

GOVERNMENT OF THE UNITED REPUBLIC OF TANZANIA



CHILD DEVELOPMENT POLICY

MINISTRY OF COMMUNITY DEVELOPMENT WOMEN AFFAIRS AND CHILDREN

DAR ES SALAAM

*OCTOBER 1996*

# CHILD DEVELOPMENT POLICY

<u>CONTENTS</u>	<u>PAGE</u>
<b>CHAPTER ONE</b>	
Introduction .....	1
Objectives of the Policy .....	10
<b>CHAPTER TWO</b>	
<b>Rights of the Child</b>	
Basic Rights of the Child .....	12
Factors Affecting the Provision of Child Rights in Tanzania .....	12
Measures to Promote Child Rights.....	13
Role of Children, Parents, Guardians, Institutions and Ministries .....	14

## CHAPTER THREE

### Child Survival

Definition of Child Survival .....	17
Measures for Promoting Child Survival.....	17
Responsibilities of Children, Parents Guardians, Ministries and Institutions .....	20

## CHAPTER FOUR

### Child Development

Important Issues in Child Development.....	23
Child Development in Tanzania.....	24
Measures to Promote Child Development .....	26
Role of Children, Parents, Guardians, Institutions and Ministries .....	28

## CHAPTER FIVE

### **Child Protection**

Measures to promote Child Protection..... 32

Roles of Parents, Guardians,

Community, Government and Institutions ..... 33

### **Conclusion**

Implementation of the Policy ..... 35

## **CHAPTER ONE**

### **INTRODUCTION**

1. Since independence, Tanzania has been preparing and implementing policies and programmes directed at the development of the people. In practice this meant that priority was given to the provision of basic services to the people particularly services related to health, education, and safe and clean water. Particular emphasis was placed on development in the rural areas where the majority of the people reside.
2. The Laws in Tanzania provide many different interpretations of a child. In this policy a child is defined as a person below the age of eighteen. This definition is in accordance with the United Nations Convention on the Rights of the Child and the National Constitution and is the one used to protect the rights and interests of the child, particularly in regard to employment and marriage contracts, protection against abuse, punishment and care by parents or guardians.

3. Statistics show that children in Tanzania constitute more than 46 percent of the population and that on average a household in Tanzania has at least 6 children. Therefore, children are an important segment of society. In recognition of this, Tanzania has implemented plans and taken certain steps aimed at promoting child development. These include provision and strengthening of maternal and child care, immunization and preventive health, implementation of water projects, environmental sanitation campaigns, establishment and strengthening of feeding posts and day care centres, establishment of pre-schools, establishment and care of playgrounds and provision of primary education for all.
  
4. Other steps taken include ratification of the UN Convention on the Rights of the Child, signing the OAU Charter on the Rights of Children; the enactment and review of laws aimed at promoting and protecting the rights and interests of children; the preparation and implementation of the National Programme of Action concerning child survival, protection and development in the 1990s.

5. Furthermore, the Government has created a special Ministry to coordinate child development programmes and encourage non-governmental organisations, individuals etc to establish centres for children in difficult circumstances; to set up special schools and institutions to cater for children with particular problems; to set up voluntary associations to serve and defend children; and to establish juvenile courts so that those suspected of breaking the law are dealt with in such a way that their status as children is not violated.
6. Despite all the above, the situation of children in Tanzania is not satisfactory. About 150,000 children below the age of five die every year and children with malnutrition number more than two million.
7. Most infant and maternal deaths are due to poor health services in the country which include lack of proper care, lack of family planning, and lack of immunization. Other reasons are heavy workload for pregnant women, inadequate food intake in the family, low income and improper breast feeding practices.

8. Poor environmental sanitation contributes significantly to the child survival situation. The lack of safe and clean water, and the non possession or non use of latrines due to the traditions and customs of some tribes has led to diarrhoeal diseases and the spread of intestinal worms. The inability to build improved houses is one of the major causes of acute respiratory infections.
  
9. Although problems facing children are largely similar, they differ from rural to urban environments. In urban areas where there is overcrowding and a diversity of traditions and customs, children are faced by problems of early employment, lack of moral direction, and lack of communal responsibility for their upbringing, living on the streets, temptations to participate in illegal businesses, abuse, and involvement in drug abuse, poor living conditions as well as problems of travelling to and from school.  
In rural areas, children face poverty related problems which include inadequate social services such as schools, health and environmental services. In addition, rural children are affected by problems relating to poor communications such as transport, roads and access to important information.



They are also more affected by natural disasters such as floods, drought, epidemics etc.

10. Another contributory factor to the poor situation of children in Tanzania is the high level of poverty. At present, more than 50 percent of Tanzanians live in poverty. This goes hand in hand with the problem of lack of education among parents which means that children lack the basic services to which they are entitled and which, in turn, affects their development. Statistics show that the majority of Tanzanians use 75% of their income for food which means that very little is left for meeting other important needs such as clothing, housing, health and educational services etc. As a result they remain poor. In addition, harmful traditions and practices have contributed to the poor situation of children, such as the neglect of children with disabilities on the grounds that they are a burden or a curse as well as the lack of plans, expertise, ability and equipment to cater for children in difficult circumstances.
  
11. Provision of child rights in Tanzania has been affected by various factors including child care such as the provision of basic needs which include clothing, shelter, good nutrition,

education, medical treatment etc. In addition, parents and guardians have been largely left to cope with the upbringing and interests of children without considering their economic position, education, traditions and customs and the environment in which they live. This has led to numerous acts which violate the basic rights of children.

12. On the other hand, violation of child rights has been due to the lack of community awareness concerning these rights and the lack of procedures and efforts to mobilize and educate the community about them. The definition of a child differs from one law to another; for example, while the UN Convention on the Rights of the Child stipulates that a child is anyone below the age of 18, the Marriage Act allows a girl to get married at the age of 15 and the Employment Act also talks of employing children at the age of 15. This means that a child is sometimes taken as an adult and therefore deprived of her/his basic rights. Another legal shortcoming is discrimination against children according to gender and whether they were born in or out of marriage. In principle all children should be born and brought up in a family based on a legal marriage. Weaknesses in the administration and enforcement of laws

concerning child rights have also contributed to children being deprived their rights.

13. Despite the measures taken to ensure that children are protected, many children are still not accorded proper protection. Acts of oppression, exploitation and brutality against children are on the increase as a result of shortcomings in the administration and enforcement of laws which protect children's rights as well as a decline in morality.
  
14. Child development has also been affected by deficiencies in the educational system. In some places where pre-schools and day care centres have been set up, they are not up to standard. Elsewhere they don't even exist and the rate of setting up or expanding these services is not high. In primary education, problems include the inability to ensure that all children of school going age are registered, poor attendance, dropouts, insufficient teachers, poor quality of education provided, shortage of resources, poor infrastructure and poor supervision and management of schools. In addition, lack of incentives for teachers, lack of

refresher courses, a shortage of housing and an irregular system of school inspection has affected primary education.

15. The girl child is expected to become a woman responsible for reproduction and family care. The poor situation currently facing women is a result of the socialization of the girl child which is based on gender discrimination and oppression. Society values boys more than girls. This is seen from the time of pregnancy when the father has high expectations of getting a boy child to be his heir and expand the clan. According to some traditions and customs, a girl child has no right to inherit property and own resources.
16. Other problems facing the girl child which affect her survival, protection and development include gender discrimination in education, heavy workload compared to the boy child; female genital mutilation which endangers her health and even causes her to be infected by HIV/AIDS, early pregnancy and mistreatment such as rape, defilement, harassment, molestation and abuse.
17. Communities have often not paid proper attention to bringing up and counselling boy children. As a result boy

children are left to themselves and thus end up loitering and getting involved in unlawful acts such as drug abuse, hooliganism, theft etc. contrary values which would have been inculcated by a good upbringing. There is a need to strengthen the upbringing and moral guidance of boy children from an early age so that they can develop in a proper manner.

18. Problems and needs of children differ according to their stages of growth. From the time of pregnancy to the age of one year, every precaution must be taken to ensure the safety of the mother and child before and after delivery. Basic needs are nutrition, health services, protection from diseases (immunization) and breast feeding. For children between one and five years basic needs include nutrition, a healthy environment, proper upbringing, health services, and playing facilities for physical and mental growth. Children between the age of five and thirteen years need everything pertaining to survival, protection, development and participation and especially guidance and counselling in order to warn them against early pregnancy, drug abuse and the effects of child labour. They need to be involved in recognising and defending their rights. Children between

the age of 14 - 18 years need survival, protection, development and participation but above all protection from early marriages and pregnancy, sexually transmitted diseases (STDs) and HIV/AIDS and to lay the foundation for self-reliance, employment and education.

### **Objectives of the Policy**

19. The objectives of the child development policy are:-
- (i) To define a child in the Tanzanian context.
  - (ii) To educate the community on the basic rights of a child.
  - (iii) To provide direction and guidance on child survival, protection and development.
  - (iv) To provide direction on the upbringing of children in difficult circumstances.
  - (v) To enable the community to understand the source of problems facing children.
  - (vi) To give a proper direction to children so that they may become good citizens.
  - (vii) To clarify the role and responsibilities of children, parents, guardians, community, institutions and the

government in planning, coordinating and implementing plans for children.

- (viii) To emphasise the joint responsibilities of both parents (men and women) in caring for and bringing up their children.
- (ix) To educate the community in order to ensure that children inherit good traditions and customs.
- (x) To ensure that there are laws which can be used to deal with child abuse.

**CHAPTER TWO**  
**RIGHTS OF THE CHILD**

20. Tanzania is one of the UN member states which has ratified the Convention on the Rights of the Child. According to the convention, the basic rights of the child are defined as follows:-

- (i) Survival rights
- (ii) Development rights
- (iii) Protection rights
- (iv) Participation rights
- (v) The right not to be discriminated against.

**Factors affecting the Provision of Child Rights in Tanzania**

21. The basic rights of the child are frequently violated by the community, parents and guardians who have been left to bring up children and care for them and their interests without taking into account their economic status, education, traditions and customs and the environment in which they live.



22. Deficiencies in the enforcement of the laws concerning child rights have also contributed to the denial of these rights. (Laws affecting women and children are appended to this policy).

### **Measures to Promote the Rights of the Child**

In order to rectify deficiencies in the provision of child rights, the following needs to be done. To review existing laws and enact new ones to address the following:

- (i) To ensure the child's survival from the time of pregnancy to her/his reaching adulthood
- (ii) To make both parents accountable for caring for and providing basic services to their children.
- (iii) To maintain the sanctity of married life which is the basis of good child care
- (iv) To make male parents responsible for caring for children born outside marriage
- (v) To protect school children from acts aimed at curtailing their studies
- (vi) To make parents with means responsible for their children who are living on the streets

- (vii) To ensure that children do not have access to false or immoral information.
  - (viii) All areas set aside for leisure and playgrounds for children should be protected and all intruders removed
  - (ix) To protect children against child labour.
  - (x) To mobilise the community against harmful traditional practices.
24. To mobilize and educate communities and children themselves on the rights of the child and involve them fully in their implementation.
25. To supervise and follow up fully the enforcement of laws concerning the rights of the child and protect the interests of children involved in criminal offences.

**Role of Children, Parents, Guardians, Institutions and Ministries**

26. Institutions involved in the overseeing and enforcing of laws including the Ministry concerned with legal affairs, the Police and the Judiciary should ensure that rights enshrined

in existing laws are not violated and are respected. In addition, these institutions should ensure that deficient laws are rectified in accordance with the rights of the child.

27. The Ministry responsible for children, in collaboration with legal institutions, should educate and mobilize the community on the rights of the child in Tanzania and how to put them into practice.
28. The Ministry responsible for Social Welfare should ensure that children in difficult circumstances receive their rights and basic services. It should also ensure that the interests of children involved in criminal offences are protected.
29. Police, Judiciary and Prisons should ensure that child offenders are treated in such a way that their rights as children according to existing laws are not affected.
30. Voluntary organizations responsible for human rights and religious institutions should educate the public on rights of the child and participate fully in defending the rights and interests of the child.

31. Children should obey and respect their parents, guardians and the community in general and live according to national customs and traditions.
32. Parents should take into account their responsibilities and capabilities and plan their families according to their resources. Acceptable traditional methods of family planning should be encouraged and maintained alongside modern methods for the benefit of parents and children.

## **CHAPTER THREE**

### **CHILD SURVIVAL**

#### **Definition of Child Survival**

Child survival starts at the point when the mother becomes pregnant. The survival of the unborn child depends on the health and nutritional status of the mother and the environment in which she lives. In addition, the survival of the child after birth is dependent on receiving all basic needs, which are food, health, protection and development from their parents, the community and the government.

#### **Measures for Promoting Child Survival**

33. To strengthen primary health care services, so as to enable children and expectant mothers to be immunised at the right time, have medical check-ups and receive treatment when necessary as well as other essential medical services
34. To mobilize and educate children, parents, guardians and the community in general on the relationship between

diseases, environmental sanitation and dirty water and provide general health education as well as on how to protect oneself from diseases, especially HIV/AIDS.

35. To mobilize and educate children, parents and the community on good nutrition, adequacy of food intake and preparation of various types of food.
36. To increase the production, preservation and proper utilization of food crops and increase production of cash crops.
37. To encourage and educate parents and community on breastfeeding and appropriate weaning foods for children under five.
38. To ensure provision of essential nutrients for children and pregnant mothers in areas where there is a shortage of foods with these nutrients.
39. To educate communities on a fair household division of labour and use of appropriate technology in order to save

women's labour and time, particularly pregnant mothers, and facilitate access to basic services.

40. To educate and mobilise communities to construct and utilise improved latrines and on environmental sanitation in general.
41. To undertake research and if it is found to be appropriate establish institutions which will make it possible to assist and take care of orphans and abandoned children such as SOS children villages and host families.
42. To enable women and citizens in general to participate fully in identifying their problems, and planning, implementing, supervising and evaluating water and environmental sanitation projects, in order to have access to safe and clean water near to where they are.
43. To issue policies and guidelines and coordinate the implementation of programmes and measures to ensure child survival.

44. To provide special priority to industrial investors which manufacture children's equipment and food
45. To review laws governing the importation of children's foods
46. To review laws concerning the manufacture of children's foods
47. To impose lower taxes on children's equipment.
48. To raise the incomes of parents and the community in general

**Responsibility of Children, Parents, Guardians, Communities, Ministries and Institutions**

49. The Ministry responsible for Community Development in collaboration with Ministries and Institutions dealing with health, agriculture, water and local government, should mobilize communities on health, nutrition, use of clean water, improved latrines, appropriate technology; and participation of women and communities in general in



formulating and administering programmes and services concerning child survival.

50. The Ministry responsible for health should strengthen primary health care services and provide community health education especially to pregnant and lactating mothers.
51. The Ministry responsible for agriculture should educate communities on household food security, promotion of food production, and appropriate methods of distributing, storing and preparing food.
52. The Ministry responsible for Community Development, in collaboration with ministries and institutions dealing with health and agriculture, should mobilize, advocate and educate parents and communities on breastfeeding and weaning of children, and on harmful traditions and customs which adversely affect nutrition, health and the survival of children and pregnant mothers.
53. Communities should increase food crop production and use proper methods of storage.

54. Women and communities in general should participate in all stages of formulating, implementing and managing projects, activities and services related to child nutrition and health.
55. Mothers should breastfeed frequently and both parents should wean their children properly.
56. The Ministry responsible for Community Development in collaboration with other ministries and institutions providing social services should issue guidelines, rules and regulations and coordinate implementation of all programmes and measures to promote child survival.
57. The Ministry of Health and Ministry responsible for Community Development, Women Affairs and Children should educate communities on the importance of family planning for the benefit of mother and children.
58. The Ministry responsible for child development and the Ministry responsible for Social Welfare should conduct research and consider the possibility of establishing villages for orphans and abandoned children as well as a host families system.

## **CHAPTER FOUR**

### **CHILD DEVELOPMENT**

#### **Important Issues of Child Development**

The development of a child is related to his/her physical, intellectual, moral and spiritual growth. In order for a child to grow well, she/he needs to be cared for, given guidance, and brought up in accordance with the norms of the community.

59. Physical growth of a child refers to the growth of the body such as height and weight in relation to age. It depends on adequate nutrition for the child, health and a clean environment.
  
60. The mental growth of a child means an increasing capacity for vision, understanding, imagination and curiosity about the environment in which she/he lives as she/he grows older.  
It depends on health, nutrition, the environment in which she/he lives, toys and games, independence and the teaching s/he is given.

61. The moral growth of a child entails enabling the child to develop healthy relationships between him/herself and other children together with members of the community in which she/he lives. This depends on the love, guidance and counselling she/he receives from parents, guardians, relatives and the community in general.
62. The spiritual growth of a child entails his/her ability to understand his/her relationship with the basic tenets of her/his faith so that s/he can live in accordance with the guidelines laid down by parents, guardians and religious denomination.

### **Child Development in Tanzania**

63. Despite efforts made to improve health services and household food security, many children in the country are still prone to diseases and malnutrition, which means that they do not grow physically and mentally as they should.
64. Furthermore, parents and guardians have been left to promote the moral development of their children on their own, mainly because of the breakdown of the system of

communal responsibility for child care. As a result, there is no common direction but rather each parent or guardian brings up children in the way s/he sees fit. In addition, institutions which, in the past, cooperated closely with parents and guardians in bringing up their children are now not given sufficient cooperation.

65. Child development is also affected by gender biased customs and traditions. In addition, children themselves are blindly adopting corrupt foreign behaviours because of the lack of any system to control these behaviours.
66. The moral development of the child is also affected by family conflicts, the use of abusive language by parents, marriage breakdown, adult involvement in harming children (defilement, harassment, abuse, rape, etc.) especially girl children, overcrowding in homes which entails parents and children living in the same room, or some children sleeping in neighbouring houses and parents having no time to pay attention to bringing up their children.
67. The spiritual development of a child, which is the responsibility of parents and religious leaders, is affected by

the problem that their teachings do not match with their behaviour. Sometimes children are taught without taking into account their level of understanding in relation to their age.

### **Measures to Promote Child Development**

68. To advocate for the establishment of pre-schools and day care centres and improvement of their services; as well as to establish a system of educating parents on the importance of pre-school education and assist in developing a conducive learning environment for the child.
69. The Ministry responsible for Community Development, in collaboration with the Ministry of Education, should make sure that all children of school going age are enrolled and make special arrangements to provide primary education to all those above the age of enrolment. It should develop a system whereby children whose parents or guardians are unable to pay will still get an education.
70. The Ministry responsible for Community Development in collaboration with the Ministry of Education should devise a system that ensures that all children who have

dropped/been taken out of school and those who never went to school at all for whatever reason are able to get an education.

71. The Ministry responsible for Community Development in collaboration with the Ministry of Education should strengthen supervision and administration and improve the school environment. Guidance and counselling services should be established and strengthened so as to reduce the problems which cause children to drop out or be taken out of school.
72. Legal measures should be taken against anyone responsible for a child dropping out of school.
73. To ensure adequate provision of essential school materials; and improve the academic quality of teachers, good teacher training colleges and revision and updating of curricula, with attention to gender and preparing children for their future lives.
74. To mobilize and educate communities and relevant institutions on their responsibilities in child development

75. To mobilize and educate communities so that they abandon harmful customs and traditions and control the imitation of foreign behaviours.
76. To educate communities on the importance of providing a good example of respect, love and cooperation
77. To strengthen moral and spiritual teachings so that they go hand in hand with cooperation.

**Role of Children Parents, Guardians, Institutions and Ministries**

78. The ministry responsible for Education in collaboration with ministries responsible for Social Welfare, Children Affairs, Local Government, other institutions and communities should raise the standards of pre-school education.
79. The ministry responsible for Education in collaboration with the ministry responsible for Local Government should raise the quality of primary school education.



80. Institutions responsible for legal matters should be sensitized on the importance of effectively involving communities in overseeing the implementation of laws against those who cause children to drop out of school. Stern punishment should be imposed on those who are proved to have caused children to drop out.
81. Individuals, institutions and non-governmental organisations should ensure that all activities involving children do not violate the good customs and traditions of our nation or are not carried out for individual interests.
82. The Ministry responsible for Community Development, in collaboration with other institutions, should mobilize and sensitize parents, guardians and communities on their responsibility for child development.
83. Parents, Guardians and communities in general should give their children a proper moral upbringing, with especial regard to the marriage vows.

84. Parents, guardians and religious institutions should be involved in developing the spiritual values of the children in action.
85. Children should carry out their responsibility to obey, respect, love and help their parents, community and the nation.

**CHAPTER FIVE**  
**CHILD PROTECTION**

Children need protection in order for them to grow well physically, intellectually, spiritually and morally. Child protection enables children to grow into good citizens who are responsible for their own and the national development.

86. Children need to be protected at all stages of their growth, before and after birth. Therefore, children need to be protected against things such as abortion, murder, suicide, abandonment, exploitation, tasks incompatible with their age, deprivation, oppression and neglect. Children also need protection against all forms of abuse, especially gender abuse, bad practices and cruelty, for example female genital mutilation, forced early marriage and also drug abuse. Because of the decline in morality and neglect of our traditions and customs, there has been a large increase in cases of rape and defilement of children in our society.
87. Protection also concerns children in difficult circumstances such as orphans, children with disabilities, street children,

refugee children, children affected by natural disasters as well as those who live in groups who cannot properly fend for themselves e.g. children in prison, children in single parent households and adolescent mothers.

### **Measures to ensure Child Protection**

88. To educate and mobilise parents, guardians, communities and institutions to understand and prioritise the implementation of child rights.
89. To revisit, review and abandon outdated laws. To pass appropriate laws and take strong action against violators of children's rights.
90. To educate communities and employers to abide by laws governing employment so that they follow the rules and regulations in order to protect the interests of the children.
91. To establish a system for following up cases of violence and cruelty to children.

92. To establish a system of caring for children in difficult circumstances by identifying them and recognizing their needs, and by mobilising and involving the community in providing services for them, setting aside adequate resources for this purpose, providing them with expertise and services which cater for their needs as well as providing them with guidance and counselling.
93. To establish a system for monitoring and following up the implementation of the Convention on the Rights of the Child.
94. To denounce, castigate and punish strongly all acts of rape, defilement and exploitation of children.

**Roles of Parents, Guardians, Community, Government and Institutions**

95. Institutions responsible for legal matters, in collaboration with the ministry responsible for children affairs should ensure that laws which protect child rights are formulated, reviewed and implemented.

96. The ministry responsible for social welfare in collaboration with the ministry responsible for children affairs and other institutions should prepare a good system for taking care of children in difficult circumstances.
97. Parents, Guardians and institutions working for children, should show due responsibility for protecting children by providing them with their basic needs and providing appropriate moral guidance.
98. The community should be fully involved in issues of child protection by abandoning norms and values which endanger the life of the children, strengthening positive values; participating in communal upbringing and providing services to children in difficult circumstances.
99. The community should rebuke and denounce rape, defilement and exploitation of children. Law enforcing institutions should mete out harsh punishments for such acts.

## **CONCLUSION**

### **Implementation of the Policy**

100. The implementation of the Tanzanian Child Policy will help to reduce and even eliminate problems facing children and provide direction on the best way of bringing up children by inculcating in them the principles of responsibility, trust, creativity, self esteem and a sense of pride in their families and their nation. This policy will be implemented alongside other policies, plans and programmes which are directed at promoting child survival, protection and development with the aim of fully implementing the Convention on the Rights of the Child. Related policies, plans and programmes are:-

- Policy on Poverty Eradication.
- Health Policy.
- Community Development Policy.
- National Policy on raising children and youth
- Population Policy.
- Women in Development Policy.
- Policy on Education and Training.
- Agriculture Policy.

- Food and Nutrition Policy.

101. Furthermore, the success of the implementation of the policy will largely depend on every individual, family, community, institution, department, ministry, religious denomination and other people' organisations.



**LAWS WHICH AFFECT CHILDREN**

1. Marriage Act No. 5 of 1971
2. Probation of Offenders Cap 247 of 1947 Rev. 1962
3. Affiliation Ordinance Cap. 278/1949 (Amendment 1964)
4. Adoption Ordinance Cap 335/1955
5. Children and Young Persons Ordinance Cap. 13/1937 Rev. 1964.
6. Disabled Persons Care and maintenance Act No. 3/1982
7. Employment Ordinance Cap. 366
8. Education Act. No. 25 of 1978
9. Penal Code Cap. 16
10. Age and Majority (Citizenship Laws) Act No. 24/1970
11. Customary Law Declaration Ordinance 1963
12. Probate and Administration of Deceased Estate Ordinance Cap. 445.