



ANNUAL REPORT 2018

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# LIST OF ACRONYMS AND ABBREVIATIONS

AGM Annual General Meeting

BRELA Business Registration and Licensing Agency

CCM Chama Cha Mapinduzi

CAMMAC Coalition to Address Maternal Mortality and Morbidity due to Unsafe Abortion

and its Complications

CEDAW Committee on the Elimination of Discrimination Against Women

CHADEMA Chama Cha Demokrasia na Maendeleo

CLE Continuing Legal Education

CUF Civic United Front

**GBV** Gender Based Violence

IEC/BCC Information, Education and Communication/ Behavioral Change

Communication

International Institute for Environment & Development

LSF Legal Service Facility

LSN Legal Support Network

SIDA Swedish International Cooperation Agency

SRHR Sexual Reproductive Health Rights

TAHECAP Tanzania Healthcare and Carrier Awareness Program

TLS Tanganyika Law Society

TVG TAWLA VICOBA Group

UMATI Chama cha Uzazi na Malezi Bora Tanzania

USAID United States Agency for International Development

ACT Wazalendo Alliance for Change and Transparency

# **MESSAGE FROM TAWLA CHAIRPERSON**



On behalf of the Governing Council, I am humbled to present our Annual Report for the year ended 31<sup>st</sup> December, 2018.

I take this opportunity to appreciate TAWLA Members for entrusting me to serve as your Chairperson for the second term. I have gained a lot of experience in the past two years as your Chairperson and I promise to keep working with you closely for the development of our Association. I also take this very opportunity to appreciate all Members who have been engaging in the Association's activities. Surely, this shows your spirit of commitment in the development of our Association and the entire society that we are serving; despite the fact there has been inadequate timely payment of membership subscription fees.

This year, there was a significant number of changes within our Association including election of new Council Members, review of 2015/2016-2019/2020 Strategic Plan, appraisal of the Executive Council, an excise which was not there before and a total of 277,773 people were reached through various interventions including legal aid clinics, mobile legal aid, hotline, paralegals, disseminated IEC materials and provision of legal awareness through media. What has not changed however is the unique ability to continue to adapt to an environment that remains volatile and challenging towards women rights and respond in a manner that reflects our qualities and experience.

Moreover, we were honored to have the presence of the Vice President as the guest of Honor in our 28th Annual General Meeting who directed TAWLA to review the blueprint with a gender eye. I am happy to report the directive was implemented and submitted the report to the office of the Vice President and the parent Ministry.

In this reporting period, we managed to conduct a mid – term review of our Strategic plan (2015/2016 to 2019/2020) where the Executive Council Members, some representatives from the Board of Trustees, and Members of the Association, Staff and some of our beneficiaries participated. The review considered among others; the challenges and opportunities that exist in our communities. Through the review we came forward with interventions that will propagate a society that respects and upholds the rights of women. The review retained TAWLA's original four strategic objectives but improved the strategies and the structure of the Strategic plan. The strategic objectives include:

- a) Strengthen members' engagement in TAWLA activities for effective delivery of the vision; -
- b) Create sustainable access to justice for vulnerable women;-
- c) Advocate for review of laws and policies hindering gender equality;
- d) Build the capacity of TAWLA for sustainable services delivery.

Our strategic Plan is a public document and is available at the Secretariat upon request.

All the success reported in this annual report would not be possible without the support from members, development partners, stakeholders and well-wishers whose support has kept us on the course. THANK YOU.

We hope this report will convey the colors and vibrancy of the communities we are serving across the country.

Athanasia A. Soka

TAWLA CHAIRPERSON

# A WORD FROM THE EXECUTIVE DIRECTOR



In line with TAWLA's Mission of advancement of women as champions in promoting and protecting the rights of women and good governance through legal empowerment, 2018 has been a welcoming year of advancement internally and externally. This year TAWLA was able to welcome new Executive Council members who worked tireless with the support from the Secretariat to review the Association Strategic Plan and also our clients continued to access justice on various legal issues through our legal aid clinics. While externally, we managed to have the Vice President as our high profile guest of honor in our 28th Annual General meeting and participated in a number of forums for our association visibility including the East Africa Law Society, SADCLA etc.

I take this opportunity to extend our profound gratitude to our Chairperson and the Executive Council, for their leadership role, commitment and their willingness to find better ways to accomplish our organization's mission and vision. Most importantly, I would like to convey our appreciation to our members, who inspire us with their dedication to their organization. We urge members to continue actively participating in TAWLA activities.

On behalf of TAWLA I wish to acknowledge with heartfelt appreciation the continued support of our development partners in 2018 who include: 1) WE EFFECT, 2) the European Union through WE EFFECT, 3) SIDA through WE EFFECT, 4) Oxfam, 5) Equality Now, 6) HiVOS, 7) the International Planned Parenthood Federation (IPPF), 8) Legal Services Facility, 9) The Foundation for Civil Society, 10) the French Embassy through Foundation for Civil Society, 11) Porticus, 12) International Institute for Environment and Development (IIED), 13) Global Road Safety Partnership, and 14) Anonymous Donors.

As you read this report, we hope that you find our achievements over the past year inspiring, thus encourage you to continue to support us to make our vision of a society that respects and upholds the rights of women a reality.

HAPPY READING!

TIKE MWAMBIPILE

EXECUTIVE DIRECTOR

# **EXECUTIVE SUMMARY**

Tanzania Women Lawyers Association (TAWLA) was founded in 1989 and registered in 1990 under the Societies Act<sup>1</sup>. The Association is committed to the advancement of its members, rights of women and children and good governance.

This report covers the period of January – December 2018 and it is divided into seven chapters. Chapter one provides for TAWLA's background information; chapter two is on professional advancement of TAWLA members; chapter three is on access to justice for vulnerable women and children; chapter four is about advocacy on review of laws and policies hindering gender equality; chapter five is on TAWLA sustainability; chapter six highlights key results and chapter seven is on challenges, lessons learnt and way forward.

In this reporting year, we are happy to inform you that there has been a number of achievements and at the same time, we managed to note challenges and learnt some lessons for our future interventions. The report also provides a clear picture of how far we have reached and depicts where we are heading to as an organization. For the year 2018, TAWLA managed to contribute to the improvement of access to justice especially to women through provision of legal aid services and legal empowerment programs. A total of 277,773 people were reached through various interventions including legal aid clinics, mobile legal aid, hotline, paralegals, disseminated IEC materials and provision of legal awareness through media. Out of those 149,349 were women and 128,424 were men. Legal aid continued to be our major engagement of which vulnerable women are reached through our legal aid clinics located in Arusha, Dar es Salaam, Dodoma, Mwanza and Tanga respectively.

In order to enhance gender equality, TAWLA worked at national level to advocate and sensitize for changes towards laws and policies that hinder gender equality. This was done through public dialogues; a number of studies <sup>2</sup>were conducted to ensure that TAWLA operates in a data-driven sphere. Campaigns were designed to ensure we advocate for women land rights, gender-based violence and women political participation. All these efforts were carried out while engaging key decision makers namely; members of parliament (MPs), Ministers and other political leaders.

Membership engagement was addressed in this reporting period in order to meet planned specific objective. TAWLA aimed at enhancing members' involvement in its activities and ownership of the Association. In addition, TAWLA mobilized and engaged members through Continuing Legal Education (CLE) sessions together with all outreach activities, social media forums and social events.

However, some challenges were encountered during the year, some of them include; inadequate timely payment of membership subscription fees despite several reminders, reduction of donor funding and sometime some clients were dishonest because they did not share all necessary information and as a result, they ended up losing some of the rights they deserved. Moving forward, we plan to increase partnership with local and international partners, raise awareness to the local communities on legal education and strengthening TAWLA's Dodoma branch for effective operations of TAWLA activities in Dodoma, given its current status and bearing in mind that, Dodoma is now where the Government seats.

<sup>1 [</sup>Cap. 337 R. E. 2002]

# 1

# **ABOUT TAWLA**

#### 1.1 Introduction

Tanzania Women Lawyers Association was founded in 1989 and registered in 1990 under the Societies Act [Cap. 337 R. E. 2002]. TAWLA is committed to the advancement of its members, protection of women and children's rights and good governance. This is achieved through the following initiatives; professional advancement of members;, provision of legal aid services to women; advocacy for women participation in political processes and decision making bodies; advocacy for prevention of domestic violence against women and gender-based violence; promotion of women land rights; enhancement of good governance; undertaking of policy, legislative research, advocacy and strengthening capacity and sustainability of the organization. This is in line with TAWLA strategic objectives for 2015/2016 – 201 9/2020.

TAWLA headquarters are located in Dar es Salaam and branch offices in Arusha, Dodoma, Mwanza and Tanga. As a way of expanding its outreach activities, TAWLA networked with other legal aid providers, TAWLA members, pro bono lawyers and paralegals in order to enable vulnerable women and children access legal aid services in regions where the Association does not have a physical presence. Following Government's relocation to Dodoma TAWLA plans to strengthen its Dodoma office as well.

In the process of increasing members' participation in organization affairs, TAWLA assessed the commitment of its members, and during the 2017 Annual General Meeting a resolution was passed to de register all members who had not paid their subscription fees during the period of two years or more as per the TAWLA Constitution under Article 5.6.1(b)<sup>3</sup>. Following that resolution, a total of 262 unpaid members were de registered in order to align with the TAWLA's Constitution and to comply with the auditor's valid recommendation. Out of those 262 unpaid members, 25 resumed their membership by paying their dues and were brought back to the membership register. Thus at the end of the year 2018 TAWLA's membership register had a total of 344 paid up members. The membership includes women lawyers from diverse backgrounds such as Justices of the Court of Appeal (sitting and retired), Judges of the High Court (sitting and retired) State Attorneys, Advocates, Magistrates, corporate executives, academicians and legal advisors in both the public and private sectors.

#### 1.2 Vision

TAWLA envisages a society that respects and upholds the rights of women.

## 1.3 Mission Statement

TAWLA's mission is the advancement of women as champions in promoting and protecting the rights of women and good governance through legal empowerment.

# 1.4 Values

The following values govern our work, as we strive to achieve TAWLA's mission: -

<sup>3 1990</sup>as amended from time to time

- 1.4.1 Transparency to be transparent to our members, staff, and stakeholders in all what we do.
- **1.4.2** Accountability to be guided by the highest possible standards of internal and external accountability to all our stakeholders and to comply with all statutory requirements for accountability.
- 1.4.3 Integrity we value high character with impeccable levels of integrity for all individual members, office bearers and staff, in and outside TAWLA programs and/or governance processes being a prerequisite.
- 1.4.4 Volunteerism a commitment to serve without monetary gain expectations.
- 1.4.5 Diversity we respect diversity across all facets of life.
- **1.4.6 Professionalism** we strive for attainment of the highest levels of professionalism in the execution of the TAWLA mandate and in our relationships with all.

# 1.5 Strategic Objectives

Through its five year strategic plan (2015/2016 – 2019/2020) as reviewed in 2018, TAWLA developed four strategic objectives: -

- 1.5.1 Strategic Objective 1: Strengthen members' engagement in TAWLA activities for effective delivery of the vision.
- 1.5.2 Strategic Objective 2: Create sustainable access to justice for vulnerable women.
- 1.5.3 Strategic Objective 3: Promoting gender equality through advocating for review/amendment of laws and policies that hinder gender equality.
- 1.5.4 Strategic Objective 4: Build the capacity of TAWLA for sustainable service delivery.

# 1.6 Our theory of change

TAWLA's theory of change is premised in two fundamentals, which perceive access to justice as;

- i. An end in itself where women have the right to enjoy access to justice as a basic human right bestowed to them as human beings; and
- ii. Access to justice as a pre condition for protection and enjoyment of other women's human rights. Thus The Theory of Change is predicated on the following key assumptions:
  - a. TAWLA members have capacities (technical competencies, information resources, research-evidence, linkages) to enable women and communities access justice and contribute to facilitating others to access justice;
  - b. Women agency in seeking and delivering justice is critical for sustaining access to justice;
  - c. Better informed Government institutions and citizens are critical for transparent and accountable justice institutions;
  - Enforcement of policies and laws are an important part for women accessing justice and consequently securing livelihoods.
  - e. Several general recommendations of the CEDAW Committee and other treaty bodies are central to justice programming because they assist in identifying the underlying causes of gender discrimination in justice delivery, as well as actions that are needed to address them.

2

# STRENGTHEN MEMBERS' ENGAGEMENT IN TAWLA FOR EFFECTIVE DELIVERY OF THE VISION

#### 2.1 Introduction

TAWLA is a Membership association, having members whose rights and obligations are spelt out in the Constitution of the Association. The Association continues to undertake projects and activities with the objectives to retain, utilize and increase members' participation, ownership as well as to provide membership economic empowerment. Additionally, the Association continues to inform and mobilize the members to ensure meaningful engagement in legal reforms in Tanzania.

We aim at enhancing members' involvement and ownership of the Association where in 2017 TAWLA had 569 members and following the 2017 Annual General Meeting resolution to ensure we have active membership base, TAWLA de-registered 321 members out of 569 members hence remained with 248 active members. During the 2018 reporting period, TAWLA had 294 active members after recruiting 21 new members and re-registering 25 members who were defaulters resuming as active members. Therefore, at the end of the year 2018 a total of 296 members were de-registered.

TAWLA continued to update her information through the designed membership database. TAWLA also mobilized and engaged members through outreach activities, social media forums and two social events and three Continuing Legal Education (CLE) sessions; the Motivational Talk themed "PRESS FOR PROGRESS" which was held on 8th March 2018 as part of the Commemoration of the International Women's Day which was held at Luther House- Mviringo Hall. This session was attended by 23 members; the 2nd Women Lawyers Forum themed "Breaking the Barriers: Women Lawyers as Change Makers in the Legal profession" which was held on 12th April 2018 at Mount Meru Hotel, Arusha in collaboration with the Tanganyika Law Society (TLS) which was attended by 74 members; and the CLE session which was held on 26th May 2018 themed "impact investment: unlocking private and public capital in addressing women economic empowerment in Tanzania". This session was attended by 108 members.





Some TAWLA Members who participated in the potluck session

# 2.2 Membership Growth

As a member-based organization, TAWLA is made stronger by her vibrant and diverse membership that stood at 294 in the reporting period, from 40 members in 1990 when TAWLA was registered. The growth in membership is a clear testimony of the trust TAWLA enjoys from professional women lawyers. TAWLA will always strive to create value that would continue to build a solid and growing Association that will endeavor to maintain its current members and recruit more with time. TAWLA will ensure it enriches the growth of its membership by keeping the available members updated and informed, by providing membership identity cards (IDs), disseminate TAWLA handbook to different stakeholders such as Faculties of Law in various Universities, the Judiciary, the Attorney General's Chambers, the Office of Solicitor General, Offices of the Director of Public Prosecution and other offices with women legal practitioners for the purpose of information and recruiting new members.

#### 2.3 Recruitment of New Members

In our quest to invigorate and forge close working relations with our growing membership, TAWLA managed to register twenty one (21) new members in 2018. The new members were recruited through the joint efforts of the Executive Council, the Membership Affairs Committee and the Secretariat.

NB: Prospective members can easily access application forms on the TAWLA website and in TAWLA branch offices in Arusha, Dar es Salaam, Dodoma, Mwanza and Tanga.

# 2.4 Updated Membership Electronic Database in Place

In 2018, TAWLA continued to maintain and update members' electronic database. The database goes through periodic updating, especially when members pay subscription fees, registering new members and when a member updates her contact details just to mention but a few. The database is useful for improving data quality, better data management of member's information and better and quick report generation for members.

# 2.5 Membership Subscription Fees

TAWLA reminded and mobilized members to pay their annual subscription fees through autogenerated invoices on the established electronic database and via text messages, phone calls, emails and Whatsapp. In this reporting year, a linkage was created between the Finance Department and Members; whereby the subscription fee was channeled directly to the finance department for timely and more accurate accounting. For the reporting period, a total of TZS. 14,175,000/- (as actual fees and arrears) was collected from 172 members. There is decrease of 6% compared to the sum of TZS. 15,100,000/- (actual fees and arrears) collected in the year 2017caused by the fact that most members who paid in 2017 paid for 2018 too so there was no arrears on their part.

# 2.6 Commemoration of International Women's Day

TAWLA joined the world to commemorate and celebrate *International Women's Day*, which is celebrated globally on March 8<sup>th</sup> of every year. The 2018 theme was '**PRESS FOR PROGRESS**. As part of celebrating the said International Women's Day, TAWLA prepared a motivation talk that was facilitated by Advocate Fortunata Temu who also made a presentation focusing on her book, "WE ALL CAN." A total of 23 Members attended and were accredited 2 CLE points.

# 2.7 Continuous Legal Education (CLE) for Members

During the 28th Annual General Meeting which was held on 26th May 2018 at SERENA Hotel, Dar es salaam, TAWLA organized and coordinated a seminar session titled "impact investment: unlocking private and public capital in addressing women economic empowerment in Tanzania". It was a lively session where 108 members not only benefited on the seminar but also were accredited with two CLE points.

# 2.8 TAWLA Members Electronic Interacting Platforms

During the period under review, the Secretariat shared information with members through formal and informal platforms including emails, text messages, WhatsApp and phone calls. This included information on membership related issues; career and educational opportunities, training opportunities and consultancy opportunities. Members benefited professionally through these platforms by obtaining, among others information relevant to their work. Employment and other work-related information and opportunities were shared in the group and members were requested to take up such opportunities for their career development. Apart from TAWLA members' professional groups, the secretariat created a social group for members to share social and refreshing ideas and information of their choice for socialization. Further to that, there is also a TAWLA VICOBA group whereby necessary information related to VICOBA was shared.

# 2.9 Women Lawyers' Forum

TAWLA in collaboration with the TLS hosted the 2<sup>nd</sup> Women Lawyers Forum which was held during the TLS Annual Conference and Annual General Meeting on 12<sup>th</sup> April 2018 at Mount Meru Hotel, Arusha. The forum brought together female advocates who are TLS and TAWLA members at the same time and those who are only TLS members for purposes of sharing experience and networking. The theme for the 2018 Women Lawyers' Forum was "Breaking the Barriers: Women Lawyers as Change Makers in the Legal profession". TAWLA senior members advocate Jessie Mnguto shared professional experience and presented on a topic titled "Contribution of women lawyers in the legal profession from the 1960s to date". Likewise, advocate Tumaini Silaa also shared experience on "How women lawyers can add value and contribute to the improvement of the legal profession". During this session, TAWLA recruited 4 new members

# 2.10 Professional Advancement Opportunities

In this reporting period, 3 members were recommended in various programs including attending leadership course on women in Canada, master's program in South Africa and Georgetown University (USA). Various posts were listed in the mailing list and social media for members to access, most of these were short training/courses on women in leadership, masters programs and Ph.D. programs on various law and women related fields.

# 2.11 TAWLA Members' Mentorship

Under this reporting period, a mentorship guide was developed to guide TAWLA mentorship program which aligns with Strategic Objective 1 on membership advancement. The mentorship program is scheduled to be launched in May, 2019. The Mentorship program is designed to help members enhance their skills and competence thereby promoting their professional advancement.

# 2.12 Participation of TAWLA Members in Decision-Making Bodies

We take pride when TAWLA members are recognized and appointed by public and private bodies. We are delighted with such appointment because a TAWLA member has been appointed. TAWLA

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strives to see its members advance in their career and this is the core reason why the Association was established.

In this reporting period the Associatio is proud to see its members excelling and serving in different leadership positions. TAWLA's Vice Chairperson, Ms. Lulu Ng'wanakilala and Ms. Grace Mfinanga were appointed members of the Tanzania Forest Fund Board (TaFF) by the Minister of Minerals and Natural Resources, Hon. Dr. Hamis Kigwangala. Likewise, Honorary Treasurer, Ms. Sarah Mhamilawa was elected the Vice President of the East African Law Society (EALS) during the East African Law Society Meeting held on the 1st December 2018 in Mombasa. The Executive Director, Ms. Tike Mwambipile was appointed a member of the National Land Advisory Council by the Minister of Lands, Housing and Human Settlements Development, Hon. William Lukuvi. In addition, Ms. Isabella Nchimbi, TAWLA member and member of staff at the Secretariat was appointed to serve as a member of the newly established National Road Safety Council.

We are thrilled to see, Ms. Lulu Ng'wanakilala, Ms. Sarah Mhamilawa, Grace Mfinanga, Ms. Tike Mwambipile, and Isabella Nchimbi in their new leadership roles in the respective boards, which they were appointed to serve as we believe they will use their positions to advance women's agenda as part of TAWLA's mandate.

#### 2.13 TAWLA Members' VICOBA

In this reporting year, TAWLA successfully conducted an official launch of TAWLA VICOBA GROUP (TVG) on 18th January 2018 and continued to keep its eye on the growth of this group and also assist them whenever needed. The group has successfully managed to facilitate its registration with BRELA and opened a bank account with CRDB Bank. A total of 66 members joined the TVG.

# CREATE SUSTAINABLE ACCESS TO JUSTICE FOR VULNERABLE WOMEN

#### 3.1 Introduction

The provision of legal aid services has been the core TAWLA business since its inception (1989). As per the Strategic Plan, this is TAWLA's second objective. This objective aims at creating sustainable access to justice to vulnerable women by establishing mechanisms for sustainable access to legal aid services specifically to protect the rights of the most disadvantaged and vulnerable members of the society (women and children) who cannot afford legal fees.

In the year 2018, TAWLA managed to offer legal aid services to a total of 9,502 (7582 female (80%), 1920 male(20%)) people who were in need of legal aid through our members, legal officers, volunteers, interns, Pro bono lawyers and paralegals. Legal representation, legal advice and drafting of legal documents were provided. Mobile legal aid, toll free, pro bono scheme continued to be useful in supplementing service provision in our five legal aid clinics located in Arusha, Dar es Salaam, Dodoma, Mwanza and Tanga.

Fig 1: A pie chart showing the number of people reached through TAWLA Legal Aid interventions

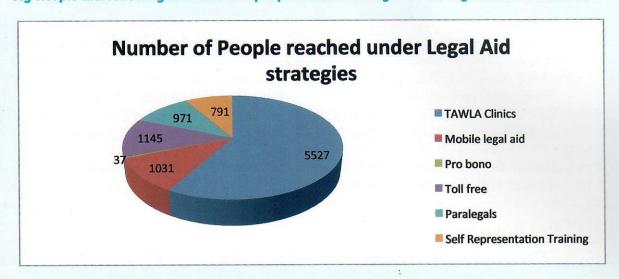
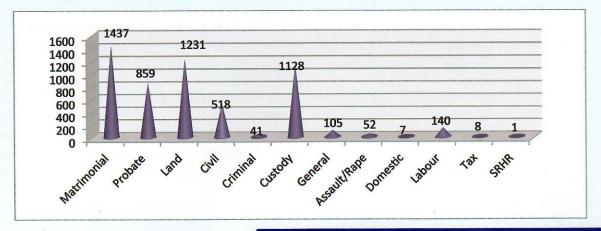


Fig 2: A chart showing the number of cases received per category at TAWLA clinics



As Fig 2 indicates, the common problems reported at TAWLA legal aid clinics in Arusha, Dar es Salaam, Dodoma, Mwanza and Tanga for 2018 are matrimonial cases, land cases, custody and maintanance of children as well as probate and administration. Moving towards 2019, TAWLA will focus its programatic interventions into those four areas where the reporting frequency and demand of service is high.

# 3.2 Legal Aid Clinics

In this reporting period, a total of 7506 women received legal aid services through our clinics. Also, a total of 296 cases were finalized in different forums including Courts, District Land and Housing Tribunals and Commission for Mediation and Arbitration. Out of 296 cases, TAWLA was able to win 180 cases and lost 116 cases. Out of these 116 lost cases, TAWLA has been able to process appeal to 63 cases before various courts of laws.

# 3.3 Self-Representation Training

This is one of the strategies that TAWLA used to support her clients, aimed at empowering them to appear and prosecute their cases themselves during court proceedings. A total of 281 women were trained from all our branches on basic skills of court representation and they have been prosecuting their cases in different courts and tribunals successfully. For 2019, TAWLA is planning to conduct trial monitoring to assess capacity and challenges facing self-represented clients who were trained to represent themselves before courts and tribunals in mainland Tanzania.

## 3.4 Toll-free Service (0800 751010 and 0712 343 717)

In 2014 TAWLA launched a toll-free number to assist women especially victims of gender-based violence and those who cannot manage to visit our legal aid clinics. For that reason, the provision of legal aid services via mobile phone numbers without charges continued to be among the means of service provision and has gained more recognition from various regions within Mainland Tanzania. During this reporting period, a total of 773 (608 females, 165 male) clients received legal services from different parts of the country. Reported issues include; land, child maintenance, custody, domestic cases, employment, inheritance, matrimonial, and gender-based violence.

The toll-free numbers are **0800 751010** and **0712 343 717.** The numbers are available from 0900 hours to 1700 hours working days.

# 3.5 Pro Bono Scheme

TAWLA has been using its members and other members of the legal fraternity who believe in giving back to the society to represent clients in different forums such as courts and tribunals under the Pro bono scheme. The tradition has proved to be helpful to clients as well as realizing TAWLA's objective of assisting vulnerable women and children to access justice. Some of the cases represented were also meant to spearhead changes of laws, which are not gender sensitive. Example of a case that are meant to spearhead changes of law (Strategic Litigation) is the Civil Appeal number 204/2017 Attorney General vs Rebeca Z. Gyumi<sup>4</sup> which is supported by TAWLA.

For the reporting period, 37 cases were handled through the TAWLA pro-bono scheme. The cases originated from the following regions; Arusha, Dar es Salaam, Morogoro, Mtwara, Mwanza and Tanga. The cases were before District Courts, Resident Magistrate Courts, Juvenile Courts, District Land and Housing Tribunals, The High Court of Tanzania and The Court of Appeal in the respective regions. The cases were strategically selected to contribute to women access to land rights, justice

origination from Misc. Civil Cause No. 5 of 2016 High Court at Dar es Salam Rebeca Gyumi vs Attorney General, decided on 8th July, 2016

and women rights to inheritance.

# 3.6 Paralegal Services

Paralegals have been important allies to TAWLA operations hence, building an effective team of paralegal to serve our clients in the best possible manner has been pivotal. In this year (2018) through the use of paralegals, we provided legal aid to 939 people (10 male and 929 female) in Mwanza, Tanga, Morogoro, Arusha and Dodoma.

On the other hand, TAWLA made available capacity building trainings to Paralegals to strengthen their skills in the provision of legal aid services. A total of 510 (258 males and 242 female) paralegals were trained on different thematic areas of women and human rights.

# 3.7 Mobile Legal Aid

Mobile legal aid allows access to legal aid services in remote areas where community members cannot afford to go to our legal aid clinics. In this reporting period, we managed to carry out mobile legal aid to 833 people (586 female (70%), 247 male (30%) in Bahi and Mpwapwa (Dodoma), Same and Sanya Juu (Kilimanjaro), Tukuyu and Mbeya City (Mbeya), Arumeru, Monduli, Longido and Arusha City (Arusha), Buchosa and Misungwi (Mwanza). Consequently, through this strategy its increased more space for TAWLA to explore and reach out the communities that were not aware of TAWLA and its engagement; therefore, it increased visibility countrywide. The people reached were able to access justice on various legal issues including matrimonial, land, probate, GBV, child custody and maintenance.

# 3.8 Promotion of Juvenile Justice and Implementation of Law of the Child Act

Upon implementation of the Law of the Child Act of 20095, TAWLA established a task force to monitor its implementation. The task force is comprised of 15 members who have expertise on children rights. Members of the taskforce are from the following institutions; Police Force, Remand Homes, Kisutu Juvenile Courts, Prison Force, Social Welfare Department, Religious leaders, TAWLA and representatives from Ilala Child Protection Team. The task force meets on quarterly basis and conducts visits to areas where child affairs on criminal justice are handled, i.e. remand homes, Juvenile courts, police stations and prisons. During these visits, a number of challenges were observed regarding the implementation of the Law of the Child Act. These challenges include; most parents do not know The Law of the Child Act hence they do not know their duties and rights pertaining to children, in particular children in conflict with law, lack of effective diversionary programs, determination of age, most police officers determine the age of child by guessing, hence many children are divulged into adult age and charged as adult offenders, inadequate cell for juvenile offenders, children are held at police station for a long time without being bailed out or without being taken to Court, unfair treatment of children who are held in police custody through the use of force, unfriendly language and limited number of social welfare officers at the police stations and court (non-compliance to ensure Social welfare officers are present. Recommendations were made, which were shared with different stakeholders involved in the juvenile justice system.

TAWLA worked with different stakeholders including; Tanzania Prison Department in making sure that children in conflict with the law are accorded legal services to ensure protection of their rights. In the year 2018 Tanzania Prison Department officiated its Child Protection Policy and procedures in prisons, gender desk and corrections/prisons women's network and recognizes TAWLA's contribution towards that achievements.





Tanzania Prison Department launching Child Protection Policy and Procedures in Prison gender desks and recognized TAWLA's contribution

4

# PROMOTING GENDER EQUALITY THROUGH REVIEW/AMENDMENT OF LAWS AND POLICIES THAT HINDER GENDER EQUALITY

#### 4.1 Introduction

Objective three of our reviewed strategic plan aims at promoting gender equality through review and amendment or enactment of laws and policies that hinder gender equality. Under this objective, TAWLA managed to work on a) access to land, b) women and youths participation in political processes and decision making bodies, c) sexual and reproductive health and rights, d) road safety, e) juvenile justice and f) gender-based violence.

On enhancing gender equality, the Association ensured women's voices are heard at different levels through: Evidence-based advocacy, courtesy visits and round table discussions with relevant ministries, public dialogues, meetings with law enforcers and policy makers, members of civil societies, media and the court of law through public interest litigation.

# 4.2 Evidence-Based Advocacy

This strategy involves conducting different studies to provide evidence on the gaps in the laws and policies that hinder women and girls accessing their full rights as human beings. Therefore, advocating for their rights is informed by exclusive data and opinions of the relevant community groups.

In this particular year, three studies were planned and implemented as follows:

# 4.2.1 Study on Existing Labour Laws, Policies and their Impact on Women Workers.

This research on existing labour laws and policies and their impact on women workers highlighted issues related to labourers as well as, challenges facing women working in horticulture business in Tanzania. A round table discussion was conducted with 30 members of parliament to discuss the challenges as highlighted in the study including the legal framework with focus on formal and paid labour force that identified gender gaps. For example paternity leave timeframe does not really reflect the support needed by the nursing mother and unequal representation of women in different leadership positions in the work place. The aim of the meeting was to create dialogue around the challenges for improvement of existing laws. TAWLA will continue to use the study as an advocacy tool in this thematic area in future engagements with policy makers.

# 4.2.2 Study on Institutional and Legal Framework on Lead Agency on Road Safety

Women have continued to be victims of road crashes in a number of ways; one as actual victim, caretakers of the victims or as widows following the death of a spouse. One of the ways recommended by international community in addressing road crashes and promoting transport safety is through establishment of a fully-fledged institution empowered to coordinate road safety activities at the national level. It is from this background, that the assessment of the institutional and legal framework of the lead agency on road safety in Tanzania was conducted in 2018. The assessment found out the

existing National Road Safety Council plays a role of a lead agency however noted the existence of a number of deficiencies including inadequate funding and resource allocation and lack of plans and policy instruments to allow the Council to coordinate road safety agenda and reduce road crashes.

# National Symposium on Challenges Within the Juvenile Justice System in 4.2.3

The national symposium on challenges within the juvenile justice system in Tanzania was held on 30th November 2018 in Dar es Salaam. This meeting had brought together 100 stakeholders working on Juvenile justice system6. The objective of this meeting was to discuss the status of juvenile justice system by looking at challenges facing the system and how collectively these challenges can be addressed. The forum was also used for sharing the findings of the research conducted by TAWLA on juvenile justice system in Tanzania.

The following are issues which identified during the meeting, limited number of magistrates to entertain juvenile cases despite the directive from the Chief Justice<sup>7</sup> to extend jurisdiction to entertain juvenile cases to all resident magistrates at Primary and District courts, non-cooperation from the parents or guardians and social welfare officers, lack of procedures and guidelines regarding the treatment and questioning of children who are accused to have committed a crime, use of force and violence on the verge of arrest of children who are in conflict with the law, shortage of social welfare officers, delay of cases which is contributed by several factors include frequent adjournment of cases, lack of transport to take the children to attend court sessions, lack of resources to complete the cases within the short time, delay of investigation on the side of public prosecutors, many children lack legal representation, no mechanism being enacted to ensure the successful reintegration of the child to his or her family, society or community at large, lack of psychological counselling to the children who were found guilty and then after saving their period.

It was agreed that the identified issues to be submitted to responsible authorities and agreed that everyone had a responsibility to protect children who are in confict with the law. Participants noted the need to harmonize laws especially provisions of the Penal Code, Cap 16 and the Law of Child Act, 2009 especially on the following; how to prosecute juvenile offenders, arrest and interrogation procedures, role of local authorities in addressing activities necessitating children involvement in criminal activities, role of families and religious leaders in upbringing etc.

#### **Community Conversation** 4.3

During the reporting period, 1,363 (810 female, 453 male) people were reached through 13 community conversations conducted in Dar es Salaam, 201 people (98 female, 103 male), Tanga, 282 people (100 female, 182 male), Morogoro, 206 people(112 female, 94 male), Mwanza, 318 people (228 female, 90 male )and Arusha, 356 people (272 female, 84 male) to strengthen the communities towards understanding and respecting women's rights. These communities sessions helped to transform peoples' attitudes towards women's position in the society and designed collective action plans to expedite transformation change in the communities. This strategy contributed to the community participation in the process of enacting gender sensitive by-laws by giving opportunity to community members to discuss, internalize and agree on issues of concern before they endorse the by-law in the village assembly. In a nutshell, it enhances community participation in various

GN. No. 314 published on 9<sup>th</sup> December, 2016 as read together with GN. No. 367 published on 22<sup>nd</sup> September, 2017 which designate premises

of the Juvenile Court as per requirement of the Section 97 (2)of the law of the child.

Prison officers in charge from the three prisons in Dar es Salaam (Keko, Ukonga and Segerea prisons), Director of Social Welfare Services and legal officers from the Ministry of Health, Community Development, Gender, Elderly and Children (MoHCDGEC), Head of Gender & Children's Desk Kinondoni police station, Police officers from Ilala District, Social Welfare Officers (SWO) from One Stop Centre at Amana Hospital, Kinondoni & Temeke Municipal Council, Resident Magistrate Court, Advocates, Paralegals, Child protection team of Ilala and other representatives from the civil societies working on juvenile justice.

social and legal processes. In the reporting period, TAWLA assisted 98 villages across the country to enact these gender sensitive by-laws.

# 4.4 Advancement of Sexual Reproductive Health and Rights

Towards reduction of maternal deaths resulting from unsafe abortions, a National Convening on Sexual and Reproductive Health Rights was conducted and the theme was "Strengthening Reproductive Health to reduce maternal mortality and morbidity: The Reality of What's happening on the Ground". This meeting was attended by 70 participants (28 female and 42 male), including Members of Parliament (MP's), officials from the Ministry of Health, Community Development, Gender, Elderly and Children and Ministry of Constitutional and Legal Affairs, women rights organizations, legal support network lawyers, youth representatives (University students), teachers and primary students (school champions) and Coalition to Address Maternal Mortality and Morbidity due to Unsafe Abortion and its Complications (CAMMAC) representatives. Legal and policy framework on unsafe abortion was shared in line with realities of unsafe abortions. Lack of contraceptives services and knowledge was mentioned as one of the main causes of unsafe abortion.

# 4.5 Champion Building: Targeting Strategic Key Decision Making Structures

Creating champions enables us to reach a larger community within a short and regulated time. This strategy was employed purposely to create the community figure and ensure sustainable results within the communities we worked with. In this reporting year (2018) a total of 93 (50 youths (54%) and 43 women (46%)) champions have been identified through Leadership mentorship programs that were conducted in Arusha and Mwanza. The champions created were women and youths. A number of action plans were developed that will lead to an increased number of women and youths contestants in 2019 local government and 2020 general elections.

Furthermore, land rights clubs were established in 10 schools in Arumeru with 300 students as champions (150 boys (50%) and 150 girls (50%)). The clubs were purposely established to create grassroots champions on women land rights. This creates the base and the community that grow with awareness and knowledge towards respecting and upholding women rights.

# 4.6 Campaigns to Promote Gender Equality

The campaigns are awareness creation tools that have been used by TAWLA to ensure coverage of a large number of our beneficiaries. In this reporting year, campaigns were used to provide effective communication against the laws and policies that hinder gender equality. The Will writing campaign has been TAWLA's agenda to ensure women protection of their rights, especially after a spouse passes away. A campaign on road safety with the hashtag (#) "safiri salama" is one of the initiatives that TAWLA is involved in currently. This campaign was designed to influence policy makers to review the Traffic Road Act of 1973.

# 4.6.1 Legal Support to Providers of Sexual Reproductive Health Services

This involved meetings and capacity building towards safe abortion to ensure, private health care providers performing legal abortions to save lives of pregnant women, comply with medico-legal requirements in the course of performing such procedures, so as, to reduce number of deaths resulting from unsafe abortions. In this reporting period, we hosted three (3) meetings with policy makers, three (3)meetings with practitioners and one national convening both discussing sexual reproductive health rights issue of focusing on the need to create friendly environment for women and girls to enjoy sexual reproductive health services,

<sup>8</sup> Cap. 168 R. E. 2002

# 4.6.2 Will Writing Campaigns

Will writing campaign was also conducted to enhance women land rights in the society. The campaign was conducted to Masai communities in Arusha (Arumeru, Longido and Karatu) and Kilimanjaro (Same), agriculturalist and pastoralist societies in Mwanza (Buchosa, Misungwi, Koromije) and Dodoma (Bahi and Mpwapwa). This campaign in a nutshell aimed at, advocating for women inclusion in the family properties including land. The campaign also aimed at, sensitizing the communities to unfold false beliefs towards Will writing and inclusion of women in the inheritance of properties, for the purposes of impacting right knowledge in line with the legal framework. Therefore, out of 154 participants 39 (8 females (5%) and 31 males (20%)) wrote their Wills.

# 4.6.3 Gender-Based Violence Awareness

In this reporting year (2018) TAWLA stood firmly to support the efforts to end GBV in the communities. Strategically, TAWLA managed to create a link between the communities with legal aid providers (Paralegals, Police gender desk and Magistrates) in Bahi and Mpwapwa within Dodoma region. The legal aid providers were trained and link established for common response on GBV cases in their communities. During the implementation period, the IEC materials on GBV were developed, 1900 copies printed and disseminated to the Village authorities and community members for Bahi and Mpwapwa in Dodoma.

In this reporting period, a number of GBV cases were reported at police stations in Mpwapwa (253) and Bahi (103) between April and June 2018. This demonstrates awareness to women and girls on their rights against Sexual and Gender Based Violence (SGBV) which was contributed by their reporting to the police stations and successful execution of the GBV project in Bahi and Mpwapwa.

# 4.7 Women Access to Land and Property Rights

On ensuring women own and access land, a total of 13 villages in Arumeru, Ulanga and Kilombero were supported to acquire village land certificates. This was done through follow up with the District Authorities and Ministry for Lands and Human Settlements as well as financial support to enable district officials to conduct follow up at the said ministry in Dodoma. Furthermore 373 community members in Shinembo and Kitongosima villages in Magu Districts- Mwanza were supported to acquire certificate of customary rights of occupancy through financial assistance from anonymous donor in order to pay for their certificate.

Women forums (in total 22 forums) were established in Arusha (8 forums), Kilombero (2 forums), Mwanza (2 forums) Tanga (4 forums) and Ulanga 2 forums whereby women meet and discuss issues of their concern on land matters. Periodic capacity building to members of the forums on women land rights and economic empowerment were provided. As a result, some of the forums established VICOBA groups to support their economic activities.

# 4.7.1 Promote Gender Equitable Land Governance and Inclusive Investment

In continuation of the efforts to mitigate the effects of commercial pressure that has increased on land use, TAWLA focused much of her efforts to ensure the well-enforced legal system provides, the rules that coordinate economic and social interactions for women in regard to scarcity of land. In this reporting year, TAWLA with support of IIED, We Effect, Foundation for Civil Society and other development partners managed to facilitate the adoption of gender-sensitive by-laws in 98 villages in Coastal region, Arusha, Morogoro, Mwanza and Tanga.

# 4.8 Road Safety Initiative to Contribute to Amendment of the Road Traffic Act.

TAWLA has been implementing a 2 years project (2017 to 2019) titled "Development of Safer Driving and Mobility through Improvement of Existing Laws and Policies in Tanzania" funded by Global Road Safety Partnership (GRSP) to contribute to the improvement of road safety legal and policy environment by addressing gaps in the Road Traffic Act that link directly to the current high rate of road crashes in the country.

In this reporting year, advocacy meetings with members of parliament were held to advocate for review of the Road Traffic Act, 1973, especially in addressing key risk factors on road safety; speed, lack of use of helmets, use of alcohol while operating motor vehicles, lack of use of seat belts in private cars and child restraints.

# 4.9 Women and Youths Political Participation

In this reporting year, TAWLA continued with the initiative to empower women and youths for meaningful participation in political processes. For the purpose of data and evidence, in this year, gender audit within political parties, and Mentorship programs were conducted to women forums and youths. The office of Registrar of political parties was engaged in discussion focusing on the inclusion of gender-sensitive recommendations in the enactment of the new Political Parties Act of 2018.





Round table discussion with Parliamentarians organized by TAWLA

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# BUILD CAPACITY OF TAWLA FOR SUSTAINABLE SERVICE DELIVERY

#### 5.1 Introduction

Sustainable delivery of TAWLA's mission relies on its institutional capacity and with that fact; TAWLA's visibility has remained over time.

#### 5.1.1 The Executive Council

The Executive Council is comprised of seven members who serve for a term of two years. The current Executive Council was elected in 2018 and serve from May 2018 to May 2020, the members include: the Chairperson - Athanasia A. Soka, Vice Chairperson - Lulu Ng'wanakilala, Honorary Treasurer Sarah Mhamilawa and Council Members: Annmarie Mavenjina Nkelame, Mariam Salum Mvano, Nelly Godlays Mwasongwe and Happiness W. Mchaki.

The Executive Council started its work by paying courtesy visits to different relevant stakeholders, including the Ministry of Constitutional and Legal Affairs, Judiciary, Embassies and Missions present in the country. During the courtesy visits for example the visit to see the Chief Justice, Hon. Prof. Ibrahim H. Juma, he congratulated TAWLA for work well done in assisting vulnerable women to access justice. He also urged TAWLA to continue conducting studies on the laws that require improvements to address gender inequalities as part of making evidence based advocacy. He also welcomed TAWLA to work closely with the Judiciary and identify areas, which needs judiciary interventions.



TAWLA Executive Council with the Chief Justice

In the year 2018 the Executive Council developed its benchmark with key issues to address during their tenure in the office. The Council also managed to conduct all of its statutory meetings and one extra ordinary meeting.



TAWLA Executive Council and Management at the European Union Offices with the Head of Delegation HE. Ambassador Roeland Van de Geer in one of the courtesy visitations to developing partners.

#### 5.1.2 Human Resources

A strong and efficient organization requires a strong and motivated team of staff and its management. In this reporting year as required, TAWLA staff provided continued service to the organization in order to ensure the implementation of the Association's strategic plans 2015/2016 - 2019/2020. The Team continued to have weekly and monthly meetings in order to digest and monitor progress, also to discuss emerging issues related to Organization's work and staff welfare. Furthermore, there has been a capacity building opportunity to the existing personnel in order to strengthen their capacity for productive operations of TAWLA.

#### 5.1.3 Organization Evaluation

As part of assessing achievements as per the plans, review meetings, monitoring and evaluations was conducted in the programs by TAWLA in collaboration with development partners with the aim of strengthening TAWLA engagements. The development partners that conducted reviews this year were WE Effect/SIDA, the Foundation for Civil Society, GRSP and IIED. The reviews have helped our TAWLA to strengthen the existing systems and operations.

#### 5.1.4 Networking

In the year under review, we continued to coordinate with Coalition to Address Maternal Morbidity and Mortality due to unsafe abortion and its complications (CAMMAC), a coalition for Road safety and Mama Ardhi Alliance for women land and property rights. Our membership in other coalitions includes; Mkuki for Gender-Based Violence, Tanzania Human Rights Defenders, Tanzania Land Alliance (TALA), Lake Victoria Rights Alliance for access to justice and economic empowerment and Solidarity for women Rights in Africa and Tanzania Network for Legal Aid Providers (TANLAP).

TAWLA will also continue to invest resources and time to work in collaboration with other organizations, among them include; The East Africa Law Society and Tanganyika Law Society through sponsorship of AGM's and collaboration in hosting women forums.

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TAWLA Executive Council and Management in discussion with the Head of the European Delegation HE. Ambassador Roeland Van De Geer.

#### 5.1.5 Resource Mobilization

Under this reporting period, 10 proposals were written in response to various calls. These proposals were submitted to USAID, LSF, SIDA, UN Women (2), W.A (2) Road Safety Partnership and Legal Support Network and one anonymous funder. Out of the 10 submitted proposals, 5 were successful and the remaining proposals are pending determination.

#### 5.1.6 Visibility

The following were done to ensure TAWLA visibility: -

- 1. TAWLA was active through its social media pages. Members are requested to like/follow TAWLA social media pages which are: Twitter (@tawlatz), Facebook and Linkedln (TAWLA Tanzania women Lawyers Association) and Instagram (Tawlatz)
- 2. TAWLA featured in 54 radios including Radio one, Cloud radio, Mwangaza radio and 12 television programs on Azam tv, TBC, Mlimani and ITV. The topic of discussion included road safety, women in leadership, The Law of Marriage Act, inheritance issues just to mention but a few.
- 3. TAWLA also featured in 3 newspapers including Mwananchi, the citizen and Nipashe. The issues featured included road safety, juvenile justice, land issues, labour issues and the importance of women participation in leadership positions at all levels.
- 4. TAWLA new website is under construction
- Branding items were developed with TAWLA LOGO including calendar, diaries, note books, pins and T-shirts.

RA Alhamisi Oktoba 25 -31, 2018

MAKALA

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# Msaada wa kisheria ni muhimu kwa watoto

AZPITA ya Monada wa Sherip ni kuti ya Sheriu enzhano zinatzanika kwa mujiha wa Katiba ya Jeruburi ya Managassa ya Tennania.
Ehan kui namba i ya mwaka 2017 unbeyo instantoka Termania ban pelaen ma anga la inswaka tuak wa masada wa sinda na kutiba ni kutak wa masada wa sinda na kutata nikata ni kutak wa masada wa sinda na kutata nikata ni kutata ni kilikukan na nikata nikata na kutang nikatawa wa kutana ha kutang na kutana na hukana na masada wa kahana na hukana na masada wa kahana na hukana na masada wa kahana na hukana na hukana na na hukana na hukana na hukana na hukana na na hukana na hu





# 6

# **GENERAL RESULTS FOR 2018**

#### 6.1 Introduction

As an Organization a lot has been achieved through the support of the Executive Council, Members, Staff, Government and Development Partners. We humbly extend a word of appreciation to all our partners within and outside the country. The Local Government, Parliament and Judiciary's collaboration is also well appreciated as it made program implementation on the ground possible.

#### 6.2 Achievements

The following key results were made possible through the support and collaboration given:

TAWLA's Strategic Plan was reviewed and approved by the Executive Council.

- In compliance to TAWLA's Constitution, peaceful Executive Council election was conducted in the Annual General Meeting held in May 2018. The Council will serve the Association for two years from May 2018 to May 2020.
- 2. Presence of the Vice President as the guest of Honor in our 28th Annual General Meeting. The Vice President directed TAWLA to review the blueprint with a gender eye. TAWLA managed to work on the directive and submitted the same to the office of the Vice President and the parent Ministry.
- 3. Members' participation in TAWLA activities has increased by 52% compared to 2017<sup>9</sup>. Members have represented TAWLA in various activities such as Radio programs, trainings organized by TAWLA, CLE sessions, 24 members have visited TAWLA offices to provide legal aid on different occasions and at the same time, they have also initiated and supported TAWLA programs.
- 4. For professional advancement of Members, 12 Members were mentored and admitted as advocate of the High Court. Among the twelve, eight were directly mentored by the Secretariat while volunteering in our different offices.
- 5. Successfully operated and moderated online platform for members. The platform has been used for members to share information and ideas as per TAWLA objectives and mandate.
- 6. Partnerships with different stakeholders including Government, Judiciary and development partners were strengthened. TAWLA signed a five years contract with We Effect with the objective to support their partners to ensure they have gender policies and practices.
- 7. We managed to retain partners<sup>10</sup> i that we have been working with for a number of years and new partners were also added to support our vision and mission including Embassy of Sweden through We Effect.
- 8. The Association received unqualified opinion and has implemented 85% of the recommendations from the prior audit of 2017.
- 9. 9,502 clients managed to access justice on various legal issues through our legal aid clinics in Dar es Salaam, Tanga, Arusha, Mwanza, and Dodoma.
- 10. The legal and policy framework on electoral process within political parties was reviewed to ensure an enabling environment for women involvement and participation in decisions making organs in their political parties. Moreover, Political parties (including CCM, CHADEMA, ACT, and CUF) committed to identify and empower women and youth girls at the grassroots level.

<sup>9</sup> In 2017 total members participation was 189 and in 2018 total was 284

<sup>10</sup> Anonymous Donors, We Effect, FCS, LSF, IIED, GRSP, Equality Now, Proticus and Oxfam Tanzania Office

- 11. We also take pride in professional advancement of women lawyers as a number of TAWLA Members were appointed in various decision making bodies. TAWLA's Vice Chairperson, Ms. Lulu Ng'wanakilala was appointed as the Vice Chair and Ms. Grace Mfinanga, (senior TAWLA Member) both were appointed as members of the Tanzania Forest Fund (TaFF) Board of Trustees by the Minister of Minerals and Natural Resources, Hon. Dr. Hamis Kigwangalla. In addition, TAWLA's Honorary Treasurer, Ms. Sarah Mhamilawa was elected as the Vice President of the East African Law Society (EALS) during the East African Law Society Annual General Meeting held on 1st December 2018 in Mombasa, Kenya. Furthermore, TAWLA's Executive Director, Ms. Tike Mwambipile was appointed as a member of the National Land Advisory Council by the Minister of Lands, Housing and Human Settlements Development, Hon. William Lukuvi. Moreover, Ms. Isabella Nchimbi, TAWLA Member and member of staff at TAWLA's Secretariat, was appointed as a member of the newly established National Road Safety Council.
- 12. Successful attended International Forums, as part of TAWLA's visibility and networking strategy. TAWLA participated in the Annual Conference and General Meeting of the East Africa Law Society in Mombasa Kenya and Southern African Development Community Lawyers Association (SADCLA) held in Mozambique.

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# 7

# CHALLENGES, LESSON LEARNT AND MOVING FORWARD

#### 7.1 Introduction

Challenges cannot be escaped in a period of one year. Therefore, during the period under review, we have tackled them and learnt a number of lessons along the way.

# 7.2 Challenges

- 7.2.1 Delay in receiving annual subscription fees: There was a delay in payment of membership annual subscription fees by Members despite several reminders. Fees payment is expected to be received not later than early February of the ensuing year. However, most payments were received in May during the Annual General Meeting, despite the fact that Members are urged to pay their fees on time. In order to foster adherence to early payments, a proposal will be presented before Members that there be an official deadline for obtaining the annual subscription fee.
- 7.2.2 Lack of adequate funds: there was inadequate funding to cover the Association's activities especially Members' activities whereby it has been a challenge to conduct various activities such as mentorship, working groups meetings, motivational talks and also media engagement.
- 7.2.3 Unsuccessful cases: 8 clients lost cases due to dishonest information that provided through facts or evidence as the case maybe. What we have learnt is to encourage clients to disclose accurate and truthful information so as to have positive results and to receive adequate assistance.
- 7.2.4 Patriarchy system: during our visits in our programs areas it was observed that patriarchy systems continues to dominant in our culture tends to have a negative impact when it comes to women rights. The system has strongholds within the communities hence women continue to be vulnerable. In addition, there is lack of adequate land and property ownership and participation in leadership roles. Nonetheless, we expect to create awareness on the respective rights.
- 7.2.5 Information, Communication and Technology Security (ICT): in this reporting year, there is inadequate ICT system for instance there is server security deficiency, ICT policy, disaster recovery plan and server room deficiency. However, we have engaged an ICT consultant in order to curb the challenges identified in this area.

# 7.3 Lessons Learnt

- 7.3.1 Government move to Dodoma; with the shift of the government to Dodoma, we have learnt that TAWLA needs to enhance her Dodoma branch. Therefore, in our future programs the Association is considering to recruit additional officers to serve in the Dodoma Office and build another TAWLA House in Dodoma.
- 7.3.2 Media engagement: As information technology has developed, we have learnt that media and communications strategy play a great role in reaching out to the public in comparison to one on one workshops or posters/flyer. It is with this lesson that TAWLA's activities are being

- placed most through media in order to reach the public at large especially women who need our services.
- 7.3.3 Support from influential leaders: For a number of years culture, norms and patriarchy has been an hindrance for women to access their rights. Thus TAWLA learnt that influential leaders including religious leaders, traditional leaders (gate-keepers) have been a powerful tool to bring positive contributions on women land rights and property ownership.
- 7.3.4 Support from male members: As we continue with our engagement in different communities, we have learnt that some male members of the communities are in the front line to support women to attain their legal rights.
- 7.3.5 Economic empowerment: We noted that, when women are empowered economically, it alleviates their families from poverty. In addition, through women economic empowerment Gender Based Violence is addressed.

# 7.4 Moving Forward

- 7.4.1 Fulfilling TAWLA's strategic objectives<sup>11</sup>: In 2019 TAWLA is expecting to fulfill its five year Strategic Plan, which are: -1) Strengthen members' engagement in TAWLA activities for effective delivery of the vision, 2) Create sustainable access to justice for vulnerable women, 3) Promoting gender equality through review/amendment of laws and policies that hinder gender equality and 4) Build the capacity of TAWLA for sustainable service delivery.
- 7.4.2 To engage Members: Members' engagement is our outmost priority; we will continue to engage them in TAWLA activities. We also expect to grow the Association by continuing to recruit members from various avenues such as universities, the Law School of Tanzania, Attorney General chambers, Solicitor General, Director of Public Prosecution and law firms.
- 7.4.3 *Dodoma branch:* Strengthening TAWLA's Dodoma branch for effective implementation of TAWLA's activities in Dodoma.
- 7.4.4 Fundraising: Continue to fundraise for sustainable operation of the Association and for service delivery to her Members and the community in general.
- 7.4.5 Partnership: Increase engagement and foster partnership with local and international partners who share similar objectives for program sustainability.
- 7.4.6 Awareness: Increase awareness to the local communities on legal and gender education.

# FINANCIAL STATEMENT

#### TANZANIA WOMEN LAWYERS ASSOCIATION (TAWLA)

#### STATEMENT OF EXECUTIVE COUNCIL'S RESPONSIBILITIES FOR THE YEAR ENDED 31 DECEMBER 2018

TAWLA Executive Council, through TAWLA secretariat is responsible for the preparation of financial statements for each financial year, which presents a true and fair view of the state of affairs of the Association at the end of each financial year and of its operating results for that year. The Executive Council is also responsible for keeping proper accounting records, which disclose with reasonable accuracy at any time, the financial position of the Association. They are also responsible for safeguarding the assets of the Association, and for taking reasonable steps in the prevention and detection of fraud and other

The Executive Council is of the opinion that the financial statements present a true and fair view of the state of the financial affairs of the Association and of its operating results. The Executive Council further accepts responsibility for the maintenance of accounting records that may be relied upon in the preparation of the financial statements, as well as adequate systems of internal financial controls.

Nothing has come to the attention of the Executive Council to indicate that the Association will not remain a going concern for at least the next twelve months from the date of this statement.

Athanasia Soka **Council Chairperson** 

Mountayal Tike Mwambipile

**Executive Director** 

NOMEN LAWYERS (TAWLA) O. Box 9460 DAR-ES-SALAAM

13/05/ 2019 Date 2019

#### DECLARATION OF THE HEAD OF FINANCE FOR THE ENDED 31 DECEMBER 2018

The National Board of Accountants and Auditors (NBAA) according to the power conferred under the Auditors and Accountants (Registration) Cap. 286 R. E. 2002, as amended by Act No. 2 of 1995, requires financial statements to be accompanied with a declaration issued by the Head of Finance/Accounting responsible for the preparation of financial statements of the entity concerned.

It is the duty of a Professional Accountant to assist Tanzania women Lawyers Association and Management to discharge the responsibility of preparing financial statements of an entity showing true and fair view of the entity position and performance in accordance with International Financial Reporting Standards and Societies Act Cap. 337 R. E. 2002.

Full legal responsibility for the preparation of financial statements rests with the Committee as under Committee's Responsibility statement on the earlier page.

I, **Silas Nyumba** being the Head of Finance of Tanzania women Lawyers Association here by acknowledges my responsibility of ensuring that financial statements for the year ended 31<sup>st</sup> December 2018 have been prepared in compliance with International Financial Reporting Standards and Societies Act Cap. 337 R. E. 2002.

I thus confirm that the financial statements present a true and fair view position of the Tanzania Women Lawyers Association on that date and that they have been prepared based on properly maintained financial records.

Silas Nyumba V Head of Finance

NBAA Membership number: GA 5276

3rd May 2019

# claritas

# INDEPENDENT AUDITORS REPORT TO THE MEMBERS OF TANZANIA WOMEN LAWYERS ASSOCIATION

## Report on audited financial statements

#### **Opinion**

We have audited the financial statements of Tanzania Women Lawyers Association, which comprise the Statement of Financial Position as at 31 December 2018, the Statement of Profit or Loss and Other Comprehensive Income, Statement of Changes in Net assets and Statement of Cash Flows for the year then ended, and summary of significant accounting policies and other explanatory notes as set out on pages 18 to 41.

In our opinion, the accompanying financial statements present true and fair view of the financial position of the Tanzania Women Lawyers Association as at 31 December 2018, and of its financial performance and cash flows for the year then ended in accordance with International Financial Reporting Standards and the Tanzania Society Act Cap 337 of 2002.

#### **Basis for Opinion**

We conducted our audit in accordance with International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the Consolidated and Bank financial statements section of our report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

#### Independence

We are independent of the Group and Bank in accordance with the International Ethics Standards Board for Accountants' Code of Ethics for Professional Accountants (IESBA Code) and the ethical requirements of the National Board of Accountants and Auditors (NBAA) that are relevant to our audit of the financial statements in Tanzania. We have fulfilled our other ethical responsibilities in accordance with the IESBA Code and the ethical requirements of the NBAA.

#### **Other Matter**

The financial statements of the Association for the year ended 31 December 2017 were audited by another auditor who expressed unqualified opinion on those statements on 10 May 2018.

#### Other information

The members of the Executive council are responsible for the other information. The other information which we obtained prior to the date of this auditor's report comprises List of acronyms and abbreviations, Association's Information, Report of the Executive Council, Statement of Executive Council's responsibilities, Declaration of the Head of Finance Officer and Projects' Income and Expenditure Statements but does not include the financial statements and our auditor's report thereon.

Our opinion on the financial statements does not cover the other information and we do not and will not express any form of assurance conclusion thereon.

4th Floor, 395 Ursino Building, Morocco | Mwai Kibaki Road, P. O. Box 76062, Dar es Salaam, Tanzania. Telephone +255 (0) 22 2666670 Email: info@claritas.co.tz Website: www.claritas.co.tz

Partners: Avelyne J. Msaki Chrisant C. Bantulaki Irene E. Swai Angelica B. Tarimo

# INDEPENDENT AUDITORS REPORT (CONTINUED) TO THE MEMBERS OF TANZANIA WOMEN LAWYERS ASSOCIATION

Report on audited financial statements (continued)

#### Other information (continued)

In connection with our audit of the financial statements, our responsibility is to read the other information identified above and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit, or otherwise appears to be materially misstated.

If, based on the work we have performed on the other information that we obtained prior to the date of this auditor's report, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

## Council's responsibility for the Financial Statements

The Council members are responsible for the preparation of the financial statements that give a true and fair view in accordance with International Financial Reporting Standards and for such internal control as the Council members determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Council members are responsible for assessing the Association's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Council members either intend to liquidate the Association or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Association's financial reporting process.

#### **Auditor's Responsibility**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with International Standards on Auditing (ISAs) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- i) Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- ii) Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Association's internal control.
- iii) Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Council members.

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#### INDEPENDENT AUDITORS REPORT (CONTINUED) TO THE MEMBERS OF TANZANIA WOMEN LAWYERS ASSOCIATION

#### Report on audited financial statements (continued)

#### **Auditor's Responsibility (continued)**

- iv) Conclude on the appropriateness of Council members' use of the going concern basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Association's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the company to cease to continue as a going concern.
- v) Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- vi) Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the group to express an opinion on the consolidated financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

We also provide the Council with a statement that we have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on our independence, and where applicable, related safeguards.

From the matters communicated with the Councils, we determine those matters that were of most significance in the audit of the Association's financial statements of the current period and are therefore the key audit matters. We describe these matters in our auditor's report unless law or regulation precludes public disclosure about the matter or when, in extremely rare circumstances, we determine that a matter should not be communicated in our report because the adverse consequences of doing so would reasonably be expected to outweigh the public interest benefits of such communication.

#### Report on Other Legal and Regulatory Requirements

This report, including the opinion, has been prepared for, and only for, the Association's members as a body in accordance with Societies Act Cap. 337 R. E 2002 and for no other purposes.

As provided by Article no. 14 of the Constitution establishing the Association, we are required to report to you if, in our opinion, the Council's Report is not consistent with the financial statements, if the financial statements are not in agreement with the accounting records and, if the Association has not kept proper accounting records and follow the Association procurement procedures. In respect of the foregoing requirements, we have no matter to report.

INTERNA

Signed by

CPA Irene Swai, ACPA – PP No. 8215 . C. BOX 76062
For and on behalf of Claritas International SALAAM

Certified Public Accountants

Dar es Salaam

Date 13/05/2019

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#### FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2018

# STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME

		Dec-18	Dec-17
	Notes	TZS	TZS
INCOME			
Members' subscriptions and Entrance fee	6	15,150,000	21,196,000
Donor assistance	7	2,818,863,538	1,591,281,295
Other income	8	188,887,425	158,039,061
Total Income	-	3,022,900,963	1,770,516,356
EXPENDITURE			
Project Expenses	9	2,261,646,281	1,272,963,192
Administration Expenses	10	352,663,651	281,829,464
Personnel Expenses	12	398,421,920	348,911,433
Total Expenditure	_	3,012,731,852	1,903,704,089
Surplus/(Deficit) for the year		10,169,111	(133,187,733)
Other comprehensive income			
Gain on Revaluation	_	-	97,438,859
Total net income		10,169,111	(35,748,874)

The notes on pages 18 to 41 are an integral part of these financial statements.

NOMEN LAWYERS

(TAWLA) P O. Box 9460

DAR-ES-SALAAM

These Financial Statements were approved and authorized for issue by the Executive Council on ....25/e.4......2019 and were signed on its behalf by:

Athanasia Soka Chairperson

Date: 13/05/2019

Tike Mwambipile

Executive Director

Date: B/05/2019

#### FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2018

#### STATEMENT OF FINANCIAL POSITION

STATEMENT OF FINANCIAL POSITI	ON	Dec-18	Dec-17
	Notes	TZS	TZS
ASSETS			
Non-current Assets	15	432,207,686	446,901,454
Property and equipment		THE RESIDENCE OF THE PROPERTY OF THE PERSON	3,666,666
Intangible assets	16	2,200,000 <b>434,407,686</b>	450,568,120
Current Assets			-1 410 046
Subscription and other receivables	13	2,340,000	84,619,216
Cash and bank balances	17	875,364,594	581,515,564
Cush und built sure		877,704,594	666,134,780
Total Assets		1,312,112,280	1,116,702,900
Current liabilities Creditors and accrued	18	21,767,277	26,050,012
Deferred revenue grant	14	831,597,827	605,138,293
Deferred revenue grant		853,365,104	631,188,305
Non-current liabilities	19	413,316,590	450,253,120
Deferred capital grant	19		1,081,441,425
Total Liabilities		1,266,681,694	1,001,441,425
NET ASSESTS		45,430,586	35,261,475
RESERVES		97,438,859	97,438,859
Revaluation reserve Accumulated Deficit		(52,008,273)	(62,177,384)
Total Reserve		45,430,586	35,261,475

The notes on pages 18 to 41 are an integral part of these financial statements.

These Financial Statements were approved and authorized for issue by the Executive Council on ...25104......2019 and were signed on its behalf by:

Athanasia Soka

Chairperson

Date: 3/05/2019

NOMEN LAWYERS ASSOCIATION OF DARRESSALAAM TO CARESSALAAM

Tike Mwambipile

Executive Director

Date: 13/05/2019

#### FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2018

#### STATEMENT OF CHANGES IN NET ASSETS

	Accumulated <u>Fund</u> TZS	Revaluation <u>reserves</u> TZS	Total <u>Reserves</u> TZS
As at 1 January 2017	71,010,349	_	71,010,349
Deficit for the year	(133,187,733)	-	(133,187,733)
Revaluation gain	-	97,438,859	97,438,859
As at 31 December 2017	(62,177,384)	97,438,859	35,261,475
As at 1 January 2018	(62,177,384)	97,438,859	35,261,475
Surplus for the year	10,169,111	-	10,169,111
As at 31 December 2018	(52,008,273)	97,438,859	45,430,586

The notes on pages 18 to 41 are an integral part of these financial statements.

These Financial Statements were approved and authorized for issue by the Executive Council on 25/04....2019 and were signed on its behalf by:

NOMEN LAWYERS

(TAWLA) P O. Box 9460

DAR-ES-SALAAM

Athanasia Soka

Chairperson

Tike Mwambipile

**Executive Director** 

FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2018

STATEMENT OF CASH FLOWS	Dec-18 TZS	Dec-17 TZS
CASH FLOW FROM OPERATING ACTIVITIES - Surplus/(Deficit) for the year	10,169,111	(133,187,733)
Adjustments for non-cash expenses - Amortization of capital grant - Amortization of intangible assets	47,252,963 1,466,667	56,223,002 2,336,667
Changes in Operating Assets and Liabilities Decrease/(Increase) in receivables Increase/(Decrease) in payables & accruals (Decrease)/Increase in deferred asset capital grant Increase/(Decrease) in deferred revenue grant	82,279,216 (4,282,733) (36,936,530) 226,459,534	(24,268,716) 742,226 58,265,190 (105,912,586)
Net Cash Flow from Operating Activities	326,408,228	(145,801,950)
Acquisition of property and equipment  Net Cash Flow from Investing Activities	(11,783,100) (11,783,100)	(19,701,000) (19,701,000)
CASH FLOW FROM FINANCING ACTIVITIES		
Refund to donor  Net Cash used in Financing	(20,776,098) (20,776,098)	<u> </u>
Net increase/(decrease) in cash and cash equivalents	293,849,030	(165,502,950)
Cash and cash equivalent at the start of the year	581,515,564	747,018,514
Cash and cash equivalent at end of the year	875,364,594	581,515,564

Notes and related statements forming part of these financial statements appear on pages 18 to 41

These Financial Statements were approved and authorized for issue by the Executive Council on 25/04 2019 and were signed on its behalf by:

Chairperson Athanasia Soka

Date: 13/05/261

(TAWLA)
P O. Box 9460

NOMEN LAWYERS

Executive Director

Tike Mwambipile

Date: 13/05/2019

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# MEMBERS OF TAWLA EXECUTIVE COUNCIL



Athanasia Soka Chairperson



Lulu Ng'wanakilala Vice-Chairperson



Sarah Mhamilawa Honorary Treasurer



Nelly Mwasongwe Council Member



Happiness Mchaki Council Member



Mariam Mvano Council Member



Annmarie Mavenjina Council Member

# **TAWLA KEY STAFF**



Tike Mwambipile

Executive Director



Mary Richard Head Of Programs



Silas Nyumba Head Of Finance And Administration



Barnabas E. Kaniki M & E Officer



Josephine Arnold Members Affairs Officer



Isabella Nchimbi Project Co-ordinator



Happiness Mfinanga Regional Coordinator -Arusha



Fatmah Kimwaga Regional Coordinator -Mwanza



**Latifah A. Mwambondo**  *Regional Coordinator* - *Tanga* 



Janesia Mavere Outreach Officer - Dodoma



Ezekiel Rapson
Assistant Accountant



Lightness Raimos Assistant Legal Officer



**Devine Itemba**Communication Officer



Mariam R. Mashalla Office Management Secretary



Irene Thomas

Data Clerk



Joseph Assey
Driver - Dodoma



Robert Richard
Driver And Logistics

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Free legal aid services: Call toll-free Numbers: 0800751010 / 0712343717