

# 50% campaign to protect children

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## Petition heard in high court of Tanzania

By Anna Thor (Mkombozi)

On May 14th, the petition between member organizations of the Arusha Caucus for Children's Rights and the Attorney General, was heard in the high court of Tanzania.

The Arusha Caucus for Children's Rights has for a long time been working towards the end of the round-ups of street children which are been carried out by the Arusha Municipality. The approach used by the Caucus, represented by three of its member organizations, in cooperation with Advocates for International Development (A4ID), is strategic litigation in the high court of Tanzania.

The petition between Mkombozi, East African Law Society, Legal and Human Rights Center and the Honorary Attorney General was heard in the high court of Tanzania on the 14th of May 2008. The aim of the petition is to enforce the constitutional rights of children by requesting the removal of those laws that can be used to defend the round-ups of street children; namely the Township Act, the Destitute Persons Act as well as parts of the Criminal Procedure Act and the Penal Code:

- All four laws are contrary to Article 15 to the Constitution of the United Republic of Tanzania, in that they allow children to be arrested, detained and deprived of their liberty.
- All laws are also contrary to Articles 12 and 13 of the constitution, in that they fail to treat children differently from adults, and also in that they treat street children differently from other children.
- Both the Townships Ordinance and the Destitute Persons Act are contrary to article 17 of the Constitution; they infringe the right of all Tanzanians to move freely within the country.

Having dealt with preliminary issues, the judges (Mmila, Chocha and Sambo) set out a schedule for the advancement of the case, allowing for immediate submissions of witness evidence by the petitioners. The matter has been listed for further hearing on the 4th of August 2008.