

AN APPRAISAL OF THE LEGAL OBLIGATIONS VESTED TO TANZANIA AND THE LEGAL CHALLENGES FACING THE PROHIBITION OF GENDER-BASED VIOLENCE IN TANZANIA

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ABSTRACT

This research paper critically analyses on the legal obligations vested to Tanzania and the legal challenges facing the prohibition of gender-based violence in Tanzania. The study makes the analysis on the legal obligations vested to Tanzania as one of the signatories of the international human rights instruments with regards to prohibition of gender-based violence in Tanzania. And in recognizes its obligations Tanzania has enacted different laws, policies and strategies and the most recent being the incorporation of the Sexual Offences Special Provisions Act of 1998 into the Penal Code of Tanzaniaⁱ whilst inviting the rules under the Law of Marriage Actⁱⁱ which prohibits domestic violence against partners in marriage. However, despite the presence of these laws and policies, gender-based violence has been increasing and ineffective laws have played a major role in this. Whereas the National Gender Policy has been in place since 1997, it is difficult to assess the impact it has had. Since its inception, the policy has not been supported by an implementation framework with attendant resources. Thus the study examines and assesses the legal obligations set forth by the International legal regime with regards to prohibition of gender based violence in Tanzania and then assess for the legal challenges and recommendations on what has to be done.

INTRODUCTION

Gender-based violence is a pervasive issue that is prevalent throughout various regions worldwide, including industrialized nations. Gender-based violence is a prevalent issue, as evidenced by the United States where a significant number of women, over one million and a half annually, experience physical abuse at the hands of their intimate relationships.ⁱⁱⁱ Gender Based Violence (GBV) is a pervasive issue throughout the African continent, comparable to other developing regions. Based on the findings of the Egypt Demographic and Health survey, a notable percentage of women (35%) disclosed instances of physical abuse perpetrated by their spouses throughout the duration of their marital relationships.^{iv} Gender-based violence in Africa, similar to other regions globally, is a multifaceted phenomenon that can be traced back to the structural disparities between males and females, leading to the perpetuation of unequal power dynamics between genders.

The societal subordination of women to males in numerous cultures, combined with a widespread acceptability of interpersonal violence as a method of dispute resolution, results in an unequal susceptibility of women to violence from various sources, including individual men, within familial and communal contexts, and even by the state. The initial human rights legislation established by the United Nations did not explicitly address or provide a specific definition for gender-based violence, although they remain pertinent to this issue. On December 10, 1948, the Universal Declaration of Human Rights was adopted by the United Nations General Assembly. This pivotal document established the fundamental principles of international human rights legislation and has since been expanded upon in other international and regional human rights agreements, state constitutions, and other legal frameworks.^v

The Term Gender Based Violence

According to UNICEF they provide that “Violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women...”^{vi} Domestic violence include acts of physical, sexual, or psychological abuse perpetrated against a spouse, partner, or other home family member. It predominantly arises when an individual within the familial or relational context seeks to exert physical or psychological control or inflict harm onto another individual.^{vii} Domestic violence is a

phenomenon that transcends cultural boundaries, as individuals from diverse races, nationalities, and religious backgrounds can assume the role of abusers. Violence perpetrated against women mostly manifests as intimate partner violence, whereas sexual violence targeting women is a significant public health concern and a violation of women's fundamental human rights.

Recently in Tanzania and worldwide the reports on GBV have shown that there are number of men who experience gender based violence from their partners but when men are faced with these issue they tend to remain silent in fear of being laughed by the society. In the report by Mwanachi gazette has been identified and reported that there are some areas where men experiences gender based violence from their inmate partners.^{viii} Thus this calls for action to recognize gender based violence on the side of men.

The term gender based violence is been defined by the Declaration on the Elimination of Violence Against Women, adopted by the United Nations General Assembly as “*any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life*”.^{ix}

THE LEGAL REGIME GOVERNING THE PROHIBITION OF GENDER BASED VIOLENCE UNDER INTERNATIONAL LAW

The Universal Declaration on Human Rights

The end of WWII in 1945 marked the change in most of the rules under international law especially public international law. The world witnessed the change and emphasis in the adoption of International treaties which aimed at keeping and restoration of peace in the world. The adoption of the Universal Declaration on Human Rights^x was one of the achievements of the new change. After the adoption of the human rights the international community thought that there is a need to put down mechanisms which will help in the protection of human rights.

The adoption of the UDHR was a remarkable turnover in the protection of human rights in the world. The realization of the human rights by the international community in the 1940's pave

the way for the mandating the states with the obligations to promote, protect and realize the principles of human rights in their states through the adoption of the Bill of Rights in their constitutions.

Tanzania has signed and ratified the international human rights treaties hence it become a party and obligated to them.^{xi} Under international human rights treaties states are the subjects of international law rather than individuals but after the changes in human rights, individuals are obligated with the duty to protect human rights. The rules under UN Charter of 1945 and other International customary laws become binding to the states through incorporations in their domestic laws. The rules of international customary law especially the Peremptory Norms and Jus Cogens becomes binding to the state whether the state is party to that convention or not.^{xii}

The UDHR does not directly provide on gender based violence but it does touches on the rights which provide on equality and prohibition of torture and degrading treatment to person. The provision of Article 1 and 5 of the UDHR provide that, *“Article 1, All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”*

Article 5 No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

By the wisdom of the above mentioned Articles it is with doubt that the UDHR provide on equality and then respect of dignity and rights and also prohibit torture or cruel and other inhumane and degrading treatment or punishment which includes gender based violence which include beatings, sexual harassment, economic harassment, female genital mutilations, and other kinds on unwarranted acts which prescribed to gender based violence.^{xiii}

The International Covenant on Civil and Political Rights

The international community in recognizing and developing the human rights and the changes in the area of international human rights sought the need to adopt another Covenant which is the International Covenant on Civil and Political Rights (ICCPR)^{xiv} which was adopted by the international community to ensure the protection of civil and political rights. The ICCPR obligates the state parties with the duties and obligations to ensure that human rights are protected in the states which starts with the provision of Article 2 the ICCPR obligates the

states to ensure, protect, declare and enforce human rights in their domestic jurisdictions and Tanzania as the state party to the ICCPR is required to do the same. That the issue of gender based violence is one of the offence which is not only violates the rights of the victims in the state but also prohibited and criminalized by the criminal laws in the state. The provision of these conventions and charters aimed at recognizing, declaring, protecting and implementing the right to bail among the international community. The obligation is vested to the states around the world to implement and recognize the that all persons are equal before the law and are entitled without any discrimination to the equal protection of the law by incorporates them in their constitutions.

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

The Convention on the Elimination of All Forms of Discrimination against Women^{xv} 1979 is the first international instrument adopted which specifically addressing the rights of women in an effort to eradicate gender-based discrimination in all walks of life. CEDAW is described as an “international bill of rights for women”, it provides a detailed definition of what constitutes discrimination, identifies the areas in which women face such discrimination and requires states to take all appropriate measures towards its elimination. This essay aims to critically analyse the efficacy of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in providing protection against gender-based violence.

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) offers a comprehensive elucidation of gender-based violence, delineating it as acts of violence specifically targeting women due to their gender or disproportionately affecting them^{xvi}. As a result of such violence, women suffer physical, sexual or psychological harm, “including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in the public or private life”^{xvii}, and are impeded from enjoying equal rights and fundamental freedoms with men^{xviii}. Gender-based violence arises from the societal imposition of stereotypical gender roles upon women, which in turn perpetuates prejudiced practises that render them susceptible to acts of violence^{xix}.

Convention on the Rights of the Child

The need to have an independent convention which promotes, preserve and protect the rights of the children was heard by the international community thus in 1989 the United Nations adopt

and decided to recognize specific children's rights worldwide. The Convention on the Rights of the Child (CRC) was adopted in 1989 and came into force in September 1990 and was then ratified by different states. The child is defined as anyone under the age of 18 years. Under Article 2 of the CRC entitles every child, 'without regard to race, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status', to have resort to 40 specific rights. The CRC under the provision of Article 19 prohibits gender based violence and other kinds of violence to children by urging the states to ensure that the laws and measure are enacted and taken to ensure children are protected against GBV.

The significance of Article 19 of the CRC has been identified as to lead to the adoption of three General Comments which are *first*, General Comment 13, on the right to freedom from all forms of violence, *second*, the General Comment 18, on harmful practices against women, girls and children, and *third*, the Draft General Comment 25, on how children's rights apply in the digital world. All the above have been trying to respond to the issue of gender based violence especially to young boys and girls in the member states. The prohibition harmful practices which affects adult women, both directly and/or owing to the long-term impact of practices to which they were subjected as girls.^{xx}

The Declaration on the Elimination of Violence Against Women (United Nations of 1993)

The Declaration on the elimination of violence against women of the United Nations which was adopted in 1993,^{xxi} is the Declaration and not a treaty which mandates the states to ratify and be bound by, but rather it is a non-binding resolution that sets out a common international standard that states should follow.^{xxii}

THE REGIONAL INSTRUMENTS GOVERNING THE PROHIBITION OF GENDER BASED VIOLENCE UNDER INTERNATIONAL LAW

The African Charter on Human and Peoples' Rights

The African Charter on Human and Peoples' Rights which is also known as the Banjul Charter is an international human rights instrument that is intended to promote and protect human rights and basic freedoms in the African continent.^{xxiii} The ACHPR is one of the core instruments

with regards to the protection of human rights in African continent. Thus recognition of the children's rights ignited the need to have an independent convention which will govern and protect the rights of the children. The requirement of the international community is that every state party to the convention must set down the system in their legal systems which could oversee the rights and welfare of the women and children in order to comply with the international standards. The ACHPR in ensuring that women and children are protected from any discrimination and violence that charter requires all states parties in Africa to respect, protect, declare and enforce rights and interests of women and children in their states.

The African Charter on the Rights and Welfare of the Child

The ACRWC covers matters on the rights and welfare of the children as it touches on the inherent right to life suggested the ways it has to be protected by law.^{xxiv} This fact is so significant to children due to the fact that right to life cannot stand alone as a right but it is connected with so many other many other rights.^{xxv} The ACRWC puts the mandatory duty and responsibilities to states than the CRC to ensure that the parents are facilitated with assistance to the parents and guardians in providing material assistance to children with regard to health, education, clothing and housing and this provision is of importance specifically to children in street situations as it relates to the underlying reasons why children leave their homes.^{xxvi} States have a mandatory duty to make sure those street connected children oftenly have and or receive food, shelter and healthcare.

The ACRWC under the provision of Article 16 mandates the states with the duty to ensure that children are protected from all forms of torture, inhuman or degrading treatment and especially physical or mental injury or abuse, neglect or maltreatment including sexual abuse.

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa has a long history in Africa as the Protocol emanates from the African Charter on Human and Peoples' Rights^{xxvii} which provide guarantee for the rights and interests of all people in the continent including women thus the Protocol intends to cover mainly on women's rights. Under the provision of Article 18 (3) of the ACHPR^{xxviii} provides on the protection of womens' rights in Africa but the Charter fall short in the protection of women's rights as failed to cut across

things which affects women in Africa to include female Genital Mutilations, gender based violence, inheritance issues and forced marriages which are touched by the Protocol.

The ACHRP is the main human right instrument in Africa thus it has some protocols and this is one of them which provides for the rights and protection of women. This protocol generally provides for the elimination of harmful practices against women.^{xxxix} This protocol obliged the state parties to prohibit and condemn all forms of harmful practices negatively affecting the human rights of women and which are contrary to recognized international standards thus the legislative and other measures to eliminate such practices shall be taken by parties.

The Maputo Protocol provides keenly what constitute the term violence and discrimination against women whilst proceeds to set out the measures and methods that state parties are obligated take in both the private and public spheres to put to an end such practices.^{xxx} The Maputo Protocol obligates all African governments with the duty on elimination on all forms of discrimination and violence against women in the state parties and to promote equality between men and women.^{xxxii} All state parties are obligated to enact and integrate gender perspective in their rules and policies decision, law, development plans, and other activities in order to ensure the overall well-being of women,^{xxxiii} thus the under Article 1 (f) of the Maputo Protocol expound the term discrimination against women.

The Role of the African Commission of Human and People's Rights (ACmHPR) in Addressing the Issues of Gender Based Violence in Africa

Before its adoption and coming into force of the African Charter on Human and Peoples' Rights on the Rights of Women in Africa the matters of interpretation of the African Charter of Human and People's Rights were referred to the African Commission of Human and People's Rights (ACmHPR) which was established under the provision of Article 30 of the African Charter^{xxxiii}. The ACmHPR since its establishment it has been mandated with the power and duty to receive, entertain and determine all cases on human rights violations in Africa.^{xxxiv} Thus the ACmHPR has proved through the years and it has developed to be valuable and unique African body dealing with all cases on human rights including cases on violation of women's rights. A good example is the case of *Egyptian Initiative for Personal Rights and INTERIGHTS vs Egypt*^{xxxv} where the ACmHPR provided its first decision with regards to women's rights were a

case involved gender-based violence issues, also sexual violence and lastly the freedom of speech of four women journalists.

THE LEGAL CHALLENGES FACING THE LEGAL REGIME GOVERNING THE PROHIBITION AND PREVENTION OF GENDER BASED VIOLENCE IN TANZANIA

The legal challenges facing the protection and prevention of gender based violence in Tanzania can be assessed through the examination of the law, policies, rules and regulations and then assess the legal challenges facing the same.

Lack of Safeguard by the Existing Laws on Gender Based Violence

The law in Tanzania does not specifically provide on gender based violence but depending on the definition provided by the Constitution of the United Republic of Tanzania which prohibits issues of cruelty, torture and inhuman treatment in Tanzania. But even the Law of Marriage Act does not provide and prohibits gender based violence but rather it is prohibited from cruelty and corporal punishment which is one of the weakness of the laws governing the prohibition of gender based violence in Tanzania.

The Law of Marriage Act does not provide the punishment for those spouses who inflict corporal punishment on their spouses and what the LMA does is just to make a declaration that corporal punishment among spouses is prohibited. It does not go beyond this declaration while there are other different forms of abuse like assault, verbal threats and psychological abuse.

There are some other provisions which partly or fully prohibits domestic violence apart from section 66 which include Section 107(1), (b), (c), (d) which introduces, sexual perversion, cruelty and willful neglect, the problem is that these provisions do not provide remedies for such violence other than being a ground for divorce. Even though these section does not speak about domestic violence which is rampant in many marriages.

The Penal Code^{xxxvi} protects the issue of gender based violence but the criminalizing domestic violence still there are a number of sexual offence provisions in the Penal Code that do not

adequately protect women from sexual violence as one among such provisions is the provision relating to rape. For example the crime of rape only applies to non-consensual sexual intercourse between a man and a girl or woman, where the girl or woman is not the man's spouse or the man's separated spouse as marital rape is not applicable in Tanzania.^{xxxvii}

The exclusion of marital rape from the rape provision of the Penal Code is unacceptable thus there is a need to include marital rape in our Penal Code as the failure to include marital rape as offence in the Penal Code means that women are denied the protection of the law for sexual violence that occurs within a marriage. This research discovered that gender based violence in Tanzania is a big problem for many societies in Tanzania.

These are among the reasons which make women reluctant to bring charges in developing cases or lead them to drop charges already filed. Most of the women have been beaten up by their husband without any support from local authorities or properly protected by the laws protecting them. In some cases prosecutors often refuse to prosecute domestic violence abusers for lack of evidence and sometime due to light of the protection existing in the laws to the benefit of men. Also women do despair from taking legal action due to long and inefficient process. In civil proceedings such as divorce cases, women are subjected to mandatory reconciliation process.

The Biased Practices and Laws

Most of the laws which prevent and prohibit gender based violence in Tanzania favour women over men and sometimes practices favour men over women. In the first scenario the laws favour more women as since the ancient time women are regarded as weak part in the relationships thus most of the laws enacted tend to favour women over men. In another area even the laws enacted and the international human rights instruments which are adopted favour women^{xxxviii} but the current trend shows that recently men have also been the victims of gender based violence and thus they need and are entitled to protection from the law.

The second scenario happens when most of the Prosecutors often refuse to prosecute gender based violence abusers because of lack of evidence or laws that benefit men and women. Women refrain from taking legal action due to the long and inefficient process. Magistrates, particularly in rural regions, exhibit a lack of awareness or disregard for legislation designed

to safeguard women. Instead, individuals depend on cultural practises that eventually fail to provide adequate protection and support for victims. In civil proceedings, such as divorce trials, women are compelled to undergo a compulsory reconciliation process, which frequently results in unwarranted prolongation. Consequently, women may become increasingly vulnerable to instances of abuse and peril.^{xxxix}

Socio-Cultural Societal Practices and Women's Rights

Tanzania is enriched with many tribes with different social backgrounds. Most of the tribes in Tanzania see a woman as an instrument of pleasure and thus she is under the influence of a man and he can do anything he wants on the woman. Thus it is true that there are systemic and cultural barriers that encourage gender based violence and discourage and prevent some married women from reporting abuse and accessing legal protections in our home countries, and the most prevalent domestic violence is done and encouraged in the homes.

The gender based violence still remains as absolute taboo in Tanzania, thus there is a need for the government to step in and stop this problem. The culture of unequal division of gender roles perpetuates domestic violence. Men are financially privileged breadwinners where as women are auxiliaries. In such a situation women become dependent on men and are forced to bear with violence, since they cannot afford to depart from their source of income. This acceptance of oppressive practices as part of our cultural heritage has contributed largely to the violation of women's rights and as long as these practices continue to be accepted as an integral part of our lives, women will continue to be oppressed and their human rights is nothing but a sham.

Married Women Lack of Awareness of Their Rights

This is the big problem that this study has faced during the interview that most of the women do not understand about their rights. The researcher interviewed the total number of 15 married women and 6 of them which make 65% of Tanzanian married women are not aware that there are provisions within the law which protect them against battery, marital rape and other forms of domestic violence because and about 5 which make 20% of Tanzanian married women are perfectly aware of their rights but do not have the courage to prosecute or litigate their cases. Lastly, about 4 of them which are equal to 15% of Tanzanian married women have the courage to report the problem to respective authorities but there is still the fear that even in a court of

law justice will not prevail because courts invariably are a domain of men. That is why they remain silent enduring the violence even if they are aware of the law

CONCLUSION

The effectiveness of the legal regime governing prohibition of gender based violence under rules and principles of international can be assessed through the adoption of different international human rights instruments which protects, declares and provide for the enforcement of the human rights in the international community and then provide for the redress of the same. The international human rights instruments beginning with the Universal Declaration on Human Rights of 1948, International Covenant on Civil and Political Rights (ICCPR),^{xli}The Convention on the Elimination of All Forms of Discrimination against Women^{xlii} 1979, mandates the states parties to enact the laws and rules which will help in the protection and enforcement of the human rights including protection of dignity and prohibition of gender based violence which affects the welfare and cause psychological effects to the victim.

Again the domestic legal regime governing the prohibition of gender based violence can be said to emanate from the Tanzania's obligation as a state is to realize and to ensure protection of dignity of its people and prohibit gender based violence in the constitution which ensures that no one is subjected to torture or cruel and inhuman treatment. All state parties are obligated to enact and integrate gender perspective in their rules and policies decision, law, development plans, and other activities in order to ensure the overall well-being of women,^{xliii} thus the under Article 1 (f) of the Maputo Protocol expound the term discrimination against women.

RECOMMENDATIONS

The Law of Marriage Act and Penal Code should be amended to incorporate the term or offence of gender based violence in Tanzania which is apart from now which does not clearly or directly touch on the issue of gender based violence in our jurisdiction. The good example can be drawn in India and Kenya were they have incorporate Gender Based Violence in their laws which set

forth a starting point for prosecution all acts which are related to gender based violence as an absence of clearly provision made it difficulty for the enforcement of the same which can be cured if the law is amended or enacted to touch on matters of family.

Establishment of relief and protection centers, as the government should establish the emergence shelters for victims of gender based violence who do not have other options thus the major reason of establishing an emergency shelter is to provide safety to married women in immediate danger as a consequence of gender based violence.

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ENDNOTES

ⁱ Penal Code Act Cap 16 R.E 2022

ⁱⁱ Law of Marriage Act Cap 29 R.E 2019

ⁱⁱⁱ <https://www.rescue.org/uk/article/what-gender-based-violence-and-how-do-we-prevent-it> accessed on 7th February 7, 2023

^{iv} <https://www.rescue.org/uk/article/what-gender-based-violence-and-how-do-we-prevent-it> accessed on 7th February 7, 2023

^v Gender-Based Violence: Violence Against Women and Girls: The World Bank Group 2019

^{vi} UNICEF (2000), Domestic Violence against Women and Girls, Innocenti Digest N0. 6, available at <http://www.unicef-irc.org/publications/pdf/digest6e.pdf> (Visited on 15 March, 2019).

^{vii} Sanjeev, K, et al., (2019) Domestic Violence Against Women Indian Perspective, South Asian Law Review Journal, Vol. 5 , at page 98

^{viii} Report by Mwananchi, titled "Sababu wanaume kupigwa na wake zao zabainishwa," Friday May 1 2023 Accessed on <https://www.mwananchi.co.tz/mw/habari/kitaifa/sababu-wanaume-kupigwa-na-wake-zao-zabainishwa-3806100>

^{ix} Article 1 of the General Assembly Resolution 48/104 Declaration on the Elimination of Violence against Women, 1993

^x The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights. Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December 1948 (General Assembly resolution 217 A) as a common standard of achievements for all peoples and all nations. It sets out, for the first time, fundamental human rights to be universally protected.

Also see the <http://www.un.org/en/universal-declaration-human-rights/> visited on 17/06/2023

^{xi} Kamuli, R., (2016) Human Rights in Tanzania, at page 54

^{xii} D'Amato, A., (2010) *Human Rights as Part of Customary International Law: A Plea for Change of Paradigms*, Faculty Working Papers. Paper 88 see page 7

<http://scholarlycommons.law.northwestern.edu/facultyworkingpapers/88>

^{xiii} Muncie, John (2009) *The United Nations, children's rights and juvenile justice*. In: Taylor, Wayne; Earle, Rod and Hester, Richard eds. Youth Justice Handbook: Theory, policy and practice. Cullompton: Willan, pp. 20–21.

^{xiv} The United Nations International Covenant of Civil and Political Rights (ICCPR) was adopted by the international community to ensure the protection of civil and political rights. It was adopted by the United Nations' General Assembly on December 19, 1966, and it came into force on March 23, 1976.

Also visit, <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx> visited on 12/06/2023

^{xv} Hereafter 'CEDAW' or 'Women's Convention' or 'the Convention'

^{xvi} Committee on the Elimination of Discrimination against Women, General Recommendation No. 19, Violence against Women, 6, UN Doc. HRI/GEN/1(29 January 1992), p.74. Hereafter 'CEDAW Committee'/'Committee'

^{xvii} Declaration on the Elimination of violence Against Women, G.A. Res. 48/104 (December 20, 1993), Article 1

- ^{xviii} CEDAW Committee, General Recommendation No. 19, *supra* 2, 1
- ^{xix} Feride Acar, 'Recent Key Trends and Issues in the Implementation of CEDAW' in *Gender and Human Rights in the Commonwealth: Some Critical issues for action in the decade 2005-2015* (The Commonwealth Secretariat, 2004), p. 17
- ^{xx} <https://cypcs.org.uk/wp-content/uploads/2021/02/General-Comment-18.pdf> accessed on 16th July 2023
- ^{xxi} That in 19th December 1993 the General Assembly adopted the Declaration on the Elimination of Violence against Women under Resolution No. A/RES/48/104. See United Nations Entity for Gender Equality and the Empowerment of Women. Available at <http://www.un.org/womenwatch/daw/daw/index.html> accessed on 29 July 2023.
- ^{xxii} Declaration on the Elimination of Violence Against Women (United Nations,1993)
- ^{xxiii} <http://www.achpr.org/instruments/achpr/> visited on 11/07/2023
- ^{xxiv} Ibid
- ^{xxv} Ibid, Article 5 of the ACRWC
- ^{xxvi} Ibid
- ^{xxvii} <http://www.achpr.org/instruments/achpr/> visited on 11/07/2023
- ^{xxviii} Ibid
- ^{xxix} Article 5 of the Protocol to African Charter on human and people's rights of women in Africa
- ^{xxx} Articles 1 and 2 of the Maputo Protocol
- ^{xxxi} Article 2 of the Maputo Protocol
- ^{xxxii} Articles 2 and 3 of the Maputo Protocol
- ^{xxxiii} Cornell Law School '*Women and justice: African Commission on Human and People's Rights*'. Available at <http://www.lawschool.cornell.edu/womenandjustice/Legal-and-Other-Resources/African-Commission-on-Human> accessed on 25 May 2023.
- ^{xxxiv} The Protocol that established the African Court on Human and People's Rights was adopted by the OAU Assembly of Heads of State and Governments in 1998.
- ^{xxxv} Communication 334/06 of 2013
- ^{xxxvi} Cap 20 R.E 2022
- ^{xxxvii} Section 130 of the Penal Code [Cap. 16 R.E 2022]
- ^{xxxviii} <https://kidsnteensngo.org>gender>
- ^{xxxix} Kashonda Maria, (2020) Women in Conflict Resolution; Violence Against Women Report
- ^{xl} The United Nations International Covenant of Civil and Political Rights (ICCPR) was adopted by the international community to ensure the protection of civil and political rights. It was adopted by the United Nations' General Assembly on December 19, 1966, and it came into force on March 23, 1976. Also visit, <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx> visited on 12/06/2023
- ^{xli} Hereafter 'CEDAW' or 'Women's Convention' or 'the Convention'
- ^{xlii} Articles 2 and 3 of the Maputo Protocol