

# **EVALUATION REPORT**

**PROJECT REVIEWED: GLO-05/274-22 – ACCESS JUSTICE AND  
EQUALITY FOR WOMEN AND CHILDREN IN THE  
KILIMANJARO REGION, TANZANIA**

**PERIOD FOR THE PROJECT REVIEW: 2005-2007**

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# TABLE OF CONTENTS

<b>1. EXECUTIVE SUMMARY</b>	<b>5</b>
<b>II. INTRODUCTION</b>	<b>6</b>
<b>A. Project Identifiers</b>	<b>6</b>
1. Objectives	6
2. Programmes	7
(a) Human Rights and Gender Education	7
(b) Strategic Legal Aid Services	7
(c) Lobby and Advocacy	7
<b>B. Evaluation Objectives and Scope</b>	<b>7</b>
<b>C. Methodology</b>	<b>8</b>
<b>D. Limitations of the Evaluation</b>	<b>8</b>
<b>III. KEY FINDINGS</b>	<b>9</b>
<b>A. Relevance of the Project</b>	<b>9</b>
1. The project is very relevant	9
2. There is need to reach out to more members of the communities in the awareness campaigns	9
3. KWIECO needs to find its competitive niche	10
<b>B. Most Successful</b>	<b>10</b>
1. Empowerment of Women in Kilimanjaro Region	10
(a) Increased knowledge on women’s rights	10
(b) Increased access to justice through counseling and litigation	10
(c) Women have more access to justice systems at the local levels	10
(d) Reduced domestic violence against women	11
(e) Entrenching Human Rights Respect	11
2. Use of innovative mechanisms for resolving disputes	11
3. Use of Primary Schools and Youth clubs	12
4. Youth Festivals	12
5. Raising Awareness	12
<b>C. Least Successful</b>	<b>13</b>
1. Absence of follow up mechanisms particularly in awareness raising and counseling activities	13
2. Weak Counselling and Legal Aid Activities are at District Levels	13
3. Sustaining Children’s Rights Clubs	13
4. Holistic addressing of legal rights in a context of a resource challenged community	14
5. Rights of the Girl Child not sufficiently emphasized on	14
6. Newsletter is in language that few beneficiaries understand	15
7. Absence of benchmarks and indicators for success	15
8. Absence of capacity to carry out research to support advocacy and lobbying programmes	15
<b>D. Achievement of Project Objectives and Results</b>	<b>15</b>
1. KWIECO Programmes	15
(a) Human Rights and Gender Education	15
1. <i>General Activities</i>	15
2. <i>Children’s Rights activities</i>	16

3. Mechanisms for Empowering Beneficiaries _____	17
4. Capacity to implement _____	17
(c) Strategic Legal Aid Services _____	18
1. Counseling _____	18
2. Mechanisms for Empowering Beneficiaries _____	18
3. Capacity to implement _____	19
(d) Litigation and Documentation _____	20
(c) Lobby and Advocacy _____	21
1. Mechanisms for Empowering Beneficiaries _____	22
2. Capacity to Implement _____	22
2. Networking and Partnerships _____	23
(a) NGOs/CBOs _____	23
(b) Religious Organisations _____	23
(c) Media _____	24
(d) Local Government _____	24
(e) Government _____	24
(f) Private law Firms in Moshi _____	25
<b>E. Institutional Arrangements _____</b>	<b>25</b>
1. KWIECO Structure _____	25
(a) Governance _____	26
(b) Management _____	26
1. The Organisation _____	26
2. Multiple Roles of Top Manager _____	27
3. Programme Coordination and General Management _____	27
4. Human Resource Management _____	28
5. Incentives and Motivation _____	28
(c) Financial Base _____	29
(d) Capacity building _____	29
1. Resource Mobilisation _____	29
2. Programme Planning, Implementation and Monitoring _____	30
3. Support Staff _____	30
4. KWIECO & JURK _____	30
(a) Funding _____	30
(b) Administration _____	31
(c) Communication _____	31
(d) Mutuality and Participation _____	31
<b>IV. IMPACT AND SUSTAINABILITY _____</b>	<b>32</b>
<b>A. Impact _____</b>	<b>32</b>
<b>B. Sustainability _____</b>	<b>32</b>
1. Ownership _____	32
2. Follow up _____	33
3. Financial _____	33
4. Plans for Long-term sustainability _____	34
<b>V. CONCLUSION _____</b>	<b>34</b>
<b>VI. ANNEXES _____</b>	<b>35</b>
<b>A. Programme Activities _____</b>	<b>35</b>
<b>B. Children Legal Services - July - December 2007 _____</b>	<b>37</b>
<b>C. Summary Report on Activities for Children Legal Service - 2005 -2007 _____</b>	<b>37</b>

<b>D. Evaluation programme</b>	<b>38</b>
<b>E. Terms of reference</b>	<b>41</b>
<b>F. List of People Interviewed</b>	<b>44</b>

## **1. EXECUTIVE SUMMARY**

This report comprises an evaluation of KWIECO conducted between June and July 2007. The evaluation team comprised of Professor Patricia Kameri-Mbote and Kokuteta Mutembei. It was commissioned by one of the funding organizations (JURK) to guide future collaboration between KWIECO and JURK. Its main findings are:

- The project continues to be very relevant in the Kilimanjaro region where there are no other legal aid organization targeting women and children. It should be improved and continued.
- The project has contributed greatly to the empowerment of women and children in the Kilimanjaro area; created awareness and enhanced knowledge on women's rights; increased access to justice through counseling and litigation; reduced domestic violence against women; and entrenched respect for human rights.
- The project has brought children to the fore as champions of their own rights through youth clubs and youth festivals.
- KWIECO still needs assistance to sustain its activities; build its capacity to carry out the work; institutionalise and build an identity as an organisation; develop management policies and streamline management functions; attract and retain competent staff; follow up and sustain activities; carry out research and lobby activities; mobilise resources from a broader range of funders and disseminate information on rights to a wider audience.
- The relationship between JURK and KWIECO needs to be more synergistic to facilitate learning from each other and not only a donor-grantee relationship.

The report is divided into six parts. Part II comprises the introduction which provides an overview of the project, its objectives and programmatic focus. It also lays out the evaluation objectives and the methodology used in the evaluation and the limitations of the evaluation. Part III lays out the key findings on the relevance of the project; the most successful and least successful activities; achievement of project objectives and results; networking and partnerships; and institutional arrangements focusing on KWIECO and relationship between KWIECO and JURK. Part IV deals with impact and sustainability while Part V is a brief conclusion. Annexes are provided at Part VI.

## **II. INTRODUCTION**

Kilimanjaro area has the following issues that provide the context within which interventions on women's rights are carried out:

- a. Early pregnancy for school children
- b. Children being forced to wed against their will.
- c. Low economic power to educate.
- d. Non-recognition of women's rights due to the patriarchal nature of the society. For instance, women have no right to possess land, livestock and house. This denies the rights to critical resources that are necessary for livelihoods. It also results in non-enjoyment of rights by women even where these are provided for by law; gender inequality and inequity between men and women culturally and traditionally.

The cultural conditions in Kilimanjaro have warranted the need for active engagement of communities in taking action against discriminatory and abusive practices facing women and children. The culture in limits the participation of women in decision making, ownership of property (whether matrimonial, inheritance or individual property) and restricts women to speak against abusive practices committed by male members of the community. It also limits the participation of children in decision making at household level.

### **A. PROJECT IDENTIFIERS**

The *Access to Justice and Equality for Women and Children in the Kilimanjaro Region* Project (GLO – 05/274-22) began in 2005 and is coming to an end in 2007. The area to be covered by the project includes the following districts: Moshi Rural and Moshi Urban; Hai, Rombo, Same and Mwanza. The target groups of the project are:

- a. Primary: Women Children and Marginalised Men)
- b. Secondary: Facilitators at district level and at KWIECO; community leaders, other men, local government leaders, religious leaders, traditional leaders, police among others

#### **1. Objectives**

It was intended to broadly:

- Provide an opportunity for inter-organizational familiarization with a view to sharing ideas on areas of interest between JURK and KWIECO; sharpening ideas and laying the basis for future plans
- Facilitate access to equality and justice for poor and marginalized people especially women and children through legal aid and counseling and litigation (marginalized men)
- Promote human rights culture in Kilimanjaro region by influencing change of attitudes and practice that encourage gender inequality
- Target youth specifically
- Lobby and advocate for reform of oppressive and discriminatory customary laws with other networks

## **2. Programmes**

The project supports three programmes namely: Human Rights and Gender Education; Strategic Legal Aid Services and lobby and advocacy.

### **(a) Human Rights and Gender Education**

The goal of the Human Rights and Gender Education programme is to promote respect and make people aware of legal rights, human rights and gender issues; and influence practice that encourages gender inequality. The activities proposed under the programme were:

- Conducting seminars, awareness campaigns: 18 sessions; 3000 participants
- Producing leaflets, posters, handouts, brochures, newsletters, radio and TV programmes, training programmes: 8,000 publications; 50 radio programmes; 6 TV programmes
- Conducting legal counselling: 15 counsellors in 5 districts; 6 counselling sessions per week
- Conducting youth campaigns on human rights: 18 clubs
- Learning from programme

### **(b) Strategic Legal Aid Services**

The goal of this programme is to get poor and marginalized people to access justice and fight for equal rights by providing strategic legal services and monitoring legal administrative systems. The activities proposed under the programme were:

1. Providing legal counselling to all districts: 6 per week using 15 counsellors
2. Providing legal aid services through litigation: 20 cases to be filed
3. Performance review and monitoring of judicial system to identify gaps
4. Training paralegals and human rights monitors: 60 in all 6 districts
5. Learning from programme

### **(c) Lobby and Advocacy**

The goal of the programme is to lobby for reform of oppressive laws. The activities proposed under the programme were:

1. Researching issues/ and identifying case studies for law reform as a result of legal counselling and court precedents: 2 Research issues per year
2. Conducting campaigns for reforms/ lobby campaigns: 2% of oppressive laws to be amended
3. Compiling and analysing data and sharing it with networks (Networks of common vision to work to change society)

## **B. EVALUATION OBJECTIVES AND SCOPE**

KWIECO has received support from JURK and NORAD through FOKUS, Forum for Women and Development since 2005. This evaluation will be used to determine whether the cooperation between JURK and KWIECO will continue. The evaluation addresses the following issues:

1. The impact of the project on the situation of women
2. The achievement of the goals of the project

3. KWIECO's organization of the project and long term planning for sustainability
4. The cooperation between KWIECO and JURK

## **C. METHODOLOGY**

The evaluation was carried out using the following methods:

1. Review of literature- Desk and literature research: internal documents of KWIECO and relevant literature of the respective fields.
2. Conducting open-structured interviews using the ToR as a guideline with the following groups:
  - (a) The staff of KWIECO individually and as a group (Management, Programme, Support and Volunteers). This was to understand about: The programme work; Cooperation with the partners; the funding base of the organisation (role of other donors); and Progress/opportunities on the one hand and what kind of challenges/problems on the other hand they see in their work.
  - (b) Representatives of the different cooperation/network partners. In these interviews we gathered information about the respective organisation, its structure and its modus operandi; its cooperation with KWIECO; areas in need of improvement; and gender mainstreaming and value addition by KWIECO in network activities.
  - (c) Target groups and key informants
3. Participatory interaction using workshops, with KWIECO to establish the basic grounding for the evaluation, community groups, children, community leaders and partner organisations to get a comprehensive overview of the activities of KWIECO organisation and to share the preliminary results of the evaluation with KWIECO, JURK and their partners.
4. Field Visits which provided an opportunity to observe activities on the ground.

## **D. LIMITATIONS OF THE EVALUATION**

The time for the evaluation was short and the evaluators were unable to travel to Rombo District where the programmes had started much earlier and there would have been more results visible on the ground. We were only able to interview one board member physically and had to interview the other one on phone because she could not be available in Moshi during the evaluation period.

Additionally, the evaluators had to meet some informants as groups instead of as individuals. For instance, we met the following in groups: network partners; litigation and counseling clients. This may have limited the space for these informants to freely air their views.

### **III. KEY FINDINGS**

#### **A. RELEVANCE OF THE PROJECT**

##### **1. The project is very relevant**

Looking at national context, KWIECO's work positioning in Tanzania in general and the Kilimanjaro region specifically is very strategic and important. Tanzania, like many countries in the region has put human rights and gender issues in the forefront of its official agenda. It has signed major international human rights instruments including the United Nations Convention on the Elimination of All forms of Discrimination Against Women and the Convention on the Rights of the Child. Government policy is to facilitate the protection, promotion and respect of these rights. Practice is however impacted on by the nature of the society. There are very strong and pervasive patriarchal and religious structures which perpetuate male dominance. These need to be engaged in the quest for human rights respect and gender equality. In the circumstances, government efforts need to be augmented by non-state actors working in close cooperation with the local government as well as other government functionaries. KWIECO's work is very strategic and necessary in this regard.

The main issues affecting women and children in the Kilimanjaro region are lack of rights to own and inherit land which is the main means of production in the region, absence of protection of rights in matrimonial contexts and upon dissolution of marriage even where they contribute to the development of the property and perform many roles related to provision for the family, wife inheritance, early marriages for girls, female circumcision, physical and sexual violence against women and girls, absence of rights to participate in local and household decision-making processes for women and girls, child labour and the HIV and AIDS pandemic. The demand for legal aid is high and increasing as people become aware of their rights. Many people see KWIECO as providing a service not provided by any other body. Many people told the evaluators '*Mama Minde ni mwokozi wetu*' (literally translates into Mama Minde is our saviour) which reflects the centrality of the work being done by KWIECO.

##### **2. There is need to reach out to more members of the communities in the awareness campaigns**

The absence of formal structures supporting children and women in the community and the perception of women as minors and female children as voiceless and not capable of enjoying rights to property and to decision-making makes this need all the more urgent. Besides, mechanisms at the local government level lack capacity to protect rights of women and children. The women in Kilimanjaro lack support services and KWIECO has helped them access legal services. The demand for their services is growing and this requires strategic thinking to focus on areas where they are most competent and likely to achieve maximum impact.

### **3. KWIECO needs to find its competitive niche**

There is thus need to strengthen legal structures at district and community levels – land tribunals and marriage reconciliation boards. In this context, KWIECO needs to find its competitive niche and stick to it to avoid being thinly spread out or carrying out activities that overstretch their capacity. Rather than working in all districts, it should establish its presence in some strategic districts and work there spreading to other districts as they build capacity for established programmes to proceed without the need for close supervision by or involvement of KWIECO staff.

## **B. MOST SUCCESSFUL**

### **1. Empowerment of Women in Kilimanjaro Region**

Women in areas covered by KWIECO know their rights even where they cannot enforce them. KWIECO cannot represent all women but it empowers those that it cannot represent to prepare submissions and prepares them to argue their cases. This has resulted in:

#### **(a) Increased knowledge on women's rights**

Women have increased knowledge pertaining to their rights to participate in ownership of property, including their rights to inheritance, matrimonial rights and political rights. It is evident from the districts that women are able to articulate about what their rights are. However, the space to exercise these rights is still limited.

By educating people on the need for and promoting the writing of wills and, KWIECO has protected the rights of women and children especially in instances of deaths related to HIV and AIDS.

#### **(b) Increased access to justice through counseling and litigation**

Many women have accessed counselling sessions since the beginning of this programme. Counselling provided has been both legal and psychosocial, thus providing both knowledge on legal procedures and at the same time builds confidence and ability of women to express to demand their rights. Women who have received counselling are able to influence and educate other women in the community about their rights though there is still resistance on the part of majority women and men to change discriminatory practices.

There is greater protection of women and children because of enhanced awareness of rights fear of being taken to court, community awareness and more collective community vigilance against incidents of violence against women and children. There are even cases in which women have inherited land as a consequence of intervention by KWIECO.

#### **(c) Women have more access to justice systems at the local levels**

Women are now aware of the justice systems existing in their localities. Even though there are complaints regarding the patriarchal attitude of the functionaries in these institutions, women have recorded better access to these systems after interventions by KWIECO educating the local leaders who man these facilities. For instance, by educating the local tribunals on their jurisdiction and mandate, KWIECO has facilitated access to justice for

women in instances where these lower tribunals would have decided against them in contravention of law.

Women are also using courts more in a context where people fear court processes and taking spouse, family or clan members to court is uncommon. Having more women doing it creates support mechanisms where threats to disown the women by the family and clan are real. They are more confident to challenge discriminatory practices because of KWIECO support and existence of group support.

#### **(d) Reduced domestic violence against women**

Women challenge patriarchal systems and men are afraid to abuse women because women now know that if they are physically abused, their spouses would be liable to court action. Women are more confident to challenge discriminatory practices because of KWIECO support and existence of group support among women. Men speak of their fear to engage in physical violence with their spouses. Currently, problem in many of the districts seems to be psychological violence, where the man ignores his wife and children and does not provide essential family needs such as food, clothing and medical care.

#### **(e) Entrenching Human Rights Respect**

KWIECO has contributed to the universalisation of the respect for human rights and gender equality in a complex environment and within a diverse and highly patriarchal community. Going to KWIECO is perceived to be synonymous with enforcing human and women's rights. Some women are now participating in politics and some have even succeeded in getting positions through the election route. For instance, the Vice Mayor of Moshi is a woman and it is not unusual to have women articulating positions in decision-making structures at local government and household levels and carrying their own agenda at such forums. Further, children are able to express their needs and the need for protection of their rights to their families, teachers and the broader community. This has in turn provided a forum for community monitoring and reporting violations of human rights and teachers reporting violations of children's rights that come to their attention.

By working with other NGOs, CBOs, the churches, police and others, KWIECO has also contributed to the creation of networks for the promotion of human rights. Working with the media has particularly enhanced and improved media coverage of human rights and gender issues.

### **2. Use of innovative mechanisms for resolving disputes**

KWIECO has encouraged alternative dispute resolution through mediation, psycho-social counseling and reconciliation to avail expedient remedies to poor women and children within the context of a bureaucratic and time-consuming legal machinery

Use of a multidisciplinary team of Programme Officers and Counsellors who apply their knowledge in different situations while building each other's capacity in addressing socio-legal issues has contributed to the effectiveness of the service. Similarly, the use of local community members as human rights watchdogs and monitors, including the use of community members as counsellors thus reducing costs, expanding the coverage of the programme and promoting sustainability and ownership.

### **3. Use of Primary Schools and Youth clubs**

The training of teachers on children's rights has empowered teachers to deal with social and domestic issues affecting children in villages. Teachers at primary level are reported to be friendlier to children and they help children report cases where there has been abuse. This is a positive breakthrough because children have a place to run for help when they are in problems. One of the sexually abused children went directly to school and told her teachers that she was being raped by her grandfather. Though a level of trust has been built between teachers and children, there is still need for educating more teachers (in some of the schools, spanking was reported to be rampant).

Youth clubs established in schools have made children aware of their rights; established peerage among children; and boosted children's confidence. Children are aware of their rights in homes and schools; monitor child abuse at community level and bring the information to the attention of teachers in schools and other administrative channels. Through the clubs, the knowledge base of children on rights and abuse thereof such as child labour has been built. The children are thus able to express their feelings through songs, poems and drama which entertain while communicating important messages against child abuse to adults. Such channels were previously not available. More generally, these clubs create peer review mechanisms among teachers and students in the quest for access to justice and promotion of the rights of the child.

### **4. Youth Festivals**

These have mobilised support for youth clubs from parents and community and also schools and administration of schools. They provide creative and innovative ways of engaging communities on children's rights and are a forum for identifying new clients. Youth festivals have empowered young people to be agents of change of discriminatory cultural practices. It is also something that is slowly breaking the silence among young people and community because culturally, parents turn against their children if their children expose the abuse done to them, whether sexual, psychological, physical or emotional. Youth Festivals have therefore empowered children.

Youth festivals also provide an opportunity for communities to reflect on their behaviour towards their children. Some of the children that were known to have been abused were identified for support on the spot while some others were identified later as they tried to look for assistance after hearing of their rights. Youth festivals have also provided an avenue for mobilising support for youth clubs from parents, the community, schools and school administrators.

### **5. Raising Awareness**

Awareness has been raised on gender equality, children's rights, laws on marriage, inheritance, land and the Constitution. Progress has also been made in empowering local administrative structures at village and district levels. Awareness raising is at the heart of success of KWIECO programmes. The general lack of awareness on gender equity and equality and human rights has led to further marginalization of poor women and children. Awareness raising has contributed to greater understanding of the discriminatory laws and practices by both women and children though because of the apparent need to mobilize men, awareness raising for men on rights of women and children is seen as critical for the success of this activity.

Indeed KWIECO has over-achieved on awareness campaigns because of the popularity resulting from prior work. The demand for structured awareness-raising sessions has overstripped supply as KWIECO staff are invited to different venues to speak on various rights' issues.

## **C. LEAST SUCCESSFUL**

### **1. Absence of follow up mechanisms particularly in awareness raising and counseling activities**

This is a result of the weak link between the services provided at district level by individual counsellors and the opportunities that exist but are unexploited at local government level. KWIECO needs to improve its relationship with local government authority particularly in issues where the local government can play a more significant role in following up cases and in providing immediate assistance to victims of abuse. For example, the administrative burden of KWIECO receiving maintenance allowance from some of the clients is a role that has traditionally been handled by the social welfare offices. Likewise, women who are forced to move out of their matrimonial homes often have difficulties finding places to go. This limitation in assurance of adequate protection and security for victims of abuse may limit the number of women coming forward with their cases especially because even the community itself condemns women who expose their husbands or clan members to public settlement/legal systems. Likewise, the capacity building of ward tribunals and local legal systems as strategic partners may limit the number of cases that reach KWIECO.

### **2. Weak Counselling and Legal Aid Activities are at District Levels**

Management of counselling services at the district levels needs improvement in order to improve the quality of the service provided. KWIECO has not adequately invested in the comprehensive training of monitors on legal issues, trauma counselling and legal counselling. Close monitoring of the quality of counselling provided at village/district levels is also weak because KWIECO does not have a concrete monitoring plan that provides for regular monitoring visits by staff with the appropriate skills, thus monitoring is *ad hoc*. Likewise, counsellors are not facilitated to meet regularly to share information, experiences and skills. It is reported that out of the existing ten counsellors in four districts, only two can be said to be competent and to be fully confident in providing counselling services. Key problems include the lack of a consistent terms of reference for counsellors; lack of adequate knowledge on the subject; and inability to keep appropriate records. Counselling is provided in the homes of counsellors and thus the institutionalization of this service at district/village level has not occurred. The opportunity to work closely with local government, CBOs and schools to better provide this service exists.

### **3. Sustaining Children's Rights Clubs**

Children's rights' clubs lack a vision beyond awareness and this impacts on the sustainability of clubs' activities. Currently, the children's clubs do not have a strategic vision or a mission to guide their actions and plans for the promotion of rights of children. Their key activity is awareness raising through drama and other forms of entertainment, however, the

opportunities for them to engage more actively at household level in decision making, particularly for girls has not been explored. It is also not clear whether clubs meet frequently and what their agenda is in discussions. A more guided but innovative approach in maximizing use of school clubs needs to be explored. For instance what Vision should they have?

There needs to be other structures to support school based activities on children's rights so that children's rights are not only propagated in schools, but become entrenched in the community's way of life. The role of community and local government in promoting rights of children is not clear. In addition, as a preventive and protection measure, there should be village/district structures to address human rights (which would also take care of children's rights). Institutionalising this link between what is done at schools and community/local government level will ensure concrete action to sustainably address rights issues. In addition, the absence of such structures may limit regular monitoring of child abuse cases by local government.

Likewise, as the school clubs have only been piloted in a few schools, the project did not have a plan to upscale and expand these similar activities in other schools through use of existing clubs. The potential to do this by existing school clubs exists if this becomes part of their strategic vision.

#### **4. Holistic addressing of legal rights in a context of a resource challenged community**

Access to justice must be linked to broader social and economic rights. This is especially the case considering that most of KWIECO's beneficiaries are women and children who have limited financial means. KWIECO realizes that poverty in the Kilimanjaro region is a big problem and they may not get very far because of the economic barriers that women face. Sometimes KWIECO staff have to draw personal resources from their pockets to provide fares for clients. When asked about their key problems, most informants pointed to basic needs. Thus although there have been activities aimed at improving access to justice, access is limited by the fact that one needs the financial means to reach the most immediate assistance such as bus fare. This raises need to devise strategies to ameliorate economic conditions for women. A related issue is the need for shelter for women and children in abusive situations as their legal rights are being addressed. The available shelters from other institutions are limited and only cater for children yet the demand for this service is there and growing for children and women. Compounding the situation is the challenge of HIV & AIDS which raises the need to create linkages between human rights and HIV & AIDS.

Ways of assisting poor women and children to access the preliminary services have not been fully explored. Most of the district counsellors are not accessible to a large population in the districts and KWIECO office in urban Moshi is also not as accessible to populations living outside Moshi Urban.

#### **5. Rights of the Girl Child not sufficiently emphasized on**

Awareness raising activities, including formation of youth clubs, monitoring structures, education of local leaders and education of women has not focused on the girl child. The project has experienced slow changes with regards to changing the attitudes of male members of the community regarding the rights of girl children. While youth clubs provide an opportunity for girl children to participate and learn, they still face hostility and resilience when in communities and in households. The awareness raising activities therefore do not

necessarily empower the girl child especially because issues affecting girls directly have not been focused on. Issues as the right to participate in decision making at family level, right to continue with education when removed from school, reduction of early marriages and pregnancies and child domestic labour need to be specifically targeted as human rights issues affecting the girl child.

**6. Newsletter is in language that few beneficiaries understand**

The newsletter is quite informative but it is not printed in Kiswahili. Most, if not all of KWIECO’s target groups, particularly those living in rural areas, speak either their local vernaculars or Kiswahili, thus an English newsletter may not be the appropriate product for the primary target group. As well, it seems like the print is expensive (sometimes glossy paper, printed in colour etc). Given the geographical coverage and the number of beneficiaries targeted for awareness raising, the printing of the newsletter in its current state could be an expensive venture for KWIECO to afford.

**7. Absence of benchmarks and indicators for success**

The project lacks benchmarks and indicators to assist in monitoring and evaluating progress. It is not results-based and the reporting is around activities as opposed to impacts of the interventions. Most of the staff do not seem to understand the logical framework analysis and therefore most of the reporting is on immediate outputs rather than outcomes of interventions.

**8. Absence of capacity to carry out research to support advocacy and lobbying programmes**

KWIECO lacks research capacity so vital for its robust advocacy and lobby campaign. This in turn has resulted in the lack of strategic linkages to national level law and policy making processes to influence changes in discriminatory laws.

**D. ACHIEVEMENT OF PROJECT OBJECTIVES AND RESULTS**

**1. KWIECO Programmes**

**(a) Human Rights and Gender Education**

**1. GENERAL ACTIVITIES**

<b>PLANNED ACTIVITIES</b>	<b>IMPLEMENTED</b>	<b>YEAR</b>
3000 people to be reached on the community awareness campaigns.	4376 people were reached	2005
	2281 were reached	2006
	1985 people attained	2007
18 seminars /workshops to be conducted.	23 sessions	2005
	14 sessions attended	2006
	12 sessions	2007

800 publicity materials	3564 publicity materials	2005
	2207 materials	2006
	3024 materials	2007
50 radio show	3 shows	2005
	4 shows	2006
	6 shows	2007.
6 TV programs	1 TV show	2005
	2 TV show	2006
	2TV show	2007

The reasons advanced for deviation from planned activities include:

1. Power crisis forces the programme strategy to change and adopt drama and role plays more than the use of TV and Radio programs.
2. Too much rains affected some of the planned outreach sessions due to roads in the villages being impassable.
3. The national Election year also contributed much since most of the outreach target groups were more moved by the election campaigns.
4. Local government leaders who were involved in the mobilization they were also moved by the election process more.
5. Change of Local government leaders affected the plans since having new leaders in the place demanded more time to repeat the orientation and introduction process.
6. The general overhaul servicing of the KWIECO car affected the plans to move into the rural communities.

Issues learned by monitors include: qualities of a human rights monitor, the meaning of equal rights, meaning of Sex And Gender, identifying and discussing different council laws and the ones having a direct impact on gender issues; case study methodology; analyzing problems and challenges arising from the Councils; responsibilities of Village Councils, Ward Councils, districts, Land Councils, the High Court and the Court of Appeal; awareness of rights provided for under different laws such as the Land Law, the Law of Marriage Act and the Law of Inheritance.

## **2. CHILDREN'S RIGHTS ACTIVITIES**

Activities for promoting children's rights started in 2005 and they include children's festivals, training of school children on their rights, training of school teachers on children's rights, counselling and litigation for children.

Children's festivals (four festivals have been held in four districts) have been considered strategic because they engage youths and children as agents of change in harmful cultural practices. Children admit that there is increased understanding among teachers, parents and children on rights of children and increased freedom of expression among young people. As a result of the children's festivals, reported cases on child abuse have increased.

200 school children have been trained on their rights in ten primary schools (in Mwanga, Same and Rombo Districts). As a result of the training, fifteen children's rights clubs have been formed in the schools taking members who are from the age of 9 years to 16 years. These clubs raise awareness and educate communities, particularly parents and children on issues concerning rights of children. Clubs also provide basic counselling to abused children

(peer counselling) and direct children to appropriate places for further assistance such as the police or hospitals.

Teachers (80) have been trained on early gender socialization and the legal situation of human and children's rights in Tanzania. After the training, they become 'watchdogs' of communities to ensure that children's rights are not infringed. They are also a source of information for village level committees and KWIECO on issues affecting children that need to be resolved.

Litigation and counselling services have also been provided to children, particularly on sexual abuse cases.

Achievements include greater awareness among children themselves, parents and community members on rights of children. They have also succeeded in setting up permanent school based structures that address the rights of children. These structures provide immediate and basic support to children who have experienced abuse. There is also confidence among children and their teachers that children who face problems have an entry point to discuss their problems.

### **3. MECHANISMS FOR EMPOWERING BENEFICIARIES**

A number of stakeholders met during meetings in the districts displayed a high understanding of gender issues in their local areas. Although they were not able to highlight national policies and legislation, they were capable of analyzing gender issues and pointing out the key gender concerns in their communities. Key mechanism used to empower communities included community meetings (referred to as outreach meetings), radio programmes and training of women leaders (both community and strategic training for women leaders).

The community meetings with strategic people in communities were effective for the small groups of people who were reached. Many beneficiaries of the meetings indicated the need for more outreach programmes on gender equality to women and men in rural areas. With the limited capacity, both in terms of personnel and finance, KWIECO will not be able to meet the demand for the knowledge but can use the human resources at district and village levels to reach many other people that need that knowledge. In order to do this, KWIECO needs to have a plan for dissemination of this knowledge which should include a way to facilitate community leaders to carry out the sensitization meetings using community structures.

KWIECO managed to initiate a 'permanent' spot on the radio that talks about human rights and gender equality, 'Fahamu Haki Zako'. The existence of this permanent spot will ensure that there are continuous discussions on law and gender in Kilimanjaro. At the moment, they have also succeeded to attract other organizations and individuals, including members of KWIECO to participate in the airing of programmes. However, KWIECO's use of Media was limited and thus during the project duration, less than 20 radio programmes were aired by KWIECO on rights issues, including gender equality. Since radio has potential to reach a larger number of stakeholders, it was imperative that KWIECO explores the most cost effective means of continuously using the radio to support its programmes.

### **4. CAPACITY TO IMPLEMENT**

Capacity to implement can be assessed at two levels. At KWIECO offices, there is sufficient capacity to assess, analyze, train and document gender issues. At district and village levels, this capacity needs to be developed. Feedback from community members reflect the need for more intensive capacity building to men and women who can act as agents of change at community level by training others, in local government structures and at community level. KWIECO already has a number of 'semi-permanent' structures at district/village level that could be capacitate and facilitated to carry out this role (e.g. community monitors, counselors, and youth clubs).

### **(c) Strategic Legal Aid Services**

Activities under this component included legal counselling, district visits to introduce the programme, documentation of case studies and training of ten counsellors in three districts.

#### **1. COUNSELING**

This is provided at two levels: KWIECO offices in Moshi urban and at district level by volunteer counsellors. (Currently only 10 available for Mwanga, Rombo and Same), other districts do not have legal counsellors. Counsellors at the KWIECO offices are of different professions, including a nurse, social workers (4), NGO (2), Librarian (1), business woman (1).

The nature of the counselling provided is basically psycho-social, legal and moral support particularly for women clients. Where there seems to be a legal issue, the client then receives legal advice and where there seems to be no legal issue, the client is informed as to why there is no legal issue. Children get basic counselling (psycho-social). Clients pay a minimum of 5,000/= as filing fees but in a number of cases, this fee is waived for those who are too poor to afford it.

The quality of services provided at KWIECO offices is good, basically because the counselling officer provides the necessary back-up and also all the four social workers have academic training in counselling and can therefore provide the needed technical support to the team. At the district level however, counselling skills are still weak despite basic counselling training received by counsellors during recruitment. This weakness is evidenced in poor documentation, lack of proper counselling service and the inability to identify criminal cases that may need immediate action (e.g. Police reports).

Achievements include: innovativeness in combining mediation, legal counselling and psycho-social counselling. The combination of these services has contributed to increased confidence of their clients and has reduced the number of cases that go to court (cases that go to court can take up to 10 years before they are finally decided and for many rural women, this is time and money). All counsellors have had basic training in counselling and are thus capable of providing basic legal counselling. The clientele, which is mostly women have increased confidence in legal knowledge and are able to negotiate for their rights.

#### **2. MECHANISMS FOR EMPOWERING BENEFICIARIES**

Beneficiaries, particularly women are empowered in legal education. Counselling involves mediation sessions where counsellors elaborate the consequences of legal action to both parties, including the rights and obligations. This has contributed to increased knowledge on the part of women beneficiaries about their rights and obligations. Counselling also involves basic training in law affecting women and their rights and thus reinforces the knowledge acquired during awareness campaigns. Women who have accessed counselling sessions are more conversant with the law and are confident when demanding for their rights.

Children's rights are well known in places where festivals have taken place. This is because festivals reinforce the knowledge that has been disseminated through training and seminars. More importantly, festivals have engaged large numbers of people in villages, thus increasing the numbers of people who understand children's rights. In festivals, children have been key actors in portraying society's behaviour towards children and in recommending better treatment. They have used songs, poems, drama and various other edu-entertainment strategies to deliver the messages. In most cases, these messages have been powerful.

Capacity building of teachers has facilitated a deeper understanding of the role of teachers in promoting the rights of children. There is however greater need to strengthen that knowledge and to engage more teachers in this activity.

Referral systems have also been helpful but underutilized. Opportunities exist for KWIECO to work on a more formalized basis with partners addressing similar issues. Though this has been done in counselling activities, it has not been done in awareness raising activities and in training of strategic groups such as the police, social welfare officers, members of the judiciary and other key actors at village levels.

### **3. CAPACITY TO IMPLEMENT**

Counsellors have not been trained in psychosocial counselling (or trauma counselling). Counsellors are provided with materials to read but they lack offices and financial support to run activities at district level. Since these counsellors are not provided with consistent and regular technical support, their services are not monitored or followed up. Because of limited resources at KWIECO, counsellors also lack the financial means to follow up issues with KWIECO regularly. In order for them to function effectively, close monitoring and technical support from the counselling Unit in KWIECO is very critical.

Lack of proper record keeping has affected the follow up of children sexual abuse cases in courts (as often, there is no evidence to use in court to prove allegations). In Primary Courts, Police stations and Hospitals, the keeping of records on child abuse cases is poor and almost lacking, including action taken to assist children once cases of sexual abuse have been reported. In many of the police stations, there are still no desks specifically for children's issues.

KWIECO is not aware of any other organization in Moshi that provides trauma counselling to children, though this is one of the things that they are currently trying to locate. KWIECO has also not tried to link up with CBOs, NGOs, Schools or district/village offices for collaboration in this particular issue, but more critically in jointly funding activities, providing space for counselling activities so that counselling is not done in the home of individual counsellors and for follow up cases.

There are no follow up mechanisms for counselling services, as a result, KWIECO is not aware of what happens to their clients after the counselling services. Opportunities to collaborate with institutions such as the social welfare office and village government to do the follow up exist if they are utilized.

Training of the judiciary (at least lower courts) on rights of children has not been carried out and this is a missed opportunity particularly because many cases emanating from village levels begin from the primary courts. There is also an opportunity to educate members of the judiciary about the court environment and how unfriendly it is to women and children, providing them with the appropriate legislation, and emphasizing on their role in promoting the respect for human rights.

Training for employees of social welfare departments at the village level has also not been done and as a result, follow up systems that could have been established with social welfare have not been established, particularly systems of assisting vulnerable children.

In places where there are no children's clubs, there is no immediate entry point for children when faced with child abuse. This also applies in schools where the clubs are weak. There is an imminent need to strengthen structures and ensure that school clubs are facilitated to take off successfully. Moreover, youth clubs should be more inclusive and not pegged to payment of subscription fees given the economic conditions in the region and the likelihood of leaving out children in greatest need where they are unable to raise the subscription fees.

At a broader level, there is also need to devise mechanisms to reach more people and to deal with the preponderance of cases where people are unable to access justice because of lack of fare to get to the office in Moshi in light of low incomes of the target communities. Indeed the progressive concentration of work at the district level will assist in the devolution process

so that work in the KWIECO office would be to coordinate and backstop local level community initiatives and training of trainers at local levels. This should be accompanied by quality control mechanisms, monitoring and evaluation to track progress along the continuum of access to justice.

#### (d) Litigation and Documentation

Planned activities	Implemented activities	Deviation	Reasons for deviation
Select and file 30 strategic cases	60 strategic cases filed 25 – Land 17 – Maintenance/Matrimonial 4 – Probate/Inheritance 2 – Application 4 – Rape 9 – Compensation	30 cases added	The issues involved were too serious and could not be adjourned. Timely actions are necessary with cases
Prepare 150 Agreements, Wills, 60 Court Documents and Attest 100 documents	<ul style="list-style-type: none"> <li>• 120 agreements</li> <li>• 110 court documents</li> <li>• 200 documents attested</li> </ul>	<ul style="list-style-type: none"> <li>• 20 less agreements prepared</li> <li>• 50 extra court documents were drafted</li> <li>• 250 documents attested</li> </ul>	<ul style="list-style-type: none"> <li>• Court documents are technical and most people are laymen and do not understand them. KWIECO fills in the gap by translating, drafting and build confidence on them.</li> <li>• Demand is high as Tanzania has opted to change passports. Birth certificates are pre requisite requirement for all enrolments in school and college.</li> <li>• No other legal aid unit is available in Kilimanjaro</li> </ul>
Translate Court documents and assist clients to understand Court processes	Several court documents translated to clients and capacity built	NIL	NIL
Court representation and litigation of selected cases	Court representation done in District, Regional court of Kilimanjaro and High court of Tanzania 5 days a week	NIL	NIL
Attend Court and track the proceedings	Court attendance was done daily on week days	NIL	NIL
Maintain registers for Court cases and other important documents	Register on case selected maintained	NIL	NIL
Compile 15 precedents	45 cases were finalized during the reporting period	30 extra precedent were recorded	It is difficulty to predict in a give in time, how many cases can be

			finalized. Court cases take long to be finalized.
Conduct stock taking for cases and other documents	Stock taking conducted for cases selected	NIL	NIL
Offer technical legal back up to counselling unit	back up services offered to counselling unit	NIL	NIL
Conduct legal human rights education and support awareness raising	Awareness raising and legal education was done on marriage law, land, inheritance at <ul style="list-style-type: none"> <li>• Rombo</li> <li>• Mwanga</li> <li>• World AIDS day</li> <li>• Same</li> <li>• Mwembe</li> </ul>	NIL	NIL
Train 60 Human Rights monitors and paralegals	30 monitors were trained in 3 districts Mwanga, Same and Rombo	30 monitors have yet to be trained	The remaining 3 districts have been scheduled for this 2007 on account of office's rational work's system

KWIECO has only one enrolled advocate and this has impacted on its capacity to meet the needs of increasing clients. Besides, because of the nature of litigation which is slow and bureaucratic, it is difficult to judge the success achieved. Most notably are the delays in court – most cases handled by KWIECO had taken over three years. Given the project cycle of three years, it is clear that the numbers of cases filed may not yield accurate data on actual success. There is also the issue of appeals which further protracts litigation.

There is need to define what is meant by strategic litigation and to establish benchmarks for taking on such cases. This should be matched with KWIECO's capacity for litigation and research.

### (c) Lobby and Advocacy

This programme was started in 2006 to Lobby and advocate for reforms of oppressive and discriminatory customary practices and laws through coalition-building and joint lobby efforts with other network partner. Lobby and advocacy requires experience and investment of time in meeting with strategically placed actors to get issues lobbied for onto the radar screen of policy makers. KWIECO does not seem to have found the strategic niche in terms of lobbying and advocacy and needs to partner with other organisations to get their voice heard in law making and policy reform.

EXPECTED RESULTS	ACHIEVED RESULTS	IMPACT TO THE COMMUNITY
Two researches per year	Baseline data research done in the entire region of Kilimanjaro  The right to ownership of property in relation to customary law and its practices	The data shows that the society is patriarchal system based where by women have no say at all before men.  The data collected so far shows that the society concerned does not recognize woman and or baby girl as party of the family since she can marry another customs,

		therefore, no right to inherit or own immovable properties.
Networking and building coalition with other partner NGO's of similar activities	Networked with Legal and Human Right Centre(LHRC),Women Legal Aid Centre(WLAC),Tanzania Gender Networking Program(TGNP) and the group of women Against HIV/AIDS in Kilimanjaro region(KIWAKKUKI)	
Identify strategic issues for lobbying	<p>Able to spot five (5) strategic issues for present and or future lobbying. These are:</p> <p>Criminalization of behaviour in connection with HIV/AIDS transmission in Kilimanjaro region.</p> <p>The legal rights of children born out of wedlock in Kilimanjaro region.</p> <p>Extra marital affairs in relation to Chagga customs.</p> <p>The right to own property in relation to customary law and practices.</p> <p>The legal impact of reconciliation boards in relation to marriage and land matters in the Kilimanjaro region.</p>	

### 1. MECHANISMS FOR EMPOWERING BENEFICIARIES

A successful lobby and advocacy programme has the capacity to contribute to all KWIECO programmes. If laws are changed and made more responsive to human rights, women's and children's rights, the context for performing work will be easier for KWIECO. Similarly, if more people are aware of their rights and demand those rights from local councils and other administrative mechanisms, KWIECO will concentrate on delivering services rather than educating people on their rights.

Lobby and advocacy will continue to be critical for KWIECO given the preponderance of rights' abuses and discriminatory practices.

### 2. CAPACITY TO IMPLEMENT

The patriarchal system remains a big challenge for activist policy makers and law reformers committed gender equality. This programme has only been in operation for a year and given its focus, it is difficult to measure its effectiveness. A lot of time has been spent building the programme as well as the capacity of the Programme Officer to perform the work. From the planned activities, it is clear that some of them were too ambitious (reform of 2% of gender discriminatory laws) and required capacity that KWIECO does not have. Most notable is the absence of research capacity which is so vital for successful lobbying and advocacy.

## **2. Networking and Partnerships**

As already pointed out above, the success of KWIECO work is predicated on networking with diverse institutions since it covers a broad range of issues which a single organization is unlikely to have all the requisite capacity in. KWIECO has partnered with diverse organizations such as non-governmental organizations (NGOs) and community based organizations (CBOs); religious organizations; the media; private law firms; and local government and other government functionaries. They have carried out joint human rights campaigns and joint work; training of staff; organized meetings on specific issues; referred issues to each other; carried out joint research; and mounted radio programmes.

There is need to institutionalize and sustain networking and build on core competences of different organizations in the promotion of human rights, gender equality and access to justice.

### **(a) NGOs/CBOs**

There has been active involvement of NGOs/CBOs in Moshi urban and less in rural areas. In Moshi urban, this involvement has not been systematic, thus involvement of these partners during the lifetime of the project has mainly been in counselling activities and referrals. Members that have been involved are committed to helping KWIECO implement its activities but they also need training.

KWIECO has also established very close working relations with one newspaper in Moshi and is working closely with one journalist who is fond of human rights issues. KWIECO has also trained a number of journalists on human rights issues and wishes to follow up with these journalists in the future.

KWIECO's key civil partners based in Moshi have been KIWAKKUKKI, AJISO (a legal aid organization), Tanzania Gender Networking Project, Legal and Human Rights Centre, Moshi Chapel, YWCA, YMCA, Pamoja, NAFGEM, SACCOS in Wards, Moshi Widows and Counselling Centre, Regional Facilitating Agency, Tanzania Multisectoral Aid Agency and Child Health and Social Ecology (CHASE).

### **(b) Religious Organisations**

Religion plays a very influential role in communities in Moshi and therefore the involvement of religious bodies is important in order for KWIECO to be able to realize behaviour change goals/targets. Though attempts have been made to involve faith-based organizations, both Muslim (BAKWATA) and Christian (Catholic, Kanisa la Kiinjili la Kilutheri Tanzania (KKKT) and Evangelical), work with religious bodies such as churches and Mosques has been limited, although there are anecdotal cases, training and engagement of this critical group has not been active.

Community members, having realized this gap, have pledged a more active involvement of these partners. Issues such as early marriages, early pregnancies, female circumcision, and domestic violence, parental love for children, drug abuse and child sexual abuse can be effectively addressed through these bodies. There is definitely need for more concerted engagement of churches, training for religious leaders and their involvement in championing human rights and women's rights.

### **(c) Media**

KWIECO has partnered with both the print (Mwananchi newspaper) and broadcast (Radio Sauti ya Injili) in carrying out education and awareness campaigns as well as highlighting rights' issues. The coverage of these media is quite widespread in the Kilimanjaro area. It is notable that there is now a permanent spot in the radio on rights' issues titled 'Fahamu Haki Zako' and this spot is open to various partners in Moshi who are interested in talking/discussing human rights issues.

There is need to continue and sustain radio programmes and coverage of rights' issues in the print media as well as To train more media people in the coverage of rights' issues.

### **(d) Local Government**

Local government has been a key partner in the implementation of KWIECO activities at the village level. KWIECO has worked with village, ward and district leaders in introducing the subject of human rights and gender. KWIECO has also worked with ward tribunals, marriage reconciliation boards at village level and local government leadership.

KWIECO has worked with District Commissioners, District Councilors, District Departmental heads, District level workers Ward Councilors and Community leaders in identifying emerging issues, planning, implementation and monitoring. This is the level at which many abuses of human rights and women's rights can occur as well as denial of access to justice. Educating members of Ward tribunals and Reconciliation boards as well as using local leaders as monitors has helped to mobilize support for KWIECO's cause and programmes.

However, because of the strong patriarchal culture, there is resistance to the proposed changes in the practices of the communities by some leaders. For instance, ward tribunals and marriage reconciliation boards still treat women as an inferior member of the community.

KWIECO has also trained rights' monitors (basically community members) to act as watchdogs of human rights abuses. This is a key sustainability plan as KWIECO realized that the entry point to access to justice is at the village and district levels where there are established legal structures to address legal issues (ward tribunals and primary courts). These monitors work closely with local wards, tribunals and community members to ensure that human rights are respected and violations are reported and channelled to appropriate bodies for handling.

There is still need for more training for local government leaders; facilitation of local leaders to solve solutions for local communities; and mobilization of support from local government for human rights and gender awareness through institutionalisation of human rights and gender committees at Ward and District Levels.

### **(e) Government**

KWIECO has worked with the government using different institutions:

1. The Judiciary at the resident magistrate level has been instrumental in sending cases to KWIECO as legal aid cases. This however mainly happens in Moshi urban. This referral system does not exist in other districts.
2. Police – KWIECO has worked closely with police, in Moshi urban to ensure that police have capacity to provide appropriate counselling to clients. Involvement of police in other districts is still weak, some of the police stations have no desks for

- children; others are still not clear on their role in protecting rights of children and abused women, particularly in keeping records that may later be used in court.
3. Social welfare- Social welfare department has also worked with KWIECO from two angles. The first is offering expertise for counselling at KWIECO offices and the second is to refer cases to KWIECO where they lack the personnel capacity to deal with them. However, this mainly happens at Moshi urban. A more concrete strategy of working with social welfare departments in all districts need to be in place.
  4. Hospitals: although there has been a close working relationship between KWIECO and district hospitals, there is still need to build capacity of hospitals to record and keep information on abusive cases, thus loss of critical evidence when taking cases to court.
  5. The National Human Rights Commission (NHRC): KWIECO has links with the NHRC but there is no evidence of any joint programmes mounted by the two organizations in the Kilimanjaro area.

#### **(f) Private law Firms in Moshi**

KWIECO had worked with private law firms in Moshi to deal with cases. This augments KWIECO's capacity given that there is only one enrolled advocate. This partnership is however within context where there are very few private law firms in Moshi and very few of them are women. The demand for legal services impacts on the availability of these lawyers to partner with KWIECO and sometimes, they forward cases of clients who are unable to pay to KWIECO further burdening KWIECO instead of assisting.

### **E. INSTITUTIONAL ARRANGEMENTS**

#### **1. KWIECO Structure**

KWIECO is both a membership association and a company registered by guarantee. The membership is currently about 130 members and is not growing because there are no vigorous member registration activities. The current members are drawn mainly from the districts and comprise a mixed group of housewives, farmers, petty traders, lecturers, doctors, lawyers, judges, social workers, teachers among others. KWIECO holds an annual general meeting to decide on major policy issues which the Board of Directors translates into programme activities. The Annual General Meeting is also used as a forum to educate the members. This is in keeping with the initial aim of the founders who started a cause for women's empowerment in the Kilimanjaro region in 1987. The members act as change agents as they are exposed to legal issues and being members of the community, assist in catalyzing action at that level.

The fact that KWIECO has both an AGM and a board of directors as the governance and policy institutions creates ambivalence as to the role of these institutions. Being a company limited by guarantee has legal implications (responsibilities and liabilities) for members of the board of directors that may not tally with AGM decision-making. There is therefore need to clarify the identity of KWIECO as a Society of members and as a company registered by guarantee and the rights of members vis à vis those of board of directors.

## **(a) Governance**

KWIECO has a Board of Directors whose tenure is linked to the project cycle (three years). The current board joined in late 2004 and their tenure is about to come to an end. Members of the board are appointed depending on some set values (capacity o fundraise, gender sensitive, at least on member of KWIECO) with the expectation that these will contribute to the development of the institution. It is supposed to meet three times a year but it meets twice a year. Among the things the board considers are audited accounts of the organization which are submitted every six months. The meetings are not consistent and full quorum for the Board meetings seems difficult to attain because of the schedules of the different members. The Managing Director is the Secretary to the Board.

Board members seem not to be fully involved in decision-making and perceive their role as rubber stamping. There is also no clear link between KWIECO and the Board on a day to day basis. Because of the infrequent board meetings and the difficulty of scheduling meetings so that all members can attend, follow up of board decisions seems ineffective since members present at one meeting may not be present at the next one. Some board members do not seem to understand their role in the organization raising questions about their mode of appointment.

There is need to involve board fully in decision-making particularly concerning use of finances and introduction of new programmes. Before putting in place another board, KWIECO should carry out a performance assessment and document the operations, achievements and constraints of the current and previous boards to determine ways of making them more effective in the future.

KWIECO should consider establishing an executive committee of the board to make decisions between board meetings and to create an effective link between the board and the organization.

## **(b) Management**

### **1. THE ORGANISATION**

KWIECO lacks a structured/formalized management committee and does not have a management policy. To most people KWIECO is synonymous with Mama Minde. This is credit to the capacity and passion of the current managing director. It is however surprising given that the organisation has been in existence since 1987. The absence of an institutional identity for KWIECO is a threat to the future survival of the organization. Many people are of the view that if Mama Minde left the organization, it would die. Indeed community members idolize Mama Minde, key officers of the organization principally and KWIECO secondarily. Communities do not seem to fully own the activities and results of the work as they look up to Mama Minde and KWIECO officers rather than seeing themselves as the drivers of change.

There is need to cultivate the image of KWIECO as an organization; put in place a clear management structure and policies to support it and make management more inclusive of members of staff. In carrying out activities at the community level, community engagement should be cultivated so that they perceive themselves more as partners of KWIECO than as recipients of charitable acts. This will promote sustainability of initiatives and institutionalization of a culture of respecting human rights.

## **2. MULTIPLE ROLES OF TOP MANAGER**

The current managing director is overstretched. Having been in the organisation for 20 years, she is the repository of a lot of information on the organization and is very committed to KWIECO work. She is a member of the board of directors (serves as the secretary), top manager heading the secretariat and key technical officer being the only enrolled advocate and thus the only one that goes to court. The other lawyers prepare and draft the documents. She has to find time to read the documents prepared and fill in the gaps. This is on top of day to day management of the office. Because of the demanding nature of the litigation process, a lot of administrative work has fallen on the accountant by default. This situation is less than optimal because the accountant is not a trained manager.

KWIECO has grown and this necessitates a change in its structure to make it more inclusive. In this regard, it is necessary to separate the management role from technical operations. KWIECO should hire an enrolled advocate to ensure that the managing director has more time to devote to programme oversight, resource mobilisation and management work rather than actual involvement in technical operations. The programme officers currently employed at KWIECO should be encouraged to enrol as advocates. The current managing director should consider moving to a higher level as member of board once an enrolled advocate and another managing director have been hired.

## **3. PROGRAMME COORDINATION AND GENERAL MANAGEMENT**

There is currently no single person dealing with administration and management. Moreover, there is no institutionalized management structure. While there are monthly programme meetings, management meetings are conducted on an *ad hoc* basis between the Accountant and the Managing Director or between the Programme Officer, Legal, Human Rights and Gender and the Managing Director. These meetings have no minutes recorded and no formal communication or follow up mechanisms for decisions made.

There is no management policy, the human resource policy is in draft form and the financial management policies are dated. There is a weakness in the management of the human resource which impacts on the effectiveness of the organization and results in dissatisfaction on the part of the majority of the staff members.

Middle level staff is not involved in management and decision-making leading to lack of ownership and full commitment. The decisions are made by the Managing Director, the Accountant and the Programme Officer, Legal, Human Rights and Gender.

The accountant doubles up as the main administrator and the human resource manager while the Programme Officer, Legal, Human Rights and Gender performs duties related to other programmes such as oversight because she has been in the institution longest serving as the Programme Officer, Outreach and Counselling and has a lot of experience with KWIECO work. The extra roles performed by these officers are not institutionalized in the structure.

There is no formalised system for programme coordination even though there are monthly programme meetings. The role of programme oversight and coordination should be institutionalized to provide synergy and cohesion between programmes and a structured forum for channelling programme issues to management

Further, the non-involvement of staff in management and decision-making leads to lack of ownership and full commitment. There is need to put in place mechanisms for inclusion of staff in decision-making and the institutionalization of forums for airing views from staff and follow up. Staff should be more involved in management especially where programme

matters are concerned to facilitate succession and broaden ownership of the institution's mandate and roles.

#### **4. HUMAN RESOURCE MANAGEMENT**

From a lean staff of three top level management, a secretary, a driver, a messenger and an office attendant, KWIECO has grown to 15 members of staff. Staff motivation in the overall is low and most perceive their earnings as low and payment for overtime work as inadequate. They also decry the absence of other incentive packages such as house allowance, absence of a mentorship programme and disparities in the earnings between the different cadres of staff. Though each member of staff has a job description and the Programme officers work on the bases of work plans, there is no system of performance appraisal.

KWIECO has weak human resource management. The role is performed by the accountant without a formalised human resource policy. This impacts on the effectiveness and results and also results in dissatisfaction on the part of most staff.

The financial management role and the administration and human resource roles should be separated as they require diverse competences that may not be in one person. Further, management and human resource policies should be introduced and the financial policies reviewed to reflect changed situation. KWIECO should be facilitated to competitively hire a human resource manager, a financial manager and a managing director to strengthen the management of the organisation. The roles of the managing director should be clarified and separated from intricate involvement in programme implementation retaining the involvement at oversight level. The accountant role should be clarified and limited to management of finances. The tenure of the managing director should be 3-5 years renewable once.

#### **5. INCENTIVES AND MOTIVATION**

KWIECO lacks a scheme of incentives and motivation for staff leading to dissatisfaction and high turnover of technical staff which impacts on program delivery. There is need to review and rationalise the salary structure and consider different incentive packages to attract and retain competent staff. At the time of this evaluation, most of the technical staff (programme officers) had one year in service. Staff indicated that the salaries paid are low given the market conditions. There is therefore a likelihood that if this issue is not addressed in time, KWIECO will continue to lose staff. Although a salary structure currently exists, KWIECO may need to assess how staff increments can be dealt with based on market rates but at the same time assess its own financial and institutional capacity to sustain the increments.

KWIECO has no performance appraisal systems and it is therefore difficult to assess the quality of delivery of programmes. Although there are regular staff meetings to assess progress of implementation, there is no system of assessing the ability of individual staff to effectively deliver outputs and thus match delivery and outputs with value for money. This also includes lack of a consistent way of ensuring that those on probation receive feedback on their performance at the end of their probation period. KWIECO should put in place a system of appraising staff performance with clear benchmarks and performance indicators; institute a mentorship system; institutionalize capacity building for staff matched to the work of the staff in the organization; and provide facilities for staff to perform their work effectively. The evaluators noted that staff had no ready access to internet – a vital tool for effective and efficient performance of duties.

### (c) Financial Base

Currently, KWIECO is financed by two key donors, JURK and EED. JURK's contribution is close to 56% of total budget. JURK's funding for this programme ends in 2007 while EED's funding ends at the same time. During the duration of the project, there were no activities aimed at raising funds for project activities at the end of the funding cycle. Money is also raised from member subscriptions. There are about 130 members each paying 2,000 shillings annually.

In 2005, many of the project activities were not undertaken. One of the reasons for this was the lack of personnel to supervise project implementation and the fact that there were national elections and thus the shift from project activities to election activities. Administration costs however were constant.

EXPENDITURE (Audited)	2005		2006		2007	
	Budget NOK	Actual NOK	Budget NOK	Actual NOK	Budget NOK	<u>Actual NOK</u>
1. Programmes	267,300	90,760	266,700	270,330	286,200	
2. Management Of Programmes	68,900	21,302	75,020	19,900	75,020	
3. Personal costs	171,900	160,946	187,290	160,946	187,290	
4. Administrative Costs	NIL	95,277	132,500	133,486	172,000	
Total	508,100	95277	661,510	584,662	720,510	
Percentage Programme	52.61	24.64	40.32	46.24	39.72	
Percentage Administration	-	25.87	20.03	28.83	23.87	

KWIECO needs to diversify its resource base by attracting more donors locally and internationally.

### (d) Capacity building

#### 1. RESOURCE MOBILISATION

Although KWIECO has been in existence for more than 20 years, its funding sources are still limited and uncertain. Resource mobilization is an area that KWIECO needs to strengthen and this includes diversifying their sources of funding. Local resource mobilization has not been adequately exploited and opportunities exist for KWIECO to tap funds from different sources existing at national level and community level. As well, the number of international funding agencies funding KWIECO is small, yet opportunities to mobilize resources with a broad range of partners have not been utilized. As an organization, KWIECO does not have a specific resource mobilization strategy that will reach out to funding agencies both within and outside Tanzania. Likewise, in order for KWIECO to be known to places outside Moshi, it needs an active website that will be updated regularly.

## **2. PROGRAMME PLANNING, IMPLEMENTATION AND MONITORING**

There are six Programme Officers. Five of these are lawyers. On the one hand this is good because KWIECO deals with legal rights. Many of them only joined the organization a year ago and do not seem settled. They seem to be looking for jobs elsewhere and perceive KWIECO as transit point. We learnt that the organization has had difficulties retaining programme staff and has not had more than one enrolled advocate since 1995. The fact that the POs who are lawyers are not enrolled advocates however limits their capacity to fully implement the programmes. The counselling role within KWIECO is limited to legal counseling limiting its efficacy and the capacity of KWIECO to monitor field counsellors. Capacity building for staff should be institutionalized and matched to the work of the staff in the organization. It should include resource mobilization, programme planning, implementation and monitoring

KWIECO should strategically headhunt for one or two enrolled lawyers to work on litigation; facilitate the enrolment of the lawyers currently working with KWIECO to enhance their capacity to perform the litigation role; revamp the counseling role by diversifying the staff to include one with skills in psycho-social and trauma counseling in addition to legal counselling

## **3. SUPPORT STAFF**

There are seven members of support staff who include three secretaries, two office attendants and two drivers. Most of the staff is happy at the enhanced levels of knowledge of their legal rights. They however feel that their participation in programme activities is not valued and recompensed adequately.

The contribution of support staff to programmes should be streamlined and rationalized and a clear mechanism for recompensing staff for that role should be put in place.

KWIECO also has two volunteers. The industry of the volunteer seems to be a great determinant to the success of their learning experience in KWIECO. There is no policy on the role and engagement of interns in KWIECO. There is need for a policy on the engagement of interns to make the learning experience meaningful as well as for KWIECO to engage the interns effectively in their work.

## **4. KWIECO & JURK**

### **(a) Funding**

The funding from JURK has enabled KWIECO to reach out to the poor and to have additional staff. To some extent, this has strengthened the organization. However, funding for three years (with a significant amount of the money used in 2006 and 2007), the funding cycle seems to be too short a timeframe for KWIECO to have realized impact on the ground. During the project duration, there were no activities aimed at fund raising for KWIECO to raise funds from other donors other than JURK and EED. It is not clear to the evaluators how much funding KWIECO needs for the next funding cycle. This needs to be determined and a resource mobilization strategy put in place to raise the requisite funds.

JURK will continue to be a key source of funding for KWIECO.

### **(b) Administration**

The administration of the project between JURK and KWIECO is satisfactory. JURK has allowed flexibility in the management of the budget. Virements from one budget line to other activities have been allowed as long as there is prior communication to JURK. In 2005, a lot of resources used in civic and voter education without such communication but clarification of the requirement has improved the administration of resources in the programme activities.

### **(c) Communication**

Generally, there is regular communication between the two organizations, particularly regular updates on what happens in JURK and KWIECO. Much of this interaction has been more on a personal level which has contributed to greater understanding of personalities managing the programmes both in JURK and KWIECO. There is also regular sharing of reports sent to donors.

### **(d) Mutuality and Participation**

JURK appreciates need for service delivery since they are involved in work similar to that of KWIECO. There is room for JURK and KWIECO to share techniques for carrying out work and documentation, filing etc. there seems however to be little sharing of experiences between the two. They have shared reports and case studies, methodologies and notes in report form.

KWIECO is concerned about the high mobility of JURK staff/interns as it has affected the continuity of discussions and common understandings. The movement of staff has also affected consistency of agreed values and principles of partnership between the two organizations, including the nurturing of the concept of partnership between the two organizations. Thus some of KWIECO's expectations regarding the opportunity to share technical expertise in areas of commonality have not been met, because to KWIECO, JURK is not just another donor as they have a special niche and competence.

Both KWIECO and JURK feel that there is greater potential for learning across the two organizations, but this potential is currently untapped. While a more synergistic and symbiotic relationship was anticipated, the relationship has generally been a donor (JURK) and grantee (KWIECO) relationship. The expectation was to create a bond that provided opportunities for comparing notes on experiences, challenges for learning and improving the way of looking at issues. Right now however, KWIECO sees JURK visits as policing, monitoring and following on reporting rather an opportunity for exchanging ideas on substantive work. The opportunity for added value in terms of adequate sharing of the rich experience that both organizations have acquired over the years thus seems to have been lost. More critically, KWIECO bemoans the opportunity lost for learning from JURK through provision of technical assistance in a number of areas such as resource mobilization, counseling, strategies and approaches, research, lobbying and advocacy. This has been a significant weakness in the JURK-KWIECO relationship. KWIECO attributes this gap to the lack of a clear understanding between both parties on the role of the parties in the partnership, an omission which should have been made clear in the contract to implement the programme.

There is need to institutionalize mutual learning in the funding arrangement to provide intended opportunities for mutual learning between JURK and KWIECO since they are doing similar work. There should also be more frequent information sharing on substantive work

not just annual reports but on ways of working; prioritised action plans based on analysis and sharing between the partners; exchange visits between programme staff to share ideas, approaches and strategies on better carrying out of the work and facilitate learning between the partners; and provision of technical assistance to KWIECO by JURK in research, lobbying and advocacy for women's rights.

## **IV. IMPACT AND SUSTAINABILITY**

### **A. IMPACT**

It is difficult to assess the impact of KWIECO work because we do not have baselines from which different activities have begun. We can however comment on coverage, need for prioritisation and the need for monitoring and evaluation. On coverage and thematic focus, the areas that KWIECO is working on are varied and spill over into other issues. This means that the coverage is very wide and will continue to be so as long as there are no other institutions working on the issues. The geographical scope (six districts) is very large and this impacts on the reach of the activities. KWIECO work only gets to a handful of people in each district. In essence, KWIECO is just scratching the surface considering the need in the districts covered.

On prioritisation, it is clear that there is need for KWIECO to prioritise and match its work to its core competence namely, legal rights. Related to this is the need for monitoring and evaluation as a way of providing additional feedback mechanisms from the clientele in a language that is accessible to them. There is also need to institutionalise monitoring and evaluation of programme activities to ensure continuous improvement and track changes in needs and trends

### **B. SUSTAINABILITY**

#### **1. Ownership**

Project ownership by communities exists to a limited extent. The use of local government structures in mobilizing communities and district counsellors and monitors increases ownership at the local level. Similarly use of primary school students, teachers and administration to establish Youth Clubs mobilizes existing institutions to address children's rights.

KWIECO has managed to set up small structures at school level and is also working with communities to monitor child abuse. These activities however are not particularly sustainable because they are not institutionalized in village structures.

Monitors are basically community members with interest in human rights issues, their role in monitoring is not mandatory, merely volunteerism. This can be difficult in a context where the culture is pro-men and where the majority decision makers are men. Among the challenges that monitors have faced for example is changing the behaviour of communities regarding the rights of women to inherit and own property. This is even more difficult in areas where communities have not been trained.

Ownership of project activities and issues affecting women and children can be strengthened if activities are decentralized to village structures; for example, KWIECO needs to strengthen the capacities of village leaders to offer human rights education to their communities using village structures such as village meetings. In addition, KWIECO needs to work very closely with government structures responsible for enforcement of human rights such as the courts (particularly the Primary Courts, Social Welfare offices, Police and Education Departments).

Engagement of men in activities that promote the rights of women to own property and inherit matrimonial property can increase a sense of ownership of project results among men. Currently, there is a feeling among men that they are excluded from the benefits of the project. This will also improve respect for human rights in general because there are some places where men have limited access to property and inheritance rights.

There is increased need to strengthen training for teachers, particularly their role in following up rights of children while in schools. The number of teachers that has been trained is significant, but this number needs to be increased in order to ensure ownership of results in schools and school clubs. The payment of allowances for club activities by the project for example can stimulate action during the project term, but in the long term, affect commitment on the part of the schools to support the clubs with basic needs such as stationery.

## **2. Follow up**

In order for KWIECO to have long term sustainable impacts at the village/district levels, there is need to strengthen services provided by counselors and other duty bearers. Follow up can effectively be undertaken by counselors, social welfare departments and community members through their monitoring structures if they are effectively facilitated to do this. For example, when interviewed, leaders committed themselves to do the following to ensure that young girls are involved in decision making matters at household level: educating Parents, local government officials, village councillors and the general society through public meetings. Clan elders should also be educated in order to eliminate the negative cultural practices and gender equality ingrained in every community group that represents or works with the local government.

## **3. Financial**

KWIECO lacks resource mobilization skills and this has affected its funding sources and implementation of activities. At the national level, KWIECO has not managed to mobilize resources for its activities, and while opportunities to do this exist, KWIECO has not exploited these opportunities. In Moshi, for example, there is a 'Rapid Funding Envelope' for funding HIV/AIDS activities. A meeting with the authority responsible for RFA in Moshi expressed her concern on the need to provide legal aid services to widows and children that have been affected by HIV/AIDS. As well, opportunities for activities such as these exist with bilateral donors, government and private sector, but their engagement in supporting KWIECO's activities has been minimal. Even the use of local government resources (particularly human) has not been very effective and KWIECO currently pays counsellors a small allowance.

#### **4. Plans for Long-term sustainability**

KWIECO needs an exit strategy from communities and a sustainability plan in order for it to work towards sustaining its activities. There is room to discuss this plan with communities (owners of the results) and board members in order to develop a plan that they can invest in during the term of the project to ensure that exit strategies are developed, owned and sustained by local government, law enforcers and communities.

Opportunities to mobilize support for the project at local levels need to be exploited, particularly with CBOs (community women's groups, youth groups, elderly groups). If this is done, there is likelihood that KWIECO will not be the only ones spearheading rights of women and children in communities. Where these CBOs do not exist, KWIECO can mobilize women and men to establish support groups for the project at community level.

#### **V. CONCLUSION**

We recommend that JURK funding to KWIECO continues. The project has been very well received in the region especially by women. There is a lot of demand for the programmes implemented under the project. It has opened up opportunities for women to access justice and enlightened the community on issues of human rights, gender equality and human rights. The momentum needs to be sustained. In addition to this, JURK should consider extending the funding period from three years to five years to allow for concretization of project results.

To ensure more impacts from the project, JURK should support capacity enhancement for KWIECO besides funding. In light of the similar work done by KWIECO and JURK, JURK and KWIECO should learn from each other. JURK understands the nature of the work that KWIECO does and can meaningfully assist to make it more effective through capacity building. Additionally, JURK should assist in capacity enhancement of KWIECO for the programme implementation through visits by programme staff of KWIECO to JURK to see how they manage their programmes. This will enhance information sharing and mutual learning. Along these lines, JURK should increase the funding resources for capacity building to facilitate the training of staff of KWIECO to effectively perform their duties.

KWIECO needs restructuring as pointed out above. There is for instance, need for institutional restructuring to reflect the growth of KWIECO. There is also need to devolve/ decentralise services to people by having district centres and institutionalising human and gender issues at district and ward levels. The employment of additional staff facilitated by collaboration with JURK also necessitates restructuring of KWIECO to establish the offices of head of programmes and administration.

KWIECO should be assisted to transform from Mama Minde's organisation to an organisation with clear operational structures, plans, policies and work programmes since it has a niche in the region.

It should also be facilitated in the establishment of the offices of head of programmes and head of administration within KWIECO.

## VI. ANNEXES

### A. PROGRAMME ACTIVITIES

<b>Programme</b>	<b>Goal</b>	<b>Proposed Activities</b>	<b>Activities Achieved</b>	<b>Comments</b>
<b>1. Human Rights and Gender Education</b>	<p>Promote respect and make people aware of legal rights , human rights and gender issues</p> <p>Influence practice that encourages gender inequality</p>	<p>Conducting seminars, awareness campaigns: 18 sessions; 3000 participants</p> <p>Producing leaflets, posters, handouts, brochures, newsletters, radio and TV programmes, training programmes: 8,000 publications; 50 radio programmes; 6 TV programmes</p> <p>Conducting legal counselling: 15 counsellors in 5 districts; 6 counselling sessions per week</p> <p>Conducting youth campaigns on human rights: 18 clubs</p> <p>Learning from programme</p>	<p>Reached more than 3,000 people</p> <p>7 structured sessions to date for CBOs and FBOs</p> <p>Less publicity material than anticipated</p> <p>10 radio programmes</p> <p>3 TV programmes out of a possible</p> <p>200 school children from 10 schools trained on legal rights</p> <p>12 radio programmes aired</p> <p>Legal counselling provided three to four times a week by 10 counsellors at district level and 8 counsellors at KWIECO office.</p> <p>Legal aid provided through mediation, counselling and negotiation</p>	<p>Power crisis identified as reason for few radio programmes</p> <p>Improvised legal aid camp with multiple activities at a focal point and on strategic days such as market days</p> <p>Use of drama to sensitise people</p> <p>Songs and dance by children</p> <p>Fewer publications because of cost of production. Have decided to do cheap mode</p>
<b>2. Strategic Legal Aid Services</b>	<p>Get poor and marginalized people to access justice and fight for equal rights by providing strategic legal services and monitoring legal</p>	<p>1. Provide legal counselling to all districts (6 per week using 15 counsellors)</p> <p>2. Provide legal aid services through litigation (File 20 Cases)</p>	<p>Initiated more than 30 cases and a third of these have been completed</p> <p>8 children's cases litigated.</p>	<p>One enrolled lawyer limits the reach of this programme</p> <p>Rigid, complex, legal machinery that is not time</p>

	administrative systems	<p>3. Performance review and monitoring of judicial system to identify gaps</p> <p>3. Train 60 paralegals and human rights monitors</p> <p>4. Learning from programme</p>		<p>conscious also affects implementation of the programme</p> <p>Resources to follow up cases lead some litigants to back ff litigation</p> <p>Monitoring progress is a challenging issue</p>
<b>3. Lobby and Advocacy</b>	Lobby for reform of oppressive laws	<p>1. Research issues/ case studies for law reform as a result of legal counselling and court precedents (2 Research issues per year)</p> <p>2. Conduct campaigns for reforms/ lobby campaigns (2% of oppressive laws to be amended)</p> <p>3. Compile and analyse data and share it with networks (Networks of common vision to work to change society)</p>	<p>Draft Proposal HIV AIDS Research which was not followed up</p> <p>Research On The Right To Own Property In Relation To Customary Law And Practices</p> <p>Use of drama groups to advocate for rights</p> <p>Training For Members Of Reconciliation Tribunals Dealing With Land And Matrimonial Cases</p> <p>Advocacy Campaigns With Local Government Leaders In Conjunction With Programme Officers For Legal, HR &amp; Gender And Children</p> <p>Networking With Other NGOs (KIWAKKUKI, Tanzania Gender Networking Programme), Legal &amp; Human Rights Centre, Local government officials</p> <p>Grassroots sensitisation on inheritance law</p>	<p>2% of laws not changed because law making is a difficult and bureaucratic engagement</p> <p>Need for more research</p>

## **B. CHILDREN LEGAL SERVICES - JULY - DECEMBER 2007**

<b>ACTIVITIES</b>	<b>JULY</b>	<b>AUGUST</b>	<b>SEPT.</b>	<b>OCT.</b>	<b>NOV.</b>	<b>DEC.</b>
To conduct teachers training on children rights from 10 pre-selected primary school teachers.						
To conduct preliminary survey to the government machinery on the violation of children to police, court, social welfare, hospital and sampling survey in the community.						
To conduct training to the 200 pupils on the right of children from the pre selected primary schools at Hai district.						
To conduct Youth Festival				<b>HAI</b>		
Formation of Youth Clubs in Same District and Hai District.		<b>SAME</b>			<b>HAI</b>	
Follow-up of the Youth Clubs in Rombo, Mwanga, Moshi town.						
Report Writing						
Monitoring and evaluation.						
To conduct research on the rights of children participation in the decision making in the family level and in the local government authority.						

## **C. SUMMARY REPORT ON ACTIVITIES FOR CHILDREN LEGAL SERVICE - 2005 -2007**

<b>PLANNED ACTIVITIES</b>	<b>IMPLEMENTED ACTIVITIES</b>	<b>DEVIATION</b>	<b>REASONS FOR DEVIATION</b>
<ul style="list-style-type: none"> <li>▪ To conduct two days training on the rights of the children to twenty(20) teachers from ten pre selected Primary school in Moshi district.</li> </ul>	We have already conducted an intensive two day training seminar on children right for twenty (20) teachers from ten pre selected primary schools teachers in Moshi district.	NIL	NIL

<ul style="list-style-type: none"> <li>▪ To conduct two days training on the rights of children to twenty (20) teachers from ten pre selected primary school in Rombo district.</li> <li>▪ To conduct two days training on the rights of children to twenty (20) teachers from ten pre selected primary school in Same district.</li> <li>▪ To conduct two days training on the rights of children to twenty (20) teachers from ten pre selected primary school in Mwanga district.</li> </ul>	<p>We have already conducted an intensive two days training seminar on children rights for twenty (20) teachers from ten pre selected primary school teachers at Rombo district.</p> <p>We have already conducted an intensive two days training seminar on children rights for twenty (20) teachers from ten pre selected primary school teachers at Same district</p> <p>We have already conducted an intensive two days training seminar on children rights for twenty (20) teachers from twelve pre selected primary school teachers at Mwanga district</p>	<p>NIL</p> <p>NIL</p> <p>NIL</p>	<p>NIL</p> <p>NIL</p> <p>NIL</p>
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#### D. EVALUATION PROGRAMME

Date	Time	Activity	Interviewer
18 <sup>th</sup> June 2007	10.00	Meeting with Staff	Patricia & Kokuteta
18 <sup>th</sup> June 2007	12.00-5.00pm	Document Review	Patricia & Kokuteta
19 <sup>th</sup> June 2007	9.00 am-1.00pm	Document Review	Patricia & Kokuteta
19 <sup>th</sup> June 2007	2.00-3.00pm	Aginatha Rutazaa	Patricia

	2.00-3.00pm	Ibrahim Komu	Kokuteta	
	3.00-4.00pm	Farhat	Kokuteta	
	3.00-4.00pm	Kimaru	Patricia	
	4.00-5.00pm	Benson	Kokuteta	
	4.00-5.00pm	Martin	Patricia	
20 <sup>th</sup> June 2007	9.30-10.30am	Brendan	Patricia	
	9.30-10.30am	Sabina	Kokuteta	
	10.30am-12.00pm	Eugenia Salakana	Patricia & Kokuteta	
	12.00-1.30pm	Managing Director	Patricia & Kokuteta	
	2.30-5.00pm	Board Members	Patricia & Kokuteta	
21 <sup>st</sup> June 2007	Whole Day	Field Visit Bangagala; Mwembe (Same)	Evaluators & staff	
22 <sup>nd</sup> June 2007	Whole Day	Field Visit Kingare & Kifula in Mwanga	Evaluators & staff	
23 <sup>rd</sup> June 2007	Half Day	Field Visit Machame; Hai	Evaluators & staff	Evaluators & staff
23 <sup>rd</sup> June 2007	Half Day	Network Partners	Patricia & Kokuteta	
25 <sup>th</sup> June 2007	Morning	Litigation Clients	Patricia & Kokuteta	
25 <sup>th</sup> June 2007	Late Morning	Staff not yet interviewed (Martin & Benson)	Patricia & Kokuteta	
25 <sup>th</sup> June 2007	Afternoon	Counselling Clients & Counsellors	Patricia & Kokuteta	
26 <sup>th</sup> June 2007	Morning	Media	Patricia & Kokuteta	
26 <sup>th</sup> June 2007	Afternoon	Managing Director	Patricia & Kokuteta	
26 <sup>th</sup> June 2007	Afternoon	Support Staff	Patricia & Kokuteta	
27 <sup>th</sup> June 2007	Morning	Going through Materials & clarifying	Patricia, Kokuteta & Staff	

27 <sup>th</sup> June 2007	Afternoon	Debriefing Meeting	Patricia, Kokuteta & Staff	
28 <sup>th</sup> June	Morning	Meeting with JURK	Patricia & Kokuteta	

## E. TERMS OF REFERENCE

FORUM FOR WOMEN AND DEVELOPMENT  
FORUM FOR KVINNER OG UTVIKLINGSSPØRSMÅL



Storgt. 11  
0155 Oslo, Norge  
Tlf: 47-23010300  
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Project review: GLO-05/274-22 – ACCESS JUSTICE AND EQUALITY FOR WOMEN  
AND CHILDREN IN THE KILIMANJARO REGION, TANZANIA

Period for the project review: 2005-2007

### **Terms of reference**

Norwegian organization: JURK (Juridisk Rådgivning for Kvinner)

Project partner abroad: Kilimanjaro Women Information Exchange and Consultancy Organisation (KWIECO)

### **Background:**

The project will be implemented in the Kilimanjaro Region, Tanzania. KWIECO was conceived in September 1987 initially by a group of ten women. KWIECO is the only legal aid provider in the Kilimanjaro region. It has competent and experienced leadership and committed members and counsellors who are willing to render voluntary services.

KWIECO possesses competence within law, human rights, gender, science and education. This will not only ensure that the explicitly stated objectives are reached, but will also promote interaction. Through cooperation, information sharing and capacity building, new experiences and knowledge are achieved. KWIECO is an African pendant to Norwegian JURK. Both are run by women and work within three main areas: legal aid, education and lobbying. Both organisations are based on and depend on voluntary work for their existence.

The two organisations have established an inter-organisational familiarization with a view of sharing initial ideas on areas of interest.

### **Main objective:**

The project seeks to facilitate access to equality and justice for poor and marginalized people in the Kilimanjaro region, especially women and children, by rendering legal aid services, counselling and litigation.

The project will promote a human rights culture in the Kilimanjaro region, by influencing change of attitude and practice that encourage gender inequality. This will be achieved by providing legal and human rights education whereby youth will be strategically addressed as a long term solution.

Another aim of the project is to lobby and advocacy for reform of oppressive and discriminatory customary laws by building momentum and joint lobby efforts with other networks.

**Overall development goal:**

- To promote respect for legal and human rights culture, influence the change of attitudes towards discrimination of women, children and other marginalized groups and enhance gender equality.
- To lobby and advocacy for reform of oppressive customary and other laws which exist in the community.

**Target group:**

Women and children are focused as the most marginalized group, but court representation and legal counselling also support marginalized men. Legal and human rights education is offered to the whole community as a strategy to accelerate change. People of the society are ignorant of their rights and hence cannot assume responsibility for protection.

**The objective of the project review:**

KWIECO has received support from JURK through FOKUS, Forum for Women and Development since 2005. The results from this evaluation will decide whether we will prolong our cooperation.

The overall issues to be reviewed:

- how this project has affected the situation for women
- Has the project achieved its goals
- the organisation of the project and long term planning for sustainability
- the cooperation process between KWIECO and JURK

**Main Questions**

*Project objective*

1. Have there been any changes to objectives according to approved plans and application?
2. Has the project achieved the expected results (identify unexpected results)
3. Which activities have been particularly successful and why and which have not.
4. How is KWIECO working together with other organisations, institutions, national authorities and other stakeholders? Are they participating on the political arena raising issues concerning legal rights for women?
5. Has the status and position of women and girls changed after participating in this project (raising self-esteem, skills and rights)?
6. What is the official policy towards projects focusing on women and girls in Tanzania?
7. Is the project compatible with FOKUS project strategy?

*Administration*

1. Are the objective, strategy and working method cost efficient and relevant in relation to project organisation and implementation strategies?
2. How has funds been spent in the collaboration process? Has there been a balance between target group and activities compared to administration in the collaboration process?
3. How is the economic sustainability for the organisation? (Fundraising, income generating activities)

4. How has the administration routines between KWIECO, JURK and FOKUS been operating? Administrative factors that have affected the performance, including transfer of funds and reporting systems.
5. How has the cooperation between the KWIECO and JURK been concerning transparency, mutual confidence and participatory orientation of activities? Have they contributed to each other's organisations? Or has the cooperation been limited?

*Working Method*

1. How is KWIECO organised?
2. How is the target group involved?
3. How is the target group followed up during and after the activities?
4. How is impact assessed at the level of the beneficiaries?
5. How does the project aim to empower the women so they will be able to take charge of their own lives?

#### **4. Method**

The following methods will be used to collate information for the evaluation.

*Interviews directed to;*

- The management
- People employed and voluntaries working for the organisation
- The target group
- Other organisations
- JURK
- Donors

**Documents:** Project applications, reports and communication in Tanzania and Norway  
Accounts reports

*The target group who will use the final report:*

- KWIECO
- FOKUS/NORAD
- JURK
- Other stakeholders

#### **5. Work programme and team members**

The evaluation will be carried out as a field study in 2007. KWIECO will make necessary documents available to the team, and will draw up a programme for possible visits and interviews, to be finally approved by the evaluation team.

#### **6. Duration of the field study**

The field study will start in May/June 2007

#### **7. Reporting**

A draft of the main conclusions from the evaluation will be discussed with KWIECO in October 2007.

The final report should not exceed 15 pages, plus annexes and be delivered to FOKUS no later than 4 weeks after the evaluation has taken place. All the issues raised in point 3 above should be discussed. The report should also include any other observation relevant to the project and recommendation that may help strengthen the project and improve impact in a short and long term perspective.

## **F. LIST OF PEOPLE INTERVIEWED**

### **List of Community Members and Leaders Interviewed**

1. KASSIMU R. MSUYA
2. SHUFAA KURAIISHI
3. KASSIMU HEMEDI
4. GILIADI MARISA
5. ZEINA ALLY
6. MWANAISHA NASIBU
7. KILUVIA E. MZIGHANI
8. ALDINA M. MZAVA
9. ISMAILI MWEJUMA
10. RAIA MDOILE
11. HASHIMU MAEDA
12. AMIRI RAI
13. NURUDINI SALIMU
14. ELISA MWANGA
15. E. P. KIDAYA
16. GIFTIELI JUSTIN
17. LOVE NDELIMBI
18. HAIKA MARIKI
19. ANNA MATHIAS
20. MECY JEMS
21. JOYCE WOLTER
22. HALIMA BARAKA
23. MWANAFURAHA DAUDI
24. REHEMA YASINI
25. MIRIAMU HUSSEN
26. PRISCA JEMS
27. MWANAMNOA IBRAHIM
28. DOROTH JUAELI
29. HALIMA CHEDIELI
30. ESTER ZEBADIA
31. SADIKINA ATWAI
32. ANNA TASAELI
33. ADIA HOSSENI
34. MARTHA HAMFREY
35. LINDA AMANI
36. FATUMA SALEHE
37. RUFAHA RIDHIWANI
38. ANNA CHEDIELI
39. JEREMIA CHARLES
40. YOHAZA ELIRAHA
41. JUMA YASINI
42. MAJALIWA BEDORI
43. HAMISI HAMADI
44. HAMISI HASSAN
45. HANSI JOHN
46. BADI MDARAMANI

47. ARO HAMIS
48. BADI MDARAMANI
49. SAIDI SALIMINI
50. BRAYANI CHEDIELI
51. GEBO KISIMBO
52. HEMEDI MDARAMANI
53. HOSENI RAMADHANI
54. ATHUMANI MWIDADI
55. SAMWELI KASIBETH
56. HALIMA MOHAMEDI
57. ZABIHUNA ALLY
58. RAHELI EMANUELI
59. HADIJA CHRISTIAN
60. MARIAMU RAMADHANI
61. SITAELI SAMWELI
62. MWAJABU SALINAH
63. SIRIELI HASSANI
64. NIGHENJAELI SAMWEL
65. NAZAELI SAMWEL
66. PILLY MOHAMMED
67. ELINIANGAZE MSUYA
68. ALLY R. MKUBWA
69. ONESMO JAHARI
70. ALEX T. M MBAJI
71. YOANIKI T. MNZAVA
72. HAMISI IDDI MNZAVA
73. HOSSENI S. MSANGI
74. RAJABU MSANGI
75. SETH FADHILI
76. RAMADHANI HEMEDI
77. BAKARI HASSANI
78. JOHN HOSSEN SENZOTA
79. ADAMU H. M MBAJI
80. MWALIMU MARIRA
81. ATHUMANI S. MAKUNKA
82. RAJABU SHABANI
83. BAJARI IGUGU
84. RAMADHANI S. MAKUNKA
85. NOEL M. MGHAMBA
86. AMANA THABITH
87. HEMEDI SALEHE
88. MGANGA SENZIA
89. TWAHA HASSAN
90. ATHUMANI R. MNKENI
91. IBRAHIM SALEHE
92. ROSIANA TENDWA
93. ANNA JOHN
94. PILI RAMADHANI
95. NAOMBA JOELI
96. NAZA JOELI

97. NAKUMBUKWA KIDAGHO
98. ZABIHUNA OMARI
99. TABU JUMA
100. MWAJUMA JUMA
101. HALIMA JUMA
102. LIGHTNESS TENDWA
103. AMINA SENKONDO
104. ESTER MBONEA
105. WINIELI MZAVA
106. ALPHONSA SHIRIMA
107. HUSSEIN MRUTU
108. SERAFIN KIMARO
109. AGGREY MBAGA
110. DENNIS MRUTU

### **List of Interviewed Counselors**

1. HAIKAEL MFANGARO
2. ROSE KISANGA
3. MAGDALENA LYIMO
4. ROMANA OLOMU
5. AGNESS URASA
6. VIRGINIA SILAYO
7. DAFROSA ITEMBA
8. MARIETHA MADIO

### **List of Litigants Interviewed**

1. PRISCILLA FANIEL
2. ARANAUNYANGA YOHANA
3. MERYCELDES SABAS
4. HARIET LEMA
5. YOVITA NOEL
6. SHALBANO AL-BALAL
7. BIBIANA SEVERINI
8. AISA KWANU
9. ESTER ZAKARIA

### **List of Counselling Clients Interviewed**

1. SALOME FRANK MSOFFE
2. LILLIAN

### **Network Members**

1. AJISO LEGAL AID ORGANIZATION
2. KIWAKUKU
3. SOCIAL WELFARE DEPARTMENT – MOSHI URBAN
4. RESIDENT MAGISTRATES COUSTR – MOSHI URBAN

5. MAWENZI HOSPITAL – MOSHI URBAN
6. MINJENI WOMEN GROUP
7. RADIO SAUTI YA INJILI
8. MWANANCHI NEWSPAPER
9. RAPID FUNDING ENVELOPE – MOSHI URBAN
10. CHESS- MOSHI URBAN

### **Board Members**

1. ASHLI NELSON SUMARI – MEMBER
2. JUSTIN BAMANYISA

### **KWIECO staff and Management**

1. ELIZABETH MINDE – MANAGING DIRECTOR - LITIGATION
2. AGINATHA RUTAZAA – PROGRAMME OFFICER – HUMAN RIGHTS EDUCATION AND GENDER
3. BENSON SANDU – PROGRAMME OFFICER- LITIGATION
4. FARHAT - PROGRAMME OFFICER – COUNSELLING
5. KIMARO - PROGRAMME OFFICER, LOBBY & ADVOCACY
6. SABINA SILAYA – INTERN COUNSELLING
7. SALAKANA EUGENIA – FINANCE AND ADMINISTRATION
8. ESTER LYATUU – CLEANER
9. MARTIN KILASARA- PROGRAMME OFFICER- LITIGATION
10. IBRAHIM KOMU – PROGRAMME OFFICER- CHILDREN’S RIGHTS
11. BRENDAN RUDDY– VOLUNTEER- IT
12. APPAYI – SECRETARY MANAGING DIRECTOR
13. LYDIA MARIKI – SECRETARY, LITIGATION
14. HAMISI ATHUMANI MSAMBARA – DRIVER
15. YUSUFU SADIQ - DRIVER

### **JURK**

1. JANE CHRESTENES – PROGRAMME SUPPORT OFFICER
2. JUNE ORMSTAD- PROGRAMME SUPPORT OFFICER