

SOPHIA FORUM (RAISING THE PROFILE OF POSITIVE WOMEN)

QUARTER ONE 2018 NEWSLETTER

Welcome

By Fungai Murau

*Support Officer: International HIV/AIDS Alliance
Trustee: Sophia Forum
Steering Group Member: SWIFT Women*

Welcome to the Sophia forum Newsletter. As we celebrate International Women's Day (8th March), it is important for us to pause and reflect on the challenges women face and the victories women have won.

As Women living the HIV we continue to be under represented in decisions about our lives and our health. However, there is a shift in attitudes and we need to find ways of engaging with policy makers, researchers, clinicians and other stakeholders to ensure that our voices are represented and heard. We need to continue advocating for the rights of women living with HIV, including Sexual & Reproduction Health and Rights. Policy needs to ensure that the complex needs of women living with HIV are met.

I attended the 8th International HIV & Women Workshop in Boston, USA on 2nd and 3rd March 2018. It was a moment where women from adolescent through to menopause were acknowledged. Knowledge sharing is key for this event so it was with deep appreciation that the voice of the community was loud, and heard. I had the honor of being on the Pre-exposure prophylaxis (PrEP) debate, the question posed was "Should PrEP be offered to all women?" I argued that as long as PrEP is integrated into the Person Centered Approach (which is championed by the International HIV/AIDS Alliance where I am a Support Officer in the Knowledge and Influence Pillar), then this keeps women in control of making decisions that match their realities. This newsletter will additionally discuss news from the PrEP Summit, which I found very insightful.

In this edition of the Sophia Forum newsletter we will discuss in greater detail, International Women's Day. An update on PrEP, and a much needed discussion of Widowed Women as the forgotten population in the HIV Response.

The Catwalk for Power, Resistance and Hope. Strutting for women with HIV

By Susan Cole
Trustee: Sophia Forum

This International Women's Day I planned to write a blog about women with HIV dripping with pathos and negative statistics. Then something happened last night. I had a paradigm seismic shifting experience through The Catwalk for Power, Resistance and Hope – a phenomenal event to celebrate the lives of women with HIV put on by Positively UK and ACT UP Women.

Too often women living with HIV are portrayed as passive victims. This event bazooka-ed that assumption. Silvia Petretti, Deputy CEO of Positively UK, fiercely challenged the false narrative - whilst dazzling in sparkling vintage. In the face of hardship and violence women with HIV were organising resistance and nurturing hope. "The Power is ours! Amanda Awethu! I am here. I am strong! I am beautiful!" passionately chanted by women with HIV

boomed around the room, shattering misconceptions of victimhood.

Sublimely talented young poet Bakita took to the stage, sharing her staggering powerful poetry that highlights the importance of unpicking self-stigma to improve quality of life. The audience held their breath as her words, piercingly pertinent, seemed to be written for each of us. "Where possible, heal together and comfort. Always."

The highlight of the evening was seeing women with HIV, joyous with sassy self-confidence, strutting their stuff on the catwalk. Many had been previously cowed with uncertainty, but through the phenomenal workshops put on by Positively UK, emerged phoenix like as beautiful stigma busting warriors. Catwalk training from incredible Madam Storm, experienced performer, coach and international dominatrix, certainly helped. She watched from the side, beaming with pride at her spectacular students.

The evening was not simply about the empowerment of women with HIV however, the outrageous inequalities faced by women with HIV was emphasised – including disproportionately high levels of violence, poverty, racism and the impact of devastating cuts to health and support services. Lambeth MP Helen Hayes also highlighted some of these issues when she spoke on the night, recognising the crucial importance of peer support and meaningful involvement of women with HIV in services that affect them.

Silvia affirmed this. 'As women with HIV we feel that not enough has been done to actively include women from all backgrounds in policy and research that affects us. The recently announced decrease in new HIV acquisitions, while welcome news, is focused on 5 clinics in Central London that serve mainly men who have sex with men. We say: none should be left behind.'

I spoke to Silvia this morning, still buzzing from the incredible night. She emphasised that long term sustainable funding was crucial for this type of work and there was

still a long way to go to ensure women with HIV had a good quality of life.

"We are more than our virus. We need more than pills to live. Women led peer support is vital."

This International Women's Day let's stand together to fight for the rights of women with HIV. The Power is Ours! Amandla Awethu!

Let's talk about PrEP PrEP for Women

By Jacqui Stevenson

Lead: Research and Analysis, ATHENA Network

PhD Candidate, University of Greenwich Trustee, Sophia Forum and STOPAIDS

PrEP in Europe Summit – making women's voices heard

Sophia Forum participated in the recent PrEP in Europe Summit, held in Amsterdam in February, along with almost 120 other activists committed to making PrEP available to all who need and want it across Europe. We

took the opportunity to build links with other advocates interested in PrEP for women, and shared our leaflet and website: <http://womenandprep.org.uk/>

The Summit heard about a range of barriers to effective PrEP implementation and access, including lack of political will, concerns about costs and cost effectiveness, and practical barriers such as number of appointments. In a panel discussion on day two of the Summit, specific challenges facing different communities were also discussed. Sophia Forum presented as part of this panel, which considered PrEP facilitators and barriers to access for women, trans people and migrant gay and bisexual men. We used our time on the platform to outline our view, that inclusion should be a priority from the outset and throughout PrEP advocacy and implementation, not an add-on or after-thought. Women have sex, and sometimes that sex involves vulnerability to HIV acquisition. Women need, deserve and are entitled to the full range of HIV prevention options, including PrEP, and much more effort is needed to ensure women are informed about and have access to it.

Presentations at the conference highlighted low rates of access and uptake of PrEP amongst women. For example, in France, only 0.5% of PrEP users are women, we heard in a presentation from Daniela Rojas Castro of AIDES. She cited reluctance to use PrEP linked to stereotypes and perceptions about it, lack of coordination between stakeholders and complex access to PrEP as drivers of this poor uptake, among women and also trans people, migrants, young people and sex workers.

There is much for the UK to learn from these experiences, and Sophia Forum will be carrying this forward in our advocacy.

You can read a summary of the Summit here: <http://www.aidsmap.com/HIV-prevention-its-time-to-stop-accepting-the-status-quo-PrEP-Summit-concludes/page/3218821/#item3218828>

And all presentations from the Summit are available here: <http://www.prepineurope.org/en/prep-summit-amsterdam-2018-presentations/>

Widows: The forgotten Women

By Dr Karen Brewer

Trustee, Widows Rights International (WRI),

INTRODUCTION

In recent years we have seen a number of organisations around the world, lobbying for the Commission on the Status of Women (CSW) to place widows rights at the forefront of their thoughts during their meetings. Why you might ask?

Because the plight of widows has been largely ignored by the world and widows constitute some of the most vulnerable members of society. They have been largely ignored despite the progress made to improve the human rights of women since the adoption of the Convention on the Elimination of all forms of Discrimination against Women (the CEDAW convention)

To quote South African Advocate, MJ Malukele: "A woman's status shifts drastically (downward) after the death of her husband in contrast to the widower's status which remains unchanged". This not only affects their livelihood, economic status and quality of life, but also increases their vulnerability to discrimination, abuse, harassment and gender-based violence, as well as their ability to assert their rights.

There are estimated to be 258 Million widows around the world, half live in poverty, 20% are under the age of 45, many with young families to care for as well as elderly parents. Conflicts across the globe and HIV/AIDS have had a detrimental effect on the development of women's rights and have largely contributed to the creation of widows who are often the target of sexual abuse as they don't have protection.

Unfortunately, our social structures, even in developed countries, still in part reflect that patriarchal view with a woman's status continuing to devolve from her relationship with the man in her family, be they a father, brother or husband and widows are the forgotten women in the fights for equal rights.

DISREGARD FOR THE RIGHTS OF WIDOWS

The UN Declaration of Human Rights states in Article 2 that

"Everyone is entitled to all the rights and freedoms....., without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

The rights include:

- o The rights to equality before the law and to equal protection;
- o the right to equality with respect to marriage;
- o the right to own property;
- o and the right to an adequate standard of living.

The United Nations continues to urge Member States to take all appropriate measures to eliminate any customary law or cultural practice which discriminates against women. Article 5 of CEDAW states that:

"States must take 'all appropriate measures' to change social and cultural patterns of conduct, and eliminate prejudices and customary practices based on stereotypes or ideas about the inferiority of women"

Article 4 of the Declaration on the Elimination of all forms of Violence against women provides:

"States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination."

And in 2010, the UN Human Rights Council called upon States to fulfil their obligations and commitments to revoke any remaining laws that discriminate on the basis of sex and remove gender bias in the administration of justice, taking into account that those laws violate their human right to be protected against discrimination

Since the 1990s, countries which have amended their constitutions have made efforts to incorporate non-discrimination principles. However, Governments are reluctant to interfere with cultural practices so legislative and constitutional provisions are not always enforced. The preservation of cultural practices is often used by politicians to justify the status quo. And yet many of these cultural practices involving widows do not hark back to ancient times but are current practices, dating from the colonial or post-colonial era.

Widows continue to be excluded from communities and may suffer from harmful, degrading traditional practices.

Widows are regarded with suspicion in communities. In India, child-brides, who are forced into marriage at the age of 12 or younger and become widowed are considered to be "diseased", to have the "evil eye" and are abandoned at temples where they have no choice but to become beggars. They are no longer covered by the UN Convention on the Rights of the child once they are married. They also become vulnerable to sexual exploitation or trafficking.

In some countries widows have to go through humiliating and degrading mourning rites aimed at proving they were not involved in the death of their husband. They may be forced to drink the water their dead husbands have been washed in, they may be forced to sit with their husband's dead body for days on end. They may be forbidden from washing for several days or even months; be forced to sit naked on a mat. Widows need to be "purified". Some communities argue that such mourning rituals are there to "protect" the widow from the wandering spirit of her late husband and therefore she should be "disguised", dressed in rags, rubbed with charcoal, forced to carry bows and arrows, a cane or a broom. In many cases it is the women of the husband's family that are the instigators of such rituals. The lack of hygiene results in scabies and other skin diseases or gastroenteritis and typhoid. Widows who have to wait to be fed by others become malnourished there is not enough food to go around.

In some cases the cleansing rites involve forced sexual contact with a male relative of the husband or a "professional cleanser". This can lead to other traumas for the widow- who may be infected with HIV/AIDS or even suffer an unwanted pregnancy as the use of condoms is not encouraged. A Kenyan widow cleanser expressed disregard for

condom use. He said that the widows "wouldn't really be cleansed if the condom was there. Even women who are aware of the risk of HIV infection may submit to cleansing rituals because of community pressure. One woman from Malawi described her feelings of resignation and shame: "I had no choice, knowing the whole village was against me."

Widows are often isolated from society, forbidden from leaving their home for months during the mourning period and are therefore unable to get a job to support the family. They are excluded from politics, they are unable to take their cases in customary courts as they are not recognised in such courts, they are denied access to medical care and become socially and financially isolated.

The children of widows can suffer exclusion, having to abandon schooling to help their mothers financially or being forced to work by members of their father's clan. Girls may be forced into early marriage, prostitution or worse to help the family make ends meet or because they cannot turn to their fathers to protect them from what I will call "sexual predators".

Widows may lose their rights to custody of their children as they may be "inherited" too by the husband's clan as in some Pacific Islands, so not only does the widow lose her husband but her rights to guardianship of her children is removed.

THE IMPACT OF HIV/AIDS

Today almost 40% of People living with HIV/AIDS (PLHIV) are women, a large number of whom have only had one partner, usually the husband. Current inheritance laws leave nearly half of these women without the economic means to support themselves and their children when the husband dies. Many women are forced to leave the marital home upon being diagnosed HIV positive or after their partners have died of AIDS.

In one case in India a widow, whose husband died of HIV/AIDS was summarily evicted from their home on the family plot as were her four children. When she asked for control of her plot of land, her in-laws threatened to kill her if she set foot on the land. The insurance company has refused to pay her husband's life assurance.

INHERITANCE RIGHTS AND PROPERTY RIGHTS

In many countries, the inheritance laws still favour the patrilineal system and many countries rely on antiquated inheritance or succession laws. In the 1990s, a number of countries enacted legislation to reform inheritance of land and property so as to enable women to inherit. However, discrimination persists when it comes to the practice. In some cases widows are forced to leave their homes by their husband's relatives who lay claim to the property.

Although people have been encouraged to make their wills, many widows, especially in the poorer communities, find themselves having to contend with intestacy laws unchanged since the colonial era. Where a couple has married according to customary law, statutory protections do not always apply. Often added to this is the threat and practice of violence by male relatives and others interested in acquiring a widow's land, or pressure to sharecrop their land, usually at below market rates. Even in those countries that have matrilineal societies where land rights may be inherited "because the management of land and decisions relating to it are invariably the preserve of men..."

FORCED MARRIAGES.

Although succession laws are supposed to protect widows from being inherited as mere chattels, widow inheritance is a practice that still exists in many communities around the world. Customary law dictates that widows (especially young widows) should marry one of the brothers of the deceased or one of his male relatives or someone nominated by them. Some argue that the custom offers the widow and her children security and protection. However, as the practice is compulsory, it is really a form of slavery. Refusal often leads to persecution (regular beatings or emotional blackmail), but agreement may also bring other traumas into the life of the widow when she becomes little more than a drudge for the rest of the family, especially in a polygamous family.

HOW CAN WE STOP THIS ABUSE?

Local charitable and non-governmental organisations bear the brunt of dealing with the consequences of such abuse. Cases rarely get to court because widows are

unaware of their rights under the law or are too traumatised or frightened to protest. Some charities provide access to skills training so that widows can earn a living, provide homes so that widows and children have shelter and cows/goats so that they have access to food for their families by selling milk at the markets. They also work with local community leaders to increase awareness of the rights of widows but there is still a lot of work to do.

Most governments still ignore the issue mainly because census records do not provide enough statistical data.

The CEDAW convention does not specifically mention widows. Only one of the General Recommendations made by the Committee on the Elimination of all forms of discrimination against women mentions widows specifically (Article 16(1)h)-and this is only in the context of inheritance rights. "Often inheritance rights for widows do not reflect the principles of equal ownership of property acquired during marriage. Such provisions contravene the Convention and should be abolished".

Preconceptions persist in male dominated governments. For example in the Nepalese Government, in 2009, proposed giving a fee of US\$ 670 to any man who would marry a widow. Nepalese women's rights organisations protested against this proposal and in the end the proposal was shelved.

Constitutional and Legislative Provisions

Whilst empowering women has proved to be essential to sustainable development and the reduction of poverty, the multiplicity of legal systems practiced in many countries has created complex and confusing legal regimes which hinder the development of widows' rights.

Discrimination in the law and in practice still persists

International Provisions

The only international convention which specifically targets the rights of widows is Article 20 of the Protocol to the African Charter on Human and People's Rights which states:

"State parties shall take appropriate legal measures to ensure that widows enjoy all

human rights through the implementation of the following:

- a) That widows are not subjected to inhuman, humiliating and degrading treatment;
- b) That a widow shall automatically become the guardian and custodian of her children, after the death of her husband, unless this is contrary to the interests and the welfare of the children;
- c) That a widow shall have the right to remarry, and in that event, to marry a person of her choice”.

The legal, cultural and social status of widows should be mainstreamed in all discussions on the status of women. The UN has declared that 23 June is to be International Widows Day! This is a start but we now need to get widows rights integrated into all international, regional instruments relating to the rights of women.

It is important that regional and international conventions incorporate similar protocols and specifically put in place criminal penalties for inhuman, degrading and life-threatening mourning rites and for any traditional cultural practice which restricts the liberty, mobility and financial independence of widows.

Currently the “Everywoman Everywhere Coalition” of 1200 women’s organisations around the Globe, is working on the drafting of a potential Treaty on the Elimination of Violence Against Women which will include provisions on the elimination of inhumane and degrading treatment of widows.

All members of society should be treated equally whatever their marital status. Better understanding is required of the violence endured, the humiliation experienced and the vulnerability and poverty that widows often find themselves in so that when cases do come to court, widows are given the same rights as all human beings. We have recently seen some successes but there is still work to be done. WRI has called on the international community through the UN to develop a Protocol specifically targeting the rights of widows, perhaps drawing on both the General Recommendation by the CEDAW Committee mentioned above, and Article 20 of the Protocol to the African Charter on

Human and People’s Rights of Women in Africa.

Such a protocol should encourage women of all statuses to engage with government, community leaders and civil society groups to improve the situation of widows.

Such a protocol should also specifically include a recommendation that member states put in place criminal penalties for inhuman, degrading and life-threatening mourning rites and for any traditional or cultural practices which restrict the liberty, mobility and financial independence of widows.

Such a protocol should also safeguard the families and dependents of widows and ensure their rights are protected.

In addition, WRI recommends that all national governments should be required to record statistics on widows when they provide population statistics to General Assembly, the Economic and Social Council and the Commission on Population and Development

There is still work to be done. Without such protections, widows are disenfranchised, disempowered and denied their rightful place in society.

References available on request

