



THE UNITED REPUBLIC OF TANZANIA



COMMISSION FOR HUMAN RIGHTS AND GOOD GOVERNANCE

A STUDY OF CHILD RIGHTS IN
BUSINESSES IN TANZANIA
OCTOBER, 2025

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STATEMENT FROM CHAIRMAN



The Commission for Human Rights and Good Governance (CHRAGG) is privileged to present this comprehensive study on the impact of business operations on child rights in Tanzania. This report marks a pivotal advancement in our enduring commitment to upholding and protecting the rights and welfare of children across various sectors, including education, fisheries, agriculture, tourism, and digital technology.

The findings presented are the culmination of extensive literature reviews, field visits to Kagera and Zanzibar, and consultations with children, communities, government agencies, businesses and civil society organisations. The voices of children and affected communities have been central to shaping the evidence and recommendations in this report.

Child labour remains alarmingly prevalent, often driven by poverty and entrenched cultural norms. Additional concerns, such as truancy, school dropouts, child trafficking, exposure to online risks, unethical marketing, and the circulation of harmful products, require urgent and sustained attention. The report also underscores the indirect consequences of inadequate wages and skills training for parents on the well-being of children, emphasising the necessity of a holistic approach to child rights protection.

This study advocates for the integration of these priority issues into Tanzania's National Action Plan on Business and Human Rights (NAP-BHR). It calls for enhanced public education, strengthened institutional capacity, improved enforcement mechanisms, robust victim support systems, and legislative reforms to ensure that children's rights are fully respected and protected in all business activities.

As we move forward, the CHRAGG remains steadfast in its role as a guardian of human rights, dedicated to working collaboratively with all sectors to create a safer and more just environment for every child in Tanzania.

A handwritten signature in black ink, which appears to read 'Mathew Mwaimu'. The signature is written in a cursive, flowing style.

Judge (Rtd.) Mathew. P.M. Mwaimu

CHAIRMAN

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ABBREVIATIONS

ACERWC	African Committee of Experts on the Rights and Welfare of the Child
ACRWC	African Charter on the Rights and Welfare of the Child
AfCFTA	African Continental Free Trade Area
ATS	Anti-Trafficking Secretariat
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CHRAGG	Commission for Human Rights and Good Governance
CRBPs	Children's Rights and Business Principles
CRC	Convention on the Rights of the Child
CSR	Corporate Social Responsibility
CSAM	child sexual abuse materials
CSO	Civil Societies Originations
EAC	The East African Community
FDI	Foreign Direct Investment
GN	Government Notice
ICT	Information and Communication Technologies
ESDP	Education Sector Development Programme
HLPF	High-Level Political Forum
ILFS	Integrated Labour Force Survey
ILO	International Labor Origination
IPEC	International Programme on the Elimination of Child Labour
NAP	National Action Plan
NBA	National Baseline Assessment
NBS	National Bureau of Statistics
NAP-BHR	National Action Plan on Business and Human Rights
NPA-VAWC	National Plan of Action to End Violence Against Women and Children
NGOs	Non-Government Organisations
MDA'	Ministries, Departments and Agencies

MICIT	Ministry of Information, Communication, and Information Technology
MoCLA	Ministry of Constitution and Legal Affairs
WFCL	Worst Forms of Child Labour
TBP	Time Bound Programme
TCRA	Tanzania Communications Regulatory Authority
UDHR	Universal Declaration of Human Rights
URT	United Republic of Tanzania
UN	United Nation
UNICEF	The United Nations Children's Fund
UNGP	United Guiding Principles on Business and Human Rights
UN.GIFT	United Nations Global Initiative to Fight Human Trafficking
UNCRC	United Nations Convention on the Rights of the Child
VSLAs	Village Savings and Loan Associations
VNR	Voluntary National Review
WHO	World Health Organisation
TBS	Tanzania Bureau Of Standards
TZs	Tanzania Shillings
TIP	Trafficking in Persons
SDGs	Sustainable Development Goals
SEPD II	Secondary Education Development Programme II
SIS	School Information System
SSRC	School Summary Report Card
ZBS	Zanzibar Bureau of Standards

ACKNOWLEDGEMENT



This report is the result of the dedicated efforts and collaboration of many individuals and institutions committed to promoting and protecting children's rights in Tanzania. The Commission for Human Rights and Good Governance (CHRAGG) expresses its sincere gratitude to all stakeholders who contributed to this study, including government ministries, departments, and agencies; civil society organisations; business communities; and international partners such as the United Nations Children's Fund (UNICEF).

Special thanks are extended to the children, youth, and community members from the Kagera Region and Zanzibar who participated in the field visits and shared their experiences and perspectives. Their voices were invaluable in shaping the findings and recommendations of this report.

We also acknowledge the contributions of experts and practitioners who provided critical insights through the literature review and stakeholder consultations. The support and cooperation of local government authorities, businesses, and social welfare officers were essential for the successful collection of data and the overall execution of this study.

Finally, appreciation is given to all individuals and institutions involved in the development of the National Action Plan on Business and Human Rights (NAP-BHR), whose commitment continues to drive progress in safeguarding children's rights in the context of business operations in Tanzania.



P.K. Ntwina

Executive Secretary

COMMISSION FOR HUMAN RIGHTS AND GOOD GOVERNANCE

EXECUTIVE SUMMARY

This study, conducted by the Commission for Human Rights and Good Governance (CHRAGG) in Tanzania, assesses the impact of business operations on children's rights across various sectors, including commerce, education, fisheries, tourism, agriculture, and digital technology. It draws on literature reviews, field visits to Kagera and Zanzibar, and stakeholder consultations involving children, communities, government bodies, businesses, and civil society organisations.

Tanzania has a robust legal framework protecting child rights, anchored in the Constitution, the Law of the Child, and the ratification of international and regional conventions, such as the CRC and ACRWC. Despite these frameworks and government initiatives, significant gaps remain in enforcement, awareness, and resource allocation, particularly concerning child labour, trafficking, education access, internet safety, marketing practices, product safety, decent work for parents, and access to remedies.

The key findings of this study are as follows:

- **Child Labour:** High prevalence of child labour is often driven by poverty, cultural norms, and inadequate enforcement. Children work in agriculture, fishing, and family businesses, sometimes in hazardous conditions.
- **Education:** Progress in access to education is notable, but truancy and dropouts persist because of hidden costs and other barriers.
- **Trafficking and Commercial Exploitation:** Children are trafficked for sexual exploitation, labour, and other abuses, with inadequate victim protection and enforcement, especially in Zanzibar.
- **Children and Internet Use:** Increased exposure to online risks such as cyberbullying, exploitation, and harmful content, compounded by limited public awareness and a lack of effective censorship.
- **Marketing and Advertising:** Children face exploitation through unethical marketing practices with limited monitoring and awareness of the consequences.
- **Product Safety:** Enforcement gaps allow harmful products, such as counterfeit milk, alcohol, and tobacco, to reach children.

- **Decent Work for Parents and Guardians:** Insufficient wages and skills training affect parents' ability to provide for their children, contributing indirectly to child labour.
- **Access to Remedy:** Children face barriers to justice due to limited infrastructure, resources and cultural constraints.

This study proposes the incorporation of these priority issues into the National Action Plan on Business and Human Rights (NAP-BHR), recommending enhanced public education, strengthened institutional capacities, improved enforcement, victim support mechanisms, and advocacy for legislative reforms to better protect children in the context of business activities.

PART ONE

INTRODUCTION

1.1. Background

This study, which obtained its information through a review of the literature and primary field data, shows the extent of the impact of business operations on the rights of children. The areas studied included commerce and trade, education, information and digital technology, fisheries, agriculture, the informal sector, marketing, advertising, and product safety. The Collection and harmonisation of information on child rights involved different stakeholders, including children, youth, impacted communities, and other vulnerable groups, who supplemented information to the literature review, field studies, and national consultative convening.

The United Republic of Tanzania (URT) has enshrined basic human rights in the Constitution of the URT of 1977, the Zanzibar Constitution of 2010, and laws across sectors. It has also responded to International and Regional initiatives by ratifying major child rights conventions, including the International Convention on the Rights of the Child (CRC) of 1989 and the African Charter on the Rights and Welfare of Children (ACRWC) of 1990. Further Government commitment is evidenced by the domestication of the Law of the Child, Cap 15, which consolidates most child rights.

In 2017, the Commission for Human Rights and Good Governance (CHRAGG), in collaboration with the Government, Civil Society Organisations (CSOs), business communities, the public, and other stakeholders, including UNICEF, inaugurated its first National Baseline Assessment (NBA) on Business and Human Rights as a step towards preparing a NAP-BHR. In April 2022, the Government, through the Ministry for Constitutional and Legal Affairs (MoCLA) and the President's Office-Constitution, Legal Affairs, Public Services, and Good Governance (PO-CLPSGG) in Zanzibar, committed to developing a NAP-BHR. The CHRAGG was trusted to coordinate the Ministries, Departments, Agencies (MDA), Private Sector, Businesses, CSO, communities and other stakeholders in Mainland Tanzania and Zanzibar. However, during this process, children's rights stakeholders were engaged separately through fieldwork and stakeholder dialogue.

The 2012 Children's Rights and Business Principles, released by the United Nations Children's Fund (UNICEF) and the Global Compact, and General Comment C16 provide a broad policy base for incorporating children's rights into the National Action Plan on Business and Human Rights (NAP-BHRs). These are some of the worldwide initiatives primed to implement the 2011 United Nations Guiding Principles on Business and Human Rights (UNGPs-BHR).

1.2. General Objective

The main objective of this study was to conduct a child rights NBA that will supplement the information in the NBA conducted by CHRAGG in 2024, providing gaps and recommendations that will help prepare objectives and strategic actions in the Tanzania NAP-BHR.

1.2.1. Specific Objectives

- i. To report on the current situation of children's rights in the context of the business supply chain;
- ii. To establish the extent to which child rights are impacted by business operations, and
- iii. To identify gaps and challenges in the rights of children in the business context, and
- iv. To recommend actions to be included in the NAP-BHR.

1.3. Methodology

The methods used to obtain information for this Study paper were as follows: -

1.3.1. Literature review

This paper was prepared after a review of the literature that included National, International Regional legal frameworks on the rights of the child, including ILO instruments relating to the rights of children. The review also included key publications authored by individuals and institutional experts on child rights.

1.3.2. Field Visit Missions

Two field works were conducted in the Kagera Region in Mainland Tanzania and Unguja Urban West and South Unguja in Zanzibar. The fieldwork aimed to obtain practical information on how children's rights are impacted by business operations. In Mainland Tanzania, field studies were conducted at the Kagera Sugar Plantation and Factory, Fish Market, and landing sites at Nyamkwazi and Igabiro in the Bukoba District, Kagera Region. In Zanzibar, the visit studies were conducted at Ngalawa, Mazizini, and Malindi fish markets and landing sites in Unguja Urban West and Chwaka in the South Unguja regions.

A total of 181 adults were consulted, of whom 48 were women, and 56 children were engaged. The engagements focused on conducting discussions with business company managements, Regional Secretariats (RS), and Local Government Authorities (LGAs), specifically departments of health and social welfare, economic and productive, industry, and trade and investment. The focus was on obtaining data related to children involved in the business. Information was also obtained through public meetings that explored the level of knowledge of communities and the nature of abuses or allegations.



A section of Local Government Authority leaders and executives, and fishermen representatives in Bukoba District Council sharing child rights information with CHRAGG Delegation at Igabilo Estuary Landing and Fishing Market on the shores of Lake Victoria on September 24,



A younger person sorting and processing sardines at the Igabilo Estuary Fish Landing Site and Fishing Market on the shores of Lake Victoria in the Bukoba District Council on 24 September



A fifteen-year-old boy holding an octopus while cleaning it for 1000TZS payments.

1.3.3. Children's Rights Stakeholders National Consultative Meeting

On 23 October 2024, children's rights stakeholders met in Dodoma to deliberate on the key priorities for implementing children's rights in business operations. The National consultative meeting was attended by a total of 83 representatives, of whom 45 were women, from MoCLA, PO-CLPSGG-Zanzibar, CHRAGG, UN Agencies, UNICES-Tanzania, International Organisations, children's rights experts from MDAs and CSOs, Trade Unions, human rights clubs from higher learning institutions, and journalists.

Key business areas which impact the rights of children include business supply chains, children working alongside their employed family members, social services provision, trafficking and commercial exploitation, the Internet and other digital and telecommunication technologies, marketing and advertising, and access to remedy. The meeting created momentum for the best priorities and possible intervention areas to address children's issues in the NAP BHR.

PART TWO

INTERNATIONAL, REGIONAL AND NATIONAL LEGAL FRAMEWORKS

2.1. International Standards

Child rights are protected by various international instruments and normative laws that includes: the International Covenant on Economic Social and Cultural rights (1966); International Convention on Elimination of all Forms of Racial Discrimination (ICERD) of 1965; the International Convention on the Rights of the Person with Disability (ICRPWD) of 2006; the Convention on the Rights of the Child (CRC) of 1989 and its Optional Protocols ; the International Labour Organization's Convention C. 138 on Minimum Age (C. 138, 1973) ; the Convention on Worst Forms of Child Labour (C. 182, 1999) ; the ILO Social Policy (Basic Aims and Standards) Convention (C117, 1962) ; the Optional Protocol on the Involvement of Children in Armed Conflict of 2004, Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography of 2003; the UN Global Compact 10 Principles; Children's Rights and Business Principles ; UN Sustainable Development Goals and the UN Guiding Principles on Business and Human Rights of 2011. The CRC, which is the core international instrument on the rights of the child, outlines a comprehensive set of rights for children and provides a framework for governments to protect and promote these rights. Businesses are expected to respect these rights. The Convention defines a child as a person under the age of 18 unless the age of majority is attained earlier under national legislation. Article 3 of the Convention sets out the principle that, "In all actions concerning children, the best interests of the child shall be a primary consideration."

Furthermore, the United Nations has adopted the Convention Against Transnational Organized Crime (2000) and its Protocol to Prevent and Punish Trafficking in Persons, especially Women and Children (2002), and the United Nations Global Initiative to Fight Human Trafficking (UN-GIFT) Programme (2004), which aims to protect and assist victims of trafficking in persons with full respect for their human rights.

2.1.1. Gaps

- i. The Government has not ratified the Optional Protocol to the Convention on the Rights of the Child on Communication Procedures, adopted by the United Nations General Assembly on 19 December 2011.
- ii. The Anti-Trafficking in Persons Act, Cap. 432 does not apply to Zanzibar.

2.1.1. Gaps

- i. The Government has not ratified the Optional Protocol to the Convention on the Rights of the Child on Communication Procedures, adopted by the United Nations General Assembly on 19 December 2011.
- ii. The Anti-Trafficking in Persons Act, Cap. 432 does not apply to Zanzibar.

2.1.2. Recommendation

- i. To advocate for the ratification of the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure of 2011
- iii. To extend the application of the Anti-Trafficking in Persons Act, Cap. 432 to Zanzibar;

2.2. Regional Standards

The URT ratified the ACRWC of 1990, the African Youth Charter, and the Protocol to the African Charter on the Human and Peoples Rights of Women in Africa of 200 (The Maputo Protocol). Article 15 (1) of the Maputo Protocol provides a guarantee of protection from all forms of economic exploitation and performance of any work likely to be hazardous or to interfere with the child's physical, mental, spiritual, moral, or social development. Article 15(2) requires State parties to take all appropriate legislative and administrative measures to ensure the full implementation of this article in both the formal and informal sectors. Under the Charter, partner states have agreed to cooperate in the area of social welfare and to develop common approaches to support disadvantaged and marginalised groups, including children.

¹Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography

² There are also specific ILO conventions on minimum age includes: [ILO Minimum Age \(Industry\) Convention \(Revised\) \(C5, 1919\)](#); [ILO Minimum Age \(Sea\) Convention \(Revised\) \(C7, 1920\)](#); [ILO Minimum Age \(Agriculture\) Convention \(Revised\) \(C10, 1921\)](#); [ILO Minimum Age \(Trimmers and Stokers\) Convention \(Revised\) \(C15, 1921\)](#); [ILO Minimum Age \(Non-Industrial Employment\) Convention \(Revised\) \(C33, 1932\)](#); [ILO Minimum Age \(Sea\) Convention \(Revised\) \(C58, 1936\)](#); [ILO Minimum Age \(Industry\) Convention \(Revised\) \(C59, 1937\)](#); [ILO Minimum Age \(Non-Industrial Employment\) Convention \(Revised\) \(C60, 1937\)](#); [ILO Minimum Age \(Fishermen\) Convention \(Revised\) \(C112, 1959\)](#); and [ILO Minimum Age \(Underground Work\) Convention \(Revised\) \(C123, 1965\)](#).

³ Ratified on 16 December 1998 and 12 September 2001 respectively.

⁴[6](https://www.unicef.org/documents/childrens-rights-and-business-principles#:~:text=Developed%20by%20UNICEF%2C%20the%20UN,to%20respect%20and%20support%20children's last accessed 22nd December, 2023. Developed by UNICEF, the UN Global Compact and Save the Children – the Children's Rights and Business Principles (the principles) are the first comprehensive set of principles to guide companies on the full range of actions they can take in the workplace, marketplace and community to respect and support children's rights.</p></div><div data-bbox=)

Furthermore, children's rights are protected under Article 120 of the 1999 Treaty establishing the East African Community (EAC). The EAC has also developed Child and Youth Policies that provide a functional regional framework to facilitate the development, coordination, and policies and programmes that aim to protect and promote the rights of children and young persons.

The EAC has also adopted a framework for strengthening child protection systems and community mechanisms. The framework sets a comprehensive agenda for the promotion and protection of child rights across EAC states. This helps Partner States to conduct self-monitoring and review their national child protection systems. URT has identified countryspecific priorities and developed an action plan to fast-track the implementation of the regional framework.

Furthermore, the URT acceded to the African Continental Free Trade Area (AfCFTA) Agreement on 9 September 2021. AfCFTA, among other provides an opportunity to face the current trade and economic development challenges in Africa.

2.2.1. Gaps

- i. Children's rights are impacted by land disputes and climate change due to growing agricultural business activities; and
- ii. Trade unions, private sector actors, NGOs, and academic institutions have limited knowledge of the relationship between human rights and the AfCFTA.

2.2.2. Recommendations

- i. To adopt a human rights-based approach to business in the use of land in the agriculture sector, and
- ii. Conduct public knowledge on the relationship between human rights and the AfCFTA among trade unions, private actors, NGOs, and academic institutions.

2.3. National Standards

The URT has taken various legislative and administrative measures to protect children's rights. These rights are primarily recognised in the Constitution of the URT (1977), the Zanzibar Constitution (1984), and policies and laws. The major statutes include The Law of the Child Act, Cap 13, and the Education Act, Cap. 353; the Employment and Labour Relations Act, Cap 366; The Criminal Procedure Act, Cap 20; the Penal Code, Cap 16, and other laws across sectors. In Zanzibar, child rights are primarily governed by the Employment Act No. 11 of 2005 and the Child Act No. 11 of 2011.

The Law of the Child Act and Zanzibar Child Act provide for the consideration of the best interests of a child in all actions concerning a child undertaken by public and private social welfare institutions, courts, or administrative bodies." These laws mandate Local Government Authorities (LGAs) to safeguard and promote the welfare of children within their areas of jurisdiction.

The Government also regulates the adverse impact of private investments on the rights of children, particularly in the exploitation of natural resources. For example, environmental laws obligate businesses to promote the health and environmental standards of all people, including children. The Environmental Management Act, Cap 191, and the Zanzibar Environmental Management Act No. 3 of 2015 provide for environmental offences and punishments such as fines and compensation to the affected communities in case of violations.

In compliance with the United Nations "Protect, Respect and Remedy" framework, the government has incorporated human rights aspects into different sectoral laws on the exploitation of resources. The government has collaborated with private businesses and CSOs to undertake projects, programs, and activities aimed at eliminating the economic exploitation of children for sex and labour and exposing children to harmful practices in the extractive industry.

The CHRAGG is an independent and autonomous department of the Government as per Article 130(2) of the Constitution of the URT and Section 14(1) of the CHRAGG Act, Cap. 391 is a quasi-judicial institution with constitutional and statutory mandates to enquire into human rights violations and administrative abuses on its own initiative or after receiving a complaint from an aggrieved person, a representative, or a third party. The CHRAGG works with children's matters from different perspectives, ranging from awareness raising as promotional to inspection of detention facilities aimed at protecting children's rights. For instance, in 2008, the CHRAGG conducted investigations and public enquiries into the worst forms of child labour in the Fishing Industry in three districts in Maitland, Tanzania. Some recommendations were based on domestic and international conventions on child rights.

On the other hand, the Criminal Procedure Act, Cap 20, entails procedures for handling and conducting trials for crimes provided under the Penal Code, Cap 16, and several statutes. The Police Force, established under the Police Force and Auxiliary Services Act, Cap 322, has the mandate to handle criminal incidents, including those involving juvenile delinquency. The Police Force has established children and gender desks at every station that specifically handle women's and children's crime-related complaints.

The Government of Tanzania has also taken several initiatives, including the following:

- a. Implementation of the National Plan of Action to End Violence Against Women and Children (NPA-VAWC II 2024/25-2028/29);
- b. Second Five-Year Child Justice Strategy for Progressive Reform 2020/21 – 2024/25;
- c. Establishment of Child Protection Case Management Standard Operating Procedures in 2017 for Social Welfare Officers;
- d. Amendment of the Penal Code Cap. 16 to criminalise all acts relating to genderbased violence offences;
- e. The introduction of the "Baba Bora program" in Zanzibar, which campaigns for paternal inclusion in child raising, was launched in 2017.
- f. A National Guideline for Establishment and Management of Safe Houses for Victims of Trafficking in Persons and Survivors of Violence of 2029;
- g. Development of Standard Operating Procedures for victims of trafficking
- h. In Zanzibar, strengthening Safe Houses for child protection.
- i. Implementing a fee-free Education policy guidelines for all children at the level of Primary and Secondary Education

2.3.1. Gaps

- i. The Second Five-Year Child Justice Strategy for Progressive Reform 2020/21 – 2024/25 is nearing its expiry.
- ii. The absence of an adequate mechanism to support adversely impacted children.
- iii. Knowledge gap on the rights of children among law enforcers, policymakers, and other civil servants in the different government Ministries, Departments and

2.3.2. Recommendations

- i. To review the Second Five-Year Child Justice Strategy for Progressive Reform 2020/21 – 2024/25;
- ii. To conduct a cross-sector study on the impact of business activities on child rights;
- iii. To conduct training for law enforcers, policymakers, and public servants on protecting and promoting child rights in business supply chains;
- iv. Public awareness of protecting and promoting child rights in business supply chains
- v. To support business enterprises in undertaking compliance mechanisms for children;

PART THREE

CHILD RIGHTS ISSUES IN BUSINESS

This part contains pertinent children's rights issues identified during the literature review and stakeholders' engagement. It also documents case studies and proposes key priorities to be incorporated into the NAP-BHR.

3.1. Child Labour

The Employment and Labour Relations Act and the Zanzibar Employment Act No. 11 of 2005 provide fundamental rights and prohibit the employment of children under the age of 14. Employing a child under the age of 14, as it is an International Standard, is outlawed in Tanzania under Section 5(1) of the Employment Act, Cap 366. Section 5(2) of the Mainland Tanzania Employment Act allows children to work in settings that do not affect their health and personal development or interfere with their education.

In Mainland Tanzania, a person under the age of fourteen (14) is prohibited from light work; thus, the minimum age for a child to engage in light work is fourteen (14) years. Contrarily, the minimum age of a child to engage in light work in Zanzibar is fifteen (15). Notably, the EA defines a child as anyone under the age of seventeen (17) and prohibits anyone from employing a child, except for domestic work.

Section 77 (3) of the Law of the Child and Section 97 (4) of the Zanzibar Child Act define light work as: "work which is not likely to be harmful to the health or development of the child and does not prevent or affect the child's attendance to at school, participation in vocational orientation or training programmes or the capacity of the child to benefit from school". Permissible activities include helping parents around the home, assisting in a family business, or earning pocket money outside school hours and during school holidays. Such activities contribute to children's development and the welfare of their families, provide them with skills and experience, and help prepare them to be productive members of society in adulthood.

⁶ Section 77 (2) of LCA-TZ

⁷ Section 97 (2) of LCA-ZNZ

⁸ See Section 3 (1) EA

⁹ Section 77 (3) of LCA-TZ and Section 97 (4) LCA-ZNZ

The Integrated Labour Force Survey (ILFS) report, developed by the National Bureau of Statistics (NBS) and released in June 2022, provides child labour statistics. The report indicates that 24.3 percent of children are employed, over 27 percent of whom are boys and 23.2 percent are girls. Approximately 17.44 million children are engaged in housekeeping chores, of which approximately 16.99 million are in Mainland Tanzania and 0.45 million are in Zanzibar. Over 76 percent are engaged in economic activities, 76.5 percent in Mainland Tanzania and 46 percent in Zanzibar.

The ILFS findings show that 88.9 per cent of children are working as contributing family workers, with no noticeable difference in the proportions of boys and girls. This was observed in both Tanzania Mainland (89.4 percent) and Zanzibar (42.2 percent). Approximately 75.3 percent of children work in agriculture and fishery occupations, and nearly 93% work in unpaid family work. In Zanzibar, 59.5 percent of children are employed in elementary occupations. About 83.7 percent of the children in URT are working in agriculture, forestry, and fishing industries, of which 86.8 percent are boys compared to 79.8 percent of girls. Another 5.8 percent are employed in wholesale and retail trade and the repair of motor vehicles and motorcycles.

The factors behind the involvement of children in employment are as follows: negligence of parents in up-keeping children; poverty; unemployment of parents; child desertion; low awareness of child rights; unaccountability of local leaders and parents in the protection of child rights; family conflicts; decline in moral and ethical standards of parents, guardians, and community which leads to the normalisation of child labour; bad cultural norms and perceptions which allow child labour; and inadequate enforcement of child laws. Most of the work done by children involves smoothing octopuses, fishing, breeding fish in Zanzibar, repairing fishing nets, repairing fishing boats, drying fish, planting, weeding, harvesting, and selling agricultural products in the Kagera region.

To overcome the challenges of child labour in Tanzania, the State has ratified several international covenants regarding child rights and has implemented programmes and strategies to fight child labour. These include the Child Development Policy of 2004, National Employment Policy of 2008, Online Work Permit Application Issuance System (OWAIS) Guidelines, and National Action Plan for the Elimination of Child Labour of June 2009.

There are also some efforts made by the business community and investors to create a friendly environment which promotes the best interests of children, thus eliminating child labour. For example, Kagera Sugar Company Limited has built and run three (3) primary schools and a nursery school that keep children in school and reduce truancy and dropouts. In Zanzibar, the Drop of Zanzibar Water Bottling Industry has constructed a nursery school, a school laboratory in Jendele Secondary and Primary Schools, paid school fees for some students, bought school stationery, provided food for students, and contributed funds for running the Widows Association, worth about TZS 6 million.

3.1.1. Gaps

The findings identified challenges that hinder the realisation of children's rights, which catalysed the existence of child labour, as follows:

- i. Misconception of child labour and work given to children for the upbringing and development of life skills
- ii. Institutions responsible for the protection, promotion, and development of child rights are under-resourced in terms of human and financial resources and have inadequate mechanisms to support children at risk of the worst forms of child labour.
- iii. Inadequate enforcement of laws on the protection, promotion, and development of child rights.

3.1.2. Recommendations

- i. To conduct public education on the understanding of the worst form of child labour;
- ii. Strengthen the capacities of institutions responsible for the protection, promotion, and development of child rights in the investment sector, including small-scale businesses.
- iii. Conduct a study on the situation of child labour in business operations.

¹⁰ The URT. The National Plan of Action for the Elimination of Child Labour of 2019, Ministry of Labour, Employment and Youth Development

¹¹ National Bureau of Statistics (NBS) [Tanzania] 2022. Tanzania Integrated Labour Force Survey 2020/21, Dodoma, Tanzania: NBS

¹² Understanding Children's Work (UCW) Programme, a joint research initiative by the International Labour Organization (ILO), the United Nations Children's Fund (UNICEF), and the World Bank

3.2. Right to Education

Article 11 (3) of the Constitution of the URT, read together with Section 8 (6) of the Law of the Child Act, provides a duty to parents, guardians, or any other person having custody of a child to educate and provide guidance to a child, who is defined in Section 4(1) of the Act as a person below the age of 18 years. The provision of the Act is almost para materia with Article 2 (e) of the CRC and incorporates the right to education provided in the ACRWC, the International Convention on Economic, Social and Cultural Rights (ICESCR), and the Maputo Protocol. The National, International, and regional legal frameworks provide equal opportunities for education and training wherever possible to develop the maximum potential of the child.

Section 35 (1) (2) (3) of the Education Act provides compulsory primary school education to all children and requires parents to ensure compulsory attendance of their children. The Education Act prescribes seven years as the compulsory age for primary school enrolment. The Primary School (Compulsory Enrolment and Attendance) Rules of 1979,

GN 129 of 1979, were made in pursuance of the power given under Section 35 of the Education Act.

Section 35 of the Education Act was amended through the Law of the Child Act, Cap 13, by authorising the enrolment of a child above the age of 7 years for primary education. Section 35 (1) of the Education Act provides compulsory and not eligibility age for primary school enrolment. The provision of the Education Act is echoed in the Tanzania Education and Training Policy of 2014 (revised in 2024), which has the objective of quality universal primary education and declares in part that "Primary education shall be the right of everyone and shall be necessary for all children aged five years of age. Section 60A of the Education Act imposes a duty on all public servants and criminalises marrying or impregnating a primary or secondary pupil.

Further, the right to education in Tanzania has been achieved progressively through the implementation of various policies and programmes, including the Education and Training Policy (2014), The Medium Term Strategic; the Education Sector Development Programme (2008–2017-ESDP), the Primary Education Development Programme (First phase: 2002 – 2006, second phase: 2007– 2011, third phase: 2012 – 2017), the Secondary Education Development Programme II (SEPD II-2016/17 – 2020/21), the inclusive Education Strategy (2009 – 2017), the Basic Education Master Plan (2000 2005), the Secondary Education Master Plan (2001 – 2005), and the Zanzibar Education Development Programme (2008 – 2015).

The URT has achieved notable achievements in accessibility to education. These include the construction of schools and classrooms, the abolition of education fees for primary and secondary schools, the increase in enrolment of learners, the enhancement of inclusive education and provision of assistive devices in Mainland Tanzania, the tracking of pupil records through Primary Record Management (PREM) i and the initiation of School Information System (SIS), creating a new School Quality Assurance Framework and introducing a school Summary Report Card (SSRC), an increase in higher education loan provision whereby in 2023/24 academic year, the Government issued TZs 786,724,730,000 in loans to higher education students compared to TZs 652,763,079,647 in 2022/23 , and amendment of the law in Mainland Tanzania to protect girls against marriages and pregnancies¹⁵ and allow pregnant girls to continue schooling. The Government has also increased the budget for the Educational Sector.

3.2.1. Gaps

- i. There is notable truancy and dropouts that violate the rights of children to access education.
- ii. Children in primary and secondary schools are still required to make contributions, despite the fee-free education, which has led to the presence of pupil and student dropouts and truancy.

3.2.2. Recommendations

- i. To recruit an adequate number of teachers to cope with high enrolment rates.
- ii. To carry out a study on the current existing curricula and syllabi to ensure they are relevant and cater for the diverse needs of students after completion of school; and
- iii. To strategise the control of truancy and dropouts of primary and secondary school students.

13 See the report of United Republic of Tanzania; Voluntary National Review (VNR), 2019. Empowering people and ensuring inclusiveness and equality; (A Report on the Progress of the Sustainable Development Goals (SDGs) Implementation in the United Republic of Tanzania; submitted to the High-Level Political Forum (HLPF), United Nations). Pg.56 - 57

14 The Ministry of Education, Science and Technology Budget Proposal for the Financial Year 2024/2025

15 Amendment of The Education Act, Cap. 353

3.3. Trafficking and Commercial Exploitation

Trafficking in Persons (TIP) is a violation of human rights. Anti-trafficking laws define child trafficking as the recruitment, transportation, transfer, harbouring, or receipt of children for exploitation. Exploitation includes forcing children into prostitution or other forms of sexual exploitation, forced labour services, slavery or practices similar to slavery, and servitude. Child exploitation may also include illicit international adoption, trafficking for early marriage, recruitment as child soldiers, begging, or as athletes or football players, or recruitment for cults.

In Tanzania, many cases involve children who are recruited under false promises of a good education and decent job, but end up being exploited as domestic workers, in the sex industry, or in the fishing and mining sectors. Child trafficking is associated with economic hardships and extreme poverty, loss of both parents, and therefore having to depend upon guardians (who often have less interest in the provision of the best care to the child) and school dropout.

Most of the victims are children from rural areas, whereas Dar es Salaam, Arusha, and Zanzibar are the main destination areas for trafficking. Most of the children trafficked in big cities end up in prostitution. The ILO's Rapid Assessments of 2001 and 2003 revealed that most of the children involved in prostitution in the country were girls aged between 9 and 17 years; over half of the children engaged in prostitution were orphans; and over twenty per cent lived in female-headed households.

The Tanzanian government has taken significant initiatives to eliminate trafficking. The initiatives included enacting the Anti-Trafficking in Persons Act, Cap. 432 that removed sentencing provisions that allowed fines instead of imprisonment; establishing specialised anti-trafficking units in Mainland Tanzania and Zanzibar; referring all identified victims to services; developing shelter guidelines in Zanzibar; providing ad hoc assistance to support victims' participation in investigations and prosecutions of traffickers; and increasing antitrafficking training for law enforcement officials and social welfare officers. The government significantly increased dedicated funding for the Anti-Trafficking Secretariat (ATS) and antitrafficking activities to implement the 2021-2024 National Action Plan on Anti-Trafficking of Persons (NAP).

Furthermore, the government has taken steps to increase the ethical recruitment of Tanzanian migrant workers and prevent trafficking among this population. However, the government investigated fewer trafficking crimes and did not convict any traffickers. Due to the inconsistent use of formal identification procedures and limited protection services, authorities reportedly deported, detained, and arrested potential trafficking victims for alleged prostitution or immigration crimes without screening them for trafficking indicators.

The government continued to rely on civil society organisations to provide most victim services without financial or in-kind support. Zanzibar did not adopt the 2008 anti-trafficking law, undermining overall anti-trafficking efforts on the archipelago.

3.3.1. Gaps

- i. Inadequate measures to assist and protect witnesses and victims of child trafficking, especially from trauma and before the courts of law;
- ii. The Anti-Trafficking in Persons Act, Cap. 432 has not been extended to Zanzibar.
- iii. Lack of standard operating procedures for the systematic identification of victims of child trafficking and perpetrators, and related offenders such as commercial sex victims, illegal refugees, and illegal migrant workers.
- iv. Insufficient protection of Tanzanians who are the victims of trafficking in foreign countries.
- v. Inadequate resources for anti-trafficking programs and other initiatives.
- vi. Lack of a comprehensive and centralised database on trafficking crimes

3.3.2. Recommendations

- i. To take measures to implement a systemic victim-witness assistance program.
- ii. To enhance the investigation and prosecution of cases related to child trafficking;
- iii. To apply standard operating procedures for victim identification and systematically and proactively identify trafficking victims.
- iv. To increase protection for Tanzanian trafficking victims exploited abroad:
- v. To allocate sufficient financial and human resources to institutions responsible for anti-trafficking to enable them to perform their mandates
- vi. To extend the application of the Anti-Trafficking in Persons Act, Cap. 432 has not been extended to Zanzibar yet.

3.4. Children with Internet

The rights to freedom of opinion, to seek and access information, to communicate, to be informed of, and to express oneself are guaranteed under Articles 17 (1) and 18 of the Constitution of the URT. These rights are also regulated under the provisions of the Access to Information Act, Cap. 17; the Electronic and Postal Communication Act, Cap 306; and other national laws.

Universally, the right to information, including through the Internet, is provided under Article 19 of the Universal Declaration of Human Rights (UDHR) of 1948 and Article 19 of the International Covenant on Civil and Political Rights (ICCPR) of 1966. In the African Union (AU) human rights frameworks, the rights are provided under Article 9 (1) of the African Charter on Human and Peoples Rights (1981); Resolution on the Right to Freedom of Information and Expression on the Internet in Africa (2016); Resolution on the Safety of Journalists and Media Practitioners in Africa (2011); Resolution on the Deteriorating Situation of Freedom of Expression and Access to Information in Africa (2010); and Declaration of Principles on Freedom of Expression in Africa (2002).

Owing to technological growth, there has been an increase in the use of the Internet by children to learn and communicate. However, the unmonitored use of advanced information and communication technology places children at a heightened risk of exploitation and abuse, including exposure to Child Sexual Abuse Materials (CSAM), online bullying, and exposure to violent content, hate speech, and online gambling. Moreover, the distribution of sexually explicit messages, such as pornography, can render children liable to persecution and being solicited online by men who exploit their youth and inexperience. In pursuance of the obligation to protect children from abuse arising from the use of the Internet, the United Nations, Regional Bodies and States have taken several legislative and institutional measures.

The UN adopted the CRC in 1989, which has been ratified by several African countries, including Tanzania. Article 16 of the CRC protects children's right to privacy, including online privacy, ensuring that their personal information is not improperly disclosed or exploited. Article 19 of the CRC obliges states to take measures to protect children from all forms of physical and mental abuse, including online violence and exploitation. The Optional Protocol to the CRC on the Sale of Children, Child Prostitution, and Child Pornography (2000) explicitly addresses the sale of children, child prostitution, and child pornography, including offences committed via the Internet. (ILO) Convention No. 182 on the Worst Forms of Child Labour – 1999 criminalises child pornography and trafficking, including online forms of these activities, and requires states to adopt measures to protect children from being exploited through online platforms for labour or sexual purposes. Further, Goal 16.2 of the SDGs calls for an end to abuse, exploitation, trafficking, and all forms of violence against children, including in the online environment. It also encourages countries to take action to eliminate all forms of violence against children, including online sexual exploitation, cyberbullying, and trafficking.

Furthermore, Article 16 of the ACRWC protects children from all forms of abuse, including exploitation, which includes online abuse and cyberbullying. Article 27 of the ACRWC addresses the protection of children from sexual exploitation, which can occur through online platforms. Article 29 of the ACRWC prohibits the abduction, sale, and trafficking of children, which is relevant to combating online child trafficking facilitated by digital technologies.

Article 25 of the African Union Convention on Cyber Security and Personal Data Protection (Malabo Convention) of 2014 mandates the protection of personal data, including data related to children, ensuring that their privacy is safeguarded from exploitation and abuse online. Article 29 of the Malabo Convention requires state parties to adopt laws and policies that address cybercrime, including offences such as child pornography and exploitation, cyberbullying, and grooming, which affect children in the digital space.

The Electronic and Postal Communications Act (EPOCA), Cap 306, regulates electronic and postal communication service providers, the registration of SIM cards, the issuance of communication and postal licences, the regulation of licensees, agents, and customers, content, competition and practices, and offences related to electronic and postal communications. The EPOCA establishes the Tanzania Communications Regulatory Authority (TCRA) to regulate goods and services and manage the frequency spectrum. The Electronic and Postal Communications (Online Content) Regulations of 2018 restrict indecent, obscene, or false content. The Cyber Crimes Act, Cap 368, makes provisions for criminalising offences related to computer systems and Information Communication Technologies; to provide for investigation, collection, and use of electronic evidence and for matters related therewith. The Act protects children from sexual abuse material or words, audio, and all computer-generated information.

Section 76 of the Child Act prohibits child abuse, including sexual abuse, which can be facilitated via the Internet. Section 13 of the Cybercrimes Act criminalises the production, distribution, or possession of child pornography, including its distribution via the Internet. Regulation 18(2) of Personal Data Collection and Processing (GN 449/2023) ensures that a child's personal data relating to commercial advertisements shall be collected and processed in accordance with the provisions of the Personal Data Protection Act, and the risks of processing and protection in place that the parent or guardian must be informed and guided. Regulation 33(2)(e) of GN 449/2023 provides an impact assessment of the processing of sensitive personal data relating to children or vulnerable groups.

Tanzania has the National Child Development Policy (2008), which emphasises child protection in all areas of life. With the rise in internet usage, the government has recognised the need to protect children from abuse and exploitation facilitated by online platforms. The National ICT Policy (2016) safeguards children from harmful content and promotes the safe use of the Internet by raising awareness about online risks, such as cyberbullying and exploitation. The Education and Training Policy (2014) highlights the need for schools to integrate ICT education and raise awareness about safe Internet usage.

Regardless of the above measures, companies also expressed their concerns about children's online safety as a significant challenge. Children spend more time online today and are therefore constantly exposed to online threats such as cyberbullying. Participants raised the challenge of how to protect children from violence, exploitation, and abuse online through their products.

3.4.1. Gaps

- i. Public knowledge gaps on the impact of exposing children to harmful Internet content, such as cyberbullying, online grooming, or exploitation, on the rights and welfare of children;
- ii. The absence of censorship mechanisms on the content accessed by children through the Internet.
- iii. Children's data are collected through websites, apps, or social media platforms without proper parental consent, in violation of the Personal Data Protection Act; and
- iv. Non-ratification of the African Union Convention on Cyber Security and Personal Data Protection (Malabo Convention) of 2014.

3.4.2. Recommendations

- i. To provide public education on mitigation approaches to address the adverse impacts of the Internet, electronic, and digital information on the rights of children;
- ii. To put in place child content censorship and monitoring mechanisms of content accessed by children through the Internet.
- iii. To introduce easy-to-use parental control tools and content filters to protect children from accessing harmful Internet information.
- iv. To advocate for the ratification of the African Union Convention on Cyber Security and Personal Data Protection (Malabo Convention) of 2014; and
- v. To educate the public on print and electronic adverts that violate children's rights

3.5. Marketing and Advertising

Section 83 of the Child Act, which is similar to Article 17 of the CRC, prohibits any form of economic exploitation of children, including ensuring that marketing and advertising practices do not exploit children as consumers or use child labour. Article 32 of the CRC ensures the protection of children from economic exploitation, including exploitative marketing and advertising practices. Article 36 of the CRC protects children from all forms of exploitation, including deceptive advertising targeted at children.

Furthermore, UNICEF guidelines advise businesses to avoid using children as direct marketing targets, especially for products that could be harmful to their health or development (e.g. unhealthy food, alcohol, and tobacco). Furthermore, companies are encouraged to be transparent about their practices and ensure that marketing does not mislead or exploit children's vulnerabilities. Finally, the WHO framework on the marketing of Food and Non-Alcoholic Beverages to Children provides guidelines for reducing the impact of marketing unhealthy products on children.

Africa's regional instruments echo the CRC, UNICEF, and WHO and the African Union's Agenda 2063, promoting the rights of children, including their protection from exploitation and harmful practices, as a critical priority. It also focuses on the marketing agenda, which advocates policies that enhance children's well-being, particularly regarding media exposure.

The Media Council of Tanzania has a Code of Ethics for Media Professions that offers guidelines to media advertising agents. The relevant portion declares that children may not be exploited in advertisements that concern adults. In addition, children should not be exposed to harmful products.* The Code further places restrictions on content, prohibiting any portrayal of violence and aggression in advertisements aimed at children. Advertisements with menacing or horrific themes, unsafe acts, pictures or sounds likely to disturb children, or that encourage antisocial behaviour by children are also prohibited.

3.5.1. Gaps

- i. Limited awareness of the violation of children's rights in advertising and marketing
- ii. Absence of a specific institution to monitor internet child content
- iii. Advertising companies' failure to adopt human rights due diligence, promote ethical advertising practices, and protect children's rights is a major issue.

3.5.2. Recommendations

- i. To educate the public through print and electronic media on the violation of children's rights in advertising and marketing that violate human rights.
- ii. Establish a monitoring mechanism/body to monitor deceptive advertisements targeting children as influencers of products or services.
- iii. To promote ethical advertising standards that prioritise the protection of children's rights.
- iv. To encourage advertising companies to adopt human rights due diligence to promote ethical advertising practices and protect children's rights.

3.6. Product Safety

The quality and safety of products in Tanzania are regulated by the Standards Act, Cap 130 in Mainland Tanzania, and the Zanzibar Standards Act No. 1 of 2011. These laws established the Tanzania Bureau of Standards and Zanzibar Bureau of Standards as the regulatory bodies to ensure that goods and products produced within and imported into the country comply with the required standards and do not cause harm to human beings. Other bodies responsible for ensuring the application of product safety and liability standards include the Fair Competition Commission and the Tanzania Medical and Drugs Authority.

There is also other sectoral legislation that regulates the standards of goods and services. The Law of the Child Act, under section 17(2), prohibits the sale of cigarettes, alcohol, spirits, drugs, or any intoxicating substance to a child. Section 68 of the Intoxicating Liquor Act, Cap 77 of Mainland Tanzania, prohibits the supply of alcohol to children of apparent age 16 years. Section 10(1) of the Tobacco Product Act, Cap 121, and Regulation 11(1) of the Tobacco Product (Regulations) of 2003 restrict the sale of tobacco to children and places where children are present. In Zanzibar, the Government enacted the Liquor Control Act of 2020, wherein Section 8(1) established the Zanzibar Liquor Control Board, which is responsible for controlling business and the use of alcohol in Zanzibar.

Despite the presence of laws and regulations which control product safety and the use of harmful products by children, there are still some counterfeit products in the market, such as milk for infants, the sale and use of alcohol, drugs, and tobacco to and by children.

3.6.1. Gaps

- i. Inadequate enforcement of laws which prohibit the supply and use of harmful products by children;
- ii. Lack of Specific legal measures to control the marketing of products harmful to children
- iii. Inadequate financial and human resources for regulatory institutions to monitor compliance with standard goods and products in the market.

3.6.2. Recommendations

- i. Strengthen mechanisms to protect children from the use of harmful products,
- ii. To allocate sufficient financial and human resources to institutions responsible for overseeing product standards.
- iii. To advocate for the amendment of the Intoxicating and Liquor Act, Cap 77, to prohibit the supply of alcohol to children below the age of 18.

3.7. Decent Work for Parents and Guardians

Decent work is employment that "respects the fundamental rights of the human person as well as the rights of workers in terms of conditions of work safety, fair remuneration, and respect for the physical and mental integrity of the worker in the exercise of their employment" Principle 3 of the Children's Rights and Business Principles (CRBPs) indicates that all businesses should provide decent work for young workers, parents, and caregivers. The principle includes provisions for safe working conditions, paid leave, breastfeeding and childcare facilities, working hours, and benefits of providing such support. Goal 8 of the Sustainable Development Goals (SDG) aims to promote inclusive and sustainable economic growth, full and productive employment, and decent work for all.

Article 23 of the UDHR (1948) provides a normative statement on the right to work, free choice of employment, and favourable working conditions for all, including parents and caregivers. Articles 11 and 16 of the Convention for the Elimination of Discrimination Against Women of 1979 (CEDAW) focus on eliminating discrimination against women in the workplace, ensuring maternity leave, and protecting women's rights to family benefits and job security during pregnancy. Simultaneously, the ILO Convention (Workers with Family Responsibilities Convention (C. 156, 1981) ensures equal opportunities and treatment for workers with family responsibilities, particularly related to childcare and care for sick or elderly relatives; the ILO Convention (Maternity Protection Convention, (C. 183,2000) protects the health and employment rights of women workers before, during, and after childbirth; and the ILO Convention (Violence and Harassment Convention, (C.190, 2019) protects against violence and harassment in the workplace, which can disproportionately affect caregivers, especially women, balancing work and family obligations.

The URT creates decent work by involving a combination of policy interventions, investment in various sectors, and capacity-building efforts. These include: Improving Skills and Education (Vocational Training and Entrepreneurship Support); Investment in Key Sectors (Agriculture and Blue Economy, Tourism, Manufacturing); Strengthening Social Protection; Attracting Foreign Direct Investment (FDI); Supporting SMEs (Small and Medium Enterprises); Improving Labour Market Regulations; and Infrastructure Development.

Field information obtained during field visits in Kagera and Zanzibar showed that children are involved in child labour as breadwinners because their parents are either unemployed or earn what cannot sustain family needs. Most of the work done by parents includes small-scale fishing and petty businesses in Zanzibar and subsistence farming and smallscale fishing in the Kagera Region.

3.7.1. Gaps

- i. The 2022 Wage Order does not provide a living wage across sectors.
- ii. Young workers have limited skills that enable them to be employed in expert and vocational work that provides competitive wages.

3.7.2. Recommendation

- i. Review the Wage Order of 2022 to provide a living wage across sectors.
- ii. To enhance the younger workers' ability to obtain the required skills through vocational training.

¹⁶International Labour Organization (ILO)

¹⁷United Nations, The 2030 Agenda and the Sustainable Development Goals: An opportunity for Latin America and the Caribbean (LC/G.2681-P/Rev.3), Santiago, 2018. Applications for authorization to report

3.8. Access to Remedy

In Tanzania, children have access to multiple mechanisms for adjudicating their civil and criminal grievances emanating from business-related violations, including judicial mechanisms (courts), state non-judicial mechanisms, and non-state mechanisms. In civil matters, Order XXXI of the Civil Procedure Code, Cap 33, regulates suits for and against minors. Order XXXI (1) requires every suit by a minor to be instituted in his name by a person who is called the next friend of the minor in such suit. In criminal matters, Section 97 of the Law of the Child Act, Cap. Section 13 establishes a Juvenile Court for children, whereas Section 8 of the Children Act No. 6 of 2011 of Zanzibar empowers the Chief Justice to designate a premise to be used as a children's court.

The Child Act and the Zanzibar Child Act empower social welfare officers to accompany children who conflict with the law before the juvenile and children's court. In Tanzania, a range of free and child-friendly legal advice and assistance is available for child victims of business-related violations, including through official legal aid programs, NHRIs, NGOs, university-based legal clinics, and pro bono arrangements. For example, in Zanzibar, the Zanzibar Legal Aid and Human Rights Organisation represented 27 children in conflict with the law before the children's court until September 2024.

Nevertheless, children's access to remedies is hampered by insufficient infrastructure for children's and Juvenile Courts and retention homes. For example, in Zanzibar, each region has only one children's court, and there are no retention homes in the Kagera Region. There is also a shortage of working tools, inadequate budgetary allocation, and insufficient personnel with knowledge of child-specific legislation and procedures and the skills on how to effectively interact with children.

Generally, challenges to advancing access to remedies for children who are victims of corporate-related human rights violations stem from legal, institutional, socioeconomic, and cultural barriers that make it difficult for children to access justice and remedies for violations they suffer because of corporate activities.

3.8.1. Gaps

- i. Insufficient infrastructure for Children and Juvenile Courts and retention homes
- ii. There are inadequate financial and human resources for the administration of the juvenile justice budgetary allocation.
- iii. Limited access of juveniles to legal aid and justice;
- iv. Limited public awareness of child rights grievance mechanisms

3.8.2. Recommendations

- i. To allocate sufficient funds for the construction of Children and Juvenile Courts and retention homes.
- ii. To allocate adequate financial and human resources for the administration of juvenile justice budgetary allocations;
- iii. To enhance legal aid for juvenile human rights-related matters: iv. To conduct public awareness of child rights grievance mechanisms.
- v. To enhance prosecution and investigation capacities to prove cases related to children in courts.

CASES OF CHILDREN BEING INVOLVED IN BUSINESS

Case No.1: Children working for economic need and a dream for the future

A boy of 17 years of age at the Ngalawa Fish Market informed the CHRAGG team that he was the firstborn in a family of eight children. He had torn school uniforms, and neither of his parents had enough money to take care of him and his siblings. He decided to work by begging for sardines from different fishermen for food and selling them. He told CHRAGG that he had saved 15,000TZS since he started being involved in business. The CHRAGG team realised that during this period, schools were closed, and he had worked for two weeks. He wanted to secure money for new uniforms before schools opened to manage his studies. He normally goes to school on school days and works on weekends.

Case 2. Forced to work day and night

... "I have no other choice but to work cleaning octopus in Chwaka fishing market. ... I would barely eat anything at home if I could not come to work here because I live with my grandma, who is old and cannot work ... I am an orphan who lost both parents and has no other relatives to help". One of the 15-year-old boys explained this to the CHRAGG. He says that he is in class six but was forced to abandon school to provide for his grandmother and himself. He said that his wish is to go back to school to study and become a teacher who will be a better help than cleaning fish.

3.9. Proposes Key priority issues for the NAP-BHR.

Findings from the Literature Review, Children Rights Stakeholders engagement suggest that issues to be included in the NAP-BHR should be those which attract a high magnitude of the violation of child rights and pose concerns of the majority of stakeholders who were reached, as well as national priorities envisaged in the various development plans and programs related to the promotion and protection of child rights in Tanzania.

Therefore, the following key priorities are proposed for incorporation into the NAP-BHR:

- i. Child labour,
- ii. Education,
- iii. Trafficking and commercial exploitation
- iv. Child with internet,
- v. Advertising and Marketing
- vi. Access to remedies, vii. Product safety

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