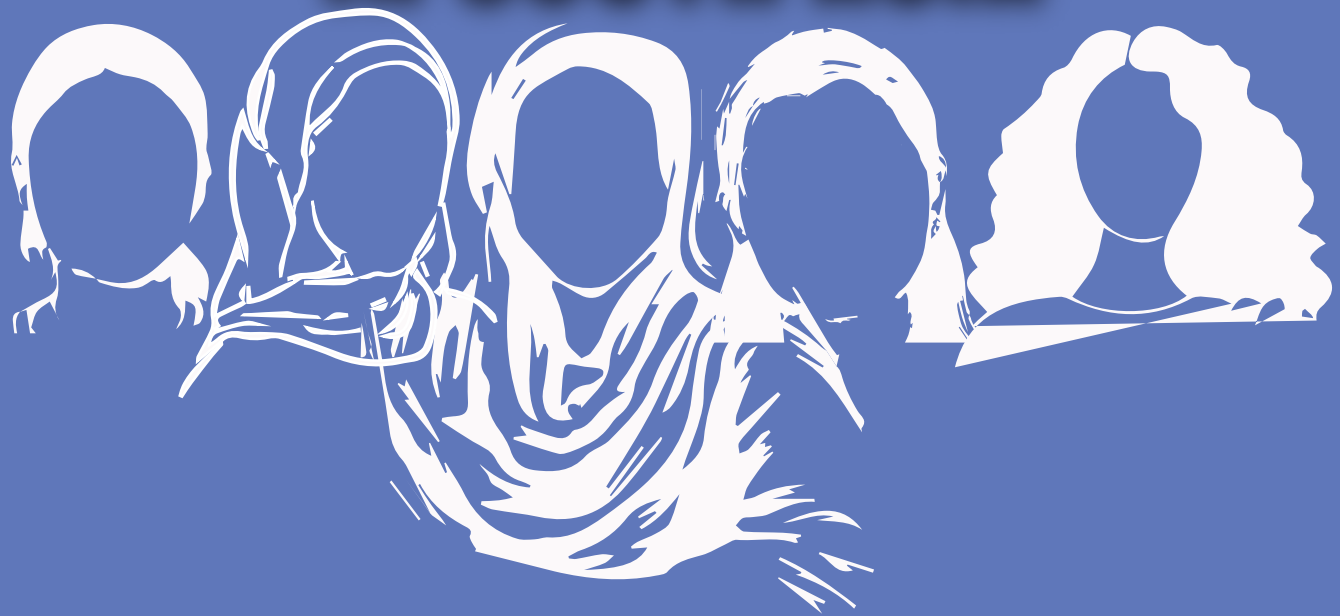


SANWED

South Asian Network for
Widows Empowered in Development

STATUS OF WIDOWS IN SOUTH ASIA



Guild of Service SANWED Secretariat, India

Edited by: Meera Khanna & Dr. Malashri Lal

**South Asian Network for Widows Empowered in
Development (SANWED)**

Status of widows in South Asia

**Edited by
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**South Asian Network for Widows Empowered
in Development**

Widows Empowered

SANWED: Giving Dignity, Voice and Well-being

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FOREWORD

For the past five decades we have been on a quest for peace. Of course we never succeeded completely. There were a few steps forward and a few backward. My conclusion is that perhaps we are looking at all the differences that divide this region politically, economically, and socially and trying to create a cohesive region across borders.

Can we not think of what is common between all of us and strengthen those commonalities? All Asian countries had and still have patriarchy, poverty, illiteracy, violence against women, caste and creed ridden societies. How can we overcome these together, with common empowering structures?

We acted upon the thought of regional outreach immediately and approached the UN Women (then UNIFEM) to help us organize a South Asian meeting on the issues of widowhood in South Asia in 2002. That was the seed from where SANWED germinated. It was encouraged by the very far reaching vision of Chandni Joshi who had then set up and headed the UNIFEM South Asia Regional Office.

The seed was sown but it was actually nurtured into a full fledged tree by Lily Thapa and her organization Women for Human Rights, which manned the secretariat of SANWED for many years. My deep appreciation for the committed and inclusive work that brought the issue of widowhood on a collective platform.

The dedication of the core organizations in all the countries of Afghanistan, Bangladesh, India, Nepal, Pakistan and Sri Lanka needs to be commended for giving richness, depth and diversity to the collective effort of SANWED. It is nineteen years of working collectively on the issues that face South Asian widows.

My dream to some extent is fulfilled. But I dream bigger and more. Can we harness the agency of widows to address the issue of poverty, illiteracy, violence that they face as women and as widows? Can widows of conflict be the sane voice for peace in the region?

This study is the first of its kind as it telescopes the issue of widowhood within the region highlighting at once both the differences and the commonalities. Husna Jalal(Afghanistan), Ferdous Ara Begum (Bangladesh), Meera Khanna(India), Lily Thapa & Sumeera Shreshta(Nepal) and Masuma Hasan and Muneezeh Khan (Pakistan) have done a stellar job in working on the status of widows in their respective countries.

A word of appreciation to the SANWED secretariat in the Guild of Service with a special mention of Meera Khanna and Malashri Lal who took on the onerous task of collating, editing, filling in the gaps, and bringing out this study on the status of widows in South Asia. I am confident that it will be a great catalyst in the respective countries for policy and programme for widows.

Let us always be together. That is the strength of the region and the vibrancy to our voice.

Dr. V. Mohini Giri

EXECUTIVE SUMMARY

Widowhood is a natural occurrence in the life cycle of a woman yet when it occurs it creates a sea change in the lives of most women. A woman on becoming a widow loses more than a spouse. She loses financial security, social status, reduction in standard of living, a voice in decision making. In fact in many patriarchal societies of South Asia she is reduced to being a non-entity, a “ zero” in society. Yet widows constitute a large segment of the South Asian women population beset as this region is by conflicts, natural disasters, communal riots, child marriage etc.

There is very little data available on widows and their condition which could feed into policy making and programme initiation for this large segment. The lack of empirical data and adequate anecdotal evidence is in a sense an extension of the reduction of a widow’s identity. This study is unique as it brings forth the status of widows across six of the most populous nations of South Asia to underscore the similarities and contrast the differences, to enumerate best practices in legislation as well as affirmative action.

This study on the “Status of Widows in South Asia” is the first of its kind document on the lived experiences of widows in Afghanistan, Bangladesh, India, Pakistan, Nepal and Sri Lanka. It is the outcome of a SANWED Regional Conference in Delhi, in February 2020 hosted by the Guild of Service in partnership with UN Women India.

Data on widowhood in South Asia

Despite the high incidence of widowhood in the region, there is surprisingly little data available on widows.

According to the **Afghanistan** Ministry of Labour, Social Affairs, Martyrs and Disabled there are more than 500,000 widows in Afghanistan and war widows make up the largest number. Possibly 94 percent of widows are illiterate, and an estimated 90 percent have 3 to 8 children.

In **Bangladesh**, 5.8 per cent of the female population are widows. About 91% of older women are widows. Specially categorised are the rural widows, ‘tiger widows’, and Rohingya widows.

India’s census of 2011 shows ‘Widowed’ persons, mostly females, are more than 44 million. 2.23 crore households in India are headed by widows. In the age group of over 70, 23% of men were widowers while the corresponding figure for women was 92%. More than 76% of the female heads are single (widows, divorcees or unmarried women), majority being widows.

Nepal: Census 2011 says 6 percent are single women among the total female population. Over 10,000 single women resulted from the ten year long civil war.

Pakistan: In 1998, there were 2.7 million widows in a female population of 69 million (3.9%). By 2017, that number rose to 8.5%. Particularly added were young widows resulting from conflict, natural disasters, and terrorism.

Sri Lanka's Civil War lasted from 1983 to 2009. By unverified sources 23,790+ Sri Lankan Army personnel, 1000+ Sri Lankan police too died in the war. Whether armed forces, or police, or non-state actors lost lives, the impact is on the widowed women.

Cultural implications of widowhood

In **Afghanistan's** highly patriarchal society, women are generally viewed as 'un-equals' whose existence is circumscribed by their relationship with men. When a husband dies, the wife's life suffers a major destabilizing shock as it marks the sudden loss of her social identity as he was the source of her protection and support.

In **Bangladesh** widows of all ages and all religious groups are among the poorest of the poor in rural areas. Remarriage is allowed in the Muslim community and in most cases widows accept polygamous union where they do not enjoy equal rights in the conjugal partnership.

India: Socio-cultural ramifications of patriarchy decimate widows in India into social non-entities. They are socially invisible, culturally marginalised and very often economically deprived. The Hindu patriarchy assigns only a secondary role to a woman, to perform rituals and beget sons. Without the husband a woman is alienated from reproduction and sexuality and has no social or religious identity. Nevertheless, she continues to be part of society which institutionalizes her marginality with symbols of widowhood such as tonsuring of head, a dress code etc.

In **Nepal**, traditionally, widowed women are forced to follow certain harmful practices which include a diet code, a dress code etc. The identity of a woman is often connected with her marital status and if she is widowed, she is not considered a person with an individual identity. This exacerbates her economic dependency and vulnerability. Remarriage is usually frowned upon by the society.

Pakistan: Widows are some of the most marginalized and overlooked segments of society. They face a number of issues including denial of inheritance rights, problems related to remarriage, harassment and abuse by in-laws, restrictions on their mobility, inability to provide for themselves or any children, and mental and physical health issues. Despite being a largely ignored group, being a widow is not a stigma in Pakistan either in religion or under the law. There are no post-widowhood rituals, cleansing and abandoning which exist in some other cultures. One common misconception in society is that, if the widow re-marries, then she is not a devout woman. Culturally, widowed and divorced women are not ideal candidates to marry sons. This is because widows are, sometimes considered bad omens and excluded from auspicious events.

Sri Lanka: Ethnicity, religion and region dictate the attitude to widowhood. Tamils living on the East coast and in the plantation sector are different from those in Jaffna. Stigma against widows has been strongest among high-caste Jaffna Tamils, who follow Hindu orthodoxy: they impose strict dress codes, diet codes and ostracism, disallow remarriage. Muslims allow the remarriage of widows and the husband is seen as a protector of the woman. Internalised stigma among widows is as much a problem as the external restrictions.

Economics of widowhood

In **Afghanistan**, large numbers of widowed women become street beggars and their children accompany them. Often they wear blue burqas so as not to be identified while imploring commuters to give them money. Clearly with the death of a husband the widow is abandoned by families, society and the government.

Bangladesh: Under Islamic Law, widows are entitled to inherit at least 1/8th of the dead husband's property and land. She is also entitled to inheritance from her father's property. In practice, this share is frequently 'managed' and appropriated by the male relatives. Discrimination and marginalization of widows is a root cause of the poverty and inequality across the generations.

India: Structural inequalities of patriarchy manifests itself most crucially in the economic vulnerability which gets underscored by cultural stigmatization, social marginalization and individual vulnerabilities. The bottom line is that it is not religious or social sanctions that underscore a widow's cultural discrimination most, but her economic vulnerability.

By the 2011 censuses, women head about 27 million households, constituting 11 per cent of total households in the country. A little more than 10.11% earn less than 75\$ (Rs.5,000) a month and 0.89% earn little more than 150\$ (Rs.10,000) a month. With women-headed households being more prone to poverty, wages being unfavourable to women in general and access to financial, technical and other support services being denied to them, the poor status of the rural population is common. Nearly 40% of widows found it difficult to meet the basic needs of food, clothing and shelter.

Nepal: Single women have very little decision making power due to the dominant male members in their in-laws family. Other family members often misuse the property these women own. In scenarios where they wish to become entrepreneurs, they don't have access to adequate resources or credit. Single women are often denied loans or economic support from friends and relatives as well as from financial institutions as they have no guarantor or collateral. Their economic situation is further aggravated by the conflict-led displacement furthered by poverty-led urban migration. With approximately 88% of single women illiterate and highly dependent on low paid, informal work, most are found as home based workers, labour, housemaids, farmers etc.

Pakistan: Widows struggle to provide for themselves economically. They are often not able to remarry, especially in their old age. The incidence of remarriage, in many regions, of a widow or divorcee is lower among women than among men. In other cases, they may be forced into a marriage because they need financial support. Some older women have also taken to beggary. Owing to cultural taboos, a large proportion of widowed or divorced women remain economically dependent. In rural Pakistan widows often fail to make claims for their land rights for fear of social censure. In urbanization areas, the spread of female education has given some space and opportunities to single women, including widows, to find livelihoods.

Sri Lanka: Recent figures indicate about 25 per cent households in Sri Lanka are female-headed, specially in the Eastern Province. Pannalige Upali and Chamalie P M Gunawardena in an essay, "Military

War Widows in Post War Sri Lanka”, found that majority of the respondents who were widows of the Tri Forces (Sri Lankan Army, Navy and Air Force) were between the ages of 26 -34 years with more than 76% of them with a child between the ages of 0-5. Hence, it is indicative of the burden of responsibility and financial worries on military widows.

Violence against widows

In **Afghanistan**, factors that promote violence against women in families are illiteracy and lack of awareness among women about their legal and religious rights. Women show tolerance of violence and the patriarchal culture condones violence as “normal”. Widows, in comparison to married women, experience greater violence in homes and communities as the dependency factor exacerbates their vulnerability.

Bangladesh: Violence against widows and their young daughters is a common incidence. They suffer from stigma, illiteracy, patriarchal interpretations of religious, customary and traditional codes. Consequently, widows are often deprived of their rightful claim to inheritance and land rights and are unable to access justice and protection from harmful relatives.

India: Physical, sexual and psychological violence suffered by widows occurs in the family, in the community and is in effect condoned by the State by its failure to take any meaningful measures to address the issue. There is very little research or documentation concerning widow abuse. Widows are particularly vulnerable to human rights violations in situations of armed conflict. The migration of widows from their homes to religious places like Vrindavan or Varanasi is a direct consequence of the psychological and often physical violence that widows face. With no education and access to resources they find a voluntary migration the easy route to existence. In patriarchal societies the husband “owns” and so “protects” the wife. A widow particularly a young one is seen as “unprotected” and so an easy target of unwanted sexual advances and often rape at the hands of the male family members. Often the helpless widow keeps silent as the physical existence of her children is at stake.

In **Nepal** the increasing problems of sexual abuse and violence against women are caused due to poverty, religious superstition, subjugation, illiteracy, social injustice, cultural invasion, legal discrimination, conservative traditions etc. The inherent gender bias denies women and girls the necessary skills and desire to be independent. Witchcraft allegations, sexual violence including rape and attempt to rape, polygamy, sexual harassment, domestic violence and human trafficking are some of the forms of violence against women. Single women/widows reported a range of experiences of psychological and physical abuse, yet they faced obstacles in seeking official help. Accessing relevant legal documents of citizenship or the death certificate of husband are difficult.

Pakistan: Widows are especially vulnerable to harassment and abuse including at the workplace if they choose to provide for themselves. Alarming numbers of cases are reported of in-laws having evicted widows upon the death of their husband. A widow is not considered to be part of the family and is expected to return to her parents and/or fend for herself. Widows are also disproportionately affected by resettlement schemes, slum clearance and development projects carried out by the state actors.

Armed conflicts and resulting displacement, destruction of homes, family structure and communities often leave women more vulnerable.

Sri Lanka: UN Women report of 2014 says, “Women who are widows must provide for themselves but are simultaneously largely excluded from access to resources, and deal with a heightened threat of sexual violence”. The 2009 war alone has rendered 40000 women as homeless, landless widows. Several women are left to take care of their physically challenged (maimed) husbands. These single women and the other women are forced to take care of their families without any income and any livelihood opportunities. There are more than 12000 young widows from the age of 17 to 28. They are put to the challenge of taking care of young children, and safeguarding themselves from sexual abuse.

Governmental affirmative actions to address the issue

Article 53 of **Afghanistan’s Constitutional Law** guarantees the rights, privileges and assistance for needy orphans and women without caretakers, but Afghanistan does not have a clear policy on widows. The National Action Plan for the Women of Afghanistan 2007 recognizes the disadvantages faced by widows and the Afghanistan National Development Strategy explicitly acknowledges that widows are among the most vulnerable people in the country. Yet, all these policy instruments remain without specific steps for implementation. The Supreme Court of Afghanistan has ruled that a woman can remarry if the husband has been missing for more than 4 years as he may be presumed to be dead.

Government of **Bangladesh** introduced a family pension scheme for widows or widowers of deceased civil servants in the public sector. But it constitutes only a negligible fraction of the total population (estimated as about 1.2 million in 2007). A majority of the labour force in Bangladesh is still in rural areas and most of the workers and employees of the non-government industries/organizations are still not eligible for pensions. However, there is an Old Age Pension of 500 Takas per month.

India: The Government has been looking at the special position of widows and initiated some interventions. Many state governments have formulated schemes for widow remarriage, widows’ pensions and assistance to widows for the marriage of their daughters. Under MNREGA, widowed women are identified and qualify as a ‘household’ so as to be provided 100 days of work. Widows of Central government, state government, armed forces employees etc. are given pension as per the service rules.

The Union ministry of Women and Child Development has addressed widows’ issues lately, specially the access to necessary legal documents. Accordingly, the Ministry has asked states to ensure that the widow’s name is mandatorily mentioned in the death certificate of a man and marriages be mandatorily registered. Such measures may prevent a widow’s banishment from her marital home.

The Supreme Court of India in response to a public interest litigation constituted a six member expert committee on the status of widows in India. Recommendations made were wide ranging covering economic status, right to social security, review of property rights and functioning of shelter homes. The Supreme Court accepted in totality the recommendations made by the committee and directed the Central and State Governments to implement them.

The Government of India provides pensions under Indira Gandhi National Widow Pension Scheme (IGNWPS), The Indira Gandhi National Old Age Pension Scheme (IGNOAPS). Food subsidy is provided under the schemes called Annapurna and Antyodaya. Consecutive legislations like the The Hindu Succession (Amendment) Act, Maintenance and Welfare of Parents and Senior Citizens Act, Mahatma Gandhi National Rural Employment Guarantee Act have tried to change the economic status of a widow albeit in a piecemeal fashion.

In **Nepal**, some affirmative initiatives have resulted from lobbying by WHR and other civil society organisations. These are monthly allowances, Single Women Protection Fund at Ministry of Women, Children and Social Welfare, 35 percent tax leverage for single women during registration and acquisition of property, and the President's programme on entrepreneurship. To help widows in conflict zones, Truth and Reconciliation Commission (TRC) and the Commission of Investigation on Enforced Disappeared Persons (CIEDP) have been formed. They are referring cases to the Supreme Court to attempt smooth transitional justice. Government plans include concerns about economic sustainability for rural women, and capacity building, training and empowerment to improve the status of female-headed households. The Government also plans to evaluate and incorporate women's unpaid care work, household chores into the economy of the country.

Pakistan: Inheritance in Pakistan is based on Sharia law which states that upon the death of her husband, a widow has the right to inherit one-fourth of her husband's property if she has no children and one-eighth of his property if she has children. Nevertheless, women cannot inherit property if they remarry. However, even where remarriage is not an issue, women face many problems enforcing their rights. On the death of a government employee, the federal and provincial governments have made humane provisions for the widows to receive a family pension until her death. Widows are taken care of by the system of Zakat, a tax levied on Muslims at the rate of 2.5 per cent on 11 categories of assets. These funds are used for the benefit of widows, orphans and other needy persons.

Sri Lanka: The Ranaviru Sewa Authority oversees the settlement of psycho-social issues faced by the family members of those missing, killed or disabled in action in the Armed Services and Police in defending the country. It extends a strong helping hand to the children, wives and parents of the dead soldiers. The Emergency Northern Recovery Project (ENREP) funded by The World Bank on the request of the Government of Sri Lanka looks after the needs of those displaced by the conflict, including widows. A national centre in Kilinochchi assists female headed Tamil families by providing low interest loans of up to \$260 to encourage entrepreneurship.

Impact of Covid on Widows

The Covid 19 lockdown in **Afghanistan** has not only increased domestic violence against women but exposed women to more economic and financial hardship. Many lost their jobs but they still have to struggle and support their families. It is even more difficult for female-headed households, especially for widows who don't have social and financial support. Domestic violence did not begin during the pandemic, rather the war and massive poverty were the real causes of it.

Covid 19 has aggravated the widows' poor access to health care in **Bangladesh**. They were already living in dire socio-economic conditions with inadequate attention from health services. Isolation, social exclusion and family violence have become a common phenomenon during the pandemic.

India: During the first four phases of the lockdown, women in India filed more domestic violence complaints than recorded in the last 10 years. Lockdowns impact women's economic and livelihood activities, increasing poverty rates, and exacerbating food insecurity particularly when women work in the unorganised sector as is the case in India. The nationwide lockdown imposed by the government has left millions of migrant women unemployed and starved for food, placing a huge financial burden on these women.

In **Nepal** marginalized groups, vulnerable women and girls in particular, are facing a greater risk from this pandemic, as they are systematically disadvantaged and often oppressed by poverty, violence, inequality, and marginalization. The single women are isolated in their homes with little source of income. The pandemic has exacerbated pre-existing social and economic inequalities, barriers, and discrimination.

The onslaught of Covid-19 pandemic in **Pakistan** has compounded the poverty and disenfranchisement of widows. Widows faced multiple problems and struggle to survive whether they lived independently or resided in joint families with the in-laws. Typically, they do not receive assistance from their in-laws following the death of their husbands; when they do, their expenses are severely limited and curtailed. This has intensified during the economic crunch of the pandemic.

Sri Lanka: The pandemic has exacerbated existing inequalities. Women have lost leadership roles, finances, social presence. Safety in their own homes may not be guaranteed as domestic violence is on the rise. Women in Sri Lanka need to be assured of peace and security as the country battles the challenges of the pandemic. They seek equal access to social justice and economic opportunities without gender-based discrimination. The Sri Lankan Government adjusted its largest cash-transfer programme—Samurdhi, which targets poor households, aiming to alleviate poverty which has helped some widows.

Conclusion

There has been a paradigm shift in addressing women's issues. The focus is on a rights based approach, especially when the discussion is about widows. Empowerment issues link directly with the widow's power to take decisions along with having resource control, and that entails enabling factors such as access to financial means and a social context permitting her to take charge of her life. The possibility of skill development and training is restricted by the age and educational profile of the widow. In some instances a collective rehabilitation model, such as a "widows' ashram" may succeed since the institutional structure builds a sense of confidence, sharing, and inter-dependence.

The methodology adopted in the country reports varies from one country to another as the contextual frameworks are different. In several cases, old data has been used since newer data is not available, once again underscoring the invisibilizing of the widow in South Asia. A broad format was

sent to the lead writer in each country but, perforce, this was adapted to the realities on ground. What is presented here is the outcome of the observations and critique emerging in a country specific manner. The recommendations, where mentioned, are based on the policies and opportunities manifested in the context of particular countries. The Status Report retains the variables in order to be faithful to the diversity in matters relating to widows in South Asia.

As widows cope with the devastation of losing their spouses, they may also face economic insecurity, discrimination, stigmatization, and harmful traditional practices on the basis of their marital status. Widows must be empowered to support themselves and their families. Studies such as this 'Country Report' elucidate challenges faced by widows and mark the starting point for affirmative action, review of discriminatory legislations, and analysis of cultural ostracism etc. The Sustainable Development Goals call upon all of us to include those who are at the risk of being left behind. Widows in South Asia have traditionally been left behind. It is time to make widows matter.

INTRODUCTION

This study on the "Status of Widows In South Asia" is the first attempt of its kind to document the lived experiences of widows in the region, and to place them squarely in the centre of any discourse on poverty. The study, while underscoring the commonalities in the economically deprived, socially marginalized and culturally ostracized lives of widows across the region, also serves as a comparative study of governmental policy and the civil society responses.

According to the Loomba Foundation report, the second highest number of widows in the world is from South Asia. 22.4 percent, that is nearly a quarter of the total widows in the world were from South Asia. India has the highest number of widows in the region followed by Bangladesh, Pakistan and Afghanistan.¹ Yet the needs of millions of widows in the region have been consistently neglected in more than four decades of planned economic development. Almost all the countries of the region do not have a working plan or policy on widows. Pension schemes are not universal and are often restricted to widows of armed forces or government personnel. Insurance schemes are beyond the ambit of majority of the widows. Poverty and gender are interrelated. Going further, poverty and marital status of the women are also inter related, because women are excluded from access to the tools of development and widows/single women are most excluded among the excluded. Within this context, the South Asia share of widows is significant because of the high level of extreme poverty in this region. It then becomes amply clear that eradicating of poverty is very closely linked with empowerment of widows as they are over represented among the "poorest poor" in the region.

It is not that governments of the individual nations of the region are blind to the feminization of poverty and reasons for the apathy to the issue are not difficult to pinpoint. More to the point, the extreme poverty of widows and widow headed needs attention.

In the region of South Asia, socio cultural constructs and traditional customary practices dictate the gender norms that perpetuate patriarchy, giving full control of the resources to men while relegating women to reproductive, submissive and subaltern roles. This is reflected in the multitude of crimes against women across the region as honour crimes in Afghanistan, dowry deaths in India, rape as a tool of war in Sri Lanka, forced marriages in Pakistan, intimate partner violence in Bangladesh or debilitating discrimination in Nepal. The face of the violence may be different but the root cause has been and is the supplementary status of women. It is also a vicious circle. While violence against women and girls is a result of their perceived "inferior" status, the violence perpetuates the dependent status so much so that a large number of South Asian women internalize the victimhood. Gender norms are perpetuated through mechanisms that are external as well as internalized.

This to a large extent drives the ostracism and discrimination of widows in the region. Regardless of the ethnicity, religion or region, widows in South Asia are doubly discriminated as women and as

¹ <https://www.theloombafoundation.org/our-work/research/world-widows-report/statistics>

widows. Despite the diversity of experiences and the fact that widowhood is associated with economic vulnerability as well as with an increased risk of mortality, impaired health and quality of life, discrimination faced by widows has been often dumped as a cultural issue. In the context of widowhood, forced marriage as child brides (resulting in early widowhood), paying to acquire husbands for daughters through the dowry (resulting in depriving widows of any share in the natal property), patriarchal inheritance systems in which daughters inherit less than sons and the widows' right to property is at variance with customary law, (leaving the widow with few or no resources) marriage arrangements allowing the husband control over land, finances, (resulting in the widow's incapability to assert her right) witch-hunting, compulsory restrictive dress codes, diet code and behavior code all serve to institutionalize the ostracism and discrimination of widows. Most state parties consider the vulnerabilities of widowhood as a cultural issue, linked to customs and traditions which cautious governments don't want to tamper with. There is gender blindness to the fact that socio-cultural marginalization and poverty are closely linked, each perpetuating the other. It is highly possible that a poor widow with very few resources is more likely to be ostracized. It is also highly probable that discriminative cultural constructs prevent widows from being educated and trained to enhance their economic status. Economic deprivation exacerbates a social marginalization and vice versa.

Secondly, a very critical reason is the fact of a prevailing myth in the region surrounding widowhood, that widows are protected and cared for by extended family networks. So long as this myth persists, widowhood will be treated as a family matter, not as an issue for public policy.

Thirdly the deprivations of widows are very well hidden in economic and social statistics. The standard household-level economic status tell us very little about the well-being of widows as individuals. Moreover, household-level economic data which are desegregated by headship but not by marital status tells us very little about the well-being of widow-headed households compared with male headed households.

It can be said that there is no group more affected by the sin of omission than widows. The fact that they do not appear in statistics, reflects, above all the lack of interest and consideration from which they suffer, as a result of which they do not yet enjoy the fundamental right to be included correctly in the data and always remain as a footnote in the discourse on poverty. Dearth of data invisibilizes widows in the discourse on poverty. Data on the status of widows across a large sample size indicating both core and relative deprivations can be both a management tool and a report card for conceptualizing, implementing and monitoring interventions to empower widows.

The study is the result of a very close and coordinated effort of the member countries of SANWED and is a consequence of the SANWED Regional Conference held in Delhi in February 2020 hosted by the Guild of Service in partnership with UN Women India. The study has gained in diversity by the extremely well researched papers from Afghanistan, Bangladesh, India, Pakistan and Nepal. The Sri Lankan paper has been collated by the editors from research publications and studies on the widows of Sri Lanka.

This publication has been made possible by the very proactive and prescient commitment of UN Women, with a special mention of Susan Ferguson (UN Women Representative for Bhutan, India,

Maldives and Sri Lanka), Nishta Satyam (Deputy Country Representative, UN Women, India, Bhutan, Maldives and Sri Lanka), Anju Pandey (Program Officer UN Women Office for Bhutan, India, Maldives and Sri Lanka). This study happened due to the efforts of the Core Committee of SANWED, the Jalal Foundation (Afghanistan), Ferdous Ara Begum (Bangladesh), Guild of Service (India), Women for Human Rights (Nepal) and Aurat Foundation (Pakistan).

We hope this study while catering to academic interest, will be a catalyst in a paradigm shift in policy making and program conceptualization. We anticipate that this publication will also be a harbinger to a strategic approach, which while addressing the issue of the deprived status of widows, will be able to harness their agency to make them the movers and shapers of their destinies.

Meera Khanna
Dr Malashri Lal

SOUTH ASIAN NETWORK FOR WIDOWS EMPOWERMENT IN DEVELOPMENT (SANWED)

The Genesis

South Asian Network for Widows Empowerment in Development (SANWED) as the name itself implies is a network of organizations and individuals working for the most deprived among the under privileged, the widows. The rising incidence of widows in South Asia is an issue of major concern, particularly as in patriarchal communities, the marital status of a woman greatly drives her socio-cultural status and her economic stature. This concern was expressed very strongly by the regional delegates at the two international conferences supported by UN Women (then UNIFEM) and hosted by the Guild of Service “Capacity Building of the Marginalized” in 2002 and “Healing a Hurting World” in 2005. At these conferences the idea of regional cooperation on the issue of widows and widowhood was mooted and received consensus. In 2002 organisations signed the Delhi Declaration that underscored the issue and strategies to change their status in the region.² SANWED is a collective initiative of and for South Asia to uphold the human right of widows to live a life of dignity , to ensure that they are not socially marginalized, culturally ostracized and economically deprived. SANWED aimed to be a voice for the voiceless in the region highlighting the issue both at national levels and international fora. The alliance has been spearheading and endorsing resolutions,³ written and oral statements at the sessions of the commission on the Status of Women⁴ to draw international attention to the issue.

The network while becoming a platform for sharing of best practices was also mandated to create the strength of advocacy within the region.

The Mission

To advocate for policy and programs that enable widows to become collective agents of positive change.

The Vision

The vision of SANWED for widows to enjoy all human rights so that they are not socially marginalized, culturally ostracized and economically deprived.

The Goal

The goal of SANWED is that in each country, a national association of widows’ groups should be established, with branches or member associations in every city, town, village, refugee or IDP camp so that widows can become aware and access their rights and entitlements and participate in decision-making at every level.

² Annexure 1: Delhi Declaration

³ Annexure 2: Resolution on Widowhood for United Nations Action

⁴ Annexure 3:Written statement submitted at 65th session of the Commission on Status of Women

The Growth

SANWED had the immense advantage of being guided in the nascent stages by Dr V. Mohini Giri, Founder Chairperson. The Guild of Service and Margaret Owen, Founder President, Widows for Peace through Democracy, both pioneers on the issue of widowhood, who worked relentlessly to bring global attention to this community.

The secretariat was situated in Delhi in the initial stages. After the first two years the secretariat moved to Nepal and was manned very efficiently by the Women for Human Rights (WHR). The secretariat remained with WHR for eight years during which SANWED committee met thrice in Nepal, once in Pakistan and once in Sri Lanka. Three impactful regional conferences and one international conference were hosted by WHR in Nepal taking the lobbying strength of SANWED further. WHR took the lead in advocating very successfully for the issue of widows to be included in the Colombo Declaration of the SAARC nations⁵. At the Commission on the Status of Women, through oral and written declaration, the focus has been brought on the issue of widows and the growing incidence of poverty among widows globally. The Widows’ Charter was developed and disseminated widely.⁶ The Core committee members worked on the Resolution on Widowhood for United Nations Action and was presented to Ms Michelle Bachelet, Executive Director and Under Secretary General UN Women in 2016.

The Secretariat moved to Delhi by consensus in 2020 and is now manned by Guild of Service. In February 2022, The Guild supported by UN Women, War Widows Association and Women’s Initiative for Peace in South Asia hosted the regional conference of SANWED. One of the outcomes of the conference was the decision to work on a study on the Status of widows in South Asia. This study could be a basis for advocating for affirmative policies for widows in the region.

The first core committee meeting of the SANWED in the year 2020 was held in Delhi at which it was decided that SANWED literature would carry the following line and bye line: “Widows Empowered: SANWED Giving Dignity, Voice and Well-being”. This was done consciously to underscore widows not as victims at the mercy of family and community but as agents of change and in control of their lives. The second core committee meeting was held virtually on 10th of August 2020 to take stock of the impact of COVID on widows and the rising incidence of widows due to the pandemic. Commemorating the International Widows’ day the SANWED secretariat, in collaboration with UN Women hosted an international webinar “ Impact of the pandemic and subsequent lockdowns on widows” which focussed on the extreme and multi-layered deprivations that widows faced during the COVID 19 pandemic.

⁵ Annexure 4: Colombo Declaration

⁶ Annexure 5: Widows Charter

REGIONAL COOPERATION BEYOND BOUNDARIES AND BORDERS

MARGARET OWEN

SANWED was conceived at an international conference, hosted in Delhi in 2002, by the Guild of Service India, in partnership with UNIFEM. I was present at the momentous meeting which saw the birth of an Asian regional alliance. This meeting brought together NGOs from six South Asian countries, all focused on addressing the hitherto neglected issues of the low status of widows in their countries, and seeking ways to not only protect them from violence and extreme poverty, but to enable them to enjoy their full human rights. I was privileged to be invited to give my inputs as an international representative.

We decided to come together formally as a regional consortium, giving us a collective, and stronger, voice, that we hoped would be heard initially by the SAARC (South Asian Association for Regional Cooperation), which is the regional intergovernmental organization and intergovernmental union of states in South Asia, and through them by the United Nations and the world.

SAARC member states are Afghanistan, Bangladesh, Bhutan, India, Pakistan, the Maldives, Nepal, and Sri Lanka. Apart from the Maldives, SANWED'S membership includes widows' associations from all the other six.

Although the legal, social, economic status of widows, and their support systems in each country differed according to the particular domestic legislation operating, the degree to which their treatment was determined by religion, ethnicity, caste or class, and by the weight each national government gave to international conventions and human rights laws, it was clear that the experiences of widowhood across the region, in spite of these differences, were very similar.

For example, on widowhood, many bereaved women suffered from extreme stigma and marginalization; in several countries they were subject to degrading and harmful traditional practices, enshrined in centuries old mourning and burial rites; social protection such as pensions were not universal or easy to obtain; it was common for widows to be denied rights to inheritance, land and property rights; they could be evicted from their homes and made homeless or secluded in forms of modern day slavery; they faced many barriers to accessing justice, especially if they were illiterate and living in rural areas.

As a result widows and their children in the region were the very poorest of the poor, and their desperate coping strategies to survive, feed and educate their children put them at risk to the most exploitative forms of obtaining income such as domestic service, agricultural labour, begging, and prostitution. Their low status also impacted most negatively and irrevocably on their children, as the opportunity costs of educating them forced widows to withdraw their children from school, boys into child labour, girls into early marriage, or into the clutches of traffickers.

Also, the various ongoing conflicts and civil wars have increased not only the numbers of widows but also their vulnerability to rape (as a weapon of war), internal displacement, and extreme suffering in refugee camps.

It was vital, we all agreed, that widowhood had to be prioritized on domestic, regional and international agendas, if we were ever to see a reduction in poverty and inequality, and in violence against women and girls. Although many of us including myself and Mohini Giri had been working to draw attention to the widowhood issues ever since the 1995 Fourth World Women's Conference held in Beijing, widows were still not on the international agenda, and rarely acknowledged in the Agreed Conclusions of the annual meetings of the UN CSW (Commission on the Status of Women).

We are acutely aware of these problems, but SANWED is committed to campaigning for the human rights of all widows of all ages, (and of "half-widows" who are the wives of those missing or forcibly disappeared), irrespective of their religion, ethnicity, caste, or of the political faction they or their deceased husbands supported. We continue to encourage widows in all the six countries of the region to "band together", to have a collective voice, so as to articulate their needs and describe their crucial social and economic roles.

We share experiences, and best practices, in how to fill the gap in data, how to ensure widows' voices are heard in decision-making at every level, in law and constitutional reform, and at peace tables.

THE STATUS OF WIDOWS IN AFGHANISTAN

HUSNA JALAL

Introduction

Afghanistan shows the world's largest population of orphans and widows in proportion to the population. According to the Afghanistan Ministry of Labour, Social Affairs, Martyrs and Disabled (MoLSAMD) there are more than 500,000 widows in Afghanistan and war widows make up the largest numbers.

But various estimates put the number at 600,000 to two million (2m). According to a study report of October 8, 2003, undertaken by the Institute of War and Peace Reporting, Afghanistan has one of the highest rates of widowhood worldwide. Four decades of war have resulted in a large number of widows, most of whom lost their husbands as a result of war and conflicts. The average period within which a woman remains a widow in Afghanistan is 10 years. Given the lack of employable skills, dire economic options, poor social support, stigmatization, and the extremely low status of women in society, Afghan widows and their families survive in extreme deprivation and are among the most vulnerable citizens of the country. Studies reveal that Afghan widows are at least five times more prone to oppression, malnutrition, and violence than other members of society.

The Supreme Court of Afghanistan has ruled that a woman can remarry if the husband has been missing for more than 4 years as he may be presumed to be dead. Many Afghan women are not aware of this provision of the law. Further, widows tend not to marry since remarriage is generally considered taboo in Afghanistan. According to the representative of Widows for Peace Through Democracy, women whose husbands have disappeared are highly vulnerable, since they are perceived to be neither widows nor wives. Because the husband is missing but not officially deceased, such a woman is unable to ask her husband's family for inheritance. Younger wives of men who have been missing or disappeared are likely targets for sexual abuse, rape, forced pregnancy and concubinage by the husband's family and others because they lack a male protector.

Data

According to the statistics of Afghanistan's Ministry of Social Affairs, Labor, Martyrs and Disabled, there are 70,000 widows who are breadwinners for their families. On an average, a typical widow in Afghanistan is around 35 years old. It is believed that 94 percent of widows are illiterate, and an estimated 90 percent have 3 to 8 offspring.

The number of widows in Afghanistan is one of the highest in the world when analyzed against the overall number of Afghan females falling within the reproductive age bracket of 15 to 49 years old. On the average, they were widowed at a very young age of 20 to 30 years old – mainly as a consequence of early marriage, betrothal to exceedingly old men, deaths of men in armed conflict, and the generally low life expectancy of Afghans (45 years old).⁷

⁷ *Status of Widows in Afghanistan: Issues, Challenges and Options*, Dr Massouda Jalal

The International Organization for Migration, Afghanistan, estimated the number of widows in the country at more than 1 million, and the United Nations Development Fund for Women placed the number of 'war widows' in Afghanistan at more than 2 million on April 11, 2006, with between 30,000 to 50,000 widows residing in the capital city of Kabul. Low life expectancy and early marriage in Afghanistan result in women often being widowed in their twenties and thirties years of age.

Quoting the Ministry of Social Affairs, Labor, Martyrs and Disabled spokesperson, the Arab News writes, "We are in a state of war. The number of women who become widows is increasing. Those who fight on the government side and those on the side of the Taliban and the militants have wives and mothers too. People on both sides suffer and women on all sides are affected more than anyone in this war."⁸ Among Pashtun ethnicity people in Afghanistan, widows are forced to marry the kin of the deceased, usually the brother of her deceased husband. In a non-Pashtun family, the girl is required to marry her brother-in-law to get support for her sister's children. Those who resist face up to many difficulties.

An article, "To Be a War Widow in Afghanistan" speaks of Bibi's widowhood and the travails over three generations. Her husband had died at the front during the war against the Soviets (1979-1989). Bibi decided not to remarry and lived in extreme hardship while bringing up her two daughters and a son. The sons did quite well and in 2017 the family had 19 members, led by Bibi's 45-year-old son and her two grandsons. But the tragedy of conflict induced deaths happened again and most of the male members were killed by the Taliban. The family was left with no adult male and the elderly Bibi's poverty conditions returned.⁹

Understanding Widowhood in Afghanistan

Widows are neglected and in desperate conditions in Afghanistan. Of course, the social situation for all women in Afghanistan is poor; the country has a Gender Inequality Index (GII) value of 0.705, ranking it 169 out of 187 countries in the Human Development Index, 2016. Widowhood has a brutal and irreversible impact on a widow's children, especially the girl child. Poverty may force widows to withdraw their children from school, exposing them to exploitation in child labor, prostitution, early forced child marriage, trafficking, and sale.

Most of the widows in Afghanistan are illiterate. They are ill-equipped for gainful employment and remain for years without access to adequate food and shelter. Afghan widows and their children often suffer ill health and malnutrition, lacking the means to obtain appropriate healthcare or other forms of support.

The burden of life has made Masooma look twice her age. Her life story in many ways is similar to those of several hundred thousand other Afghan women who have become widows since the latest conflict began here more than 40 years ago. She lost her husband in a rocket attack 17 years ago in Kabul and since then has been feeding and raising her five children, doing jobs such as cleaning and laundry.

⁸ <http://www.arabnews.com/node/1327171/world>

⁹ <https://www.widowsforpeace.org/>

Looking frail and exhausted, Masooma is now part of the army of Kabul's municipality and cleans roads in the city where the gap between the rich and poor is widening, thanks to the flow of foreign aid that has largely ended up in the pockets of commanders and those with links either to the government or foreign troops, as Masooma laments.

"I hate to beg and am proud of my job. I'm happy to earn a livelihood in a legitimate way," Masooma told Arab News, sweeping a road and wearing an orange gown and a tight headscarf.

Like the rest of her female colleagues, she cleans the streets by braving the attacks, the rising heat in summer and extreme cold in winter.

Her eldest child is a young man now and he is a bus conductor, helping her to pay the rent for the house and sharing other responsibilities. But her life has been a long struggle in a male-dominated society where women are perceived largely as owned by their father before becoming their husband's property, and widows are often rejected or regarded as burdens.

"You cannot imagine the hardships I have gone through. It is not easy to raise five children without a father, without money and a house," Masooma said.

Widows are the most vulnerable people in Afghanistan. They suffer violence, expulsion, ostracism and sometimes forced remarriage, often with a brother-in-law, as reported by the UN Mission in Afghanistan in a study in 2014.¹⁰

Widowed women are sometimes labelled as 'bad characters' because they do not have the male "protection". They are often exposed to violence. According to reports, more than a quarter of Afghanistan's women interviewed after the deaths of their husbands have experienced violence, mostly committed by their husbands' affiliates because they are considered as a burden on the family.

Psychological problems

The difficult life of a woman after her husband's death causes widows to face many mental problems in Afghanistan. Problems such as livelihood resources, bringing up children, re-marriage, family oppression, and sexual abuse sometimes lead widows to committing suicide. According to Afghanistan's Human Rights Commission studies that was reported in the *South Asia Weekly Report* (Vol. XI Issue 28) 32 percent of widows are afflicted with mental disorders and 22 percent have acute physical problems.

Widows as mendicants

In Afghanistan, there are a number of widowed women who have become street beggars and their children accompany them to eke out a few Afghan Afghans. For example, on the streets of Kabul, there are many widows who wear blue burqas so as not to be identified while imploring commuters to give them money.

Violence against widows

Violence is a problem that widowed women have always faced. Violence, which is essentially imposed on women by men, can have many different causes. Important factors that promote violence against women in families are illiteracy and lack of awareness of women about their legal and religious rights,

¹⁰ <https://arabnews.com/node/132717/world>

tolerance of violence by women, low awareness in society about women's rights and the patriarchal culture which condones violence as "normal". Widows, in comparison to married women, experience greater violence in homes and communities as the dependency factor exacerbates their vulnerability.

Socio-cultural factors

Afghanistan is a highly patriarchal society whose norms, beliefs, practices, and traditions are shaped by extremist values of fundamentalists which regard women as less than a human being. Afghan women are generally viewed as 'un-equals' whose existence is circumscribed by their relationship with men and who have no social identity of their own. Before marriage, they are daughters to their fathers, and once married, they assume the identity of a dependent wife to the husband. When a husband dies, the wife's life suffers a major de-stabilizing shock as it marks the sudden loss of her social identity as he was the source of her protection and support.

Afghan widows are either taken back by their original family or live with relatives of the husband. Otherwise, they fall into wretched conditions such as becoming beggars. Many widows think that death is a better option. Among the major factors that contribute to the disadvantages of Afghan widows, the negative socio-cultural factors are the most pernicious, most recalcitrant, and most difficult to address. As long as society is dominated by men with values that are antithetical to democracy, human rights and gender equality, the empowerment of Afghan widows would remain an elusive goal.

Widowed women are often stigmatized and considered as 'bad luck' or 'burdens' on the family of the deceased. They are often shamed, stigmatized and punished for showing happiness, wearing bright colours, or celebrating life in any way. For nearly a year after becoming a widow, the woman is required to act sombre and maintain a strict ritual articulation of grief. Widowed Afghan women are often called "*besarparast*", meaning "without-a-head-of-household". Regardless of whether they work or not, or can support their families or not, widowed women are not considered the heads of their own families after the husband's death. From national television shows to government officials to local people, everyone uses the insensitive word "*besarparast*" (*unprotected*) to describe widowed women. This term assumes that women always need a male head of household and they cannot be considered the owners and decision-makers of their own lives. This word and the thinking behind it is what leads family members and relatives to interfere in the lives of widows and make decisions about their re-marriage, their place of residence, etc.

According to Arab News some 15 kilometres southeast of the capital is the "zanabad," or city of women, built completely by widows. The first women settled on this stony-slope location outside Kabul in the 1990s, hoping to escape the stigma they are forced to endure.

Today it is known as Afghanistan's "hill of widows," home to a cluster of women who have eked out independence in a society that shuns them.

Lack of rule of law

Article 53 of Afghanistan's Constitutional Law articulates a guarantee that the rights and privileges, as well as assistance, will be ensured for women without caretakers and the needy orphans. But Afghanistan does not have a clear policy on widows. The National Action Plan for the Women of Afghanistan 2007 recognizes the disadvantages faced by widows and the Afghanistan National Development Strategy explicitly acknowledges that widows are among the most vulnerable people in the country. Yet, all these policy instruments remain without specific steps for implementation. In fact it is often said that the Afghan government lacks any clear strategy on rehabilitation of widows despite the large numbers. This is not because of political will but lack of capacity and resources to address the problem in a country that has seen decades of conflict. Many of the interventions for widows are done by non-government organizations and international agencies. Due to the enormous constraints faced in terms of geographical terrain, outreach and funding, many of the interventions for widows are palliative, unsustainable, and delinked from overall priorities of the government.

In addition, there are legal barriers and lack of economic opportunity,

Widows and poverty

Poverty is often made worse by little or no access to credit or other economic resources, and by illiteracy or lack of education. Without education and training, widows cannot support themselves or their families. Many widows in traditional societies have no rights, or very limited rights, to inheritance or land ownership under customary and religious law. Without inheritance rights, including a lack of rights to the property of their birth family, widows find themselves financially insecure and totally dependent on the charity of their husbands' relatives.

In Afghanistan, India, Pakistan and South Asia where widowhood connotes a low social status as well as poor personal conditions, thousands of widows are disowned by relatives and made homeless, forcing many women to seek informal work as domestic labour or turn to begging or prostitution. Serious economic deprivation exacerbates the social disadvantage of widows. Widows are often abused, overworked, unpaid, and under-fed economic labourers and household slaves in their marital home and even in their natal homes. They could be sexually violated and subjected to physical violence but these stories rarely come out, buried as they are in the concept of shame. When economic resources as well as opportunities are few and far between, particularly in conflict conditions, many widows are left with marginal resources. Apart from these, it is not unusual for Afghan widows to lose their inheritance entitlements to male in-laws. Denial of property rights - mostly as a result of their limited contributions and control over household income - easily pushes widows and their children to the brink of penury. Without property, education, skills, and connections, and given society's tight restrictions on Afghan women's mobility in public, it is not unusual for widows to slide into absolute poverty than rise into economic productivity.¹¹

An article in the *New York Times*, "A Generation of Widows, Raising Children Who Will Be Forged by Loss" by Mujib Mashal and Fatima Faizi sketches a poignant scene, "The war in Afghanistan is disproportionately killing young men, and it is leaving behind a generation defined by that loss." The

¹¹ *Status of Widows in Afghanistan: Issues, Challenges and Options*, Dr Massouda Jalal

plight of widowhood speaks through another narrative as well: Rahila Shams was also widowed — at age 22, six months pregnant with her second daughter. Her husband, Ali Dost Shams, a district governor, was killed in a Taliban raid in April. When her daughter was born, the family named her Shamsia, after the father she will never meet. "I lost my love, my friend, and the father of my two daughters. Everyone says, 'Stay strong,' but no one says how," Mrs. Shams said.

(Dec. 1, 2018 <https://www.nytimes.com/2018/12/01/world/asia/afghanistan-widows-war.html>)

Health conditions among Afghan women

Healthcare is virtually nonexistent for Afghan women. Routine practices such as checkups and vaccinations are generally unavailable to poor rural women. Among both rural and urban women, exercise for strength, improved circulation, and cardiovascular functioning is unheard of. Rural women, however, tend to be more active than their urban counterparts, as dictated by the daily chores associated with poverty: carrying water from wells or streams, gathering wood, brush, or grass for fuel (which can entail a long, strenuous hike in arid mountains just to gather enough to cook that night's meal), cutting and gathering long grass for making brooms and baskets, and herding animals in certain areas. These are just a few tasks usually associated with women. Those not burdened with such chores have the luxury of remaining immobile within their compound walls and subsisting on a diet of wheat bread, potatoes, and a few vegetables — such as assorted leafy greens, eggplant, peppers, turnips, and cauliflower — prepared over an open flame and cooked in large amounts of oil and salt. Meat and rice, considered the normal diet by outsiders, are actually luxuries, and the inclusion of dairy products such as yogurt depends on whether the family owns cows or goats. Honey, nuts, and fruits can be found, but at a price.

The month of Ramadan has an impact on health too. Great pride is associated with being able to emerge from the month with a flawless record of fasting. Occasionally, some miss a day. But fierce competition is everywhere to claim faithfulness to the dietary rules. Medical caregivers working with Afghan refugees have often come to an impasse, faced with cultural attitudes that favour fasting over health. For instance, certain antibiotic treatments require drinking more fluid. Dehydration results from decreased fluid intake during Ramadan, particularly in the hot climate of the Peshawar valley, or in refugee camps where there is no electricity to run a fan. In times of abstaining from both food and fluid, pregnant women do not get the necessary nutrition and lactating women risk depleting their milk supply. If a doctor prescribes a medication to be taken three times a day at regular intervals, a fasting individual is likely to combine all three doses with the evening meal so as not to break the fast, interrupting the medication's steady flow in the blood. But in a society where adhering to the group's cultural norms scores over individual needs, it is hard to argue in favour of liquid intake to fight infection or to increase lactation when the group demands adherence to fasting.

Impact of COVID-19 on widows

Since the COVID-19 contagion started, Afghanistan's healthcare system has continuously been facing countless challenges. The government has no other programmes to help those who have lost their jobs, except providing needy families with bread across the country and waiving water and power bills for selected groups in Kabul since the start of the lockdown. These hardly addressed the needs of the people and hence they were forced to leave their homes searching for jobs and other provisions.

In spite of the unfavourable situation with viral spread, the government, eventually, ratified the plan of lifting restrictions in order to mitigate the worsening economic costs. This policy allowed some businesses, such as money exchange markets and shops, to operate based on a schedule approved by the government as recommended by the Ministry of Public Health. An even-odd license plate policy was also implemented allowing vehicles to operate alternately based on even and odd days thus lessening the number of transport vehicles on the road.

Amidst the hope of achieving peace in Afghanistan after forty years of war, the spread of COVID-19 has virtually paralyzed the Afghan government system. Few services are provided adequately to the citizens during the pandemic.

Violence against women is a major issue in Afghanistan. During this time of the pandemic, the pressure on men is increasing as many have lost their jobs and are lacking a proper family income. This, in turn, leads to disputes and fights in the families. It is unfortunately also common in Afghanistan that during financial crises families marry their girls at a young age. In the emergency of the pandemic, those numbers are reported to have increased.

The COVID-19 has affected the Afghan women in particular ways. The lockdown has not only increased domestic violence against women but exposed women to more economic and financial hardship. Many women lost their jobs during the pandemic but they still have to struggle and support their families. It is even more difficult for female-headed households in Afghanistan especially for widows who don't have social and financial support. Domestic violence did not begin during the pandemic, rather the war and massive poverty were the real causes of it.

According to a report "Afghanistan Flash Surveys on Perceptions of Peace, Covid-19 & the Economy" released on April 29, 2021 by The Asia Foundation, "Fewer than half of Afghans report being either very worried (35.3%) or worried (12.8%) about going to work during the pandemic. This represents a significant decrease of almost two-thirds who responded to the same question in W2 (45.8% and 19.2% respectively). A majority, 85.5 percent report that they received adequate news and information on Covid-19 and the actions they need to take to respond to it. When asked to what extent the government has provided support to respondents and/or their families during the pandemic, 70.4 percent of respondents stated not at all."¹²

The response of NGOs to the COVID-19 pandemic:

- Provide awareness sessions, trainings, and daily briefings for all staff and clients, including information about COVID-19, how to prevent infection, and the proper use of sanitizers, masks, and other protective gear.
- Quickly develop a protocol on COVID-19, following guidelines from local and international health officials, and implemented in all of our centres. Posters and flyers on how to stay

¹² (<https://asiafoundation.org/2021/04/29/afghanistan-flash-surveys-on-perceptions-of-peace-covid-19-the-economy-2/>)

safe during the COVID-19 pandemic are displayed and distributed in all the provinces of Afghanistan.

- Provide hygiene/disinfection kits to all participants of training programs (most of whom are underserved) to help them and their families better protect themselves against COVID-19.
- Disinfect and clean all of centres constantly.
- Non-touch thermometers are used at all our Family Guidance Centres, which are open to the public, to check clients, staff, and other visitors for symptoms of COVID-19.
- Increase production of homemade masks made by the women who live at our Women's Protection Centres to help slow down the COVID-19 outbreak. All proceeds from the sale of these masks go directly to the women who make them.
- Review and update all our meal menus at our centres to ensure increased portions of vegetables and other foods that can help strengthen immunity.
- Maintain close coordination with the Ministry of Public Health to ensure NGOs remain updated and in compliance with all recommended preventive measures related to COVID-19.
- Maintain close coordination with the local police, local community leaders, and the Ministry of Women's Affairs to make sure we respond to any new cases of domestic violence, gender-based violence, and other emergency cases.
- Coordinate and maintain close working relationships with hospitals to follow-up on the progress of individuals who may have been infected by COVID-19 and who we refer to these clinics/hospitals.

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• Women trying to eke out a living from tailoring



• Widows waiting for their turn to receive a dole



• Trying to sell their products at street corners



• Widows begging at traffic lights



• Women gathered around a sewing machine

THE STATUS OF WIDOWS IN BANGLADESH

Ferdous Ara Begum

Introduction

Widowhood refers to the condition a married woman whose husband was killed, died, disappeared, was kidnapped or went missing. There is no homogenous age group for a widow, she may be a girl child or a young woman or an older woman. Widowhood, consequent upon early marriage, war or armed conflict, extreme poverty, social and religious discrimination, customary laws and practices, accident or abduction can be seen as a great vulnerability causing social isolation and misery for a woman.



Socio-cultural Situation of Widows in Bangladesh

Widowhood is one of the most neglected of all gender and human rights issues. In rural Bangladesh widows of all ages and all religious groups are among the poorest of the poor. Older widows face serious violations of human rights, neglect and abuse as they are mostly dependent on the family or adult sons. In Bangladesh, women constitute half of the population of the country, of whom about 5.8 per cent are widows.

Rural Widows

In rural Bangladesh, many widows are deprived of almost every right in her husband's house and there is no one in her father's house to take responsibility for her and her children. The main reason for this is the very low and discriminatory social status, illiteracy, isolation, lack of property rights, extreme poverty and almost no access to any income generating activity. Even today widows are accused of being 'responsible' for their husband's death.

Hindu Widows:

In Bangladesh about 10% population follows the Hindu religion. Hindu widows are pressurized to observe restrictive codes of dress and diet, excluded from social life. Many of them are physically and sexually abused. Their food, clothing and life- condition is dictated by religious doctrines.

Older Widows

Older widows face tremendous hardship. About 91% of older women are widows in Bangladesh. Despite all the deprivation and social injustice, their vulnerable status remains under reported and unaddressed by the government. As per demographic data, older women tend to live longer than older men. Informal data from rural Bangladesh reflects the adverse impact of widowhood on old age female mortality. The results indicate that widows aged 45 and above have significantly higher mortality than their currently married counterparts. Many of the older widows in rural areas are excluded from social security benefits despite being one of the most vulnerable social groups.



Child Widows

Bangladesh has the highest rate of early marriage in Asia. A 2004 United Nations report estimated that 48 per cent of all girls between 15 and 19 years of age were married, divorced or widowed. Traditionally, parents marry their daughters young to decrease the economic burden on the household. Child marriages and marriage with older men is another reason for the ever- increasing number of child widows.

Young widows from rural Bangladesh, tiger widows from the coastal belt and Rohingya widows from Myanmar are subjected to discrimination, financial or sexual exploitation and trafficking.

Remarriage of Widows

Remarriage is allowed in the Muslim community but that is not easy for a widow in Bangladesh. In

most cases widows accept polygamous union where they do not enjoy equal rights in the conjugal partnership. A widowed woman often has no choice about whom she can marry; in all probability she will get a partner who already has children from a first marriage. The position of the Muslim widows, though far from ideal, is better because of canonic sanctions of remarriage and inheritance of paternal and husband's property.

Property rights

Under Islamic Law, widows are entitled to inherit at least 1/8th of the dead husband's property and land. She is also entitled to get inheritance from her father's property. In practice, this share is frequently 'managed' and appropriated by the male relatives. In a 1995 Bangladesh survey on property inheritance, only 25% of widows had received their rightful share in the inheritance from a deceased father, and only 32% from their husbands.

Tiger widows

Tiger widows are women whose husbands have been killed by tigers. Close to 4 million people live in and around the Sundarbans delta, many of them are farmers or fishermen. People dependent on the



Sundarbans are poor and face various problems in sustaining their needs. Poverty, exploitation and oppression are integral to their day-to-day life. Available government data shows that 1,396 human deaths were recorded in the last 10 years. Many are killed by tiger attacks, which is at an average of 22 human deaths per year. 'Nil Dumur' of Shyamnagar Upazila has been declared as a tiger-widow village. Tiger-widows are deprived of all human dignity, are discriminated against by their family and community, struggle to survive due to extreme poverty, and are forced to live a life with a multitude of post-traumatic scars and deprivations, abuse, and exploitations.

Rohingya Widows:

After losing their husbands in the military crackdown in the Rakhine state of Myanmar in August 2017, the widowed Rohingya women sheltering in the refugee camps of Cox's Bazar are now facing a daily struggle to support their families. Over 700,000 Rohingya have crossed into Bangladesh after escaping the bloodshed in Myanmar, joining about 400,000 who were already living in squalid conditions inside the cramped refugee camps of Cox's Bazar. UN Women estimates that more than half of the Rohingya population in Bangladesh are women and children. About 20% Rohingya families are being led by single women, while about one in every five families is being led by a woman. According to Aid workers, it is



difficult for these women to maintain livelihoods without male earning members in the family. They are in need of proper food and medical treatment. Aid workers also pointed out that these women and girls are facing most threats from gender-based violence and trafficking. Rohingya single women families are mostly living on humanitarian aid support.

Data

Lack of reliable data on widows of all ages in Bangladesh is a real problem inhibiting any policy guideline for improving the lives of widows and their children. Absence of data is considered as the biggest barrier to widows accessing social support, benefits, and services. Informal data from rural Bangladesh reflects the adverse impact of widowhood on old age female mortality.

The impact of climate change and natural disasters on rural widows, including tiger widows who are living in the coastal belts, needs to be addressed by both the government and the community workers.

Widows and Poverty

Discrimination and marginalization of widows is a root cause of the poverty and inequality across the generations. The extreme poverty and fear of gender based violence also fuels early marriage. Since

impoverished widows are unable to keep their daughters in school and these daughters are often married to much older men, the chain creates ever-growing numbers of child widows.



Case report: This is the poor and elderly widow Bibi Morium, age 76, of Fulbaria Upzila who suffers from dementia and other old age complications. Out of her five sons, four have migrated to neighboring districts for work. After her husband's death she came to her eldest son's house and lives with them as a dependent. At present she is very sick, unable to move alone and not able to use the toilet. So she has now been placed in the cowshed to sleep. It's a pitiable situation that a sick mother is dumped in a cowshed!

Empowerment, skill building, training are essential for widows to fight against poverty.

Widows from the war and conflict region must be included in the nation building process and peace process of Security Resolution 1325 and 1820. It addresses the specific impact of wars on women and the latter's contribution to conflict settlement and lasting peace-building.

At present the demand for care services for older people and those requiring palliative services is very high, worldwide. In this sector widows of all ages can be engaged with gainful employment.



They need training and skill building in this high demand sector.

Widowhood and violence against widows and their children

Violence against widows and their young daughters are important issues to be addressed. They suffer from stigma, illiteracy, patriarchal interpretations of religious, customary and traditional codes. Consequently, widows are often deprived of their rightful claim to inheritance and land rights and are unable to access justice and protection from harmful relatives.

A widow suddenly realizes that because of her widow's identity, social attitudes and norms, policies, laws and public opinion can all lead to a bias against her. Generations

of family members accuse each other instead of building solidarity to support the widow. Common perception points to her being responsible for her husband's death.

Government and civil society organizations need to address this stigma and ensure processes that protect widows. To eliminate violence against women and widows, the effective instruments are strict enforcement of law and regulations and urging political will and commitment.

Existing Rules and Policies of Bangladesh to protect the Rights of Widows of all ages

Pensions, as retirement benefit for Government employees

Government of Bangladesh introduced a family pension scheme for widows or widowers of deceased civil servants in the public sector. But it constitutes only a negligible fraction of the total population (estimated as about 1.2 million in 2007). A majority of the labour force in Bangladesh is still in rural areas and most of the workers and employees of the non- government industries/organizations are still not eligible for pensions.

Old Age Allowance

This is the largest single programme for the benefit of poor older men and women in the country. This is a means tested program. Number of beneficiaries is more than 3 million, who get 500 Taka per month. Older women, including older widows are entitled to enjoy this benefit.

- Besides, there are widow's allowances, allowances for distressed and destitute women as well.
- Different nation building programmes incorporate widows as a part of gender mainstreaming process to eliminate poverty and ensure their participation in the nationwide development process.

Role of NGOs and Civil Society members

In Bangladesh various NGOs are working on widow's rights issues. NGOs and paralegals can facilitate access to state services and assist with documentation to ensure widows get the benefits they are entitled to. Bangladesh SANWED Country teams, comprising of the following members are working in this direction.

- | | |
|--------------------|--|
| Chairperson: | Ferdous Ara Begum, CEO, Active Ageing and Research Center |
| Secretary General: | Kohinoor Rahman, CEO, Taranga International |
| Member: | Masuma, CEO, Leprosy Bangladesh |
| Member: | Khurshid Jahan, CEO, Widows Welfare Association |
| Member: | Lipi Rahman, CEO, Badabon Songho, Coastal belt, Bangladesh |
| Member: | Hosne Ara Begum: Member, Active Ageing And Research Center |
| Member: | Najlee Akhter, Taranga International. |

All these NGOs are working on the empowerment and skill building of widows to reduce their poverty. Some NGOs are working on older widows' social protection, well being and dignity of life. A few NGOs are working on land rights of women including widow's rights.

International Platform and widowhood

Widows were consistently “left behind” in the Beijing Platform for Action and other UN instruments, but fortunately CEDAW Convention and its General Recommendation No 27, on the Rights of Older Women mentioned Widows issues in Para 14 and 26, on healthcare and reproductive rights, on marital property on the death of her husband, violence etc. These are positive recommendations to improve the lives of widows.

It is important to understand widows’ rights to social security, pensions, social protection, dignity, well being and voice. These are targets for the achievement of all the 17 Social Development Goals (SDGs), and the 2030 Agenda. It is not possible to achieve 2030 Agenda without widows’ empowerment and success and that is itself dependent on ensuring their rights and well being.

Corona Pandemic, Lockdown and Widows in Bangladesh

The COVID-19 pandemic in Bangladesh is part of the global crisis which has shaken the whole world in 2020, and it is well known that the difficulties are ongoing.

The pandemic affected everyone, but the impact on widows has exposed their vulnerable situation due to existing social inequalities and discrimination in the social system.

Covid 19 has aggravated the widows’ poor access to health care. They were already living in dire socio-economic conditions with inadequate attention from health services in Bangladesh.

Widowhood, Pandemic in the Rural Context

About 75% of Bangladesh’s total population lives in rural areas including the majority of widows and their children. This reflects a life experience where they are suffering from poverty, food insecurity, restricted



access to health and social services, limited options for sustainable livelihoods. They are exposed to natural disasters including cyclones and floods.

Widows are ignored in most policy options. Their voices are mostly not heard in the social or political arena. Isolation, social exclusion and family violence have become a common phenomenon during the pandemic. While it is true that regulatory protections such as quarantine centres and lockdown to prevent the spread of the COVID-19 pandemic are useful, they can also exacerbate the vulnerabilities and challenges faced by widows. As it is, widows have little access to healthcare services, life saving treatments and social care. Restrictions can have further negative impact on their daily work, jobs, and pensions as well as their mental and physical health. About 1 million Bangladeshi garment workers lost jobs amid COVID-19, mostly women and many of them, widows. In the context of lockdowns and economic closures, older women and widows, who are already vulnerable to poverty, may not have access to bank accounts and pensions to pay for healthcare or to support themselves.

Domestic Violence during pandemic

Domestic violence and elder abuse, which is prevalent in Bangladesh, unfortunately increased during the pandemic. Some of the family violence was triggered by the economic crisis. Local food production and distribution has already been affected by the lockdown and this might have caused more violence towards widow headed families. Older women constitute a majority of the ageing population, and such women are dependent on their children. When resources are short the vulnerable widows are frequently neglected.

Way forward for a better life

Well-being and inclusiveness of older people should be the key factors in the post COVID recovery plans of governments. There must be a strong focus on building a more equal, inclusive, and sustainable economy so that widows and their families can live with security, health and a sense of belonging.

Inclusiveness of widows in the development arena is the key to their economic empowerment and voice. It should be acknowledged that widows make substantial contributions to sustainable development efforts through their experience and meaningful participation in society. In that context, it is imperative to fully empower widows by strengthening healthcare services, ensuring social protection and encouraging their leadership roles. They must be supported to effectively make their contribution as rights holders, independent agents and beneficiaries of change.

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STATUS OF WIDOWS IN INDIA

Meera Khanna

PROLOGUE

Incidence of widowhood

Socio cultural ramifications of patriarchy decimate widows in India into social non-entities. They are socially invisible, culturally marginalised and very often economically deprived. This is possibly because in India, as in many parts of South Asia, widowhood is viewed not as a natural period in the life cycle of a woman, but as a personal and social aberration, to be devoutly wished away. Which is why the traditional Hindu blessing given to girls and women is "Sowbhagyavati bhava"(may you be eternally married) This attitude to a great extent governs the social, cultural and even economic implications of widowhood. In the Indian psyche, there is acceptance of the inevitability of death, but the natural inevitability of the death of a spouse (husband) is often glossed over. This inherent contradiction motivates the cultural non-acceptance of widowhood. In a society totally governed for centuries by patriarchy, discrimination on the basis of sex exists in almost every political, economic social and legal institution. In such a situation, the Indian widow is triply discriminated against, as a woman, as a widow and as a poor widowed woman.

This invisibility of widows has extended to the public space as they are painfully absent from the statistics, and they are only footnotes mentioned in the multitude of reports on women's poverty, development, health or human rights. But growing evidence of their vulnerability, has now visibilised this invisible group in India. This is evident from the fact that in response to a public interest litigation, the Supreme Court of India constituted an expert committee on widows to make recommendations to change this status of vulnerability

- Every fourth household in India has a widow.
- According to 2011 census the number 'Widowed' persons, mostly females, are more than 44 million in the country.
- The widows, as per Census data, can be seen from the age-group perspective also. 0.45% of the total widows are the Child Widows in the age group of 10-19 years. 9.0% are in the age group of 20-39 years, 32% in the age group of 40-59 years and 58% are above 60 years.¹³
- 50% of the widows in India are over 50 years of age. In the age group of over 60 + years, 54% are widows
- In the age group of over 70, 23% of men were widowers while the corresponding figure for women was 92%.
- More than 76% of the female heads are single (widows, divorcees or unmarried women)

Majority being widows¹⁴

- 2.23 crore households in India are headed by widows

Due to the higher life expectancy of women, the incidence of widowhood is higher among elder women. The very high numbers of widows among older women is also due the fact that marriage patterns in India encourage widower remarriage

It should also be noted that the number of young widows too is increasing in India. This could be due to child marriages that continue despite it being illegal for girls under the age of 18 years to be married.

Why widows and widowhood matters

- Widows are doubly discriminated against, as women and as widows
- While most women are given secondary status in patriarchal societies social isolation and avoidance of widows often leads widows to miss training, employment, healthcare, education and other information and opportunities
- While all women are unable to own land or property, inheritance laws by tradition and custom discriminate against widows
- While most women may not own their homes, expulsion of widows and their children from a marital home leads many to homelessness, migration, refugee or displacement camps and increased physical insecurity
- While all women are likely to be under employed and less well paid in comparison to men, widows are additionally constrained from pursuing education, job training or employment by mourning rites requiring widows remain inside for up to one year or more or an unwritten behavior code.



Gender inequality is more pervasive than other forms of inequality. Within that widows are more unequal.

Major reasons for rising number of widows.

Traditionally the Indian marriage pattern has been to maintain a difference of more than five years between the husband and wife. This coupled with the fact that mortality rates have been rising and

¹⁴ (Female-Headed Households and Poverty: Evidence from the National Family Health Survey Ramaprasad Rajaram

generally women tend to outlive the men explain the high incidence of widowhood in India. More than 47 per cent of women in India in the age group of 20-24 years were reported to have married before attaining the age of 18 in 2005-2006 (NFHS-3). The 2011 census estimates nearly 17 million children in the age group of 10-19 years to be married. Despite the Prevention of Child Marriage Act 2006, the rate of change in child marriage has been slow and India still is a country that houses almost one third of child brides worldwide. Between 1990 and 2005, child marriages declined at a rate of just 1 per cent per year. Since 2005, the rate in the decline has accelerated to 2 per cent per year. Early widowhood is a direct consequence of child marriages, a tradition that exists still due to warped beliefs, ignorance and poverty despite stringent measures being taken by the Government of India. India still has 1.94 lakh child widows despite the Prohibition of Child Marriage Act, 2006.¹⁵



India has fought five declared wars and countless counter insurgency operations in the Kashmir valley, the North East. Added to this is the sporadic armed conflict between Indian security forces and the Maoist/ Naxal groups in the states of Bihar Orissa, Andhra Pradesh, Jharkhand and Chattisgarh Telegana and Maharashtra. War and conflict are gendered in the sense that women rarely have a voice in the decision on conflict, the dimensions of conflict and the aftermath of conflict. But women are the worst victims of war, widowhood being a direct consequence. Whether state actor or non state actors, those left behind are widows who had no voice in the decision of conflict. India has possibly the largest number of widows of war and conflict

Corporatization of agricultural inputs coupled with declining/static agricultural prices and market driven agricultural economy has driven a large number of farmers to suicides. One of the primary reasons is the irredeemable debt trap. In the years 2014, 2015 and 2016 alone 36,341 farmers committed suicide. These are the reported cases alone¹⁶

HIV Aids, disease, natural and man-made disasters have further contributed to the ever increasing number of widows in India.

The change in status of widows

As mentioned earlier, widows are literally and figuratively the invisible women of Indian society. The loss of a spouse immediately pushes her into social oblivion. This fact is further underscored by the lack of

¹⁵ Press Information Bureau Government of India 07-June-2016 13:06 IS

¹⁶ National Crime Records Bureau

adequate empirical evidence on the changing status of widows in India. While the census enumerates widows, credible analytical studies on status of widows and challenges faced by them in accessing social protection and other empowerment provisions are not available. In the absence of any other data, much has to be gleaned from anecdotal evidence and making assumptive conclusions linked to change in the status of women as a whole based upon the Census data (which is demographic in nature), existing government schemes and programmes for widows, and legislative interventions.

Possibly with some exceptions dress code for widows is not as prevalent as it was a couple of decades back. Among the lower classes this dress code of white was not prevalent merely because it was not viable. But among higher castes the stark white is seen much lesser. Having said that it is important to note that women themselves feel the insidious pressures of the need to “dress down.” So there is a conscious attempt to wear lighter coloured clothes. The cultural pressures of dress code is certainly not very stringent and tonsuring of the head is all but gone

The cultural marginalization of widows continues albeit not as evident as it was three decades back. There is still an undercurrent in social functions to keep widows away from auspicious ceremonies. This is more evident in Tier 2 Tier 3 towns than in the metropolitans. Widows themselves fearing rejections do not put themselves forward. But the stringent and harsh ostracization of widows is not evident.

Economic progress in India has been the driving contributors to the changing status of women in India. With more opportunities opening up women are taking up both white collared and blue collared jobs, though majority of the women are in the unorganized sector. Double income homes has made it necessary to have trustworthy child care and widowed grandmothers often fill the gap. Large scale exodus of widows to the holy cities of Vrindavan, Varanasi, Haridwar, Puri and Tirupati has become a trickle with more widows opting to stay with their families or in shelter homes

The Government has been looking at the special position of widows and has initiated a number of interventions. Many state governments have formulated widow remarriage schemes. State governments have also formulated schemes for pensions to widows and for assistance to widows for the marriage of their daughters. Under MNREGA, special provisions have been made to identify widowed women who can then qualify as a household so that they are provided 100 days of work

The Union Ministry of Women and Child Development has been giving emphasis to the issues related to widows for the last two years. One major issue faced by the widow is that after the death of her husband, she has to run from pillar to post to get her entitlements which often get delayed as she does not have the necessary documents. Accordingly, the Ministry has undertaken a special drive with the state governments so as to ensure that the name of the widow is mandatorily mentioned in the death certificate of a man. The mandatory registration of marriage has to an extent prevented usurping of property and dispossession of the widow from the marital home. But in a large country it is well nigh impossible to make a generally applicable statement

The National Policy for Women places special emphasis on widows as a special category who need assistance, care and protection. The new policy seeks to bring about convergence on the issues of

widows with single women so as to factorise their multi layered vulnerabilities.

The Supreme Court of India in response to a public interest litigation constituted a six member expert committee on the status of widows in India. Recommendations made by the committee were wide ranging covering economic status, right to social security, review of property rights and functioning of shelter homes. The report placed widows not as recipients of dole or sympathy which has been the standard attitude but as citizens with every right and liberty to access their entitlements. The Supreme Court of India accepted in totality the recommendations made by the committee and directed the Central and State Governments to implement them. This is indicative of the fact that Governments and civil society are taking cognisance of the plight of widows and visibilizing them in the discourse on women's rights¹⁷

DATA

As indicated earlier there is a statistical invisibility of widows. Most gender related data is focussed on women in their reproductive years with emphasis on maternal anaemia, mortality, mean marriage age, the fertility ratio. Empirical evidence on widows has huge gaps. Despite that there are some telling figures that could be pointers to the status of widows.

- There was a 39% increase in the number of single women in India, the numbers rising from 51.2 million in 2001 to 71.4 million in 2011, according to census data. This includes widows, divorcees and unmarried women, and those deserted by husbands.
- Widowed women, 29.2 million, lead the single-women category in rural areas
- The situation is the same in urban areas: Widows make up the maximum number of single women at 13.6 million
- In rural India while 0.1% of the total married men were widowers or separated or divorced the corresponding figure for women is 0.4%. The corresponding figures for urban India is 0.1% and 0.5%¹⁸
- In 2011-12, 11.5% households in rural areas and 12.4% households in urban areas are female headed. In 1993-94, 97 household per 1000 households in rural India were headed by women. In urban India it was 106 households per 1000 households. In 2011-12 in rural India it has increased to 115 per 1000 households and 124 in urban India¹⁹. It is safe to assume that most of these households are headed by widows. Even in rural areas which sees large scale migration to urban areas the absent male is still considered the head of the household.
- The proportion of the elderly in the Indian population has been increasing steadily over the last four census periods virtually tripling themselves in the 40-year period. While there is not much difference in the proportion of elderly among the respective male/female

¹⁷ Annexure 7: Recommendations made by the Expert Committee on Widows to the Supreme Court of India

¹⁸ Source: Sample Registration System, Office of the Registrar General, India.

¹⁹ Source: National Sample Survey office

population given the overall low sex ratio, men outnumber the women among the aged. For every 100 elderly men, there were 94 elderly women in 1991. The gender difference is apparent only in the marital status of the elderly. There is an overlap between incidence of widowhood and aging among women and this has serious social and economic consequences. Large number of elderly and widowed women with not much access to income, totally dependent on family members form the future scenario in India.

- In a study conducted in Haryana a northern state of India it is the second state in northern India (after Punjab) to have a high number of old population (18,49,371 old) and among them a high proportion of old women in both rural and urban areas (Census of India, 2011). Statistics on marital status reveals that up to the age of forty-nine, married women are more in its population, but above the age of fifty years the situation is reversed. After fifty years, it is the widows outnumbering married women, with larger presence of them in the age group of sixty-five to seventy-five years. Given the magnitude of widows along with their low socioeconomic condition, it is crucial to understand their social position in family in general and their health status coupled with their economic deprivation²⁰ Haryana could well be reflective of the large parts of India, particularly Northern India

SOCIO-CULTURAL STATUS OF WIDOWS

In India there are many socio cultural texts prescribing a code of conduct for widows and these have to a great extent been the basis on which cultural patterns in society have emerged. Interestingly these cultural patterns were uncompromisingly rigid for the higher castes who in an endeavor to underscore their superiority emphasized the rigid adherence to ritualistic patterns. But the lower castes in an effort to emulate the higher castes and improve their social standing replicated these codes of conduct. It is also interesting to note that such rigid standards were set out for those who had no avenues for protest.

In India widowhood has its own moral dimensions expressed through a behavior code, dress code, diet code. It should also be noted that these codes have no religious sanctions but customary practice over time has gained the status of a religious precept.

In a traditional patriarchal society like India there is institutionalized domination of women by men, and of women's exclusion from the dynamics of power. Very often cultural patterns of conduct, are at variance with the human rights culture and the maintenance of the status quo patriarchal norms conflict with gender equality. Many of the practices defended in the name of culture that impinge on human rights are gender specific; they preserve patriarchy at the expense of women's rights. In the context of widowhood forced marriage as child brides (resulting in early widowhood) paying to acquire husbands for daughters through the dowry (resulting in depriving widows of any share in the natal property) patriarchal inheritance systems in which daughters inherit less than sons and the widows' right to property is at variance with customary law, marriage arrangements allowing the husband control over land, finances, (leaving the widow with very little knowledge or resources to assert her right)

²⁰ *Health care and ageing: a study of old widows in rural Haryana* Kanchan Bharati1 & Sandhya R. Mahapatro2

witch-hunting; compulsory restrictive dress codes, diet code and behavior code that institutionalize the ostracism and discrimination of widows. The most harmful cultural practice is the stereotyping of widows that serves to underpin their victimized status.

The cultural context

To comprehend this there is the need to understand the cultural customs of the dominant Hindu society in India. In the Hindu society a widow was physically alive but socially dead. The Hindu patriarchy assigns only a secondary role to a woman. In the Hindu ethos the woman with her husband perform rituals and beget sons. This is her social identity and for both, her husband's presence is imperative. Without the husband a woman has no social or religious identity. In this role of a wife is rooted the attitude towards a widow. The widow's social death stems from her alienation from reproduction and sexuality; following the death of her husband. Even though the widow had no social identity she continued to be part of society. So there was the need to place her on the margins of society and institutionalize her marginality and this social marginalization was emphasized by obvious symbols.

From this emerges the pattern of ostracism of widows in India. There is a dress code (widows are expected to wear white and shun all colored garment and jewelry) a diet code (they are pressurized to adopt a vegetarian diet, avoid garlic, onions etc.) a behavior code (restricted movement, not to be actively seen seeking male company, a psychological pressure to lead an actively religious life) This restrictive life is further worsened by the systematic ostracism that widows face. They are discouraged from attending social functions and are considered to be inauspicious. Their very presence can lead to misfortunes. Widows belonging to the minority religions are not as systematically marginalized as Hindu widows. But it is to be noted that prevalent customs often get adopted, particularly when it can translate into control of women's rights.

In many communities the widow is considered inauspicious and not to be seen at weddings etc. She cannot actively take part in wedding or birth ceremonies. She was also considered to be a bad omen. Much of this kind of stigmatization has thankfully got eroded. But remnants of the strict behavior code still persist insidiously. Widows were not to have any contact with men other than her father or brother. Even today this behaviour code is the basis of sly remarks that are made when a widow talks to another man apart from her family.

The dress code of uncompromising white or coarse saris is giving way to light coloured clothes. Widows in India still prefer to shun away from all jewelry and the vermilion dot on the forehead. Much of this is insidious psychological pressure that society makes on the widow. Three decades back tonsuring of the hair of a widow in an effort to "desex" was a followed practice among higher castes particularly in Tamilnadu, Karnataka, Andhra Pradesh, West Bengal and Orissa. Thankfully such practices are few and far between with younger and educated generation, particularly girls protesting against it.

Diet code of widows too has been eroded due to changing food patterns, nuclearization of families etc. Widows were supposed to shun onions garlic eggs, meat etc. Today this diet code is neither prescribed nor followed. But it is interesting to note that a large number of widows turn vegetarian after the death of the spouse.

In a patriarchal society the woman's social identity is closely linked to a man. On widowhood, this

identity is completely eroded. More than 68% of the widows interviewed in a study²¹ accepted that life was difficult without an earning member. 95% of them stated a loss of status due to religious conventions, social customs, lack of education, lack of earning capacity and dependency on others as the reasons for loss of status (In that order)

Remarriage of widows

Two widely contradictory stereotypes persist about widow remarriage in India. One that widow marriage is prohibited while another that widow remarriage is widely practiced. The reality is that



widow remarriage is comparatively rare among the upper castes while it is more common in the lower castes (except those castes emulating upper castes) The basic pattern is that most childless widow tend to remarry while mothers with children refrain. In India girls marry young and become mothers soon. The result is that very few widows remarry despite it being legal and despite there being no social sanction against remarriage. As a rule widow remarriage among higher castes is not actively encouraged while among lower castes it is encouraged, As Uma Chakravarty argues in her essay “Gender Caste and Labour: The Ideological and Material Structure of Widowhood this could be an insidious way of enforcing feudal practices within the framework of patriarchy. The higher castes were required to restrict their reproduction, so that there was no strain on the resources at their command. So there was no reason to increase the progeny from a widow. On the other hand the increased reproduction of the lower and laboring class expanded the potential to exploit the resources under the control of the upper classes. So widow remarriage culturally was condoned or nor not condoned for extremely material reasons.

21 Hindu Widows Dr Godavri Patel

Congregation of widows to holy places.

Socially depersonalized, there is insidious psychological pressure on many Hindu widows to attain salvation by going to religious places like Vrindavan, Varanasi, Puri, Haridwar etc. Very often disillusioned by social relationship, disgusted by her own family which cannot keep her in dignity and cannot throw her out, the widow herself makes a decision to congregate to the holy places. In a way it is perhaps her act of defiance as well as independence.

The tragedy of such widows goes beyond the economic deprivation and social marginalization. It

is the tragedy of being nothing. They are not wanted by anyone, they have nothing to do and nobody cares for them. By a rough estimate there are 15,000 to 20,000 widows in Vrindavan, though there are no accurate estimates as the widows keep moving from place to place.



Civil society organizations, religious institutions, and the government have woken up to the harsh realities that the widows face. Innumerable studies have been done particularly on the widows of Vrindavan by civil society organizations and the National Commission for Women. This has translated into a mushrooming of widow shelters, government run homes and religious ashrams. Coupled with this is the fact that as stated earlier, the exodus of widows into the holy places has now reduced considerably.

WIDOWHOOD AND POVERTY

- In India by the 2011 censuses, women head about 27 million households, constituting 11 per cent of total households in the country. A little more than 10.11% earn less than 75\$ (Rs.5,000) a month and 0.89% earn little more than 150\$ (Rs.10,000) a month.
- Overall, 14 million households are “considered for deprivation”. The grading of deprivation is based on the condition of housing, landlessness, absence of an able-bodied adult member, any adult male member or a literate adult.

The socio-economic gender bias against women in patriarchal societies like India places female-headed households (Majority being headed by widows as statistics indicate) at a greater risk of poverty, where women are the primary earners. Consequently, many studies in India show that female-headed

households are poorer compared to male-headed households

First, female-headed households in general have more dependents and thus have higher non-workers to workers ratio compared to other households.

Second, female heads typically work for lower wages and have less access to assets and productive resources compared to men owing to gender bias against women.

Third, women typically bear the burden of household chores that result in time and mobility constraints compared to male-heads. This prevents any kind of training or skill up gradation.

According to the Indian Census 2001, more than 76% of the female heads are single –widows/ wives of migrants/ deserted women/ divorcees or unmarried women with the highest number being widows. FHHs have increased by 27% in the 2011 censuses

Aside from these general restrictions, widows face specific difficulties in seeking gainful employment like lack of independent access to productive resources; weak bargaining power vis-a-vis men in economic transactions; frequent absence of a literate member in the household; limited access to institutional credit; and the burden of domestic work. Added to this is that having been married early and given the reluctance among the poor in the developing world to invest in female education, the widow has no education and no training. Moving out of the depths of poverty becomes harder without the education and skills necessary for accessing better opportunities. Thus, widows find themselves pushed more and more into the unorganized sector which is less remunerative, less secure working conditions, but more exploitative.

Feminization of poverty goes hand in hand in the developing countries with feminisation of agriculture. In most of the developing countries, including India, large number of women are engaged in agriculture, primarily the production and processing of food. With male-selective migration from rural areas on the increase, women are often left behind to take care of both family and farm on their own. Widowhood is another reason for a woman to head/ maintain a household. With women-headed households being more prone to poverty, wages being unfavourable to women in general and access to financial, technical and other support services being denied to them, the poor status of the rural population is common. In addition since property rights are patriarchal, with women mostly having no title rights on the land, and so access to credit, subsidies is denied to the female headed households, thus exacerbating the poor status. Very often, small land holding families slip down to becoming landless labourers since it is not viable for them to till the land without access to credit, bank facilities, subsidies etc.

Research and publications on women's poverty not only brought out the invisible, low-paid, drudgery-oriented and monotonous labour that women undertake, but also the gendered nature of the experience of poverty, with women's poorer access to credit, training, food, health care and power. And within this gendered experience of poverty is a further underscoring of the vulnerabilities of female headed households.

The lines of vulnerability cross cut on both the gender dimension as well as the dimension of marital status. Studies conducted by the India Development Foundation indicate that FHHs appear to be more

vulnerable to poverty. Jean Dreze and P.V.Srinivasan in their study Poverty and widows in Rural India conclude that given the same household size and adult child ratio female headed household are poorer than male headed households. This is not because their heads are females, but because their heads have less education. Since education is the result of decisions made in the household, this suggests a gender disadvantage that is perpetrated within the household. Because they are women they are less educated and hence denied access to better skills and better remuneration, and because they are widows/single women they are forced by circumstances to head households equipped with very few advantages.

For a country of India's size given the combinations of rural and urban, caste differences, ethnic divides couple with data gaps it is well impossible to give absolute figures on the economic deprivation of widows. But some conclusions can be made from the census figures and surveys/studies made. One of the immediate consequences of widowhood is economic deprivation.

- 78.48% of the widows interviewed started working due to the economic pressures after becoming a widow²²
- 30.43% of rural widows and 14.20% of urban widows found it difficult to find jobs²³
- Muslim widows found it harder to get jobs than Hindu widows
- 85% of the widow could not maintain the previous standard of living
- Nearly 40% of widows found it difficult to meet the basic needs of food clothing and shelter²⁴

BEST PRACTICE

SANA Bank, INDIA : Transforming widows from charity recipients to business owners

Are widows poor because they are ostracized and marginalized or are they marginalized because they are poor. It is a vicious circle and the cause and effect are closely interlinked

A widow is often ostracized by a behaviour code, her mobility restricted, and left to take care of her family with very little economic support. This prevents her from accessing the resources of training and skill upgradation for gainful employment. In addition, due to her poor economic status she cannot access credit facilities. Her poverty makes her vulnerable and dependent on the very forces that discriminate against her. This further fuels the marginalization. A poor widow is more likely to be ostracized than one with resources. A culturally ostracized widow is less likely to be financially independent.

Widowhood is not just a cultural issue that can be done away by changing mindsets. It is an economic issue and if we want to eradicate poverty then we need to address the economics of widowhood.

Addressing the close linkages between widowhood and poverty, the Guild for Service in partnership with Global Fund for Widows kick-started the SANA Bank project for economically deprived widows in

²² T. S Kitchlu in his study on widows "Study of Economic and social conditions of widows in Delhi"

²³ T. S Kitchlu in his study on widows "Study of Economic and social conditions of widows in Delhi"

²⁴ Hindu Widows:A study in deprivation. Dr Godavri Patel

Mathura in Uttar Pradesh, Sawai Madhopur in Rajasthan and Najafgarh in Delhi. In the pilot run widows contributed ₹3000 (approximately \$ 40) to the community Sana Bank. Each share of the bank being ₹100 (approximately \$ 1 ½) The contribution was doubled by Guild for Service and Global Fund for Widows by ₹6000 (approximately \$ 80). Hence a loan of ₹9000 (approximately \$120) was made available to the widow after examining her viable business plan. The loan was collateral free, without any extensive paper work.

With this small loan the widows started their enterprise which covered a range of small businesses from selling flowers at the temples, to running a home catering service, from retailing cosmetic jewellery to running a coaching centre, from running a blood sample collection service to owning a tea shop. The loan is paid off with a very small interest which goes into the bank. When the profits of the bank are accumulated all the widows get the share in the profit equivalent to their share in the bank.

Sana bank works on a four fold advantage basis:

- Collateral free loans for those who are not considered credit worthy
- Seed money to start a profitable business which enhances their economic capacities
- A share in the profits of the bank
- A community that gives the support network as well as the value additions of financial literacy, book keeping, inventory management etc. that add to the efficiency of their enterprises.

Premlata and Sitara are widows from different religions but connected by the struggles of heading a household. Their widowhood increases their vulnerabilities as they had no access to credit being “unsafe



loan applicant”. Neither did they get any financial support from their families. On the collateral free loan given through the Sana Bank project, they bought sewing machines and some basic raw material like silken cloth, borders, laces etc. Vrindavan in Mathura is the birth of Lord Krishna. This temple town attracts millions of pilgrims every year so the demand for attractive outfits for the deities is very high among the existing temples as well as the visiting pilgrims.

Premlata and Sitara work from nine in the morning after finishing their chores and go on till late afternoon. There are fixed shops to which the two women supply the finished products which consist of the lower and upper garments along with a stole. Made in attractive colours of purple, pink, green, saffron and embellished with silver or gold lace, the women enjoy working with colours in an otherwise drab life. Premlata and Sitara say that they feel a sense of fulfilment and accomplishment when they are able to earn more than \$200 every month. Their self-esteem has sky rocketed as they no longer plead for financial help from their natal or marital families, but are able to meet the expenses of their household and children by their own perseverance.

It is interesting they feel that the opportunity came as a Godsend to them to make garments for the Gods and support themselves in the bargain.

GOVERNMENTAL AFFIRMATIVE ACTIONS

Social Security

Indira Gandhi National Widow Pension Scheme(IGNWPS)

The scheme introduced in 2009 under the Social Assistance program of the Ministry of Rural Development, provides BPL(Below Poverty Line) widows in the age group 40 to 64(later revised 40 to 59) with a monthly pension of Rs. 200 per beneficiary. After they attain the age of 60, they qualify for pension under Indira Gandhi National Old Age Pension Scheme(IGNOAPS)

The scheme is administered by the Ministry of Rural Development, Government of India. It is fully funded by the Central Government. The Government of India has urged State Governments to make matching contributions with the aim of doubling the monthly pension amounts

The implementation of social pensions varies considerably across states. Through state-level initiatives, many State Governments have expanded coverage beyond BPL households by relaxing eligibility criteria and increased monthly pension amounts using state finances. One such example is Lakshmi Bai Social Security Pension Scheme, launched by Government of Bihar, to cover all widows not covered under IGNWP. This scheme is among one of the many Social Security initiatives taken up by Government of Bihar being implemented by Department of Social Welfare

As the Indira Gandhi National Widow Pension Scheme (IGNWPS) only covers widows aged 40–59, some State Governments have launched state widow pension schemes. In Chhattisgarh, the Sukhad Sahara Yojana provides a monthly pension to all widows aged 18–50. The Lakshmi Bai Pension Yojana in Bihar covers all widows above 18 years of age whose annual family income is below ₹ 60,000

The Indira Gandhi National Old Age Pension Scheme (IGNOAPS)

This is a non-contributory old age pension scheme that covers Indians who are 60 years and above and live below the poverty line. All individuals above the age of 60 who live below the poverty line are eligible to apply for IGNOAPS. All IGNOAPS beneficiaries aged 60–79 receive a monthly pension of ₹300 (₹200 by central government and ₹100 by state government). Those 80 years and above receive a monthly pension amount of ₹500. States are strongly urged to provide an additional amount at least an equivalent amount to the assistance provided by the Central Government so that the beneficiaries can get a decent level of assistance.

Annapurna Scheme

This scheme aims to provide food security to meet the requirement of those senior citizens who, though eligible, have remained uncovered under the IGNOAPS. Under the Annapurna Scheme, 10 kg of free rice is provided every month to each beneficiary.

Despite the vast outreach of the scheme, there are a few roadblocks in accessing the pensions. Firstly the application forms are not easily available at the Panchayat offices or if they are, then the concerned officer gives it as a kind of favour. Secondly the forms are not user friendly. The widow is required to furnish proof of age, authentication by the prescribed authority etc. Aadhar card as proof of citizenship, BPL score card etc. For the average illiterate widow, this is a Herculean task. Thirdly the forms are to be submitted at the taluk offices, which is difficult and often impossible for poor widows living far away. Follow up requires a couple of more visits. Fourthly verification of the forms is a lengthy process. Most widows do not have birth certificates to prove their age. Often the widow has to pay private doctors to get a certificate. This is an added expense. Fifthly there is a great deal of arbitrariness in the assessment whether a widow is truly destitute or not. For example if a widow has an adult son or grandson living then the application can be summarily rejected without taking into consideration the fact that the son may not be supporting her. Finally after all the effort the pension obtained is grossly inadequate. With the kicking in of digital India, most applications are entertained online. It is well nigh impossible for an illiterate widow to negotiate this unless she is aided by civil society organisations or by the 'tout' who takes an exorbitant fees for the help.

But keeping the vast geographical terrain in mind and the vast size of population, the schemes on the whole are functioning fairly well. According to a 10-state survey of social pensions in 2013, "there is strong evidence to support the fact that the money is reaching the intended beneficiaries without any major leakages ... (evaluation of the scheme also brings to the fore issues related to the diminutive amount, inefficient disbursement mechanism, cost of collection and the lack of a fixed pattern of payment²⁵."

The Government of India has to make a comprehensive and uniform pension schemes for widows. The procedure has to be made user friendly keeping ground realities in mind.

In October 2012, the Government of India set up a task force to come up with a proposal for a Comprehensive Social Assistance Programme. Some of the recommendations from the

25 Saloni Chopra; Jessica Pudussery. "Social Security Pensions in India: An Assessment" (PDF). *Economic & Political Weekly*. Archived from the original (PDF) on 18 April 2015.

report^[37] submitted in March 2013 are listed below:

- Increase IGNOAPS from ₹200 (US\$2.80) to ₹300 (US\$4.20) per month.
- Reduce minimum age requirement for IGNOAPS from 40 to 18 years.
- Pension amounts should be indexed to inflation using the criteria adopted for dearness allowance.
- Pension payment method should be adopted keeping in mind that no pensioner should have to travel beyond three km to collect pension; ultimate goal should be to ensure door-step delivery of pensions.

Legislation

The Hindu Succession (Amendment) Act, 2005, an amendment to the Hindu Succession Act, 1956, was given effect from 9 September 2005. This was based on the recommendations made by the Law Commission in its 174th Report on Hindu women's property rights which observed that since time immemorial property laws were enacted for the benefit of men. Property rights had been denied to Hindu women just to exercise control over them and to make them subjugated and dependent on men. In the Joint family women were entitled only to maintenance. On the contrary a son acquires birth right in the ancestral property since he is a coparcener. The retention of the coparcenary excluding females perpetuated the traditional male dominance in the matter of inheritance. The Commission pointed out this inequity and said that it is in fact a fraud on the Constitution since it contravenes Article 14, 15, & 21 of the Constitution of India.

The Act was a revolutionary step in the field of Indian legislation regarding rights of women.

- The Amendments to the Hindu Succession Act in 2005 bring male and female rights in agricultural land on par for all states, overriding any inconsistent state laws. This can potentially benefit millions of women dependent on agriculture for survival.
- The 2005 act makes all daughters, including married ones, coparceners in joint family property with the same birthrights as sons to shares and to seek partition. The 1956 Hindu Succession Act had distinguished between separate property and joint family property.
- The 2005 amendments give all daughters (including those married) the same rights as sons to reside in or seek partition of the parental dwelling house.
- The legislation removes a discriminatory section which barred certain widows from inheriting the deceased's property, if they had remarried.

By this act a widowed woman still has an economic support and need not depend on the marital home for support. It is of course a major step in gender justice and will have long reaching impacts in changing the status of widows in India.

It should be noted that Succession laws discriminate against women when it comes to inheriting agricultural land while it has brought them on par with men when it comes to family property.²⁶ It would

26 Nayantara Roy: *India Legal*

have been helpful if when repealing Section 4(2) the Act had also expressly stated that the Act applies to agricultural land over and above state laws. Very often special State laws prevail over the Hindu Succession Act to address the issue of fragmentation of agricultural holdings, fixation of ceiling and devolution of tenancy rights in these holdings. Thus, State laws exist which deny women equal rights of succession in tenancy rights. Agricultural land is the most important form of rural property in India as in the whole of South Asia and ensuring gender-equal rights in it is important not only for gender justice but also for economic and social advancement. Gender equality in agricultural land can reduce not just a woman's but her whole family's risk of poverty. A widow on the death of her husband can be legally barred from asserting her right as a tenant, and so may be deprived of her livelihood. By and large judgments have mostly denied women equal rights in agricultural land. Possibly because of strong pressures from the agricultural lobby and an apprehension of political fallout, Government has tended to drag feet in granting true realization to women of their equal right.

As far as property is concerned the widow not being a member of the coparcenary, will not get a share at the time of the notional partition. The widow will not inherit any share in the joint family property in her own right but she is entitled to an equal share with other Class I heirs only from the separate share of the husband computed at the time of the notional partition. In effect, the actual share of the widow will go down, as the separate share of the father will be less as the property will now be equally divided between father, sons and daughters in the notional partition. Daughters' right by birth will enhance the share of daughters by making them coparceners on the same basis as sons. But in doing so it will alter the shares of other Class I female heirs of the deceased, such as the deceased's widow. It will actually disadvantage widows, as the share of the daughter will increase in comparison to the widow. On the one hand the law will not discriminate against woman as a daughter but will discriminate against her as a widow.²⁷

Very often daughters are persuaded by the family and by the mother herself to will away her share so that she can continue her association with the natal home. The argument given is that the natal family had acquired huge expense to give a dowry (On which her husband has control) at the time of the marriage. Most women do require the emotional support from the natal family. But this support comes with a rider of willing away her property right. So when the daughter becomes a widow her deprivation is only enhanced. These inequalities would remain unless the entire coparcenary system is abolished totally since it has folds within folds of inequalities which cannot be dealt with in a piecemeal manner.

There is low awareness and literacy among women about their own rights and, understandably, they have shown little inclination to contest in courts. Strong patriarchal traditions have translated into fear of violence and threat of violation by their male relatives, preventing women from fighting for their inheritance rights.

On the death of a man, the heirs immediately clamour for partition of the property including the dwelling house. In such a situation the widow is often left homeless, or dependent on the son. Even though by the law of the land she can claim maintenance from her children, in actuality, she prefers to suffer in silence since she had neither the money nor the knowledge or the support to get into a legal wrangle.

²⁷ *The Guild of Service presentation to the CEDAW Committee 2010. Presented by Meera Khanna*

The Christian widow's right is not an exclusive right and gets curtailed as the other heirs step in. Only if the man has died without a will and has left none who are of kindred to him, the whole of his property would belong to his widow. Where the intestate has left a widow and any lineal descendants, one third of his property devolves to his widow and the remaining two thirds go to his lineal descendants. If he has left no lineal descendants but has left persons who are kindred to him, one half of his property devolves to his widow and the remaining half goes to those who are of kindred to him.

In Islam the share of the wife is one-quarter in the absence of a child or agnatic grandchild and one-eighth in the presence of a child or agnatic grandchild. Two or more wives share equally in this prescribed share. Sharia has placed two restrictions on the testator. Firstly, to whom he can bequeath his estate and secondly, the amount that he can bequeath. The majority view is that a bequest in excess of one-third of the net estate is invalid unless consented to by the legal heirs as is a bequest in favour of a legal heir.

In any patriarchal society, women are second class citizens and widows third class. Added to this is the inaccessibility to the resources of education to legal services, to material resources etc. Legal reforms so far have not been adequate to give all Indian women a right to property on the same terms as men. Even where law has given a right, conventions and practices do not recognize them. There is no single body of property rights of Indian women. The property rights of the Indian woman get determined depending on which religion and religious school she follows, if she is married or unmarried, which part of the country she comes from, if she is a tribal or non-tribal and so on. Ironically, what unifies them is the fact that cutting across all those divisions, the property rights of the Indian women are immune from Constitutional protection; the various property rights could be, as they indeed are in several ways, discriminatory and arbitrary, notwithstanding the Constitutional guarantee of equality²⁸

Maintenance and Welfare of Parents and Senior Citizens Act, 2007 was enacted in 2007, initiated by Ministry of Social Justice and Empowerment, Government of India to provide more effective provision for maintenance and welfare of parents and senior citizens. The Act makes it a legal obligation for children and heirs to provide maintenance to senior citizens and parents, by monthly allowance. The Act also provides simple, speedy and inexpensive mechanism for the protection of life and property of the older persons.

The Act mandates that the maximum maintenance paid will be Rs 10,000 per month. The maintenance amount is determined by the needs of the claimant and the aim is to provide maintenance for the person to lead a normal life.

Moving to amend the Maintenance and Welfare of Parents and Senior Citizens Act, in 2018 the government has expanded the ambit of social security for the elderly by making distant relatives responsible for their upkeep, increased fine and imprisonment for abandoning parents and done away with the financial cap of Rs 10,000 for maintenance of parents. The Act also mandates State Government to ensure that all government hospitals and hospitals partly or fully funded by the government, arrange separate queues for senior citizens and provide beds for all

²⁸ *The Guild of Service presentation to the CEDAW Committee 2010. Presented by Meera Khanna*

senior citizens. Additionally, every district hospital must have special facilities for senior citizens. Every district must have at least one old age home for senior citizens who are poor and needy.

Ten years after it was brought in, a study has shown that not only is there very little awareness about The Maintenance and Welfare of Parents and Senior Citizens Act, 2007, but that even in cases where applications have been made, the system is not very supportive or user-friendly. Social workers familiar with the situation say creating more awareness, besides better implementation of the Act and fixing loopholes in it, would help bring solace to senior citizens left uncared for.²⁹

In case after case, NGO Help Age India, which conducted a study, found that there were long delays, petitioners faced harassment from their families, and that even when they were granted a maintenance allowance, it was often not paid or paid temporarily and then stopped.

The study, completed in March this year, had a total of 115 respondents from four States — Punjab, Haryana, Tamil Nadu and Kerala. Of these, 52% had applied for maintenance and 48% for property-related disputes. Over half of them were single and 23.5% were illiterate. Single, elderly women seem particularly vulnerable. Implementing officials too were interviewed, and those from Chennai said that property disputes needed to be handled by land-grab cells. They also said the police needed to be sensitised on the needs of the elderly, and added that staff, besides being overworked, had not received any training on the Act.

The law implemented in letter and spirit will certainly improve the status of old widows. It should be noted that the Government of India has moved away from the premise that taking care of the old is the responsibility of the family alone. While holding the family responsible as primary care givers, the Government has acknowledged its responsibility in giving a life of dignity to the older citizens. India is moving definitely towards the “Many Hands” approach to care of senior citizens and recognising that care of the elderly is not a welfare measure but a facilitation of rights and entitlements.

Mahatma Gandhi National Rural Employment Guarantee Act MNERGA

The Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), which guarantees employment of every rural household for 100 days, has different progressive provisions which incentivise higher participation of women in the programme. Official data suggest that 47% of all MGNREGA workers are women.

Three key features of the MGNREGA set it apart from previous labour market interventions from the perspective of the opportunities it holds for women. First, the Act prescribes that at least a third of all workers be women. Second, the Act also provides for equal wages for men and women. This is especially significant in a context where women often receive a lower wage than men do even for similar tasks. Third, since the entitlement to at least a hundred days of work is at the household level, the allocation of the work within the household is left to the household members allowing space for the participation of women³⁰

²⁹ *Uncared for, in the sunset of life* Zubeda Hamid *The Hindu*

³⁰ *Employment Guarantee for Women in India Evidence on Participation and Rationing in the MGNREGA from the National Sample Survey* Sudha Narayanan Upasak Das

The Act has special directives for vulnerable groups Widowed, deserted and destitute women are highly vulnerable and require special attention. Special measures have to be initiated to ensure 100 days employment for them. Special works which require less physical effort and are close to their house should be identified and implemented for them. As per Para 1, Schedule II, if the job seeker is a single woman or widow, she must be given a special job card of a distinct colour which will ensure them a special protection in providing work, work evaluation and worksite facilities.³¹

Nationally representative data suggest that the MGNREGA has performed reasonably well. The programme is explicit in its commitment to be inclusive of women and to facilitate their access to the programme. It is beyond doubt that the MGNREGA has proven to be an important arena of women’s participation in wage employment. Yet, variations across states as well as across sub-population point to significant problems that suggest that the MGNREGA operates with very different characteristics in different states.

Schemes and Programs

SwadharGreh, initiated by the Ministry of Women & Child Development, Government of India envisions a supportive institutional framework for women victims of difficult circumstances so that they could lead their life with dignity and conviction. Widowhood is identified as a difficult circumstance. It envisages that shelter, food, clothing, and health as well as economic and social security are assured for such women. It also envisions that the special needs of these women are properly taken care of and under no circumstances they should be left unattended or abandoned which could lead to their exploitation and desolation.

Under the Scheme, SwadharGreh will be set up in every district with capacity of 30 women with the following objectives:

- To cater to the primary need of shelter, food, clothing, medical treatment and care of the women in distress and who are without any social and economic support.
- To enable them to regain their emotional strength that gets hampered due to their encounter with unfortunate circumstances.
- To provide them with legal aid and guidance to enable them to take steps for their readjustment in family/society.
- To rehabilitate them economically and emotionally.
- To act as a support system that understands and meets various requirements of women in distress.
- To enable them to start their life afresh with dignity and conviction

The total number of SwadharGrehs currently operational in the country is 551.³² As per the

³¹ *MNERGA FAQs developed by Min of Rural Development and Centre for Wage Employment and Poverty Alleviation)*

³² *Press Information bureau 28th July 2017*

Government of India directory there are 727 districts. Over 30 lakh population the scheme envisages more than one SwadharGreh. There then is a massive gap between the facility and the need.

The SwadharGrehs are either run by the Government of India directly or through civil society organisations. There is a tremendous lack of uniformity in the quality of the homes. An expert committee on Swadhar Homes submitted a study to the Supreme Court noted the poor standards of sanitation, hygiene, nutrition and quality of life in the homes.³³

But to the credit of the Ministry, a drive to improve the quality through regular monitoring committees is being now done as per the recommendations of the committee.

Widows of armed conflict

Despite being at peace, India has the largest number of war widows in the world. According to estimates, India has around 25,000 war widows – the highest number in the world.³⁴

Today India does give a generous compensation to the families of soldiers killed in action. Even though money can never substitute valuable human life, it certainly makes life for the families easier. The revision of compensation for the families paid for by the government funds was first done by the Atal Bihari Vajpayee government in 1998 and the second revision has been done after a gap of more than 16 years.

- For deaths occurring due to accidents in the course of performance of duties, the compensation has been increased from the existing Rs 10 lakh to Rs 25 lakh.
- For the families of those soldiers who die while directly taking part in border skirmishes and action against militants and extremists, the compensation amount has been increased by Rs 20 lakh. Earlier 15,00,000 which means 35,00,00.
- The ex-gratia amount to be paid to the families of soldiers dying in high altitude areas such as Siachen has also been enhanced to Rs 35 lakh from the existing Rs 15 lakh.
- For deaths occurring during enemy action in war or war-like engagements, in a war-torn zone in foreign country, the compensation has been increased from Rs 20 lakh to Rs 45 lakh”.
- Four-fold increase in the financial assistance provided to the next kin of battle casualties from existing Rs 2 lakh to Rs 8 lakh. The said the financial assistance will be granted under the Army Battle Casualties Welfare Fund (ABCWF).

Apart from this lifelong family pension special quotas are reserved for children of war widows, and many states provide housing for them including ex gratia payments. Regiments always step in with the esprit de corps to take care of their own either through scholarships, financial assistance etc.

³³ Standard operating procedures For Swadhar Greh Report submitted by the Expert Committee on Widows to the Ministry of Women and Child development,

³⁴ Puja Changoiwala June 2018, Women's Advancement

According to the Department of Sainik Welfare At least 90 percent of army widows live in rural areas, and are either illiterate or have minimal levels of education. This limits their employment opportunities, and in some cases, leaves them vulnerable to losing their monthly pensions to unscrupulous in-laws. Most of these women are widowed before they turn 30, and for the next four to five decades of their lives, they are left with the unending struggle to survive their loss, raise their children, and take care of their families.

The Department of Sainik Welfare, the District Sainik Boards and civil society organisations like the War Widows Association do step in to help the war widow. The War Widows Association has become one stop crisis centre for the armed forces widows. The War Widows Association and Sainik Welfare boards help them through counselling to get through the trauma of loneliness, awareness to understand their rights and support to fight for it, the helping hand to help them to negotiate through government departments controlling Adhaar cards, pensions, bank accounts, medical cards etc.

The status of widows of non state actors in a conflict is another story altogether.

The situation of widows and their children in conflict affected regions of India is of great concern, partly because of the sheer numbers involved, and partly because such families appear to face particular hardships. The challenges facing such households are often evident in issues of basic health and nutrition. In societies where the public domain is exclusively in the hands of men and where there is significant social stigma attached to widows, the conditions for widow-headed households are especially difficult. Impoverishment has weakened the ability of the extended family to cater for such women and their offspring. On top of this, in the case that their late husbands had militant associations, friends and relatives may avoid associating with them for fear of suspicion and police attention. Many widows in this situation of social stigma rely heavily upon the labour of their children. Conflict-created widows can be under considerable pressure to remarry, which has implications for the children of their first marriage.

Half-widows is a term that came up sometime during the two-and-a-half decades of conflict in Kashmir when men disappeared, mostly in the custody of security forces, or having crossed borders for training leaving behind wives who had no way of knowing whether their husbands were dead or alive. According to the Association of Parents of Disappeared Persons (APDP) 8000-10,000 men have disappeared during the two decades of armed conflict in the state. These figures have never been corroborated by the state or Central Governments. The Indian government says the number of those “missing” is most likely closer to 3,000 to 4,000. There is always a gap between over reported figures of civil society organisations and under reported figures of the state documents The number of publicly announced and reported half-widows in the Kashmir valley is between 2,000 and 2,500 and 6,000 half orphans, the children of half-widows who are affected deeply by the conflict. Kashmir.

As per the Indian Evidence Act, a missing man is considered dead after a period of 7 years. So half-widows are not able to access any relief before the expiration of seven years. After seven years they can receive the standard relief offered to widows who have lost husbands to the insurgency; only after producing a death certificate and also proving that the man had no links to militancy/ terrorist activities They can then access either a one-time grant of between Rs 71000 and Rs 1,40,000 or a monthly pension of about Rs 700. To date the government has provided relief to 400 half-widows. Under the Interim

Relief Scheme of the state government gives an ex gratia payment of Rs 1,00,000, provided the local screening committee certifies her as a half widow and also certifies that her husband had no links to militancy. The question arises why should a woman be penalized for

- the enforced disappearance of her husband at the hands of the security forces or at the hands of non state actors.
- In a patriarchal a woman has very little control on her husband or on his choices

A rather interesting impact of the conflict in recent years is the increase the visibility of women and widows in professional fields, as well as a swift change in their conventional roles is evident. Conflict changes conventional roles. In the absence of the male bread winner, widows are forced to come into the public sphere to ensure daily sustenance. Women seeking jobs and educational opportunities is not just a proverbial means for achieving gender development, but it is often an issue of survival and sustenance and they also have to tackle issues of life and death, day in and day out. Their spectrum of responsibilities has stretched from nurturing their families, becoming shields for their men, who inevitably are the direct targets in the combat, to the traumatic and sudden assumption of responsibilities when a male member either killed, imprisoned or missing. Moreover, as a matter of routine, they are pushed into taking over from the men during events such as “crackdowns“, “cordon and search operations“ and “area sanitation,” where they become responsible for getting their houses searched, talking to belligerent armed forces, while the men folk are rounded up for identification. Making rounds of courts, police stations, talking to strangers, policemen, and politicians became an accepted norm in an otherwise conservative society. This new found role of consolidating a traumatized society and in many cases, becoming the main breadwinners, has contributed to a speedy mainstreaming of widows in conflict zones. This trend can be perceived as a means of achieving social empowerment by virtue of widow’s interaction with the outside world and independent decision making and economic empowerment. While this phenomenon emphasizes the inherent strength of women it can hardly be used to glorify them since the circumstances have taken a massive psychological and social toll on the population.

Civil Society Interventions

Undoubtedly civil society organisations or non governmental organisations play a critical role in changing the status of widows. While they work in tandem with the government they are also a means of getting the voices from the ground to incorporate them at policy level. Many civil society organisations work for the empowerment of widows across India. Not surprising because widows are triply traumatised communities, as women, as widows and as poor widows. The vulnerability is exacerbated further when they are old widows. The concept of shelter for widows was begun by religious institutions, but they provide shelter and dole as a welfare measure and not as a means to empower the widow. There definitely is an element of benign patriarchy in such interventions. Non Governmental Organisations run shelter homes, capacity building centres, health care interventions, support services to widows to access their legal rights etc. Many of these interventions are supported by state and central government funds with the NGO as the implementing agency. The performance of the NGOs is far from uniform and there is a crying need for intelligent and competent supervision by independent agencies. Widow shelters, as well

as old age homes have mushroomed in the country, both civil society run as well as government run. The envisaged plan of the Ministry of Women and child Development and the Ministry of Social Justice and Empowerment is to have one SwadharGreh at least in every district and one old shelter in every district. Many of these will need to be run with civil society taking on the onus of implementation

A recent phenomenon in India is the rural-urban or international migration on a fairly large scale. An elderly couple or a widowed mother or relative may be left behind in their rural home while their children seek their fortune in the cities. Remittances from the children may help raise the standard of living if they are regularly received. But, a more immediate threat is the loss of care-givers to deliver personal care if required by the old couple. In the urban areas, isolation of the elderly particularly old widowed women and the loss of care-givers occur when the children move away from the parental home. This nuclear living arrangement is gaining prevalence as it suits the lifestyle of the younger couples. Even for those elderly residing with their children, their children may not have the time to perform the roles and duties of a care-giver. Dual career families are gaining popularity in India, especially in the urban areas

These changes in the traditional support system suggest that there will be a greater role for the NGOs to play in the future. The responsibility of providing care will be gradually diverted from the family to the NGOs, especially if the elderly are frail or bed-ridden, by providing day care facilities, residential care etc. Services provided by the private sector will also be in demand if the NGOs cannot cope. The trend is nonetheless clear: if the family cannot cope with caring for its ageing members, it will seek help from external bodies, and the NGOs are logically the best alternative There are, however, changes that have brought the State and the NGOs closer in partnership. India has begun providing a direct subsidy to the NGOs, although on a very modest scale. The State’s involvement in providing subsidy to welfare services for the aged is a recognition that the welfare needs of the elderly have grown to the extent that the NGOs need help to maintain a minimum standard of care. It is also a recognition that the State cannot be completely out of the picture in the care of the elderly. By providing financial support to the NGOs, the government is able to demonstrate involvement, but avoid the direct and front-line responsibility of providing care to the aged. There is little doubt that in the future the cooperation between the NGOs and the State will increase further. The NGOs have become an instrument through which the State can care for the elderly without being directly involved. It has also been argued that the quality of care provided by the NGOs is often better than that provided by government institutions. However, as the NGOs expand into new areas of services or extend the scope of their activities, they face severe resource constraints. As most of the NGOs raise their own funds or obtain funds from the Community Chest, much effort is diverted into fund raising matters. This limits the amount of human resources available for providing direct service. Moreover, funds raised through the community are normally adequate for day-to-day operation or for modest expansion. It is not possible for an NGO to significantly expand its services through its own fund raising efforts, like providing assisted living care. For an NGO to expand its services, government assistance is imperative.

As the NGOs move into specialized services, they require specialized training and professional guidance which may be available only in government institutions. It would be difficult, for example, for the NGOs to train and retain a large group of nurses for home nursing or rehabilitative functions. Without the government providing additional financial resources, the NGOs would not be able to



implement innovative services to meet the emerging needs of the elderly. However, the development of specialized services by NGOs is unlikely to be rapid. This has to be rectified

International Instruments

United Nations Security Council Resolutions 1325

Increasingly global attention has been on the unrecognized, under-utilized and under-valued contribution women have been making to preventing war, to building peace and to engaging individuals and societies live in harmony. The UN recognized that peace is inextricably linked with equality between women and men and affirmed the equal access and full participation of women in power structures and their full involvement in all efforts for peace and security.

The conventional impression of women as helpless widows and victims of wars and conflicts was overtaken, at least in principle, by the assertion of the role of women in

fostering peace in their communities and beyond. Thereby, the seed for the Security Council resolution 1325 was sown.

The core focus of this action is women's participation at all levels of decision making and thereby structure the peace in a way that there is no recurrence of war and conflict. That is why women need to be at the peace tables, women need to be involved in the decision-making and in the peace-keeping teams, particularly as civilians to make a real difference in transitioning from the cult of war to the culture of peace. Widows having seen the trauma of conflict at close quarters are in the best position of channelising their agency into peace reconstruction

Based on the UNSCR 1325 member states have to conceptualise create and implement a National Plan of Action to be built on 5 pillars namely: participation, protection and prevention, promotion, relief and recovery and resource management and monitoring and evaluation.

In South Asia, Nepal Afghanistan and Bangladesh have developed National Plans of Action.

The Beijing Platform for Action and CEDAW.

Widows and widowhood are nowhere mentioned anywhere either in the Beijing Platform for Action or

in the CEDAW.

CEDAW gives formal recognition to the influence of culture and tradition on restricting women's enjoyment of their fundamental rights. These forces take shape in stereotypes, customs and norms which give rise to the multitude of legal, political and economic constraints on the advancement of women. No other group of women suffer from acute discrimination as widows do culturally and socially within their own communities, societies castes and families. Widows suffer from social marginalisation, cultural discrimination and as a consequence economic deprivation

Every one of the 12 action areas in the BPFA is relevant to Widowhood

Women and Poverty. Widows and their children are mostly among the poorest of the poor due to lack of rights to inheritance, land and property ownership. Education and Training. Many widows have been married very young, and are illiterate and untrained, but as sole supporters of families – children, the old, the sick – they urgently need to be able to access education and training for income-generating activities.

Women and Health. Research has shown that mortality in widowhood is sharply differentiated from that of married women of a similar age. Widows are often subject to injurious and demeaning widowhood rites with negative impacts on their health. Poverty, lack of shelter, adequate nutrition, exploitative labour all contribute to widows' poor health. Widows are particularly vulnerable to sexual exploitation, and forced remarriage.

Violence Against Women. Physical, sexual and psychological violence suffered by widows occurs in the family, in the community and is in effect condoned by the State by its failure to take any meaningful measures to address the issue. There is very little research or documentation concerning widow abuse, occurring in public and private.

Women in Armed Conflict. Widows are particularly vulnerable to human rights violations in situations of armed conflict.. The killing of male members of society has resulted in the huge increase in the number of widows.

Women & Economy Widows are unlikely to be able to achieve full economic independence and participation in economic activity due to their lack of access to land, finance and credit. Customary traditions which limit widows' mobility also have an adverse impact on their economic contribution.

Human Rights of Women. It is now well acknowledged that widows have been singularly neglected in the context of the CEDAW, the Beijing Platform for Action and other human rights conventions. Widowhood has never been mainstreamed in policies and programmes in relation to women and therefore their human rights have been continuously violated as a result.³⁵

It should be noted that India has advocated and supported the BPFA. India has also signed and

³⁵ WIDOWHOOD IN CONTEXT OF BEIJING + 15 Statement by Widows for Peace and Democracy, December 2009.

ratified the CEDAW. It is encouraging to that post the signing of the CEDAW the Indian Government has introduced gender just laws and policies which impact widows too positively. The Amendment to the Hindu Succession Act 2005 that gives daughters equal right as a son, the Protection of Women from Domestic Violence, Pre-Conception and Pre Natal Diagnostic Techniques Act, Prevention of Sexual Harassment at Work Place, Amendment to the Criminal Justice Act etc. Without a doubt, being signatories to international instruments certainly does put an onus on the Government to take proactive steps for gender justice.

Conclusion

Widows have been culturally discriminated against in India. Cultural and social discrimination of widows is directly proportionate to the economic dependency. The more economically vulnerable a widow is, the higher is the violation of her human right through cultural stigmatization. Which is why cultural discrimination is comparatively less in India among the lower classes. This is because the widow is in control of her own productive resources of her labour. She may be in the unorganized labour force, but she is earning money. Among the middle class where economic dependency is high particularly among women who have no access to resources, stigmatization is evident. In the higher classes with the patriarchal inheritance laws, cultural discrimination is again evident.

Structural inequalities of patriarchy manifests itself most crucially in the economic vulnerability which gets underscored by cultural stigmatization, social marginalization and individual vulnerabilities. It is a Catch²² situation. Cultural discriminations result in economic dependency and economic dependency exacerbates cultural discrimination. Economic empowerment gives access to resources. Material, social and legal resources translate as power. When there is power, social and cultural stigmatization gets edged out. The bottom line is that it is not religious or social sanctions that underscore a widow's cultural discrimination most, but her economic vulnerability.

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Impact of the COVID 19 pandemic on widows in India

As data from the COVID outbreak is analyzed, there is an emerging scientific data that more men than women are dying. Reasons for this could be many, as post pandemic surveys will indicate. However, the data is clear, COVID-19 appears poised to disproportionately kill men across the world³⁶. Rising number of widows is going to be the most immediate consequence.

A World Bank Report has estimated that 49 million people will be pushed to abject poverty because of the pandemic COVID 19. Out of this, more than 12 million people will be pushed to poverty in India. Women will be overrepresented in that category creating a new cycle of poverty.³⁷ The figures of 2015 estimate that some 258 million women globally have been widowed. The actual number is likely to be much higher and to grow further as the coronavirus and its related effects on health continue to rage around the world. It is clear that the impact of the pandemic and subsequent lockdowns is gendered, as the global crisis exacerbates existing vulnerabilities and deprivations. Within this community of the lesser privileged women in India are widows who as mentioned earlier are even more lesser privileged due to their marital status. In her statement for International Widows Day, the Under-Secretary-General of the United Nations and Executive Director of UN Women, Phumzile Mlambo-Ngcuka stated "Widows were largely unseen, unsupported and unmeasured in our societies." During the pandemic when very little empirical evidence is available on the impact on women, widows are practically invisible in this opaque system. Depending on anecdotal evidence and articles on impact on women in general we can arrive at a meagre picture of the impact on widows.

Evidence from past epidemics, indicates that women and children are at greater risk of exploitation and sexual violence. During the first four phases of the lockdown, women in India filed more domestic violence complaints than recorded in the last 10 years. Helpline numbers across the country received about 92,000 calls based on domestic abuse and violence in the first 11 days of the lockdown alone. According to the official data of the National Commission for Women (NCW), domestic violence complaints received in 2019 were 607, while in 2020 between March and May they registered 1477 cases. And between March 23 and April 16, the NCW received 239 complaints of domestic violence as compared to 123 complaints during normal times.

Widows, dependent on natal or marital members are particularly vulnerable to physical violence and sexual abuse. There is anecdotal evidence to support this fact as many helplines recorded complaints of women widowed by COVID suspected of being carriers of the illness, thrown out of their marital homes. Reena Ahuja (name changed) lived the comfortable life of an upper middle class home maker. Her sons with their wives stayed in the large sprawling home in Lajpat Nagar built post India's independence by her father in law. Reena's husband died within a week of contracting the disease. Within days Reena's sons suspected her of being a carrier of the disease and threw her out of the marital home under the pretext of keeping the rest of the family safe. Reena's husband had made no arrangements for her financial security as his death was sudden and unexpected. Reena having been a home maker all her life has no access to resources to fight against her employed sons. She lives now with her natal family.

³⁶ <https://www.sttista.com/chart/21345/coronavirus-deaths-by-gender/>

³⁷ <https://blogs.worldbank.org/opendata/impact-covid-19-coronavirus-global-poverty-why-sub-saharan-afri-ca-might-be-region-hardest>

Reasons for the surge in violence are not hard to find.

- Pandemics provide for an enabling environment of fear and uncertainty that may exacerbate diverse forms of violence against women. In such a scenario widows with no family support could be and have been the victims of domestic violence.
- Moreover, economic insecurity, financial instability, and isolation are also some of the factors that contribute to making domestic violence even more prevalent. Widows are in a position of economic dependence which enhances their vulnerability to domestic violence.
- Abuse victims are distanced from their regular support systems making it difficult for them to call out for help. The regular means of communication for help in the vent of a crisis were missing during the pandemic.
- While there are several helplines and shelter homes available for women to call or live in — both state-run, and those maintained by non governmental organisations — the help that they could provide had been curtailed due to the lockdown. Women could not travel to police stations, and social workers could not reach them or arrange for their travel; the police overburdened as they were with Covid-19 duties, could not spare man power to investigate complaints of domestic abuse.

Lockdowns impact women's economic and livelihood activities, increasing poverty rates, and exacerbating food insecurity particularly when women work in the unorganised sector as is the case in India. The nationwide lockdown imposed by the government has left millions of migrant women unemployed and starved for food, placing a huge financial burden on these women. Within this group of economically marginalised women, widows are even more at the risk of slipping into the below poverty line (BPL). Selvi Thangamriam is a widow, who lives alone in a small hut erected on encroached land on the bank of a canal in Kanyakumari, Tamil Nadu. She worked from 3-9 am in hotels, fetching water and earned Rs. 200 every day. With the pandemic, she lost her job and had no means to sustain herself. Local families agreed to employ her to assist in household chores. Alongside that, during her free time, she weaves coconut leaves for roofs and makes a meagre earning out of it. She is totally dependent on the ration, pension and cash transfer are a real relief package to her as her earnings cannot sustain her.³⁸

Widows working as migrants, day labourers, temporary workers, and overseas domestic workers were forced to return home from places of work, often with just a month's salary and their meagre savings, increasing their financial deprivation and compromised physical security. In India, millions of day labourers were left stranded with dwindling incomes, after the announcement of immediate lockdown with no trains or buses to take them home. Widows must certainly have been among those lakhs who walked hundreds of miles to reach, if at all they reached, their homes in the villages. Widows expelled from homes where they worked as domestic live-in workers found themselves on flights to their homeland, but stranded at airports with no money or ability to travel to their final destination.

38 Post By: Amita Bhaduri India water Portal

In a random survey conducted by the Guild in Vrindavan on a sample size of 500 widows it was that 15.2% were seeking pensions. The Indira Gandhi Widow pension though pitiful in payout gives many of the widows a modicum of dignity. The amount varies from state to state but it is rarely more than Rs 600 with some exceptions. However it adds to the self esteem even if not to their maintenance. More important is the assurance that the Sarkar cares. But during the pandemic, widows found it impossible to access even this meagre amount. 59.2 % wanted easy and economical access to medicines. Through our community coordinators we gathered anecdotal evidence of old widows queuing for hours in front of the bank to access their meagre pensions. Often the queues would deteriorate into a stampede with people desperate to withdraw money. In such a stampede women were at a disadvantage as they could not elbow their way through. Hospitals over crowded as they were had no place for destitute widows and they lacked the clout to access their entitlements as Indian citizens. Without social security, medical insurance and the over crowded government hospitals the community of widows is high on the deprivation rating in terms of easy access to medical care and social security.

On an average, women spend two times as many hours as men doing unpaid caregiving work as well as domestic work. With health facilities being overburdened and non-COVID-19 related health and social services being scaled down, women will be primary, unpaid caregivers to ailing family members, including children and old people. This has certainly affected widows as they are socially expected to provide the care giving in return for the security of a home and meals.

During the lockdown, in a study conducted, 81% of the total survey population reported to avail no services of the domestic workers as compared to 13% before the lockdown. Therefore, the domestic work including cleaning, cooking, laundry, child care, elderly care among others which were earlier performed by the domestic workers for income, are now performed by the household members without any remuneration. Widows in many households were the unpaid cook, nanny at the mercy of the younger generation in double income homes. But anecdotal evidence suggests that with the loss of domestic helps, the burden on widowed women has increased as their financial dependence makes them vulnerable.

Evidence for previous pandemics like the Ebola shows that widows are often denied inheritance rights, they are thrown out of the marital homes, their property grabbed by the family, face extreme stigma and discrimination, as perceived 'carriers' of disease. Worldwide, women are much less likely to have access to old age pensions than men, so the death of a spouse can lead to destitution for older women. In the context of lockdowns and economic closures, widows may not have access to bank accounts and pensions to pay for healthcare if they too become ill or to support themselves and their children. Once the pandemic has died down, when in depth surveys are done, then alone can we assess the full impact of Covid 19 on widows. As the Global Fund for Widows report states "The implications of this will continue to exacerbate the current status of widows including their hunger, vulnerability to human trafficking, and inability to educate their children."³⁹

39 https://uploads-ssl.webflow.com/5fce889a3c0f6e35f56692ce/5fce889a3c0f6e0e0f669306_COVID-and-Widowhood-MAY-2020.pdf

Guild's interventions during the pandemic and lockdown

AarogyaAyushmati: Reaching out to the most vulnerable during the pandemic

The pandemic and the consequent isolation and economic hardships has further compromised widows' ability to support themselves and their families, cutting them off from social connections at a time when they need most help.

In India the city of Vrindavan, the birth place of the Hindu God ,Krishna attracts widows in huge numbers, who come to get spiritual solace or to escape the psychological pressures of widowhood, or to taste freedom away from social constraints or are simply abandoned to eke out an existence. During the pandemic, while efforts were made by the central and state government and civil society organisations to ensure two meals a day, preventive care was severely compromised due to the huge pressures on public and private health care, already battling with the rising number of COVID 19 affected patients.

The Guild for Service which runs a shelter home for widows in Vrindavan, took the lead in distributing nutritional, health and protective supplements to 5000 widows living in shelter homes, colonies and on the streets. The intervention "Arogya Ayushmati" which means good health and long life, was facilitated by CAF India and financially supported by an industrialist Arun Bharat Ram and his family, in an impactful synergy of civil society and industrial house partnership. The distribution included protein supplements, honey and turmeric and holy basil traditionally accepted in preventive care, and masks and sanitizers. Simultaneously COVID 19 preventive care was explained giving the much needed information to a group that could be highly vulnerable to the infection. Battling the risk of infection and maintaining social distances, the Guild health workers patiently explained health care to the widows while ensuring that the kits reached everyone.



The Guild, provided essential supplies of ration to needy families, along with providing face masks made by the mothers of shelter home and students of vocational training centres.

During COVID-19 the Guild counsellors continued their services. Through telephonic counselling. This was the need of the hour as victims of domestic violence could not come to the counselling centres. Trauma counselling as well as extending enforcement support was given to the women who accessed the services

The teachers of the Guild run Sannidhi Primary Schools used this time productively to fight this deadly virus by providing awareness to the children, parents and family through online sessions. Regular online classes were taken by the teachers.

STATUS OF WIDOWS IN NEPAL

Lily Thapa and Sumeera Shrestha

Introduction

The Nepali Society is generally driven by patriarchal norms. Many cultural and religious practices have deprived women of even basic privileges, posing hurdles for co-existence and this gets worse when it comes to the lives of widowed women. Traditionally, women in Nepal who have lost their husbands are forced by their families and communities to follow certain harmful practices. Some of them include restrictions to accessing certain nutritious food items and some kinds of clothing. Such a trend has been fueled by cultural beliefs and has led to great suffering of these women which further marginalizes them.

Nepali society is traditionally patriarchal. Hence after the husband's death, severe social and financial problems arise for a woman. It is natural that in such an atmosphere, where women are neither properly educated nor informed of their rights and legal procedures, the situation worsens for widows. Most of the time these women are subjected to violence by their in-laws and are often provided with inadequate financial resources and food for themselves and their children. As a result, these women are often forced to get engaged in informal sectors of work to earn a livelihood, where they ultimately face additional harassment, work abuse along with possible physical or sexual violence. Overall, it has been observed that the lives of widows are highly vulnerable both inside and outside of the home.

There is an emerging concept, or call it a 'revolution', in renaming widowhood and granting a new identity to 'single women' through the advocacy of Women for Human Rights Single Women Group (WHR). As human beings, they have the right to enjoy their life in a fair and humane manner while maintaining their individual identities. The term 'single women' refers to those women who are abandoned their husbands, divorced, wives of missing husbands, widows and those who are unmarried till the age of 35. But, in this country report from Nepal, except where mentioned specifically, 'single women' denotes widows. So, instead of the word 'widow', the term 'single women' is used in this report in different contexts.

Single women are amongst the most marginalized and vulnerable communities of Nepal as their marital status often leads to many forms of discrimination. The needs and rights of single women (widows) are different compared to married women and others, as socio-cultural traditions restrict their economic, social and political mobility. Various codes of conduct, stemming from cultural beliefs, worsen their condition and exacerbate their economic dependency and vulnerability leading to physical and mental grief. The government as well as international communities have generally neglected these issues as a fundamental human rights issue. Yet, single women are often the poorest of the poor, most marginalized, abused and yet invisible sector of the population.

Research conducted by Women for Human Rights Single Women Group (WHR), a pioneer organization in Nepal, shows single women facing economic dependency and having additional physical, psychological



In the second wave of the pandemic, the Guild in addition to providing dry rations extended the work to provide basic medicines recommended by doctors to treat the virus. Kits containing basic medicines, Vitamin C and Zinc supplements and a digital thermometer were made available to under privileged communities.

suffering. The enforced poverty of widows is caused by the denial of vital registration, inheritance and property rights, pension or social protection. The invisibility of widows in the public sphere acts as an obstacle to opportunities for enhancing their skills and accessing sustainable livelihood.

Different Government plans have tried incorporating rural women who do not have access to entrepreneurial ventures for their economic sustainability. Additionally, the Government also plans to evaluate and incorporate women's unpaid care work, household chores into the economy of the country. Furthermore, the Government plans to promote capacity building training and empowerment to improve the economic and social status of female-headed households from all communities but these measures are yet to be implemented effectively. There are different administrative and practical challenges that bar the access of single women to these possible opportunities. This restriction is seen also in different interventions of microfinance, small loans and other financial services that expect to reach millions of women worldwide but for single women such access is far from a reality.

All such subordination has been the cause of limiting women's political participation in decision making processes. Single women are bound to the household and the private sphere and have not joined the public arena in society or politics. It was only in the Constituent Assembly in Nepal that some representation of single women was seen. Then in a series of local, provincial and federal elections, the representation of such women was noted. After the People's Movement of 2006, the Parliament adopted the figure of 33 percent for women's representation in local as well as the first Constituent Assembly (CA). Altogether there were 197 female CA members (51 single women) from different political parties. They were elected either directly or through proportionate inclusion. At the local level elections 123 single women found a place. But single women are still vulnerable in many aspects of their lives. Meaningful representation is required at various levels while the capacity building of single women for political participation is also a telling need.

Data and Statistics of single women (widows)

Data and statistics about single women was never prioritized by the Government. WHR has been conducting data sampling in 18-35 districts and sometimes collecting district specific figures. This is an ongoing exercise. WHR established in 1994, is operating in 77 districts. According to its study report in 2010 covering 18 districts of Nepal, approximately 81 percent of single women face different forms of violence in their life, 67 percent of single women, between 20 to 35 years of age have 3 to 4 children on an average, and over 10,000 single women resulted from the ten year long civil war. Moreover, according to reports based on the National Census published by the Central Bureau of Statistics 2011, over 80 percent of single women are illiterate. Also as per the National Population and Housing Census 2011, 6 percent are single women among the total female population (women 52 percent).

The next census of 2022 will generate data and analysis which will provide additional demographic information about the single women in the country. The Census of 2011 stated that 44 percent of single women are heads of households and 56 percent are simply family members. In addition, available literature shows that single women headed households, called "Lone Mother households", are the poorest in society and their children tend to be disadvantaged in comparison to their peers. The

expected Census statistics in 2022 will provide disaggregated information on single women household heads across the country and make possible plans and policies to address this group.

There are more than 9000 conflict affected widows as a result of ten years of armed conflict in Nepal. Disasters such as earthquakes, floods, and windstorms are also the reason for the increasing number of single women. Now, the current pandemic of COVID 19 with its pain and grief is likely to increase the number of such women affected by disease and care giving to orphaned children. The single women with disability, with long term chronic diseases and infections like HIV AIDs, diabetes, hypertension, anxiety, heart diseases and mental illness need special help.

The disaggregated statistics on employment, violence, education and other important demographics needs to be documented at the national level through Census, national living standard survey, organizational and alliance survey. Detailed data is necessary as single women are not a homogeneous population but appear in sub groups in terms of age, caste, ethnicity, geographical regions, urban or rural etc. Documentation and evidence from different categories pave the way for planning specific interventions.

Socio-cultural status of widow

In Nepal, marriage is regarded as a mandatory social obligation for both men and women. After marriage, a new world starts for a woman as she is expected to be faithful and sincere to her husband and her in-laws. The identity of a woman is often unreasonably associated with that of her husband, making her totally dependent. As a result, the woman's self /social identity is significantly connected with her marital status and if she is widowed, then she is not considered a person with an individual identity. Various codes of conduct, stemming from conservative cultural beliefs, exacerbate her economic dependency and vulnerability. In Nepal, after the death of a spouse, a woman's remarriage is usually frowned upon by the society. Her struggle is not only limited to survival issues but additionally in handling patriarchal mindsets of Nepalese society which provides no relief to widows.

A review of some religious books to see if they were a cause for the discrimination. Holy scriptures such as *GarudPuran*, *Manusmriti* and others were reviewed, however none of them prescribed specific or discriminatory codes of conduct for single women. No religion mentions that single women should be discriminated against and that remarriage is a sin. Single women were restricted from wearing red to prevent them from looking attractive to others. They were denied non-vegetarian food, deeming that the high-protein content in them would increase their sexual urge. Likewise, the accusation that widows bringing bad luck was aimed at confining them within the household. In some areas of South Nepal, the practice of child marriage leads to child widowhood namely 'vaikalya'. Such girls are even forced to walk without shoes and disallowed on the main roads as sighting them brings bad luck. All in all, the intention behind these codes of conduct is to control mobility, individual freedom and sexuality. Social mobilization by of single women's groups has inducted changes in the mindset but the collaboration of various stakeholders such as religious leaders and policy makers is yet to be realized.

Economic Status

In a society where women are shackled by prejudiced societal values and a rigid patriarchal system, they can hardly move ahead. Confined within their homes, women have not mustered up enough courage to equal their male counterparts. Due to topographical variation and unequal political divisions, the living standard of people in the country varies. In such a scenario, analyzing economic condition of women and within that, single women is not an easy task.

Single women have very little decision making power due to the dominant male members in their in-laws family. Other family members often misuse the property these women own. In scenarios where they wish to become entrepreneurs, they don't have access to adequate resources or credit. Single women are often denied loans or economic support from friends and relatives as well as from financial institutions as they have no guarantee or collateral. Their economic situation is further aggravated by the conflict-led displacement furthered by poverty-led urban migration. All these factors have forced single women into the informal economy where they are open to many risks without any social protection schemes of the government. With approximately 88% of single women illiterate and highly dependent on low paid, informal work, most are found as home based workers, labors, housemaids, farmers etc. occupations that do not ensure sustainable livelihoods.

Nepal's BanijyaBank was recently started providing loans to single women at a low interest rate of 2% if they have a viable business plan. Government has also initiated the 'Youth Employment programme' focused on linking single women with government plans for economic development and sustainable livelihood. This could contribute to closing the gender gap, achieving the 2030 agenda for sustainable development, boost productivity, increase economic diversification and bring income equality, among other gains.

Research has shown that single women need the following to participate equally in existing markets; access to and control over productive resources, access to decent work, control over their own time, lives and bodies; and increased voice, agency and meaningful participation in economic decision-making at all levels from the household to international institutions.

Health issues of single women

As most single women are denied the right to property and financial resources, and she cannot live independently, she faces discrimination in terms of nutrition, health, education and distribution of family resources. In our society, single women are always at the risk of sexual violence because of their marginalized social status. Single women experience threat to personal security, exclusion from community events, unmet reproductive needs and inadequate sanitary facilities. They are prone to depression as they are subjected to domestic violence, restrictions on movement and access to services. They are victims of psychological domination resulting from lack of decision-making capability within the family and are often treated as domestic slaves. The health camps organized by WHR have provided knowledge of different kinds of health problems among single women in the reproductive age, such as prolapsed uterus, and uterine fibroids. Social stigmatization and barriers are major factors responsible for the deteriorating health condition of single women neglected in their daily lives. Most of them are

haunted by the memory of the husband's death, the sadness and depression suggesting post-traumatic stress disorder syndrome (PTSD).

According to a study conducted by the *International Journal of Gynecology and Obstetrics*, "Widows are facing substantial obstacles to accessing sexual and reproductive healthcare. Widows suspected of having sexual relationships and their families experiencing severe economic and psychological consequences could overshadow reproductive health problems. Additionally, widows feared discrimination, lack of confidentiality, and sexual harassment by male providers if their status is known. These barriers appeared to stem from the perception that sexual relationships are necessary for widows to require care for gynecological problems." (March 2014).

The Government of Nepal has formulated various legal provisions under the Constitution with regard to women's rights to reproductive health. Despite this affirmation, single women are still facing difficulty in accessing care for their sexual and reproductive problems. This again reflects the patriarchal norms that discriminate against single women. The research that Johns Hopkins University conducted in Nepal shows that single women in Nepal face a number of barriers. Details are available at "Barriers to sexual and reproductive health care among widows in Nepal" M.J. Haviland et al. / *International Journal of Gynecology and Obstetrics* 125 (2014) 129–133. The results indicated that widows are afraid that, if they seek care, they risk social stigma, poor medical treatment and sexual harassment from providers. A fear of being accused of accessing sexual and reproductive healthcare because of having a sexual relationship is pervasive. Such conditions have severe repercussions such as loss of social support, economic support, violence experienced and psychological abuse. Women often tend towards self-medication, suicidal thoughts, negligence towards their health, getting into risky jobs like construction labour, sex work, or low paid menial jobs. This is worse because the women would face abuse and have no self-protective or healing support.

Additionally, there is urgent need to address structural factors that influence single women's ability to make decisions about their sexual and reproductive health. Gynecological care, family-planning services, treatment for long term illnesses, PTSD services and such like should be available to this population of single women to ensure their rights to quality health care.

Violence against Widows

In Nepal, various forms of violence are deeply rooted in private and public lives. The increasing problems of sexual abuse and violence against women are caused due to the existing problems in poverty, religious superstition, subjugation, illiteracy, social injustice, cultural invasion, legal discrimination, conservative traditions etc. The inherent gender bias, perpetrated by the different beliefs, deny women and girls and sexual and gender minorities the necessary skills, capability and desire to be independent. The witchcraft allegation, sexual violence including rape and attempt to rape, polygamy, sexual harassment and domestic violence and trafficking of women and girls are some of the forms of violence against women occurring frequently. Single women reported a range of experiences perpetrated by family and community members that spanned psychological, physical, and sexual abuse. However, they faced obstacles in seeking help such as insensitivity of the police, perceived discrimination, and general lack

of awareness of problems and needs of single women. These accumulated in the poor access and availability of relevant legal documents of single women from citizenship to the death certificate of husband. They also lacked any form of financial support or assurance of inheritance.

Conflict Widows and some Peace Building initiatives

Due to the decade long internal armed conflict between the State and the Maoist rebels, there was a dramatic increase in the number of young widows. It has been estimated that over 17,000 people have been killed during the insurgency from both the State and Maoist sides till the end of Comprehensive Peace Agreement (CPA) signed in 2006. Even after this, the *Madheshandolan* took place leading to devastation and deaths. Women and children were used during conflict situation as soldiers, messengers, entertainers, cooks, porters. The security forces and Maoists often sexually exploited girls and women. The fear of abuse, death, displacement, torture, starvation and deprivation of basic necessities of food, shelter, education kept the victims intimidated and quiet.

Many of the single women who lost their husbands, displaced women, sexual and rape survivors, victims of torture remain vulnerable to abuse, economic hardship, and social stigma. Many of the single women, whose husbands had been abducted or have disappeared for years, are lacking social support mechanisms along with financial and personal security. There are a few organisations in Nepal working on comprehensive peace building initiatives. In this context, WHR has been working for widows in general, including conflict affected widows in Nepal. It works to support such widows through various services including psycho-social counseling, legal aid, scholarship for their children, skill development training and micro credit loan for income generating activities. Coordination is encouraged between concerned ministries of the Government and the conflict affected single women for receiving compensation, pension and other benefits.

In the country's context, according to the Comprehensive Peace Accord and the Constitution of Nepal, the two commissions, namely Truth and Reconciliation Commission (TRC) and the Commission of Investigation on Enforced Disappeared Persons (CIEDP) have been formed. They are working on suitable documentation and referring cases to the Supreme Court to attempt smooth transitional justice in the country. Despite the formation of the commissions and the work of civil society organizations there are still concerns about the transitional justice process not being transparent and consultative enough. In Nepal the Supreme Court's verdict delivered in 2015 is significant. Altogether, the commitments in the Comprehensive Peace Agreement of 2006 and various National and International Forums to address the grievances of the victims of conflict need to be addressed securely in order to complete the peace process.

Some civil society initiatives are worthy of mention. *Nispakchya*, a network of Conflict Affected Women (CAW) was established to work for the cause of conflict affected women particularly widows. This network works to empower CAW as facilitators, promoters, and advocates for CAW issues in the peace building process, and to enable them to receive peace dividends. While *Nispakchya* works to enable widows to claim rights and compensations, emphasis is laid on the obligations of the Government of Nepal as well as concerned authorities to protect, respect and fulfill conflict victims' reparative rights.

Policy level achievements for single women

For many years, single women were never mainstreamed in the policy. They have been an invisible population and it took several years of advocacy to have them addressed in the State's Directive Principles and policies. Their rights need to be secured under the fundamental rights. The policy changes and the laws from the basic notion of right to remarriage, social security allowances, property rights etc. were achieved through the continuous advocacy. The Government of Nepal has extended widow-friendly policies and various funds have served widows of Nepal without discrimination.

Some affirmative initiatives that have come through with persistent lobbying by WHR and other civil society organisations are monthly allowances, establishment of Single Women Protection Fund at Ministry of Women, Children and Social Welfare, 35 percent tax leverage to single women during registration and acquisition of property, the President's programme on entrepreneurship.

On a wider scale, South Asian organisations working for widows established the South Asian Network for Widows Empowerment and Development (SANWED). Member countries have continued with rigorous advocacy across the region to highlight the plight of single women all over the world and succeeded in convincing governments to bring policies and programmes in support. Focus has emerged on developing skill generating training and education, employment generation, medical treatment, legal assistance, rehabilitation, rescue and relief. Altogether the aim is to build an inclusive community or cooperative organization, to conduct awareness campaigns and other activities for the betterment and amelioration of single women.

Policy Breakthrough

Some changes have been critical in the Status of Widows in Nepal:

S.N.	Before	Now
	Single Women have to be 35 years of age to inherit property.	No need to be 35 years to inherit property.
	After remarriage , single women have to relinquish the property of her first husband	Right to retain deceased husband's property after remarriage.
	Single women need consent from the male member of her family to obtain a passport.	Right to obtain passport without male consent.
	Single women need the permission of her son over 16 years and unmarried daughter to sell or hand over her share of property.	Right to sell or transfer ownership without the permission of her adult children.
	Single women need to remain in chastity in order to claim her deceased husband's property.	The definition of chastity was not clear and now the word 'chastity' has been removed.
	Single women (widows) were entitled to get monthly allowances after the age of 60 years only	Single women (widows) need not be 60 years to get allowances.

Advocacy against the proposal of monetary incentives on remarriage of single women (widows)

The Government of Nepal had announced in 2009 that a couple marrying a single woman (widow) would receive NRs. 50,000 to encourage remarriage of single women (widows). According to WHR this policy had violated the fundamental right of widows to live a life with dignity. Being an important organization working for the socio-cultural, economic, legal and political rights of widows in Nepal, WHR organized a campaign against the government policy. The policy of giving NRs. 50,000 to a couple marrying single women (widows) was withdrawn. (<https://womensenews.org/2009/12/nepals-widows-reject-govts-remarriage-proposal/>)

Programmatic efforts of WHR for helping the single women

- Able to change the terminology of using single women instead of widows by the government and other stakeholders.
- Incorporated Single Women's issues in Colombo Declaration Article 32 in the 15th SAARC Summit and the United Nations Commission on Status of Women submitting written and oral statement for global attention.

- WHR has been nominated in High Level Steering Committee of Ministry of Peace and Reconstruction for the implementation of National Action Plan UNSCR 1325
- The single women groups across the country have reached more than 2500 and the total membership has exceeded 125,000 single women The human resources across single women groups have more than 500 social mobilisers, counselors and paralegal staff.
- The provincial network and the district level networks of single women groups are the bridging agencies between the community and the authorities for advocacy and implementation of plans and policies. Single women groups work in coordination with the technical and financial support of the government.
- The social security allowance for the single women has been decided at Rs.2000 and there is to be a separate sectoral action plan for single women in the National Action Plan.
- The political leadership of single women increased with more than 160 of them at decision making levels after the local, provincial and federal elections. Besides that, more than 300 single women leaders in the form of catalysts are working actively as social agents of change.
- WHR's single women groups run Chhahari(safe houses) in 19 districts which work towards immediate rehabilitation and the recovery for the needy single women. These houses are run in cooperation with the safe shelter guidelines of Ministry of Women, Children and Senior Citizens. In the pandemic and other disasters, the safe houses also serve as temporary transition homes for the women and children. The central level Chhahari building was inaugurated by Rt. Honorable President of Nepal, Mrs. Bidya Devi Bhandari in May 2019.
- The issues of widows have been incorporated as a fundamental right in the Constitution of Nepal, 2015. Civil society worked with the Government to collect data on single women through the national household survey by the Central Bureau of Statistics in 2011. For data building on single women in Nepal, WHR started a Documentation Centre which was inaugurated by Rt. Honorable Prime Minister of Nepal, KP Sharma Oli in February 2021.
- Six discriminatory laws have already been changed; eg widows no longer need to take consent of a male member to acquire passport, no longer need to wait till 35 of age to get deceased husband's property, no permission is required of adult son and daughter to use her share of property and there is no need to return the deceased husband's property after remarriage.
- Women for Human Rights filed cases against the Government for the rights of Vaikalya (child widows). The Supreme Court announced that such traditions are ill practices and ordered the Ministry of Women, Children and Senior Citizens to establish a working committee to see this practice is eliminated.
- SANWED undertook regional and global advocacy through a series of regional and international conferences. The issues were documented through the reports that were

shared on different platforms, including the SAARC Summit. At the 15th SAARC Summit, the SANWED succeeded in persuading governments to enact plans and programmes for single women in their respective countries.

Ageing single women

Ageing women in Nepal is a relatively under-researched topic and especially the data and the statistics is not known. The prominent issues are abuse and violence due to their physical and health conditions, property issues with the children, health related complications, and loneliness. The abuse of elderly women takes different forms such as social, economic, political and cultural. The increasing dependence on others due to age, isolation and weakness are reasons that make them particularly vulnerable. When elderly single women have a disability or have no partner, family members and community see them as a burden and their needs are neglected.

Studies show that the abuse of the elderly has an impact on their health and well-being and can lead to increased healthcare costs nationwide. Victims of elder abuse are at risk of illness, injury, pain, anxiety, depression, likelihood of hospitalization, decreased quality of life and death due to neglect. As widows low financial resources, they often get major health problems that are left untreated. Single elderly people experiencing abuse in their residence want to leave the arrangement and move to a new settlement far from their family members. Oftentimes these adults are left in old age homes either run by government or by private institutions and some are even found to be living in streets by begging.

Some attitudinal change is also being reported among widows who feel encouraged to make a fresh beginning. Four such narratives are given in the article “Resilience Among Nepali Widows After the Death of a Spouse: “That Was My Past and Now I Have to See My Present” by Zoé M. Hendrickson et al. published November 7, 2017. “In light of the limited scope of research on widows’ experiences in Nepal, a setting where widows are often marginalized, we explore themes of resilience in Nepali widows’ lives. Drawing from a larger qualitative study of grief and widowhood, a thematic narrative analysis was performed on narratives from four widows that reflected resilient outcomes.”(<https://journals.sagepub.com/doi/abs/10.1177/1049732317739265>)

In most cases it has been noted that after the death of the father, the Nepali household begins its partition process. Though the law has stated that single women get a share of the property from her husband, little awareness has reached Nepali households. Most of the time, the entire property is taken by the children and some elderly single women are sent away to fend for themselves. The property of elderly widow women is confiscated by their ‘dear ones’ that is sons, daughters-in-laws, daughters and other close relatives either by trick or coercion.

Specific laws and services are lacking which may protect the well-being and quality of life of widowed women. Consequently, a majority of widows do not have property in their name. Widows regardless of age receive Rs.2000 from government as a monthly allowance. This is too little for sustenance, especially for widows in urban areas. The Government has set up a Single Women Protection Fund under the Ministry of Women, Children and Senior Citizens with guidelines and acts for its operation.

Case story of elderly single woman

Man Kumari (name changed), 83-year-old woman who lost her husband when she was 14. She is a child-widow (bal-bidhuwa). She was born in Sindhuli district’s rural village. Her marriage was arranged when she was 13 and after 10 months of her marriage, her husband was killed in an accident in India. He had left his family to make money in India after some months of the marriage but he never returned. After this tragedy, she stayed in her parental home with her parents, brothers and their families. She was helping her family with agricultural tasks while her parents were alive. After they passed away, she left home and went to her maternal uncle’s home as life became uncomfortable in her natal home. She lived with her uncle and his family for 5 years. As she turned 60, she lost her energy to work and became a victim of abusive treatment. Therefore he requested an old age home in Janakpur to provide her shelter. She remained there for 14 years. Her sister’s daughter later visited her and finding the old care home in poor condition brought her to Kathmandu. Her niece frequently visits her. In her view, not having a spouse or income mattered much but disability, which comes with growing age, brings additional problems.

Single Women and Humanitarian Crisis

Following the mega earthquake of 2015, there have been other frequent forms of disaster such as floods, windstorm, landslides, soil erosion due to which Nepali women continue facing many challenges. Such disasters have occurred for hundreds of years and the population has suffered throughout.

The humanitarian responses for different groups vary due to social structure, access and opportunities. The existing gender inequality in Nepal means that women, and single women in particular, suffer most in the aftermath of a disaster. They are also least heard, and therefore do not receive adequate assistance. Disasters aggravate vulnerabilities of ethnic minorities, people with disabilities, older people, and of course women. In fact, women constitute a disproportionately high percentage of disaster fatalities. Those who survive, experience threats to personal security, inadequate sanitary facilities, exclusion from decision-making and so on. Taking into account the 2015 mega earthquake aftermath, the Post-Disaster Needs Assessment (PDNA) conducted by the Government of Nepal reported that over 8,790 had died and over 22,300 had been injured. Loss and damage to physical infrastructure was severe, with over half a million houses destroyed according to the report of the National Planning Commission. Women constituted 53% of the affected population and half of the deceased (UNICEF, 2015), and many lost their husbands and other family members. Single women, comprised 26% of the affected population and were among the hardest hit.

Many had lost their identification cards during the quake, which were required for receiving assistance, and had difficulty accessing humanitarian relief. Single women were especially likely to lack proof of citizenship or proof of ownership of property, making it difficult for them to receive aid and regain access to their homes. Government officials were not updated about the women whose legal documents were lost and buried after the earthquake. Most of the women didn’t get the relief support as the property was not in their name. In rural and urban areas alike, the earthquake particularly affected single women, as they faced pre-existing physical, social, and cultural constraints.

Civil society organisations rose to the occasion and Single women groups in different districts were mobilized as front line responders to disaster. Organisers are in touch with community based networks; international agencies that provide the rescue, relief and recovery services. Safe houses in different districts ensured distribution of relief items, awareness sessions, dignity kits, and move towards rehabilitation.

Single women and the COVID 19 pandemic

Today, the world is affected by Covid-19, This pandemic has brought in health and economic crises due to the lockdown. It has impacted the poorest people in the hardest way, such as workers in the informal economic sector. The restriction on mobility has brought reports of gender based violence, suicide attempts, unemployment. Efforts are being made by government, civil society organizations, private companies and many agencies to address the hazards and minimize the negative impact at all possible levels. The second wave of infection in Nepal has been devastating.

Marginalized groups and vulnerable women and girls in particular are facing a greater risk from this pandemic, as they are systematically disadvantaged and often oppressed by poverty, violence, inequality, and marginalization. Particularly, the single women are placed in vulnerable situations isolated at their homes, with little source of income. The pandemic has exacerbated pre-existing social and economic inequalities, barriers, and discrimination in their homes and communities. Where single women are the breadwinners of the family, times are hard, their inadequate savings creating pressures. In a majority of cases, single women lack vital documents such as citizenship, voters ID or even proof of electricity bills etc. which deprives them of relief packages announced by the Nepal Government at this crucial time. Also, the livelihood of single women is impacted as they are engaged in the informal economy and face multiple challenges for being home based workers and wage labor.

As support systems and help lines are few, such as National Women Commission (NWC), NHRC, portal services and social media, single women have low accessibility to such support systems due to their lack of digital education. Other crucial factors such as monthly rental payment by single women are increasing their mental trauma. They have no savings and no food as most of the single women are dependent on some kind of livestock farming like rearing goat. Most of them have taken loans but are worried that the livestock will be ill or die because of the financial stringencies in the household.

The second pandemic wave is highly infectious and larger numbers are affected. Single women lack the covid safety kits which require oximeters, thermometer, vitamins, sanitizers, masks, steamer etc. as it is not affordable. Among many issues, single women and other vulnerable groups have little information on preventive measures as well as about relief and recovery support. In case of infection, isolated rooms for single women is difficult as they usually share a small room space with a family. Many single women got affected and some have died leaving orphaned children.

During the 1st and 2nd wave of COVID 19 pandemic, initiatives in the country are:

- Single women networks were mobilized across the country. Data collection and relief distribution was customized for the most needy and vulnerable women. Women were encouraged to talk and express their problems through calls and messenger groups. Updates and awareness sessions related to COVID 19, specially addressed the needs of single women.
- WHR's shelter homes (Chhahari) were offered to the Nepal Government for quarantine and isolation in 10 districts with a total of 365 fully functional beds. Chhahari space also supported quarantine services for migrant workers from India who were successfully transferred to their respective local addresses.
- Chhahari space was used by people who arrived from abroad, especially women, pregnant women, mothers of new-born and elderly women. Returnee migrant women were supported from Kuwait, Dubai and Qatar and transferred to their respective addresses after the PCR testing. Most of them were also single women. During the second wave, COVID 19 isolation centres with a medical team helped community coordination with the local government.
- In the midst of the lockdown during the first wave, "Food Bank" was created with the aim "No one should go hungry" and served 36000+ meals for 32 days to destitute families. During the second wave, single women groups prepared hot cooked meals for health workers of COVID wards in hospitals.
- WHR successfully lobbied with UN Women and UNFPA to provide women staying in quarantine with needful assistance like dignity kits, supported 500 meals every day, distributed baby food items to 50 lactating mothers with infants and to people from marginalized communities at three locations.
- Need assessment survey was conducted with all the returnee migrant women to help in preparing strategies to reintegrate and rehabilitate the women and make recommendations for sustainable livelihood. The findings of the baseline survey was used in discussion while formulating pandemic law in Nepal.

Conclusion and Way Forward

Single women constitute heterogeneous groups and have different specific issues and challenges within the sub groups. This is with regard to age, economic status, geographical location, education, caste, with disability, affected by any disaster and crisis, subjected to physical, sexual or mental abuse etc. Different issues in the personal as well as in the policy level have highly affected single women denying them access to services and opportunities. The social and cultural contexts have clearly demarcated segregation among the single women. Moreover, various forms of orthodox traditional practices have further discriminated against them, often violating their human rights. The political representation has increased but still there is a long way towards single women being in decision making positions and implementation committees.

Evidence also shows that disaggregated data and specific data relating to single women is not adequate and there is an urgent need to continue mapping the demographic details. Single women groups have supported the social movement in the country and mainstreamed the issues. Regular dialogue between civil society organizations and Government is to be pursued. Regional as well as global advocacy needs to gather the voices of single women and also ask for country-wise commitment to work on the issues.

Recommendations

- For evidence based policy advocacy, authentic use of data collected from the groups and organisational mapping, as well as the data from the government sources, need to be updated and utilized.
- As the single women have prolonged situations of grief and isolation, it is necessary to support such women across the country and to keep them engaged and motivated. The women are to be facilitated with information on human rights instruments, basic rules and regulations of group formation, credit saving programmes, advocacy, networking with local and other organizations. This helps a single women group to operate voluntarily and gives an opportunity for public sharing. There is a need to claim open and public arenas with the 'red color movement', and citizenship movement for single women and her children. The move should be towards economic resilience and sustainable livelihood.
- The intergenerational approach is advocated for learning and sharing on issues, advocacy with the younger generation of single women, academicians, practitioners, activists. This will initiate a dialogue around the community to reduce the stigma of widowhood and the denial of human rights. The use of technology and media for information sharing, tools of mass awareness with more visuals, pictorials or texts which are reading friendly are to be encouraged.

- The advocacy using international human rights instruments at the national and regional level, alliance and networks such as South Asian Network for Widows Empowerment and Development (SANWED) should be strengthened. The ongoing advocacy at global level through CESAW, UPR, BPFA, ESCR, SDGs should be continued, and for this, single woman groups and the organisations should be supported by the international community and the government.
- To reduce the vulnerability of single women, a humanitarian response could be to provide training and soft loans for income generation initiatives, to update the vital registration system and make it friendly for single women. Challenges related to the release of relief funds and support should be removed. Single women should be prioritized for their specific needs related to health and hygiene, particularly reproductive and menstrual health.
- Most importantly, single women in the community should be trained as humanitarian responders and community leaders and built up as assets by the local government in respective districts and provinces. Their meaningful participation in different cluster meetings, local meetings and consultations must be encouraged and strengthened.

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Relief packets ready for distribution post disaster



Single Women's workshop



Single women felicitated for empowered courage



Relief support



Briefing the UN Resident Coordinator on issues of widows

STATUS OF WIDOWS IN PAKISTAN

Dr Masuma Hasan and Muneezeh Khan

Introduction

Widows are some of the most marginalized and overlooked segments of society. They face a number of issues including denial of inheritance rights, problems related to remarriage, harassment and abuse by in-laws, restrictions on their mobility, inability to provide for themselves or any children after the death of the male bread winner and mental and physical health issues. Even though they are a largely ignored group, being a widow is not a stigma in Pakistan either in religion or under the law. There are no post-widowhood rituals, cleansing and abandoning which exist in some other cultures of the world. Regional and class disparities exist in the status of women in Pakistan and, therefore, also in the condition of widows.

This report is a first attempt to bring to the fore widows' concerns based on limited available government data, published studies and a focus group discussion with widows conducted by Aurat Foundation (AF) during the Covid 19 pandemic.

Demographic Data

Available data for widows is limited to population data. Pakistan's latest estimated population is 207.77 million according to the 2017 Census. The male population is 106.45 million and the female population comes to 101.32 million, whereas 10,418 persons have identified as transgender.⁴⁰ The average annual growth rate of population stands at 2.4% (1998-2017). Growth rates during the 1998-2017 period seem to be on the decline, slowly; however, females seem to have been growing higher than males.⁴¹

Table-1

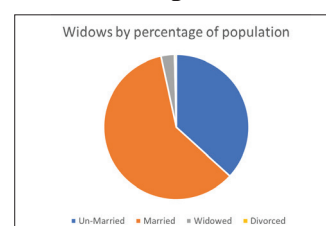
Population-Average Growth Rate Per annum (%), 1998 to 2017.

Year	Female	Male	Both Sexes
1998(C)	2.8	2.6	2.7
2017 (C)*	2.5	2.3	2.4

Source: 1. Pakistan Bureau of Statistics. National Institute of Population Studies (NIPS) estimates of population for 2008 to 2017.

Looking at widow- specific data, in 1998, there were 2.7 million widows in a female population of 69 million (3.9%). By 2017, that number rose to 8.5%. Particularly, the number of young and war widows, widowed as a result of conflict, natural disasters, and terrorism increased.

Graph-1



40 Pakistan Economic Survey (2017-2018).

41 <http://www.pbs.gov.pk/content/compendium-gender-statistics-pakistan-2019>

Additionally, women are three times more likely to end up widows compared to men who are widowers.⁴²

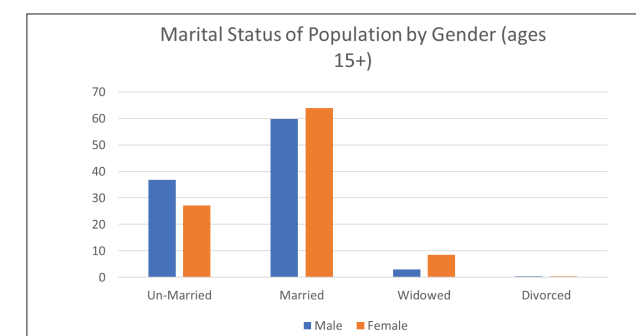
Table-2

Marital Status of Population, Age 15 Years and Above by Gender, Pakistan (2015-16)

	Marital status				
	Total	Unmarried	Married	Widow	Divorced
Male	100	36.8	59.8	3.0	0.4
Female	100	27.1	63.9	8.5	0.5

Source: Pakistan Bureau of Statistics (PSLM Survey)

Graph-2



Moreover, matrimony is the primary basis to claim the headship of a household. The Pakistan Social and Living Standards Measurement Survey (PSLM) found about 90 percent of the households headed by currently married males as compared to 3 to 7 percent headed by the female of the same category.

Socio-cultural Norms

Unlike neighboring countries, widows in Pakistan don't need to live alone in seclusion or have to kill themselves following their husband's death. However, one common misconception in society is that, if the widow re-marries, then she is not a devout woman. Culturally, widowed and divorced women are not ideal candidates to marry sons, especially if the son is a young single man. This is because widows are sometimes considered bad omens and excluded from auspicious events.

In some other areas, widows are themselves 'inherited' by their brother-in-law, although this practice occurs less than in the past. Refusal to follow this custom also leads to eviction.⁴³

Additionally, there is little recognition or support provided to widows who face many economic and psychological problems following the death of their spouses. An analysis of their problems found through various research studies and surveys underlines the following important issues faced by widows in Pakistan:⁴⁴

- Economic deprivation and insecurity.

42 Ibid.

43 "Denial of Women's Right to Inheritance: Enhancing their Vulnerability to Domestic and Social Violence", Awaaz (2010).

44 An Analysis of Socio-Economic Conditions of Widows Living in Sindh University Colony, Jamshoro Sindh (2001).

- Restricted mobility due to ill health.
- Physical insecurity.
- Reduction in dignity and self-esteem.
- Loneliness due to rejection.
- Lack of meaningful occupation and leisure activities.
- Lack of facilities for their children.

Inheritance Rights

Women land rights is closely linked to their social, economic, and political status in society.⁴⁵ Inheritance law in Pakistan is based on Sharia law. The Muslim Family Law Ordinance, 1961 codifies Surah An Nisa of the Qur'an declaring that upon the death of her husband, a widow has the right to inherit one-fourth of her husband's property if she has no children and one-eighth of his property if she has children. Nevertheless, women cannot inherit property if they remarry. However, even where remarriage is not an issue, women face many problems enforcing their rights. Widows are often denied their rightful share of inheritance by their in-laws⁴⁶. The land usually goes to the husband's family while the children may be left with the mother. Most formal courts take a very long time to settle inheritance cases, a further discouraging factor for women.

To promote the enforcement of women's rights, the federal government has passed the Enforcement of Women's Property Rights Act, 2020 that empowers the Ombudsperson for Sexual Harassment at the Workplace to hear cases by women claiming their inheritance. This law is, though, only applicable to Islamabad and faces many implementation hurdles including lack of resources, awareness, and societal pressure on women to not pursue such cases.⁴⁷

Aurat Foundation's latest Civil Society's Alternative Report on CEDAW, Pakistan (2020) also recognizes women farmers' need for assets ownership – leading to access to affordable credit and union membership. Granting all women farmers minimum one acre of arable land (starting with *de facto* women-headed households, widows/divorcees/single women), with title deeds in their own names is a proposal.

Widowhood and Poverty

Having lost the male head of the household, widows often struggle to provide for themselves economically. They are often not allowed or able to remarry, especially in their old age. The incidence of remarriage, in many regions, of a widow or divorcee is lower among women than among men. In other cases, they may be forced into a marriage because they need financial support. Some older women have also been seen to indulge in the curse of beggary. Owing to cultural taboos, a large proportion of widowed or divorced women remain economically dependent.

⁴⁵ *Women's Empowerment in Pakistan, Aurat Foundation, GEP/USAID, January 2011.*

⁴⁶ *Evaluating 2015 Legal Reforms related to Land Inheritance and their impact on Women, G&A Associates, March 2016.*

⁴⁷ *Violence against women report, 2021 issued by AF with interviews of ombudspersons.*

On the death of a government employee, the federal and provincial governments have made humane provisions for the widows who receive a family pension until her death. Widows of lower paid employees also receive a one-time grant for rehabilitation from the official Benevolent Fund. In the private sector, there are no universal rules governing support for widows of deceased employees, but given the culture of philanthropy, some short-term provision is often made. Pakistan's report to CEDAW identifies social security benefits specifically for women, which include maternity leave with pay, a death grant to a widow and iddat(period of waiting) benefit to a pregnant woman. It goes on to identify a number of direct benefit social security schemes like Zakat, the federal Ehsaas program, the Benazir Income Support Programme (BISP), Bait-ul-Mal programmes. It also notes formal banking sector loans, as well as private sector initiatives such as microfinance and enterprise development schemes.

The largest of these schemes focused on widows is Zakat. Since 1980, an officially administered Zakat system has been operating in Pakistan. Zakat is a tax levied on Muslims at the rate of 2.5 per cent on 11 categories of assets. These funds are used for the benefit of widows, orphans and other needy persons and for those rendered homeless by natural calamities. They are collected by the State and their disbursement has been made the responsibility of the provinces through the provincial Zakat committees. The UN publication *Women 2000: Widowhood: Invisible Women, Secluded or Excluded*, though, states that, "In Pakistan, destitute widows are reported to be supported by a small pension or zakat". In some places the allocation system is often corrupt, and the many needy widows are frequently neglected.

Nevertheless, progress review on the Sustainable Development Goals also shows targeted interventions, such as the Benazir Income Support Programme (BISP), alongside private philanthropy and improved access to microfinance for rural communities. Under its Ehsaas programme, the Government aims to increase expenditure on poverty alleviation to Rupees 190 billion by 2020 in order to target those most in need – including widows, orphans, and persons with disabilities.⁴⁸

A number of policy measures have also been taken for safeguarding the rights of older persons (most widows), including the establishment of the Pakistan National Centre on Aging and old homes in all provinces. The Senior Citizens Act covers other important sectors and, more specifically, housing and social care. However, even with the approval of this legislation, gaps remain in policy and plans in the areas of poverty reduction, education, healthcare (especially mental health), urbanization, participation of older men and women in community and public life, protection, and anti-age discrimination.⁴⁹

Health Status of Widows

Women in Pakistan have higher rates of hypertension, diabetes, and heart and cardiovascular disease than men have, both in rural and urban areas. The prevalence of heart disease is considerably higher amongst those who are widowed, compared to those who are currently married, never married, divorced or separated. This is likely compounded by the fact that most widows are elderly persons.⁵⁰

⁴⁸ *Pakistan's Implementation of 2030 Agenda for SDGs: Voluntary National Review Pakistan, 2019.*

⁴⁹ *Promoting and Protecting the Rights of Older Persons in Pakistan, British Council, June 2019.*

⁵⁰ *Ageing: Gender, Social Class and Health in Pakistan, Dr Kaveri Qureshi, Center for Public Policy and Governance-CPPG (2005).*

Furthermore, the loss of a spouse has a negative psychological impact on the remaining partner. Poverty also leads to psychological issues like depression.

Population ageing is built into the momentum of current growth, and it will take place in a matter of decades, rather than centuries. By 2050, Pakistan is predicted to have 42.8 million elderly, making up 12.4% of the population, and the elderly population will be growing much faster than the rest (United Nations 2002).

According to the SHLCEP⁵¹, 43% of elderly women are widows compared with 17% of men, whilst 80% of elderly men are married compared with only 55% of women (Pakistan Medical Research Council 2005). The relative commonness of widowhood in women relates to female longevity, but also reflects a socio-cultural bias against widow remarriage in Pakistan. Marital status is a critical dimension of welfare for the elderly, and widowhood is closely associated with poverty and mortality in South Asia, especially for women (Dreze and Srinivasan 1997; Bhat and Dhruvarajan 2001).

Rural and Urban Widows

Pakistani rural women are extensively involved in agricultural activities and their roles range from managers to landless labourers. In all farm production, women's average contribution is estimated at 55% to 66% of the total labour with percentages much higher in certain regions.⁵² In these areas, a study of tenant farmers in ten districts of Punjab found that women fail to make claims for their land rights for fear of social censure, and that they see themselves as integral parts of the family instead of as independent and separate legal entities (Saigol 2010b).

The urban population at the time of independence stood at 15.4% of the total population which scaled up to 36.4% in 2017 in the span of 70 years.⁵³ In the urban areas, women headed households have multiplied because of the expanding informal sector in which many women work and contribute. Urbanization and the spread of female education have given more space and opportunities to single women, including widows, to survive and find livelihoods. Urbanization has broken down many barriers. According to the Pakistan Economic Survey 2009-10, Pakistan is the most urbanized country in South Asia, with an urban population of 36 percent. However, based on other development indicators, experts place this figure at well over 40 percent.⁵⁴

Violence against Widows

Women suffer some of the most severe forms of subjugation in Pakistan. Widows are especially vulnerable to harassment and abuse including at the workplace if they choose to provide for themselves. As early as the 1950s, the United Nations specialized agencies and the human rights bodies began considering the question of traditional practices denying the rights of the women. But these issues have not received consistent broader consideration and action to bring about any substantial change. Alarming numbers

51 Survey on the Health and Living Conditions of Elderly Population (SHLCEP) carried out by the Pakistan Medical Research Council in 1999-01.

52 https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/PAK/CEDAW_C_PAK_5_5992_E.pdf

53 Compendium on Gender Statistics of Pakistan 2019, Pakistan Bureau of Statistics, Government of Pakistan.

54 Pakistan NGO Alternative Report on CEDAW 2012.

of cases are reported of in-laws having evicted widows upon the death of their husband. A widow is not considered to be part of the family and is expected to return to her parents and/or fend for herself. Other than forced evictions by their in-laws and domestic violence within their marital home, widows are also disproportionately affected by resettlement schemes, slum clearance and development projects carried out by or through the state actors. Armed conflicts and resulting displacement, destruction of homes, family structure and communities often leave women more vulnerable.

Widows' Identity and Children

There are two major issues that widows face – the falling from grace in terms of social status and inclusion, and economic vulnerability and poverty. Widows are often, considered bad omens and excluded from auspicious events. While things have started changing in more educated or aware social setups, women still confess that they would not like their sons or brothers to marry widows. Moreover, if the widowed woman is not economically empowered or educated, poverty and economic struggles await her. If she steps out to earn for herself and her children, she remains an easier target of sexual harassment without the proverbial roof over her head, and often considered easy prey for the predator.



Pakistani widow in Karachi, Pakistan Photo credit: blogs.tribune.pk

Moreover, the widow's children and dependents are affected. About, 1.5 million children, whose mothers are widowed, are expected to die before reaching the age of five. As noted above, whatever the husband may have left behind for her, whether he officially transferred the property to her possession or left it behind in the form of inheritance, is often not given to her or the orphan children. Children of

widows often have to forgo their education to earn for their families. They are more vulnerable to child labour and human trafficking.⁵⁵

Widows of Conflict

Increasing incidence of armed conflict in Pakistan has resulted in many young women being widowed and displaced. Many security personnel lose their lives owing to the violence and strife. Their widows often are not able to support themselves.⁵⁶ Moreover, thousands of people go missing every year, never to be seen again by their loved ones. Family and friends are left in limbo, while wives live in poverty and despair as “half-widows”, not knowing whether their husbands are dead or alive. The lack of ID cards is a major problem for widows, second wives, and many women whose husbands are present in conflict zones.

Today’s debate underlines the important role of women’s civil society organizations in the prevention and resolution of armed conflict, as well as follow up peace-building processes. Concerned states and relevant UN entities therefore, should make use of the talent and experience of women leaders from civil society to promote their active engagement and participation in a variety of appropriate roles to ensure the full and effective implementation of UNSC Resolution 1325. This resolution made an important contribution to the normative framework for the protection of women and girls in armed conflict. It elevates women from being hapless victims of conflict situations to equal stakeholders in the prevention and resolution of conflicts, as well as in post-conflict reconstruction. Women are true agents of change. Their involvement in different stages of conflict resolution, peacekeeping and peace-building activities produce positive results that are needed for peaceful and democratic societies.⁵⁷

International Recognition

It was just ten years ago that the United Nations General Assembly declared June 23, 2011, as the first-ever International Widows’ Day, so it is a relatively new event. The women being celebrated are on the lowest tier of the social pyramid, and their problems are not given the importance they should get. There are some 258 million widows across the world. Of these, at least 115 million live in dire poverty and 86 million have been physically abused. If a widow has an average of three children and six other family members, this is an issue that affects nearly one billion people – a seventh of the world’s population.

Humanitarian Assistance during the Pandemic

Aurat Foundation (AF) and South Asia Partnership Pakistan (SAP-PK) has provided emergency humanitarian assistance to widows and their families in all provinces of the country during the COVID-19 pandemic, through the JAZBA programme supported by Global Affairs Canada (GAC). Keeping in mind the urgent need, the programme prepared an emergency execution plan and provided humanitarian assistance to the most marginalized segments of society who lost their source of income, including widows. It provided support to 416 women including 75 widows belonging to diverse ethnic and religious background, class and region.



4 Photos credit: Aurat Foundation



Additionally, recognizing that many widows lost their livelihoods due to the COVID-19 pandemic, AF with the support of the United Arab Emirates (UAE), also provided sewing machines to 20 widows in March 2021.

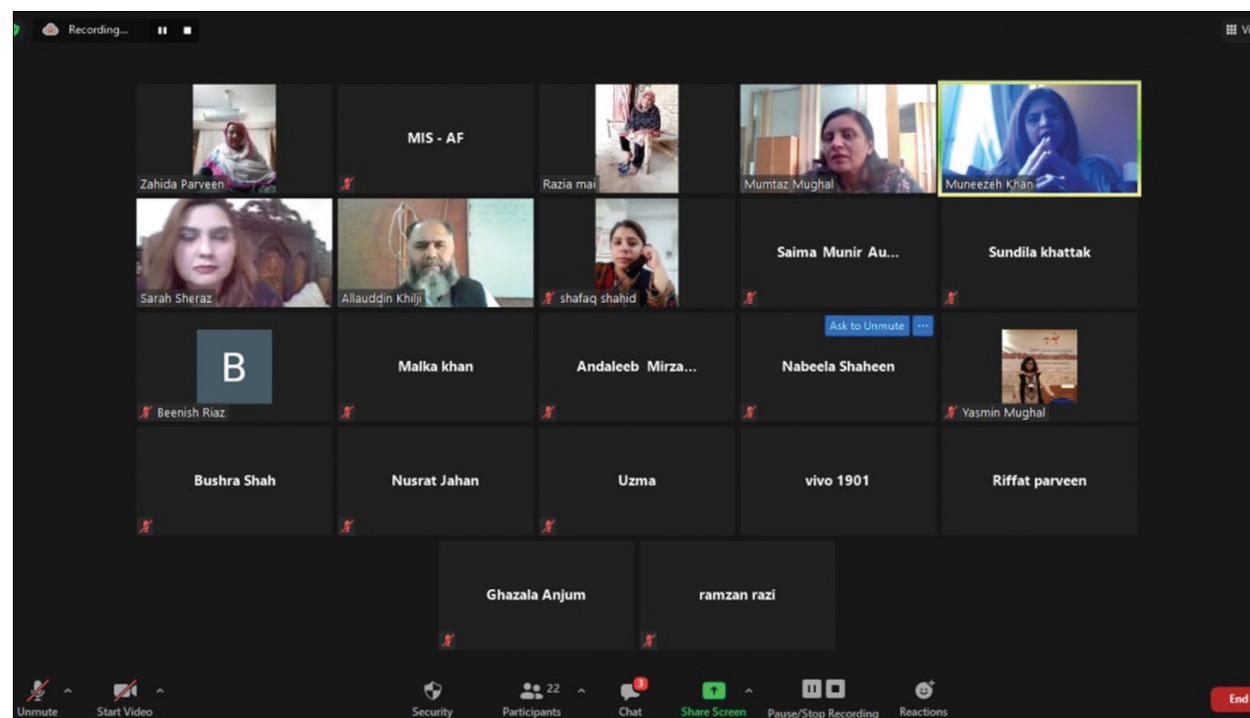
55 <https://blogs.tribune.com.pk/story/28289/the-sin-of-being-a-widow-in-this-world/>

56 *ibid*

57 <https://www.peacewomen.org/content/pakistan-29>

Impact of Covid-19 on Widows

As explained earlier in the report, the severity of issues faced by widows in Pakistan often differs depending on their region and class status. This further corroborates the primary data findings of the FGD held with 14 widows in May, 2021, by Aurat Foundation. The onslaught of Covid-19 pandemic has compounded the issues and created further poverty and disenfranchisement for these widows.



FGD with Widows (zoom meeting)

AF regional staff

Moderator: Muneezeh Khan

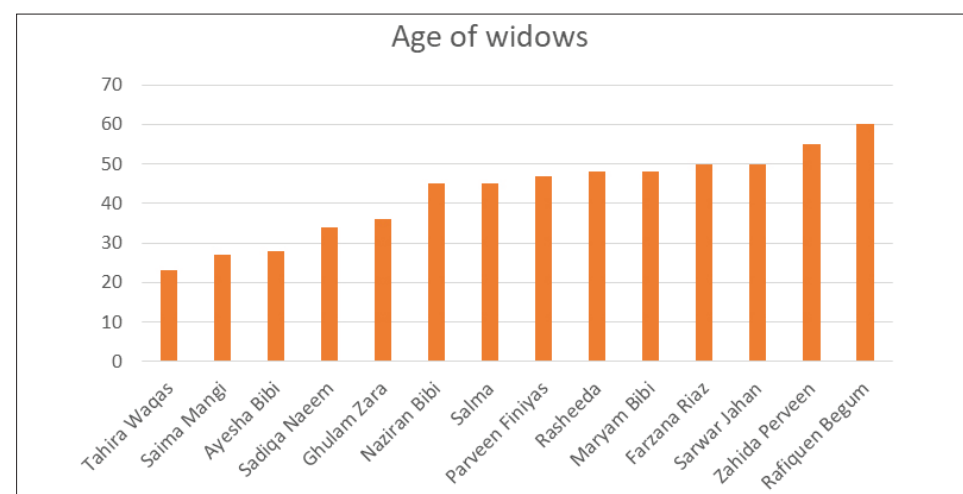
**Table-3
List of FGD Participants (Widows)**

Sr#	Name	Age	Profession	District
1.	Ayesha Bibi	28	Home based worker (tailor)	Sibi
2.	Sadiqa Naeem	34	Home based worker (tailor)	Quetta
3.	Ghulam Zara	36	Small business woman (kiosk) / domestic worker (cook)	Quetta
4.	Sarwar Jahan	50	Ex-councilor	Korangi
5.	Salma	45	Factory worker	Korangi
6.	SaimaMangi	27	Homemaker	Sukkur
7.	Rafiqen Begum	60	Home based worker	Sukkur
8.	Rasheeda	48	Domestic worker	Haripur
9.	Tahira Waqas	23	Homemaker	Nowshera
10.	Parveen Finiyas	47	Small businesswoman	Peshawar
11.	Maryam Bibi	48	Domestic worker	Jhang
12.	Naziran Bibi	45	Domestic worker	Sargodha
13.	ZahidaPerveen	55	Social activist	Rawalpindi
14.	Farzana Riaz	50	Small business woman	Rawalpindi

Note: The FGD exercise was online with representation of widows from all four provinces of Pakistan.

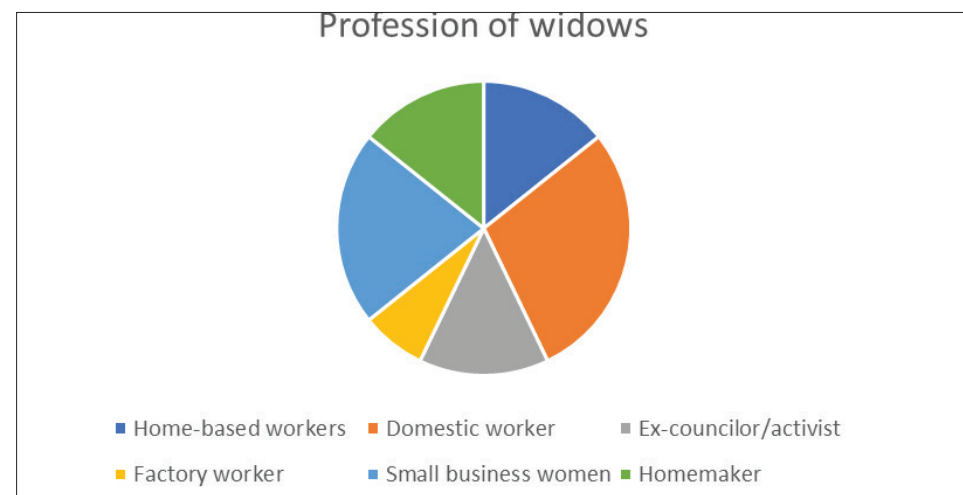
According to the FGD findings, the widows faced multiple problems and struggled to survive whether they lived independently or resided in joint families with the in-laws. Typically, they do not receive assistance from their in-laws following the death of their husbands; when they do, their expenses are severely limited and curtailed. Overall, the widows who had money left behind from their husbands managed better than those without property or money. The only respite was that more than often, the widows reported being assisted by their parents (if alive) and/or by siblings. The widows also grappled to determine, assert and exercise their inheritance rights. Regarding the option of re-marrying, the widows reportedly did not feel that remarriage was a good option for them. The widows with children feared their children being taken away from them by in-laws should they remarry or that the step-father would not accept their children as his own. The problem seemed equally pronounced among the young widows. Widows across all age groups faced severe health problems due to stress and anxiety following the deaths of their husbands. Their ages ranged from mid-20s to 60-years-old. The chart below shows the variation.

Graph-3



During pandemic, a majority of the widows reportedly lost their jobs including those of the breadwinners in their households. This left them unable to fend for themselves and/or afford their daily living expenses without assistance or help from other sources. The widows felt that the government did not provide enough assistance. Some widows were unaware of ways to approach and ask for assistance while some others returned without being given an explanation. Still, those who were ‘out of income category’, were reportedly provided with some government assistance. The middle-class women stated that they had no safety net and the government had failed to address the issues that they faced. Even though in some cases neighbors /relatives provided help, it was not enough. A few of the widows felt that they did not receive the community support and response they were expecting. Those communities were supportive and encouraging of widows where the families interacted, mingled and lived in peace and harmony.

Graph-4



Widows coming from different social and economic backgrounds, all faced disproportionate hardships due to Covid-19. While poorer widows, often the domestic workers, lost their jobs and struggled to make ends meet, even the HBWs and middle-class women saw a significant drop in their income levels. Even through the widows greatly appreciated and benefited from the humanitarian assistance provided by AF and others through provision of food supply (ration), the onset of COVID has severely impacted the sustainability of supplies and incomes.

Recommendations

While individual organizations are doing their best to meet the need of widows, civil society collectively must come forward. The following recommendations have emerged out of the focus group discussion specific to the plight of widows during the COVID-19 pandemic:

- Elderly widows require provision of safe space to garner a feeling of communal life and belonging.
- Middle-aged widows urgently need work and support for entrepreneurship initiatives.
- Young widows should be treated with respect and dignity, especially by their in-laws.
- There must be more recognition of the health issues faced by widows and their children.
- Awareness raising and greater enforcement of inheritance rights of widows is needed.
- Knowledge regarding humanitarian assistance programs including the government assistance programs like Ehsaas, its process and application method is needed.
- Assistance must be extended to lower class (unemployment support) and middle class widows who have lost their salaries and/or faced salary cuts due to the pandemic.
- Overall, greater financial assistance and/or provision of sustained food supply (ration) in the wake of Covid-19 pandemic.

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STATUS OF WIDOWS IN SRI LANKA

Researched, collated and compiled by Meera Khanna and Malashri Lal

Political background

The Sri Lankan Civil War was fought from 1983 to 2009. Beginning on 23 July 1983, there was an intermittent insurgency against the government by the Velupillai Prabhakaran led Liberation Tigers of Tamil Eelam (LTTE, also known as the Tamil Tigers). The LTTE fought to create an independent Tamil state called Tamil Eelam in the north-east of the island, citing reasons of continuous discrimination and violent persecution against Sri Lankan Tamils by the Sinhalese dominated Sri Lankan Government. Violence erupted in various forms, committed by both parties. After a 26-year military campaign, the Sri Lankan military defeated the Tamil Tigers in May 2009, bringing the civil war to an end.

The devastation caused by the war and the brutalities accompanying it created havoc in society and the obvious fallout of the situation was the death of men and the resultant number of conflict affected people. The estimate on war time dead varies enormously. Immediately following the end of war, on 20 May 2009, the UN estimated a total of 80,000–100,000 deaths. Unverified sources claimed 140,000 people to be unaccounted for, but this could well include “disappearance” or migration out of the country. In 2012, the Secretary-General’s Internal Review Panel on United Nations Action in Sri Lanka stated, that “[a] number of credible sources have estimated that there could have been as many as 40,000 civilian deaths”. Some Government sources state the number as below 10,000. India undertook a fact finding mission to the war affected areas of the North East. To the team’s shock it was found that over 90,000 women became widows and over 40,000 were mutilated as a consequence of more than 30 years of war. The Sri Lankan government so far has refused an independent, international investigation to ascertain the full impact of the war.

The Government’s multiple war strategies led to the defeat of the LTTE on 17 May 2009. In May 2010, the Government appointed the Lessons Learnt and Reconciliation Commission (LLRC) to assess the conflict between the time of the ceasefire agreement in 2002 and the defeat of the LTTE in 2009. The State war executed by the Sri Lankan army for eliminating the Liberation Tigers of Tamil Eelam (LTTE) was, according to supporters of the Tamil groups “a well planned and executed ethnic cleansing of the Sri Lankan Tamils... It played havoc in the lives of hundreds of thousands of innocent Tamil civilians. They lost their identity and were left without their family, homes, lands and other belongings”. According to unverified sources 23,790+ Sri Lankan Army personnel, 1000+ Sri Lankan police too died in the war. The outcome is clear. Whether state actors like the personnel of Sri Lanka armed forces, or police or non state actors like the Eelam fighters were killed the impact is on the women who are widowed and expected to pick up the shattered pieces of their lives to make a living for themselves and their children.

With global attention coming to Sri Lanka, the Government decided to start sending the detainees home. According to reports, “Almost 200,000 Tamils have left Sri Lanka’s postwar refugee camps – some for tin-roof shelters or relatives’ homes. Their resettlement is seen as key to national reconciliation after decades of war against Tamil rebels that ended in May 2009. Now some 100,000 refugees remain,

to the relief of international aid agencies running low on emergency funds. The fate of these people, and of returnees trying to rebuild their lives, may hold the key to a lasting peace in Sri Lanka’s Tamil-dominated north.”².

The crisis is far from over. The war affected widows and their families find it immensely challenging to start life anew as poverty and social stigma daunts any effort at rehabilitation. The government of Sri Lanka speaks loudly of taking good care of war time survivors and denies any human rights violations against the Tamil population, but the ground reality of resettlement continues to be grim. For example, in the Eastern province of Batticaloa, which bore the worst brunt of the war as it was an LTTE stronghold, women’s unemployment rate is 38.4% as compared to the 9.3% for men. It would be safe to assume that in the relative poverty head count, majority would be widows as the deprivation rating among female headed households is the highest.³

Socio cultural status of widows

According to the basic demography of the country, Sri Lankan people speak 74% Sinhala and 18% Tamil and remaining 8% speak other languages. English is commonly used in government and is spoken competently by about 40% of the population. Sri Lanka has 92% literacy rate and 83% of the total population have secondary education.⁴

Tamils living on the East coast and in the plantation sector are different from those in Jaffna, Stigma against widows has been strongest among high-caste Jaffna Tamils, who follow Hindu orthodoxy: they impose strict dress codes and diet codes, disallow remarriage of widows, socially ostracise them as inauspicious, and expect them to stay out of sight as much as possible. Muslims allow the remarriage of widows and the husband is seen as a protector of the woman. Internalized stigma is as much a problem as the external restrictions as the widow tends to absorb a sense of guilt and uselessness from the signals of exclusion given to her. “This stigma can make it difficult for widows to find work or remarry, leaving them particularly vulnerable to the difficulties of resource-scarce contexts because of lack of financial and social support,” says Sajanthan.⁵

Even when the woman starts to rebuild her life through small entrepreneurship or paid work, she faces discrimination in the social and business environment. Moreover, a UN Women report of 2014 says, “Women who are widows must provide for themselves but are simultaneously largely excluded from access to resources, and deal with a heightened threat of sexual violence, putting them under the pressure of a “triple burden”.⁶

Widows of assassinated political leaders, like Sirimavo Bandaranaike and Chandrika Kumaratunga have been leaders of the country shows that the stigma associated with widowhood may be overcome. But this may be true only of political leaders as the aura of the assassinated husbands lends these widows a sympathetic appeal.⁷

Remarriage

For widows, remarriage, even if legally permissible is often not the preferred option. In a study

conducted by Chamalie Gunawardane for her study titled “Continuities and Discontinuities of Life of Military war widows in the post war Sri Lankan Society,” 90.70% of the respondents mentioned that they didn’t go for a second marriage as their children were their prime responsibility. Other factors mentioned were the attachment to the deceased spouse, cultural barriers, and also a sense of “shame”. In the case of Tamil widows as they are governed by orthodox and conservative social pressures, very few opt for a second marriage, and mostly never if children are involved.

Child marriages

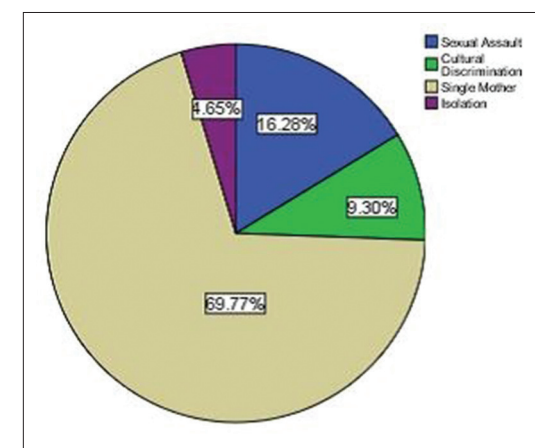
The number of child marriages in Sri Lanka are reported to have increased considerably in the North, East and among the rural communities following the war. The minimum age for a girl to be married is eighteen but the Muslim laws do not prescribe a minimum age. Indiscriminate and early marriages have resulted in FHH households with dependent children, resulting in acute poverty among widows of all communities.

Widows impacted by conflict

According to a study conducted by Pannilage Upali and Chamalie P M Gunawardane, there are around 29,929 war affected military service personnel indicating the gravity of the impact.⁸ The research throws a fresh light on socio-cultural aspects of widowhood in post military conditions, a subject not readily discussed.⁹ The focus is on widows of persons in Air, Navy and Army forces of Sri Lanka who died during the

war for whom the life as a part of the establishment has to be created anew without the husband whose identity they shared. Equally, the widows of LTTE personnel would have problematic issues with their past and current conditions of being wife to a rebel soldier. In North and East of the country widows are dominant in numbers consisting of many women in the civil population and the widows of ex-security personnel.

The government welfare packages for military widows is accepted with appreciation for the care of families but there are other factors to take note of which are seldom



discussed.¹⁰

The challenges of being a widow.¹¹

It was obvious that the nature of challenges faced by each and every respondent was unique though there were similarities in challenges they face such as single motherhood, loneliness and adjusting to widowhood. Being a single mother was most challenging socially as well as psychologically for the widows interviewed in this study. Pannilage Upali and Chamalie P M Gunawardane in an essay “Military War Widows in Post War Sri Lanka”, found that majority of the respondents who were widows of the Tri Forces (Sri Lankan Army, Navy and Air Force) were between the ages of 26 -34 years with more than 76% of them with a child between the ages of 0-5. Hence, it is indicative of the huge burden of responsibility on the military widows.¹² Other research documents further expand on the social and psychological pressures on widows. In some families

widows are considered “ill omens” hence debarred for participation in community events. Elsewhere, the financial worries of raising children are compounded with the widowed women’s limited education for finding professional work. As young women they miss the husband for the companionship and role sharing in running a household, they miss the dignity that accrues to a wife in a conservative society.

Being a widow in “unexpected time” matters greatly regardless of the support extended by the government under the provisions of Ranaviru families (Widowers and Orphans Pension Scheme for Armed Forces, 1998). Moreover, widowhood is challenging in particular with single motherhood, loneliness and taking care of family without a spouse. Hence, adjusting to widowhood takes time and it differs from person to person based on the social, psychological and economic backgrounds of these widows...The research concludes that the respondents were wrapped in their emotions while providing information. The gender roles attached to men and women have an influence over the life of a widow and it sometimes halts the empowerment process such as participating in community events or inhibits decision making as a widow. Thus, the study urges government and civil society to attend to these vulnerable women in post war situations.¹³

Support Schemes for widows of state actors.

The Ranaviru Sewa Authority was set up in 1999 by an act of Parliament. It expresses the country’s respect and gratitude to the “Ranaviru” or military heroes and oversees the settlement of psycho-social issues faced by the family members of those missing, killed or disabled in action in the Armed Services and Police in defending the country. The functions of the Ranaviru Sewa Authority extend a strong helping hand for the future lives of children, wives and parents of the gallant war heroes who sacrificed their lives or those missing or who lost their limbs in the fight for the country.¹⁴

With regard to state pensions for widows of members of the armed forces and civil defence forces, of the Female Headed Households (FHH) interviewed in Anuradhapura, 24% (sample of 351) received a salary or pension of the deceased husband. Another 23% stated that since their husbands were working in these services only on a temporary basis, they received no support. Some others stated that they received only a onetime payment. Some others claimed that though they had received payments, that they were subsequently withdrawn. Several others were waiting for an extended period of time for their applications to be processed.

According to a study of 292 military widows (220 widows and including 49 with disabled spouses) by FOKUS WOMEN, prevailing policies regarding salary and pension payable to a military widow are discriminatory. Where a member of the armed forces dies in action or a police officer dies while on duty, his salary is payable up to the year on which such a person would complete his 55th birthday. Thereafter, a pension is payable. The entire amount was payable to the widow and is within the range of Sri Lankan Rs. 35 000 – Rs. 55 000 (USD 250 – 393). For those military widows whose spouse died after 2007, 25% of this benefit is paid to the parents of the deceased if living and only 75% goes to the widow and children. Widows of members of the Civil Defence Forces receive much less, Rs 2700 (USD 19). Prior to 2010, a remarrying military widow was not entitled to receive the salary or pension of the deceased. This discriminatory practice was changed in 2010, to a policy whereby a remarrying widow receives 50% of the salary for ten years as a lump sum.¹⁵

Tamil widows

“Tamil women are especially vulnerable as compared to women of other ethnic groups in Sri Lanka because Tamil culture stresses traditional female roles.... In fact, Tamil women are the only ethnic group of women in Sri Lanka for whom the gender gap has not narrowed in recent years, making them particularly vulnerable to the financial burdens of widowhood,” says Pannilage.¹⁶ Their identity being linked to that of the LTTE makes them suspect in the eyes of potential employers, loan givers, or business partners. Many Tamil women were recruited or conscripted to fight within LTTE cadres and that past also impinges upon their peace time attempt to rebuild their lives. “Female involvement in the LTTE varied from those who were coerced into conscription to those volunteering in a controversial display of national feminism,” says Nimmi Gowrinathan.¹⁷ While there is such a diversity among Tamil women and widows with reference to the war experience, rehabilitation for them is more difficult than for others. Reports of unfair wages, social exclusion and blocked opportunities abound.

Half Widows

Women whose husbands have disappeared or are missing have many of the same problems as widows but without official recognition of their status.

These are figures from the Journal of Conflict, Peace and Development Studies.¹⁸

War Affected Military Service Personnel According to Their Civil Status (Killed in and Missing in Action)

Province	Married	Unmarried
Southern Province	1154	2740
Western Province	1603	3078
Central Province	1403	3102
S a b a r a g a m u w a Province	890	2073
North Western Province	1458	3158
Uva Province	909	2155
North Central Province	1465	2887
Eastern and Northern Province	799	1055
Total	9681	20248

Women not knowing the whereabouts of their husbands wear bindis everyday, failing which, they believe, their husbands would be harmed. According to a document from Tamil Sangam, “Having been refugees for many years, some for more than 15 years, has had a long term impact on the socio-economic conditions of the women. Widows or half widows, none of them considered the possibility of re-marriage. Organizing the local women remained a challenging task for fear of being kidnapped or killed by the army. Even interacting with a neighbor has been a sensitive situation for these women who are living under continuous surveillance.”¹⁹ It is interesting to note that many unmarried young girls ranging from 16 to 25 years registered/reported to the army as wives of some men for fear of

sexual harassment. Such women live in detention camps sharing stories with other women waiting for the return of their husbands. The fear of sexual violence is pervasive as the dividing partition between people is very thin cardboard and the camps are very crowded.

Refugee Camps

Post the conflict, Tamils are forced to lead a life of internal refugees. They are internally displaced but are denied the equal opportunity guaranteed for citizens. The women and children are the worst sufferers in the situation. The 2009 war alone has rendered 40000 women as homeless, landless widows. Several women are left to take care of their physically challenged (maimed) husbands. These single women and the other women are forced to take care of their families without any income and any other livelihood opportunities. There is scant support from the government. The women who lost their husbands are paid Rs.100/- (just over 2 USD) and to get that they have to travel and spend Rs.50/-.

There are more than 12000 young widows from the age of 17 to 28. They are put to the challenge of taking care of young children, safeguarding them from the sexual abuse. Without any income, survival is a struggle. Many young women have complained to the research team about corrupt officials and sexual abuse. There are about 18,000 children in the camps not knowing the whereabouts of their parents. There are incidents of suicide among destitute young women who may have been raped or psychologically disturbed.²⁰

Widows from the Fishing community

Based on a report by Cornelia Quist, “Widows’ struggles in post-war Sri Lanka.”

In 2012, Yemaya had carried a report based on meetings with women of fishing communities of Batticaloa, a district on the east coast of Sri Lanka which had been badly affected by both the ethnic based civil war in Sri Lanka and the Indian Ocean tsunami of December 2004 (Yemaya Issue 41). Widows were organizing themselves in groups to survive and meaningfully reconstruct their lives.

Mannar Island is located in the Mannar district of the Northern Province of Sri Lanka, and is connected to the mainland by a causeway. Approximately half of the island’s population (99,051 in 2012) is involved in fisheries. Mannar Island was hit hard by the war because of its location. It was a major exit and entry point from and to India, and became a key host to Tamil refugees from all over Sri Lanka. The island’s large Muslim population was driven out by the LTTE in 1990. After the war, the composition of Mannar’s population changed. It now has around 80 percent Tamils, the majority of whom are Christian, and 16 percent Muslim—a demographic change responsible for growing tension between the two ethnic groups.

The fishing village of Santhipuram has 450 families of which 75 are headed by women—60 widows and 15 deserted women. Fishery is the main but fragile source of livelihood for the widows and deserted women. Selling dry fish at the local market is their mainstay. They earn around 500 SLR (USD 3.5) per day when there is fish, and 100 SLR (USD 0.70) when there is none. The fishing season is only six months long, and for the rest of the year, they live off their savings, and from selling dry fish and some homemade food in other villages. They take micro-credit loans from NGOs for poultry or goat keeping, but these do

not provide a real alternative livelihood. There is no programme to help these women to improve their dry fish processing and marketing. The women feel they are drowning in debt, but still take more loans to educate their children, in the hope that they will bring a better future.

In the lagoon fishing village of Pallimunai, the land and houses of 22 families are still occupied by the Navy. Of these families, 12 are headed by widows. These families have been displaced by war since 1990. One woman said: “For so many years we have lived nomadic lives, shifting between camps for displaced persons and the homes of relatives. Now it is our biggest dream to have our family land and houses back, and our livelihood and community life restored.” It was only in 2013 that the affected families of Pallimunai were able to go to court to get their land and houses returned; but their cases are still to be settled and they feel very frustrated. The navy had offered the families alternative lands, but these were far away from the coast and therefore not suitable as fishing is their traditional livelihood and they need to live close to the coast. The widows said that they wanted to stay in their traditional communities, where they felt safe and looked after. With their traditional lands occupied by the navy, the women also lost their spaces for drying fish. The women spoke strongly, and some also blamed the occupation of their land by the navy on the intrusion of the Indian trawlers.²¹

Muslim Women in the North and East

The experience of Muslim women in the north and east has been very different from that of Tamil women. According to one source, “Although not generally targeted for their gender, Muslim women continue to suffer disproportionately from conflict-related crimes. Chief among these was the LTTE’s forcible eviction of some 70,000 Muslims from the north of Sri Lanka in October 1990 – the country’s worst case of ethnic cleansing and one of the war’s most significant crimes. In the east, Muslim women suffered a range of rights violations, including sexual violence, abduction, the disappearance of family members and the loss of land.”

It is further noted that “During the war, Muslims suffered primarily from abuses by the LTTE and pro-government Tamil paramilitaries; only rarely did the military or other state actors target them directly. The state has done little to facilitate the return and resettlement of Muslims to the north, however. Both those who have returned to their original land and the tens of thousands of who remain displaced face serious political and socio-economic problems. As a result, Muslim distrust of both the state and the Tamils runs high.”²²

Support schemes for widows of non-state actors

Death and disappearances were everyday reminders of war for women. One indication of this is the number of female-headed households, which is disproportionately higher in the North and East. Whilst recent figures indicate as many as 25 per cent of households in Sri Lanka are female-headed the figure is significantly higher in the Eastern Province. The challenges to eke out a living, while balancing responsibilities related to the care for the elderly, disabled, and children, was a recurring theme during a study.²³

It may be noted that female unemployment rates in the five districts that make up the Northern Province are 10.9 percent in Jaffna, 29.4 percent in Kilinochchi, 21.6 percent in Mannar, 20.5 percent in

Mullaithivu and 9.0 percent in Vavuniya. The districts with the highest figures – above 20 percent – are those where the fighting was fiercest. By comparison, the unemployment rate for women in Colombo is 3.2 percent, 7.0 percent in Galle and 6.8 percent in Kandy.

The **Emergency Recovery Project** (ENREP), is a project funded by The World Bank on the request of the Government of Sri Lanka. Most women are recipients of small loans through these micro finance schemes which help them start up their own small businesses. In addition to the myriad of chores they have to look into, they manage their entrepreneurship astutely; honoring the regular interest payment, to make sure that their credibility is at the highest notch at all times. Needless to say these women are in the centre of their villages’ micro economic growth.

Starting life all over again for these sole breadwinners is no mean task as they literally have nothing to call their own. Getting a roof over their heads, walking for miles to fetch drinking water, laboring for a daily wage, fending for and feeding the children, sending them to school, taking care of their health issues and most importantly planning for their future... is all in a day’s work for them. “I am the mother, father and the entrepreneur of my family” sums up the plight of 26 year old Sutharshini. Sutharshini and her two children represent the typical Sri Lankan Tamil woman who has just been resettled after being an internally displaced person (IDP) in a refugee camp for almost a year. Sutharshini, like many other widowed women, has managed to set up a meager home with a resettlement grant given to her through ENREP.²⁴

National centre in Kilinochchito looking after the needs of female headed Tamil families provides low interest loans of up to \$260 to encourage entrepreneurship.

The International Committee of the Red Cross, has provided since 2009 with funds of up to \$378 to 435 women start new businesses.

Resettlement: According to the authorities, in addition to the first batch of resettlers of 50,000 people, 10,017 people were resettled in Poonakary and Karachchi in Kilinochchi district; 6,631 were resettled in the city of Mannar, 16,394 in Oddusudan, Manthai-East and Thunukkai, Mullativue district, and another 2,583 families resettled in Vavuniya. The government has provided each family with Rs 25,000 (US\$ 220), kitchen utensils, farm implements, and roofing sheets to start a new life. The government contends that it has provided them with two weeks of food rations. Humanitarian workers say that livelihood schemes, a staple of post disaster planning, are missing.

Indian Government projects in Sri Lanka The India government has undertaken in Jaffna projects worth 2500 crores of Indian rupees, which include work at Kangesan Sea Port. The vocations for initiating livelihood training programmes focus on local resources and needs. Introducing ‘masonry’ to the women has given the housing project an expected boost. The first phase targets building 1000 houses in Ariviyal Nagar. It will be an owner driven project from the second phase, with money provided at regular installments. The beneficiaries are likely to be directly involved. Masonry could help people build their own houses and thereafter do the same to earn a living.²⁵

IN A BOX

A project, titled 'Hidden Challenges: Addressing Sexual Bribery Experienced by Military Widows and War Widows in Sri Lanka' records that due to their status as widows, women must now step outside of their socially acceptable role as caregivers to becoming providers, make them vulnerable to sexual exploitation and bribery, especially when attempting to access essential services or gain an income.

Sharmila (name changed to protect privacy) was 25 years old when her husband was abducted by an armed group. Despite several of her neighbors witnessing the abduction, Sharmila was not able to find her husband or receive help from authorities. With three young children and no job, she began borrowing money from her husband's friends and relatives.

When members of the armed group began visiting her house to threaten her, Sharmila reported the threats to an authority and also told the authority about her poor financial situation. The man offered her help. But while filling out job applications in the man's office, he leaned against Sharmila's body and asked for sexual favors in exchange for the job he had promised.

Cases like Sharmila's are common in Sri Lanka, where sexual bribery and exploitation of widows - particularly female heads of households - in exchange for essential services have been recorded. During the 30-year-long civil war, many men were killed or forcibly disappeared. Over 1.3 million female heads of households are in the country, many of whom have husbands who are deceased or missing, and who must now cope with the loss of their family members and take up new roles as income earners.²⁶

Mental Health of Widows: Support schemes

Both social roles and mediating factors in adjustment to widowhood vary by gender; it has long been hypothesized that men and women experience bereavement in different ways that are reflected in depressive symptoms. Although depressive symptoms diminish over time among the widowed, they seem to remain in prevalence for many years following widowhood.²⁷ Altogether the death of a spouse is a very difficult condition to deal with. In the context of a war torn nation, there is the suddenness of the occurrence which is immediately accompanied by psychological trauma, financial crisis and social gaze. Studies have shown the impact of widowhood causing depressive conditions even seven years after the loss. Widows experience what has been called "social death" which indicates their forced separation from family, social, community roles they enjoyed previously. Moreover, their personal and sexual lives come under scrutiny as an unattached woman, whether single, divorced or widowed is looked upon as a threat to community coherence which is spouse centered.

The Women's Empowerment Programme (WEP) was one of a series of inter connected programmes run by the Family Rehabilitation Centre (FRC), a Sri Lankan non-governmental organization committed to promoting ethnic harmony, community development, and to assisting victims of war by providing medical and psychological care and socio-economic knowledge. The over arching goal of the WEP was to improve the mental health and well-being of displaced Sri Lankan war widows, and it was felt that there was a need to be innovative and responsive to the requirements of the target population, rather than rely on a traditional health clinic model to offer mental health services to individual women. Drawing on a multilevel blend of ideas pertaining to psychological knowledge, group dynamics, community resources and support, plus an empowerment model, the WEP was designed as a brief, supportive intervention focused on building strengths among widows at the small group level. To help participants

develop their community networks and resources, and to reach as many women as possible, the WEP used a cascade model in which a number of programme participants received further training and were employed by local extension offices to provide ongoing support, advice, and advocacy for women in their communities.

Feedback from former programme participants and outside evaluators has been generally positive, and many women have made positive changes in their lives after participating in the WEP. Unfortunately, the programme is no longer running. The widows of the war have paid an extremely heavy price for the continuing civil conflict in Sri Lanka. Many women and children have little or no experience of life in peace time or outside a refugee camp. The WEP did contribute to minimizing the adverse effects of living in conditions of ongoing violence and deprivation, by facilitating healing and promoting resilience and positive adaptation among the many women who participated in the programme.

The Director of the Centre for Women and Development in Jaffna, Sri Lanka, wrote:

"The tension and trauma created by this war have badly scarred many of our children and women. Women live with high levels of tension. They fear that their children will join the liberation movement and die in combat. Many women who have lost their husbands are left destitute with no way of earning a living to support their families. In addition, the widows may face considerable gender discrimination and a general lack of social and economic opportunities. In our work with the FRC, we found that war widows were frequently so distressed by the ongoing conflict that they often were unavailable to their children for emotional and basic support."

Psychologically some women build comfort narratives to fill the gaps in their knowledge of the missing husband. Some are tales of relatives who are abroad who might soon come home, others about returning to their own home. One narrative heard often is of a half-widow getting married and after many years the former husband shows up and her newly made life is ruined. The FRC's community based approach allowed a far more extensive outreach among individuals than a traditional, individual therapy model would have. It's only by speaking out the trauma and confronting it that widows/ half widows can heal, along with which process FRC arranges for them to receive appropriate skill training, health education and knowledge of living with self sufficiency. The goal is expressed in a good metaphor, "We do not give them fish, but teach them how to fish."²⁸

Rehabilitation and Economic consequences

Despite government support to the Ranaviru families affected by war, the widows and single mothers find it extremely hard to meet their household needs and to cope with their multiple roles in the new circumstances. Here is an experience: "Though people think that we are better off, it is not easy to continue the life only with the money we receive from the government. I have to manage all. I have to spend a considerable amount for the studies of my children. I'm suffering from some illnesses and have to spend for the medicine. All should be covered for this amount we receive. People think that we receive good sum of money doing nothing. But if our husbands were alive, we do not need to ask for anything. We have a right to get some compensation." Most of the women are not employed due to lack of training, or child rearing responsibilities, or social inhibition. The widows of ex-soldiers have come to depend on the welfare scheme even though it is quite limited.

Certain policy initiatives have been made recently by the Government to address some of the needs of Female Headed Households. They include: a Secretariat for widows and FHHs; a Special Task Force for FHHs and widows; commissioning the drafting of a national policy on FHHs; and the allocation of Rs 50 million (USD 357,143) for implementation of programmes for FHH. However, FHH state that the funds allocated are inadequate; and that policies are designed ad hoc and are revised arbitrarily. Specific details of these programmes or the rationale for the implementation of these programmes are not readily accessible to the public. The GoSL is currently developing a policy on FHH. Consultations have been held with civil society, academia and government officials working at district level. A National Centre for Empowering Widows and Women Headed Families established in Killinochchi seems to be an intervention that focuses on the families headed by women rather than on the woman who heads the family. The reference to widows is confusing. The justification for distinguishing between widows and FHH is unclear as a widow falls within the categorization.²⁹

In the aftermath of the war, the government prioritised high investment development interventions in the war-affected North and East based on the notion that economic under-development had been the root cause of ethnic conflict. Fast-paced mega development and economic growth thus came to symbolise the transitioning of Sri Lanka from a country ravaged by war to one that would become the “miracle of Asia”. Succeeding governments have continued the emphasis on economic development whilst linking it with justice and reconciliation. Employment creation has been an important target of the government economic agenda.

Has the end of the war has resulted in significant changes in livelihood support and livelihood recovery for people affected by war? Looking at Trincomalee and Batticaloa districts in the Eastern Province of Sri Lanka, official figures indicate that the unemployment rate of women in the province at 38 per cent, is much more than that of men, which stands at 9.3 per cent. It is evident that despite the war having ended there is no respite for women as they remain trapped in survival livelihoods, with few or no safety nets to cope and recover from shocks at household or community levels. Public sector employment is aspirational for those seeking opportunities in the labour market and education is the vehicle for upward economic and social mobility. Whilst the Liberation Tigers of Tamil Eelam (LTTE) were militarily defeated by government forces in the East in 2007, conflict continues in districts of Batticaloa and Trincomalee districts. Militarisation and its resultant features of road blocks, harassment, and corruption are issues faced by women in carrying out their day-to-day activities. The involvement of the military in trade such as running food outlets and grocery stores, activities that are traditionally associated with women’s livelihoods, are in competition with women’s income-generation, bringing local women into direct conflict with the military. Pockets of highly localised conflict thus remain in tandem with relative peace. Of even greater concern is official poverty rate in Batticaloa at 11.3 per cent in 2016, one of the highest in Sri Lanka. Clearly schemes and programs have not translated effectively on the ground.

In the East the slogan of Negenahira Udawa (Awakening of the East) was popularised by state authorities. The report delving into details continues, “Livelihood rebuilding in the Eastern Province sits within a broader post-war reconstruction strategy which revolves around self-employment promotion, credit expansion, and encouraging private capital investments to support two dominant sectors – tourist growth and enterprise development. Evidence that this approach has significantly improved

employment and livelihood opportunities or increased incomes for women, is weak. These interventions have failed to realise expectations that peace would enable growth and development through secure and decent work. The resulting outcome is that many women are still in survival livelihood strategies, driven by need than choice. Whilst women are seeking stable incomes, dignity of work and decent working conditions, the opportunities they can access are often the opposite; informal and unpaid work that guarantees no regular income or stability.”³⁰

But there are also some positive examples of rehabilitation of women and widows.

One study reports, “A group of Sinhalese and Tamil widows in Polonnaruwa said, ‘Widows are discriminated against. We are considered inauspicious and not invited for religious functions.’ Tamil widows said that in the past, in any social function widows would be pushed to the background. ... Today I enjoy an equal status in society.” In Polonnaruwa, a group of Sinhalese older men claimed an improvement since the conflict that widows were no longer excluded by the community. In Batticaloa a widow said, ‘When I started working, there were problems for widows to come out and work but now it is different: we ride motor cycles and work closely with men and we have no problems.’”

The same report goes on to say that women derive strength from collective sharing of experience. “Women do not expose the men when they are harassed because they feel ashamed. This has led to more harassment. In small groups we have discussed and become aware of these problems and know how to deal with snide comments and sexual harassment to some extent now. Now we expose the men.”

Concluding from the positive reports one may agree that, “In the case of Sri Lanka it appears that the former discrimination against widows is disappearing, under the influence not only of the conflict itself but also of the efforts of NGOs that have capitalized on opportunities provided by war to strengthen the position of widows. The lessons this study has derived from the Sri Lankan example in relation to changing the status of widows are firstly, that where severe social discrimination against widows exists before an armed conflict, the conflict will offer opportunities to promote favourable change. These opportunities are best seized by organizations that work closely with women, as do the civil society organisations cultivated by Oxfam, Australia.”³¹

Looking Ahead

In Sri Lanka, the old taboos against widows were incompatible with changes induced by war. Widows though still a disadvantaged category, have learnt to express their new identity as post war citizens with their rights to livelihood. Widows now take on leadership roles in the local community (paralleling the Bandaranaike widows at the national level) and are rejecting demeaning customs that require them to dress and behave differently from other women.³²

Even though widows are no longer considered inauspicious, blaming them for the death of a son is fairly prevalent. A narrative: “Within a month of my being widowed, my late husband’s family, especially his mother and sister, started telling me that I am unlucky and bring misfortune to everyone. They accused me saying that I am responsible for my husband’s death. It was really hurtful. Day in and day

out, they pointed the finger at me for his death and continuously harassed me. My mother-in-law and sister-in-law said that they had lost a son and a brother and but I'm lucky enough to receive all the government compensation on behalf of him"³³

Sri Lankan war widows and women in former conflict zones are being forced to sell their kidneys to pay loan sharks, a UN expert said on Tuesday, urging government intervention. Juan Pablo Bohoslavsky, the UN's independent expert on effects of debt on human rights, said that debt collectors were also demanding sexual favours.

"Women are at times exposed to psychological and physical violence by these collectors ...," he said in a statement after a visit to the island nation.

"I have also learned of cases of borrowers who have tried to sell their kidneys for money to repay loans," he said without elaborating.

Sri Lanka is home to tens of thousands of war widows nine years after the 37-year civil conflict ended, many of them forced to use small "microfinance" loans to survive.

Local media reports have said that dozens of indebted women in the battle-scarred north, which is also in the grip of drought, have committed suicide.³⁴

COVID Period Report

Dr. Sugath Yalegama, Director-General, Sustainable Development Council, Sri Lanka noted that like other South Asian countries, Sri Lanka went for early containment measures through testing, tracking and isolating COVID-19 cases. Sri Lanka has developed a sophisticated COVID-19 surveillance system for gathering information along with massive awareness campaigns using radio, TV, hotlines and phones. Accelerating achievement towards 2030 Agenda would depend on socio-economic resilience of the country; hence economic revival is an urgent priority to get back on track. The Sri Lankan government has set up a healthcare and social security fund for COVID-19 mitigation and ensuring social welfare. National economic revival strategies identify challenges and new opportunities with COVID-19 guidelines. Sri Lanka's policy response has comprised of health sector policies to contain spread of pandemic, fiscal and financial/monetary policies including capital control management to provide economic relief to businesses and individuals affected by the pandemic. The Central Bank of Sri Lanka has reduced key policy rates by 100 bps since March 2020. The government has provided for deferrals of non-performing loans, refinancing and concessional lending facilities. The Saubagya COVID-19 Renaissance facility has been set up to provide refinancing and working capital to affected businesses. Comprehensive rural sector scheme has provided refinancing and working capital to affected businesses. Comprehensive rural sector scheme has been extended for concessional loans to farmers.

The pandemic has adversely affected all SDGs, with highest impacts on SDG 1 on ending poverty and SDG 8 on decent work and economic growth in Sri Lanka. COVID-19 related job losses and economic lockdowns have increased poverty risks for vulnerable people. In Sri Lanka, with around 40% of workers temporarily not going for work and with 1.9 million daily wage earners being badly affected, large proportion of households are likely to be in precarious position. Small businesses face survival risks.

Elderly people living just above the poverty line risk falling back into poverty trap. Lack of basic ICT skills and near zero accessibility to digital technologies for poor households can adversely affect learning outcomes. In this context, there is huge potential for regional cooperation for investing in better digital connectivity and online education platforms. Supply chain disruptions have affected trade volumes.

There is an urgent need to enhance cooperation in many sectors including tourism sector which has seen the worst effects of the pandemic. Around 1 million jobs have been lost in Sri Lanka in tourism sector alone. In this regard, UNESCAP can play an important role in boosting tourism and business development sectors by facilitating regional cooperation among member countries to foster their economic recovery. Other sub-regional and regional frameworks such as SAARC, BIMSTEC can assist South Asian economies in forging better cooperation. Regional dialogue and knowledge platforms can help in mutual learning and experience sharing from the pandemic and going forward.³⁵

"During the COVID-19 lockdown, we struggled to find money for food. We managed to take loans from our neighbours," says Tharshani Kumar*. "[When schools re-opened], I had to send my son to school without breakfast every morning. I was afraid that he would not be able to continue his education." Kumar was 30 years old and a mother of three young children when her husband died. She became her family's sole breadwinner, while also caring for her children. Now, at 45, she lives in Jaffna (in Sri Lanka's Northern Province) with a disability that makes it difficult for her to work. Her income from poultry farming dropped significantly once the COVID-19 lockdowns started in 2020. Her eldest daughter – whom they had relied on for household expenses – also had to stay at home, which meant she was left without a daily income to support her family.

In an effort to support women in Sri Lanka UN Women provided emergency relief packages to female headed households, mostly widows in Jaffna and Killinochchi districts.³⁶

According to an OP-Ed "Women Peace and Security for Covid 19 Recovery" written by K.M.S.D Jayasekara, Secretary State, Ministry of Women and Child Development, for School and Primary Education School Infrastructure and Education Services; and Mohammad Naciri, Regional Director, UN Women for Asia "Over a quarter (1.4 million) of Sri Lankan homes being headed by women, female heads of households were facing a triple burden with an increase in unpaid care work to support children and elderly dependents along with domestic work whilst providing for their families." The informal sector of which women make up the largest work force was hit hardest by the pandemic. Women are the first to lose jobs when a lockdown is announced.

"The gendered impact of COVID-19 has brought to light the changing nature of peace and security. Existing inequalities that have been exacerbated by the pandemic have hindered women's meaningful participation in leadership roles, their economic empowerment, and their safety, particularly in their own homes. Peace and security in the context of COVID-19 means equal access to opportunities without gender-based discrimination, equal access to social protection and the ability to live a life free from violence."³⁷ To address the gendered impact of COVID-19 Sri Lankan government with technical support from UN Women proposed the National Action Plan on Women Peace and Security to promote women's leadership in peace building and recovery, both in the public and private spheres.

Governmental interventions impacting widows

The Sri Lankan Government adjusted its largest cash-transfer programme—Samurdhi, which targets poor households, aiming to alleviate poverty. The programme’s coverage was increased by automatically providing an additional emergency cash-transfer of LKR5,000 to all the beneficiary households, plus those in the waiting-list (totaling 600,339 households). Furthermore, Samurdhi was expanded to serve as an in-kind transfer, with its beneficiaries and other vulnerable households receiving rice, lentils, onions, and pumpkins through vouchers. Most widow headed households fall into the poor household category.

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ANNEXURES

Annexure 1

Following is the text of the Declaration adopted at the South Asian Conference on Capacity Building of Marginalised Women : Widows on the 3rd of February 2002 at the India International Centre , New Delhi, India

Delhi Declaration

We , the delegates and participants of the First South Asian Conference on widows with a South Asian focus , wish to draw the attention of **the Governments and Civil Society of Afghanistan , Bangladesh , Bhutan , India , Nepal , Pakistan and Sri Lanka , UN** and its systems to the condition of widows the region and the urgent need for action .

We want to focus attention on the large number of widows in the region due to poverty , disease , wars , armed conflicts , religious fundamentalism and intolerance , ethnic strife , natural and man made disasters and the demographic tilt towards aging women .

We want to highlight the human rights violations of widows . These violations are given legitimacy due to social and cultural sanctions , customary beliefs , misinterpretation of religious texts , political apathy, economic deprivation , non implementation of programmes and laws and lack of access to the law .

We want to draw the attention of Government to the impact of these violations that have marginalized widows into an **invisible community**, and ignored their vital contribution to society . Neither Governments nor civil society has created adequate infrastructure for their physical , social and economic dignity .

As a result of their marginalized status widows are subjected to :

Social Exclusion: Manifested through oppressive cultural practices, traditions, so called religious sanctions , and the gulf between precept and practice.

Economic Deprivation: Neglect, extreme poverty, inaccessibility of education and employment opportunities , inability of accessing legal and administrative systems , and rigid patriarchal norms .

Physical and Psychological Victimization: Customary practices of treating widows as objects, commodities , and burdens , and consequentially their poor access to nutrition and health resources, and their subjection to physical, mental and sexual abuse .

We strongly condemn:

Such social , cultural , traditional and so - called religious practices that systematically oppress widows .

- The patriarchy underpinning the formulation and enforcement of such laws and customs that perpetuate the violation of the human rights of widows and bar them OCT from

inheritance , control over property and ownership of Eland .

- The victimization , exploitation and neglect of widows .
- Armed conflict as a means to resolve disputes that lead to high incidence of widowhood in the region .

We recommend that :

- Customs , practices and traditions that discriminate against widows be abolished by law
- Action is taken against any perpetrators of practices that violate the physical , social and human dignity of widows .
- Legal reforms and reviews are undertaken to ensure that widows get their just share of inheritance .
- Government policies mainstream widows through social security and economic empowerment schemes .
- The human rights of widows are reflected in all International instruments .
- Governments , civil society organizations and media of the entire region and the UN system work together in a concerted endeavor to ensure that widows are able to live a life of human dignity .
- All religious leaders make a sensitive call to eliminate all discrimination of widows and to encourage their inclusion in all religious and social rituals .

On this day , we the delegates of the conference “ Capacity Building of Marginalized Women : Widows “ held in Delhi on 1st to 3rd Feb 2002 come together in unison of purpose to initiate the **South Asian Alliance for Widows** .

We resolve to :

- Work towards creating an effective alliance of civil society organizations which will be the platform for learning from the best practices of each region while also becoming the voice of the millions of the voiceless in the individual countries . Using this combined strength we will network effectively with the UN system to focus global attention on the status of widows .
- Lobby individual Governments to create an infrastructure that will make available adequate social security and educational schemes for low income widows and their children , and , in cooperation with NGO’s innovative empowerment schemes that aim to make widows architects of their own future .
- Lobby Governments and the legal fraternity for the formulation of laws that are gender sensitive and enable widows claim their rights and share of inheritance . Review of gender

insensitive laws and rules ,and of discrepancies between statutory law and customary practice , between statutes and their implementation , to be done speedily .

- With the support of sensitive religious institutions , the media and civil society organizations create an awareness of and change in the oppressive social , cultural , and verbal practices that reinforce the discriminated status of widows .
- Sensitise children and youth to the needs and care of the elderly .
- Reinforce those religious and cultural values of the region that encourage care within the family , sharing of resources , providing opportunities for the needy .
- Research and documentation of adequate and authentic data that reflects the status of widows in the region . , to provide the base document for advocacy at all levels .
- Release the strength locked up within widows , so they can harness the potential to work together to claim their personhood and change their marginalized condition .
- Raise our voices in protest against the increasing use of armed conflict in this region , and work in all ways to defeat the forces that seek to divide us .
- Work with other South Asian Alliances active in the region on peace , human rights and elimination of poverty .
- Carry out a systematic campaign to change attitudes towards widows focusing on print and electronic media .
- Request the UN Committee on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) to dedicate their next survey of Governments progress to the status of widows and their human rights .

Annexure 2

Resolution on Widowhood for United Nations Action

With at least 245 million widows around the world, more than 115 million of them living in devastating poverty along with their more than 500 million children, there is a tremendous need for policy focus on creating an enabling environment for widows and their families. The numbers are rapidly increasing, due to natural and man-made disasters, conflict, wars HIV/AIDS, loss of livelihoods etc. **In most cultures of South Asia, and Sub-Saharan Africa and the Arab region as well, a widow is doubly victimized as a woman and as a widow. If she is poor, then she is triply traumatized. If she is illiterate, then she is traumatized further.** Lack of inheritance rights means few or no assets or home. As a woman, she is less likely to have decent employment or pension. As a widow, her outside movements are restricted, her clothes mark her as a widow, and she is isolated. She joins the unorganized sector to find work. Widows of conflict are vulnerable to rape, sexual exploitation. Women widowed due to HIV/AIDS and affected by the same are shunned by society and cannot access infrastructural resources.

Widowhood affects future generations as well. A widow's children usually share her abject poverty and are more likely out of school: begging, in exploitative work, or - her daughters - caring for the family or married early. **The circle of poverty is unbroken as the daughter of a widow, out of school, is again illiterate and untrained with no access to decent employment.**

We strongly urge adoption of a resolution on Widowhood which includes the following recommendations, formulated by **Guild of Service, India, South Asian Network of Widows Empowerment in Development** (coalition of South Asian NGOs), **Widows for Peace through Democracy** (coalition of NGOs working in conflict-affected countries), and the widow activists from Sub-Saharan Africa, South Asia, and West Asia at the Widows for Peace through Democracy's Workshop on Widowhood during the 54th Session of the United Nations Commission on the Status of Women, and supported by the undersigned NGOs:

- Commission a United Nations Report on Widowhood in Conflict.
- Appoint a United Nations Special Representative on Widowhood.
- Create a fund to enable widows' organizations to mobilise and ensure the voices of widows are heard on their issues related to peace negotiations and legal reforms, including constitutional reform and law committees.
- Urge State Parties to fund the collection and disaggregation of data based on marital status and family structure, including data to combat marginalisation and multiple marginalisation.
- Recommend that The CEDAW consider monitoring the status of widows on the country level and adopting a "General Recommendation" to States Parties on this issue.
- Organize international meetings in Asia and Africa during 2011 and 2012 on Widowhood and its relation to human rights, poverty, and justice.
- The UN may acknowledge and urge States Parties to recognise that the goals of the Millennium Development Goals and the Beijing Platform for Action cannot be reached if widows remain an invisible group within the larger, homogenous group of "women". The vital need is to Mainstream Widowhood issues into UN action to achieve the MDGs

and the objectives of the Beijing Platform for Action, United Nations Security Council Resolution 1325, and its subsequent resolutions, including all international and regional policy meetings.

- Include "widows" as a specific category in National Action Plans for implementing SCR 1325 and for Development.

Submitted by: Ranjit Jayanti, Representative at United Nations for Guild of Service, India, (NGO in Consultative Status with ECOSOC), CoNGO Member (national level NGO working on the empowerment of widows for the last 4 decades) and its affiliate War Widows Association of India. Guild of Service, India is a member of the South Asian Network of Widows Empowerment in Development (coalition of South Asian NGOs), Widows for Peace through Democracy (coalition of NGOs working in conflict-affected countries), and Global Action on Widowhood (advocacy coalition of NGOs worldwide).

Resolution drafted and signatures collected by: Meera Khanna, Guild of Service, India at khanna10@airtelmail.

Supported by:

Supporters of the Resolution on Widowhood for UN Action drafted by Guild of Service and Widows for Peace through Democracy and SANWED, (South Asian network for Widows empowered in Development) and adapted and agreed by the widows activists from South Asia, Sub-Saharan Africa, West Africa, attending the Widows for Peace through Democracy Workshop at the 54th Session of the Commission on the Status of Women and/or presented in petition to The CEDAW Committee at the Widows for Peace through Democracy Side Event on 1 February, 2010 in Geneva: As 10th March 2011 (list still in formulation)

- Guild of Service, India (ECOSOC Status)
- South Asian Network of Widows Empowerment in Development (SANWED) - SAARC Region office in Nepal
- Widows for Peace through Democracy - Global office in UK
- Global Action on Widowhood - Global office in USA
- Association of War Affected Widows - Sri Lanka
- Widows Development Organization - Nigeria
- Women for Human Rights, single women group (WHR-SWG) - Nepal
- Captive Daughters – USA
- The Federation of American Women's Clubs Overseas - Global (25 countries)(ECOSOC and DPI Status)
- International Alliance of Women - International/Switzerland (ECOSOC and DPI Status)
- Mahila Dakshata Samiti (MDS) (ECOSOC Status)
- National Alliance of Women - NAWO, India
- National Alliance of Women's Organizations (NAWO) - UK (ECOSOC Status)
- WOMANKIND Worldwide - UK (ECOSOC Status)
- Youth for Unity & Voluntary Action (YUVA), India (ECOSOC Status)

- Beyond the 11th - USA
- Common Cause - DRC
- DeveloppementAgroPastora et Sanitaire- Dagropass - Burundi
- Widows and Orphans Movement - Ghana
- ACAT-Burundi (Action des Chretiens pour l'Abolition de la Torture) - Burundi (ECOSOC and DPI Status)
- Amnesty International – UK(ECOSOC Status)
- Asia Pacific Forum on Women, Law and Development (APWLD) - Thailand (ECOSOC & CSD Status)
- Association of Anglo- Iranian Women in the UK - UK
- Butere Focused Women in Development (BUFOWODE) - Kenya
- Canadian HIV/AIDS Legal Network - Canada (ECOSOC Status)
- Centre for Women's Global Leadership (CWGL) at Rutgers University - USA (ECOSOC & DPI Status)
- Christian Aid - UK (ECOSOC Status)
- Development Studies Association, University of York - UK
- Eyecatcher/ Shevolution - UK
- Femmes Africa Solidarité - Switzerland (ECOSOC & DPI Status)
- Gender Action for Peace and Security (GAPS) -UK
- Haitian Women in Rural (OFAT) - Haiti
- Helpage International - UK (ECOSOC & DPI Status)
- Human Rights Congress for Bangladesh Minorities - Bangladesh (ECOSOC Status)
- International Council of Jewish Women –UK(ECOSOC& DPI Status)
- International Council of Women - Global (ECOSOC Status)
- International Federation of University Women - UK (National branch of International Federation with ECOSOC and DPI Status)
- Women's International League for Peace and Freedom - UK (National branch of International organization with ECOSOC and DPI Status)
- Iraqi Women's League - UK/ Iraq
- KHRP Kurdish Human Rights Project - UK
- Longwe Clarke and Associates - Zambia
- Mama Zimbi Foundation (MZF) - Ghana
- Mama's Club - Uganda
- MASUM, Pune - India
- Namibia Women Health Network - Namibia
- National Committee of UNIFEM - UK
- Nepal International Consumers Union - Nepal
- Oxfam - UK (ECOSOC Status)

- Peace in Kurdistan Campaign - UK
- PoWR, Projects on Women's Rights - Netherlands
- Proud Pakistan NGO Balochistan (PPB) - Pakistan
- Public Personalities Against AIDS Trust - Zimbabwe
- Razia's Ray of Hope - USA
- Reach Out and Give International, Inc. - USA
- Rural Women's Network Nepal (RUWON Nepal) - Nepal
- SERES - Portugal
- Sophia Forum - UK Chapter of Global Coalition on Women and AIDS
- Sunday Empowerment Group (SEG) - Myanmar, Yangon
- Tamil Information Centre - UK
- Tamil Women Development Forum - Sri Lanka
- Tamil Women Development Forum - UK
- Taso Foundation - Georgia
- The ASHA Foundation - UK
- The Egyptian Association for Community Participation Enhancement "EACPE" - Egypt
- The Grail - USA with teams in 17 countries (ECOSOC Status)
- Thrivine - England
- National Centre for Advocacy Studies India
- Women's World Summit Foundation WWSF (ECOSOC Status)
- The International Association of Women/Alliance Internationale des Femmes. (This includes the Swiss organization for Frauenrechte).
- Nord-Sud XXI, an NGO (ECOSOC consultative status) Switzerland.
- International-Lawyers.Org, Switzerland.
- Widows Development Organization(In association with DPI NGO)
- Global Action on Aging
- WOMANKIND Worldwide
- The International Association of Schools of Social Work
- The Worldwide Organization of Women (ECOSOC)
- The International Network for the Prevention of Elder Abuse, INPEA,(NGO in Special Consultative Status with ECO SOC)
- OVN-NL (The Dutch Older Women 's Network)
- The International Association of Homes and Services for the Ageing (IAHSA)(ECOSOC Consultative status)
- Agewell Foundation (Consultative status with ECOSOC)
- European Women's Lobby / Lobby européen des femmes
- Women and Modern World Social and Charitable Centre - Azerbaijan (ECOSOC Status)
- Women for Women International - Global (ECOSOC Status)

- Women for Women International - USA/UK (ECOSOC Status)
- Women's National Commission - UK (ended operations 31 December, 2010) (ECOSOC Status)
- WUNRN - Women's UN Report Network - Global offices in USA & Italy (ECOSOC & DPI Status)
- Women's World Summit Foundation WWSF - Switzerland (ECOSOC, UNFPA and DPI Status)
- TheWorldwide Organization of Women (ECOSOC)
- **China UN Association (In consultative status with ECOSOC)**
- MARUAH(Working Group for an ASEAN Human Rights Mechanism, Singapore).
- Captive Daughters
- NAWO, the National Alliance of Women's Organisations
- The Federation of American Women's Clubs Overseas
- The Association of War Affected Women
- Association of Women for Action and Research

Annexure 3

Commission on the Status of Women

Sixty-fifth session

15-26 March 2021

Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century"

Statement submitted by The Global Fund for Widows, Widows for Peace through Democracy, The Guild of Service (India), Widows Rights International, Women for Human Rights- Single Women's Groups (Nepal), and Women's UN Report Network, non-governmental organizations in consultative status with the Economic and Social Council*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* The present statement is issued without formal editing.

Statement

Make widows matter.

Women's full and effective participation and decision making in public life cannot be achieved until the harmful stigma surrounding widowhood is eliminated. Every year millions of widows fall victim to economic discrimination via disinheritance, social shaming, and harmful traditional practices. These abuses are global, ubiquitous trends that remain largely unaddressed at the United Nations. In 2011 the adoption of resolution A/RES/65/189 made critical acknowledgments about the plights of widows, calling on the United Nations system to give special attention to the situation of widows and their children. Yet this call has gone unanswered. Widows remain conspicuously absent from the Beijing Platform for Action, and since 2011 no UN organ of the has taken substantive action relating to the plight of widows. Most inheritance regimes in the developing world remain extremely discriminatory towards widows and their children. Patrilineal customary law is often enabled by, or existing in plurality with, inadequate civil codes. Addressing this unjust system of inheritance is of the upmost importance for the protection and empowerment of millions of widows and their children, and an imperative for successful implementation of the Sustainable Development Goals.

The COVID-19 pandemic and resurgence of various conflicts has exponentially increased the number of widows worldwide. Now more than ever we are obligated to closely examine how cultures treat surviving spouses and their families following both unexpected and expected deaths. The Loomba Foundation Report on Widows of 2015, indicated that there were an estimated 285 million widows globally, but it is important now to get updated figures, to map widows at a national level, and to more closely examine legal regimes and protections surrounding widowhood.

The World Bank's working paper on Marital Shocks and Women's Welfare in Africa found that widows suffer from significantly lower overall welfare and nutritional status. While we regret that there is not further research and data available on the relationship between widowhood and poverty, there is a wealth of qualitative evidence and case studies supporting these findings. The economic disadvantage is largely due to a combination of institutionalized human rights violations. Often most significant for widows are asymmetrical inheritance laws, especially the imbalance of land inheritance rights. Additionally, sociocultural barriers and codes often functionally prevent widows from inheriting, often overruling or operating outside of statutory laws which protect inheritance rights.

In patrilineal cultures where men are the primary earners widows experience challenges and structuralized economic inequality. Limited marketable skills, cultural barriers, and the need for childcare all contribute to a lack of economic opportunity or safe, dignified work. Unaddressed widowhood continues to be, a root cause of poverty across generations, forcing widows to withdraw their children from school, and resort to begging, prostitution, and child labor. Widowhood is also a major component in early and forced child marriage, which in turn has the great possibility to create the tragic phenomenon of the child widow.

In addition to economic abuse, widows are subjected to harmful stigmatization rites, which include brutal mourning and burial rights. In customary regimes widows may be accused of causing the death

of their husband, and subjected to torturous rites including defacement (forced shaving of head/body, forced to not bathe for extended periods, burning/scarification, and covering with excrement), trial by ordeal (being forced to drink water used to clean her husband's corpse, various witchcraft rituals, etc), or ritual cleansing which entails unprotected sex with either a relative of her deceased husband or a designated traditional cleanser. In many cultures, the practice of levirate is expected, where the widow becomes part of her husband's estate, and is inherited as chattel through forced marriage to her husband's next of kin. This practice is endorsed in the civil codes of several African nations. Other codified discriminatory practices include mandatory mourning periods and restrictions on the widows right to remarry. While the prevalence of these rites has declined in recent years, they remain prevalent and the true scope has been largely under-examined.

Often the lack of appropriate personal identification, marital records, children's birth certificates result in further challenges a widow may face in accessing her legal and human rights. The prevalence of unregistered marriages and inadequate, complex, or poorly implemented laws relating to marriage and inheritance contribute directly to these challenges.

In instances of widows as refugees, migrants, or internally or internationally displaced by acts of terror, war or natural disaster, the widow's most basic human right, her very own nationality is revoked or unrecognized, as is her ability to transfer nationality to her children. Without an identity, her ability to access her rights under state or host country law is almost totally impaired. This is most evident in widows who have been taken as forced brides of extremist groups such as the Islamic State or Boko Haram. Even after their rescue these women remained shunned for their affiliation with their captors. Children born in captivity lack any legal recognition and are further discriminated against for the crimes of their fathers. If unaddressed, the intergenerational damage caused by this broken family structure will continue to directly propagate the cycle of conflict and instability.

Therefore, The Global Fund for Widows, Widows for Peace through Democracy, The Guild of Service (India), Widows Rights International, Women for Human Rights- Single Women's Groups (Nepal), and Women's UN Reporting Network, strongly believe that global poverty can be alleviated by ensuring the human rights of widows.

We believe that this must be attained through a three tiered, top-down and bottom-up approach.

Tier 1: Inheritance Rights

The most critical step in the attainment of human rights is securing inheritance rights for widows. This top-down approach means that inheritance laws must reflect the gender equality targets outlined by the Sustainable Development Goals of the 2030 Agenda and endorsed by Member States.

In addition, the social and cultural barriers that prevent a widow from accessing her legal inheritance rights must be changed through dedicated social and public service campaigns, enlisting not only mass media but the ever important endorsement of local religious leaders and cultural/ethnic chieftains.

Finally, governments must criminalize all acts of harmful and degrading stigmatization rites against widows.

Tier 2: Economic Empowerment

Best practices and intervention by civil society has proven that by offering widows an economic opportunity through skills based trainings, financial literacy, access to micro-credit, and honing of entrepreneurial skills is critical in preventing this vicious cycle of poverty from commencing.

Tier 3: Post-Conflict Precautions

It is important to recognise that one of the major outcomes of conflict is the high incidence of widowhood and like all women their experience is multi-faceted, but at an exacerbated level, since patriarchal norms place widows higher on the vulnerability scale. Widows experience separation, loss of relatives, physical and economic insecurity, an increased risk of sexual violence, wounding, detention, deprivation and displacement. There must be a concerted effort by state parties to ensure that relief, rehabilitation and reconstruction interventions specifically target widows, as due to their single status, they are often unable to negotiate for themselves. It is important that widows are not just seen as victims of conflict but also as stakeholders in the reconstruction process and should factor their lived experience into rehabilitation and reconstruction interventions.

Statistical invisibility of widows and widowhood.

The sheer number of widows facing poverty and discrimination should mark their absence in the global conversation a grave failure. They are painfully absent from the statistics and planning of many developing countries, and they are rarely mentioned in the multitude of reports on women's poverty, development, health or human rights published in the last twenty-five years. The fact that they do not appear in any statistics, reflects, above all the lack of interest and consideration from which they suffer, as a result they do not enjoy the fundamental right to be included correctly in censuses.

Adequate and appropriate data reflecting the extent of their marginalization, the economic disempowerment, the lost economic opportunities, the vulnerability to poverty on heading households with very little social and economic security needs to be collated for focusing on a policy to empower widows.

We call for intersectional high-level politics to take necessary steps to document the status of widows, and call for action and advocacy to make widows matter.

Annexure 4

Fifteenth SAARC Summit Colombo, 2-3 August 2008

Declaration

Partnership for Growth for Our People

The President of the Islamic Republic of Afghanistan, His Excellency Mr. Hamid Karzai; the Chief Adviser of the Government of the People's Republic of Bangladesh, His Excellency Dr. Fakhruddin Ahmed; the Prime Minister of the Kingdom of Bhutan, His Excellency Lyonchhen Jigmi Y. Thinley; the Prime Minister of the Republic of India, His Excellency Dr. Manmohan Singh; the President of the Republic of Maldives, His Excellency Mr. Maumoon Abdul Gayoom; the Prime Minister of the Federal Democratic Republic of Nepal, the Rt. Hon'ble Girija Prasad Koirala; the Prime Minister of the Islamic Republic of Pakistan, His Excellency Syed Yousuf Raza Gilani; and the President of the Democratic Socialist Republic of Sri Lanka, His Excellency Mr. Mahinda Rajapaksa, met at the Fifteenth Summit meeting of the South Asian Association for Regional Cooperation (SAARC) held in Colombo, Sri Lanka on August 2-3, 2008.

I

Regional cooperation

2. The Heads of State or Government reaffirmed their commitment to the principles and objectives enshrined in the SAARC Charter. They renewed their resolve for collective regional efforts to accelerate economic growth, social progress and cultural development which would promote the welfare of the peoples of South Asia and improve their quality of life, thereby contributing to peace, stability, amity and progress in the region.

3. The Heads of State or Government recognized that SAARC has been making steady and incremental progress over the years, in particular since the last Summit held in New Delhi in April 2007, towards realizing the objectives of the Charter. They accordingly emphasized the importance of maintaining the momentum, through clear links of continuity between the work already underway and future activities. The Heads of State or Government recognized the need for SAARC to further strengthen its focus on developing and implementing regional and sub-regional projects in the agreed areas on a priority basis. Each Member State may consider taking up at least one regional/ sub-regional SAARC project as the lead country.

4. The Leaders noted with satisfaction the considerable progress made in various domains of partnership among SAARC Member States and emphasized the need to consolidate and ensure effective implementation of all SAARC programs and mechanisms by rationalization and performance evaluation on a regular basis. A Partnership for Growth for the Peoples of South Asia

5. The Heads of State or Government were convinced that the process of regional cooperation must be truly people-centered, so that SAARC continues to strengthen in keeping with expectations as a robust partnership for growth for the peoples of South Asia. They accordingly directed all SAARC mechanisms to abide by the Charter objective of promoting the welfare of the people and improving their quality

of life. In this regard they directed the Council of Ministers to ensure that SAARC mechanisms identify further areas of cooperation where people-centric partnership projects could be initiated.

6. The Heads of State or Government observed that an effective and economical regional tele-communication regime is an essential factor of connectivity, encouraging the growth of people-centric partnerships. They stressed the need for the Member States to endeavour to move towards a uniformly applicable low tariff, for international direct dial calls within the region.

Connectivity

7. The Heads of State or Government recognized the importance of connectivity for realizing the objectives of SAARC. They accordingly directed the SAARC mechanisms to continue to embody in their programs and projects a strong focus on better connectivity not only within South Asia, but also between the region and the rest of the world. They further stressed the necessity of fast-tracking projects for improving intra- regional connectivity and facilitating economic, social and people-to-people contacts.

Energy

8. The Heads of State or Government noted that increased access to energy is critical for fulfilling the legitimate expectations of growth and development in South Asia. They observed in this regard that the escalation of oil prices threatens both the energy security of the region, as well as the economic growth witnessed in South Asia. In this context, they recognized the need to expeditiously develop and conserve the conventional sources of energy and to build up renewable alternative energy resources including indigenous hydro power, solar, wind and bio, while introducing energy reforms, energy efficiency and the trade and sharing of technology and expertise. They also noted that there is tremendous potential for developing regional and sub-regional energy resources in an integrated manner and noted the efforts being made to strengthen regional cooperation in capacity development, technology transfer and the trade in energy. While expressing satisfaction at the progress over the recent years to strengthen energy cooperation, the Leaders directed that the recommendations of the Energy Dialogue be implemented through an appropriate work plan.

9. The Heads of State or Government stressed the urgent need to develop the regional hydro potential, grid connectivity and gas pipelines. They noted that the possibility of evolving an appropriate regional inter-governmental framework may be explored to facilitate such an endeavour. They welcomed Sri Lanka's offer to host the Third Meeting of SAARC Energy Ministers in Colombo in 2009.

II

Environment

10. Being increasingly aware of global warming, climate change and environmental challenges facing the region, which mainly include sea-level rise, deforestation, soil erosion, siltation, droughts, storms, cyclones, floods, glacier melt and resultant glacial lake outburst floods and urban pollution, the Heads of State or Government reiterated the need to intensify cooperation within an expanded regional environmental protection framework, to deal in particular with climate change issues. They were of the view that SAARC should contribute to restoring harmony with nature, drawing on the ancient South Asian cultural values and traditions of environmental responsibility and sustainability.

11. The Leaders expressed satisfaction at the adoption of SAARC Action Plan and Dhaka Declaration on Climate Change by the SAARC Environment Ministers at the SAARC Ministerial Meeting on Climate Change held at Dhaka on 3 July 2008. In this context they stressed the need for close cooperation for capacity building, development of CDM projects and promotion of programs for advocacy and mass awareness raising on climate change. They also expressed satisfaction at the adoption of a SAARC Declaration on Climate Change for the United Nations Framework Convention on Climate Change (UNFCCC) by the Twenty-ninth Session of the Council of Ministers.

12. The Heads of State or Government expressed deep concern over global climate change and its impact on the lives and livelihoods in the region. They also noted the urgency of the immediate need for dealing with the onslaught of climate change including sea level rise, on meeting food, water and energy needs, and taking measures to ensure the livelihood security of the peoples in the SAARC region. They resolved to work together to prevent and address the threats to the livelihoods of the peoples and to provide access to remedies when these rights are violated and also to find an equitable distribution of responsibilities and rights among the Member States. They also emphasised the need for assessing and managing its risks and impacts. In this regard, they called for an in-depth study on "Climate Justice: The Human Dimension of Climate Change," to come up with a rights-based approach that would highlight the human impact when responding to the impacts of climate change.

13. The Heads of State or Government affirmed that every citizen of this planet must have an equal share of the planetary atmospheric space. In this context, they endorsed the convergence of per capita emissions of developing and developed countries on an equitable basis for tackling climate change. They were of the view that any effort at addressing climate change should take into account historical responsibility, per capita emissions and respective country capabilities.

14. The Heads of State or Government expressed concern at the human loss suffered through natural disasters in the region and stressed the need for the timely provision of relief in humanitarian emergencies. In this regard they directed that a Natural Disaster Rapid Response Mechanism be created to adopt a coordinated and planned approach to meet such emergencies under the aegis of the SAARC Disaster Management Centre.

III

Water Resources

15. The Heads of State or Government expressing their deep concern at the looming global water crisis, recognized that South Asia must be at the forefront of bringing a new focus to the conservation of water resources. For this purpose they directed initiation of processes of capacity building and the encouragement of research, combining conservation practices such as rain water harvesting and river basin management, in order to ensure sustainability of water resources in South Asia.

Poverty Alleviation

16. The Heads of State or Government while acknowledging the significant steps taken to alleviate poverty in the region, resolved to continue to combat poverty through all available means, including especially through people's empowerment. They committed themselves to continuing to share each

other's experiences and success stories of pro-poor poverty reduction strategies such as micro-credit systems, community-driven initiatives and the raising of the consciousness of the poor on their right to resources and development.

17. In this respect, they emphasized on undertaking sustained efforts, including developing and implementing regional and sub-regional projects towards the attainment of SAARC Development Goals (SDGs). They noted the decision by the Ministers on Poverty Alleviation to obtain an inter-governmental mid-term review of the attainment of the SDGs to be completed by 2009.

18. The Leaders welcomed the offer of Nepal to host next Ministerial Meeting on Poverty Alleviation.

SAARC Development Fund (SDF)

19. The Heads of State or Government expressed satisfaction at the signing of the Charter of the SAARC Development Fund (SDF), and finalization of its Bye-laws, and called for an early ratification of the SDF Charter. They also welcomed early operationalization of the Fund from the available funds. They expressed satisfaction at the launching and identification of the projects on women empowerment, maternal & child health and teachers' training under the social window of the SDF, as directed by the Finance Ministers. They reiterated their commitment to expedite their financial contributions to the Fund. In this regard, the Heads of State or Government accepted with appreciation the offer of the Kingdom of Bhutan to host the SAARC Development Fund Secretariat in Thimphu.

Transport

20. The Heads of State or Government expressed satisfaction at the progress through the Meetings of the Ministers of Transport. They reiterated the critical importance of an efficient multi-modal transport system in the region for integration and for sustaining the region's economic growth and competitiveness. They urged early implementation in a gradual and phased manner of the proposals of the SAARC Regional Multimodal Transport Study (SRMTS).

IV

21. They noted the progress made in the consideration of the draft Motor Vehicle Agreement (MVA) by Member States. They also noted that technical inputs related to Regional Transport and Transit Agreement and Regional Multilateral Railway Agreement were being examined by the Member States. In this context, they directed the next Transport Ministers Meeting to expedite work in this regard. They appreciated the offer of Sri Lanka to hold the Second Meeting of SAARC Ministers of Transport in Colombo in 2008.

Information and Communications Technology (ICT) Development

22. The Heads of State or Government urged the need for even more expeditious and close regional cooperation in information and communication technology. They welcomed the enhanced digital connectivity among the Member States and the ongoing work to upgrade the regional telecommunication infrastructure. They directed that the arrangements needed to implement the proposed collaborative tele-projects such as those for health care and education, be expedited.

Science and Technology

23. The Heads of State or Government acknowledged the ongoing contribution of Science & Technology including cutting edge technology in information and bio- technology in improving the quality of life of the peoples of South Asia. They noted the offer of India to host the Ministerial Meeting on Science & Technology on September 15- 16, 2008 for development of a roadmap on identifying implementable focused regional and sub-regional projects in SAARC.

Tourism

24. The Heads of State or Government underscored the vital contribution that tourism could afford to the economic development of the SAARC region. They agreed to make every effort to implement the comprehensive action plan adopted by the Second Ministerial Meeting held at Cox's Bazaar, Bangladesh. These efforts would include facilitating the movement of people through improved travel infrastructure and air, sea and land connectivity among the SAARC countries, collaboration in human resource development and the promotion of SAARC as a common destination through public- private partnerships and joint campaigns.

Culture

25. The Heads of State or Government emphasized the role of cultural connectivity in bringing the peoples of South Asia closer, while reinforcing and projecting a distinct South Asian identity. They directed that the Agenda for Culture be implemented in full.

V

SAFTA and Trade Facilitation

26. The Heads of State or Government emphasized their commitment to implement SAFTA in letter and in spirit, thereby enabling SAARC to contribute as well to the dynamic process of Asia's emergence as the power house of the world. Recognizing the need to continue to address the major barriers hindering effective trade liberalization in the region, which include sensitive lists of items and Non-Trade Barriers (NTBs), they directed that the decision to revise the sensitive lists by the SAFTA Ministerial Council (SMC) be implemented early. They also recommended that while revising the Sensitive Lists, special consideration be given to the LDCs. The Leaders directed that SAFTA Committee of Experts (SCoE) to expeditiously resolve the issue of Non Tariff Measures (NTMs) and Para Tariff Measures (PTMs) in order to facilitate and enhance the trade under SAFTA.

27. The Heads of State or Government underlined the need for taking concrete measures to improve trade facilitation in terms of the mutual recognition of standards, the adoption of common tariff nomenclatures, the harmonization of customs procedures. They directed the relevant SAARC bodies to expedite their work in these areas. They also recognized the importance of development of communication system and transport infrastructure and transit facilities specially for the landlocked countries to promote intra- SAARC trade.

28. The Heads of State or Government observed that the SAARC legal instruments on trade liberalization and the measures and initiatives for trade facilitation are increasingly affording significant openings for

mutually beneficial trade, investments and economic co-operation within South Asia. These openings are complemented by the uniformly sound levels of national economic growth being attained by the Member States of SAARC. The Leaders accordingly noted the growing and urgent need for enhancing capacity within SAARC dedicated to encouraging national and regional strategies that would further maximize the positive trade, investments and economic cooperation climate in South Asia. In this regard they welcomed the offer of Sri Lanka to prepare a Concept Paper and a Working Paper on the subject and directed that the Paper be discussed at a Session of the Standing Committee specially convened for this purpose, to enable the adoption of appropriate follow-up measures.

29. The Heads of State or Government welcomed the signing of the text of the Agreement on the Establishment of the South Asian Regional Standards Organization. The Heads of State or Government welcomed the signing of the Protocol on Afghanistan for Accession to SAFTA.

Trade in Services

30. The Heads of State or Government expressed satisfaction at the conclusion of the Study on Trade in Services and welcomed the decision of SAFTA Ministerial Council to commence negotiation on the Framework Agreement on Trade in Services. Towards

VI

Achieving further economic integration, they directed that the Draft Agreement on Investment Promotion and Protection be finalized early and the SAARC Arbitration Council be operationalized.

SAARC Social Charter

31. The Heads of State or Government underscored the imperative to make steady progress in the implementation of the SAARC Social Charter and directed the Member States to complete the National Plans of Action with a perspective of seeking to transform current challenges into opportunities. They further directed the National Coordination Committees (NCCs) to recommend activities in conformity with the Social Charter and to introduce an efficient and effective monitoring and evaluation mechanism for reviewing the progress in the implementation of the Social Charter. The Leaders emphasized the need to implement the selected regional and sub regional programs and projects to complement national implementation efforts. They urged that such activities be suitably accommodated in the SAARC Calendar. They called for people's participation in strategy initiatives, planning and implementation to ensure people's responsibility and ownership. The Leaders directed to develop a policy on the protection of rights of the senior citizens for their geriatric care taking into account existing national policies of the Member States.

Women and Children

32. The Heads of State or Government noted with satisfaction the increased cooperation in the region towards achieving the all important goal of bringing women fully into the mainstream of development, on the basis of gender equality. They called for focused attention on women's economic empowerment and skills development, while addressing key health issues and violence against women. The Leaders

directed to work for a regional cooperation for the elimination of all forms of discrimination and abuse against women in general and widows in particular and guarantee their rights to live in the society in a dignified manner.

Education

33. The Heads of State or Government welcomed the substantial progress made in the establishment of the South Asian University in New Delhi and directed that the University should begin its Session from 2010. They also directed that increased interaction between students should be encouraged through institutionalization of students, academics, teachers and youth exchange programs. They further directed early institutionalization of an elaborate SAARC Scholarship Scheme in ICT and related areas.

Combating Terrorism

34. The Heads of State or Government strongly condemned all forms of terrorist violence and expressed deep concern over the serious threat posed by terrorism to the peace, stability and security of the region.

VII

35. They further recognized the growing linkages between the phenomenon of terrorism, illegal trafficking in narcotic and psychotropic substances, illegal trafficking of persons and firearms and underscored the need to address the problem in a comprehensive manner. They reiterated their commitment to strengthen the legal regime against terrorism, including by undertaking to implement all international conventions relating to combating terrorism to which Member States are parties, as well as the SAARC Regional Convention on Suppression of Terrorism and the Additional Protocol to the SAARC Regional Convention on the Suppression of Terrorism. The Head of States or Government while recalling United Nations Security Council Resolution 1373 (2001) emphasized the importance of criminalizing any act for the provision, collection and acquisition of funds for the purpose of committing terrorist acts.

36. The Heads of State or Government recognized in this regard the value of the proposed UN Comprehensive Convention on International Terrorism. They noted the progress made during recent rounds of negotiations and called for an early conclusion of the Convention.

37. They emphasized the need for strongest possible cooperation in the fight against terrorism and transnational organized crime amongst the relevant agencies of the Member States especially in the area of information exchange. The Heads of State or Government further emphasized the importance of completing all legislative and other relevant measures to implement within Member States, the provisions of the Regional Convention on Narcotic Drugs and Psychotropic Substances. The Leaders noted the considerable work done to promote cooperation in Police matters. They appreciated the offer of Pakistan to host the Third Meeting of SAARC Ministers of Interior/Home in Islamabad during 2008.

38. The Heads of State or Government expressed satisfaction on the finalization of the text of the SAARC Convention on Mutual Legal Assistance in Criminal Matters at the Fifteenth Summit and its signing. They

expressed appreciation at the accommodating manner in which the negotiations were conducted by the Member States to provide each other the widest measures of mutual assistance in criminal matters to ensure a greater sense of security within the region, the Heads of State or Government urged for early ratification and implementation of the Convention.

Joint Positions

39. The Heads of State or Government resolved to encourage consultations among delegations of SAARC Member States at the appropriate international forums and agreed to cooperate accordingly.

Observers

40. The Heads of State or Government welcomed the Observers namely the People's Republic of China, the Islamic Republic of Iran, Japan, the Republic of Korea, Mauritius, the United States of America and the European Union and appreciated their participation in the Summit. They also welcomed Australia and Myanmar to be associated as Observers to SAARC. They approved the guidelines for cooperation with Observers and looked forward to working with them in the common pursuit of the partnership for growth for our people.

VIII

Sixteenth Summit

41. The Heads of State or Government welcomed with appreciation the offer of the Maldives to host the Sixteenth Summit Meeting of the Heads of State or Government of the South Asian Association for Regional Cooperation (SAARC).

Annexure 5

Widows' Charter

CHARTER FOR THE RIGHTS OF WIDOWS'

A Draft Protocol for adaptation to specific country, legal, social, cultural and economic situations.

Discrimination against and abuse of widows, of all ages, occurs across a wide spectrum of cultures, religions, ethnic groups, regions, irrespective of the economic or education status of the women subject to this oppression.

Attitudes to and treatment of widows vary from relatively mild indifference and social exclusion (prevalent in some developed countries of the West) to extreme mental, physical and sexual torture, and even to murder. In Tanzania, a HelpAge study found that in one year as many as 400 older women, mostly widows, were accused of being witches and murdered or stoned to death. In several South Asian communities the vernacular words used for widows mean witch, sorceress, prostitute, whore. Across ethnic groups widows are systematically and routinely vilified, regarded as the real cause of their husbands' deaths and perceived as ill omens and bringers of bad luck.

With regard to legal rights, whether enshrined in international law, in national constitutions or domestic laws, widows are often beyond the reach of modern statutes and, for various reasons, maybe unable to access the modern justice system in their countries. In countries where religious and customary systems of law exist in parallel with modern statutory law, widows' lives are mainly determined by interpretations, made by leaders of their local communities, of the religious or customary systems. Thus, widows are often barred from inheriting from their dead husband's estate; may be evicted from the family home; lose custody of their children to the male relatives of their deceased spouse. They may be unable to own or dispose of land, and be subjected to horrific, degrading and life-threatening traditional practices. This lack of rights leaves the majority of widows in extreme poverty and destitution. Widows and their children are among the poorest of the poor.

In spite of the many ratifications to the CEDAW, the consensus of the Beijing Platform for Action, widespread support for the Declaration on the Elimination of Violence to Women, and endorsement by governments of the UNSCR 1325, widows continue to be excluded from the progress made in raising the status of millions of the world's women.

Not only are they denied their basic human rights, civil, political, social and economic, but their crucial roles in society, in development, in peace building, and as sole supporters of their families have not been recognised. There is a dearth of statistical data and situational analysis of their day-to-day struggles to survive. Governments should explore alternative methods of collecting such information, such as participatory poverty and demographic assessment studies involving the widows' groups themselves through Mapping and Profiling projects.

But change is on the way, as widows begin to organise themselves to be agents of change, lobby for legal reforms, are represented in decision-making, and begin to be counted and heard.

The Charter for WIDOWS' RIGHTS demands the elimination of all discrimination against widows, both

within the family and in community and public life. The abuse of widows can in no circumstances be justified on the grounds of “custom” by families or traditional and religious authorities. As NafisSadik once said, famously, “no custom or religion can ever justify the oppression of women”. We add, nor of WIDOWS.

The plight of widows of war often worsens in the aftermath of conflict, and SCR 1325 has failed to address, in any significant way (with a few unique exceptions) either their immediate or long-term needs. But the months and years after violence and conflict have died down or been brought to an end and the numbers of widows and wives of the missing will have increased unprecedentedly, provide the opportune moment for widows to organise themselves and ensure, for example, that in the drafting of new constitutions, laws and administrative reforms, widows’ issues are mainstreamed and their rights guaranteed.

This Draft draws on all the Human Rights Conventions and Charters, and particularly on the CEDAW and the Beijing Platform. It also accommodates conclusions of international resolutions and declarations such as the 2030 Agenda for Sustainable Development.

The articles below describe acts and attitudes which in most countries are already proscribed under the general principles of international laws ratified by governments. Here they are spelt out specifically.

It is hoped it will be a useful lobbying tool for widows’ groups, women’s organisations, and inform the relevant Ministries (Women, Justice, Health etc.) of the principle issues.

THE WIDOWS’ CHARTER

PREAMBLE

- Noting that all women are equal before the law and that the human rights of women are inalienable, universal and non-transferable.
- Noting that in many countries widows suffer from low status, discrimination, violence and lack of legal rights.
- Noting that in many communities widows are stereotyped as evil, bringing bad luck, and that social attitudes to widowhood obstruct them from fully participating in civil society.
- Noting that in spite of international and domestic laws guaranteeing equality in inheritance, land ownership, and criminalising violence to women widows are often banned from inheriting, evicted from their homes, deprived of all their property, and left in destitution.
- Noting that widows are often victims of degrading and life-threatening traditional practices in the context of funeral and burial practices.]
- Noting that there is no special reference to discrimination and abuse of widows in the Beijing Platform for Action.
- Noting that widows are key social and economic players in development.
- Reaffirming the important role that widows do and may play in the resolution and prevention of conflicts.
- Expressing concern that the impact of this treatment of widows has severe and negative implications for the whole of society. In particular because the poverty of widows deprives their children of their human rights to shelter, food, education and the rights of the child.
- Recognising the urgent need to mainstream a widows’ perspective in all policy developments and decisions.

- Reaffirming the need to implement fully all international human rights and humanitarian law that protects the rights of women and girls, irrespective of their age or marital status, during and after conflict as well as in times of peace.
- Requires all governments to use all measures possible to eliminate this discrimination, and to work with widows’ groups to assess their numbers and their situation so as to develop policies and laws to alleviate their isolation and poverty, and acknowledge their valuable social capital.

ARTICLE 1

- a) Widows shall enjoy equality with all women and men, irrespective of their age or marital status.
- b) Any treatment of a widow which differs from the treatment, legally, socially, economically, of a widower shall be deemed to be discriminatory and therefore illegal.
- c) Widows shall not be discriminated against, in word or deed. either in family and private life, or in community and public life.
- d) The State is guilty, by omission, of breach of the law, if it implicitly condones discrimination and abuse of the widow by non-state actors, such as family members.

ARTICLE 2

- a) Widows shall have the right to inherit from their husband’s estate, whether or not the deceased spouse left a will.
- b) Widows may not be disinherited
- c) Widows may not be “inherited” as wives or concubines to their husband’s brother, nor forcibly placed in a “levirate” relationship, nor forcibly made pregnant by a relative in order to continue producing children in her dead husband’s name.
- d) A widow has the right to remarry
- e) A widow must be free to marry someone of her own choice
- f) Polygamy and temporary marriage is forbidden.
- g) “Honour Killings” are murder
- h) Daughters shall inherit equally with sons
- i) “Property-Grabbing” and “chasing-off” are criminal offences, punishable as the most serious category of crime
- j) Anyone who attempts or manages to deprive a widow of any of her property, take custody of her children, without an order of a judge or magistrate shall be guilty of the most serious category of crime
- k) Anyone, whether a relative or a stranger, who seeks or manages to gain control of the dead husband’s bank account, insurance policy, accident compensation claims, without the order of the Court is guilty of the most serious category of crime
- l) Free Legal Aid shall be given to widows in all inheritance, property and personal status disputes

ARTICLE 3

- a) Anyone who arranges or coerces a widow to participate in harmful traditional practices in the context of funeral and burial rites shall be guilty of the most serious category of crime (for example: ritual cleansing through sex; scarification; isolation; restrictions on diet and dress endangering mental and physical health)

- b) Anyone who has sexual relations with a widow in the context of funeral and burial rites shall be guilty of Rape, and subject to the maximum penalty.
- c) Anyone who forcibly deprives the widow of custody of her children shall be guilty of a serious offence
- d) Anyone who physically, mentally or sexually abuses a widow is guilty of the most serious category of crime
- e) Anyone who verbally abuses a widow by calling her insulting names shall be guilty of an offence.

ARTICLE 4

Any restrictions on a widow's mobility, even where based on "custom" which continues after the 14th day after the death of the spouse are unlawful and anyone responsible for restraining the widow is guilty of a criminal offence

- a) Any restrictions, due to her marital status, on a widow's freedom to access social, health and education services are unlawful
- b) Any restrictions concerning domicile, diet, clothing, life-style imposed on a widow against a will are unlawful
- c) All restrictions on widows' accessing health care, including family planning services, are unlawful.
- d) Any restriction on a widow's right to citizenship, a passport and freedom to travel is unlawful.

ARTICLE 5

All appropriate measures shall be taken to eliminate discrimination against widows in the field of employment, in particular:

- a) The right to the same employment opportunities and remuneration as other men and women
- b) It is an offence under the Employment Acts for anyone to dismiss a woman from her employment because she has become a widow and must take some reasonable time off work for the funeral rites is guilty of an offence
- c) It is an offence to refuse to employ a widow because she is wearing mourning clothes
- d) Suitable child-care and elderly care support shall be provided to widows who work outside the home.

ARTICLE 6

- a) The term "violence against women" includes any act of gender-based violence against a widow that results in or is likely to result in physical, sexual or psychological harm or suffering to her, including threats of such acts, coercion, or deprivation of liberty.
- b) No widow-abuse may be justified by citing custom, tradition or religion.
- c) All appropriate measures shall be taken, through, for example public education and training of opinion leaders, to change the negative stereotyping of widows
- d) No relative shall detain a widow in his or her household as an unpaid domestic worker without registering before the court and being subject to regular monitoring and inspection by the social services.
- e) All appropriate measures shall be taken to protect widows and their children from sexual exploitation, prostitution and trafficking of women and girls.
- f) It is no defence to this law that the widow consented to be victim of the alleged violence.

ARTICLE 7

- a) All appropriate measures shall be taken to ensure that those dependent on widows – children, other orphans, the old, sick and frail people – are identified that gaps in assistance are filled.
- b) Where appropriate, widows should receive financial support to balance opportunity costs in sending children to school.
- c) Appropriate measures shall be taken to eliminate discrimination against widows in areas of economic and civil life. In particular
 - (i) The right to a pension and family benefits
 - (ii) Elimination of delaying bureaucratic barriers to widows accessing pensions
 - (iii) Elimination of corruption in the dispensing of pensions to widows
 - (iv) Special measures to assist illiterate widows access their economic and legal rights
- d) Widows' children should have priority in assessment for education scholarships.

ARTICLE 8

WIDOWS OF CONFLICT AND POST CONFLICT

- a) Recalling SCR Resolution 1325, and recognising the huge increase in the numbers of widows and wives of the missing as a consequence of armed conflict
- b) Recognising that many widows of war have also been victims of rape and sexual violence
- c) Recognising also the extreme vulnerability of widows and daughters of widows in the instability of societies in the aftermath of war
- d) Noting the unique role widows play as custodians of the social fabric of communities
- e) Noting also widows' unique roles as peace builders and peace makers, through their ability to link hands with widows across ethnic, religious and national divides
- f) Recognising that years after Peace Accords are signed widows of war continue to struggle to survive in refugee and IDP camps and are unable to return to their original homes
- g) Concerned with the problems arising for wives of the "missing", unable to rebuild their lives because of uncertainty about their status
- h) Recognising the particular individual security issues for women without male protectors
- i) Noting the alarming rise in domestic violence as well as sexual violence in the community in the post conflict situation
- j) Expressing concern at the vulnerability of widows and their children to rape, forced prostitution and trafficking by criminals, occupying troops, so-called peace-keeper forces
- k) Noting the many numbers of orphans, sick, old, wounded and traumatised people are dependent on widows for their survival

CALLS all actors involved in negotiating and implementing peace agreements to address the special needs of widows and wives of the missing, as required by SCR 1325, and ensure the protection of and respect for their human rights.

CALLS on all actors to ensure that widows' are represented in these negotiations so that their particular concerns, for example:

- (i) Rights of safe return of displaced widows to former homes
- (ii) Repair and Rebuilding of homesteads
- (iii) Land allocation and ownership
- (iv) Clarification of the legal rights and social needs of the wives of "the missing"

- (v) Personal Status guarantees in Constitution and Law Reform
- (vi) Protection of widow witnesses at national and international courts and tribunals before, during and after trials
- (vi) Counselling and health care for victims of sexual abuse and rape
- (vii) Addressing needs of refugees and IDPs, and widow asylum seekers.

ARTICLE 9

Government will support the establishment of a National Federation of WIDOWS, with clusters and sub-groups in every town and sets of villages so that information on the needs of widows is available and can inform policy making at the national and local level.

- a) All appropriate measures shall be taken to support widows organising themselves into self-help and empowerment groups
- b) These groups shall be acknowledged as being decisive components of civil society, to be involved as participants in the development of social, economic policies affecting their situation.
- c) Support shall be given to the establishment of a National Federation of Widows' Groups with an advisory status to government.
- d) Widows' shelters and legal aid centres for widows shall be established.
- e) Statistic and Data shall be collected and a situational analysis undertaken to ascertain the true numbers, needs and roles of widows in society.
- f) In recognition of the gap in knowledge, Governments will explore alternative methods of collecting such information, such as participatory poverty and demographic assessment studies involving the widows' groups themselves.

ARTICLE 10

- a) Governments shall address the situation of widows in their work programmes to achieve the Millennium Development Goals
- b) Governments shall bear in mind the special situation of widows when identifying measures to implement the CEDAW, the BPFA, the Declaration Eliminating Violence against Women, the Convention against Torture, SCR Resolution 1325 and all other human rights conventions and charters.
- c) All human rights training of all actors in the justice system, community and opinion leaders, shall incorporate widows' rights law
- d) Governments shall consult with widows' organisations when reporting to the human rights committees on their implementation of the ratified charters and agreed declarations and programmes.

1:Copyright Widows for Peace Through Democracy, February 2017.

Annexure 6

Following are the recommendations made by expert committee on widows constituted by Hon'ble Supreme Court of India
All recommendations were accepted by the Hon'ble Supreme Court

Committee comprising of:

- Ms. Meera Khanna, Guild of Service
- Ms. Suneeta Dhar, Jagori
- Ms. Abha Singhal Joshi, Lawyer
- Ms. Anupama Dutta, HelpAge India
- Dr. Bindeshwar Pathak, Sulabh International
- Ms. Aparajita Singh, Advocate

II. COMMON WORKING PLAN

Sl. No.	Issues Identified in the Reports	Recommendations	Executing Agency	Timeline
1. ADMINISTRATIVE STRUCTURE FOR COORDINATED SERVICES				
1.1	Single Window System for access to services/ Schemes ¹	<p>a) A dedicated "Widows' Cell" to be constituted at the district level consisting of 1) Secretary, DLSA, 2) Sub Divisional Magistrate, 3) Additional Superintendent of Police, 4) Deputy Chief Medical Officer, 5) District Project Officer 6) District Social Welfare Officer and 7) A Chief Executive Officer - to be nominated by the Department of Women and Child Development (State), to execute the services and schemes relating to widows.²</p> <p>A note on the suggested structure and functions of the Widows' Cell is annexed herewith as Annexure 2.</p> <p>b) The Ministry for Women and Child Development (MWCD) has already formulated a One Stop Centre Scheme (OSC) to converge services for women affected by violence³. OSC scheme could be integrated with the present recommendations to specifically cater to the needs of widows.</p> <p>c) All shelter homes, whether maintained by the Centre, State or an NGO, should be registered with the Widows' Cell.</p> <p>d) Widows' Cell should register all the destitute/vulnerable widows of the area through Help Desk/Registration Desk and surveys.</p>	<p>Ministry for Women and Child Development (MWCD)</p> <p>Department of Women and Child Development at the State Level</p>	3 months from date of approval

¹ Study by the NCW in 2009-10 on widows in Vrindavan, Report No. 3; A Report dated 10th September, 2012 and Few Ground Realities by Secretary DLSA, ACJM, Mathura, Report No. 6.

² Status Report filed by Ms. Resuka Kumar on 16th April, 2015, Report No. 10.

³ Affidavit filed by the Ministry of Women and Child Development on 2nd June, 2017, Report No. 18.

1.2	Monitoring Mechanism for Shelter Homes/ Widows' Cell/ Schemes ⁴ .	<p>a) A Monitoring Committee consisting of 1) Chairperson, DLSA 2) District Magistrate 3) Chief Medical Officer and 4) two members from local citizens' group to be constituted at the district level to inspect the shelter homes and the implementation of the schemes on a quarterly basis. The inspection reports to be uploaded on the MWCD database immediately after every inspection, which would be accessible to all the concerned agencies simultaneously including the State level and the National level Monitoring Committee.</p> <p>b) At the State Level, a committee consisting of 1) Member Secretary, SLSA, 2) Secretary, Department of Women and Child Development, 3) Secretary, Department of Social Welfare, 4) Chairperson, State Social Welfare Board, and 5) Chairperson, State Commission for Women to be constituted to review the report of District Monitoring Committee and take appropriate action. The State Monitoring Committee to conduct annual inspection of shelter homes to review the implementation of the schemes.</p> <p>c) At the National level, a Committee comprising 1) Member Secretary, NALSA, 2) Secretary, Ministry of Women and Child Development, 3) Chairperson, Central Social Welfare Board, 4) Chairperson, National Commission for Women and 5) Secretary, Ministry of Skill Development and Entrepreneurship to be constituted to review the report of District Monitoring Committee and take appropriate action. The Committee to conduct periodic inspection to review the</p>	<p>Ministry for Women and Child Development</p> <p>Department of Women and Child Development at the State Level</p>	3 months from date of approval
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⁴ Status Report on widows in Swadhar Homes in Uttar Pradesh, Uttarakhand, West Bengal and Odisha by the NCW in November, 2016, Report No. 16; A Report dated 16th September, 2012 And Few Ground Realities by Secretary, DLSA ACJM, Mathura, Report No. 6.

		Implementation of the schemes. MWCD is already exploring the possibility of a web based IT enabled monitoring system. ² The Ministry has developed a similar scheme of web based real time monitoring for its One Stop Centre Scheme which could be adapted for the present recommendation. ⁴		
1.3	Centralised collection of donations by the Widows' Cell ⁷	a) Centralised collection of donations for widows through the Widow's Cell. b) Monetary donations from donors should be collected at Help Desks/identified spots for specific purpose like food, clothing etc. ⁸ c) Distribution of material to widows by donors should also be regulated by the Widows' Cell to ensure equitable distribution at every home. ⁹	Department of Women and Child Development at the State Level Widows' Cell	3 months from constitution of the Widows' Cell
2. IDENTIFICATION AND OUTREACH				
2.1	Common Database of widows	a) On registration of the death of a male, the name, age and contact details of the widow should also be recorded. The Registrar General of India should issue a direction to the States to this effect. b) Census data collection should be upgraded with additional indicators on widows. c) This data should be uploaded on the digital database of the Ministry of Women and Child Development, keeping in mind privacy of the widows. The achievement booklet of MWCD 2014-2016, states that the ministry is working with the office of the Registrar General of India as well as the State Governments to ensure that the name of the widow is compulsorily mentioned in the death certificate of her husband.	Registrar General of India Registrar of Births and Deaths at State level Ministry of Women and Child Development Department of Women and Child Development at the State Level Widows' Cell	3 months from date of approval Uploading of data on creation of digital database system

² Affidavit filed by the Ministry of Women and Child Development on 2nd June, 2017, Report No. 18.

³ <http://wcd.nic.in/sites/default/files/ProposalforOneStepCentre17.3.2015.pdf>

⁴ Study by the National Commission for Women in 2009-10 on Widows in Vrindavan, Report No. 3.

⁵ Report of the Member Secretary, NALSA dated 14th January, 2014 filed in W.P. No. 133 of 2012 on 12th September, 2014, Report No. B.

⁶ A Report dated 10th September, 2012 And Few Ground Realities by Secretary DLSA, AQIM, Mathura, Report No. 6.

2.2	Proactive Intervention	a) An assessment of the financial, legal and health requirement of the widow should be conducted within 60 days of registration of death of the spouse. b) The widow should be made aware of her legal rights including the right to the family property and the right to reside in the family home. ¹⁰ c) The widow should also be made aware of her right to access the beneficial government schemes. d) The widow should be provided assistance in accessing legal, health or any other service by connecting her with the concerned agency. e) Threat of eviction, violence or any other abuse to be monitored and referred for legal aid to DLSA. f) This outreach should also be done through telephonic calls to the widows. A checklist of the suggested outreach action to be undertaken by the Widows' Cell is annexed herewith as Annexure 3 .	Widows' Cell	3 months from constitution of the Widows' Cell
2.3	Protection from Offences	a) Local police stations must have an outreach programme for widows in homes, community or shelter homes. b) Mahila Police Volunteers Scheme of MWCD to create awareness and report incidence or threat of violence, eviction or other abuse of widows to the police. c) Local police stations to include shelter homes in the periodic patrolling/beat with specific reporting to the Women's Help Desk/SHO on the status and grievances received, if any. The Senior Citizen Cell model of the Delhi Police can be adopted for this purpose ¹¹ .	Ministry for Women and Child Development Department of Women and Child Development at the State Level District Magistrate Senior Superintendent of Police Widows' Cell	For Shelter Homes - 3 months from date of approval For widows' residing independently, on constitution of the Widows' Cell

¹⁰ Status Report on widows in Swadhar Homes in Uttar Pradesh, Uttarakhand, West Bengal and Odisha by the NCW in November, 2016, Report No.16; Summary Report of the Situation Analysis of Widows in Religious Places of West Bengal prepared by Jayaprakash Institute of Social Change, Report No. 1.

¹¹ <http://www.delhipolice.nic.in/seniorcitizen/objectives.htm>

2.4	Protection of Property Rights ¹³	<p>Transfers, release deeds, No Objection Certificates or other conveyance documents and mutations of widows' property should be endorsed by the Sub Divisional Officer (or any other officer of like profile) that such officer has personally satisfied herself or himself that the conveyance and mutation is not done by the widow under coercion or undue influence.</p> <p>The following template is suggested for verification:</p> <p><i>"Certified that the contents and effect of the above transaction/Power of Attorney in respect of property have been explained to xxxxxx, W/D late xxxxxx, aged xxxxx, Resident of xxxxxxxx, and it has been verified that she is entering into the same with her full and free consent, without being under any duress or coercion.</i></p> <p>Signature, Date & Seal SDM "</p>	Department of Revenue at the State level	3 months from date of approval
3. RESPONSE MECHANISM FOR WIDOWS IN DISTRESS				
3.1	Common Help Line ¹³	<p>a) A Common Helpline Number to provide single window access to Police Help/Shelter/ Health Services/ Legal aid/ Government Schemes/ Grievance Redressal.</p> <p>b) The MWCD has already developed "Universalisation of Women Helpline Scheme" with common helpline number 181 which can be integrated with the specific needs of the widows¹⁴.</p> <p>c) The helpline number would forward the request to the concerned agencies for required action.</p> <p>d) The widows contacting the helpline should be integrated into the system through registration with the Widows' Cell.</p> <p>e) The Common Helpline Number, list of services and shelters available to widows should be displayed at bus stations, railway stations.</p>	Ministry for Women and Child Development with the concerned agencies. Widows' Cell	3 months from date of approval

¹³ Flight of Poresaken/Forlorn Women - Old and Widows Living in Vrindavan & Radhakand, dated 16th November, 2012 by DLSA, Mathura, Report No. 7; Summary Report of the Situation Analysis of Widows in Religious Places of West Bengal prepared by Jayaprakash Institute of Social Change, Report No. 3.

¹⁴ A Report dated 14th September, 2012 and Few Ground Realities by Secretary DLSA, ACJM, Mathura, Report No. 6.

¹⁵ <http://www.wcd.ac.in/schemes/women-helpline-scheme-2>.

		<p>temples, premises of panchayats, municipalities and other local bodies prominently.</p> <p>f) Common Helpline Number should be advertised widely in all media.</p> <p>g) Apps should also be developed for this purpose to enable individuals/ organisations access services for a widow needing support.</p>		
3.2	Maintaining digital case file of each widow ¹⁵	<p>a) Create a secure digital file of the widow on registration with shelter homes/Widows' Cell that documents her health, legal, financial and other issues (in addition to the physical file), so that it can be accessed by the concerned agencies when needed and with consent of the widow.</p> <p>b) Link to the data could be provided to other related agencies (DLSA, Social Welfare Department, Hospital) to facilitate access to all the services.</p> <p>c) The same exercise should be carried out for widows residing independently by the Widows' Cell.</p>	Ministry for Women and Child Development, Department of Women and Child Development at the State Level Widows' Cell Shelter Homes	On creation of digital database system by the MWCD (MWCD has stated that it would develop the system within 6 months on 11.8.2017) ¹⁶
3.3	Access to Identification Documents ¹⁷	<p>a) The following identification and other necessary documents should be arranged by the shelter homes or Widows' Cell within 45 days of registration:</p> <p>i) Ration Card (where eligible)</p> <p>ii) Aadhar Card</p> <p>iii) Rashtriya Swasthya Beema Yojna Card/Health Card</p> <p>iv) Jan Dhan Yojna Bank account facility</p> <p>v) PAN Card</p> <p>vi) Voter ID Card</p> <p>b) For widows living independently the Widows' Cell to carry out the same exercise.</p> <p>c) Aadhar Card issued to the widow could be the common identity document to access all services</p>	Shelter Home Widows' Cell	Ongoing for Shelter Homes. For widows' residing independently, on constitution of the Widows' Cell

¹⁵ Affidavit filed by the Ministry of Women and Child Development on 2nd June, 2017, Report No. 18.

¹⁶ Recorded in the Judgment of the Hon'ble Supreme Court dated August 11, 2017.

¹⁷ Status Report filed by Ms. Reetika Kataria on 16th April, 2015, Report No. 10.

		such as legal aid, counselling, health care, grievance redressal. ¹⁸		
3.4	Counselling ¹⁹	<p>a) The widow and her family should be provided immediate counselling on registration at the shelter home or Widows' Cell with the aim to reintegrate her with the family.</p> <p>b) The counsellor should record all the relevant particulars and upload it on the digital file of the widow.</p> <p>c) Counselling, wherever done, should encourage discussion on marriage and like relationships, in order to create a supportive environment for the widow.</p> <p>d) Widows can also be counselled through telephone.</p> <p>e) Social Welfare Boards should devise incentivized internship programmes in consultation with the Schools of Social Work. The internship to include a fixed number of visits and documentation of the Widows' issues.</p>	<p>Family Counselling Centre under Central/State Social Welfare Board</p> <p>Resident Counsellor at shelter homes, Widows' Cell</p>	<p>3 months from date of approval</p> <p>(MWCD has stated that it would develop a module within 6 months on 11.8.2017)²⁰</p>
3.5	Access to Legal Aid ²¹	<p>a) DLSA should have a dedicated panel of lawyers/Para Legal Volunteers (PLVs) for widows.</p> <p>b) Immediately on registration at shelter home or Widows' Cell, the widow should be counselled on her legal rights and efforts should be made to reintegrate her with the family through mediation.</p> <p>c) Issues concerning a widow should be recorded with all the relevant particulars, uploaded on the digital file of the widow and submitted to DLSA for further action.</p> <p>d) DLSA to send PLVs preferably women to every home once a week. [The Vrindavan experience</p>	DLSA	<p>Ongoing at Vrindavan</p> <p>3 months from date of approval</p>

¹⁸ A Report dated 10th September, 2012 and Few Ground Realities by Secretary DLSA, ACJM, Mathura, Report No. 6.
¹⁹ Status Report on widows in Swadhar Homes in Uttar Pradesh, Uttarakhand, West Bengal and Odisha by the NCW in November, 2016, Report No. 16.
²⁰ Recorded in the Judgment of the Hon'ble Supreme Court dated August 11, 2017.
²¹ Report of the Member Secretary, NALSA dated 14th January, 2014 filed on 12th September, 2014, Report No.8.

		can be adapted and scaled up across the country.]		
		<p>e) The PLVs should adequately document each visit with details of the widows met, and issues raised by them. The panel lawyers should review the information recorded and recommend necessary action to DLSA.</p> <p>f) Panel lawyers should visit the shelter homes once a month to discuss the reported issues and report recommended action to the Secretary DLSA.</p> <p>g) Similar outreach should be undertaken for widows living independently.</p> <p>h) Litigation pertaining to widows should be identified and, where appropriate, be referred to Lok Adalats or mediation to facilitate early resolution.</p> <p>i) Cases related to widows should be fast-tracked and monitored by the Secretary, DLSA.</p> <p>j) DLSA should involve law students by devising incentivized internship programmes in consultation with the Law Schools. The internship to include a fixed number of visits and documentation of the Widows' issues with the help of the PLVs.</p>		
3.6	Access to Health Care ²²	<p>a) Health check-up of the widow on registration</p> <p>The Master Sheet with medical report should be retained by the hospital and a Health Card should be issued to the widow.</p> <p>b) The medical report should be uploaded to the digital file of the widow so that all her medical records are accessible.</p> <p>c) All the widows should be provided Health Insurance under Rashtriya Swasthya Bima Yojna.²³</p> <p>d) The Aadhar Card/ Smart Card under Rashtriya Swasthya Bima Yojna/Health Card should provide easy and expeditious access to health</p>	<p>Ministry for Women and Child Development, Ministry of Health and Family Welfare, UOI</p> <p>Department of Women and Child Development at the State level</p> <p>District Social Welfare Board</p> <p>Department of Health at State</p>	<p>3 months from date of approval</p>

²² Report on the NREGS FACILITIES for widows and destitute women in Vrindavan by Ms. Reshmi Kishor on 08 November, 2016, Report No. 17.
²³ Affidavit filed by the Ministry of Women and Child Development on 2nd June, 2017, Report No. 18.

		<p>services/hospitals.</p> <p>e) Assignment of a designated Social Worker/NGO at the hospital to ensure timely and need based service to the widows.²⁴</p> <p>f) In cases of emergency, a call to the common helpline should activate the emergency response.</p> <p>g) Scheduled visits by Doctors at the shelter home.</p> <p>h) Widows living independently should be linked to the hospital through the Widows' Cell.</p> <p>i) Provision of ambulances in shelter homes, which can also be used for all the widows in the area.</p> <p>j) Mobile Medical Units/ Mobile pharmacies should visit designated areas at fixed schedules. Free medicines should be made available.²⁵</p> <p>k) Monthly Medical Camps with fixed calendars in designated area to ensure maximum participation.</p> <p>l) District-wise mapping of all the available Government and private hospitals for creating a network of referral linkage for specialty, super-specialty and emergency services.²⁶</p> <p>m) Private hospitals to be engaged to provide voluntary and CSR health related services especially in cases of specialty, and super-specialty treatment.</p> <p>The model submitted in the report of Ms. Renaka Kumar on medical facilities could be adopted for the present recommendations.</p> <p>A suggested format for Health Record provided by HelpAge India is also annexed herewith as Annexure 4.</p>	<p>level</p> <p>District Chief Medical Officer</p> <p>ASHA workers</p> <p>Widows' Cell</p>	
3.7	Ease of access to Banking ²⁷	<p>a) Ensure that eligible widows have a bank account under Pradhan Mantri Jan Dhan Yojna.</p> <p>b) Direct Benefit Transfer of pension/benefits to the</p>	<p>Ministry for Women and Child Development,</p>	<p>3 months from constitution of Widows'</p>

²⁴ Study by the National Commission for Women in 2009-10 on widows in Vrindavan, Report No. 3; Minutes of the Meeting held on 10th May, 2011 by the Secretary, MWCD, Report No. 4.

²⁵ Minutes of the Meeting held on 10th May, 2011 by the Secretary, MWCD, Report No. 4.

²⁶ Report on the medical facilities for widows and destitute women in Vrindavan by Ms. Renaka Kumar on 9th November, 2016, Report No. 17.

²⁷ Study by the National Commission for Women in 2009-10 on widows in Vrindavan, Report No. 3.

		<p>Widow's account on a monthly basis.²⁸</p> <p>c) Bank counters should be opened in areas densely populated by widows as it is difficult for older women to access banks or ATMs, which can result in misappropriation of funds.²⁹</p> <p>d) Distribution of pension in shelter homes once a month.³⁰</p> <p>e) Mobile Banking for old and bedridden women.³¹</p> <p>f) Periodic joint review of the pension accounts by the Bank and Social Welfare Department.³²</p>	<p>Department of Women and Child Development at the State level</p> <p>District Social Welfare Board</p> <p>Widows' cell</p> <p>Shelter Homes</p>	<p>Cell</p>
3.8	Livelihood / Skill Development ³³	<p>a) Self-Help Group of widows to be formed for self employment.³⁴</p> <p>b) Coordination with designated agencies for training, placement and market linkage under the existing government schemes:</p> <ul style="list-style-type: none"> Support to Training and Employment Programme for Women (STEP) by MWCD run through NGOs to build self-employability skills of women. Rashtriya Mahila Kosh scheme by MWCD provides loans to women self-help groups as well as NGOs to establish market linkage for the products of self-help groups. Pradhan Mantri Kaushal Vikas Yojana (PMKVY) aims to develop similar skills and arrange appropriate placements of the trainees. National Urban/Rural Livelihood Mission schemes under Ministry of Housing and Urban Affairs and Ministry of Rural Development respectively. <p>c) Additionally, skill building in non-traditional skill-sets like driving, computer training, care giving, medical assistance and micro-entrepreneurship should be encouraged.</p>	<p>Ministry of Women and Child Development</p> <p>Ministry of Skill Development and Entrepreneurship/</p> <p>Ministry of Housing and Urban Affairs/</p> <p>Ministry of Rural Development (UOI)</p> <p>Widows' Cell</p> <p>Designated NGOs</p>	<p>3 months from date of approval</p>

²⁸ Affidavit filed by the Ministry of Women and Child Development on 2nd June, 2017, Report No. 18.

²⁹ Report filed by National Legal Services Authority dated 14th July, 2012, Report No. 5.

³⁰ A Report dated 16th September, 2012 and Few Ground Realities by Secretary DLSA, ACJM, Mathura, Report No. 6.

³¹ Study by the National Commission for Women in 2009-10 on widows in Vrindavan, Report No. 3.

³² Study by the National Commission for Women in 2009-10 on widows in Vrindavan, Report No. 3.

³³ Status Report on widows in Swadhar Homes in Uttar Pradesh, Uttarakhand, West Bengal and Odisha by the NCW in November, 2016, Report No. 16.

³⁴ Study by the National Commission for Women in 2009-10 on widows in Vrindavan, Report No. 3.

3.9	Housing facility ³⁵	Low-cost housing schemes to be made available to the widows under Pradhan Mantri Awaas Yojna and other similar schemes which would encourage them to move out of shelter homes.	Ministry of Housing and Urban Affairs, UOI	3 months from date of approval
3.10	Social and Community Support ³⁶	<p>a) Social and cultural events with fixed calendars should be organised with the help of local community and citizens' group like Rotary, Lion's Club, etc. Funds could be raised for this purpose with private partnership.³⁷</p> <p>b) Widows desiring to remarry or find partners should be linked to appropriate agencies/NGOs.</p> <p>c) Mass Marriages with consent to be organised by DM / Local community.</p> <p>d) At the time of remarriage from a shelter home, the widow should have the option of returning to the home without undergoing fresh formalities in case the marriage or relationship fails, or the spouse or partner dies.</p>	Widows' Cell Local citizen groups NGOs	3 months from constitution of the Widows' Cell
3.11	Grievance Redressal ³⁸	<p>a) Common Helpline Number for grievance redressal in relation to all the services including pension, health services, legal aid and banking which should be forwarded to the concerned agencies.</p> <p>b) Help Desk/Complaint Box to be set up by Widows' Cell.</p> <p>c) Quarterly inspection by Monitoring Committee.</p> <p>d) Online Complaint system on the model of She Box scheme by MWCD. (http://www.shebox.nic.in/)</p>	Ministry for Women and Child Development, Department of Women and Child Development at the State Level Widows' Cell Monitoring Committee	On activation of common helpline number On constitution of the Widows' Cell
3.12	Last Rites ³⁹	Last rites of the widows to be carried out by the shelter home/Widows' Cell according to the rituals. Till the Widows' Cell is constituted this exercise	Shelter Homes Widows' Cell Chief Medical	Ongoing at Vrindavan. Immediately from date of

³⁵ Summary Report of the Situation Analysis of Widows in Religious Places of West Bengal by Jayaprakash Institute of Social Change, Report No. 1.

³⁶ Study by the National Commission for Women in 2009-10 on widows in Vrindavan, Report No. 3.

³⁷ Status Report on widows in Swadhar Homes in Uttar Pradesh, Uttarakhand, West Bengal and Odisha by the NCW in November, 2016, Report No. 16.

³⁸ Status Report on widows in Swadhar Homes in Uttar Pradesh, Uttarakhand, West Bengal and Odisha by the NCW in November, 2016, Report No. 16.

³⁹ A Report dated 10th September, 2012 and Few Ground Realities by Secretary DLSA, ACJM, Mathura, Report No. 6; Report of the Member Secretary, NALSA dated 14th January, 2014, Report No.8.

		should be carried out by the Chief Medical Officer.	Officer	approval
4. SHELTER HOMES				
4.1	Common digital database of Shelter Homes ⁴⁰	The Widows' Cell should upload the details of the shelter homes on the common database of the MWCD to facilitate the placement of widows at the nearest shelter home and movement of residents to more suitable/familiar living environment in future.	Ministry for Women and Child Development, Department of Women and Child Development at the State Level National Commission for Women	On creation of digital database system by the MWCD
4.2	Timely disbursement of grants ⁴¹	<p>a) Grants should not be withheld on the ground of procedural delays. (Presently, inspection report of the Swadhar Homes is prepared by the District Project Officer and forwarded to the District Magistrate who in turn forwards it to the State WCD. The State WCD then recommends it to the MWCD⁴².)</p> <p>b) Grant could be released on the basis of quarterly inspection report of the proposed Monitoring Committee.</p>	Ministry for Women and Child Development, Department of Women and Child Development at the State Level State Monitoring Committee	Immediately from date of approval
4.3	Sanctioned expenditure needs to be commensurate with the cost of living index	<p>a) In a survey conducted by Mahila Kalyan Nigam, Uttar Pradesh with Helpage India the food requirement of per resident was calculated at Rs. 4050 per month. However the food allowance under Swadhar Scheme is Rs. 1300 per month/resident and thus needs revision.</p> <p>b) The revised scheme of the Government of Uttar Pradesh, increasing the food allowance of residents to Rs. 4700 per month and medicine</p>	Ministry for Women and Child Development, Department of Women and Child Development at the State Level	3 months from date of approval

⁴⁰ Status Report on widows in Swadhar Homes in Uttar Pradesh, Uttarakhand, West Bengal and Odisha by the NCW in November, 2016, Report No. 16.

⁴¹ Status Report on widows in Swadhar Homes in Uttar Pradesh, Uttarakhand, West Bengal and Odisha by the NCW in November, 2016, Report No. 16.

⁴² Status Report on widows in Swadhar Homes in Uttar Pradesh, Uttarakhand, West Bengal and Odisha by the NCW in November, 2016, Report No. 16.

		allowances to Rs. 800 per month can be followed after appropriate adaptation. ⁴³ c) In the Swadhar Scheme, Rs. 175 per month per resident for medicines is meagre and needs revision.		
4.4	Provision for maintenance of Shelter Homes ⁴⁴	There is no provision under the Swadhar Scheme for maintenance of the building, electricity charges, water charges and related expenses. Till provision is made under the Swadhar Scheme, the concerned Public Works Department should be made responsible for maintenance of the building. HUDCO should take up renovation of shelter homes under its CSR funding. ⁴⁵	Ministry for Women and Child Development, Department of Women and Child development at state level National Commission for Women HUDCO Public Works Department	3 months from date of approval
4.5	Appointment of Staff	Appointment of trained and adequate staff at shelter homes. There is no provision of cook, cleaner or sanitation worker in Swadhar Scheme. ⁴⁶ Appointment, Service and termination norms should also be framed for the personnel employed at the Homes/Institutions ⁴⁷	Ministry for Women and Child Development, Department of women and child development at state level Shelter Homes	3 months from date of approval
4.6	Common Mess ⁴⁸	There should be a common mess in shelter homes. However there is no provision of cook in the Swadhar Scheme. [Presently, women cook on their own and are not agreeable to the idea of community kitchen. ⁴⁹] The Swadhar Scheme transfers the food allowance to the Shelter Homes. Two views were expressed on this issue by the members of the committee. One view	Ministry for Women and Child Development, Department of Women and Child Development at state level	On constitution of the Widows' Cell

⁴³ Status Report submitted by Ms. Reshika Kumar on 31st August, 2016, Report No. 15.

⁴⁴ Study by the National Commission for Women in 2009-10 on widows in Vrindavan, Report No. 3.

⁴⁵ Minutes of the Meeting held by the Secretary, MWCD on 2nd September, 2015, Report No. 11.

⁴⁶ Status Report on widows in Swadhar Homes in Uttar Pradesh, Uttarakhand, West Bengal and Odisha by the NCW in November, 2016, Report No. 16.

⁴⁷ Study by the National Commission for Women in 2009-10 on widows in Vrindavan, Report No. 3.

⁴⁸ A Report dated 10th September, 2012 and Few Ground Realities by Secretary DLSA, ACJM Mathura, Report No. 6: Report of the Member Secretary, NALSA dated 14th January, 2014, Report No. 8.

⁴⁹ A Report dated 10th September, 2012 and Few Ground Realities by Secretary DLSA, ACJM, Mathura, Report No. 6

		was that food allowance should be directly transferred to the widows' account and they could pay the common mess charges at the end of the month. The other view was that the ground experience shows that this tends to make the widows vulnerable to machinations of greedy family members. The committee could not reach a consensus on the issue so both the views are being included in the report and annexed as Annexure 5 .		
4.7	Sanitation ⁵⁰	a) The Swadhar Scheme should include provision for sanitation workers. b) Municipal Corporation should take over the sanitation of shelter homes till the appointment of sanitation workers. ⁵¹ c) Sulabh has offered its services as the nodal agency for inspection of sanitation.	Ministry for Women and Child Development, Department of Women and Child Development at state level Municipal Corporation Widows' Cell	Immediately from date of approval
4.8	Duration of stay in Shelter Home ⁵²	a) The duration of stay in Swadhar Homes should be increased from 3 to 5 years during which period the rehabilitation of the widow must be ensured through skill development and employment. b) Widows on attaining 60 years of age should be accommodated in old age homes. ⁵³ c) Widows' Cell should ensure education for the children accompanying widows. d) Male child should be permitted to accompany the widow till the age of 12 years instead of the present ceiling of 8 years, and thereafter can be shifted to Children Home under Juvenile Justice Act 2015.	Ministry for Women and Child Development, Department of Women and Child Development at the State Level Widows' Cell	3 months from date of approval
4.9	Empowerment of Widows through	a) Constitution of Management Committee of the residents on rotational basis for management and	Ministry for Women and Child	3 months from constitution

⁵⁰ Status Report on widows in Swadhar Homes in Uttar Pradesh, Uttarakhand, West Bengal and Odisha by the NCW in November, 2016, Report No. 16.

⁵¹ A Report dated 10th September, 2012 and Few Ground Realities by Secretary DLSA, ACJM, Mathura, Report No. 6: Report of the Member Secretary, NALSA dated 14th January, 2014 filed on 12th September, 2014, Report No. 8.

⁵² Status Report by Ms. Reshika Kumar on 31st August, 2016, Report No. 15; Status Report on widows in Swadhar Homes in Uttar Pradesh, Uttarakhand, West Bengal and Odisha by the NCW in November, 2016, Report No. 16.

⁵³ Recorded in the judgment of the Hon'ble Supreme Court dated August 11, 2017.

<p>participation in Management of Shelter Homes/ Programmes</p>	<p>administration of Shelter Homes.¹⁴ b) Establishing a network of residents of shelter homes. c) Building strong collective of widows by organizing them into self-help groups through various Government schemes and programmes.¹⁵ d) Widows to be linked to national network of single women.¹⁶</p>	<p>Development, Department of Women and Child Development at the State Level Widows' Cell Shelter Homes NCW/SCWs NGOs</p>	<p>of the Widows' Cell</p>
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CONTRIBUTORS



Husna Jalal (Afghanistan): Head of Youth Affairs. Jalal Foundation Kabul Afghanistan is an Afghan feminist and women and youth rights activist. She has co-founded the Freedom Message weekly newspaper which is an activist's tabloid that highlights the inequalities and injustices and empowers women, youth and other ethnic and lingual minorities by advocating for peace, democracy, and equality. She believes in empowering grassroots women and youth and using a bottom-up approach for creating social change. She spearheads Young Afghan Women Movement, which gave her the opportunity to meet more than 5,000 young, ambitious Afghan women from communities all over the country, expanding a movement that would emphasise democracy, freedom and equality, and sisterhood. She is working now to support a network of Afghan women in the fight against Taliban oppression.

Ferdous Ara Begum (Bangladesh): Member of the Board of Trustees, Help Age International is a gender and ageing issues specialist, and former member of the UN Convention on the Elimination of All Forms of Discrimination Against Women and has served as the Expert Consultant on Gender Issues to UNFPA (United Nations Population Fund) She has written many articles to create awareness on older women and widows rights issues and spearheaded the formulation of UN General Recommendations on older women of the CEDAW Convention. In her previous career as a civil servant in Bangladesh, she was the first woman Director-General of Bangladesh Television and the first female Commissioner of Taxes. She served as a board member of the Nobel Peace Prize-winning Grameen Bank. While working as Joint Secretary of the Ministry of Women and Children Affairs, between 2002 and 2004, she was involved in 34 gender-specific projects designed to provide social and legal protection for women and children in the rural areas of Bangladesh.



Meera Khanna (India): Trustee & Executive Vice President, Guild of Service is a feminist, social activist, writer, and poet, and has worked voluntarily for more than 20 years with the Guild, a national level civil society organization focused on empowering marginalized women and children across India. She is a Co-Founder of the Every Woman Treaty, that advocates a global treaty to end violence against women and girls and has served as a consultant to the High Level Committee on the Status of Women, Government of India, and on two Expert Committees on Widows, one with the Supreme Court of India, the other with the National Commission for Women. She is a published author of four books and several papers on

women's rights and widows' rights,. She currently serves as the Director of the SANWED secretariat in India and is on the Civil Society Advisory Group for UN Women for India, Sri Lanka, Maldives and Bhutan.



Malashri Lal (India): Academician, gender rights activist, writer, editor was the Dean, Academic Activities & Projects of Delhi University. She was Professor in the Department of English and has held senior administrative positions and was the Director of the Women's Studies & Development Centre, of the University of Delhi. Among her sixteen books are the most recent works, the co-edited volumes, *Speaking for Myself: Anthology of Asian Women's Writing*, *In Search of Sita: Revisiting Mythology*, both published by Penguin India. She has served as a member of the jury for several literary awards including the Commonwealth Writers Prize, London and was a member of the Steering Committee for the DSC Prize

for South Asian Literature. As a voluntary member of the Guild of Service she spearheads Rajasthan Interventions of the Guild. She is presently the Secretary General of the SANWED secretariat in India.

Lily Thapa (Nepal) Gender rights activist, academician is a pioneer on the issue of widows in Nepal. She is the founding president of Women for Human Rights (WHR) that has been working for the social, political, economic and legal rights of widows in Nepal and in South Asia for the past 20 years. Through WHR, her advocacy has changed government policy, and has succeeded to mainstream the issue of widows into the government agenda and changing many discriminatory legal policies from country code of Nepal. When spearheading the SANWED secretariat in Nepal she was able to mainstream the widowhood issues into Colombo Declaration as well as able to incorporate the issues of widows into Nepal's new constitution. Lily is the founding coordinator of Army Single Women and Injured Families (ASWIF) which address the issues of wives of deceased husband of Nepal Army.



Sumeera Shrestha (Nepal): Executive Director of Women for Human Rights is an energetic feminist working in the issues of single women, gender based violence, peace and conflict, social inclusion in right based approach for past 17 years. As a women rights advocate with an academic background on development studies, development economics and as Erasmus Mundus scholar she is keen on the gearing momentum of Women's movement through a multi dimensional approach of intersection and collaboration throughout. She has been with WHR for many years working closely with community and the policy makers. She has conducted research in collaboration with different universities and organizations related

to gender, violence and disaster. She has been the focal point of NGOs of Nepal for the Accelerating Partnership through Localisation project focused on humanitarian response conducted over 4 countries. She is Co-founder of Nispakshya (alliance of Conflict Affected Women in Nepal) and Founder of Gyanbodh Research and Development Services.

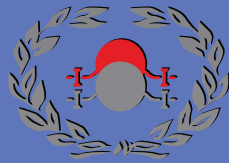
Masuma Hasan (Pakistan): President of the Board Governors of Aurat Foundation, is also Chairman of Pakistan Institute of International Affairs. In her public service career, she was Cabinet Secretary to the Government of Pakistan which is the highest post in the civil service; Pakistan's Permanent Representative to the United Nations Office in Vienna, IAEA, UNIDO, and all other international agencies in Vienna where she chaired the Group of 77; Ambassador to Austria, Slovenia and Slovakia. She was a member of Aga Khan University's task force on the creation of the Institute for the Study of Muslim Civilizations and also serves on its Thinking Group for a Graduate School of Governance and Public Policy. Dr. Hasan is editor of Pakistan in a Changing World and Editor-in-Chief of the quarterly Pakistan Horizon. She has served on commissions on public sector reforms and the boards of many universities and has written articles on public administration and international politics.



Muneezeh Khan (Pakistan): Research Specialist at Aurat Foundation has more than 20 years of experience in the development sector, from policy to grass root level with core understanding of socio-economic, political and cultural fabric of Pakistan. She has extensive experience in designing and conducting large quantitative field-based research, assessments and evaluations for donors like UN agencies, the World Bank, DFID, ADB, USAID. She was part of the implementing team on Women Safety Audit & Needs Assessment of identified Darul Amans (shelters), funded by UN Women in Pakistan. Ms. Khan also worked as the Technical Expert on the European Union (EU)-funded Subai Project (Strengthening Provincial Legislative Assemblies in Pakistan) which aimed to advance the functioning of Pakistan Parliamentary institution, in particular Pakistan provincial assemblies, through effective legislation, strengthened policy and budget oversight and enhanced representation. Her expertise include content and stakeholder / actors analysis (qualitative) covering policymakers.

Margaret Owen OBE (United Kingdom): President and Founder, Widows for Peace through Democracy (WPD). She is a barrister specialising in women's human rights. She has previously worked as an immigration and asylum lawyer, and as a consultant to various UN organisations.

Mohini Giri (India): A leader in the women's movement is the voice of women, specializing in human rights, gender justice and peace in India and South Asia. She is known both nationally and internationally for her five decades of committed work in empowering women politically, socially, legally and economically. She represents and takes initiative for India's widows, a unique constituency. She is the Founder Chair of the fifty year old Guild of Service and War Widows Association and Founder Trustee for Women's Initiative for Peace in South Asia. Her much acclaimed for destitute widows in Vrindavan, "Ma Dham" has often been considered a best practice in holistic approach to deprivation.



SANWED

South Asian Network for
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STATUS OF WIDOWS IN SOUTH ASIA



Guild of Service SANWED Secretariat, India