

UNITED REPUBLIC OF TANZANIA
COMMISSION FOR HUMAN RIGHTS AND GOOD GOVERNANCE



**REPORT ON RESEARCH AND PUBLIC ENQUIRY ON THE IMPLEMENTATION
OF CHILDREN'S RIGHTS IN ZANZIBAR, MARCH, 2008**



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Children in one of the public meetings

ABBREVIATIONS

AIDS – Acquired Immune Deficiency Syndrome

ACRWC – African Charter on the Rights and Welfare of the Child

CHRAGG – Commission for Human Rights and Good Governance

CRC – Convention on the Rights of the Child

CSOs – Civil Society Organizations

CBOs – Community - Based Organizations

EFA - Educational for All

FBOs – Faith - Based Organizations

HIV – Human Immune Virus

ILO – International Labour Organization

MDGs – Millennium Development Goals

NSGPR - National Strategy for Economic Growth and Poverty Reduction

MKUKUTA – “*Mpango wa Kuondoa Umaskini na Kukuza Uchumi Tanzania*”

MKUZA – *Mpango wa kukuza Uchumi Zanzibar*

NGO – Non-Governmental Organization

STDs – Sexually Transmitted Diseases

UN – United Nations

UNDP – United Nation Development Programme

UNICEF – United Nation Children’s Education Fund

URT – United Republic of Tanzania

VEO – Village Executive Officer

WFCL - Worst Forms of Child Labour

WHO – World Health Organization



Children involved in fishing activities at Zanzibar-Urowa Village



Picture taken at Mji Mkongwe- Unguja Zanzibar

Honourable, President and Chairman of the Zanzibar Revolutionary Council, Amani Abeid Karume – (front line, centre) with Commissioners, Executive Secretary and Principal Officer from the Commission for Human Rights and Good Governance when they paid a courtesy call in his office after the Commission was legally permitted to extend its full mandate to Zanzibar in June 2006.

SUMMARY OF REPORT

This report on the implementation of child rights through public enquiries and research in Zanzibar has been prepared by CHRAGG in implementation of its mandate as per Constitution of the United Republic of Tanzania (1977), Article 130 (d) and (g) and enabling Act No 7 of 2001 section 6(1)(d). These sections require the Commission to conduct research into human rights, administrative justice and good governance issues, to educate the public and to provide advice to the government and to other public and private sector institutions.

The Commission for Human Rights and Good Governance has established a children's desk in 2006 under the leadership of a Commissioner with its activities extended to Zanzibar. The aim of the desk is to give children's rights the priority they deserve because children belong to one of the vulnerable groups due to their age. Besides, the children's desk allows the Commission for Human Rights and Good Governance as the National Human Rights Institution to undertake better follow-up of recommendations No.2/2002, observations and conclusions reached by the UN Committee on the Convention of the Rights of the Child at the national level.

The research aimed at getting information and evidence of events/acts and people/institutions that are involved in violating/abusing children's rights and the achievements attained in protecting children's rights in Zanzibar. Children were involved throughout the process. Other objectives were to increase awareness of children's rights, encourage and empower citizens to engage in discourses relative to problems facing children and provide recommendations on possible solutions on how to improve the implementation of children's rights at various levels.

The research focused on the following areas:

- understanding of the kinds of violations/abuses pertaining to children rights;
- violations/abuses that might relate to social economic activities such as fishing and other commercial beach activities;
- vending in the market;
- effects of violating/abusing children's rights;
- types of violations/abuses;
- making comparisons in relation to happenings in different areas and periods;
- strategies for seeking remedies and permanent solutions;
- responsibilities in preventing children's right violations/abuses;
- source of children's right violations/abuses and the role of the family;
- people's perceptions on punishing children including corporal punishment in schools
- juvenile justice and role of law enforcement organs

The methodologies that were used managed to obtain opinions expressed in public and from individuals.

This research and public enquiries that were carried on the implementation of

children's rights Zanzibar focused on solving problems identified in the Commission's human rights work specifically from the complaints received by the Commission of Human Rights and Good Governance and reported in the media concerning violation/abuse of children's rights. The Commission as the National Human Rights Institution will present the results with recommendations to stakeholders for necessary action and follow-up. Besides, the activity forms part of the follow-up on related UN recommendations. An example of UN Declaration for Decade of a Culture of Peace that prohibits children's rights violation and UN strategies on conducting research on issues/events that violate children's rights. On the other hand, the activity implements the Memorandum of Understanding between UNICEF and the Commission, which was duly signed in September 2004 and amended in 2007 that CHRAGG will conduct research on children's rights issues.

The Commission's investigation officers under the supervision of Commissioners implemented the field activities. Commissioners introduced the Commission in public meetings, its functions and objectives of the research and public enquiries and solicited for the citizens' participation including children. Views, information and suggestions that were provided in the public were recorded. Other sources of information were answers from questionnaires that were administered by Commission's staff to both adults and children.

This report is divided into five (5) chapters. Chapter one introduces the background information, functions and mandate of the Commission, scope of the research, general objectives, specific objectives, importance of the research to the public and the its justification. Chapter two explains the foundation of child rights that is the legal frame work and incorporates analysis of different conventions, laws/policies and publications concerning implementation of children's rights in Zanzibar. Chapter three focuses on research methodology/technique used in collecting data. Four types of methodologies were used in collecting data:

- i) Public inquiries through public meetings
- ii) Oral interviews
- iii) Filling questionnaires
- iv) Focused group discussions and
- v) Observations

Chapter four presents and analyse the findings obtained from the public enquiries and from the responses obtained through questionnaires. The last chapter five presents suggestions and recommendations from the public, individuals, other stakeholders, children and researchers.

INTRODUCTION

Researchers and human rights activists have written about human rights and development or development in the context of human dignity and human rights. Implementation of children's rights emphasizes that children are the source of human generation and thus their welfare must be protected and preserved as a basis to human development in the society. The major question to ask ourselves is to what extent we care about the effects of our decisions and the principles we stand for in the implementation of children's rights regardless of to who the children belong, their social class or place of origin or any other society structures.

The foundation of children's rights is provided in customs and traditions, policies, laws of the land and in International and Regional Conventions on human rights. Children are valued in any society because of the inherent need for society to reproduce itself and other social, political, economic reasons and motives. The state, families, schools, medical facilities and other entities try to meet their obligations in ensuring that children get their rights to live, to grow and to develop and put into consideration the best interest of the child. The United Nations Declaration on Human Rights, 1948 incorporates different types of rights that are, civil and political rights, and economic, social and cultural rights. These rights are the basis of human dignity, freedom, peace and law in the societies. The UN Convention on the Rights of the Child is built on basic human rights with special reference to the needs of children. Tanzania has ratified the International Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child. In doing so Tanzania as a national state has accepted international and regional obligations and mainly recognizes the child as an individual with dignity, rights, views and needs. National laws, policies and regulations should demonstrate the real commitment to obligations.

The Zanzibar Constitution of 1984 guarantees rights and freedoms for the individual. The Constitution does not have any provision directed to children, but the rights enshrined in it, have relation to children because as human beings, they need to be treated equally regardless of social status of parents, gender, born free, deserving respect and dignity, non – discrimination and right to social security etc.

The rights and freedoms enshrined in the Zanzibar Constitution are:

- i. Equality for all
- ii. Equality before the law
- iii. Right to life
- iv. Right to freedom
- v. Right to privacy and security
- vi. Right to movement
- vii. Right to own property
- viii. Right to freedom of expression
- ix. Right to religion
- x. Right to association
- xi. Freedom to participate in public work, right to work and to be paid equal

- pay for equal work
- xii. Duty to obey laws of the land, to protect public property and state security
- xiii. Access to justice

Zanzibar as party of Tanzania obliges itself to the UN and Regional conventions on the rights of a child such as CRC and its Optional protocols, African Charter on the Rights and Welfare of a Child through the Ministry of Labour, Youth Development, Women and Children in Zanzibar.

Strategies for protecting Zanzibar Children are in line with Program on Poverty Alleviation and Economic Growth in Zanzibar popularly known as (MKUZA), Vision for Development up to the year 2020 (Vision 2020) and Policy on the Survival, Protection and Development of the Child, 2001 through the Ministry of Labour, Youth Development, Women and Children in Zanzibar.

Different organs/institutions have been legally established and mandated to protect, preserve and promote human rights e.g. Police, Judiciary, Commission for Human Rights and Good Governance etc. Different institutions and organizations fulfil their obligations in areas such as water, health, agriculture, industries, communication, social welfare etc. All together contributes in providing basic needs and protecting rights and dignity of human beings.

Children normally use different ways to give indications about their needs; parents on the other hand have the responsibility to provide those needs. The magnitude of responsibility can be affected due to different factors such as culture and traditions. Poverty however is the main cause for the failure of parents to meet their obligations. There is a relationship between human rights and poverty, i.e. poverty has a direct link to violation/abuse of human rights where women and children are mostly affected. On the other side, violation/abuse of human rights and maladministration can result into poverty for example poor access to education and health care are indicators of poverty. Worthy to mention here that poverty and violation/abuses of human rights are interlinked and there is a causal relationship between the two.

According to UNICEF reports, poverty affect women and children adversely more than other groups in the society. Data obtained from Zanzibar Household survey of 2002, shows that, fifty percent (50%) of people in Zanzibar live below the poverty line. Though poverty is the main cause of children's rights violation/abuse, well off families are also involved in one way or another in abusing children either physically, psychologically or mentally in different ways. Land planning which does not consider playgrounds for children denies them the right to play. Children walk long distance before they reach a school where there is playground.

Regardless of the resource constraints, Zanzibar made achievements in the education sector, e.g. Compulsory Education Programme of 10 years; parents' contributions of Tzs **3,000 - 7,000** thousands complement government efforts of providing quantity and quality education. These contributions may be minimal but in one way or another can cause dropout or truancy. There is a slight difference in

enrolment rate between boys and girls. Enrolment of children to school provides opportunity for further and better education for better future and therefore promotes the rights to education

On the health sector, people in Zanzibar access health facilities at a distance not further than 5 km. from their homes, however the sector encounters some problems such as inadequate number health workers, deficiency of vitamin 'A', spread of diseases such as malaria, diarrhoea to children due to unsafe and clean environment. The report by Ministry of Labour, Youth Development, Women and Children shows that new HIV infections affect more girls than boys.

Apart from education and health situation in Zanzibar, implementation of children's rights are observed in other areas such as National Bureau of statistics or in government departments i.e. Ministry of Youth, Employment, Women and Children, Police, Judiciary, Hospitals, Social Welfare Department, Ministry of Education and Non-governmental organizations (NGOs). Other information can also be obtained from newspapers and from various researches. The media sometimes reports information that the public has interest. Stories about raping or defiling a child have chance to be reported than the event of beating a child by his/her parents/guardian or teacher. Few events that occur in courts, hospitals and in police stations are observed by media, reported and sometimes the information targets those living in urban and not those in rural areas. When such violations of child right are taken serious and being reported, the actions taken are of medium term depending on the time taken by the media to report the event. Most events of violations/abuses of children's rights are not exposed because they are construed be shameful as a result they are resolved at family level. Many researches have shown that, those who are closer to the children and given mandate to take care, teach and protect them, involve in doing Child abuses.

Children's rights violation/abuse is equally a human rights violation/abuse as a result of economic, social, cultural and political problems in a given society. Child rights violation being brutality of any kind, denial of education, discrimination or poor health services reflects the failure neglect, or refusal of the society in protecting a child who in this stage of growth is physically incapacitated. Poor implementation of children's rights indicates that society does not put much priority on children issues and even lack of awareness

However the status of Child rights in Zanzibar is in better position due to the good foundations already achieved, what is required is to improve them so that Zanzibar becomes a better place for children to live.

The International and local researches show that, the obligation of promoting, protecting and preserving children's rights is facing some challenges including poverty and social changes. Children's rights are implemented in various activities that are being carried out in the national down to the grassroots levels. Human rights standards are explained in different perspectives according to the situation and environment in which those rights are being implemented. For example, making children work is taken as one way of preparing them into self-reliance kind of life.

Children living along the coast are forced to involve themselves in fishing activities and sometimes vending items in tourist hotels such as shelling in order to earn some money, this is taken as keeping children busy rather than staying idle or loitering. Impact of this is the truancy and dropout of school.

Early pregnancies and marriages interfere girls' rights to survival, right to development, rights to play and break up of marriages lead to abandoned mother and children. Dealing with children raping cases have difficult of its own kind due to the way the police, courts, hospitals, parents deal with such cases. These authorities in one way hinder information to reach appropriate authorities as a result some cases end up at family level with no legal measures taken. It is expected that other interpretations of children's rights will change due to the level of development attained.

Corporal punishment at family level and in schools is against children's rights; however there is a need to administer discipline to children so as to grow in a good manner. Data collected from the field have shown that children's rights violators are closely related to children such as parents/guardians, teachers and friends.

The research took into consideration the implementation of all children's rights in general without discriminating some of the rights. The procedure gave the public an opportunity to provide their opinions on the implementation of children's rights within their environment. Opinions and recommendations presented in this report come from the public, women and men, young and older. This enabled the institution to be in better position to view what are the public opinions on human and children's rights issues and provide a way forward in line with the International and Regional Standards the country has ratified.

Commission acknowledges the collaboration accorded to by the Revolutionary Government of Zanzibar through Ministry of Youth, Employment, Women and Children, all Regional Commissioners, District Commissioners, Social Welfare Department and Judiciary. The same thanks extend to the Shehas of Unguja and Pemba for the same support accorded to the Commission Officers. This is a good sign that Zanzibar cares Children rights.

Commission is saying "Asante sana" to UNICEF for the grant to support public enquiry and the research on implementation of children's rights in Zanzibar Much appreciation is also extended to individuals, employees, researchers, leaders of different institution and children themselves for giving up their time to provide information and responses to the questionnaires.

The Commission urges that: **LET US COOPERATE IN DEFENDING PROMOTING, PROTECTING AND PRESERVING CHILDREN'S RIGHTS SO THAT ZANZIBAR BECOMES THE BEST PLACE FOR CHILDREN TO LIVE.**

CHAPTER ONE

1.0 OBJECTIVES OF THE PUBLIC INQUIRIES AND RESEARCH ON THE IMPLEMENTATION OF CHILD RIGHTS IN ZANZIBAR

1.1 INTRODUCTION

The main objective of the public inquiries and the research on the promotion, protection and the fulfilments of the rights of the child in Zanzibar based on:

i) Legal mandate

The statutory functions of the Commission for Human Rights and Good Governance, pursuant to sections 6(1) (a), and 18 of its Act No. 7 of 2001 as amended and section 6(1) (d) requires the Commission to conduct research into human rights, administrative justice and good governance issues and to educate the public about such issue. Miscellaneous Act No. 8 of 2006 gives mandate to the Commission to operate in Zanzibar.

ii) Priority to child rights

The Commission has given a first priority the rights of children as a special group that need special attention within the community because of its vulnerability. The Tanzanian community is obliged to promote and protect child rights by changing the mindsets as well as culture. This is an obligation of the Commission. The aim is to find out to what extent the rights of children are implemented and come out with short and sustainable measures on protection and promotion of child rights in Zanzibar. Anecdotal evidence has revealed that children rights in Zanzibar are being violated due to economic reasons, culture and traditions.

iii) Complaints lodged at the Commission:-

During the Commission's tours, many complaints were received regarding acts of brutality and violence against children and during the visit to Zanzibar. The unconducive situation of police cells and prisons where children in conflict with the law are mixed with adults in cells was witnessed.

iv) Media reports

Media reports on violation of children's rights and the environment in which they occur. For example a report from Uhuru News Paper of 24th November 2007 reported that in 2007, 21 female students aged between 14 -17 dropped out of school due to early marriages. The Paper also reported the event that involved the marriage between a conductor of a commuter bus and a female student of Jang'ombe Secondary

v) International Declaration of Human Rights

Implementation of United Nations Declaration for Decade of Culture of Peace that prohibit violence against children and also Requirement of the United Nations to conduct research on human rights issues.

vi) Memorandum of Understanding

Implementation of the Memorandum of Understanding (MoU) between UNICEF and Commission for Human Rights and Good Governance signed on 24th September 2004 and amended in 2007, which require Commission to conduct research on issues concerning rights of children.

1.2 SCOPE OF THE RESEARCH.

The definition of a child used in this research is accordance with International and Regional Conventions and National Policy of Zanzibar Revolutionary Government. Child rights violations were identified in relation to requirements in the CRC

- i) Right to health (Articles 24)
- ii) Right to education (Articles 28 – 29)
- iii) Right to life (Article 6)
- iv) Right of a child to enjoy his/her own religion, language (Article 30)
- v) Right to leisure, recreation, entertainment according to age (Article 31)
- vi) Right to be protected from economic exploitation and to perform hazardous work or to interfere with child's education or work that is hazardous to child's health (Article 32).
- vii) Right to be protected from the illicit use and trafficking of narcotic drags (Article 33)
- viii) Right to be protected from all forms of sexual exploitation and sexual abuse (Article 34)
- ix) Right to be protected from torture or cruel, inhuman or degrading treatment or punishment (Article 37)
- x) Right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity (Article 40)

Tanzania ratified the Convention on the Rights of the Child in 1991. Ideas and basics of children's rights are also available in other International and the African conventions, policies and the laws of the land. Children's rights violations were observed in different situation/environment such as: along the beach, business/commercial areas, in families, in schools, in market places, in the streets, in family farms, children's centres, children in conflict with the law and in entertainment centres. During the data collection, the participatory approach was used in which discussions and interviews were used in order to get information from Zanzibar Island and Pemba regional and district leaders, some civil society organizations and schoolteachers.

Special meetings were held with the Zanzibar Ministry of Youth, Employment, Women and Children, and the Department of Social Welfare as one of the sources of information. UNICEF officials in Dar es Salaam and Zanzibar were instrumental in providing hands on information on the situation of children in Zanzibar and what shall be done after the submission of the research. Adults filled a total of six hundred and ninety seven (697) questionnaires. Three hundred and five questionnaires (**305**) were administered to children. Out of **697** questionnaires, **285** were administered in Pemba and the rest 412 were in Unguja. A total of twenty-one (**21**) public meetings were held in five regions with an average of three (**3**) meetings in each district.

The media was fully involved to sensitise and argue the public to attend the public meetings, participating in the public enquiry and filling in the questionnaires. Over twenty-five (**25**) advertisements were aired through Zanzibar Television and Sauti ya Tanzania Zanzibar. Four (**4**) articles reporting on what transpired in the public meeting were published in Zanzibar Leo News paper. A total of one hundred and fifty nine (159) people raised their issues concerning achievements attained and difficulties encountered in implementation of children's rights. TV/Radio spots were aired in Swahili the National Language for easy understanding.

1.3 PLACES WHERE MEETINGS WERE HELD

Table No. 1: Places visited during the public meetings

REGION	DISTRICT	SHEHIA	PLACE
NORTH UNGUJA	NORTH "A"	Kidoti	Kidoti Primary and Secondary School
		Gamba	Gamba court building
		Tumbatu	Tumbatu Primary School
	NORTH "B"	Bumbwini Makoba	Makoba primary and Middle School
		Kiwengwa	Kiwengwa Primary School
		Mahonda	Mahonda Primary School
		Bumbwini Makoba	Makoba primary and Middle School
		Kiwengwa	Kiwengwa Primary School
		Mahonda	Mahonda primary school
"URBAN WEST	"URBAN	Kwamtipura	Chekechea Ground
		Kidongochekundu, Meya, Mpendaye and Magomeni	Wanderasi Ground
		Sebuleni kwa wazee	Nyerere secondary school
		Muongano, Kwamalamsha, Mkunguni, Kwahani and Kibandamaiti	Democracy Grounds

SOUTH UNGUJA	CENTRAL	Bungi	Bungi open space
		Ghana	Ghana Secondary School
		Uroa	Uroa Secondary School
		Machui	Machui health centre
SOUTH PEMBA	CHAKECHAKE	Kichungwani	Kichungwani Museums
		Tibirizi	Children's Entertainment Grounds Tibirizi
		Mkoroshoni	Mkoroshoni open space
		Mvumoni	Mvumoni open space
NORTH PEMBA	WETE	Mchangamdogo	Mchangamdogo open space
		Kiungoni	Kiungoni open space
		Kojani	Kojani open space

An increasing rate of child abuse activities aggravates the public and causes the society not to have good reputation on protection, promotion and preservation measures of children's rights.

Commission, as an autonomous institution with mandate of promoting and protecting human rights realized the need to investigate the problem and know its magnitude, root cause and appropriate action to be taken to permanently resolve it. Therefore general objective was to observe the implementation of children's rights in Zanzibar and come up with a report that carries recommendations

1.4 SPECIFIC OBJECTIVES

- To realize and understand the magnitude and causes of the violation/abuses of children rights, get opinion and views from the public through public meetings, focus group discussions and filling the questionnaires and give recommendations on appropriate measures to eradicate the violation/abuses of children rights.
- To recommend to the Revolutionary Government of Zanzibar and other stakeholders on appropriate means to resolve the existing violation/abuses of children rights
- To sensitize culture of the public, adults and children, Non Governmental Organizations (NGOs), Religious Community, Politicians, Private sector and Government institutions of reporting violations/abuses to the authorities and provide suggestions and recommendations on implementation of children's rights.

1.5 THE SIGNIFICANCE OF THE RESEARCH

The research is of benefit to the Zanzibar Community, Commission for Human Rights and Good Governance, the Revolutionary Government of Zanzibar and other stakeholders.

- It is an opportunity for the Commission to provide views and recommendations resulted from people's statement, young and adults on the implementation of children's rights in order for the government and other

- stakeholders take appropriate actions in protecting, educating and promoting good standards of living for Zanzibar children.
- It is an opportunity to Children and other stakeholders to provide their opinions and views on the issues of implementation of children's rights.
 - It is a reference to other researchers, Government, NGOs, and other stakeholders to know the magnitude and appropriate measures to be taken to resolve the problem and further researches.

1.6 JUSTIFICATION OF THE RESEARCH

Universal declaration of Human rights of 1948 article 22 provide that: “Every one as a member of a society has the right to social security and entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each state of the economy, social and cultural rights indispensable for his dignity and free development of his personality”.

Tanzania as an active member of the United Nations has ratified the Convention on the Rights of the Child and also the African Charter on the Rights and Welfare of the Child. These conventions serve as guidelines in implementing the Policy on the Survival, Protection and Development of the Child (2001). The objectives of the policy have to comply with the conventions and be in line with the culture of Zanzibar. The Policy on the survival, Protection and Development of the Child has identified areas of improvement including health, education, and poverty reduction, children who need special care, to protect children's rights, orphans, working children and child abuse. The policy also gives challenges facing the children such as truancy and drop out of school resulted from insufficient teaching facilities and teachers.

Commission for Human Rights and Good Governance, basing on its mandate provided in the Constitution of the United Republic of Tanzania of 1977 and Act No. 7 of 2001 of the Commission, supports the Revolutionary Government of Zanzibar and other stakeholders to organize national debate on children's rights so that problems concerning children's rights are addressed. This make enable Zanzibar be a better place for children to live.

1.7 PREPARATIONS

Preparations involved communications with different levels of the Revolutionary Government of Zanzibar and non-government institutions leaders. Literature reviews was made by referring to the existing laws, different researches and other publications concerning children's issues and observe international standards. Reference was also made in research on public enquiry on child brutality conducted in 11 districts of Tanzania Mainland in 2005 by Commission for Human Rights and Good Governance

CHAPTER TWO

2.0 REVIEWS AND ANALYSIS OF INTERNATIONAL CONVENTIONS, LAWS/POLICIES AND PUBLICATIONS ON THE IMPLEMENTATION OF THE RIGHTS OF THE CHILDREN

2.1 INTERNATIONAL CONVENTIONS ON THE RIGHTS OF THE CHILD (CRC)

Tanzania is a member of the United Nations and African Union. Both organizations have conventions that implement children's rights. Tanzania has ratified two conventions concerning children's rights, which are:

- The Convention on the Rights of the Child (1989), and
 - The African Charter on Rights and Welfare of the Child (1990)
- Both conventions have defined a child as any person who is below 18 years. The conventions have identified the rights and duties of a child that include:
- i) A child should be protected from physical attack, sexual abuse and psychological harassment while in custody of parents, guardian or any other person.
 - ii) A child should be protected from torture, degrading punishments including not to be sentenced to death penalty.
 - iii) Duties to parents to take care of their children, and to children to respect their parents.

2.2 POLICY ON THE SURVIVAL PROTECTION AND DEVELOPMENT OF THE CHILD (2001)

Child development Policy of 2001 has been taken by Revolutionary Government of Zanzibar as a strategy in evaluating human rights and fulfilments of the obligation of developing children. The aim of government is to make sure implementation of children's rights is achieved. The Policy complies with provisions of the Constitution and international conventions concerning children's rights. The policy targets at promoting and protecting children's rights, establishment of child care facilities, and continue to cooperate with national and international institutions that deal with children issues. The following aspects were given priority in the policy:

- **Children and Health;** (Reduce infant mortality rate, malnutrition, anaemia, child health protection, access to safe and clean water)
- **Children in need of special care;** (children in absolute poverty, disabled children, child labour, orphans, abandoned children, children in conflict with the law, child abuse, the use of children in pornographic performances.)
- **Education;** (self reliance education, truancy, school drop out, girl child education) The Spinster and Single Parent Child Protection Act No.4, 2005 is in place to absorb pregnant students.
- **Participation;** (Involve children in religious and cultural activities, children and the media, children and sports)

The following strategies are incorporated in the policy to ensure protection and

preservation of children's rights

- To ensure that children are protected from all forms of brutality and abuse including child labour, this affects children psychologically, physically and mentally.
- To ensure high standard of living of every child economically, socially, mentally and physically.
- To ensure that children are involved in all matters concerning them at family and community levels.
- To ensure that children with special needs enjoy equal rights and opportunities
- To ensure that girls have access to enjoy fundamental rights and be provided with equal opportunity
- To ensure that all Ministries and Institutions mainstream children issues in their policies

2.3 LAWS OF THE LAND

There are several laws in Zanzibar with provisions that protect children's rights. These are:-

- **Zanzibar Constitution of 1984**

The Zanzibar Constitution of 1984 provides the vision of Zanzibar. Human rights, children's rights in particular are stipulated in this Constitution. Article 13(1) (2) provides that every person has right to life and to be protected. Also article 11(1) (2) provides for the right to equality, article 18(1) (2) freedom of expression, article 12 provides for equality before the law.

- **Penal Act No 6, 2004**
- **The employment Act, No 11, 2005**
- **The education Act, No. 4 1993**
- **Children and Young persons Act (chapter 58)**
- **Spinster and Single Parents Child Protection Act, No. 4, 2005**
- **Sexual Offences Special Provisions Act, 1998**

Basically, Zanzibar laws provide for the fundamental rights such as right to life, right to be protected, right to be heard, and right to be developed. However, there is a need to harmonize the laws that deal with children so as to have single law and have uniformity in some areas such as setting a defined age of a child. The findings tried to ascertain how these laws are applied and limit the implementation of children's rights.

2.4 DOCUMENTATION ON IMPLEMENTATION OF CHILDREN'S RIGHTS IN ZANZIBAR

The save children report of 2007, stipulates that six percent (6) of school children aged between 13-15 years engage in sexual activities. Twelve percent (12%) children of the same age but are out of school also confessed to have performed sexual activities.

The report further noted that, children from rural areas engage more in sexual activities by seven percent (**7%**) than those from urban areas. However, condoms are used by only nineteen percent (**19%**) of children from Zanzibar Islands and Pemba. Forty percent (**40%**) said that they never use condom, this means their lives are at risk of been affected by Sexual Transmitted Diseases (STDs) such as AIDS and also are likely to become pregnant in early age.

Corporal punishment is commonly being administered in the society/community and in schools and out of school children. Seventy one percent (**71%**) of children are beaten and injured. Sticks are used as means for canning by sixty percent (**60%**). Twenty two percent (**22%**) of school children said that their teachers slap them. Some of the children confessed to have used drugs and marijuana and this are practiced by standard six pupils aged 13 years. The practice causes truancy and drop out in schools, so the study aimed at finding out the immediate solution to overcome the problem.

The report of the Ministry of Youth, Employment, Women and Children presented to the House of Representatives on implementation of children's rights on the climax of African Child Day on 16th June 2007 revealed that larger part of the Zanzibar population is women and children. According to the Population and Housing Census 2002, Zanzibar population was nine hundred and eighty one thousand, seven hundred and fifty four (**981,754**). Fifty three point nine percent (**53.9%**) of the total population were children below 18 years. Twenty seven point three percent (**27.3%**) were male children while twenty-six point six (**26.6%**) were female children.

The report revealed that, the Revolutionary Government of Zanzibar recognized the need to implement the children's rights to ensure that children are protected against brutality and abuse including child labour which retard mental, physical and psychological development of a child.

The Commission for Human Rights and Good Governance in its programmes took into consideration the issue of children with disabilities as a special group whose rights needs to be recognized, respected and protected by the whole Zanzibar community. Stakeholders who deal with children with disabilities participated in giving information so that their problems can be revealed and means to solve them be ascertained.

According to the evaluation made by UNICEF on women and children in Zanzibar in the research on poverty alleviation, revealed that in 2004 in the education sector there were only five (5) schools with two thousands (2000) disabled pupils.

The report shows that, due to the discrimination, the attendance of these disabled pupils is poor compared to others. According to UNICEF report (2006), attendance of disabled children aged between 4 to 8 years was only **20%**, which is **400** out of **2000** pupils, while attendance of disabled children aged between 12 to 18 years was only **10%**.

According to the Population and Housing Census 2002, Zanzibar has thirty-three thousand and eight hundred (**33,800**) orphans, which is equivalent to six point eight (**6.8%**) of all children in Zanzibar. The report further revealed that the Central District has seven point eight percent (**7.8%**) of all orphans while the North "B" District has seven point two percent (**7.2%**) of all orphans. School attendance for orphans aged between 4-6 is fifteen percent (**15%**), Eighty percent (**80%**) for those aged 12 years and twenty percent (**20%**) for those aged between 14 – 18 years.

The UNICEF report of (2006) referring to the research done by Ackroyd (2001) on Situation Analysis on Children and Women in Zanzibar indicated that there is ambiguity concerning the minimum age for admission of a child into employment. The Revolutionary Government of Zanzibar has banned the employment of children below 15 years in economic activities. However contrary to those schools are closed between July and September to give pupils enough time to help in harvesting cloves.

Difficulties that are facing children in Zanzibar should be considered as violations that endanger their lives. Efforts from the entire society are needed to ensure that their rights and lives are protected and safe. To a larger extent poverty is the main hindrance to the people especially from rural areas in claiming and protecting human rights with particular children's rights. Weston (2002) quoting Mmari said "The whole process of economic and social reformation undertaken by both governments since Independence has revealed that poverty contributes to the violations of human rights and children's rights in particular", for example economic reformation has infringed children's rights to education and health as a result they decide to engage in worst forms of child labour.

The study revealed that, in Zanzibar children are been involved in worst forms of child labour such as

- Driving animal cart
- Carrying loads in market places
- Sorting things in market places
- Scraping fish for little wage of about 200/=shillings per bunch of fish
- Harvesting seaweed (Mwani)
- Pemba clove harvesting
- Female children have been exposed to early marriages. They engage themselves in sexual activities after completing primary education and others quit schools due to poverty. It was noted that female children in Zanzibar are married even when they are under 18 years. Early marriages to both female and male children are against human rights particularly children's rights.

2.5 PROBLEMS FACING CHILDREN AS DOCUMENTED IN DIFFERENT PUBLICATIONS

Different researches and publications noted that children have been facing many abuses and acts which violate their rights. Referring to the Policy on the Survival Protection and Development of the Child, 2001 and Save the Children (UK), (2007), problems facing children in Zanzibar were documented as follows:

- Abandonment
- Sexual abuse
- Early pregnancy
- Early marriages
- Brutality/cruelty
- Use of drugs
- Commercial sex
- Raping
- Health and Psychological problems

The above violations/abuses are against International Convention on the Rights of the Child. The Convention (CRC) 1989 has 54 articles that are grouped into four sections containing fundamental rights of the children such as Right to be Protected, Right to Life, Freedom of participation and Right to Development. Article 19 of the CRC, provides that children have Right to be protected from all Forms of Mental and Physical injury while article 34 provides that children have Right to be protected from all Forms of Sexual abuse. Article 32 of the Convention prohibits all acts that violate children's rights.

Save the children Report (2007), insists that children deserve an opportunity to participate in decision making processes, Article (12) of CRC, children have right to express their view in all matters affecting them.

Article 33 of the CRC states that ***“State parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.”*** The use of drugs and opium among children has been observed in Zanzibar, this causes truancy and dropouts in schools and as a result they lose their right to education.

2.5.1 OPINIONS FROM PRIMARY SCHOOL PUPILS IN ZANZIBAR

Save the Children (UK) Tanzania programme documented the opinions concerning children's rights of primary school pupils in Zanzibar as follows:

- i) The need for children and others, to find life-long solutions on problems facing them
- ii) Information should be passed to children, they should not be ignored, their views should be heard
- iii) Children should be given an opportunity to participate in the meetings

- and get information on issues concerning their lives.
- iv) Children should be given correct information by media, parents and community leaders on different issues such as outbreak of diseases such as cholera.
 - v) Corporal punishment should be banned, particularly canning in schools
 - vi) Parents should help their children to achieve their goals and career ambitions

2.5.2 OPINIONS OF SECONDARY SCHOOL STUDENTS IN ZANZIBAR

- The need of an opportunity to express their views at family level and at home
- The need of health education concerning outbreak of disease such as cholera, RVF and discuss other disease such as AIDS/STDs
- The need of protection, assistance and education in order to have good ethics
- Students are worried about sexual abuse
- Students views should be made known
- Students should not work during school hours

CHAPTER THREE

3.0 RESEARCH METHODOLOGY

3.1 DATA COLLECTION METHOD

Data were collected using a combination of methods. These included Public hearing/inquiry, questionnaire, interviews, observation, Focus group discussions and documentary review. Multiple methods were preferred because they enabled the researcher to overcome the limitations of using a single method which could have reduced the accuracy of the data collected.

3.1.1 PUBLIC HEARING

The method involved public meetings in which the Commissioners addressed the public on objectives of the research, implementation of children's rights and acts that violates children's rights. The public was given an opportunity to give information on events they know, heard or witnessed concerning violations/abuses of children's rights, some information were openly expressed and collected while others was given in privacy.

Ex chairman of CHRAGG Hon. Kisanga addressing in one of meeting

The main objective of the focus on public was to retrieve evidence of events/acts/persons/individuals/institutions that violates children's rights as well as to know achievements in protecting and preserving children's rights in Zanzibar. This public hearing was also meant to build capacity in understanding children's rights and speak out aggravating issues concerning children aiming at making recommendation on remedies to be used. On the other hand the Commission used this opportunity to disseminate information to the public on its existence and its functions.

To accomplish the objective, researchers were taking note/recording the information as were given from the public in front of the Commissioners. District Commissioners (DCs), Ward Executive Officers (in Zanzibar are known as Sheha) or their representatives participated in sensitizing the public in giving their views and opinions during the meeting.

The public enquiry was used as one of the method to educate the public on children's rights.

3.1.2 QUESTIONNAIRES

Structured questions in the questionnaire were employed as the main method of collecting data. A total of 305 Questionnaires were administered to respondents belonging to the categories of adults and children.

The questionnaires aimed at assessing the extent to which the understanding of acts/events that violates children's rights, effects of violating children's rights,

reason for violations, accountability and suggestions on how to curb the violations were in place.

3.1.3 FOCUS GROUP DISCUSSIONS:

Respondents in the groups were involved in in-depth interviews. This category of respondents comprised the 10-15 In –depth interviews were used in order to help the researcher to obtain detailed information on the problem under study. By crosschecking the information provided from groups with that of children, the researcher was able to generate balanced and reliable results.



A student giving opinions in one of meetings



Women at meeting

3.1.4 OBSERVATION

The researcher employed the observation method to assess whether and how children rights are implemented in Zanzibar. This was done by visiting different places with the aim of observing children's activities such as market places (Uroa), along the beaches, in hotels, in the streets in rural areas etc.

CHAPTER FOUR

4.0 THE FINDINGS

4.1 INTRODUCTION

This study sought to identify to what extent the implementation of children's rights in Zanzibar is effective. Specifically the intention was to establish what kinds of child rights are being violated or abused. The results included findings from respondents in public which were collected through the survey. A three hundred and five respondents (children & adults) were either interviewed, given questionnaires to fill or gave their views in the public meetings. The findings presented are discussed in the light of the research objectives.

Table 2: An overview

4.1.1 Some concerns expressed by children in their own words (translated)

"Our problem is that we are hungry"

"Rapists are not jailed, they are freely walking in the streets"

"We are abused by drivers of commuter buses claiming that the bus fare we are paying has no profit"

"Children are hit by cars at the zebra crossing, drivers do not stop for the children to cross"

"The canning by teachers is enough to soften the octopus fish"

"School dropouts is accelerated by canning"

"Sexual abuse should be banned completely"

"No special health services for us children"

"Poverty contributes to the violation of children's rights"

"Students are punished if they refuse to have sexual relationship with teachers"

"We female pupils/students lets wake up and refuse to be lured by men while we walk on the streets and who knock at windows at night"

"Headmaster! 20 students from your school have been married, even yesterday I attended wedding ceremony of one of them"

“My rights are violated, I have been sitting on the floor at primary school to secondary school” (because of the problem of school furniture)”

“Bad smell from dirty toilets is so strong that we can not concentrate in classes.”

During the observations researchers observed violations of children rights on the following areas:

- Female children were found selling bites, juice, fruits etc. this is regarded as a mean of assisting their families, at the market place they had place to sit and it didn't seem to be hard work to them.
- Male children were scraping fish for **150/= to 250/=** per bunch of fish, money obtained were used to buy bites on the other side of the market. Others were observed engaging in fishing while girls were seen spreading seaweed (Mwani) along the beach
- Others were observed driving Cart pulled by cows/donkeys containing heavy loads, also others was loitering in the streets during school hours. The issue of low payments to children was not researched.

4.2 VIEWS RAISED DURING THE INTERVIEW

In some areas people hesitated to declare on the violations/abuses of children's rights because they know that parents are obliged to protect their children instead of violating their rights. Responses given before the commission show that there were “No violations of children's rights in Zanzibar”, responses changed after examples of violations given.

The following are the views from individuals and groups interviewed by the researchers

- i) People do not know where to direct complaints concerning children's rights violations, the only common means used to is the Ministry of Youth, Employment, Women and Children,
- ii) Functions of the formal institutions that deal with children are not clearly defined. The implementers of children's rights are not known; some cases are not reported but resolved at the family level. Victims suffers due to unfamiliar with the laws, police and hospitals have no expertise on children issues, awareness is needed, hospitals, police and courts are not trusted any more due to few sentences passed by courts concerning violation of children's rights, CHRAGG can recommend on waiving corroboration based on credibility of witnesses
- iii) Victims not considered at all.
- iv) Weakness has been observed in dealing with children who are in conflict with the law. There is a need to reconstruct

children's remand homes and probation officers need to be empowered. No juvenile courts, however there is special day for dealing with children in conflict with the law. No separate rooms or buildings for juvenile proceedings in courts. There is no opportunity for alternative punishment due to lack of approved schools. In prisons and police stations there is special space or rooms/buildings separated for children. Children are not separated from adults. Raping cases lack evidence because of the Penal Act cap 16 is not well known whether the Police have enough knowledge, skills and techniques of dealing with children/young offenders. Offences committed by children include theft, smoking marijuana, sexual offences, raping, fighting, use of abusive language etc.

- v) Children's rights to education are violated due to early marriages both female and male children.
- vi) Courts provide maintenance allowance but only few cases exist. Divorced women tend to leave with their children and fear to go to the Court to claim for the maintenance allowances. No disputes concerning the custodian of children instead there are cases concerning property ownership; these cases are brought to the Court, particularly Kadhi court.
- vii) There are also cases of sodomizing children
- viii) Death of parents, divorce and poverty are the main cause of children to live in un conducive environment
- ix) SOS Zanzibar complements the efforts of caring abandoned children who are under 8 years and take care of them till they become adults .SOS provide them education, trainings and job seeking. SOS does not accommodate disabled children
- x) Zanzibar Association of people with Disabilities identifies children with disabilities in the society and provides them with school needs including wheel chair.
- xi) In Zanzibar there is high level of educational awareness among female children compared to male children. No cases concerning enrolment in courts
- xii) There is weakness in delivering quality education and conducive environment example desks, text and reference books and uniforms including are facilities needed
- xiii) Children are not safe in using public transport; there is needs to protect children by improve security.
- xiv) There is neither principle legislation for child matters nor single law, which deals with children.
- xv) There is bad perception that when a girl under 18 years attaining the age of majority, she is no longer a child since she can be married, however in Zanzibar Spinster's Law allow female pupils resume classes after delivery

- xvi) National child rights committee coordinates children issues in Zanzibar
- xvii) Marriage break up puts children into difficulties. Many complaints sent to the Ministry of Youth, Employment, Women and Children are from military officers
- xviii) Training for NGOs and FBOs is needed also children's rights standards must be explained clearly
- xix) Budget allocated for children issues are insufficient and not a priority to Government.
- xx) Pupils abscond classes, they are seen seating under trees and loitering in market places with no care
- xxi) Impact of HIV/AIDS

4.3 CONCERNS RAISED DURING THE PUBLIC ENQUIRES

During the public meetings several concerns related to violation of human rights particularly children rights and other general issues related to and contravention of good governance principles were raised. Some of them were attended during the meeting and others were registered for further action.

Table 3: Here below are the concerns as were recorded in the public meeting

S/NO	PLACE	CONCERNS
1.	Uroa Secondary School, 4 th March, 2008.	Suspected rapists should be convicted and imprisoned instead of releasing them; CHRAGG should critically investigate allegations in order to obtain the real picture and not half truths; some TV programmes that are disrespectful and not acceptable in the Zanzibar culture should be banned; African moral principles and values should be protected, because they are better than Western principles; baby dumping violates children's rights; Stigmatization of HIV victims is the violation of human rights; Government should accept criticisms when it deviates from the rules and regulations; parents are obliged to bring up their children instead of leaving that duty to guardians; some families neglect children with disabilities; health services for children and the persons with disability require improvements.
2.	Machui 5 th March, 2008	Child abuse cases are few in Machui ward (Shehia); poor school attendance is caused by truancy; some of the parents, whose children get pregnancy while at school, settle the matter and agreed to be married.
3.	Kidoti 6 th March, 2008	Lack of balanced diet affects children due to ignorance of parents on what nutritious food is; inflation and hiked food prices make life difficult; school drop-out rate in Kidoti ward is between 10% -15% and it is caused by children involvement in selling small items to tourists and some are said to have earned more than employed adults; pupils who had dropped out from school performs better when they are recalled back to classes; some parents cannot provide their children

S/NO	PLACE	CONCERNS
		with school requirements due to poverty.
4.	Kiwengwa Primary School 7 th March, 2008	Television programmes should be edited before broadcasting so that children are not misled; some parents use their children to beg from tourists, others visit tourists in their hotel rooms to beg while it is against children's rights; some tourists provide gifts to children with bad intentions, for example, they throw sweets at children so that they photograph them as they fight each other to pick up some; Government should set regulations to control tourist operations; revive initiatives to encourage tourists to dress in ways that conform with the local values and customs; tourists should be guided while visiting local communities and schools; surveyed plots allocation should target the local people and not only for selling to investors; systems be put in place to allow Shehia (Ward) benefit from sale of land and investments in the hotels.
5.	Ghana, 4 th March, 2008	Rice that is imported into Zanzibar is of low quality and could affect children's health; Government has put too much emphasis on rights of children rather than parents, this affects Zanzibar culture because when parents take corrective measures on a child's behaviour it is termed as violation of children rights; children are forced into early marriages by parents and denied their right to education; boys and girls should not share desks in schools as it may result into early pregnancies. Canning in schools should continue but within limits in order to instil respect and good manners among children; human rights education should be disseminated frequently so that public become aware of their rights; Government has no plans for children who fail the form II examination. Nurses of Mnazi Mmoja General hospital do harass pregnant women especially during delivery; doctors and nurses should provide reliable information to assist in raping cases before the courts so that perpetrators of such crimes are tried and justice is seen to take its course. Rape cases are reported to the police but appropriate actions are not taken against the offenders; children living along coast beaches engaged in fishing and scraping fish; children from poor families are forced to do petty businesses in order to supplement the income of their families; family income; there is a problem of truancy in schools; parents neither put priority on education nor do they follow up on their children's academic progress; inflation has negative effects on people's lives; early marriages exist but no actions are taken against the wrongdoers.
6.	Bungi 5 th March, 2008	Canning should continue but with restrictions and control in order to encourage children to exercise respect and good manners; children from poor families are compelled to do petty businesses in order to earn income; parents do not insist on education and do not show interest on their children academic performance.
7.	Gamba 6 th March, 2008	Human rights education including children rights is required to increase awareness among the public; nurses of Mnazi Mmoja General hospital tends to harass women during delivery; Government should put in place alternative plans to support children who do not

S/NO	PLACE	CONCERNS
		pass the form II examination instead of letting them to leave school; doctors should provide the required medical information because of its importance as evidence in rape cases; early marriages take place but appropriate actions are not taken.
8.	Tumbatu 7 th March, 2008	Nurses of Mnazi Mmoja General hospital tends to harass pregnant women especially during delivery; Police were called upon to deal more effectively with rape cases; children living along the beaches engage in fishing and cleaning fish; there is a problem of truancy in schools; Inflation makes life difficult;
9.	North Pemba (Chake Chake District Public Servants) 4 th March 2008	<p>The rate of violating human rights of adults is lower compared to that of children's rights; children are raped, sodomized and defiled but when get reported to hospitals, police and courts no necessary actions required to prevent the crime are taken; suspected offenders bribe some parents and agreements are reached at the shehia level without involving the police and the courts.</p> <p>Education on worst forms of child labour should be disseminated; dowry given to parents causes early marriages; some laws do not legally bind parents on their responsibilities in respect of their children eg Education Act;</p> <p>Cases (i) A boy aged 20 years old sodomized a young boy; (ii) In one village, there were parents preparing to marry off a form II female student, but they were prevented from doing so to safe guard the interests of the child</p>
10.	Tibirizi Ward (Shehia) 4 th March 2008	Economic hardships and poverty contribute to high rate of school drop outs; defilement of children is done by older children and also adults but such matters are not reported to the police instead they are locally settled; rapists should be punished by being castrated; improve life standard; Police stations and prisons do not separate children from adults in police remedies and prisons facilities hence violate rights of the children; punishments given in schools are too heavy for children; Police do not deal with early marriage cases; early marriages for girls are being formalised however such marriages do no last long as a result into they end up in mothers and their children abandonment and no law is applied to force the fathers to take care of them; sensitization on the use of condoms in Zanzibar contributes to unwanted sex among children.
11.	Mvumoni Ward (Shehia) 5 th march 2008	<p>Authorities dealing with human rights are not effective; poverty contributes to child abuse; human rights education should be taught in school; some pupils are not going to school due to lack of school uniforms and other necessities.</p> <p>A case One policeman who was alleged to physically abuse a young boy through beating, he was transferred to another station as a disciplinary action</p>

S/NO	PLACE	CONCERNS
12.	Kiungoni Ward (Shehia) 6 th March 2008	Children are forced to leave the school due to parents inability to pay of school contributions; children punishment through caning is a tradition way of disciplining children abandon it is against culture; Kiungoni Ward (shehia) has no dispensary/health centre and road; food prices are too high; some form four students who do not pass their examinations cannot afford to pay fees for re-sitting the secondary school examinations the following year.
13.	Mchangamdogo Ward (Shehia)	Life is difficulty due high prices of goods especially rice; families with many children can not afford to pay Tsh.4000/= as school contribution for each child; transport problems; and high inflation rate should be controlled; Cooperatives popularly known as SACCOS have strict conditions which do not attract the poor who are the intended beneficiaries
14.	Kojani Ward (Shehia) 7 th March 2008	Chwaka small scale pastoralist do not prevent their animals from feeding on crops in other people's farms; Some suspects are being released by police due to close relationship with them; The Kojani Sheiha complained are not allocated with developmental aid.
15.	Sebuleni kwa Wazee Ward 4 th March 2008	Pupils are seen watching video shows at Jumba la Thahabu during school hours; female pupils drop out of school due pregnancies; girls are discontinued from schooling and coerced into early marriages; female students are sexually harassed by male adults when they are on the way back home from school; female students are overworked at home and when arrive late at school they are punished; school contribution of Tsh.10,000/= per pupil be reduced to Tsh.5,000/ = - an amount parents can afford; pupils are forced to pay some money to teachers so that their exercises books are marked; pupils/students are not taught well by teachers during normal school hours, this is a way of making them join tuition classes after school and pay tuition fees; caning in schools can result into injuries; pupils/students are harassed by conductors and drivers of commuter buses; some school children smoke marijuana; pupils/students are forced to buy bites brought to school by teachers even when they have carried food from home; Nyerere Secondary school has no laboratory equipment and facilities; zebra crossings has no road bumps as a result school children are knocked by cars when crossing roads; children are punished by their parents when they get home late from extra tuition classes; school age children are seen loitering in the streets and others are doing petty businesses such as selling coconut oil; Government have no plans for orphans.
16.	Uwanja wa Demokrasia 5 th March 2008	Used condoms that are thrown in the streets, children pick and use them as balloons putting them into health risks; female pupils/students are leave schools due to forced early marriages; children are deprived of their rights such as education due to poverty; abolishing tuition classes is not proper because teaching standards in schools are low; parents cannot send their children to higher classes after compulsory education; evening tuition classes contribute to early pregnancies and school drop-outs; public meetings/enquiries held in Zanzibar should

S/NO	PLACE	CONCERNS
		involve Commissioners and officers from CHRAGG Zanzibar office; Commuter buses hit children and run without providing any assistance; male teachers of Muungano primary school demand sexual relationship from female pupils; children from rural areas are taken to town to work as house attendants in order to earn income for families but they end up in being abused; human rights and good governance issues misrepresent Zanzibar culture; bus fare of 150/= per pupil/students be reduced to 50/= ; some school children are used as porters for carrying and arranging crates of soft drinks, Government should incorporate parents when preparing development plans for children.
17.	Bumbwini, Makoba 5 th March 2008	Children engage in generating income for the family due to poverty, Government is encouraged to review its economy particularly controlling the inflation rate; increase in school fees hinders some parents from taking their children to school, thus denying some children right to education.
18.	Mahonda primary School 6 th March 2008	A number of pupils, students, teachers, and parents revealed that brutality against children is not a new issues, however cases that violate children's rights are not exposed; Zanzibar culture is destroyed by Western culture part of which is copied from TV programmes, video shows and evening parties; parents do not make follow up concerning academic progress of their children; children drop out from school due to pregnancies and truancy; forced early marriages contribute to the violation of children's rights A Case School prefect claimed that more than 8 children from Mhonda primary school dropped out of schools due to unconfirmed reasons and 5 others became pregnant or forced into early marriages.
19.	Kilimahewa grounds, Kwamtipura, Karakana, Shauri moyo and Chumbwini Wards (Shehia) 4 th March 2008	It was claimed that there are different kind of child abuse in families and in communities but they are neither reported nor discussed in public because they involve family members; children do not know their rights; main challenge is to educate children for them to be aware about their rights and understand when such rights are violated and report them to the appropriate authorities; absenteeism from school is a problem caused by parents not making follow up concerning the academic performances by their children other causes are poverty and negligence.
20.	Wanderers' grounds, Jang'ombe, Kidongochek undu, Mpendaye, Magomeni,	Financial contributions amounting to 5,000/=, 3500/= and 7,000/= demanded by schools result into children getting punishments from teachers including asking children to go back home; pupils/students from poor family feel neglected and inferior due to lack of pocket money for buying straw brooms, exercise books and snacks; teachers tend to cajole children to be regular customers of small businesses they operate of selling food items at the schools; forced marriages contribute to denying children and young person

S/NO	PLACE	CONCERNS
	and Meya Wards 5 th March 2008	<p>their right to make decisions on matters that effect their lives. Rapists (<i>vitangi</i>) are dangerous to the community and when taken to the Court their cases are always postponed which indicates that there is sign of corruption; female pupils/students are abused by conductors and drivers of commuters buses; pupils/students who come late to school are locked out of the school gate; tendency of male teachers to sexually harass female pupils/students, violates children's rights and causes them to fail exams; disabled children are not provided the opportunity to equally access education, health services and participation in sports; some parents settle cases of child rights violation at family level instead of reporting to the appropriate authorities; Police do not prosecute cases within reasonable time they tend to have an inclination of favouring suspects upon receiving bribes, this makes parents opting in resolving disputes at family level because of the low conviction rates of rapists.</p> <p>One person claimed that his granddaughter was raped, the suspect was arrested and taken to Police station, few days later the suspect was released, he added that whenever they make follow ups at the police station the response was that investigation was still ongoing, he suspected corruption was the cause of the delay.</p>

Table No. 4: CASE STUDIES

S/NO	TYPE OF ABUSES	AREA (DISTRICT)	EXPLANATIONS OF THE EVENT
1.	Raping	Mjini Magharibi	A mentally challenged child aged 15 years old was raped while sleeping in her room. Her sister who got to the scene explained to the researchers that her young sister used body language (signs) to explain what happened. She explained that her sister's private parts had signs that she was raped. The rape victim was taken to the police station where she was required to pay seven hundred thousand shillings (7,000/=) for investigations. Unfortunately she did not have that money so she was not taken to the hospital with P3 form. The suspect was found naked in the victim's room, arrested and taken to the Police station where he was reported dead later. It was reported that Police were still conducting investigation on the death of the perpetrator of the crime but nothing was done concerning the rape victim.
2.	Harassment and indecent punishment.	Chake Chake	It was claimed that an old man prevented his girl child from dressing on clean and decent clothes; Another person volunteered to offer her new clothes but the father took them away and hide them.
3.	Abuse, child labour depriving education.	Mjini Magharibi	A boy narrated that he was forced to live with his aunt because of mother's divorce. He faced discrimination compared to the children of his aunt, for example, the aunt

S/NO	PLACE	CONCERNS
		<p>sent all her children to school leaving him at home to do housework and petty businesses from morning to 12.00 pm midnight. The boy decided to return to his father who decided to enrol him in standard one at the age of 15 years. Due to poverty his father could not provide him with school necessities and forced to go back to his aunt. His aunt abused/harassed him more than before, for instance spitting on his face and forcing him to do hard work. The boy escaped from his aunt's house and went back to his father who had decided to sell his house so as to get money for survival. Later, the boy was moved to live in another relative's and get enrolled again in to school.</p>

S/NO	PLACE	CONCERNS	
4.	Child labour	Mjini Magharibi	It was claimed that a ten (10) year old school boy is being sodomised by an oxen cart owner in the expense of free hiring of a cart that normally used to carry passengers cargo. The abuse became a habit and and known to neighbours but no measures were taken against the perpetrator.
5.	Early Marriages and Pregnancies	Kaskazini "B"	It was explained that a child between 14 to 15 years at Mahonda Primary Schools who got pregnant by unknown man was forced by her parents to marry unemployed man because the parents could not take care of her. She and her baby boy who was 1 year old by the time the research was carried out were living at very poor life standard.
6.	Beating/Canning	Mjini Magharibi	<p>It was explained that a secondary school girl aged 16 years old had always been harassed by her father, beaten and forced to undress so that the father could have sex with her. She ran away from home and by the time the research was conducted she was living with her friends at a place unknown to her father.</p> <p>It was explained that in the year 2007 a primary school pupil was required to pay 3,000/= as a school contribution, unfortunately his parents could not afford to pay. He was forced to lay on the desk and canned by teacher. He dropped out of ordinary school and joined Islamic teaching school (Madrassa).</p>
7.	Discrimination/stigmatization	Mjini Magharibi	A child aged 16 years who is mentally retarded and has physical disabilities denied to be enrolled in school due to its conditions. Teachers advised the mother to remove her child from the school and she did so.
8.	Rural – urban Trafficking of children.	Kaskazini "B"	A 16 years old girl from Tanzania mainland was taken to Zanzibar after the death of her father and was promised that she will continue with her education, but to no avail upon arrival in Zanzibar was engaged in petty businesses and later on forced to work as a house girl in someone else' house. She went to report to the educational Officer who was kind enough to provide shelter and enrolled her in school.
9.	Abandoning children	Kati	A school going child was found loitering by some humanitarian residents after she was thrown out of a house where she was working. The people who found her were good enough to invite the child into their family, enrolled her in school and were in Std VII at the time of the public enquiries.

S/NO	PLACE	CONCERNS
10.	Sodomizing/defiling	Mjini Magharibi An old man was reported to Police and taken to court by a parent of a 9-year-old girl suspecting him of defiling the child. The suspect was remanded for a week and was released for reasons not known to the complainants. It was further revealed that the old man had lured many children, both boys and girls without being noticed.
11.	Physical torture (burning)	Wete It was explained that a child had both hands tied and burnt by his aunt accusing him of stealing 1000/=. It was further explained that the boy did not deserve such a big punishment; fortunately a police living in the same house reported the incident for further legal action.



A teacher giving opinions at the public meeting held at Nyerere primary school grounds

Table No. 5: PUBLIC ENQUIRY ANALYSIS			
S/N	INCIDENTS AND VIOLATIONS IDENTIFIED	QUANTITY	PERCENTAGE
1	Poverty/high inflation rate resulting into violation of children's rights	16	13.50%
2	Commercial sex, early pregnancies/marriages	14	12.00%
3	Lack of school fees, demand for school contributions, children arriving late at school and risking punishments including being asked to go back home	11	9.20%
4	Law enforcement organs obstruct efforts to fight violations of children's rights	13	11.00%
5	Truancy is caused by some school activities	13	11.00%
6	Raping/sodomizing/defiling (<i>ukitangi</i>) is a serious violation of children's rights and child abuse	1	0.80%
7	Punishment by harassing children	3	2.50%
8	Selling land to foreigners	2	1.70%
9	Violations of children's rights as a some non local TV programs	2	1.70%
10	Government granted more rights to children than to parents	2	1.70%
11	Canning is a way of teaching children good manners	2	1.70%
12	Lack of balanced diet is the violation of children's rights	3	2.50%
13	Transportation system violates children's rights	6	5.00%
14	Petty businesses run by teachers and forcing pupils/students to patronise causes truancy	6	5.00%
15	Some parents put no priority on education for their children	6	5.00%
16	Tourism contributes to change of behaviour among Zanzibar children	4	3.40%
17	CHRAGG has not done enough research on violation of the rights of poor children	2	1.70%
18	Parents do not fulfil their legal obligations	2	1.70%
19	Use of condoms affects Zanzibar ethos	2	1.70%
20	Human Rights education should frequently be disseminated	2	1.70%
21	Evening tuition classes leads to deterioration of	3	2.50%

	ethics		
22	Doctors and nurses do not reveal raping and sodomizing cases	2	2.50%
23	Divorce leads to lack of proper upbringing	3	2.50%
24	Harassing pregnant women in hospitals is the violation of human rights	1	0.80%
25	Men who cause pregnancy to children are neither prosecuted nor imprisoned	1	0.80%
26	The use of drugs among pupils/students	1	0.80%
27	Disabled children are not given equal opportunity in families and in enjoying social services	3	2.50%
28	Government do not put much care on orphans	1	0.80%
29	Children's rights issues misguide or misrepresent Zanzibar culture	1	0.80%
30	Trafficking in children is the violations of human rights	2	1.7
31	Stigmatizing HIV/AIDS victims is a violation of human rights	1	0.80%
32	Abandoning children is a violation of children's rights	1	0.80%
	TOTAL	119	100

Hon. Chairman, Retired Judge Robert Kisanga address in one of the meetings.

4.4 INTERPRETATIONS

Analysis of the identified incidents/violations from public enquiries on the implementation of children's rights in Zanzibar has shown that causes of such violations relates to; poverty, inflation, commercial sex, sexual activities, early pregnancies/marriages, delaying social services by public institutions and lack of school fees etc. The findings has revealed that the level of public awareness of children's rights in Zanzibar is good.

4.5 RESULTS AND ANALYSIS OF QUESTIONNAIRES

This research report separates information from adults and that from children by showing the importance and great value that CHRAGG attaches to children right to participation in matters that affect their live and rights.

Table No. 6: Number of children administered questionnaires per region

REGION	QUANTITY	PERCENTAGE
NORTH UNGUJA	56	18.4%
MJINI MAGHARIBI	68	22.3%
SOUTH UNGUJA	20	6.6%
SOUTH PEMBA	71	23.3%
NORTH PEMBA	90	29.5%
TOTAL	305	100%



A student giving opinions

Illustration No. 1

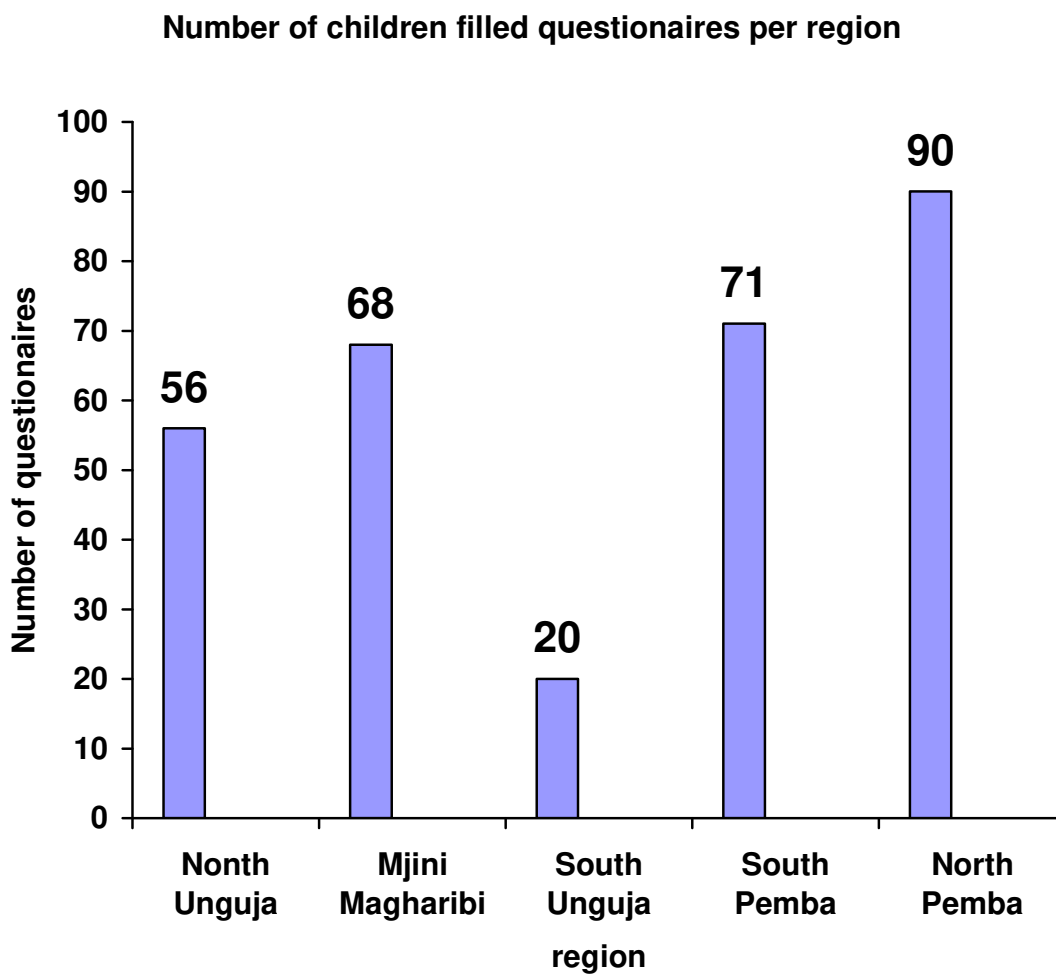


Table No. 7: Number of children that who administered questionnaires in each district

District	QUANTITY	PERCENTAGE
North "A"	40	13.1%
North "B"	17	5.6%
Kati	20	6.6%
Mjini	67	21.9%
Wete	91	29.8%
Chake Chake	70	23.%
TOTAL	305	100%

Research was carried out in 5 regions and 6 districts mentioned above. The total number of people depended on the day and time the research was done and also speed of the researchers.

Illustration No 2: Number of respondents per district

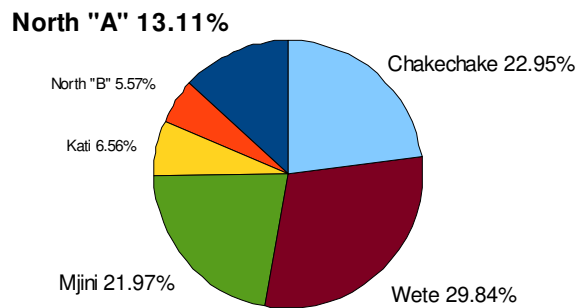
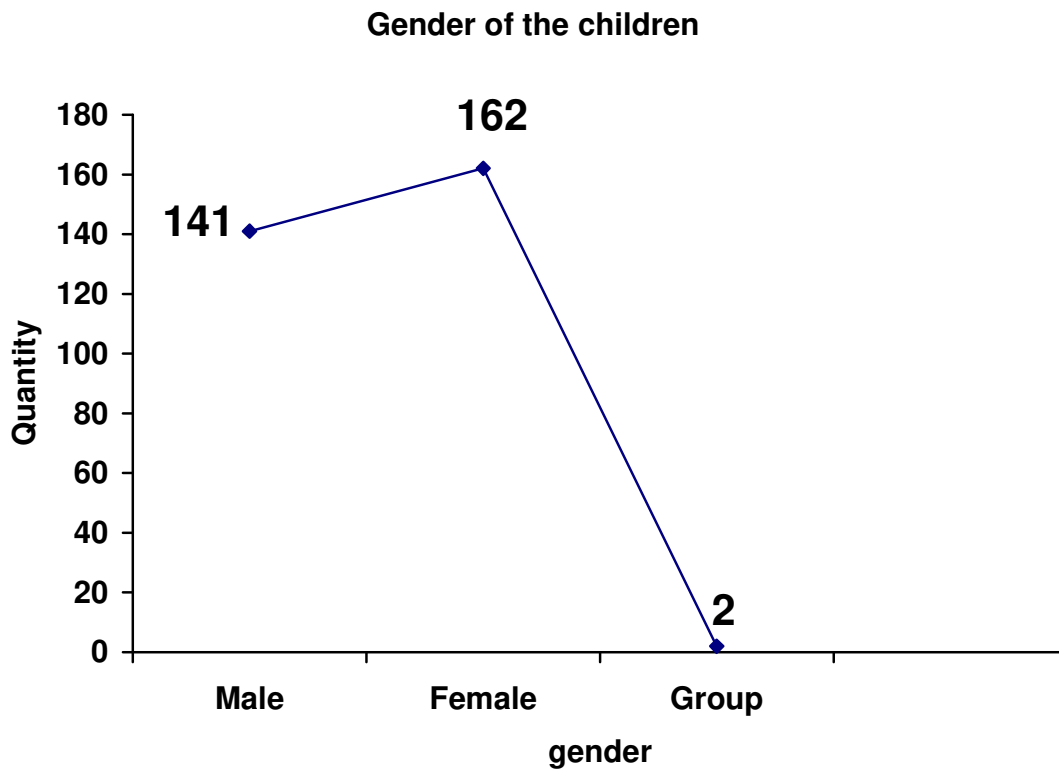


Table No 8. Number of children who administered the questionnaires gender wise

GENDER	QUANTITY	PERCENTAGE
Male children	141	46.2%
Female children	162	53.1%
Group	2	0.7%
TOTAL	305	100.%

Illustration No. 3: Number of children who filled questionnaires gender wise



The importance of gender was considered to ensure that there was full participation of both sex, i.e. boy and girl children. Female children were 53.1 % while male children were 46.2 %.

Table No. 9: VIOLATIONS

S/N	CASES	QUANTITY	PERCENTAGE
1.	Rapes	31	10.2%
2.	Harassments/abuses	22	7.2%
3.	Denial of school and social needs	62	20.3%
4.	Abandonment of children.	5	1.6%
5.	Defilement/ physical abuses	11	3.6%
6.	Early marriages	9	3.0%
7.	Child labour	45	14.7%
8.	No response	39	12.8%
9.	Child abuse, early marriages and teen pregnancies	30	9.8%
10.	Child labour, denial of medical treatment, loitering	6	2.0%
11.	Denial of the right to education/lack of education	32	10.5%
12.	Smoking and the use of drugs	10	3.3%
13.	Drop out from school	3	1.0%
	Total	305	100%

Table 9 above shows that, denial of education was mentioned more frequently by 62 (20.3%) than other violations. This is a clear indication that children themselves appreciate the importance of education in their lives. Child labour is another area of child rights violation that children identified by 45 (14.7%) although among adults it was not mentioned that often. Other violations that were identified by children were rapes and defilements, sexual harassments and early pregnancies. Such violations identified by children could also be an indication that they are happening.

Table No 10: EFFECTS OF VIOLATION OF CHILDREN'S RIGHTS

	QUANTITY	PERCENTAGE
Early marriages/pregnancies	49	16.1%
High risk to rapes and drop out from school	21	6.9%
Obstructed education/school dropouts/absenteeism from classes	78	25.6%
Lack of child development	5	1.6%
Loitering during school hours	28	9.2%
Illiteracy	5	1.6
No response	45	14.8%
Use of drugs	11	3.6%
Lack of adequate basic needs	20	6.6%
Physical abuse, harassment	18	5.9%
Stealing, contracting infectious disease	17	5.6%
TOTAL	305	100.%

As in Table 10 above shows, fifteen (15) incidences of violating children's rights were mentioned. Problems related to right to education as per Article 28 of the CRC constitute 78 (25.6%) of all responses provided. In the interviews children revealed that violation of their rights has close relationship with other violations. An example of illiteracy among young women could be the result of early marriages and teenage pregnancies.

Table No.11: AWARENESS ABOUT FRIENDS OR RELATIVES WHO VIOLATED CHILDREN'S RIGHTS

RESPONSES	QUANTITY	PERCENTAGE
YES	143	46.9%
NO	148	48.5%
DO NOT KNOW	14	4.6%
TOTAL	305	100. %

As Table 11 above shows, forty-seven 143 (**46.9%**) of the interviewed children were aware of friends or relatives who have ever violated child rights. The question intended to assess whether children do remember the events and the responsible persons. The impact on children who witness the violations is not known but no doubt they are affected psychologically. For example a child who knows that another child has been raped will develop emotional fear which cannot be noticed

externally and therefore he/she can not be counselled on how to manage situations and to protect himself/herself from distress related effects.

Table No. 12 VIOLATIONS AGAINST FRIENDS' AND RELATIVES AS MENTIONED BY CHILDREN

VIOLATIONS	QUANTITY	PERCENTAGE
Lack of education	19	6.2%
Child labour	25	8.2%
Selling scrappers	1	0.3%
Discrimination	7	2.3%
Doing petty business	10	3.3%
Denied school contributions	4	1.3%
Canning and drop out from school	8	2.60%
No response	174	57. %
Harassment and Discrimination	30	9.8%
Early marriages and pregnancies	19	6.2%
Raping	7	2.3%
Use of drugs	1	0.3%
TOTAL	305	100.%

The findings revealed that Children know about their colleagues who and relatives who have been denied the right to education; this was noticed through school/classroom attendance. Also they know their colleagues who have been harassed and discriminated against. Out of **12** violations mentioned, harassment and discrimination appeared **30** times i.e. **9.8%** followed by child labour by 25 (8.2%). Under CRC article 19 State Parties are called to take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parents, legal guardians or any other person who has the care of the child.

Table No. 13 WITNESSING VIOLATIONS OF CHILDREN'S RIGHTS BY GUARDIAN /PARENT

RESPONSES	QUANTITY	PERCENTAGE
Yes	140	45.9%
No	148	48.5%
Not aware	17	5.6%
TOTAL	305	100.00%

As Table No.13 above shows, despite the fact that children have knowledge about other children being affected, 140 (45.9%) of them said that they have witnessed the rights of their fellow children being violated.

TABLE No.14 TESTIMONIES ABOUT VIOLATIONS

VIOLATIONS	QUANTITY	PERCENTAGE
Physical abuse, denied food	18	5.9%
Torture, denied education	51	16.7%
Abandonment	3	1.0%
Petty business/Traders	11	3.6%
Denied enrolment in school	13	4.3%
Coerced into marriages without consent and early pregnancies	17	5.6%
No response	173	56.7%
Raping	4	1.3%
Expelled from school due to lack of school fees	6	2.0%
Accused of theft	3	1.0%
Denial freedom of expression	1	0.3%
Harassment and discrimination	5	1.6%
TOTAL	305	100.0%

Table No. 14 above shows that, fifty one **51 (16.7%)** children said that they have witnessed violations of children's rights i.e. harassment and denial of education other mentioned violations including beating, denial of foods, forced marriages early pregnancies, expelled from school due to lack of school fees, harassment and discrimination.

Table No. 15: POSSIBILITIES OF PREVENTING VIOLATION OF CHILDREN'S RIGHTS

RESPONSES	QUANTITY	PERCENTAGE (%)
Yes	239	78.4%
No	15	4.9%
Not aware	51	16.7%
TOTAL	305	100.0%

As Table No. 15 above shows that, two hundred and thirty nine 239 (78.4%) of the interviewed children believe that violation of children's rights can be prevented.

Table No. 16: POSSIBILITIES OF PREVENTING VIOLATIONS

REASONS	QUANTITY	PERCENTAGE
To educate the public on the rights of the child	99	32.4%
To assist children to fight for their rights	32	10.5%
Reduce school contributions	3	1.0%
No response	90	29.5%
Punishment for those who violate children's rights	69	22.6%
Children be given freedom of expression	10	3.3%
Ignorance of child rights and how to protect them	2	0.7%
TOTAL	305	100.0%

During the interview children pointed out that reason for violation of children's rights in Zanzibar are not known and violators are not punished. This means there is a

need to take appropriate measures to protect children, to educate the public and take actions against the perpetrators.

Table No. 17 WHAT CAN BE DONE TO ASSIST VICTIMS?

	QUANTITY	PERCENTAGE (%)
Victims be provided with clothes, food and other basic needs	69	22.6%
Disseminate public education on human rights, particularly children's rights	77	25.2%
Legal measures should be taken against violators	88	28.9%
Homeless /street children should be taken care by their relatives	4	1.3%
No response	64	21.%
Children's who became pregnant at early age should be reintegrated to school	3	1.%
TOTAL	305	100.%

4.6 Challenges from children on measures to be taken:

As Table No. 17 above shows, eighty eight (88) children i.e. **(28.9 %)** out of **305** of all interviewed children responded that in order to help the victims of the violations of children's rights, legal measures should be taken against the violators. They also advised the government to educate the public about human rights including children's rights. Children be provided with basic needs such as clothes and food. School children who become pregnant should be allowed to go back – be reintegrate to school after delivering.

Table No 18 READINESS OF CHILDREN TO PROVIDE OPINIONS

	QUANTITY	PERCENTAGE (%)
Fear to be beaten	26	8.5%
No response	294	96.4%
Secrete	4	1.3%
Unable to express him/herself before the public	2	0.7%
TOTAL	305	100.%

As Table 18 above shows, 294 out of 305 of the respondents (adults and children)

have no idea why public do not report violations of children's rights. 26 (8.5%) children said that they fear to reports the violations because the violators are adult persons who are physically and economically superior. Some are afraid of the threats from the perpetrators and others cannot express themselves. According to recommendation provided, citizens are obliged to monitor children's rights and report any incidence concerning violations of children's rights.

Table No. 19: ADDITIONAL INFORMATION

	QUANTITY	PERCENTAGE (%)
CHRAGG to implement human rights education	26	8.5%
Government should provide assistance to children from poor families and abolish violations against children's	115	37.7%
Corporal punishment in schools is the cause of some parents not wanting to enrol their children in school.	5	1.6%
Abusing step children must stop	7	2.3%
No response	138	45.2%
Stakeholders' opinion should be worked on	11	3.6%
Society should stop raping and smoking of marijuana and cigarettes	3	1.0%
Total	305	100.5

When researcher solicited additional information from respondents as Table No. 19 above shows, thirty seven point seven percent (**37.7%**) urged the Government to take measure to stop violations against children and protect them by providing assistance. Also Commission urged to raise awareness through human rights education particularly children's rights education. Stakeholders' opinions urged to be worked on, society was urged to stop abusing their stepchildren, raping and smoking marijuana.

4.7 ANALYSIS OF ADULT QUESTIONNAIRES

As Table No. 20 and 21 below shows, information was collected from **392** adults in five (**5**) regions and six districts (**6**) in Zanzibar Islands and Pemba respectively.

One hundred and seventy five (175) were men; two hundred and fourteen (214) were women and three (3) groups

Table No. 20: Number of adults that filled questionnaires per region

REGION	QUANTITY	PERCENTAGE
NORTH UNGUJA	84	21.4%
MJINI MAGHARIBI	140	35.7%
SOUTH UNGUJA	43	11.0%
SOUTH PEMBA	63	16.1%
NORTH PEMBA	62	15.8%
TOTAL	392	100.0%

Table No. 21: Number of adults that filled questionnaires in each district

DISTRICTS	QUANTITY	PERCENTAGE
North "A"	44	11.2%
North "B"	40	10.2%
Kati	47	12.0%
Mjini	136	34.7%
Wete	43	11.0%
Chakechake	82	20.9%
Total	392	100.0%

Table No. 22: Known violations of children's rights

VIOLATION/ABUSE	QUANTITY	PERCENTAGE
Rapes	20	5.1%
Harassment	51	13.0%
Denial of education	7	1.8%
Denial of school and social needs	4	1.0%
Early marriages	11	2.8%
Abandonment of children	4	1.0%
Sodomizing	7	1.8%
Teenage Pregnancies	5	1.3%
Child labour	51	13.0%
Denial of food	4	1.0%
To be exposed to commercial and trading activities	33	8.5%
No responses	55	14.0%
Defiling and to be made vendors	26	6.6%
Biting and early pregnancies	43	11.0%
Discrimination	17	4.3%
Lack of upbringing and denial of education	45	11.5%
Burning children	7	1.8%
Being infected by diseases	1	0.3%
Infanticide/ throwing children	1	0.3%
Total	392	100.0%

As Table No. 22 above shows a total of fifty- one (**51**) adults equals to **13%** out of **392** interviewed persons said that harassment/abuse and child labour are leading in violating children's rights. Others include lack of good upbringing and education, beating children, pregnancies at tender age and to be given tedious work. This means that the issues of violation of children's rights are well known by Zanzibar community.

Table No. 23: Known violations of children's rights along the beaches		
VIOLATIONS/ABUSES	QUANTITY	PERCENTAGE
Scraping fish	20	5.1%
Sorting items in the market such as tomatoes, onions	5	1.3%
Work as porters	3	0.85
Quarrying	6	1.5%
Defiling children	4	1. %
Collecting scrap metal	1	0.3%
Chopping firewood	1	0.3%
Hiring and riding oxen carts	6	1.5%
Truancy and begging from tourists	8	2. %
Imitating promiscuous behaviour	7	1.8%
Lack of guidance and loitering	9	2.3%
Rapes	32	8.2%
Physical abuse/Assault	14	3.6%
No response	53	13.1%
Early marriages	3	0.8%
Vending/doing petty businesses	51	13.1%
Legal harassment	20	5.1%
Gender violence	11	2.8%
To be incorporated in criminal acts	6	1.5%
Ignoring children's, oppression, isolating children	12	3.1%
Sodomizing children	19	4.8%
child labour	47	12. %
Humiliation	50	12.8
Be infected by diseases	4	1.%
Total	392	100.%

Table No. 23 above shows activities carried out by children along the beaches. Such activities included vending/doing petty businesses (13.1%), humiliation (12.8%), child labour (12%), scraping fish (5.1%), quarrying (1.5%), commercial sex and begging from tourist. There are other activities done by children for the purpose of supporting their family income, including doing errands in the market places.

Table No. 24: LEVEL OF AWARENESS OF THE EFFECTS OF VIOLATION OF CHILDREN'S RIGHTS

RESPONSES	QUANTITY	PERCENTAGE
YES	356	90.8%
NO	14	3.6%
NOT AWARE	22	5.6%
TOTAL	392	100.%

Table No. 25: EFFECTS OF VIOLATING CHILDREN'S RIGHT

EFFECTS RESULTING FROM VIOLATIONS	RIGHT VIOLATED	QUANTITY	PERCENTAGE
Dropped out of school	Right to education	6	1.5%
Delayed to enrol in school	Right to education	3	0.8
Denied school fees	Right to education	4	1. %
Physical abuse	Right to health	59	15
Denied good upbringing	Right to life	8	2%
Physical disabilities	Right to be protected	3	0.8%
Acquire infectious disease	Right to health	13	3.3%
Increased number of street children	Right to be protected	7	1.8%
Lack of leisure time	Right to leisure and to play	3	0.8%
No response		74	18.9
Deterioration of ethics	Right to growth	9	2.3%
Early marriages	Right to be protected	8	2%
Imitation of bad behaviours by children	Right to growth and development	6	1.5%
To do tedious work	Right to be protected	6	1.5%
To be infected and the use of drugs	Right to health	13	3.3%
To be affected by diseases and drug abuse	Right to be protected	41	10.5%
Poverty	Right to development	22	5.6%
Promiscuity and become infected by disease	Right to health	29	7.4%
To be raped and denied education	Right to education	10	2.6%
Maternal deaths	Right to health	2	0.5%

Total	392	100%
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Information about effects of violating children's rights are well documented and the research maintains that there are negative effects that can affect the child in different ways. Some of which affects the victim for the rest of his/her life. Table No. 24 above has shown that in this research right to health ranked higher 116 (29.5%) out the 392 interviewed adult persons followed by right to education 23 (5.9%). Effects resulting from such violations of children's rights including physical and psychological effects. Lack of action taken against violation of children's rights leads to the increase in violations and also provides loophole to the violators to continue. The research did not aim only at getting the statistics but also in identifying case studies that could be throw more light of the predicament of children who are victims of violations. Table below No. 26 below shows that the general public is aware of the violation of children's rights.

Table No. 26 General public awareness of the violation of children's rights.

RESPONSES	QUANTITY	PERCENTAGE (%)
Yes	249	63.5%
No	107	27.3%
Do not know	36	9.2
Total	392	100.%

As Table No. 26 above shows, the conclusion can be drawn that, awareness about children's rights and possible types of violations in Zanzibar is high. It also means that children's rights form part of discourses in communities and their analysis is essential in establishing ways of dealing with problems at hand.

Table No. 27 CASES THAT LEAD TO VIOLATION OF CHILDREN'S RIGHTS		
VIOLATION CASES	QUANTITY	PERCENTAGE
Dropping out of the school and engage in petty businesses/	21	5.4%
Releasing suspects of crime against children	1	0.3%
Raping/Sodomizing	17	4.4%
Forced into marriage at tender ages	5	1.3%
Denied education	26	6.6
Harassment against children	12	3.1%
Lack of care/supervision in school and in " <i>madrasa</i> "	6	1.5
Forced to work at tender age	43	11.0%
Take care of animals	1	0.3%
Drop out from school and engage in hiring and driving oxen carts	6	1.5%
To be abandoned	15	3.8%
To be beaten	8	2.0%
Denied right to give opinions	5	1.3%
No response	127	32.4%
Lack of better upbringing	42	10.7%
To be abused, raped and engage in illegal business	36	9.2%
To become pregnant at early ages	15	3.8
Poverty	3	0.8%
Forced to do tedious work and denied basic needs	2	0.5%
Denied education and forced into marriage at tender age	1	0.3
Total	392	100.0%

Table No. 27 above has indicated that, violations of children's rights occurred in the researched areas by 67.6 %. Adult knowledge also concludes that awareness among children about their rights is not that different. The information rationalizes the importance of dealing with these violations with an aim of eradicating them

Table No. 28: VIOLATIONS THAT OCCUR FREQUENTLY

VIOLATIONS THAT OCCUR FREQUENTLY	QUANTITY	PERCENTAGE
Roaming in night clubs	5	1.3%
Dropping out from school and engaging in petty businesses along the beaches	24	6.1%
Abandoning infants	1	0.3%
Raping/defilement and sodomizing children	25	5.6%
Hiring and driving cow/oxen carts	7	1.8
Dropping out from school to get married	6	1.5%
Forced to work at tender ages	45	11.5%
Early pregnancies	19	4.8%
Selling scrape metals	10	2.6%
Denied right to education	43	11.5%
Abandoning children	12	3.1%
No response	127	32.4%
Stealing infants	2	0.5%
Physical abuse	7	1.8%
Engaging in using and selling drugs	11	2.8%
Denied right to participate in making decision	6	1.5%
Early marriages and pregnancies	23	5.9%
Physical abuse and rape	3	0.8%
Sodomy, beaten and abandoned	5	1.3%
Trafficking in person, forced into marriage and torture	3	0.8
Raping, contracting infectious disease, death	2	0.5%
Pregnancy and the use of drugs	6	1.5%
Total	392	100. %

Known frequent violations as identified in Table No. 28 above are: child labour, denied education, sexual abuses that result into early marriages, pregnancies, and abandonment. While child labour could be defined as ways of preparing children for adulthood, citizens on a one to one basis recognise the activities that constitute child labour and its negative effects

Table No. 29: COMPARISON OF VIOLATIONS ACCORDING TO DISTRICT

	QUANTITY	PERCENTAGE
In urban district there is no violations regarding agricultural activities compared to rural districts	73	18.6%
There are more violations in North “B”district compare other districts due to tourist activities	3	0.8%
Denied right to education and do tedious work occur in all districts	130	33.2
“ <i>Mjini Magharibi</i> ” district has more cases of raping and sodomizing children	10	2.6%
There are few violations of children's rights in <i>Mjini Magharibi</i> ” district compare to other districts	8	2. %
No Response	166	42.3%
There are more problems related to school attendance in rural districts compare to urban districts	2	0.5%
Total	392	100.%

Out of the interviewed persons, 130 (33.2%) denied right to education and do tedious work is the same in all districts in Zanzibar and Pemba islands. During the interviews it was argued that children in Zanzibar are in better conditions compared to those in Tanzania main land and that people want to maintain that situation through ethical behaviours. Seventy three respondents (73) i.e. 18.6% show that there is no many cases in urban districts compared to rural districts. Responses showed that there are differences between urban and rural areas concerning child protection to imply that tourist resorts are associated with violation of children's in various ways e.g. loitering and begging and engaging in petty businesses.

Table No. 30: PRESENCE OF STRATEGIES TO ELIMINATE VIOLATIONS OF CHILDREN'S RIGHTS

RESPONSES	QUANTITY	PERCENTAGE
Yes	171	43.6%
No	7	1.8
Do not know	214	54.6%
Total	392	100.%

The researcher wanted to know to what extent there are in place strategies for eliminating violations of child rights as Table No. 30 above shows, less than 50% of

the respondents agreed that there are strategies to eliminate or reduce violations of children's rights and the strategies are listed in Table 31 below.

TABLE No. 31 STRATEGIES TO ELIMINATE VIOLATIONS OF CHILDREN'S RIGHTS

STRATEGIES	QUANTITY	PERCENTAGE
Strengthen relationships between different organisations	51	13. %
Establish an institution that will educate the public about children's rights	47	12. %
Measures taken by authorities when violations are reported	13	3.3%
Establish a unit that will deal with counselling	11	2.8%
School committees to collaborate with authorities	15	3.8%
Ban food vending activities that involve children	3	0.8%
No responses	226	57.7%
Enact laws that will protect children	16	4.1%
Ban corporal punishment in schools	2	0.5%
Educate the public, monitor and implement laws that protect children	8	2. %
Total	392	100. %

As Table No. 31 above shows, over 50% of the respondents have opinion that there are no strategies to combat/control violation of children's rights. This means that the existing strategies are not well implemented to impress the public. However, they mentioned some strategies that will help to control violations of children's rights to include educating the public about child rights and improving relationships among stakeholders strategies were mentioned more frequently. This provided some signals on the possible felt needs and gaps in implementing programmes to protect children

TABLE No.32: AREAS OF IMPROVEMENT

SUGGESTED IMPROVEMENT	QUANTITY	PERCENTAGE
Establish network of families	10	2.6%
School projects	3	0.8%
Strengthen activities of social welfare officers	1	0.3%
Strengthen NGOs activities	1	0.3%
Involvement of law enforcement organs	12	3.1%
Educate the public	32	8.2%
Others	1	0.3%
No response	49	12.5%
Establish network of families, strengthen NGOs' activities, school projects, to strengthen activities of social welfare, involvement of law enforcement organs, educate the public	70	17.9%
Establish network of families, involvement of law enforcement organs, educate the public	45	11.5%
Establish network of families, school projects, strengthen activities of social welfare department,	7	1.8%
Establish network of families, Strengthen NGOs' activities, educate the public	48	12.2%
School projects, strengthen activities of social welfare, educate the public	15	3.8%
Involvement of law enforcement organs, educate the public	21	5.4%
To strengthen activities of social welfare, involvement of law enforcement organs, educate the public	13	3.3%
Establish network of families, educate the public, school projects,	25	6.4%
Establish network of families and increase involvement of law enforcement organs	6	1.6%
To establish network of families, educate the public,	25	6.4%
School projects, involvement of law enforcement organs, educate the public	6	1.5%
Establish network of families, strengthen activities of social welfare, involvement of law enforcement organs, strengthen NGOs activities, educate the public	2	0.5%
Total	392	100.0%

From table No. 32 above, persons interviewed reiterated the importance of public education, involvement of law enforcers and recognizing the role of the family by identifying same as areas that demand improvement.

Table No. 33: PREVENTION OF VIOLATIONS BY PUBLIC

RESPONSES	QUANTITY	PERCENTAGE
Yes	286	73.%
No	51	13.%
Do not know	55	14.%
Total	392	100.%

Table 33 above shows that, the public perception on prevention of human rights violations is high at 73%.

Table No. 34: HOW TO PREVENT CHILDREN'S RIGHTS

MEANS OF PREVENTION	QUANTITY	PERCENTAGE
To raise awareness among parents and guardians to educate their children	131	33.4%
To report to appropriate authorities the violations of children's rights	51	13.%
To provide recommendations to the Government	19	4.8
To provide assistance to children from poor families	4	1.%
Sensitizing children to report violations	5	1.3%
To collaborate in upbringing children	30	7.7%
No Response	122	31.1%
To counsel children	15	3.8
To educate the public and to collaborate in upbringing children	15	3.8%
TOTAL	392	100%

The above Table No. 34 indicates that, preventing human rights violation against children is in the hands of citizens through monitoring and reporting. These include public education and providing the necessary services to victims of violations.

Table No. 35: REASONS LEADING TO THE VIOLATION OF CHILDREN'S RIGHTS

REASONS	QUANTITY	PERCENTAGE
No serious measures taken against the violators of children's rights	16	4.1%
Imitate bad deeds from naughty children	5	1.3%
Poverty due to low income of the family	64	16.3%
Existence of business of hiring oxen cart attracts children	2	0.5%
Breaking of marriage (Divorce)	18	4.6%
Lack of parental care	27	6.9%
No response	87	22.2%
Deterioration of ethics	9	2.3%
Hard and tedious work	7	1.8%
Parent's illiteracy	49	12.5%
Harassment/humiliation	9	2.3%
Witchcraft beliefs	1	0.3%
Discrimination	9	2.3%
Torture	43	11.1%
Family conflicts and being orphan	41	10.5%
Early marriages	5	1.3%
Total	392	100.0%

Table no. 35 above shows that sixteen point three (16.3%) percent of all interviewed persons said that the main reason for violation of children's rights is poverty. Many people who imply that poverty has much contribution to violation of children's rights have mentioned this. Other reasons are such as parents' ignorance, torture, deterioration of ethics, conflicts within families and being orphan. As it is demonstrated in preceding pages the research established a practical framework where manifestations of child rights violations were identified. In Table 30 the research started to identify the causes of human rights violation against children

Table No.36: DUTY BEARERS CONCERNING CHILDREN'S RIGHTS

DUTY BEARER	QUANTITY	PERCENTAGE
Government	48	12.2%
Parents/guardians	70	17.9%
Non Governmental Organizations (NGOs), Community Based Organizations (CBOs)	1	0.3%
Local Leaders (Masheha)	1	0.3%
Children	1	0.3%
Law Enforcement Organs	3	0.8%
No response	64	16.3%
Society/community	86	21.9
Government, Parents/guardians, Society/community	43	11.%
Government, Parents/guardians	24	6.1%
Government, Society/community	24	6.1%
Government, Law Enforcement Organs, Society/community	23	5.9%
Society/community, Parents/guardians	4	1.%
TOTAL	392	100.%

The above Table No.36 shows that, eighty six (86) interviewed person i.e. 21.9 % said that society/community should be a duty bearer in issues concerning children's rights; this implies that community is responsible in protecting children's rights. Other duty bearer includes parents/guardians and Government.

Table No. 37: VIOLATIONS RESULT FROM EFFECTS OF PARENTS' CONFLICTS:

EFFECTS	QUANTITY	PERCENTAGE
Lack of parental care	154	39.3%
Separation from Parents	15	3.8%
To imitate bad deeds	11	2.8%
Abandonment of children	20	5.1%
Psychological effects	28	7.1%
Illiteracy	17	4.3%
No response	65	16.6%
Abandonment	70	17.9%
Early marriages	12	3.1%
Total	392	100.0%

Table 37 above shows that lack of parental care is caused by parents' conflicts. Other effects include abandonment, psychological effects and illiteracy.

Table 38: NEEDS FOR PUNISHMENT/TORTURE

RESPONSE	QUANTITY	PERCENTAGE
Yes	111	28.3%
No	213	54.3%
Do not know	68	17.3%
TOTAL	392	100.0%

Table No. 38 shows that **213** i.e. **54.3%** of the interviewed persons said that it is not necessary to punish or torture children due to their misdeeds. One hundred and eleven (**111**) i.e. 28.3% of the interviewed said that there is a need to punish/torture children due to mischievous.

Table No. 39: REASONS FOR PUNISHMENT/NO PUNISHMENT

REASONS	QUANTITY	PERCENTAGE
Punishment should not have physical or psychological torture	39	9.9%
Use alternative punishment	68	17.3%
Parents should love their children and educate them	13	3.3%
Children should not be punished because they have not been matured	6	1.5%
Control source of offences instead of using punishment	9	2.3%
Punishment cause children to become chronic	39	9.9%
Light punishment should be administered to children	43	11.1%
Conduct training to children	66	16.8%
No response	97	24.7%
Lack of confidence	7	1.8%
Discouragement	5	1.3%
Total	392	100.0%

Table No. 39 shows that ninety-seven (**97**) i.e. 24.7 % of the interviewed person said that children should not be punished. However, others had different opinions such as to have alternative punishment that aim at rehabilitating a child (training), only light punishment should be administered that would not have physical and psychological effects. Parents are advised to adhere to their responsibility of taking care to their children and educate them.

Table No. 40: MEASURES TAKEN BY POLICE/MILITIA MEN/VEO/COURT

RESPONSE	QUANTITY	PERCENTAGE
Yes	88	22.40%
No	205	52.30%
Do not know	99	25.30%
TOTAL	392	100.00%

Table No. 40 shows that, 205 (52.30) of the respondents said that police, militiamen, judiciary and local leaders (masheha) do not act immediately or seriously when violations of child rights get reported to them.

Table No. 41: EXPLANATIONS ON MEASURES TAKEN BY POLICE/MILITIA MEN/VEO/COURT

MEASURES	QUANTITY	PERCENTAGE
Police to accord cooperation	17	23.0%
Early marriages	4	1.0%
Prosecute sexual offenders	24	6.1%
Local leaders be involved in settling conflicts among parents	2	0.5%
Police do not take immediate measures	9	2.3%
No measures taken	310	79.1%
Police do report to the appropriate authority	16	4.1%
Educate the public	8	2.0%
To suspend children's	2	0.5%
TOTAL	392	100.0%

The above Table No. 41 show that, three hundred and ten (310) of the interviewees said that no measures taken by police/militia men/VEO/court to find solution of any violation of children's rights. Public are discouraged by the way law enforcement organs fulfil their duties of protecting children's rights and human rights in general. However, others said that police cooperate with the community on report of sexual violations to the appropriate authorities are also being prosecuted.

Table No. 42: TYPE OF PUNISHMENT ADMINISTERED IN SCHOOLS

TYPES OF PUNISHMENT	QUANTITY	PERCENTAGE
Canning	90	23.0%
Be detained in the classroom	2	0.5%
To do general Cleanliness in the school surroundings	18	4.6%
To make cleaning facilities	29	7.4%
To work in school projects	13	3.3%
To be warned	18	4.6%
No punishment	83	21.2%
Kneeling and physical drill	3	0.8%
Quiring	1	0.3%
Suspension	2	0.5%
Transfer	1	0.3%
Cleaning areas surrounding school	43	11.0%
Canning and general cleanliness	61	15.6%
Make cleaning facilities, physical punishment and quiring	23	5.6%
Discontinued from school	5	1.3%
Total	392	100.0%

Table No. 42 shows that, twenty three percent (23%) of the interviewed persons said that canning is the most punishment administered in schools. This punishment is against article 32 of the International Convention on the Rights of the Child (CRC 1989). Other punishment mentioned were general cleanliness around the school, kneeling, quiring, suspension and transfer from one school to another.

Table No. 43: OPINIONS GIVEN AS TO WHETHER PUNISHMENT SHOULD CONTINUE OR NOT

OPINIONS	QUANTITY	PERCENTAGE
Punishment should be administered, it maintain discipline	233	59.4%
Punishment should not be administered	72	18.4%
No response	87	22.2%
Total	392	100.0%

According to the above Table No. 43, majority of the interviewed persons prefer administering punishment to children's as the means of correcting them.

Table No. 44: MEANS TO ELIMINATE VIOLATION OF CHILDREN'S RIGHTS

MEANS	QUANTITY	PERCENTAGE
Cooperation between law enforcement organs and the community	70	17.90%
To educate the public	138	35.20%
To educate children on their rights	16	4.10%
Binding laws to violators of children's rights	40	10.20%
No response	76	19.40%
To strengthen social welfare activities	13	3.30%
Strengthen ethos	5	1.30%
Cooperation in upbringing	30	7.70%
Commission should supervise juvenile justice	4	1.00%
Total	392	100.00%

Table No. 44 above indicates that, large number of interviewed person i.e. one hundred and thirty eight (138/35.2%) suggested that to educate the public is the best way to eliminate the violation of children's right. Other means include cooperation between law enforcement organs and the community, existence of binding laws to violators of children's rights, cooperation in upbringing, to educate children on their rights and to strengthen social welfare activities.

Table No. 45: ADDITIONAL INFORMATION

ADDITIONAL INFORMATION	QUANTITY	PERCENTAGE
To abolish all violence against children	23	5.90%
Government to improve life standards	12	3.10%
Responsible authorities to serious measures	23	5.90%
Equal opportunity for all groups	3	0.80%
Commission to continue visiting Zanzibar	32	8.20%
To educate children on their rights	29	7.40%
There should be boundaries in protecting children's rights	4	1.00%
No response	232	59.20%
Suggestions should be worked on	17	4.30%
Community should be responsible in dealing with children's rights	2	0.50%
Total	392	100.00%

The above Table No. 45 shows that, fifty nine point two percent 232 (59.2) of the respondents had no additional information on implementation of children's rights. Additional information given was as follows: Commission to have regular visit in Zanzibar, to educate children on their rights, to fight violations against children, to improve life standards of people. This research has shown that people are not interested in discussing in details issues related to the violation of children's rights; however there are many cases of children's rights violation in Zanzibar.

CHAPTER FIVE

5.0 CONCLUSION, SUGGESTIONS AND RECOMMENDATIONS

5.1 SUMMARY

5.1.1 Abandoning children

The problem of abandoning children has persisted due separation of parents, death of parents, poverty, early marriages, transfer of parents, urban migration to look for better jobs. Abandoning children is against International Convention on the Rights of Child. (CRC 1989) articles. 3, 5, 9, 18 and 19 which require State parties to ensure protection, care and well being of a child. Also the Revolutionary Government of Zanzibar has put in place rules and regulations that protect children. According to Zanzibar marriage act of 1985, article 13 of the penal code and article 191 of Zanzibar laws state clearly that parents are legally responsible for the protecting and guiding children in a good manner. The Government has set programmes such as MKUKUTA and MKUZA to alleviate poverty, which is among causes of violations of children's rights. The Government also cooperates with CSOs in protecting and preserving rights of street children, orphans and victims of HIV/AIDS.

5.1.2 Lack of health services to children

International Convention on the Rights of Child (CRC 1989) article 6 requires the following:

- a) **“State Parties recognize that every child has the inherent right to life.”**
- b) **“State Parties shall ensure to the maximum extent possible the survival and development of the child”**

Right to life is connected with the duties of parents and Government in ensuring the well-being of a child. Basically parents are responsible to upbringing their children in a good manner. Government should reduce mortality rate for children, combat diseases and ensure provision of sufficient food, clean and safe water and prohibit death sentences to children. Therefore poor health services are against CRC.

It is known that children suffer from different diseases such as Malaria that causes death before reaching adulthood. Article 24 of CRC states that, **“State Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment.”**

In ACRWC and the Constitution of Revolutionary Government of Zanzibar it is stated that right to health is a fundamental right to a child. This has been incorporated in the Maternal Child Health Programmes under the policy of Survival, Protection and Development of the Zanzibar Child of 2001 and the Women and Development Policy of 2001. The Commission recommends cooperation between parents, doctors, public health workers, and Government in fulfilling their duties. There are effects caused by poor health services such as to be stunted, poor psychological and physical development etc.

5.1.3 Right to freedom of expression and participation

Children in Zanzibar are complaining that they are not respected, not ensured right to express their views and participation. To be denied these rights is against African Charter on the Rights and Welfare of the Child (ACRWC). International Convention on the Rights of the Child (1989) insists on the right to be heard and participate in decision making on matters concerning their lives. It is insisted that a child should be heard and his/her views respected in Courts and other places in all issues, which affect him/her in one way or another. Children should be given an opportunity to express their views because it is their fundamental right.

- Freedom of speech and expression
- Globalization and Technological advancement
- Role of Media
- Choice of Programs

5.1.4 Right to education

The findings from this research have shown that there are different reasons that cause children to be denied their right to education. Such reasons include poverty among parents, un-conducive learning environment leads to truancy, pregnancies to school children and repeating classes. The findings has revealed that truancy in schools has been contributed by the following:

- a) Parents force their children to engage in activities that will earn the income of the family
- b) Deficiency of desks for children to sit on
- c) Teachers being discouraged and demoralized due to indiscipline of pupils, no measures taken by Ministry of Education Zanzibar
- d) Punishment and harassment by teachers, some parents and commuter buses
- e) Lack of facilities for disabled children in ordinary schools

In general all these hinder the efforts of Revolutionary Government of Zanzibar of providing quality education to all children. Zanzibar education Act No 4 of 1993 was enacted for the purpose of eliminating illiteracy and brings about development and that the Revolutionary Government of Zanzibar committed to provide primary and secondary education for every child. Poor education services is against CRC, ACRWC, and other International conventions such as Education for All (EFA), Millennium Development Goal (MDGs), and MKUZA insist that education is a fundamental right to every child. For that case the Commission recommend that teachers and parents should have closer cooperation in preparing education programmes that aim at developing children so as to reduce drop out rate and remove school contributions if possible. The programme of giving children second chance to resume classes is a good example to be followed. More effort is needed to disseminate public education on importance of education so that children remain in classes.

5.1.5 Punishment to children in their families.

According to the research results children's rights had have been violated by parents or guardians by giving them heavy punishment including canning, being denied food, burning, and extreme beating, all these brutalities are against human rights and children's rights as well. Torture and punishment administered to children is against CRC and the laws of the land. Articles 19 and 34 of CRC states that, State Parties shall protect children from all forms of physical or mental violence, maltreatment, injury or abuse. In Zanzibar these are stipulated in penal code article 13 of 1986.

In this context it is wise to educate the community to abstain brutality to children. It is recommended that punishment administered by parents to children should not violate the laws of the land and should take into consideration the kind of offence.

5.1.6 Punishment to children in schools

This research has revealed that in schools children are given heavily punishment such as canning (uncountable strokes), locked outside classrooms, suspension, torture etc. It should be remembered that the Ministry of Education has given guidelines on how to administer punishment to pupils due to the fact that other kind of punishments are against laws of the land. Teachers are reminded to abide with the Zanzibar Education Act on how to administer punishment. It is recommended to teachers to use alternative punishment instead of canning.

5.1.7 Sexual abuse

According to the findings of this research and the public enquiry, the issue of sexual abuse was not discussed openly; however there were discussions on raping cases. Female children said that they are aware of the raping and insisted that they hate it. Sexual abuses such as raping and defiling are becoming common and increasing in the community.

Though there are laws which prohibit these abuses, the acts seems to increase. In this regard there is a need to find out an alternative means to prevent these abuses starting at family level; also Government and religious leaders are in good position to criticize these sexual abuses which are becoming chronic in the community.

Article 19 of CRC provides for protection of a child in all forms sexual abuse such as raping and defilement. Zanzibar penal code of 1986 article 13 explains that raping, sexual abuse, or a sexual affair with a child without his/her consent is a criminal offence. According to article 145 B (1) of Zanzibar Penal code sexual abuse is a criminal offence. Article 125 explains that to have sexual intercourse with a girl or a boy is a criminal offence and the offender is sentenced to serve 30 years in jail.

The findings from adults said that girls are protected so that they may not be "spoiled". If this habit is maintained then Zanzibar will be a good example in

protecting girl child against sexual abuse. Sexual abuse for boys has been mentioned in the questionnaires, which seems that they exist. Early strategies are needed especially in taking legal measures against the offenders in order to prohibit and criminalize such abuses. Also is recommended that law enforcement organ such as Police and Courts should be careful when dealing with cases concerning raping, defiling and sodomizing children so that the public can have confidence on them and the Government in general.

5.1.8 Early marriages and pregnancies

Right to survival, protection, development and participation need to be protected. As per research result, forced marriages after being caught committing adultery and early marriages are common issues in Zanzibar. In line with CRC and ACRWC article 21(2), the Policy on the Survival, Protection and Development of the Child, 2001 (Zanzibar) highlights the effects facing children who marry early and become pregnant before maturity age. Also Zanzibar Education Act of 1982, which criminalize child/pupil/students marriages. Any thing that leads to the denial of the child rights is violation.

Forcing a child to marry is the violation of the International Conventions and the laws of the land. The General public have the duty to protect children; they should not force to do things without their consent.

When a girl child becomes pregnant she loses her fundamental rights. Although it may indicate that children involve themselves in an unprotected sex while they are at tender age and put them at risk of contracting sexually transmitted diseases such as HIV/AIDS etc. There is a need to set strategies with stakeholders' i.e parents, teachers, NGOs, Government institution, religious leader and UNICEF in finding appropriate means to eradicate the problem basing on Zanzibar customs

It is important to all stakeholders dealing children's rights to remind parents to observe International Conventions and laws of the land in protecting children's rights.

5.1.9 Children forced to do difficult work

According to the norms and traditions of the people living along the coast, their main activity is fishing. Participation of boys in fishing activities such as scraping fish, picking bait and other related activities is not regarded as child labour but ordinary activities of fishermen community. However, researchers have witnessed some children engaging in activities that seem to be worst form of child labour, which is against ACRWC, ILO Convention of 1982, and some laws of the land, which prohibit worst forms of child labour. This portray bad image of the country since there are some laws to implement programmes that prohibit worst forms of child labour. (WFCL).

Children have rights to be protected from economic exploitation, performing any work that is likely to be hazardous. These works interfere with the child's education,

or likely to be harmful to the child's health, physical, mental, spiritual and moral or social development. Children's rights are violated when parents/guardians are forced economically to employ children to do difficult work for the sake of earning family income and other expenditures. In combating worst form of child labour, Revolutionary Government of Zanzibar, NGOs and other stakeholders are obliged to prohibit the situation.

5.1.10 Drugs

It is recommended that children should not be involved in business activities, because by doing so children become attracted and tempted to use drugs such as marijuana and other kinds of drugs. Also when children join adults in doing some activities together they imitate their behaviours including the use of drugs. General public is obliged to protect children from being affected by the use of drugs and have effects such as mental disorder, carelessness, drop out from school, become street children and also endanger their lives

5.1.11 Rights of Children with Disability

Children with disability deserve fundamental rights as other children as it is stated in article 13 of the Constitution of the United Republic of Tanzania and that of Zanzibar that "All person are equal before the law and are entitled, without any discrimination, to protection and equality before the law. This is also stated in International Conventions, which Tanzania has ratified. Despite of Government efforts, children with disability are still abused in public and lack of social services that cater for their needs as disabled children. This is against CRC article 23 which require State parties to ensure extension, assistance for which application is made and which is appropriate to the child's condition. Laws and policies set to improve provisions of education have failed to comply with International standards and CRC regarding inclusive education for disabled children. Lack of emphasis on provision of social services and other needs such as health and sports is against International conventions and laws of the land.

It is recommended that the obligation of parents, community and other stakeholders to ensure that the rights of children with disability are protected and preserved.

5.1.12 Awareness rising on children's rights

Tanzania has ratified the CRC and ACRWC and enacted laws to protect those conventions, for this regards it is obliged to protect children's rights. Protection and preservation of children's rights includes establishment of children committee that brings together stakeholders and children in order to make child rights a cross cutting issue.

Public education on the rights of a child should be continuous in the strategic plan of the concerned ministry, institution and the NGOs in ensuring that rights of the child in education, health, and development are protected

5.1.13 Single legislation dealing with children

There is inconsistency of the age of a child. Different legislations talking about children's matters have provided its own definition of who is a child. Hence child rights protection does not bear fruits due to that inconsistency. It is recommended to have single legislation that will provide a single definition of a child.

5.1.14 Children in conflict with the law

Hearing children cases in normal courts and in remands have experienced problems. It is insisted to have Juvenile and remands homes. The findings revealed that there is great effort in reforming hearing of children cases. This is contrary to the provision of Article 40(1) of the CRC, which provide for a member state to have alternative way to solve problems of children who are in conflict with the law in accordance with fair and sustainability.

The Commission recommends that there should be a proper procedure and centres for treating children/Juvenile and also establish remand homes with all necessary services unlike normal courts and remands, which comprise adults. Children are supposed to be in **Approved Schools** where they will be treated accordingly and developed. Special training for Magistrates, Prosecutors, and Police force about prosecuting children and building their capacity is needed.

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APPENDIX I: LIST OF RESEARCHERS AND PLACES WHERE PUBLIC ENQUIRIES WERE CONDUCTED

No.	PLACE	RESEARCHERS	DATE
1	Urban District Kwa Wazee	Hon. Commissioner: Judge (Retired) Robert H. Kisanga (Chairperson) i) Ms Joyce Macha ii) Mr. Joshua Taramo	04/03/2008
	Kwamtipura	Hon. Commissioner: Jecha S. Jecha (chairperson) i) Mr. Godlisten Nyange ii) Mr. Paul Sulle	04/03/2008
2.	Central District Ghana	Hon. Commissioner: Mohamed R Abdiwawa (chairperson) i) Ms Epiphania Mfundo (Director of research) ii) Mr. Peter Massawe iii) Mr. Sydney Nindi	04/03/2008
	Uroa	Hon. Commissioner: Catherine H. M. Kivanda (chairperson) i) Ms Fides Shao ii) Mr Mustapha K. Yusuph	04/03/2008
3.	Urban District Demokrasia	Hon. Commissioner: Judge (Retired) Robert H. Kisanga (chairperson) i) Ms Joyce Macha ii) Mr. Joshua Taramo	05/03/2008
	Urban District Wanderes	Hon. Commissioner: Jecha S. Jecha (chairperson) i) Mr. Godlisten Nyange ii) Mr. Paul Sulle	05/03/2008
4	Central District Bungi	Hon. Commissioner: Ambassador Mohamed R Abdiwawa (chairperson) i) Ms Epiphania Mfundo (Director of	05/03/2008

		research) ii) Mr. Peter Massawe iii) Mr.Sydney Nindi	
	Central District Machui	Hon. Commissioner: Catherine H.M. Kivanda (chairperson) i) Ms Fides Shao ii) Mr Mustapha K. Yusuph	05/03/2008
5.	North “B” District Bumbwini Makoba	Hon. Commissioner: Judge (Retired) Robert H. Kisanga (chairperson) i) Ms Epiphania Mfundo (Director of research) ii) Ms Joyce Macha iii) Mr. Joshua Taramo	06/03/2008
	North “B” District Mahonda	Hon. Commissioner: Jecha S. Jecha (chairperson) i) Ms Epiphania Mfundo (Director of research) ii) Mr. Godlisten Nyange iii) Mr. Paul Sulle	06/03/2008
6.	North “A” Kidoti	Hon. Commissioner: Catherine H.M. Kivanda (chairperson) i) Ms Fides Shao ii) Mr Mustapha K. Yusuph	06/03/2008
	North “A” Gamba	Hon. Commissioner: Ambassador Mohamed R Abdiwawa (chairperson) i) Ms Epiphania Mfundo (Director of research) ii) Mr. Peter Massawe iii) Mr.Sydney Nindi	06/03/2008
7	North “B” District Kiwengwa	Hon. Commissioner: Judge (Retired) Robert H. Kisanga (chairperson) and Hon Commissioner Catherine H.M.	07/03/2008

		<p>Kivanda</p> <p>i) Ms Epiphania Mfundo (Director of research)</p> <p>ii) Ms Joyce Macha</p> <p>iii) Mr. Joshua Taramo</p> <p>iv) Ms Fides Shao</p> <p>v) Mr Mustapha K. Yusuph</p> <p>vi) Mr. Paul Sulle</p>	
8	Chakechake Kichungwani & Tibirinzi	<p>Hon. Commissioner: Stephen Zacharia Mwaduma (chairperson)</p> <p>i) Mr. Billali Mwanyemi</p> <p>ii) Ms Saada Masoud</p> <p>iii) Mr. Hussein Mbaruk</p> <p>iv) Alfred Machumu</p>	04/03/2008
	Chakechake Mkoroshoni	<p>Hon. Commissioner: Stephen Zacharia Mwaduma (chairperson)</p> <p>i) Mr. Billali Mwanyemi</p> <p>ii) Ms Saada Masoud</p>	05/03/08
	Chakechake Mvumoni	<p>Hon. Commissioner: Safia Masoud khamis (chairperson)</p> <p>i) Mr. Hussein Mbaruk</p> <p>ii) Mr. Alfred Machumu</p>	05/03/08
9.	Wete Mchangamdogo	<p>Hon. Commissioner: Stephen Zacharia Mwaduma (chairperson)</p> <p>i) Mr. Billali Mwanyemi</p> <p>ii) Ms Saada Masoud</p> <p>iii) Ms Matilda Sanka</p>	06/03/08
	Wete Kiungoni	<p>Hon. Commissioner: Safia Masoud Khamis (chairperson)</p> <p>i) Mr. Hussein Mbaruk</p> <p>ii) Alfred Machumu</p>	06/03/08
	Wete	Hon. Commissioner: Stephen	

	Kojani	Zacharia Mwaduma (chairperson) and Hon Commissioner Safia Masoud Khamis i) Mr. Billali Mwanyemi ii) Ms Saada Masoud iii) Mr. Hussein Mbaruk iv) Alfred Machumu v) Ms Matida Sanka	07/03/2008
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APPENDIX II: .QUESTIONNAIRE FOR ADULTS

TUME YA HAKI ZA BINADAMU NA UTAWALA BORA



S.L.P. 2643,
DAR ES SALAAM,
TANZANIA.

DODOSO KUONGOZA UTAFITI KUHUSU UVUNJWAJI WA
HAKI ZA WATOTO ZANZIBAR
(kwa watu wazima)

1. Wilaya: _____
Shehia _____
Kijiji _____

2. Jina la mhojiwa/mtafitiwa _____

3. Jinsia: _____ Umri: _____

4. Je, unafahamu aina ya vitendo vya uvunjwaji wa haki za watoto? Ndiyo _____
Hapana _____

Tafadhali eleza: _____

b) Ni vitendo gani vya unyanyasaji wa watoto vinaweza kutokana na biashara za ufukweni mwa bahari

Tafadhali vitaje:

5. Je, kwa ufahamu wako uvunjwaji wa haki za watoto una madhara yoyote?
Ndiyo _____ Hapana _____

Tafadhali yataje

6. Je kuna tukio lolote la uvunjwaji wa haki za watoto ambalo unalifahamu?

Ndiyo _____ Hapana _____

Kama jibu ndiyo, taja na eleza lilivyotokea/ulivyolisikia

7. Eleza matukio/matatizo ya uvunjwaji wa haki za watoto ambayo yanafanyika hapa kijijini/shehia.

8. Ni tatizo au aina ipi ya uvunjwaji wa haki za watoto uliokithiri katika eneo lako?

9. Unalinganishaje matukio ya uvunjwaji wa haki za watoto yanayotendeka katika Wilaya yako na yale yanayotendeka katika Wilaya nyingine ?

10. Kuna mikakati yoyote ya kudhibiti vitendo vya uvunjwaji wa haki za watoto katika eneo lako?

Tafadhali itaje na eleza jinsi inavyotekezwa

11. Katika maeneo yaliyoorodheshwa hapo chini ni yapi yakishughulikiwa yanaweza kurekebisha tatizo hili?

Mtandao wa familia ¹: _____

Miradi ya shuleni ²: _____

Kuimarisha shughuli za Maafisa Ustawi wa Jamii: _____

NGOs (ASIZE) kuimarisha shughuli zao:

Kutumia vyombo vya dola na vya sheria: _____

Kuelimisha umma: _____

Mengineyo: _____

12. Je, kama mwananchi unadhani unaweza kusaidia kwa namna yoyote ile kuzuia tatizo la uvunjwaji wa haki za watoto.

Ndiyo _____ Hapana _____

Kama jibu lako ni ndiyo, ni kwa vipi unaweza kusaidia. eleza

13. Kwa maoni yako sababu za uvunjwaji wa haki ya watoto ni zipi?

14. Nani hasa awajibike katika suala hili la uvunjwaji wa haki za watoto?

1. *Mtandao wa familia ina maana yale mambo ambayo yanaweza kufanyika ili familia iwajibike vilivyo.*
2. *Miradi mashuleni ni zile hatua zinazolenga kutatua tatizo kwa kupitia shuleni.*

15. Ugomvi wa wazazi unaweza kumuathiri namna gani watoto?

16. Je, ni lazima watoto waadhibiwe kwa kupigwa au/na kuteswa wanapofanya makosa? Ndiyo _____ Hapana. _____

Toa sababu:

17. Unafahamu tukio lolote la uvunjaji wa haki za watoto ambalo Polisi/Mgambo/Mtendaji wa Kijiji/Mahakama wamechukua hatua kulitatua? Ndio _____ hapana _____

Kama ndio eleza:

18. Ni aina gani ya adhabu zinazotolewa na walimu shuleni?

Kwa maoni yako adhabu hizo zinafaa ama hazifai? Kwa nini?

19. Unafikiri ni mbinu gani zitumike katika juhudi za kulitokomeza tatizo la uvunjwaji wa haki za watoto?

20. Tume, ikishirikiana na UNICEF, mnamo mwezi Februari hadi Juni 2008 ina mpango wa kusikiliza hadharani malalamiko kuhusu ukatili kwa watoto na kufanya uchunguzi wa hadharani, Je, utakuwa tayari kutoa ufafanuzi, maelezo, ushauri, au mapendekezo na ushahidi kuhusu matukio ya uvunjwaji wa haki za watoto yanayojitokeza katika eneo lako?

Ndiyo _____ Hapana _____

Kama ndiyo, ni tukio gani ambalo utalieleza?

Endapo utahitaji kuisaidia Tume katika swala la haki za watoto, utawasilianaje na Tume?

21. Unayo maelezo ya ziada ambayo ungependa kuyatoa:

Mhojiwa: Saini: Tarehe:.....

Mhojaji: Saini Tarehe:

APPENDIX III: QUESTIONNAIRE FOR CHILDREN
TUME YA HAKI ZA BINADAMU NA UTAWALA BORA



S.L.P. 2643,
DAR ES SALAAM,
TANZANIA.

**DODOSO KUONGOZA UTAFITI KUHUSU UVUNJWAJI WA
HAKI ZA WATOTO ZANZIBAR
(kwa watoto)**

1. Wilaya: _____
Shehia _____
Kijiji _____
 2. Jina la mtoto: _____
 3. Umri: _____ Jinsia: _____
 4. Kwa maoni yako;
 - a) Ni vitendo gani vya uvunjwaji wa haki za watoto vinavyofanyika katika maeneo haya?

 - b) Ni matatizo gani yanayowapata watoto katika maeneo haya kutokana na uvunjwaji huu wa haki zao?

 5. Je, wewe au ndugu yako au rafiki yako amewahi kuvunjiwa haki na mtu yeyote?
Ndiyo: _____ Hapana: _____
- Kama ndiyo eleza ilivyotokea:
- _____

6. Je, umewahi kushuhudia mtoto akivunjiwa haki yake/zake na mzazi au mlezi wake? Ndiyo _____ Hapana _____
kama ndiyo eleza yale uliyoyashuhudia

7. Licha ya mzazi au mlezi kuvunja haki za mtoto/watoto, ulishawahi kushuhudia au kusikia kuhusu uvunjwaji wa haki za watoto unaofanywa na mtu yeyote au mtoto mwingine? Ndiyo _____
Hapana _____. Kama ndiyo eleza

8. Unafikiri ipo uwezekano wa kuzuia uvunjaji wa haki za watoto hapa Zanzibar au la?

)a Toa sababu zako:

)b Unafikiria nini kifanyike ili kuwasaidia watoto waliowahi kuwa wahanga wa vitendo hivi vya kuvunjiwa haki zao?

9. Je utakuwa tayari kutoa maelezo au maoni kuhusu vitendo cya uvunjwaji wa haki za watoto ulivyowahi kufanyiwa wewe au mtoto mwingine unayemfahamu?

Ndiyo _____ Hapana _____ (kama hapana eleza sababu zako) _____

10. Maelezo mengine:

Mhojiwa: _____ Saini _____

Tarehe: _____

Mhojaji: _____ Saini _____ Tarehe _____