

ACTIVITY REPORT



**WORKSHOP TO DISCUSS THEME OF THE DAY OF AFRICAN
CHILD 'JAMII IWAJIBIKE ISITEKELEZE WATOTO' HELD AT
PROTEA COURTYARD HOTEL ON 18TH JUNE 2008**

June 2008

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1.0 Background

1.1 Overview

This is the report of the Workshop which was held at Protea Courtyard Hotel on 18th June 2008 to discuss the theme for the day of African Child (2008): ‘Community Commitment: Avoid Child Abuse and Negligence’, the workshop was organized by Social Action Trust Fund (SATF).

The report is divided into four sections as follows:

- Section One-provides the background of the workshop.
- Section two-recommendations for follow ups
- Section 3-recites summary of the specific workshop proceedings.
- Annexes- There are some selected annexes with relevant information at the back of the report.

1.2 Objectives

The purpose of the Workshop was to stimulate a national debate on ‘who is responsible for child negligence? Is it individual choices or bad Government policies?’ This was the theme for the day of the African Child ‘Community Commitment: Avoid Child Abuse and Negligence’. SATF as a key stakeholder in Children issues saw the importance of discussing the theme with different stakeholders for the purpose of delivering a message to Tanzanians so as they can participate in one way or another in caring and protecting children.

1.3 Key Speakers

Key speakers for the workshop were:

- Mr. Donald Charwe - Assistant Commissioner, Ministry of Health and Social Welfare
- Ms. Alice Rugumyamheto - Director of Children Development, Ministry of Community Development, Gender and Children

- Prof. Paramagamba Kabudi - From University of Dar es Salaam
- Davie H. M. Kitururu - Artist, Journalist and Activist of African Culture

1.4 Participants of the Workshop

The participants in this workshop were various stakeholders from Non Governmental Organization, International Non Governmental Organizations, Media and Government Ministries.

1.5 Methodologies

The methodology employed was participatory with the speakers' role being to stimulate debate on who is responsible for taking care of the Children and thereafter the participants shared their ideas, information and experience regarding the issues of children. Both Swahili and English were used during the workshop.

2.0 Recommendations for follow ups

The following are the recommendations for follow ups extracted from the summary of the workshop proceedings:

1. There is need to revisit different laws and policies concerning children in Tanzania to see if they correspond to the UN Convention on the Right of the Child, African Charter on the Rights and Welfare of the child and Tanzanian Constitutions. There is a need of having a framework law regarding children issues.
2. At community level, there is a need to reflect and ask ourselves as to what extent we respect children rights in our daily lives.
3. Statistics on the numbers of Orphans and Vulnerable Children should be reconciled in order to understand the magnitude of the problem.
4. All stakeholders should be proactive and should push ministries responsible for children to share policies and reports regarding children development which are

- submitted to United Nations and other international agencies. The reports should have inputs from NGOs/INGOs working with children.
5. Community should be sensitized to establish NGOs/ Community foundations to support Most Vulnerable Children in their countries. Many NGOs in the country are donor driven
 6. There are should be a system of NGO reporting the funds they have received from donors to the government and other stakeholder to enhance accountability of donor funds.
 7. There is a need for developing identity card for every citizen. This will help to protect rights of the children in the sense that children will not be allowed to be involved in the child labour as per laws and regulations.
 8. Create a team of Journalists who will specialize in reporting issues of children in Tanzania.
 9. Tanzanian need to develop a reading culture, to be informed of the policies, laws regarding children in the country.
 10. Vulnerable Children should be encouraged and should not be reminded of their problems.
 11. Guardians/parents should be involved in the planning and implementation of programs to support Most Vulnerable Children.
 12. Psychosocial support should be mainstreamed in the MVC programs.
 13. Government, institutions and communities should help poor families to take care of their children. It was revealed that many poor families abandon their children because they do not have resources to take care of them especially when they are forced to care many children of their relatives who have lost their lives to HIV/AIDS.

3.0 Summary of workshop proceedings

3.1 Opening

Welcoming remarks: by Agapiti Manday- Public Relations and Fundraising Officer

- Thanked the participants from various organizations for attending the workshop.

- Introduced Guest Speakers and SATF team to the workshop participants
- Highlighted the timetable and invited the participants for general introduction.

Opening Remarks: By Ms. Beatrice Mgya- Chief Executive Officer (SATF)

- Welcomed and thanked participants for accepting invitations.
- Provided a brief introduction about SATF
- Declared the workshop officially opened and encouraged active participation of all.

3.2 Vulnerability and the Future of Tanzanian Children

By Davie H. M. Kitururu

The speaker started by pointing out the reasons/causes of Most Vulnerable children; these are:

- Poor economic status of the country as a whole and of the individuals
- Negative behaviors that are contributed by life hardship
- Lack of good education that impact life skills to our children
- Death of parents/guardians from diseases

Mr. Kitururu presented different School of thoughts regarding care and protection of Children in the Community

1. Others look at the MVC as a curse and that's why people are not treating them well, those who are fortunate ends up in Orphanage or rehabilitation centers. However, orphanages are established for either to real support these children or as a source of income. Many of these children are psychologically affected with the way we treat them. The Question is WHAT SHOULD WE DO?
2. Other school of thought emphasize on the taking care of Most Vulnerable Children within our communities/families. According to this school of thought, Community/families should be supported by government or other NGOs to take

care of MVC. Community care and protection of MVC, is the best way to take care of these children, helps to make children grow in their community and participate in the social and economic activities

3. MVC are children as other children, they have rights as other children, and they need to participate in all aspects of life without being discriminated.
4. Other school of thought, relate with African customs, tradition and culture; society has a responsibility of taking care of the children. It was not easy to determine who was an orphaned child because the society was responsible for taking care of all children.
5. While others think that Government has a responsibility of taking care of the Most Vulnerable Children and not individuals/families.

Issues of child Labour

Facilitators stressed that majority of MVC are involved in the child labour. He also pointed out that in order to determine if the activity is child labour or not, issues of age and health of the child should be assessed:

Areas where Child Labour is common:

1. Agriculture activities- relate with poverty, children are helping their families in the agriculture (key issue: they work too much, which is danger for their health)
e.g. Tea plantations
2. Tourist business; e.g. hotels , carrying luggage
3. House work – house girls, houseboys
4. Mining industries

In his closing remarks, the Speaker poses the following challenging questions to the participants

- Many African communities have abandoned customs and traditions without assessing the traditions and customs which were good as far as

caring of the children is concerned. Is it true that everything about Jando na Unyago was bad?

- Westernization- we do not like to be African
- What is the position of NGOs in caring children
- What is the Contribution of Government in caring of the children?
- What is the contribution of education in shaping our children?
- Who are the stakeholders involved in caring for children...how?
- What about laws related to communities/families who are abandoning their children?

3.3 Rights of the Children

By Prof Palamagamba Kabudi

The speaker started by emphasizing the following:

- Importance of the education; it should be seen in a broader perspective as ability to impact skills, understanding of the communities and ability to think.
- Children are not people of tomorrow they are people of today; every child has a right to be him/herself.
- Child lives today and is valuable today! Because we think of the children as embryo citizen or future, valuable life of children are lost'
- Children who are abandoned are the ones who will change the world/Tanzania. Provide them education in holistic manner.
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UN Convention on the Right of the Child, African Charter on the Rights and Welfare of the Child and Tanzanian Constitution

Prof. Kabudi, referred to the above documents and related to the care and protection of the Children in Tanzania.

Tanzania signed UN Convention on the right of the Child and African Charter on the Rights and Welfare of the Child.

Key issue in the Conventions: In all action concerning children whether taken by government, institutions, court of law, the best interest of the child should be put upfront. It is now mandatory for Tanzania to obey the signed agreement.

Welfare of the child is not the responsibilities of the government alone but for everybody.

Best interest of the child includes in the issues related to:

- Religion
- Culture
- Customs
- Identity

The speaker referred to the Articles in the Convention of the Right of the Child which relates to the theme of African Child's Day 2008.

Examples of the Articles that were referred by Speaker include:

Article 19 of the UN Convention on the Rights of the Child: Talk about protecting a child from physical, mental and psychological injuries.

Article 6 of the UN Convention on the Rights of the Child: Every child has the inherent right of life, they have right as children

Key issue:

- If there are types of rights whereby the community is responsible in the areas of Children rights because the ones who are breaching rights of the child are aunts, uncles, mothers, fathers, brothers.
- The government is not doing violence against children, government has responsibilities to enforce laws but the community is the one who breach the law.

Article 21 of African Charter on the Rights and Welfare of the Child: States that, children should be protected from Harmful Social and Cultural Practices. Therefore Africa convention has not allowed breaching of the right of the child with the excuse of customs, culture and traditions.

Constitution of United Government of Tanzania:

Article 12 of the constitution states that: all human being including children are born free and are equal. Every person is entitled to recognition and respect for his dignity.

Article 13 of the constitutions states that; all persons are equal and are entitled without any discrimination, to protection and equality.

Article 15 states that: every person has the right to freedom and to live as a free person.

Article 16 of the constitution states that: every person is entitled to respect and protection of his person, the privacy of his own person, his family, his matrimonial life, and respect and protection of his residence and private communications.

In his concluding remarks, Prof. Kabudi highlighted key issues in caring and protection of the child that can be drawn from UN Convention on the rights of the Child, African Charter on the Rights and Welfare of the Child and Constitution of the United Republic of Tanzania as follows:

- There is need to revisit different laws concerning children to see if they correspond to the UN Convention, African Charter and Constitution. For the purpose of making them better, we can have a framework law concerning children
- As a community, we need to ask ourselves in what extent we respect children rights in our daily lives.
- Age of the Child: It is good to have different ages depending on the issues in question e.g. right to vote is different from criminal rights

- Law is not an answer for every problem! Community should change their behavior, respect constitutions and conventions, discuss issue of children with the aim of getting solution of solving their problems.

3.4 Efforts that have been done by Ministry of Health and Social Welfare in supporting Most Vulnerable Children

Presented by Assistant Commissioner; Mr. Donald Charwe

Mr. Charwe started the presentation by reminding the participants that whatever it is done for children it must be for the benefit of the children.

Definition of the Child:

According to Ministry of Health and Social Welfare, a child is defined as any human being with the age of below 18years. However, for the purpose of ensuring that the child is getting support, those who are in schools are considered as children.

Definition of the Orphan:

A child who has lost one or both parents

Definition of Vulnerable Children:

- Children living in the institutions: prisons and orphanages; Prisons should be separated; children and adult
- Disabled Children
- Children in the Worst Form of Child Labour

- Abused and neglected children
- Children living on the streets
- Children in conflict with law

Efforts to support MVC in Tanzania

Assistant Commissioner shared with the participants different efforts that have been done to support Most Vulnerable Children in Tanzania

- Different International and National NGOs have been involved in supporting Most Vulnerable Children
- In the Government, Ministry of Health and Social Welfare and Ministry of Community Development Gender and Children are involved in the issues of Most Vulnerable Children and Children in general.
- Children policy has been reviewed, in final draft
- Identification of MVC (in 94 out of 293 councils)
- National Costed Plan of Action for MVC – It guide all stakeholder on the issues of Most Vulnerable Children available at www.ustawi.go.tz
- Development of Quality standard of care for MVC
- Data Management System for the country in the areas where the identification of MVC has been done
- Development of M & E framework
- MVC Implementing Partners Group Meetings held on monthly basis at UNICEF
- Department of Social Welfare Website- a forum for getting updates and sharing information regarding Most Vulnerable Children
- There is a plan for organizing National OVC Conference in 2008

Challenges:

- Support does not reach the right beneficiaries
- Interest of the child is not protected e.g. in adoption

3.5 Efforts that have been done by Ministry of Community Development, Gender and Children in supporting children

By Alice Rugumyamheto, Director of Children, Ministry of Community Development Gender and Children.

She started the presentation by emphasizing the importance of caring and protecting children. Ministry realized that, if the community is not taking care of the children there will be a danger of having:

- Beggars
- Children who are living on the streets
- Orphans who are not cared by the community.

The speaker shared with participants the efforts that have been done by Ministry of Community Development Gender and Children regarding children issues:

- Child Development policies has been reviewed and included Most Vulnerable Children
- Development of Family Development Policy- as many children's problems start at the family level
- There is a plan for preparing policy for care and development of children below 8 years.
- Under the Ministry, there is NGO Department which coordinates activities of INGOs and NGOs that are working with/for children.

3.6 Challenges faced by Most Vulnerable Children

Among other participants, Most Vulnerable Children supported under SATF Education program were present. Mwajuma Kibwana and Hashimu JumaThey shared challenges which they are facing in their daily lives as follows:

- Apart from support they are getting from SATF, they have other needs which affect their performance in school such as, no enough food at their homes, transport fare- they have to walk a long distance to school. As they result they reach to school very tired and unable to concentrate fully.
- There are so many contributions in school which are not fully paid by SATF

- No electricity at home and kerosene is very expensive for them as a result, sometimes they failed to do their home works and revision at home.

Q&A, Plenary Discussion:

- Participants wanted to know if there have been efforts to separate prisons for children and adult. According to the Director of Children, separation of prisons for children and adult will be taken into consideration when planning for strategies for implementation of Children policy.
- Participants wanted to know the division of responsibilities between Ministry of Community Development Gender and Children and Department of Social Welfare. It was clarified that DSW deals with vulnerable groups of children, family issue in the legal perspectives- e.g. when there are family problems. MCDGC deals with issues of children in general and plan for policies and strategies as per UN conventions and Charters and report to UN and other agencies. DSW and MCDGC work in partnership.
- Participants urged that, there is a need to think critically on how to support children in Tanzania.
- There is a need to emphasize the public to develop a culture of reading country policies.

4. Closing of the workshop

SATF team thanked participants for attending the workshop and for their invaluable contributions. In addition participants were requested to take a lead role in ensuring that the best interest of the child is respected in whatever they are doing. The workshop was closed at 1730hours.