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WIDOWS SPEAK OUT

Abuse and Discrimination

Resilience and Agency

**A dossier of evidence for the attention of
CEDAW**

2020

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EVIDENCE OF DISCRIMINATION AGAINST WIDOWS FOR THE ATTENTION OF CEDAW

WIDOWS FOR PEACE THROUGH DEMOCRACY (WPD) 2020

PREFACE

Millions of widows, of all ages, from child widows, to young women and young mothers, older women and elderly grandmothers, including the “half-widows” (wives of the missing or forcibly disappeared), have for decades suffered extreme, systematic and widespread discrimination and abuse, at the hands of community and family as well as state actors.

Few developing and fragile and conflict-afflicted countries have reliable data on the numbers of widows, or have attempted to identify and respond to their needs or recognise their central social and economic roles as carers and mothers, and within their communities. This failure to gather data to expose the abuse and discrimination of widows is itself a form of discrimination that needs to be addressed. They are effectively invisible. This invisibility has impacts on all of society and its future, because in all countries widowhood extends and increases poverty and inequality across the generations, and blocks the full achievement of the SDGs and the 2030 agenda. It also denies the restorative justice to which war widows should have a right.

Widows are also invisible internationally. Despite the fact that 187 countries have ratified the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), discrimination against widows has been ignored.

Widows for Peace through Democracy (WPD), the international NGO that is the umbrella for many widows’ organisations across the world, is now requesting that CEDAW develop a General Recommendation on widows, so that every member state reporting to it is made accountable for failure to address the specific forms of discrimination that are routinely experienced by widows throughout the world.

I write this preface at a time when the numbers of widows of all ages are increasing at an exponential rate, not just as a result of conflicts, natural disasters, harmful traditional practices and the frequent age gap between marriage partners, but now also as a consequence of Covid-19, which is killing far more men than women. Many impoverished and marginalized widows are struggling to survive in refugee and IDP camps. Multiple forms of discrimination make them easy targets for economic and sexual exploitation.

In Africa, South Asia, parts of the Middle East and eastern Europe, women’s lawyer associations report that many of their cases relate to the denial of widows’ rights to inheritance, land and property ownership and custody of children. Few cases reach the courts, owing to corruption, cost, patriarchal bias, illiteracy, and fear of violence towards the litigant.

In July 2019, in response to our second report to the CEDAW on widowhood discrimination, WPD was encouraged to provide CEDAW with details of actual cases, names, dates, perpetrators, outcomes of legal cases and barriers to widows' claiming their rights. We were told that what we needed was "evidence", rather than narratives and anecdotes.

Fortunately, WPD was able to recruit Alice Lees to gather evidence for this project. Her work has involved outreach, research, identification of research groups and contact with widows' groups. With her encouragement WPD's partner organisations, underfunded and overstretched, have themselves worked with determination to provide case studies. We are confident that with this Dossier, CEDAW will have the evidence they need to move towards the development of a General Recommendation.

This dossier would not have been possible without the willingness of our partners to go the extra mile. We are very grateful to them. We wish especially to thank our donors, the Network for Social Change Charitable Foundation and the Robbins Family Trust for the generous support that has enabled us to undertake this project.

We aimed to complete this project by the end of May 2020, but examples of cases of widowhood discrimination are still coming in. WPD will keep this Dossier open, and we welcome all examples of widowhood discrimination so that, with the strength of CEDAW to support them, widows everywhere may look forward to a life without fear, enjoying empowerment and equality, justice, and peace.

Margaret Owen O.B.E.
President of WPD

June 2020

EVIDENCE OF DISCRIMINATION AGAINST WIDOWS FOR THE ATTENTION OF CEDAW

WIDOWS FOR PEACE THROUGH DEMOCRACY (WPD) 2020

EXECUTIVE SUMMARY

Widows for Peace through Democracy,¹ an umbrella organisation for and partner of a range of widows' and women's rights associations worldwide, has ECOSOC Status and focuses particularly on fragile and conflict-affected countries. The 2019 Concept Statement of the Widows in Crisis and Conflict Panel² highlighted the need for advocacy and collection of data for a UN CEDAW Committee General Recommendation on Widows, a UN Human Rights Council Resolution on Widows, and a UN Independent Expert on Widows, and this submission by Widows for Peace through Democracy constitutes a valuable contribution to such data.

This dossier provides material evidence of the discriminatory treatment of widows and half widows worldwide. Twenty actual recent case examples are presented within a context of current evidence from official reports, news articles and personal communications from NGOs and state actors. The individual cases are presented in sections each illustrating a specific type of unacceptable discrimination against widows, and correlated with relevant Articles of the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).³ These cases demonstrate the urgent need for action from international, national and regional lawmakers.

Cases were requested from over 100 organisations and 90 individual professional contacts worldwide, with special attention paid to presentation of evidence from countries and regions where unaddressed widow discrimination is seriously damaging. Case examples included are from Afghanistan, Bangladesh, Bosnia and Herzegovina, Colombia, Democratic Republic of Congo, India, Iraq, Kenya, Kosovo, Myanmar, Nepal, Nigeria and Pakistan.

WPD offers this evidence as a resource for CEDAW, United Nations agencies, Member States, NGOs, state actors and local organisations concerned to learn about discrimination experienced by widows and how to protect their rights.

Key findings are that

1. Stigma, discrimination against and abuse of widows of all ages occurs across a wide spectrum of cultures, religions, ethnic groups and regions worldwide
2. Widows suffering deprivation of assets and abuse are forced into extreme poverty and destitution and are excluded from social protection and access to essential services and housing
3. Impacts of extreme poverty and destitution are begging, prostitution, child labour, withdrawal of children from education and early or enforced marriage of any children
4. This creates further generations of disadvantage and poverty – a crucial issue to address if we are to progress the SDGs and realise the rights of women

The unprecedented increase in widow numbers is caused by armed conflicts, migration, natural disasters, child marriage to older men, epidemics of disease – and now Covid-19.

The dossier documents the types of discrimination with relevant case examples under the following sections:

1. INHERITANCE, LAND AND PROPERTY RIGHTS
2. ACCESS TO JUSTICE
3. STIGMA: MODIFYING SOCIAL AND CULTURAL ATTITUDES TO WIDOWHOOD
4. RELIGIOUS AND ETHNIC DISCRIMINATION
5. CHILD MARRIAGE AND WIDOWHOOD
6. CONFLICT AND POST-CONFLICT SITUATIONS
7. HALF WIDOWS (WIVES OF THE MISSING OR FORCIBLY DISAPPEARED)
8. WIDOWS AND REMARRIAGE
9. DISCRIMINATION AGAINST OLDER WIDOWS
10. WIDOWS WITH DISABILITIES
11. WIDOWS' ENGAGEMENT IN DECISION-MAKING
12. LACK OF DATA

WPD's recommendations are for the (1) Development of a CEDAW General Recommendation (GR) on Widows; (2) Implementation of a UN Human Rights Council Resolution on Widows; (3) Establishment of a UN Independent Expert on Widows; (4) Incorporation in the recommended GR and UN Human Rights Council Resolution the points contained in the Articles of WPD's Charter for the Rights of Widows. ⁴

Key elements in the General Recommendation should be that Member States, with the support of United Nations agencies, NGOs, civil society, academia and the organisations of widows:

- (a) Procure reliable and comprehensive data, with disaggregated statistics for the numbers and ages of widows and their children
- (b) Identify and urgently address all forms of discrimination experienced by widows and their families
- (c) Support and work collaboratively with widows' associations and relevant NGOs to gather the relevant data.
- (d) Ensure that widows are engaged in any consultations relating to law reforms and their implementation

This report has been researched and written by Alice Lees, Independent Consultant to WPD, in collaboration with Margaret Owen OBE, Founder and President of Widows for Peace through Democracy. It is the latest in a series of WPD publications⁵ bringing the issues of globally unaddressed widowhood to the attention of the UN and international community.

For confidentiality and security, pseudonyms are used in the dossier except where names of individual widows have already appeared in the public sphere with their own consent.

THE CURRENT GLOBAL SITUATION

Discrimination against and abuse of widows of all ages occurs across a wide spectrum of cultures, religions, ethnic groups and regions worldwide. The type of discrimination ranges from the frequently inadvertent social exclusion of widows that is prevalent in some developed countries to discriminatory applications of religious, customary and traditional law and/or inadequate legal protection or remuneration from state bodies.

Denial of human rights to widows increases both economic and social insecurity, and unaddressed widowhood is currently a root cause of poverty across the generations, particularly in the Global South. When widows suffer marginalisation, deprivation of assets and abuse that often includes violence, they may be forced into destitution and resort to begging, prostitution, child labour, withdrawal of their of children from education, and consent to the early or enforced marriage of any children – thus sowing the seeds of disadvantage and poverty for future generations.⁶

Widow discrimination and its consequences for society as a whole is thus a crucial issue to address if progress is to be made in achieving the Sustainable Development Goals of the UN 2030 Agenda.⁷ However, despite the severity of the current plight of widows worldwide, and the fact that NGOs working on the issues of Widowhood have submitted statements on the Status of Widows to every annual Commission on the Status of Women (CSW) since the 1995 Beijing Conference's first international meeting on women, no mention of widowhood was made in the Draft Agreed Conclusions of CSW 62 in March 2018 and the Agreed Conclusions from CSW 63 contains just one mention of widowhood.⁸ The failure of governments to provide adequate social protection for widows, or to ensure that their rights are enshrined in legislation, partially mirrors widespread populist attitudes in so many communities which view widowhood as problematic or even a danger to others. Every aspect of the marginalization of widows must now be urgently treated as a violation under the UN Declaration of Human Rights.⁹

This dossier inevitably provides only a very partial account of the discrimination and hardships faced by widows and half-widows worldwide owing to the difficulty of obtaining documentary evidence. For this reason it should be treated as a starting point and an open invitation to add further case studies to add weight to our recommendations for action on the part of CEDAW. There are also areas that are not yet explored in this dossier.

Covid-19 with its significantly higher mortality rate for men, compared with women, has added and is adding hundreds of thousands to the quarter of a billion widows documented in 2015.¹⁰ Covid-19 and its consequences will be the subject of research and inquiry for years to come.

The LGBTQI community is also contributing growing numbers of widows. The difficulties they face are not addressed in this report and should be the subject of further research.

THE CURRENT SIZE OF THE PROBLEM – AN EPIDEMIC

The 2016 World Widows Report contains a global data set on widows which uses UN population data combined with census data from member countries, together with additional census data from countries not included in UN datasets. In 2015 the estimated global affected population was 258 million widows with 585 million children (including both under 18 and adult children), with at least 38 million of these widows living in extreme poverty with basic needs unmet. This figure does not include widows remarried either freely or for economic and cultural reasons, who are described as married in official statistics.¹¹

However, since 2010 there has been a substantial and unprecedented increase in the number of widows and half widows (wives of the missing), owing to the proliferation of armed conflicts, migration, violent extremism, sectarian violence, natural disasters, epidemics of disease, child marriage to older men and women outliving husbands. In 2017 the Loomba report¹² detailed the areas in which there have been such significant increases. (See Appendix Three). Due to the considerable difficulties in collecting global data on both widows and half widows (see pages 36-7 below), it seems likely that the numbers mentioned above are now an underestimate of the extent of widowhood worldwide.

The problems described in this Dossier have been further compounded by the Covid-19 pandemic which is not only the greatest global health crisis in the United Nations' 75-year history but one that will have serious social and economic repercussions in years to come. By 11 September 2020 over 28 million cases had been reported worldwide, with almost a million deaths.¹³ While not specifically mentioning widows, a March 2020 UN report expressed concern that the pandemic could nullify the limited gains already made worldwide on gender equality, exacerbating the 'feminization of poverty', increasing vulnerability to violence, and limiting women's equal participation in the labour force as unemployment increases. Most vulnerable in this crisis are those fleeing war and persecution, those living in highly populated and under-served areas, and those without access to basic social and political protections or support systems – all categories with very significant numbers of widows. There is a danger that, with 87 per cent of the world's enrolled school and university student population out of education by March 2020, the pandemic will also lead to increasing child labour and child marriage. The COVID-19 crisis and its consequent prolonged global economic slowdown threatens to adversely impact implementation of the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals and the Paris Agreement on Climate Change.¹⁴ On 11 SEPTEMBER 2020 the UN General Assembly's resolution 'Comprehensive and coordinated response to the coronavirus disease (COVID-19) pandemic' (Document A/74/L.92); <https://www.un.org/press/en/2020/ga12262.doc.htm>), expressed deep concern at the disproportionate impact of the pandemic on the social and economic situation of women and girls. It calls upon Member States to 'increase the availability of high-quality, timely and reliable data disaggregated by income, sex, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts to inform COVID-19 responses', and to ensure protection for those most affected. Although not specifically mentioned, this by implication includes the huge numbers of widows left unsupported by social protection gaps, discrimination and isolation following excess male mortality from the COVID-19 pandemic.

Contextual evidence and actual case examples of the multiple forms of discrimination against widows.

Pseudonyms are used here for individual cases, but evidence of bona fide personal names has been provided to Widows for Peace through Democracy.

1. INHERITANCE, LAND AND PROPERTY RIGHTS – CEDAW ARTICLE 16:1.

Securing ownership and/or control of assets, particularly property, is likely to be the greatest factor protecting widows from potential deprivation and the many forms of discrimination that can follow. But in many countries customary and traditional law is used by the dead husband's relatives to justify evicting a widow from her marital home and seizing her land, property or even any children -regardless of whether such actions are actually prohibited by international, national or regional laws.

The 2015 report¹⁵ *Obligations breached by State Parties with specific reference to widowhood* provides an example from India of the huge obstacles faced by widows in achieving control of their rightful assets. Despite Articles 14 and 15 of the Indian Constitution providing equality before the law and prohibiting discrimination on the grounds of religion, race, caste, sex, and place of birth, the Constitution is often ignored or contravened in the implementation of laws and policies. For example, although amendments to the Hindu Succession Act in 2005 made all daughters, including married ones, coparceners (joint heirs) in joint family property, with the same birth rights as sons, the inheritance is divided in such a way that the widow's actual share is less than that of any daughters. It is therefore suggested that such inequalities will remain unless the coparcenary system is totally abolished by the Indian government.

The case below from Nairobi, Kenya, provided to WPD by Global Fund for Widows, illustrates forcible discrimination against a widow in an instance of inheritance of property, false accusation of killing a husband, and corrupt collusion of authorities with relatives of a widow. Subsequent to this horrifying ordeal, Dianah founded both the Association of Survivors of Gender Based Violence and the organization Come Together Widows and Orphans Organization (CTWOO), which works with more than a million widows in all the 47 counties of Kenya through outreach, educational and empowerment programmes, and has drafted and presented a Widows Bill to government.¹⁶

CASE EXAMPLE 1 – KENYA

Dianah Kamande feigned death when her husband attacked her viciously with a sword while she lay in bed at night, then heard him phoning both her and his own parents to say he had already killed his wife, was going to kill his two daughters, and would then kill himself, asking them to prepare coffins. Despite her own severe loss of blood, Dianah was able to prevent him from killing her oldest daughter and was helped by her neighbours and her own brother to rescue both daughters, even as her husband continued to attack her with his sword before knifing himself in his own bedroom. After nerve surgery to her head, Dianah woke in hospital only to find her in-laws by her bed confronting her by her bedside with the accusation “You killed our son, you will get nothing!” On returning to her marital home after months in hospital, Dianah found she had indeed been disinherited and dispossessed, with her in-laws having taken everything, including the bed on which she had nearly been murdered. She was also falsely charged with killing her husband herself, and even brought to trial as his affluent parents had somehow paid off the police. But by an amazing coincidence, the officer who had arrived first on the night of Dianah’s near death was in the courthouse that day for a different trial, and interrupted her trial to share his own video of the crime scene, proving the husband’s suicide and thus exonerating Dianah, who has bravely spoken of her traumatic experiences on KTN news. (Video available at <https://www.youtube.com/watch?v=sGMAwUsCUHk>)

The Nepali example below, provided to WPD by Women For Human Rights, Single Women Group (WHR), illustrates discrimination against a widow in inheritance of property, eviction from her marital home, and denial of vital documentation, as well as serious discriminatory physical abuse and accusation of contributing to the death of a husband.

Nepal’s 2011 census¹⁷ recorded a population of 26,494,504 in 5,427,302 households. Among 10,822,774 women aged 10 years and over, 498,606 were widows, compared with only 161,231 widowers, and 416,269 of the widows lived in rural areas.

CASE EXAMPLE 2 – NEPAL

In 2019 (year 2075 in the Nepalese calendar) widowed Sanjiya of Kathmandu Province 3, Nepal, was referred by her sister to WHR's Central Office in Kathmandu. Sanjiya described to WHR's counsellor and legal department the multiple discrimination encountered from her parents in law and brother in law after her husband's tragic suicide, including denial of access to her deceased husband's property as well as physical assault and domestic abuse.

Immediately after the mourning period, Sanjiya was brutally beaten by her father in law, who accused her of contributing to the death of her husband. Without proper shelter and with severe financial deprivation, she began suffering from clinical depression. WHR helped Sanjiya, who has neither marriage certificate nor children's birth certificates to prove her entitlements, with referral to Kathmandu Ward Office; also providing continuous counselling as well as full legal support. Although the Ward Office invited both her and the perpetrators (her relatives) for mediation and reconciliation, the relatives refused to agree to reconciliation. It was only after referral to the Supreme Court and multiple court hearings, plus continuous lobbying and advocacy, that the case succeeded, with Nrs. 90 lakhs claimed from her in laws and access to her late husband's property, on 2075/06/18 [UK 2019]. It is also important to note that her enormous battle to access justice eventually resulted in Sanjiya's parents in law behaving towards her in a non-discriminatory manner, so that she is now able to run her own boutique.

A 2016 study found that despite legal reforms Nepali widows were still facing barriers in exercising their property rights and in seeking government benefits, mainly due to a dominant patriarchal society, familial traditions, and bureaucratic restrictions. Such persisting denial was considered a human rights violation that the government should urgently seek to redress.¹⁸

The 2019 paper 'Inheritance Abuse and Land-grabbing: Violence against Older Widows' from Widows Development Organisation (WiDO), Enugu, Nigeria,¹⁹ gives further case examples of discrimination against widows concerning inheritance of property. Other sections below also contain further evidence of widows' legal rights to inheritance of land and property being superseded by customary and traditional 'law'.

Article 21 of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa²⁰ expressly asserts the rights of widows in relation to inheritance of property: 'A widow shall have the right to an equitable share in the inheritance of the property of her husband. A widow shall have the right to continue to live in the matrimonial house. In case of remarriage, she shall retain this right if the house belongs to her or she has inherited it.'

2. ACCESS TO JUSTICE:

CEDAW Article 2 - Duty of States: 'States agree to pursue by all appropriate means a policy of eliminating discrimination against women, undertaking to take concrete steps to eliminate discriminatory laws, policies and practices in the national legal framework.'

CEDAW Article 15 - Equality before the law: 'States shall ensure that women and men are treated equally before the law. Women have the same legal right to enter contracts, own property and choose their place of residence.'

Although widows' rights in many countries are protected by legislation, they are often unable to access the justice system for numerous reasons including fear of violence, illiteracy, lack of vital documentation, corruption, cost, language barriers, geographical remoteness, and superiority of interpretations of tradition, custom and religion over reformed laws.

Publication of India's next census is not due until 2021, but the 2011 census recorded 71.4 million single women in India, nearly 12% of India's female population, with 60% of these single women being widows.²¹ By 2015 India had the highest number of widows in the world, estimated at over 46 million widows – almost 10% of the female population of marital age – and over 15 million of these were living in abject poverty.²² In addition, India's 2011 Socio-Economic Caste Census (SECC) revealed that of around 12.8% of rural households headed by women, 82% earned less than INR 5000 per month.

CASE EXAMPLE 3 – from India

38 year old Kampilya, of James Pur Village, [Hamiltonabad, Gosaba], South 24 Pargana district of Sundarban, was widowed in 2018 when her fifty-year old husband Nirdhar was tragically dragged away by a tiger while fishing by the Panchamukhani river with two male companions who were unable to save him. Immediately upon his death Kampilya and her ten-year old son suffered discriminatory social exclusion, being now considered ill-omened and consequently forbidden to attend any village functions or rituals. Kampilya was entitled to compensation of about Rs.200,000 (around US \$2,788) from the Forest Department, as her husband was a victim of human animal conflict, but although Nirdhar had a boat license certificate and official permission to fish from the Forest department, and Kampilya had his death certificate, she was denied compensation on the grounds that her husband entered a "core area". Being illiterate, Kampilya was eventually able to gain the help of another villager to submit an accidental death claim to United India Assurance Co. Ltd, only to have it rejected on grounds of late submission (after 6 months). She struggled to survive with only meagre rations from PDS services, and as the sole potential family wage owner could contribute daily-waged labour only when her health permitted, being frail from a health condition that preceded her husband's death. As a final humiliation, Kampilya also suffered abuse from individuals who had lent her money she was unable to pay back.

The 2017 'A Study on Situational Status of Single Women in West Bengal'²³ by ActionAid Kolkata observes that while a single man living alone is considered acceptable, in a cultural value system with a patriarchal mindset a single woman encounters stigma. 440 single women households within six different districts of West Bengal, mostly from Tribal, Dalit, and Muslim communities, were surveyed for this study, and individual life stories recorded from socio-economically disadvantaged sections. Case example Three above, sent to WPD by ActionAid India, is an example of not only the unacceptable lack of access to justice, but also the serious social, cultural and economic deprivation and discrimination suffered by India's widows.

The women now known as Tiger Widows live in the Sundarbans, a vast coastal mangrove forest covering about 10,000 square kilometres of India and Bangladesh. With official data lacking, estimates suggest the number of widows in India's Sundarbans whose husbands had been killed by tigers was already above 3,000 in 2016.²⁴ In order to sustain even an

impoverished livelihood, most of the fishers need to enter prohibited conservation areas, with or without forest permits, so such deaths are often not reported to police and forest authorities for fear of harassment. No preference is provided to Tiger Widows accessing government social safety schemes and grants, and ActionAid along with DISHA has been

CASE EXAMPLE 4 – INDIA

The experience of 45 year old Aaoka, from India's Anandapur village, Satjelia Gram Panchayet, Gosaba Block, in South 24 Parganas, West Bengal, further illustrates the multiple obstacles faced by widows in accessing the justice system – in her case lack of vital documentation, illiteracy, language barriers, cost, severe bureaucratic delays and geographical remoteness. Aaoka's 50-year-old husband Arup had been dragged away by a tiger while she was with him on an October 2015 fishing trip – in itself an extremely traumatic event. As well as being illiterate herself, Aaoka also faced a language barrier, as government and insurance documents and correspondence were written in English rather than Bengali. Although her neighbours were helpful, most could not read or write English, so travelling to offices of the Forest Department, Fisheries Department and insurance companies cost Aaoka around Rs. 600 (US \$9) for every journey. Her husband had all relevant permissions for fishing plus accident insurance with the National Insurance Company as well as life insurance with the Life Insurance Corporation (LIC), both government companies. But unacceptably lengthy delays were experienced at every stage of accessing Aaoka's widow's rights; initially taking over six months to obtain a correct Death Certificate. Then, after waiting two and half years for a certificate from the Forest Department (STR), in April 2018 she was refused tiger attack compensation because Arup's death was said to have occurred in Sundarban Tiger Reserve, a "core area." Next, despite repeated journeys to town, Aaoka's National Insurance Company claim could not be paid without the STR compensation report she was still awaiting, and her LIC life insurance claim was still pending in December 2019 for bureaucratic reasons. By this date Anita's only social security benefit was reduced price food. Living alone in her deceased husband's unrepaired hut, she had no funds to hire the boat, licence and permissions required for fishing trips. The fishers' organization, Dakshin Banga Matsyajibi Forum, to which she belongs, actively demands from the government a *Tiger Widow Pension* for such poverty-stricken victims. ActionAid has supplied WPD with additional full details of this case.

lobbying for this while also supporting the widows in organising themselves to assert their all too frequently denied existing rights.²⁵

A further case of inadequate access to justice, from Dayapur village in South Parganas in India, featured in Action Aid's 2017 report,²⁶ is set out below.

CASE EXAMPLE 5 – INDIA

34 year-old Anima Mistry's 49 year-old husband was also killed by a tiger while fishing in July 2017, and she too experienced great difficulty in obtaining adequate compensation, insurance money or pension. Living in a mud walled house with an asbestos roof, Anima's monthly family income of around Rs 1000 (approximately £11 or US \$14) from casual labour was insufficient to support herself, her mother-in-law and her son, and to pay for his education as well as her sick mother-in-law's medicine. Resorting to borrowing from fellow villagers when unable to survive, Anima often faced the embarrassment of having no way of returning the money and was consequently driven to work for the money lenders. (The Tiger Widows of Bangladesh's Sundarbans are also considered on page 16-17 below).

The case below of a *wife of the missing* from Baldia Town, Karachi, Pakistan, was sent to WPD by the client`s lawyer together with full legal documentation of the case (not included here).

CASE EXAMPLE 6 – PAKISTAN

“In August 2018 the house of Mr A, working at a local factory on a minimum wage, was raided at 12:00 at night and he was abducted by men in uniform. Mr. A`s wife, Ms. B, and their three sons, all under the age of ten, witnessed the harrowing act of their father being roughed up by men with guns. Mr. A was illegally detained (forced disappearance) for an alleged crime unknown to him, his family was kept in the dark, and Ms. B received phone calls from unknown numbers. Although she approached the police station many times, they kept refusing to register the First Investigation Report on the incident solely because she was a woman; also warning her of the "consequences" she would face if she pursued the case further. The veiled warnings then became verbal threats, alluding to the fact that she was without a "protector" and should therefore tread carefully, as she had become "fair game" to the predators. Hugely fearful for both her and her husband's safety, Ms. B approached our firm and two months after Mr A's forced disappearance I filed the case for her before the High Court of Sindh, on a pro bono basis. The Court first directed the concerned police station officer to register the FIR, then ordered the Home Department to form a Joint Investigation Team which would recover the detainee. It is pertinent to mention that the State Authorities who abducted Mr. A refused to provide Ms. B with any information until she went to court, neither denying nor confirming whether her husband was in their custody. Although the said authorities were then made a party to the petition, they flatly denied that Mr. A was in their custody. Eventually, after a whole year, due to an order of the High Court, the detainee was recovered from the very same authorities when they finally decided to contact my client after months of gut-wrenching uncertainty. That Mr A was recovered after a year was solely because I proceeded with the case aggressively. Although I come from privilege, aggressively pursuing a case before a bench where I was the only female advocate out of 100 was challenging, but while I was equipped to deal with them, my client was not. Ms. B was harassed by police officials when she went to register the FIR and had to rely on her brother-in-law to help her with expenses as she was uneducated and a homemaker. Being "forced" to come out of the house to take care of daily chores, she started wearing hijab and covering her face so that she couldn't be recognized and then harassed. She also had to be accompanied by her brother-in-law for court proceedings as she wasn't allowed to leave the house without being accompanied by a male figure, and her children's admission to a new grade was next to impossible as their father being the "male" guardian was not available. The Home Department refused to take her seriously and update her about the findings of the JIT because of her gender and her socioeconomic background”.

Our correspondent explained details of the following legal context of the case: “After mounting pressure from families of missing persons the Supreme Court of Pakistan directed a missing person's bench to be formed in the High Court of Sindh (<https://www.sindhhighcourt.gov.pk/>), where aggrieved families of missing persons can file petitions to seek justice and ensure safe return of the missing persons. However, such cases can sometimes take up to five years to reach a final decision. It is important to highlight the gender discrimination in the juxtaposition of benevolent sexism in Pakistan; both are

anathema to the progress of women and are stifling. In Pakistan, men want to help women but also at the time subjugate them and deprive them of their agency, and my client was severely disadvantaged because of her gender. It is noteworthy to mention that the majority of these missing persons are from lower socioeconomic backgrounds and go missing, usually in the night. My client was "lucky" to have her husband recovered alive within a year, as in many cases the dead bodies are found dumped in sewerage."

In 2015 the CEDAW Committee General Recommendation on women's access to justice noted that the right of access to justice for women is essential for realization of all the rights in the CEDAW.²⁷ However, Widows for Peace through Democracy's submission to the CEDAW General Discussion on Access to Justice²⁸ regretted that the resultant Concept Note, 'while listing several categories of disadvantaged women, omitted any reference to WIDOWS.'

3. STIGMA: MODIFYING SOCIAL AND CULTURAL ATTITUDES TO WIDOWHOOD

CEDAW Article 5 - Stereotyping and cultural prejudices: 'States shall take appropriate measures to eliminate stereotyping, prejudices and discriminatory cultural practices. States shall also ensure that family education includes a proper understanding of maternity as a social function and the recognition of the roles of men and women in the upbringing of their children.'

CASE EXAMPLE 7 – KENYA

This case is a vivid example of an attempt to force a widow to undergo customary practices and the consequences of her resistance. The event described here took place on 16th July 2017 at Seme, Holo, Kisumu County, Kenya. 25 year old Layla, a member of the Luo tribe and widowed mother of two children, refused to add soil to her husband's grave. Adding soil is for a widow a discriminatory ritual burial practice which is taken to indicate that she will accept being sexually cleansed and "inherited" - a consequence of which Layla was well aware. Video evidence obtained by the Rona Foundation, Kenya, provides documentary evidence that Layla's in-laws tried to force her to add soil, becoming violent and claiming that she came solely to gain funeral cash contributions and must have killed her husband. In 2019 Layla's relations with her in-laws remained unresolved; she only visits her marital home once a year and now must live by doing casual work in Mombasa. Although widow cleansing has been banned since 2015 in Kenya, the law is frequently superseded by traditional cultural beliefs and practices. In this case no legal action was taken and resistance was experienced from Layla's father-in-law and other male relatives when Rona Foundation's widow leaders visited her.

In many countries widowhood is associated with stigma; often perpetuated not only by traditional prohibitions on dress, diet and social mobility or discriminatory mourning and burial rites, but also by harmful customary practices (HTPs). There is evidence that *widow inheritance* or *levirate*, where widows are forcibly 'passed on' to a designated male such as the brother of her deceased husband, is still practised in countries that include Kenya, South Sudan, Tanzania, Uganda, Zambia, Zimbabwe and Nigeria.²⁹

The very harmful HTP of *ritual sexual cleansing*, where a widow may be forced to have sex with a male relation or even a non-relative, can increase HIV transmission, and widows are often not informed of the cause of their partner's death, or may not find out until they themselves become ill.³⁰

Roseline Orwa of the Rona Foundation³¹ has asserted that any new legislation on widows' rights needs to be culturally specific and would be more effective in Kenya if applied tribe by tribe; also that the Optional Protocol and associated legislation for referring to CEDAW may be difficult to negotiate for users 'on the ground' in Kenya and elsewhere.

2014 research³² in Kenya's Nyanza Province found that nine of 15 widows interviewed had participated in a sexual cleansing ritual, seven by a non-relative and two with a relative. Though aware of the risk of contracting HIV, they were unable to insist on condom use as this was believed to prevent the effectiveness of the 'cleansing' ritual, and the widows feared being ostracized by their families and communities if not engaging in prescribed sexual rituals.

An example of restriction on the social mobility of widows due to stigma is Afghanistan's *zanabad*. Around 15 kilometres from Kabul's centre and known as the "hill of widows", this was built completely by widows and serves as their home. In 2018 a ministry spokesman, Hashratullah Ahmadzai, said 90 per cent of widows there are illiterate; some with as many as eight children; and that the meagre annual help given by the ministry to government registered war widows does not meet their needs, while the Ministry of Women's Affairs head of the statistics department, Gul Ghotai, observed that the government's lack of any strategy to create vocational or short-term jobs for widows is due to inadequate capacity.³³

The personal Afghan testimony below, sent to WPD by Women's Capacity Building and Development Organization (WCBDO), is an example of failure of state actors to take appropriate measures to eliminate discriminatory cultural practices. It demonstrates starkly how even a well-educated widow with a professional job can become the victim of such practices, with both herself and her children subjected to unacceptable physical violence.

CASE EXAMPLE 8 - AFGHANISTAN

I am a teacher in one of the 16 district schools in Kabul province. It's been three years since I lost my husband. He had been working in the armed forces, but due to less salary in the Military he had borrowed money and opened a pharmacy in order to fulfil basic living needs. We were living all together in my father-in law's "hereditament house" which belonged to all of us. But I have a brother-in-law named Abdoul. I was extremely oppressed and he showed no mercy to me and to my children. He beat me every day with anything that came in front of him or his hand and had been flogging my children very much, but nevertheless he was not satisfied. One day he came home and got out us of the house. When my husband became aware of this he came immediately and he fought for his right with his brother and said "Both have equal rights in this house, we will sell it and divide the money between every single child of my dad." Then he brought us back home, but unfortunately, the day after the two brothers were fighting over the legacy of the house, my husband was murdered by Abdoul, being shot in an ambush while on his way home from a drugstore, and Abdoul escaped from the police. But the police did not consider the case serious and now, days after long follow up and complaints, he has been arrested by police, but still the case has no outcome. From that day my dark days of life started. I stayed alone with all the responsibilities and financial problems for my whole family. We live in that

house now, but I am hardly managing and am the only breadwinner in my house. It is an extremely difficult life with only the help of a meagre school salary, and although I am an educated mother, I am not able to educate my own children properly and provide them with higher education. [Neda`s husband's date of death was 7th November 2016]

The following Nigerian case example, provided to WPD by Eleanor Ann Nwadinobi,³⁴ illustrates not only stigma, but also the possibilities of modifying social and cultural attitudes to widowhood when widows are given a rightful place to live, justified support and educational opportunities – in this case with the assistance of the Widow Development Organization (WiDO).

CASE EXAMPLE 9 – NIGERIA

Nkiru supported her husband and children by working on the farm while he pursued tertiary education, but meanwhile learnt from listening to the radio how HIV and AIDS are contracted, and how to protect oneself. Upon discovering her husband`s indiscretions with other women from his educational institution, Nkiru decided to refrain from sexual interactions without a condom, and cared for her husband when he became HIV positive, but after his death she was accused of killing him - by compelling him to seek outside pleasures by denying him sex. Consequently Nkiru, despite having always been a faithful and supportive wife, was initially dispossessed of both her farmland and of her children, and also discovered that all employment benefits would transfer to her husband`s brother instead of herself, as the brother had been named as next of kin. Fortunately, with assistance from WiDO and her local faith leader (religion not specified), Nkiru was able to prove to the community that she had reported the marital circumstances, and regained her just rights as a widow. Newly empowered, Nkiru is not only able to support her children`s education, thus escaping the vicious intergenerational cycle of poverty that would have ensued for yet another family following the death of a husband, but is also respected as a leader in her community - advocating for and empowering women in similar circumstances. Successful advocacy from WiDO has also now led to employees to state their spouse as next of kin on pre-employment records.

Superstitious discrimination against Tiger Widows in 2020 Bangladesh is exemplified by the case of 45-year-old Mosammat Rashida.³⁵ Her husband was killed by a Bengal tiger while collecting honey in the village of Gabura, at the edge of Bangladesh`s Sundarbans where wildlife charities estimate around 100 tigers live. According to Ledars Bangladesh, a charity helping widows reintegrate back into the villages, at least 519 men died from tiger attacks between 2001 and 2011 in the 50 villages of one district, home to half a million people. Heartbroken, Rashida was unsurprised that her adult sons aged 24 and 27 abandoned her and their two young siblings after their father`s death, telling her that she was “an unlucky witch.” She sadly observed: “They are part of this society after all,” and although her roof had been blown off by a deadly cyclone, she was not helped by neighbours or officials who were assisting others in the village. Her 31-year-old neighbour, who was fixing his own roof, confessed he had been instructed by his wife not to talk to Rashida; saying “It would mar my family's well-being and could bring bad luck.” Younger, more educated villagers were often less fearful of the widows, but widow Rijia Khatun`s nephew Yaad Ali and his family were

having to support her and her young sons secretly, to avoid also being ostracised themselves by village society.

Although by 2017 Togolese law gave women the right to refuse HTPs, widowed ‘Nadege’ endured widowhood rituals lasting three years – being made to live in isolation in her village as well as being forced to have sex with a man selected by her community. These torturous rituals persisting in Togo’s tribal rural communities have included tests to make a widow ‘prove’ she has not killed her husband, as well as denial of access to food, to any income-generating activity, and to legitimate inheritance.³⁶

In Nepal, widows accused of witchcraft³⁷ may be subjected to atrocious abuse including humiliation, sexual assault, torture, and even death. This abuse may be justified as protection from evil and is often used to deny a widow her rightful share of family assets.³⁸ Widows in Nepal can be seen as ill-omens and are often considered the main cause of a husband’s death, and consequently experience violence from family members and the community.³⁹ Widows from all strata of society also endure prohibitions on dress, diet and social mobility, such as not being allowed to participate in auspicious events or wear red or bright colours symbolising ‘marriagehood’. When widowed with three children at the age of 29, Lily Thapa, despite being highly educated and middle class, experienced these same unacceptable restrictions. Her response in 1994 was to establish Women for Human Rights (WHR), which works to change such outdated social norms, customs and values and has achieved significant gains for the rights of both widows and other Nepalese women through advocacy from grassroots to policy level (p.36 below). On a cultural level WHR’s Red Colour movement, working closely with faith leaders and community individuals resisting change, has helped widows feel confident to wear a colour of their own choice rather than the traditionally mandated white saris, and enabled families to begin to accept their widowed daughters’ and daughter-in-laws’ participation in social activities – in this way helping to provide valuable social capital in Nepalese society.⁴⁰

4. RELIGIOUS AND ETHNIC DISCRIMINATION

By September 2018 Bangladesh was hosting at least 1.1 million Rohingya refugees,⁴¹ a Muslim minority who had fled into Bangladesh from Rakhine state in Burma/Myanmar. Horrific atrocities against female Rohingyas are fully and graphically documented in Global Justice Centre’s September 2018 report.⁴² The following personal statement of evidence, dated 31st January 2020, was provided to WPD by Arakan Rohingya National Organisation (ARNO), together with confirmatory video evidence.

CASE EXAMPLE 10 – BANGLADESH

“My name is Tasmin. My father’s name is Ahmed. I am 30 years old. I am from the North of Maungdaw, a village called Choro Bazigor. After 9th of October, the Burmese military killed my husband. I hide myself with my one-year old boy in the paddy field. I was there from the morning till dawn. I feed my son from the rice of the paddy. I saw with my eyes the military killing my husband. After the sunset, I came out of the paddy field. We are seven and with my husband eight persons. I have two twins. My kids until now are afraid. They urge me not to talk about their father out of fear. My kids do not allow me to leave them even for a while due to the fear in their heart. After the murder of my husband we lived in the open field alone with other villagers in endless hardship. We lived in a state of

fear all the time. The government did not help us at all, but always kept us in fear. Whenever I hear a sound of a fire, I felt like fleeing far away to a place where I can find peace. In Burma, we had our own land and cattle. The government has taken all from us. They burnt our houses. So we flee away to Bangladesh with my kids. Now I live in Kutupalong refugee camp. Here also there is no peace. I cannot provide any food to my kids. My kids do not have clothes. They are not able to properly study or eat. The kids are always crying. Because their father was killed they are not in peace here. When my children see other children's fathers bring food for their children, they always complain. I always live in fear here too. I am a young woman, I cannot move around and I also fear people might say bad thing about me. I always pray to god to protect me and not to put me in a situation where my dignity would be in question".

The practice of *pardah* (screening women from men and strangers) was practised to varying degrees in Northern Rakhine State in Myanmar, from where the majority of refugees have fled, and the continuation of this custom in the refugee camps is said to be severely restricting the mobility of Rohingya widows.⁴³

By May 2018 Doctors Without Borders had already recorded 160 cases of pregnant rape victims between August 2017 and February 2018 in the vast Bangladesh refugee camps; a number expected to rise dramatically. Further evidence that widowhood needs special consideration within in the Rohingya crisis is provided by cases such as that of 25 year old Madina Khatun, who was raped and made pregnant by a "Burmese military man" after her husband was abducted from their Myanmar village. She gave birth in the overcrowded Bangladesh refugee camp and believed her widowed status made her 'easier prey,' saying "It's a lot of suffering to feel, a lot of shame."⁴⁴

Razia Sultana's ground-breaking reports^{45 46} exposed widespread and systematic use of sexual violence by the Myanmar army as a weapon against the Rohingya in Rakhine state,⁴⁷ and in September 2018 Oxfam International quoted a female interviewee from the camps who demonstrated the special vulnerabilities of Rohingya widows, saying: "Not everyone is getting equal opportunities or support. Widows and separated women usually can't leave their homes. Majhis [camp leaders] give support as they wish... They are not paying enough attention to really needy people. Those who have no money, have nothing."⁴⁸

The following personal statement of evidence, dated 31 January 2020, was a second testimony received [in translation] by WPD from Arakan Rohingya National Organisation (ARNO) and is from a widow still facing dire circumstances in Myanmar at Rathedaung, Rakhine State.

CASE EXAMPLE 11 – MYANMAR

Peace be upon you. I am from Rathedaung. My name is Sofara. The Rakhines (Magh) and the Burmese Military surrounded our village and set fire and started to shoot people. They have shot my husband and took young girls in groups to the school and raped them. They have further hit the injured people with knife till death. Afterward they have put all the death people in a hole and burnt them with petrol. Young children were taken away from mothers and thrown into the fire and they raped the mothers. They shot my husband. But he was alive, then they beheaded him. I flew away with my three kids. Afterward I survived by collecting woods and fishing. But now I cannot even go for that because of the fight between the Arakan Army and the military. Now I work as cleaner to other people's house. If I feed my children for a day, I cannot feed them for many days. I cannot buy them clothes in this cold weather. I cannot provide them any education and cannot give them any medical treatment.

In the late 1990s an internal armed conflict in Kosovo, then part of Serbia and within the Federal Republic of Yugoslavia (FRY), resulted in massive and systematic ethnic cleansing. By the 1980s Kosovo Albanians had been a majority in Kosovo, but in 1997 the FRY was facing international sanctions because of persecution of Kosovo's Albanians by Yugoslav security forces. By June 1999 Serbian and Yugoslav military, police and paramilitaries had expelled more than 850,000 ethnic Albanians from Kosovo, internally displacing several hundred thousand more.⁴⁹ In many mass killing sites government forces attempted to hide the evidence by destroying or removing bodies, and 21 years later key witnesses are dying even before all the perpetrators have been prosecuted.⁵⁰

By the end of the war in June 1999 an estimated 12,000 Kosovo Albanians had been killed, sometimes together with women and children; some 3,000 civilians had been disappeared by the Yugoslav Army and Serbian police; and more than half of Kosovo's civilian population were living in refugee camps in Albania and Macedonia. The number of women and girls who were raped or suffered sexual violence during and after the conflict is not yet known, but it may have been as high as 20,000. A survey by the US-based Centre for Disease Control estimated 4.4% of the female population of Kosovo to have been raped or sexually assaulted. During the war women and girls were raped by Serbian police, paramilitaries or soldiers in front of others in their villages, in their homes, and as they were fleeing Kosovo, and in the months after withdrawal of the Yugoslav Army and Serbian police, between June and July 1999, an estimated 800 Serbs, Roma and members of other minority groups, mainly but not only adult males, were abducted and killed by the KLA or other armed groups. Kosovo Serb, Roma and Ashkali women and girls were also subjected to rape and sexual assaults, and the women's testimonies of multiple incidents of violent rape, most often by several perpetrators, show that CRSV (Conflict-Related Sexual Violence) in Kosovo was widespread.⁵¹

A 2017 Amnesty International report⁵² found that, although this was a war crime with torture so systematic as to constitute a crime against humanity, applicable law in Kosovo fell short of international law standards and 18 years passed before preparations for reparation began. In January 2018 both women and men who were raped or suffered other sexual

violence during the 1998-9 armed conflicts could finally apply for the status of survivor of war-time sexual violence and receive compensation in the form of a monthly payment of €230 (around 90 percent of the average salary for women in Kosovo), in theory providing them with public recognition and helping to challenge the stigma overshadowing their lives.⁵³ But limits to the law excluded survivors who were raped after the conflict ended on 20 June 1999, and sexually abused widows are discriminated against as they can only receive one pension, so must choose between the CRSV compensation and war-related payment for a husband's death. The 2017 Amnesty report observed a clear lack of political commitment to prosecute the perpetrators and found only three prosecutions for war-time rape completed, each resulting in acquittal after appeal because courts found insufficient evidence to identify the alleged perpetrator. In addition, some survivors were not claiming the pension for fear of being stigmatised, especially those who had never told their families that they had been raped and would not know how to explain a sudden increase in their income. Some feared their husbands might divorce them and others had been told by families not to apply as it would disgrace the family. In 2015 Kosovo-born artist Alketa Xhafa-Mripa created 'Thinking of You', an enormous symbolic art installation in Pristina's city stadium which helped to break the country's silence surrounding Kosovo's wartime rapes, and to reduce the stigmatisation experienced by survivors of sexual violence. Kosovo's first female president Atifete Jahjaga, a sponsor of the exhibition, said it was dedicated to women and men worldwide who are subjected to the crime against humanity of sexual violence.⁵⁴

Another form of discrimination against widows was observed by Hanna Kienzler in research conducted in 2007-08, on the basis of evidence collected in the Kosovo villages Krusha and Pastasel. In-laws tried to claim 'ownership' of their late sons' children as it was customary that offspring, particularly boys, belonged to a father's family as sustainers of the patrilineal 'blood line'. Most widows had remained with their in-laws for fear of losing their children, as well as being concerned about inheritance of property. This situation often resulted in oppression as brothers-in-law attempted to control their widowed sisters-in-law by making them request permission to go out – not always granted – and controlling the widows' sexual behaviour in order to preserve family 'purity'. Even widows themselves felt under pressure to display their loyalty and fidelity to the community at large, for example by starting gossip campaigns about other widows considered to have flouted customary expectations in any way.⁵⁵

In 2016 a European Union Rule of Law Mission (EULEX) report⁵⁶ found that, although Article 7.2 of the Kosovo Constitution clearly prohibits discrimination against women and Article 22 states that CEDAW is explicitly incorporated into Kosovo's laws, the cultural tradition of prioritising male over female heirs was persisting. There were no clear legal procedural rules to prevent preference being given to male descendants, and many women were unaware of their legal rights. Kosovo's earliest laws on women's property ownership date back only to 2003, and under traditional Kosovan rules such as the Kanun I Lekë Dukagjin, inheritance of property follows the paternal line. Low levels of female employment in Kosovo, making women dependent on family, combined with patriarchal cultural traditions to pressure women to renounce their legally due inheritance. As a consequence Kosovo has

the lowest percentage of real estate registered to women in the Balkan region. The report recommended that properties should be registered in both spouses' names, because this would facilitate a widow's position in the inheritance procedure when claiming her rights against other relatives of the deceased.

Our WPD contact from Kosovo, who sent her personal testimony to WPD from Pristina, was herself widowed with two young children at the age of only 25, when her husband was killed by the Serbian forces in his car. Forced to leave the home where she lived together with her husband's parents and his ill sister before Kosovo's war, she and her bereaved family group were put on a train for ten hours with no idea of their final destination – a journey prolonged by multiple military control checks and 'taking away of people from the train'. After the war they returned to find everything destroyed and nearly everything stolen from their almost empty apartment. She shared the three Kosovan case examples below of widows whose fights for justice lasted for more than a decade, and advises: "The ridding of women of their inheritance rights over family property has become a norm in Kosovo, with the percentage of women exercising this right the lowest in the region ... The prejudices, the force of tradition, stereotypes and gender-based discrimination still make up the cultural norm of our everyday behaviour. In this regard the need to dismantle these mental and cultural barriers has become an urgent duty for all women today, especially for injustice faced by widows and their children".⁵⁷

CASE EXAMPLES 12 and 13 – KOSOVO

Kosovan citizen Shyhrete Berisha lived until 1999 in Suhareka, where her family was murdered by Serbian military forces. The brother of her deceased husband then claimed the right to inheritance of the house where Shyhrete had lived with her husband and their children, but her lawyer contended that Shyhrete had the right to inherit the house, as she had contributed to it “throughout her life” until 1999. However, her brother-in-law’s lawyer claimed that: ‘The right of the daughter in law to inherit the property of the father in law is not foreseen in the law. This right resides only with her children’. But Shyhrete’s children had been tragically killed during the war. So having refused on Shyhrete’s behalf an inadequate offer for her to receive only an apartment or the partial use of the land, her lawyer pursued her case in the Constitutional Court, on the grounds that the Constitution of Kosovo guarantees gender equality. But it was not until in July 2017, after numerous court sessions and years of stress and emotional hardship, that Shyhrete was awarded rights over the property by the Main Court of Prizren.

In a similar case, Shukrie Berisha’s legal proceedings regarding her right to the use of half the property where she had lived with her husband stretched out over more than eleven years. Shukrie was left with no other choice but claim her rights in court, by suing her brother-in-law in 2005 after he transferred the property rights to himself from his father while excluding his brothers. In so doing he excluded Shukrie who had lived for 30 years in that house with her husband who had died before the inheritance procedures took place. She claimed she had the right to inherit a part of the house, but after eleven years she received only a 1/10 portion of the garden and 1/6 portion of the house, to which she had contributed during the years she had lived there with her husband.

A third case received by WPD is that of a widow who wished to remain anonymous. After being told that her husband had been killed while serving the Kosovo Liberation Army, she decided to stay with his family. Along with her sons, she fled from Albania to her brother-in-law in Germany, but returned to Kosovo two years’ later and was initially received hospitably by her husband’s family. Only after two years did the problems arise. Since she was not working, her father-in-law announced that he could no longer provide for her and her family. She then moved to different places and tried to claim her inheritance rights, but she was not successful because neither her family nor the state helped her. She has endured twelve years of hardship because her husband’s family refused to give her what was her husband’s property, and now lives in an apartment provided by the Municipality as a form of social benefit. However, when her son turned 18, he inherited her husband’s/his father’s property after the death of his grandfather. She, his mother, received no mention in the inheritance papers, because legal title passed directly to her sons, leaving her with nothing.

A lawyer with experience in such cases explained that, while property acquired during a marriage remains legitimate property of the wife and the children of the deceased husband, a man’s property acquired before marriage is inherited half by his wife and half by his own parents. The wife’s share can then be inherited by her children, who can also inherit their paternal grandparent’s share. However, a woman’s father-in-law may often pass on his property in the form of a gift, making it impossible for the woman to make a claim on it. Problems arise from the family property being registered in the name of only one family member, most often the oldest male, with inheritance rights residing only in blood lines with the male heir, and women being excluded from the inheritance.

5. CHILD MARRIAGE AND WIDOWHOOD

CEDAW Article 10 - Education: ‘States shall ensure that women have equal rights with men in education, including equal access to schools, vocational training, curricula and educational resources.’

CEDAW Article 16 - Marriage and family life: ‘States shall ensure that women have equal rights with men in relation to marriage and as parents, as well as in respect of other aspects of family life.’

Based on numbers from the World Widows Report 2016,⁵⁸ in 2018 an Action on Child, Early and Forced Marriage report⁵⁹ estimated that at least 1.36 million of the approximately 258 million widows globally were child widows under 18 years old – probably a conservative figure because illegal religious or customary child marriages are often not officially registered. Because of this, the age of child widows ranges from birth to 18, with a great variety of life circumstances and needs. In some least developed countries, 40 per cent of girls are married before age of 18, and 12 per cent before age of 15, with this practice being particularly prevalent in conflict-affected countries and humanitarian settings.⁶⁰ Deprived of their childhood and often their education, child widows also suffer the trauma of bereavement and as minors in law have little or no access to justice. Child marriage is itself a harmful traditional practice, and although up to now the United Nations and NGOs have focused on child marriage in isolation, its link with child widowhood must be acknowledged and acted upon with urgency.

Child widows are the most vulnerable of all widows as they suffer the triple disadvantage of gender inequality and the low status of women and girls; the low marital status of widows, and the lack of life experience and knowledge needed to survive in an ‘adult’ world. A child bride may have greater ‘bride price’ value than an adult woman, especially in the context of the AIDS pandemic where illusory beliefs that a virgin bride can cure her husband’s AIDS increases transmission of the AIDS virus. And lacking dowry, a landless and or impoverished widow will have limited choices of partner for any daughters, whose own risk of early widowhood increases if given or sold to a sick or far older man.⁶¹

The following harrowing statement of evidence from Afghanistan was provided to WPD by Women’s Capacity Building and Development Organisation (WCBDO), a non-governmental and non-profit organisation in Kabul. It shows the subjection of a widow to discriminatory abuse and poverty; the consequent forced marriage with both sexual and physical abuse of her 14-year-old daughter; the sexual harassment of another 13-year-old daughter by a religious actor, and the corrupt, collusive lack of action by authorities.

CASE EXAMPLE 14 – AFGHANISTAN

Mahdia’s husband was killed five years ago while working with military forces, leaving three daughters and two sons. We call him a martyr as he was not a soldier but a digger, and his dig collapsed on him. Being illiterate, the only job Mahdia could obtain was cleaning houses for very meagre wages insufficient to support her family. This cause her to be accused of not being a chaste and virtuous women because she was working in ‘anybody’s’ houses. Here she faced

sexual harassment from male owners, with everyone abusing her by saying “Marry with us, you don’t have a husband so no problem having sex with us!” Having no support from her own or her husband's relatives, after receiving death threats towards herself, Mahdia was made to give up her 14 year-old daughter Safiya into forced marriage to a man who subsequently treated her as a slave, subjecting her to both sexual and physical abuse including being burnt and beaten. Safiya really misses her little brother, but when she cried for him continuously her husband punched her “head over heels” and beat her with wood, wire, and anything else to hand. Her husband and his family refuse to let Safiya visit her mother and siblings, also forcing Safiya to stand against her mother and to “not remember her.” In addition, when Mahdia was forced to leave her children alone while at work, her son-in-law visited her home to feed her two-year-old son a narcotic that could cause sickness and death. Mahdia eventually sought help from a Mullah named H, who then insisted on coming to her house although she had asked him not to. Although he claimed to have come to save Mahdia’s daughter Safiya from the oppression of her husband, on arrival he saw that Mahdia had two more beautiful and very innocent daughters, aged only 13 and 9. Writing their names on two separate pieces of paper, the Mullah promised to make sure the daughter whose name was randomly chosen would have good luck, become “queen”, and be able to rescue her sister “from the grip of a cruel man.” When 13-year-old daughter Soraya’s name was chosen, the Mullah said “Mashallah, Mashallah,” [God has willed it], bemoaning the fact that he already had two wives and entreating Mahdia about her second daughter. This disturbed Mahdia so much she complained to government officials about the oppressive actions of these men towards her daughters and herself, but on receiving no response at all from the Ministry of Women, the provincial authority, the District or the police office, she finally resorted to handcuffing her second daughter for her own safety, and now pleads to God for a miracle to save her daughters from the grip of oppressors.

In 2017 Swathi Vadlamudi, Hyderabad, India, reported that almost all the women who attended a meeting at the International Widows Day were victims of child marriage and eventually loss of partner. In a village of over 200 families, 50 women had lost their husbands at a very young age – often men who had been victims of alcoholism and accidents.⁶²

CASE EXAMPLE 15 - INDIA

Dubarla Yamma, from Katryal village in Warangal district, lost her husband when she was 18, but she had already been married for six years from the age of 12. Pregnant with a boy after having two girls, Dubarla’s in-laws brought pressure on her to leave home without her daughters and have an abortion, even offering her Rs.2 lakh [about 2,800 US Dollars]. Though she refused and remained in the house, Dubarla and her children were still facing much harassment and discrimination.

Their young age makes child widows very vulnerable to discrimination, abuse and violence. As well as being less able to assert her inheritance rights or custody rights over her children, a young widow may be seen not only as readily available for sexual relations,⁶³ but also more desirable than older widows, and there is some evidence that young widows, such as widows of ‘child marriage’, can be more vulnerable than older widows to harmful practices involving sexual abuse such as ‘widow cleansing’ or wife inheritance.⁶⁴

Recent UNICEF statistics⁶⁵ suggest that, while child marriage is in decline, still up to one in five girls worldwide are married as children, often to much older men, a practice which can perpetuate the cycle in which child brides are widowed themselves and marry off their own children in order to survive.

6. CONFLICT AND POST-CONFLICT SITUATIONS

Although CEDAW articles do not specifically refer to women in conflict situations, the 2000 UN Security Council Resolution (UNSCR) 1325 required parties in a conflict to prevent violations of women's rights and to support women's participation in peace negotiations. Up to half a million women were raped in Rwanda during the 1994 genocide, 60,000 were raped in the war in Croatia and Bosnia and Herzegovina, and an estimated 64,000 incidents of war-related sexual violence against women and girls occurred in Sierra Leone from 1991 to 2001. In addition, evidence shows that high levels of sexual and gender-based violence tend to persist even after conflict has ended.⁶⁶

The plight of widows is worsening in worldwide conflict- and post-conflict situations, where they often form the majority of IDPs, refugees and asylum seekers. These contexts increase vulnerability to sexual, physical, economic and psychological exploitation, and widows are the least likely to be adequately rehabilitated and returned to their villages and lands, as now required by UNSCR 1325, because they frequently cannot prove legal title. The widespread ostracization of Afghanistan's over half a million widows, in both conflict and post-conflict situations, has been briefly covered above (Page 15). The seemingly insoluble predicament of half widows (wives of the missing or forcibly disappeared) is given special consideration below (See pp.29-32).

In 2012 there were 113,000 internally displaced persons in Bosnia and Herzegovina,⁶⁷ and by December 2017, 22 years after the 1992-95 war had ended, the Union for Sustainable Return and Integration in Bosnia and Herzegovina NGO reported that 98,578 people living in Bosnia and Herzegovina were still classified as displaced persons, with a further 20,000 more registered as refugees living outside the country. Thousands were without homes and living in desperate poverty, and the NGO's research with UNHCR found that 7,500 people were still living in more than 100 'collective centres'. Out of 2.2 million people who left the country during the war, 1,025,011 had returned.⁶⁸ Although there is no official gender disaggregated data on the 2.2 million refugees from Bosnia and Herzegovina, the majority of forcibly displaced persons were women and children. An unpublished report described the majority living in the collective centres as single mothers and widows, with unacceptable living conditions and inadequate access to housing, food, healthcare, education and other social and economic rights.⁶⁹

Discrimination against widows in Iraq takes place within a context of general discrimination against Iraq's female population. The 2017/2018 'Women, Peace and Security Index' (WPS), measuring wellbeing of women in the areas of inclusion, justice and security, ranked Iraq 147th out of 153 countries.⁷⁰ By 2013, after years of economic sanctions and armed conflict, Iraq's women were increasingly financially, socially and politically marginalised; lacked educational opportunities, health care and access to the labour market, and suffered violence and inequality – often exacerbated by traditional customs and legal obstacles.⁷¹

The Iraqi constitution of 2005 asserts, "Iraqis are equal before the law without discrimination based on gender, race, ethnicity, nationality, origin, colour, religion, sect, belief or opinion, or economic or social status." At the same time Article 2 stipulates, "No law may be enacted that contradicts the established provisions of Islam." There is no guidance on how real life contradictions between these two articles should be resolved. Article 41 says, "Iraqis are free in their commitment to their personal status according to their religions, sects, beliefs, or choices, and this shall be regulated by law", meaning that they may follow their own rules and practices on marriage, while articles of the Penal Code allow husbands to punish wives within certain limits. The practical application of these articles may allow offences committed for 'honour' to remain unpunished and permit perpetrators of sexual violence to be exonerated if they marry their victims, even if they are under the age of 18.⁷²

In 2019 women and girls still face legal and societal discrimination and specific forms of gendered violence including sexual violence, domestic violence, 'honour'-based violence, forced and child marriage, FGM, and trafficking for sexual exploitation and forced prostitution.⁷³ Women without male support provided by their family or tribal network, including widows,⁷⁴ are particularly vulnerable to abuse, exploitation and trafficking.⁷⁵ Iraq's wars and the disappearance of political opponents carried out by the former regime have left very many widows in Iraq, described by CEDAW as 'a broad social group deprived of the enjoyment of the most basic human rights.' In 2013 only about 200,000 of the around 1.5 million widows were receiving financial support from the government,⁷⁶ and a 2015 UN report found temporary or *muta'a* ('pleasure') marriages increasing in Iraq; often resulting from poverty-driven desperation by widows. These are seen by critics as a *hilah* or loophole, allowing men to have sex outside traditional marriage, but leaving women with no inheritance, alimony or child support rights as well as possible criminal prostitution charges.⁷⁷

From January 2014 Iraqi and Kurdish authorities were fighting with a US-led coalition to regain the territory from 'Islamic State' which at the height of its insurgency controlled large areas of Iraq. This intense conflict lasted until December 2017 when Iraq's Prime Minister declared victory over Islamic State. IS forced women in Iraq to marry its members and combatants, including foreign nationals as well as Iraqis. As IS retreated 'married' and raped women, many with children, escaped from IS or were simply abandoned by their husbands and became the responsibility of Iraqi government and Kurdish forces. In 2018 Amnesty International⁷⁸ found that women of 'ISIS families' who remained heads of their families were stigmatised and punished for offences in which they played no part. In the IDP camps these women were vulnerable to abuse and rape by armed groups, and they and their children were denied food, water, health care, education, benefits and identity documents. Many returned to the camps after facing attacks, evictions, arrests or other abuse when attempting to go home.⁷⁹ Women or girls abducted by IS fighters also risk being subjected to 'honour' killings after fleeing, based on the mere suspicion that they may have been sexually assaulted.

Between 1991 and 2002 some 50,000 people were killed in the civil war in Sierra Leone and many women were widowed. In 2014, in its submission to CEDAW, WPD commented on the government's lack of any implementation or monitoring of the Gender Justice Laws

(Registration of Customary Marriage and Divorce Act, Domestic Violence Act and Devolution of Estates Act) that should protect widows. Violations of human rights included denial of rights to inheritance, land, property, custody of children, forced remarriage (for example, in breach of the levirate law, Sec 77 (2) of the Civil Status Registration Ordinance, 1981).⁸⁰

In 2009 nearly 30,000 women were already registered in Sierra Leone as war widows and the sexually abused, but it was not until 2018 that the government was willing to compensate them, awarding \$100 (Le1.2m) for each beneficiary. This was part of a Reparations Programme recommended in the Truth and Reconciliation Commission's (TRC) 2004 report, which also included amputees, war wounded and child victims. During the brutal insurgency the Revolutionary United Front (RUF) had chopped off the limbs of victims and sliced the bellies of pregnant women. Many surviving victims lived by begging in the streets while others died before receiving any compensation. On the other hand demobilised soldiers received assistance in the immediate aftermath of the conflict, as this was thought necessary to guarantee a lasting peace.⁸¹

The situation of widows in Syria must be seen in the context of both the current armed conflict and the pre-conflict discrimination against the country's female population. In 2010 Syria was ranked 118 out of 148 countries on the UNDP Gender Inequality Index, with no progress since 2000. Disaggregated statistics for widows were not available for the 2016 report written by the Women's International League for Peace and Freedom⁸² but this did find a number of discriminatory laws legalizing and legitimising gender-based violence under different pretexts, including 'honour' killing, forced underage marriage, rape, and arbitrary divorce by men and control by male family members. During armed conflict women were experiencing abuse, violence and human rights violations at the hands of government bodies and some armed factions. Rape was widespread with the inevitable consequence of forced and unwanted pregnancies.

Since the March 2011 uprising thousands of detained women have been physically tortured and humiliated, with the government arresting women to shame the whole family; detaining them to obtain ransoms for their release; and arresting women to trade them for weapons with armed opposition groups. There are now 5,555,480 registered Syrian refugees.⁸³ In addition, in 2016 there were at least 7.6 million people displaced inside Syria; a quarter of women refugees were heading families alone; 55% of refugees were children under ten; 78% of refugees registered with UNHCR for aid and asylum were women.⁸⁴ Human trafficking in the form of child marriage was occurring in refugee camps in Jordan and Turkey through special offices, justified by religious fatwas, and poverty and systematic discrimination against women in the labour market, particularly in refugee camps, was forcing some women to work as prostitutes. Syrian women in Lebanese prisons have been charged with prostitution. Syrian discriminatory personal status laws can deny mothers the guardianship of their children and permit husbands to restrict their freedom of movement.

In 2019 the Humanitarian Needs Overview (HNO) for Syria, an independent analysis by the United Nations (UN) and its humanitarian partners, estimated 11.7 million people were still in need of various forms of humanitarian assistance. Female-headed households, including war widows and divorced women, were listed among groups most in need, being particularly vulnerable to stigmatisation, sexual exploitation and all forms of violence and

abuse, and often even unable to access basic services including nutrition owing to feelings of shame and risks of sexual harassment at distribution points. Girls were also reportedly being married younger, including the early or forced marriages of girls only ten or eleven years old – seen by families as a protective coping strategy.⁸⁵

The Autonomous Administration of North and East Syria (NES), known as ‘Rojava,’ in north eastern Syria, which gained de facto autonomy in 2012-13 but was not recognised by the Syrian state, stands in contrast to the situation prevailing in the rest of the country. In 2013⁸⁶ Margaret Owen was invited to Rojava to observe the work of women’s organisations looking after IDP families needing assistance, with no distinction being made between Kurds, Arabs, Christians or any other religious, tribal or ethnic group. Rojava’s principles of gender equality were demonstrated by the existence of the women’s organisation, the Star Union, (now the Star Congress), and the fact that all other institutions were headed by both a male and female co-chair. Each town or village had a Women’s House where women and girls could access advice, counselling, protection, and shelter from the physical and sexual violence described above.

The Assad regime has persecuted its Kurdish citizens for decades, and more recently mercenaries of al Nusra, ISIS, and other militias tied to al Qaida had also sexually abused Kurdish women. A ‘fatwa’ was issued by Arab imams aligned with ISIS, declaring that it was ‘halal’ to rape Kurdish women as ‘unholy’ and infidels.⁸⁷ A 2015 article⁸⁸ described the Kurds in Rojava as testing a democratic model shaped by the political philosophy of Abdullah Öcalan, leader of the Kurdistan Workers Party (PKK) and seen by Kurds in Syria and Turkey as leader of Kurdish liberation, but by 2015 already held for 16 years in a Turkish prison. By 2017 Rojava, now known as the Democratic Federation of Northern Syria, was home not only to some 2 million Syrian Kurds but was also hosting nearly 2 million IDPs of all ethnicities and religions, with a charter based on gender equality, freedom of belief, pluralism, secularism, communalism, human rights and peace.⁸⁹ However, in October 2019, after both male and female Kurdish forces had been successful in defeating ISIS, Turkey invaded Syria - a continuation of the invasion of Afrin in 2018. A November 2019 report containing the names of victims and individual case studies documents the extensive range of war crimes committed by the invading forces. Attacks on civilian women included assassination of politicians, serious physical injury and death from bombing, gunfire and poisoning, and removing women’s rights and access to justice. Over 300,000 people were displaced by the invasion, and Turkey was attempting to engineer demographic change by importing from Turkey thousands of refugees originally from other parts of Syria. By February 2020 Turkey was accused of replacing Rojava’s Kurdish population with 2 million Sunni Arabs who had fled from other parts of Syria to Turkey, and Rojava’s autonomy hung in the balance.

7. HALF WIDOWS (WIVES OF THE MISSING OR FORCIBLY DISAPPEARED)

According to the National Centre for Historical Memory (CNMH), 82,998 Colombians who were forcibly disappeared between 1958 and 2017 are presumed dead.⁹⁰ The United Victims Registry (RUV), the government body in charge of registering war victims, has registered 150,000 forced disappearances between 1986 and 2017.

In 2015 the UN Committee on Enforced Disappearances⁹¹ considered Colombia's 2014 report on its implementation of the provisions of the International Convention on the Protection of All Persons from Enforced Disappearance.⁹² Commenting on Colombia's *National Commission for the Search of the Disappeared*, the Committee questioned the number and classification of disappeared persons; noting that a disappearance was only registered as 'enforced' upon a relevant court ruling. Concerning classification of enforced disappearances as a crime against humanity, the Co-Rapporteur for Colombia noted there was no specific provision that criminalised the act as such. Dealing with cases of disappearances was also fragmented across several areas of prosecution, impeding the search for disappeared persons, investigations and sentencing of perpetrators, and while the number of disappearances was very high, the number of those sanctioned was very low, with no member of the armed forces or of the guerrillas having been sanctioned.

In order to alleviate the extreme emotional pain and anguish of relatives of the disappeared, Colombia had adopted laws ensuring their access to social benefits and protection and a law allowing the declaration of absence by disappearance. The National Plan for the Search of Disappeared Persons established that remains of deceased victims were to be returned to the families to allow them to grieve. The case example below shows the prolonged discrimination suffered by a Colombian 'half widow', which has included being refused information about a forcibly 'disappeared' husband; discrimination in inheritance of property; denial of vital documentation; failure on the part of government to provide via legislation any social protection, adequate pension or compensation, and being unable to remarry due to lack of official documentation.

CASE EXAMPLE 16 – COLOMBIA

Elizabeth Santander has been seeking truth and justice for over 30 years since the enforced disappearance of her husband, Marino Escobar Aroca, born in 1964, who was arrested by Agents of the Administrative Department of Security DAS on 22nd January 1987 beside the "Santa Fe" station in the city of Bogotá.

In December 2019 Elizabeth met with WPD in London, where she now lives in exile, as both she and her relations in Colombia feel threatened by potential repercussions from her own search for justice. Her heart-wrenching story is that even now she has no solid evidence of Marino's fate, no widow's pension, and has been unable to inherit her husband's property which was instead awarded to his parents and Elizabeth and Marino's daughter (also named Elizabeth). She is also unable to legally marry her present partner, with whom she has two more children, until she has legal documentation of her husband's fate. Elizabeth was too traumatised to give evidence to Colombia's Testimony of Truth and Conciliation because she was still suffering from PTSD.

Four separate Colombian lawyers refused to take on Elizabeth's case, on the grounds of insufficient material, but her case is now at last being handled by a well-established lawyers' collective in Colombia, José Alvear Restrepo. Recently there have been claims that her husband's remains have been located, possibly in a cemetery in Tumja City. However, it is evident from the

UN's reservations about the lack of progress made by the government of Colombia on legal redress regarding discrimination against widows of the disappeared (see above in this dossier) that Elizabeth's access to justice is complex and tortuously slow.

In the meantime, however, Elizabeth has become an activist who, together with other relatives of disappeared persons, has founded Grupo de Familiares de Desaparecidos de Europa (European Group of Relatives of Disappeared Persons). Elizabeth has kindly given WPD a signed copy of her organisation's revealing publication '*Sus voces, nuestras memorias - Colombia tras las fronteras, rompiendo el silencio de la desaparición*'. In February 2019 ABColombia brought together victims of the conflict, activists and experts to debate the future of the implementation of the peace accord implementation, an event at which Elizabeth made a presentation.⁹³

In March 2016, over 20 years after the devastating events of the Balkan wars, the Balkan Investigative Reporting Network (BIRN) reported that, in the opinion of the UN's Human Rights Committee, Bosnia and Herzegovina were continuing to violate the rights of Sakiba Dovadzija, one of the country's many war widows (official data may not be available, see page 25 above). These violations included failing to investigate the circumstances of her husband's disappearance; failing to find and prosecute those responsible, and the "inhumane and degrading" refusal to allow the family to be paid his military pension. The Committee also said Bosnia and Herzegovina was obligated to desist from similar offences in the future and must ensure that information about investigations into enforced disappearances was open and available to the families of any missing persons.⁹⁴

CASE EXAMPLE 17 – Bosnia and Herzegovina

Sakiba Dovadzija's husband Salih was initially arrested and detained in 1992 by Bosnian Serb forces while serving in the village guard at Ilijas, near Sarajevo. Although freed in a prisoner exchange, after being mobilised into the Bosnian Army, he was detained again by Bosnian Serb forces, and subsequently never seen again. However, 23 years later his remains were found in the Pale municipality. In 2012 Sakiba filed an application to the UN Human Rights Committee because she had still received no information about either his death or the investigation regarding the alleged murderers; had been informed that Salih was a deserter, and was not paid his military pension. Her application to the UN committee was made through the NGO Track Impunity Always (TRIAL), whose legal adviser, Adrijana Hanusic-Becirovic, told BIRN that members of Salih's family should also be given psychological rehabilitation and awarded adequate reparation.

Rohingya National Organisation (ARNO) illustrates the plight of a 'half widow', now in the Cox's Bazar refugee camp in Bangladesh, whose husband has effectively been 'forcibly disappeared' by being jailed for 21 years for no actual crime and with no due legal process.

CASE EXAMPLE 18 - Myanmar/Bangladesh

My name is Raheema from Nakphura and my father's name is Aynul Hayat. I am 23 years old and my husband's name is Noor Hakim. The military came to my house and arrested my husband without any reason or warrant, then took him to Maungdaw Jail. Now he has been taken to Buthidaung Jail, having been put in jail without any due legal process or any opportunity to defend or appeal. I was in my country during that time but could not visit him or even travel to him due to movement restriction. The government does not recognize us as citizens and has also arrested another 28 of my in-laws. The military killed two of them and put the rest in jail, where one person has died. Without due legal process, they have sentenced some to 21 years in jail and some to 31 years. Furthermore, they sentenced four people to life in jail with no legal process. On top of this the military came into our village, raped girls, and have also raped me. During that time (after August 2017) all men had to hide and the military did whatever they liked with village girls and women. The government gave no shelter or protection to (Rohingya) Muslims and the government and the Magh (Rakhines) have only abused and tortured us. There was a Hindu village nearby but they did not help us either. The government destroyed our house and took away our cattle. We used to have a paddy machine, shop and business, but the government has taken everything. After all our property was taken away I was there with my child and my mother-in-law, and when the villagers fled to Bangladesh we fled with them. After crossing (to Bangladesh) we were told we would get some peace, but I have found no peace here either. As my husband is not here and we do not have relatives nearby, we always live in fear. There is nobody to protect us here, and as there is no one to look after us I also have to look after my old mother-in-law, who needs medication all the time. My husband is innocent, but he was sentenced without legal process to 21 years in jail. I cannot marry another person. My child is always in pain and I cannot provide for the basic needs of my child. We are always in fear in the camp and the life we are passing is a very sad life.

In 2019 Margaret Owen highlighted the desperate plight of the half-widows of Jammu and Kashmir,⁹⁵ and in June 2018 the first ever UN report⁹⁶ on the human rights situation in Kashmir had to be based on remote monitoring of the human rights situation by the Office of the United Nations High Commissioner for Human Rights (OHCHR), because the Governments of India and Pakistan had failed to grant unconditional access to Kashmir. The report covered both Pakistan-Administered Kashmir (Azad Jammu and Kashmir and Gilgit-Baltista) and the Indian state of Jammu and Kashmir (consisting of the Kashmir Valley, the Jammu and Ladakh regions), but focused on human rights in the latter from July 2016 to April 2018. Special laws such as the Armed Forces (Jammu and Kashmir) Special Powers Act, 1990 (AFSPA), and the Jammu and Kashmir Public Safety Act, 1978 (PSA) were impeding accountability and jeopardising the right to remedy for victims of rights violations. Between March 2016 and August 2017 alone, over 1,000 people including minors had been detained under the PSA. Allegations of human rights violations included torture and custodial deaths, rape, enforced disappearances and extrajudicial executions. Civil society and news media estimated that there were 500,000 to 700,000 troops in the area, as well as non-state armed groups which also engaged in hostage-taking and carried out targeted killings. Impunity for enforced or involuntary disappearances in Kashmir was continued, with little

investigation of alleged sites of mass graves in the Kashmir Valley and Jammu region. Although in 2016 JKCCS (Jammu Kashmir Coalition of Civil Society) and the Association of Parents of Disappeared Persons reported that over 8,000 people had been disappeared since 1989,⁹⁷ state and central governments said only around 4,000 were missing, alleging that most had crossed over to Pakistan-Administered Kashmir.⁹⁸ JKCCS and the Association of Parents of Disappeared Persons reported in 2018⁹⁹ that rape and other forms of sexualized violence continued to be systematically used as a weapon of war in Jammu and Kashmir. No government figures exist on Kashmir's half-widows, but the report *Half Widow, Half Wife? Responding to Gendered Violence in Kashmir* estimated the number at around 1,500.¹⁰⁰ While widows are entitled to some compensation under civil law, half-widows are entitled to compensation only on production of death certificates.

In May 2020, WPD was sent case evidence by Dr M from the city of Samawah, the modern capital of Iraq's Al Muthanna Governorate, concerning women affected by the 'Camp Speicher' massacre of 12 June 2014, in which Da'esh/ISIL fighters murdered at least 1,500 unarmed Iraqi Air Force cadets and non-Sunni militiamen, overwhelmingly Shia Muslims, outside Tikrit Air Academy (formerly known as Camp Speicher).¹⁰¹ The case of Ms. K illustrates the challenges faced by both wives and mothers of the men unaccounted for after the massacre, who lack the information demanded by the Iraqi law for reporting a missing person which also requires that relatives of the missing report the loss immediately. According to the law at least four years must elapse before the reported person can be considered "missing" in practice. In addition some wives of the missing have no marriage contract, meaning they must ask a lawyer to register the marriage before being able even to start compensation proceedings and being added to The Martyrs Foundation – a government body established to address the general situation of the families of "martyrs" and to provide compensation. Families of the missing remain frustrated that no interest appears to be shown by government institutions in promoting their welfare or achieving justice by punishing the criminal perpetrators. Dr M reports that, despite the issuance of the new Law of the Martyrs Foundation No. 2 of 2016, its instructions and procedures have neither been followed nor reached the relevant provincial authorities. She calls on the Iraqi government to fulfil its international obligations in the context of the International Convention for the Protection of All Persons from Enforced Disappearance. This is particularly crucial since most missing people from the Speicher massacre and other armed conflict are from poor families.

8. WIDOWS AND REMARRIAGE

CEDAW Article 16 - Marriage and family life:

'States shall ensure that women have equal rights with men in relation to marriage and as parents, as well as in respect of other aspects of family life'

A 2017 study of the prevalence, types and patterns of VAWG (Violence against women and girls) in South Sudan¹⁰² found that the already widespread practice of *wife inheritance* accelerated as more men were killed in the conflicts experienced by South Sudan. 63% of women reporting being widowed and re-married were re-married to brothers or other male

relatives of their deceased husbands, often without their own consent, and such remarriages often result in psychological and physical abuse from the new husbands' families to both the "inherited" widows and the widows' own children.

Despite Sierra Leone's 2007 Devolution of Estates Act, which protects the inheritance rights of widows and of those bereaved after 5 years' continuous cohabitation, a human rights lawyer observed in 2019 that 'Widow Inheritance' was still widely practised among certain ethnic groups and provided the following case example:

In 2018, two weeks after the burial of her husband of 25 years, Mariatu (a pseudonym) was called by her husband's relatives to a meeting and told:

"The family has agreed that your husband's younger brother would take you as his fifth wife. He will be in charge of your three children and his brother's property. You cannot refuse or else you will have to leave the home empty handed. This is our custom."¹⁰³

In other circumstances widows may be forced, by destitution caused by discrimination against them, to remarry just in order to survive. This is illustrated by the following 2020 example from the Democratic Republic of Congo (DRC), sent from IFESIDI (Initiatives de Femmes en Situations Difficiles pour le Développement Intégré) via Global Fund for Widows. Congolese Béatrice Kibwana Sifa provided WPD with her personal testimony, summarised below:

CASE EXAMPLE 19 – DEMOCRATIC REPUBLIC OF CONGO (DRC)

Béatrice, a mother of seven children, four boys and three girls, was widowed in March 2013. In 2014 she was made homeless together with her children by ejection from her late husband's home, also suffering a serious ankle fracture. Her youngest son was kidnapped by her late husband's family and over the course of a year Béatrice, together with her oldest daughter, was summoned repeatedly by the police because she refused to grant her in-laws custody of the son and was seeking his return. Although her husband had been a civil servant, Béatrice could not obtain a survivor's pension or any formal assistance. From 2014 she lived in her niece's house as she was unable to feed, educate or house her children. While trying to start a new life, Béatrice and her children were completely abandoned by her husband's family and received numerous threats by telephone and social network from strangers – threats which continue today. In 2017 a man approached her with an offer of marriage, which Béatrice eventually accepted after six months of hesitation, in the hope of gaining protection for her children. But the new partner caused her further suffering, and in 2018, when supposedly looking after Béatrice's young children, while she was seeking treatment for her daughter in a neighbouring country, he absconded with all her possessions and the little money Béatrice had made from small trading activities. His actions shocked and demoralised Béatrice and her children. Notwithstanding these difficulties and setbacks, however, Béatrice became a member of the World Alliance of Widows and is now coordinator of IFESIDI, working with widows and vulnerable women and girls who have lost love ones and who have themselves suffered violence and abuse in the conflicts in eastern DRC.

In some countries the length of the waiting period for 'half-widows' to remarry is determined religious authorities. By December 2013, a consensus agreed by Islamic

scholars reduced the waiting period for Kashmir's 'half-widows' to remarry to four years – a reduction from government law's previous stipulation of seven years after the disappearance of a husband. Prominent civil society members and representatives of the Association of Parents of Disappeared Persons (APDP) had sought opinions from different schools of Islamic thought, and it was hoped this breakthrough would pave the way for addressing the other rights of half-widows, including their rights to inherit property under Islamic law.¹⁰⁴

9. DISCRIMINATION AGAINST OLDER WIDOWS

CEDAW's 2010 'General recommendation No. 27 on older women and protection of their human rights' requires States parties to address multiple discrimination against older women, and observes that, while many older women face neglect when no longer considered useful in productive and reproductive roles, both widowhood and divorce further exacerbate discrimination. States parties are also mandated to repeal all legislation that discriminates against older widows in respect of property and inheritance, and to protect them from 'land grabbing'.¹⁰⁵

Among persons aged 60 to 64, widowhood is about three times more common among women than men. Women have higher survival rates than men and a lower probability of remarrying after the death of a spouse. In some sub-Saharan countries over 40 per cent of women aged 60-64 are widows, particularly in conflict affected countries such as Burundi, Rwanda and Sierra Leone, and also in countries with high HIV prevalence, including Lesotho, Malawi and Zimbabwe. Frequent polygyny in sub-Saharan Africa also results in two or more widows per deceased husband. Female widowhood at 60-64 in Asia was also relatively high – over 40 per cent in Indonesia, Mongolia and Pakistan. Some Eastern European countries including Belarus, Moldova, the Russian Federation and Ukraine showed slight increases due to increased male mortality. Female widowhood at 60-64 in Latin America and the Caribbean was also relatively low and similar to developed regions. The prevalence of widowhood is lowest in developed regions due to improvements in male survival rates.¹⁰⁶

Discrimination against older widows, often harmful and violent, is widespread.¹⁰⁷ Older widows can be more vulnerable than younger ones to theft of property or assets, and to accusations of witchcraft.¹⁰⁸ The persecution of elderly women suspected of being witches remains a major issue in sub-Saharan Africa, and in Nigeria is still widespread.¹⁰⁹

10. WIDOWS WITH DISABILITIES

The Convention on the Rights of Persons with Disabilities and Optional Protocol¹¹⁰ which came into force in 2008 contains no mention of widows, and the 366-page 2018 UN report, 'Realizing the Sustainable Development Goals by, for and with persons with disabilities' has one mention only.¹¹¹ Discrimination against disabled individuals is widespread globally and the following 2020 example from a village in Nigeria's Laikipia County, provided to WPD by Global Fund for Widows, illustrates discrimination against a disabled widow and her daughter.

CASE EXAMPLE 20 – NIGERIA

Wangui Mwangi, the youngest daughter of sick and disabled widow Grace, helped narrate this testimony on behalf of her mother. Grace's second born son offered to take care of both his disabled mother and Wangui, inviting them to live with him, but soon afterwards colluded with Grace's eldest daughter to confiscate their mother's title deed and sell off her property. Although promising to share the proceeds of the sale with Grace, he instead gave his mother a 22-day notice to vacate her premises, and the local chief did nothing to help Grace and Wangui. Although Grace was a wheelchair user and unable to look after herself, requiring help just to go to the toilet, the community did not want to be associated with her in her disabled condition. Wangui went to the Catholic church to seek help as her elder brother had promised to kill her if she ever came into his presence. The case was reported to the police and they obtained a case number, but due to lack of resources were unable to find a good lawyer or someone to represent the widow in court, and could not pursue the case. Although Wangui has been beaten by her brother on several occasions while attempting to seek justice for their mother by involving local authorities, and he still threatens to kill her, she is still willing to pursue justice for her mother if given the right support and resources to pursue the case in court. In the meantime Grace depends for food on the kindness of well-wishers, especially sisters from her local Catholic church. Wangui, who also has a child, struggles to earn enough to cater for all their needs by doing casual domestic work in other people's households. They hope that one day they will obtain help to permit them to pursue the case. (WPD also has access to recordings of this ordeal, including the death threats, and to other informal documentation, together with the OB number of the case reported to the police).

11. WIDOWS' ENGAGEMENT IN DECISION-MAKING

CEDAW Article 7: States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

- (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
- (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
- (c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

CEDAW Article 8: States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.¹¹²

Widows need to have a collective voice in order to achieve the aims of the above CEDAW articles and have a vital role to play in successful implementation of UN Security Council Resolution 1325 on peace building and reconstruction. Between 1996 and 2006 an internal

conflict between the government of Nepal and the Communist Party of Nepal (Maoist) was estimated by Nepal's government in 2009 to have left at least 16,278 people dead¹¹³ and at least 1,300 were missing.¹¹⁴ In May 2008 Nepal was declared a Federal Democratic Republic, abolishing its 240-year-old monarchy, and a quota for women in politics led to the Constituent Assembly (Nepalese Parliament) including just over 33 per cent women. One organisation involved in effective lobbying to achieve this level of female representation is the Nepal NGO Woman for Human Rights Single Woman's Group (WHR-SWG), which works to secure the political, social, cultural and economic rights of single women in Nepal. (see p.17 above). Operating at multiple levels and connecting with regional and international networks, it has established 2,000 Single Women Groups in Nepal with groups in 73 districts and over 100,000 members, who are trained to act as agents of change in their own communities.

WHR-SWG has successfully campaigned to change discriminatory laws and policies, including securing widow allowances for all ages and more equal property rights for widows; inclusion in drafting, preparing and enforcing a National Action Plan for Widows; and lobbying with the government to collect data on widowhood at National level.^{115, 116}

12. LACK OF DATA (Relevant to all CEDAW articles 1-16)

If the urgent issues of widowhood are to be effectively addressed by the UN, member states and civil society, and the SDGs achieved, it is essential to gather reliable and comprehensive data. This should include disaggregated statistics for the numbers and ages of widows and their children, together with assessments of the needs, experience of abuse and violence, support systems, coping strategies and actual roles of widows and 'half widows'. The gathering and analysis of such data must be a priority for all States Parties. If governments fail to comply with each of the CEDAW articles 1-16, they should be considered as actively discriminating against widows due to their lack of action.¹¹⁷ Few less developed countries have attempted to gather such information, often due to lack of capacity. Conventional survey methods are not always feasible, particularly in conflict- and post-conflict situations where widows may be homeless, undocumented, possibly illiterate, and moving between refugee and IDP camps. Alternative methods of data collection may therefore be essential for obtaining the comprehensive information detailed above, and there is a vital role for NGOs in alternative data collection to fill this knowledge gap.¹¹⁸ WPD's Nepal partner WHR/SWG has mapped and profiled widows by empowering them to group together and work collaboratively with District Development Councils to collect vital statistics, a project which has helped identify hitherto invisible or hidden discriminatory practices as well as assisting with the enumeration of widows in Nepal's national census.

13. RECOMMENDATIONS FROM WPD

Denial of human rights to widows is a cause of untold suffering to widows themselves and their children, and widowhood is a root cause of poverty across the generations and is jeopardising achievement of the SDGs. The severity and epidemic nature of this problem is evidenced both within this document and by its references to the reports of NGOs and

official bodies working to address the needs of widows worldwide. It is now more urgent than ever that all aspects of the marginalisation of widows are formalised as a violation under the UN Declaration of Human Rights.

WPD therefore recommends:

- Development of a CEDAW General Recommendation (GR) on Widows
- Implementation of a UN Human Rights Council Resolution on Widows
- Establishment of a UN Independent Expert on Widows
- Incorporation in the recommended GR and UN Human Rights Council Resolution of points contained in the Articles of WPD's Charter for the Rights of Widows.¹¹⁹

In the absence to date of any specific UN Recommendation on Widows, this Charter, drawing on existing human rights conventions and charters and particularly on the CEDAW and the Beijing Platform for Action, was prepared by WPD as a draft protocol for adaptation to specific country, legal, social, cultural and economic situations. It has already been used to inform relevant Ministries of the issues involved and as a lobbying tool for widows' groups and women's organisations worldwide, and the Charter's articles specifically spell out acts and attitudes that are in many (but not all) countries already proscribed under the general principles of international law.

The CEDAW General Recommendation should include as a requirement that States Parties use all appropriate measures to:

- (a) Gather reliable and comprehensive data, with disaggregated statistics for the numbers and ages of widows and their children (see Section 12 above).
- (b) Identify and urgently address all forms of discrimination experienced by widows and their families.
- (c) Support and work collaboratively with widows' associations and relevant NGOs to gather the relevant data.
- (d) Ensure that widows are engaged in any consultations relating to law reforms and their implementation.

WPD also recommends that the narrative on widows in the proposed CEDAW GR and UN Human Rights Council Resolution should be framed in a way that highlights widows' key and evolving role in society as mothers, caregivers, heads of households, independent career women, vital contributors to the world's economy and invaluable assets during peace-making – rather than portraying widows as merely the recipients of benefits and aid. The recommended UN Independent Expert on Widows would serve as an independent and impartial voice within the UN system, not representing any state in particular, but identifying, monitoring, advising, and publicly reporting on the human rights situations of widows worldwide, with a particular focus on all the forms of discrimination against widows and their children discussed above.

APPENDIX ONE

A NOTE ON COLLECTION OF THE EVIDENCE

Some of the organisations in countries from which WPD requested individual case studies replied with explanations of their inability to provide such cases at present. The reasons were often harrowing, and included having to prioritise compilation of criminal dossiers on ISIS perpetrators; fear of retaliation by local practitioners of traditional customs (or sometimes by state actors); concern that the case examples would be exploited by sensationalist media; lack of staffing capacity, and sometimes complete lack of political access (e.g. China and North Korea). In addition, many sent their cases much later than originally promised because they were overwhelmed by the urgency of the demands on their time in the crisis situations where they are currently working. Cases were originally 'promised' or anticipated from contacts in Kashmir, Sri Lanka and Ukraine, and possibly Mali, South Sudan and Tanzania, but have not been sent in time for initial publication. However, the contextual evidence contained in this dossier of unacceptable widow discrimination in most of these countries is certainly incontrovertible.

APPENDIX TWO

ORGANISATIONS APPROACHED BY WPD FOR EVIDENCE OF DISCRIMINATION AGAINST WIDOWS

Listed alphabetically, but excluding names of the personal contacts approached within each organisation due to security considerations.

ABColumbia, <https://www.abcolombia.org.uk/>
ActionAid India, <https://www.actionaidindia.org/>
Afghanistan Independent Human Rights Commission (AIHRC), aihrc@aihrc.org.af
Afghan Professionals Network, afghanistan@apn.af
Afghan Women's Support Forum, <http://afghanwsf.co.uk/contact/>;
<https://www.facebook.com/AfghanWSF/>
African Women's Development Fund, AWDF@awdf.org
Aidprofen DR Congo, <https://aidprofenasbl.wordpress.com/about-us/>
Al Amal, Iraq, hanaa.e@iraqi-alamal.org
Arakan Rohingya National Organisation (ARNO), <https://www.rohingya.org/>
Association of War Affected Women, <https://awawsl.org/>
Aurat Foundation, <https://www.af.org.pk/>
Balkan Artists Guild, <https://www.balkanartistsguild.co.uk/>
Balkan Transitional Justice at Balkan Investigative Reporting Network (BIRN),
<https://birn.eu.com/>
Bangladesh National Women Lawyers Association's (BNWLA), <http://bnwla-bd.org/>
British-Albanian Lawyers Association (BALA), <https://www.balawyers.co.uk/>
British & Irish Agencies Afghanistan Group (BAAG), <https://www.baag.org.uk/>
CAJAR Colectivo de abogados, <https://www.colectivodeabogados.org/>
CARE international Afghanistan,
<https://www.careinternational.org.uk/countries/afghanistan>
Casa de la mujer, www.casmujer.com
Centre for Women and Children Studies (CWCS), cwcs_bd@hotmail.com
Centre for Women & Development, Sri Lanka, <https://www.cwdjaffna.org/>
Citizens' Alliance for North Korean Human Rights, citizens.nkhr@gmail.com
Common Cause, UK, platform of Congolese Women in the UK/
DRC, commoncauseuk@hotmail.co.uk
[Corporación de Investigación y Acción Social y Economía \(CIASE\)](https://www.ciase.org/) (Colombian peace building organization)
Citizens' Alliance for North Korean Human Rights (NKHR), www.nkhumanrights.or.kr
CRIMEA SOS www.krymsos.com/en/
Dastak Charitable Trust, www.dastak.org.pk
Database Center for North Korean Human Rights (NKDB),
<http://www.nkdb.org/en/main.php>
European Women Lawyers Association (EWLA), <https://www.law-dlt.com/en/Kontakt>,
Farkhunda Trust, www.farkhundatruster.org

Forum for Community Change and Development (FOFCOD), <http://preventgbvafrica.org/member/forum-for-community-change-and-development-2/>

Free Yazidi Foundation FYF, <https://www.freeyezidi.org/about-us/>

Free Rohingya Coalition (FRC), info@freerohinfyacoalition.org

Friendship France, www.friendship.ngo

Gender Action for Peace and Security (GAPS-UK), <https://gaps-uk.org/>

Global Fund for Widows, <https://globalfundforwidows.org/>

Global Justice Centre, <http://www.globaljusticecenter.net/>

Global Peace and Prosperity Forum, <https://www.globalpeaceandprosperityforum.com/>

Global Working Group for Every Woman Treaty, <https://everywoman.org/our-mission/>

Guild for Service, North India Chapter, <https://www.guild.org.in/>

HelpAge International, <https://www.helpage.org/>

Humanitarian Law Centre, Kosovo, <https://www.hlc-kosovo.org/>

Human Rights Association for Afghan Women (THRA), <http://www.thra.org.af/about>

Human Rights Association of Turkey (IHD), <https://ihd.org.tr/en/>

IFESIDI (Initiatives de Femmes en Situations Difficiles pour le Développement Intégré), www.initiativesclimat.org

Immigration and Refugee Board of Canada, <https://irb-cisr.gc.ca/en/Pages/index.aspx>

INMAA Organization for Development, <http://www.inmaa-iraq.com/>

International Association of Women Judges (IAWJ), <http://www.iawj.org/about-us>

International Committee of the Red Cross (ICRC), <https://www.icrc.org/en>

International Federation of Women Lawyers, Kenya, <https://www.fidakenya.org/>

International Muslim Women Union (IMWU), <http://www.imwu.org.sd/index.php/en/>

International Women Union, <http://www.iwuorg.com/?lang=en>

IPAS Nigeria, <https://www.ipas.org/where-we-work/nigeria>

Kashmir Awareness, <http://kashmirawareness.org/kashmir-its-widows-half-widows/>

KNK Women's Commission, knk.women@googlemail.com

Kosovar Albanian Youth Against violence (Kayav), Kayav.community@gmail.com

Kurdish National Congress (KNK), <https://www.kongrakurdistan.net/en/contact/>

London School of Economics and Political Science, <http://www.lse.ac.uk/>

Loza Foundation, <https://lozafoundation.org/en/>

Mama Zimbi Foundation (MZF), mamazimbifoundation@gmail.com

National Council of Women of Ukraine (NCWU)

Organization of Women's Freedom in Iraq (OWFI), <https://www.owfi.info/EN/>

Réseau Francophone Egalité Femmes Hommes, <http://rf-efh.org/>

Rona Foundation, Kenya www.ronafoundation.co.ke

Sara Organization, sara.organisation9113@gmail.com

Siddiqui & Raza, <https://www.siddiquiraza.com/>

Small Fishers Federation of Sri Lanka (Sudeesa), sudeesa@gmail.com

<http://solidarityfundforwomen.wordpress.com/info/>

Snaga Zene, The Power of Women, s.zenebh@bih.net.ba

Soroptimist International, www.soroptimistinternational.org

Sri Lanka Campaign for Peace and Justice, <https://www.srilankacampaign.org/>

Strategic Initiative for Women in the Horn of Africa (SIHA), <https://sihanet.org/>
Tanzania Women's Legal Aid Center (WLAC), <http://www.wlac.or.tz>
Training Human Rights Association for Afghan Women (THRA), <http://thra.org.af/about>
Transitional Justice Clinic, <https://tjc.global/>
Transitional Justice Working Group, <https://en.tjwg.org/>
UN Migration Agency, <https://www.iom.int/>
UK chapter of the [Women's International League for Peace and Freedom](#)
Utopia law Chamber Ltd (Rwanda)
Viluthu - Centre for Human Resource Development (Sri Lanka), info@viluthu.org
WIDO Enugu Nigeria, Widow's Development Organisation, <http://widoafrica.org/>
Widows Alliance Network (WANE),), mamazimbifoundation@gmail.com
Widows and Orphans Welfare Society of Kenya (WOWESOK), <http://www.worphan.com>
WLSA Mozambique, <http://www.wlsa.org.mz/>
Women's Capacity Building and Development Organization (WCBDO), <http://info.wcbdo@gmail.com>
Women Defend Rojava Campaign, womendefendrojava@gmail.com
Women for Human Rights, Single Women Group (WHR), <http://whr.org.np/website/>
Women in Law and Development Africa, West Africa (WILDAF-WA), <http://www.wildaf.org>
Women's International League for Peace and Freedom, Sri Lanka, <https://www.wilpf.org/>
Women in War, www.womeninwar.org, <https://womeninwar.org/wordpress/>
Widows Rights International (WRI), <https://www.widowsrights.org/contact.html>
Women's Rights Without Frontiers, <https://www.womensrightswithoutfrontiers.org/>
Women's UN report network (WUNRN), <https://wunrn.com/>
World Vision, <https://www.worldvision.org.uk/>

APPENDIX THREE – Classification of countries by experience of widows

Countries in which since 2010 there has been a large and unprecedented increase in the number of widows and half widows – due to proliferation of armed conflicts, migration, violent extremism, sectarian violence, natural disasters, epidemics of disease, child marriage to older men and women outliving husbands:

Widows worst affected by conflict – in Afghanistan, Iraq, South Sudan, Central African Republic and Syria, and by the Boko Haram insurgency in northeast Nigeria, southeast Niger, west Chad and north Cameroon.

In Sub-Saharan Africa the worst conditions are faced by evicted and abandoned widows with dependants and by those caught up in the Ebola crisis areas, further exacerbated by traditional ‘cleansing’ rituals.

Widows are regularly accused of killing their husbands either deliberately or through neglect – including by transmitting HIV/ AIDS – in India, Nepal, Papua New Guinea and Sub-Saharan Africa.

Systematic seizure of property and evictions by the late husband’s family remains widespread in Angola, Bangladesh, Botswana, Republic of Congo, DR Congo, India, Ivory Coast, Ghana, Kenya, Lesotho, Malawi, Namibia, Nigeria, Rwanda, Senegal, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe.

APPENDIX FOUR

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Free Yezidi Foundation,
Grace Daffa,
Heather Ibrahim-Leathers,
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Global Fund for Widows,
Grupo de Familiares de Desaparecidos
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Guild for Service North India Chapter,
Immigration and Refugee Board of Canada,
Initiatives de Femmes en Situations Difficiles
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APPENDIX FIVE

COVID- 19 data for 11 September 2020. This data shows that the countries were at different stages of the pandemic, with new cases expanding rapidly in some countries and currently declining in others.

Country	Total number of cases by 11 Sept 20	New cases in previous 2 weeks	Total number of deaths by 11 Sept 20
Afghanistan,	38,606	463	1,420
Bangladesh	334,762	25,837	4,668
Bosnia and Herzegovina	22,834	3,284	686
Colombia	702,088	102,204	22,518
Democratic Republic of Congo	10,385	340	262
India	4,659,984	1,117,251	77,472
Iraq	282,672	55,226	7,881
Kenya	35,793	1,999	616
Kosovo	12,683	0	488
Myanmar [Burma]	2,422	1,673	14
Nepal	51,919	14,579	322
Nigeria	56,177	2,290	1,076
Pakistan	300,955	5,583	6,373
Syria	3,476	848	150

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- ³ UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) <<https://www.ohchr.org/en/professionalinterest/pages/cedaw.aspx>>
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 - (3) Ensure healthy lives and promote well-being for all at all ages,
 - (4) Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all,
 - (5) Achieve gender equality and empower all women and girls, and
 - (16) Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.
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