

Universal Periodic Review
(25th session, April-May 2016)
Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III - F, J, K, and P)

Tanzania (United Republic of)

I. BACKGROUND AND FRAMEWORK

Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

I.1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education (1960)	State party to this Convention	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. (1989)	Not state party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	02/08/1977, ratification	<i>N/A</i>	<i>N/A</i>	Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	18/10/2011, ratification	<i>N/A</i>	<i>N/A</i>	Right to take part in cultural life
Convention on the	18/10/2011,	<i>N/A</i>	<i>N/A</i>	Right to take part in

Protection and Promotion of the Diversity of Cultural Expressions (2005)	ratification			cultural life
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II. INPUT TO PART III. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS, TAKING INTO ACCOUNT APPLICABLE INTERNATIONAL HUMANITARIAN LAW TO ITEMS F, J, K, AND P

Right to education

1. NORMATIVE FRAMEWORK

1.1. Constitutional Framework

1. The Constitution of Tanzania of 1977¹ recognizes the right to education in the **Article 11 (2)**, which states that “Every person has the right to access education, and every citizen shall be free to pursue education in a field of his choice up to the highest level according to his merits and ability”. This article adds in **paragraph 3** that “The Government shall make efforts to ensure that all persons are afforded equal and sufficient opportunity to pursue education and vocational training in all levels of schools and other institutions of learning.”
2. **Article 13 (1)** states that “All persons are equal before the law and are entitled, without any discrimination, to protection and equality before the law.”
3. Besides, according to **Article 9 (g)**, “[...] the state authority and all its agencies are obliged to direct their policies and programmes towards ensuring [...] (g) that the Government and all its agencies accord equal opportunities to all citizens, men and women alike without regard to their colour, tribe, religion or station in life.”
4. **The United Republic of Tanzania is currently in the process of enacting a new constitution. In the text of the final draft of the proposed constitution 2013** currently

¹ The Tanzania National Website,

http://www.egov.go.tz/egov_uploads/documents/Katiba%20ya%20Jamhuri%20ya%20Muungano%20wa%20Tanzania%20_English%20Version_%202009.pdf, Accessed on 06/02/2014,

<http://www.unesco.org/education/edurights/media/docs/1e907c75e8bb029160f32e8acd796cf509e3526e.pdf>

being deliberated by the constituent assembly, are interesting proposals to include important social and economic rights (ESR) as justiciable rights.²

5. Draft Constitution³ Provisions related to education:

- **“Provision 9:** (3) For the purpose of preserving the conditions of Subarticles (1) and (2), the Government shall lay down procedures for distributing this Constitution to the people and put it in educational curricula to enable people to know, defend and respect it.
- **Provision 11 :** (2) Without prejudice to the conditions of Subarticle (1) the main objective shall be perpetuated and strengthened in all important aspects, including political, economic, social, cultural and environmental: (d) economically, the Government takes appropriate measures in order to: (xi) put in place appropriate procedures for the purpose of accomplishing the implementation of the right of a person to be educated and be free and get equal opportunities of seeking for education in a field of his choice to any level the highest level possible in accordance with his entitlement and ability;
- **Provision 40.**-(1) Every person resident in the United Republic has the right to live in a clean and safe environment. (2) The right to live in a clean and safe environment includes the right of every citizen to use public spaces or various places that have been reserved for entertainment, delivery of educational services, medical services, for religious gatherings, cultural and economic activities.
- **Provision 41.**-(1) Every person has the right to: (a) education without facing any sanctions; (b) free quality primary education which prepares a pupil for further education or for being self-reliant; (c) less expensive education in private institutions; and (d) have equal access to higher education provided that he has the relevant qualifications for that level of education without in any way being discriminated against. (2) For the purposes of Sub article (1), every person has the right to choose a profession or job he wants in accordance with his level of education or skills.
- **Provision 44.**-(1) A person with disabilities has the right to: (b) an education through special equipment and participate in social affairs.
- **Provision 45.**-(1) The authority of the land shall specify legal procedure for minority enabling the minority groups in society to: (b) have special opportunities in education and in the economic sectors and employment opportunities; (2) The government and authorities of the land shall take deliberate steps to promote and sustain economic activities and put in place infrastructure for residence, delivery of educational and

² AfricLaw, Tanzania proposed new constitution and the fate of social and economic rights, 3 February 2015

<http://africlaw.com/2015/02/03/tanzanias-proposed-new-constitution-and-the-fate-of-social-and-economic-rights/>

³http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CC8QFjABahUKEwizmO6RrofGAhXCv hQKHZhTAI4&url=http%3A%2F%2Fwww.constitutionnet.org%2Ffiles%2Ftanzania_draft_constitution_2013-english.pdf&ei=QI15VbPvEML9UpingfAI&usq=AFQjCNGE3BHiUzYqsFn_4iEGSH-uhsT56g&bvm=bv.95277229,d.d24

medical services for the present and future generations of the minority groups in the society.

- **Provision 173.**-(1) The Judiciary Service Commission shall be obligated to perpetuate and facilitate freedom and accountability of the Judiciary and successful dispensation of rights with success and transparency. (2) The Judiciary Service Commission shall have the responsibilities of: (d) preparing and implementing educational programmes for Judges and other Judiciary staff;
 - **Provision 189.** (1), the specific functions of the Commission for Leadership and Accountability Ethics shall be: (g) to provide education about the ethics and code of conduct for public leaders to the public;
 - **Provision 195.** The duties and functions of the Commission for Human Rights shall be as follows: (d) to conduct research, to impart or disseminate to the public education in respect of human rights and good governance”
6. The draft Constitution would also implement a principle of non-discrimination notably in its preamble: “**AND IN THAT REGARD**, the heritage left to us by the Founders of our Nation of building a nation that has Unity of its People who do not discriminate against one another on the bases of tribe, religion, colour, sex or any other type of discrimination;” And **Provision “24.**-(1) All persons are equal before the law and are entitled to protection and equality before the law”
7. (A referendum related to the draft Constitution in Tanzania should have occurred in April 2015, it has been postponed to an unknown date.)

1.2 Legislative Framework

8. “The **Education Act No. 25** of 1978⁴ (amended in 1995⁵ to reinforce the implementation of the education and training policy issued in the same year) is the basic legal document governing the provision of education in Tanzania. It stipulates the roles and powers of different actors in education including the Ministry, the Commissioner, local authorities as well as private owners and managers of private institutions.”⁶

⁴ <http://www.unesco.org/education/edurights/media/docs/873ae01bc28cf449895950c7cac2a419d3ede5fd.pdf>,
<http://www.parliament.go.tz/Polis/PAMS/Docs/25-1978.pdf>

⁵ <http://www.unesco.org/education/edurights/media/docs/29595900c1028686edf504060e6a17df3eaeaa8d.pdf>,
<http://www.parliament.go.tz/Polis/PAMS/Docs/10-1995.pdf>

⁶ IBE, World Data on Education, 7th ed., 2010/2011, United Republic of Tanzania, p. 3,
http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/United_Republic_of_Tanzania.pdf,
Accessed on 06/02/2014

9. Following the amendment of 1995, **Section 35** provides that “It shall be compulsory for every child who has reached the age of seven years to be enrolled for primary education” and **Section 35 A** that “every child of not less than five years of age shall be eligible for enrollment for pre-primary education for a period of two years.”
10. **Section 56** states that: “(2) No person may, within the United Republic, be denied opportunity to obtain any category, nature or level of national education for the reason only of his race, religion or political or ideological beliefs. [...] (3) Every school shall provide in its curriculum for the provision of religious instruction to its pupils on the premises of the school, but no pupil shall be compelled to attend any particular religious class or worship against his will if he is above the age of eighteen years, or against the will of his parent or parents, if he has not yet attained the age of eighteen years.”
11. **Section 57** sets that “No fees, subscriptions or contributions shall be charged, levied or collected as a condition of admission into or attendance at any private school except with the approval of the Commissioner.”
12. “There are also the **Local Government Council Acts** of 1982 and 1986 concerning the management of primary schools.
13. The **Act No. 21** of 1973 established the National Examination Council of Tanzania.
14. The **Act No. 12** of 1975 established the Tanzania Institute of Adult Education.
15. The **Vocational Education and Training Act**, passed by the National Assembly in 1994 and effective from 1995, was promulgated to improve the provisions of vocational education and training through new legislation as well as changes in the structure and administrative style. Central to the Act is the establishment of the Vocational Educational and Training Authority (VETA), financed through a training payroll levy and supervised by the Vocational Education and Training Board. A **revised version of the Act was issued in 2006**⁷, incorporating all the amendments.
16. The **Education Fund Act No. 8** of 2001 provides for the establishment of the Tanzania Education Authority as a corporate body to manage the Education Fund.
17. The **University Act No. 7** enacted by the Parliament in 2005 make provisions for the establishment, composition and functions of the Commission for Universities, the coordination and rationalization of the types and categories of universities, the promotion

⁷ <http://www.unesco.org/education/edurights/media/docs/20881b1e76e38dcd126c6aa0ae9478428ae267a9.pdf>, (Accessed 06/02/2014)

and financing of higher education, establishment and governance of universities, and for other related matters.”⁸

1.3. Policy Framework

i) General information

18. “The Education and Training Policy (ETP, 1995) is the major policy governing the provision of education in Tanzania”.⁹

19. Tanzania adopted a **National Development Vision 2025** : “ Tanzania would brase itself to attain creativity, innovativeness and high level of quality education in order to respond to development challenges and effectively compete regionally and internationally, cognisant of the reality that competitive leadership in the 21st century will hinge on the level and quality of education and knowledge”¹⁰.

20. “The **Education Sector Development Programme** envisages the creation of a well-educated nation with a high quality of life for all. It is a comprehensive programme aimed at a total transformation of the education sector into an efficient, effective, outcome/output based system; it is an evolving national plan for achieving the educational goals expressed in Tanzania’s Development Vision 2025.”¹¹

21. “President **Jakaya Mrisho Kikwete** has officially launched the **New Education Policy of 2014** on **13th** February, **2015**, overhauling the education system, where basic education will now run from Standard One to Form Four and all schools shift to using a single textbook for each subject.

⁸ IBE, World Data on Education, 7th ed., 2010/2011, United Republic of Tanzania, pp. 3-4,

http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/United_Republic_of_Tanzania.pdf,

Accessed on 06/02/2014

⁹ National report of the United Republic of Tanzania submitted for the 48th International Conference on Education, 2008, p. 3,

http://www.ibe.unesco.org/National_Reports/ICE_2008/tanzania_NR08.pdf, Accessed on 07/02/2014

¹⁰ Tanzania Development Vision 2025 p. 4

<http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCcQFjAAahUKewjtwrKG2YfGAhXLQB>

[KQHa6oAIE&url=http%3A%2F%2Fwww.tzonline.org%2Fpdf%2FtheTanzaniadevelopmentvision.pdf&ei=QIZ5Ve2iOs](http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCcQFjAAahUKewjtwrKG2YfGAhXLQB)

[uBUa7RgogI&usg=AFQjCNGE2U9cfjwM0Yq-H61ahkSuNxx_1A&bvm=bv.95277229,d.d24](http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCcQFjAAahUKewjtwrKG2YfGAhXLQB) Accessed on 11/06/2015

¹¹ The Education Sector Development Programme 2008/2017

<http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCcQFjAAahUKewjRkY3F24fGAhUC1R>

[QKHUqHAIM&url=http%3A%2F%2Fplanipolis.iiep.unesco.org%2Fupload%2FTanzania%2520UR%2FTanzania-ESDP-](http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCcQFjAAahUKewjRkY3F24fGAhUC1R)

[2008-](http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCcQFjAAahUKewjRkY3F24fGAhUC1R)

[2017.pdf&ei=3Yh5VZGvFIKqU8qOgpgI&usg=AFQjCNGCjHvzVLMmMmY17w_RTgK3HkkfAw&bvm=bv.95277229,d.d](http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCcQFjAAahUKewjRkY3F24fGAhUC1R)

[24](http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCcQFjAAahUKewjRkY3F24fGAhUC1R)

22. According to the policy, basic education shall be fee free, with single textbooks for all schools and shall provide quality education recognised across the region and the world.
23. The government will collaborate with education stakeholders to modernize curricula at all levels and make sure that it meets education requirements, provide equipment, materials and tools needed for teaching and facilitating advancement of science and technology.
24. The policy also emphasises one textbook when teaching and facilitating in all schools in the country, instead of using many textbooks as we are using now. There will be only one textbook for all schools,” the president intoned.
25. We can’t operate our schools with many textbooks whereby each school is using its preferred textbook. We need to have only one textbook for each subject that will be used by all schools in the country,” he declared.”¹²
26. (For information: the text of the policy is not yet available in English http://www.moe.go.tz/index.php?option=com_docman&Itemid=617)

ii) Inclusive Education

27. Students from rural and remote areas

- “In the United Republic of Tanzania, nearly three-quarters of the population resides in rural areas, yet only 47% of public education resources were allocated to these areas in 2009 (U. R. Tanzania Ministry of Education and Vocational Training, 2011).”¹³

28. Students with special needs

- “The Ministry of Education and Vocational Training has adopted **Inclusive Education tool kit** which stipulates access and provision to education to all regardless of their gender, races, age and disabilities. Also, **National Strategy on Inclusive Education (2007-2017)** is another action planned by the Ministry which states that all children, youths and adults in Tanzania have equitable and accessible quality education in inclusive settings.”¹⁴

¹² By Nelson Kessy, THE GUARDIAN, TANZANIA, 14th February 2015

<http://mlamwassawaukae.blogspot.fr/2015/02/new-education-policy-for-tanzania-free.html>

Accessed on 11/06/2015

¹³ EFA GMR 2013-2014, p 128 <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>

¹⁴ United Republic of Tanzania Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 5

29. “In the United Republic of Tanzania, a survey on disability found that the literacy rate for people with disability was 52%, compared with 75% for people without a disability (U. R. Tanzania National Bureau of Statistics, 2010).”¹⁵

iii) Teachers

30. “Provision of Teacher education is guided by the **Education and Training Policy** (1995 now under review), Education Act 2002, Education Sector Development Plan as well as **Teacher Development and Management Strategy TDMS** (2008) which together emphasize a guaranteed access to education without regard to sex, colour, ethnicity, creed or economic status.”¹⁶

31. “The **education sector strategy** of the United Republic of Tanzania makes increased pay a high priority, acknowledging that if teachers lack sustained increases in real pay, this may hinder the development of an environment conducive to teaching and learning”¹⁷

32. “The next big thing the government is planning to do is to increase teachers’ allowances and improving their housing conditions.”¹⁸

33. “In the United Republic of Tanzania, required qualifications for teaching vary by children’s ages. For the pre-primary level, teachers must complete secondary education as well as two years of full-time teacher training, though classroom practice is not incorporated (World Bank, 2012c). For those caring for children aged 2 to 4, a complete secondary education is required, as well as annual training of 40 hours, covering health and cognitive, social and emotional development (World Bank, 2012c).”¹⁹

iv) Quality education

¹⁵ EFA GMR 2013-2014, p 213 <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>

¹⁶ United Republic of Tanzania Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 8

¹⁷ EFA GMR 2013-2014, p 219 <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>

¹⁸ By Nelson Kessy, THE GUARDIAN, TANZANIA, 14th February 2015

<http://mlamwassawaukae.blogspot.fr/2015/02/new-education-policy-for-tanzania-free.html>

Accessed on 11/06/2015

¹⁹ EFA GMR 2000-2015: achievements and challenges” p. 72

<http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDEQFjABahUKewjB0-7znYrGAhVCPQKHakrADI&url=http%3A%2F%2Funesdoc.unesco.org%2Fimages%2F0023%2F002322%2F232205e.pdf&ei=49p6VYHWJcL6UKnXgJAD&usg=AFQjCNEso8XWrRkJEk2uHje6KUzaMmevuw&bvm=bv.95515949,d.d24>

Accessed on the 12/05/2015

34. “To ensure quality of educational opportunities and treatment in the established schools **CAP 353 R.E 2002 section 38, subsection 1 and 2** prescribed that [...] every school shall provide education within curricula and accordance with the syllabi approved by the commissioner after consultation with the minister.” Furthermore the minister can prescribe measures to improve the quality of the establishment.²⁰
35. The **Education and Training Policy (ETP)** states that “school inspectors are responsible for monitoring the delivery of education, adherence to the stipulated curriculum and set standards and ensuring efficiency and quality in education.”²¹
36. “Among the measures taken to ensure standards of education are equivalent in all public education institutions are: to ensure availability of centralized curriculum, examinations and certifications. **Institute of Education (TIE), National Examination Council of Tanzania (NECTA) and school Inspectorate Department** are responsible for this.”²²
37. “Tanzania experiences high rates of communicable diseases due to poor sanitation and unhygienic behavior. The situation among other things is perpetuated by inadequate coverage and access of school WASH facilities. The study conducted by UNICEF, SNV and WaterAid in 16 districts covering 2697 schools in Tanzania mainland revealed that 6% of the schools had no latrines, 99% has no hand washing facilities, 86% had no water for hand washing and 38% of the schools had no water supply (SWASH Mapping Report, 2011). This critical shortage explains the continued existence of diarrhea, worms, acute respiratory infections, trachoma and dysentery which are all linked to inadequate access to water supply, improper sanitation and unhygienic behavior.
38. The Government has taken different measures to improve WASH situation in schools, incorporation of hygiene education in school curricular together with provision of latrines and water facilities in some schools indicate the Government’s commitment to address the SWASH challenges. Implementation of Education Sector Development Program (ESDP) has lead to fast growing school children population, the increased number of pupils has in turn lead to increase in demand of WASH facilities. Demand for WASH facilities in schools is enormous hence need for integrated approach that includes key ministries in

²⁰ United Republic of Tanzania Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, pp. 9-10

²¹ United Republic of Tanzania Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 8

²² United Republic of Tanzania Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 7

school WASH. Therefore, there is a need to come up with a Strategic Plan that will address these problems and challenges.”²³

v) Curriculum

39. “In the United Republic of Tanzania, the government shifted the responsibility for procuring textbooks and other materials from the district to the school. It introduced a grant of US\$10 per primary school pupil, earmarking 40% for textbooks and teacher guides. But this amount covered only 10% of the cost of a full set of textbooks for a grade 5 pupil. Furthermore, as a result of inflation and budget cuts, by 2011 less than US\$2 per primary pupil was reaching schools. In addition, schools received their allocation several months after the school year started, so funds were not available to purchase textbooks in time.”²⁴

40. “Radio broadcasts can be successfully incorporated into both formal and non-formal settings, increasing access to quality education, as an early childhood project in Zanzibar (United Republic of Tanzania) demonstrates. The Radio Instruction to Strengthen Education project was established in 2006 to develop and pilot models for extending early childhood education to underserved communities. By 2010 it was reaching over 20,000 children on the islands of Pemba and Unguja. The project uses interactive radio instruction to build children’s foundation skills and prepare them for primary school, using games, song, stories and problem-solving activities linked to the Zanzibar curriculum. An evaluation in 2008 found that children who had received interactive radio instruction, whether in non-formal or formal settings, had greater overall learning gains than children in formal classrooms who had not received radio instruction. Overall, learning gains, relative to the control group, were 12% higher for the non-formal group and 15% higher for the formal group. Results also show greater learning gains for children from Pemba communities, which have lower incomes, lower adult literacy, and poorer access to health and social services than those in Unguja (USAID and Education Development Center, 2009).”²⁵

41. **Education for Sustainable Development (ESDF):** In curricular for pre-primary, primary, and secondary schools.

42. **TACAIDS Multi-sectoral Strategic Plan 2003 - 2007:** It equips members of the education sector with knowledge to enable them to protect themselves and others against HIV and AIDS.

²³ NATIONAL STRATEGIC PLAN FOR SCHOOL WATER, SANITATION AND HYGIENE (SWASH)

2012 -2017 http://www.moe.go.tz/index.php?option=com_docman&task=doc_download&gid=224&Itemid=385

²⁴ EFA GMR 2013-2014, p 88 <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>

²⁵ EFA GMR 2013-2014, p 292 <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>

43. **Family Life Education (FLE)** aims at providing knowledge, life skills education and counseling services to in-school youths that will help them to adopt and maintain responsible behaviour which will reduce the spread of HIV/STDs amongst themselves and the community.²⁶
44. **School Health Programme (SHP) (2004-2008):** its main objective is to check the health of school going age children (enrolled and non-enrolled).²⁷
45. **“Tanzania Beyond Tomorrow”** project will transform the secondary school system across Tanzania. It brings the best technologies and partners together to make learning more effective and accessible to all environments across Tanzania²⁸

vi) Financing of education

46. “The government of Tanzania has a programme of providing grants for secondary education to students from low income families. From 2004 to 2007 a total number of 111261 such students had been provided grants for secondary school.”²⁹
47. “Aid has played a key part in supporting efforts to get more children into school in the United Republic of Tanzania, but it fell by 12% between 2009 and 2010 and by a further 57% in 2011.”³⁰ “The United Republic of Tanzania received US\$7 per child in 2011 – US\$13 less than in 2009.”³¹
48. “The United Republic of Tanzania already allocates 3.3% of GDP to primary education. Compensating all the additional teachers required to achieve UPE would add US\$335 million per year, equivalent to 26% of the total amount the government allocated to the education sector in its planned 2011 budget (Development Finance International and Oxfam, 2013)”³²

vii) Gender equality

²⁶ Plans, programmes and projects documents, <http://moe.go.tz/pdf/Plans%20Programmes%20and%20projects.pdf>

²⁷ Plans, programmes and projects documents, <http://moe.go.tz/pdf/Plans%20Programmes%20and%20projects.pdf>

²⁸ <http://kelvincantafio.wordpress.com/nethope/tanzania-beyond-tomorrow/> (Accessed 24 /02/11)

<http://allafrica.com/stories/201005070217.html> (Accessed 24 /02/11)

²⁹ National report of the United Republic of Tanzania submitted for the 48th International Conference on Education, 2008, p. 2,

http://www.ibe.unesco.org/National_Reports/ICE_2008/tanzania_NR08.pdf, Accessed on 07/02/2014

³⁰ EFA GMR 2013-2014, p 11 <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>

³¹ EFA GMR 2013-2014, p 128 <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>

³² EFA GMR 2013-2014, p 228 <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>

49. “In order to ensure that girls and disadvantaged groups have equal opportunity in secondary education; and that their retention and performance are improved, the following efforts were made: mobilisation of communities through their councils i) to construct hostels (for girls and far from school pupils) particularly in secondary schools located in underserved areas; provision of scholarship grants to secondary school ii) students from low income households; monitoring and supervision of Form 1 students iii) selection in 21 regions and Form 5 selection to ensure equity in enrolment of students in terms of gender, socio-economical and cultural status;”³³

viii) Other (as appropriate)

50. **Private Education:** The “regulatory framework relating to the establishment or maintenance of Private Education Institutions are prescribed in the **Education Act No. 25 of 1978 and its amendments No. 10 of 1995 and CAP 353 R.E of 2002 Part IV, section 14-30** which set Restrictions and establishment and Registration of Private Schools as follow; “*No school other than a public school shall be established except with the approval of the commissioner*”.”³⁴

51. “He said [President Jakaya Kikwete] that since education is a service and not a business, all private schools need to have affordable school fees on the basis of ‘unit per course’ and analyse its operation as well, instead of saying that our school fees is fixed at five million or six millions.”³⁵

2. COOPERATION

52. The United Republic of Tanzania is a **party** to the 1960 UNESCO Convention against Discrimination in Education since 03/01/1979.

53. The United Republic of Tanzania did **not report** to UNESCO on the measures taken for the implementation of the 1960 UNESCO Convention against Discrimination in Education within the framework of the Sixth Consultation of Member States (covering the period 1994-1999).

³³ Medium Term Strategic Plan 2012/2013 – 2015/2016, june 2012 p:24

http://www.moe.go.tz/index.php?option=com_docman&task=doc_download&gid=173&Itemid=385

³⁴ United Republic of Tanzania Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 9

³⁵ ³⁵ By Nelson Kessy, THE GUARDIAN, TANZANIA, 14th February 2015

<http://mlamwassawaukae.blogspot.fr/2015/02/new-education-policy-for-tanzania-free.html>

Accessed on 11/06/2015

54. However, the United Republic of Tanzania **reported** to UNESCO within the framework of the:

- **Seventh Consultation** of Member States (covering the period 2000-2005),
- **Eighth Consultation** of Member States (covering the period 2006-2011).

55. The United Republic of Tanzania did **not report** to UNESCO on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the:

- **Fourth Consultation** of Member States (covering the period 2005-2008),
- **Fifth Consultation** of Member States (covering the period 2009-2012).

56. The United Republic of Tanzania **reported** to UNESCO on the measures taken for the implementation of the 1976 UNESCO Recommendation on the Development of Adult Education within the framework of the:

- **First Consultation** of Member States (1993),
- **Second Consultation** of Member States (2011).

57. The United Republic of Tanzania is **not party** to the 1989 UNESCO Convention on Technical and Vocational Education.

Freedom of opinion and expression

1. CONSTITUTIONAL AND LEGISLATIVE FRAMEWORK

58. Freedom of expression is enshrined in article 18 of the Constitution of the United Republic of Tanzania.³⁶

59. Part VII of The Media Services Act (2015) defines defamation as a civil offence. Part VIII of the same Act indicates that sedition can be punished either with prison terms of up to two years or with fines.³⁷

60. In 2014 the Parliament was presented with Access to Information Bill that was aimed to grant access to public information to the citizen. The bill was not passed into the law.³⁸

³⁶ See the Constitution in the Tanzanian government's website:

<http://www.judiciary.go.tz/downloads/constitution.pdf>.

³⁷ See the Media Services Act on the website of the Tanzanian Media Council:

<http://www.mct.or.tz/index.php/media-bills>.

³⁸ See the Access to Information Law on the website of the Tanzanian Media Council:

<http://www.mct.or.tz/index.php/media-bills>.

Instead Tanzania passed two new laws, the Statistics Act and the Cybercrime Act. Both to a certain extent regulate access to information. In particular, the latter Act regulates the production and dissemination of online content (Article 7). It provides broad powers to both the minister responsible as well as the police force to search a suspect's data and/or source of information.

2. MEDIA SELF-REGULATION

61. The Media Council of Tanzania (MCT) as an independent, voluntary, self-regulatory body has been established in 1995 with the objective of promoting freedom of the media and ensuring professional media standards and accountability in the country.³⁹ It has passed a Code of Ethics for media professionals⁴⁰ and a separate Gender Code of Ethics.⁴¹
62. The Journalists' Union of Tanzania promotes professional ethics.⁴²

3. SAFETY OF JOURNALISTS

63. UNESCO recorded the killing of the journalists Issa Ngumba in 2013 and Daudi Mwangosi in 2012.⁴³ The Government is urged to investigate the cases of killed journalists, and to voluntarily report on the status of judicial follow-up to UNESCO.

3. RECOMMENDATIONS

Right to education

- 64. Recommendations made within the framework of the first cycle of the Working Group on the Universal Periodic Review, considered on (please check the date on the**

³⁹ See the Media Council's Website: <http://www.mct.or.tz/index.php/mct-profile>.

⁴⁰ See the Code of Ethics on the website of the Media Council: <http://www.mct.or.tz/index.php/tutorials/code-of-ethics-for-professionals>.

⁴¹ See the Gender Code of Ethics on the website of the Media Council: <http://www.mct.or.tz/index.php/tutorials/media-gender-code-of-ethics>.

⁴² See the report on the establishment of the Union on the website of the Tanzanian Media Council: <http://www.mct.or.tz/index.php/component/content/article/42-news/rokstories/314-journalists-resolve-to-establish-new-trade-union>.

⁴³ See the UNESCO Director-General's statements: <http://www.unesco.org/new/en/communication-and-information/freedom-of-expression/press-freedom/unesco-condemns-killing-of-journalists/countries/tanzania/>.

following **web** **site:**
<http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>

65. 85. The recommendations formulated during the interactive dialogue listed below have been examined by and enjoy the support of Tanzania:

- i. 85.18. Implement a national action plan to combat corruption, including enhanced laws and enforcement, more resources dedicated to anti-corruption bodies, a review of law enforcement compensation, and a nation-wide educational campaign (United States of America);
- ii. 85.19. Take measures to strengthen human rights education and sensitisation (Burkina Faso);
- iii. 85.20. Take adequate measures to integrate human rights education into school curricula and design human rights training programmes for civil servants and security officers (Morocco);
- iv. 85.21. Provide human rights training for security forces (United States of America);
- v. 85.31. Adopt the necessary measures to eradicate Female Genital Mutilation and to develop programs of awareness and education on its harmful effects (Uruguay);
- vi. 85.33. Launch a nationwide education and awareness campaign to prevent stigmatization of persons with albinism to ensure their security and facilitate their equal access to education and employment (Canada);
- vii. 85.36. Improve the access for persons with disabilities to education and health care, with particular focus on children (Slovakia);
- viii. 85.58. Continue this important work related to violence against children by undertaking civic education at all levels of society, especially throughout the educational system and justice system, on the negative effects of violence against children (Sweden);
- ix. 85.62. Undertake more effective measures to address the problems of trafficking, sexual abuse and exploitation of women and children, including through ensuring effective implementation of the relevant legislations and undertaking intensive media and education programmes aimed to increase public awareness and sensitivities on the rights of women and children (Malaysia);

- x. 85.65. Deploy more efforts in order to address the problem of street children and child work and to devise training programs and to improve qualifications of those working in the field in order to receive the necessary technical cooperation assistance from human rights mechanisms and other relevant organisations (Sudan);
- xi. 85.80. One of the main priorities of the Government remains a quick improvement of the quality of teaching (Sri Lanka);
- xii. 85.82. Take the necessary measures to increase women's access to health care facilities and medical assistance by trained personnel, in particular in rural areas, in order to reduce the incidence of maternal and infant mortality and to enhance the life expectancy of women (Japan);
- xiii. 85.83. Continue its current efforts to guarantee education for all (Morocco);
- xiv. 85.84. Put in place a comprehensive strategy to ensure that all children have equal access to education (Poland);
- xv. 85.85. Continue to put more resources in education to reduce overcrowding in classrooms (Zimbabwe);
- xvi. 85.86. Introduce, in the interim, "hot seating" in schools as a stop gap measure to reduce overcrowding in classes (Zimbabwe);
- xvii. 85.87. Redouble its efforts to develop and maintain a qualified cadre of highly motivated primary and secondary school teachers capable of providing quality education to students (Canada);
- xviii. 85.88. Give special attention to the attendance of children to secondary schools (Turkey);
- xix. 85.89. Continue strengthening the quality of education delivery at the basic, secondary and tertiary levels (Ghana);
- xx. 85.90. Improve schools and other educational facilities and environments to meet the needs of persons with disabilities (Finland);
- xxi. 85.91. Train all lecturers and teachers in inclusive education (Finland);

- xxii. 85.92. Continue working with the international donor community to work with Tanzania on capacity building measures to as to ensure education for all (Zimbabwe);
- xxiii. 85.93. Provide pupils with disabilities with adequate equipment and tools (Finland);
- xxiv. 85.94. Share its experience relating to primary education and the promotion of women's rights with interested countries (Benin);

66. The following recommendation does not enjoy the support of Tanzania:

- i. 86.47. Continue to promote the right to education, while prohibiting corporal punishment (Djibouti);

67. Analysis:

A revised Education policy was recently launched in 2015 where it appears that Tanzania put in place a free and compulsory basic education as well as providing with equity quality educational tools (document not available in English yet). Tanzania is also taking steps toward a more inclusive education as well as a healthy learning environment for all. Many provisions in the Draft Constitution promote the right to education in conformity with Tanzania's international obligations, however, to the extent of available resources, the Constitution has not been adopted yet. In waiting, Tanzania has not, given our information, implemented further policies in specific areas of the right to education.

68. Specific Recommendations:

1. Tanzania should be strongly encouraged to further submit state reports for the periodic consultations of UNESCO's education related standard-setting instruments, notably regarding the Convention against discrimination in education.
2. Tanzania could be encouraged to continue its current effort to follow a strict implementation process for the new Education Policy in order to render it effective for all as well as allocating the budgetary needs necessary for its implementation.
3. Tanzania could be encouraged to take additional measure to integrate human rights education into school curricula including awareness raising campaigns for the children, parents and teachers particularly on gender equality, corporal punishment and Female Genital Mutilation.

4. Tanzania could be encouraged to take further measures to implement policies in specific areas of the right to education for a better effectivity and improvement including for children with disabilities, quality of education and teacher's training.

Cultural rights

69. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972), the Convention for the Safeguarding of the Intangible Cultural Heritage (2003), and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005), the United Republic of Tanzania is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, the United Republic of Tanzania is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

Freedom of opinion and expression

70. Tanzania is recommended to decriminalize defamation and place it within a civil code that is in accordance with international standards.⁴⁴
71. Tanzania is further encouraged to introduce a freedom of information law that is in accordance with international standards.⁴⁵

⁴⁴ See for example, General Comments No 34. of the International Covenant on Civil and Political Rights (ICCPR), 2006 Recommendation of the 87th Session Human Rights Committee, the recommendations of the UN Special Rapporteurs on the Right to Freedom of Opinion and Expression, and Resolution 1577 (2007) of the Parliamentary Assembly of the Council of Europe.

⁴⁵ See for example, General Comments No 34. of the International Covenant on Civil and Political Rights (ICCPR), 2006 Recommendation of the 87th Session Human Rights Committee, the recommendations of the UN Special Rapporteurs on the Right to Freedom of Opinion and Expression, and Resolution 1577 (2007) of the Parliamentary Assembly of the Council of Europe.

72. The Government may wish to consider taking advantage of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity as a means to strengthen protection of journalists and freedom of expression.

**Freedom of scientific research and
the right to benefit from scientific progress and its applications**

73. United Republic of Tanzania, in the framework of the 2015-2017 consultations related to the revision and monitoring of the Recommendation on the Status of Scientific Researchers is encouraged to report to UNESCO on any legislative or other steps undertaken by it with the aim to implement this international standard-setting instrument, adopted by UNESCO in 1974.