



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Pre-session working group
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List of issues and questions with regard to the consideration of periodic reports

United Republic of Tanzania

Introduction

The pre-session working group examined the combined fourth, fifth and sixth periodic report of the United Republic of Tanzania (CEDAW/C/TZA/6).

General

1. Please elaborate on the process of preparing the report, specifically the exhaustive consultations carried out with civil society. This information should indicate which government departments were involved in the process and the nature and extent of their participation, and whether the report was adopted by the Government and presented to the Parliament.
2. The report mentions that CEDAW monitoring indicators were developed. It also refers to a Computerized Gender Sensitive Monitoring System Database of the Ministry of Community Development, Gender and Children (para. 69). Please provide information on how these indicators facilitate changes in the status of women. Please provide the list of CEDAW indicators contained in the computerized database. Please describe how, and by whom these tools are used to monitor implementation of the Convention.

Constitution, laws and institutional framework

3. According to the report (sect. 3.5), coverage of legal awareness and services has not reached the majority of the people, especially those in the rural areas. Please provide information on what measures or plans are in place to enhance access to justice for women, especially rural women, so that they may use the courts to claim their rights under the Constitution, other legislation, and the Convention. Please also

indicate any court cases in which women have challenged discriminatory laws, or cited the Convention.

4. According to the report, the Law Reform Commission has spearheaded the process of reviewing existing discriminatory laws. Please provide an update on the Law Reform Commission's work in relation to such laws. In particular, please provide an update on the timeline for the enactment of the proposed amendments to the Inheritance Laws, the Marriage Act of 1971 and the Law on the Custodian of Children (para. 45). Also please indicate if proposed amendments to the Marriage Act would criminalize polygamy and early marriage.

Violence against women

5. The report indicates the different forms of violence against women that occur in the United Republic of Tanzania (para. 26). Please provide information about these forms of violence against women and their extent, including statistical data. Please indicate if there are plans to conduct a national population -based survey to assess the extent of all forms of violence against women.

6. Please provide up -to-date data on the extent of the practice of female genital mutilation, the number of practitioners who have faced criminal charges for engaging in the practice, and the extent of the public education initiatives to change the underlying cultural and traditional beliefs about the practice.

7. Please provide information on the content of the National Plan of Action to combat violence against women and children. This should clarify whether the plan contains timelines and covers legal and prevention measures, support services, and capacity -building and awareness -raising programmes, as well as funding sources for such activities. Please also indicate any progress achieved so far in its implementation.

8. In its previous concluding comments, the Committee recommended that shelters for women who have been subjected to violence be established and adequately resourced.¹ According to the report (para. 52), the establishment of shelters for victims of violence may exacerbate family related problems if not handled carefully taking into account existing reconciliation procedures at family level. In addition to further information on the provision of shelters, please provide information on measures taken to reduce the incidence of violence against women.

9. The Special Rapporteur on violence against women, its causes and consequences noted that the United Republic of Tanzania neither recognizes marital rape as a crime nor has specific provisions within its Marriage Act that impose penalties for domestic violence (E/CN.4/2003/75/Add.1, paras. 620 and 621). Please describe how these issues have been addressed, in law and in practice.

Trafficking and exploitation of prostitution

10. The report is silent on the issue of trafficking except for noting that the trafficking of young girls from rural areas to urban centres has increased despite restrictions in policy guidelines and the law (para. 26). Please provide statistical data, if available, on the extent of trafficking in women into, through and from

¹ See *Official Records of the General Assembly, Fifty -third Session, Supplement No. 38, Rev.1 (A/53/38/Rev.1)*, Part two, para. 234.

Tanzania, and any cases brought against perpetrators, and the sentences imposed. Please further clarify the measures being taken to strengthen enforcement of the law in relation to the trafficking in young girls from rural to urban areas. Please also indicate whether a national plan to combat trafficking has been prepared.

11. Please provide current data on the nature and extent of prostitution of women and girls in Tanzania. What measures are in place to provide alternative life choices for prostitutes?

Participation in political and public life

12. The report notes that special seats have been allocated for women in Parliament and in Local Authorities (para. 46), and cites challenges (sect. 3.5) of male dominated leadership of political parties and the parties' constitutions that do not provide for women's quotas. Please indicate what measures have been taken or are currently being planned to specifically address these challenges in order to increase women's representation in public and political life at all levels in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendations 23 and 25.

Education and stereotypes

13. The report notes that the dropout rate of girls was higher than that of boys due to early marriages, pregnancies, domestic chores, and caregiving responsibilities (para. 20). How have the Education Sector Development Programme and the Primary Education Development Plan addressed these specific issues to increase school attendance and the enrolment of girls. What support is offered to families in order to decrease dropout rates?

14. According to the report (para. 98), very few girls join technical training institutions due to various reasons including few technical secondary schools that enrol girls. Please describe the current restrictions or barriers to the enrolment of girls in vocational and technical education and indicate the plans in place to remove them.

15. The report refers to measures taken to eliminate gender stereotypes in the educational system (see paras. 100, 105 and 106). Please describe the impact of these measures and the results achieved in regard to enhancing girls' and women's education, eliminating stereotypes in textbooks and stereotypic attitudes among the general population.

Marriage and family relations

16. In its concluding comments (CRC/C/TZA/CO/2, para. 24), the Committee on the Rights of the Child expressed concern that the minimum age for marriage is 15 years for girls and 18 for boys. The Government's report also recognized that early marriage persists. Please indicate if the Government is contemplating raising the minimum age of marriage for girls to 18 years in order to bring it in line with article 1 of the Convention on the Rights of the Child, article 16 of the Convention on the Elimination of All Forms of Discrimination against Women, and the Committee's general recommendation No. 21, and, if so, whether a timetable has been established for enacting such a law.

Employment, poverty and rural women

17. In addition to the Employment and Labour Relations Act (2004) which prohibits discrimination in the workplace based on gender, sex, marital status, disability and pregnancy, affirmative actions are being taken to safeguard and protect women employees (para. 107). Please describe the content and the impact of these special measures.

18. The Public Service Standing Orders of the United Republic of Tanzania Government (1984) and the Employment Labour Relations Act of 2003 provide for 84 days of paid maternity leave every three years (para. 117). Please clarify whether women who give birth more than once in a three -year period are entitled to take maternity leave more than once. The report also states that the private sector is not bound by the laws providing for parental leave (paternity as well as maternity leave). Please describe any measures in place or being planned, to expand parental leave to the private sector.

19. The report contains limited information about the situation of women in the labour market. Please provide information on women's unemployment rates compared to that of men, the wage gap between men and women, and on occupational segregation, and trends over time (since the presentation of the last report).

20. In addition to the microfinance opportunities mentioned in the report, what measures have been taken to support women's entrepreneurship, and more generally, to enhance the situation of women in the informal sector, and what has been the impact of these measures?

21. According to the report (para. 109), there has been a significant reduction in the percentage of women whose main activity is agriculture. Please indicate any programmes or policies that address the situation of women who previously worked in the agricultural sector and have shifted to other activities, especially in the informal sector. Please indicate any plans to scale up the programmes for skills training for self-employment (para. 110) for this population.

22. In its previous concluding comments,² the Committee recommended that laws of inheritance and succession be formulated so as to guarantee rural women their rights of inheritance and ownership of land and property. The report notes that the Land Act No. 4 of 1999 (amended in 2004) and the Village Land Act No. 5 of 1999 give women the right to acquire, own and use land equally with men (para. 44). Please provide an update on how these laws have enhanced women's rights to hold land and property, how their implementation is monitored, and concrete results achieved.

23. The report details several operational targets of the gender responsive National Strategy for Growth and Reduction of Poverty (para. 34). Please provide information on how the Convention on the Elimination of All Forms of Discrimination against Women has been used in the preparation of the strategy and how the strategy's implementation will enhance implementation of the Convention.

² Ibid., para. 236.

Health

24. In view of the high rate of HIV infection, especially among young women (11 per cent of pregnant women in the 15 -25 age cohort in 2004, 12.3 per cent of women infected compared to 9.1 per cent of men) and the fact that HIV/AIDS is a critical predicament of women's health and development (para. 18), please indicate whether the Government has included a gender perspective in the National Multi-Sectoral Strategic Framework on HIV/AIDS (2003 -2007) and describe the specific measures for prevention targeting women. Please also describe the level of young people's awareness of sexual and reproductive health issues, including their knowledge of how to protect themselves from HIV/AIDS.

25. According to the report, women are the primary caregivers for children, husbands and relatives living with HIV/AIDS (paras. 18 and 130). What measures have been taken to support women and girls with their role as caregivers? Please indicate the systems in place to ensure that these responsibilities do not prevent women and girls from continuing their education.

26. According to the report (para. 124), the percentage of women who received antenatal care from a health professional increased from 40 per cent in 1999 to 93.6 per cent in 2004 in rural areas and from 76 per cent in 1999 to 96.8 per cent in 2004 in urban areas. Please indicate the reasons for this success and whether there are any lessons learned that could be applied to other areas.

Situation of refugee women

27. In its concluding observations, the Committee on the Elimination of Racial Discrimination (CERD/C/TZA/CO/16, para. 18) expressed concern about allegations of arbitrary arrests and detention, excessive use of force and ill -treatment of refugees, in particular women, by law enforcement officials, and about the lack of investigation of those cases. Please provide information on what measures have been taken to ensure prompt, thorough, independent and impartial investigations into all allegations of ill -treatment of female refugees, and also indicate actions taken towards the prosecution and punishment of those responsible. Also indicate the levels of compensation to victims of these actions.

Optional Protocol and amendment to article 20, paragraph 1

28. Please describe measures in place to publicize the Optional Protocol, which the United Republic of Tanzania ratified 12 January 2004, and to encourage its use. Also please describe the structures put in place to ensure that national remedies are available to all women who face discrimination under the Convention.

29. Please indicate what progress has been made towards acceptance of the amendment to article 20, paragraph 1 of the Convention.