

Speech

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8th International Congress on AIDS in Asia and the Pacific

Speech

18 August 2007

**Asia Pacific Court of Women on HIV, Inheritance and
Property Rights**

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I am delighted and honored to be here today, both on behalf of UNAIDS and the Global Coalition on Women and AIDS. Let me start by paying tribute to the eminent members of the jury. To the courageous women who have come from different parts of Asia to give their testimonies, the experts who will share their knowledge on this topic, and my UN family and others who have organized this event.

Let's start by remembering that half of the 12,000 people who get infected with HIV everyday are women. In some countries in Southeast Asia, 40% of those living with HIV are women, but in Papua New Guinea, it is more than 50%. 2 million women in South and Southeast Asia are living with HIV and this phenomena of feminization is global. I was in Eastern Europe recently and 70% of new infections in Ukraine are female.

Many if not most of these women are infected not as a result of their own high-risk behaviour, but because of that of others. The majority are married women, or women with regular partners.

The ability of women to inherit and access property has a direct correlation with their ability to protect themselves from HIV, and to look after themselves and their families if they become infected.

Let me begin with a familiar scenario. A young woman living in a rural area marries and has children; her husband falls ill, diagnosed with HIV; she herself falls ill with HIV soon after; they sell off their assets to pay for health care and treatment; he dies; the rest of their property is retained by her in-laws or she moves elsewhere, leaving

behind the rest of their conjugal property in her matrimonial home. Sometimes she is forced to leave behind her children as well

Here is a woman: she is poor, she is a widow, she is HIV positive. How will she cope with the impact of HIV?

This brings us to one of the core drivers of the AIDS epidemic – and that is the **UNEQUAL STATUS OF WOMEN.**

In many parts of the world, the rights of women to property are, by law, unequal to those of men. Women's rights to own, inherit, manage and dispose of property are written off by customs and laws that privilege men over women, and by leaders who believe that women do not deserve property. The devastating effects of discrimination in property rights – violence, homelessness, poverty, disease – harm women, their children, and a country's overall development. It is imperative that ownership and control over economic assets should be guaranteed for women.

With the support of The Global Coalition on Women and AIDS (GCWA), the International Center for Research for Women (ICRW) reviewed the status of women's property and inheritance rights in the context of the AIDS epidemic in 4 countries in South Asia: India, Nepal, Sri Lanka and Bangladesh.

This study confirmed that women's property and inheritance rights as stipulated by law are inferior to those of men. Even where legislation may guarantee some

equality, land ownership is managed under customary law which had evolved to retain property under the control of men. In another study in India, almost 80% of widows could not retain the property of their late husbands, leaving them and their families destitute and socially isolated. For women living with HIV and for widows, the dispossession can be fatal.

What this study also highlighted is that legislation alone is not enough. We must work directly with women and empower them to exercise their right. Low literacy, ignorance of the law, intimidating legal proceedings, language are real barriers that women must overcome.

When deprived of their legal rights, women are reluctant to use the judicial system to seek redress, because of lack of support from family members, inaccessibility of legal institutions, and ignorance of court procedures. When women do stand a chance to inherit property, they are not aware of legal provisions. When they do go to court, they are subject to harassment, violence and isolation from family members.

A highly positive note is that community organizations in this region are looking at a variety of strategies – from legislative reform to community level resolution to family mediation. And we must support these initiatives.

Today, we will hear testimonies of women, especially women living with HIV, of their experiences. To their stories, we must bring solutions. And as we do so, we must involve women living with HIV in every aspect of this response. We are in that

respect is especially pleased to see that Asia Pacific Network of People living with HIV and AIDS (APN+) has launched its women's chapter "Women's Asia Pacific Network of People Living with HIV/AIDS (WAPN+) in September 2006 in Bangkok. Likewise Philippines has also activated a positive women's network in 2006 "GWHAN- The Girls, Women and HIV and AIDS Network in the Philippines". Similar network in Indonesia "Ikatan Perempuan Positif Indonesia (IPPI)"; and more are emerging in other countries.

At an international conference on Women Leadership and AIDS last month in Nairobi, positive women from around the world stood up and said, and I quote "Nothing about us, without us".

Ladies and Gentlemen, women hold the fabric of our societies together. We cannot afford to fail them. May this day move us forward in ensuring we do not fail them.

Thank you
