

### Guiding Questions: Equality and non discrimination

1 (a) **Response:** Is Yes, the Constitution of the United Republic of Tanzania 1977 Article 12 sub article (1) provide that: All human being are born free and are all equal, while Article 13(1) guarantee equality before the law to all persons and that they are all entitled without discrimination, to protection and equality before the law.

(b) **Response:** Yes , Article 13 sub article (4) of the United Republic of Tanzania constitution provide that: No person shall be ‘discriminated’ means to satisfy the need, rights or other requirements of different persons on the basis of their nationality, tribe, place of origin, political opinion, colour , religion, sex etc.

2 **Response:** No information provided.

3 Availability of access to quality health care services

**Response:** Tanzania has the 2003 National Aging policy(2003),National Health Policy (2007) which guarantee the provision of free, timely and quality medical services to older persons aging 60 years and above from all government health facilities. In some Local Government Authorities such as Hai, Shinyanga and Magu districts, health facilities have been established special desks and designated health services providers to fast track the provision of health services to older persons. The Zanzibar social protection policy of 2013 and old age pension scheme of 2015, provides universal monthly pension for elders aged 70+.

- Financial services

**Response:** Despite the fact that the law is not discriminative in financial services, but when it comes to obtaining loans from financial institutions the process is not friendly to older persons. Conditions for getting loans are not favorable to older persons because the borrower is normally supposed to have for instance collateral security which can be monthly salary or a fixed asset such as building and a surveyed land with a title of occupancy which to most of older persons is difficult to obtain.

4 Access to goods

**Response:** NO

- Mandatory age of retirement

**Response: No,** The mandatory age of retirement is 60 years which is compulsory to civil servants.

- Age limits in financial services and Products

**Response:** As it applies in Question No 3 on financial services section.

- Age based on benefits

**Response:** In Tanzania a civil servant and those from private sector retire at age of 55 or at 60 years as a mandatory age of retirement, who are eligible to get a monthly pension benefit. The older persons who are not employed in the formal neither government nor in private sector are not entitled to monthly pension benefits regardless of their age. Otherwise they get their pension according to the social security funds they contributed. However, the government is now on the process to prepare universal pension scheme for elder persons.

## Guiding Questions: Neglect, Violence and Abuse

1. **Response:** In the recent years there are no specific studies, undertaken by government or non-governmental institutions. But there has been annual surveys conducted by different institutions like police and other non-governmental organizations, such as the Legal and Human Right Centre in preparation for its yearly Human Right Report which is published every year. The report gives highlights of the human rights state in the country, where among other issues, the situation of older persons is also earmarked.
2. **(a) Response:** In Tanzania Majority of older persons and women in particular face different forms of violence, abuse and even neglect. Older persons and women in particular are forced to vacate their houses or their property after their spouses die. This is normally done by relative of the deceased either to force inheritance, grab the land or deceased assets etc. In some cases older people (women in particular) have been accused to be witches as a way of painting them negative among other community members. This has in many ways used by the perpetrators to justify their evil tactics. In some cases older women are denied basic services such as food, good shelter and sanitary care. Sometimes this is done by their close relatives including their own children.
  - **What is the setting in which they occurs (i.e. residential and non-residential)? Is there information about the type of perpetrators?**  
**Response:** Most of the incidences of violence, abuse and neglect are done within a family by family members or close relatives. However it is also obvious that some neglect behaviour to older persons do happen when they (older persons) are looking for services in the public places, such as hospital, bus stand and in community gathering.
  - (b) Response:** Yes, there is variation between the rate and occurrence of acts of abuse among older women and men. While there might be more or less similar neglect among men and women, but sexual violence, physical attack and killings are much more to older women than men. The Tanzania Police Report for 2015/16 reveals that the number of older women killed due to witchcraft allegations were 69% as compared to 31% of older men. This is clear indication that older women are more vulnerable as compared to older men. It is indispensable fact that older women are also prone to family responsibilities, including cooking and caring for the vulnerable children who might be left in the hands of grandchildren because of lack of any other support after the death of parents.
3. **Response:** The constitution of the United Republic of Tanzania states clearly on the obligation to protect the fundamental human rights including the right to life. It has also a number of other legislations which supports the protection of vulnerable groups such as children, women, PWD and older persons. However there is no specific legislation so far enacted explicitly that addresses issues of violence, abuse and neglect against older persons. There is currently a policy on ageing (National Ageing Policy – NAP) which address a number of older people’s issues from health, income, protection and security.
4. So far, there is no specific legislation to protect older persons against financial abuse and inheritance abuse.