

A Guide on Best Practices in Developing and Adopting Gender-Sensitive Village Bylaws in Tanzania

Tanzania Women Lawyers Association

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Cover picture: A woman speaks during a community meeting in Vilabwa, Kisarawe District.

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About TAWLA

Tanzania Women Lawyers Association (TAWLA) is a Non-Governmental Organization established in 1989 and registered under the Societies Act of 1990. The organization is compliant with the NGOs Act of 2002 and obtained NGO status in 2019. The aims and objectives of the organization are to advocate for gender equality and to promote human dignity and gender justice through policy, community action, media engagement, and legal and institutional reforms.

To this end, TAWLA envisages a society that respects, upholds, and enhances responsibilities and empowers women. Its mission is to collaborate with relevant stakeholders in creating a conducive legal and policy environment, providing diverse platforms on sectoral reform and ensuring access to justice through legal aid services, advocacy, awareness raising, strategic litigation, and research and publications on issues affecting women and children.

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About this guide

The purpose of this guide is to provide best practices for facilitating the development and adoption of gender-sensitive village bylaws in Tanzania. These best practices are informed by case studies drawn from various locations, including Kisarawe District, where the Tanzania Women Lawyers Association (TAWLA) supported the adoption of bylaws in 66 villages; and other districts where other civil society organisations – including Participatory Ecological Land Use Management (PELUM), Hakiardhi and Tanzania Natural Resources Forum (TNRF) – have supported communities to adopt bylaws as part of their work advocating for community land and natural resource rights.

The guide is aimed mainly at civil society organisations, land governance and natural resource protection advocates, paralegals, and community-based organisations in Tanzania. Throughout this guide, those supporting the process of developing village bylaws are referred to as ‘facilitators’, while the village may also be referred to as ‘the community’.



Participants at a community meeting in Vilabwa, Kisarawe District. Credits: TAWLA

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Tike Mwambipile
Executive Director
TAWLA

List of acronyms and abbreviations

CMT	Council Management Team
PELUM	Participatory Ecological Land Use Management
TAWLA	Tanzania Women Lawyers Association
TNRF	Tanzania Natural Resources Forum
VICOBA	Village Community Bank

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Abstract

Despite the Tanzanian Government having adopted progressive provisions on gender equality in relation to land access and ownership, and on women's representation in governance bodies, women's voices are poorly included in community land allocation and decision-making processes at the local level. As the national legal framework grants village governments the power to adopt local bylaws in order to ensure effectiveness in implementing their role, the Tanzania Women's Lawyers Association (TAWLA) and other Tanzanian civil society organisations have seized this opportunity to promote more effective participation of women in land governance at the local level. Village bylaws can be very useful in promoting gender equality when it comes to the processes of governing land and natural resource management, decision-making and ownership. Bylaws also represent a potentially strong tool in ensuring that national provisions on gender equality are known and implemented at the village level.

This guide provides step-by-step guidance on how best to facilitate communities in developing and adopting gender-sensitive village bylaws in Tanzania. In doing so, it provides civil society organisations, land governance and natural resource protection advocates, paralegals, and community-based organisations with a process that engages both women and men at all stages, while utilising mechanisms that allow women specifically to speak up and share their opinions.

The experiences documented in this guide show that *process* is at the heart of the successful adoption of gender-sensitive bylaws. The process of drafting, debating and adopting community bylaws is crucial if a village is to obtain a set of rules that community members – both men and women – are willing to adhere to and be responsible for.

In summary, with the aid of documented case studies, this guide provides:

- i. A step-by-step process for facilitating the development and adoption of gender-sensitive bylaws.
- ii. Best practices for supporting the participatory development of gender-sensitive bylaws.
- iii. Best practices for ensuring women's meaningful and effective participation in the process.

Introduction

The Constitution of the United Republic of Tanzania states that all citizens are entitled to own property. Furthermore, the 1999 Land Act and Village Land Act include fundamental principles that safeguard women's rights to land, while the 1982 Local Government (District Authorities) Act stipulates that at least a quarter of village council members be women.

Despite this progressive legal framework, rural women in Tanzania have fragile tenure security and their needs and interests when it comes to land are poorly taken into account in local decision-making processes. In practice, women's voices are rarely represented in an effective way in village councils and village assembly meetings. Community decision-making concerning land is viewed as the preserve of men, and while a few women may be present in village assembly meetings, their contributions are often minimal and not taken into account.

As the Village Land Act (1999) grants village authorities the power to adopt bylaws to facilitate better land and natural resources management and administration at the local level,¹ the Tanzania Women's Lawyers Association (TAWLA) and other Tanzanian civil society organisations have seized this opportunity to promote more effective participation of women in local land governance by facilitating the development and adoption of gender sensitive village bylaws.

What are gender-sensitive bylaws?

Bylaws are subsidiary rules enacted at the local level. They consist of locally defined agreements which may address a variety of socio-economic issues such as the use and governance of natural resources, or social and cultural relations. In Tanzania, bylaws are legally recognised once approved by village and district authorities, as stated in the Local Government (District Authorities) Act (1982).

Bylaws can support gender-sensitive local land governance through a consensual, written and legally recognised framework that promotes women's participation in village governance, clarifies land and natural resources governance rules, and increases the transparency of local government activities. Their adoption gives women and men the means to participate in, and claim ownership of, land governance processes.

For a bylaw to be gender-sensitive, not only should its content be sensitive to gender issues, but gender dynamics should also be accounted for in the process through which the bylaw is developed and adopted. In particular, both women and men should be involved, consulted and facilitated at all levels of drafting and adopting the bylaw.

The participatory adoption of gender-sensitive bylaws is a useful process in ensuring that national gender equality provisions are known and implemented at the village level.

¹ Sections 65(2) and (3) of the 1999 Village Land Act No. 5 provide village councils with the power to pass bylaws facilitating better local land and natural resources management and administration. The village council exercises this power through adhering to the procedures provided in the 1982 Local Government (District Authorities) Act.



Village assembly at Vilabwa, Kisarawe District. Credits: TAWLA

How can this guide help?

This guide provides step-by-step guidance on how best to facilitate communities in developing and adopting gender-sensitive village bylaws in Tanzania. In doing so, it provides civil society organisations, land governance and natural resource protection advocates, paralegals, and community-based organisations with a process that engages both women and men at all stages, while utilizing mechanisms that allow women specifically to speak up and share their opinions.

The experiences documented in this guide show that process is at the heart of the successful adoption of gender-sensitive bylaws. Further, the process of drafting, debating and adopting community bylaws is crucial if a village is to obtain a set of rules that community members – both men and women – are willing to adhere to and be responsible for.

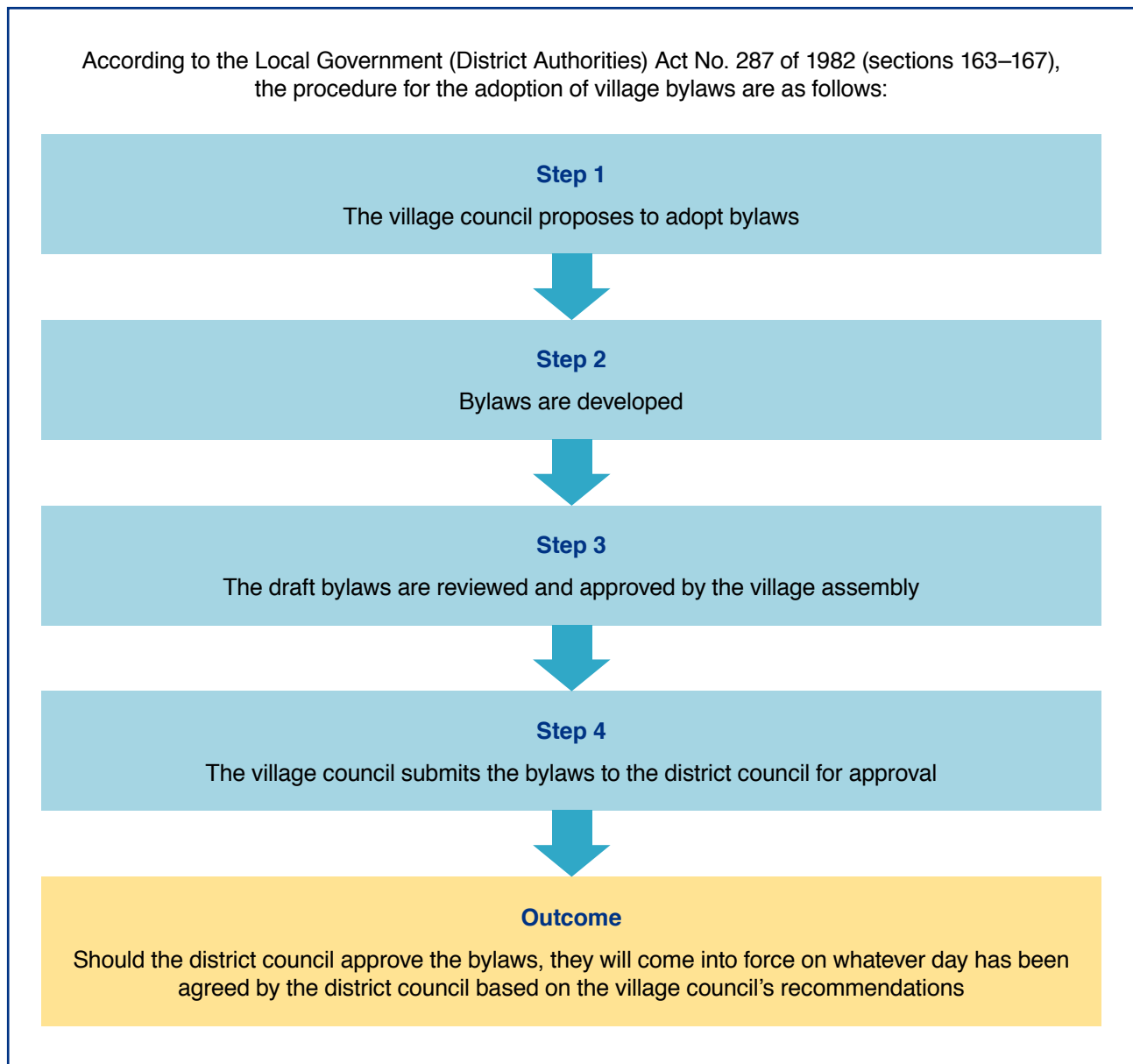
With the aid of documented case studies, this guide provides:

- i. A step-by-step process for facilitating the development and adoption of gender-sensitive bylaws.
- ii. Best practices for supporting the participatory development of gender-sensitive bylaws.
- iii. Recommendations on ensuring women's meaningful and effective participation in the process.

I. A step-by-step process for facilitating the development and adoption of gender-sensitive bylaws

Drawing on the national legal framework, this chapter provides a step-by-step process for facilitating the participatory adoption of gender-sensitive village bylaws.

The diagram below shows the official process to be followed to develop and adopt village bylaws, as set out by the Local Government (District Authorities) Act of 1982.



The experiences documented in this guide demonstrate that for a village to adopt a gender-sensitive bylaw, the entire community – both women and men – should be equally engaged and consulted at, and equally participate in, all stages.

The section below details each step of the process and indicates when and how facilitators should support communities so that the process is participatory and inclusive. Most support from facilitators is expected to be provided under steps 1 and 2. Details on the best practices to be followed under each step are provided in the subsequent chapters.

Step 1. The village council proposes to adopt by-laws

As part of this step, community members are asked to identify issues to be addressed in the bylaws. The village council then compiles the issues, categorising them as advised by consultation groups at the sub-village-level (hamlets, also known as *vitongoji* in Swahili), in order to develop a list of issues that can be put forward for village assembly discussion.

As part of this step, facilitators should:

- i. Describe the entire bylaw development process so that the community is aware of each step, what it involves, and how they can engage and participate equally.
- ii. Support community members at *vitongoji*-level to identify people with common interests and needs in relation to land and natural resources, or who are likely to be similarly affected by the bylaws, in order to form consultation groups. Possible groups may include (but are not limited to) women, youths, religious/traditional or influential leaders, and people with disabilities. The facilitators should consult with the identified groups to ensure that their opinions are collected at every step during the bylaw adoption process.

- iii. Support the identified consultation groups to nominate two representatives to work with the facilitators during the bylaws adoption process. Except for the group with women members only, each group should nominate one woman and one man to support the facilitators in collecting and documenting opinions from members of their respective groups during the process of adopting the bylaws.
- iv. Use the best practices set out in this guide, engage and support the consultation groups to identify land and natural resources issues within their community that may require a bylaw intervention.
- v. Facilitate the provision of legal awareness sessions (eg. regarding national laws and policy provisions) relevant to issues identified for the bylaw adoption process.

The main questions that should be considered to ensure gender-sensitivity as part of this step are:

- To what extent have women been made aware of and participated in the process?
- To what extent have women been assured safe spaces/platforms to share their opinions free from the constraints of norms, practices and traditions?

Step 2. Draft bylaws are developed

The Village Council convenes the village assembly to present the issues that have been proposed for the bylaw drafting process. All village residents aged 18 or above may attend the meeting. The village assembly considers the proposals, provides feedback and agrees on a list of issues to be addressed by the bylaws. The village council then facilitates the development of a first draft of the



Community conversation at Kisangire, Kisarawe District. Credits: TAWLA

bylaws based on the agreed issues, in collaboration with the consultation groups representatives. This draft is then shared with the district solicitor to ensure that it complies with national laws.

During this step, facilitators should:

- i. Support the *vitongoji* representatives in holding consultation meetings with their groups (women, youth and any other identified group in the village) to review the proposed issues and give their opinions.
- ii. Ensure that minutes of the village assembly meeting are well recorded for the purpose of passing the bylaws.
- iii. Facilitate a community dialogue for presenting and reviewing the first draft of the bylaws, ensuring that all eligible members of the village assembly participate and that women are equitably represented.
- iv. Ensure the participation of all consultation groups (women, youths, people with disability, etc.) and support the community to develop a second draft of the bylaws.

The main questions that should be considered to ensure gender-sensitivity as part of this step are:

- Have women's opinions been represented by women themselves?
- Has the procedure been formulated in a manner that ensures women are equally represented at every step from development to adoption?

Step 3. The draft bylaws are reviewed and approved by the village assembly

The village council convenes the village assembly to present the draft bylaws for the assembly's approval.

Following this:

- i. The village-approved bylaws are submitted to the ward development committee for consideration.
- ii. After discussion at the ward level, the bylaws and the minutes of both the ward development committee's meeting and the village assembly meeting are prepared for submission to the district.

Step 4. The village council submits the bylaws to the district council for approval

Following this:

- i. The bylaws are reviewed by the district solicitor to ensure they align with national laws, especially regarding any provisions, fines and penalties.
- ii. The bylaws are submitted to the Council Management Team (CMT) – composed of all heads of departments and their sub-departments – for review and any additional feedback.
- iii. Upon approval by the CMT, the bylaws are submitted to the district finance committee, which will set any relevant fines and penalties in accordance with national laws and policies.
- iv. The district finance committee resubmits the proposed bylaws to the District council, which is mandated with approving or disapproving them.
- v. Upon the district council's discussion and approval, a finalised draft of the proposed bylaws is sent for signing to the village chairperson, the village executive officer and the district executive director.

Dissemination of the finalised bylaws

- Copies of any new bylaws will be displayed on all village public notice boards no less than 30 days before they become legally binding, in order to ensure awareness among village members. Moreover, the new bylaws will be presented to the village assembly.
- For the purposes of the administration of justice at the primary court, the newly drafted bylaws must be published in the *Tanzania Government Gazette*.

II. Best practices for supporting the participatory development of gender-sensitive bylaws

Developing gender-sensitive bylaws entails the meaningful participation of both women and men throughout the process. To ensure this, facilitators and the community should be guided by the best practices below.

A. Support community members to form inclusive and participatory structures

Facilitators should support the *vitongoji* and village members to form special consultation groups, which may include (but are not limited to) women's groups, youth, the elderly, people with disability, and traditional and influential leaders. The purpose of these consultation groups is to ensure that the rights and interests of different categories of community members are taken into consideration at all stages of bylaw development. Facilitators should guide the groups towards equal representation of both women and men.

Once the consultation groups have been formed, facilitators should support the village council to hold periodic consultations with these groups, emphasising that potential bylaws may affect different community members in diverse ways.

Facilitators should support the consultation groups in ensuring women's active participation. This may include ensuring that each group has women members and that they are selected to be among a group's representatives.

Case study 1: Participation in the bylaw development process leading to long-term impact in women accessing their rights

Interviews in Kisarawe show that women in the village of Marumbo – one of the groups initially identified in relation to potential bylaws and who went on to participate in all stages of their development – have established the habit of reading the adopted village bylaws amongst themselves during Village Community Bank (VICOBA) meetings and other social gatherings. The Marumbo women said they felt ownership and responsibility for the adopted bylaws, which is why discussion of bylaws is often on the agenda in such meetings. As a result of this understanding of their right to participation under the adopted bylaws, more women in Marumbo have become members of village development committees, holding their leaders accountable over land governance and natural resource management, as well as reporting violations of bylaws to the village authority.

Source: TAWLA

Case study 2: Creating structures that support women to share their opinions without fear of being shamed by name-calling

In the process of developing bylaws to help protect developed village land use plans, women in Kilolo, Mufindi, Morogoro, Kilindi and Mkinga districts were not actively participating in village meetings due to shyness and a desire to avoid being shamed by name-calling. Hakiardhi intervened by facilitating the creation of separate women-only consultation groups. Within these groups, women were assured of a safe space to openly share their opinions regarding bylaw development.

Source: Hakiardhi

B. Undertake a gender analysis prior to the development of village bylaws

Facilitators should support community members in carrying out a gender analysis, thereby enabling them to identify the factors affecting women when it comes to participation in community-level decision-making meetings and platforms. This gender analysis – which may be obtained through consultation with women and other groups in the community, such as youth, elders, men, and traditional and/or influential leaders – should identify the barriers that exist to women’s participation in decision-making processes. During the process, facilitators should consult with women regarding possible mechanisms that might enable them to participate, and should draw on their opinions to help design community-specific strategies that proactively address any identified barriers. Ultimately, the gender analysis should both provide information on barriers to women’s participation and potential solutions that have been formulated by the women themselves.

Case study 1

Through a 2014 pilot study on women’s participation in village land governance in 11 villages in Kisarawe district, TAWLA was able to identify the gender-related issues preventing women from participating in village assembly meetings. The analysis showed that very few women were part of village governance structures and that few women shared their opinions in vitongoji and village meetings due to socio-cultural beliefs that viewed women as insufficiently confident to be involved in decision-making processes. TAWLA held consultation meetings with women, as well as with village council members, men and influential leaders, to identify the reasons behind the lack of women’s participation. Informed by findings that the majority of women would not give their opinions in meetings where religious leaders, their husbands or men in general were involved, TAWLA collaborated with the Kisarawe district council to formulate a gender-sensitive structure whereby women-only side-meetings – led by a female member of the village council – would be held prior to a village council or assembly meeting. These side-meetings provided helpful spaces for women to understand the village assembly agenda and share their opinions with the female representative of the village council, enabling her to represent them during any decision-making processes. During the bylaw adoption process, these side-meetings enabled villages to not only ensure women were attending the bylaw development process, but that their voices and opinions were meaningfully taken into consideration.

Source: TAWLA

Case study 2

Having found that women were most affected by male-dominated land use systems in the Southern Highland Region of Tanzania, Participatory Ecological Land Use Management (PELUM) supported the establishment of a women’s special consultation group in order to represent women’s opinions during the land planning process. Moreover, PELUM later facilitated some women becoming para-surveyors, their role being to advise the village council throughout development of bylaws that would cater for a gender-sensitive land use system.

Source: PELUM

C. Ensure women attend and participate in village meetings

Facilitators should ensure that women themselves can put forward the most effective modalities for women's attendance and participation in village meetings, and, following on from this, support the community in considering these proposals. Such proposals may differ between communities according to local beliefs, social norms and traditions. In Kisarawe, women highlighted the approaches below as helpful in facilitating their attendance and participation in decision-making meeting.

i. Consult and effectively inform women regarding meeting agendas, venues and dates

Case study

In Marumbo village (Kisarawe district), women's participation in meetings has improved compared to before the bylaws were adopted. Women are aware of the importance of their participation and say that the distance from a meeting's location to their homes is not a barrier provided they are made aware of the date and meeting agenda ahead of time.

Source: TAWLA

ii. Public announcements of formal meetings

There should be an effective means of making public announcements about meetings. Such announcements should be made several days prior to a meeting and ensure all parts of the village are reached. To this end, public announcements may include: use of a loudspeaker; one-on-one information; information on notice boards; and information disseminated via *vitongoji* leaders and cell (units of ten houses within the same village) leaders.

iii. Schedule meeting times and durations according to women's needs

Meetings should be scheduled for times when women are free from work responsibilities or not limited by any house chores they may need to attend to. Moreover, meetings should run according to pre-defined durations so that women with small children and/or other household chores can attend.

Case study 1

In Mufindi district, PELUM supported women's meaningful participation by ensuring that all village consultation meetings took account of times and places proposed by women. This made it possible for more women to participate in bylaw adoption meetings.

Source: PELUM

Case study 2

In Kidugalo (Kisarawe district), village council members consulted women regarding planned meeting times in order to ensure they would be able to attend. In this case, women expressed a preference for meeting between 3pm and 5pm, thereby allowing them to use their morning hours for economic activities and household chores.

Source: TAWLA



Community conversation at Kisangire, Kisarawe District. Credits: TAWLA

D. Ensure the community takes the lead in identifying the issues to be covered by proposed bylaws

Facilitators should support community members to hold consultative dialogues in order to identify issues and challenges that can potentially be addressed by the bylaws. These dialogues can be done at various levels, beginning with members of each *vitongoji* being informed of the bylaw development process and invited to share their opinions through the identified consultation groups.

Following on from this, village assembly discussions should involve an open dialogue around issues raised in the *vitongoji*-level consultation groups. At the village assembly, the consultation groups from several *vitongoji* may merge to form village-level consultation groups, and elect representatives for involvement in the process of adopting the bylaws.

Through consultative dialogue at the village assembly, facilitators may assist the village council in categorising issues according to, for example, land governance; water, forests and other natural resources; peace and security; and social services.

The village council may — in collaboration with consultation group representatives and with a view to use in later dialogues concerning bylaw development — document the issues highlighted by the *vitongoji* and discussed/approved by the village assembly.

Case study

In Kidugalo village (Kisarawe district), one of the initial steps in the bylaw formulation process involved consulting the community to identify relevant issues. This was conducted at the *vitongoji* level in the form of an open dialogue, with the aim of ensuring greater participation of men and women within the neighbourhood. Afterwards, the chairpersons of *vitongoji* (who were also members of the village council) together sat as the village council to combine the issues, drawing on the open dialogue to help them identify which issues impacted the village as a whole and which impacted only a single or some *vitongoji*. The issues identified as having a village-level impact were later used in the process of bylaw development. With the community having been placed at the core of identifying the issues, more women then participated in the rest of the bylaw development process.

Source: TAWLA

E. Undertake legal awareness sessions regarding the issues identified

Facilitators should, through a legal awareness session, support the community in understanding the national laws, policies and regulations relevant to the issues identified. The legal awareness process may be conducted by district solicitors, who can help the community identify any specific areas that need to be regulated under the bylaws they are about to develop.

Case study 1

In Kisarawe district, village councils informed the district lawyer of the need for legal awareness sessions on land and natural resource management prior to the formulation of relevant bylaws. Additionally, TAWLA facilitated legal awareness sessions on women's participation in natural resource governance. Having gained this legal awareness, community members were better informed about possible issues that may need to be addressed by bylaws, thereby enabling them to put in place sound systems for natural resource governance. The sessions helped women understand the laws and their rights in relation to land and natural resource management, allowing them greater confidence when it came to giving their opinions in the bylaw adoption process.

Source: TAWLA

Case study 2

Women in Iringa, Kiteto, Chemba and Longido districts were among the groups that initiated the development of bylaws as a solution to conflicts that had emerged during implementation of village-level land use plans. The challenge faced was that women's participation in the process was highly limited due to a lack of confidence and knowledge about their rights. Responding to this, Tanzania Natural Resources Forum (TNRF) provided legal awareness technical support to women's groups and the wider community. This helped women understand their rights and become more confident in sharing their opinions during bylaw development meetings.

Source: TNRF

F. Describe the entire bylaw process to community members

Facilitators should ensure that the village council and the representatives of the identified consultation groups understand the bylaw adoption process so that they can orient group members (in the case of consultation group representatives) or *vitongoji* leaders (in the case of village council members who are also *vitongoji* chairpersons). This will enable village members to understand the process's significance and in turn prompt all those with the capacity to do so to attend the relevant meetings at all stages.

G. Support community members to be an integral part of the process

At the community level, the bylaws are intended as a means of supporting village development activities. In order to maximise adherence to bylaws, community members must be at the core of the process. Facilitators may support the village council to propose bylaws based on issues identified during the early stages of consultation. To ensure all community members feel safe in participating, facilitators may support village members in developing general meeting rules and guidelines that will help enhance mutual respect between community members.

To ensure community members from the identified consultation groups (women, youths, elders and all those who will be directly affected by adoption of the proposed bylaws) are granted equal participation, facilitators should support each group in nominating two members – a woman and a man – to become part of the bylaw drafting team in collaboration with the village council. These representatives can then support discussions and document the issues and opinions raised during consultation meetings.

III. Best practices for ensuring women's effective and meaningful participation in the bylaws development process

All village members aged 18 years and above have the right to participate in the bylaw development process for land and natural resource management. This includes equal participation of women and men: that is, they should all be invited to meetings, all be given equal opportunities to share their views, and all have their views respected as members of the village.

In order to facilitate women's participation, facilitators should ensure that all stages of the bylaw development process take place amid a friendly and respectful environment that is conducive to both women and men sharing their thoughts. In most communities, women have been constrained by social norms, beliefs and traditions that disregard their right to participate. The practices below can help in overcoming these issues.



A. Encourage women's verbal participation

It is generally known that attendance at meetings does not equate to active participation. In Kisarawe, for example, the majority of women did not feel free to speak out in village meetings due to socio-cultural norms, traditions and beliefs that undermine their capacity and right to do so.

Therefore, to support women in speaking out, facilitators should develop and implement facilitation models that ensure men and women speak equitably in meetings. Such models could include establishing meeting rules or guidelines that promote active listening and respect of everyone's opinions. Such practices should create a safe space for women to speak out and encourage them to share their thoughts freely.

B. Convene women-only meetings

Prior to village assembly meetings held to consult, review or approve proposed draft bylaws, facilitators may organise women-only meetings in order for women to be able to work together to identify their interests and craft strategies to effectively advocate for them. Facilitators should also remind the women of their rights as provided by national policies and laws; ensure that they understand the importance of their contributions to the community bylaw drafting process; and prepare them to speak as a group, as there is strength in numbers.

Experience has shown that women-only meetings can play a significant role in supporting women to actively challenge discriminatory norms and argue for land rights protections.

Case study

In 2014, Vilabwa village (Kisarawe district) had allocated land to investors without fully consulting the village assembly. In particular, women had not been able to fully participate in the consultation process. The allocated village land comprised a women's farm popularly known as 'shamba la akina mama' and other spots used for the collection of woods, herbs and vegetables essential to women's domestic and economic activities. Women were not satisfied with this land allocation and so called for legal support. As a result, TAWLA decided to collaborate with district lawyers in support of the women's land rights.

Through legal awareness sessions, Vilabwa village members were able to recognise the need to create a women-only space for meetings. This took the form of a female village council member meeting with all the women prior to the village assembly to discuss the meeting agenda and any relevant item points. During these women-only meetings, women felt free to express their thoughts, and were then represented by female village council members in the village assembly when it came to decision-making discussions. During the group discussions that took place when documenting this guide, village council members and (religious, traditional and influential) leaders shared how having women-only side-meetings had helped more women to share their opinions in village meeting decision-making around land and natural resource governance. This in turn had reduced community conflicts resulting from the lack of women's participation.

Source: TAWLA

C. Educate men and leaders about the benefits of strong land rights for women

Experience has shown that when men and leaders understand how women's land tenure security can increase household income and ensure their children's future prosperity, they are more likely to promote rules in land rights that strengthen and protect women's interests.

Moreover, in rural contexts, the majority of community members look to their traditional or religious leaders as the main source of authority and enforcement of rules. Such leaders have therefore a critical role to play as defenders of women's rights.

Further, facilitators are encouraged to train community leaders and cultivate them as allies in promoting women's land and natural resource rights.

Facilitators should also make sure that leaders (especially traditional, influential and religious leaders) understand the objective of having a gender-sensitive process for equitable participation of both men and women.

D. Leverage customs

Customs do not always undermine women's rights. In some communities there are certain customs that are not regularly brought forward, or have been forgotten, that actually promote the protection of women's land rights. Further, national laws protecting women's land and natural resource rights do not violate customary rules. Facilitators should therefore:

- i. Educate communities about national laws that relate to their customs and traditions (if any) protecting women's land and natural resource rights.
- ii. Support (village council, traditional, religious and influential) leaders in remembering traditions and customary rules that emphasise men's and leaders' role as 'protectors' of women's rights (and other groups in the village).

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Despite the Tanzanian Government having put in place progressive provisions on gender equality in land access and ownership, and in representation in governance bodies, women's voices are often poorly included in community land allocation and decision-making processes at the local level. As the law grants village governments the power to adopt local bylaws in order to ensure effectiveness in implementing its role, the Tanzania Women's Lawyers Association (TAWLA) and other Tanzanian civil society organisations have seized this opportunity to promote more effective participation of women in land governance at the local level.

This guide provides step-by-step guidance on how best to facilitate communities in developing and adopting gender-sensitive village bylaws in Tanzania. In doing so, it provides civil society organisations, land governance and natural resource protection advocates, paralegals, and community-based organisations with a process that engages both women and men at all stages, while utilising mechanisms that allow women specifically to speak up and share their opinions.

Tanzania Women Lawyers Association (TAWLA) is a Non-Governmental Organization established in 1989 and registered under the Societies Act of 1990. The organization is compliant with the NGOs Act of 2002 and obtained NGO status in 2019. The aims and objectives of the organization are to advocate for gender equality and to promote human dignity and gender justice through policy, community action, media engagement, and legal and institutional reforms.



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