



CONTINUING LEGAL AND HUMAN RIGHTS EDUCATION FOR HUMAN RIGHTS DEFENDERS IN TANZANIA (CLHRE)

A SHORT COURSE OPPORTUNITY FOR DEFENDERS OF CHILDREN'S RIGHTS IN TANZANIA



University of
Dar es Salaam,
School of Law
(UDSoL)



EAST AFRICAN
HUMAN RIGHTS
INSTITUTE





CALL FOR APPLICATIONS

Are you a Defender of Children's Rights in Tanzania?

Empower yourself with our Continuing Legal and Human Rights Education Courses for Human Rights Defenders in Tanzania.

The current intake is special for Human Rights defenders working on promotion and protection of children's rights in Tanzania.

THEME - *Empowering Human Rights Defenders on Children Rights and Enforcement Mechanisms at Natinal ,Regional and International levels*

Join us for two impactful days from 31 July to 1 August 2024 at the Law School of Tanzania.

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1.0. Introduction

The East Africa Human Rights Institute (EAHRI), in collaboration with the Tanzania Human Rights Defenders Coalition (THRDC), University of Dar Es Salaam School of Law and the Law School of Tanzania (LST), continue with a series of Continuing Legal and Human Rights Education programs for human rights defenders in Tanzania. **These short courses** have been designed to empower and build capacity of Human Rights Defenders (HRDs) focusing on various thematic areas of human rights and access to justice. Some of these thematic areas under THRDC coordination include rights to development, peace and security rights, political and civil rights, freedom of association and assembly; pastoralists rights, farmers, and Indigenous rights; climate justice and environment, gender and women rights, disability rights, cultural rights, and social rights.

Human Rights Defender can be anyone with a profile attributed to human rights promotion, protection, and access to justice. Any person qualifies to be called an HRD so long as s/he is engaged in activities related to human rights promotion and protection. This definition may therefore include professional and non-professional human rights workers, volunteers, journalists, lawyers, paralegals, social workers, and those carrying out human rights work in long term or on occasional basis.

This program has been designed to empower HRDs on various aspects pertaining to laws, statutory compliance, human rights mechanisms, human rights documentation including regulatory frameworks governing their thematic areas of operations, legal and practical aspects of promoting and protecting human rights, security management and HRDs ethics and accountabilities while on duty.

Some of the previous courses focused on HRDs who offer legal aid services, pastoralist and indigenous HRDs, in Tanzania. About 300 legal aid HRDs benefited from this program from covering the following regions in the United Republic of Tanzania: Mwanza, Arusha, Morogoro, Manyara, Simiyu, Mara, Tanga, Pwani, Dar es Salaam and all regions of Zanzibar.

1.1 The Role of HRDs in Defending Children's Rights

Human rights defenders in Tanzania play a crucial role in advocating for human rights and providing access to justice, particularly among marginalized and vulnerable populations. These activities range from documentation of human rights abuses to advocacy and direct legal assistance. Human rights NGOs have worked very hard in promoting and protecting children's rights, especially by imparting thorough knowledge to societies ensuring that every child can grow up healthy, safe, educated, and empowered to reach their full potential. HRDs in Tanzania have been a great support to the fights against child abuse in various ways such as providing legal aid, providing support and shelter to victims of child abuse, providing social services to those in need, advocating for legal reforms, ensuring effective implementation of child related laws etc. This program may empower them and finally improve children's access to education, healthcare, and safe environments.

One notable case involves a group of young activists in Mwanza who campaigned against child labour practices prevalent in the informal mining sector. Despite facing resistance and threats from local business interests, these young defenders successfully partnered with local authorities to conduct workshops raising awareness about the legal rights of child workers.¹

1 Human Rights Watch. (2021). Tanzania: Children's Rights in Mining Areas <https://www.hrw.org/report/2021/10/12/childrens-rights-mining-areas/tanzania>

Another critical instance of child HRDs engagement is seen in the plight of adolescent girls facing barriers to education due to early pregnancy. In Tanzania, where policies have been harsh towards pregnant schoolgirls, HRDs have played a pivotal role. They have championed policy reforms and provided peer education on legal rights, helping to shift public and political opinion towards more supportive educational measures. In 2020, this advocacy contributed to the government's decision to allow pregnant girls to return to school post-delivery, a significant policy turnaround.²

It is worth noting that defenders of child rights contribute significantly through legal counselling, representation, and advocacy to ensure justice for all, challenging discriminatory practices, and fostering a culture of respecting children's rights. Their work in policy reforms and public education is crucial in shaping legislation and perceptions surrounding human rights.³ Even though, among Child HRDs, especially those in rural or remote areas, critical capacity gaps persist. These include limited access to current legal information and professional development opportunities, as well as minimal financial support. These gaps curtail the effectiveness of HRDs and limit their operational scope predominantly to urban centres, leaving rural populations underserved.⁴

These cases demonstrate the resilience and impact of defenders of child rights in Tanzania. Addressing the training and resource needs of these defenders through targeted educational programs is vital. Enhanced support would empower them to provide more effective and quality legal

2 4 See, the United Nations Children's Fund. (2020). Tanzania's shift on education for pregnant girls. <https://www.unicef.org/press-releases/tanzanias-shift-education-policy-allow-pregnant-girls-return-school>

3 See, for example, the Human Rights Watch. (2018). "I Had a Dream to Finish School": Barriers to Secondary Education in Tanzania <https://www.hrw.org/report/2018/02/14/i-had-dream-finish-school/barriers-secondary-education-tanzania>

4 International Commission of Jurists. (2021). Changing the Landscape: Access to Justice in Sub-Saharan Africa <https://www.icj.org/wp-content/uploads/2021/06/Africa-Access-to-Justice-Publications-Reports-Thematic-reports-2021-ENG.pdf>

assistance and advocacy, contributing substantially to broader access to justice and the advancement of human rights in the country.

1.2. The Situation of Children's Rights in Tanzania

Children's rights are the basic human rights that belong to every child, regardless of their race, ethnicity, gender, nationality, religion, or ability. These rights are specifically outlined in the United Nations Convention on the Rights of the Child (UNCRC) and the African Charter on the Welfare and Rights of the Child, which are the most widely ratified human rights treaties in history. These rights are such as the right to protection, the right to survival, the right to education, the right to a safe environment, the right to play, etc.

Tanzania being a country with many ethnic and religious groups experiences gender-based violence against children, people with disability, elderly people, and women. These are daily life challenges requiring interventions both at urban and grassroots levels. Police gender desk data for the period of July 2022 to May 2023 showed that a total of 14,184 incidents of GBV and violence against children (VAC) were reported at police stations, increasing from 12,642 incidents in 2021/22, equal to a 12.2% increase. Over two-thirds of the victims are usually women.⁵

Various studies indicate that most children in Tanzania experience violence and abuse without a clear point of contact for support. For instance, the 2019 Violence Against Children report in Tanzania presents violence against children as a serious problem in the country with nearly 3 in 10 girls and approximately 1 in 7 boys having experienced sexual violence before the age of 18.⁶

5 LHRC (2023) Report on the Situation of Human Rights in Tanzania of 2023.

6 Josephat, D. M. and Mbuti, E. E. (2021). Effectiveness of Strategies Used by Local Government Leaders in Combating Children's Rights Violation in Arusha City, Tanzania. East African Journal of Education and Social Sciences 2(4), 97-104. Doi: <https://doi.org/10.46606/eajess2021v02i04.01312>

Despite growing alarming rates of child abuse across the country, the presence of HRDs and government efforts to address child abuse cases, necessary services for affected children have been fragmented and uncoordinated with no clear primary points of contact for services provided across different ministries, departments and national agencies.⁷ The lack of response from families, community leaders, police, and state departments has meant that many cases never get reported, let alone reaching the health and/or judicial services.⁸

The level of child and women abuse especially girl child is rampant at the rate of 27% between women aged 15 to 49 years.⁹ Incidents of child abuse both boys and girls are also on the rise in learning facilities, faith-based institutions, at the family level and on the street. A child of the modern society confronting so many challenges that call our joint interventions. At least about 20,000 cases of child abuse are reported annually according to police reports. For instance, sodomy and child rape may approximately reach up to 10,000 incidents annually. These statistics reflect only reported incidents, thousands of these incidents go unreported. This tells that the level of child abuse in the country is beyond control and needs well supported and empowered HRDs and other actors.

7 Ibid. at HakiElimu, 2020).

8 Ibid at Mtengeti, et al., 2019

9 LHRC (2023) Report on the Situation of Human Rights in Tanzania of 2023.

2.0 The Course to HRDs on Children's Rights

The upcoming course session, scheduled for 31st July and 1st August 2024 in Dar es Salaam, aims to empower children's rights defenders through intensive practical training focusing on child rights legal and referral mechanisms. This collaborative program promises to deliver crucial educational support and the development of professional networks among HRDs who promote and defend child rights in Tanzania. These courses aim to address specific needs that emerge from the field while honouring the interests of the public. ***The main topic for this course is 'Empowering Human Rights Defenders on Children Rights and Enforcement Mechanisms at National, Regional and International Levels.'***

The course is designed to strengthen the capacities of defenders of children rights, starting with attendees from Dar es Salaam, Coastal, Mtwara, Lindi, Ruvuma, Singida, Dodoma, Shinyanga and Tanga regions. Following the completion of the session for selected regions, the program will extend to other regions in stages including Zanzibar, aided by THRDC's partial financial support and other interested partners. The objective is to equip these HRDs with comprehensive knowledge of regulatory frameworks and the mechanism for human rights protection. Additionally, the course shall offer a platform for participants to identify and address operational challenges and explore sustainable improvements in legal service delivery across Tanzania.

2.2 Capacity and Knowledge Gap among HRDs of Children's Rights

The absence of readily available legal aid and social welfare services create a profound challenge on access to justice. Victims lack basic support, including psychological counselling to heal from emotional scars,

safe shelters to escape abusers, and economic empowerment programs to build a life free from violence. This lack of readily available local support forces victims to navigate a complex and intimidating legal system alone. Even vital actors like HRDs, NGOs, and law enforcement agencies face limitations including financial constraints and capacity challenges.

The existing legal and institutional framework at national, regional and international levels for child protection are not known to many HRDs and actors such as social workers, judicial officers and police officers. The knowledge gap implicates negatively the role of HRDs to prevent and fight child abuse. Therefore, this joint project will significantly address these challenges and improve the capacity of all actors and defenders of Violence Against Women and Girls (VAWG), increasing reporting rates as well as fair prosecution of these cases. By empowering both HRDs and duty bearers will encourage victims to come forward and seek justice. This initiative also ensures fair and timely access to justice by strengthening the legal infrastructure and empowering duty bearers to effectively investigate, prosecute, and support victims throughout the legal process.

2.3 Specific Objectives

To strengthen the capacity of defenders of children's rights especially on the use and application of available child protection mechanisms at all levels, thereby enhancing their effectiveness in delivering essential services for child protection in Tanzania. To this end, the course specifically aims to:

- (i) enhance the understanding of legal frameworks and policies related to children's rights generally and specifically in Tanzania.
- (ii) empower HRDs on how to access national, regional and international child-related human rights mechanisms.
- (iii) define and clarify the roles and boundaries of HRDs in the promotion and protection of children's rights.
- (iv) identify and address the challenges facing children's rights' defenders in faced in their areas of operations.
- (v) foster network building and knowledge sharing among HRDs.

2.4 Course Methodology

The short course will feature interactive methodologies, including surveys, practical presentations, case studies, legal analysis, dialogues, and group discussions. The expert team comprising retired judges, human rights experts, Tanzania Child Rights Forum (TCRF), advocates, and academia from EAHRI, LST and UDSol will facilitate a comprehensive learning experience. Approximately 50 participants will be selected based on defined criteria to ensure a focused and impactful training experience.

2.5 Expected Outputs

- (i) Enhanced legal competency among HRDs engaged in protection and promotion of children's rights in Tanzania.
- (ii) Improved HRDs service delivery to victims of child abuse.
- (iii) Increased access to legal assistance for underserved and vulnerable communities.
- (iv) Strengthened networks and collaboration among HRDs, government and academic institutions in the fight against child abuse.
- (v) Increased number of HRDs who access and use international and regional child protection mechanisms.

2.6 Eligibility

The course targets HRDs who have been promoting and protecting children's rights from the mentioned regions and are legally recognised in Tanzania. Specific selection criteria include registration/accreditation with legal bodies, operational scope, and previous engagement in child related projects. Applicants with THRDC membership from selected regions will be an added value for selection.

2.7 Course Fees and Application Procedure

This session is partially sponsored by THRDC for HRDs working under child rights thematic areas operating in selected regions. Interested persons may apply by filling the application form via google forms found in the following websites <https://humanrightsinstitute.ac.tz/blog> or <https://thrdc.or.tz/news-home/opportunities> and submit the application and all the required documents by 23 July. All applications shall be reviewed and successful applicants will be contacted by 25 July 2024. All applicants must send to this email eahumanrightsinstitute@gmail.com, a Certificate of registration of the applicant organisation, and two recommendation letters detailing their work in children's rights and protection. One letter should come from THRDC zonal coordinator and the second from a social worker or assistant register of NGOs in your district or region.

For more details about this course, please reach us through **Dr. Francis M. Magare**, Advocate. **Mob. +255 783 127 597 (WhatsApp only); Email eahumanrightsinstitute@gmail.com** Or **Ms Evaline Mwambungu** at **evamwambungu@thrdc.or.tz** and **Mobile 0654636771**



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