

Making the law count:



Tanzania: An audit of legal practice on sexual violence

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Acronyms

ACORD	Agency for Co-operation and Research in Development
AIDS	Acquired Immune Deficiency Syndrome
CID	Criminal Investigation Department
CTC.....	Care and Treatment Centres
DNA	Deoxyribonucleic Acid
ECP	Emergency Contraception Pill
HIV	Human Immune Virus
IRC	International Rescue Committee
MCH.....	Maternal and Child Health
NOLA.....	National Organisation for Legal Assistance
OCD	Officer Commanding Defence
PEP	Post-exposure prophylaxis
PF 3 Form.....	Police Form number 3
PP	Public Prosecutor
RPC.....	Regional Police Commander
SGBV.....	Sexual and Gender Based Violence
SOSPA.....	Sexual Offences Special Provision Act
STI.....	Sexually Transmitted Infection
TPFnet.....	Tanzania Female Police Network
TRCS.....	Tanzania Red Cross Society
UNHCR	United Nations High Commission for Refugees
UPT.....	Urine Pregnancy Test
URT.....	United Republic of Tanzania
USD	United States Dollar
WLAC	Women's Legal Aid Centre

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Summary

Findings from this study narrate that, although the SGBV framework is a relatively new approach in efforts to achieving gender equality, Kasulu District is among the areas in Tanzania where SGBV initiatives have been carried out for a relatively longer time.

UNHCR in Kasulu has been supporting various initiatives including efforts to end SGBV within refugee communities since the inception of the refugee influx. A partner like IRC has been implementing such interventions since 1996, with others like Red Cross, World Vision, NOLA and WLAC joining later. Except for WLAC which obtains funding from other sources, all the other (Red Cross, World Vision and NOLA) mentioned partners above are supported by UNHCR.

On these premises, most of such initiatives have largely been operational in refugee communities with little interventions in host communities. However, this provides an opportunity for ACORD and its partners to harness this potential into host communities thereby providing lessons for replication in other places of the country. This study forms one step towards such achievements.

Key interventions mainly fall under two areas namely Preventive and Response. While preventive interventions involve activities such as Awareness creation on GBV and Capacity building of local structures through trainings, response involve legal counselling, Voluntary legal support, Psychological counselling and Material support.

There is a general good understanding amongst the judiciary and police staff in regard to SGBV although no special trainings are offered to such institutions on how effectively they could handle SGBV cases.

Furthermore, little linkage exists between police and judiciary particularly on handling SGBV perpetrators, providing loop holes for perpetrators to disappear when they are out for bail. This as well culminates into little reportage of SGBV case as survivors feel that they would not access any justice. For the purposes of improving ways to handle the perpetrators, the police recommend that they should also get a copy of the bail certificate.

Rape and particularly that between men and minors (below 10 years of age) has been reported to be the most common form of SGBV in Kasulu District.

Although, the Tanzania Penal Code captures other forms of SGBV including attempted rape, abduction, and abduction of girls under sixteen, sexual assaults, defilement, sexual exploitation, and sexual abuse, indecent, sexual abuse, sexual harassment, procurement for prostitution, trafficking of person, procuring rape, permitting defilement, detention in any premises with intent, or in brothel, prostitution or persistently soliciting, conspiracy to induce unlawful sexual intercourse, attempts to procure abortion, unnatural offences and incest, communities tend to solve them amicably thus hindering access to justice by survivors.

1 Introduction

ACORD (Agency for Co-operation and Research in Development) is a Pan African organisation headquartered in Nairobi, Kenya. Implementation of field programmes is located in seventeen various countries within Africa including Tanzania. ACORD interventions focus on supporting communities to achieve gender equality. Address the impacts of HIV/AIDS and facilitate their improved livelihood.

1.1 The Judicial Audit Study

In May 11th- 15th, 2009 ACORD Tanzania conducted a Judicial Audit Study in Kasulu District. This study was conducted both within host and refugee community involving Mtabila and Nyarugusu Camps.

This study is part of the a broader ACORD programme, Hidden War Crimes: Challenging the Impunity for Sexual and gender Based Violence in countries of the International Conference of The Great Lakes Region (ICGLR) namely Tanzania, Burundi, Kenya, Uganda and Democratic Republic of Congo. The programme receives financial support from the government of the Netherlands through a global MDG3 Project.

The focus of this project is to contribute towards ending impunity of sexual and gender based violence with an emphasis on transitional justice regimes as well as building a critical aware mass of community and national activists in the countries in question.

1.2 Background of Kasulu District

Kasulu forms one of the four districts of Kigoma Region in Tanzania. The District is located 96 kilometres north from the regional headquarters in Kigoma and about 700 kilometres from ACORD Country office in Mwanza and 1,883 kilometres away from Dar es Salaam City

Located at 3° 45` 5` south of Equator and 29° 45` -30 55` East of Prime Meridian, the district is bordered by Kibondo district from the North to the East, Kigoma Rural district on the south and Burundi Republic on the west.

Administratively, the District is divided into 7 divisions and further subdivided into 30 wards. It has 90 villages; it covers an area of 9,324 square kilometres. The districts occupy about 25% of the regional area.

Kasulu district has a growing population. During the 2002 Population and Housing census it had 626,742 people. The population structure and a place of residence are reflected on Appendix I. The population distribution during the census was 47.5% males and 52.5% females. The broad age groups distribution is presented in Appendix 2.

Although the national population growth rate is at 2.8%, Kasulu District has a population growth rate of 4.8% with the household size of 7 persons and a population density of 67.2 persons per square kilometre. Compared to other Districts, Kasulu has a faster growing population with majority of it (94.75%) living in rural areas. regional one which is at 45 persons per square kilometre.

In 1988 the district had 37.32% of the total regional population in Kigoma Region followed by Kigoma Rural District (32.30%), Kibondo District (20.49%) and Kigoma Urban (9.89%). This pattern has not changed over the last 14 years. The figures in 2002 census indicate Kasulu to have 37.49%, Kigoma Rural 29.22%, Kibondo 24.71% and Kigoma Urban 8.61%.

1.3 Refugees in Kasulu

During the 2002 census, there were 151,091 refugees in Nyarugusu, Mtabila I & II and Muyovozi Camps. The refugee population formed 24.1% of total district population. The refugee numbers

enumerated in the 2002 census notwithstanding, many others have been integrated into local communities unregistered.

This culminated into interactions between the host and refugee communities and resulted into a number of impacts in the district with the negative ones being increased rates of incidences of crimes due to owning of illicit weapons which resulted into social insecurity culminating into higher rates of impunity and of crimes including rape and other forms of SGBV.

Currently there is a joint initiative between UNHCR and the governments of Tanzania and Burundi to encourage voluntary repatriation of Burundian refugees. A similar initiative for Congolese refugees is also being rolled out. However, repercussions due to effects of such interactions will continue to impact the district for a relatively longer time.

Figure 1) Kasulu: 2002 total population in year groups and sex

Age	Total			Rural			Urban		
	All	M	F	All	M	F	All	M	F
0-4	126,616	63,166	63,650	121,135	60,257	60,878	5,681	2,9009	2,772
5-9	100,687	50,927	49,760	96,056	48,556	47,500	4,631	2,371	2,260
10-14	86,427	43,152	43,275	81,991	41,088	40,903	4,436	2,064	2,372
15-19	65,268	30,472	34,796	61,174	28,549	32,625	4,094	1,923	2,171
20-24	52,082	21,135	30,947	48,516	19,561	28,955	3,566	1,574	1,993
25-29	43,056	18,870	24,186	40,304	17,596	22,708	2,752	1,274	1,478
30-34	33,849	15,778	18,070	31,832	14,835	16,997	2,017	944	1,073
35-39	26,606	12,708	13,898	25,051	11,916	13,135	1,535	792	763
40-44	21,583	10,434	11,149	20,320	9,781	10,589	1,263	653	610
45-49	15,629	7,064	8,535	14,801	6,690	8,111	828	404	424
50-54	14,074	6,043	8,031	13,374	5,750	7,624	700	293	407
55-59	8,744	4,063	4,681	8,284	3,844	4,440	460	219	241
60-64	2,664	3,915	5,749	2,266	3,730	5,536	398	185	213
65-69	6,819	2,979	3,840	6,508	2,839	3,669	311	140	171
70-74	6,554	2,957	3,597	6,254	2,861	3,393	300	96	204
75-79	3,623	1,927	1,696	3,410	1,844	1,566	213	83	130
80+	5,261	2,673	2,588	5,014	2,569	2,445	247	104	143
Total	626,742	298,294	328,448	533,290	282,266	311,024	33,452	16,028	17,429

Source: The United Republic of Tanzania, 2002 Population and Housing Census

1.4 Study objectives

General objective

This study sought to develop comprehensive data on effective gender justice systems on SGBV in the region through local, national and regional accountability mechanisms.

Specific objectives

- To analyze The Tanzania legal framework with regard to its ability to address SGBV.

- To analyze reportage of SGBV in various institutions on how critical are they on to the chain of evidence including police, health institutions, and prosecutor's office
- To analyze efficacy and synergies between the named institutions with legal institutions in regard to justice access for SGBV

1.5 Study methodology

This study employed a number of approaches including review of selected legal frameworks, observation of various services regarding SGBV. Face to face interview with identified key informants from the judiciary, health facilities, police, human right watchdogs and survivors were also used in study.

Interviews with key respondents were conducted using tools that guided the discussions.

1.6 Selection of study samples

This study involved purposive sampling; and the key informants were identified and selected. from the judiciary, police, health facilities, human rights watchdogs and survivors critical in the chain of evidence and addressing SGBV.

For the purposes of obtaining intra and inter group variations, this study was undertaken both within refugee and the host communities in the district of Kasulu.

1.7 Data Analysis

Information obtained from this study was both quantitative and qualitative. Quantitative information were coded and analysed through the use of SPSS (Statistical Package for Social Science).

2 Assessment of Normative Framework on SGBV

2.1 International and regional human rights instruments promoting the respect and protection of women's human rights

Tanzania is a signatory of various international and regional human rights instruments that promote the respect and protection of women's human rights. The adoption and implementation of the international and regional human rights requires Tanzania to establish and adhere to the framework on SGBV. The following are the international and regional human rights instruments which Tanzania has endorsed:

- African charter on Human and People's Rights 1981
- Universal Declaration of Human Rights 1948
- Convention on the Prevention and Punishment of the Crime of Genocide 1948
- Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others 1948
- Convention relating to the status of refugees 1951
- Declaration of the Rights of the Child 1959
- International Covenant on Economic, Social and Cultural Rights 1966
- International Covenant on Civil and Political Rights ICCPR 1966
- Protocol Relating to the status of refugees 1967
- Declaration on the elimination of Discrimination against women 1967
- Convention on the Elimination of all Forms of Discrimination Against Women CEDAW 1979
- Convention against Torture and other cruel, inhuman or degrading treatment or punishment 1984
- Beijing Declaration and Platform of Action 1995
- Convention on the Rights of the Child 1989
- Optional Protocol to the convention on the Rights of the child on the involvement of children in armed conflicts 2000
- Optional protocol to the convention on the rights of the children on the sale of children, child prostitution and child pornography 2000
- Rome Statute on the International Criminal Court 1998
- Protocol to Prevent, Suppress and Punish trafficking of persons, especially women and children supplementing the United Nations Convention against Trans national Organised crime 2000
- The Protocol to the African Charter on Human and Peoples Rights on the Rights of women 2002
- African Union Solemn Declaration on Gender Equality in Africa 2004

2.2 URT constitution: Fundamental rights and freedoms

2.2.1 Security rights to protect citizens from violent crime

i) Liberty rights to protect freedoms like belief and religion, assembly and movement

Liberty rights to protect freedoms like belief and religion, assembly and movement is contained in Article 20 of the URT constitution which provides that everyone shall have the right to join any association of his or her choice.

ii) Equality rights to guarantee equal citizenship and non-discrimination

Right to Equality to guarantee equal citizenship and nondiscrimination is contained in Article 13(1) of the URT Constitution and states that "All persons are equal before the law and are entitled, without discrimination, to equal opportunity before and protection of law".

iii) **Due process rights to protect citizens from abuses stemming from the legal system**

The Constitution provides that the enjoyment of certain rights and freedoms under the constitution is not absolute, but it is subject to legal regulation.

The Bill of Rights, found in part three of the first Chapter of the Constitution and the fundamental rights and freedoms that are stipulated from article 12 to 24, and from article 25 to 28 impose duties on every individual to duties and obligations to respect the rights of others and society. Article 29 establishes the obligation of society to every individual.

Article 30 of the Constitution limits the application of these rights subject to law and the under the due process of law, as the case may be.

The Constitution allows any person to challenge any law or act/omission, which contravenes his or her right, or the Constitution.

2.3 Inclusion of Crime of rape in the Penal Code

The URT Penal Code includes rape as an offence against morality. Section 130(2) of the Penal code provides that "A male person commits the offence of rape if he has sexual intercourse with a girl or a woman under the circumstances falling under any of the following descriptions:

- a) Not being his wife, or being his wife who is separated from him without her consenting to it at the time of sexual intercourse;
- b) With her consent where the consent has been obtained by the use of force, threats or intimidation by putting her in fear of death or of hurt or while she is in unlawful detention;
- c) With her consent where the consent has obtained at the time when she was of unsound mind or she was in a state of intoxication induced by any drugs, matter or thing, administered to her by the man or by some other person unless proved that there was prior consent between the two;
- d) With her consent when the man knows that he is not her husband, and that her consent is given because she has been made to believe he is another man to whom, she is, or believes herself to be, lawfully married;
- e) With or without her consent when she is under eighteen years of age, unless the woman is his wife who is fifteen or more years of age and is not separated from the man.

Section 130(4) Paragraph (a) of the Penal Code provides that "Penetration however slight is sufficient to constitute the sexual intercourse necessary to the offence.

Section 130(4) paragraph (b) specifies that evidence of resistance such as physical injuries to the body is not necessary to prove that sexual intercourse took place without consent.

2.4 The sentence for a convicted rapist

Section 132(1) of the Penal Code provides that "Any person who commits rape is, except in the cases provided for in the numbered subsection (2), liable to be punished with imprisonment for life and in case shall be liable to imprisonment for not less than thirty years with corporal punishment, and with a fine and shall in addition be ordered to pay compensation of an amount determined by the court, to the person in respect of whom the offence was committed for the injuries caused to such person".

2.5 Factors determining and guiding sentencing

Interview with key informant from the Judiciary in Kasulu District pointed a number of factors that determine and guide sentencing including age of the perpetrator, age of the victim, number of times the offence is committed by a perpetrator (if he is a boy) and nature of the rape.

Giving provisions from the Penal Code it was pointed that, Section 131(2) of the Penal Code provides that "Notwithstanding the provisions of any law, where the offence is committed by a boy who is at the age of eighteen years or less, he shall:-

- a) If a first offender, be sentenced to corporal punishment only;
- b) If a second time offender, be sentenced to imprisonment for a term of twelve months with corporal punishment;
- c) If a third time and recidivist offender, he shall be sentenced to life imprisonment pursuant to subsection (1).

Section 131(3) of the Penal Code provides that "Notwithstanding the preceding provisions of this section whoever commits an offence of rape to a girl under the age of ten years shall on conviction be sentenced to life imprisonment.

Section 131A (1) of the Penal Code provides that " where the offence of rape is committed by one or more persons in a group of persons, each person in the group committing or abetting the commission of the offence is deemed to have committed gang rape.

Section 131A (2) of the Penal Code provides that "every person who is convicted of gang rape shall be sentenced to imprisonment for life, regardless of the actual role he played in the rape.

2.6 Capturing of other Sexual Gender Based Violence crimes in the Penal Code

Key informants from the Judiciary in Kasulu District identified a number of other sexual and gender based violence crimes which are also captured in the Penal Code including attempted rape, abduction, and abduction of girls under sixteen, sexual assaults, defilement, sexual exploitation, and sexual abuse, indecent, sexual abuse, sexual harassment, procurement for prostitution, trafficking of person, procuring rape, permitting defilement, detention in any premises with intent, or in brothel, prostitution or persistently soliciting, conspiracy to induce unlawful sexual intercourse, attempts to procure abortion, unnatural offences and incest.

i) **Attempted rape**

"Attempted rape" is an effort to rape someone which does not result in penetration.

Section 132 (1) of the Penal Code provides that " Any person who attempts to commit rape commit the offence of attempted rape and except for the cases specified in subsection(3) is liable upon conviction to imprisonment for life, and in any case shall be liable to imprisonment for not less than thirty years with or without corporal punishment.

ii) **Abduction**

Section 133 of the Penal Code provides that "Any person who with intent to marry or have sexual intercourse with a woman of any age, or to cause her to be married or to have sexual intercourse with any other person, takes her away, or detains her, against her will, is guilty of an offence and is liable for imprisonment of not less than seven years.

iii) **Abduction of girls under sixteen**

Section 134 of the Penal Code provides that " Any person who unlawfully takes an unmarried girl under the age of sixteen years out of the custody or protection of her parent or other person having lawful care or charge of her and against the will of the parent or of that person is guilty of an offence.

iv) **Sexual assaults on persons and indecent assaults on women**

Section 135(1) of the Penal Code provides that "Any person who, with the intention to cause sexual annoyance to any person utters any word or sound, makes any gesture or exhibits any word or object intending that such word or object shall be seen, by that other person commits an offence of sexual assault and is liable on conviction to imprisonment for a term not exceeding five years or to a fine not exceeding three hundred thousand shillings or to both the fine and imprisonment.

v) **Defilement of idiots or imbeciles**

Section 137 of the Penal Code provides that "Any person who, knowing a woman to be an idiot or imbecile, has or attempts to have unlawful sexual intercourse with her in circumstances not amounting to rape, but which prove that the offender knew at the time of the commission of the offence that the woman was an idiot or imbecile, is guilty of an offence and is liable to imprisonment for fourteen years, with or without corporal punishment.

vi) **Defilement by husband of wife under fifteen**

Section 138(1) of the Penal Code provides that " Any person who being married to a woman under the age of fifteen years, has or attempts to have sexual intercourse with her, whether with or without her consent, before she has attained the age of fifteen years, is guilty of an offence and is liable to imprisonment for ten years.

vii) **Acts of gross indecency between persons**

Section 138A of the Penal Code provides that " Any person who, in public or private commits, or is party to the commission of, or procures or attempts to procure the commission by any person of, or procures or attempts to procure the commission by any person of, any act of gross indecency with another person, is guilty of an offence and liable on conviction to imprisonment for a term of not less than one year and not exceeding five years or to a fine not less than one hundred thousand shillings and not exceeding three hundred thousand shillings; save that where the offence is committed by a person of eighteen years of age or more in respect of any person under eighteen years of age, a pupil of a primary school or student of a secondary school the offender shall be liable on conviction to imprisonment for a term not less than ten years, with corporal punishment, and shall also be ordered to pay compensation of an amount determined by the court to the person in respect of whom the offence was committed for any injuries caused to that person.

viii) **Sexual exploitation of children**

Section 138B (1) of the Penal Code provides that "any person who-

- a) Knowingly permits any child to remain in any premises for the purposes of causing that child to be sexually abused or to participate in any form of sexual activity or in any obscene or indecent exhibition or show;
- b) Acts as a procurer of a child for the purposes of sexual intercourse or for any form of sexual abuse, or indecent exhibition or show;
- c) Induces a person to be a client of a child for sexual intercourse or for any form of sexual abuse, or indecent exhibition or show by means of print or the media, oral advertisements or other similar means;
- d) Takes advantage of his influence over, or his relationship to, a child, to procure the child for sexual intercourse or any form of sexual abuse or indecent exhibition or show;
- e) Threatens, or uses violence towards, a child to procure the child for sexual intercourse or any form of sexual abuse or indecent exhibition or show;
- f) Gives monetary consideration, goods or other benefits to a child or his parents with intent to procure the child for sexual intercourse or any form of sexual abuse or indecent exhibition or show commits an offence of sexual exploitation of children and is liable upon conviction to imprisonment for a term of not less than five years and not exceeding twenty years.

ix) **Grave Sexual abuse**

Section 138C (1) of the Penal Code provides that "any person who, for sexual gratification, does any act, by the use of his genital or any other part of the human body or any instrument or any orifice or part of the body of another person, being an act which doesn't amount to rape under section 130, commits the offence of grave sexual abuse if he does so in circumstances falling under any of the following descriptions, that is to say-

- a) Without the consent of the other person;

- b) With the consent of the other person where the consent has been obtained by the use of force, threat, or intimidation or putting that other person in fear of death or of hurt or while that other person was unlawful detention;
- c) With the consent of the other person where such consent has been obtained at a time the other person was of unsound mind or was in a state of intoxication induced by alcohol or drugs, matter or thing.

2) Any person who-

- a) Commits grave sexual abuse is liable, on conviction to imprisonment for a term of not less than fifteen years and not exceeding thirty years, with corporal punishment, and shall also be ordered to pay compensation of an amount determined by the court to the person in respect of whom the offence was committed for the injuries caused to that person in respect of whom the offence was committed for the injuries caused to that person;
- b) Commits grave sexual abuse on any person under fifteen years of age, is liable on conviction to imprisonment for a term of not less than twenty years and not exceeding thirty years, and shall also be ordered to pay compensation of an amount determined by the court to any person in respect of whom the offence was committed for injuries caused to that person.

x) **Procuration for prostitution**

Section 139 (1) of the Penal Code provides that "any person who-

- a) Procures, or attempts to procure, any person, whether male or female of whatever age, whether with or without the consent of that person, to become, within or outside, the United Republic, a prostitute;
- b) procures, or attempts to procure, any person under eighteen years of age, to leave the United Republic, whether with or without the consent of that person, with a view to the facilitation of prohibited sexual intercourse with any person outside the United Republic, removes, or attempts to remove from the United Republic, that person, whether with or without the consent of that person, for that purpose;
- c) procures, or attempts to procure, any person of whatever age, to leave the United Republic, whether with or without the consent of that person, with intent that person may become the inmate of, frequent brothel elsewhere, or removes or attempts to remove, from the United Republic any such person, whether with or without the consent of that person, for that purpose.
- d) brings, or attempts to bring, into the United Republic, any person under eighteen years of age with a view to prohibited sexual intercourse with any other person, inside or outside the United Republic;
- e) procures, or attempts to procure, any person of whatever age, whether with or without the consent of that person, to leave that person's usual place of abode in the United Republic, that place not being a brothel, with intent that person may for the purpose of prostitution become the inmate of, or frequent, a brothel within or outside the United Republic;
- f) detains any person without the consent of that person in any brothel or other premises with a view to prohibited sexual intercourse or sexual abuse of that person,

commits an offence of procuration and is liable on conviction to imprisonment for a term of not less than ten years and not exceeding twenty years or to a fine of not less than one hundred thousand shillings and not exceeding three hundred thousand shillings or to both the fine and imprisonment.

xi) **Trafficking of persons**

Section 139 (1) of the Penal Code provides that "Any person who-

- a) engages in the act of buying, selling or bartering of any person for money or for any other consideration;

- b) for the purpose of promoting, facilitating or inducing the buying or selling or bartering or the placement in adoption of any person for money or for any other consideration-
- i) arranges for, or assists a child to travel within or outside the United Republic without consent of his guardian; or
 - ii) obtains an affidavit of consent from a pregnant woman for money or for any other consideration, for the adoption of the unborn child of that woman; or
 - iii) recruits women or couples to bear children; or
 - iv) being a person concerned with the registration of births, knowingly permits the facilitation of any birth record or register; or
 - v) engages in procuring children from hospitals, shelters for women, clinics, nurseries, day care centres, or any other child care institutions or welfare centres, for money or other consideration or procures a child for adoption from any such institution or centre, by intimidation of the mother or any other person; or
 - vi) impersonates the mother or assists in the impersonation, commits the offence of trafficking and is liable on conviction to imprisonment for a term of not less than twenty years and not exceeding thirty years and a fine of not less than one hundred thousand shillings and not exceeding three hundred thousand or to both the fine and imprisonment and shall in addition be ordered to pay compensation of an amount to be determined by the court, to the person in respect of whom the offence was committed.

xii) **Procuring rape**

Section 140 of the Penal Code provides that "Any person who-

- a) by any threats or intimidation procures or attempts to procure any girl or woman to have any prohibited sexual intercourse inside or outside the United Republic; or
- b) by false pretence or false presentations procures any girl or woman to have prohibited sexual intercourse anywhere inside or outside the United Republic; or
- c) applies, administers to, or causes to be taken by any girl or woman any drug, matter or thing with intent to stupefy or overpower her so as to enable any man to have prohibited sexual intercourse with her, commits an offence and is liable on conviction to a fine of not less than one hundred thousand shillings and not exceeding twenty years to both the fine and imprisonment and shall be ordered to pay for an amount to be determined by the court.

xiii) **Householder etc permitting defilement of girl under fifteen years of age on his premises**

Section 141 of the Penal Code provides that "Any person who, being the owner or occupier of premises or having or acting or assisting in the management or control thereof, induces or knowingly suffers any woman under the age of fifteen years to resort or be upon those premises for the purpose of sexual intercourse with any man whether such sexual intercourse is intended to be with any particular man or generally, is guilty, of an offence and is liable to imprisonment for five years:

- Provided that it shall be a sufficient defence to a charge under this section if it is made to appear to the court before which that person is charged that he had reasonable cause to believe and did in fact believe that the woman was one of or above the age of twelve years"

xiv) **Householder etc permitting defilement of girl under sixteen years of age on his premises**

Section 142 of the Penal Code provides that "Any person who, being the owner or occupier of premises or having or acting or assisting in the management or control thereof, induces or knowingly suffers any woman above the age of fifteen years and under the age of sixteen years to resort to or be upon the premises for the purpose of unlawful sexual intercourse with a man, whether such intercourse intended to be with any particular man or generally, is guilty of an offence:

- Provided that it shall be a sufficient defence to a charge under this section if it is made to appear to the court before which that person that he has reasonable cause to believe and did in fact believe that the woman was of or above the age of sixteen years".

xv) **Detention in any premises with intent, or in brothel**

Section 143 (1) of the Penal Code provides that "Any person who detains a woman against her will-

- a) in or upon any premises with intent that she may have unlawful sexual intercourse with any man, whether any particular man or generally; or
- b) in any brothel, is guilty of an offence"

Section 143 (2) of the Penal Code provides that "When a woman is in or upon any premises for the purpose of having unlawful sexual intercourse or is in any brothel, a person shall be deemed to detain her there if, with intent to compel or induce her to remain in or in the brothel, that person withholds from her any wearing apparel or other property belonging to her, or where wearing apparel has been lent or otherwise supplied to her by the directions of that person, that person threatens her with legal proceedings if she takes away with her by or by the directions of that person, that the person threatens her with legal proceedings if she takes away with her the wearing apparel so lent or supplied".

Section 143 (3) of the Penal Code provides that " No legal proceedings, whether civil or criminal, shall be taken against any woman referred to in this section for taking away or being found in possession of any wearing apparel as was necessary to enable her to leave the premises or brothel"

xvi) **Male person living on earnings of prostitution or persistently soliciting**

Section 145 (1) of the Penal Code provides that "A male person who –

- a) knowingly lives wholly or in part on the earnings of prostitution; or
- b) in any public place persistently solicits or importunes for immoral purposes,

is guilty of an offence and in the case of a second or subsequent conviction under this section the court may, in addition to any term of imprisonment awarded, sentence the offender to corporal punishment.

Section 145 (2) of the Penal Code provides that "Where a male person is proved to live with or to be habitually in the company of a prostitute or is proved to have exercised control, direction or influence over the movements of a prostitute in such manner as to show that he is aiding, abetting or compelling her prostitution with any other person or generally, he shall unless he satisfies the court to the contrary be deemed to be knowingly living on the earnings of prostitution.

xvii) **Women living on or aiding prostitution**

Section 146 of the Penal Code provides that "A woman who knowingly lives wholly or in part on the earnings of prostitution or who is proved to have, for the purpose of gain, exercised control, direction or influence over the movements of a prostitute in such a manner as to show that she is aiding, abetting or compelling prostitution with any person, or generally, is guilty of an offence.

xviii) **Brothels**

Section 148 of the Penal Code provides that "Any person who keeps a house, room, set of rooms or place of any kind whatsoever for the purpose of prostitution is guilty of an offence.

xix) **Conspiracy to induce unlawful sexual intercourse**

Section 148 of the Penal Code provides that "Any person who conspires with another to induce any woman, by means of any false pretence or other fraudulent means, to permit a man to have unlawful sexual intercourse with her is guilty of an offence and is liable to imprisonment for two years.

xx) **Attempts to procure abortion**

Section 150 of the Penal Code provides that "Any person who, with intent to procure miscarriage of a woman, whether she is or is not with child, unlawfully administers to her or causes her to take any poison or other noxious thing, or uses any force of any kind, or uses any other means whatever is guilty of an offence and is liable to imprisonment for fourteen years"

xxi) **Procuring own miscarriage**

Section 151 of the Penal Code provides that "A woman being with child with intent to procure her own miscarriage unlawfully administers to herself any poison or other noxious thing, or uses any force of any kind, or uses any other means whatsoever, or permits any such thing or means to be administered or applied to her, is guilty of an offence and is liable to imprisonment for seven years".

xxii) **Supplying drugs or instruments to procure abortion**

Section 152 of the Penal Code provides that "Any person who unlawfully supplies to or procures for another anything whatsoever, knowing that it is intended to be unlawfully used to procure the miscarriage of a woman, whether she is or is not with child, is guilty of an offence, and is liable to imprisonment for three years.

xxiii) **Unnatural offences**

Section 154 (1) of the Penal Code provides that "any person who-

- a) has carnal knowledge of any person against the order of nature; or
- b) has carnal knowledge of an animal; or
- c) permits a male person to have carnal knowledge of him or her against the order of nature, commits an offence, and is liable to imprisonment for life and in any case to imprisonment for a term of not less than thirty years.

Section 154 (2) of the Penal Code provides that "where the offence under the subsection (1) of this section is committed to a child under the age of ten years the offender shall be sentenced to life imprisonment.

xxiv) **Attempt to commit unnatural offence**

Section 155 of the Penal Code provides that "Any person who attempts to commit any of the offences specified under section 154 commits an offence and shall on conviction be sentenced to imprisonment for a term of not less than twenty years".

xxv) **Indecent assault of boys under fourteen**

Section 155(1) of the Penal Code provides that "Any person who unlawfully and indecently assaults a boy under the age of fourteen years is guilty of an offence and is liable to imprisonment for life.

Section 155(2) of the Penal Code provides that "where a charge for indecent assault under this section relates to a boy under the age of fifteen years, it shall be no defence to the charge that he consented to the act of indecency.

xxvi) **Indecent practices between males**

Section 157 of the Penal Code provides that "Any male person who, whether in public or private, commits any act of gross indecency with another male person or procures another male person to commit any act of gross indecency with him, or attempts to procure the commission of any such act by any male person, with himself or with another male person, whether in public or private, is guilty of an offence and is liable to imprisonment for five years".

xxvii) **Incest by males**

Section 158 (1) of the Penal Code provides that "Any male person who has prohibited sexual intercourse with a female person, who is to his knowledge his granddaughter, daughter, sister or mother, commits the offence in incest, and is liable on conviction-

- a) if the female is of the age of less than eighteen years, to imprisonment for a term of not less than thirty years;
- b) if the female is of the age of eighteen years or more, to imprisonment for a term of not less than twenty years.

Section 158 (2) of the Penal Code provides that "it is immaterial that the sexual intercourse was had with the consent of the woman".

Section 158 (3) of the Penal Code provides that "a male person who attempts to commit an offence under this section is guilty of an offence".

xxviii) **Order of guardianship**

Section 159 of the Penal Code provides that "On the conviction before any court of any person of an offence under section 158, against any woman under the age of twenty-one years, the court may divest the offender of all authority over the woman and, if the offender is her guardian remove the woman from offender's guardianship, and in any such case may appoint any person or person to be the guardian or guardians of the woman during her minority or for any lesser period:

- Provided that the High Court may at any time vary or rescind the order by the appointment of any other person as a guardian or any other respect.

xxix) **Incest by females**

Section 160 of the Penal Code provides that "Any female person of or above the age of eighteen years who with consent permits her grandfather, father, brother or son to have carnal knowledge of her (knowing him to be her grandfather, father, brother or son as the case may be) commits the offence of incest and is liable to imprisonment for or imprisonment of not less than thirty years and shall, in addition, be ordered to pay compensation of an amount determined by the court to the victim in respect of whom the offence was committed provided that if the male person is below the age of ten years, to imprisonment of not less than thirty years

2.7 Penal Code and Laws of Evidence

The Evidence Act of 1997 points that, where in criminal proceedings involving sexual offences the only independent evidence is that of a child of tender years or the victim of the sexual offence/ the court shall receive the evidence, and may notwithstanding that it is not corroborated, proceed to conviction on the basis of that evidence if it is satisfied that the child of tender years or the victim of the sexual offence is truthful.

Nevertheless, there are some deficiencies in the Act for example in Section 138A, any person found guilty of acts of gross indecency is liable on conviction to imprisonment for a term not exceeding five years or a fine not exceeding Shs.2000/= . The named amount is equivalent to approximately 0.02 USD which is too little for such compensation.

Under the Evidence Act, courts are directed to accept the evidence of minors and victims of sexual offences without independent corroboration.

The Sexual Offences Special Provision Act (SOSPA, 1998) which amends parts XV and XVI of the Penal Code is one of the powerful tools in combating SGBV such as rape, defilement, sodomy, sexual harassment, incest genital mutilation which are now on the increase in the country. In 1997, Tanzania registered 1,893 cases of Rape, defilement and sodomy compared to 1,385 in 1996. The law is therefore desirable because of its punitive nature.

This legislation is also responsive to current legal provisions and practices which have been outdated, lacked clarity, provided little benefit to survivors and making perpetrators answerable for their actions. According to the objects and reasons stated in the Act, the ultimate goal is to enhance the national endeavour to protect the rights of women and children in relation to their personal integrity, dignity and liberty.

2.8 Rules and procedures for handling sexual Gender based violence

Court systems do not restrict the participation of survivors in court with lawyers but due to little number of legal staff, such services are provided by non state actors. Under the amendment, the evidence of all persons who are victims of trials including sexual offences shall be received by the court in camera and the evidence and witnesses involved shall not be published in any media.

However such matter can be printed or published in a bona fide series of law reports or in a newspaper or periodical of a technical character intended for circulation among members of the legal or medical professions.

2.9 Effective measures to ensure that there is gender balance and expertise amongst staff of the judiciary

The study results indicate that there are no effective measures to ensure that there is gender balance and expertise amongst staff of the judiciary. The Popular Tribunal through the Women's Dignity Project proposed a number of steps to ensure that there is gender balance and expertise among staff of the judiciary by ensuring the establishment of gender desk at all police stations in the country to allow women to speak confidentially and privately about SGBV. However this has not been implemented in Kasulu District and many other districts, although efforts are being made to make this realistic with underlying factors being lack of budget for recruitment.

2.10 Reasons for acquittals in SGBV cases

The study found the following significant reasons for acquittals in SGBV case:

- Investigation procedures: In most times, investigation procedures take too long thereby resulting into justice denial for most victims. Furthermore some survivors do not appear in court resulting into acquittal of the case due to lack of evidence.
- Lack of medical evidence: Due to the fact that most health facilities have no equipments required for forensic examination in regard to SGBV many cases are acquitted due to lack of medical evidence.

2.11 Recommendations for effective judicial interventions for handling SGBV

i) **Inclusion of perpetrators**

It is difficult to facilitate access to justice when a witness is only a victim. It is therefore important to include other witnesses.

ii) **Awareness on legal provisions**

A large section of the community is not aware of their rights hence minimum reportage of SGBV incidences. It is important for partners to create more awareness on legal provision and laws protecting human right.

iii) **Investigation**

There is a need to improve the investigation procedures as the current system takes too long, providing loop holes for corruption thereby denying access to justice and particularly by victims. Decentralisation of the investigation procedures through the use of paralegals (for investigations) can be an option since they are situated in the community

3 Assessment of service provision for SGBV

3.1 Police

Sexual and Gender Based violence is the expression used to differentiate violence aimed at individuals on the basis of their gender from violence in general.

According to the United Nations High Commission for Refugees (UNHCR), sex and gender based violence include acts which cause physical, mental or sexual suffering or injuries such as threats, constraints and other restrictions on freedom. Sexual and gender based violence includes, but not limited to:

- a) Physical, sexual and psychological acts of violence inflicted on women within the family (i.e. domestic violence etc)
- b) Physical, sexual and psychological acts of violence inflicted on women within their communities (i.e. community violence).

By "physical violence" is meant any act of physical aggression such as, as well as threats of violence, with or without a weapon, "sexual Violence" includes verbal aggression and obscenities, acts such as sexual touching, forced sexual intercourse or intercourse under duress, as well as being undressed or forced to undress.

As for "psychological violence" this includes insults, restriction on freedom of movement, isolation or the deprivation of material resources (e.g. money, water, and food etc.)

Acts of sexual and gender based violence may occur anywhere, in so called developed societies or developing countries, in conflict or peace environment.

3.1.1 **Understanding on Sexual Gender Based Violence**

It was pointed out during interview with key police informant at Kasulu Police Station that SGBV include all or any act that involve rape, sexual assault, attempted rape and sexual harassment.

Additionally various forms of domestic violence such as wife battering, deprivation of material resources and isolation can also be characterised as SGBV.

3.1.2 **Specific training for the police on handling sexual and gender based crimes**

Interview with key informant at Kasulu Police Station established that there is no specific training for the police on handling SGBV crimes. However such trainings are generalised during basic police course.

Moreover trainings on handling SGBV cases are also provided by CID when pursuing Police Investigative lessons, Traffic and Promotion Trainings.

3.1.3 Categories of SGBV crimes for the Past one year

Figure 2) Percentage of SGBV cases reported (Kasulu, police station, Jan- Dec 2008)

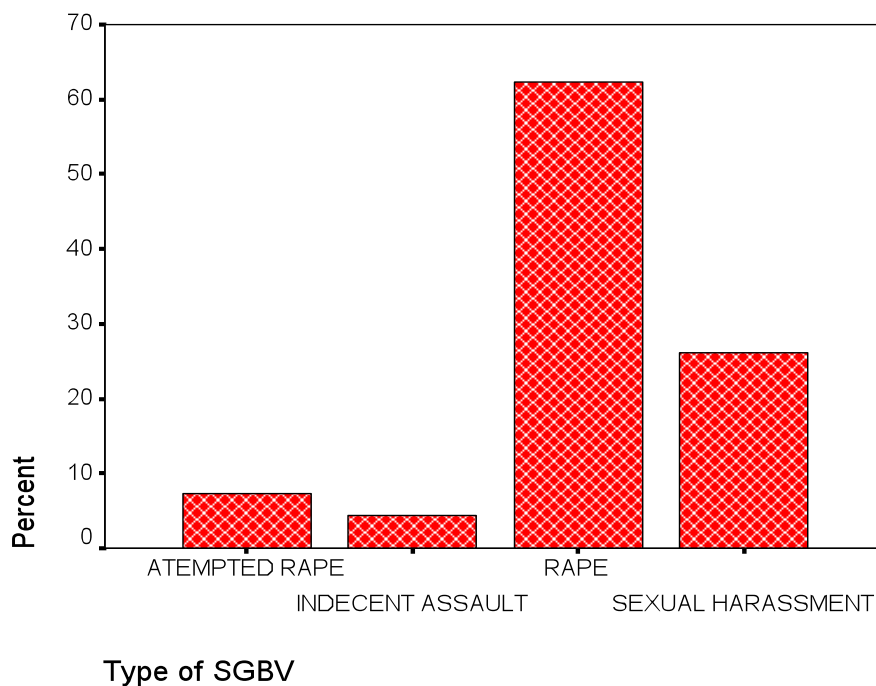


Figure 3) Percentage of SGBV cases reported (Jan- Apr 2009)

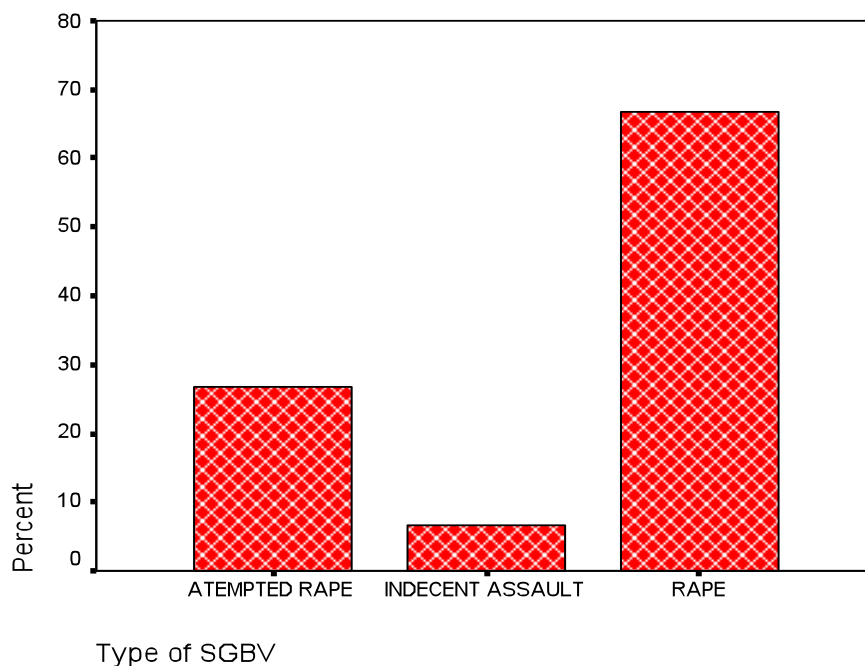
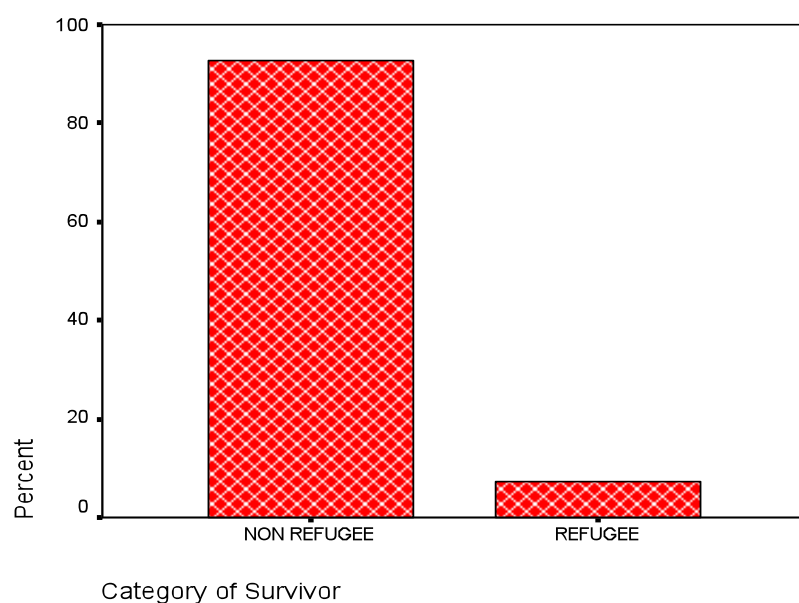


Figure 4) Percentage of SGBV survivor categories (Jan-Dec 2008)**Figure 5) Age of SGBV survivors (Jan- Dec 2008)**

<i>Age in years</i>	<i>Frequency</i>	<i>Percent</i>
6	2	2.9
8	1	1.4
9	1	1.4
10	1	1.4
13	3	4.3
14	6	8.7
15	4	5.8
16	7	10.1
17	4	5.8
18	6	8.7
19	3	4.3
20	5	7.2
21	2	2.9
22	1	1.4
24	1	1.4
25	5	7.2
26	1	1.4
27	2	2.9
28	3	4.3
29	1	1.4
30	2	2.9
35	2	2.9
37	1	1.4
40	1	1.4
46	1	1.4
50	2	2.9
55	1	1.4
Total	69	100.0

Figure 6) Descriptive statistics for SGBV Survivors (Jan-Dec 2008)

	<i>N</i>	<i>Minimum</i>	<i>Maximum</i>	<i>Mean</i>	<i>Std. Deviation</i>
Age of survivor	69	6	55	21	10

It is observed in Figure 6) above that, at the age of 21 a girl in Kasulu District is most likely to face SGBV.

NB: The above statistics have been analysed from raw data obtained at Kasulu Police Station

3.1.4 **Most common forms of SGBV present**

Interview with Key informant at Kasulu Police Station indicated rape and particularly that between men and minors (below 10 years of age) are the most common form of SGBV.

3.1.5 **Desk for reviewing SGBV survivors**

In 2007, the Tanzania Police Force established TPFnet. This is a Tanzania Police Female network that in addition to other tasks, has to review SGBV survivors.

Although all police stations in the country are required to have gender desk to facilitate the execution of the tasks of the TPFnet, only few police stations in Tanzania (at regional level) have managed to make that desk operational.

Like most police stations in various districts in the country, Kasulu Police Station in Kasulu District does not have such desk. The problem of Sexual Violence has gotten worse over the last year. Rape between men and minors (below 10 years of age) is far too common and rank top among forms of SGBV in Kasulu District.

3.1.6 **Hierarchy of reporting when in receipt of a SGBV complaint**

"When we receive SGBV complaint the police provide Police Form No.3 (PF3 Form), record the incidence and refer the complainant to health services. The victims of SGBV report the complaints under the Sexual Offences Special Provision Act (SOSPA)." (Staff, SGBV Unit, Mtabila Camp).

3.1.7 **Information to survivors on legal mechanisms**

Kasulu District is one of the potential areas in Tanzania in which commendable SGBV interventions have been carried out. However, such interventions are mostly and exclusively carried within refugee camps and in very few villages around refugee camps.

Interview with key police informants at Kasulu Police Post pointed that due to increased awareness on SGBV issues around refugee communities, when such cases involve a survivor from the refugee community, they are reported at police stations with a support from legal organizations such as NOLA and WLAC.

Furthermore, survivors are in most cases linked with various SGBV units in the camps for legal and psycho-social counselling which are provided by IRC and Red Cross.

However, it is usually challenging when SGBV cases involve a person from the host community.

Due to little awareness on their rights and the fact that most support in relation to SGBV by most organisations in Kasulu District targets refugee communities, survivors from host community often have little access to judicial support and counselling.

3.1.8 **Government effort to improve the safety of women and girls in the community**

Although there are silent forms of SGBV particularly amongst host communities in the refugee hosting Kasulu District, only few cases related to such crimes are reported.

This is because; in most cases, SGBV is associated with social discomfort with survivors experiencing stigma, self denial and trauma.

Absorbing such social discomfort is always cumbersome to most women culminating into community acceptance of SGBV incidences thereby perpetuating impunity relating to SGBV.

3.1.9 **Challenges faced by the police in investigating and prosecuting cases of SGBV**

i) **Medical evidence**

Although this is potential in the chain of evidence, in most cases it is presented in court in the absence of a medical expert. This brings misunderstanding when requiring further interpretations with regard to some issues observed on the PF3 Form.

ii) **Prosecution**

Interview with key informant at Kasulu Police Station pointed that, although admission of SGBV proceedings are considered in camera, environment that would culminate into access to justice is still restricted as both the public prosecutor and the magistrate are usually men.

3.2 Healthcare

3.2.1 **Number of Staff**

Mtamba Hospital has 22 staff. Four are trained in clinical management of SGBV and 2 are trained to undertake forensic examination. It is not necessary for a survivor to have a police report prior to getting treatment in this health facility.

3.2.2 **Rape Kit**

Interview with the Medical Officer in charge of Mtamba Hospital pointed that the centre has a rape kit with the following contents:

- Speculum examination
- Glove
- Tools for swabbing
- Cotton wool
- Kidney dish
- Antiseptic
- Syringe
- PEP
- STI Medications
- Oral Contraceptives
- Pregnant Test

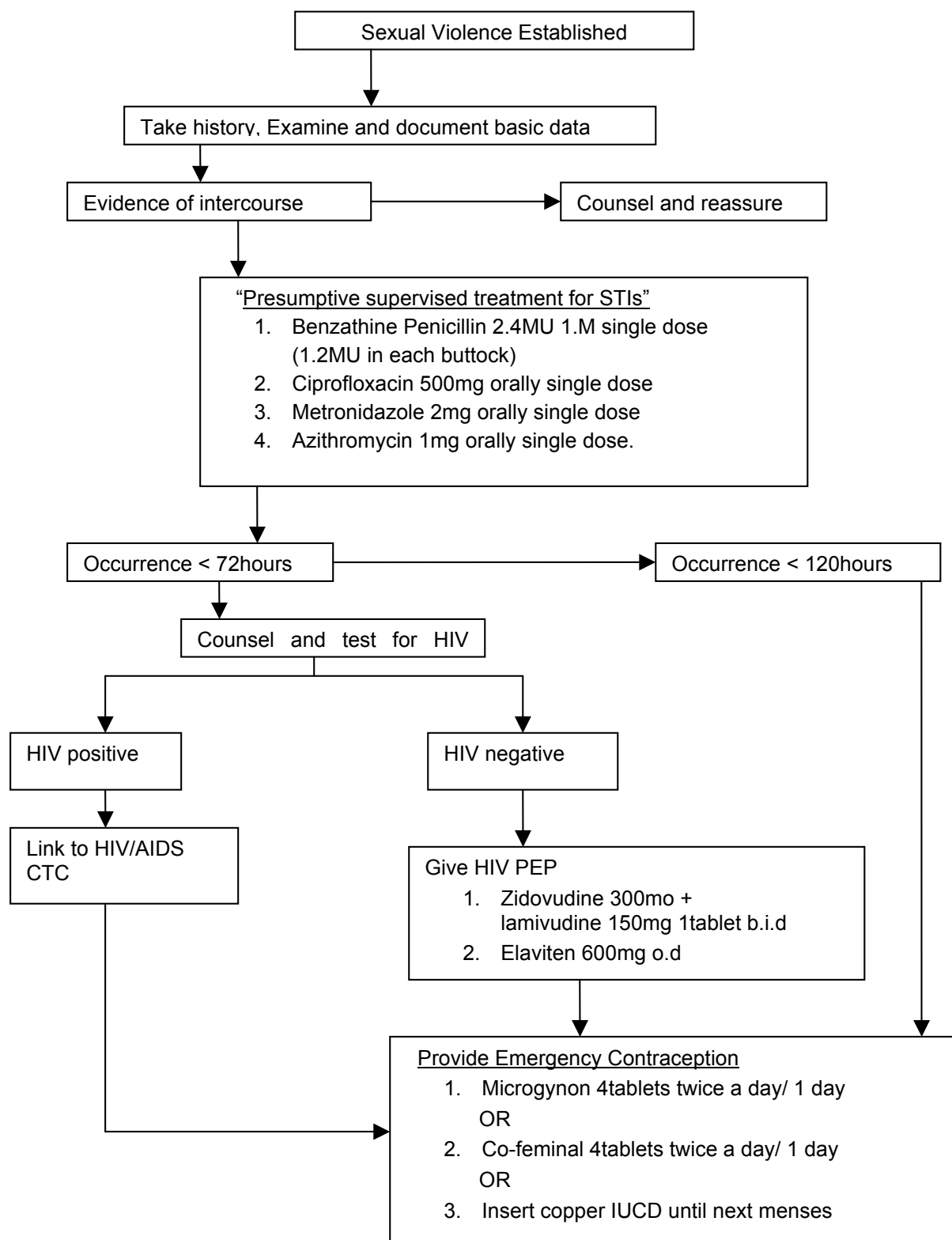


A Rape Kit at Red Cross Health Facility in Mtabila Hospital, Kasulu District



Inside the Rape Kit

3.2.3 Clinical procedures that are followed on attending SGBV survivors



Source: SGBV Unit, Red Cross-Mtabila Camp
 NB: This protocol was found in the language of the provider

3.2.4 Laboratory for test

Furthermore, due to the fact that refugee camps were set for emergency purposes only, few other immediate issues can be attended by the health facilities in the camps. The facility has a laboratory for test analysis with regard to common diseases such as malaria and typhoid. However when it comes to forensic examination they usually provide referrals and for those requiring DNA test they refer them to Muhimbili National Hospital in Dar es Salaam.

3.2.5 Willingness of Medical experts to testify in court

Medical experts are willing to testify in court when need arises. For instance, last year a Clinical Officer and a nurse were called in court to testify. However, this does rarely happens because in most cases the court utilise information on the PF 3 Form.

3.3 Networks supporting the survivors

Through its gender Centre, IRC started to run a GBV unit immediately after the refugee camp was opened at Mtabila.



A gender centre run by IRC in Mtabila Camp, Kasulu District

Below is a summary of activities under the two key interventions: Preventive and responses.

<i>Preventive</i>	<i>Response</i>
<ul style="list-style-type: none"> • Advocacy and awareness creation on GBV • Capacity building of local structures through trainings 	<ul style="list-style-type: none"> • Legal counselling • Voluntary legal support • Psychological counselling • Material support <ul style="list-style-type: none"> ○ Food ○ Clothing



A billboard with Swahili words: "Karibu Mtabila, saidia kupiga vita unyanyasaji wa kijinsia" meaning "Welcome to Mtabila, help to fight against sexual and gender based violence" One of awareness and advocacy strategies utilised by SGBV active NGOs in Kasulu District to create community awareness on GBV.

As an effort to expand its GBV interventions, IRC extended the key interventions named above into 10 villages around the camps which worked through establishment of GBV committees. Through trainings facilitated by IRC the committees were able to identify SGBV cases and pursue them to facilitate access to justice.

3.3.1 Facilitation of Access to justice for both survivor and perpetrator

Interview with key informant at IRC (SGBV Unit) in Mtabila Camp pointed that, IRC does not deal with a perpetrator in any means except when the case involves Domestic Violence or when both the survivor and a perpetrator are minors or when the perpetrator has completed his sentence.

In case where both survivor and perpetrator are minors or when the perpetrator has completed his sentence, IRC supports the perpetrator by providing psycho-social counselling and intergrading them into the community.

Interview with key informant at the MCH department in Mtabila hospital pointed that, the hospital has the task to bridging the SGBV unit and provision of medical support to survivors through provision of treatment and providing further information by filling the PF 3 Form that facilitate the SGBV unit to proceed with procedures regarding access to justice.

So a survivor may be brought directly by staff from the SGBV unit and received at the dropping centre for treatment.

After treatment the medical experts has to fill two types of forms:

- Medical form: which remains at the hospital for further reference and record keeping
- PF3 Form, which is sent back to the police station for further processes in regard to justice.

4 An eye of International NGO's, Human Rights Watchdogs

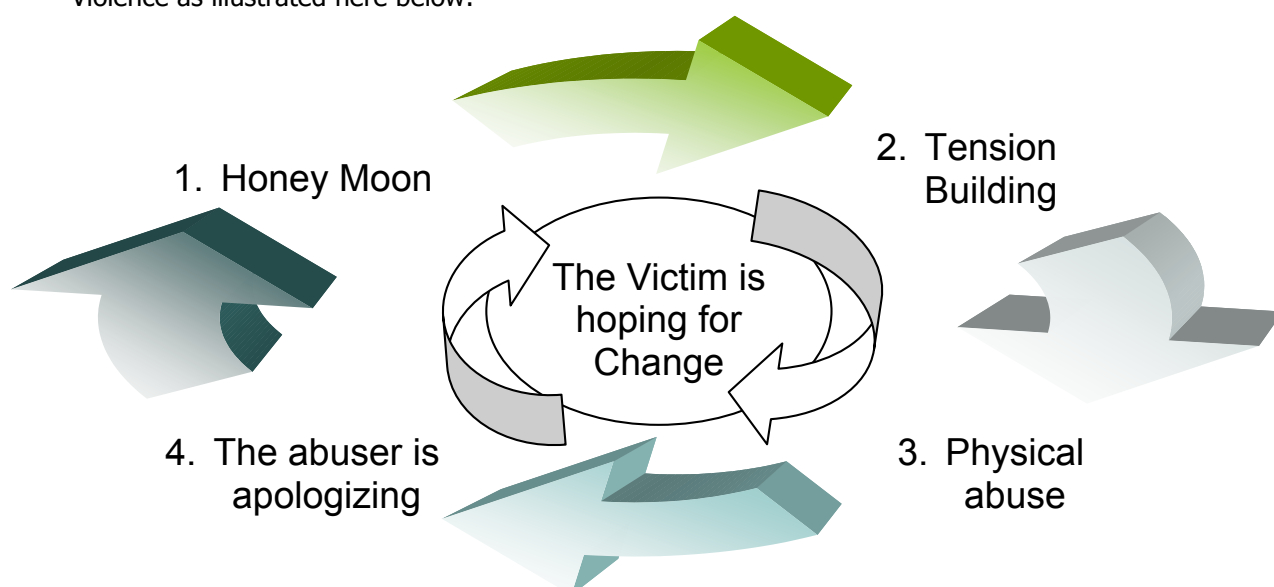
Discussion with key informant from selected Human Rights Watchdogs in Kasulu District led to the conclusion that, sexual and gender based violence is frequently gender specific not only because of the form but also the motivation of the perpetrator.

Providing examples from refugee camps, it was pointed out that reasons that lead to SGBV amongst refugee communities are almost similar to those in host communities hence a need to have SGBV interventions in host communities.

Generally key informants from Human Right Organizations in Kasulu District defined SGBV as all sort of acts that involve rape, sexual assault, sexual harassment and domestic violence which mainly involve individuals who are in intimate relationship.

Further analysis by key informant from Human Right Organisations indicated the underlying causes for domestic violence and pointed that, domestic violence is rooted in the need by men to have both power and economic control.

When it starts, domestic violence goes in a circular manner in what is referred to as the Cycle of Violence as illustrated here below:



Addressing Domestic Violence is recommended by Human Rights watch dogs in Kasulu District to be potentially effective strategy towards challenging impunity and SGBV thereby facilitating access to justice for both survivors and victims.

4.1 Major forms of SGBV

Like pointed out earlier on, few SGBV interventions exist around host communities in Kasulu District. Information regarding major forms of SGBV in host communities is elaborated under the chapter for service provision for SGBV specifically in police section.

Although cases of rape and other forms of SGBV exist such as attempted rape, sexual harassment, sexual assault, forced marriage and early marriage exist among refugee communities, domestic violence ranks top.

IRC (T) KASULU GBV STATISTICS 2000 - 2008 FOR MTABILA I & II.

CATEGORIES	YEAR	2000	2001	2002	2003	2004	2005	2006	2007	2008	Total
Rape Cases		29	32	17	22	6	9	8	20	12	155
Attempted rape		7	8	6	5	1	4	2	2	1	36
Sexual Harassment		7	6	5	3	0	1	5	1	0	28
Forced marriage		0	9	0	0	0	0	0	0	0	9
Early marriage		9	0	3	0	2	3	1	2	0	20
Domestic Violence		102	95	152	128	106	102	120	150	141	1096
Non GBV							327	59	73	79	538
Other GBV									0	1	01
Local tribunal GBV									28	35	63
Local tribunal Non GBV									48	20	68
Teenager pregnancy									9	8	17
Non GBV									327	59	386

4.2 Constitution and national law conformity to international and regional provisions

Since the URT constitution provides fundamental rights for all its citizens with regard to security, liberty and equality, any abuse against any women or man is unconstitutional. Interview with key respondents from Human Right Organisations in Kasulu District pointed that, various provisions have been ratified and included in the national constitution and linked to CEDAW.

Although various national laws (e.g. SOSPA, 1998) conform to a number of international and regional provisions that regard SGBV as a crime against humanity, actual implementation of such conformity is still not in practice because some national laws are currently outdated result into contradiction and justice denial to survivors.

An example of this includes the Maintenance Act which provides a victim of Domestic Violence with a compensation of 100 Tshs per month the amount equivalent to approximately 0.08 USD per month, which is very small due to the inflation.

Human Rights watch dogs in Kasulu District recommended review of various national legislations to be critical in facilitating their conformity to international and regional provisions in regard to SGBV.

4.3 Ways in which Court systems deal with women and men

Discussion with key informants from Human Rights organisations in Kasulu District indicated that, according to their experience, due to existence of many laws which are conflicting and discriminatory, women remain in a challenging position to access equality in court systems.

Pointing few examples from various laws, it was realised that while customary law is mainly patriarchal with its main features being gender discriminatory, religious law is strongly based on obedience and submissiveness of the women.

Although women represent a larger section of the national population, they rank higher in number to suffer when it comes to access to justice. In regard to SGBV, women are usually considered as the cause due to their behaviour (such as the way they dress)

The Tanzania law doesn't recognise sexual minorities hence sexual identities could be a hindrance to access health services.

4.4 Gender Equality to Health Services

"Generally, access to services is equal to both males and females except when such service requires specific attention for example rape" staff, Human rights Organization, Kasulu.

4.5 Processing of SGBV cases

Interview with key informant from Human Rights Organizations in Kasulu District pointed that SGBV cases are not well processed due to ignorance of most women on their rights and lack of sufficient legal aid resulting into little reportage of such incidences thereby denying access to justice.

"...Ukienda polisi na kesi yako ikapelekwa mahakamani, kama haileweki unafungwa wewe..."

meaning

"...you would be jailed if your case is brought to court from the police and doesn't have convincing evidence..."

Such perceptions amongst most women who are sometimes survivors pave ways for impunity and SGBV.

This calls for effective linkages between survivors, police, judiciary and legal support organisations.

4.6 Government led interventions to reform governance justice and legal sector

The GoT in collaboration with Civil Society Organizations (CSOs) for the past 20 years has made significant efforts to reforming governance, justice and legal sector. Such efforts include affirmative increase in seats for women representatives in the parliament to 30.4% in 2007. Pressure from CSOs have resulted into increased government responsiveness on gender sensitive budgeting.

However, interview with key respondents from Human Rights watch dogs in Kasulu District indicated that, although Tanzania has ratified a number of international conventions regarding women's rights, there are no explicit steps to incorporate them into domestic legal framework.

The existing norms and customary practices are hindrances for women to access justice and where statutory and customary law differ women are always on the losing side.

4.7 Community mechanisms to prevent SGBV and punish perpetrators of SGBV

Besides the fact that there is generally low awareness amongst the Tanzanian population with regard to their rights, a great section of the population is aware of the sentence rendered to a convicted rapist.

As provided in the penal code the sentences for a convicted SGBV perpetrator (rapist) is 30 years. Due to this, most people tend to solve the matters amicably not only because they would want to avoid the enmity that would result following such a punishment but also a way to facilitate material support from a perpetrator to survivor particularly when the incidence resulted into pregnancy.

4.8 Reform recommendations to prevent and manage the incidents of SGBV

4.8.1 **Community**

Considerable efforts have been made by Human rights organisations in Kasulu District on addressing SGBV within refugees' communities. There should be community led efforts to facilitate cross learning and refresher trainings between host community and refugee community in facilitating access to justice for SGBV survivors along with working in a positive tone with men and fathers through identification of community change makers thereby influencing policy and practice changes in regard to SGBV.

Although there is a considerable awareness on SGBV among refugee communities in Kasulu District, the host communities still lack knowledge on SGBV. Human Rights watchdogs in Kasulu need to ensure such knowledge is also appreciated within host communities.

4.8.2 **Police**

In some occasions police consider SGBV a private matter that can be solved outside court systems thereby encouraging reconciliation on community basis. This to a larger extent fuels acts related to impunity and SGBV.

It is therefore important for the police to take such issues more seriously and provide considerable support to survivor on seeking for access to justice through court systems. This can be enhanced by stakeholders like ACORD and others through facilitation of specific trainings to the police.

4.8.3 **Health**

Medical evidence is crucial whilst seeking access to justice during the prosecution of SGBV cases. Such evidence is currently considered in court on the absence of medical experts which sometimes result into contradictions.

Furthermore, since they know that they will not be called to testify in courts PF 3 forms are filled with little attention. It is recommended that medical experts should be called in courts to supplement information in PF3 forms. This will not only improve the chain of evidence during prosecution of SGBV cases but also increased accountability in health systems.

4.8.4 **Judiciary**

Access to court leave alone access to justice remain a challenge for most communities within Kasulu District and the country as a whole. The current judicial systems in which primary courts are sandwiched with little expertise and bureaucracy culminates into denial for justice to SGBV survivors.

It was pointed out during the discussion with key informant from Human Rights Organizations in Kasulu District that due to limited legal expertise, some court procedures are never followed, citing on incidences in which some cases (for example those concerned with rape) are supposed to be carried out in cameras but carried in open courts. Key informants from Human Rights Organizations in Kasulu District recommend the government to improve justice systems right from primary courts to High Court.

Furthermore, court procedures sometimes take too long for the verdict to be made, thereby threatening for justice denial. This causes little trust on the judiciary by the community resulting into trying to settling such matters amicably outside the court room.

4.8.5 **Legal aid and support**

Although a number of legal aid organizations exist in Kasulu District such services are mostly limited to refugee communities. It is worth considering stretching such support into host communities.

5 Selected Cases from Survivors

Name: Sodium Saccharine (Not real Name)

Age: 16 years

Sex: Female

Category: Non Refugee

Location: Kabanga

Type of SGBV encountered: Rape

"I was raped by a certain man on my way back home from school. When they heard of this incidence, my parents immediately reported the matter at Kasulu police station and were provided with a police form no.3 (PF3 Form) which we took it to Kasulu Hospital where I underwent medical examination.

After like two weeks the police referred my case to the Primary Court but was eventually dismissed on the grounds that primary courts cannot prosecute rape cases. I never had any contact with a magistrate during the time of my case and during that period, and the perpetrator was out for bail and used that opportunity to escape. Our efforts to trace that man have up to this time bounced. Since the perpetrator is no where to be seen, we feel that we cannot access any justice even if we opt for it in higher authorities"

Name: Aloe Vera (Not real name)

Age: 26 years

Category: Refugee

Location: Mtabila Camp

Type of SGBV encountered: Sexual Harassment

"I am a nurse. One day I was in a night shift in a male ward when they brought in a patient for admission. This man had his both palms cut off from his wrists (this is not the reason for him to be brought in the hospital as this happened before and he had already healed). As usual my responsibility is to take care of each patient in the ward. This man insisted that he required special attention from me. He was later on discharged but came back with his clothes torn saying that he was injured when some people attacked him in his house. I later came to realise that this was a trick as he would refuse further discharge from the hospital. He kept on insisting that he wanted me to be his wife and threatened to harm me if I wouldn't accept. He kept on intimidating me and one day he escaped from the hospital.

I reported this matter to the SGBV unit in the camp, who reported the matter to the police. The police took it lightly but when SGBV unit linked me with NOLA it was when the case was sent to court and this man was sentenced and released under conditional discharge on the ground that he is a disabled. I am not satisfied with this court decision as this man continues to threaten my life "

Name: Pili Najumunisa (Not real name)

Age: 24yrs

Sex: Female

Category: Non refugee

Location: Kumsenga, Kasulu

Type of SGBV encountered: Early marriage, early pregnancy, domestic violence, sexual exploitation, lack of maintenance.

"I was married at 16 years with a 30 years old man and became pregnant. We only stayed with this man for only a short while before he left me. I was forced to get married to this man because the relationship between my parents was so hostile that my father could not want to maintain the family though he was employed. My mother got ill and due to lack of care she later on passed away. We then remained with our father but he also got married to another wife. This woman could treat us in a very harsh manner. After one year she also experienced the same pinch from our father as she could also be kicked with her food thrown away, clothes burnt burning clothes, and chased out of the house.

Later on my father also passed away and I decided to leave the matrimonial home to our home village where I stayed with my grand mother. Since she was very old I was the one to take care of everything in the house including my grandmother. I therefore decided to engage in various income generating activities including petty business, manual work and other domestic works. My husband is no where to be seen, I only hear from other people that he is now married to another woman with two children.

Before his death my father was not happy with my marriage as I was still young. He told me never to seek any assistance from him in case of any problem. My grandmother is the one who encourages me as she tells me that, I should take this as a challenge move ahead.

I have not referred this problem to any legal entity and I don't feel like doing so because I know the legal system is so complicated".

Name: Mwaya Mahenge (Not real name)

Age: 19 years

Sex: Female

Category: Non-refugee

Location: Munibona, Kasulu

Type of SGBV encountered: Early pregnancy, Lack of maintenance.

"I was impregnated by my fellow student at 17 years when I was in form three. When I told him about this he denied to have been concerned. I decided to tell my teacher and eventually we were both of us expelled from school. However the boy was taken to another school by his parents and continued with studies while I was to remain at home and later on gave birth to a baby boy. But since I have no any source of income my living with my baby is currently so difficult. My father was very angry when I got pregnant, he sworn to provide any support neither to me nor my child and later on abandon the family and went to live with another woman in Kigoma. I have not referred this problem to any legal institute for support because I know such organizations are for people with power and money."

6 Annexes

6.1 References

1. Laws of Tanzania, Principle legislation (The Revised Edition of 2002) Volume 1
2. The Constitution of The United Republic of Tanzania of 1977

6.2 Types of the Organizations by Name of Respondents and Title and location

	Name	Title	Organization
Human Rights Watchdogs	Carmen Del Rosario	GBV Coordinator	IRC, Kasulu
	Mary Tunu Magalla	Legal Officer/Coordinator	NOLA, Kasulu
	John Ndabagoye	Translator	NOLA, Kasulu
	Rehema Hussein Msami	Legal Officer/Refugee Programme Coordinator	WLAC, Kasulu
Police	SP Yusuph E Sarungi	OC CID	Kasulu
	SSP Kihanya M. Kihanya	OCD	Kasulu
	Baraka Hongoli	Public Prosecutor	Kasulu
	Nagabona Charles	Police	Kasulu
Judiciary	Hon. Emmanuel Gasper Mrangu	District Magistrate	Kasulu
	Hon. Ang'ulo	Assistant District Magistrate	Kasulu
Health Providers	Fuhiel Mmari	Medical In charge	Mtabila I Hospital
	Mercy Boniface	Clinical Officer	TRCS, Kasulu
	Lusekelo David	Clinical Officer	TRCS, Kasulu
	Katanga Mwalula	Head SGBV Unit	Mtabila Hospital
	Georgina Kokuirwa	GBV officer	IRC
	Christne Kivuyo	GBV officer	IRC

6.3 SGBV reported, Kasulu Police Post (Jan 2008-April 2009)

	Date	Crime	Survivor	Perpetrator
<i>Year 2008</i>				
1	22/02/08	Rape	JENIPHA D/o YARAM MUHA, 21/2YRS	HILARY S/o GODWIN MUHA, 17YRS Farmer
2	03/03/08	Rape	ADELINA D/o LAURENT MUHA, 15YRS, Student Nyakitonto	JARED S/o JONAS MUHA, 17YRS, Farmer Kumsenga

	Date	Crime	Survivor	Perpetrator
3	02/03/08	Attempted Rape	VERONICA D/o KITUMBU MUHA, 50YRS Farmer Kumsenga	ANTONY s/o ALFRED MUHA, 20YRS Farmer Kumsenga
4	13/03/08	Rape	AGAPE D/o DAUD MUHA, 18YRS Student Kasangezi sec	DASTAN s/o DISMAS MUHA, 19YRS Kasangezi sec
5	04/03/08	Indecent Assault	LEONIA W/o ANANIA MUHA, 24YRS Farmer Mrufti	ANANIA s/o SEREMBA MUHA, 32YRS Farmer Mrufti
6	27/03/08	Sexual Harassment	ZENA D/o BAGITA MUHA, 27YRS Farmer Nyansha	SILVANUS s/o FABIAN MUHA, 21YRS
7	27/03/08	Rape	MARTHA D/o LAZARO MUHA, 14YRS Student Nkundutsi	EZROM s/o JUMANNE MUHA, 18YRS Nkundutsi
8	07/04/08	Sexual Harassment	VESTA D/o WILLSON MUHA, 30YRS Farmer Kidyama	ABEL s/o COSMAS MUHA, 35YRS Farmer Kidyama
9	01/04/08	Sexual Harassment	EMILIANA D/o ENOCK MUHA, 19YRS Farmer Msambara	TOYI s/o SONGA MUHA, 24YRS Farmer Msambara
10	09/04/08	Sexual Harassment	TEMINA w/o TUMAINI MUHA, 25YRS Farmer Mrubona	TUMAINI s/o MBINGWA MUHA, 30YRS Farmer Mrubona
11	05/04/08	Sexual Harassment	SIYAISHI D/o ALEX MUHA, 18YRS Farmer Ruhita	NTAMJE s/o ALEX MUHA, 25YRS Farmer Ruhita
12	16/01/08	16/Rape	BERTHA D/o JOSEPHAT MUHA, 13YR Student Kaguruki	ALLY s/o NASORO MUHA, 17YRS Farmer Kaguruka
13	21/04/08	Sexual Harassment	NEZIA D/o DISMAS MUHA, 50YRS Farmer Nyansha	THOBIAS s/o DISMAS MUHA, 25YRS Farmer Nyansha
14	21/04/08	Sexual Harassment	JULIETHA D/o NDENZAKO MUHA, 55YRS Farmer Marumba	HAMIS s/o NGOW MUHA, 40YRS Farmer Marumba
15	24/04/08	Sexual Harassment	LEOCADIA w/o HAMAD MUHA, 25YRS Farmer Bugaga	HAMAD s/o LUKOBA MUHA, 35YRS Farmer Marumba
16	24/04/08	Sexual Harassment	ADELA D/o ROBERT MUHA, 25YRS Farmer Msambara	LAMECK s/o EDWARD MUHA, 30YRS Msambara
17	04/05/08	Sexual Harassment	MAUA D/o JUMA MUHA, 25YRS Businesswoman	ALFAN s/o JUMA MUHA, 40YRS
18	05/05/08	Sexual Harassment	FLORA W/o SELEMAN MUHA, 30YRS Farmer Mwilamya	SELEMAN s/o SAID MUHA, 35YRS Mwilamya
19	21/05/08	Rape	KODIA D/o SAMSON MUHA, 20YRS Student Buyenzi sec	GIDEON s/o OBED MUHA, 23YRS Student Muyama sec
20	01/01/08	Rape	TUNU D/o SOLOMON MUHA, 17YRS Student Mrubona	ERASMUS s/o BENARD MUHA, 19YRS Student Mrubona
21	05/01/08	Rape	ZUWENA D/o HARUNA MUHA, 17YRS Student Nyansha	FRANK s/o CHACHA KULYA, 17YRS Student Nyansha
22	16/01/08	Rape	FATUMA D/o NDAGIYE MUHA, 25YRS Farmer Muzye	GABO s/o TEGANUYE MUHA, 35YRS Muzye
23	21/01/08	Rape	JESCA D/o MESHACK MUHA, 15YRS Student Mwibuye primary school	FRANK s/o ELISHA MUHA, 19YRS Farmer Mganza

	Date	Crime	Survivor	Perpetrator
24	24/01/08	Rape	SIWEMA D/o RAMADHANI MUHA, 20YRS Farmer Mnyegela	RASHID s/o IBRAHIM MUHA 24YRS Farmer Mnyegela
25	28/01/08	Attempted Rape	GIVENESS D/o BAUGUNELA @ TITUS MUHA, 16YRS Student Nyamnyusi	ISACK s/o AMOS MUHA, 18YRS Farmer Nyamnyusi
26	07/02/08	Rape	ZUWENA D/o SALEHE MUHA, 14YRS Student Mrubona	ALFRED s/o CLEMENT MUHA, 17YRS Mrubona
27	27/05/08	Rape	ELIZABETH D/o MATHAYO MUHA, 20YRS Farmer Buhoro	MAJALIWA RAPHAEL MUHA, 25YRS Farmer Buhoro
28	02/06/08	Rape	RITA D/o SHIMBA MUHA, 18YRS Student Muzye	YUDASI s/o SIMON MUHA, 18YRS Student
29	03/06/08	Rape	SOPHIA D/o ELIAS MUHA, 16YRS Student Rusesa	CALVIN s/o
30	09/06/08	Rape	MVUMILIA D/o NELSON MUHA, 20YRS Farmer Ndyanda	TITO s/o DISMAS MUHA, 22YRS Farmer Bugaga
31	18/06/08	Rape	PENDO D/o SAMWEL MUHA, 16YRS Student Mrubona	DANIEL s/o GABRIEL MUHA, 17YRS Mrubona
32	25/06/08	Sexual Harassment	JOVITA D/o GABRIEL MUHA, 28YRS Farmer Mganza	MEDANI s/o ERNEST MUHA, 28YRS Farmer Mganza
33	20/07/08	Rape	RUDIA D/o KIBANGO MUHA, 37YRS Farmer Kumsenga	GODLUCK s/o JOHN MUHA, 28YRS Farmer Kumsenga
34	07/07/08	Attempted Rape	LAWIZA D/o WILSON MUHA, 15YRS Std VII Student Mrubona	ERICK s/o WILLIAM MUHA, 28YRS Teacher
35	13/07/08	Rape	SAMIRA D/o TAIFA MUHA, 15YRS Student Kumsenga	CHARLES s/o EDWARD MUHA, 17YRS Farmer Kumsenga
36	20/07/08	Rape	CLAUDINE D/o NKURUNZIZA HUTU, 13YRS	NGENDAKUMANA s/o JEANMARIE HUTU 17YRS Mtabila Zone
37	15/05/08	Rape	MAGDALENA D/o FREDNAND MUHA, 16YRS Student Kasumo	CASTORY s/o KOLAD MUHA, 24YRS Farmer Kasumo
38	15/07/08	Rape	HAVIJAWA D/o ISSA MUHA, 13YRS Student Ahsante Nyerere.	KISANZA s/o MPENDA MUHA, 38YRS Ahsante Nyerere
39	01/08/08	Rape	ESELI D/o FRACIS MUHA, 14YRS Std VII Student Mwangi	MOSHI s/o HASSAN MUHA, 17YRS Farmer Mwangi
40	18/08/08	Sexual Harassment	MWAMVUA D/o SHABAN MUHA, 26YRS Farmer Mrubona	JUMANNE s/o NDIHAGATI MUHA, 30YRS Farmer Mrubona
41	04/08/08	Rape	DESIA D/o JUMA MUHA 14YRS Student Nyakitonto	CHRISTIAN s/o MADENGE 28YRS Mvidunda Nyakitonto
42	18/08/08	Rape	AISHA D/o ALLY MUHA, 14YRS Std VII Student Mrubona	ALLY s/o JOHN MUHA, 20YRS Farmer Mrubona
43	22/08/08	Rape	TUMAINI D/o JOEL MUHA, 16YRS Student Nyakitonto	BARAKA s/o RUDOVICO MUHA, 16YRS Primary school Student Nyakitonto

	Date	Crime	Survivor	Perpetrator
44	27/08/08	Rape	JACKLINE D/o ALISTIDE MUHA, 18YRS	MESHACK PAUL MUHA, 18YRS Kumsenga
45	20/05/08	Rape	NIYOMUGERE D/o ZIDONIA HUTU, 20YRS Refugee Mtabila	The survivor cannot recognize him
46	30/08/08	Rape	LUCY D/o LEONARD MUHA, 6YRS	SIMON s/o MUSANZE MUHA, 38YRS Muhunga
47	07/09/08	Indecent Assault	FLORA D/o MPUMAJI MUHA, 35YRS Farmer Kumsenga	PASCHAL s/o MGOZI MUHA
48	10/09/08	Sexual Harassment	ELINA D/o MTIBIKA MUHA, 28YRS Farmer Mrubona	JUMA s/o MABRUCK MUHA, 29YRS Farmer Mrubona
49	13/07/08	Rape	NIBITANGA D/o FREDIANA HUTU, 16YRS Student Mtabila	BERIL s/o
50	21/09/08	Rape	SALIMA D/o LUGAZE MUHA, 27YRS Farmer Kumsenga	She did not identify them, they were two
51	22/09/08	Indecent Assault	SIYA D/o MBONYE MUHAN, 28YRS Farmer Munzeze	SIYALE s/o MUHEZA MUHA, 24YRS Farmer Munzeze
52	22/09/08	Rape	SUSAN D/o SAMWEL MUHA, 18YRS Student Rusesa	HILALI s/o SALUM MUHA, 18YRS Farmer Rusesa
53	29/09/08	Rape	SIDORA D/o RICHARD MUHA, 19YRS Student Herushingo	YONA s/o HILALIO MUHA, 30YRS Farmer Herushingo
54	03/10/08	Sexual Harassment	VERONICA D/o KATUNZI MUHA, 22YRS Farmer Mrubona	HAMIS s/o JUMA @ MKUYU MUHA, 24YRS Mrubona
55	03/10/08	Rape	NEEMA D/o JONATHAN MUHA, 6YRS	1) ERICK s/o PILIMON 2) JOACHIM s/o MAYAULA
56	04/10/08	Rape	STUMAI D/o MOSHI MUHA, 14YRS Mrubona	NURU s/o EZEKIEL
57	15/10/08	Rape	PIYATA D/o MATA MUHA, 9YRS Student Kumsenga	TADEO
58	16/10/08	Rape	REBECA D/o EZEKIEL MUHA, 19YRS Mwilanya	MSETI
59	20/10/08	Rape	ANNA D/o BUJIJI MUHA, 29YRS Farmer Mrubona	GODFREY
60	26/10/08	Rape	REGINA D/o CHUBWA MUHA, 35YRS Bugaga	SAMSON s/o PANANA MUHA, 40YRS Bugaga
61	27/10/08	Rape	ELIZABETH D/o MASANGULA MUHEHE, 21YRS Mwilanya	GEORGE s/o MPESHA MHAYA, 25YRS Mrubona
62	13/11/08	Attempted Rape	TUMAINI D/o PETRO MUHA, 17YRS Farmer Nyantare	1) ODAS s/o MUSA 2) BOAZ s/o SABIGO
63	16/11/08	Sexual Harassment	DENISA D/o JOHN MUHA, 18YRS Farmer Mrubona	EMMANUEL s/o JOHN
64	25/10/08	Rape	MAILES D/o ENOS MUHA, 17YRS Std VII Student	MASHAKA s/o KIVUMBIKO

	Date	Crime	Survivor	Perpetrator
65	26/11/08	Rape	JACKLINE D/o MINANI HUTU, 10YRS Student Mtabila	MORRIS s/o EMMANUEL MUHA, 48YRS Farmer Shunga
66	11/12/08	Attempted Rape	MARIAM D/o CHARLES MUHA, 16YRS Student	FERIUAN s/o EDWARD
67	14/12/08	Sexual Harassment	JULIANA D/o WILBROAD MUHA, 46YRS Farmer Nyumbigwa	ALEXANDER s/o KWEZI
68	06/12/08	Rape	MONICA D/o STEPHANO MUHA, 8YRS Mrubona	MASUMBUKO s/o MZILA Denga
69	26/12/08	Sexual Harassment	PASCAZIA D/o TIBASHIMWA MUHA, 40YRS Farmer	GENERA s/o RASHID MUHA, 32YRS Mrubona
<i>Year 2009</i>				
1	25/01/09	Rape	ILABIKOZE D/o NGEZAHAYO HUTU, 12YRS Refugee Student	NZIGABAHILO s/o NOEL HUTU, 36YRS Mtabila
2	31/01/09	Attempted Rape	BERITA D/o POLI MUHA, 50YRS Farmer Kumsenga	PETRO s/o SAMWEL MUHA, 18YRS Farmer
3	29/01/09	Rape	VYUKUSENGA D/o FEUSTINE TUTSI, 16YRS Student	KWIZERA JOHN PETER HUTU, 25YRS Refugee Mtabila
4	21/01/09	Rape	ILANKUNDA FRANK HUTU, 16YRS Refugee Mtabila	NDAIKEZA s/o SIONED HUTU, 19YRS Refugee Mtabila
5	08/02/09	Attempted Rape	JOSEPHINA D/o MPOMONGO MUHA, 16YRS Farmer Hero juu	SUNGURA s/o DAMIANO MUHA, 22YRS Farmer Hero juu
6	27/12/08	Rape	SHAARIFA D/o MALIRUKU MUHA, 19YRS Student	MANYERERE
7	17/02/09	Attempted Rape	EDISA D/o GABRIEL MUHA, 18YRS Farmer Kimibwa	1) ADRIANO s/o EDWIN 2) STANFORD s/o YALLO
8	18/02/09	Attempted Rape	LEONIDA D/o DISMAS MUHA, 16YRS Student Muzye	MAJUTO s/o NTOLE
9	20/02/09	Rape	CLEMENCIA D/o DARUSHI SUKUMA, 9YRS Janda	1) ZABRON JONATHAN 2) ISMAIL s/o IDDI
10	02/02/09	Rape	MWANAIIDI D/o DARUSHI SUKUMA, 16YRS Student Kumsenga	NGILANTE s/o WILLIAM
11	09/03/09	Indecent Assault	JANE D/o NICHOLAUS MNYAMBO, 29YRS Mrubona	NICHOLAUS s/o ILATUNZI
12	7/03/09	Rape	SINDABAKILA D/o MADYUNGU MUHA, 65YRS Farmer Muhunga	JUMANNE s/o NDOLEZI MUHA, 25YRS Farmer Muhunga
13	12/03/09	Rape	FURAHA D/o STAFFORD MUHA, 19YRS Secondary school Student	HAMIS s/o KAHOGUTA
14	01/04/09	Rape	JENITA D/o EMMANUEL MUHA, 16YRS Student	GOFREY s/o JUSTNE
15	27/04/09	Rape	JESCA D/o RAPHAEL MUHA, 12YRS Student Mrubona	FULE s/o

6.4 SGBV Indicators 2008

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Number of rape survivors in health centres	0	0	1	0	0	0	0	0	0	1	0	0
Number of female health survivors given ECP within 120hours	0	0	1	0	0	0	0	0	0	0	0	0
Number of rape survivors given PEP within 72hours	0	0	1	0	0	0	0	0	0	0	0	0
Number of rape survivors given STI presumptive treatment <2weeks	0	0	1	0	0	0	0	0	0	1	0	0
Number of cases of trauma in health centres due to Domestic violence	0	0	1	0	0	0	0	0	0	0	0	0

6.5 Mtabila SGBV indicators 2009

	JAN	FEB	MAR
Number of rape survivors seen in health centres	0	0	0
Number of female rape survivors given ECP within 120hours	0	0	0
Number of rape survivors given PEP within 72hours	0	0	0
Number of rape survivors given STI Presumptive treatment <2weeks	0	0	0
Number of cases of trauma in health centres due to domestic violence	0	0	0

6.6 IRC (1) KASULU GBV Department: Cases management 2009

	JAN		FEB		MAR	
	M	F	M	F	M	F
Rape case	0	0	0	0	0	0
Attempted rape	0	0	0	0	0	0
Sexual Harassment	0	0	0	0	0	0
Early Marriage	0	0	0	0	0	0
Domestic violence	0	4	1	2	0	5
Non GBV	0	3	2	4	0	0
Other GBV	0	0	0	0	0	0
Local tribunal GBV	0	0	0	0	0	0
Local tribunal non GBV	0	0	0	0	0	0
Teenage pregnancy	-	0	-	0	0	0

Source: IRC, Mtabila-Kasulu