



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
23 January 2008

Original: English

**Committee on the Elimination of Discrimination
against Women**

Pre-session working group

Forty-first session

30 June-18 July 2008

**Responses to the list of issues and questions with regard to
the consideration of the combined fourth, fifth and sixth
periodic reports**

United Republic of Tanzania*

* The present report is being issued without formal editing.

General

The process of preparing the report

1. The Ministry of Community Development Gender and Children (MCDGC) has the overall responsibility of preparing the country report to the Committee on Elimination of all Forms of Discrimination against Women. In this endeavour the Ministry works in close collaboration with the Ministry of Labour, Youth Development, Women and Children of Zanzibar, (MLYDWC).

To initiate the report writing process the MCDGC organized an initial workshop to inform key stakeholders namely government ministries, departments and agencies; non-governmental organizations and donor agencies, on the impending task of the report writing. The purpose of the initial workshop was to agree on the roles that the stakeholders and the MCDGC were going to play in the report writing process. It was agreed at the meeting that each sector would provide information on the progress they have made in the implementation of the Convention on Elimination of all Forms of Discrimination against women as well as the challenges they have faced. A second workshop was held for the stakeholders to present their information whereby following discussions, the contents and format of the report were agreed upon. Thereafter a small drafting team headed by the Director for Gender Development was selected to prepare the report. A third workshop was held to review and finally endorse the report prepared by the drafting team. The report endorsed through the workshop was then discussed by the management of MCDGC including the Minister and hence adopted by the government. It should be noted that the report went through several drafts before it was finally adopted. The report has not been presented to the Parliament since it is not a requirement. However, the Minister for Community Development, Gender and Children has informed the Parliament through the 2007/2008 budget speech.

The stakeholders that participated in the CEDAW report writing process were as follows:

Government Ministries/Departments/Agencies

Ministry of Community Development, Gender and Children, Ministry of Labour, Youth Development, Women and Children(Zanzibar), Ministry of Public Safety and Security, Ministry of Home Affairs, Ministry of Education and Vocational Training, Ministry of Science, Technology and Higher Education, Ministry of Planning, Economy and Empowerment, Ministry of Labour, Employment and Youth Development, Ministry of Agriculture Food Security and Cooperatives, Ministry of Water, Ministry of Finance, Ministry of Health and Social Welfare, Foreign Affairs and International Cooperation, Ministry of Justice and Constitutional Affairs, Registrar of Political Parties, Law Reform Commission ,National Bureau of Statistics, Commission for Human Rights and Good Governance and Tanzania Commission on HIV/AIDS (TACAIDS).

Non-Governmental Organizations/Civil Societies

Tanzania Women Lawyers Association (TAWLA), Tanzania Media Women Association (TAMWA), Tanzania Non-Governmental Association (TANGO), Muslim Council of Tanzania (BAKWATA), Christian Council of Tanzania (CCT), Tanzania Episcopal Council (TEC), Equal Opportunities for All Trust Fund (EOTF) and Zanzibar Youth Education, Environment and Development Support Association (ZAYEDESAs).

The Development Partners

United Nations Development Programme (UNDP), United Nations Population Fund (UNFPA), United Nations Development Fund for Women (UNIFEM) and Canadian International Development Agency (CIDA)

Information on CEDAW indicators contained in the computerized database

2. Preparations for the development of CEDAW monitoring indicators started in 2002. The purpose was to have in one place statistics generated by different sectors in order to inform the government on the progress in achieving the objectives of CEDAW. Currently, the indicators measure the achievement of article 10 and 12 as they relate to education and health respectively. The statistics are used by the MCDGC in its advocacy work for gender equality. A list of indicators is attached in the appendix.

Constitution, laws and institutional framework

3. Measures or plans that 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.

Since 2001 The Commission for Human Rights and Good Governance has been holding public meetings in order to provide public education about human rights and advocacy for men and women to use court to claim their rights when violated. Currently 40 districts out of 137 have been attended.

Access to justice for women is further enhanced through the justice system that extends from the village level to the court of appeal. Women can further access justice on the issue of land through the land tribunals. These tribunals that have been established at national regional, districts and ward level are composed of 50 per cent women representation.

Major challenges for women to access justice include legal illiteracy and the low numbers of lawyers in the country and in particular in the rural areas. In this regard the Legal Sector reforms program aims at establishing a cadre of trained paralegals in the local government. This would lead to increased access and understanding of legal rights. The Civil society organizations such as the Tanzania Women Lawyers Association (TAWLA), Women, legal Aid Center(WLAC), WILDAF and Envirocare have already established programmes for

training women and men who are not lawyers to assist in giving legal aid to women living outside the cities.

There are three landmark cases where women have challenged discriminatory laws e.g. In case of *Bi Hawa Mohamed v. Ally Sefu, Court of Appeal of Tanzania at Dar es Salaam Civil Appeal No. 9 of 1983.*, (1983), The Plaintiff challenged the Law of Marriage Act of 1971 on distribution of matrimonial property. This case reached the High Court which ruled in favour of the plaintiff in that it recognized women's domestic labour as a contribution in matrimonial assets, thus paving a way for women to get a share of matrimonial assets. A more recent case of *Sawe v Sawe* has further strengthened the ruling in *Bi Hawa Mohamed v Ally Sefu* on distribution of matrimonial assets especially in those cases where women contribution is based on their unpaid labour in the house. Another case of *Ephrahim v. Pastory and Another, High Court of Tanzania at Mwanza (PC) Civil Appeal No. 70 of 1989.* the High Court inter alia held that a woman has a right to inherit and own land and she is not subject to discrimination.

4. Update on the Law Reform Commission's work in relation to discriminatory laws.

The proposed amendments to the Marriage Act of 1971 and inheritance laws are already in the Cabinet Secretariat for consideration. The children's Act has already passed the cabinet secretariat and is now waiting approval of the cabinet. The proposed amendments among others are renouncing early marriages and announce 18 year to be proper age of marriage in line with other laws to give way to girl's education in accordance with education Act of 1978. No timeline has however been set for the enactment of these proposals. It should be noted that children finish their compulsory primary education at the age of 13 or 14. With limited opportunities for continuation with education at secondary level many parents find that the option for the girls is to get married. However the government through the Secondary Education Development programme is expanding secondary education. As more girls are selected to go to secondary education so would be the reduction of early marriages.

The proposed amendments to marriage Act will not criminalize polygamy. Polygamous marriages are allowed in customary law as well as in Muslim marriages. It is the government's belief that improved education and economic empowerment of women will help to decrease polygamous arrangements.

Violence against women

5. Information about forms of violence against women and their extent, including statistical data.

In Tanzania, violence against women takes various forms. It takes the form of physical abuse, battery, female genital mutilation and rape. There are no segregated data on the various forms of violence that are readily available. However, 7388 rape cases were reported to the police between January and December 2006. It should be noted that a number of cases of gender based violence and abuse are not reported to the police while those that are reported end up being settled out of courts.

Through the poverty reduction strategy i.e. MKUKUTA, two indicators to monitor gender based violence have been included. The first indicators will measure the number of sexual abuse filed at District, High Court or Court of Appeal as a percentage of all filed cases. This indicator however does not include offences reported to the police unless a case is subsequently filed. The indicator will probably be under reported, however it is a starting point for determining the extent of sexual abuses as a percentage of all crimes.

The second indicator measures the percentage of people who agree that a husband is justified in hitting or beating his wife for a specific reason. The baseline year for this indicator was 2006, and the first survey showed that 59.6 per cent of women and 42 per cent of men agreed that a husband is justifiable in beating his wife. This indicator measures the extent that people generally accept violence as part of the male chauvinism.

The government is aware that many sexual abuses remain unreported for various reason including that of acceptance that it is within the husbands purview and the cultural belief that they are private issues that should remain within the family. Thus many cases are unreported. For those that are reported a number of them are settled out of court. The government will continue with its efforts to advocate to the public that gender based violence is not acceptable. In addition through the Legal Sector Reform Programme the government aims to pursue legislative and administrative actions to protect women against violence, promote right to seek redress, protection and mechanisms to dispense justice to perpetrators.

6. The extent of the practice of female genital mutilation and the number of practitioners who have faced criminal charges for engaging in the practice, and the extent of public education initiatives to change the underlying, traditional beliefs about the practice.

According to the Tanzania Demographic Health Survey (TDHS) of 2004/2005, the practice of Female Genital Mutilation (FGM) is mostly prevalent in the nine of the 22 Tanzania Mainland regions. These regions are Manyara 81 per cent, Dodoma 67 per cent, Arusha 54 per cent, Kilimanjaro 25.5 per cent, Singida 43 per cent, Tanga 23 per cent, Morogoro 18 per cent, Iringa 22.7 per cent and Mara 38 per cent. The rest of the regions that is 13 regions have prevalence rate of less than 5 per cent.

Female Genital Mutilation has been prohibited since 1998 with the adoption of Sexual Offences Special Provision Act, 1998. Section 21 of the amended penal code criminalizes FGM upon anyone under the age of 18. Punishment for the practitioner is imprisonment of from 5 to 15 years or a fine not exceeding 300,000 Tshs or both. However, the law has not been effectively enforced as the communities are not willing to come forward with information. There have been some arrests under this legislation, but the prosecutions have been very slow due to problems of getting information and especially witnesses. It is the government's view that education to the practitioners and the public is a more effective way to combat FGM. Hence efforts to eradicate FGM are more geared towards awareness and education than on criminalization of FGM.

The Ministry of Community Development, Gender and Children and the Coalition Against FGM have conducted several advocacy training for local leaders, local community

based councilors and parliamentarians, religious organizations and the Media. MCDGC with the support of UNFPA have developed an advocacy kit for the prevention of FGM. The overall impact of advocacy against FGM has been the decline in the number of girls who undergo FGM.

7. The national Plan of Action to combat violence against women and children.

The National Plan of Action (NPA) for the prevention and eradication of violence against women and children (2001 – 2015) is an implementation plan of the SADC addendum to the 1997 Gender and Development Declaration entitled “The Prevention and Eradication of Violence against Women and Children”.

The plan has identified four areas for implementation which are legal; social economy, cultural and political; services to the survivors/victims of violence; education and training and awareness building. The NPA is funded by the government, with support from development partners such as UNFPA and UNDP.

Since its inception the NPA was distributed to stakeholders such as the law enforcers, the media, the civil society and the communities especially those at grassroots. The Commission of Human Rights and Good Governance in Tanzania and a number of civil societies have complemented the government’s efforts in fighting violence against women through the undertaking of activities geared towards eradicating violence against women in their own programmes. The sensitization of the law enforcers undertaken by the Ministries responsible for women both in Tanzania mainland and in Zanzibar has proved to have a greater impact in ensuring that reports of violence against women are taken seriously and not regarded as domestic issues to be settled within the family.

The major constraint in the implementation of the NPA has been the inadequate funding to finance the planned activities.

8. The establishment of shelters for victims of violence and measures taken to reduce the incidence of violence against women.

Provision of shelters as has been mentioned in the report is not a viable option for Tanzania. Measures to reduce incidence of violence have focused on advocacy. Both men and women advocates on violence against women are used. Advocacy materials are well disseminated in public places such as schools, dispensaries, government offices, village offices and community centers. The Judiciary system especially the police has been sensitized on their role in preventing violence against women.

9. Marital rape

Marital rape is not recognized as a criminal offence nor is it an issue that people talk about. Domestic violence is not classified differently from other forms of violence. The problem faced in prosecuting domestic violence is the reluctance of the spouses to take to court her husband who is the bread earner for the family. A woman feels that her taking to court, a husband who is the bread earner would have negative consequences for her family. It is in this

regard the empowerment of women socially, politically and economically will greatly improve the situation of women.

Trafficking and exploitation of prostitution

10. The extent of trafficking in women into, through and from Tanzania.

Currently there are no official data on trafficking in women. Trafficking where it occurs is done in secrecy and in other instances it is mixed with regular rural urban migration.

Government's efforts to curb trafficking have included advocacy and awareness creation on trafficking issues. The government, with support of IOM, has established a support project to combat trafficking. The project is designed to enhance Institutional capacity and training for relevant NGOs, law enforcers, prosecutors, judges and victim service providers.

The Ministry of Public safety and security has established an-anti trafficking section in the crime unit, responsible also for addressing terrorism, narcotics and money laundering. Currently no national plan to combat trafficking has been prepared. However, a new, comprehensive Anti-Trafficking of People's bill has been drafted and waits to be tabled before the Parliament.

Under the laws of Tanzania, trafficking of all persons including women and children is a criminal offence. No case of trafficking has been brought to the courts.

11. Please provide current data on the nature and extent of prostitution of women and girls in Tanzania.

There are no statistics of prostitution available. Prostitution is to a large extent found in urban areas and along main trunk roads. There has been work undertaken especially by NGOs to advocate and counsel women to leave prostitution and utilize the microcredit schemes available in the country to engage in economic ventures. Skills training for these women have been provided. Some of the NGOs such as (KIWOHEDE) work with young prostitutes to return them to school.

Participation in political and public life

12. Measures that have been taken or are currently being planned to specifically address the challenges in order to increase women's representation in public and political life at all levels in accordance to article 4, paragraph 1 of the convention and general recommendations 23 and 25?

Presently the 2005 Manifesto of the ruling party, Chama cha Mapinduzi (CCM) has declared that the number of women representation in the National Assembly should reach 50 per cent by the year 2010.

Advocacy work at all levels for both men and women on gender equality including the need for women leaders, is a continuous undertaking of the government and the civil society. Women are known to be loyal voters and as a block have the power to decide who is elected. However women have been the ones not ready to rally behind women candidates. It is expected that the current women leaders will provide role models as well as testimony of women's ability to lead. In this endeavour there have been trainings for women parliamentarians that have been organized by the civil society as well as some international organizations such as the British Council.

As the women constituency grows stronger and so will the political parties recognize the power and votes that can come from women. The political party in power has already done so as they were able to present women issues in their election manifesto as well as fielded women candidates in constituents. They have thus been able to win the women votes. It is the government contention other parties will follow suit as can be currently evidenced with the women wings that have been formed within many of the political parties.

Education and stereotypes

13. How the Education Sector Development Programmes and the primary Education Development Plan have addressed dropout for girls to increase attendance and their enrolment. What support is offered to families to decrease dropout rates?

The issues of dropout for girls have been addressed through the Education Sector Development Programme and the Primary Education Development Plan in the following areas:

- Enforcement of by-laws and regulations in communities on the girl child education.
- Introduction of capitation grant from the government to ensure that school children are not sent away from school due to non-payment of school fees and contributions.
- Building of hostels for girls in day secondary schools.
- Introduction of Basic Education/Alternative Learning for dropouts e.g. Complementary Basic Education in Tanzania (COBET) and the Zanzibar education programme (MKEZA) for Zanzibar.
- Promotion of girl friendly school environment through improved school infrastructure, such as provision of better toilet facilities.

The support to families has been through the abolition of school fees in primary schools and the reduction by 50 per cent of the secondary school fees i.e. from Tsh 40,000 to Tshs 20,000 per year.

14. The current restrictions or barriers to the enrolment of girls in vocational and technical education and indicate plans in place to remove them.

Sensitization to encourage girls to undertake science and technical education is an on going occupation of the ministry of education and some of the technical colleges. The current restrictions and barriers to the enrolment of girls in vocation and technical education have been due to few technical secondary schools, poor performance of girls in mathematics and science subjects and parents and teachers interference in selection of subjects and courses whereby they discourage girls to take science subjects. Plans that are in place to remove such restrictions/barriers include the sensitization programmes to encourage girls to join science subjects, establishment of science clubs in primary and secondary schools, the establishment of science camps for secondary school girls, the increase of technical schools whereby the government plans to establish technical colleges/centres in every district.

15. The impact of measures to eliminate stereotype and the results achieved in regard to enhancing girls' and women's education, eliminating stereotypes in textbooks and stereotypic attitudes among the general education.

The impact of the measures taken has been a change of attitudes to the general public about what subjects fit which gender. We are also experiencing Students in Folk Development Colleges opting for any career of trades offered at the specific colleges regardless of gender as well as Parents adhering to the career choices of their children. Since their establishment in 1975, Folk Development Colleges have been providing training according to gender. In this respect girls were trained in cookery and tailoring only. However from the year 2005 girls have been opting for non-traditional subjects including electricity, mechanics, masonry, carpentry and welding. About 189 girls have so far studied these subjects in 9 Folk Development Colleges as follows:

Year	No. of girls
2005	43
2006	52
2007	94

In vocational training the trend has been as follows:

Year	Male	Female	Total	% of Female
2004	12,290	3,940	16,230	24.27
2005	11,615	5,843	17,458	33.46
2006	13,130	4,710	17,840	26.40

The results that have been achieved include an increased number of women in the male domain fields such as engineering, architecture, medicine, law etc., Women and girls working in non-traditional areas such as road works, painting, mechanics, fishing, tailoring etc.

Marriage and family relations

16. Minimum age of marriage.

The Government is in the process of reviewing Law of Marriage Act of 1971. The proposed amendments are awaiting decision of the Cabinet. It is proposed in this law that, the amendment shall include removal of early marriage below 18 years for girls, in order this law to be in line with other laws such as Education Act, which recognize that, below 18 years a person is still a child obliged to undergo primary and secondary education, hence the importance of expanding secondary education for children, which is currently not compulsory.

Employment, poverty and rural women

17. The content and impact of affirmative action to promote women.

Affirmative actions to protect women employees have been in the areas of

- ***Recruitment and Selections as well as promotion in the Tanzania public service***
The public service policy and regulations provides for in the recruitment and selection that when a man and woman applicants have similar qualifications and are contesting for one vacancy, a woman applicant should be chosen. This also applies during short listing. Similarly in promotion, affirmative actions favour a woman applicant in case of similar qualifications during short listing or similar scores during interviews.
- ***Working hours***
The Public Service Management and Employment Policy encourages flexible working hours and part time especially where these shall provide a better service to clients and enable employees, particularly women with children, to combine more easily their work with their domestic and family responsibilities.

The impact of these measures has been an increase in number of women employees in the civil service, whereas in 1988 the representation of women civil servants were 32 per cent and their representation in management level was less than 20 per cent. In 2004 The representation of women was 40 per cent and their representation in management was 25 per cent.

18. Maternity leave.

The Employment and labour Relations (ELRA) of 2003 has been reviewed and is now superseded by ELRA of 2004. The ELRA of 2004 provides for maternity leave of 84 days once every three years and 100 days paid leave if the employee gives birth to more than one child at

the same time. This means that women who give birth more than once in a three year period are entitled to only one maternity leave during the three years, they are however still entitled to their 28 days paid annual leave. It should be noted that the provision for one maternity leave every three years is in line with the population policy to enable family spacing and ensuring the baby's and mother's health.

We would like to clarify that whereas the standing orders are applicable to the civil service, the ELRA is applicable to all employers, private and public. Provisions on maternity as provided in ELRA of 2004 are applicable to both the public and the private sector.

19. The situation of women in the labour market.

Employment and Unemployment status

Using the National definition of employment, Integrated Labour Force Surveys (ILFS):

- Total Labour Force (10 yrs of age and above): In 2000/01 ILFS – 16,914,805 (17 **mill.**) (Males 8,351,291 and females -8,563,513 (*equal to 50.6 per cent*). In ILFS 2005/06 - 19,678,259 (males 9,745,889 and females 9,932,370 (*equal to 50.5 per cent*).
- Employment Characteristics: (10 yrs+)
- Unemployment rate: ILFS 2005/06 - 11 per cent, and in ILFS 2000/01 -12.9 per cent: Female 11.9 per cent, Males 10.0 per cent (ILFS 2005/06), and Females 14.2 per cent, Males 11.6 per cent (ILFS 2000/01).
- The ILFS 2005/06 shows that there is a decrease in unemployment rate both among men and women compared to ILFS 2000/01. The decrease of Women unemployment rate stands to be bigger than that of men i.e. 2.3 per cent compared to men of 1.6 per cent during the same period.
- Agriculture continues to be the dominant sector of source of employment in Tanzanian economy. It accounts for 75.1 per cent of employed persons followed by the private Informal sector 10.1 per cent and other private formal employing 8.6 per cent of the employed persons.
- Women employment compared to men is proportionally higher in the agriculture sector and household economic activities.
- In the agriculture sector, estimated 67.2 per cent of employed persons work on their own farms and women account for 71.7 per cent compared to 62.4 per cent men. In contrast, the 15.3 per cent of men in the sector work as paid employees while 6.1 per cent of women are of the same status. 11.4 per cent of the employed persons work as unpaid family helpers of which we might associate more women with this status.
- The number of the unpaid family helpers has increased from 3.0 per cent in 2000/01 to 13.7 per cent in 2005/06 due to the survey inclusion of e.g. collection of firewood,

fetching water as economic activities and also interviewing school children/students who normally work part-time after school on domestic chores.

- The Public Service of Tanzania is male dominated. Statistics availed by the President's Office – Diversity Unit of the Public Service Management, July, 2006 indicate that there are more men public servants than women. In September 2004, for instance, there were 286,817 active public servants, of which women were 114,726 or 40 per cent. Moreover, statistics show that women in key government decision making posts constitute only 25 per cent of the total workforce. Statistics available indicate that majority of women are on the lower and middle cadres.

The absence of women from positions of power and decision making means that decisions that affect the country are made by people representing less than half of that population.

20. Measures that have been taken to support women's entrepreneurship, and more generally, to enhance the situation of women in the informal sector, and the impact of these measures.

The Government is facilitating the process of establishing the Tanzania Women's Bank. In addition the Government has established an Economic Empowerment Council in the Ministry of Planning Economy and Empowerment that aims at among others to provide soft loans to Tanzanians including women economic groups in the country. Furthermore, the financial institutions such as Cooperative Rural Development Bank are carrying out training to women entrepreneurs in order to equip them with entrepreneurial skills able to attain internal and external markets.

(a) Other measures include: -

- Mobilization of women to form economic groups as part of collateral to enable them access credit from Micro Finance Institutions (MFIs) and formal banks.
- Support and recognize the role and initiatives of MFIs that access credit to women.
- The government has approved and supported the policy on MFIs.
- Women's Development Fund (WDF) was established by the government through Ministry of Community Development Gender and Children to provide access credit to women entrepreneurs in all districts. Since its establishment in 1993, 300,000 women have benefited from this fund.
- The District Councils return 10 per cent of the taxes collected to the WDF to enable the women entrepreneurs to borrow and do business.
- Women are mobilized and facilitated to participate in local and international trade fairs/shows to exhibit their products and learn from others.

(b) Impact of the measures taken:

- Women now have the opportunity to form economic groups and borrow from the MFIs and formal banks.
- More than 3,000 women entrepreneurs have participated in trade fairs locally and internationally.
- Many women entrepreneurs have become powerful both economically and socially and contribute towards the wellbeing of their families including education, health, housing, nutrition etc.
- Women have improved the quality of their products to meet internal and external markets.

21. Women whose main activity is agriculture.

- The National Macro-finance and Policy 2000 has made it possible for the establishment of formal Financial Institution and MFIs which developed various micro credit windows/services and pro-poor products that have continued to support women start up both micro and small enterprises.
- The government in collaboration with Private Sector and Civil Society have continued to provide literacy class skills training and business development services, build women's capacities in managing small scale enterprises.
- The government has established the National empowerment Programme with the main component of guarantee funds which is implemented in phases. During the first phase of implementation (2006 – 2007) a total of Tshs. 21 billion has been guaranteed to commercial bank for disbursement to micro and small entrepreneur. This fund has already benefited a total of 9,183 women and 21,859 men.

22. An update on the land Act and how it has enhanced women's rights to hold land and property.

The amendments of Land Acts in 2004 enhanced women's rights to hold land and property in that, a woman can choose to own land alone or jointly with her husband. The amendments also provide options of ownership of land either co-ownership or joint ownership of land. The special feature in this amendment is that women can use land as security to acquire loan or to mortgage land as deems fit.

The implementation of these amendments is monitored through land divisions and land tribunals which have been empowered to administer all land issues with special priority given to women in ownership of land. Great achievements have been in promoting ownership of Land to women. A number of women in rural areas have received certificates of land ownerships.

23. How the Convention on the Elimination of All Forms of Discrimination against Women has been used in the preparation of the National Strategy for Growth and Reduction of Poverty and how the strategy's implementation will enhance implementation of the Convention.

The Convention as well as other instruments for promoting gender equality such as the Beijing Platform for Action was used as reference points and justification for the inclusion of gender equality objectives. The implementation of the Convention has to be domesticated through various national policies and programs and it is the government's belief that achievements of the gender equality objectives in the strategy, for example in education, in health, in economic empowerment will reinforce the attainments of the convention objectives. That is the achievement of the objectives of the strategy and the convention are not mutual exclusive but complement each other.

Health

24. HIV/AIDS.

In the National Multi-Sectoral Strategic Framework on HIV/AIDS (2003-2007) the Government has included a gender perspective for the following specific measures for prevention targeting women: -

- Access to services for Sexually Transmitted Infection has been increased and is now available in all districts.
- Increasing the proportion of the sexual active population especially in the rural areas who use condoms consistently.
- Promoting the introduction of female condom as an alternative protection especially among groups of high vulnerability.
- Increasing the number of people in Tanzania who consult about their HIV status and adopt appropriate measure for a responsible self and other people.
- Reducing the risk of mothers to transmit HIV to the children during pregnancy, birth and/or breast feeding.
- Increasing the proportion of adolescent's youth, women, men and the disabled who feel adequately empowered to protect themselves against HIV infection.
- Providing education in primary and secondary schools for the youths to develop and maintain orientation, values attitudes and activities which safeguard their sexual and reproductive health.
- Increasing sexual behaviour change, care support and impacting mitigation activities for the vulnerable groups.

- Increasing the proportion of public/private sector enterprises and informal sectors operators for developing and implementing workplace interventions against HIV/AIDS.
- Reducing the risk of blood borne transmission by invasive procedures.
- To increase the proportion of people living with HIV/AIDS (PLWHAs) having access to the best available treatment and medical care including ARVs.
- To increase the proportion of PLWHAs having access to adequate community based care and support.
- Securing the basic livelihood of persons, families and communities who are hardest hit by the impact of the epidemic.
- Increasing the proportion of AIDS orphans having access to adequate integrated, community based support.
- Economic empowerment through income generating programmes.
- Sensitization through training of negotiation skills.

Among men and women, those age 20-24 are considerably more likely than those age 15 to 19 to have and comprehensive knowledge on HIV/AIDS. Knowledge also increases with educational attainment; youth with secondary schooling or higher are twice as likely (among women) and four times as likely (among men) to have comprehensive knowledge. Youth in urban areas are more likely than those in rural areas to have comprehensive knowledge. Forty-five per cent of women and forty per cent of men 15-24 know of these facts about HIV/AIDS.

25. Measures have been taken to support women and girls with their role as caregivers for people with HIV/AIDS and the systems in place to ensure that these responsibilities do not prevent women and girls from continuing their education.

HIV/AIDS contributes to the depletion of family resources as funds are used to treat the sick person. This can in some circumstances force the family to take children out of school as there is no money to pay for the school fees. The abolition of primary school fees is one measure that allows girl and other poor children to be able to continue with education. In addition all local governments have funds to assist children in difficult conditions to continue with education free of charge. Furthermore there has been a wide advocacy for communities to assist such children including building boarding facilities for girls. Campaigns such as the one spearheaded by First Lady with a slogan “*MTOTO WA MWENZIO NI WAKO*” meaning “*ANOTHER PERSON’S CHILD IS ALSO YOURS*” have been very effective in sensitizing the community on its cultural responsibility on children. There are also a number of Civil Society Organizations that work in this area of vulnerable children. However, it is the government’s view that strengthening communities to take care of these children is the most sustainable way in the long run.

Another facility for assisting women and girls is through the home based care programme where health workers visits the HIV/AIDS patients at home. Through this programme the health worker is in contact with the patient and the caregivers thus able to render support.

26. The reasons for this success in antenatal clinic attendance.

The increase in the number of women who received antenatal care has been due to the increase in the number of professional health workers in the rural health facilities (Dispensary and Health Centres) assigned to antenatal clinics. Furthermore community participation and involvement is a key focus in Essential Reproductive and child Health Interventions of which Antenatal care is one of the components. Community intervention to promote antenatal care has been undertaken through community based activities such as village health days and the special day of the African Child. In these special community days there are activities designed to target a specific health issue relevant to the growth and development of the child as well as the health of the expecting mothers. In addition there are specific clinic days for children and for pregnant women, these again in addition to promoting health they also provide social gathering for women. Through the clinics and special community health events there is increased awareness among community members on the importance of pregnant women to attend antenatal clinic early and for the children to attend the antenatal clinics and in particular watch the babies' development and get the necessary immunization.

Situation of refugee women

27. Measures that have been taken to ensure prompt, thorough, independent and impartial investigations into all allegations of ill-treatment of female refugees, and actions taken towards the prosecution and punishment of those responsible.

The government of the United Republic of Tanzania is committed to ensuring the safety of refugees living in the camps. The government has taken the following measures to eliminate violence against refugee women.

- Sexual and Gender Based Violence (SGBV) lawyers have been employed and posted in the field to make a follow up on these cases whenever they occur. Statistics for SGBV incidents for a period between January- September 2007 are as follows:
 - Rape- 111
 - Attempted rape- 19
 - Sexual harassment- 18
 - Forced marriage – 11
 - Underage marriage-22

- Domestic violence-712
- Other Gender-Based Violence- 176
- Non-Gender-Based Violence- 75
- A SGBV evaluation took place in October/November 2007 under the auspices of UNHCR and also in collaboration with Government. Currently a compilation of observations and recommendations is in progress with a view to coming up with plans on how to implement them. However there are two challenges:
 - a. Turnover of staff whereby experienced ones leave the programme and new ones take over.
 - b. Shortage of staff due to increased activities in camps taking place simultaneously which leaves SGBV actors limited time to attend SGBV.
- Women Police officers are included in the police contingent (that is deployed to oversee peace and security inside and around refugee camps) to deal with issues involving refugee women.
- There are initiatives to include women participation in the decision making process pertaining to the promotion of human rights, community mobilization, strategies and campaigns towards curbing violence against women, conflict resolution, food committees and in the identification of durable solutions. Such initiatives also include:
 - a. Efforts to ensure that there is 50/50 ratio on men/female leadership. Currently leadership ratio between men and women stands at 57 per cent/43 per cent.
 - b. All women heads of families collect food rations for their families.
 - c. Women food committees' members do participate in food distribution.
- A code of conduct has been prepared whereby all staff of the government and implementing partners are not allowed to engage in sexual affairs with refugees.
- Refugees do have access to courts of law apart from their traditional reconciliation tribunals.
- Regular meetings are held to educate the refugee community wherever there are any major changes in the assistance programme, for example:
 - Reduction of food rations.
 - Distribution of used clothes.
 - Distribution of sanitary materials, soap etc.

- Whenever any security incident occurs in a refugee camp thorough investigations are conducted involving the police, local guardians and members of relevant implementing partners.

Generalized allegations of arbitrary arrests and detention, excessive use of force and ill-treatment of refugees, in particular women, by law enforcement officials are unfounded. Whenever they occur they are reported either to government authorities in the camps or UNHCR officials in the field and appropriate measures taken. For example there is a case of a refugee woman who was alleged to have been ill treated and raped by a policeman. She was provided with the necessary assistance including referral facilities for treatment and counselling. Eventually she was reluctant to have the matter taken before court of law and was not ready to appear as a witness, hence the case was dropped. However, efforts to take up cases of rape to court are at times frustrated by the victims not volunteering to report for a number of reasons including shame to the family and on account of cultural values. However, efforts to counsel them still continue. To avoid such occurrences, regular trainings for law enforcement officials with regard to national and international refugee instruments are now done regularly in the field by the Refugee Services Department in collaboration with the UNHCR, in order to make them aware of their legal obligations in protecting refugees.

Refugees are not discriminated against when it comes to accessibility to the process of law. Both refugees and nationals are equally treated in the judicial process. However, compensation of victims is subject to review by courts of law once instituted by the respective claimant.

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.

The Optional Protocol has been disseminated to gender focal persons in ministries. Advocacy and training to inform the public on the protocol have been constrained due to unavailability of resources.

National remedies for women who face discrimination is availed through the normal judicial system of the country.

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

The government of Tanzania has accepted the amendments to article 20, paragraph 1 of the convention.