Elimination of the Worst Forms of Child Labour that addressed child labour in commercial agriculture, mining, child prostitution and domestic services.¹³¹ The Programme used the media to raise awareness and encourage community mobilisation around child labour issues.¹³² The Programme mentioned specifically that those children working in commercial agriculture were identified, counselled, rehabilitated and reintegrated into their families as well as provided with education, skills training, and small grants.¹³³ Another goal of the Programme included reaching at least 5000 children engaged in prostitution from 11 districts.¹³⁴ From 2002-2005, a total of 6537 girls and 500 boys were prevented or withdrawn from commercial sexual exploitation under the Programme.¹³⁵ It is unclear, however, if these children were given the same opportunities for counselling, rehabilitation and reintegration as those working in commercial agriculture.

In 2003, IPEC completed Phase I of its programme producing studies of good practices in fighting CSEC in Tanzania.¹³⁶ It also supported national workshops and a final sub-regional workshop to present

its findings.¹³⁷ The goal of Phase II was to support the continuance of these good practices through direct action to withdraw and rehabilitate victims of CSEC as well as work to improve the capacity of national and local institutions to fight CSEC.¹³⁸

The Child Protection Working Group seeks to strengthen child protection responses by promoting a common understanding of child protection among relevant stakeholders.¹³⁹ The Group is made up of NGOs and other stakeholders including: KIWOHEDE, the Department of Social Welfare, Children's Development Department-MCDGC, Save the Children, Plan International, World Vision Dogodogo Centre, Children's Dignity Forum, Africare, GNRC, REPSSI, NNOC-National Network of Organisations working with Children, Right to Play, PACT, FHI, and Caucus for Children Rights.¹⁴⁰ The Child Protection Working Group meets monthly so that all the participating members can present their work, discuss and reach a consensus on child related issues.¹⁴¹ It also jointly observes national and international events such as the Child Labour Day and the Day of the African Child and sets an agenda for children in the country.¹⁴²

DATA COLLECTION

According to the Tanzanian government in its most recent report to the Committee on the Rights of the Child, it is in the process of creating a central management information system where data will be handled at one centralised point.¹⁴³ With the help of the National Bureau of Statistics on the Mainland and the Chief of Government Statistician in Zanzibar, the government also conducted national surveys which provided statistics and information on, *inter alia*, the state of children's welfare.¹⁴⁴ It also received technical and financial assistance from inter-governmental, international, and national NGOs that helped to conduct sector-specific surveys related to children's issues.¹⁴⁵ In response to Tanzania's first

report, the Committee recommended that Tanzania strengthen its preventive measures by allocating "human and financial resources for research at regional and local levels aimed at addressing the root causes, such as poverty and some cultural practices, that contribute to the vulnerability of children to sale, prostitution, pornography and sex tourism."¹⁴⁶ In response, Tanzania highlighted its many legal protections of children as well as the improved budgetary allocations to ministries dealing with children's issues which resulted in an increase in training for personnel on how to enforce the laws.¹⁴⁷ This does not however, specifically address the issue of funding for research to address root causes of CSEC.

Regional and international level

The East African Community (EAC)¹⁴⁸ conducted its first-ever Child Rights Conference in September 2012.¹⁴⁹ The issues of child protection and participation were highlighted and it was stressed that the issue of child trafficking was one of the major areas that must be addressed with regards to children's rights.¹⁵⁰ Recommendations were given to, *inter alia*, formulate a harmonised EAC Child Policy, increase child participation by establishing National Children Parliaments and an EAC Assembly for Children, strengthen birth registration systems, ensure that vulnerable children have access to integrated services, and strengthen national child protection systems.¹⁵¹

During the Conference, the EAC adopted the *Bujumbura Declaration on Child Rights and Wellbeing in the East African Community*.¹⁵² The Partner States committed to, *inter alia*, strengthen collaboration, cooperation

and coordination on issues affecting children within the EAC.¹⁵³ As individual governments, they also committed to collaborating with other stakeholders, such as UN agencies, international development partners, and civil society organisations to, *inter alia*, conduct comprehensive research to be used by EAC to inform regional policies and to provide advice and resources to the EAC to address existing issues that hinder the protection of children.¹⁵⁴ However, CSEC was not specifically mentioned.

The Government of Tanzania is also a participant in the East African Police Chiefs Cooperation Organisation which works to strengthen regional cooperation and capacities among East African law enforcement authorities and includes programmes to increase coordination in combating human trafficking.¹⁵⁵

PREVENTION

The effective prevention of CSEC requires multi-faceted strategies and policies that simultaneously address the different elements of the problem. These strategies should target both vulnerable children and those who engage in sexual activities with children, while also addressing the root causes of CSEC such as poverty and lack of education.

Long term prevention strategies include improving the status of children who are most vulnerable to CSEC by implementing policies to reduce poverty and social inequality and improving access to education, health and social services. Effective short to medium term strategies include awareness-raising campaigns and education and training

initiatives for the general public, vulnerable groups and government officials.

The resources, expertise and influence of the private sector, particularly the tourism and IT industries, should also be engaged in prevention measures, in particular in awareness-raising activities.

Furthermore, information, education and outreach programmes should be directed at those engaging in the commercial sexual exploitation of children (eg users of children forced into prostitution) to promote changes in social norms and behaviour and reduce the demand for child victims of commercial sexual exploitation.

According to the Tanzanian government in its most recent report to the Committee on the Rights of the Child in 2012, efforts have been made to inform the public, especially children, about the CRC and its Protocols.¹⁵⁶ On the Mainland, awareness-raising activities on children's issues have been conducted with selected journalists such as radio and TV broadcasters and editors.¹⁵⁷

In Zanzibar, the MSWYWCD developed a manual on children's rights based on the CRC and its Protocols and it was distributed to various stakeholders who are involved in children's rights work.¹⁵⁸ School curricula and materials specifically geared toward children were developed, including a child-friendly Kiswahili version of the OPSC.¹⁵⁹

"Fataki" Campaign

The "Fataki" campaign began in the Morogoro Region, supported by the US President's Emergency Plan for AIDS Relief (PEPFAR). This campaign worked to lower the spread of HIV/AIDS by discouraging cross-generational sex through stories of a fictional "Fataki" or "sugar daddy." In each story played on the radio, "Fataki" would prey on young girls, offering them money, gifts and promises in exchange for sex. At the end of each story, he is driven away by the young girl's family, friends or community members. As a result of the campaign, 88% of the adults in the region said that they felt they had the knowledge and power to do something about cross-generational sex. The campaign spread to other regions, and in 2008, it was broadcast over 15 radio stations.¹⁶⁰ This campaign could serve as a model for future awareness-raising regarding CSEC.

In 2007, IOM launched a three-month nationwide campaign to stop human trafficking with the aim of educating vulnerable populations, specifically children, on the dangers of trafficking.¹⁶¹ Public service announcements were broadcast on TV

and radio stations on the Mainland and in Zanzibar and posters, brochures, calendars, stickers, and T-shirts were distributed in areas of high risk for trafficking. A concert was also held in Dar es Salaam to support the campaign.¹⁶²

Training and education

The government maintained in its most recent report to the Committee that 400 training sessions of trainers took place on children's rights in relation to the CRC and its Protocols.¹⁶³ In Zanzibar, training on the CRC and its Protocols was given to children's councils of approximately 100 children in Unguja and Pemba Islands.¹⁶⁴ These sessions were also conducted for the Children

Advisory Board¹⁶⁵ and women and children officers at district levels in Zanzibar.¹⁶⁶ Through the MCDGC on the Mainland and the MSWYWCD in Zanzibar, systematic gender-sensitive education and training on the provisions of the OPSC have been conducted for all professional groups working with child victims of the crimes covered by the OPSC.¹⁶⁷

The National ICT Policy of Tanzania, published in March 2003, recognised the role of ICT integration in education, and its importance in providing new opportunities to “enhance education, including curriculum development, teaching methodologies, simulation laboratories and life-long learning and distance education....”¹⁶⁸ The Policy highlights the need for the teaching of ICT at all levels of education and training, the development of a nationwide e-education system, and the use of ICT to improve the quality of delivery of education. It is worth noting that the Policy does not cover issues related to the online protection of children, which should be an integral part of the document.

In 2005, the Government of Tanzania launched a project in collaboration with the Swedish government to introduce ICT in all 32 teacher training colleges in the country to improve the quality of teacher education through an improved ICT infrastructure of broadband connections and modern IT facilities.¹⁶⁹ Such projects indicate the interest in future educational setups that would rely on online technologies for delivery of educational content and with more investment towards a modern ICT enabled infrastructure in schools to allow children to advance their learning. It is therefore imperative that the country understands the

implications for children of going online and takes measures to implement suitable policies and develop curriculum to include e-safety education for children.

The above is especially important due to the fact that Tanzania is one of the EAC (East African Community) countries to adapt the OLPC (one laptop per child project) started by Nicholas Negroponte which aims to provide a laptop computer to every child in the poorest of countries.

The Ministry of Education and Vocational Training has established a curriculum for ICT in primary and pre-primary education: *Teknolojia ya Habari na Mawasiliano* (TEHAMA). Since very few schools had computers or access to the Internet, ICT was taught only in a limited number of schools, primarily based at district headquarters. It is to be noted that a syllabus of ICT for primary education for teacher training was developed to build the IT capacity of the teachers. It contained modules on computer communication such as Internet and email. Such curriculum needs to be enhanced by including topics on ICT safety for children and to equip teachers with knowledge about the issues related to social networking and risks to children that emerge from online interaction.

Private sector involvement

Cyber Cafes in Tanzania

The cyber cafes in Tanzania are not guided by well defined policies or regulatory schemes and the association of cafes operate under very loose guidelines. The public had primarily been accessing the Internet through the cyber cafes but with the advent of mobile networks, much of the access to the Internet is now happening through mobile phones.¹⁷⁰ However, relatively few guidelines or policies exist to govern the mobile networks to undertake protective mechanisms for children.

In certain cyber cafes in Tanzania, there has been a trend to put the computer screens hidden under the desk of the user, so that they can be viewed from the top facing downwards. This could be problematic, since viewing of illegal content can be masked easily and providing privacy to the users for their online navigation might be detrimental for larger child protection interests.

Both Tanzania and Zanzibar have NPAs focused on MVC: the *National Costed Plan of Action for Most Vulnerable Children 2013–2017* and the *Most Vulnerable Children Costed Action Plan 2010–2015*, respectively. According to Tanzania's Prime Minister Mizengo Pinda, these programmes have achieved success, including assistance in the formation of 8586 Most Vulnerable Children's Committees (MVCCs).¹⁷¹ MVCCs operate at the district and village levels and attempt to identify and coordinate the MVC response within communities.¹⁷² Evidence shows that the MVCCs are consistently successful in identifying MVC, but they still have trouble fulfilling their role due to lack of support.¹⁷³ Most MVCCs have irregular contact with NGOs or government service providers and funding, goods and/or services provided can be unreliable and insufficient.¹⁷⁴

In an effort to increase school attendance and reduce the number of vulnerable children in Tanzania, the Primary Education Development Programme (PEDP)¹⁷⁵ and the Poverty Reduction Strategy Paper (PRSP)¹⁷⁶ eliminated primary school fees, although parents are still required to pay for school building projects and feeding programmes.¹⁷⁷ The Secondary Education Development Programme (SEDP)¹⁷⁸ was implemented from 2004–2009 and SEDP II is a continuation of that Programme.¹⁷⁹ One of the main goals of SEDP was equity improvement through the reduction of school fees for day students.¹⁸⁰ According to the government, SEDP was a success, with the number of secondary schools more than tripling from 2004–2009 as well as the number of students enrolled.¹⁸¹ According to the US Department of Labour, PEDP and SEDP contributed to increased enrolments in schools, but their effect on child labour and vulnerable children in general is unclear.¹⁸²

UN Tanzania, in partnership with the Tanzanian government, launched the

Social Protection Programme 2011–2015, with implementing agencies that included ILO, IOM, UNFPA, UNICEF, UN Women, WFP, and WHO¹⁸³ and a budget of \$29,515,000.¹⁸⁴ Among its key goals, the *Social Protection Action Plan* strives to: educate communities on issues concerning violence and abuse against children, including available protection services; help ministries, departments, agencies, law enforcement and civil society organisations to improve their technical skills to prevent and respond to cases of exploitation of children; aid local service providers in responding effectively to women and child victims of abuse, violence and exploitation; and ensure that ministries, departments and agencies produce and report disaggregated data on violence, abuse, trafficking and exploitation of children.¹⁸⁵

The Tanzanian Ministry of Finance and Economic Affairs also developed a National Social Protection Framework (NSPF) in 2008, which sought to address the needs of orphaned and vulnerable children, but it has yet to be approved.¹⁸⁶

In 2006, Tanzania enacted the *Birth and Death Registration Act* which required a child to be registered within 42 days after his/her birth.¹⁸⁷ *Zanzibar's Children's Act 2011* also requires children to be registered immediately after birth.¹⁸⁸ In an effort to implement these provisions, Zanzibar has established birth registration offices at the district level to help to register those children not born in health facilities.¹⁸⁹

Mainland Tanzania designated the Registration, Insolvency and Trusteeship Agency (RITA) to deal with the registration and issuance of birth certificates. In 2011, RITA adopted the *Costed Operational Plan for the Implementation of the U5NBRs* (Under Five National Birth Registration System).¹⁹⁰ RITA has made birth registrations free of charge in health facilities; however, the

implementation of this provision has proven to be difficult due to distribution costs, particularly in rural areas.¹⁹¹ One of the purposes of the U5NBRS Plan is to allow for free certification for those less than five years old and certificates are supposed to be issued instantly at the time of registration. This is a change from the old system of issuing a notification and then requiring the parents to go to the district office for the certificate.¹⁹² The implementation of this Plan is happening in some districts and regions; however, in other districts, where infrastructure is a problem, it can take between 1-30 days for certificates to be issued.¹⁹³ RITA has also developed the 6-18 *Birth Registration Initiative* that works to monitor school-aged children to ensure they are registered while at school at different stages. RITA is also working with local government authorities (under whose administration all public schools are placed), heads of schools, and teachers to implement the Initiative.¹⁹⁴

According to the government, awareness-raising campaigns and mobile registration services have been carried out in 40 districts on the Mainland, resulting in the registration of 361,667 people.¹⁹⁵ RITA's goal under the U5NBRS is to have 80% of those children less than five years old registered within the first five years of the Initiative.¹⁹⁶ As of 2010, only 14% of those under five years old were registered; of those, only 6.2% had birth certificates.¹⁹⁷

The government has also shown its commitment to reducing the MVC population by investing strongly in sectors that most directly impact children. According to the *African Report on Child Wellbeing 2011: Budgeting for Children*, Tanzania was one of the three most committed governments to budgeting for children from 2006-2008.¹⁹⁸ Nevertheless, very little of this budget was allocated specifically to CSEC issues.

Research on CSEC

Tanzania was the first country in Africa to carry out a National Study on Violence against Children.¹⁹⁹ The Tanzania Violence Against Children Study was overseen by a Multi-Sectoral Task Force that consisted of government ministries and partners from social welfare, the police and legal systems, education and health care sectors, the UN, and civil society. The study itself was coordinated by UNICEF Tanzania. The national estimates of violence against children provided by the study were “designed to help support efforts in Tanzania to develop and implement effective child-friendly prevention strategies . . .” and an objective of the survey was to “use [the] data to guide policies and programmes to prevent and protect children from violence.”²⁰⁰ The Study recognised that “preventing violence against children in Tanzania is complicated by the influence of poverty and a weak social protection framework to protect vulnerable children.”²⁰¹ Although this study provided

recommendations regarding the prevention of violence against children,²⁰² it focused very little on commercial child sexual exploitation, defined in the study as “any person under 18 who receives money or goods in exchange for sex.”²⁰³ This was in part due to the fact that it was a household survey. The Study did recommend that further research into violence against specific groups of children be conducted, such as children living on the street;²⁰⁴ however, there is no evidence to suggest that this research has been carried out.

The ILO/IPEC Rapid Assessment on Children in Prostitution in Tanzania in 2001 was the first ever research carried out in Tanzania regarding this type of forced labour.²⁰⁵ The purpose of the study was to establish the causes, incidences and trends of children in prostitution in Tanzania, as well as to propose tentative measures towards eradicating child prostitution.²⁰⁶

As part of the Assessment's proposed solutions to the problem of children in prostitution, several prevention measures were suggested, including: information and awareness-raising campaigns including local government and religious leaders and NGOs; outreach activities integrated into all local community structures and institutions such as schools, police forces, community groups, and churches; increase

in vocational training programmes; capacity building in local communities to promote social and economical gains; and targeting the demand side of child prostitution.²⁰⁷

There is little evidence to suggest that these measures, which focused on preventing child prostitution, were carried out in a comprehensive manner, especially with regard to efforts aimed at eliminating the demand for child prostitution.

PROTECTION

Children's rights instruments related to CSEC

Comprehensive and effective legislation is essential to protect children from commercial sexual exploitation. Specific laws must be developed, implemented and/or strengthened to combat the various manifestations of CSEC. These laws must be reviewed and updated regularly to incorporate evolving forms of CSEC, such as grooming or viewing

and accessing child pornography online, and changes in the international legal framework. As well as enacting legislation that is compliant with international standards and obligations, national laws must be effectively enforced. Policies and procedures to protect child victims and/or witnesses are also essential.

International instruments	
Human Rights bodies related to Child Rights	Comments
Charter-based bodies	
Working Group on the Universal Periodic Review – Human Rights Council	<p>Last review 12th Session (2011) – Conclusions related to CSEC:</p> <ul style="list-style-type: none"> - Conduct an assessment of the national policies on the rights of children and identify the areas where immediate action may be taken - Undertake more effective measures to address the problems of trafficking, sexual abuse and exploitation of women and children, including through ensuring effective implementation of the relevant legislations and undertaking intensive media and education programmes aimed at increasing public awareness and sensitivities on the rights of women and children - Adopt a national programme against human trafficking, in particular of women and children, in order to prevent this crime, rehabilitate victims and prosecute perpetrators

Human Rights bodies related to Child Rights	Comments
Charter-based bodies	
	<ul style="list-style-type: none"> - Take the necessary steps to strengthen international cooperation through multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for acts involving the sale of children, child prostitution, child pornography and sexual exploitation of children in tourism - Amend marriage law to set the minimum age for marriage for both girls and boys at 18 - Fully apply the <i>Law of the Child Act</i> <p>Next review 25th Session (2016)</p>
<i>Special Rapporteur on the sale of children, child prostitution and child pornography</i>	No visits to date
<i>Special Rapporteur on trafficking in persons, especially in women and children</i>	No visits to date (Invitation received from Tanzania, 2009)
Treaty-based bodies	
Committee on the Rights of the Child	<p>2008 – Conclusions related to CSEC:</p> <ul style="list-style-type: none"> - Establish a comprehensive data collection system and a central database to record violations of child rights including those offences covered by the OPSC - Strengthen systematic education and training on the provisions of the OPSC for all relevant professional groups - Promote awareness in the public, including children, of the preventive measures and harmful effects of all the offences referred to in the OPSC, including by encouraging the participation of the community and, in particular, children and child victims - Strengthen preventive measures, including allocation of human and financial resources for research at regional and local levels aimed at addressing the root causes that contribute to the vulnerability of children to sale, prostitution, pornography and sexual exploitation of children in tourism - Ensure that adequate resources are earmarked for services to assist all child victims, including for their full social reintegration and their full physical and psychosocial recovery

Children's rights Instruments	Date of ratification	Date of submitted reports
UN Convention on the Rights of the Child - 1989	10 June 1991	20 October 1999 20 October 2004 January 2012
Optional Protocol on the sale of children, child prostitution and child pornography - 2000	24 April 2003 (accession)	7 July 2007
ILO Convention on the Worst Forms of Child Labour - 1999 (No. 182)	12 September 2001	
UN Convention against Transnational Organized Crime - 2000	24 May 2006	
UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and children – 2000 (supplementing the UN Convention against Transnational Organized Crime)	24 May 2006	
Regional Instruments	Date of ratification	Date of submitted reports
African Charter on the Rights and Welfare of the Child	16 March 2003	December 2006

Legislation

In 2009, the Government of Tanzania enacted the *Law of the Child Act* which “effectively domesticates the UN Convention on the Rights of the Child and provides the legal framework through which the rights of the country’s children can be protected and realised.”²⁰⁸ In 2011, Zanzibar did the same with the implementation of its *Children’s Act*.²⁰⁹ In Zanzibar, the National Child Rights Committee monitors, evaluates and reports on the status of implementation of international child rights instruments.²¹⁰ In

Tanzania, the role of the Child Rights Forum is to aid in the implementation of the *Law of the Child Act*. In 2008, it was reported that the government was establishing a Commission on the Rights of the Child to ensure the implementation of child rights,²¹¹ but there is no record that this has been accomplished. Because of the provisions of these two statutes, the law now defines a child as any person below the age of 18.²¹² However, the minimum age for a girl to marry remains at 15 years old under the *Law of Marriage Act*.²¹³

PROSTITUTION OF CHILDREN

According to Article 2(b) of the *Convention on the Rights of the Child’s* (CRC) *Optional Protocol on the sale of children, child prostitution and child pornography* (OPSC), child prostitution is “the use of a child in sexual activities for remuneration or any other form of consideration.”²¹⁴ This definition covers all acts of offering, obtaining, procuring or

providing a child for child prostitution.²¹⁵

According to Tanzania’s *Anti-Trafficking in Persons Act*, prostitution is a “transaction, scheme or design involving the use of a person by another for sexual intercourse or lascivious conduct in exchange for money, profit or any other consideration.”²¹⁶ It appears, however,

that Tanzania has no official legal definition of child prostitution.

Article 139(1) of Tanzania's *Penal Code* prohibits procurement for prostitution, including procuring or attempting to procure any person under 18 years of age to go into or out of Tanzania with a view to facilitate prohibited sexual intercourse with any person inside or outside of the country.²¹⁷ Unlike the OPSC, however, it does not specifically prohibit the "offering," "obtaining," or "providing" of children for prostitution. The *Penal Code* also defines as rape sexual intercourse with a child under 18 years of age, regardless of consent; however, there is an exception to this provision if the woman is the wife of the offender and is fifteen or more years of age and not separated from the man.²¹⁸ This provision is also limited to an offense perpetrated by a male person against a girl or woman.²¹⁹ Article 138B of the *Sexual Offences Special Provisions Act of 1998* also prohibits the giving of monetary consideration, goods or other benefits to a child or his/her parents with the intent to procure the child for sexual intercourse or any form of sexual abuse or indecent exhibition or show.²²⁰

Addressing child prostitution more specifically, Article 83 of the *Law of the Child* prohibits the sexual exploitation of children, stating that "a child shall not be engaged in any work or trade that exposes the child to activities of a sexual nature, whether paid or not."²²¹ To clarify some of these "activities" the law states that it is "unlawful for any person to use children in prostitution or other

unlawful sexual practices."²²² The *Law of the Child* also provides for the care and protection of a child who "is found acting in a manner from which it is reasonable to suspect that he is, or has been, soliciting or importuning for immoral purposes."²²³

Article 141 of the *Penal Code* was amended by the *Law of the Child Act* to say "any person who, being the owner or occupier of premises or having or acting or assisting in the management or control thereof, induces or knowingly suffers any woman *under the age of fifteen years* (deleted) to resort to or be upon those premises for the purpose of sexual intercourse with any man... commits an offence."²²⁴ Article 142 was amended to say "any person who, being the owner or occupier of premises or having or acting or assisting in the management or control thereof, induces or knowingly suffers any woman above the age of fifteen years and under the age of *eighteen* (deleted sixteen) years to resort to or be upon the premises for the purpose of unlawful sexual intercourse with a man... commits an offence."²²⁵

While these legislative changes are an important first step in increasing protection for children against commercial sexual exploitation, without proper implementation through the prosecution and conviction of perpetrators, they will not fulfill this protection objective. Only one woman in Mikocheni, Dar es Salaam, was prosecuted for harbouring young girls and the case is still ongoing after almost five years. There have been no convictions.²²⁶

TRAFFICKING IN CHILDREN FOR SEXUAL PURPOSES

Under Article 3(a) of the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children* (UN Trafficking Protocol), trafficking in persons is defined as the "recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or

other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payment or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a

minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”²²⁷

The article in Tanzania’s *Penal Code* regarding the offence of trafficking was repealed by the *Anti-Trafficking in Persons Act 2008* (applicable to both the Mainland and Zanzibar), which provides a more detailed, comprehensive definition of the offence of trafficking in persons. Article 4(1) of the *Anti-Trafficking in Persons Act* states that the offence of trafficking in persons is committed when a person “recruits, transports, transfers, harbours, provides or receives a person by any means, including those done under the pretext of domestic or overseas employment, training or apprenticeship, for the purpose of prostitution, pornography, sexual exploitation, forced labour, slavery, involuntary servitude or debt bondage.”²²⁸ Under Article 5(1), the promotion, procurement, or facilitation of the commission of trafficking is also prohibited.²²⁹ This amended definition demonstrates Tanzania’s integration of the UN Trafficking Protocol into domestic legislation. While there is no definition regarding child trafficking specifically, the Act addresses “severe trafficking” which carries a heavier penalty when the trafficked person is a child. Also, the consent of the child, parent or guardian cannot be used as a defence by the offender.²³⁰

The *Anti-Trafficking in Persons Act* prohibits the prosecution of trafficked persons²³¹ and both Article 24 of the *Anti-Trafficking Act* and Article 16 of the *Law of the Child Act* provide for the care and protection of trafficked persons by the government.²³² Under the *Anti-Trafficking Act*, this includes establishing, implementing and coordinating preventive, protective and rehabilitative programmes for trafficked persons.²³³ Specifically, it is the responsibility of different government ministries to provide counselling and temporary shelter to trafficked persons; monitor, document and report cases of

trafficking in persons; ensure the prompt prosecutions of persons involved in trafficking offences; and establish a mechanism for free legal assistance for victims of trafficking in persons.²³⁴ Neither Act, however, contains measures specifically addressing the care and protection of child victims.

Part VI of the *Anti-Trafficking Act* mandates the establishment of an Anti-Trafficking Committee that will be responsible for “defining, promoting and coordinating the policy of the government for prevention and control of trafficking in persons.”²³⁵ In December 2011, the Ministry of Home Affairs established the National Anti-Trafficking Committee,²³⁶ comprised of 19 members from various government institutions on the Mainland and Zanzibar.²³⁷ The Committee was charged with preparing regulations specifying each member’s responsibilities and developing new strategies in an attempt to end trafficking.²³⁸ The Committee does not specifically address child trafficking, only trafficking in general. However, when the Committee was first launched, the Minister for Home Affairs recognised the importance of focusing efforts on combating child trafficking.²³⁹

In 2011, the Tanzanian government initiated four prosecutions involving five suspects under its *Anti-Trafficking in Persons Act* and authorities investigated six suspected trafficking cases under the 2008 Act.²⁴⁰ As of March 2012, one case had been closed, one remained under investigation, and four were being prosecuted.²⁴¹ There were no convictions of trafficking offenders in 2011, compared to three convictions in 2010.²⁴² In 2011, NGOs reported an increase in police responsiveness in reporting suspected trafficking cases with 22 referrals of trafficking victims to NGOs for protective services, an increase over the previous year.²⁴³ Social welfare officers referred 12 victims compared to zero victims referred the year before.²⁴⁴ IOM provided services to 47 trafficking victims, 40 of whom were younger than 18.²⁴⁵

Despite these efforts, the two-person police trafficking desk, which was established to work with counterparts in other law enforcement agencies to respond to trafficking crimes, received only two complaints of trafficking in 2011. The government's 24-hour crime hotline, which was available for citizens to report suspected trafficking cases received no trafficking tips, and the government made no progress in compiling trafficking-specific law enforcement and victim protection data at

the national level, relying instead on IOM for data collection related to trafficking victims.²⁴⁶ The government's efforts to protect trafficking victims suffered from a lack of resources and, as a result, key protection provisions of the *Anti-Trafficking in Persons Act*, like the fund to support trafficking victims, were not implemented.²⁴⁷ The government also continued to rely principally on NGOs, mostly located in urban areas, to provide care for victims.²⁴⁸

CHILD PORNOGRAPHY CHILD ABUSE IMAGES

The OPSC defines child pornography as “any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes” and Article 3(1)(c) prohibits producing, distributing, disseminating, importing, exporting, offering, selling or possessing child pornography.²⁴⁹

According to Tanzania's *Anti-Trafficking in Persons Act*, pornography refers to “any representation, through publication, exhibition, cinematography, indecent show, information technology or by whatever means, of a person engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a person for primarily sexual purposes.”

Tanzania's *Penal Code* prohibits making, producing, or having in one's possession for the purpose of or by way of trade or for the purpose of distribution or public exhibition, any “obscene writing, drawing, print, painting, printed matter, picture, poster, emblem, photograph, cinematograph film or any other obscene object or other object tending to corrupt morals.”²⁵⁰ This definition is not fully in line with the OPSC however, as it does not specifically address child pornography. Tanzania does not criminalise simple possession (knowing possession regardless

of intent to distribute)²⁵¹ or the intentional viewing of child pornography through the use of ICTs. Furthermore it does not address the exporting, importing or offering of child pornography. It should also be noted that the term “obscene” is subjective and open to various interpretations by law enforcers.

Article 83(2)(c) of the *Law of the Child* states that it is unlawful for any person to use children in pornographic performances or materials and Article 158(1)(b) states that no person shall “publish, produce, show or cause to be published, produced or showed a photograph or a picture of a child or a dead child containing brutal violence or in a pornographic posture.”²⁵²

Section 110(2) of the *Zanzibar Children's Act 2011* protects children from accessing pornographic information and makes it an offence to possess, for any purpose, or to access through the internet or any other communications technology, child pornography or to produce, distribute, disseminate, including through the internet, import, export, offer, advertise or sell child pornography.²⁵³

According to the Tanzanian government, the ministries responsible for communication ensure that all service providers of internet services comply with the requirements

and guidelines issued by communication committees.²⁵⁴ However, despite this legislation criminalising child pornography offences, Tanzania does not have such legislation regarding computer-facilitated

child exploitation offences²⁵⁵ and does not make it mandatory for ISPs to report suspected child pornography to the authorities.²⁵⁶

SEXUAL EXPLOITATION OF CHILDREN IN TOURISM

While there is no specific legislation in Tanzania addressing the sexual exploitation of children in tourism, there are legal provisions that are relevant to the issue, including laws on extra-territorial jurisdiction, extradition, and dual criminality.

Article 4.1 of the OPSC addresses “territorial jurisdiction” and states that each State Party should take measures to establish jurisdiction over offences committed in its territory.²⁵⁷ According to KIWOHEDE, foreign tourists/ travellers can be prosecuted in Tanzania for CSEC crimes committed in Tanzania and Zanzibar,²⁵⁸ but there is no evidence that any prosecutions have taken place.

Article 4 of the OPSC also addresses the importance of establishing jurisdiction over offences committed against children outside one’s own country.²⁵⁹

Mainland Tanzania’s *Penal Code* provides for extra-territorial jurisdiction in Article 6, stating that the jurisdiction of the courts extends to, *inter alia*, “any offence committed by a citizen of Mainland Tanzania in any place outside Mainland Tanzania.”²⁶⁰ Article 6 of Zanzibar’s *Penal Code* allows for similar jurisdiction for offences committed partly within and partly beyond its jurisdiction.²⁶¹

Tanzania’s *Extradition Act* recognises child prostitution and child pornography as extraditable offences²⁶² and Article 36 of the *Anti-Trafficking in Persons Act* states that a non-citizen of Tanzania who commits the offence of trafficking in persons shall be the subject of extradition proceedings under the *Extradition Act*.²⁶³ However, extradition is

not an option when the victim is Tanzanian and the offence is committed abroad,²⁶⁴ in contradiction to Article 4(2)(b) of the OPSC.²⁶⁵

As a party to the Southern African Development Community (SADC) *Protocol on Extradition*, Tanzania has an obligation to incorporate the provisions of this instrument into its domestic legislation, including the addition of new extraditable offences, such as the trafficking of persons.²⁶⁶ According to the Committee on the Rights of the Child in 2008, Tanzania’s *Extradition Act* was in the process of being reviewed.²⁶⁷

Dual criminality is a requirement for extradition in Tanzania,²⁶⁸ as well as for the implementation of Article 6 of the *Penal Code* regarding extra-territorial jurisdiction. This may pose a significant obstacle to the prosecution of travelling child sex offenders due to the discrepancy in legal protections for children worldwide.²⁶⁹

In Tanzania, extradition is conditional on the existence of treaties or reciprocal backing of warrants for contiguous countries with reciprocal provisions/arrangements.²⁷⁰ According to Article 5 of the OPSC, the offences referred to under the OPSC shall be included as extraditable offences in any extradition treaty existing between States Parties.²⁷¹ Furthermore, “if a State Party that makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may consider the [OPSC] to be a legal basis for extradition in respect of such offences.”²⁷²

Child protection units

In 2009, the Department of Social Welfare working with UNICEF undertook an assessment in seven districts of Tanzania's child protection system.²⁷³ Results of the assessment showed that measures to prevent and respond to violence, exploitation and neglect were either weak or nonexistent at national, district and/or community levels.²⁷⁴ As a result, one recommendation was "to establish a coherent child protection system at all levels, with clear roles and responsibilities and a structured case management system."²⁷⁵ In response to this recommendation, in 2011, models of a comprehensive child protection system were established in four districts²⁷⁶ in Tanzania in an effort to begin building a national multi-sectoral response to child abuse, violence and exploitation.²⁷⁷ As of 2012, mapping of the child protection system was in place, as was a strategy document; priorities were identified as was a financing mechanism.²⁷⁸ However, there was no coordination body in place and the child protection system was not costed.²⁷⁹

The Tanzania Police Force has established Gender and Children's Desks in police stations in these same districts to handle cases of violence against women and

children.²⁸⁰ According to the Tanzanian government, law enforcement has been trained to staff these Desks in 193 out of 366 police stations on the Mainland and the expansion of the Desks nationwide to all districts is planned to be completed by 2013.²⁸¹ It is unclear at this time if these Desks have been properly staffed with sufficient resources and what, if any, effect they have had on victims of CSEC.

Zanzibar's MSWYWCD established a Child Protection Unit in 2010 to address issues of child abuse and neglect.²⁸² The Child Protection Unit has developed, *inter alia*, *National Guidelines for the Protection and Welfare of Children*, and a One Stop Centre under the Ministry of Health dealing with child victims of violence that provides access to law enforcement, lawyers, counselling, and doctors.²⁸³

On the Mainland, Tanzania's government, working with UNHCR, has established a mechanism for dealing with, treating, and reintegrating child victims of armed conflict.²⁸⁴ However, it appears there is no such mechanism addressing child victims of commercial sexual exploitation.

Support services for children

Strategies for the recovery and reintegration of victims of CSEC should contain immediate and long-term policies. Immediate support services can include medical and psychological care, and provision of adequate shelter and legal assistance; long-term assistance could include reintegration into school, return to the family or community when possible, and concrete plans for social and economic rehabilitation and reintegration. In relation to child victims who have been trafficked into Tanzania from other countries,

it is important to have specific procedures in place that are in the best interests of the child, such as access to care and repatriation.

Part VIII of the *Law of the Child Act 2009* provides for general support services for a child by local government authorities and requires social welfare and police officers, within the area of a local government authority, to investigate all cases of violations of a child's rights.²⁸⁵

Tanzania's *Anti-Trafficking in Persons Act* provides for the rescue, rehabilitation and protection of trafficking victims.²⁸⁶ Article 17 states that the "social rehabilitation of rescued victims shall be carried out by social welfare officers for the purpose of reinstating the victim back into a normal way of life and

may include provision of legal assistance and material assistance, psychological, medical and professional rehabilitation, employment and a dwelling place."²⁸⁷ The Commissioner for Social Welfare is responsible for counselling victims of trafficking to assist in their rehabilitation and re-integration.²⁸⁸

Para-Social Welfare Officers

In 2007, Tanzania's Institute of Social Welfare and Jane Addams College of Social Work in Chicago established the pilot project that became the system of Para-Social Workers in eight districts. Para-Social Workers are semi-professionals trained in social work and child protection and usually have a great deal of knowledge of local culture and communities. Seventy percent of those trained are from NGOs, faith-based organisations and community based organisations; 30% are from government agencies; and 45% are from Most Vulnerable Children Committees. The training and hiring of these Para-Social Workers has developed as a way to combat the shortage of Social Welfare Officers in Tanzania.²⁸⁹

Article 19(1) of the *Anti-Trafficking Act* states that the government is responsible for securing "the protection, rehabilitation and assistance to a victim of trafficking in persons who is a child . . . from the moment when grounds exist to believe that the child . . . is such a victim until identification, integration and complete recovery of the child is procured."²⁹⁰

Article 20 stipulates that the government shall establish protection and assistance centres for victims of trafficking that provide accommodation, nutrition, legal assistance, psychological and medical care, security and protection, and assistance to locate relatives of the victim.²⁹¹

Article 22 allows for the repatriation of foreign child victims of trafficking to their country of origin if a parent, relative or legal guardian has given consent and a government or child protection agency in the country of origin has given consent and is able to take responsibility for the child.²⁹²

Although this specific legislation in the *Anti-Trafficking Act* addressing the treatment,

rehabilitation, and reintegration of child trafficking victims is important, it is unclear how many of these provisions have been implemented in practice.

Tanzania's government has cited to a Programme for Withdrawal, Rehabilitation and Reintegration of child commercial sex workers, operating since 1999 in three regions on the Mainland and supported by ILO/IPEC. The Programme focused on vulnerable children between 7-17 years old and, as of 2003, had withdrawn 1200 children involved in commercial sexual exploitation.²⁹³ The first phase of the National Time Bound Programme (TBP) involving ILO and KIWOHEDE started in 2003 and ended in 2009, and by that time, KIWOHEDE had withdrawn 5000 children and prevented 8000 children from being commercially sexually exploited. Since 2010, KIWOHEDE has continued to support girls in prostitution from other sources of funding, and 1700 girls have been reached by the programme.²⁹⁴

A One Stop Centre was established at the National Hospital in Zanzibar that provides counselling, legal help and medical care to

child abuse victims.²⁹⁵ Three more Centres are being piloted in Magu, Temeke and Hai in an effort to expand services for children.²⁹⁶

KIWOHEDE runs a rehabilitation centre in Tanzania that houses survivors of CSEC and vulnerable children. Children are provided with counselling, peer-to-peer support and

vocational training and are given a loan at the end of their rehabilitation.²⁹⁷ As of 2009,²⁹⁸ KIWOHEDE worked in 10 of the 156 districts in Tanzania and had 1500 children in its centres. KIWOHEDE has reported that, as of 2009, it has helped over 36,000 children.²⁹⁹

KIWOHEDE Action Programme

With the support of ILO/IPEC, KIWOHEDE implemented a yearlong action programme in February 2009, the second phase of the National TBP, carried out in 16 wards of the proposed districts of Arusha, Kinondoni, Ilala and Temeke. The aim was to protect 1000 children from commercial sexual exploitation through prevention, withdrawal and rehabilitation. During the intervention, 1203 children ages 9-18 were identified, 703 were withdrawn from prostitution, and 500 were identified for prevention. Some of the programme activities included: community mobilisation through meetings, workshops, and trainings; counselling; providing educational and vocational training; and providing working tools and school equipment.³⁰⁰

There are other organisations that focus on legal services, education, and small donations and services like health care, counselling and life skills for exploited children. These organisations include the National Organisation for Legal Aid (NOLA),

Kivulini Women's Rights Organisation, Legal and Human Rights Center (LHRC), Tanzanian Women and Children Welfare Center (TWCWC), and the Zanzibar Association for Children's Advancement (ZACA).³⁰¹

Training law enforcement personnel

In order to effectively enforce the laws and policies preventing and prohibiting CSEC, it is essential that Tanzania has well trained law enforcement officials, who are knowledgeable about children's rights issues and child protection mechanisms. There have been reports that the police can be part of the problem regarding commercially sexually exploited children's access to protection and rehabilitation. For example, IPEC reported in its Rapid Assessment Survey that 84% of girls involved in prostitution in Tanzania have been beaten, raped or tortured by police officers and sungu sungu (local community guards).³⁰² Additionally, many law enforcement officials lack the technical knowledge on child rights

and protection, as well as physical resources.³⁰³

In November 2012, representatives from Tanzania attended the International Bureau for Children's Rights' ³⁰⁴ *Fourth Workshop on the Integration of the Six Core Competencies on Child-Friendly Policing into the Training and Practices of Police Officers and Gendarmes in Africa, the Middle-East and Haiti*.³⁰⁵

Tanzania had developed child protection modules for training of police officers, which were tested in April 2012 through a trainers' training course of 16 instructors from four police academies.³⁰⁶ The modules were then submitted to the Tanzania Police Force to conduct further training sessions.³⁰⁷ The

purpose of Tanzania's involvement in the Workshop was to review the modules to fill any gaps and to ensure follow-up so that the modules are incorporated into police academy curriculum.³⁰⁸

According to the government, training on child rights is offered in all Tanzanian Police Academies as well as by development partners and NGOs, such as UN-WOMEN, UNICEF, and Save the Children, among others.³⁰⁹ This training on child rights at the Police Academies is integrated into a general human rights course³¹⁰ and it is unclear if there is any focus specifically on CSEC issues.

A training manual created for Police Gender and Children Desk officers covers, *inter alia*, international/national standards on gender-

based violence and child abuse, understanding child development, interviewing child witnesses, and understanding issues facing children who are victims of abuse.³¹¹

Although Tanzania recognises sexual exploitation as one of the most common crimes committed against children,³¹² the CRC, the OPSC, and CSEC issues do not appear to be a focus of this training manual.

In 2008, together with IOM Tanzania, the government established the Tanzania Regional Immigration Training Academy.³¹³ The Academy coordinates and provides training courses in counter-trafficking and smuggling of migrants for immigration officials from the five EAC countries: Tanzania, Kenya, Rwanda, Uganda and Burundi.³¹⁴

CHILD AND YOUTH PARTICIPATION

Article 12(1) of the CRC assures children the right to express their own views in all matters affecting them.³¹⁵ All children are capable of expressing an opinion, meaning that there is no minimum age requirement imposed on the exercise of the right to participate.³¹⁶ Thus, the right extends to any child who has a view on a matter of concern to them.³¹⁷ Children have the right to express their views freely; for this to be possible, it is necessary for adults to create the opportunities for children to do so.³¹⁸ That is to say, Article 12 of the CRC imposes an obligation on adults in their capacity as parents, professionals and politicians to ensure that children are enabled and encouraged to contribute their views on all relevant matters.³¹⁹ Children have the right to be heard in all matters affecting them – in the family, in school, in local communities, and at the national political level.³²⁰ Children also have the right to have their views taken seriously.³²¹ Article 12 insists that children's views be given weight and that they be used to inform decisions made about them.³²² Children have the right to participate in

accordance with their age and maturity, meaning that the weight that must be given to children's views needs to reflect their level of understanding of the issues involved.³²³

Article 11 of the *Law of the Child* states that a child has “a right of opinion and no person shall deprive a child capable of forming views the right to express an opinion, to be listened to and to participate in decisions which affect his well-being.”³²⁴ Article 5 of Zanzibar's *Children's Act* states that “views expressed by the child may be given due consideration.”³²⁵

Tanzania's government has included child participation objectives in national policies such as MKUKUTA, the Youth Development Policy 2007, and the Child Development Policy 2008.³²⁶

The Tanzanian government has reportedly established Children's Councils in every municipality, represented in the National Children's Council³²⁷ or Baraza la Watoto, established in 2002. In Zanzibar, the

government has reportedly established approximately 130 Children's Councils in all districts in Unguja and Pemba, consisting of children above the age of 15.³²⁸ The children involved in these Councils have participated in the formation of the National Child Status Reports in 2010 and 2011.³²⁹

Despite these efforts to recognise child participation, the implementation of these policies and Councils and the level of actual child participation in Tanzania remain unclear.³³⁰ While some reports suggest that the National Children's Council has made an impact, the Committee on the Rights of the Child expressed concern that the Council has not been integrated into the decision-making process at central or local levels and that there continues to be no formalised structure of participation for children.³³¹ Some sub-councils across the country have had great success in involving children, but many of these are sustained by civil society organisations.³³²

The government, in collaboration with Plan International, runs a children's programme called "Jukwaa la Watoto" (Children's Platform) which promotes children's

expression of their opinions on child sexual abuse, child labour, and other issues directly affecting them.³³³

A national child participation toolkit developed by the MCDGC was created in 2011 to provide practical guidance notes and facilitation methods to interact with children³³⁴ and the National Strategy for Child Participation has been adopted and documents have been distributed and disseminated.³³⁵ Despite these efforts, however, without a formalised national structure, it has been difficult for child participation to take effect in a comprehensive manner.³³⁶

In 2011, the *Constitution Review Act* was passed and established the Constitutional Review Commission which was charged with preparing a draft of a new Constitution; the Commission hoped to have reviews of the draft collected by late 2013.³³⁷ KIWOHEDE is working with children in the current Constitution reform processes in 12 districts.³³⁸ This could provide an opportunity to incorporate into Tanzania's new Constitution the right of children to express their own views in all matters affecting them.

PRIORITY ACTIONS REQUIRED



National plan of action

- While efforts have been made to create a National Plan of Action to combat CSEC in Tanzania, it has not yet been adopted. In order to effectively and efficiently combat CSEC in Tanzania, the adoption and endorsement of a NPA on CSEC should be prioritised.
- Ensure that Most Vulnerable Children's Committees are properly supported and funded in order to properly aid in the implementation of NPAs at the local level, such as the *National Costed Plan of Action for Most Vulnerable Children*.

Coordination and cooperation

- Due to the fact that there is a lack of statistical data on CSEC issues in Tanzania, the formation of a central database to record violations of child rights, especially regarding CSEC issues, as well as statistical data discovered from studies/research on CSEC issues, should be finalised and implemented by the government, with the support of other relevant stakeholders, such as local NGOs.
- Continue and strengthen the role of the National Inter-Sectoral Committee on Child Labour, especially in regards to its mandate to oversee child commercial sex work initiatives. The meetings of the National Inter-Sectoral Committee on Child Labour do not follow the calendar; changes of chair persons at the prime minister's office reduce the level of consistency of agendas; and there is inadequate funding to support project visits by committee members.

Prevention

- Include CSEC issues in the educational curriculum, as well as sex-education and children and women's rights.
- Poverty is one of the major contributing factors to sexual exploitation. There are programmes in place now in Tanzania working to, *inter alia*, reduce poverty, improve education, and eliminate child labour. These programmes include the UN Development Assistance Plan 2011-2015, the National Strategy for Growth and Reduction of Poverty II, and the Zanzibar Strategy for Growth and Poverty Reduction 2010-2015.³³⁹ The last two plans are meant to contribute to the government's National Development Vision of 2025. Nevertheless, there is much work to be done in the area of poverty reduction in Tanzania. Programmes designed to improve families' capacities to generate income legitimately should be enhanced.
- Although significant efforts have been made to reduce poverty levels, especially among children, a long-term comprehensive plan should be formulated and implemented to address the large number of street children in Tanzania, who are particularly vulnerable to commercial sexual exploitation.
- In the Addendum to the Human Rights Council's *Report of the Working Group on the Universal Periodic Review* in 2012, the United Republic of Tanzania responded to the recommendation on establishing the minimum age for marriage at 18: "The minimum age of marriage crosses

traditional, cultural and religious practices. The matter will be taken to the people for public opinion and a white paper charting the exercise is in due process.” In order to properly protect children from becoming victims of sexual exploitation, it is important for Tanzania and Zanzibar to amend their marriage laws so that the minimum age for marriage for both boys and girls is 18.

- ✎ Deterrence measures must be implemented to reduce the demand for CSEC, starting with the strict enforcement of punishments of the offenders and not the victims.
- ✎ Awareness-raising campaigns on the issues of human trafficking and exploitation of children have increased in Tanzania, but there has been very little emphasis in these campaigns on the issues of child pornography and sexual exploitation of children in tourism. These issues, while sensitive to many, should be addressed and awareness of their existence and their negative effects on children exposed, in order to better protect children from exploitation.
- ✎ Although Tanzania has prioritised budgeting for children’s issues in the past, the government should ensure that a portion of this funding is directed at CSEC issues specifically.
- ✎ Further research/studies should be conducted to follow up on the study done on violence against children. New research should be conducted on more specific groups of children, such as street children and/or victims of CSEC and its root causes.
- ✎ The National ICT Policy of Tanzania should be amended to ensure that issues related to the online protection of children are an integral part of the document.

Protection

- ✎ Approve the draft National Social Protection Framework to have a comprehensive national system of social protection of most vulnerable groups.
- ✎ The police need to take sexual exploitation seriously, especially when it concerns children. More specifically, the following measures need attention:
 - training in investigative techniques and interviewing skills;
 - the availability of sufficient resources for the police and judicial system;
 - examples of best practices within the police should be upheld and promoted;
 - policing priorities should be amended to include child exploitation;
 - knowledge about legal provisions should be bolstered as a means of improving law enforcement;
 - emphasis should be placed on punishing the perpetrators of crimes against children and not the children themselves.
- ✎ The passage of new legislation and the formation of new NPAs on children’s rights issues, especially CSEC issues, are extremely important and encouraging. However, it is vital to ensure that legislation such as Tanzania’s *Law of the Child Act 2009* and Zanzibar’s *Children’s Act 2011* are implemented by providing for a monitoring framework and regulations assigning roles and responsibilities to government ministries.
- ✎ Finalise and implement a child protection system that defines clear roles and responsibilities of relevant stakeholders to more effectively prevent and respond to the exploitation of children.

- ✎ Make it mandatory for ISPs to report suspected child pornography/child sexual abuse images to the authorities and criminalise simple possession of these types of images.
- ✎ If not done so already, revise the *Extradition Act* to allow for jurisdiction over CSEC offenses committed abroad against Tanzanian nationals.
- ✎ Eliminate the dual criminality requirement for extradition to ensure equal legal protection for victims of CSEC.
- ✎ Although law enforcement does receive training on human rights, more emphasis should be placed on training specifically addressing children's rights, particularly in relation to CSEC issues.

Recovery and reintegration

- ✎ Ensure the provisions of the *Anti-Trafficking in Persons Act* regarding support, counselling, rehabilitation, and reintegration of child victims are implemented.
- ✎ Consider implementing a mechanism similar to the one established by the government and UNHCR to treat and reintegrate child victims of armed conflict for all victims of CSEC.
- ✎ The facilities and capabilities of NGOs that provide protection as well as recovery measures for social reintegration and physical/psychological recovery to exploited children should be enlarged in urban areas and expanded to non-urban areas as well.

Child and youth participation

- ✎ Constitutionalise child participation in order to establish a formalised structure of child participation in Tanzania.
- ✎ Develop and promote guidelines, practice standards, and training materials to promote best practices.³⁴¹

ANNEX

The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents*

Note: This is a condensed version. The full Rio Declaration and Call to Action also contains: Preamble; A. Review of progress and outstanding challenges; and B. Declaration.

C. Call for Action

We call on all States, with the support of international organizations and civil society, including NGOs, the private sector, adolescents and young people to establish and implement robust frameworks for the protection of children and adolescents from all forms of sexual exploitation, and we call upon them to:

I - International and Regional Instruments

- (1) Continue working towards ratification of relevant international instruments, including as appropriate the United Nations Convention on the Rights of the Child and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Convention on the Elimination of All Forms of Discrimination against Women.
- (2) Continue working towards ratification of relevant regional instruments, including as appropriate the African Charter on the Rights and Welfare of the Child, the ASEAN Charter,

the Inter-American Conventions on International Traffic in Minors and on the Prevention, Punishment and Eradication of Violence against Women, the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, and the Council of Europe Conventions on Action against Trafficking in Human Beings, on Cybercrime and on the Protection of Children against Sexual Exploitation and Sexual Abuse, conventions which can be ratified by States that are non-members of the Council of Europe.

- (3) State Parties should take all necessary measures to implement the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, taking into due accounts the conclusions and the recommendations of the Committee on the Rights of the Child in the context of its review of State Parties' reports. All countries are encouraged to use this as an important reference.

II – Forms of Sexual Exploitation and its New Scenarios

Child pornography/child abuse images

- (4) Criminalize the intentional production, distribution, receipt and possession of child pornography, including virtual

* The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents (2008), full text available at: http://www.ecpat.net/WorldCongressIII/PDF/Outcome/WCIII_Outcome_Document_Final.pdf

- images and the sexually exploitative representation of children, as well as the intentional consumption, access and viewing of such materials where there has been no physical contact with a child; legal liability should be extended to entities such as corporations and companies in case the responsibility for or involvement in the production and/or dissemination of materials.
- (5) Undertake specific and targeted actions to prevent and stop child pornography and the use of the Internet and new technologies for the grooming of children into online and off-line abuse and for the production and dissemination of child pornography and other materials. Victim identification, support and care by specialized staff should be made a high priority.
 - (6) Conduct educational and awareness-raising campaigns focusing on children, parents, teachers, youth organizations and others working with and for children with a view to improve their understanding of the risks of sexually exploitative use of the Internet, mobile telephones and other new technologies, including information for children on how to protect themselves, how to get help and to report incidences of child pornography and online sexual exploitation.
 - (7) Take the necessary legislative measures to require Internet service providers, mobile phone companies, search engines and other relevant actors to report and remove child pornography websites and child sexual abuse images, and develop indicators to monitor results and enhance efforts.
 - (8) Call upon Internet service providers, mobile phone companies, Internet cafes and other relevant actors to develop and implement voluntary Codes of Conduct and other corporate social responsibility mechanisms together with the development of legal tools for enabling the adoption of child protection measures in these businesses.
 - (9) Call upon financial institutions to undertake actions to trace and stop the flow of financial transactions undertaken through their services which facilitate access to child pornography.
 - (10) Set up a common list of websites, under the auspices of Interpol, containing sexual abuse images, based on uniform standards, whose access will be blocked; the list has to be continuously updated, exchanged on international level, and be used by the provider to perform the access blocking.
 - (11) Undertake research and development, in the realm of the private sector, of robust technologies to identify images taken with electronic digital devices and trace and retract them to help identify the perpetrators.
 - (12) Promote public/private partnerships to enhance the research and development of robust technologies to investigate and to trace the victims with a view to immediately stop their exploitation and provide them with all the necessary support for full recovery.
 - (13) Make technologies easily available, affordable and usable for parents and other caregivers, including to assist with the use of filters to block inappropriate and harmful images of children.
- Sexual exploitation of children and adolescents in prostitution*
- (14) Address the demand that leads to children being prostituted by making

the purchase of sex or any form of transaction to obtain sexual services from a child a criminal transaction under criminal law, even when the adult is unaware of the child's age.

- (15) Provide specialized and appropriate health care for children who have been exploited in prostitution, and support child centered local models of recovery, social work systems, realistic economic alternatives and cooperation among programmes for holistic response.

Sexual exploitation of children and adolescents in travel and tourism.

- (16) Encourage and support the tourism, travel and hotel sectors in adopting professional Codes of Conduct, for example by joining and implementing the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism; encourage the use of businesses that put in place appropriate child protection-focused corporate social responsibility strategies; and/or provide other incentives for those participating.
- (17) Ensure that all stakeholders pay specific attention to unregulated tourism to prevent domestic and international travellers from sexually exploiting children and adolescents.
- (18) Cooperate in the establishment of an international travel notification system, such as the Interpol 'green notice' system, in accordance with applicable law and human rights standards.
- (19) Ensure investigation and, where sufficient evidence exists, that appropriate charges are brought and vigorously pursued against the State's nationals who are reported or alleged to have sexually exploited a child in a foreign country.

- (20) Prohibit the production and dissemination of material advertising the sexual exploitation of children in tourism; and alert travellers to criminal sanctions that will apply in cases of sexual exploitation of children.

- (21) Monitor new and emerging tourist destinations and establish proactive measures to work with private sector partners involved in the development of tourism services on measures to prevent the sexual exploitation of children and adolescents, including the use of socially and environmentally responsible strategies that promote equitable development.

Trafficking and the sexual exploitation of children and adolescents

- (22) Mobilize communities, including children and adolescents with a view to engaging them in dialogue on and a critical review of social norms and practices and economic and social conditions that make children vulnerable to trafficking, and establish procedures that involve them in developing strategies and programmes where they participate, where appropriate, in the planning, implementation and monitoring of such programmes.
- (23) Pilot and adapt or replicate successful models of community-based prevention and rehabilitation and reintegration programmes for child victims of trafficking.
- (24) Establish policies and programmes that address not only cross-border but also internal trafficking of children and that include, among other elements, a standard operating procedure for the safe repatriation and return of children based on the child's view and on a careful assessment of the needs and risks to the child of returning to her/his place of origin to ensure that the best interests of the child are taken into account.

- (25) Continue strengthening cross-border and internal cooperation of law enforcement officials, for example by establishing coordinating units with a mandate to issue clear guidelines for child centered investigation of cases of trafficking of children and for treating trafficked children not as criminals but as victims in need of protection.
- (26) Take legislative and other measures to ensure that a guardian is appointed without delay for every unaccompanied trafficked child, that an effective system of registration and documentation of all trafficked children is established, and that every trafficked child is provided with not only short-term protection but also with the necessary economic and psycho-social support for full and long-lasting recovery and social reintegration (in line with the UNICEF

Guidelines on the Protection of Child Victims of Trafficking and UNHCR Guidelines on Formal Determination of the Best Interests of the Child).

- (27) Undertake and/or support, with the involvement of civil society and children, the regular evaluation of programmes and policies to prevent and stop the trafficking of children and of legislation that may have a conducive impact on trafficking, for example laws on marriage, free education, adoption and migration, birth registration, accordance of citizenship, refugee or other status.

III – Legal Frameworks and Enforcement of the Law

- (28) Define, prohibit and criminalize, in accordance with existing international human rights standards, all acts of sexual exploitation of children and adolescents in their jurisdiction, irrespective of any set age of consent or marriage or cultural practice, even when the adult is unaware of the child's age.

- (29) Establish effective extraterritorial jurisdiction, abolishing the requirement of double criminality for offences of sexual exploitation of children and adolescents, and facilitate mutual legal assistance, in order to achieve effective prosecution of perpetrators and appropriate sanctions. Make all acts of sexual exploitation of children and adolescents an extraditable offence in existing or newly established extradition treaties.
- (30) Designate a lead law enforcement agency, where appropriate to national circumstances, to proactively enforce extraterritorial laws related to sexual exploitation of children and adolescents.
- (31) Ensure that child victims of sexual exploitation are not criminalized or punished for their acts directly related to their exploitation, but are given the status of victim in law and are treated accordingly.
- (32) Establish special gender sensitive units/ children's desks within police forces, involving when appropriate other professionals like health care and social workers and teachers, to address sexual crimes against children, and provide specialized training to judicial and law enforcement personnel.
- (33) Address corruption in law enforcement and the judiciary, as well as other authorities with a duty of care to children, recognizing corruption as a major obstacle to effective law enforcement and protection for children.
- (34) Establish and implement international, regional and national legal mechanisms and programmes for addressing sex offender behaviour and preventing recidivism, including through risk assessment and offender management programmes, the provision of voluntary extended and comprehensive rehabilitation services (in addition to but not in lieu of criminal sanctions

as appropriate), safe reintegration of convicted offenders and the collection and sharing of good practices and establish where appropriate sex offenders registers.

IV – Integrated Cross-Sectoral Policies and National Plans of Action General

- (35) Develop and implement comprehensive National Plans of Action on the sexual exploitation of children and adolescents, or include these in existing relevant planning frameworks, such as National Development Plans and ensure that these Plans are based in a cross-sectoral approach which brings all stakeholders together in a coherent and comprehensive framework for action. These Plans should incorporate gender-sensitive strategies, social protection measures and operational plans, with adequate monitoring and evaluation targeted resources and designated responsible actors, including civil society organizations for implementation of initiatives to prevent and stop the sexual exploitation of children and adolescents and provide support for child victims of sexual exploitation.
- (36) Promote and support multi-sectoral policies and programmes, including community-based programmes, within the framework of a comprehensive national child protection system to address phenomena that contribute to the sexual exploitation of children and adolescents including, for example, discrimination (including on the basis of sex), harmful traditional practices, child marriage and social norms that condone sexual exploitation.
- (37) Promote and fund meaningful child and youth participation at all levels in the design, monitoring and evaluation of policies and programmes, in campaigns and through peer-to-peer youth programmes, aimed at raising

awareness and preventing the sexual exploitation and trafficking of children and adolescents.

- (38) Initiate and support the collection and sharing of reliable information and cross-border cooperation, and contribute to databases on victims and perpetrators, to enhance assistance to children and address the demand for sex with children, in accordance with applicable laws.

Prevention

- (39) Ensure that all children born on their territory are registered immediately and for free after their birth and pay special attention to not yet registered children and children at risk and in marginalized situations.
- (40) Strengthen the role of educational institutions and staff to detect, denounce and help address sexual abuse and exploitation of children in all forms and sources.
- (41) Emphasize prevention of sexual exploitation of children and adolescents, through e.g. awareness raising and educational campaigns, support for parents and eradication of poverty while reinforcing or establishing multi-sectoral referral mechanisms to provide comprehensive support and services to children who have been victimized in sexual exploitation.
- (42) Support children to gain deeper knowledge of their own rights to be free from sexual exploitation, and the options available to help them to address abuse, so that they are empowered, with the partnership of adults, to end sexual exploitation.
- (43) Engage children in meaningful and critical examination of changing contemporary values and norms and their potential to increase vulnerability

to sexual exploitation; and promote education to enhance children's understanding of these issues in relation to sexual exploitation.

- (44) Undertake research on contemporary patterns of socialization of boys and men across different contexts to identify factors that promote and strengthen boys' and men's respect for the rights of girls and women and engage them in action initiatives that inhibit and discourage them from engaging in sexual exploitation of children and adolescents.

Protection of the child

- (45) Increase efforts to address the sexual exploitation of children and adolescents through the development of comprehensive and integrated national child protection systems, including the necessary budget allocations and based on identifications of settings where children are most at risk that aim to protect children from all forms of violence and abuse.
- (46) Establish by 2013 an effective and accessible system for reporting, follow up and support for child victims of suspected or actual incidents of sexual exploitation, for example by instituting mandatory reporting for people in positions of responsibility for the welfare of children.
- (47) Develop or enhance accessibility of existing telephone or web-based help lines, in particular for children in care and justice institutions, to encourage children and require care givers to confidentially report sexual exploitation and seek referral to appropriate services, and ensure that the operators of such reporting mechanisms are adequately trained and supervised.
- (48) Strengthen existing national child protection services or establish new

ones in order to provide all child victims of sexual exploitation, girls and boys, without discrimination, with the necessary economic and psycho-social support for their full physical and psychological recovery and social reintegration, and when appropriate, family reunification and interventions that support and strengthen families to mitigate the risk of further exploitation; such services to be provided by well trained multi-disciplinary teams of professionals.

- (49) Ensure that these services are accessible, appropriately resourced, comprehensive, child- and gender-sensitive, and reach all children without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex (or orientation), and social origin and including children with disabilities, from ethnic minorities, indigenous or Aboriginal children, refugee or asylum-seeking and children in domestic service or living on the streets and children displaced by conflict or emergency situations.
- (50) Develop programs that provide children of sex workers and children living in brothels with support and protection.
- (51) Promote and defend the privacy of the child victims and child perpetrators of sexual exploitation, taking into account relevant national laws and procedures, to protect their identity in investigatory or court proceedings or from disclosure by the media and ensure that these proceedings are child friendly and allow the child to participate in a meaningful way in the process of bringing the perpetrator to justice.
- (52) Ensure that children and adolescents exhibiting acts of sexual violence harmful to others receive appropriate care and attention as a first option through gender-sensitive and child-focused measures and programmes that balance their best interest with

due regard for the safety of others, and ensure compliance with the principle that depriving children of liberty should be pursued only as a measure of last resort, and ensure that those responsible for the care of such children are equipped with relevant and culturally appropriate training and skills.

V – International Cooperation

- (53) Take all necessary steps to strengthen international cooperation by multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for acts of sexual exploitation of children and adolescents; and for the assistance of child victims in their physical and psychological recovery, social reintegration and, as appropriate, repatriation.
- (54) Establish and/or improve by 2013 concrete mechanisms and/or processes to facilitate coordination at national, regional and international levels for enhanced cooperation among government ministries, funding bodies, UN agencies, NGOs, the private sector, workers' and employers' organizations, the media, children's organizations and other representatives of civil society with a view to enabling and supporting concrete action to prevent and stop the sexual exploitation of children and adolescents.
- (55) Strengthen and improve the effectiveness of existing regional mechanisms for exchange, coordination and monitoring of progress on child protection including against sexual exploitation in order to review progress and strengthen follow-up on the implementation of the recommendations made.
- (56) Provide, when in a position to do so, financial, technical and other assistance through existing multilateral, regional, bilateral and other programmes for addressing the sexual exploitation of children and adolescents; and explore the potential of a fund for child and youth initiatives in this area.
- (57) Develop, where appropriate with the support of UN agencies, NGOs, civil society organizations and the private sector, workers' and employers' organizations, policies and programmes to promote and support corporate social responsibility of enterprises operating inter alia in tourism, travel, transport and financial services, and of communication, media, Internet services, advertising and entertainment sectors; so that child-rights focused policies, standards and codes of conduct are implemented throughout the supply chain and include an independent monitoring mechanism.
- (58) Support and contribute to the Interpol international child abuse images database and nominate a responsible national focal point person or unit to collect and update promptly national data on sexual exploitation of children and adolescents, and systematically share this information with Interpol in order to support cross-border (international) law enforcement action and strengthen its effectiveness, and adopt multilateral agreements especially for police investigation work.
- (59) Undertake national and international coordinated measures to curb and stop the involvement of organized crime

in commercial sexual exploitation of children and bring persons and/or legal entities responsible for this form of organized crime to justice.

VI – Social Responsibility Initiatives

We encourage the private sector, employers' and workers' organizations, to proactively engage in all efforts to prevent and stop the sexual exploitation of children and adolescents, and to use their knowhow, human and financial resources, networks, structures and leveraging power to:

- (60) Integrate child protection, including the prevention of sexual exploitation of children, into new or existing corporate social responsibility policies of enterprises operating inter alia in tourism, travel, transport, agriculture and financial services, and of communication, media, Internet services, advertising and entertainment sectors, and ensure appropriate implementation of such policies and widespread public awareness.
- (61) Incorporate the prevention and protection of children from sexual exploitation in human resources policies, such as Codes of Conduct and other corporate social responsibility mechanisms throughout the supply chain.
- (62) Join efforts with Governments, UN agencies, national and international NGOs, and other stakeholders to prevent the production and dissemination of child pornography, including virtual images and the sexually exploitative representation of children, and stop the use of the Internet and

new technologies for the grooming of children into online and off-line abuse; undertake actions to trace and stop the flow of financial transactions for sexual exploitation of children through the services of financial institutions; support efforts to address the demand for sexual exploitation of children in prostitution and the strengthening of services for children victims and their families, including the establishment of accessible telephone or web-based help lines; and provide support for educational and awareness-raising campaigns targeting children, parents, teachers, youth organizations and others working with and for children, on the risks of sexual exploitation of children, sexually exploitative use of the Internet, mobile phones and other new technologies as well as on protective measures.

VII – Monitoring

- (63) Establish by 2013 independent children's rights institutions such as children's ombudspersons or equivalents or focal points on children's rights in existing human rights institutions or general ombudsperson offices, highlighting the importance for States Parties to the Convention on the Rights of the Child of General Comment No 2 of the Committee on the Rights of the Child; these bodies should play a key role in the independent monitoring of actions taken for the prevention of sexual exploitation of children and adolescents, protection of children from such exploitation and the restoration of the rights of sexually exploited children, in advocating for effective legal frameworks and enforcement and

in ensuring, where necessary, that child victims have effective remedies and redress, including the possibility of filing complaints before these institutions.

We encourage the Committee on the Rights of the Child to:

- (64) Persevere with reviewing progress of States Parties' fulfilment of their obligations to uphold the right of children to protection from sexual exploitation and pay special attention to the recommendations in the Rio Call for Action in its examination of reports under the Convention on the Rights of the Child and its Optional Protocols.
- (65) Adopt as a matter of priority a General Comment on the right of the child to protection from sexual exploitation, trafficking for sexual purposes, and the abduction and sale of children, including detailed guidance to States on the development, implementation and enforcement of national legislation and policies in this regard.
- (66) Continue to work with the Office of the High Commissioner for Human Rights in protecting child rights, and raising awareness of relevant international and regional human rights mechanisms.

We encourage other United Nations human rights treaty bodies, special procedures of the Human Rights Council and special representatives of the United Nations Secretary-General, as well as regional human rights mechanisms, to:

- (67) Pay particular attention to combating the sexual exploitation of children and adolescents, within their respective mandates and during their examination of State Parties' reports, country visits, in their thematic work and/or other activities.

We urge the Human Rights Council to:

- (68) Ensure that the Universal Periodic Review process includes rigorous examination of States' fulfilment of their obligations to children, including preventing and stopping the sexual exploitation of children and adolescents and to respectfully the rights of child victims of such exploitation.

We urge the yet-to-be-appointed Special Representative of the Secretary-General on Violence against Children, the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography and the Special Rapporteur on Trafficking in Persons, especially in Women and Children, together with other appropriate mandate holders and in collaboration with the Committee on the Rights of the Child, to:

- (69) Work together to avoid duplication and to maximise their impact in preventing and stopping the sexual exploitation of children and adolescents and, through their work, map experiences in the area of prevention and response to sexual exploitation of children and assess their effectiveness.

We encourage UN agencies, NGOs and human rights institutions to:

- (70) Support and provide information on the extent of and responses to sexual exploitation of children and adolescents to these bodies.
- (71) Work with the media to enhance their role in education and empowerment, and in protecting children from sexual exploitation, and to mitigate the harmful potential of the media, including

through the sexualization of children in advertising.

We call on international financial institutions such as the World Bank and the International Monetary Fund to:

- (72) Review their current macro-economic and poverty reduction strategies with a view to counteracting any negative social impact on children and their families, including loan conditionality which essentially limits social services and access to rights and minimizing the risk for children to sexual exploitation.

We call on religious communities to:

- (73) Reject, in the light of their consensus about the inherent dignity of every person, including children, all forms of violence against children including sexual exploitation of children and adolescents and establish, in that regard, multi-religious cooperation and partnership with other key stakeholders such as governments, children's organizations, UN agencies, NGOs, media and the private sector using their moral authority, social influence and leadership to guide communities in ending sexual exploitation of children and adolescents.

C. Call for Action

(1) We commit ourselves to the most effective follow-up to this Call for Action:

- At the national level, inter alia, by biennial public reporting on the measures taken for the implementation of the Rio Declaration and Call for Action and promoting/initiating discussions on the progress made and the remaining challenges to named responsible mechanisms for monitoring implementation while also integrating such requirements into State reporting to the Committee on the Rights of the Child.
- At the international level, by encouraging and supporting coordinated actions by the relevant human rights treaty bodies, special procedures of the Human Rights Council and Special Representatives of the Secretary-General of the United Nations with a view to maintaining awareness of the Rio Declaration and Call for Action and promoting its implementation.

- (2) Encourage the private sector to join the United Nations Global Compact and communicate their implementation progress with regard to addressing the sexual exploitation of children and adolescents and supporting the realization of this platform for coordinated corporate efforts and sharing of best practices.

ENDNOTES

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- ¹⁰ ILO/IPEC. Investigating the Worst Forms of Child Labour No. 12, Tanzania Children in Prostitution: A Rapid Assessment, 2001. Accessed on 8 February 2013 from: <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=2445>.
- ¹¹ Information received from Kiota Women’s Health and Development Organization (KIWOHEDE), the ECPAT group in Tanzania. KIWOHEDE is a non-profit health,

- rights and development advocacy organisation for women and children founded in 1998 by activist health workers. Its focus has been on the vulnerability of children, youth and women to different forms of abuse, sexual violence and exploitations that jeopardise their health and dignity.
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