

# **TANZANIA WOMEN LAWYERS ASSOCIATION**

## **TAWLA**

### **FIVE YEAR STRATEGY 2010-2014**

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## **Executive Summary**

This document presents a five-year strategy for the Tanzania Women Lawyers Association (TAWLA) for the period 2010-2014; it sets out the programme, institutional design and operational framework of the organisation. The strategy builds on the organisation's experience in promoting access to justice for women and children in regions of Dar es Salaam, Tanga, Arusha and Dodoma.

TAWLA's programme and strategy is informed by the National Strategy for Growth and Reduction of Poverty (MKUKUTA), the Legal Sector Reform Programme, the Local Government Reform Programme and international human rights instruments.

The programme focus and direction for TAWLA has emanated from clarification of the organisation's mandate and scope of work, analysis of the external operating environment and consideration of the international context.

### **Mission Statement**

TAWLA is an NGO committed to the professional advancement of its members and the promotion of women and children's rights and good governance.

### **Vision Statement**

TAWLA envisages a society that respects and upholds human rights.

### **Strategic Objectives**

Over the coming five years, TAWLA will focus on realizing six main strategic objectives, namely:

- Strategic Objective 1: Providing legal aid services to vulnerable women and children
- Strategic Objective 2: Promoting land rights for women and children
- Strategic Objective 3: Raising awareness on Child Labour issues and the treatment of Juvenile Detainees
- Strategic Objective 4: Campaigning for good governance
- Strategic Objective 5: Undertaking policy research and advocacy on legal reform
- Strategic Objective 6: Strengthening the capacity and sustainability of the organisation (TAWLA)

To realize the above outputs, the organization will make use of a range of diverse strategies.

These will include:

- empowering legal aid clients on legal and related social matters
- supporting the professional development of women lawyers
- facilitating community capacity building on legal and human rights
- capitalizing upon emerging internal and external influencing opportunities
- developing strategic links with research institutions and professionals
- networking and coalition building to advance the human rights and good local governance agenda (forging strategic and good working relationships with key decision makers, such as Members of Parliament; the Commission for Human Rights & Good Governance, and the Prevention & Combating of Corruption Bureau)
- developing strategic partnerships with like minded organizations, law training institutes and media houses for legal education

To successfully implement the programme the organization will need human, material and financial resources. Over the coming five years, TAWLA will need a total of TZS 4,591,357,258 (Equivalent USD 3,401,005).

The organization will adopt a basket funding mechanism to minimize transaction costs and at the same time streamline resource mobilization, management and accountability.

## **ABBREVIATIONS**

CRC	Convention on the Rights of a Child
EWLA	Ethiopian Women Lawyers Association
ILO	International Labour Organisation
LHRC	Legal and Human Rights Centre
NOLA	National Organization for Legal Assistance
PCCB	Prevention and Combating of Corruption Bureau
RFE	Rapid Funding Envelope
TAWLA	Tanzania Women Lawyers Association
TGNP	Tanzania Gender Networking Programme
TLS	Tanganyika Law Society
WLAC	Women's Legal Aid Centre
OD	Organisation Development
OCA	Organisation Capacity Assessment
SP	Strategic Plan
NGO	Non Governmental Organisation
NFP	Netherlands Fellowship Programme
UNDP	United Nations Development Programme
USAID	United States Agency for International Development
TAHEA	Tanzania Home Economics Association
FK	Fredskorpset
UK	United Kingdom
SOSPA	Sexual Offences Special Provisional Act
SWOT	Strengths, Weaknesses, Objectives and Threats
DANIDA	Danish International Development Agency
TACAIDS	Tanzania Commission for AIDS
NSSF	National Social Security Fund
CEO	Chief Executive Officer
WiLDAF	Women in Law Development in Africa

## **1. INTRODUCTION**

This is the five-year strategy for the Tanzania Women Lawyers Association (TAWLA). This document will serve as a road map for the organisation's programmes and activities between 2010 and 2014. The strategy is informed by Tanzania's important policy frameworks, as well as international human rights instruments.

Specifically, TAWLA's strategy has taken account of Tanzania Vision 2025, the National Strategy for Growth and Reduction of Poverty, the Joint Assistance Strategy for Tanzania, the Legal Sector Reform Programme, Public Service Reform, Local Government Reform, the National Anti-Corruption Strategy and Action Plan. The strategy has also taken into consideration provisions of United Nations human rights instruments (the Universal Declaration of Human Rights, the ICCPR, the ICESCR, the CRC and CEDAW).

The Tanzania Women Lawyers Association (TAWLA) is an NGO. It was founded in 1989 and officially registered in 1990. The founding members comprised a professional group of women lawyers who felt the need for an organization that could promote an environment guaranteeing equal rights and access to all by focusing on vulnerable and marginalised groups, especially women and children. The founding members also recognised the need for women lawyers to foster mutual support for each other in professional advancement and social responsibility.

### **Mission Statement**

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### **Vision Statement**

TAWLA envisages a society that respects and upholds human rights.

## **2. SITUATION ANALYSIS**

The following outlines the key issues in the external environment in which TAWLA is operating

### **2.1 Access to Justice/Awareness of Rights**

Access to justice is one of the core human rights principles in international Human Rights and is referenced specifically in the *Universal Declaration of Human Rights of 1948*; the *International Covenant on Civil and Political Rights of 1966*; the *African Charter on Human and Peoples Rights of 1981* and others. It is also referenced in the *Constitution of the United Republic of Tanzania of 1977*, under Article 13.

Access to Justice in Tanzania is limited for a number of reasons including an inadequate number of courts and tribunals especially in remote (rural) areas; ignorance of the law and procedures; judicial corruption and other malpractice; inefficiency of procedural laws that would hasten disposition of cases in court; and other related factors.

### *Delays in the Delivery of Justice*

Delays in the delivery of justice are mainly attributed to ignorance of the law, especially procedural laws. Ignorance is caused by a number of factors including, but not limited to, the government's failure to disseminate popularized versions of the law and to translate laws from English into Swahili, despite the fact that more than 75% of Tanzanians cannot understand English.

There is an ongoing government initiative to address these challenges (the *Legal Sector Reform Program - LSRP*), which considers solutions for delays in cases. However, the challenges still outweigh successes. Other factors which account for delays in justice are weak institutional capacity within the judiciary in terms of the number of magistrates and judges as well as other resources to establish more courts around the country. As of 2006 (no recent official statistics as of January 2009), there were only 1105 Primary Courts, 88 District Courts, 22 Courts of Resident Magistrates, 13 High Court District Registries and One Court of Appeal Station in Dar es Salaam. Tanzania has more than 10,000 villages, more than 125 districts and 21 regions on the mainland alone.

There are also delays in investigation, caused by, among other factors, a lack of technological support to detect evidence. There is only one forensic bureau (laboratory) at the police head quarters. Further, the laws of Tanzania do not limit the judiciary on the duration of the disposition of pending cases and this state of affairs further contributes to delays in justice.

*Noting this gap, Civil Society Organisations (CSOs), including TAWLA as well as some institutions of higher learning in Tanzania have been working to improve access to justice by establishing and running legal aid clinics. Despite the good work done by these institutions, demand for legal aid services remains higher than current capacity. This means that TAWLA needs to continue providing legal aid services to indigent women and children to help bridge the prevailing technical gap in Tanzania.*

### *Inadequate Public Awareness of Legal Rights*

Article 2 of the *International Covenant on Civil and Political Rights* calls upon all state parties to have education programs aimed at raising awareness on legal and human rights among the people of their nations. In Tanzania, the Government, through the Ministry of Education, has introduced education programmes on key legal principles through civic education in schools, and 'Civics' is one of the core subjects in primary and secondary schools in Tanzania. But the curriculum is inadequate and does not cover all the issues.

Despite the fact that NGOs working on this agenda have been in existence for a number of years now, the awareness of laws and procedures is still low among in Tanzania. Awareness raising programmes are not spread all over the country. Most CSOs do not have lawyers to assist them in their awareness programs and due to language barriers (laws in English) the majority of Tanzanians are unable to understand and make use of the laws in their daily lives.

To help bridge this gap, human rights CSOs have devised and operationalised a paralegal program aimed at raising awareness of legal rights amongst the general public. Selected individuals (paralegals) have been equipped with basic legal knowledge and skills. Paralegals have an elementary knowledge about the law and legal procedures (though they are not lawyers). They assist people with simple legal matters and with navigating legal procedures.

However, there is no common and unified curriculum for paralegal training by NGOs in Tanzania. Each NGO has its own curriculum.

*Realising this, TAWLA has started collaborating with other CSOs in an effort to harmonise paralegal training in order to raise legal and human rights awareness amongst the general public. Despite these efforts, Paralegals are not recognized by the laws of Tanzania. CSOs need to campaign for recognition of paralegals to enable them discharge their duties more easily. This will improve access to justice among the indigent in Tanzania*

## **2.2 Divorce and the inequitable distribution of matrimonial assets**

Women's rights are protected under various international and regional instruments, including the *International Convention on Elimination of All Forms of Discrimination Against Women of 1979* (CEDAW) and the *Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa of 2000*. These instruments basically prohibit discrimination against women and call upon individual states to adopt policy and legislative measures that will end discrimination against women.

At the national level, all legal matters relating to divorce and distribution of matrimonial assets are governed by the *Law of Marriage Act of 1971*; the *Customary Law Declaration Order, G.N No. 279 of 1963* and case law(s) which have developed over years; especially after the landmark case of *Bi. Hawa Mohamed of 1984*, which ruled that women have equal rights to men in the distribution of the matrimonial assets.

However there have been a number of legal challenges, which have not been rectified because the laws have not been amended. On the division of matrimonial properties or assets, Section 114 (2) of the *Law of Marriage Act* requires the court to take full consideration of the custom of a community to which the party belongs when granting an order for division of matrimonial properties. The challenge is that most of the customs and usages, which the courts are required to make reference to, are patriarchal, discriminatory and oppressive to women and therefore violate the rights of women in the division of matrimonial properties.

Because of the bias and inadequacy in legal protection, most women in Tanzania, even in urban areas are denied their basic rights when it comes to the adjudication of matters relating to marriage, divorce and probate. Moreover, most of the customary laws deny women the rights to custodianship of their own children. Section 125 (2) (c) of the *Law of Marriage Act* allows court to consider the customary norms (relating to the custody of the children) to which the parents belong.

This means women face a double punishment, inadequate legal protection of their matrimonial related rights and the continued existence of harmful customary laws (which remain legally enforceable in Tanzania).

*There is a need for Civil Society Organisations, such as TAWLA, to campaign for legislative reform to provide a more favourable legal framework for women in Tanzania.*

### **2.3 Gender Inequality in Inheritance & Probate Conflict**

If a person dies intestate, that is, without writing a will, vulnerable members of the community in Tanzania, especially women and female children are alienated from the right to own the deceased's estate because most customary norms consider that a woman does not have the right to own property. Moreover because of these patriarchal customs and traditions, men who are relatives of the deceased husband tend to take by force all matrimonial assets. The *Local Customary Law (Declaration) (No.4) Order of 1963* still maintains discriminatory inheritance rules. It denies widows the right to inherit from their deceased husbands' estates. In addition, daughters are given an unequal share of the estate compared to sons and are denied their rights to property.

Moreover, women are inherited as 'properties' by male relatives of their husbands. Paragraph 62 – 70 of *GN No. 279 (Sheria ya Hali ya Watu) of 1963* for Inheritance provides that a widow is inherited by a relative of the deceased husband. This degrades the status of a widow and is discriminatory in that it treats a woman as 'property'. In addition, under paragraph 62 – 70 the declaration provides for the ousting of the rights of a widow over custody of her children. The second schedule paragraph 1 – 53 provides for the rules of inheritance which are discriminatory, oppressive and biased in favour of men. Despite the enactment of new *Land Laws of 1999* there is still a gap with respect to a widow's inheritance rights. Customary Inheritance laws which have denied thousands of women and girls from inheriting still exist as laws and are fully operational.

Wills serve as a shock (conflict) absorber especially once the husband or man as head of the family dies. A Will brings security to women and children with respect to their rights to property ownership. However, despite their importance, the majority of people in Tanzania, including highly educated professionals do not write wills because they consider it a jinx (bad omen or luck) and prediction of their deaths. People do not recognise their importance due to ignorance.

*While Civil Society Organisations have a role to play to help influence the legal framework for equitable social justice, they also have a role to play in promoting and educating the public around the benefits of writing wills more generally.*

### **2.4 Child Labour and Child Trafficking**

Child labour and child trafficking is one of the main violations of children's rights in Tanzania and a major challenge. In recent years, there have been positive efforts by the Government in a bid to help address this issue. The government has, for example, ratified the *ILO Convention No. 182* on the worst forms of child labour and in 2006, ratified the *UN Convention against Transnational Organized Crime and, in particular, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children*. The Tanzanian Government went further and enacted national laws to address the challenges associated with child labour and trafficking (*Employment and Labour Relations Act of 2004* and the *Anti-Trafficking in Persons Act of 2008*).

Despite these positive measures and legislative attempts to end child labour and trafficking, hundreds of Tanzanian children are still reportedly working in hazardous places. Many employers in Tanzania continue to employ children to work in mines, as housekeepers, babysitters etc. where they provide cheap labour. There is also serious intra-country trafficking of children especially from rural areas (up country) to the main cities such as Dar es Salaam,

Mwanza, Mara, Mbeya and Arusha. These children are often forced to work in hazardous areas once they are trafficked. Incidences of violations are reported everyday by the media and others, yet law enforcement to help curb these human rights violations still lags behind expectations.

While the scale of the problem is obvious, there are very few cases in which the perpetrators are taken to task. This means, there is a weakness on the part of law enforcers - as well as adults - to report violations against children.

*There is a need for Civil Society Organisations, like TAWLA, to continue advocating for children's rights until the government more effectively enforces laws that protect children and children enjoy their rights in full.*

## **2.5 Human Rights Violation against young people on remand**

A number of international human rights instruments (the *Convention on the Rights of the Child*; the *UN Minimum Rules for Treatment of Prisoners*; and the *UN Standard Minimum Rules for the Administration of Juvenile Justice*) state that children who are detained should be treated in a manner which promotes their sense of dignity and worth, facilitates their reintegration into society, reflects their best interests and takes their needs into account. The *Prisons Act of 1967* and the *Children and Young Persons Act, Cap.13* of Tanzania also states something very similar.

In reality the situation is different. Juveniles are mistreated in a number of ways including, but not limited to; being put with adults when they are detained; having severe punishment imposed on them contrary to the law; harsh detention conditions; being refused visits by their parents or guardians; and delays in their cases being heard because of the inadequacy of Juvenile Courts in Tanzania. Moreover, there is lack of (or very few in number) specially trained personnel to handle juveniles at all stages in the criminal justice system. In addition, Tanzania does not have sufficient facilities to house prisoners (both convicted and on remand), there is only one special prison for children and young people (Wami-Dakawa Prison). Police stations in Tanzania do not have specific cells/detention rooms for juveniles. This means in most cases juveniles are mixed with adults or kept in rough rooms, which are designated as police custody.

*This situation calls for continued advocacy toward creating a better legal and practical environment for juveniles.*

## **2.6 Corruption and Poor Governance at the local level**

There is still a long way to go before we realize good and democratic local governance in Tanzania. Corruption is increasingly being mentioned by a large section of society and the media has played a great role in exposing administrative malpractices and bad governance in both the public and private sectors in this country.

Corruption damages social and economic development in a number of ways. Decisions are made that are irrational, short-sighted and motivated by greed. Resources are squandered as projects and programmes are approved - not on the basis of suitability - but on the returns which they may yield to decision makers. The energy, mining, natural resources and infrastructure development sectors are among the leading sectors in which corruption is rampant. Reports of

Controller and Auditor General reveal a great deal of non-compliance to international and national financial management standards. Non-compliance is attributed directly to the misappropriation of public resources.

Although the Government has established two important public institutions to address good governance and curb corruption, the effectiveness of these institutions lags behind the expectations of the public. Tanzanians question the integrity, independence and objectivity of the Prevention of and Combating of Corruption Bureau (PCCB) and the conduct of its business.

*There is a room for a strategic partnership between civil society organizations and PCCB for a concerted effort to fight corruption in Tanzania. TAWLA and likeminded organisations need to devise strategies to scale up the fight against corruption in this country, and at the same time uncover any legislative gap to enhance the performance of the corruption watchdog in Tanzania.*

Corruption in national and local elections is still rampant despite scrapping the *African Tradition Hospitality Act*, popularly known as *Takrima*. Elections and by-elections are still characterized by this social vice. Campaigners for good governance and social justice need to scale up efforts to stamp out malpractice and at the same time collaborate with the PCCB in its attempts to curb it.

Article 145 of the *Constitution of the United Republic of Tanzania* provides for Government decentralization and local government organs such as the municipal and district councils are established and managed by local government laws, including; the *Local Government (District Authority) Act of 1982* and the *Local Government (Urban) Authority Act of 1982*. There are also other laws on the coordination of local government elections, finances and planning. The aim of establishing local government was to implement government programs in the community, with the participation of community members in the most convenient way.

However, local governance in Tanzania lags behind expectations. The majority of local government authorities are characterised by a lack of transparency regarding income and expenditure (at district, ward, village and hamlet levels); poor management of development projects; misallocation and misuse of public funds; corruption; low collection of revenues, lack of innovation on town planning; slow handling of people's problems; and inadequate involvement of people in decision making processes.

It has been noted that The Commission for Human Rights and Good Governance has not been given sufficient legal powers to address this issue, demonstrated by the Government's failure to act on its recommendations for the redress of human rights violations and poor governance. This points to legislative weakness in the Acts establishing the institution.

*Human rights civil society organizations need to campaign for legislative reform to ensure these institutions have independence in their operations and are given adequate "teeth" for increased efficiency and effectiveness in their work.*

## **2.7 Women's Participation in Public Life**

Article 20 of the *Constitution of the United Republic of Tanzania* states that everyone has the right to participate in the governance of the country, which affects his or her life.

Women are marginalized in public offices because they are not nominated by the political parties or selected for employment. All heads and senior leaders of all 16 political parties in Tanzania are men. The percentage of women in parliament is 30%. There are less than ten female ministers in the current Government. In other non-political positions, women still hold very junior positions, such as messengers and personal secretaries.

*Civil society organizations need to continue to campaign for greater representation of women in Parliament.*

## **2.8 Public Accountability**

Civic competence is an important tool for any democratic process according to various international human rights instruments (specifically the *Universal Declaration of Human Rights* and the *International Convention of Civil and Political Rights*). Civic competence is defined as an ability to acquire relevant information on important (governance) issues in order to make an informed decision and participate in decision making (e.g. voting)

Civil society organisations have been playing a pivotal role in raising public awareness on matters around good and democratic governance. Capacity building of communities through initiatives such as the *Public Expenditure Tracking Studies* and provision of civic and voter education has enhanced civic competence among the general public.

*Civil Society organisations need to continue to build on this in order to ensure Tanzania is governed well.*

## **2.9 Inadequate Research on Legal and Human Rights Issues**

Human and legal rights are broad subjects. They cover the socio-economic, political and cultural life of the people and the nation at large. Effective advocacy requires the availability of high quality research data and information.

There is very little research on legal and human rights issues. For example, there are very few assessments and only limited findings in place to determine the effectiveness of the laws and policies that are meant to promote women's rights in Tanzania.

Moreover, there is little information on economic rights. Most of the NGOs in Tanzania concentrate on civil and political rights. Very few are working on rights to health services, the environment, economic development, labour rights and education. It is not easy today to find information on women's rights to capital for economic development. The quantity and output of the work done by women for instance in rural areas are not known at all. Due to inadequate accurate statistics, no one can tell how much women in rural areas contribute to the household income and Gross Domestic Product. There is also little research information on legal rights

especially relating to HIV and AIDS; labour rights; employment and people with disabilities; street children; prisoners; children in conflict with law (juvenile justice).

*These are all critical areas that NGOs, among other actors, need to address.*

### 3. ANALYSIS OF INTERNAL ENVIRONMENT

In order to establish the capacity and potential areas of growth for the organisation TAWLA underwent both SWOT analysis and a five-dimensional Organisational Capacity Assessment Tool, which comprised a review of Governance, Management, Systems & Structures, External Relations and Sustainability.

Key Capacity Area	Strengths	Areas of Growth
Governance	<ul style="list-style-type: none"> <li>The organization has a dynamic and vibrant Board of Directors composed of members with a wealth of experience in their specialty;</li> <li>The Board of Directors is committed and actively participates in the governance of the organization, including policy formulation, review and monitoring organization performance and effectiveness</li> <li>The Board of Directors provides direction and maintains oversight of management</li> </ul>	<ul style="list-style-type: none"> <li>The Board of Directors needs to be multi-disciplinary to add value to its governance role</li> <li>There is a need for the Board to get more involved in creating and strengthening mutual relations with the development partners, government and the public as a whole;</li> </ul>
Management	<ul style="list-style-type: none"> <li>Committed members of staff</li> <li>Performance and result-oriented team</li> </ul>	<ul style="list-style-type: none"> <li>Planning, communication and coordination skills need improvement</li> <li>Inadequate personnel given its scope of work</li> <li>Job analysis, description and placement needs improvement for more efficient and effective performance</li> </ul>
Systems and	<ul style="list-style-type: none"> <li>Good financial management</li> </ul>	<ul style="list-style-type: none"> <li>Financial and Human</li> </ul>

Structures		Resources Policy Manuals need to be reviewed
External Relations	<ul style="list-style-type: none"> <li>• There is good working relationship with a wide range of stakeholders including the government, civil society and development partners.</li> <li>• It is a member of both national and international networks of civil society organizations for sharing experiences, skills and building a constituency for effective advocacy.</li> </ul>	<ul style="list-style-type: none"> <li>• Identity of TAWLA need enhancement as the general public tend to mistake it for Tanzania Media Women Association (TAMWA)</li> </ul>
Sustainability	<ul style="list-style-type: none"> <li>• The organisation has credibility due to its prudent financial resource stewardship</li> <li>• Has good working relation with donors</li> </ul>	<ul style="list-style-type: none"> <li>• TAWLA does not have an explicit resource winning strategy to make the organisation sustainable</li> <li>• The funding base of the organization is not broad enough to guarantee its sustainability in the long run. There is a need to diversify and broaden the funding mix by identifying and capitalizing on new additional funding sources to enhance sustainability</li> </ul>

These findings have been incorporated into TAWLA programme for organisational development (strategy 6)

## ACHIEVEMENTS

TAWLA has registered remarkable achievements over 20 years of service. Including:

- Reaching over 2 million people, raising awareness of legal rights via radio/TV, books and brochures, training paralegals
- Providing legal aid to more than 10,000 women and children over 20 years
- Helping to bring about legal reform including giving women the right to own property (land rights) and in the enactment of the sexual offences act.
- Assisting women to resolve inheritance issues and promoting Will writing
- Mobilising lawyers to help vulnerable people through legal aid clinics
- Creating a network of 450 women lawyers

In addition, TAWLA has worked effectively with the following partners:

- Tanzania Media Women Association (TAMWA)
- Women Legal Aid Centre (WLAC)
- Women Advancement Trust (WAT)
- Tanzania Gender Networking Programme (TGNP)
- Tanzania Home Economics Association (TAHEA)
- Legal and Human Rights Centre (LHRC)

TAWLA has also done commendable work in the professional advancement of women lawyers. 10 TAWLA members were able to study Masters Programmes and short courses in Netherlands between 2004 and 2007, under a multi-year agreement with Netherlands Embassy. While approximately 40 TAWLA members were enrolled as advocates between 2003 and 2008. As an indicator of professional advancement TAWLA members have been appointed to several presidential positions. Remarkable in the area of the judiciary, there are a total of 20 women judges in the High and Court of Appeal of Tanzania. TAWLA was also honoured by the appointment of its member, Hon. Asha-Rose Migiro to serve as the Deputy United Nations Secretary and the High Commissioner for Tanzania in UK, Ambassador Mwanaidi Maajar.

TAWLA has also qualified for an exchange programme funded by Fredskorpset (FK) and coordinated by the Ethiopian Women Lawyers Association (EWLA). It is a five year programme between women's lawyers associations i.e. the Ethiopian Women Lawyers Association (EWLA), the Tanzania Women Lawyers Association (TAWLA), and FiDA Kenya. TAWLA will send and receive one member of staff to/from FiDA Kenya and one member of staff to/from Ethiopian Women Lawyers Association (EWLA).

TAWLA has also been working in close collaboration with various NGO's, women groups, members of parliament and government institutions such as Ministry of Community Development Gender and Children Affairs, Ministry of Justice and Constitutional Affairs in sharing legal information through provision of resource persons.

Finally, TAWLA was able to purchase its own premises named TAWLA house situated at Ilala Shariff Shamba. TAWLA house was officially inaugurated on 15th March 2008 by the Honourable Chief Justice Augustine Ramadhan.

## **4. STRATEGIC ISSUES AND ORIENTATION**

### **4.1 Strategic Issues**

The primary issue for disadvantaged people is access to justice. Effective legal aid is one of the ways we can access justice, but currently legal aid is only available for murder cases. This means there are huge numbers of people without access to information, advice and support on legal issues.

The primary focus of TAWLA activity will therefore continue to be providing legal aid and education to vulnerable women and children

TAWLA will campaign on the key issues currently affecting women and children in Tanzania – land rights, child labour and trafficking, juvenile detention and poor governance. In addition, we will seek to empower women by supporting initiatives which increase women’s representation in public life and participation in law making.

In order to maintain TAWLA’s position as the leading women’s law association we will also devote resource to meeting the needs of our members to ensure their ongoing commitment and support for TAWLA programmes.

## **5. STRATEGIC OBJECTIVES AND STRATEGIES**

TAWLA will work to accomplish the following Strategic Objectives:

### **Strategic Objective 1: Provide Legal aid services to vulnerable women and children**

#### **Strategies**

- Establish and run legal aid clinics in selected programme areas
- Engage volunteer legal officers for the provision of legal aid
- Establish good working relations with the police force and relevant courts
- Build strategic alliances and partnership with other legal aid service providers

#### **Activities for Strategic Objective 1**

- 1.1** Provide legal aid services to target communities in Dar es salaam Dodoma, Arusha and Tanga regions
- 1.2** Facilitate conflict resolution for the realization of women and children rights in Dodoma, Arusha and Tanga
- 1.3** Identify and conduct five-day training for 90 paralegals in Dodoma, Arusha and Tanga regions
- 1.4** Conduct 3-day refresher training for 90 paralegals in Dodoma, Arusha and Tanga region
- 1.5** Draft court documents for indigent women and children
- 1.6** Provide counselling, coaching and confidence building support to clients for self representation
- 1.7** Provide paralegals with bicycles for transport
- 1.8** Carry out conflict resolution between parties

1.9 Procure and distribute legal aid educational materials to the indigent

## **Strategic Objective Two: Promote land rights for women and children**

### **Strategies**

- Establish and strengthen good working relations with land tribunals
- Design and share widely demand driven legal and rights-based public empowerment materials
- Identify and engage with relevant local and international influencing opportunities
- Establish and strengthen strategic partnership with the media
- Build constituency and forge strategic links with human rights friends and like-minded organizations, locally and internationally

### **Activities for Strategic Objective 2**

- 2.1 Conduct 5-day awareness and knowledge sharing seminars on Land Act and Village Land Act to 90 selected community members (community based activists)
- 2.2 Conduct 5 day training on Land Act and Village Land Act for 6 catalytic Ward Tribunals
- 2.3 Provide technical support to 3 pressure groups demanding their land rights
- 2.4 Facilitate villages to acquire land certificates in 3 catalytic wards
- 2.5 Facilitate land dispute resolutions between parties in 6 target wards
- 2.6 Produce and air radio and television programmes on topical land rights and human rights issues
- 2.7 Organise four (4) fact finding missions for public interest on land and human rights issues
- 2.8 Prepare and disseminate land and human rights educational materials

Strategic Objective 3: Raise awareness of Child Labour and the Treatment of Juvenile Detainees

### **Strategies**

- Campaign for more effective enforcement of laws that protect children's rights and children
- Adoption of a model by-law developed by TAWLA

- Dissemination and promotion of information which simplifies sections of the employment and labour relations act on child labour and hazardous work to ensure employers understand their legal requirements
- Seek better legal protection for juveniles
- Work towards practical improvements in the way juveniles are treated

### **Activities for Strategic Objective 3:**

- 3.1 Provide legal aid support on juvenile detainees
- 3.2 Conduct 20 awareness and knowledge sharing seminars on child labour issues
- 3.3 Campaign for adoption of model by-laws on child labour drafted by TAWLA
- 3.4 Develop media campaign for more effective enforcement of child labour laws
- 3.5 Produce and air radio and television programmes on child labour and detention issues
- 3.6 Prepare and disseminate educational material on child labour and detention issues

### **Strategic Objective 4: Campaign for Good Governance**

#### **Strategies**

- Develop and strengthen good working relations with local government authorities
- Establish strategic relations with good governance institutions such as the Commission for Human Rights and Good governance and PCCB
- Develop strategic relations with media
- Put in place a quality control mechanism

### **Activities for Strategic Objective 4**

- 4.1 Conduct 5 day training on good governance principles for 30 people comprising Ward Councillors, Ward Executive Officers, Village Executive Officers in six catalytic programme wards
- 4.2 Produce and air weekly community radio programme on good local governance issues
- 4.3 Conduct a 3-day training on public expenditure tracking for 30 selected Ward Councillors
- 4.4 Conduct three 3 day training on public expenditure tracking for 90 paralegals
- 4.5 Conduct three 3-day training seminars for 90 paralegals on the new Anti-graft law and fighting corruption for 30 people

- 4.6 Carry out public expenditure tracking studies in three target district councils in Dodoma, Arusha and Tanga region

### **Strategic Objective 5: Undertake policy research and advocacy on legal reform**

#### **Strategies**

- Develop strategic links with research institutions and professionals
- Undertake periodic critical analysis of legal aid data for significant contribution to advocacy work
- Design and disseminate demand driven and advocacy- oriented publications

#### **Activities for Strategic Objective 5:**

- 5.1 Identify, update and maintain a database of key internal and external influencing opportunities
- 5.2 Attend strategic research and advocacy meetings, seminars and workshops to add value to advocacy work
- 5.3 Identify and prioritize 2 strategic policy and legal issues every year for research
- 5.4 Conduct two research projects on identified priority policy and legal issues
- 5.5 Prepare fact sheets for information sharing and influencing
- 5.6 Organise a one-day information sharing and dissemination meeting on quarterly basis
- 5.7 Publish and disseminate research findings to strategic stakeholders
- 5.8 Conduct news conferences on strategically selected issues
- 5.9 Prepare and circulate 4 new releases on key advocacy issues
- 5.10 Undertake strategic litigation on cases which can advance law reform and or lead to enactment of new legislation

### **Strategic Objective 6: Strengthen the capacity and sustainability of TAWLA**

#### **Strategies**

- Ensure TAWLA staff are supported, motivated and delivering programmes on time, to budget and to a high standard
- Build and develop TAWLA membership offer for women lawyers
- Secure new sources of funding

- Introduce new financial/activity reporting mechanisms

### **Activities for Strategic Objective 6**

- 6.1** Design and implement demand-driven programme for capacity building of women lawyers
- 6.2** Provide organisational support to women lawyers seeking scholarship for professional advancement
- 6.3** Conduct 2 demand driven five-day refresher workshops for 60 women lawyers for their professional development;
- 6.4** Conduct organisational capacity assessment
- 6.5** Conduct a three-day annual programme review retreat for 20 programme staff
- 6.6** Conduct Training Needs Assessment for TAWLA members and programme staff
- 6.7** Provide financial support for week-long strategic training for programme staff
- 6.8** Put in place a demand driven and timed accompaniment services for organizational capacity strengthening mechanism
- 6.9** Develop the website as a resource for members and staff and showcase for TAWLA activities
- 6.10** Design, implement and review a monitoring and evaluation system
- 6.11** Prepare and implement resource winning strategy for institutional sustainability
- 6.12** Conduct annual round table resource winning meeting with development partners
- 6.13** Prepare weekly, monthly and quarterly narrative and financial progress reports
- 6.14** Conduct weekly, monthly and quarterly management meetings to review progress
- 6.15** Conduct quarterly Board Meetings
- 6.16** Conduct annual financial audit

## **6. BENEFICIARIES AND GEOGRAPHICAL FOCUS**

### **6.1 Beneficiaries and target groups**

Beneficiaries will include, but are not limited to, indigent and marginalized women, children, youth, men, the general public, community leaders, influential people, policy makers, legislators, law enforcers and civil society organizations

### **6.2 Geographical focus**

TAWLA will, over the coming five years continue working in the same programme focus areas of Dar es Salaam, Tanga, Dodoma and Arusha regions.

## **7. GOVERNANCE AND MANAGEMENT ARRANGEMENTS**

### AGM

The Annual General Assembly is the supreme body charged with the responsibility of making important decisions for the welfare of the organisation and its programmes. A meeting will be held once per year.

### Executive Council of Members

The Executive Council of Members is responsible for policy formulation and the provision of technical and policy direction and advice to the management team. The Executive Council of Members will report to the Annual General Assembly.

TAWLA has a strong and responsible Executive Council of Members that meets quarterly. TAWLA will continue in its efforts to strengthen the governance and management of the organisation by organizing periodic, adaptive and tailor-made learning events.

### Management Team

The Executive Director is responsible for overall programming and day to day management of the organisation and its programmes reports to the Council. The Executive Director ensures that the organisation and its programmes are run efficiently and effectively and accomplish TAWLA's mission.

The Executive Director together with the Programme Manager and heads of departments will constitute the Management Team. Each department will be manned by both full-time and volunteers depending on the need.

During 2010, the organisation will recruit and maintain a Programme Manager to assist the Executive Director in design, fundraising and programme management.

### Regional Offices

Offices in Dodoma, Arusha and Tanga will be managed by Regional Legal Aid Coordinators who will work with other local support staff and volunteers to ensure the regional offices run efficiently and effectively. Regional Legal Aid coordinators will report to TAWLA in Dar es Salaam.

## **8. RISKS AND ASSUMPTIONS**

There are factors outside the control of TAWLA that could affect realization of expected outputs and desired outcomes and impacts. This programme strategy assumes that Tanzania will continue to be politically stable; and that the government will continue being committed to good democratic governance; that the rule of law and respect for human rights will remain one of the priorities of the government.

It is also assumed that resources for efficient and effective implementation of this strategy will be available in a timely manner and that important implementation partners and decision making bodies will be cooperative in the course of programme implementation.

## **9. PROGRAMME MONITORING AND EVALUATION**

TAWLA is committed to being more efficient and effective in the design and implementation of its programmes. The organization will create and maintain a performance culture and intends to institutionalize a result-based management approach. To realize this and at the same time add value to the overall organizational performance, TAWLA will devise and implement a user-friendly Monitoring and Evaluation system.

The Logical Framework attached to this programme strategy is an important and fundamental tool for gauging both programmatic and institutional performance. The organization will also undertake annual performance reviews during staff retreats and carry out rigorous financial audit annually.

To effectively gauge its performance, the organization will make use of qualitative, quantitative, process and impact indicators. These measures of success are found in the logical framework. The organization will recruit an Organisational Development (OD), Human Resource and Monitoring and Evaluation (M&E) officer to work on this. Details of indicators under each expected output are clearly pointed out in the log frame attached herewith.

## **10 PROGRAMME SUSTAINABILITY**

To sustain the organization and its programme, TAWLA will seek to diversify funding sources and enter into long-term partnership with strategic sources of funds. To make the programme benefits sustainable, the organization will empower community-based paralegals and human rights activists to continue providing their services beyond the lifespan of this strategy.

By influencing desirable changes in policy, practice and legal frameworks, the benefits accruing from these interventions will be sustained. The organization will continue to network with likeminded organizations for information sharing, institutional learning and keeping the organization on the cutting edge of strategic influencing. Efforts will be made by the organization to empower and engage with existing government structures rather than create the new ones.

## **11 RESOURCE REQUIREMENTS**

### **11.1 Human Resources**

To effectively implement the programme, TAWLA will need to maintain existing staff and recruit additional members of staff. Selection and recruitment will be based on a rigorous job analysis, thorough job descriptions and job specifications. The organization will undertake regular performance appraisals of staff to enhance programme performance.

To inculcate team spirit, the organization will organize staff retreats during which team building exercises and reflection on the organisation's endeavours will be carried out. The organization will organize quarterly lunch and learn sessions to build staff capacity.

### **11.2 Material Resources**

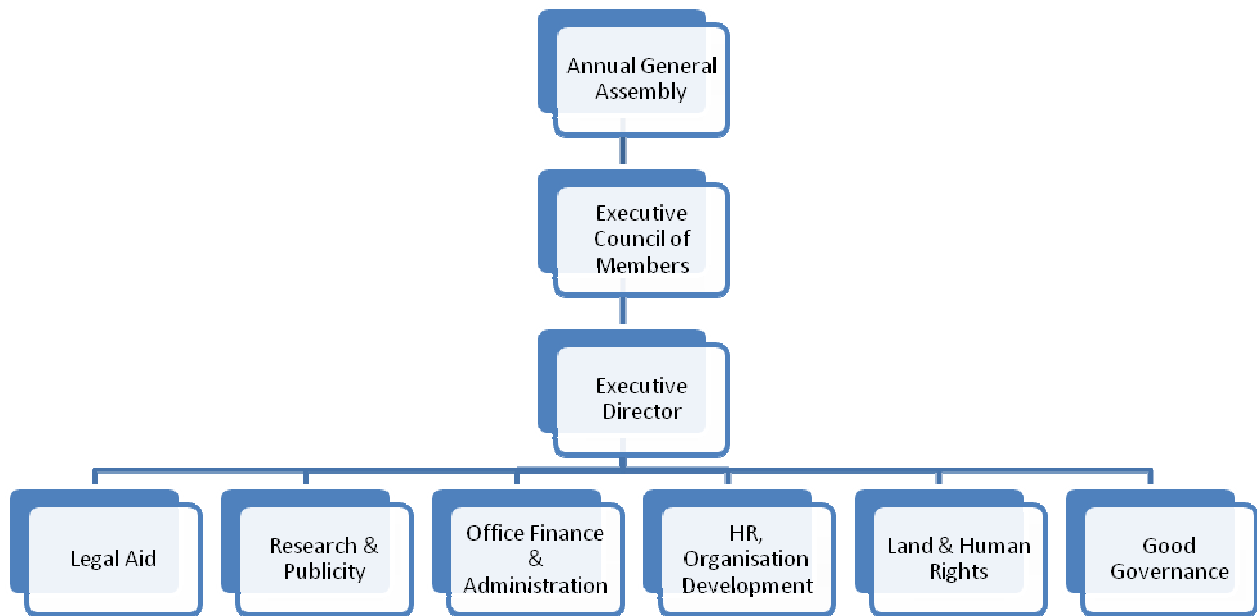
The organization needs material resources to implement programme activities efficiently and effectively. Such material resources include, but are not limited to, vehicles, computers, printers, a digital camera, overhead projector and power point machines, Flip chart stands, photocopier, binding and lamination machines and stationery.

### **11.3 Financial Resources and Budget Projection**

TAWLA requires financial resources to run the organization and its programme. The organization will need financial resources for both fixed costs and recurrent expenditures for its smooth organisational functioning and implementation of programme activities. Over the coming five years TAWLA will require the total budget of TZS 4,591,357,258 (Equivalent USD 3,401,005).

**Annex 1:**

**Organogram of TAWLA**



## Annex 2: Logical Framework Matrix - TAWLA Programme Strategy 2010-14

Narrative Summary	Objectively Verifiable Indicators	Means of Verification	Important Assumptions
<b>Goal: Respect for and observance of women and children rights in Tanzania enhanced</b>	<ul style="list-style-type: none"> <li>• Increased confidence among target widows and children to fend for their lives and stand for their rights</li> <li>• Increased respect for the rights of widows and vulnerable children in target communities</li> <li>• Number of policy decisions made in favour of women and vulnerable children</li> </ul>	<ul style="list-style-type: none"> <li>• MKUKUTA monitoring reports</li> <li>• Progress report of Legal Sector Reform Programme</li> </ul>	<ul style="list-style-type: none"> <li>• Tanzania continues to be politically stable</li> <li>• Rule of law, human rights observance and democratic governance remain a priority of the government of Tanzania</li> <li>• The government of Tanzania will continue respecting the voices of civil society</li> </ul>
<b>Purpose: Best practice on promotion of Women and Children's rights and professional advancement of member women lawyers documented, shared and disseminated</b>	<ul style="list-style-type: none"> <li>• Number of lawyers' attending refresher and higher learning institutions</li> <li>• Number of success stories on human rights and good local governance documented and shared</li> <li>• Number of organizations emulating TAWLA's models and approach</li> </ul>	<ul style="list-style-type: none"> <li>• Progress reports</li> <li>• Media reports/newspaper clippings</li> <li>• Media reports</li> <li>• Review of case studies and success stories</li> </ul>	<ul style="list-style-type: none"> <li>• Human rights and good governance institutions will be cooperative with civil society</li> <li>• Civil society organizations will remain committed to networking, information sharing and institutional learning</li> </ul>
<b>Output 1: Legal aid services to vulnerable women and children provided</b>	<ul style="list-style-type: none"> <li>• Number of women and children's policies and laws reviewed</li> <li>• Number of radio and</li> </ul>	<ul style="list-style-type: none"> <li>• Progress reports</li> <li>• Field visits</li> <li>• Training reports</li> </ul>	<ul style="list-style-type: none"> <li>• Local government authorities will recognize and respect paralegals and their services</li> </ul>

	<p>television spots on legal and human rights education produced and aired</p> <ul style="list-style-type: none"> <li>• Number of widows, children and caregivers reached and served</li> <li>• Number of conflicts resolved</li> <li>• Number of marginalized women and children represented in court</li> <li>• Number of primary court magistrates trained on women and children rights</li> <li>• Number of police officers trained on women and children rights</li> </ul>		<ul style="list-style-type: none"> <li>• Local government authorities and community representative structures will be cooperative</li> <li>• Media houses will be cooperative to human rights activists and organizations</li> </ul>
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**Activities for Output 1**

- 1.1 Provide legal aid services to target communities in Dar es Salaam Dodoma, Arusha and Tanga regions
- 1.2 Facilitate conflict resolution for the realization of women and children rights in Dodoma, Arusha and Tanga
- 1.3 Identify and conduct five-day training for 90 paralegals in Dodoma, Arusha and Tanga regions
- 1.4 Conduct 3-day refresher training for 90 paralegals in Dodoma, Arusha and Tanga region
- 1.5 Draft court documents for indigent women and children
- 1.6 Provide counselling, coaching and confidence building support to clients for self representation
- 1.7 Provide paralegals with bicycles for transport
- 1.8 Carry out conflict resolution between parties

<b>1.9</b> Procure and distribute legal aid educational materials to the indigent			
<b>Strategic Objective Two: Land rights and women and children rights promoted</b>	<ul style="list-style-type: none"> <li>• Number of trainings on Land Act and Village Land Act, women and children rights conducted</li> <li>• Number of people attending the training</li> </ul>	<ul style="list-style-type: none"> <li>• Progress reports</li> <li>• Training reports</li> <li>• Minutes of village assemblies in programme villages</li> <li>• Minutes of Ward Land Tribunals</li> </ul>	<ul style="list-style-type: none"> <li>• The government remain committed to good governance and rule of law</li> <li>• Government's Land titling and certification process becomes more facilitative</li> </ul>
<b>Activities for Output 2</b>			
<b>2.1</b>	Conduct 5-day awareness and knowledge sharing seminars on Land Act and Village Land Act to 90 selected community members (community based activists)		
<b>2.2</b>	Conduct 5 day training on Land Act and Village Land Act for 6 catalytic Ward Tribunals		
<b>2.3</b>	Provide technical support to 3 pressure groups demanding their land rights		
<b>2.4</b>	Facilitate villages to acquire land certificates in 3 catalytic wards		
<b>2.5</b>	Facilitate land dispute resolutions between parties in 6 target wards		
<b>2.6</b>	Produce and air radio and television programmes on topical land rights and human rights issues		
<b>2.7</b>	Organise four (4) fact finding missions for public interest on land and human rights issues		
<b>2.8</b>	Prepare and disseminate land and human rights educational materials		
Strategic Objective 3: Raise awareness of Child Labour and the Treatment of Juvenile Detainees	•	•	•
<b>Activities for Output 3</b>			
<b>3.1</b>	Provide legal aid support on juvenile detainees		

3.2	Conduct 20 awareness and knowledge sharing seminars on child labour issues
3.3	Campaign for adoption of model by-laws on child labour drafted by TAWLA
3.4	Develop media campaign for more effective enforcement of child labour laws
3.5	Produce and air radio and television programmes on child labour and detention issues
3.6	Prepare and disseminate educational material on child labour and detention issues

<p><b>Strategic Objective</b> <b>4. Good governance enhanced</b></p>	<ul style="list-style-type: none"> <li>• Number of laws affecting women and children reviewed</li> <li>• Number of human rights messages produced and shared</li> <li>• Number of human and legal rights subjects advocated for via media outlets</li> <li>• Number of ward councilors and government leaders at village and ward levels trained on human rights and good governance</li> <li>• Number of anticorruption trainings politicians and local government leaders conducted in collaboration with PCCB</li> <li>• Number of fact sheets on bad governance produced and presented to influential Ward Councilors and</li> </ul>	<ul style="list-style-type: none"> <li>• Progress reports</li> <li>• Number of meetings with key officials of Law Reform Commission conducted</li> <li>• Review of legislative analysis reports.</li> <li>• Review of fact sheets for key decision makers</li> <li>• Review of training reports</li> <li>• Review of training materials prepared in collaboration with PCCB</li> </ul>	<ul style="list-style-type: none"> <li>• The government remains committed to implementing Legal Sector Reform Programme, Local Government Reform Programme and the National Anticorruption Strategy and Action Plan</li> <li>• The government will respect the recommendations made by the Commission for Human Rights and Good Governance</li> </ul>
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	Members of Parliament		
<b>Activities for output 4</b>			
4.1	Conduct 5 day training on good governance principles for 30 people comprising Ward Councillors, Ward Executive Officers, Village Executive Officers in six catalytic programme wards		
4.2	Produce and air weekly community radio programme on good local governance issues		
4.3	Conduct a 3-day training on public expenditure tracking for 30 selected Ward Councillors		
4.4	Conduct three 3 day training on public expenditure tracking for 90 paralegals		
4.5	Conduct three 3-day training seminars for 90 paralegals on the new Anti-graft law and fighting corruption for 30 people		
4.6	Carry out public expenditure tracking studies in three target district councils in Dodoma, Arusha and Tanga region		
<b>Output 5: Policy research and advocacy on legal reform undertaken</b>	<ul style="list-style-type: none"> <li>• Number of researches conducted</li> <li>• Number of publications made</li> <li>• Number of advocacy messages produced and disseminated</li> <li>• Number of advocacy meetings conducted</li> <li>• Number of laws affecting women and children reviewed</li> <li>• Number of human rights messages produced and shared</li> <li>• Number of human and legal rights subjects advocated for via media outlets</li> </ul>	<ul style="list-style-type: none"> <li>• Progress reports</li> <li>• Number of meetings with key officials of Law Reform Commission conducted</li> <li>• Review of legislative analysis reports.</li> <li>• Review of fact sheets for key decision makers</li> <li>• Review of training reports</li> </ul>	<ul style="list-style-type: none"> <li>• The government remains committed to implementing Legal Sector Reform Programme, Local Government Reform Programme and the National Anticorruption Strategy and Action Plan</li> <li>• The government will respect the recommendations made by the Commission for Human Rights and Good Governance</li> </ul>

	<ul style="list-style-type: none"> <li>• Number of ward councilors and government leaders at village and ward levels trained on human rights and good governance</li> <li>• Number of anticorruption trainings for politicians and local government leaders conducted in collaboration with PCCB</li> <li>• Number of fact sheets on bad governance produced and presented to influential Ward Councilors and Members of Parliament</li> </ul>		
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**Activities for Output 5:**

- 5.1** Identify, update and maintain a database of key internal and external influencing opportunities
- 5.2** Attend strategic research and advocacy meetings, seminars and workshops to add value to advocacy work
- 5.3** Identify and prioritize 2 strategic policy and legal issues every year for research
- 5.4** Conduct two research projects on identified priority policy and legal issues
- 5.5** Prepare fact sheets for information sharing and influencing
- 5.6** Organise a one-day information sharing and dissemination meeting on quarterly basis
- 5.7** Publish and disseminate research findings to strategic stakeholders
- 5.8** Conduct news conferences on strategically selected issues

<p><b>5.9</b></p> <p><b>5.10</b></p>	<p>Prepare and circulate 4 new releases on key advocacy issues</p> <p>Undertake strategic litigation on cases which can advance law reform and or lead to enactment of new legislation</p>		
<p><b>Output 6: Capacity and Sustainability of TAWLA strengthened</b></p>	<ul style="list-style-type: none"> <li>• Increase in demand for TAWLA's services</li> <li>• Number of different sources funds contributing to TAWLA's basket</li> <li>• Number of qualified and competent personnel hired</li> <li>• Level of job satisfaction among TAWLA members of staff</li> <li>• Beneficiary satisfaction with TAWLA</li> </ul>	<ul style="list-style-type: none"> <li>• Project monitoring reports,</li> <li>• Progress reports,</li> <li>• Stakeholders Satisfaction survey reports</li> <li>• Performance appraisal reports</li> <li>• Bank statements</li> <li>• Financial audit report</li> </ul>	<ul style="list-style-type: none"> <li>• Policy and legal frameworks will continue being friendly to Civil Society Organisations</li> <li>• Development partners will remain committed to strengthening the civil society sector in Tanzania</li> </ul>
<p><b>Activities for Output 6</b></p>			
<p><b>6.1</b> Design and implement demand-driven programme for capacity building of women lawyers</p> <p><b>6.2</b> Provide organisational support to women lawyers seeking scholarship for professional advancement</p> <p><b>6.3</b> Conduct 2 demand driven five-day refresher workshops for 60 women lawyers for their professional development;</p> <p><b>6.4</b> Conduct organisational capacity assessment</p> <p><b>6.5</b> Conduct a three-day annual programme review retreat for 20 programme staff</p> <p><b>6.6</b> Conduct Training Needs Assessment for TAWLA members and programme staff</p> <p><b>6.7</b> Provide financial support for week-long strategic training for programme staff</p> <p><b>6.8</b> Put in place a demand driven and timed accompaniment services for</p>			

organizational capacity strengthening mechanism

- 6.9** Develop the website as a resource for members and staff and showcase for TAWLA activities
- 6.10** Design, implement and review a monitoring and evaluation system
- 6.11** Prepare and implement resource winning strategy for institutional sustainability
- 6.12** Conduct annual round table resource winning meeting with development partners
- 6.13** Prepare weekly, monthly and quarterly narrative and financial progress reports
- 6.14** Conduct weekly, monthly and quarterly management meetings to review progress
- 6.15** Conduct quarterly Board Meetings
- 6.16** Conduct annual financial audit

### **Annex 3: Core Values**

TAWLA will continue to cherish and remain committed to the following core values

- Transparency
- Accountability
- Integrity
- Diversity
- Professionalism