General Project Information

Project Title: Engaging with Cultural Institutions and Strengthening Informal Justice Mechanisms to Enhance Women's Property and Inheritance Rights in the Context of HIV and AIDS

Organization: Grassroots Organizations Operating Together in Sisterhood, Kenya (GROOTS Kenya)

Implemented in: Gatundu South and Gatundu North (Kiambu County), Kasipul Kabondo and Karachuonyo (Homabay County), Laikipia East (Laikipia County), Kakamega East and Kakamega West (Kakamega County)

Grant Amount: $145,000

www.groots.org/members/kenya.htm

Context

In 2004, GROOTS Kenya established the community land and property watchdog groups, a community-led informal justice mechanism to help respond to property grabbing and disinheritance of widows and orphans. GROOTS Kenya had previously conducted a mapping yielding statistics about the high number of widows, orphans, and vulnerable children evicted from their homes and their property grabbed. The perpetrators of these acts were usually relatives of the deceased and immediate neighbors.

Objectives

GROOTS Kenya scaled up the work of watchdog groups in four counties in Kenya and established new watchdog groups in an additional four constituencies to curb asset stripping and land dispossession. GROOTS Kenya also engaged local leaders to address harmful cultural practices that hinder the access and control of land by widows and orphans. GROOTS Kenya increased the knowledge and awareness of women living with HIV and affected by AIDS, on their land and property rights under Kenya’s new constitution, national land policy and other legal instruments.

Key results

- Improved knowledge and awareness of 50 community leaders of their obligations to protect women’s property and inheritance rights in the context of HIV and AIDS.
- Enhanced knowledge and skills of 67 paralegals to support women’s access to property and inheritance rights in the context of HIV and AIDS.
- Increased legal literacy and awareness of 300 women living with HIV and AIDS on their property and inheritance rights.
- Established 14 watchdog groups to monitor violations and to advocate for and support women’s access to property and inheritance rights in the context of HIV and AIDS.
- Obtained the commitment of the Luo Council of Elders, a decision-making body on issues related to marriage, divorce, and property rights, to take the lead on disinheritance issues in Kasipul Kabondo.
- Five women leaders were elected into the council of elders.
- GROOTS Kenya organized local registration drives to assist women to acquire the proper legal documentation (birth certificates, death certificates, identification cards, and registration forms) in order to follow up on disinheritance cases. These efforts culminated in over 470 women and 5,100 children at risk of disinheritance registering and obtaining legal documents.
- Developed a nationwide guidebook on customary practices in women’s property and inheritance rights in the context of HIV and AIDS. This guidebook will be used to advocate for women’s property and inheritance rights, as stipulated by the Kenyan constitution.
- The watchdog groups employ mobile legal clinics as a mechanism to reach as many women as possible. The watchdog groups also work with the local chief’s office to follow up on any reported cases of disinheritance.

Lessons Learned

- GROOTS Kenya found engaging community members in research, record-taking, and analysis of cultural practices that support disinheritance of women was an effective strategy to raise their awareness. These activities improved the capacity of community members to reflect and distinguish between harmful and positive cultural norms in their communities.

Partnerships

GROOTS partnered with the provincial administration; land boards; land tribunal Constituency AIDS Control Committee; the Registrar of Persons and Death, the Civil Registrar, provincial administrators, and the Children’s Officers and local community-based organizations.