Statement on Human Rights in Tanzania for the UPR Pre-Session

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Introduction

Thank you for the opportunity to contribute to this UPR Pre-Session. I would like to highlight two key issues affecting the rights of girls in Tanzania: one is the continued existence of legal provisions permitting child marriage and second lack of stronger legal foundation for the Education Re-entry Policy that supports pregnant girls and adolescent mothers to continue their education.

Issue 1: Elimination of Child Marriage and Reform of the Law of Marriage Act

During previous UPR cycles, Tanzania accepted recommendations calling for the amendment of the Law of Marriage Act, 1971 to establish 18 years as the minimum age of marriage for both girls and boys. These recommendations are consistent with the landmark decision of the Court of Appeal in *Attorney General v. Rebeca Z. Gyumi* (Civil Appeal No. 204 of 2017), which declared sections 13 and 17 of the Law of Marriage Act discriminatory and unconstitutional.
Despite this judgment, the relevant provisions remain in force. As a result, girls continue to face the risk of child marriage and its harmful consequences. According to the Tanzania Demographic and Health Survey and Malaria Indicator Survey (TDHS-MIS 2022), 29% of women aged 20-24 were married before the age of 18. From the report published by Girls not bride in 2024 indicates that Child marriage in Tanzania remains particularly prevalent in some regions, reaching 59% in Shinyanga and 58% in Tabora.

The impact of Child Marriage on girls' education is significant. The TDHS-MIS 2022 shows that 55% of women with no education were married before age 18 compared to only 8% of women who completed secondary education. Evidence from the Education Sector Development Plan (2025/26-2029/30) also shows a sharp decline in girls' participation as they progress through the education system, with net enrolment falling from 82.1% in primary education to 43.8% in lower secondary and only 7.8% in upper secondary education. Adolescent pregnancy affects 22% of girls aged 15-19 nationally and 25% in rural areas, further increasing the risk of school dropout.

Child marriage limits girls' educational attainment, increases their exposure to early pregnancy and poverty, and reduces their future economic opportunities. According to the National Bureau of Statistics Education and Literacy Analysis Report (2025), adult female literacy stands at 79.5% compared to 86.8% among males. The continued existence of legal exceptions permitting child marriage undermines efforts to achieve gender equality and the right to education.
Live evidence from myself is when I was implementing my SRHR advocacy project in a rural community of Rukwa Region, I met a girl who had successfully completed Form Four and had been selected to pursue a diploma in Pharmacy. However, at the age of 16 she was married off by her parents and was consequently unable to continue her education. Having grown up in a similar rural setting, I have witnessed how child marriage can abruptly interrupt girls'

education and severely limit their future opportunities. This experience reflects the reality faced by many girls whose education and aspirations are cut short by early marriage.

Recommendation

We respectfully urge the Government of Tanzania to expedite the amendment of the Law of Marriage Act, 1971 to establish 18 years as the minimum legal age of marriage for both girls and boys, without exception, in full implementation of the Court of Appeal judgment and Tanzania's international human rights obligations.

Issue 2: Education Re-entry Policy

During the previous UPR cycle, Tanzania accepted recommendations, including recommendation 145.77, to ensure that pregnant girls and adolescent mothers can continue and complete their education. In response, the Tanzanian government announced Education Circular No. 2 of 2021, which outlined how students who dropped out of school for various reasons, including pregnancy, could return to school. Through the circular, the government revoked its discriminatory school ban against pregnant girls and adolescent mothers. later in February 2022, Tanzania's Ministry of Education, Science and Technology published "Guidelines for re-entry of students who dropped out of primary and secondary education for various reasons."

These reforms have produced important progress. Government reports presented by the Ministry of Education, Science and Technology indicate that more than 10,000 girls have returned to school through the implementation of the re-entry framework. However, the circular and its guideline include provisions that contravene Tanzania's human rights obligations. The article published by Human Rights Watch in 2022 shows that the discrimination still exists and limits the adolescent mothers a right to education as the 2022 guidelines include administrative barriers for girls to re-enrol after pregnancy and stipulate a period of up to two years for students who are mothers to re-enter school. They also prescribe that girl who become pregnant a second time will no longer be readmitted for formal education.

Also, the framework remains based on administrative circulars and guidelines rather than statutory law. The provisions contained in Education Circular No. 2 of 2021 and the Education Re-entry Guidelines (2022) have not been incorporated into the Education Act, Chapter 353 (Revised Edition 2023), which is the principal legislation governing education in Tanzania.
This gap has practical implications for girls. Because the framework is not legally guaranteed through legislation, future administrations may withdraw the provisions. Further the study conducted by Mwakililo & Mauki, in 2025 shows Girls continue to face barriers including stigma, discrimination, limited awareness of the policy, and challenges in accessing support necessary for successful school reintegration.

These findings reflect experiences that I have observed through my advocacy work in the communities and secondary schools in Rukwa Region, where adolescent mothers frequently report stigma, lack of family support, financial difficulties, and childcare responsibilities as major obstacles to continuing their education. Coming from a rural background myself, I understand how these challenges are deeply rooted in community realities and continue to

affect girls even where the re-entry framework exists. This demonstrates the need not only for stronger legal protection of the policy but also for comprehensive support systems that enable adolescent mothers to return to and successfully complete their education.

Recommendation

Remove discriminatory provisions in the Education Circular No. 2 of 2021 and the 2022 Re-Entry Guidelines that restrict adolescent mothers' access to education, including the mandatory waiting period for re-entry and the exclusion of girls who experience a second pregnancy. The Government of Tanzania should further incorporate the School Re-Entry Framework into the Education Act, Cap. 353 R.E. 2023 to provide a legally protected and sustainable guarantee of the right to education. In addition, efforts should be strengthened to address stigma and discrimination, increase awareness of the policy, and expand educational, psychosocial, and financial support services to enable adolescent mothers to successfully return to, remain in, and complete their education.

Conclusion

We acknowledge the progress made by the Government of Tanzania in promoting girls' education and protecting children's rights. However, significant gaps remain. We therefore respectfully call upon the Government to amend the Law of Marriage Act to establish 18 years as the minimum age of marriage without exceptions and to amend and incorporate the Education Re-entry Framework into the Education Act, ensuring that all girls can enjoy their rights to protection, education, and equal opportunity.

Thank you.