



INTERNATIONAL WIDOWS DAY

Ten years after the first international conference was held in London to raise awareness of the status of widows in Asia and Africa and one year after the inauguration of 23 June as International Widows Day (IWD) by the United Nations General Assembly, widows themselves in many countries are mobilizing to end the cultural practices which distort their lives and that of their children. In both these regions, there has been an impressive increase in the number of organisations which work at both the grass-roots and national levels to bring about change.



In this issue of the newsletter we highlight the work of some of these organisations. IWD was observed in many countries at conferences, project launches and general celebrations. In addition, there were messages of support from the United Nations Secretary General as well as from leaders and officials in a number of countries.

An illustration of the type of event which was organised came from Ghana where the fourth National Widows Conference was attended by over 2000 widows from all across the country. It was held at the Ghana International Trade Fair Centre, Accra and was sponsored by the Mama Zimbi Foundation (MZF) through its Widows Alliance Network project for sustainable socio-economic development of widows in Ghana.

The keynote speaker was Rev. Dr. Gabriel Ansah, the Chancellor of Nasem University Fellowship who supported the work which widows themselves were undertaking to eradicate cultural practices which demeaned them and gave them practical solutions on how they could improve their lives. The convenor of the conference, Mrs Joyce Akumaa Dongotey-Padi, known as Mama Zimbi, asked "Why does our society brand widows as witches, murderers and public outcasts? Widows and widowers in Ghana should be treated as any dignified human being". She added that, "widows especially, have traditionally not been treated fairly, even in modern times in Ghana. Though it has proven quite difficult to get rid of some of the bad widowhood rites, because many people still have strong attachments to all sorts of superstitious beliefs, education through advocacy and the provision of employable skills should be the most useful long-term solution to these problems plaguing Ghanaian society." She believed that the women who mostly succumb to the



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traditional rites are those whose sources of livelihood are non-existent. There is the fear of hardship, hunger, and that the education of their children will be truncated.

If these women had their own income and were not dependent on their husband and his family, then they could be self-sufficient and able to withstand the pressures to conform to the traditional rites which surround widowhood.

She called on Ghana and Africa to support widows and widowers who suffer from economic hardships, the difficulties of single parenthood and loneliness. "Ghana needs to help its widows and widowers grow in self confidence and lead normal lives" she added.

The full story is available at: <http://spyghana.com/entertainment-news/mama-zimbi-feeds-over-2000-widows-again/>



Mrs Joyce Akumaa Dongotey-Padi, known as Mama Zimbi

Giant Strides

Meanwhile in Nigeria, IWD was commemorated at the launch of an empowerment program by a local organisation Giving Life Options to Widows (GLOW) in Calabar, South Nigeria.

The GLOW Project, is an initiative of the wife of the Cross River State Governor, Mrs. Obioma Liyel Imoke, under her Partnership Opportunities for Women Empowerment Realization (POWER) project, which targets 1,980 widows across the 18 Local Government Areas of the State.

Following the presentation of wheelchairs donated to a number of widows, Mrs Imoke said that the continued plight of widows globally, undermines the realisation of Millennium Development Goals 1,3 and 8 which seek to end poverty, promote gender equality and engender global partnership.

She added that most widows continue to live below the poverty line, suffer gender discrimination and neglect by government, civil society organisations and the communities they live in.



Giant Strides ...continued

According to her, "Widowhood is not the end of the world. Our slogan is 'Keeping Hope Alive'; Life should not end because their husbands died. We are here to protect their rights and by the grace of God, life continues after widowhood".



Mrs. Obioma Liyel Imoke

She added that the vision of the project, which is encapsulated in its name 'Giving Life Options to Widows', would enable them to confront all the difficulties and humiliations they contend with including poverty, discrimination, stigmatisation, vulnerability to disease and loss of self-esteem.

The rationale behind GLOW project is to have a database of widows in the State, develop a pilot phase intervention for 1,980 widows across the 18 Local Government Areas of the State by training them to manage small-scale businesses, facilitate access to Micro-Credit to fund their businesses, as well as facilitating behavioural change, promote care and support.

Other speakers at the conference were Senator Liyel Imoke (CON), who gave the assurance that his administration would double its efforts to give succour to widows and expressed sadness that the "primordial cultural practices have inflicted hardship on widows and left some of them in abject poverty. As the society is evolving, we must be proactive as modernization has seen the society migrate from the extended family system".

He also reminded widows that they have rights embedded in the constitution of the Federal Republic of Nigeria.

Image and full story available at: http://giantstrides.crs.gov.ng/index.php?option=com_content&view=article&id=763:crs-commemorates-2012-international-widows-day&catid=70:the-governors-office&Itemid=11



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Message from WRI Chair



Mrs. Patsy Robertson

After a decade of hard work , advocates for widows rights have reason to feel that slowly but surely the tide is turning and the cruel treatment of widows in many countries is attracting the attention that it deserves. WRI now wishes to place on record its gratitude to the scores of organisations which have all worked together to bring this human rights disaster to the notice of the international community.

Many of these organisations are well known with high international profiles, but many are poorly funded grassroots groups, working in small villages in Africa and Asia, led by women who have had to develop the skills and courage to challenge age old customs and the men of power who insist that they should always be observed.

We plan to devote our newsletter and website to bring news and information about these groups to a wider audience and to help them gain more support, financial and otherwise, for the vital work which they undertake.

WRI salutes them and consider it an honour to work in partnership with them to end , in the words of the UN Secretary-General, the discriminatory laws and practices that distort the lives of millions of these women and their children.

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2012 International Widow's Day: Will the widow's plight be over?

The treatment of widows in many countries reduces them to homelessness and poverty and at the mercy of the keepers of the cultural rites which define so many societies. A recent report from Tanzania, attributed to AlertNet, a Thomson Reuters Foundation Service, stated that in so many countries, widows are denied inheritance and land rights, part of a long-term ordeal which will include loss of status, income security, livelihood a home, personal safety and security. All because of the loss of a husband.

In many cases, they are evicted from their homes and physically abused - some even killed by members of their community or their own family. Older widows are associated with witchcraft and become soft targets for land grabbers. The report notes that this treatment of widows is widespread. Older widows in India and Bangladesh were discriminated against as they were unable to get loans at comparable rates to men. Older women also reported that loans taken from neighbours by men were up to 10 times higher than those taken by women.

The report asserts that widowhood impoverishes women who have very little to live on as they don't have access to loans or economic resources. The treatment of widows in Nigeria is also highlighted and gives a much needed voice to many of these women who often suffer in silence.



Widow

Image from tribune.com

The full article is available at:
<http://tribune.com.ng/index.php/features/43019-2012-international-widows-day-will-the-widows-plight-be-over>



UN REPORT HIGHLIGHTS THE PLIGHT OF WIDOWS

THE continuing plight of widows globally has been identified as a threat to the realisation of Millennium Development Goals. MDGs numbers one, three and eight seek to end poverty, promote gender equality and engender global partnership, as most widows are said to live below poverty line, suffer gender discrimination and neglect by government, civil society organisations and the communities they live in. It is a situation still begging for comprehensive interventions at all levels.

This urgency is aptly captured by the UN Secretary General, Ban Ki-Moon, while speaking ahead of activities to commemorate the inaugural International Widows' Day on June 23, 2011. Said he: "We must recognise the important contribution of widows, and we must ensure that they enjoy the rights and social protection they deserve". The article notes that Ban Ki-Moon offers the potential effect of raising the status of widows thereby encouraging the promotion of full and equal participation of all women in society.

According to 'Women 2000' a 2011 UN report published by the UN Division for the Advancement of Women to promote the goals of the Beijing Declaration and the Platform for Action, widows comprise a significant proportion of the,

ranging from seven to 16 percent of all adult women. The report also suggests that widows worldwide constitute the greatest percentage of the poorest of the poor as they lack of education.

Widows outnumber widowers

It is also indicated that widows far outnumber widowers globally and that there are more elderly widows in developed countries while widows in developing countries are younger. This is attributable to the high incidence of armed conflict, HIV/AIDS and poverty in the developing countries of Africa.

There are efforts internationally to intervene on widowhood issues but these amount to a drop in the ocean compared to the weight of the issue. For instance in Nigeria key actors include the Federal/States Ministry of Women Affairs and Social Development, the church, civil society and private initiatives. However, many of these actions are ad hoc in nature and lack coherent and sustainability elements hence, the need for comprehensive and sustained interventions.

Additional information about this article can be found at:

<http://allafrica.com/stories/201206220218.html>



International Widows Day 2012

UN Secretary-General's Message

Women can be exposed to extensive vulnerabilities when their husbands pass away. Far too many widows are shut out of any inheritance, land tenure, livelihood, social safety net, health care or education. Their children must cope not only with grief at the loss of their father, but also their own sudden loss of status and benefits in society.



UN Secretary General
Ban Ki Moon

At the same time, it is important to recognize the strengths and contributions of the world's widows, who raise families, run companies and even head governments and States. Our challenge is to optimize this potential by removing discriminatory laws, policies and practices that impede widows from enjoying the dignity and equality they deserve. Discrimination can take many forms.

Image taken from: www.topnews.in/usa/respect-widows-rights-un-chief-210971

Widows are sometimes required to conduct their business through male guardians. Widows may be cast out from their communities, forced into marriage or physically abused with impunity. Their children are more likely to drop out of school and become trapped in intergenerational poverty.

I am especially concerned about the plight of widows in situations of conflict and natural disasters. At such times of violence and upheaval, many relatively young women find themselves suddenly widowed and victimized. We should do more than protect them; we should ensure they have the opportunity to participate in decisions on humanitarian relief and peace building so they can help build a better future.

On this International Widows' Day, let us resolve to end all discrimination against the world's widows, and to enable them to enjoy their full human rights. The benefits will extend to their children, communities and society as a whole.

Ban Ki-moon

Available at: <http://www.un.org/en/events/widowsday/2012/sqmessage.shtml>



SCHOLARLY PAPER ON CUSTOMARY PRACTICES IN SOUTH AFRICA

An electronic Law Journal in South Africa has published a scholarly article on **CULTURE, TRADITION, CUSTOM, LAW AND GENDER EQUALITY** which looks at customary practices in that country. This important article was written by Dr Mikateko Joyce Maluleke, Advocate of the High Court; Director in the Gender Directorate; Department of Justice and Constitutional Development (Republic of South Africa) and the article was based on the speech she delivered at the Conference of the South African Chapter of the International Association of Women Judges last August.

In her well researched and documented article, Dr Maluleke defines traditional cultural practices as those which reflect the values and beliefs held by members of a community for periods often spanning generations. Every social group in the world has specific traditional cultural practices and beliefs, some of which are beneficial to all members, while others have become harmful to a specific group, such as women. These harmful traditional practices include early and forced marriages (Ukuthwala as practised currently), virginity testing, widow's rituals, 'u kungena' (levirate and sororate unions), female genital mutilation, (FGM), breast sweeping/ironing, the primogeniture rule, practices such as 'cleansing' after male circumcision, and witch-hunting. Despite their harmful nature and their violation of national and international human rights laws, such practices persist because they are not questioned or challenged and therefore take on an aura of morality in the eyes of those practising them."

She added that "the purpose of the article is to discuss the impact of culture, tradition, custom and law on gender equality. However, before the article discusses that matter it will examine the influence of colonialism, imperialism and apartheid on the African culture, traditions and customs with particular reference to South African culture, traditions and customs. This will include a brief review at what really constitutes African culture, tradition and custom, and what is a colonial or imperial construct which is now regarded as African culture, tradition and custom. It will be argued that the primogeniture rules not an original African cultural principle but a colonial and imperial construct. In our dialogue about the revival of our culture, tradition and customs we need to interrogate what is African and what is a colonial or imperial construct."

In the presentation, the writer states "law reform and development have traditionally focused on reforming state legal institutions to the exclusion of



customary legal systems, and that where the courts had an opportunity to develop the customary legal systems they either reinforced archaic customary laws or imposed western ideology".

It shows that pre-colonial and pre-apartheid African culture, traditions and customs were based on Ubuntu and that harmful traditional practices, are a violation of women's human rights as guaranteed in the Constitution. They perpetuate the inequalities between women and men and contribute to the extreme poverty that government is trying to eradicate.

In discussing the background to the current situation, the author states that "African culture has experienced rapid change since the colonial invasion. Contemporary African culture is a mixture of traditional elements and alien features. Local African culture was oppressed for many years by white South Africans, who find their cultural roots in western countries.

However, due to the living nature of customary law, there is one African principle that colonialism and imperialism could not manipulate, i.e. Ubuntu. All Africans, particularly indigenous Africans, will tell you that our parents always taught us about Ubuntu. (It is not clear whether current parents are passing on the baton or not). Ubuntu means, 'I am what I am because of who we all are'. Ubuntu underscores the

importance of agreement or consensus. The overall concept of Ubuntu values people as a community, rather than as individuals. The Zulus and other peoples have a saying, 'umuntu ngumuntu ngabantu', which means a person is a person through other persons. It is a humanistic way of life which holds ethics and morals at the forefront of everything.



Girl being abducted and subjected to Ukuthwala (forced marriage). Image taken from <http://www.genderacrossborders.com/2011/10/28/child-marriage-ukuthwala-in->

International Commitments and the Constitution.

South Africa is a signatory to many conventions and protocols dealing with human rights and in addition to the international commitments, the South African Constitution enshrines the rights of all people in South Africa and affirms the democratic values of human dignity, equality and freedom (section 7 of the Constitution), declares its supremacy (sections 1(c) and 2 of the



Constitution), and provides that any law or conduct inconsistent with it is invalid. The right to equality, including gender equality, is one of the fundamental pillars of the Constitution, and it is enshrined in the Bill of Rights, which is justiciable.

On the other hand, the Constitution also provides for and protects the right to culture (sections 15(3), 30 and 31 of the Constitution) and recognises traditional leadership (sections 211, 212 of the Constitution), which recognition could be interpreted as protecting polygamy as well as related practices such as 'spouse inheritance'.

The article also states that customary practices such as Ukuthwala, virginity testing, widow's rituals, and others are entrenched, and in practice take precedence over equality in the villages where they are carried out. It is therefore questionable whether the constitutional protection of gender equality is making a difference to women living in communities with a strong commitment to traditional norms and practices. These compromise women's right to equality and can thus be interpreted to mean that women, as opposed to men, do not have inherent rights.

It also takes a detailed look at a raft of other practices which are well grounded in customary law but are forbidden by the Constitution and yet they are still widely practised in South Af-

rica.

Conclusion

The writer concludes by stating that the "danger of these harmful traditional practices is that children and adolescents whose rights to personal safety and wellbeing are violated are at increased risk of long-life developmental challenges, HIV infections, and other physical, emotional and social problems.

These outcomes compromise national and international development goals, including, among others, the MDG goal 1: 'Eradicate Extreme Poverty and Hunger,' and goal 2, which provides for 'Achieving Universal Primary Education' in order to establish 'A World Fit for Children'. The goals on reducing child mortality and improving maternal health are also affected.

The revival of tradition, culture and customs is part of the new national and international identity; however, this revival must be rooted in a way of life based on human rights, democracy and equality for all, and understood from a point of view of Ubuntu. Thus, culture, tradition and customs have to be balanced within the social and legal context of the constitution and provisions of the Bill of Rights."

The full article is cited at: <http://www.saflii.org/za/journals/PER/2012/1.pdf>



Kenya : Court Recognises Widow To Woman Marriage and Inheritance Rights

The High Court in Mombasa has made a landmark ruling allowing a woman who was 'married' to another woman to inherit her late 'husband's' property worth millions of shillings. In June 2011, Monica Jesang Katam applied to the High Court of Kenya for a grant of letters of administration intestate for the estate of Cherotich Kimong'ony Kibserea, an elderly, childless women, who had died in July 2008 leaving a significant estate. Under Nandi customary law, if a woman is past the age of child-bearing and is not lucky enough to have had her own children, she can marry a younger woman.

The older woman takes on what is regarded as the male role in a marriage, providing a home for the younger woman, who is then encouraged to take a male sexual partner from the older woman's clan. The offspring will be regarded as the children of the woman to woman marriage. Monica Jesang was married under customary law to Cherotich Kimong'ony Kibserea in 2005 and had two children.

The stepson and niece of Cherotich Kimong'ony Kibserea objected to the claim alleging that the deceased had left a will. Justice Jackton Ojwang found in favour of Monica Jesang. In his judgement he recognised that women-to women marriages were permitted under Nandi tradition and the dowry had been paid and that Monica Jesang, was entitled as the widow, to apply for the letters of administration and inherit the estate of Cherotich Kimong'ony Kibserea. In his ruling Judge Ojwang said, "since the petitioner is not the 'wife' in the conventional sense, nor are her sons 'children' of the deceased in the ordinary manner, it is necessary to consider how the law treats them, in relation to dependency under the deceased's estate. "He concluded that woman to woman marriage is a recognized family institution in Nandi customary law.

Reference was made to a previous unreported case in the Magistrates' Court in Kapsabet: *Chepkuaui v Chepngeno Kobot Chebet* which also recognised wife-to wife marriages. The natural father of the children is not recognised and the children are recognised as inheriting from the person-in this case, the women- who paid the dowry. Kibeserea's stepson and niece appealed but the case was upheld in the Mombasa High Court in October 2011 by Judge Odero.

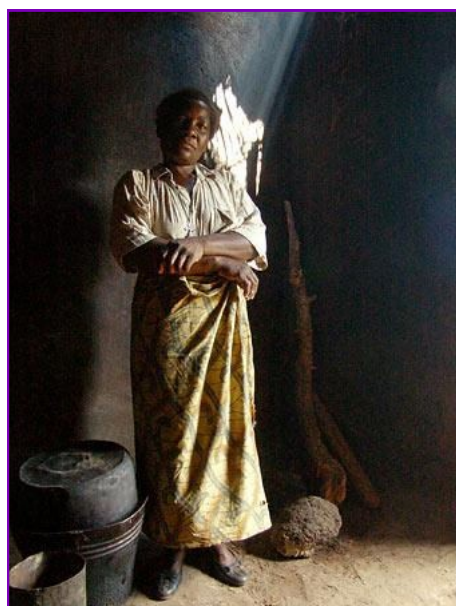


Widow cleansing and inheritance—Role in HIV/AIDS epidemic

There has been a worldwide research in the links between harmful cultural practices and the spreading of AIDS. The following article was published on the Vital-wave website and we reproduce because it adds another dimension to the protection of widows rights.

The world is well aware of the facts and figures that surround the HIV/AIDS epidemic. While the level of realization might vary from society to society, it would be very hard to find any village that does not have the most rudimentary knowledge about the disease. There is a global mobilization against it and to some extent there are major victories to date. But, one aspect of the disease is only recently getting the attention it requires: the prevention of mother-to-child transmission (PMTCT) of HIV/AIDS, and specifically, the relation it has with the harmful cultural or traditional practices that are prevalent in almost all of the countries that are hardest-hit by the disease.

If we were to take a look at the countries that had, or still have, the highest infection rates, it would be abundantly clear that there is a prevalence of harmful traditions that are bestowed upon the girls and women of these countries. It would also be clear that there is a relationship between these traditions and the eventual infection of children born to HIV-positive women.



One good example is a traditional practice that is widespread in central, southern and to some extent, eastern Africa. It is called 'widow cleansing'. The basic idea here is that when a woman's husband dies, she is forced by tradition to have sexual intercourse with a close relative of her deceased husband to exorcise his spirit out of her.

Image of widows taken from the website Melange, available at:
<http://isiria.wordpress.com/2009/04/13/the-appalling-practice-of-widow-cleansing/>



If she refuses, she can be blamed for every person that dies in her village and that can have fatal consequences by means of accusations of witchcraft – which is usually followed by a death sentence.

The cleansing ritual is carried out without any HIV/AIDS testing to ensure that the relative and the widows are both negative. The sex is unprotected, as it is believed that there should be full body contact, which can lead to HIV infection and pregnancy at the same time.

Another example can be the common practice that is prevalent in and around West Africa called 'widow inheritance'. In this case, when a woman loses her husband she is immediately married off to her brother-in-law.

The tradition was originally put in place to make sure that the woman and her children did not suffer if they were poor or, in the case that the deceased was wealthy, to ensure that whatever riches that were left by the deceased stayed within the family.

In many cases, the woman is not tested for HIV a if her husband has infected her before he succumbed to the disease, she too has a high chance of transmitting it her new husband or partner.

These are just two examples of harmful traditional practices that directly contribute to the mother-to-child transmission (MTCT) of HIV/AIDS. Fighting them not only helps prevent the spread of HIV, it also helps in the fight against MTCT.



Image of widows taken from
<http://www.nytimes.com/2005/05/11/international/africa/11malawi.html?pagewanted=all>

This report is available at:
<http://vitalwaveblog.com/2012/04/widow-cleansing-and-widow-inheritance-harmful-cultural-practices-stopping-pmtct/>



Widows in India 'merely exist in the shadows of society'

Approximately forty million women in India, especially those who belong to upper-caste, low economic backgrounds, live alone and in poverty after the death of their husbands. According to writer, Girija S. Semuwal 'Indian Independence, economic liberalization and globalization have transformed the basic cultural system, yet since the abolishment of Sati in 1856 little recognition or progression means widows still lead a miserable and pitiable life in many towns of India.'

The writer explains that widows in West Bengal face a variety of societal taboos everyday and are subjected to the traditional belief that once the husband dies, a widow must denounce all worldly pleasures, forced to wear plain white saris for the rest of their lives, dietary restrictions and their presence is often considered inauspicious. In some cases their heads are shaved and they are expected to wear a sari without a blouse in parts of South India. Yearly, Vrindavan and Varanasi – often referred to as the "widow cities" of India – offer the only place of sanctuary for thousands of widows who live in arduous conditions until they die.

Young widows are often sexually exploited or enter prostitution while the

elderly can be found begging outside temples and it is believed that approximately 15,000 widows live on the streets of Vrindavan, out of a population of 55,000 people. Those fortunate enough to participate in chanting prayers at bhajan-ashrams chant for 4-hour shifts to earn a cup of rice and approximately 7 rupees.

Economically 28 percent of widows are estimated to be entitled to a pension of which only 11 percent actually receive support. Schemes to address the poverty linked to widowhood are poorly implemented and unsuccessful.

The Supreme Court of India has recently appointed a seven-member panel to collect data on the socio-economic conditions of widows in Uttar Pradesh, taking note of their "pitiable condition". The committee is to conduct an enumeration of the widows living in the city. Girija S. Semuwal states that "the real voice for change must come from within the society, and the first step would be a change of the fatalistic and superstitious mindset that abhors widows and deprives them of their right to live."

The full article and image are available at: <http://www.youthkiawaaz.com/2012/05/widows-in-india-a-poor-lonely-and-ostracised-citizenry/>



ISLAMABAD

An alliance needed for widows and single women.



Women's rights activists and gender experts of South Asian countries have called for a regional alliance to protect the rights of widows and single women who they described as the most marginalised and vulnerable section of South Asian societies. The challenges faced by these women are almost the same in all these countries, where the majority are trapped within a discriminatory traditional framework moulded by rigid precepts of patriarchy. They are secluded from the social fabric and face immense problems with regard to inheritance of property. The speakers said that war and conflict in this region has produced thousands of widows who mostly enjoy no rights in the society and are poorest of the poor.



Speakers at the conference held in Islamabad pointed out that in most South Asian countries, widows are often blamed for their husbands' death. There are no laws protecting the fundamental rights of these vulnerable population of widows, who suffer from discriminatory legal and government policies. Most widows are unaware of any legal protection of their rights to compensation or inheritance. Widows also suffer humiliation and pain under the name of culture and traditions.

They were speaking at a two-day South Asian consultative workshop titled 'Mainstreaming Rights of Widows and Single Women in Public Policy' organised by the Aurat Foundation, in collaboration with South Asian Network for Widows' Empowerment in Development (SANWED).

The workshop focused on issues and challenges faced by widows and single women across South Asia and the aim was to create synergies and linkages at local, regional and international levels for mainstreaming their rights in public policy and institutional frameworks.

For full details of the event please see:

<http://www.thenews.com.pk/Todays-News-6-110093-Needed-Alliance-to-protect-rights-of-w>



ABOUT WRI



Widows' Rights International supports organisations in sub-Saharan 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

PLEASE SUPPORT OUR WORK!

Go to www.widowsrights.org and press the button to help us help these disadvantaged women in their struggle for their basic human rights.

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



Yes, I want to support WIDOWS RIGHTS INTERNATIONAL' s struggle for social justice for widows in sub-Saharan Africa.

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