

access to family planning services; the National AIDS Control Programme; social security and pensions; the situation of rural women; and equality before the law in civil matters.

The Committee's concluding observations and comments (CEDAW/C/1998/II/L.1/Add.5) welcomed, *inter alia*: the upgrading of national machinery from departmental to ministry status and the policy which supports women's rights; the enactment of a new law which criminalizes female genital mutilation; and the active involvement of NGOs and women's groups in advancing the status of women. The economic situation and the burden posed by servicing the foreign debt were noted as hindrances to implementation of the Convention, as were traditional practices and problems associated with stereotypical roles of women and men.

The principal subjects of concern identified by the Committee included, *inter alia*: failure in the Constitution to define explicitly gender discrimination; that the report did not sufficiently examine obstacles to the elimination of discrimination against women and the advancement of the status of women in society; the discriminatory elements in prevailing customary and religious laws which sometimes supersede the Constitution, noting that several groups are entitled to practise polygamy, and customary laws and religious laws continue to govern private life; that despite some special measures which were introduced to ensure the participation of women in policy-making, the representation of women in local authorities and in Parliament remains low; and the fact that more women than men are confined to low-paid, insecure jobs with no legal protection.

The Committee expressed concern about: the problem faced by women with regard to violence against women, especially domestic violence, which is condoned by customary laws; the disadvantaged situation of rural women who comprise the majority of the rural population and the majority of workers in rural areas; the fact that customary and religious laws are practised and accepted more widely in rural areas and, *inter alia*, often prevent women from inheriting and owning land and property; the existence of food taboos, more prevalent in rural than in urban areas, which are harmful to the health of women, including mothers; and continuing high rates of infant and maternal mortality. The Committee also expressed concern about the lack of information related to such issues as: the exact types of punishments for offenders of violence against women; the content of the new, expanded definition of rape; forms of female genital mutilation that are practised in the country; the situation of trafficking in women and girls; revisions made to educational materials in order to include a gender perspective; and the situation of HIV/AIDS and women.

The Committee recommended that the government, *inter alia*:

- ♦ consider, as a matter of priority, incorporating into the Constitution a definition of gender discrimination in accordance with article 1 of the Convention as a ground of discrimination;

- ♦ take immediate action to modify customary and religious laws to comply with the Constitution and the Convention; organize awareness-raising campaigns for the general public, as well as training courses to sensitize policy makers, judiciary and law enforcement officers;
- ♦ criminalize violence against women in all its forms; develop and effectively enforce law and practice to achieve this objective; establish and adequately resourced shelters for women who have been subjected to violence;
- ♦ formulate laws of inheritance and succession so as to guarantee rural women their rights of inheritance and ownership of land and property; introduce a programme to educate rural women about their rights; take steps to remove all traditional practices, including food taboos, which are harmful to the health of women;
- ♦ provide, in the next report, detailed information on the mandates, budget and projects of the Women's Development Fund (WDF); and
- ♦ provide in the next report further information on the situation of refugee women and any government programmes in place to address their needs.

Human Rights Committee

Tanzania's 3rd periodic report (CCPR/C/83/Add.2, February 1997) was considered by the Committee at its July 1998 session. The report prepared by the government notes the multi-party elections in 1995 and contains information on, *inter alia*: constitutional protections of rights and freedoms, the Bill of Rights; plans to establish within the Ministry of Justice a section to deal with matters related to human rights; findings by the Land Commission and the Law Reform Commission of Tanzania related to laws and practices depriving women of their basic rights (e.g., inheritance and land rights), noting that some of the legislation was strongly influenced by traditional or customary rights which generally favour men at the expense of women; and the formation of Baraza la Wanawake wa Tanzania, or BAWATA, an inter-party women's organization. The report contains numerous references to the work of the Presidential Commission established in 1991 (the Nyalali Commission) and proposals for reform or repeal of legislation. The periodic report also provides information on: provisions related to a declaration of a state of emergency; the right to life, instances of mob justice, application of the death penalty; the prohibition of torture and ill treatment, the Evidence Act No. 6 of 1967; the Preventive Detention Act and proposals for its repeal; corporal punishment, the Human Resources Deployment Act No. 6 of 1983 ("Nguvu Kazi Act"), criticisms that it encourages forced labour and the proposal that it be repealed; liberty and security of person; the rights of aliens, deportation procedures; the organization of the judiciary; the right to a fair and public hearing; provisions in the Criminal Procedures Act 1985; protection of the family and protection of privacy; freedom of religion, freedom of