



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

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

Summary record of the 394th meeting

Held at Headquarters, New York, on Wednesday, 1 July 1998, at 3 p.m.

Chairperson: Ms. Abaka (Vice-Chairperson)

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The meeting was called to order at 3.10 p.m.

Consideration of reports submitted by States Parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

(continued)

Second and third periodic reports of the United Republic of Tanzania (continued)
(CEDAW/C/TZA/2-3)

1. **Ms. Javate de Dios** (Rapporteur of the Committee) said that on the whole the combined report was both gloomy and disturbing. The positive reforms that had been instituted since presentation of the initial report in 1990 had been insufficient; deeply entrenched, discriminatory religious and cultural attitudes and practices continued. The practice of wife inheritance and the oppression of widows and their children were particularly repugnant and must be stopped. The conflict between customary and civil law was used to justify the continuing oppression of women whereas in other countries changes in legislation and public policy alongside other efforts had given civil law the upper hand, proving that progress was not impossible. She recommended therefore that Tanzania should look at the many models and precedents for initiatives in that area.

2. The Committee was very concerned about the apparent lack of interest on the part of the Government in the problem of violence against women, which, as the representative of Tanzania had confirmed, was on the increase. It was unacceptable that at least 70 women were recorded as having died of battery at the hands of their husbands or partners; it underscored the urgency for the Government to address the problem of violence against women.

3. The Committee had been disturbed by the lack of data on prostitution and trafficking in women, and on the defilement of young girls in practices of "witchcraft". She believed that to act on those issues the Government needed not so much resources as political will.

4. It appeared that the condition of women was mired in a cycle of oppression, poverty and indifference exacerbated by ingrained cultural and religious practices and that customary law entrenched that oppression. In order to break the cycle, the

Government should launch a campaign of education on women's rights that was commensurate with the massive scale of the problem, and a consistent and sustained consciousness-raising campaign within Government itself targeting policy makers first and then the judiciary, law enforcement officers and the general public. Whatever the Government's efforts to date, the combined report showed that it needed to do more.

5. To succeed in that undertaking, the Government needed to support the efforts of women's non-governmental organizations. The common objective should be to reach a "critical mass" of enlightened Tanzanian citizens of the new generation who would turn the tide in favour of women and the generations of women to come.

6. **Ms. Yung-Chung Kim** noted that a women's development fund had been established, and enquired if the beneficiaries were selected on an individual basis, and if so what criteria were used. She enquired further whether funds were allocated on a project or a group basis, how many women were beneficiaries and whether rural women were included.

7. She expressed concern about increasing school drop-out rates and decreasing school enrolment among girls. Since education was the basis for achieving such goals as legal literacy and employment, it must become a priority issue for the Government.

8. She noted that while the Ministry of Education was making efforts to improve the curriculum, including the development of sports in primary and secondary schools, there had been no mention of revising the curriculum to deal with traditional attitudes, practices and stereotyping of sex roles.

9. She had learned from parallel sources that there was a grave problem of violence against elderly and disabled women in Tanzania and that their needs for housing or health care were being ignored. The Government should act urgently to remedy that situation.

10. She expressed the hope that the Government would soon come to grips with the conflict between customary and civil law. Customary law should no longer prevail over legislation predicated on the concept of equality, including laws based on the Convention on the Elimination of All Forms of Discrimination against Women.

11. **Ms. Lin Shangzhen** commended the Government on its efforts to identify and amend legislation that was oppressive to women and to introduce legislation to combat customary practices such as female genital mutilation. It was therefore disheartening to learn that traditional attitudes and cultural norms and practices continued to hamper the application of civil laws that were in harmony with the Convention.

12. She supported previous speakers in stressing the importance of education and increasing public awareness, and pointed out that whereas it would still be a long time before such deep-rooted and pervasive traditions and practices could be eradicated, they would never disappear unless the Government interceded. She would therefore look forward in the next report from Tanzania to details of the programmes and plans the Ministry for Women's Affairs had for achieving that objective.

13. In addition to the various training and income generating projects being carried out in cooperation with bilateral donors and various United Nations bodies, she suggested that the World Health Organization (WHO), the United Nations Children's Fund (UNICEF) and the United Nations Development Programme (UNDP) should be among the United Nations bodies from which the Government of Tanzania should seek additional help in coping with the problems of providing health care and education for the huge rural population.

14. *At the request of the representative of the United Republic of Tanzania, the Chairperson invited Mr. Mwakawago, Permanent Representative of the United Republic of Tanzania, to address the Committee.*

15. **Mr. Mwakawago** (United Republic of Tanzania) said that he believed that the combined report created an overly negative impression and one unrelated to reality. His country's next report would respond to the issues raised and supply the data requested. On a positive note, he noted that at independence, in 1961, the general illiteracy rate had been 85 per cent, and higher among women. In 1990, the adult literacy rate had been 95 per cent, as a result of a massive literacy campaign.

16. To enable it to provide health and education services and clean water to its scattered population, the post-independence Government had embarked on a programme of "villageization". Although the

programme had had its critics, it had made possible the provision of universal primary education, near-universal adult literacy and 60 per cent availability of clean water. In that connection, he believed that a WHO study had shown that 90 per cent of all health problems in developing countries did not need doctors; they needed a healthy environment: clean water, sanitation and garbage disposal.

17. A self-help programme in which people provided the labour to build clinics and health centres, with the Government providing experts and medicines, had been going well until the structural adjustment programme was imposed. Today, between 40 per cent and 45 per cent of Tanzania's export earnings were spent on debt servicing, and not enough was left to enable the Government to meet the enormous pressure on its resources. Moreover, foreign aid to developing countries was at its lowest level while demand had swelled with population growth. He therefore appealed to the Committee to do what it could to generate the outside assistance needed to develop the physical and social infrastructure that underpinned the improvements in education, health and water supply that had so decisive an impact on women's lives.

18. He agreed with previous speakers that social traditions died hard, and he suggested that the Division for the Advancement of Women could help by organizing international seminars to address that problem because it affected a great many developing countries. Tanzania would do its share, but more powerful forces must be brought to bear.

19. Tanzania might soon again have the largest number of women members of Parliament, judges and regional and district Commissioners, surpassing other developing countries, but the Government wanted to do more. The women in the Tanzanian Parliament had formed a group that conducted fund-raising campaigns, in which he had participated, aimed at financing child care services for working mothers freeing them to take jobs. The women's group in Parliament was also spearheading legislation but enactment was a slow process in a democratic society like Tanzania so that although its Parliament was reform-minded, it was obliged to operate in a conservative environment.

20. There was strong support for the non-governmental organizations from the Government and in society. However, many NGOs in Tanzania, despite goodwill and motivation had insufficient resources and

sometimes little or no training. Suitable training could empower those organizations to become more effective.

21. **Ms. Malale** (Tanzania) said that, although her delegation welcomed both the constructive comments and the expressions of empathy on the part of the members of the Committee, the picture that had been constructed of Tanzania was not entirely accurate. However, the distortion might be attributable to the lack of illustrative data and statistics and, in an attempt to elucidate the obstacles encountered by Tanzania in the implementation of both the Convention and the Beijing Platform for Action, the omission of many of the more positive developments.

22. Tanzania had taken the first step towards gender equality immediately after independence, nearly 30 years before. Women had been represented in the first Parliament and Cabinet. Even then, the principle of equal pay for equal work had applied in all workplaces, and women workers had been entitled to maternity leave. Tanzanian women had, in fact, won the right to vote as early as 1961, and the Law of Marriage Act of 1971 had further elevated their status. Although neither perfect nor adequate, those efforts demonstrated the political will and commitment of her Government to the advancement of women. Much progress had been made since independence, and Tanzanian women enjoyed certain rights that women in more developed countries lacked. The question, however, was whether and to what extent all Tanzanian women enjoyed those rights, and what measures the Government could take to provide the same opportunities to all.

23. The fact that the Government had appointed a Commission to review the laws dating from the colonial era testified to its sensitivity to the matter of human rights, both for men and for women. Legal reform was, however, a lengthy, intricate process, especially for a poor, developing country. Skilled legal draftsmen were scarce, and even copies of laws were sometimes difficult to acquire. Certain laws had nonetheless been amended, as, for example, the Sexual Offences Special Provisions Act, and more of those laws would surely be reformed by the time Tanzania submitted its next periodic report.

24. Her delegation would gladly forward to the Committee a copy of the budget of the Ministry of Community Development, Women's Affairs and Children, as requested. The mandate of the Ministry

was to design policies and to coordinate activities related to the area of development in general, and to community development in particular. It had been closely involved in the creation of policies in such areas as education, land, water, health, the environment, and the eradication of poverty, and sought to integrate into those policies issues that were important to women. The Government had, for instance, reviewed not only textbooks but also the classroom culture of Tanzania with a view to identifying means of ensuring that girls enjoyed the same rights and had access to the same achievements as boys.

25. The community development programme had been designed to reach women at the grass-roots level. With the assistance of non-governmental organizations and the media, community development leaders carried out campaigns to implement the principles of the Convention, and to educate, sensitize and change the attitudes of men and women with regard to customs and traditions that infringed the human rights of men, women and children. They addressed such issues as rape, wife battering, inheritance and dietary restrictions, and were involved in the implementation of policies affecting water supply, primary health care, including vaccination, and child development.

26. The Committee's list of issues to be discussed arrived late, and the Government had little time to prepare its answers. Three documents might prove of use: the first was "Men and Women in Tanzania," a booklet prepared by the Bureau of Statistics; the second was the "Sub-programme for Women's Gender Advancement", which charted the measures undertaken by Tanzania to fulfil the four commitments it had undertaken at the Fourth World Conference for Women in Beijing. Those measures included building the capacity of the Ministry both to deal with women's issues and to promote the participation of other sectors in incorporating gender issues into policy design and implementation, and conducting advocacy and education programmes. The third was a supplementary report to the second and third periodic reports of Tanzania.

27. Her delegation undertook to provide more information in its next report. It should not, however, be forgotten that despite political will and legislative reform, the status of women could not be enhanced without resources. The Government was currently spending 40 per cent of the revenue that remained after

debt-servicing for basic education, primary health care and the provision of water. El Niño had wreaked a great deal of damage on the national infrastructure, and rural roads, which were essential to women, must be reconstructed. Tanzania would do what it could with the available resources.

28. **The Chairperson** said that Tanzania should be commended for having hosted a number of significant humanitarian conferences, among them the conference on the Arusha Strategies for the Advancement of Women in Africa beyond the United Nations Decade for Women, an essential blueprint for women of that continent. Moreover, Tanzania cared for the highest number of refugees in Africa, and was the site of the International Criminal Tribunal for Rwanda. Structural adjustment and the servicing of the national debt constituted a serious burden on developing countries, and placed a significant strain on the social services budget. She agreed that, in the circumstances, and to achieve equality of rights for women the international community must be expected to provide appropriate assistance.

29. Tanzania had ratified the Convention without reservations, a bold political step. The Committee hoped that the political will to achieve equality for women remained strong. The inability fully to attain gender equality in Tanzania stemmed from the failure to comply with the terms of articles 1, 2, 16, and, to a lesser extent, article 4. The Government should redouble its efforts to remedy that situation. When a particular group of people had suffered discrimination over a long period of time, temporary special measures had to be taken to redress the imbalance. But affirmative action measures must be based on an understanding of the terms of article 4 and they must be reinforced by measures that encouraged compliance so as to avoid the risk of reversal. Tanzania should consider seeking the assistance of other African countries in dealing with the persistence of religious, customary and traditional practices prejudicial to women, a problem they shared. Noting that the Special Rapporteur on Religious Intolerance, who had spoken to the Committee during its last session, had offered his assistance to States parties in combating such traditional practices, she expressed confidence that Tanzania would do its utmost to join in that endeavour.

The meeting rose at 4.15 p.m.