THE UNITED REPUBLIC OF TANZANIA

MINISTRY OF COMMUNITY DEVELOPMENT, GENDER AND CHILDREN

NATIONAL PLAN OF ACTION FOR CHILD PARTICIPATION 2014-2019

JULY, 2014
Preface

According to the National Population and Housing Census of 2012, 21,866,258 million Tanzanian citizens are under 18 years, which equals 50.1% of the entire Tanzania Mainland population, of these, 10,943,846 are girls and 10,922,412 are boys. The total numbers of under the age of eight were 11,181,278, which equals to 51.1 percent of all children in Tanzania. Regardless of large number of children’s population in Tanzania, children are still facing critical challenges in life, their rights have been violated, and for a long time children’s voice was not heard which could help them to advocate for their rights, this is because children were not given an opportunity to exercise their potentiality or to participate in all matters regarding their affairs and wellbeing on the presence of existing legal and policy framework.


Despite of government efforts in developing Policies, Laws and strategies for child care and protection, still there are various challenges which hinder the implementation of programs for child development and protection. These challenges include lack of financial resource, minimal awareness of the community members on violence against children and insufficiency knowledge of parents and guardians on parenting skills. In this context there is a need to empower children to understand their rights which will improve their participation in making decisions that affects their lives. Thus being something of priority to have their voice heard and their contribution appear in defending their rights.

Currently, the child participation in decision making on issues that affect their lives is a growing realization in Tanzania especially after the ratification of the Convention on the Rights of the Child (CRC) in 1991. Further to this, the Government recognized the need to formalize the involvement of children in decision making in a more consistent and meaningful manner through establishment of Junior council which was a result of the UN General Assembly-Special Session on Children (UNGASS) which suggested the creation of a permanent representative body of children in all state parties including Tanzania. Junior Council of the United Republic of Tanzania (JCURT) which is also known as Baraza la Watoto under the leadership of the Ministry of Community Development, Gender and Children (MCDGC) was established in December, 2002.
Other efforts made by the government to improve child participation were to establish School Baraza (councils) and children clubs in both at schools and out of schools. In those clubs, peer age have an opportunity to share the experience on life skill issues including HIV/AIDS prevention, psycho-social care and support, and playing which is very important aspect for their wellbeing.

In 2010, the MCDGC in collaboration with children stakeholders developed a National Child participation Toolkit for guiding children facilitators on interacting with children and community members to discuss children’s issues and finding the solution of issues related to children. It is a practical tool for engaging children on their important matters in the communities.

The government in collaboration with more than 167 CSOs has established the Children Agenda coalition in 2012 which aim at advocating Top Ten Investments based on child rights including the right to participate. There are great progress done by the coalition through implementing the three year strategic plan (2013 - 2016). In making sure that children are reporting child abuse cases, the government in collaboration with partners has established Child Helpline in 2013. Also the government ratified the African Charter on the Rights and Welfare of the Child (ACRWC) in 2003 and endorsement of the Law of the Child Act No 21 of 2009. The entire document aim at strenghtening child participation in decisions which affect their well-being.

Since there is a need to ensure that policies, strategies, laws and programs are well coordinated and implemented in effective manner, the MCDGC with children stakeholders found necessity to develop a National Plan of Action for Child Participation (NPA). The NPA provides a framework for promoting children’s participation, establishing structures that will enhance the participation of children by coordinating the effort of all stakeholders and a guide for child participation process at all levels.

This NPA is expected to reveal major changes in determining the participation of children who are more likely to contribute to the views only used as advise and thus to sustain progress in children’s participation in the processes and issues that concerns their lives. The process of developing NPA involved a number of stakeholders by collecting opinions from different groups of people including children which is very important element for ownership of this plan. This NPA will be implemented in Tanzania mainland.

The NPA for child participation will lay down roles and responsibilities of the children to influence community’s attitude on supporting them especially during
children’s meeting, sharing information and implement issue related to their peer’s age in effective manner at family, community and society at large.

This is a sustainable NAP and to enhance its sustainability a number of activities will accompany its implementation. The activities include raising awareness to the community, government leaders, parents and guardians and children particularly on the consequences of denying children right to participate in the important matters of their concerns at different decision making levels. The NPA is expected to provide opportunity to children to air their creative opinions and views in the formulation and implementation of the policies and laws as well as their strategic contribution to the democratic development, good governance, gender equality and general development.

The NAP will provide an opportunity for parents and caregivers to learn the best way of communication and good relations between parents and children in discussions and their contributions.
Acknowledgement

I sincerely thank you all involved in preparing this Plan of Action on Child Participation. Various stakeholders were involved in one way or another, these includes children of different ages, communities, ministries staff and government departments, NGOs, other development partners, faith-based organizations, the elders from the traditions and academicians.

The process of developing this plan of Action was under the supervision of the Ministry of Community Development, Gender and Children. This program is the results of the workshop, discussions, meetings, filling questionnaires, various discussion with children, government, NGOs and representatives from other development partners and representatives of various communities including elders, community s and religion leader in the period, between May and July 2010 on the involvement of children in decision-making in Tanzania.

Special thanks should be directed to the United National Children Fund (UNICEF), for the financial support which enable the preparation of this plan.

Either, the ministry is appreciate for the efforts made by every stakeholder who committed for implementing and funding child participation here in Tanzania.
ABBREVIATIONS

NGOs: Non Governmental Organisations

BEST: Basic Education Statistics, Tanzania “Basic Education Data”

NGRSP: National Strategy for Growth and Reduction of Poverty

NBS: National Bureau of Statistics

AIDS: Acquired Immuno Deficiency Syndrome

MCDGC: Ministry of Community Development, Gender and Children

PMORLAG: Prime Minister’s Office Regional Administration and Local Government Authority

MOHSW: Ministry of Health and Social Welfare

MJCA: Ministry of Justice and Constitutional Affairs

MHA: Ministry of Home Affairs
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CHAPTER ONE

1. INTRODUCTION

1.1 Overview
The development of NPA for child participation is the government and other children stakeholders’ efforts in advocating for child rights and strengthening democracy in accordance to international and regional human rights conventions, policies and legislative commitment related to children in which Tanzania has adopted.

Children in Tanzania are confronted with a number of challenges that include HIV/AIDS, high school drop-out rates, child labour\(^1\), low household income, and food insecurity\(^2\). Other problems they face are lack of quality education, sexual harassment, violence and abuse. Children face violence and abuse at home, at school, in their communities and other public places. Violence Against Children Survey reveal that nearly 30% of girls (and nearly 15% of boys) had been exposed to some form of sexual violence before age of 18 years and nearly 70% of girls (67% for boys) to some form of physical violence\(^3\). During the consultative process for the development of this NPA, it was also revealed that there are considerable numbers of children who come into conflict with the law as juvenile offenders as well as survivors and witnesses. A considerable number of children have one or two forms of disabilities and an equally large number live on the streets.

The 2012, statistics shows that 21,866,258 million, which represents 50.1 percent of the population, are under the age of 18 in Tanzania Mainland (according to the National Population and Housing Census). The number of children under the age eight were 11,181,278. Approximately one million are under the age of five and eight million children living in extreme poverty and one in four girls aged under 18 years have already started the responsibility of bearing. In addition 58 percent of children aged five to six years which is 97.7 percent of children with disabilities do not enrolled into primary education (BEST 2012). Approximately 8,000 girls drop out of school each year due to teenage pregnancy. In 2001, estimates of youth aged 15-24 living with HIV / AIDS were 4.3 percent. One NPA to cater for children who are vulnerable to protect and enable them to gain their rights to education, health and others are enabling them to participate in

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\(^{1}\)See Liebel, 2004, for a greater understanding of working children as contributors and participants in civil society.
\(^{3}\)Violence against children in Tanzania: Findings from a National SurveyA Technical Report from the Centers for Disease Control and Prevention to the United Nations Children’s Fund Tanzania Country Office. This report has not yet been finalized and released for general use. The figures shown are not an exact citation of the report but reflect information already available in the public domain that may appear in the same or revised form in that report.
decision-making issues that affect their lives. These factors shape a compelling argument of the existence of this NPA and its implementation.

Process to gather views of stakeholders in the development of the NPA for Child Participation aimed at evaluating the current situation regarding the participation of children in matters affecting them. There are negative perceptions among communities, demonstrate barriers/objections in understanding that children have the right to participate in decision making on issues that affect their lives. This give emphasis to the development of participatory NPA; consolidate existing knowledge about their participation and creating positive attitudes and also serve as a tool to combat negative emotions that challenge children's participation in development issues.

It should also be noted that, traditionally, local practice seeks to communicate with children by conveying information that is considered relevant to children using a variety of approaches from their traditions. While these traditional practices do not provide the basic principles for the involvement of children in matters concerning them (still these rituals remind us of the importance of children's participation was recognized and should be respected and maintained within the grounds of human rights).

The consultative process that provided the basis for the development of this NPA set out to establish the current status of children’s involvement in matters affecting them in Tanzania. It was observed that there is relative understanding of child participation among children and adults which provide an indication that the environment is ready for involving children in matters that affect them. While this is generally the case, there are negative attitudes to some community members that reflect resistance to understand that children have the right to participate in decision making in matters that affect them and should share the power to make decisions with adults. Both circumstances justify the need for this NPA; to build on current understanding and positive attitudes and as a means to deal with negative attitudes towards children’s participation. There are existing practices that promote children’s contribution and involvement in Tanzania, including children’s council, School baraza, children’s clubs and various committees.

1.2 Background
In considering the importance of children's participation in making decisions that affect their lives and the community in general, and the need to focus on their rights, the government of the United Republic of Tanzania has given high
priority to children. However, this NPA covers only Tanzania Mainland, although it is likely to expand to Tanzania Zanzibar.

At the national level, many initiatives have been taken by the government to focus on the importance of fulfilling the rights of children, so the government has given priority to children in various legal and policy aspects:

The Government of the United Republic of Tanzania ratified International and Regional Treaties regarding children's rights such as:
   a) The United Nations Convention on the Rights of the Child

On the other hand, the government has taken concrete steps to enact legislation, policies, strategies and action plans to ensure that the rights outlined in these conventions are implemented.

   c) Junior Council of United Republic of Tanzania established (2002)
   f) National guidelines for the establishment of the children councils at all levels (2010)
   g) National mult sectoral Plan of Action to prevent and respond to VAC (2013-2016)
   h) National Strategy for Growth and Reduction of Poverty, Mkukuta II (2010).

MCDGC is responsible for overseeing and coordinating the implementation of the conventions, policies and legislation aimed at fulfilling the children rights.

This NPA aims to ensure that all obstacles that hinder the participation of children in decision making on issues that affect their lives are eradicated. All stakeholders, including government and non-governmental organizations should own this NPA and implement activities related to their roles for effective participation.

1.3 Child Participation and definition of a Child

1.4 Who is a child?

In promoting child participation, it is important that there is a clear understanding of the two main concepts; “a child” and “child participation” in respect to Tanzanian laws and policies. Legally, as provided for by the CRC, the ACRWC, the Constitution of the United Republic of Tanzania and the Law of the
Child Act, a child is any person below the age of 18 years. In some specific legal contexts, and based on an expected level of responsibility, a lower or upper age may be considered. For example, in the Tanzania Penal Code, the age of criminal responsibility is 10 years. In most communities, any person who is still dependent on their parents may be considered a child even if they are already older than 18 years.

On the other hand, a young mother or person who has undergone a rite of passage such as circumcision, jando and unyago may no longer be considered a child. However, in general, this NPA defines a child as any person below the age of 18 years consistent with the Law of the Child Act (Part II, 11).

1.4 How do we define the participation of children and adolescents in civil society?

Many attempts to define child participation do so by focusing on Article 12 of the CRC. Article 12 states that every child who is capable of forming views has the right to express those views freely in all matters affecting him or her. Furthermore, their views must be given due weight in accordance with their age and maturity. It is one of the fundamental rights contained in the CRC but does not necessarily apply to every child. The fact that children’s views can be given weight according to their age and maturity is supported by Article 5 of the CRC which spells out that the responsibility for providing direction and guidance in the exercise of their rights by children, the parents or guardians must have regard to children’s evolving capacities. That is to say that they should recognise that children gain skills and competence as they develop and are able to take increasing levels of responsibility for their actions and sharing in decisions that affect them as their capacities evolve.

There are several concept interpretations reflecting the multiplicity Article 12 of the CRC which states that every child who can contribute to comments he has the freedom and the right to express those views on issues affecting without any fear that their opinions are handed seriously according to their age. This is one of the rights that have been identified as a fundamental right in the UN CRC. This right is also classified in section 5 of the International Convention on the Rights of the Child which states that the role of providing guidance in regard to the rights of children, parents and carers of children in children’s participation in decision-making should focus on trend growth potential of children.
This means that children have experience and knowledge in this sphere of engagement as they grow up and get a chance to participate and assigned responsibilities related to their participation as well as adults are more willing to take responsibility for their actions generated and their contribution in making decisions that affect them.

One of the most important principles enshrined in the CRC is that of Article 3 that describes the ‘best interests of the child’. The Committee concludes that there is a shared responsibility for deciding what the ‘best interests’ principle is that depends on a dialogue between children and adults although it is the latter who bear ultimate responsibility for reaching a decision. This shared responsibility is also conditional on the direction and guidance offered by parents or guardians (and indeed other adults) in regard to children’s evolving capacities to make decisions.

Another set of Articles, 13 to 17, address the other dimensions of participation in civil society that include freedom of expression, religion, conscience, association, privacy and information. These articles reflect the UN Universal Declaration of Human Rights (UDHR), Articles 2, 12, 18, 19, 20 and 27. This is stated along with the International Covenants on Human Rights, in which it is proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein. Those should be without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. They are principles that also remind us that human rights are universal, indivisible and inalienable whether they are civil, political, economic, social or cultural. This is irrespective of whether they are civil and political rights, such as the right to life, equality before the law and freedom of expression; whether they are economic, social and cultural rights, such as the right to work, social security and education or collective rights such as the rights to development and self-determination. All are not only indivisible but also interrelated and interdependent. The advance of one right makes possible the progress of others and the denial or withdrawal of a single right adversely influences all others rights.

It has been firmly established that human rights are inalienable. They should not be taken away from individuals or groups of people except in explicit situations and according to a due process of law. The CRC, and particularly the participation articles, must always be understood in precisely this way. At present within the international community, the emphasis on a Human Rights Based Approach has been promoted in order to promote a holistic NPA toward

\[7\] The International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), both 1966.
the realisation of rights that incorporate the notions of indivisibility and inalienability. Thus, all human rights instruments and legislation in which civil and human rights are contained become inseparable. The CRC, as a human rights instrument, also describes the civil rights of children, to which classifications of ‘participatory rights’ belong.

Collectively, the civil rights described by Articles 12 to 19 of the CRC have been generally perceived to belong together under the term ‘participation’. It should however be noted that the Convention does not include the actual term ‘participation’. It has been far more an initiative of the Committee on the Rights of the Child, and the ‘child rights community’ in which NGOs have particularly played an active role, that the word ‘participation’ has become a generic term. The African Charter on the Rights and Welfare of the Child (ACRWC) has given similar emphasis to the civil rights and participation of children in its Articles 7 to 10 and 12. However, instead of looking at evolving capacities in the fashion of Article 5 of the CRC, equivalent and more culturally appropriate expressions are found in ACRWC Articles 4 and 20.

Furthermore, in their General Comment No. 12, the Committee on the Rights of the Child identified Article 12 as an underlying principle which must inform implementation of all other rights. They placed an emphasis on the right to participate that applies to all children who are able to form views, however young they may be, and it applies to all areas of their lives. That extends from their role within family, home, community, school, public services and to wherever it is pertinent into wider government policy. The Committee placed emphasis on the importance of providing children with necessary information in accessible and comprehensible forms and time and space in which to participate safely and effectively.

Thus participation may be more precisely defined as an on-going process in which children’s ways of expressing themselves and their active involvement in decision making in matters that concern them:

- gives children opportunity to contribute comments about possibility of shaping the cause and effect of a process and its outcome,
- requires information sharing and dialogue between children and adults which is based on mutual respect that fosters understanding and allows them access to both decision and power sharing,
- and respects their evolving capacity, in order that their experience and interests are accepted as a formative part of the degree and nature of their participation.

In Tanzania, the Law of the Child Act (2009), Part 2 Article 11, sets out to enable part of that objective and reflects Article 12 of the CRC:
A child shall have 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.

1.5 The importance of Child Participation

Thus it is apparent that children’s participation promotes civic engagement and active citizenship. Through their experience of direct participation in matters that concern them, children develop the capacity to contribute to the formation of peaceful and democratic societies in which they were born or have since become where they now live. This adds to the development of a culture of respect in which decision-making is carried out through negotiation rather than as an outcome of conflict. Children learn that human rights are reciprocal and common and do not promote selfish individualism. Community participation in decisions that are child inclusive helps governments improve public services, gives them resort to hold public officials to account, ensures the processes of justice and reinforces the rule of law.

Children acquire competence, skills, knowledge and confidence through participation. This boosts their development and, for instance, contributes to the aims and objectives of education (Article 29 CRC), their best possible development (as in Article 6 CRC) and their capacity to exercise their rights (Article 5). This also has a positive input into the notion of ‘best interests’ enshrined in Article 3.1 CRC and Article 4.1 ACRWC. Children who become socially, economically and politically empowered can also become active and effective advocates for the realisation of their rights.

This has the potential to lead to better child protection. Children are often silent and submissive when abused by adults or other children. Giving them information and then encouraging them to express their concerns introduces them to secure and accessible means of challenging abuse which in return offers them more effective protection. Also, children who have access to information about matters concerning health and sexuality are better able to protect themselves against unwanted pregnancy, STDs and HIV/AIDS. Young workers who form and become members of associations and movements are often able to protect themselves better against exploitation and abuse in the workplace, demand better pay and conditions. In some cases they may also be able to contribute to ending the need for young people to work.

Such opportunities have been found to be of particular significance in situations such as where there are conflicts and emergencies. Furthermore, the active
engagement of children provides information and insights with which to inform legislation, policies, budgets and support services. It also, for instance, contributes positively to the aims, objectives and realisation of the Millennium Development Goals (MDGs).

1.6 Child Participation Challenges

There are many challenges in achieving the participation of children. There is a build bridges between involvement and commitment of its relevance in the lives of children and in achieving policy objectives relating to children's. In the Child Rights Committee following were identified: in Article 12

If consultation is to be meaningful, documents as well as processes need to be made accessible. But appearing to “listen” to children is relatively unchallenging; giving due weight to their views requires real change. Listening to children should not be seen as an end in itself, but rather as a means by which States make their interactions with children and their actions on behalf of children ever more sensitive to the implementation of children’s rights.

…article 12 requires consistent and on-going arrangements. Involvement of and consultation with children must also avoid being tokenistic and aim to ascertain representative views. The emphasis on “matters that affect them” in article 12 (1) implies the ascertainment of the views of particular groups of children on particular issues - for example children who have experience of the juvenile justice system on proposals for law reform in that area, or adopted children and children in adoptive families on adoption law and policy. It is important that Governments develop a direct relationship with children, not simply one mediated through non-governmental organizations (NGOs) or human rights institutions. In the early years of the Convention, NGOs had played a notable role in pioneering participatory approaches with children, but it is in the interests of both Governments and children to have appropriate direct contact.

To return to the Committee on the Rights of the Child⁸, and their views on ‘the right of the child to be heard’ the following are important for Tanzania:

Committee on the Rights of the Child also stressed the issue of children's voices to be heard at all levels from the family and this is also important for Tanzania

90. A family where children can freely express views and be taken seriously from the earliest ages provides an important model, and is a preparation for the child to exercise the right to be heard in the wider society. Such an

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⁸General Comment 12 (2009),
approach to parenting serves to promote individual development, enhance family relations and support children’s socialization and plays a preventive role against all forms of violence in the home and family.

91. The Convention recognizes the rights and responsibilities of parents, or other legal guardians, to provide appropriate direction and guidance to their children, but underlines that this is to enable the child to exercise his or her rights and requires that direction and guidance are undertaken in a manner consistent with the evolving capacities of the child.

92. States parties should encourage, through legislation and policy, parents, guardians and child-minders to listen to children and give due weight to their views in matters that concern them. Parents should also be advised to support children in realizing the right to express their views freely and to have children’s views duly taken into account at all levels of society.

93. In order to support the development of parenting styles respecting the child’s right to be heard, the Committee recommends that States parties promote parent education programmes, which build on existing positive behaviours and attitudes and disseminate information on the rights of children and parents enshrined in the Convention.

94. Such programmes need to address:
   - The relationship of mutual respect between parents and children
   - The involvement of children in decision-making
   - The implication of giving due weight to the views of every family member
   - The understanding, promotion and respect for children’s evolving capacities
   - Ways of dealing with conflicting views within the family

The Inter-Agency Working Group on Children’s Participation has examined how the bridges between children, government and adults who have direct contact can be achieved. In their Minimum Standards for Consulting with Children\(^9\) they have recommended five principles of participation:
   1. Transparency, honesty and accountability
   2. A children-friendly environment
   3. Equality of opportunity
   4. Safety and protection of children
   5. Commitment and competency of adults

\(^9\)(2007: 18ff)
Whilst these are primarily designed for particular settings such as a meeting with government representatives or participation in an international meeting, in principle they should also be transferable to all situations in which the dialogue between adults and children is taking place.

Thus, adults taking part in consultations with children must follow ethical practice and put children’s best interests first. Children should be able to experience ‘a safe, welcoming, inclusive and encouraging environment that enables participation’. In other words, they should not be placed in an ‘adult environment’ in which they feel out of place or intimidated. Groups of children who normally suffer discrimination or are often excluded from such activities, girls for example, children who work or children with disabilities should always be included. Children, in common with adults, are never a homogeneous group. Allowance must be made for ethnicity, gender, abilities, class and other factors. They should however, not be subject to threats or actual harm to their wellbeing. These include anything that may be injurious to their physical and emotional wellbeing. Instead of appearing either authoritarian or patronising, adults are usually only able to encourage genuine participation if they have the necessary understanding and ability to listen and share. For adults, who themselves were used to an authoritarian or strict regime in which children and adults did not come together in this way, this is a major challenge.

A more detailed examination of how participation can become a reality will be covered in the development of a set of standards and code of conduct in line with the specific needs of the Tanzanian context.
CHAPTER TWO
2.0 CHILD PARTICIPATION IN THE TANZANIAN CONTEXT
2.1 Legal context
2.1.1 The Constitution of the United Republic of Tanzania
As a starting point, constitutional law includes all Tanzanians irrespective of age
(Article 8 (1) describes Tanzania as a state which adheres to the principles of
democracy and social justice. It proclaims the Government to be accountable to
the people and for the people to participate in the affairs of their government in
accordance with the provisions of the Constitution ‘The people’ includes
children and ‘democracy’ and ‘accountability’ describe the right to participation,
thus:

According to Article 18 of the Constitution which provides rights for freedom of
expression:

(1) Without prejudice to expression the laws of the land, every person has the
right to freedom of opinion and expression, and to seek, receive and impart
or disseminate information and ideas through any media regardless of
national frontiers, and also has the right of freedom from interference with
his communications.

(2) Every citizen has the right to be informed at all times of various events in
the country and in the world at large which are of importance to the lives and
activities of the people and also of issues of importance to society.

Article 19 (1) provides for the right to freedom of thought, conscience and belief:
Every person has the right to freedom of thought or conscience, belief or faith, and
choice in matters of religion, including the freedom to change his religion or fait

Article 20 (1) provides for freedom of association:
Every person is entitled to freedom, subject to the laws of the land, to freely
and peaceably assemble, associate and cooperate with other persons, express
views publicly and more specially to form or join associations or organisations
formed for the purposes of preserving or furthering his beliefs or interests or
any other interests.

Article 21(2) provides for participation of citizens.
Every citizen has the right and the freedom to participate fully in the process
leading to the decision on matters affecting him, his well-being or the nation.
2.1.2 The Law of the Child Act 2009

The Law of the Child Act, 2009 came into force in April 2010. The Act is the single most important piece of legislation for Tanzanian children, establishing the framework for child protection and, for the first time, enshrining the rights of all children in national law. It was drawn up and adopted to incorporate the spirit of both the CRC and the ACRWC. The NPA draws on section 11 of the Law of the Child Act for its mandate, thus making legal provision for children’s rights to form their own views, express their opinion, be listened to and participate in decisions that affect their well-being. It also instructs recognition of the best interest of the child in all matters, and provides for equality and non-discrimination between children. In section 15, the Law of the Child Act reiterates the spirit of the ACRWC, and provides that children have the duty and responsibility to serve their community and nation by placing their physical and intellectual abilities at its service in accordance with their age and ability.

Based on the importance of child participation in Tanzanian context, the Law of the Child Act (2009) in part one, preliminary provisions, it stated that:

2. This Act shall apply to Mainland Tanzania in relation to the promotion, protection and maintenance of the welfare and rights of the child.

It continues to present children’s rights in Part Two under the heading Rights and Welfare of a Child, sub-heading (a) is Right of a Child under which Articles 4 through to 14 describe the intention of the law. Article 11 states that:

A child shall have 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.

This article encapsulates the position of the law expressed in Articles 18 to 21 of the Constitution. It also particularly aligns with Article 12 CRC and Article 7 ACRWC which states that:

Every child who is capable of communicating his or her own views shall be assured the rights to express his opinions freely in all matters and to disseminate his opinions subject to such restrictions as are prescribed by laws.

The National Plan of Action is one of the mechanisms to enable children to fulfil their responsibility to their community and nations articulated in the laws and conventions.
2.1.3 The Employment and Labour Relations Act, 2004,
The Employment and Labour Relations Act, 2004 Section 5 (1) prohibits employment of all children below the age of 14 years. However, it is recognised that due to increasing vulnerability of children some need to work in order to survive. Children who are 14 years and above can be employed to light work, which is not harmful to their health and development and does not affect their education.

In making decisions regarding the child’s capacity to perform light work, a competent authority or the child’s own ability to recognise its benefits must be sought. This section of the ELRA furthermore prohibits employment of children below the age of 18 years in hazardous labour. The protection of children who need to work and can do light work, as well as those who may well be exploited and steered into hazardous labour, requires the children’s own contribution and involvement in mechanisms designed to protect them which are provided by the National Plan of Action (NPA). Tanzania ratified the ILO Convention concerning Minimum Age for Admission to Employment (Minimum Age Convention, 1973 (No. 138) in 1998 and Worst Forms of Child Labour Convention, 1999 (No. 182) in 2001.

2.1.4 HIV and AIDS (Control and Prevention) Act, 2008
In the HIV and AIDS (Control and Prevention) Act, 2008, the government acknowledges the duty to provide appropriate treatment, care and support using available resources to people living and at risk of HIV and AIDS. The Act states that voluntary HIV testing is available to all persons with their consent. Section 15 (2) specifically provides for children and states that “A child or a person with inability to comprehend the result may under HIV testing after a written consent of a parent or recognized guardian”. This provision ignores the fact of evolving capacities where older and more mature children are capable of making the right decision regarding HIV tests and can comprehend results. The provision departs from the spirit of child participation and may jeopardize the rights of children to HIV/AIDS services as older children tend to withhold sensitive information to themselves and their peers.

2.2. National Policy Context
2.2.1 Child Development Policy (2008)
The Child Development Policy (2008) provides guidelines for stakeholders to participate in the implementation of programmes that target the realisation of children’s rights and well-being. It provides a framework for actors to understand their duties and responsibilities which, in turn, enhance programme implementation and coordination. Under objective four, the policy specifically

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addresses child participation that aims to provide direction on survival, protection, participation, non-discrimination and development of the child.

This NPA is, therefore, a tool designed to provide direction on the engagement of children’s contribution and their involvement in matters that concern them which ultimately contribute to child survival, protection and development. Responsibility for this Policy is under the auspices of the Ministry of Community Development, Gender and Children who is also responsible for the family. The MCDGC has a mandate to equip families and communities with the knowledge and skills to enable children to contribute and thus be involved in matters that affect them, their family, community and other levels of civil society. The Ministry in its Strategic Plan (2011/14 to 2014/15) set out to build family and community participation in decision making, engage in development stratagems and strengthening local governance and its institutions. Those efforts will contribute towards enabling implementation of this NPA.

2.2.2 The Education Policy (1995)
The Education Policy, makes provision for compulsory and universal basic education for all children and participation of children in school committees. The Education Sector Development Programme (ESDP) 2008-2017) echoes the objectives of the Education Policy in seeking to promote human rights, which include the right to education and involvement of children on matters that affect them. Ideally, all children should pass through the education system before they become adults and is therefore an ideal entry point at which to engage children and involve them.

2.2.3 The National Youth Development: Policy (2007)
The National Youth Development Policy aims at encouraging and enable youth participation in physical, economic, political and cultural development and urges all sectors of society to promote those plans. The implementation of this Policy is linked to the National Plan of Action for Child Participation which will encourage and guide youth on taking up their responsibilities from an early age. The definition of youth in this Policy covers people aged between 15 to 35 years. This NPA will be closely linked to the National Youth Participation Strategy for which development plans are in progress under the auspices of the Ministry of Youth, Empowerment and Development (MLYED) which has recently been renamed The Ministry of Information, Youth Development and Sports (MoIYDS).

2.2. 4 The National Policy for HIV/AIDS (2001):
The **National Policy for HIV/AIDS** recognises the rights of adolescents to privacy, voluntary counselling and testing with informed consent. It also provides high quality information regarding HIV/AIDS, participatory sexual education programmes, sex education in educational institutions and specific strategies for out-of-school youth. This NPA will facilitate children’s contribution and involvement in matters relating to HIV/AIDS in their own lives, with peers, families and their communities.

### 2.2.5 The Cultural Policy: (1997)

The Cultural Policy advocates adoption of Kiswahili as the national language and provides an incentive for its use. Kiswahili is the main medium for communication at all levels and instruction within the education system, especially in primary school. The use of one national language will aid facilitation of implementation of this NPA. A single national language gives opportunity for child participation that can enable ease of communication at all levels. However, the NPA allows room for implementation in both Kiswahili and English and it will of course be translated into Kiswahili.

The implementation of all of the above policies contributes to the implementation of the National Strategy on Growth and Reduction of Poverty (MKUKUTA in Kiswahili) which is the overall national planning framework. MKUKUTA II recognizes the importance of good governance as a pre-condition for growth, quality of life and well-being and seeks, under Cluster III, to create mechanisms for good governance and citizen participation at all levels.

The NPA will help implement this objective of MKUKUTA by providing guidance on the involvement of children in governance. Citizen participation, including child participation, is a principle of democracy and good governance.

MKUKUTA II focuses in protecting human rights for all, particularly for poor women /children, men and the vulnerable including people living with HIV/AID in relation to children rights under cluster III part 2:

*Respect for children’s rights contributes to a sustainable promotion of a human rights culture as children will grow knowing their rights, responsibilities and obligation as rights holders. The interventions required in this regard*

The preceding Part 2 of Chapter 4, Cluster II of MKUKUTA provides a context for the inclusion of specifically identified groups of children with ‘special’ needs. The cluster especially plans for the improvement of the quality of life and social wellbeing. It focuses primarily on improving the quality of social services (education, survival, health and nutrition, clean and safe water, sanitation, decent shelter and a safe and sustainable environment) and aims to reach out to
the majority of the poor and vulnerable groups. As well as wellbeing, a key target of this cluster is to create human capital through education and health. It also addresses the question of inequity in accessing social and economic opportunities in particular geographical areas, by income, age and gender and working toward a reduction of these disparities.

In terms of how this will be achieved, the nature of governance that is all inclusive of the participation of all citizens is of course the key to success. In that respect, the inclusion of children as constitutionally recognised citizens and with their position in Tanzanian society as described in the Law of the Child, without discrimination or exclusion of particular groups, is an open invitation for children to share the responsibility for national development with adults. Indeed, since children constitute the largest single part of the population of Tanzania their role is paramount in the success of MKUKUTA II. Through their voices, the aspirations of a generation who will eventually bear the full responsibility for the good governance and well-being of their nation, children will be a significant factor in taking the ambitious goal of this NPA forward.

The decentralisation process of Local Government aims to bring government services closer to the people and encourages greater community involvement in governance, including the involvement of children. The increased involvement of communities in local democratic institutions will augment equitable distribution of resources to local governments and child specific interventions. This NPA will furthermore guide local government and democratic institutions toward bringing children’s contributions and involvement into mainstream decision making.

2.3 What are the assumed expectations of children in participation?
Child participation has often been misunderstood. Typical examples might include children’s contribution to domestic chores, regular school attendance and their responses to teachers’ questions as well as asking questions themselves. These activities are rightly linked to the concept of child participation as part of developing their social responsibilities (in as much as having been born into any society immediately makes one a participant11). Participation in society beyond the examples given above are conceptually very difficult for many adults to understand, so when we are looking at that in terms of the enjoyment of civil rights it is even more complicated. To take this a step further, including children’s opinions, sharing responsibilities in decision making can appear almost an insurmountable intellectual ‘mountain’. In reality it is far less complicated.

11(e.g. see Comment 2c of General Comment No. 7, Committee on the Rights of the Child (2005))
Very specifically and simply, the Inter-Agency Working Group on Children’s Participation\textsuperscript{12} expresses the basic principle that:

\begin{quote}
Civil rights begin from the moment a child is born, when the child is registered with the civil registry, which provides the basis for all subsequent rights to which the child is rightfully entitled, such as access to health and education, protection from all forms of economic and sexual exploitation, and justice when a child comes in conflict with the law.
\end{quote}

Beyond that, and as a child grows, the nature and extent of each individual’s contribution grows. This is fundamental to the intent of this NPA, which is most specifically concerned with promotion of ‘the right to be heard’ and extending the degree to which children share in planning and decision making in Tanzanian society in general. Taken within the human rights context, in which child participation is a fundamental human right, it should be recognised as intrinsic to a person’s socialisation and self-realisation, linked to decision making, and the development of both self-esteem and self-determination.

In essence there should be less of a distinction between the roles of adults and children than has been the rule in the past. It should be assumed that all adults and children will be informed of their rights, thus children should already have expectations that they will be able to realise. Those should consist of at least

\begin{itemize}
  \item To be informed (about matters affecting themselves but also more broadly);
  \item Having access to and being able to seek information;
  \item Having and being able to share views (with their peers but also with adults);
  \item Being able to play different roles in civil society;
  \item Having respect for other people’s opinion and having their own respected;
  \item Taking part in meaningful activities and processes;
  \item Being consulted in decision making and having a share in reaching decisions; and
  \item Having their concerns taken seriously, thus making them an essential part of the process leading to decision making, being fully informed about the decisions made and their impact.
\end{itemize}

All of this must be done in line with children’s ability to contribute and be involved in processes in a manner in which their views are given due weight in

\textsuperscript{12}(2007: ix)
accordance with their evolving capacities (Article 5 CRC), and which should be seen as a positive and enabling process that supports their maturation, autonomy and self-expression. Children’s contribution and involvement should be expanded over time in step with this evolution, making allowances for each child’s input on an individual basis. It is to be expected that children’s maturation is very much influenced by the type of information a child has measured against each child’s experience, environment, social and cultural expectations and also the level of support offered to them by adults.

The Practice Standards in Children’s Participation recommend the following:

- That the issues are of real relevance to the children being involved and draw upon their knowledge, skills and abilities.
- Children are involved in setting the criteria for selection and representation for participation.
- Children have time to consider their involvement and processes are established to ensure that they are able to give their personal, informed consent to their participation.
- Children’s participation is voluntary and they can withdraw at any time they wish.
- Children are involved in ways, at levels and at a pace appropriate to their capacities and interests.
- Children’s other time commitments are respected and accommodated (e.g., to home, work and school).
- Ways of working and methods of involvement incorporate, and build on, supportive local structures, knowledge and practice and take into consideration social, economic, cultural and traditional practices.
- Support from key adults in children’s lives (e.g., parents/guardians, teachers) is gained to ensure wider encouragement and assistance for the participation of girls and boys.

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13 (see: Committee on the Rights of the Child, 2005).
14 ISCA (2005:2)
CHAPTER THREE
3. Institutional Framework

3.1 Introduction
This section provides the institutional framework which includes various stakeholders while implementing the plan. For children’s right to be heard and to be successfully implemented there are a number of institutions that have a role to play. These include government ministries and departments, NGOs and development partners. The MCDGC will gain support from these government ministries and departments and NGOs to implement this NPA

3.1.2 Central government and Departments
Policy development, monitoring and evaluation
i. Policies developed by line Ministries should reflect the participation right of the child.
ii. To ensure that the Implementation Strategies of the respective policies are developed and implemented accordingly.
iii. To ensure resources are available for proper implementation of the policy.

3.1.3 The Ministry of Community Development, Gender and Children
(a) Planning and Coordination
i. The first priority is to ensure that the NPA goes through the formal approval processes in the optimal amount of time.
ii. The ministry will collaborate with other line ministries to mainstream NPA activities in their policies, plans, programmes and guidelines.
iii. Through the Inter-ministerial Committee, the MCDGC agreement will also be reached with the Prime Minister’s Office, Regional Administrative Local Government (PMO-RALG) to coordinate the collaboration between the Ministries concerned as well as Regional and Local Governments. This will require an Inter-Ministerial monitoring mechanism.

(b) Advocacy
(i) The MCDGC is committed to train and equip Officers from the Community Development Department who will support community awareness and roll out of this NPA.
(ii) The Ministry will work with various Regional and Local Governments, NGOs and the media to raise awareness and educate stakeholders (parents, children, local leaders NGO partners and the media) on the significance and the methods of involving children in matters that affect children in Tanzania’s communities.
(iii) Advocacy and awareness raising to the community on making sure children right to participate and other rights are fulfilled.
(iv) Spearhead advocacy campaign to the community on child participation

(c) Monitoring and Evaluation

(i) To monitor and document the level of child participation at the community level
(ii) To monitor and evaluate on the implementation of the child participation programmes

3.1.4 The Prime Minister’s Office – Regional Administration and Local Government (PMO-RALG)
The Prime Minister’s Office – Regional Administration and Local Government (PMO-RALG) oversees regional administration and local government. It links issues of regional and local government with national line ministries. The PMO-RALG will coordinate ministries, regional and local government to implement commitments assigned to them under this NPA. It also has the responsibility to guide and monitor integration of issues raised by children into development planning, implementation and monitoring at all levels.

3.1.5 The Ministry of Finance and Economic Affairs (MoF)
The Ministry of Finance will provide guidance on budgeting and allocate the required resources for promoting children’s contributions and involvement at all levels. It is essential that even in the allocation of these resources that children’s participation is an integral element in negotiation and decision making on the distribution of resources to other line ministries and departments down to regional and ward levels. The forum of baraza representatives would be the consultative agent in this case.

3.1.6 The Ministry of Health and Social Welfare (MoHSW)
The Ministry of Health and Social Welfare (MoHSW) has the mandate to develop the rules and regulations for laws specific to children. It will work with the MCDGC and other partners to develop the necessary sets of rules and regulations that provide for the right of the Tanzanian children to be heard and taken seriously in all matters affecting them, especially in the family, at school, in communities and in judicial and administrative proceedings. This will clarify interpretation of the sections of the law that require children’s participation and involvement, as primarily set out in Section 11 of the Law of the Child Act No. 21 (2009).

The MoHSW has a mandate to promote the rights of children, with a special focus on the most vulnerable children and particularly those who are in need of care
and support and; protection from violence, abuse and exploitation. It is shown in outline in this NPA, that all children have the right to be involved in matters that affect them and there are various mechanisms to make provision for that.

The MoHSW also bears the duty to ensure that any initiatives aimed at strengthening child protection systems pay due regard to the significant and essential role children can play and therefore their involvement is fundamental to ensure services are effective and relative for children who need care and protection.

3.1.7 The Ministry of Education and Vocational Training (MoEVT)
The Ministry of Education and Vocational Training is responsible for policies, plans and guidelines for the Education Sector. It also provides leadership in the monitoring of the progress of various programmes within the Education Sector. The MoEVT is responsible for NPA in involving children in matters that affect them such as curriculum development, child responsive teaching and learning and school management. The Ministry will also provide policy guidance to District Education Officers and schools on formalisation of school barazas and mechanisms to integrate issues raised by children in school barazas in school decisions such as on school management and teaching.

3.1.8 The Ministry of Information, Youth Development and Sports (MIYDS)
The Ministry of Information, Youth Development and Sports (MIYDS) is mandated with youth development. The youth age is recognised to start at 15 years, meaning some of them are legally children. The MIYDS is currently developing a National Youth Participation Strategy, which will carry forward children’s participation into another level where they become youth. This will provide children with the opportunity to continue to engage in democratic processes as well as realize their rights as citizens to contribute and be involved in matters that affect them.

The MIYDS will work in close collaboration with the MCDGC on children’s and youth participation. The Information Department oversees both government and private media companies and sets standards for their operation. It also has the authority to determine programmes for State run media companies and therefore can integrate children’s participation in media programmes. Due to its communication role, the MIYDS has the advocacy role in the implementation of the NPA, (such as the Children’s Agenda).

3.1.9 Ministry of Constitutional Affairs and Justice (MoCAJ)
The Ministry of Constitutional Affairs and Justice (MoCAJ) is a unique ministry that consists of the Executive and the Judiciary. The Executive arm of the Ministry makes policies and legislation and therefore has the duty to ensure
children’s right to be heard is included in the legislation, rules and regulations of related Ministry’s. The Ministry also has statutory bodies that report to it such as the Law Reform Commission of Tanzania and the Commission for Human Rights and Good Governance (CHRAGG).

The second arm of the Ministry of Constitutional Affairs and Justice is the Judiciary where the different Courts and the Directorate of Public Prosecutions (DPP) are situated. These institutions are responsible for the delivery of justice to children under criminal and civil matters including juvenile justice, adoption, cases relating to child protection, child care and maintenance, separation and divorce matters of parents. Children in conflict with the law are dealt with by the juvenile justice system. Proceedings in court are governed by Part IX of the LCA. The LCA allows for the establishment of Juvenile Courts to deal with and hear cases of juvenile offenders and cases relating to child protection and child care and maintenance, and enshrine key elements for ensuring the proceedings are child friendly. Child friendly proceedings, which put the child at ease, contribute to ensuring that a child understands the procedures and is better able to contribute and be involved in the processes. The LCA provides that the Juvenile Court must explain charges to a child in simple language. To ensure effective involvement in the process, it is essential that through the NPA children understand what is happening. The proceedings stipulated for the juvenile justice court provides the right environment for children’s rights to be heard in judicial processes, which should be the case in all matters pertaining to children.

3.1. 10 Development partners including NGOs
Development partners and NGO’s will play a complementary role to government at all levels. This will include providing resources, training of various groups, including children, raising awareness, advocacy and actively engaging in sectors and local governance levels in discussions and decision making. Development partners and NGO’s are encouraged to support and implementation of the NPA.

3.1. 11 The family
The family is the basic unit of Tanzanian society into which children are born and nurtured. Parents have the primary responsibility for the survival and development of children. The family be supported by the MCDGC, Family Development Section in order to implement and promote child participation.

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18 There are activities addressing these issues. The MCDGC family development section is responsible for family education on matters such as conflict resolution in marital disputes, bringing up children correctly, also awareness raising on female genital mutilation and the MCDGC is in the process of drawing up a Family Development Policy.
3.1.12 The JCURT
The JCURT is currently recognised as the only formal structure for child participation in Tanzania. When it is fully registered, has full Local Government and NGO support, it can be a representative mechanism where children are involved in community based decision making and actions. The lower level of local government should be equipped with means of providing guidance to all actors intending to work with and for children’s councils using the national Children’s Council Guideline.

3. 1.13 Additional comments on the institutional framework including the roles and responsibilities of key duty bearers

Currently in Tanzania there is no Commission or Ombudsman for Children. This is usually an office appointed by government, often in collaboration with the advice of NGOs and other offices of state. The mandate of the Commissioner or Ombudsman is usually as a mediator between children and adults from family through to the head of state. His or her tasks range from communication, monitoring children’s rights, coordinating participation, participating in research and policy making and independent complaints handling.

This office essentially supports people, including but not exclusively children and young people, to find out more about children’s and young people’s rights. It finds out what is important to and for young people and lets the government and others know what matters to young people themselves. It carries out research in order to gain a better understanding about things that are really important in children’s and young people’s lives. In turn they give advice to their government and others about doing what is best for children and young people. As an independent complaints handler they receive and, wherever and whenever possible, examine complaints made by young people or by adults on young people’s behalf. They do not, however, have the authority to act on complaints and normally forward them to the responsible body once permission has been obtained from the complainant.

Another important role they have assumed in a number of countries is to independently oversee and monitor the progress of children’s councils and school councils. In the former particularly, there has often been a feeling that although children have been given the opportunity to form councils that shadow government at all levels through to so-called ‘children’s parliaments’ there is
little if any liaison between the adult and children’s councils. These representatives of children’s interests should be equally accessible for children, all levels of government and the agencies of government. In their work with government particularly the Commissioner or Ombudsman for Children is able to deliver the sometimes critical appraisal of young representatives to adult counterparts that children might not have been able to impart themselves.

The role of a Commissioner or Ombudsman requires very precise planning in order to give children a representative role that provides the meeting point between governance, legislation, administration and the precise needs and role of children. Part of this NPA therefore recommends commissioning a short study on the existing Commissioners and Ombudsman services that already exist worldwide. To give an example, South Africa has an Ombudsman and Ethiopia a similar office. Thus far very few countries on the African continent which have committed themselves to the creation of this office have so far been able to do so. More broadly speaking, there is also an International Ombudsman Institute (IOI), of which Tanzania’s Commission for Human Rights and Good Governance is already a member, for further information on the role of this office. Within the organisations of individual offices in many countries there is also a great deal of goodwill and support that will enable government to set a short timetable for the design of this office. Children’s representatives would have a central role in the dissemination of information, the creation and the steps toward the election or selection of the Commissioner or Ombudsman, designing and defining the role of the office and the timetable leading up to the commence of the Commissioner or Ombudsman’s appointment and his or her work.
CHAPTER FOUR
4. IMPLEMENTATION PLAN

This Plan of Action focused at four main sections:

1. To raise awareness to all key stakeholders including government officials and community on policies, laws, regional and international human rights instruments on the right of the child to be heard and to participate in all matters affecting.
2. To develop national child participation framework based on the principles of equality, democracy, justice and right to be heard.
3. To ensure procedures and guidelines on how to implement the child participation framework.
4. To ensure that there is effectively and efficient coordination, monitoring and evaluation that involve all stakeholders on implementation of this plan.

Currently, Tanzania mainland has put in place conducive environment both in policies and legal framework for enabling child participation. To date there are several child participation bodies which have been established like Junior councils at national level, region, district and ward level although there are some challenges on the running those bodies. Child participation is not well featured in the sectors plans which deals with children at all levels and that cause difficult in implementation of child participation programs.

Either, several decision related to children lives was made by adult without reasons and sometimes the facilitator’s lack skills on child consultation methodologies. In some communities out dated customs and norms have significant contribution toward limiting child participation at family level due to a reason that children have no ability to decide on their own. This condition has become more serious when it comes to realization that there is no children complain structure to hear their opinions in the presence of many children advocacy program in the country.

The United Republic of Tanzania has ratified the conventions of the rights of the children and for that reason has responsibilities to ensure that child participation in the country at all levels through establishing guidelines are implemented. Therefore, this Plan of Action on child participation will conform with presence policy, laws and all international conventions in accordance to Tanzania context.
For effective implementation of this plan of Action, there are high needs of both financial and human resources to be given the remarkable priority. In that context, every stakeholders dealing with children needs to allocate enough budget for funding child participation plan. This should be principal and basic stage of preparation of the implementation of the plan for ensuring child participation sustainability in Tanzania.

4.1.1 Objectives

The main objective of National Plan of Action on Child Participation is to establish a child participation frame work that will give children and adult opportunity of working together on enhancing child participation. The NPA provides guiding principles on how to engage with children at different levels on the matters of their concerns.

4.1.2 Specific objectives

i. Providing explanations on the importance of children contribution and involvement in decision making in all community levels

ii. To provides directives and guidance on child participation in all community settings.

iii. To sensitize communities to create child friendly environment and opportunity for children to participate in families, communities and institutions.

iv. To provide opportunities in building closer relation between advocate of children rights within the government and its departments, NGOs and other development partners.

v. To provide guidance on participation procedure and promote such participation in achieving a high level inclusion of their rights in all issues.
## Implementation Plan

### Nationally

<table>
<thead>
<tr>
<th>Objective</th>
<th>Outcome Indicators</th>
<th>Output Indicators</th>
<th>Activity</th>
<th>Time</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development of the NPA for Child Participation</td>
<td>Existence of NPA for Child Participation</td>
<td>Draft NPA for Child Participation approved by the inter-ministerial Committee for submission to Cabinet. Draft NPA for Child Participation approved by Cabinet. The NSCP translated into Kiswahili The NSCP Kiswahili and English versions printed</td>
<td>Present the Draft NPA for Child Participation to the Inter-ministerial Committee Present the NPA for Child Participation to Cabinet for approval Translate and print the Kiswahili and English versions of the NPA for Child Participation Print English copies of the NPA for Child Participation within three months of approval Print Kiswahili copies of the NPA for Child Participation within three months of completion of the</td>
<td>March 2014</td>
<td>MCDGC</td>
</tr>
</tbody>
</table>

May 2014

July 2014
<table>
<thead>
<tr>
<th>Government Officials, civil society, children and communities understand and implement the NPA for Child Participation</th>
<th>NPA for Child Participation disseminated at all levels</th>
<th>Disseminate Kiswahili and English copies of the NPA for Child Participation at all levels</th>
</tr>
</thead>
<tbody>
<tr>
<td>Awareness raising activities held</td>
<td>Raise awareness on the existence and contents of the NPA for Child Participation</td>
<td></td>
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<tr>
<td>The NSCP disseminated in simplified messages</td>
<td>Develop simple messages that communicate sections of the NSCP in Kiswahili and English using the media and other communication forums</td>
<td></td>
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<tr>
<td>Work together with children to design child friendly versions of the NPA</td>
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<table>
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<tr>
<th>Rules and regulations on the Law of the Child Act enshrine children’s right to be heard and</th>
<th>Contributions on the development of rules and regulations of the Law of the Child Act</th>
<th>Hold consultations with relevant line ministries and departments, NGOs and development partners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hold consultations with relevant line ministries and departments, NGOs and development partners</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MCDGC and MoLG with support from partners</td>
<td>MOHSW, MOCAJ, MCDGC, PMO-RALG</td>
<td></td>
</tr>
<tr>
<td>involved in matters affecting them into institutional codes</td>
<td>contributions and involvement in legal matters that affect them</td>
<td>documented</td>
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Rules and regulations of the Law of the Child Act developed.


Develop rules and regulations for the Law of the Child Act that guide on the implementation of children’s involvement in various processes.

Disseminate rules and regulations for the Law of the Child Act that guide on the implementation of children’s involvement in various processes.

| Participation in the Family setting |
| Objective | Outcome | Output | Activity | Time | Responsibility |

...
| Promote and recognise the importance of children’s involvement and contribution at family level | Children are involved in family decisions on matters that concern them. | Parents and guardians seek children’s contribution and involvement in family life  
Life skills training conducted child – parent/guardian communication and relationships improved  
Parent-child counselling networks established  
Good practices of programmes that equip parents/guardians to involve children in important family issues | Raise awareness on the rights of all children to contribute and be involved in decision making on matters that affect them at family level through community training programmes.  
Use community training programmes and media to encourage parents to be involved in other activities where children participate such as in schools and Children’s Councils  
Children rely on adults to guide, teach and protect them. Children should know that they can express their feelings, good and bad, in a safe loving environment. Incorporate children’s views and experiences and involve children in the design of parenting materials on positive, non-violent relationships.  
Recruit children as advisers and contributors to public awareness campaigns in the development of materials and | July 2014 onwards | MCDGC and Department of Community and Social Welfare with support from civil society. |
messages to promote non-violent relationships to parents and carers

Conduct life skills training on child-parent/guardian communication and relationships.

Establish a parent-child counselling network with support from NGO’s who have experience in this area.

Use community training programmes and media opportunities to inform families about the added value that comes with children’s participation and particularly use point’s iii to v above to illustrate the advantages it brings.

### Participation in the Community and Democratic Process

<table>
<thead>
<tr>
<th>Objective</th>
<th>Outcome</th>
<th>Output</th>
<th>Activity</th>
<th>Time</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Support formalisation of Junior Council of the United Republic of Tanzania</td>
<td>The JCURT is functional nationally</td>
<td>The JCURT registered as a Trusteeship and recognised by law</td>
<td>Register the JCURT as a Trusteeship and provide regular resources for funding the structure</td>
<td>December 2014 onwards</td>
<td>MCDGC with support from Development Partners and NGOs</td>
</tr>
</tbody>
</table>
The Constitution of the JCURT reviewed
The National Guidelines for the JCURT reviewed
All children participate in the functioning of the JCURT.

Review, approve and bring the Constitution of the JCURT into operation and integrate good practices from NGOs.

Review the 2004 guidelines, approve and bring the revised National Guidelines of the JCURT into operation integrating good practices from NGOs.

Conduct annual elections for Children’s Council representatives at all levels.
Establish functional Children’s Councils in all villages, towns, districts and regions.

Sensitize children and communities about JCURT and its role.

Lobby for financial resource allocation to District Children’s Councils through the Local Government Medium Term Expenditure Framework.
| Decision making in communities and governance incorporates the views of children. | Children’s Councils functional in all levels, villages, street districts, and regions. Children’s issues/concern incorporated into development planning and are influencing. | Children Councils established in all villages, street levels, districts and regions. Elections of representatives of the JCURT from all villages, street levels, districts and regions carried out regularly. Issues raised by children integrated in local government. | Engage trainers in the field of children’s participation to train local government officials, Community Development Workers, Social Welfare Officers, and NGO staff and key stakeholders. To train local government officials, especially community development workers, police officers, court officials, and others who will have direct contact with children. | December 2014 onwards | MCDGC, Ministry of Local Government and PMO-RALG with support from NGOs and Development Partners |
decisions. and national planning processes. children, on how to engage children on matters that affect them. Use the national child participation toolkit as a support tool.

Train Community Development Workers, Social Welfare Officers and NGO staff in methods for the promotion of children’s involvement in community affairs and local governance.

Advocate the institutionalisation of such consultative processes.

Advocate for the involvement of children and young people in the preparation or revision of local and/or municipal development plans and budgets (O&OD process as below).

Local plans, by-laws and other political or administrative decisions often affect children’s lives. Lobby
the Ministry of Local Government, PMO-RALG, to create mechanisms for the integration of children’s views and voices into governance (see above).

To establish coordination, monitoring, reporting and feedback mechanisms for child participation in local governance (see above). This could be done by encouraging the parallel or subsequent preparation of decentralised or local action plans that provide for greater involvement of children, through for example, a child friendly version of the Government’s Obstacles and Opportunities to Development (O&OD) methodology (i.e. Children are involved in local planning processes through the Opportunities and Obstacles to Development (O&OD) methodology).

Orient Community
<p>| Table | | | | |
|---|---|---|---|
| Local Government Officers (Community Development Workers and Social Welfare Officers) and NGO staff promote children’s involvement in community and governance matters at various levels. | Community Development Workers, Social Welfare Officers and NGO staff are engaging with children on community and governance. | Community Development Workers, Social Welfare Officers and NGO staff trained in methods to promote children’s involvement in community and governance. | To Train Community Development Workers, Social Welfare Officers and NGO staff in methods to promote children’s involvement in community and governance. To Orient Community Development Workers, Social Welfare Officers and NGO staff on the National Standards and Code of Conduct for engaging with children. |
| | | | To Disseminate and train key stakeholders on the use and application of the national child participation toolkit |
| | | | December 2014 |
| | | | MCDGC, MOHSW with support from NGOs and Development partners. |</p>
<table>
<thead>
<tr>
<th>Objective</th>
<th>Outcome</th>
<th>Output</th>
<th>Activity</th>
<th>Time</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Promote children’s participation and the right to be heard in the form of education and administration</td>
<td>Children are contributed in preparing and implementing program in school activities</td>
<td>Assessment of children’s contribution and involvement in schools carried out. School management/governance regulations include children’s representation in school management</td>
<td>The Law of the Child Act rules and regulations must enshrine procedures that provide for consultation with school students as a group, and also for ascertaining and paying due attention to the views of individual children concerning individual decisions on education. Procedures will be implemented to ensure that mechanisms are in place to</td>
<td>March 2015</td>
<td>PMO-RALG and MOEVT</td>
</tr>
</tbody>
</table>
and decision making processes.

School *barazas* established in all schools and vocational training institutions.

Participation coordination and reporting mechanism developed.

Teachers and school staff trained in methods of involving children.

safely and confidentially address issues children raise, especially in relation to reported violence and abuse in schools.

Commission an international NGO with experience in children’s rights and education carry out an assessment of child participation in Tanzanian state primary and secondary schools.

Train schools inspectors how to review school management/governance regulations to include children’s representation in school management and decision making processes.

Recruit a specialist to construct a model that can be used to establish and formalise school *barazas* in all schools and vocational training institutions nationally.
Develop operational guidelines for school *barazas*.

Ensure District Education Forums include children in Whole School Development Planning - linked to village development planning.

Scale up support to *Tuseme* clubs and other school based associations- encourage school youth clubs and peer-sensitive interventions to raise awareness and provide school safety zones.

Ensure that links between out-of-school children and in-school child’s groups and clubs are made to enhance outcomes.

Develop functional child participation coordination and reporting mechanisms between children’s councils (school *barazas*) and the school management.

Train teachers and other school staff members in
<table>
<thead>
<tr>
<th>Objective</th>
<th>Outcome</th>
<th>Output</th>
<th>Activity</th>
<th>Time</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>All child protection systems and services enshrine children’s right to be heard and respect for the views of the child.</td>
<td>Child protection mechanisms are functional at all levels. Children, including vulnerable children are influencing decisions on matters that affect their protection.</td>
<td>Government and NGO Officials trained to establish child protection teams (for children living on the streets, working children, children infected and affected by HIV/AIDS). Number of awareness activities held Reporting and referral mechanisms for children facing potential or real violent and abusive situations developed.</td>
<td>The LCA rules and regulations put in place procedures to ensure that all statutory child protection safeguarding systems, services and programmes are responsive to children’s voices and children’s views underpin all relevant interventions Children’s views must be considered and taken into account in all matters that affect them, including their recommendations for effective remedy. Their views should not be used merely as data in research. Ensure child participation is a working principle of any national plan of action to prevent and respond to violence against children. Put in place a means</td>
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</tr>
</tbody>
</table>

**Participation in Child Protection Settings**

<table>
<thead>
<tr>
<th>Time</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 2014 onwards</td>
<td>MOHSW, MCDGC and partners</td>
</tr>
</tbody>
</table>

methods of involving children.
| Resources to implement child protection teams provided. | to ensure children’s right to be heard and their recommendations for an effective remedy are adequately reflected in indicators used by any national plan of action.  
Ensure the child’s right to be heard is among the minimum standards for regulation of child protection programmes.  
Commission and conduct research with children about their preferred methods of reporting violence in different settings.  
Ensure mechanisms are in place for children to safely and confidentially report violence and abuse.  
Invest in confidential helplines and community based information and support.  
Widely disseminate contact details, including in schools, community buildings and institutional settings. |
<table>
<thead>
<tr>
<th>To Establish confidential reporting systems in institutional settings so that children can notify an independent body when violence has occurred or has been threatened.</th>
</tr>
</thead>
<tbody>
<tr>
<td>To Ensure children have access to independent advocacy and complaints procedures in every setting.</td>
</tr>
<tr>
<td>To Conduct research to identify any practical barriers to children seeking help, such as the absence of confidentiality or the inaccessibility of help-lines to particular groups of children including disabled and disadvantaged children (e.g. albinos, etc).</td>
</tr>
<tr>
<td>To Make funds available for support the creation and capacity building of peer support and child led groups and organisations that work toward ending violence against children so that they can monitor and report harmful practices in their communities.</td>
</tr>
</tbody>
</table>
Communities
Conduct research on children’s views and experiences of violent and peaceful relationships and settings and incorporate this into training programmes.

Involve children in the design of positive, non-violent relationship materials and training for professionals working with children.

Where District Child Protection Teams exist, establish coordination, monitoring and reporting mechanisms for children so they are informed and know where they can go for assistance in their community.

To ensure child participation in planning, monitoring and evaluation of community based child protection programmes and ensure links are made to statutory bodies with a duty to respond to children’s issues and violations of their rights.
| | | | Introduce children’s rights training with modules on participation and protection in professional training and university courses for students of child protection, education with open access to others who may have professional contact with children (pediatric medicine, law, etc).

Children and youth will be directly included in the planning, design, implementation and evaluation of National Plans of Action which relate to their social protection rights. They must be core stakeholders in the process so that implementation is fully relevant for children.

Create awareness of vulnerable children’s rights. Initiate and develop ongoing awareness raising programmes for key decision makers about the benefits of involving children. Highlight |
the fact that matters affecting children cut across a range of sectors and societal issues which impact on children’s lives.

Local Government Officers (Social Welfare Officers and Community Development Workers), Village and Ward executive officers, trained on ways to promote children’s genuine involvement in MVCC’s and in community based social protection programmes.

Improve collaboration between MVC Committees and local government structures and ensure mechanisms for the inclusion of children.

Train government and NGO Officials to establish child protection clubs and committees (for children living on the streets, working children, children infected
<p>| Children in conflict with the law are involved and contribute to decisions on legal processes that concern them. Legally enforceable rights for children to be heard and taken seriously in judicial proceedings | Legal proceedings concerning children involve the children concerned in all the processes. Legal proceedings concerning children used to make decisions on children’s cases. | Guidelines for involving children in conflict with the law developed. Children receive information on their legal rights and the right to be involved in decisions on legal processes concerning them. Children in conflict with the law receive free legal services. | The LCA rules and regulations must be made to ensure appropriate procedures in judicial proceedings so that children are able to express their views freely in all matters affecting them, including in parental separation, adoption and care proceedings and when children are defendants or witnesses in criminal proceedings. Require all those working with children in contact or in conflict with the law to ascertain and give due weight to children’s views in accordance with their age and development. | May 2015 | Ministry of Internal Affairs, MOCAJ, MCDGC and partners |</p>
<table>
<thead>
<tr>
<th>maturity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ensure reform of the juvenile justice system is focused on meeting children’s needs and positive community rehabilitation.</td>
</tr>
<tr>
<td>Provide simplified information to children on their legal rights and the right to be involved in decisions on legal processes concerning them.</td>
</tr>
<tr>
<td>Ensure children have access to free and independent legal advice and representation about the exercise of their rights.</td>
</tr>
<tr>
<td>As part of wider child protection training, equip lawyers who provide children with free legal services with skills and ethical standards for consulting with children.</td>
</tr>
<tr>
<td>Make copies of the national standards and code of conduct for engaging with children available to law enforcement officers, judicial</td>
</tr>
<tr>
<td>Law Enforcers Officers (Police, Judicial Officers, and Public Prosecutors) and social workers promote children’s involvement within the justice system</td>
</tr>
</tbody>
</table>
provide children with free legal services apply skills and ethical standards when representing children.

with skills and ethical standards for children’s contribution and involvement in legal proceedings

Law enforcement officers, judicial officers, Lawyers and Social Welfare Officers working with children provided with copies of the national standards and code of conduct for child participation

To print copies of the national standards and code of conduct available to Law enforcer officers, judicial officers, Lawyers and Social Welfare Officers working with children in law enforcement and legal proceedings.

<table>
<thead>
<tr>
<th>Objective</th>
<th>Outcome</th>
<th>Output</th>
<th>Activity</th>
<th>Time</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children have opportunity to access and using the media (radio, print and TV) to contribute to and be involved in various debates.</td>
<td>Children are involved in media activities that promote children’s involvement in matters that affect them.</td>
<td>Media Officials trained in ethical methods of involving children in the media. Financial resources allocated for children’s</td>
<td>To Lobby the Ministry of Information, Culture and Sports to integrate children’s involvement in matters that affect them in media programming</td>
<td>May 2015 onwards</td>
<td>MCDGC and MIYDS with support from the Children’s Agenda partners</td>
</tr>
<tr>
<td>Media officials are working with children in the media</td>
<td>Media campaigns publicised the significance of children’s contributions and involvement in communities and other stakeholders aware of the significance of child participation</td>
<td>Media Officials trained to advocate for children's contribution and involvement in the media, and at all levels.</td>
<td>Train media officials on advocacy for child participation in the media at all levels.</td>
<td>May 2015</td>
<td>MCDGC and MIYDS with support from the Children’s Agenda partners</td>
</tr>
<tr>
<td>matters that affect them</td>
<td>participation and the role children can play in the life of communities</td>
<td>levels</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
CHAPTER FIVE

5. COORDINATION MONITORING AND EVALUATION

5.1.1 Monitoring and Evaluation framework with performance indicators
Monitoring is an important aspect for implementation of this NPA. On-going monitoring by the MCDGC will be implemented and a quarterly and annual basis to inform progress on planned activities as well as progress towards achievement of objectives. This will also help in change in approaches where existing ones are not working or need to be re-arranged. Various stakeholders and actors will measure progress on activities specific to their institutions and organisations while the overall monitoring assigned/entrusted to the MCDGC. Disaggregation of information by age, sex and socio-economic status and any others will be instrumental in measuring the extent to which all children are involved in the processes outlined above. Below is the monitoring framework.

5.1.2 Monitoring and Evaluation schedule and process

This NPA will be operationally for five years (2014 – 2019) concurrent to MKUKUTA II between 2014 and 2015, period of five years. As a newly developed instrument for making children’s participation in Tanzanian civil society it will not only be the framework for evaluation that will facilitate smooth implementation of the NPA but also the choice of evaluation methods, timing and the exact aims and intentions of the process. This section sets out a tentative schedule and process for evaluation.

A number of evaluation tools may be developed very early in the process. The first step should be to design and begin to use a standard logical framework (log frame) to set the agenda for evaluation at the time of the NPA comes into effect. The design of the logframe should initially be simple using typically the following format:

<table>
<thead>
<tr>
<th>Project Summary</th>
<th>Objectives</th>
<th>Baseline Indicators</th>
<th>Means of Verification</th>
<th>Risks and Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>
Since the full period for evaluation will be approximately five years after take off it is suggested that provision be made for a midterm review (MTR) to begin early in the third operational year. For evaluation a number of conventional evaluation tools should be used. Firstly as SWOT / BEEM evaluation exercise.

The Consultative Process for this NPA included a SWOT (Strengths, Weaknesses, Opportunities, and Threats) but lacked the analytical advantage of also using a BEEM (How to: Build upon, Eliminate, Exploit, Minimise them). The benefit of using these complementary tools is that since they are normally presented in tabular/graphic form they are easily presentable to the duty bearers who bear the ultimate responsibility of acting on evaluations and reviews.

The SWOT / BEEM tool could also beneficially be complemented by use of a Problems Tree for issue analysis and an Objectives Tree for presentation of the progress of implementation and operation. Again, both tools are typically used as graphic presentations with obvious benefits for duty bearers for the NPA. This would necessarily be presented together with a narrative report that should be based on the evidence of fieldwork with stakeholders but with emphasis on the inputs of children as beneficiaries of the NPA.

The results of the MTR should then be used to revise the logframe to follow this format for the second evaluation period:

<table>
<thead>
<tr>
<th>Narrative Summary</th>
<th>Objectives</th>
<th>Verifiable Indicators</th>
<th>Means of Verification</th>
<th>Risks and Assumptions</th>
</tr>
</thead>
</table>

The revised format would most importantly move from the initial baseline indicators to verifiable indicators which should become the norm for the monitoring and evaluation process henceforth with some allowance made for modification of those permanent indicators as and when necessary.

The framework in Section 5.1 uses outcome, output and performance indicators and measurement of specific component sectors of the overall implementation of the NPA. These indicators have two advantageous inputs into the evaluation and monitoring process because they are ideal tools for the measurement of separable components that can also be analysed as part of the route toward designing consolidated indicators, particularly at the stage where verifiable indicators are essential. They are also significant in their own right as a means of analysing each sector independently for reporting so that where there are sectoral weaknesses these will be immediately identifiable and remediable without treating any
single issue as part of the entire NPA and assuming that as a whole it needs to be revised. The same process will also be valid for reappraisal of National Standards and the Code of Conduct and give precise guidance on any revision or development of either.

At the conclusion of the five year monitoring and evaluation, the logframe and complementary tools will be easily transferable to the next period which may, for instance, be MKUKUTA III for the ensuing five year period. At each stage of evaluation and monitoring the main target of those gathering data will be stakeholders with emphasis placed on children. In keeping with the principles of inclusion this NPA intends to make common practice throughout Tanzania it is perhaps an appropriate closing note to suggest that children and youth should eventually become not only part of the evaluation and monitoring process as stakeholders but also play a very active part in the process, for instance as researchers.

5.1.3 Timetable for the implementation of the NPA and complementary actions

This timetable details the progress toward implementation and further action for the NPA for Child Participation, a set of national standards and code of conduct and a Commissioner or Ombudsman for Children part of whose duties will be to oversee the progress of these measures. The implementation and further actions are shown in greater detail under Chapter 4.4, Implementation Plan.

<table>
<thead>
<tr>
<th>Development and Implementation of the NPA for Child Participation</th>
<th>National Standards and Code of Conduct</th>
<th>Commissioner or Ombudsman for Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>January, 2014 Present the Draft NPA to the Inter-ministerial Committee</td>
<td></td>
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<tr>
<td>Stakeholder’s validation workshop to be organised by the MCDGC to approve draft NPA</td>
<td></td>
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</tr>
<tr>
<td>May, 2014 NPA for Child Participation approved by MCDGC</td>
<td>May 2011 Set up body to design and oversee national standards and code of</td>
<td></td>
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<td></td>
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</tbody>
</table>

62
<table>
<thead>
<tr>
<th>Conduct to include children</th>
<th>May 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initiate rapid research to examine examples of existing national standards and codes of conduct (include NGOs, UNICEF, etc)</td>
<td>Disseminate findings on national standards and codes of conduct</td>
</tr>
<tr>
<td></td>
<td>Begin to design National Standards on Child Participation</td>
</tr>
<tr>
<td>June 2014</td>
<td>Complete design of national standards and begin to draft code of conduct</td>
</tr>
<tr>
<td>July 2014</td>
<td>Promotion of children’s involvement and contribution at family level</td>
</tr>
<tr>
<td>September 2014</td>
<td>Complete drafting code of conduct</td>
</tr>
<tr>
<td></td>
<td>Present draft to government lawyers to check status for verification</td>
</tr>
<tr>
<td>July 2011</td>
<td>Commission research on the creation of the office of a Commissioner or Ombudsman for Children</td>
</tr>
<tr>
<td>Task</td>
<td>Date</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Translate into Kiswahili</td>
<td></td>
</tr>
<tr>
<td>Begin to design posters and banners for schools, children’s facilities and public buildings</td>
<td>October 2014</td>
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<td>October 2014</td>
<td>October 2014</td>
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<td>October 2014</td>
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<td>October 2014</td>
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<tr>
<td>October 2014</td>
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</tr>
<tr>
<td>Form committee or forum, including children, for the creation of the office of the Commissioner or Ombudsman (to include a decision on which title and exact responsibilities based on research)</td>
<td></td>
</tr>
<tr>
<td>December 2014</td>
<td></td>
</tr>
<tr>
<td>Consultations with Ministries, departments, NGOs and development partners to discuss section of the Law of the Child Act and work on rules and regulations</td>
<td>December 2014</td>
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<td>December 2014</td>
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<tr>
<td>December 2014</td>
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</table>
and in governance

| January 2015 | Appoint Commissioner or Ombudsman |
| March 2015 | Commissioner or Ombudsman to begin work |

**May 2015**

Guidelines for involving children in contact with the law - in place

Children begin to receive information on their legal rights, the right to be involved in decisions on legal processes concerning them and receive free legal services.

Capacity building to children on the use of media and workers campaign on the significance of children’s role in media

**October 2015**

Law enforcement officers and social workers formally obliged to promote children’s involvement within the justice system
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