

WIDOWHOOD  
A SYSTEMIC VIOLATION OF HUMAN RIGHTS  
and an  
ECONOMIC, SOCIAL, AND HUMANITARIAN CRISIS

Communication to the Commission on the Status of Women – 61<sup>st</sup> Session  
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Dear CSW Executive Board, UN WOMEN, and Esteemed Member States:

The Global Fund for Widows, Widows for Peace through Democracy, The Guild of Service (India), Widows Rights International, Women for Human Rights- Single Women's Groups (Nepal), the Nigeria Stability and Reconciliation Programme, Aurat Foundation (Pakistan), INMAA Organization for Development (Iraq), Association of Anglo-Iranian Women in the UK, Association of War Affected Women (Sri-Lanka), Women in War, All India Women's Conference, WUNRN- Women's UN Report Network, and The Global Alliance for the Last Woman First\* have for many years been urging governments, UN entities, and the international community, in general, to acknowledge and urgently address, the extreme discrimination, abuse and violation of human rights that has neglected to acknowledge the experiences of millions of widows around the world, across regions, cultures, religions, irrespective of caste, class, economic or educational status.

Since our first international meeting on widowhood convened at the Beijing Conference in 1995, we NGOs engaged on this issue, and have submitted statements on the Status of Widows to every annual CSW. We have also been urging the CEDAW Committee to develop a General Recommendation on widowhood, as a means of persuading Member States to protect widows' rights and eliminate the discrimination they experience by non-state (including family members) and state actors. It is imperative that the issue of economic, legal, cultural, and social marginalization of widows be treated as a violation of human rights under the UN Declaration of Human Rights.

Widowhood is one of the most neglected of all gender and human rights issues, and this neglect condemns countless of millions of widows and their children, whose lives are determined more often, not by modern laws, but by discriminatory interpretations of religious, customary and traditional law, after which extreme poverty and marginalization is often an outcome as a result of these discriminatory laws. Unaddressed, *widowhood is, and continues to be, a root cause of poverty across generations*, forcing widows to withdraw their children from school, and resort to begging, prostitution, and child labor. Widowhood is also a major component in early and enforced child marriage, which in turn has the great possibility to create more child widows due to the death or abandonment of the husband depending on circumstances.

The Loomba Report of 2015 suggests there are 285 million widows in the world, but the source for the data, which is at least 10 years old, combined with most recent conflict in the Middle East and Africa, suggests that the true number of widows far exceeds this reported statistic. It is of utmost critical importance that the gap in data on widowhood must be rectified by using alternative methodologies to gather information, using, for example the Woman for Human Rights Single Woman's Group (Nepal) Mapping and Profiling Widows Project which engages and empowers widows to work with local development committees to fill this gap. Within this data, it is also important to consider the phenomenon of "half-widows," the women whose husbands, due to armed conflict, revolution, sectarian violence and natural disasters, have gone "missing" or have been "forcibly disappeared." In addition, it is estimated that 500 million children fall victim to human rights violations as well, all because their mothers are subjected to a life of widowhood. This results in over 785 million people, roughly 16% of the global population, who are impacted by this single event of widowhood. This is a critical demographic and one that must no longer be ignored.

Importantly, we seek your assistance and championship in recommending that Governments adopt equitable inheritance laws and protect the widow's inheritance rights from cultural obstructions. Furthermore, we assert that economic empowerment of these widows is key to achieving, not only human rights, but also **attaining the Sustainable Development Goals 1, 2, 3, 4, 5, 8, 10, and 11 of the 2030 Agenda for Sustainable Development.**

### **Violation of Human Rights**

#### The Event of Widowhood

Widowhood occurs when a woman's husband dies, is killed, becomes "permanently missing" due to political/social/religious unrest, or simply permanently abandons her. Immediately, the widow loses all household income. She is unable to INHERIT her rightful estate. This critical violation of human rights is invariably due to one, or a combination, of five *institutionalized* human rights violations, which are as follows:

1. Asymmetrical inheritance laws especially in the imbalance of land inheritance rights,
2. Social, cultural, traditional, or religious barriers and codes, that functionally prevent or even threaten a widow from actually inheriting, even in the event where statutory laws protect the widow,
3. Lack of access to justice,
4. Lack of knowledge about her government entitlements,

5. Harmful and violent customary practices, that are often protected under religious rites than therefore absurdly “legitimized.”

In continuation of the human rights violation against her, she is subjected to various forms of discrimination and violence. She is evicted from her marital home and rendered shelter-less.

She is subjected to harmful stigmatization rites, which include brutal and life-threatening mourning and burial rights. Specifically, these include hideous acts such as being forced to wash her dead husband’s body and drink the bath water, or being forced to have ritual “cleansing” (unprotected) sex with strangers to purge herself of the sin of her husband’s death, witchcraft accusations, stoning, scarification, and the shaving her body and head with unclean razors or broken bottles by male members of her community. In some cultures, the practice of levirate is condoned, where the widow becomes part of her husband’s estate, and is ‘inherited’ as chattel through forced marriage to her husband’s next of kin. She is subjected to extreme restrictions on mobility, diet, dress, and freedom of association, losing her rightful PLACE and VOICE in her society.

Importantly, oftentimes the lack of appropriate personal identification, marital records, children’s birth certificates result in further challenges a widow may face in accessing her legal and human rights.

In instances of widows as refugees, migrants, or internally or internationally displaced by acts of terror, war or natural disaster, the widow’s most basic human right, her very own nationality is revoked or unrecognized, as is her ability to transfer nationality to her children. Without an identity, her ability to access her rights under state or host country law is almost totally impaired.

In all instances, a widow is subjected to Economic Violence.

Her limited marketable skills, cultural barriers, and need to care for young children are among only a few reasons why the widow is denied any economic opportunity and faces no prospects of work, or at least safe or dignified work. Without income, the widow may no longer be able to educate her children, condemning them to an impoverished life at best, but more likely to a life of wrought of crime and vulnerability to indoctrination of radicalized beliefs. Widows may be forced to marry their young daughters as child brides for their “safety,” thereby setting off a cycle of child brides and child widows. In the worst cases, widows are forced to sell their children in to the vicious underworld of human and sex trafficking. These forgotten children become the lost generation, with no hope, no freedom, and no opportunity. As a result, the vicious cycle of violence and intergenerational poverty ensues.

Widows are doubly violated against in patriarchal societies as women and as widows. While most women are given secondary status in patriarchal societies social isolation and avoidance of widows often leads widows to miss training, employment, healthcare, education and other information and opportunities

In instances where statutory laws do allow widows to inherit, inheritance laws by tradition and custom discriminate against widows. While most women may not own their homes, expulsion of widows and their children from a marital home leads many to homelessness, migration, refugee or displacement camps and increased physical insecurity.

While all women are likely to be under employed, and less well-paid in comparison to men, widows are additionally constrained from pursuing education, job training or employment due to mourning rites. These rites require widows to remain inside for up to one year, or more, in addition to an unwritten behavior code that also restricts them throughout their everyday lives, and further keeps them from having access to a safe and equitable working environment or from gaining an education.

**Therefore,**

The Global Fund for Widows, Widows for Peace through Democracy, The Guild of Service (India), Widows Rights International, Women for Human Rights- Single Women's Groups (Nepal), the Nigeria Stability and Reconciliation Programme, Aurat Foundation (Pakistan), INMAA Organization for Development (Iraq), Association of Anglo-Iranian Women in the UK, Association of War Affected Women (Sri-Lanka), HelpAge International, Women in War, All India Women's Conference, WUNRN- Women's UN Report Network, and The Global Alliance for the Last Woman First\* strongly believe that global poverty can be alleviated by ensuring the human rights of widows.

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

**Tier 1: Inheritance Rights**

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

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

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

**Tier 2: Economic Empowerment**

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

In a comprehensive research report conducted by the Global Fund for Widows ([www.amalproject.org](http://www.amalproject.org)) on over 1,500 widows who had received economic opportunity through training and micro-loan programs, there proved to be an inextricable link between economic empowerment, an improvement in their human rights status, and also achievement of the Sustainable Development Goals of the 2030 Agenda. Please consider the following evidence from the study:

- 1.) 78% of widows in the program achieved an increase in their household income. The average increase in income was 48%.
  - Achieving: SDG 1, 2, 3, 4, 5 and 8
- 2.) 75% of Widows were able to establish savings from the project
  - Achieving: SDG 1, 2, 3, 4, 5 and 8
- 3.) 94% of widows claimed they established a better social status within their family as a result of income generated from the project
  - Achieving: SDG 11
- 4.) As the widow's income increased, her exposure to domestic violence decreased
  - Achieving: SDG 5
- 5.) 93% of widows felt confident to claim their legal rights
  - Achieving: SDG 10

### **Statistical invisibility of widows and widowhood**

Lastly, we wish to bring to your attention that there is no group more affected by the sin of omission than widows. They are painfully absent from the statistics of many developing countries, and they are rarely mentioned in the multitude of reports on women's poverty, development, health or human rights published in the last twenty-five years. The fact that they do not appear in any statistics, reflects, above all the lack of interest and consideration from which they suffer, as a result they do not enjoy the fundamental right to be included correctly in censuses.

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

### **Conclusion**

In conclusion, we submit that institutional and cultural barriers preventing widows from inheriting and accessing her legal rights is the first of many violations against her basic human rights. A widow's lack of such rights is directly linked to global poverty. A widow's lack of such rights subjects her to violence. Finally, we also assert that the Sustainable Development Goals can only

be achieved if widows' rights are underscored and acknowledged in the 2030 Agenda.

**Widows' Rights are Women's Rights are Human Rights.**

We thank you for your consideration of this invisible and systemic form of violence against women and acute human rights crisis.

Respectfully,

The Global Fund for Widows  
Heather Ibrahim-Leathers, President and Founder  
[Heather.ibrahim@globalfundforwidows.org](mailto:Heather.ibrahim@globalfundforwidows.org)

Widows for Peace through Democracy  
Margaret Owen,  
[director.wpd@gmail.com](mailto:director.wpd@gmail.com)

Guild of Service (India)  
Meera Khanna  
[meerakhanna10@gmail.com](mailto:meerakhanna10@gmail.com)

Nigeria Stability and Reconciliation Programme  
Dr. Eleanor Nwadinobi  
[elenwad@yahoo.co.uk](mailto:elenwad@yahoo.co.uk)

Widows Rights International  
Zarin Hainsworth  
[zarin@serenecommunications.com](mailto:zarin@serenecommunications.com)

Women for Human Rights- Single Women's Groups (Nepal)  
Lily Thapa  
[lily@whr.org.np](mailto:lily@whr.org.np)

Aurat Foundation (Pakistan)  
Masuma Hasan  
[masumahasan91@yahoo.com](mailto:masumahasan91@yahoo.com)

INMAA Organization for Development (Iraq),  
Asmaa Al Amin  
[asmaalamin@yahoo.com](mailto:asmaalamin@yahoo.com)

Association of Anglo-Iranian Women in the UK,  
Laila Jazayeri  
[lailajazayeri1@gmail.com](mailto:lailajazayeri1@gmail.com)

Association of War Affected Women (Sri-Lanka),

Visaka Dharmadasa  
[venuwan@sltnet.lk](mailto:venuwan@sltnet.lk)

HelpAge International  
FerdousAra Begum  
[ferdousarabegum@yahoo.com](mailto:ferdousarabegum@yahoo.com)

Women in War  
Carol Mann  
[cmann@womeninwar.org](mailto:cmann@womeninwar.org)

All India Women's Conference  
Veena Kohli  
[president@aiwc.org.in](mailto:president@aiwc.org.in)

WUNRN- Women's UN Report Network  
Lois Herman  
[info@wunrn.com](mailto:info@wunrn.com)

and

The Global Alliance for the Last Woman First\*

Organization: Action Works Nepal  
Radha Paudel  
[actionworksnepal.awon10@gmail.com](mailto:actionworksnepal.awon10@gmail.com)

WUNRN- Women's UN Report Network  
Lois Herman  
[info@wunrn.com](mailto:info@wunrn.com)

Disability Rights Fund ( USA)  
Lisa Adams  
[LAdams@disabilityrightsfund.org](mailto:LAdams@disabilityrightsfund.org)

Women in Media Noakchott-Mauritania.  
El mehdi Etverah  
[varha.mehd@gmail.com](mailto:varha.mehd@gmail.com)

Forum for the Rights of the Elderly (Bangladesh)  
Ferdous Ara Begum  
[ferdousarabegum@yahoo.com](mailto:ferdousarabegum@yahoo.com)

Centre for Women and Development (Sri Lanka)  
Saroja Sivachandran  
[sarojalk@gmail.com](mailto:sarojalk@gmail.com)

Women's Center for Good Governance and Human Rights (WOCEGAR-S/L) (Sierra Leone)  
Mary Conteh  
[wocegar2005@yahoo.com](mailto:wocegar2005@yahoo.com)

Women Entrepreneurs Association of Nigeria  
Angela Daniel  
[weanass@yahoo.com](mailto:weanass@yahoo.com)

Widows Development Organisation (WiDO) (Nigeria)  
Eleanor Nwadinobi  
[Info@widoafrica.org/](mailto:Info@widoafrica.org) elenwad@yahoo.co.uk

NASERIAN ORGANIZATION (Tanzania)

Alais Soto  
[alaissoto@gmail.com](mailto:alaissoto@gmail.com)

Montage Initiative (USA)

Joanne Watkins  
[joannewatkins@me.com](mailto:joannewatkins@me.com)

Global Fund for Widows ( USA)

Heather Ibrahim-Leathers, President and Founder  
[Heather.ibrahim@globalfundforwidows.org](mailto:Heather.ibrahim@globalfundforwidows.org)

Woman of Purpose is Community (Uganda )  
Jane Opolot  
[janeopolot@yahoo.com](mailto:janeopolot@yahoo.com)

Basira ( UK)  
Ahlam Akram  
[ahlam@basira.co.uk](mailto:ahlam@basira.co.uk)

Global Fund for Women ( USA)  
Zahra R Vieneuve  
[zvienneuve@globalfundforwomen.org](mailto:zvienneuve@globalfundforwomen.org)

The Guild of Service ( New Delhi)  
Meera Khanna  
[guildofserviceni@gmail.com](mailto:guildofserviceni@gmail.com)

The Women - House Development Center ( Palestine, North West Bank)



Jihad Sabbubeh  
jihadmsab@yahoo.com

Women for Human Rights Single Women's group (Nepal)  
Upasana Rana  
Email: upasana@whr.org.np

Love and Hope Bolivia (USA)/ Amor y Esperanza - Santa Cruz, Bolivia  
Maria Rene Ortiz  
mariarene27@hotmail.com

Association pour la Promotion du Genre et Développement Humain et Durable APGDHD  
Association for Gender and Sustainable Human Development Empowerment AGSHDE; (Cameroons)  
Mrs Hermine Patricia NDJANDJO  
[corage2d@yahoo.fr](mailto:corage2d@yahoo.fr)

Future Eve Foundation (Egypt)  
Engineer Sherif Labib,  
Email: [sherif\\_labib@hotmail.com](mailto:sherif_labib@hotmail.com),

Widows Rights International ( UK)  
Dr Karen Brewer  
[administrator@widowsrights.org](mailto:administrator@widowsrights.org) .

Stree Aadhar Kendra ( Maharashtra, India)  
Neelam Gorhe  
Email : [streeaadharkendra@gmail.com](mailto:streeaadharkendra@gmail.com)

Women Initiative for Leadership Strategy & Innovation in Africa (Women Africa) (Nigeria)  
Chinwe Onyeukwu  
[womenafrica35@gmail.com](mailto:womenafrica35@gmail.com)

All India Women's Conference ( India)  
Veena Kohli  
[president@aiwc.org.in](mailto:president@aiwc.org.in)

Women for Women ( Bangladesh)  
Mahmuda Islam  
[womenfwomen@yahoo.com](mailto:womenfwomen@yahoo.com)

*\*Established at the 60<sup>th</sup> Session of the Commission on the Status of Women Conference in New York, in March 2016, the Global Alliance for the Last Woman First is an alliance of 28 NGO and civil society organizations working to empower widows through economic empowerment initiatives, access to human rights and justice, access to education, healthcare, or shelter, and the alleviation of poverty.*

