Creating A Relevant Evidence Base Pertaining to Women’s Community Level Experiences With Claiming Their Property and Inheritance Rights

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United Nations Entity for Gender Equality and the Empowerment of Women
Acknowledgements

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I would like to particularly thank the women who participated in this study and allowed us to interview and photograph them and shared their stories about their lives and experiences in claiming their rights. Their experiences and recommendations are essential for shaping the way forward for this project and promoting the future success of other women in claiming their rights.

I would also like to thank the team from FATE Consulting Ltd who conducted the field research and drafted the findings and case study profiles for this study.

I am grateful to UN Women for their ongoing support to promote women’s rights and empowerment in Rwanda and for their support for this project. We look forward to continued work with partners and beneficiaries to improve the implementation of the project and to achieve greater outcomes for women living with or affected by HIV/AIDS in claiming their property and inheritance rights.

Sincerely,

Madam Beata BUSASA
National Coordinator
Réseau des Femmes Oeuvrant pour le Développement Rural
Kigali, Rwanda
### Acronyms and Abbreviations

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>AIDS</td>
<td>Acquired Immune Deficiency Syndrome</td>
</tr>
<tr>
<td>ART</td>
<td>Anti-Retroviral Therapy</td>
</tr>
<tr>
<td>GBV</td>
<td>Gender Based Violence</td>
</tr>
<tr>
<td>GMO</td>
<td>Gender Monitoring Office</td>
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<tr>
<td>GoR</td>
<td>Government of Rwanda</td>
</tr>
<tr>
<td>HIV</td>
<td>Human Immunodeficiency Virus</td>
</tr>
<tr>
<td>MIGEPROF</td>
<td>Ministry of Gender and Family Promotion</td>
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<tr>
<td>NWC</td>
<td>National Women’s Council</td>
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<tr>
<td>UNWOMEN</td>
<td>United Nations Entity for Gender Equality and the Empowerment of Women</td>
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Executive Summary

Incorporated in 1986, Réseau des Femmes Oeuvrant pour le Développement Rural is a national non-governmental organization in Rwanda whose mission is to contribute to the empowerment of rural women so that they are fully engaged in their own development in particular, and community development in general, and recognized as actors for effective development.

As part of the second phase of a UN Women Project ‘Women’s Property and Inheritance Rights in the Context of HIV/AIDS, Réseau des Femmes undertook the development of 20 case studies of women living with or affected by HIV/AIDS and their ability to claim their rights to inheritance and property in Gasabo and Nyanza Districts. The findings were developed into case study profiles, and synthesized into this report.

Rwanda has a strong legal and policy framework for gender equality, HIV/AIDS and equality in inheritance and property rights. Women suffer disproportionately from HIV, but the number of HIV positive women receiving ART has been increasing significantly since free treatment began in 2005.

Of the 20 participants in this study, 18 were living with HIV, and two were HIV negative but affected. The majority of the women interviewed have accepted their HIV status. Unfortunately, women continue to face discrimination in their communities. The perpetuation of patriarchal attitudes also creates challenges for women to have equal access to their rights. Vulnerable women, particularly those living with HIV, are at increased risk of violence, particularly given the discrimination and stigma they already face because of their HIV status.

The lack of knowledge about inheritance and property laws and the high cost of hiring legal assistance were both key barriers to claiming rights. Poverty and lack of income generation were also significant barriers as women did not have the funds to pay for legal assistance or transport to follow-up on their cases. Nearly all of the women who reported successful experiences in claiming their rights also reported a greater degree of knowledge of the legal framework.

Thirty percent of the women who were unsuccessful in claiming their rights faced barriers because they were not legally married to their husbands. The Government of Rwanda has made significant efforts to encourage non-legally married couples to regularize their marriage. However, the number of couples cohabiting is still significant, and a solution to address property and inheritance in these cases is needed.

The local administration was often the initial entry point to which the women interviewed turned for assistance in addressing issues of property and inheritance. The assistance and support of local officials was a key factor in facilitating success, and when that assistance was not forthcoming, it also became a key barrier. Unfortunately, there were instances in which the local administration actually deepened the challenges for women in claiming their rights.

Women with strong family and community support were much more likely to successfully overcome the discrimination associated with HIV/AIDS and were more able to claim their rights. Involvement in cooperatives, community organizations and associations also facilitated success as the women received guidance and support. Women who had participated in trainings and programs through Réseau des Femmes expressed their thanks for the support and indicated that it enabled them to claim their rights.
Moving forward, recommendations include continued access to free ARVs, increased funding for women’s cooperatives, regularization of non-legal unions and an assessment of the legal framework related to property and inheritance for cohabiting spouses.

At the local level, communities and community leaders require sensitization to address discrimination against people living with HIV/AIDS, and on women’s rights to property and inheritance. Increased support for income generation for vulnerable families is required. Local administrations should also provide direct assistance to individuals in claiming their rights.

Finally, participants recommended that Réseau Des Femmes increase their site visits to local communities and scale up trainings. Réseau des Femmes should also develop partnerships with organizations offering legal assistance and focused on ending violence against women and should identify individuals with specialized training to accompany women living with or affected by HIV throughout the legal process to claim their rights. Réseau des Femmes should continue supporting women beneficiaries to claim their rights and connect them with each other to they can provide mutual support.
I. Introduction

Réseau des Femmes Oeuvrant pour le Développement Rural is a national non-governmental organization in Rwanda that contributes to the empowerment of rural women to promote individual and community development and promotes recognition of rural women as key development actors.

In April 2013, Réseau des Femmes, with the support of UN Women, undertook a study to document cases of women living with or affected by HIV and AIDS and their ability to successfully claim their property and inheritance rights in Gasabo and Nyanza Districts. This study was part of a UN Women funded project entitled “Women’s Property and Inheritance Rights in the Context of HIV/AIDS”, which aims to enable women to fully assert their property and inheritance rights and to improve their ability to mitigate the impacts of HIV and AIDS.

As part of the second phase of this project, Réseau des Femmes undertook the development of case studies of women living with or affected by HIV/AIDS and their ability to claim their rights to inheritance and property. The objectives of the case studies were to:

1) Identify and document cases of women living with or affected by HIV and AIDS in targeted communities who were able to successfully assert their property and inheritance rights in Nyanza and Gasabo district, the process they went through, the support they got from different stakeholders, and lessons learned for future actions;
2) Identify and document failed cases, the reason why they failed, and propose measures for future action;
3) Disseminate and share the document with relevant stakeholders through a national workshop and media, and to women lobby and advocacy groups.

20 case studies, 10 in Gasabo District and 10 in Nyanza, were produced, with even distribution of cases of success and failure in claiming rights. This report provides an overview of the findings from the study, and provides an analysis of the factors that facilitated success or acted as challenges or barriers, the lessons learned, and recommendations for the way forward.

II. Methodology

The methodology for documenting successful and failed cases of property inheritance among women living with or affected by HIV/AIDS was agreed upon by Réseau des Femmes prior to conducting the research. The main components of the methodology were the following:

2.1 Desk review

Relevant documents from the UN Women funded project Women’s Property and Inheritance Rights in the Context of HIV/AIDS, which provides a framework for this project, as well as documents from Phase 1 of the Réseau des Femmes project and other similar exercises relating to women’s property and inheritance rights were collected and reviewed.
Legal and policy documents were also reviewed in order to fully develop the background framework for the project and the case studies and to provide context for the case studies and synthesized report, including:

- Law No 22/99 of 12/11/1999 to supplement book one of the civil code and institute part five regarding matrimonial regimes, liberalities and successions
- Gender Monitoring Office Gender Impact Assessment Of The Law N° 22/11/1999 To Supplement Book One Of The Civil Code And To Institute Part Five Regarding Matrimonial Regimes, Liberalities And Successions
- Organic Law No 08/2005 of 14/07/2005 determining the use and management of land in Rwanda
- Rwanda National Policy for Family Promotion 2005
- Rwanda National Strategic Plan on HIV and AIDS 2009-2012
- Rwanda National Gender Policy 2010
- Rwanda National Policy Against Gender-Based Violence 2011

2.2 Field Research

In collaboration with Réseau des Femmes, targeted communities in both districts were selected for field visits. The communities selected in Gasabo District included Remera, Gatsata, Nduba and Gikomero Sectors. In Nyanza District, the communities were Kigoma, Busoro, Cyabakamyi and Rwabicuma sectors.

In each community, Réseau Des Femmes and local cooperatives arranged the interviews with participants who were willing to be part of the study. 10 participants with successful stories of claiming inheritance and property rights and 10 with unsuccessful stories were selected for interviews to develop the case studies. The successful and unsuccessful cases were evenly distributed in both districts. Interviews were held with women living with or affected by HIV/AIDS who were able to successfully assert their property and inheritance rights as well as with those who were unable to do so. Participants were asked to detail their story of claiming their rights, and the barriers they faced, along with whether they received support from local or national actors in their case. They were also asked to provide recommendations related to women’s access to and control over property and inheritance in Rwanda, particularly for women living with or affected by HIV/AIDS. Participants offered their perspectives on the way forward in their own cases, and recommendations for local and national actors, and for Réseau des Femmes. The findings are elaborated below. The interview guide in both Kinyarwanda and English is attached as Annex 1.

During the interviews, photographs of participants and site locations were taken for the preparation of case profile posters for use at national events and international promotion by Réseau des Femmes of the project and the report findings.

2.3 Development of Case Studies

Case studies based on individual interviews were developed to represent the stories shared by participants. The case studies include relevant information, including background details, the individual story of success or failure in claiming inheritance and property rights, the key factors facilitating success and challenges faced, and the way forward.

Case studies were reviewed with Réseau Des Femmes and participants selected the quotes and photos to be used with their case profile. Case study profiles are included in Section V of this synthesis report.
2.4 Development of Synthesis report

The desk review and interviews were analysed and compiled into this synthesized report, which includes an overview of the policy framework for HIV/AIDS and property and inheritance in Rwanda, a situation analysis of the current context, the findings of the study, factors influencing or hindering success in claiming rights, recommendations and the way forward. This is a qualitative study; results presented in this study are not based on statistically significant quantitative data, but rather on in-depth analysis of the individual experiences of the women interviewed. As a result, the information presented here represents an in-depth qualitative depiction of the issues faced by women claiming their property rights in the context of HIV and AIDS, as identified by the study participants.

2.5 National Validation and Dissemination

Case studies and the synthesized report were shared with key stakeholders and partners through a national workshop on May 10, 2013. The validation workshop also presented the case study profile posters. Copies of the reports, case studies and profile posters were then shared with the relevant cooperatives in Gasabo and Nyanza District and with all the study participants.

III. National Legal and Policy Framework related to HIV/AIDS, Gender and Property and Inheritance Rights

3.1 National Legal and Policy Framework

Rwanda has made significant steps towards achieving gender equality as enshrined in the Constitution in general and – as it relates to this study in particular – in specific laws that grant women and girls the legal right to inherit property. Through the establishment of the Matrimonial Regimes, Liberalities, and Successions law in 1999, for example, women and girls received the legal right to inherit property. Rwanda is also placing increasing focus on gender equity in the context of HIV and AIDS. Despite the positive legal framework and promotion of gender equity as it relates to HIV and AIDS in Rwanda, women and girls continue to face barriers to claiming these rights, particularly vulnerable women and girls. The following sections briefly describe the laws and strategic plans that are most relevant to this study:

**Organic Law Determining the Use and Management of Land in Rwanda**

The Organic Law N° 08/2005 of 14/07/2005 Determining the Use and Management of Land in Rwanda prohibits any type of discrimination based on sex or origin in matters relating to ownership or possession of land, and mandates that the husband and wife have equal rights to land.¹ Although the Organic Law does not articulate the manner in which succession is to take place, it does require that the procedure for succession takes place in accordance to the law governing succession, as described below.

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Law N°22/99 of 12/11/1999 to Supplement Book One of the Civil Code Part Five Regarding Matrimonial Regimes, Liberalities and Successions

The matrimonial regime is a body of rules governing the agreement between spouses on the management of their property. The law dictates that in the event that one spouse dies, the surviving spouse shall ensure the administration of the entire patrimony. It applies equally to both the husband and wife, and thus grants equal inheritance rights to men and women. It also stipulates that all legitimate children regardless of sex are to inherit equal parts of the land and grants partial land inheritance to illegitimate children. However, the law does not address the issue of inheritance in the case of non-legal marriage.

Gender Impact Assessment of the Law N° 22/99 of 12/11/1999 to Supplement Book One of the Civil Code and to Institute Part Five Regarding Matrimonial Regimes, Liberalities and Successions

The Constitution of the Republic of Rwanda has since the establishment of Law N°22/99 ensured that legally, spouses have equal rights to property. A recent study by the Gender Monitoring Office indicates, however, that this principle is not always reflected in practice. Knowledge of the Law N°22/99 is especially important, as it serves as the legal basis for inheritance rights to be claimed. The study correlates level of education with knowledge of the law. As expected, those with higher levels of education have a greater knowledge of the law – a fact that places HIV positive women at a further disadvantage due to their statistically lower levels of education. And, even when knowledge of the law was reported, it often took the form of knowledge of the law in spirit (i.e. addressing gender equity) rather than of the law in practice. Interestingly, the study also found that while 42.8% of surveyed women report being married, only 28.3% are legally married. The issue of cohabitation continues to be a challenge in terms of determining property and inheritance rights.

Rwanda Strategic Plan on HIV and AIDS, 2009-2012

The Rwanda Strategic Plan on HIV and AIDS articulates how the challenges that HIV and AIDS pose to Rwanda’s economic and social development will be addressed. The plan is linked closely to Rwanda’s Economic Development and Poverty Reduction Strategy: the medium term strategy for achieving Rwanda Vision 2020. Though a large part of the Strategic Plan outlines strategies for lowering the incidence and prevalence of HIV/AIDS and for increasing the life expectancy of those affected, the plan also addresses gender equity and equity for marginalized groups and vulnerable populations. Specifically, special attention has been given to empowering women, who are disproportionately affected, and to developing programs that address gender inequality.

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**National Gender Policy**

The National Gender Policy recognizes the need for equal opportunities for women and men, boys and girls and calls for gender integration in all areas of development. This includes integrating gender issues into the policies, programmes, activities and budgets in all sectors and actions to address gender disparities and discrimination against women.

**Law N°59/2008 of 10/09/2008 on the Prevention and Punishment of Gender Based Violence**

The law addressing the prevention and punishment of gender-based violence is focused on the prevention of and protection from violence for women and men. It also makes cohabitation, polygamy, adultery and concubinage illegal. However, the law at the same time promotes the regularization of non-legal unions (cohabitating couples). In the case of a polygamous relationship, the legalization of a union between the husband and one of the wives entitles the other wives to equal shares of the husband’s assets. The criminalization of these non-legal unions does not provide adequate clarification on how to address property and inheritance disputes that may arise because of them. As a result, the legal framework related to property and inheritance surrounding non-legal unions remains unclear.

**Rwanda National Policy for Family Promotion**

The National Policy for Family Promotion recognizes concerns for women’s rights to inheritance and property as occurring from unlawful unions, namely cohabitation and polygamy.

**National Policy Against Gender-Based Violence**

The National Policy and Strategic Plan to Fight Against GBV aims to eliminate gender-based violence by developing an environment that is conducive to prevention and protection and which reduces vulnerability by strengthening the capacity of groups and individuals at particular risk of GBV.

**3.2 HIV/AIDS in Rwanda**

According to a 2011 survey conducted by UNAIDS, Rwanda has a relatively low overall adult (15-49) HIV prevalence rate of 2.9%. As of 2010 – when the most recent Demographic and Health Survey (DHS) was conducted – HIV prevalence was found to be significantly higher in urban areas (7.1%) as compared to rural areas (2.3%). Furthermore, the survey concluded that women were disproportionally affected relative to men, with prevalence rates of 3.7% and 2.2% respectively. Since the previous DHS was conducted in 2005, overall HIV prevalence as well as prevalence rates among men and women have remained constant.

Rwanda provides free access to antiretroviral treatment (ART) – a policy established in 2005 – with the ultimate goal of reaching a coverage rate of at least 90% by 2012 for HIV positive adults and children.

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6 Republic of Rwanda, Ministry of Gender and Family Promotion, National Gender Policy, 2010.
9 Republic of Rwanda, Ministry of Gender and Family Promotion, National Policy Against Gender-Based Violence, June 2011.
11 Republic of Rwanda, Rwanda National Strategic Plan on HIV and AIDS 2009-2012, 2009, p. 44.
According to the most recent data collected by UNAIDS and the Rwanda Biomedical Center, Rwanda increased its ART coverage from 76% in 2008 and succeeded in reaching its goal of at least 90% treatment rate as of 2012.\textsuperscript{12} With this increase in ART coverage in conjunction with significant increases in HIV financing and spending, AIDS deaths have decreased from 7,100 in 2008 to 6,400 in 2011.\textsuperscript{13}

Women suffer disproportionately from HIV as compared to their male counterparts. Furthermore, HIV positive women are more likely to live in extreme poverty and have a lower level of education. Specifically, 50.2% of HIV positive women live on less than $1 (USD) per day, compared to 38.6% of men. 18.2% of HIV positive women have not had any formal education, compared to 12.2% of men.\textsuperscript{14}

Despite these disparities, the number of HIV positive women receiving ART has been increasing significantly since free treatment began to be offered in 2005. Between 2007 and 2008, for example, the number of women (aged 15-49) receiving ART increased from 27,892 to 36,260, while the number of girls receiving treatment increased from 2,197 in 2007 to 2,831 in 2008.\textsuperscript{15} Nevertheless, these numbers could increase significantly if the disparities mentioned above – high levels of poverty, for example – were addressed.

\textbf{IV. Overview of Réseau des Femmes Oeuvrant Pour le Développement Rural}

\textit{4.1 Background}

Réseau des Femmes Oeuvrant Pour le Développement Rural (Women’s Network for Rural Development) was established in 1986 as a national non-governmental organization. The mission is to contribute to the empowerment of rural women so that they are fully engaged in their own development in particular and community development in general, and recognized as actors for effective development.

Réseau des Femmes is currently active in all districts of Rwanda and engages a network of over 600 volunteers who work on projects that aim to empower women and advocate for their rights. These projects involve trainings and capacity building, as well as research and documentation to address issues of women’s rights, especially related to ensuring gender responsiveness of Rwanda’s legal and policy framework. In Nyanza and Gasabo districts, for example, Réseau des Femmes advocates for women, especially in claiming property and inheritance rights, and conducts trainings on HIV and AIDS and how to be self-sustaining. In Gasabo district, the “Women’s Property and Inheritance Rights in the Context of HIV/AIDS” project extends to 15 sectors and provides services to 600 beneficiaries. In Nyanza, it extends to 10 sectors and provides services to 400 beneficiaries. Réseau des Femmes uses the strategies of information, documentation and communication, training, research and studies and lobbying and advocacy to fulfill their mission.

\textsuperscript{12} RBC, TRAC Plus, 2012.
\textsuperscript{13}UNAIDS, 2011. These numbers are based on an eligibility criteria for initiation of treatment of CD4<200; the current criteria for initiation of treatment is CD4<350.
\textsuperscript{15}RBC, TRAC Plus, 2012.
4.2 Project on Women’s Property and Inheritance Rights in the Context of HIV/AIDS

In April 2012, Réseau Des Femmes undertook a study, entitled Study on the Issues Related to Women’s Property and Inheritance Rights in the Context of HIV & AIDS, to determine the specific nature of problems faced by women infected or affected by HIV/AIDS as they relate to inheritance and property rights. The study had the following objectives: 1) Provide a reference situation on the lack of inheritance and property for women infected and/or affected by HIV/AIDS, and 2) to highlight the causes and solutions to overcome these issues and suggest effective strategies to promote economic initiatives among women affected and/or infected by HIV/AIDS.¹⁶

This study was carried out in Phase 1 of the project and indicated that women living with HIV/AIDS in Gasabo and Nyanza Districts are regularly denied their rights to inherit property. Specifically, some men explained their refusal to allow their HIV positive spouses to inherit property by stating that they cannot offer property to someone who is dying. This is in spite of the fact that HIV/AIDS is now a potentially manageable disease, with access to proper treatment providing a near-normal life expectancy. Not only are HIV positive women denied their right to property, they are also frequently threatened and in some cases evicted from their marital homes following the death of a husband. Often – especially in rural areas – women may be unaware that their rights have been violated, or unaware of where to seek appropriate legal assistance.¹⁷

Recommendations from the initial study were developed for stakeholders involved in inheritance and property issues in the context of women infected or affected by HIV/AIDS. These included:

- Design of a project to improve women’s capacity to increase their income
- Increased project funding to enable monitoring and evaluation, include more partners and ensure sustainability and reporting.
- Diversification of the themes covered in trainings, including children’s rights, income generating activities, and cooperatives management and delivery of refresher training on inheritance and property rights
- Building a strong network of stakeholders involved in assisting women living with or affected by HIV/AIDS on inheritance and property.
- Integration of beneficiary family members to find solutions and increased emphasis on rural districts.
- Advocacy to promote timely resolution to property and inheritance cases and to address the overall challenges faced by women living with HIV/AIDS in claiming their rights.¹⁸

Based on these recommendations, a second phase of the project was initiated in order to consolidate the findings of the first phase. The second phase seeks to establish multi-stakeholder platforms to promote and protect women’s property and inheritance rights in the context of HIV and AIDS in Gasabo and Nyanza districts, involve existing structures in promoting these rights at the community level, and increasing awareness and knowledge among women living with HIV and AIDS and associations they are part of to enable them to claim for their property and inheritance rights.

¹⁷Ibid., p. 46.
¹⁸Ibid., p. 57-60.
In this framework, a study of cases of success and failure in claiming rights to property and inheritance for women living with or affected by HIV and AIDS was conducted, in particular in order to determine facilitating factors and barriers to rights, as well as to raise awareness of the key challenges and successes with stakeholders and the public.

V. Case Study Profiles

5.1 Gasabo District

<table>
<thead>
<tr>
<th>Name: Akarabo</th>
<th>Success/Failure</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Ubuzima bwanjye ntabwo njya mbuhisha, buri wese ndabumusangiza”</td>
<td></td>
</tr>
<tr>
<td>“I share my life with everyone, I never hide anything about my HIV status.”</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Background Details:</th>
<th>Location: Remera Sector</th>
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</thead>
<tbody>
<tr>
<td>Age: 37</td>
<td></td>
</tr>
<tr>
<td>Marital Status: Married (not legal marriage)</td>
<td>Living situation: Akarabo lives with her husband and three children</td>
</tr>
<tr>
<td>Children: 3 children (one from the previous marriage and 2 from the current one)</td>
<td>Employment: Not employed. She used to sell in the market but the business failed, she is now selling tobacco at home.</td>
</tr>
<tr>
<td>HIV Status: She is HIV+ and her husband is HIV- She has known of her HIV status since 2002.</td>
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</tbody>
</table>

Akarabo is not legally married and her husband refuses to marry her legally because of her HIV status. Their property is written in the her name and the names of her husband and children, but they don't yet have the papers: Her husband has no ID because he was in jail and he has to get one to get papers for the property. Akarabo doesn't like to argue with her husband on any issue as he has all the power and can decide whatever he wants because he is HIV-, for her, she has no voice at home.

Akarabo’s husband doesn’t show interest to get his ID. He tells her that since they are not married, she has no rights to the property because she is HIV positive and she will die soon. Akarabo feels that the only possible solution is to get married, but her husband won't marry her because she is HIV positive. All she can do is to take good care of her life.

For Akarabo, because she has a child who is not her current husband’s and does not know where the father is, this creates a challenge, as this child has no right to the current husband’s property. Her other children can solve the issue of property with their father, and he supports this, but Akarabo and her other child are being denied their rights because she is HIV+ and they are not legally married.
No one has been involved in resolving the issue. Neighbours gave advice to Akarabo’s husband when he was treating her well, but this was not directly related to property. She has never informed anyone about the property issue and is waiting to see the land papers to see if her names are on them. Then she will know what action to take.

### Recommendations for the way forward:

Akarabo feels that the issue of legal marriage is the biggest challenge, as this is the only possible way for her to claim her rights to her spouse’s property. She wishes that the property will go to her children, saying that “as for me there is no need of it as I’m HIV+”. She would like Réseau des Femmes and others to help get the papers for the cooperative where she works and to help them to have an office space.

<table>
<thead>
<tr>
<th>Name: Kanakuze Annonciata</th>
<th>Success/Failure</th>
</tr>
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<tbody>
<tr>
<td>“Imana yonyine niyo izi ibyange (Jehovah), niyo izi itangiriro n’iherezo ryange”</td>
<td></td>
</tr>
<tr>
<td>“Only God knows all about me, he knows the beginning and the end of my situation.”</td>
<td></td>
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</tbody>
</table>

#### Background Details:

<table>
<thead>
<tr>
<th>Age: 50 years old.</th>
<th>Location: Nduba Sector.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marital Status: Genocide widower</td>
<td>Living situation: Kanakuze lives with two of her children: the last born and the first born, who has one child (my grandchild). Her daughter lived with a man in an illegal union. They ended that union and she came back home, pregnant. The child is now 1 year and 2 months.</td>
</tr>
<tr>
<td>Children: 3 children born in 1981, 1987, 1992 and 1 grandchild. The children are HIV-</td>
<td>Employment: Not employed. Member of cooperative DUKUNDANE NDUBA, of people living with HIV (men, women and children). The cooperative’s main activity is the farming of fruits, which they sell. The cooperative has all the papers and operates legally in Nduba sector.</td>
</tr>
<tr>
<td>HIV Status: HIV+. Kanakuze learned of her HIV status in 1997 and thinks that there is a potential that her husband was HIV+ as well, considering the job he was doing (driver), and the signs he had started to develop since 1992 (like lung disease).</td>
<td></td>
</tr>
</tbody>
</table>

She went for a test in 1997. Her sister in law is a nurse and she encouraged Kanakuze to go for testing. When they told her she was HIV+, she thought she was going to die. After two years passed, she thought maybe the exams were not correct and she wasn’t HIV+. In 2003, at Kinyinya Health Center, MSF (Medecins Sans Frontiers Physicians without borders) were doing volunteering testing on HIV and providing money (10,000rwf) and meals to people who were going there for testing. Kanakuze went there with her neighbour and they took my exam, found that she was HIV+. They took her CD4 status and told her to start ARVs because her CD4 were very low (15). Kanakuze started ARV at Kinyinya Health Center, and was transferred to Nyacyonga Health Center in 2008 when the program of providing ARV started there. Now, she is taking medicine at Nduba Health Center, that opened in June 2012 and is very close to her home.
I'm now at 1732 CD4.

Kanakuze says “I accepted my HIV status and I’m also giving testimony which helps other people who live with HIV/AIDS and this contributes to increase my CD4.” She is the one who started the association of people living with HIV/AIDS, which has become a cooperative.

Kanakuze's story:

I was living with my family in Muhanga before the 1994 Genocide (since 1985). That is where my husband’s family was living too. My husband was killed during the genocide and our house got destroyed. I then moved to Kigali. I already had a property in Nyacyonga from my parents and I built a house in grass (Nyakatsi). When the Gacaca courts started, I went to Muhanga where our home used to be. The ones who killed my husband and destroyed our house are in jail and the house was rebuilt by their wives. Everyone who participated in the killing and in destruction has accepted their role and participated in the rebuilding of our house. The house was renovated from 2007 to 2009. It is now being rented and the money helps me and my children for living.

The Gacaca court solved the problem. I was aware of my rights because we were legally married and the people in that area know my family. I knew all the levels to claim my rights and was not afraid in claiming for my rights.

The house is my children’s property, and as far as I know, they don’t have step siblings, but even if these children were to show up, they would share the property with my children, because it would be their right too.

My brother in law, who is a genocide survivor, gave me some cows, which is part of my children’s inheritance from my family-in-law.

Key factors facilitating success or challenges:

Before the Gacaca courts, I was not aware of where to claim for my property and I had no money for transportation to go to the community frequently to follow up on the issue. I already had a place to live with my family so I didn’t make any progress until the Gacaca courts started and they solved the problems.

Kanakuze received support from the Gacaca courts, former neighbours, and local leaders.

Recommendations for the way forward:

Kanakuze recommends more trainings, field visits and advocacy. She says “People living with HIV/AIDS still face discrimination, like children at school, sometimes the teachers would harass them about taking medicine publicly and other children will know about their classmates’ on HIV statuses.”

She would like more visits and trainings from Réseau des Femmes and to share how the cooperative works, its operations, and its challenges. The cooperative doesn’t have its own land, instead they rent the field where the farm the fruit. They received trainings in Gatsata with Réseau des Femmes on gender equality which were really helpful. Kanakuze trained other cooperative members and now everyone is aware of gender equality. Kanakuze would like Réseau des Femmes to continue to sensitize people on gender equality, stating, “all the children are equal, boys and girls and in a marriage, a man and a woman have equal rights.”

Kanakuze feels there should be sector level actors who provide help to people in the communities. She says: “They give trainings to people in the cities and they should come down in the communities.”
“Umuntu niwe wigira yakwibura agapfa”
“A person is the one who should self-sustain, if he doesn’t then he dies.”

Name: Baba

<table>
<thead>
<tr>
<th>Background Details</th>
<th>Location: Gikomero Sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baba is a member of “Abizeye Kubaho” cooperative, which does vegetable farming and raises small animals. The members are both HIV+ and HIV- and are both men and women.</td>
<td>Age: 39</td>
</tr>
<tr>
<td>Marital Status: Married</td>
<td>Living situation: Baba lives with her family in a farm house, the house is wooden, the floors of the house are paved, there are 3 bedrooms and a sitting room, and the kitchen is outside. She lives with her family and her niece since they are closer to her school. They had another orphan girl living with them but she recently got married.</td>
</tr>
<tr>
<td>Children: 2, A girl and a boy. The daughter is HIV+ and the son is HIV-</td>
<td>Employment: Baba is self-employed with a restaurant business. Her husband is not employed. He used to work as a driver but was in an accident and is now paralyzed.</td>
</tr>
<tr>
<td>HIV Status: HIV+ and her husband is HIV+. Baba learned about her HIV status in 1997. Her daughter has also accepted her status of being HIV+. Baba, her husband and daughter always take their medication.</td>
<td></td>
</tr>
</tbody>
</table>

Story of success or failure in claiming rights to inheritance and property

Baba’s story:
I was successful in claiming my property rights. The problem started with my husband’s family after I knew about my HIV status. My husband was in Kigali and I went to be with him to get medication. His family started saying that I was the reason for the bringing HIV in the family. They started taking the houses and property in the village and wanted to sell them. Except for my older sister, who supported me, everyone else was from my husband’s side. I approached the authorities and they really helped me to get the properties back. The authorities warned my family to stop taking married couple’s properties since each one of us has equal shares. The cases started in 2000 and ended in 2003. The end result was that I was able to claim my rights.

Key factors facilitating success or challenges

According to Baba,

“At first we were poor due to court /case charges. The family relationship became worse, even the children were affected, the young one used to always cry. My body’s ‘white cells’ reduced so much that when I went for a check-up they had reduced from 300 to 70.

The ombudsmen ordered my husband to stop misusing and selling the land since we have equal shares for the property. One of the ombudsmen helped me with legal information and books on marital rights. TheÉtat civil helped me mend my
family relationship.

Réseau des Femmes trained us but it was after my case. But some of the women who had problems have been successful and are claiming their rights.”

Recommendations for the way forward:

Baba is now trying to make her properties more productive. She has a banana plantation although she hasn’t harvested yet. There is a house that had been taken where she is now doing her restaurant business.

Baba believes that more training on inheritance and property rights for both men and women are needed and that Réseau des Femmes should continue to train women since they have had good results.

She says, “The problems are still many and more people need to know their rights. More training is needed because many people don’t know their rights (even basic rights). Mostly women are still kind of enslaved. They don’t know what to do for themselves and are quiet about their domestic problems.”

Name: Mukase Nsekanumve Beata

Success/Failure

“Nubwo ubuzima bwanjye bukomeye, nkomeza gukora kuko mfite imbaraga.”

“Even if my life is tough now, I still work because I have strength.”

Background Details

Beata is a member of a cooperative called “Abizeye Kubaho” whose members are both HIV+ and HIV-. They do farming and raise pigs.

Location: Gikomero Sector

Age: 34

Marital Status: widowed. She was not legally married.

Living situation: Beata is living with her parents on a farm. They have a mud house with 3 bedrooms and 1 sitting room, and the kitchen is outside.

Children: 2 girls

Employment: Beata has an education level up to P3 and is currently doing vegetable farming.

HIV Status: Beata is HIV+ but her children are HIV-. She learned about her status in 2004. Her husband died from AIDS in 2001.

Story of success or failure in claiming rights to inheritance and property

Beata’s story:

“I haven’t gotten my rights. I have been chased away by my in-laws from my matrimonial home and came back to live with my parents and my children. My in-laws started taking my property once my husband died. They sold all the property and I heard that they now live in Mutara.

The problem started when my husband was still alive, and the dispute was between my father-in-law and my husband.
One month after his death, they chased me away from the home. My husband’s brother came back from the army and took charge of everything. One of the local leaders of the cell (executive) knew about my problem but he went ahead and bought my land from my in-laws. Since I left my matrimonial place, I haven’t gone back. I got discouraged about the property and houses because I won the case against my in-laws in court but when I got to the houses they chased me away. Then my father-in-law sold the best property.

The executive of the cell helped me to get the last piece of land, but they had already sold it. My case has stopped and I got discouraged. Now my in-laws left that place and stay in Mutara. The local leaders who knew my problem stopped the case. They said since I wasn’t legally married, there is nothing they can do.

Key factors facilitating success or challenges

The key challenges Beata faced are that she wasn’t legally married and the local leaders can’t help her. Her immediate family did not get involved in the problem as they have no means due to poverty, so she was alone in fighting for her property. Further, her in-laws have left and are now in Mutara.

Recommendations for the way forward

Beata says, “I don’t know what to do except to trust in God. Right now in my condition I don’t think I can do anything. I don’t even know where to find my in-laws.” In terms of the way forward, she wishes that “the project can help us, especially in court cases and defend us. We are helpless when it comes to law matters.”

Beata feels that women and children should have value in the family, even if spouses are not legally married. She thinks that a change in the mentality of local leaders is needed, especially as the executive knew about her case but went ahead and bought her land. She adds, “When I asked him he said he would give me 300,000 Rwf. But he got jailed for other land issues. When he got out he said he would not give the money to me.”

Beata recommends a change in the law which says that children can only fight for their property rights when they are 18 years old.

Name: Mukashyaka Laetitia

“Āho kurya īfi uhawe n’umuntu, wayirobera.”

“It’s better to learn to fish for yourself than to be given a fish.”

Background Details-

Laetitia is a member of a cooperative for community health workers.

Marital Status: married

Children: 6 children (her own) and 2 adopted

The adopted children are Laetitia’s brother’s children.

Location: Remera Sector

Age: 43

Living situation: Laetitia and her family live in their own brick house with electricity and a television set. The house is located in a business area with small kiosks.

Employment: Laetitia works as a community health worker in Kinyinya cell, is a member of the local administration at
He lives in the village and his wife became mentally ill. The children are still babies - 1 year and 2 months and the other 6 months.

The cell level and also has a small business selling charcoal and other small items. Her husband is a security guard.

HIV Status: HIV- and all members of the family are HIV-. She says, “I am HIV- but that doesn’t mean that am not affected by it.”

Story of success or failure in claiming rights to inheritance and property

Laetitia’s story:

“As a person affected by HIV, I have met many infected couples who were able to claim their property. In my society, most women have gotten married and that way have been able to access and have equal rights to their property. An HIV+ person is like any able person and should have all rights to property.

I had aunts who were HIV+, and when they went back to the village, the men would send them away asking who sent them to town to get the HIV/AIDS disease. Most of the villagers take HIV patients as being bewitched and most of them are excluded from the family. My aunts didn’t have property issues as they were not married legally.

One lady died of AIDS and left a child. I used to go and feed her and take care of her. I even contracted tuberculosis due to that, but I got cured.

On 18th April 2011 during a training, one lady told a story about how she was chased by her husband. She was HIV+ but the husband was HIV-. She contracted the disease from where she was working as house help. We have helped her to get accommodation and access health centres for check-ups and medication.

Women in my society don’t have inheritance or have their rights denied as most of their properties come from the woman side. Most of the women have gotten married and now have equal rights to property. In case there is a property issue, we go to the local authorities.

Key factors facilitating success or challenges

According to Laetitia, the biggest challenge is legal marriage. She says, “women should be legally married so that they can access their rights according to the law. Personally, I haven’t encountered any barriers or challenges to access my rights, but for the women I work with they have to be legally married.

People living with HIV are people like others and with medication they live longer, get married and have children, so they have rights to property.

Most property in my society belongs to women from their inheritance. In the case of separation, women and men share everything half way, even the house utensils. Usually property issues are family issues. They start from the family, and then go to the local level/authorities. They sometimes go through CNF/WNC, which helps to train and enlighten women on their rights. Local leaders also usually assist, and we are also assisted by local health centres of AVEGA to approach infected women.

Recommendations for the way forward:

Laetitia believes that a person should accept being HIV+ and not hide it. She feels that ARV medications should be provided for free and the government of Rwanda should look for help for more HIV medication. She is concerned that medication will soon be for sale, and people will start buying medication through cooperatives.

She would like Réseau des Femmes to continue to operate as they have helped a lot of women to solve their problems, and for increased help to cooperatives through providing them with partners.
**“Imana ihindura amateka”**

**“God changes history”**

<table>
<thead>
<tr>
<th>Background Details</th>
<th>Location: Nduba Sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age: 41</td>
<td></td>
</tr>
<tr>
<td>Marital Status: Louise got married during the Genocide period, but has separated from her husband.</td>
<td>Living situation: Louise lives in a farm house close to the road. The house has 3 bedrooms and 1 sitting room, the kitchen is outside.</td>
</tr>
<tr>
<td>Children: 4,2 girls, 2 boys (first child born in 1994)</td>
<td>Employment: She works at the health centre in Nduba, as a cleaner and joins cooperatives to get extra money.</td>
</tr>
</tbody>
</table>

**Story of success or failure in claiming rights to inheritance and property**

Louise’s story:

“I haven’t yet gotten my property rights. I used to be a domestic worker, but I now know my rights. I approached Réseau des Femmes and the local authorities and they gave me advice.

The situation started in 2008. My husband and I used to have land inherited from his side of the family. During land registration, he registered one part of land under his brother’s name and another in his own name. He said that he owed him some money. Since I live close to the district office, I reported my husband and his brother to the authority/executive. I approached the authorities since I didn’t have anything left for me and they advised me to go to higher authorities. But after this, my husband tried to kill me. It was after I received money from Ubudehe (2011) that he tried cutting me. He got arrested and was sentenced for 10 months but he got out before his time and I don’t know how he did it.

Even now he comes and tries to sell the land and goes away since he doesn’t live with us.

Right now the case is in the court of Kacyiru. The case hasn’t started yet because I did not understand the law and got a lawyer to help me, but stopped because I couldn’t afford to pay him. The court hearing is scheduled for 10/07/2013.

**Key factors facilitating success or challenges**

For Louise, the challenge was that her husband misused and sold the property, even though they were legally married. At the local level, she and her husband had agreed to register the land in her husband’s name because he has money and she didn’t. She did not know the law well and the steps to follow to claim her rights.

Another challenge is the lack of transport to go regularly to Kacyiru to follow the case as she cannot leave her job and go as the pay is needed to feed her children.

Louise says that her neighbours helped her a lot, since they know how she and her husband got the land. According to Louise, “They are usually the witnesses to all land sales. They are the ones who tell the truth to the authorities.”
also says, “Réseau des Femmes gave me advice on where to go and what to do. They are the ones helping me now to get connected to the MAJ.”

**Recommendations for the way forward:**

Louise will continue to look for legal representation. She wants to bring back her self-respect and confidence and know that the problem will be solved soon.

She believes that the higher level authorities should become closer to the local authorities and train them and teach them on the rights of the people. She states that, “Corruption is high at the local level and usually things are not done the right way. For example I filed for divorce and the date was finalized. But on that day, they said they lost my case file and my husband did not come to the court house as if he knew there would be no hearing.”

She would like help to understand the law and to connect her to the required bodies that deal with property rights and wishes that Réseau de Femmes would help her and accompany her through all the steps. Help is needed for the provision of legal representatives, and transport to go to and from the court.

<table>
<thead>
<tr>
<th><strong>Name:</strong> Nibagwire Claudine</th>
<th><strong>Success/Failure</strong></th>
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“**Ntawiheba akiriho**”

“**There is hope as long as we live.”**

<table>
<thead>
<tr>
<th><strong>Background Details:</strong></th>
<th><strong>Location:</strong> Gikomero Sector.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age: 29</td>
<td>Marital Status: Widow since 2008.</td>
</tr>
<tr>
<td></td>
<td>Living situation: Claudine lives with her 4 children.</td>
</tr>
<tr>
<td>Children: 4 children born in the years 2001, 2002, 2004, and 2006</td>
<td>Employment: She studied up to Primary 6 level. Claudine has no permanent job but does farming for other people for money from time to time.</td>
</tr>
<tr>
<td>HIV Status: HIV+ Claudine’s husband died of AIDS, three months after they learned about their HIV status.</td>
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**Claudine’s story:**

“My husband was the last born in a family of 5 brothers. None of the 4 brothers is married yet and when my husband died, each of them wanted me to become his wife. Their mother (my mother is law) was supportive of that, because I was living on their brother’s property. When I refused, they told me to leave the house we were living in, they were aggressive to me and I ended up building another small house on land that my husband and I had bought. I have lived there since 5 months ago.
I did this because I didn’t like to argue with them all the time due to my HIV status, because even my own family has rejected me. The local leaders and my neighbours knew about my situation and have warned my family-in-law that if something happens to me they will be the ones responsible for it.

My family-in-law are aware of my HIV status, but they accept my children and they know that the property is their father’s, and one day it will become theirs. They say that they will give the property to the children once they become adults. All they don’t want is me but they accept the children. They recently rented me a field to farm sorghum for the children. But the situation is not yet resolved.

Key factors facilitating success or challenges:

Claudine says, “Being HIV+ discouraged me to go and tell my problem to the local leaders and seek their help. All I wanted was to survive and take care of my children using my little means.”

Other challenges included being poor, not having enough money, and not being strong physically. For Claudine, her challenges also included not having a job or land to do farming for her family. She faced discrimination from her family’s side, saying “they didn’t want me to go there or come to me, to make sure that I won’t infect them with HIV. I’m still trying to see if that mind-set can change, I can now go and talk to my mother but before she couldn’t accept this, she would see me coming and run inside the house and close the doors so I can’t enter inside.”

In terms of the help she received, Claudine says, “The local leaders and neighbours used to give advice to my family-in-law and kept an eye on them to ensure they won’t be aggressive with me. They are the ones who helped me to build the house I’m living in now. The property where I was living with my late husband is for my children now and I don’t want to put them in trouble by going to the court, because I’m afraid of my family-in-law. Once they are adults, the property will go to my children. I’m planning to put all the families together, discuss with them the issue, and if nothing is done, I will see with the ombudsman officer in my village which steps to follow. I have already discussed the issue with him, and I told him that I need time to discuss first with the family and see what will happen after.”

Recommendations for the way forward:

Claudine would like to see sustainable funding for beneficiaries, for example to pay her children’s school fees as one of them wants to leave school because he thinks he won’t get fees to continue his studies once he finishes primary school. For Réseau des Femmes, she is asking them to help make her house a little bigger, because it is too small for her family. Claudine feels that there is a need for actors to help poor people because there are many. Poor people have no money to pay lawyers, so she feels that actors to help them in paying for this are necessary. Further, there should be actors involved in fighting against violence against women and in taking measures where violence has occurred.
Name: Rusaro

“Kugereka ibuye ku rindi ntabwo ari ukubaka”

“Laying a stone on top of the other is not constructing.”

<table>
<thead>
<tr>
<th>Background Details:</th>
<th>Location: Gatsata Sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rusaro is a member of “Ibyiringiro” cooperative whose members are both HIV+ and HIV-. They do farming, weaving and small businesses</td>
<td>Age: 49</td>
</tr>
<tr>
<td>Marital Status: Widow</td>
<td>Living situation: Rusaro lives in a residential area, renting a house which has 1 bedroom and 1 sitting room.</td>
</tr>
<tr>
<td>Children: 2 children of her own, 6 adopted. All girls.</td>
<td>Employment: She is educated and self-employed, by weaving bags and selling them in Gatsata.</td>
</tr>
<tr>
<td>HIV Status: HIV+ and 1 adopted child is HIV+ but others are HIV-. Her children know about her status and support and assist her.</td>
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</table>

### Story of success or failure in claiming rights to inheritance and property

Rusaro’s story:

“Claiming my property is in progress but so far has been successful. The case is between my brother and me. We have the same father but different mothers. His mother died after showing the authorities both shared parts, hers and the part for the other wife. My immediate brother died in 2004 and the wife followed after, that’s when my step brother took over all properties. I took him to court because he was misusing the property. My stepbrother said that he doesn’t know me at the court hearing and that our fathers might be two different people who share the same name. I presented the case after being trained by Réseau des Femmes and HAGURUKA. During land registration is when the problem arose. The land registrars told me that I was the one authorized to register the land in my name. But now I can’t use the land until after the case. The court case is scheduled for 15/05/2013.

### Key factors facilitating success or challenges

Rusaro explains, “Since I don’t live where the land is, when I go to solve those problems I need transport money and I can’t leave my children. Sometimes I am required to go for a week. Sometimes I use the local police to solve the problem. For example, I reported him when he sold the forest but he did not attend to the police call.

When I am reporting to local authorities, the case takes a long time to be finalized. The head of the cell is the one in charge of the finalization of cases; sometimes they find mistakes and have to start over again. The land registrar at the local level and even higher levels know my case and have helped a lot and gotten involved in solving this situation. Since I don’t live where the land is, the head of the cell/umudugudu always calls me when a problem arises, for example when my stepbrother sold the land, the police got involved and tried to stop him.”
Recommendations for the way forward

In terms of the way forward, Rusaro feels that “There should be more training for women, especially on their rights to property. There should be more organisations that provide ARV because if they stop I can’t personally afford ARVs. The law should be made clear and be well understood and should be followed accordingly. Project owners should be more involved and approach the women and even give them that law on property so that they can be aware of it. Organizations should come closer to the women and children and help them solve their property problems and help them in their court cases.

Name: Nyirabananira Regine

“Intore ijabo riduhe ijambo”

“We can express ourselves proudly due to our activities.”

Background Details:
Regina is a member of a cooperative where they make baskets and sell them.

Location: Gatsata Sector
Age: 50

Marital Status: Regina is a widow from her first marriage and separated from another union, in which she was not legally married. The man from the second union is the father of 2 of her children (born in 1991 and 1994).
Living situation: Regina lives with her 4 children (29, 27, 23 and 19 years old). They all stay at school and come home during holidays.

Children: 4

Employment: Regina is not employed but makes money through selling baskets with the cooperative.

HIV Status: HIV+. Regina was raped during genocide, and became infected with HIV/AIDS. She has had training from Réseau des Femmes and has accepted her status, as they have been told that HIV is like a neighbour that you have to live with. She received free medication from the government, but as a widow, she does not have enough means to get food.

Story of success or failure in claiming rights to inheritance and property:
Regina lived with a man after becoming a widow and he wanted to have rights to her property, but they were not married. It was her property and she managed to keep it and not give a part to this man.

The problem started when this second husband started to be aggressive. He is the father of two of Regina’s children and was beating her. She told the problem to FARG and they helped her to get medicine one time he had beaten her and broken her leg. She then reported the case to the police, they put him in jail. He paid a fine and was released and went to live in Kimisagara.

Regina says, “Then after that he started to harass me, saying that I kicked him out, and he was even using my sister who
doesn’t live in Kigali, corrupting her to give testimony against me. I came to the sector office and they told him that he
has no rights to my property. The new executive officer called me and I didn’t go because there was no point for me to go
and claim about my property while he has no rights to it at all. Then the executive officer came to my home with him. I
knew that he gave the officer some money. He wanted one of the houses, because we were living in one and were
renting two houses. They said that he has to get a big one, because he has nowhere to live. As I have had trainings with
Réseau des Femmes, I told the problem to the ombudsmen. I showed them all the papers that prove that my children are
the owners of the houses and have the rights to them as the property was their father’s (my first husband). They sent me
to the court and I won the case.

Key factors facilitating success or challenges

The main challenges that Regine faced included abuse, physical and emotional and not having support from local
leaders. Her second husband was put in jail and released, despite that he was known to be dangerous. She says that
being HIV+ discouraged her to go to her family in Gitarama to claim about her property and not having enough money
and being poor were also key challenges.

Regine received assistance from the Umudugudu chief, the Ombudsman, the local court, and HAGURUKA, an NGO that
focuses on women’s and children’s rights. She also had trainings that helped her to know how to proceed to claim her
rights from Réseau des Femmes.

Recommendations for the way forward:

In her own case, Regine is concerned by the issue of students in high schools who don’t get government scholarships,
as for her it is difficult to pay university fees.

Moving forward, Regine would like to see more training about women’s rights and support for access to finance, as she
says that women have the capacity to work but have no funds. Advocacy on this is needed, and women need funding to
do small business in order to be self-reliant.

Regine is thankful for access to medication that she required. She adds, “Réseau des Femmes is doing its best to
provide trainings and advocacy to women, I thank them for what they are doing for us.”

<table>
<thead>
<tr>
<th>Name: Girimpuhwe</th>
<th>Success/Failure</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Nta muntu wambabarira mu maso.”</td>
<td></td>
</tr>
<tr>
<td>“I can’t see anyone suffering and do nothing.”</td>
<td></td>
</tr>
</tbody>
</table>

Background Details:

<table>
<thead>
<tr>
<th>Age: 37</th>
<th>Location: Remera Sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marital Status: Married</td>
<td>Living situation: Girimpuhwe lives in a 3 bedroom brick house, with a separate kitchen outside. She and her husband own the house.</td>
</tr>
<tr>
<td>Children: 5 own+ 2 adopted. Girimpuhwe adopted three children, two of them were HIV + and one died at the</td>
<td>Employment: Girimpuhwe is self-employed and a community health worker.</td>
</tr>
</tbody>
</table>
age of 20. Two are still living with her. The one who is HIV + was born in 1998 and he is taking ARVs.

HIV Status: HIV -, but one of the adopted children is HIV+

Girimpuhwe tries to always have something to eat at home and provides transportation fees to the HIV+ child to go to school, because he can’t walk properly. The child is in primary school and also has problems with his eyes. Girimpuhwe tries to provide counselling to him. She can see that sometimes the community is against what she is doing, saying that she is wasting her time to take care of a child who is HIV+ and who she knows is subject to die soon.

As a community health worker and with the trainings from Réseau des Femmes she knows she is doing the right thing by taking care of that child. The child is sometimes depressed, as he has other issues like not knowing his mother, who used to work with Girimpuhwe. Since his mother died, Girimpuhwe has taken care of him and the husband accepted and supported that decision.

Story of success or failure in claiming rights to inheritance and property

Girimpuhwe has a negative story in claiming her adopted children’s inheritance. As a community health worker and with the trainings from Réseau des Femmes she knows she is doing the right thing by taking care of that child. The child is sometimes depressed, as he has other issues like not knowing his mother, who used to work with Girimpuhwe. Since his mother died, she took care of the child and her husband accepted and supported that decision.

She says, “No one is supposed to be a victim in regard to inheritance. Réseau des Femmes is giving training to women for them to know their rights. People living with HIV/AIDS also have rights to property. In the case of divorce, if the children are not all living with their parents, they might have no access to medicine. My adopted child who is HIV+, once his father died, the stepmother sold everything and left the village.”

Girimpuhwe says that after this they didn’t find the stepmother and didn’t follow up. The child has a sister and Girimpuhwe wants to follow up to know where she is living. The child’s other step siblings on the mother’s side sold everything and didn’t give him anything and they don’t communicate at all. The child doesn’t know his family members. When they got trainings from Réseau des Femmes in 2012 Girimpuhwe realized that they have to follow up about the property. This has helped to address other issues in the neighbourhood. The situation is not yet resolved. Girimpuhwe faces a problem of transport and accommodation to organize a trip, because she doesn’t have a monthly income. She gets information from the child’s former neighbours living in Kacyiru.

Key factors facilitating success or challenges:

The main challenges are funds for transportation and accommodation to go to claim for the inheritance of her adopted child. She would like someone to help liaise to get information and bring all the sides together, as the child has step siblings on both the mother’s and father’s sides and they live in different places.

She has discussed the issue with Réseau des Femmes and is waiting for steps to follow.

Recommendations for the way forward:

Girimpuhwe says that “women in cooperatives need more visits to know where to go, what to do, and to discuss more with people and share their daily problems.” She believes there need to be more field visits to get enough information on women’s cases and support for access to lawyers for poor people, as they don’t have enough means for transportation or accommodation.

Girimpuhwe recommends more training for local administration leaders as they are the main decision-makers and trainings to concerned women so that they know which steps to follow. She would like to see women in need being supported to have financial means and helped to have access to the market and in her case, access to materials to make woven baskets. For her cooperative, she would like help for them to have an office as they currently rent an office, which is now in a secure place as they were robes in the place they were previously.
## 5.2 Nyanza District

<table>
<thead>
<tr>
<th>Name: Byukusenge Immacule</th>
<th>Success/Failure</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>&quot;Icyo ngamije ni ukwigira&quot;</strong></td>
<td></td>
</tr>
<tr>
<td><strong>&quot;My aim is to be self-reliant&quot;</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Background Details</strong></td>
<td>Location: Busoro Sector</td>
</tr>
<tr>
<td>Immacule is a member of ‘Izere’ and ‘Amaboko’ cooperatives. They do vegetable farming and weaving of baskets. The members are both the HIV+ and HIV-</td>
<td>Age: 43</td>
</tr>
<tr>
<td>Marital Status: Married but her husband is in prison</td>
<td>Living situation: Immacule lives with her children in her own small wooden house with iron sheet roofing. It has one bedroom and one sitting room.</td>
</tr>
<tr>
<td>Children: 5 children, 4 boys and 1 girl</td>
<td>Employment: Immacule has 8 years education and is a farmer in Munyinya.</td>
</tr>
<tr>
<td>All children are HIV-</td>
<td>HIV Status: HIV+</td>
</tr>
<tr>
<td>Story of success or failure in claiming rights to inheritance and property</td>
<td></td>
</tr>
<tr>
<td>Immacule’s story:</td>
<td></td>
</tr>
<tr>
<td>“The situation started 4 years ago after my husband got jailed. I now live on my husband’s land but I am not legally married to him. He previously had a legal wife but they separated. The former wife wants to take our small land saying she has a right to it since she was the legal wife. The former wife came and said that we need to share the land where I live now. I talked to my husband in prison about it and he said he will tell us how to solve it. But the former wife refused to talk to him. She has approached the authorities saying that we need to share the land with her, and they summoned me. We are now waiting to see how the problem will be solved.</td>
<td></td>
</tr>
<tr>
<td>The former wife and my husband are not legally divorced and she says that if she wants she can remove us from the land. She and my husband used to live on the same land, but after their separation I came and even built my own house as the previous one was damaged. My case is complicated because I’m not legally married and my husband’s previous wife is the one who has the right to property.”</td>
<td></td>
</tr>
<tr>
<td>Key factors facilitating success or challenges</td>
<td></td>
</tr>
<tr>
<td>Immacule went constantly to the authorities when her husband’s previous wife took her to court. This required money and because of the time she spent there, she stopped farming and there was no food at home.</td>
<td></td>
</tr>
<tr>
<td>She says “since I am not legally married they might take my land. No one has helped me except Clotilde from Réseau des Femmes, to whom I have talked about my problem.”</td>
<td></td>
</tr>
</tbody>
</table>
Recommendations for the way forward

Immacule would like someone to assist her to claim her children’s rights to their property. She says, “We need permanent advisors close to us to advise on the laws and rights to property. The local authorities need to be close to us and be involved in our cases. Even if I am not legally married, they should help the children claim their rights.”

She wants the project to support children through their education and for Réseau des Femmes to continue empowering women in cooperatives until they are all at the same level as some women are still at a low level when it comes to being self-sustaining.

Name: Mukafumba Bernadetta

“Buri muntu agomba gukurikirana uburenganzira bwe”

“Every person should claim their rights.”

Background Details

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<tbody>
<tr>
<td><strong>She is a member of “Abishyize Hamwe” cooperative that farms cassava, maize and soya. The majority of the members are HIV-</strong></td>
<td><strong>Location: Cyabakamyi Sector</strong></td>
</tr>
<tr>
<td><strong>Marital Status: widowed</strong></td>
<td><strong>Living situation: Bernadetta lives in her husband’s house with her daughter and another orphaned girl. Her boys ran away and she doesn’t know where they are.</strong></td>
</tr>
<tr>
<td><strong>Children: 4 children, 3 boys, 1 girl, all HIV-</strong></td>
<td><strong>Employment: She is a farmer of sweet potatoes, beans and cassava, in Cyabakamyi.</strong></td>
</tr>
<tr>
<td><strong>HIV Status: HIV+ since 2004, her husband was HIV+</strong></td>
<td><strong>Age: 58 years of age</strong></td>
</tr>
</tbody>
</table>

Story of success or failure in claiming rights to inheritance and property

Bernadetta’s story:

My property situation is a failure case. My husband had another wife with 3 children, but was illegally married. I am now living in my husband’s house and farm. I am the one paying for the properties he destroyed during the war as we were legally married. He had destroyed properties during the war; some say he burnt their properties and destroyed them. I am the one who was legally married so they come to me to pay for all he destroyed. Since I was there during the war, I had to pay like others, but I only had land, so it was taken. My property has been taken as reimbursement for the destruction my husband did during the war. My son tried to get some land back by borrowing money and buying it back. He has built a house there, but now they might take the remaining land if someone else says that my husband destroyed their property. My situation will never be resolved.

Key factors facilitating success or challenges

Bernadetta says, “The local authorities are the ones bringing people who are claiming for reimbursement for their properties as they present their cases to the umudugudu. I have been worrying as people have come requesting
reimbursement for things I didn’t know about, as at that time he was with the other wife.

I have received no support and I am in this situation alone and there is nothing I can do about it. If a case comes up where someone wants reimbursement, I let them take it.”

**Recommendations for the way forward:**

Bernadetta needs support to pay for the damage her husband did. Because she was raising her children alone, she didn’t have the means to pay for the damage, so the land was taken. She wants the authorities to support her and not allow continuous taking of the property. The government should support women and help to reduce their worries about property. The cooperative was promised financial support, but it is not yet received.

She wishes for Réseau des Femmes to continue doing advocacy for the cooperative with other organisations and to help their children to continue in school.

— Mukagatambira Savelina

**“Twavuye kure ariko turashaka kujya mbere.”**

**“We came from far but we want to go forward.”**

---

**Background Details**

Savelina is a member of “Abahuje Murinja” cooperative, whose aim is to save money so that they can buy mutuelle. All but 2 members are HIV+.

Marital Status: Widowed

Location: Kigoma Sector

Living situation: Savelina lives in a bricked house close to the swamp. She lives with her children in a 1 bedroom house with 1 sitting room and a kitchen outside.

Children: 3 children, all boys. All the children HIV-.

Employment: Savelina has an education level of up to P6. She is a farmer but sometimes she works temporarily as a sales person for someone on market day.

HIV Status: HIV+ since 2002 when she got tested

Age: 35 years old

**Story of success or failure in claiming rights to inheritance and property**

Savelina’s story:

I was only successful in getting inheritance from my parents, a small farm where I live now. From my husband’s side, I was not successful since his family chased me away and wanted to take the children.

After the death of my husband, his family denied me. They used to live in Tabagwe in Mutara. It is far and I don’t have the transport to go there. The family only wanted to take my children. My husband used to have 2 cows. He came from Uganda and bought some land but since he was a soldier, he used to go away often and when he came back they had
taken his land. He was supposed to follow up on it but he got sick and I also didn’t follow up.

Even my husband didn’t get any property from his father as his stepmother said he was not their son and that he should go back to Uganda. My situation has not been resolved, and the main problem is the transport to go to Mutara.

<table>
<thead>
<tr>
<th>Key factors facilitating success or challenges</th>
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</thead>
<tbody>
<tr>
<td>The key challenge in Savelina’s case is the transport to Mutara to follow up on the inheritance from her husband’s side. The army force (Etat Major) helped her to get her husband’s salary after his death because they were legally married. But no one has helped her in the issue of property.</td>
</tr>
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<table>
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<tr>
<th>Recommendations for the way forward</th>
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</thead>
<tbody>
<tr>
<td>Savelina would like someone to provide support and escort her to Mutara and assist her in claiming her property, so she doesn’t have to do it along.</td>
</tr>
</tbody>
</table>

She wants the authorities to follow up on women’s property rights and to help girls claim their inheritance rights. They should start at the grassroots level and sensitize women on their inheritance rights. Local authorities should receive training on women’s rights and women should receive training on the development status of the country.

Savelina says “I am thankful to Réseau des Femmes for the advice they gave us on how to be self-sustaining. In our cooperative, we are trying to get mutuelle insurance together.”

<table>
<thead>
<tr>
<th>Name: Mukaliyonza</th>
<th>Success/Failure</th>
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<tbody>
<tr>
<td>&quot;Imana izi impamvu, niyo itanga igisubizo.&quot;</td>
<td>“God knows the reason of everything and he is the one to provide answers.”</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Background Details:</th>
<th>Location: Cyabakamyi</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mukaliyonza is a member of ABISHYIZEHAMWE cooperative of women (HIV+ and HIV-). There are about 330 members (the cooperative started in 2012).</td>
<td>Age: 52 years old</td>
</tr>
<tr>
<td>Marital Status: Mukaliyonza is a 1994 Genocide widow from her first marriage. She lived with a man (not married) and they separated in 2000.</td>
<td>Living situation: Mukaliyonza lives with her children and her cousin. One of her children and her cousin go to boarding school and come home during holidays. She stays home with the young child. They have lived in her house since 1998, which she rebuilt after it was destroyed during the genocide. The house has 2 rooms and a sitting room, and there are no neighbours nearby.</td>
</tr>
<tr>
<td>Children: She has two children (24 and 13 years old). She also takes care of her uncle’s daughter that she adopted, as her parents were killed during genocide.</td>
<td>Employment: Mukaliyonza studied up to primary six level and farms cassava and beans.</td>
</tr>
</tbody>
</table>
HIV Status: Mukaliyonza is HIV+ and learned about her status in 2007, when they were mobilizing people to go for testing (VCT). The father of the second child (born in 2007) is HIV+ and that’s how she became infected. Mukaliyonza says, “I’m not depressed about being HIV+ and I don’t disseminate it. I’ve been taking ARVs since 2009 at Gitwe hospital. I used to get sick more often and the health center (Mucubira) where I was going for medical care referred me to Gitwe hospital, where I am now taking ARVs. I have no other means to take special care of myself. I survived alone in my family and I’m occupying my family’s land. This is how I get money to survive, but I go to farm only when I have enough strength.”

Story of success or failure in claiming rights to inheritance and property:

Mukaliyonza’s story is both of success and failure. She has her property and inheritance, but is still in the process of getting houses that were destroyed during the genocide rebuilt. Mukaliyonza’s story:

“In 1994, our house was destroyed. When the Gacaca courts started, they gave me a list of people who participated in the killing of my family members (husband, parents, and siblings) in 2008. I don’t have enough information about what those people owe me so that I can get reimbursed, in terms of rebuilding the houses that were destroyed. Only the house I live in was rebuilt, but by myself. It was my father’s property.”

Mukaliyonza went to see the Executive Secretary of the cell to tell him the situation, but he has not given her information about what everyone should reimburse her. She says that instead, he gives her different appointments, telling her to come back, which she feels is a way for him to discourage her, because he knows she’s HIV+ and can die anytime. Her next step is to see the Executive Secretary of the sector and tell him her situation.

Mukaliyonza says, “The people from my village don’t like me, they are harassing me and one time they killed my goat when I was not at home. The Executive Secretary of the cell is also the president of genocide survivors in our cell and the Gacaca court president but he is the one who doesn’t want to give me enough information about what those people owe me.”

Key factors facilitating success or challenges:

Mukaliyonza was the only member of her family that survived and had rights to her family’s property. Her concern now is to get the houses rebuilt. She says that being HIV+ is one of the challenges she has faced, because she is sometimes weak and that “people don’t respect me, they think I can die any time.” She says that the Executive Secretary of the cell did not put her on the list of people whose houses need to be rebuilt, adding “I don’t know why he acts like that, and I have no one to help me with this.”

Recommendations for the way forward:

Mukaliyonza says that none of the people she told her problem to tried to solve it, not the Umudugudu chief, Cell chief, the counsellor and that she wants to claim her right to know the people who destroyed her family’s houses owe her. She says, “I have no idea of what to do next, and with time I’m becoming weak. I need help me to build my house, because it is too small for me and my children. I’m not happy where I’m living, because everyone needs to move forward.”

For her, the most important actions to be taken are the respect of rights, and prevention of violence against women. She needs someone to help her children in their studies and to follow up on her case. She feels that people who leave the country and come should have rights to their property, or at least rights to part of it.
**Background Details:**

Cesarie is a member of TWITEZIMBERE, a cooperative of poor people and people living with HIV/AIDS who raise pigs, ABENIMPUHWE, a group of people living with HIV in Busoro who making soaps, do sewing, make traditional fabric and do cassava farming, and Réseau des Femmes, women grouping together for savings and credits.

- **Location:** Busoro Sector
- **Age:** 51 years old
- **Living situation:** One of Cesarie’s children is married. She lives with the four others (one of them goes to boarding school), her mother and her grandchild.
- **Employment:** Cesarie studied up to Primary 6 level. She has no job but she has a farm and does some farming when she feels strong, to get money.
- **HIV Status:** Cesarie became HIV+ after being raped during the genocide. She learned about her HIV status in 1998, as she was sick with different diseases and she went to Nyanza Hospital to take the exam, where she found out she was infected by HIV. Cesarie says:

  "I didn’t accept it, and after few months, I went back to see if it was true, and got same results. I knew I got it from being raped during the genocide because one of the people who raped me also died of HIV/AIDS. I was depressed. In 1999 when I went to church, they advertised about an association that helps people living with HIV and I joined that association. They gave us counseling and we formed a cooperative at the health center. I’m among the first people living with HIV to give testimony.

  I’ve been taking ARVs since 2006. I started taking them at AVEGA (Association des Veuves du Genocide Agahozo-Association of Genocide Widows, Agahozo) in Kigali. In 2010 I was transferred to take ARVs in Nyanza and since 2012, I’ve been taking them at Busoro health center. They are given for free.

  I take care of myself by following the advice I’m given by nurses, not having sexual intercourse, not drinking, and taking care of my personal and environmental hygiene.”

**Story of success or failure in claiming rights to inheritance and property**

Cesarie’s story:

“My dad died in 2012 and had given me my inheritance. He had two wives and he gave everyone his or her part. My
mother was the wife from the legal marriage and my uncle told me to come and claim for my inheritance so that when my father died, my step mother wouldn’t appropriate herself the property.

I started to claim for my rights in 2008. I’m the only one who survived among my siblings and my mother was living in Uganda, but she came back a year ago and now lives with me.

My father wrote to me to come for my inheritance and when I went, he said that he didn’t write that, and that he would not give me my part, unless I bring my mother back. My uncle insisted that I have to get my inheritance and I told the local leaders and the neighbours. Still my father refused, saying that he gave me part of the land in 2006. This was true but it was not my real inheritance as it was too small. He ended up understanding that he had to give me my inheritance, and he did so.

There are no issues involved in my husband’s family property because my children got the property and have already sold it. I had no challenges in claiming for my rights, as the Umudugudu chief, my uncle and the neighbours assisted me.

Being HIV+ is a barrier because sometimes I was weak and would think it’s the end. But HIV is like a neighbour, when you have a bad neighbour you end up becoming used to him/her. Genocide and rape, these are also barriers, because that’s how I ended up like this. Nothing could have changed in claiming my rights if I was not infected by HIV because every child has rights on their inheritance and property.

<table>
<thead>
<tr>
<th>Key factors facilitating success or challenges</th>
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<tbody>
<tr>
<td>Cesarie says that “before, girls had no rights to the property or inheritance, but with Réseau des Femmes’ trainings, I knew my rights about my family and my family in law’s properties.”</td>
</tr>
</tbody>
</table>

She feels that the trainings on claiming rights have helped women to know where to go. She would talk to many people to get advice on what I should do. Her niece is now married and is using Cesarie’s property, and can either sell it or keep using it for farming.

<table>
<thead>
<tr>
<th>Recommendations for the way forward:</th>
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<tbody>
<tr>
<td>According to Cesarie, Réseau des Femmes should give more advice to people living with HIV and tell them ways to follow for their rights. They should have discussions to understand the problems faced by people living with HIV, and to help them know where to go and what to do.</td>
</tr>
</tbody>
</table>

Cesarie feels that leaders should help people to solve problems about property and that every child has rights to his/her inheritance, no matter the gender.

She says, “Réseau des Femmes is always on our side, they give us advice on our HIV status and in our activities. They should do more home visits, and visit our activities to know how we live, what we do, and to encourage women in cooperatives.”

Cesarie thanks NSP+ for helping her and the cooperatives and giving them funds to buy land and animals in the cooperatives. She says that they need more funds to improve their activities, and that they plan to start fish husbandry.
**Background Details:**

> Uwantege Therese is a member of a cooperative ABISHYZEHAMWE-KARAMA, with about 331 members who are HIV+ and HIV-. They farm maize and cassava. She is the president of a cooperative of people living with HIV. They mobilize the community to go for testing to know their HIV status.

**Location:** Cyabakamyi sector.

**Age:** 42 years old

**Living situation:** Since her separation, she has been living with her parents and her siblings. She has a separate small house where she lives with her children.

**Marital Status:** Uwantege Therese is separated from a union (not legally married) since 1998.

**Employment:** Uwantege Therese studied up to Primary six level. She is a farmer and has a farm from her parents and she sells the products to get some money.

**Children:** 2 children, 15 and 6 years old. The first child is from the first union and the second from another father (she was never in a union with the father of the second child).

**HIV Status:** Uwantege Therese is HIV+. She learned about her HIV status two years ago. The children are HIV- and she doesn’t know the HIV status of the fathers of her children. She is taking bactrim, but is not yet taking ARVs. She goes to Gitwe Hospital for follow-up to see if she should start taking ARVs.

**Story of success or failure in claiming rights to inheritance and property:**

Uwantege Therese was living with her husband, but he left the house. He was working on the grading mill. When he left the house, she went back to her family’s home. She received training from Réseau des Femmes and learned about her rights. She then told her husband that he has to register his child under his property, so that he can have rights on it. Her husband has not done this yet, and he lives in Kigali and does not come to her community, making it difficult for her to follow up with him. The father of her second child has been doing TIGE for the past 2 years. He has said that once he is done with it, he will register the child under his property. She has told her situation to the local leaders.

**Key factors facilitating success or challenges:**

The primary challenges facing Uwantege Therese have been a lack of means to go to Kigali to follow up with the fathers of her children, because they don’t live near where she lives. She also does not have anyone to accompany her in the process. Uwantege Therese told the situation to local leaders and to her children’s fathers’ families. Although her family gave her somewhere to farm, they have not yet given her the inheritance.

**Recommendations for the way forward:**

The way forward for Uwantege Therese is telling her father to give her the inheritance so that in case she dies, her children will have rights to her property, and to follow up with local leaders so that her children get registered in the land.
documents so that they have rights to their fathers’ properties.

She also wishes to ensure that her children go to school to have a better future. Uwantege Therese says that “girls and boys should have same rights and there shouldn’t be gender based violence. Parents should be trained that all children have equal rights.” She would like help to fund her children’s studies, especially to continue when they finish primary school and to have somewhere to live that is more convenient.

Uwantege Therese recommends that “Réseau des Femmes can focus on being near women who are infected with HIV/AIDS, so they don’t get depressed and can mobilize them to not contaminate other people.” She suggests that Réseau des Femmes give more training about HIV to people living with HIV and their families. Local and national administration should train leaders and people so that everyone knows their rights to property, and how to claim for their rights. They should encourage people to go for testing to know their HIV status, so that those who are HIV- do their best to not get infected (particularly through abstinence) and those who are HIV+ do not infect others, and take their medication appropriately.

**Name: Musabemungu Francine**

**“Ntawe uvuma uwo Imana itavumye”**

“Nobody can curse me, if God didn’t do so.”

<table>
<thead>
<tr>
<th>Background Details:</th>
<th>Location: Rwabicuma Sector</th>
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<tbody>
<tr>
<td>Age: 50</td>
<td>Living situation: Francine lives with her children and one adopted child who is HIV+ and a grandchild from one of her children.</td>
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<tbody>
<tr>
<td></td>
<td>1 adopted who is HIV+ (2000)</td>
</tr>
<tr>
<td></td>
<td>1 Grandchild (2010)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>HIV Status: HIV+</th>
<th>Francine learned of her HIV status in 1998. She was raped by people that her ex-husband sent to do so, who harassed her so that she would leave the house. The children are HIV- and she adopted one child who is HIV+. The sector office told her to take the child as he was homeless when his parents died and as he was HIV+, his parents’ families didn't want to take him. He is now 12 years old and she took him 7 years ago. They gave her the child as she was the first person to give testimony in public about her HIV status in Rwabicuma sector. The child is extremely depressed, and is a suicidal case. He’s just recovered from attempted suicide that failed, he was in hospital. Francine takes different measure to promote her health and well-being. These include:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment: Not employed.</td>
<td>Eating properly (making sure she has vegetables, eggs) depending on the money she gains.</td>
</tr>
<tr>
<td>Francine studied arts (a few years after primary school). She is a farmer and has a farm. She sells products from there to get money. She doesn’t work there much, as an HIV+ person, she doesn’t have much energy.</td>
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</table>
• Not having sexual intercourse (to keep her healthy and not infect others).
• Accepting her status and telling other people who are HIV+ to not infect others.

**Story of success or failure in claiming rights to inheritance and property:**

Francine was successful in claiming her rights to her family’s inheritance, but has not been successful in claiming her rights to her ex-husband’s property. She has also not been successful in claiming the rights of her adopted child’s inheritance. Francine’s story:

“I lived in a union with a man for 12 years and he left me and went to live in another union with my sister. He started to send people to harass me, and I have been raped by people he sent whom I don’t know and got infected by HIV/AIDS. When my husband made me leave, I went to live with my family and claimed for my inheritance. This is where I’m living now. He doesn’t help me in anything.

I got trained by Réseau des Femmes about property. They told us where to go to claim for our rights, and that’s how I got my inheritance from my family. It took 2 years. The local administration and neighbours were involved to get the problem solved. They measured the area and because I was the one with problems, they gave me the priority to choose which plot to take. I’m planning to claim for my children’s property from their father as he didn’t fulfil his responsibilities as a father. I also want to claim for my adopted child’s property, but the problem is that he was not registered when he was born. He has two aunts who rejected him.

**Key factors facilitating success or challenges:**

The factors that facilitated Francine’s success included that she was part of CNF and knew where to claim for her rights. Francine also knows how to read, she is literate, and she is confident. She noted that accepting her HIV status and taking medicine appropriately also helped her. Francine also received training from Réseau des Femmes.

**Recommendations for the way forward:**

For Francine, the way forward includes striving for self-reliance, not being afraid to discuss her problems and telling her children to marry legally. She plans to go to court for her children’s rights to their father’s property and notes that with a lawyer this would be easier.

She recommends mobilization on HIV/AIDS and the rights on property and inheritance, funds to help people who meet problems in different situation (studies), counselling to people who face violence or have problems to claim their rights. She feels there is a need to share information with people in charge of human rights and to make people who are infected by HIV meet these people as they will feel free to tell them their situations. She would also like to see more training to local administration leaders for them to solve problems appropriately.

For the Réseau des Femmes Project, Francine would like help to move out of poverty, and to help her children in their studies and in obtaining health insurance. She wants the organization to see how people can be helped by the local administration and she stats that they put people on the lists of indigents who are not eligible and don’t put the ones who are eligible. Francine requests for associations to be empowered, as this is where she asks for money when she has problems to be solved. Réseau des Femmes should conduct more visits to know where women living with HIV/AIDS are living, and where their associations work. They should conduct more trainings and modules, as these will help them to think that they are not along. The organization should also help to bring more partners and engage more actors in this issue.
**Background Details**

<table>
<thead>
<tr>
<th>Name: Mutesi Francoise</th>
<th>Success/Failure</th>
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<tbody>
<tr>
<td>Francoise is an orphan living with HIV+</td>
<td></td>
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<tr>
<td>Marital Status: never married</td>
<td>Location: Rwabicuma Sector</td>
</tr>
<tr>
<td>Children: none</td>
<td>Living situation: Francoise lives with her aunt.</td>
</tr>
<tr>
<td>HIV Status: HIV+ learned about it on 1/12/2011.</td>
<td>Age: Young woman</td>
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**Story of success or failure in claiming rights to inheritance and property**

Francoise had a problem claiming her inheritance rights. She says: “I never knew about my properties, my aunt told me about them and that my parents died. She showed me the properties, farm and houses. My uncle (big brother to my father) had taken the properties. I went to report to the Umudugudu. They immediately helped me. We solved the problem at the local authority, we never went to court. The executive of the cell went to summon him to solve the property issue after he had refused to come. They told him to leave the house within 15 days. On the farm he had planted cassava and sweet potatoes but the authorities told me to let him harvest. This was in 2012 and the situation took 1 month to be resolved. They only gave me the house but he had sold all the house furniture. He still farms the land, he hasn’t harvested yet. When the cassavas are ready, he plants more. I have just let him do it. I have a small piece of land where I farm. Right now there is someone renting the house.

In my case, I discussed with the person in charge of social affairs about my problem and I also talked to Réseau des Femmes who connected me to local authorities to solve my problem, through which I was successful.”

**Key factors facilitating success or challenges**

Francoise says she didn’t face any challenges because she was supported by the district. She adds, “The Umudugudu chief helped me to get the property but he wasn’t happy with me saying that I have chosen to stay by myself instead of with others. The person in charge of social affairs at the district was the one who really helped me to solve the situation. She also talked to my uncle about giving me my property rights. Réseau des Femmes advised me a lot on property matters and told me that if I didn’t succeed they would get involved and help me.”

**Recommendations for the way forward**

Francine feels that having someone to do follow up and know the problems of women like her is needed. Specifically, she asked for someone to assist her in having a better understanding with her aunt. Francine adds, “She always asks for money whenever I go out, even if sometimes I haven’t gone to work for money.” Francine recommends that organizations like Réseau des Femmes do more to know where the HIV+ and affected are and understand and help solve their problems.
**Name:** Umulisa Marie Louise  

<table>
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<th><strong>Success/Failure</strong></th>
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<tr>
<td><strong>“Tujye duhozanya”</strong></td>
</tr>
<tr>
<td><strong>“We should comfort each other”</strong></td>
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### Background Details

| **Louise is a member of “Twite ku buzima”, “Turwanye ubukene Nyundo” and “Duhumurizanye” cooperatives** |
| **Location:** Busoro Sector |
| **Marital Status:** Widow |
| **Living situation:** Louise lives with her children and 3 more from her brothers, the house is in a small centre, with 3 bedrooms and a sitting room. The kitchen is outside but has been damaged. |
| **Children:** 5, 1 boy, 4 girls |
| **Employment:** Not employed |
| **HIV Status:** HIV+, but children are HIV- |
| **Age:** 49 |

### Story of success or failure in claiming rights to inheritance and property

Louise’s Story: “I was successful; I got my property (land and farms) from my husband’s family in March 2013. Even from my parents’ side I got my share. I talked to my older sister and surviving brothers and we decided to share among us 4 as we were the only remaining members of my family.

My husband and I used to do business. We had bought our land. Someone advised me to go to my in-laws for my part of the inheritance which could help my children. But they chased me away asking why they should provide for the grandchildren when their son is not alive.

After Réseau des Femmes trained us on women’s rights to property, I got motivated and wanted to start the case again to get my property. Réseau des Femmes explained all parts of the law and even the District Mayor confirmed all of the laws that Réseau des Femmes had trained me on.

The authorities immediately approached my in-laws and through the ombudsman I got my property back. However, we are still isolated as my in-laws don’t consider us a part of the family and on my side all family members have died except my older sister and 2 brothers. We have land of 1.5Ha, which are coffee plantations. After the trainings, I discovered some other land my husband had bought that I didn’t know about which I also claimed.

### Key factors facilitating success or challenges

A main challenge for Louise is paying back loans. She says, “I started getting credit from banks that now I can’t pay. If I had gotten my property back on time I wouldn’t have taken a bank credit. The procedure to get my property back from my in-laws was lengthy and sometimes the authorities were not available on time.”

In terms of support, she adds, “Réseau des Femmes opened my eyes and all my success would not have been possible if I hadn’t received the advice I got from them, especially from Clothilde. The Umudugudu leaders also helped me, and took the case to the ombudsmen who solved it. The law in Rwanda on property inheritance that I was trained on made it possible for my success.”
**Recommendations for the way forward**

Louise says that women should be trained constantly on their property rights and recommends activities to connect women to help them improve their lives.

In her case, she says that some of the cooperative activities require a certain amount in a bank account, which is high. She would like advocacy and support to reduce the interest rate for women’s cooperatives.

She also says that she hopes Réseau des Femmes will continue their activities.

<table>
<thead>
<tr>
<th>Name: Dusangire Ubuzima</th>
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“Icyangombwa nugushima, ibirimo irahari.”

“The most important thing is to be thankful, because God is always there.”

**Background Details:**

Dusangire Ubuzima is part of ABAHUJE cooperative, of people living with HIV (men and women). There are 22 members that do credit and savings and plan to buy a grading mill. They are also looking for land to farm cassava.

<table>
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<tr>
<th>Location: Kigoma sector</th>
<th>Age: 42 years old</th>
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Marital Status: Dusangire Ubuzima is a widow since 2007.

Living situation: Dusangire Ubuzima lives with 2 of her children (one is married). She lives in the same house that she used to live in with her husband. It has 3 rooms and a sitting room.

Children: She has 3 children (21, 14 and 7 years old).

Employment: Dusangire Ubuzima has a farm and she works in it, and sells product from it (cassava). She studied up to second year of high school.

HIV Status: Dusangire Ubuzima is HIV+ and her husband was HIV+ as well. She learned about her HIV status in 2004. She explains, “Busoro health center organized VCT in our cell and I went alone without my husband. They took my exams and told me that I’m HIV+. I told this to my husband and he did take it seriously. I was depressed, and started to get sick in 2005. That’s when they put me on ARVs in Ruhango. In 2007, I was transferred to Busoro Health center (when the ARV service started there). I had become courageous, giving testimony about my case and encouraging other people to for testing. My husband was not OK with that and we started to have problems at home.

By 2005, I had stopped having sexual intercourse with him, but the health center told me to continue to live with him in peace and continue to encourage him to go for testing. In 2006 I got pregnant and had my child (the last born) and he was HIV-. In 2006, my husband started to get sick, and he died few days later, without even starting ARVs. I have no more problems about living with HIV; I take it as my neighbour. I take medicines appropriately, rest enough, eat appropriately and I’m always happy, even though it’s not easy all the time.
I live with my children and they are the ones who help me when I'm sick. People with the same problem help me as well. My sister-in-law helped me when my husband died, by providing milk for the young child because he was still a baby. Now I live on my own.

Story of success or failure in claiming rights to inheritance and property

Dusangire Ubuzima is an orphan and has one brother. After the genocide, they rented their family’s property so that he could have somewhere to stay and her brother appropriated the land for himself. Dusangireubuzima went in court in 2008 and in 2009 won the case. Her brother had a lawyer, and although she had someone to give testimony on her behalf, he was afraid because of the status of her brother.

Dusangire Ubuzima brought the case to the ombudsman in Kigali in November 2011 and is waiting for her case to be resolved. Currently, her brother is occupying the family’s land by himself. She used to go to the ombudsman to follow up on the case but doesn’t have enough money to go there regularly. She says that normally when the case is to be solved, the ombudsman team comes to the field to share the solution.

Key factors facilitating success or challenges:

For Dusangire Ubuzima the key factors influencing the failure of her case include that her brother was a soldier and has power in the cell, and no one gives importance her case. She doesn’t have enough money to follow up or pay a lawyer, or enough knowledge about the law herself. She says, “Sometimes I don’t have enough strength, I am physically weak and I have to postpone my appointments.”

The Umudugudu chef and local court were involved in trying to resolve her case, which is now at the Office of the Ombudsman. She has support from her brother, but no one else wants to be involved.

Dusangire Ubuzima feels that today there is a level of understanding that living with HIV /AIDS is not an obstacle in doing anything.

Recommendations for the way forward:

Dusangire Ubuzima feels that the court should solve the problem appropriately, but that corruption is always involved. She says, “I don’t know what steps to take if my problem is not resolved. I start to lose courage to follow-up.”

She believes that the administration at the highest level should know the problems that women are facing in the communities and give them advice accordingly, and that every woman should be confident and know her rights. Women who face violence should know where to claim for their rights.

Dusangire Ubuzima suggests that Réseau des Femmes could teach women how to work and do small business. She would like to see more field visits so that the organization knows where the women live and the kind of life they lead. More advocacy is needed for people who don’t have rights to their property or inheritance, and the cost of court cases should be reduced for poor people. She would like to see investigations carried out on each case and to have the problems solved in the courts and in the community. She believes that more training on rights is needed.

In her own case, Dusangire Ubuzima wants Réseau Des Femmes to help her to claim for her rights. She also says that her brother was not supposed to live with her, and instead he should get his own home.
VI. Analysis of Case Studies

6.1 Case study characteristics

For this study, a total of 20 women were interviewed; half documented cases of success, while the other half documented cases of failure. The interviews were split evenly between Gasabo and Nyanza districts of Rwanda. In Gasabo, three women were interviewed in Remera, 2 in Gatsata, 2 in Nduba, and 3 in Gikomero. In Nyanza, 3 women were interviewed in Busoro, 2 in Kigoma, 3 in Cyabakamy and 2 in Rwabicuma. The 20 women interviewed were identified by Réseau Des Femmes through their participation in partner cooperatives, and ranged in age from 29 to 58, with the exception of one young adult. Of the 20 participants, 18 were living with HIV, while two were HIV negative but affected. Of the women interviewed, 11 were widows from both legal and non-legal marriages, 3 were married, 3 were in non-legal marriages, 2 were separated, and one was never married. Of the twenty women, four reported histories of sexual violence. 16 of the women raised cases related to marital property, and 9 raises cases related to their family property (5 raised both kinds of cases). 8 of the women interviewed reported receiving some form of training.

6.2 Key findings and main themes

The vast majority of the women interviewed accepted their situation in terms of being HIV positive. Many of them embraced the attitude that HIV is like an unpleasant neighbor that one is forced to live with; although the situation is not ideal, it is something that can be effectively managed. Nearly all of the women who required ARVs were able to access them. Because of free access to ARVs, the HIV positive women interviewed are able to take care of themselves and maintain their health. While HIV is still a very serious health issue, as long as free access to ARVs continues, the women see the physical effects as mostly manageable. Most of the women interviewed were involved in cooperatives and therefore have some degree of support, making it easier to access medication. Dusangireubuzima had a positive outlook concerning her health and HIV positive status: “I have no more problems about living with HIV. I take it as my neighbor. I take medicines appropriately, rest enough, eat appropriately, and I’m always happy, even though it’s not easy all of the time.” Although HIV/AIDS is potentially manageable, particularly with good access to medication, it remains a serious health issue and should continue to be addressed as such.

Unfortunately, the effects of HIV/AIDS extend far beyond the physical. HIV continues to have extensive social implications, and so issues of discrimination and stigma remain a highly prevalent challenge among those living with HIV. Some of the women mentioned directly the stigma and discrimination they faced in their communities because of their HIV positive status. For example, Mukaliyonza, the only member of her family to survive the genocide, explained that “people don’t respect me, they think I can die at any time,” while another woman, Claudine, stated “They [her family] don’t want me to go there...to make sure that I won’t infect them with HIV. I’m still trying to see if that mindset can change; I can now go and talk to my mother, but before she couldn’t accept this, and she would see me coming and run in inside the house and close the doors so I can’t enter inside.” Not surprisingly, being surrounded by such attitudes can make it significantly more difficult for women to successfully be able to pursue positive relationships within their families and communities, as well as pursue opportunities that may help their situations. Sadly, such discrimination is not confined to family and community relationships and is often institutionalized. For example, people living with HIV are often denied loans by banks, even though HIV status is not an accurate or acceptable indicator of credit worthiness. Additionally, disability and other factors can increase
vulnerability. Taken together, these factors perpetuate cycles of poverty and increase the difficulty for women living with HIV to address issues such as property and inheritance rights.

Compounding the issues discussed above are still-prevalent socio-cultural barriers, most significant of which is the persistence of patriarchal attitudes. The women interviewed – especially those who were unsuccessful in claiming their rights – reported attitudes among community and family members that continue to favour men. Several of the women also referred to their husbands as “umutware,” meaning chief, leader, or king. This is especially problematic in the context of property and inheritance rights, because although men and women have equal rights to property in marriage and inheriting from their families, the legal framework was not always used to resolve the women’s property and inheritance issues, resulting in men’s rights to property and inheritance being given priority.

Lack of knowledge about inheritance and property laws and the high cost of hiring legal assistance were both significant issues mentioned by a number of women. Unsurprisingly, nearly all the women who reported successful experiences in claiming their rights also reported a greater degree of knowledge of the legal framework. In contrast, the women who were unsuccessful did not report familiarity with the law or where to get assistance. Legal assistance for these women would be highly beneficial to assist them in claiming their rights, but in nearly all instances, the cost of legal assistance was too expensive. Instead, disputes about inheritance are often resolved customarily, as opposed to following the established legal framework. Louise, for example, was successfully able to establish a court case in Kacyiru, but the case has become stalled because she did not have sufficient knowledge of the law or the ability to pay for a lawyer.

Poverty was also of significant concern for nearly all of the women interviewed. Poverty and HIV are closely linked, and for the women interviewed, dealing with issues of property and inheritance became substantially more difficult when accessing food or paying for school fees are already a challenge. For example, a common problem for the women interviewed was the lack of money for transport to necessary legal appointments or to follow up on their case. Addressing the poverty challenges faced by these women is essential, and activities carried out by income generating cooperatives or other programmes are extremely important to facilitate women’s ability to claim their rights. In fact, many of the women interviewed mentioned the important role that participation in cooperatives provided, especially in terms of becoming involved with income generating activities and developing increased self-reliance. Still, the general lack of funds available to the women interviewed translated to a lack of time to follow up on addressing cases of property inheritance. This is because the women were not able to take time away from work or other income generating activities, as a loss of income would be too great of a financial burden. Given the poverty situation of the women interviewed, accessing their rights to property and inheritance is also important for improving their living situation, meaning that poverty and the ability to claim rights are intertwined.

Legal marriage was the most prominent issue raised in the cases where women interviewed were unsuccessful in claiming their rights. Four of these women faced difficulty realizing their inheritance rights because they were not legally married to their husbands. In the case of Akarabo, her husband did not want to regularize the marriage because of her HIV status. The lack of clarity around rights to property and inheritance in the case of cohabitation was a serious barrier for these women, and in some cases, provided challenges when they wanted to ensure that their children would be able to claim their own rights to family property or inheritance, particularly as they were concerned about the children being orphaned if their health deteriorated. Non-legal marriage and unmarried cohabitation are criminal offences in Rwanda,
according to the GBV Law. However, children resulting from these marriages are entitled to the same inheritance rights as children from legal marriages, provided that their father has recognized them with the District. This leaves a serious challenge for women living with HIV and AIDS in non-legal marriages whose spouses refuse to regularize the marriage or to recognize their rights to property and inheritance and the rights of their children.

Violence was also experienced by the women interviewed. Four of the 20 women interviewed four reported experiencing some form of violence, with three reporting sexual violence. Two of the women interviewed were raped during the genocide, and one woman was raped by men sent by her ex-husband to force her to leave the property. Another woman’s ex-husband attempted to kill her. Some of the women interviewed reported experiencing verbal and psychological violence, particularly when they were in disputes with family members. As violence was not a specific question in this study, and given that violence against women largely goes unreported, the actual experience of violence is likely much higher. Vulnerable women, particularly those living with HIV, are at increased risk of violence, particularly given the discrimination and stigma they already face because of their HIV status. Interventions to support women living with or affected by HIV should also focus on prevention and protection from sexual and gender-based violence (GBV) and ensure that survivors of violence have access to support services, including access to justice.

Overall, half of the women interviewed, and particularly those in Nyanza, described the activities of Réseau des Femmes as very effective and as having a positive influence on their lives. The activities, including trainings, advocacy, and accompaniment, enabled women not only to successfully claim their rights, but to learn to take appropriate care of themselves, particularly following an HIV positive diagnosis. The activities of Réseau des Femmes, specifically in Nyanza, are a best practice, and should be scaled up reach a greater number of women across the country.

Key Findings:

- Most women accepted their HIV status and are focused on taking medication and maintaining their health
- Women face discrimination from family members and neighbours because of their HIV status
- Nearly all women face challenges with poverty, including lack of money to pay for legal assistance, transport to follow up on their cases
- Women also noted the community attitudes of men as owners of property and those with power
- Legal marriage was the most commonly mentioned problem in claiming rights
- Women reported experiencing violence, including when they tried to claim their rights

6.3 Factors influencing success

Women who reported positive experiences of claiming their rights to inheritance tended were also more open about discussing their HIV status and the importance of taking care of their health and accessing medication. Ensuring good health and management of HIV is an important first step that must be taken prior to addressing other issues for many of these women. Three of the women specifically stated that if ARVs were no longer available, they would either be unable to afford medication, or most of their resources would go towards these costs. Rusaro, for example, articulates the following concern about continued
Women who had success in claiming their rights were also knowledgeable about inheritance and property laws in Rwanda. The knowledge allowed them to know that they had these rights and acted as a first step allowing them to pursue possible avenues for assistance in claiming their rights. The importance of being familiar with the legal framework is even more important among the women interviewed because in nearly all instances, the cost of hiring a lawyer would be prohibitive. After learning about her rights through a training provided by Réseau Des Femmes, Marie Louise explained that “I got motivated and wanted to start the case again to get my property. Réseau des Femmes explained all parts of the law and even the District Mayor confirmed all of the laws that Réseau des Femmes had trained me on.”

The local administration is often the initial entity to which the women interviewed turn for assistance in addressing issues of property and inheritance. Varying experiences with the local administrations were reported. The majority of women reporting successful cases also reported positive experiences dealing with the local administration. For example, Francoise – a young HIV positive woman who lost her parents stated: “I went to report to the Umudugudu. They immediately helped me. We solved the problem at the local authority; we never went to court.” Clearly, support from the local administration is a powerful tool for helping women realize their property rights. When the local administration is aware of the laws and processes for ensuring access to property and inheritance rights, and provides assistance, there was a greater likelihood of success. Women who were addressing their rights through the Gacaca Courts had a mostly positive experience, as they were provided with assistance and a forum for raising their cases.

Strong family and community support are highly beneficial and extremely important. The women with strong family and community support were much more likely to successfully overcome the discrimination associated with HIV/AIDS and were more able to claim their rights. Involvement in cooperatives, community organizations and associations also facilitated success, as they provide a positive support network, especially when support does not come from the family or community. These types of networks provided support, particularly in terms of income generation. They are also important in the dissemination of relevant information – on property rights, or how to access ARVs – and provide a sense of community and solidarity.

Ten of the women who were aware of their rights and had successfully claimed them, or were in the process of claiming them, had also participated in trainings and other programs through Réseau Des Femmes. Specifically, many of them had been sensitized regarding the issue of legal versus non-legal marriage, and were aware of the differences and legal implications. They expressed their thanks to Réseau des Femmes for their support. One woman, Cesarie, describes her feelings in the following way: “Réseau des Femmes is always on our side; they give us advice on our HIV status and in our activities.” They would like to see more support, through trainings and support to cooperatives, as part of the way forward.

Facilitating Factors:

- Acceptance of HIV positive status and access to medications
- Knowledge of property and inheritance laws and the process to claim them
- Support from the local administration and local courts
• Family and community support
• Participation in cooperatives and associations, which facilitate income generation or provide support for women living with or affected by HIV

6.4 Barriers to claiming rights

Women with little family and community support, or women with weaker support networks in general, tended to be less successful in realizing their rights. Although all the women interviewed were involved in some way in a cooperative, those who had less support from their families and communities tended to have a less positive outlook and experience, and a significantly smaller network to which they could turn for assistance.

Most of the women interviewed did not have the financial means to access formal legal assistance; specifically, the cost of hiring a lawyer is prohibitively high. Poverty and lack of income generation was a significant barrier, as women did not have the funds to pay for transport to follow-up on their cases, and nearly half of the women noted challenges with purchasing nutritious foods and paying school fees for their children. Louise, for example, has a pending court case in Kacyiru, but explained that she cannot afford a lawyer or even the transportation, and cannot leave her job to attend the hearings as her earnings are needed to feed her children. Claiming their property rights would in some cases provide a more stable livelihood, as there would be a stable home in which to live, or land to farm. Without the financial means required to successfully claim these rights, the cycle of poverty for these women will continue. Nearly all of the women interviewed were part of income-generating cooperatives, but did not have sufficient income to cover their daily expenses and afford legal or other assistance. Access to finance is a key barrier in claiming rights, and without claiming those rights, women are more likely to continue living in poverty.

Women who lacked knowledge about inheritance and property laws and the process to claim them were much more likely to be unsuccessful. Even when there was some knowledge of the law itself (for example, that it existed), knowledge of the process and how to access it is essential. Over half of the women interviewed suggested that trainings or explanations on inheritance rights had helped them or would have helped them.

Another key barrier was unsupportive local administration. The assistance and support of local officials was a key factor in facilitating success, and when that assistance was not forthcoming, it also became a key barrier. Unfortunately, there were instances in which the local administration actually deepened the challenges for women in claiming their rights. Beata, for example, who is HIV positive and whose husband died of AIDS, had the following experience: “One of the local leaders of the cell knew about my problem [of realizing her inheritance rights] but went ahead and bought my land from my in-laws.” Another woman, Bernadetta, explained that her problem was perpetuated by the local authorities at the umudugudu who came to take her property due to the actions of her deceased husband during the war. When the local administration did not provide support, women were less likely to have success in claiming their rights. When officials actually intervened to prevent women from claiming their rights, women faced serious barriers and expressed little hope for a positive outcome in their cases.

Not being legally married is a major constraint that faced by women who were unsuccessful. Out of all the women interviewed, five explicitly reported being in or having been in an unrecognized marriage. Out of these five, there was only one successful case, and of the remaining four, three reported that non-legal
marriage being the primary reason for failure. This was one of the most significant barriers for the women interviewed who were claiming their rights to their marital property. The legal framework for equal access to inheritance and property in Rwanda is based on legally recognized marriage, so in the case of cohabitation, these women did not have rights to their spouse’s property or inheritance, especially if it was not registered in their name, which is not legally required because they are not married. This is regardless of how long a couple has lived together or if the woman has made her own financial contribution to the property. If it is not registered, she is afforded no rights.

The women in this situation expressed interest in ensuring that their children from their non-legal marriage be given rights to their father’s property, and were concerned that their spouses would deny the children these rights. If the spouse under whose name the land is registered does not recognize the children from a non-legal marriage, their rights to property and inheritance may also be denied.

The Government of Rwanda has made significant efforts to ensure land registration, including registration in the names of both spouses in the case of legal marriage, and to encourage non-legally married couples to regularize their marriage. However, the number of couples cohabiting without legal marriage is still significant. Moreover, unmarried cohabitation is a criminal offence in Rwanda, creating a disincentive for couples to regularize their non-legal marriages, including due to fear of punishment. In other cases, some spouses may refuse to regularize a non-legal marriage, creating a potentially vulnerable situation for a spouse and any children not recognized in property registration, as they will have no legal rights to that property or inheritance. Therefore, an assessment of the legal framework is required in order to find a solution to address property and inheritance rights that includes, but also goes beyond, the regularization of non-legal marriages.

Barriers:

- Lack of family and community support
- Limited financial means to access legal assistance
- Unsupportive or even harmful interventions by local administration
- Lack of knowledge about inheritance and property laws and processes
- Lack of a legal framework for property and inheritance rights for cohabiting spouses/couples in non-legal marriages

6.5 Challenges and Gaps in the Process

From the interviews, it was apparent that there are gaps in claiming rights along the entire process. Firstly, women were not aware of their rights, and when they became aware, did not know the process to claim them. Those who had support from their local administrations or from community organizations were better able to begin the process and see it through to the end.

Some of the property decisions were made by local authorities, including Umudugudu chiefs, who were in some cases very supportive and in some cases not. In eight of the successful cases, the willingness of the local authorities to intervene was mentioned as a contributing factor. If the case was taken to a local court, there were gaps in access due to financial barriers and a lack of knowledge of the legal process. Some women were not able to get legal assistance, and this hindered their success. Beyond the courts, three of

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the women received support from the Office of the Ombudsman, who helped to resolve the case and one woman’s case is under review. There were often delays in receiving resolutions at the various levels of the process, and nearly half of the women were not able, due to time or funds, to follow up on their cases regularly. Eight women, with both successful and unsuccessful experiences, received support in the form of accompaniment through the legal process from Réseau des Femmes or other local organizations, or from neighbours or family members, when these were supportive.

The ability to access information and the different institutions, either officials, courts or the ombudsman, as well as sufficient finances to follow through on the case were key requirements in facilitating success. The system is still unclear for many women, who are not sure where to begin addressing their cases, or when or with whom to follow up. Those who were successful in claiming their rights reported having more guidance and support throughout the process.

Attitudes favoring men are still highly prevalent in the communities interviewed. In a context where women have little access to legal or other assistance to resolve their property and inheritance cases, this is problematic when the solution resorts to customary law or local solutions that favour men. Because legal assistance and the formal legal system is prohibitively expensive and time consuming, women are more likely independently settle their property disputes or use informal mechanisms, even if these might not offer them the best results. This may also place women in a precarious situation in which they can be taken advantage of if they do have adequate knowledge of their rights.

Gaps and Challenges in the Process:

- Cases are initially brought to local authorities, who can provide assistance or hinder success
- Informal solutions were often preferred, due to time and financial means
- If the case goes to a local court, there are financial barriers and a lack of knowledge of the process
- Some cases were reviewed at the Office of the Ombudsman, who helped to resolve the case.
- There were often delays in receiving resolutions at the various levels of the process
- A lack of time or funds to follow up the case were key challenges
- Support in the form of accompaniment through the legal process was positively received

VII. Lessons learned

While it is important to manage the biological aspects of being HIV positive (i.e. taking medication), addressing issues of discrimination is also necessary. HIV has both physical and social implications. For the women in this study, treatment of HIV was not the most significant problem as access to ARVs was facilitated by public institutions. Rather, the corresponding behavior of family and community members towards HIV positive individuals was the most problematic. Fear and ignorance towards HIV continues to exist, and interventions targeting behavioral change and sensitization about HIV are necessary. As Laetitia articulates, “people living with HIV are people like others, and with medication they live longer, get married, and have children, so they have rights to property.” The lack of serious challenges around accessing medication suggests the importance of free ARVs to ensuring a higher degree of health and well-being for women living with HIV. Concern about a change in policy to require payment for ARVs was raised by the
women interviewed, as many of them struggle to pay for other daily needs, including adequate nutrition and school related costs.

Likewise, poverty remains an underlying issue affecting many aspects of the lives of the women interviewed. One of the underlying reasons behind many of the unsuccessful cases was that issues stemming from a lack of money had to be addressed, thus making it difficult or impossible for issues of inheritance and property rights to be addressed. The lack of funds to follow-up on cases or pay for legal services has an effect on the ability to claim rights, making access to legal assistance and support an important strategy for success.

Local administrations have a significant impact on facilitating or hindering the claiming of rights. Local government is an accessible resource for assistance, and as a result is influential in determining local issues, including property disputes that are not able to be resolved within the family, and was the first entity to which half of the women interviewed turned. This influence can be positive or negative, so local authorities should be targeted to improve their knowledge of the legal framework and process, and to engage them in supporting women living with HIV to claim their property and inheritance rights.

Knowledge of inheritance laws and knowledge of where to seek appropriate assistance were related to successful experiences. This knowledge provides a powerful tool through which women have a much higher chance of successfully realizing their rights. Dissemination of information about the frameworks and processes goes far in supporting women to claim their rights. One of the women who was successful, Francine, stated, “I got trained by Réseau des Femmes about property. They told us where to go to claim for our rights, and that’s how I got my inheritance from my family.” Similarly, Marie Louise reported that “Réseau des Femmes opened my eyes and all my success would not have been possible if I hadn’t received the advice I got from them.” Support in terms of training on rights and advice on how to claim them through the legal process has a significant impact on enabling women to claim their rights, and should be continued and scaled up moving forward.

In nearly all of the unsuccessful cases, difficulty realizing inheritance rights resulted from not being in a legally recognized marriage. This is problematic, as the legal framework for inheritance and property in Rwanda assumes that the couple is married in a legally recognizable way. This is even more problematic in the context of HIV/AIDS, where – as the women interviewed attest to – the ‘husband’ may refuse legal marriage. Other measures, including a review of the policy framework, to ensure that women, and particularly vulnerable women – have access to property and inheritance should be considered moving forward.

Lessons Learned:

- Poverty-related challenges are substantial and need addressing
- Discrimination against women living with or affected by HIV/AIDS within the family or community requires attention
- Legal assistance is not easily accessible and mechanisms for legal support are necessary
- Local administrations have significant influence on success or failure and should be sensitized to provide support
- Education about the legal framework and process has a positive effect and should be continued
- Non-legal marriage is a serious constraint to claiming rights, and measures to address this are required
Cooperatives and associations, as well as Réseau des Femmes have made positive contributions to facilitating women to claim their rights.

VIII. Recommendations

Participants in the study offered many recommendations for the way forward, including for actors at the national and local levels, and for Réseau des Femmes in the implementation of the project. The following are the key recommendations based on the findings.

8.1 National level:

- Access to free ARVs is essential for the physical management of HIV. For most of the women interviewed, the cost of medication would be prohibitively high and would result in many of them ceasing treatment. Advocacy to ensure that free ARV treatment is continued, and to expand access to treatment should be conducted with the key stakeholders.
- More funds should be made available to support women’s cooperatives. The women interviewed were part of income-generating cooperatives and support-focused local agencies, and were thus able to improve their standard of living and deal with discrimination and stigma due to their HIV status. Increased funding for activities related to income generation, training, or to support women in claiming their rights, through providing transport or accompaniment for legal procedures, would have far-reaching effects.
- Continued sensitization for regularization of non-legal marriage is important to address the challenges faced by women cohabiting with their partners in accessing their property and inheritance rights. Research around the legal framework for access to property for non-legally married spouses is necessary, including reviewing the frameworks used in other countries to address this challenge. Advocacy should be carried out towards developing measures to ensure that women, and particularly vulnerable women, in non-legal marriages can access property and inheritance rights.
- Agencies and organizations that provide legal support for individuals claiming property and inheritance rights should be sensitized and encouraged to direct support towards vulnerable women, and partnerships between them and local cooperatives should be developed.

8.2 Local Level:

- Sensitization for communities to address discrimination against people living with HIV/AIDS is needed.
- Sensitization of community leaders and local authorities on women’s rights to property and inheritance, the national legal framework, and the process for claiming rights is needed. Local authorities should be sensitized to provide support, particularly for women living with HIV/AIDS.
- Support for vulnerable families, including for women living with or affected by HIV/AIDS is needed to ensure they have adequate nutrition and support for paying school fees and other daily expenses. Special funds to help pay for legal expenses should be created and made available for those with limited means. Initiatives to support income-generation for vulnerable women should be developed and implemented.
• Local administrations should make a point person available to work in a case management role and assist individuals in claiming their rights. This point person should be well trained on the legal framework and process.

8.3 Réseau Des Femmes

• Moving forward, Réseau des Femmes should increase their site visits to local communities in the two districts and to cooperatives that are supporting women living with HIV/AIDS. The women interviewed indicated that visits were encouraging and helped the organization to better understand the living situation of the women.
• A stronger presence from Réseau des Femmes in the communities interviewed, and particularly in the most rural communities, would be beneficial, and requires increased staff and volunteer support at the community level.
• Individual and group counseling should be made available to Réseau des Femmes beneficiaries, as they are often dealing with deeply challenging personal, family, and economic issues.
• Trainings on property and inheritance and related topics should be continued and scaled up to engage more women and community members.
• Partnerships with organizations that provide legal assistance should be considered in order to connect vulnerable women with legal services. Organizations at the national and local level should be approached to determine potential partnerships.
• Increased involvement of men in trainings and interventions in order to sensitize them on issues of women’s rights.
• Within communities, Réseau des Femmes should identify and provide support to individuals who will receive specialized training to accompany women throughout the legal process, and who can assist women with legal, inheritance, health, and other issues within the community.
• Réseau des Femmes should connect women beneficiaries in each sector so that they can provide peer support to each other and sustain the benefits of the project together.
• Further research should be conducted to include a greater number of participants, as this would provide Réseau des Femmes with valuable information on effective development and implementation of future programs and interventions.
• The Case Study Profile Posters should be developed into a book to be used for advocacy and sensitization.

8.4 Beneficiaries

• Women beneficiaries should continue to follow up on their cases, including by using the appropriate legal framework and avenues, and should seek assistance where required.
• Women beneficiaries should regularize their marriages as possible and where relevant.
• Women living with HIV/AIDS should ensure adequate maintenance of their health and well-being by ensuring good nutrition and following the appropriate medical care.
• Continued and increased participation in income generating cooperatives and support groups is recommended.
IX. References


X. Annex: Interview Guide (English and Kinyarwanda)

**Interview Guide for women living with or affected by HIV and AIDS and success or failure in claiming property and inheritance rights**

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<table>
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| 1. | Name  
   | Izina |
| 2. | Location- District, Sector  
   | Aho Atuye |
| 3. | Age  
   | Imyaka |
| 4. | Children  
   | Abana |
| 5. | Marital Status  
   | Arashatse |
| 6. | Individual HIV/AIDS Status  
   | Uko ahagaze ku bijyanye n’ubwandu bwa SIDA |
| 7. | HIV/AIDS Status of partner/children  
   | Uko uwo bashakanye n’abana bahagaze |
| 8. | What is your experience of living with or being affected by HIV/AIDS?  
   | Ni ubuhe buhanyva bwawe mu kubana n’ubwandu cyangwa kubana n’uwanduye SIDA? |
| 9. | If HIV+, do you take ARVs?  
   | Waba ufata imiti igabanya ubukana bw’agakoko gatera SIDA?  
   | a. If so, where do you get them?  
   | Niba aribyo, uyifata he? |
| 10. | Do you have to pay for them? If not, why not?  
    | Waba uyishyurira? Niba oya kubera iki? |
| 11. | Are you taking other measures to promote your health and well-being?  
    | Hari izindi ngamba ukoresha kugirango ufate neza ubuzima bwawe? |
| 12. | Do you have family, friends or someone else that supports you in taking care of your health?  
    | Ufite umuryango, inshuti cyangwa undi wese ugufasha kwita k’ubuzima bwawe? |
| 13. | Are you employed?  
    | Urakora?  
    | a. If not, how do you make money?  
    | Niba udakora ukurahe amafaranga? |
| 13. | Do you have enough money to pay for housing and food?  
    | Ufite amafaranga ahagije yo kwishyura inzu no kugutunga? |
| 14. | Do you have enough money to pay for school fees and other costs?  
    | Ubona amafaranga ahagije y'ishuri n'ibindi? |
| 15. | Has anyone provided assistance for you to pay for your living expenses?  
    | Hari uwagufashije mu kuriha ibyo ujya ukenera mu buzima? |
| 16. | Has anyone provided assistance for you to access employment?  
    | Hari uwagufashije mu kubona akazi? |
| 17. | In what kind of residence are you currently living?  
    | Ahantu utuye hameze gute? |
| 18. | Do you live with other family members or community members? Which ones?  
    | Ubana n'abagize umuryango cyangwa abandi bantu? Ni bande? |
| 19. | Are you part of a cooperative? If yes, which one (and what do they do)?  
    | Waba uri muri koperative? Niba yego, iyihe? |
| 20. | Are you aware of any cooperatives that support women living with or affected by HIV/AIDS.  
    | Waba uzi koperative zifasha abagore babana n’ubwandu bwa SIDA? |
| 21. | What has been your experience in accessing inheritance or property?  
    | Ni ubuhe buhamy ufite mu bijyanye no guharanira uburenganzira ku mitungo?  
    a. What was the situation, and what happened, in what period?  
    Mu buhe buryo, byagenze gute, mu gihe kingana iki?  
    b. How was the situation resolved?  
    Byakemuwe gute? |
| 22. | What were the key challenges you faced?  
    | Ni izihe mbogamizi mwahuye nazo? |
| 23. | Were there barriers you had to overcome?  
    | Ni izihe nzitizi mwagize? |
| 24. | Do you think your HIV status or experience being affected by HIV/AIDS affected your ability to claim your rights in this situation?  
    | Wumva ko kuba ubana n’ubwandu bwa SIDA byabayeye imbogamizi mu guharanira uburenganzira bwawe ku mitungo?  
    a. If yes, why; if no, why not?  
    Niba aribyo, kubera iki? Niba ataribyo, kubera iki? |
25. Who were the people or institutions that were involved in your situation?  
For example: Land registrar, local court, umudugudu chief, family member, neighbours? Etc  
Ni abahe bantu cyangwa ibigo bagize uruhare mu gukemura ikibazo cyawe? (abashinzwe ubutaka, abanyamategeko, umukuru w’umudugudu, abagize umuryango wawe, abaturanyi, n’abandi?)

26. Did anyone provide support in helping you to access these rights? For example, an  
organization? A legal aid assistant? A local leader?  
Hari uwaba waragufashije mu guharanira uburenganzira bwawe ku mitungo? (ibigo, amanyamtegeko, abayobozi)?

27. What made or would have made it possible for you to claim your rights?  
N’iki cyatumye cyangwa cyari gutuma ugera k’uburenganzira bwawe?

28. What is the next step in claiming your property and inheritance rights?  
N’iki kizakurikira ho mu guharanira uburenganzira bwawe ku mitungo?

29. What changes do you think need to be made in Rwanda/in your community to make it easier  
for women living with or affected by HIV and AIDS to claim their rights?  
Ni izihe mpinduka wumva zakorwa mu Rwanda/ aho utuye kugirango byorohere abagore mu  
kugera ku burenganzira bwabo ku mitungo?

30. Do you have any specific recommendations you would like to make for this project?  
Waba ufite ibyifuzo byihariye kuri uyu mushinga?  
   a. Do you have any specific recommendations for Réseau des Femmes Oeuvrant pour le  
Devéloppement Rural?  
Waba ufite ibyifuzo byihariye ku Rugaga rw’abagore baharanira iterambere ry’icyaro?
   b. Do you have any specific recommendations for any other actor in Rwanda?  
Waba ufite ibyifuzo byihariye ku banda batanyabikorwa mu Rwanda?
   c. Based on your experience, what would be a best practice for Rwanda or other countries?  
Ukurikije ubuhamywa bwawe, n’iki kiza wumva cyakorwa mu Rwanda cyangwa ibindi bihugu  
mu bijyanye n’uburenganzira ku mitungo?

31. Do you have anything to add to your story?  
N’iki wakwongera ku nkuru yawe?

32. Do you have any questions for us?  
Ufite ibibazo ushaka kutubaza?