



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

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

Fifty-fourth session

11 February – 1 March 2013

**Concluding observations on the combined fourth to sixth
periodic reports of the United Republic of Tanzania, adopted
by the Committee at its forty-first session (30 June–18 July
2008)**

Addendum

**Information provided by the United Republic of Tanzania on
the follow-up to the concluding observations of the
Committee***

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited.

A. Introduction

1. The Government of the United Republic of Tanzania (URT) submitted the fourth, fifth and sixth periodic reports under the Convention on the Elimination of All Forms of Violence against Women (CEDAW) in 2008 to the Committee on the Elimination of Discrimination against Women. The Committee required the State party to implement issues of concern that were raised before the submission of the seventh and eighth periodic reports in 2014. In this regard this report contains the principal areas of concern and recommendations as identified in paragraphs 16 and 26 of the concluding observations (CEDAW/C/TZA/CO/6) on amendments to the Marriage Act of 1971, inheritance laws and prohibition and elimination of female genital mutilation (FGM) as urged by the CEDAW Committee.

B. The Status on Marriage Act of 1971 and inheritance laws

2. The Government has taken appropriate measures to eliminate all forms of violence against women, including the process of ensuring that all discriminatory legislation such as Marriage Act of 1971 and Inheritance Laws is amended to eliminate sex-based discrimination. The processes of amendments are still underway, i.e. the government has already submitted a cabinet paper for approval. After approval a white paper would be issued to invite for public opinion and stakeholders consultations. The views gathered from the consultations processes will inform the envisioned new law which will finally require the bill to be submitted to Parliament for enactment processes.

C. Female genital mutilation

3. In the course of eradicating female genital mutilation (FGM) the government has been undertaking various measures on several areas, as follows:

(a) Strengthened enforcement of the implementation of the existing legislation prohibiting FGM as well as adopting new legislation. Through the enforcement of the existing legislation the Government continued to punish perpetrators through the Penal Code Cap. R.E 2002 on Sexual offences which protects the dignity and integrity of women and children in matters pertaining to FGM and other harms subjected to women and children;

(b) The Parliament has passed the Law of the Child Act No. 21 in 2009 which protects children less than 18 years of age from torture and degrading treatment. The law states that, a person shall not subject a child to torture or other cultural practices which dehumanize or are injurious to the physical and mental well being of a child. A person who commits an offence shall be liable to a fine not exceeding five million shillings or imprisonment for a term not exceeding six months or to both;

(c) The Ministry of Community Development, Gender and Children is currently reviewing its Women Development and Gender Policy (2000) to encompass among other things issues pertaining to the elimination of all forms of violence against women including FGM;

(d) Intensified education, training and awareness raising programmes or campaign focusing on elimination of FGM. The intervention involved girls at risk, women and men, clan elders, leaders of women group, mutilators, teachers, school children, community development and social workers, church leaders, health workers, ward councillors, members of Parliament, law enforcers i.e. police officers, judiciary, prison

officers, ward and village executive officers. In addition media advocacy on FGM through the radio and televisions and cinema played a powerful role which accelerates the abandonment of the practice of FGM;

(e) The Multisectoral FGM committee has been formed to advise the Government on measures to be undertaken to abandon FGM;

(f) Each year on 6 February the Government in collaboration with other stakeholders has been commemorating the Zero Tolerance day to FGM whereby that opportunity has been used to educate and sensitize the public on the negative effects of FGM;

(g) The Government has launched the violence against children survey report on 9 August 2011, hence it is committed to develop a National Plan of Action to eliminate all forms of violence against children, including sexual, physical and emotional abuse.

D. Success

4. Successes include the following:

(a) Through effective enforcement and sensitization on the law prohibiting FGM, (The Sexual Offences Special Provisions Act of 1998 (now incorporated in the Penal Code)), the trends showed that there is reduction of FGM practices from 18% in 2005 to 15% in 2010 (THDS, 2010). In addition the survey also showed that 92 percent of Tanzanian women think that the practice should be discontinued while 6 percent believe the practice to continue and 2 percent were unsure. The result shows that, the practice finds greater support among rural women than women in urban areas;

(b) A close and commendable collaboration among all stakeholders (government and Non State Actors) in working towards combating FGM;

(c) The level of awareness as regards to negative effects of FGM has increased among the general public. This is evidenced by a number of the young girls running away to avoid mutilation and some of the mutilators declared and abandoned their practices of mutilation;

(d) The Ministry of Community Development Gender and Children Strategic Plan has been improved to spell out what exactly is needed to be done on the area of FGM in the year 2011–2016.

E. Challenges

5. As we have seen above various promising measures or interventions have been or are being implemented by the government in collaboration with Civil Society organisation. However, we are faced by challenges as follows:

(a) The processes for amendments of legislation (Marriage Act of 1971 and Inheritance Laws) take a long time to put the law in place;

(b) The attitudes of some people towards the practice of FGM especially in rural areas is that it is something acceptable;

(c) Lack of enough and sustainable funding to finance planned programme and activities to fight FGM.

F. Plans for the future

6. Plans for the future include the following:

(a) To establish alternative source of income earnings among the mutilators, for instance provision of a loan to enable them to run a small business;

(b) Challenging attitudes which perpetuate tolerance and condoning of FGM, in all settings especially at the family and household level. This is through improving knowledge, attitudes and practices. Possible actions could be mass media campaigns on laws and rights and legal literacy training;

(c) To speed up the process of reviewing the discriminatory marriage and inheritance laws.
