Global Fund for Widows

Addressing Rural Widowhood:
Empowerment, Ownership & Access to Justice

Commission on the Status of Women - 67th Session
Parallel Event

Stephan Leathers - Special Rapporteur
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Addressing Rural Widowhood: Empowerment, Ownership and Access to Justice
A Parallel Event

Commission on the Status of Women - 67th Session
March 9, 2023
Church Center for the United Nations (CCUN)
New York City

Speakers:
Antonia Kirkland - Equality Now, Global Lead for Legal Equality & Access to Justice
Dianah Kamande - Come Together Widows & Orphans Organization, Founder
Beth Roberts - Center for Women’s Land Rights, Landesa, Director
Elena Saenz - Global Fund for Widows, Program Manager

Moderator:
Shannon Isaacs - Global Fund for Widows, Executive Director

Rapporteur:
Stephan Leathers - Global Fund for Widows, Intern
Introduction
In March 2023, Global Fund for Widows hosted a Parallel Event at the CSW's 67th session addressing rural widowhood through the lens of empowerment, ownership and access to justice. The first panelist presenting was Antonia Kirkland from Equality Now, who spoke to the inheritance rights injustices that widows endure. Her speech was followed by Dianah Kamande from the Come Together Widows & Orphans Organization who offered personal testimony as a widow from Kenya, and spoke to the importance of economically empowering widows around the world. Beth Roberts, Director for the Center for Women’s Land Rights, Landesa, followed with her views on land rights injustices experienced by widows. Elena Saenz, Program Manager for the Global Fund for Widows, closed out the session by shedding light on the overall systemic oppression of widows in the emerging markets. The speakers not only discussed the issues faced by widows, but offered a unanimous message that civil society must come together to advocate with governments to promote laws and protections for widows on a global scale.

Inheritance Rights Injustice for Widows
One of the most pressing struggles of being widowed is facing systemic inheritance rights injustice. During the Parallel Event, Antonia Kirkland revealed that in most emerging markets, men are considered to be the rightful owner of all property. As such, widows often receive nothing after the death of their husbands, as most often the husband’s family retains the property and valuable assets. According to Kirkland, such inheritance practices occur in 43 countries and affect over 250 million women all around the world.

Kirkland pointed to the low prioritization and lack of political will in reforming inheritance laws that lead to the wide experience of inheritance injustice. In fact, the last reform of inheritance rights laws took place in 2011. In Uganda, a bill proposing equal inheritance rights for widows took 15 years to pass. Kirkland stated that these unequal inheritance laws are in violation of the General Recommendation on Article 16 of CEDAW, which stated that “parties that provide for registered partnerships must ensure equal rights, responsibilities and treatment between the partners in economic matters…” However, Kirkland also recognized that recent progress has been made as the UN General Assembly recently adopted resolution AR 76/252 “Addressing the situation of widows” sponsored by Sierra Leone to specifically promote widows’ right to inherit.

Kirkland ended by suggesting that human rights advocates should submit alternative reports to the CEDAW and other human rights bodies, encourage governments to review the laws, and join global campaigns to support women's rights organizations and non-profit organizations such as Global Fund for Widows.

Economic Empowerment for Widows
Dianah Kamande is a Kenyan woman who was widowed when her husband claimed his own life. She recounted that she struggled to find justice and economic stability without a husband. Kamande stated that after the loss of their husbands, widows are subjected to harmful traditional practices (HTPs) which include violent sexual cleansing rites. Kamande highlighted that the majority of the time, widows endure this type of cleansing with someone who the widow has never interacted with previously. Kamande shared that such forms of HTP and violence lead to the proliferation of HIV. Kamande also revealed the tragic reality of “fish for sex,” in which widows find themselves being forced to pay for food through sex with fishermen so that they may be able to sell the fish in the market or feed their hungry families. Because these widows do not have access to inheritance, protections, and opportunity, the widows and their children fall into a poverty trap. Kamande also underscored the vulnerability of widows’ children, as the widow cannot afford to send their children to school, further compromising their future opportunities.
Kamande introduced the successful Brookbank Project that her organization is implementing in partnership with Global Fund for Widows. The Brookbank Project establishes WISALA’s or Widows Savings and Loans Associations, which provide an opportunity to economically empower widows by allowing them to have access to capital. The WISALAs enable widows to borrow funds to start or grow small businesses while simultaneously increasing their savings and wealth.

Much like Kirkland, Kamande encouraged activists to help by advocating for widows with their governments and by joining other activist groups in a combined effort.

**Land Rights Injustice Widows Face**
Another significant issue that widows face is the inability to secure their land rights. According to Beth Roberts, the Director at the Center of Women’s Land Rights, Landesa, in the present day, over 2.5 billion people living in rural areas worldwide are affected by the uncertainty of not having a secure establishment to live in, and this uncertainty takes an especially large toll on widows. Roberts said that this is because oftentimes the rights to access, use, own, inherit, lease, and control land are held by men. Whereas, the rights to produce food from the land are primarily held by women as they are in charge of the household. When the man, the traditional head of the household dies, the woman is suddenly responsible for all the household tasks including income generation, but this is exacerbated by the uncertainty if she will have access to the land or assets that help generate such income. While historic patriarchal norms lead to land theft and property grabbing from widows, Roberts importantly adds that there has been improvement in recent years in supporting these women. Roberts remarked on how when women have a formal title to land, there is a change in decision-making norms that allows for the women to have more power in the household and contribute to decisions such as sending children to school. And for widows in particular, it can also provide them with a safe space from sexual and physical abuse.

Much like the other speakers, Roberts encouraged civil society and other human rights organizations to partner in order to compel governments to better recognize the rights and needs of women and in particular, widows.

**Systematic Oppression of Widows**
The oppression that widows face during their life not only takes place on a local scale but on a systemic one. Elena Saenz, Programme Manager for Global Fund for Widows (GFW), stated that due to the fact that widows are not recognized or protected by their governments, citizens perceive it as justified to impose both sexual and physical harm upon them. In addition, Saenz speaks to the idea that discriminatory laws, policies and norms that most widows encounter, make it nearly impossible for widows to access capital or earn an income. This in turn impacts a widow’s ability to address her family’s basic needs or educate her children.

Saenz shared GFW’s proprietary statistics that indicate that 50% of widows GFW has worked with were widowed before the age of 39, meaning that they are young mothers, who still have the strength to work for their children, but need the opportunity to do so. Saenz refers to another proprietary survey in which GFW found that over 70% of widows said they need access to jobs. Using the above information, GFW created the Widows’ Savings and Loan Association, or WISALA, a microbank model that offers widows a permanent and sustainable source of capital that is owned and operated by the widows themselves. GFW asks widows to invest
approximately $33 into the WISALA, which is then matched 2:1 by GFW. As owners of a strongly capitalized WISALA, widows can then borrow up to $100 to launch their micro-enterprises. With profits from their businesses, the widows pay off their loans with interest. GFW said that in this process, widows were essentially “paying themselves.”

At the end of her speech, Saenz expressed hope that widows’ lives can be changed for the better if civil society comes together with women's rights advocates and organizations in order to encourage governments to create laws that will support and improve the lives of widows around the world.

**Conclusion**

During the Parallel Event, the four panelists painted a lucid picture of the challenges endured by widows, from widows’ systemic oppression, to widows' land and inheritance barriers, and finally highlighting the struggles of widows with respect to the absence of economic opportunity. The panelists offered hopeful thoughts that the struggles that widows encounter can be overcome and changed as long as civil society uses its time and collective voice to compel governments to revise their laws so that all widows and their children can live a life of dignity and hope.