

STATEMENT OF QUALIFICATION

Dr. Clement Julius MASHAMBA (UNITED REPUBLIC OF TANZANIA)

Dr. Clement Julius Mashamba is currently an Adjunct Senior Lecturer/Professor in Law – University of Iringa, Tanzania; a Part-time Senior Lecturer in Law at the St. Augustine University of Tanzania; and an Advocate of the High Court of Tanzania. At the end of February 2021, **Dr. Mashamba** will complete his second and last five-year term as a member of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC). He is also an accredited arbitrator in Tanzania and in the Southern African Development Cooperation (SADC) Region.

Dr. Mashamba is a person of high moral character, known for his impartiality and integrity, who possesses the qualifications required in the United Republic of Tanzania for appointment to the highest judicial offices. He is a staunch defender of the international Rule of Law and of Human Rights. He is a person of established competence in relevant areas of international law such as international humanitarian law, international arbitration, international dispute resolution, and international human rights law, as well as extensive experience in a professional legal capacity which is of relevance to work of the International Law Commission.

Apart from his professional training and his academic qualifications in law, which are internationally recognised, **Dr. Mashamba** has a wealth of experience in International Law, International Humanitarian Law and Human Rights Law as well as in practical litigation at both national and international levels. Indeed, he is one of the prominent legal experts/practitioners not only in the United Republic of Tanzania but also in the East African Region and the African Union, being a qualified lawyer from the common law legal system. He holds many titles and academic distinctions. He holds a doctorate degree in International Comparative Juvenile Justice and is a specialist in the above-mentioned fields. In his doctoral thesis, he studied, among other topics, the domestication of international juvenile justice standards in Africa in the context of the United Nations Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child – using South Africa and Tanzania as case studies. Apart from holding an LL.B. and an LL.M., **Dr. Mashamba** also holds certificates in Human Rights Law from the Canadian International Human Rights Foundation (now, *Equitas*) at Montreal, Quebec, Canada, and the Danish Institute for Human Rights at Copenhagen, Denmark. He further holds an advanced certificate in Conflict Management from the DANIDA Fellowship Centre/MIRO Consult, Copenhagen, Denmark.

Dr. Mashamba's main professional activities include working as a *Legal Counsel* since he graduated from the University of Dar es Salaam in the 1990s. Apart from working as an Advocate in Tanzanian, East African and African courts, he has also served as the Solicitor-General of Tanzania (April 2018 to July 2020). Over this period, **Dr. Mashamba** has been representing both private clients and the Government in domestic and international courts as

well as tribunals in matters relating to international arbitration and alternative dispute resolution, international human rights law, international law, employment and labour relations, constitutional and administrative law, juvenile justice and child rights, gender justice, *etc.*

Dr. Mashamba also teaches in several universities in Tanzania in Public International Law; International Human Rights Law and Litigation; International Dispute Resolution; International Humanitarian Law; International Child Rights Law; International Arbitration; Employment and Labour Law; Family Law; and International Investment Law. He also acts as an external examiner of LL.M. and Ph.D. students at the University of Western Cape, at Bellville, Cape Town, South Africa; Fort Hare University, South Africa; the Open University of Tanzania; Ruaha Catholic University, Tanzania; and the St. Augustine University of Tanzania.

In addition to working as Legal Counsel and Lecturer in Law, **Dr. Mashamba** is a Member of the Joint Panel of Arbitrators under the auspices of the Arbitration Foundation of Southern Africa and Southern African Development Cooperation (AFSA/SADC Panel of Arbitrators), as well as a Member of the Panel of Arbitrators under the Tanzania Institute of Arbitrators (TI Arb.). He has also been a Member of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), Addis Ababa, Ethiopia, from July 2010 to 28 February 2021. His other membership in professional associations include: Associate Member, Association of Fraud Examiners (ACFE) (Tanzania Chapter) (since September 2014); Member of the African Network for Prevention and Protection Against Child Abuse and Neglect (Tanzania Chapter) (from September 2016 to date); Member of the Board of Directors of the Centre for Fraud Research and Investigation (CFRI) (from October 2016 – to date); Assistant Editor of the Tanganyika Law Society Law Reports (from 2016 to date); and Member of the Board of Directors of the Women in Law and Development in Africa (WiLDAF, Tanzania Branch) (from December 2020 to date).

Finally, **Dr. Mashamba**'s work in the ACERWC span from being a Rapporteur of the Bureau, a Special Rapporteur on Children in Armed Conflicts and Child Justice as well as a Special Focal Person for Botswana, Burundi, Ethiopia, Kenya, Malawi, Namibia, South Africa, Zambia and Zimbabwe on the domestication and implementation of international child rights norms at the municipal level. On several occasions, **Dr. Mashamba** has served several times as a member or head of the ACERWC's delegation to States Parties, Regional Economic Communities (REC's) in Africa, a focal person with the African Commission on Human and Peoples' Rights ('the Banjul Commission') and the African Court on Human and Peoples' Rights, and to the United Nations Committee on the Rights of the Child. Some of the remarkable successes of these missions has been the adoption of a Joint General Comment on Ending Child Marriage in Africa, jointly prepared by the Banjul Commission and the ACERWC; and the amendment of the African Charter on the Rights and Welfare of the Child to increase the tenure of the ACERWC's members from a one-five years' term to two-five years' terms.

Dr. Mashamba has an excellent knowledge of, and is fluent in, English. His professional legal practice and his many publications reflect this reality. **Dr. Mashamba** is a male, national of the United Republic of Tanzania, which is a member of the United Nations, and he does not possess the citizenship of any other State. **Dr. Mashamba**'s candidature to the International Law Commission is endorsed by the United Republic of Tanzania.
