

UN SPECIAL ENVOY ON AIDS  
Gender, Property Rights and Livelihoods in the Era of AIDS  
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SPEECH

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At the Third World Conference on Women, 1984, Mwalimu Julius Nyerere said:

*“Women in Africa toil all their lives on land. Women in Africa toil all their lives on land that they do not own, to produce what they do not control, and at the end of the marriage, through divorce or death, they can be sent away empty-handed”*

Ladies and Gentlemen, it is a privilege to be here today as one of the special guest speakers on the subject of women’s property and inheritance rights in the context of AIDS.

We are here today because of the intersections of two major issues confronting African countries and African citizens: 1) An AIDS epidemic that is ravaging communities, particularly in Southern Africa; and 2) the serious consequences of gender inequality which denies many women access to economic means and in particular access to land and property on the death of husbands and fathers.

Billions of dollars are spent on poverty reduction, on AIDS, TB, and Malaria, but most of these funds do not focus on empowering women or even on addressing their needs and their realities. Unless we empower women, really empower them by putting resources, building capacities and ensuring legal protection, our efforts to address poverty, nutrition, AIDS will have very limited success."

Evidence alone shows us that a special focus on women is critical:

- We need not look further than the AIDS epidemic update released last week. Although the update showed that the epidemic is leveling off and in some cases declining, it illustrated that nothing has changed for women. Women still account for 60% of all HIV infected adults living in sub-Saharan Africa (UNAIDS 2007).<sup>1</sup>

A recent study conducted in Botswana and Swaziland highlighted the link between poverty and sexual risk taking.<sup>2</sup> It showed that poverty and insufficient food significantly influenced the decision of whether to use condoms among female sex workers; it showed that women with insufficient food had over 80% higher odds of reporting intergenerational sex; it linked insufficient food with a woman's lack of control in their sexual relationships – increasing the odds of selling sex for money or resources.

Moreover, women who are malnourished or under-nourished have heightened risk of HIV infection due to the effects of malnutrition on the immune system.

The dire evidence continues, but underpinning it is the reality that food security and HIV are interlinked. Intervening at the level of food insecurity is not just the right thing to do, it can play an important role in HIV prevention.

Conversely, we cannot talk about HIV prevention without talking about addressing issues of poverty and economic independence for women.

Which leads me to my next point on property grabbing that is a common, culturally embedded practice in my region of the world. There are many stories, indeed too many of stories, of property grabbing from women. But emerging from these stories are inspiring initiatives by women and men, at the community level, coming together to stop property grabbing in their communities. These community heroes have shown us that it is possible to stop property grabbing.

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<sup>1</sup> AIDS Epidemic Update, UNAIDS, December 2007

<sup>2</sup> Sheri D. Weiser et al. (2007): Food insufficiency is associated with high-risk sexual behavior among women in Botswana and Saziland, PLoS Medicine Oct 2007 Vol 4 issue 10 [www.plosmedicine.org](http://www.plosmedicine.org)

Not only at the community level are people addressing property grabbing, but increasingly governments in my region are making good progress in reforming legislation to protect the inheritance rights of women. For instance in Zimbabwe, the Administration of Estates Amendment 1997 aimed at giving women in customary marriage the right to inherit from their husband. In my country Zambia, the intestate Succession Act of 1989 was introduced to end property-grabbing in cases where a deceased spouse has not left a written will. Its amendment in 1996 provides for inheritance rights of multiple wives and it illegalized eviction of surviving spouse from the matrimonial home. In Tanzania, 1999 Land Act declared that women have the same rights as men to acquire, own and deal in land.

But the implementation of these laws has not been easy. Many women, and communities, are not aware of the new laws, or of their rights. In some instances where women do know their rights, the law is often inaccessible to regular citizens. Investments must be made to ensure laws become an actual reality for women and communities.

We need to also talk about the cultural traditions that perpetuate land grabbing. There is strong resistance to women's land and property ownership. There is a fear that this may upset cultural traditions and that for the interest of the family as a whole, it is better if land and property is not registered in the woman's name.

This must stop. Property grabbing from women must end. We need to support the work of community organizations, talk to women, their husbands, their brothers, sisters and parents in law. We need to listen to what they say and work together to find better solutions for this issue.

Tackling the cultural practices and promoting women's economic empowerment and independent rights to land and property can only strengthen families –

additionally it is a mechanism with which we can start to change the direction of the AIDS epidemic.

As the UN Special Envoy on AIDS, women's empowerment is a priority area for me in my capacity as Special Envoy. I will advocate on behalf of women and I will work closely with governments to ensure that legislation is not only reformed to protect women, but that it is also implemented.

I am committed to working towards ensuring that my mothers and sisters and daughters are toiling on land that they own, controlling what they produce, and will never be sent away empty handed.

Thank you.

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Mrs Elizabeth Mataka