



***** Newsletter *****	
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EDITORIAL

Ten Years After Beijing – Gender Equality Still to Be Achieved

Ten years after the Beijing World Conference on Women, the global importance of gender equality, women's empowerment and human rights were successfully and unequivocally reaffirmed at the 49th session of the Commission on the Status of Women held at the United Nations February 28 to March 11. Thousands of women's rights advocates were present to support this reaffirmation of the Beijing Platform for Action (PFA) as well as the Outcome Document of the of the Beijing +5 Special Session in 2000.

This reaffirmation was contained in a political Declaration adopted by representatives of Governments, including Ministers from eighty countries. The Declaration also emphasized the strong link between the Beijing PFA and the Millennium Declaration. Governments and non-Governmental organizations (NGOs) accepted that the eight Millennium Development Goals (MDGs), the time-bound targets for eradicating poverty and implementing the Millennium Declaration, would not be achieved without advancing gender equality and the empowerment of women.

The main purpose of the CSW was to review the progress which countries had made in implementing the two documents that have steered action to achieve gender equality : the PFA and Beijing+5 Outcome Document. The Political Declaration of the CSW would also be an important contribution to the high-level plenary meeting of the review of the Millennium Declaration which will be held next September.

In negotiations at the CSW, the United States delegation strongly opposed any language in the proposed Declaration and in several resolutions before the meeting, that referred to reproductive rights, as well as references to the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), a treaty the UN has neither signed nor ratified. But after a week of intensive negotiations, the US withdrew its attempt to include in the Declaration language which stated that by reaffirming the outcomes of the two prior conferences, the CSW would also reaffirm that no new international human rights or the right to abortion would be created.

In addition, 10 resolutions were adopted at the CSW. These covered Gender Mainstreaming, HIV/AIDS, Women in Afghanistan, Women in Palestine, Indigenous Women, Women and Natural Disasters, INSTRAW, Economic Advancement of Women, Trafficking and a proposal to consider in 2006 appointing a special Rapporteur on Laws that Discriminate Against Women.

Resolutions introduced by the United States on the economic advancement of women and to reduce the demand for trafficking in women and girls were heavily and successfully amended by Governments. The Trafficking resolution was passed in a modified form, but after the Economic resolution was expanded by countries to address the feminization of poverty, the role of the public sector and the link between reproductive rights and economic independence, the US withdrew its sponsorship but the resolution was adopted.

The final session of the CSW ended before the agenda was completed. Many of the amendments proposed to some of the resolutions were subjected to roll-call voting , which delayed matters considerably. The result was that proceedings were abruptly terminated by an announcement from the Chairperson that the Commission had run out of time and the remaining agenda items would be dealt with when the Commission was reconvened at a date to be announced.

While this was a disappointing end to two weeks of intense activities, the overall consensus of participants was that while there had been undoubted progress towards the goals set at Beijing and Beijing +5 to achieve gender equality, substantial challenges and obstacles remained. In this context, representatives of civil society called on Governments and the UN to include women's organizations in the UN reform process and the Millennium Summit as none of the goals set out in these two processes can be achieved without women's equality.

Patsy Robertson, Treasurer of WRI

Widows Rights International (WRI), Registered Charity no 1069142

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ABOUT WRI

Widows' Rights International supports organisations in South and West Asia and Africa working for social justice and human rights for widows including:

- Right to keep their home and property
- Right to inheritance and land ownership and possession
- Right to keep their children
- Right not to be forcibly married to the dead husband's kin
- Right to work outside the home

Traditional customs in many developing countries, especially in Asia and Sub-Saharan Africa - which can deprive a widow of home and livelihood or subject her to social ostracism - lead to dire poverty for widows and their children. Even when modern laws exist to prevent these abuses, ignorance of the law, or cultural habits, impede access.

Widows are young as well as old, because of:

- *Child marriage
- *HIV/Aids
- *Civil strife

WRI works:

- * to promote the recognition of widows' special vulnerability
- * to combat negative social attitudes which lead to their isolation, exploitation and poverty
- * to bring these practices to an end:

WRI mobilises action by:

- *International organisations
- *National governments
- *Legal and other civil society organisations

WRI offers resources for:

- ▯ Capacity building and networking
- ▯ Advice and information for national groups, especially through our website
- ▯ Research into the status and condition of widows and their children
- ▯ Legal action for widows' rights
- ▯ Assistance to raise international awareness of degrading practices
- ▯ Advocating creation of international instruments protecting widows' rights
- ▯ Supporting regional meetings to promote social justice for widows

Financial assistance may be available for:

- *pioneering activities by and for widows which provide examples of best practice
- *activities designed to establish legal precedents; heighten public awareness; repeal of laws inimical to widows
- *action to influence international agencies to condemn practices which deny widows their rights
- *action to train widows and legal personnel in rights awareness

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CURRENT WRI RESEARCH PROJECT

WRI is concerned to find that there is little reliable information about widowhood in most countries in which we are working – those of South Asia, West Asia and sub-saharan Africa. We do have some rather general comparative information on the incidence of widowhood in a paper written by Martha Alter Chen, one of the pioneers in bringing the situation of widows in India to the international public. In the paper entitled *Why Widowhood Matters* (date uncertain) she gives some data published by the UN - *World's Women 1995: Trends and Statistics*.

The proportion of widows within countries or regions varies with fertility levels, mortality rates, differences in age at marriage and patterns of remarriage, and levels of political unrest. However the following patterns are discernable:

Overall Widowhood: among all adult women (15 years or older) the proportion of widows is highest in the developed countries where greater longevity and low fertility rates increase the ratio of old to young people.

Older Widowhood: among women 60 and older, widowhood is significant everywhere, from 40% in the developed countries and Latin America, to 50% in Africa and Asia

Younger Widowhood: in Asia and Africa, widowhood affects many women at younger ages. In many countries in these regions up to 20-25% of women aged 45-59 are widowed; and in some countries up to 5% of younger women, aged 25-44, are widows. Looked at another way, the proportion of all widows who are below 60 years of age is 15.8% in the developed world but ranges from 34.4% (in Latin America) to 43.6% (in Africa) in the developing world.

She also notes that economic deprivation is likely to be reflected in high morbidity and mortality rates among widows compared with married women in the same age group. A study on Bangladeshi widows showed much higher mortality among widows than married women of the same age group, while in India a study of women over 45 found that the mortality rates are 86% higher among widows than among married women.

WRI wants to collect data on a number of countries in Africa, South and West Asia so that we can present a coherent, well argued and well documented case for much greater government support for social justice for widows and recognition of widows' rights as well as carefully targeted policies to support widows. At the same time we hope to be able present UN agencies with the evidence required for international concern and action, particularly given the Convention on All Forms of Discrimination Against Women. See the next section for the sections in the Articles of the Convention which directly or indirectly concern widows.

Currently research on widows in three states in northern India is being undertaken by the Centre for Women's Development Studies (New Delhi) and the Department of Sociology Delhi University; research is underway in Malawi and our partners AWEC are going to undertake research in several districts of Afghanistan. We have some materials on widowhood in Kenya and Ghana (many thanks to Nana Ama Nimako-Boateng, a student at LSE) but would like to expand our knowledge of widowhood practices in these two countries and are actively trying to recruit researchers in Tanzania, Uganda, Cameroon and Mozambique. Any reader who would be interested in joining this collective endeavour and would be able to collect the quantitative and qualitative data that we need for our country studies, **should contact us**.

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REPORTING ON WIDOWS TO CEDAW

CEDAW ARTICLES WHICH ARE RELEVANT TO WIDOWS, EXTRACTED FROM 'A GUIDE TO REPORTING UNDER THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN'

As most of our readers will probably know, governments that have acceded to or ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) have to report to the Secretary General of the United Nations on the measures they have adopted to give effect to the Convention. This obligation is stated in article 18 which bind States Parties to submit a report on the legislative, judicial and administrative measures which they have adopted to give effect to the Convention, as well as the difficulties they have encountered in implementing its provisions, within one year after ratification or accession. Thereafter, States Parties must submit periodic reports at least every four years, or whenever the Committee requires. In addition NGOs can submit Shadow reports which challenge the government's report by providing different information, or placing a different emphasis on, for example, the implementation of measures taken by the government.

In the guide to reporting under the Convention, entitled *Assessing the Status of Women*, each of the articles is described and then commented upon, and questions provided which should be answered so as to assess the legal and actual status of women. The commentary and questions take into account the Committee's interpretation of the meaning of obligations accepted under the Convention.

What we give below are the relevant articles, the actual wording of the Convention (in italics), and where relevant, the comments of the writers of the guide. Where we have not included an article in full, we have indicated this by . . . We give some of the questions provided by the guide to help people writing their country report to the CEDAW Committee. Not all of them contain the word widows but are relevant to their position. Because the Convention deals with discrimination, the aim of the questions is to bring to light differences in treatment, rights, and obligations of women as against men. We are not reproducing the comments which preface each article with the exception of Article 16 where it is reproduced in part.

More than half the manual is composed of Annexes (9 in all) which explain in greater detail the meaning of the articles, give guidance on the form and content of reports from governments which have signed the convention (States Parties) and give the terms of the Optional Protocol to the Convention.

The Manual is grounded in the premise that independent groups and organisations have a crucial role in monitoring implementation of the Convention. They can assist their government in preparing the periodic reports to the Committee, or they can comment on or criticise the official report or prepare an independent 'shadow' report on implementation.

The guide is entitled *Assessing the Status of Women* was produced by the Commonwealth Secretariat, the United Nations (the Division for the Advancement of Women, Department Economic and Social Affairs) and the International Women's Rights Watch in 2000.

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Article 1: Definition of Discrimination against Women

For the purposes of the Convention, the term 'discrimination against women' means any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

1. Does the constitution, if there is one, include a guarantee of equality of women with men in the protection and enjoyment of human rights? Does it prohibit discrimination against women on the basis of sex and marital status? If it does, is it implemented in practice? If it does not, what work is being done to amend the constitution? Are there any obstacles to such an amendment? If so, what are they?
2. Are there laws or policy statements that define discrimination against women? What do they say? Do they include in their definition any act which causes, or results in, a difference of the treatment of women in comparison to men? Do they include laws, practices or policies (whether legislative, administrative, customary or traditional) which impair or nullify the recognition of women and their enjoyment or exercise of civil, political, economic, social and cultural or any other rights?
4. Does the legal definition of discrimination encompass discrimination against women by private institutions and individuals? Does the legal definition of discrimination include discrimination against women in the private or domestic sphere?

Article 2: Obligations to Eliminate Discrimination

States Parties condemn discrimination against women in all its forms, agree to pursue, by all appropriate means and without delay, a policy of eliminating discrimination against women and, to this end, undertake:

States Parties condemn discrimination against women in all its forms, agree to pursue, by all appropriate means and without delay, a policy of eliminating discrimination against women and, to this end, undertake:

- a) *To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means the practical realisation of this principle;*
- b) *To adopt appropriate legislative and other measures, . . .*
- c) *To establish legal protection of the rights of women on an equal basis with men . . .*
- d) *To refrain from engaging in any act or practice of discrimination against women . . .*
- e) *To take all appropriate measure to eliminate discrimination against women by any person, organisation or enterprise;*
- f) *To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women.*
- g) *To repeal all national penal provisions which constitute discrimination against women.*

9. Has the country attempted to address through legislation or other programmes the modification of customs and practices that result in discrimination against women or perpetuate such discrimination? In particular, has the country attempted to address through legislation and other programmes gender-based violence against women?
11. What measures, if any, have been adopted to advance or improve the situation of women, and to guarantee women fundamental freedoms and equal rights?
12. Has the country attempted to address through legislation or other programmes the modification of customs and practices that result in discrimination against women or perpetuate such discrimination?

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Article 3: The Development and Advancement of Women

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

1. Do existing laws, practices, and administrative policies ensure the full development and advancement of women? Do women have the same access as men, in law and in fact, to the political process, social services, health and medical care, education, literacy development programmes, employment, ownership of property, and social welfare?

Article 14: Rural Women

1. *States Parties shall take into account the particular problems faced by rural women and the significant roles which they play in the economic survival of their families, including their work in the non-monetized sectors of the economy and shall take all appropriate measure to ensure the application of the provisions of the Convention to women in rural areas.*
 2. *States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on the basis of equality of men and women, that they participate in and benefit from rural development . . .*
 (following this 8 specific rights are detailed - WRI)

2. In rural areas, are married, widowed, divorced, non-married, and childless women treated differently from each other?

20. Can women hold title to land? Does women's title to land derive from their husbands or fathers or brothers or uncles or nephews?

Article 15: Equality Before the Law and in Civil Matters

1. *States Parties shall accord to women equality with men before the law.*
 2. *States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. They shall in particular give women equal rights to conclude contracts and to administer property and treat them equally in all stages of procedure in courts and tribunals.*
 3. *States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void*
 4. *States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.*

1. Are women formally treated equally with men under the law with respect to their legal capacity to conclude contracts and administer property? . . .

3. Do women have the same rights men as to administer property? Can women be executors or administrators of estates?

4. Do women have the right to administer property without interference or consent by a male, regardless of whether they acquire it during marriage, bring it into marriage or are unmarried? If not, why not?

9. Has any research been carried out regarding judicial reasoning and judicial practices that have a differential impact on women and men?

11. Are women and men accorded the same legal rights of freedom of movement and choice of residence? Do women have the right to choose the place where they live? Do traditions or customs restrict women from exercising this right?

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Article 16 Equality in Marriage and Family Law

State Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure on a basis of equality of men and women

- a) The same right to enter into marriage*
- b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent*
- c) The same rights and responsibilities during marriage and at its dissolution*
- d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children ...*
- e) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children . . .*
- f) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation*
- h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.*

Comment Article 16 addresses discrimination against women in the private spheres of marriage and the family. It is perhaps in these spheres that women's unequal status with men is seen most sharply. Many States maintain discriminatory laws, while even in those in which legal equality in these spheres exist, the roles women play which are not shared by men, are regarded as inferior. Women's unequal status in marriage and the family is frequently based on traditional, customary and religious attitudes that confine women to particular roles. These attitudes are deeply entrenched and resistant to change. Indeed, many States Parties have entered reservations to article 16, thereby declaring that they are unprepared to remove discrimination in this context.

9. Do women have the same rights as men to own, acquire, manage and dispose of property? If the husband is declared bankrupt, how are the rights of the wife affected?

12. On dissolution of marriage what are the rights of the wife with respect to property? Are these the same as the rights of the husband?

14. How is property divided after divorce? Is a woman's work in the home, or her unpaid agricultural labour, counted as a contribution towards the value of the property? Is this work reflected in the division of property on divorce?

23. Who is the natural guardian of the child? Do women have the same rights as men in matters of guardianship, wardship, trusteeship, and adoption of children?

24. On divorce or relationship breakdown who usually acquires custody of the children? After death of a husband? Do the practical results in custody matters differ from the law as written?

37. Legally and in practice, what are the rights and obligations of widows? In what way, if any, do they differ from the rights and obligations of widowers? Are widows required to perform any rite of purification on the death of their husbands? If so, do widowers have to perform the same rites? What is the social status of widows? Is this status different from that of widowers?

38. Do widows and daughters of a deceased man have a legal right to inherit land and other property if there is no will? If they have such a right is it equal to that of widowers and sons? Can a widow or daughter receive property under a will? If so, is there any legal or customary constraint on a testator bequeathing the same share of property to widows and daughters as to widowers and sons?

39. Is the levirate (widows having to marry the deceased husband's brother) practised by any group in the country?

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The following are taken from the General Recommendations adopted by the Committee on the Elimination of Discrimination against Women at various sessions:

**13th session (1994) article 16 (1) h
Inheritance**

34. Reports of States Parties should include comment on the legal or customary provisions relating to inheritance laws as they affect the status of women as provided in the Convention and in Economic and Social Council resolution 884 (XXXIV), in which the Council recommended that States ensure that men and women in the same degree of relationship to a deceased are entitled to equal shares in the estate and to equal rank in the order of succession, has not been generally implemented.

35. There are many countries where the law and practice concerning inheritance and property results in serious discrimination against women. As a result of this uneven treatment, these women may receive a smaller share of the husband's or father's property at his death than would widowers and sons. In some instances, women are granted limited and controlled rights and receive income only from the deceased's property. Often inheritance rights for widows do not reflect that principles of equal ownership of property acquired during marriage. Such provisions contravene the Convention and should be abolished.

We would be interested to hear from any reader who knows of NGOs who have produced alternative reports to CEDAW on the topic of discrimination against widows.

Note: A new publication on CEDAW: **Restoring Rights to Women** is now available. It has been published by Partners for Law and Development (PLD), based in New Delhi, and UNIFEM. Copies are available (both single and bulk orders) from:

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THE FIGHTING FUND

Three years ago we set up The Fighting Fund for Widows Rights with funds from the Swedish aid agency SIDA. The idea for this came from listening to the stories told by participants at the first international conference on Widows Rights which we organised in 2001. Although in many countries laws exist to protect widows from customary practices which deprive widows of access to land, property and a livelihood, it is usually very difficult for widows to get legal protection. Our partners identified the need to have resources to help widows challenge customary but often illegal practices as a priority.

We wanted to run a pilot scheme to enable widows in extreme hardship get access to legal protection against despoilment by their husband's brothers. We thought that if lawyers, or para-legals, were able to meet with the husband's immediate kin (his 'brothers'), they could be made aware of a widow's legal right to remain in the marital home and continue to work the land, or, if in an urban situation, to work out of the home or use it as a means of generating an income. Often a meeting organised at the village level with the kin group of both the deceased husband and the widow, and the notables of the village – caste elders, lineage elders, village chiefs, even paramount chief, would be enough to get the agreements needed to enable the widow to remain in the marital home and to retain much of the property the couple owned or worked. Expensive and protracted legal proceedings would be avoided, and at the same time these negotiating session allowed the visiting widow's defenders to teach many of the influential people in a village about the rights of widows.

We asked our partners to keep careful notes of cases taken up – whether convincing kin at the village level not to take the widows' property or actual court cases – so that we could post them on our website for others to learn from. Our partners too might find the case materials useful in their own activities on behalf of widows, and lawyers in other regions fighting for widows' rights in their countries might learn of helpful precedents.

To date we have three Fighting Fund partners. Ashish is a small group of women who support widows to claim their legal rights in Hyderabad/Secunderabad and try to provide them with a means of livelihood in an environment which is very hostile to women who live on their own. Astha which supports Ekal Nari Shakti Sangathan - the Association of Strong Women Alone - has over 16,000 rural members, many of whom are widows, others are divorced, abandoned or separated women. WiDO in Nigeria has set up a project which sends its vanguard team to villages to negotiate with a widow's husband's kin as to her rights to home, children and livelihood. They are greatly aided in this by the existence of a bill prohibiting discrimination against widows and widowers. WiDO has translated the main provision of the bill into a simple illustrated booklet in the local language. We are now supporting Woman of Purpose a small NGO in Eastern Uganda who are carrying out a baseline survey in Pallisa District so as to learn of the numbers and ages of widows and their children, and their social, economic, and political needs.

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Our partner ASHISH, based in Secunderabad, Andhra Pradesh, India

ASHISH works in the twin cities of Secunderabad and Hyderabad and also in the District of Ranga Reddy situated in Andhra Pradesh, India.

ASHISH is a small group of women whose aim is to empower women, living in cities. They work through contacts with police stations and various government departments, together with trades unions. They provide legal representation and working on self help employment schemes for women.

ASHISH also conducts legal workshops to make women aware of their rights including their rights as workers. The workshops are attended by college and school students, working women and even housewives because women of all ages need to be educated as to their rights.

How ASHISH selects cases:

Widows are referred to us by the police stations. Their main clientele come from the lower middle class and upper middle class. Our major criterion is to help women in times of crisis.

Indian environment

Widows in India are women who exist under sufferance and on the kindness of family members. At whatever age women are widowed, they are expected to live their remainder of their life working for the family, and praying for their deceased spouse's wellbeing. The property they own is looked after by sons and/or daughters so they do not enjoy the benefits therefrom; they are often made to take out loans or mortgage their property. If they raise their voices to question what has happened to their money, they are thrown out of their house, committed to an asylum or left to beg on the streets.

Because widows have to fight many battles over their property, a primary area of ASHISH's work is teaching women how to write wills, partition deeds, gift deeds, and relinquishment deeds.

Relevant cases

When Lajwanti's husband died he left a few plots of land. Although she was aware that he owned two plots of land in Hyderabad quite some time after his death she discovered the title deed to a third plot. On going to the spot she found that a dairy farmer had taken over her land. Lajwanti is old and had none of her children with her when she confronted the land grabber. He told her to forget the matter because it was his land.

We have filed a land grabbing case against the encroacher and have obtained a decree. At present we have to file execution proceedings to execute the decree.

ASHISH's comment on this case: Property belonging to a woman is the easiest to snatch away whether it be by family members or others. In this case Lajwanti is bereft of land worth around 200,000 rupees (currently 81 rupees to the pound sterling). Lajwanti has already sold the other two plots for her daughter's wedding and her son's business. The prosecution of this case is important in protecting the property rights of women.

We are handling two cases for Madhavi. The first concerns the accident claim she signed when her husband died. This is now coming up for settlement. The lawyer she first went to told her that she should sign certain forms so as to get 280,000 rupees. Madhavi handed us the papers and asked us to verify this at the court in Hyderabad. We checked the accident claim and found no money was credited to it. At the same time, we found that her in-laws, who have already held on to her own dowry and also the share that accrues to her from her husband's share, want a major amount of the insurance money. We therefore advised her not to sign any papers without the insurance authorities getting in touch with her or us. Her claim for the return of her property is pending as we have not yet received the revenue records we need.

ASHISH's comment: This case highlights the attitude of society towards widows with regard to their financial status in society. They are not considered to have any claims nor do they deserve to have a proper dignified existence by enjoying the property and insurance that comes to them by way of succession.

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ASTHA, based in Rajasthan, India

ASTHA is a registered Society and NGO, based in South Rajasthan, the tribal belt of the state. They have been working on the issue of widows since 1998. In 1999 **ASTHA** organized a state-wide widows' convention of 450 widows from 22 Districts in the state, and at the end of the convention, a state-level coordinating committee of 3 widows per District was formed. In January 2000, this coordinating committee met, and formed *Ekal Nari Shakti Sangathan* (ENSS) – the Association of Strong Women Alone.

Working process

The Association now covers a majority of the 32 Districts in the state, each District being divided into a number of Blocks. It currently has Block Committees in 75 Blocks in 25 Districts. Block Level Committee members are in charge of recruiting new members and the Association now has some 16,100 members. Widows and separated women who want to become members pay a life membership fee of Rs. 11/- (roughly 81 rupees to the pound sterling).

Block Level Committee members take up cases brought to them by members. These usually deal with problems with pension forms and procedures, cases of mental and physical atrocities, problems related to caste and community customs, problems of claiming rights over land and property, problems related to superstition, etc. At monthly meetings of the Block Committee members, the cases are discussed and members try to decide on an effective strategy for deal with them.

In relation to land cases, the majority of widows are covered by the Hindu Succession Act, and widows have legal land rights to her deceased husband's land. When a widow has a problem in getting access to and control over land that is legally hers, or hers and her children's, she approaches the Block Committee for help.

The NGO Astha has 12 field workers who work closely with the Block committee members. When a case comes to them of land grabbing, the social worker will ascertain the facts of the case, help the widow collect all the necessary documents to prove her title to the land.

She and Block Committee Members may also approach the *patwari*, the local land revenue official who keeps the land records, or the local police officer, or even the *tehsildar*, a senior government official dealing with matters related to land and revenue, to get their support for the widow. Very occasionally they may even approach the Collector who is the top administrative officer in a District, if the others are unwilling to act on the widow's behalf – bribery of officials is a common problem in India.

But the main support for a widow are the other members of the Association and they will come out in large numbers to support her when needed.

Recent events

Last year ASTHA and Hadoti Hast Shilp Sansthan (HHSS) together with the Association of Strong Women Alone organised a convention which was attended by representative of women's groups working on widowhood issues in 11 north Indian states, as well as by 1,250 ENSS members. WRI's chair also attended the meeting.

At the end of the lively, activity packed convention, a number of the representatives from other states met with ASTHA and HHSS to discuss the feasibility of forming a north India network of widows groups. As a result, this year, WRI will be supporting ASTHA's work in orienting organisations in Gujarat, Himachal Pradesh, Jharkhand, and Bihar in how to take up the issue of widows' land rights in their states on a large scale, touching the lives of thousands of widows.

This will include holding a training workshop with women activists of NGOs working with women in Rajasthan, Gujarat, Madhya Pradesh, Uttar Pradesh, and Delhi, as well as some individual activists from Uttaranchal, and Haryana.

The members also lobby the state government for increases in pensions and changes in pension regulations, for access to education for their children, for employment and income generating training. Many members have been elected as Ward Councillors in the recent local government elections.

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One of our African Partners, WiDO, Nigeria

The Widows Development Organisation (**WiDO**) is a NGO which supports the human rights of widows.

WiDO's aims and objectives

- 1) To sensitise the general public on the plight of widows.
- 2) To bring about change in the social status of widows
- 3) To create awareness on the rights of widows and other women in the areas of basic education, legal awareness, income generating activities (small scale industries, trading arts and crafts), health and population, agriculture and environment
- 4) To encourage educational support programmes for children of widows.
- 5) To provide counselling and support centres
- 6) To source for funds and mobilise resources for the organisation
- 7) To lend support to and cooperate with local, national and international organisation with similar purpose.

WiDO helps widows in the following ways:

It assists widows to obtain legal protection or redress when they have been dispossessed of their belongings and inheritance.

It enables them to hire lawyers and negotiate with their relatives

It creates an avenue to facilitate negotiations with the extended families

It provides training for support groups in Advocacy and Campaigning

It has set up the Vanguard Team which engages in mediation efforts with the husband's relatives.

Team members also make appearances in court and attend the husband's burial if it has not already taken place.

Bill on the prohibition of infringement of widows and widowers fundamental rights

This bill was passed by the Enugu State House of Assembly on 8th March 2001 and signed into law by the Executive Governor on 26th June 2001.

This bill was brought in after a good deal of advocacy by a number of local women's groups. WiDO has produced a pared down version in the local language which illustrates the main provisions of the bill including the prohibiting of compelling the shaving of the head, sleepign with the spouse's corpse, forceful remarriage, grabbing of property and confinement, among others.

Anyone who contravenes ...this law shall be guilty of an offence and liable on conviction to a fine of N5,000 or two years imprisonment or both".

In 2004 four women's groups including WiDO decided to pool their resources to fund a civil society / legislative Consultation on the Violence Against Women (Prohibition) Bill 2003. This Bill had been put together in 2001 by a coalition of 56 Nigerian Organisations and individuals, called the Legislative Advocacy Coalition on Violence Against Women. The bill was eventually gazetted on the 6th of May 2003.

The presentation of the Bill to the National Assembly on 8 the of March 2004 marked the Organisers' decision to act collectively, from within civil society, to further the following goals:

- To prohibit all forms of violence against women
- To prevent all forms of violence against women
- To protect women from all forms of violence against women
- To provide redress for women and girls who have been abused.

Existing legislative initiatives against gender violence include State laws on particular forms of violence against women, such as female circumcision and harmful traditional practices. However, there is currently no national legislation that is comprehensive in its coverage of forms of violence against women.

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WRI TRAINING PROGRAMME

For the past three years WRI has been funding a training programme for widows in Kabul, Afghanistan; our partner there is the Afghan Women's Educational Centre. In a recent report AWEC notes that information on health education has been added to the very successful literacy and numeracy programme. The women gave the health educator a very positive appraisal and expressed great appreciation for the knowledge they have acquired. For example, Naziya said: "When my child got a cold, I could not afford expensive medicine. I treated him with the home method our health teacher told us about, and my child recovered very fast. I did not know about this kind of treatment before, and the knowledge I got here turned out to be very helpful."

One of our WRI's main concerns is to encourage widows to learn about their rights as citizens and to participate knowledgeably in the political process. In their last report, AWEC noted that the widows were encouraged to acquire election cards so they could participate in the presidential elections. They now report that 75 widows took part being well informed about when and where to cast their votes. On the morning of Election Day, which was a general holiday, 15 widows of Hazara nationality arrived at their literacy teacher's home. "Teacher, could you please show to us where is the place for voting?" they requested. Teacher led them to the closest voting centre. "For whom are you going to give your vote?" she asked one of the women. "I am not going to vote for a person who has had weapons in his hands," the woman answered. "I am going to vote for person who brought us peace." Another woman said: "Although we are Hazara people and one of the candidates is representative of our nation, we are not voting for him. He took part in fighting. Our houses were destroyed by war, we became refugees. We want to vote for peace today."

Another women said: "I told my daughters at home that they have the right to vote, and I took them with me when I went to vote in the presidential elections." Another reported that: "My neighbours warned me to not go to vote in the elections. They said if I went something bad could happen to me. Using shopping as an excuse I left my house and voted for our President. Nothing bad happened, but I still haven't told my neighbours about it."

Small business training.

38 of the widows who received the training and felt sure they could successfully run a small business were introduced to an agency which provides start up loans. The AWEC social worker is following up their businesses and repayments of the loan.

Case studies.

Gulbaht is 30 years old; her husband died 3 years ago, leaving her with 3 children. According to custom, one of her brothers-in-law offered to take care of her, if she married him. Gulbaht refused. Her brother-in-law then tried to force her into marrying him by taking her and her children away to another city. "I wanted to die, to kill myself. I would never accept another man as my husband, especially my brother-in-law. I ran back to Kabul, leaving my children and seriously thought about committing suicide. I was in this mood when an AWEC social worker introduced me to the widow's group. Here I found a new life. Now I do not want to kill myself. Now I know that I have my rights as a woman. I will continue my life and fight my problems."

Fatima's story can be considered an AWEC success story as it shows how raising women's awareness helps them to reach out and assist other women who are not part of our group.

After joining the widows' group, Fatima took a 4 months vocational training course in tailoring at AWEC's Center for Women and Street Children. Vocational training is actually not part of the widows' group programme, but those who are interested can enrol in a vocational training course without disrupting their involvement with the widows' group. When Fatima graduated, she received a sewing machine and tailoring tool kit. She then started to work as a tailor and put a sign up in front of her home. She continued to attend the literacy and other classes with her widows group. As Fatima is a very active woman, she soon found a part time job as tailoring trainer, She also got in touch with a new NGO which opened in her neighbourhood because it offers material support for poor people. After introducing herself to them she then brought in eight other women from AWEC widows' support group. All were able to receive food items. Fatima continues to attend regular widows' group activities and offers to help to other women.

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TSUNAMI IN SRI LANKA

In the new year WRI received some dreadful news from one of our partners in Sri Lanka – the Small Fishers Federation. Sansi, who had attended the conference in London on Widows Without Rights in 2003 with Anuradha Wickramasinghe the Director of the Small Fishers' Federation, had been swept away by the Tsunami.

When we heard from Anu that Sansi had been killed, the trustees did a whip around to raise some money to provide some support to the children of those widows who were carried away by the sea. Anu tells us that the Trustees' donation will be used to support 57 widows and the children of some of the widows who disappeared. Later Anu got in touch with us again with the good news that Sansi had been discovered recuperating from her injuries in a hospital some distance from her home. Although she was alive, many of her family members were killed. Below we give a first hand account of a meeting with her post-tsunami written by Lei Brouns of Terre des Hommes.

'My first visit to the South after the Tsunami had struck was an emotionally loaded experience. On Thursday, I had the first meeting with board members of the different women's societies. Appachi (the affectionate and reverential title given to an older man) who had donated land to the Small Fishers Federation for a community centre was there in a seat in the front row. But I hardly recognised him. His face was pale, ashen. His eyes were drawn in, shrouded. He sat there motionless. He only stared at me; his eyes didn't blink, but tears rose out of the corners, forming a stream over his cheeks. He didn't wipe the tears away. Appachi had gone to his daughter's place, with his wife, for an important occasion. His first granddaughter, being 18 months old, was to get her first solid food (after breast milk). The Buddhist priest had determined the auspicious time at 09h30. Just as the grandmother wanted to feed the first solid food to her grand daughter, the Tsunami struck. Grandmother, daughter and granddaughter disappeared, as well as the son-in-law and a second daughter. Appachi was saved by the wave that threw him into the crown of a palm tree. For two days he searched backwards and forwards along the beach, to and fro, with the thought in his mind, growing ever stronger, to make an end to his own life as well.

Sansi normally sits next to Appachi in the first row. Sansi had lost her husband and only son at sea, some years ago. Her only daughter committed suicide after her father's death. Still, Sansi was the bow-head of the fisher widows; and not only locally. Today, though, I had to look for her: she had tried to conceal herself in a corner. She sat, head stooped, and maintained this pose during the entire meeting. She had lost in the Tsunami her only two sisters and 7 other family members. Her eyes were big and dry, no water left for tears.

Visiting the villages was a shocking experience. How many times did I hear: "On this spot the house of member Mrs So-and-so used to stand." Now both Mrs So-and-so and the house were gone. Around midday, we were in Matara, where Sansi is the chair person. After lunch we had a meeting. Sansi sat in the first row. Initially she didn't utter a word, but as the meeting progressed, she became active. By the end of the meeting, she had taken the helm again. We looked at each other with a veiled smile. I told them that Terre des Hommes will support the fisher women through their women's bank. Slowly the notion sank in. Fisher women are, in reality, outcasts in this part of the world. And although during the past years they had gained some confidence in themselves, as members of a society, they had quickly reverted to their traditionally subservient role because of the catastrophe that happened to them. I told the women that when I mentioned to a friend that Terre des Hommes was going to give an amount in cash per month to fisher families for their basic needs, he asked me if I had a screw loose: the first landing stage for a fisherman would be the public house. Some faces looked disturbed, some showed a tiny smile. And slowly the women raised their heads. They promised that funds routed through the women's bank would be utilised properly, for the entire family. They pledged that they would let neither me nor Terre des Hommes down. I believe them.

An edited version of a letter from Lei Brouns of Terre des Hommes

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RECENT ARTICLES AND EVENTS

India: Living Hell for AIDS Widows

Late in the evening last October, Pratima Biswal, 26, went to sleep as soon as she got home from her mother's funeral. Her father-in-law and another relative were also asleep in the same house. In the middle of the night, a few people reportedly saw smoke emanating from the house. By the time they ascertained that something was amiss, the room in which Pratima was sleeping was aflame. When she was finally rescued, she had already sustained third degree burns and died the following day.

Although the post-mortem report indicated homicide, it was silent on Pratima's health status. The local Medical College declined to reveal that she had tested HIV+ in January 2004, citing the Supreme Court directive on protecting a person's HIV status. However, circumstantial evidence and details provided by the villagers confirm that Pratima was clearly an AIDS patient. Over the past year or so, she had lost her husband as well as two children to AIDS.

Was Pratima murdered? Circumstantial evidence certainly points towards this. It was known that Pratima was ill and unable to work; living in virtual isolation she was in dire need of money for medical expenses. She wanted to sell the land that had been gifted to her husband but her father-in-law, his brother, and his older son were dead against this sale. About two weeks before she died, Pratima had filed a complaint with the police, saying that her husband's family was obstructing the sale of her property. But before the police could intervene, Pratima burned to death.

Pratima is not the first AIDS widow in Ganjam district Orissa, who has paid dearly for having lost her husband to AIDS, having contracted the HIV infection from him, and facing ruthless and callous treatment from her in-laws. Take the case of Bhabani Behera of Makarjhol village, also in Ganjam district. Bhabani's husband died of AIDS; stricken by the fear that Bhabani would become instrumental in infecting them, her in-laws threw her out of the house. "How will I feed my two children?" Bhabani asks piteously.

According to the National AIDS Control Organisation (NACO), 125 men in Orissa have died of AIDS, but activists say it is very difficult to get an accurate figure of AIDS-related deaths because AIDS is rarely given as the cause of death - unofficial estimates suggest a figure of 300 men. Migration for work is a major reason why Ganjam has the highest number of HIV+ cases in Orissa. According to Loknath Mishra of ARUNA, a leading NGO working on HIV/AIDS in Ganjam district, nearly 99 per cent of the HIV+ men contract the virus from sexual contact outside marriage. The men then infect their unsuspecting wives, who once widowed have to face the cruelty of their husbands' families and the wider society.

Poverty, lack of awareness of HIV/AIDS, an acute fear of the dreaded disorder and greed for property make for the inevitable victimisation of AIDS widows. Namita Dalai's experience is representative of the lack of knowledge about and the consequent blind fear associated with AIDS. Namita's in-laws were sympathetic towards her until they learned that their son had died of AIDS; they then threw her out. The hapless Namita went back to her parents' home; but the villagers would have nothing whatsoever to do with the widow of an AIDS victim. Collectively, they ostracised Namita's parental family.

Between 1999 and 2004 the Orissa state government has received approximately 137 million rupees from the World Bank and 109 million rupees from DFID for various AIDS control programmes. 79 per cent of this has already been spent, according to the Minister for Health and Family Welfare. NACO manages 34 centres in 15 of the 30 districts in the state, and 22 NGOs are working to spread awareness. But no real aid reaches Orissa's AIDS widows.

This is an edited version of the article by Manipadma Jena of the Women's Feature Service.

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Report from CNN Interactive website

Date: November 16, 1997, Web posted at: 12:39 p.m. EST (1739 GMT)

India's widows live out sentence of shame, poverty

VRINDAVAN, India (CNN) -- India's Hindu widows no longer have to throw themselves on the pyres of their dead husbands, but many feel they are forced into poverty and a life alone.

In this holy Hindu city, a place that draws devotees from around the globe, thousands of widows live in shame and poverty. Hindus around the world know Vrindavan for its temples, and as a place to worship the Lord Krishna.

In India, Vrindavan is known as the "city of widows."

Even in these modern times, Hindus frown on widows who remarry. The women are often shunned by their families, blamed by their in-laws for the deaths of their husbands. Many more flee their homes voluntarily, fearing they'll be abused if they stay.

"What do you do in a situation where you know if you stay back in the house, you may be abused sexually?" said Ranjana Kumari, of India's Center for Social Research. "There may be a possibility of you not even surviving, not even getting a meal to eat."

So, by the thousands, they flock to the ashrams of Vrindavan, where they are provided with the daily rations of a cup of rice and 7 cents.

But the rations are only available to widows who attend daily prayers.

"This is the way our lives have become and we accept it," said Surbala, a widow. "I was sad to leave my home but I do not need anything more. I take my strength from God. I do not need money or land because when I die I cannot take them with me."

Kumari says the majority of the widows are ignorant of their basic rights because they come from rural areas where little has changed for centuries. She claims the ashrams have turned agony into an enterprise.

"These ashrams make it a kind of business where they are selling the agony, selling the problems, that the women are going through and trying to make money out of that. I think we are ashamed of such a system," Kumari said.

Women's rights groups are calling for a ban on the city's ashrams. They say the religious institutions raise tens of thousands of dollars a year, yet choose to leave the widows in poverty.

May Devi was 33 when she lost her husband. She has lived in the city's ashrams ever since.

"I came here with nothing. Even on the train, I had to sit on the floor and not on a bench," she said. "I had to sit by the toilet and slept under the bench on the floor. Since I came, I have never returned home. This is my only home now."

The Associated Press contributed to this report.

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HOW YOU CAN HELP WRI

If you can give us information about recent changes in legislation in your country which protects widows from discrimination, or new social policies which are aimed at supporting widows who live in poverty, this is of great help to our research effort. Just send us an email with the details.

If you can provide us with really good statistics about the number of widows in your country, whether they are in rural or urban areas, and whether they are between 15-29, 30-59 or 60 and over, this is also very useful information.

If you have good and detailed information about struggles widows in your country are waging, or victories they have won through the courts, please let us know. All this information is very helpful for us in compiling our picture of the position and condition of widows and what needs to be done by governments and international agencies to remedy social injustices.

If you would like to help us support more widows groups, send us a donation, or ask us for a gift aid declaration if you are a UK tax payer. You can also log onto our website where there is a donation facility.

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