



African Philanthropy Network
THE VOICE AND ACTION FOR AFRICAN PHILANTHROPY



VOICE FROM THE WOMEN LAWYERS IN TANZANIA ON THEIR RESPONSE TO THE IMPACT OF COVID 19 PANDEMIC TO THE MARGINALIZED GROUPS



1.0 About TAWLA

Tanzania Women Lawyers Association (TAWLA) was formerly registered under the Societies Act, Cap 337 in 1990 mainly as a guild to promote and advance women's legal and constitutional rights, and this still stands to date. Following changes in the legal framework where organizations working with the community had to comply with the Non-Governmental Organization Act, Cap 56 and its amendments made vide the Written Laws (Miscellaneous Amendments) (No.3) Act, 2019, TAWLA status shifted from an association to a Non-Governmental Organization (NGO) as of July 2019. The aims and objectives of TAWLA are; to advocate for gender equality and promote human dignity and gender justice through policy, legal and institutional reforms, community action, and media engagement. The organization operates in Tanzania Mainland, and its headquarter is in Dar es Salaam. It is a women lawyers-only membership association.

The APN collaborated with TAWLA, one of its members in conducting the FGD that was held on the 14th June 2022 in the TAWLA Offices in Dar Es Salaam Tanzania. The collaboration has the potential of establishing a long-term engagement in advocating for issues affecting CSOs enabling environment in Tanzania. This event provided an opportunity to hear from women lawyers on how they responded to COVID 19 pandemic and its related policies.

2.0 Background Situation

Like any other African country, Tanzania was not spared from the COVID 19 pandemic. The impacts of the COVID 19 pandemic were felt in all economic spheres. Most African governments decided to apply measures like the lockdown. The Government of Tanzania (GoT) chose not to implement a lockdown because that would have restricted public access to health services, especially for patients with chronic conditions like tuberculosis and HIV infection. In settings like Tanzania, significant burdens of infectious and non-infectious diseases would have had severe effects. Lockdown might have also prevented citizens from working, affecting households' ability to afford food or health care, and pushing more people into poverty. As the pandemic continued ravaging the world, communities started to fear the pandemic and its lethal extents. COVID-19-related news was censored as misinformation or disinformation. The GoT made the distribution of non-official statistics a criminal offense. The Government released a list of competent authorities from the Ministry responsible for Health to educate the public about COVID-19. Issued a directive that all media should source information from the Ministry. Multiple individuals were arrested and fined for spreading unauthorized knowledge about COVID-19.

For Tanzania, the Government adhered to some World Health organization policies like social distancing, hand washing, mask-wearing, and a mandatory quarantine for foreigners and those coming from abroad. Tanzania also closed its border with Kenya. Long vehicle drivers needed to be tested before entering a neighboring country and returning to the country. Mandatory testing was put in place when entering government offices, hospitals, and other public buildings. Schools, colleges, and universities were closed and re-opened after three months. These policy measures, in one way or another, affect the community and the women lawyers.

3.0 The Purpose and Objectives of the FGD

The purpose of the FGD was to reveal how women lawyers in Tanzania were engaged in formulating and adopting policies and regulations set by the state to address challenges brought by COVID-19, and what strategies did

they use that can be adopted in ensuring adequate support to the marginalized and vulnerable groups in dealing with similar pandemics in future (see the agenda in Annex 1). The objectives of the FGD included the following:

- a. To share experiences and gain knowledge on how policies put in place by the state impact the women lawyers and TAWLA as an organization in times of COVID 19.
- b. To understand and document innovations and opportunities that emerged when addressing the challenges brought by the COVID-19 pandemic and
- c. To document strategies used and adopted by women lawyers in responding to the pandemic.
- d. To learn how women lawyers/legal and TAWLA are currently doing to build community and country-level resilience for dealing with possible future crises and pandemics.

4.0 Participants

The FGD drew its participants from members of TAWLA, who included senior attorneys, young lawyers working with their legal aid clinic, and private practitioners working with advocate firms. The FGD participants were selected through the TAWLA advert on the first-come, first-serve process. From the process, the line crossed to the first registered women attorneys. Two former TAWLA chairpersons had the opportunity to register and attend the FGD session. The main characteristic of the participants were the practicing attorneys, both young professionals and senior women lawyers. Therefore, in the FGD discussion, we got views of the young and senior women lawyers. The FGD was co-moderated by Mr. Good Chance Mariki, Renatus Luhunga, and Scholastica Jullu. The latter was also responsible for the documentation of FGD proceedings. The list of participants is attached in Annex 2.

5.0 Participants' Expectations

When asked what do they expect from participating to the FGD, participant's raised expectations were clustered into the following groups:

- Share their experience with COVID 19 pandemic response
- Know what is philanthropy
- Forge working relations with the APN
- Share strategies used to respond to COVID 19 pandemic and
- Learn about COVID 19.

6.0 The Discussion

Analysis of the discussion on questions raised can be summarized as follows:

<p>How do women lawyers and TAWLA formulate or adopt policies put by the state in addressing the</p>	<p>In responding to the question, participants stated that there were no nationally enacted policies or regulations in response to the COVID 19 pandemic in Tanzania. Instead, an ad-hock kind of guidelines was implemented by following the World Health Organization COVID 19 pandemic guidelines. The government has been silent on the coronavirus with a strong politic of denial and no data released to the public on infections or deaths. Participants stated that there is no specific policy to</p>
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<p>challenges of the COVID-19 pandemic?</p>	<p>address or deal with pandemics in the country. Due to the COVID 19 pandemic shock, the government issued guidelines without stakeholders' engagement. Therefore, TAWLA has not engaged in any formulation of COVID 19-related policies at the national level. At the organization level, TAWLA issued COVID 19 guidelines for the staff and its membership.</p>
<p>How did policies put in place by the state impact the women, including women lawyers, in times of COVID 19?</p>	<p>Following World Health Organisation (WHO), the Ministry of Health, Community Development, Gender Elderly, and Children Tanzania issued a guideline with strong actions to slow the spread of the disease. These actions included travel restrictions and bans, tracing contacts, handwashing, social distancing, and school and university closure. For TAWLA, some of these measures affected their work. TAWLA's main stay is access to justice through legal aid services provision and policy advocacy. Measures put in place to slow the spread of the COVID 19 pandemic caused TAWLA to limit the extent of the provision of legal aid services, thus making many women and children in need of legal aid services not access those services.</p> <p>As an organization, the pandemic necessitated changes in working norms, including starting work from home, reviewing work plans and budgets in line with donors' requirements, and wearing masks at work. Further, the operating environment had changed a bit, where compliance with COVID 19 directives from the Ministry of Health, Community Development, Gender Elderly, and Children was mandatory and the driving force for reviewing the organization's workplace. However, COVID 19 forced the organization to be innovative, and several online communication platforms were utilized and preferred over physical meetings. This new norm has helped TAWLA continue project implementation despite COVID 19 challenges.</p> <p>For women attorneys representing their clients in court, cases were postponed because the court could not conduct a hearing. Even though the court case calendar continued to be issued, the actual hearing never occurred for civil and criminal cases. For criminal cases, women lawyers supporting those with criminal cases failed to access their clients due to the ban not allowing contact with remand prisoners. Women attorneys representing indigent people with civil cases also face frequent adjournments of their cases. Though the government did not restrict movement, the COVID 19 pandemic created fear and panic for TAWLA and women.</p> <p>For women and lawyers, the pandemic created a sharp economic and social inequality for women attorneys with more prominent firms and young women lawyers who could not afford to get clients. The situation was terrible to other women, specifically those exposed to domestic violence. Due to the pandemic, TAWLA was not able to serve them. The women were scared of being infected and thus opted to stay with their abusers, and TAWLA could not reach them. However, through a media awareness program, TAWLA was able to educate women on the impacts of domestic violence and how to protect themselves from COVID 19.</p>

	<p>The pandemic caused women's legal practitioners' businesses to slow down due to economic strife. Without exception, women lawyers found themselves burdened by providing services to the sick in their homes, and some became family caretakers. Economically, all women, regardless of their status, were affected. Though women in other sectors worked from home, the lack of internet connectivity reduced their productivity.</p>
<p>What strategies are used by women lawyers to engage and support the marginalized community in response to COVID 19?</p>	<p>TAWLA and other women lawyers played a significant role in making society understand the spread of the COVID 19 pandemic and its preventive measures. The group reported using the following strategies:</p> <ul style="list-style-type: none"> • Awareness creation: TAWLA increased innovative use of social media to engage communities and the public. TAWLA used a combination of online and offline messages to share COVID 19 pandemic preventive messages to the public. <p>Also, specific messages were designed on COVID 19 and gender-based violence and disseminated to the public.</p> <ul style="list-style-type: none"> • Joined solidarity and coalition of intent with CSOs like the Foundation for Civil Society (FCS), Legal and Human Rights Centre (LHRC), Legal Services Facility (LSF), etc., and contributed five million (5,000,000) Tshs to the national COVID 19 pandemic to support government response to COVID 19 fund led by the Prime Minister. • TAWLA members worked with Cashew Processing Plant, where most employees are women, and helped the employer avoid reducing staff during the COVID 19 pandemic. TAWLA members negotiated with the employer through online meetings and succeeded. • Provision of legal aid services to 6405 disadvantaged women. Services provided included drafting court documents, court representation, legal education, and legal advice. Though they feared for their lives, women lawyers continued to provide legal assistance to women and girls victims of gender-based violence. TAWLA conducted legal rights awareness through radio sessions, community dialogues, and court representation. • Supported two disadvantaged pregnant women in Dar es Salaam to obtain health insurance that facilitated her to receive health services, and • TAWLA members collected and distributed COVID 19 preventive gears like mask, sanitizers, water basket, and other necessities like food to the needy communities.
<p>What Innovations emerged in response to challenges brought by COVID 19 pandemic?</p>	<p>The most innovation used by TAWLA in responding to COVID 19 pandemic is the use of both online and offline modes of sending educative messages through SMS to the community. The SMS was designed to reach women and girls at home and the general public. The use of online working mode, specifically the virtual meetings via zoom, helped needy people to access court services. Advocates started using online court services to represent their clients or adjourn their cases.</p>

	<p>TAWLA and its members adhere to COVID guidelines as the Ministry of Health issued, for example, wearing a mask, social distancing, and washing hands. Also, TAWLA made the community aware of the importance of wearing masks, washing hands, and adhering to social distancing.</p> <p>TAWLA also changed the operating mode and recruitment policy to accommodate physical and remote working. The procedure requires the human resource officer and TAWLA, in general, to consider both physical and remote working applicants. The policy is helpful as it creates a new model and norm for working within TAWLA.</p> <p>Both remote and physical staff could be employed and render their services to TAWLA. TAWLA can remotely or virtually engage with members, partners, and other stakeholders. For example, in the 2022 Annual General Meeting of members, TAWLA used both options in conducting the meeting. The policy simplifies TAWLA - member engagement as those who could not physically meet can join and participate in a particular organized event.</p>
<p>What support do you provide as an individual and as an organization where you belong in response to challenges brought by the Covid-19 pandemic? Please mention.</p>	<p>Women lawyers and TAWLA, in general, provided a lot of support to the community in times of the COVID 19 pandemic. As individuals, they contributed food and time to care for needy families. Being a lawyer does not spare them from their traditional role of caring for the sick and those recuperating from the pandemic. As an organization, they flexibly donated four million (4,000,000/=) funding that was used to cover for health insurance of two women in need of health services and negotiated with the hospital for cost reduction.</p> <p>The participants also reported their role in strengthening women's income generation groups like Village Community Banking (VICOBA) and TAWLA member engaged with VICOBA as members. As an organization, they mentor more than 15 women VICOBA groups. VICOBA savings is one of the modes for sustaining women in future pandemic-related events. In a real sense, the pandemic stated to improve the culture of saving for both rural and urban. Unlike in the past, TAWLA members lead in contributing and educating women to join self-help and income-generating groups.</p>

7.0 The Analysis of strengths, weaknesses, threats, and opportunities

In the plenary, participants conducted a deep reflection of the situation, and identify the following:

<p>Strengths</p> <p>Notable strengths stated by the FGD participant included recognizing their access to justice programs by the state and their ability to represent their clients through limitations during the pandemic. Despite scaring for their lives, TAWLA and women lawyers continued to render their legal services to those in need.</p>	<p>Weaknesses</p> <p>Lack of pro-activeness on the part of TAWLA in making follow-up on policy issues related to the COVID 19 pandemic is a significant weakness on the part of TAWLA and women lawyers in the country.</p>
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<p>The ability to create awareness on how community members could protect themselves from the pandemic is also a strength stated by the participants.</p> <p>The pandemic unified families and social groups and created supportive mechanisms within the community</p>	<p>The organization is reluctant to criticize the Government when it comes to COVID 19 pandemic policies put in place and their impact on women.</p>
<p>Opportunities</p> <p>Increased use of technology like online meetings, and TAWLA could implement most of its planned activities online.</p> <p>Increased opportunities for fundraising and collaboration with other CSOs to deliver coordinate community support.</p> <p>Organization's innovative use of social media for awareness creation, working, and saving their clients.</p> <p>Creation a flexible policy that changes the operating mode by creating remote and physical work.</p> <p>Increased the marketability of some farm produce like lemons and masks and benefited people by increasing their income.</p> <p>Helped more women to start taking health precautions.</p>	<p>Threats</p> <p>COVID 19 pandemic was a threat as it created fear and panic for TAWLA and women.</p> <p>It changed the usual way of living and made people more conscious about their health.</p>

8.0 Recommendations

Participants were provided with an opportunity to propose what should be done to increase resilience of the organization to respond to crises and future pandemics. Below is the list of their suggestions:

- Develop a national emergency response policy. The policy needs to be known to the general public and help get prepared. Also, the policy needs to have a component of awareness creation about crisis/pandemic response.
- Invest more in science and technology that will have a basis for determining diseases.
- Invest in economic relief packages to rehabilitate the downsizing economy at national and individual levels.
- Have tax incentives for highly COVID 19 impacted organizations/businesses.
- Improve and increase community access to clean water and medicine.
- Create incentives for rural children at times of future pandemic or crisis to continue schooling by going digital/using the online system.
- As women, engaging men and making them effective in information sharing at the family, community, and national level. Engagement of both men and women in responding to future related pandemics is necessary. and
- Recognition of women's contribution to the COVID 19 response and the national economy will add value and prepare them for future pandemic responses.

9.0 Actions and the Way Forward

At the plenary, the facilitator asked the FGD participants to state what they see as future strategies for the future? FGD participants discussed the question during the plenary sessions, and the FGD raised the following points: The FGD participants were determined to actively engage policymakers in formulating policies regulating future pandemics and crises.

- Strengthen ICT use and encourage women to use it specifically for those with smartphones to seek educative sessions.
- Strengthen collaboration and solidarity by working together to overcome future pandemics.
- Forge working cooperation with the APN, to learn more about African philanthropic giving
- Invite each other in future activities.