General Project Information

Project Title: Strengthening the Legal Framework to Enhance Women’s Access to Property and Inheritance Rights in the Context of HIV and AIDS in Zimbabwe

Organization: Women and Law in Southern Africa Research and Education Trust, Zimbabwe (WLSA – Zimbabwe)

Implemented in: Harare, Epworth, Holey, Ruwa and Norton

Grant Amount: $140,000

www.wlsazim.co.zw

Context

Although some laws affirm women’s rights to inherit and own property in Zimbabwe, legal reform is needed to fully enshrine and protect those rights. Moreover, since many laws were formulated before HIV and AIDS became a national health crisis, law reform that takes HIV into account is needed. Customary laws underpin frequent violations of women’s property and inheritance rights. Widows are frequent victims of dispossession and property grabbing, and homelessness may drive some women into unsafe sexual practices in order to survive.

Objectives

WLSA provided legal aid and legal services to women living with HIV and AIDS through help desks and mobile legal aid clinics, and conducted research on violations of women’s property and inheritance rights.

Key results

- As an active participant in the reform process that culminated in the adoption of a new Constitution in August 2013, WLSA produced and distributed journals and policy papers that promoted women’s property and inheritance rights.
- Together with its partners in the Legal Inheritance Network, WLSA also drafted model legislation and sensitized and lobbied relevant actors for inclusion of women’s property and inheritance rights in the context of HIV and AIDS.
- The new Constitution states that in the event of dissolution of a marriage, whether through death or divorce or death, provision is made for the necessary protection of any children and spouses. Also included is an amendment stating that all laws, customs, traditions and cultural practices that infringe on the rights of women are void.
- Set up two help desks at the Magistrate Court in Harare and the Master’s Office at the High Court, which is the office responsible for administering the estates of deceased persons, to assist women with cases of property grabbing. The first of their kind, these help desks provided legal aid to 372 women in Harare and Norton.
- Established 34 empowerment circles of women to monitor violations and to advocate for and support women’s access to property and inheritance rights in the context of HIV and AIDS.
- Empowerment circles have served as dissemination centers and helped to enhance the knowledge of 9,217 community members of their obligations to protect women’s property and inheritance rights in the context of HIV and AIDS. 69 women wrote wills as a result of sensitization by the empowerment circles.
- Increased legal literacy and awareness of 207 women and 20 men living with HIV and AIDS on their property and inheritance rights.
- Enhanced knowledge and skills of 90 paralegals to support women’s access to property and inheritance rights in the context of HIV and AIDS. As a result, 480 women have been supported in their property and inheritance claims.
- Organizing women in support groups or peer networks, such as the “empowerment circles,” was an effective strategy to mobilize and support women to claim and demand their rights.

Lessons Learned

- Engaging men, who are traditionally decision makers, resulted in their crucial participation and promotion of women’s property and inheritance rights in the context of HIV and AIDS.
- Improving women’s access to justice requires making legal services more accessible and available at local level. Through mobile, pro-bono legal aid clinics, WLSA was able to assist greater numbers of women.

Partnerships

WLSA worked in partnership with the Legal Inheritance Network; Zimbabwe Women Lawyers Association; Legal Resources Foundation; the Ministry of Women Affairs, Gender and Community Development, Law Development Commission; Ministry of Justice, Legal and Parliamentary Affairs; Justice AIDS Trust; and PADARE Men’s Forum on Gender.