



CARE AND CARE-GIVING

CHAPTER 7

The HIV/AIDS pandemic has led to a dramatic increase in female-headed households, surviving on woefully inadequate resources, in which women's capacity to care for the sick and dependent is completely exhausted. Their own care, if they are infected, is neglected. Men are far more likely than women to bring the disease into their families, and so are more often among the first family members to die. Destitution may soon follow, as male incomes have been lost, family resources have been completely expended to care for men, and the women left behind have little independent access to resources. In rural areas, where women are responsible for subsistence farming, their care burdens result in less productive time on the farm, threatening the family's food security, and children are withdrawn from school to provide extra labour. The most pressing, immediate needs become food and money. Payment for drugs cannot even be considered, and the demands on women's time prevent them from accessing the information they need about prevention, treatment and care. This situation is greatly worsened where patrilineal systems of inheritance deprive women and their children of their homes and livelihoods upon a husband's death. As the disease progresses through families, and mothers die, responsibility for the care of orphaned children can fall to grandmothers and young daughters, who have even less ability to shoulder this burden. The pandemic has made it painfully apparent just how false the savings are when a State cuts back on public expenditures for welfare and health care. These costs do not disappear; they fall to women.

"My heart shrank whenever I thought of caring for my grandchildren after the death of their fathers. Their sickness had started encroaching on the savings I had made for my own welfare in old age. It was very painful watching them die. When I was a young girl of 17 getting married, I never dreamed that someday I would see three of my sons die.

My sons left behind 6 orphans, and I am once again a mother to children ranging in age from 8 to 15. Two of my grandchildren were also HIV infected. One has already died, and one is still living at age 8, though she has started to fall sick... I had hopes that my role as grandmother would be to care for my grandchildren occasionally during school holidays, but now I am alone in caring for them. I feel so sad that I have gone back to the beginning and I have to struggle to get resources to ensure that their basic needs are met, such as school fees, medical care, clothing and other needs." – Lucy, Uganda

Source: Desmond Coben, "Poverty and HIV/AIDS in Sub-Saharan Africa", UNDP/SEPED Conference Paper Series #2

RESPONDING WITH CEDAW

Many of the Convention's rights that have already been discussed have an important role to play in lessening the burden placed on women and making it possible for women to care for themselves and their families,

“Care in the parts of the world most beset by HIV/AIDS is a story of women sacrificing their lives to fill the gaps left by governments and the global community by this gender blindness. It is as if a massive natural disaster had erupted decades ago, and while local and international rescue teams were being mobilized to respond, women and girls were pulled from their lives and jobs and classrooms to search for survivors, tend to the wounded, nurse the dying, comfort the bereaved and bury the dead. But the rescue teams were never assembled, and the reinforcements never arrived for the wives and daughters and grandmothers managing the disaster. When sick breadwinners did not get better and help did not arrive, savings were spent and then assets sold. Household budgets were scavenged for a bedpan, a towel, a roll of bandages, a roof for a house now jammed with hungry children, a coffin, a funeral... Today, an impossible five, eight, fifteen years past the first call for reinforcements, the grandmothers have grown frail; first the widows and then the foster mothers have died and left children orphaned for the second time; little girls conscripted into care have grown into adolescents who never did go back to school or learn to read.”

*- Noeleen Heyzer,
Executive Director of UNIFEM*

including those directed at equality in employment and education, access to financial resources, health care and equality in family relations. As well, two areas in which the Convention has particular relevance are the special support required for rural women and the elimination of discrimination in inheritance laws. States parties may need to introduce changes to inheritance systems and take additional steps to provide support to rural women, such as directing rural development programmes towards improving women's access to sustainable livelihoods and providing access to clean water and labour saving devices to increase the time available for care. As well, the State's budgetary decisions and economic policies need to be carefully scrutinized for discriminatory impacts on women.



WHAT THE CONVENTION SAYS

- Article 14 provides that States parties should take into account the **particular problems faced by rural women** and the significant role they play in the economic **survival of their families**, including their work in the non-monetarized sections of the economy.
- Article 14 identifies rights that States parties must specifically ensure to rural women. Among these rights are the right to enjoy **adequate living conditions**, particularly in relation to housing, sanitation, electricity and water supply; and the right to have access to **agricultural credit and loans**.
- In its General Recommendation on women and health, the CEDAW Committee has noted that women's right to health can be fully realized only if women's human right to **nutritional well-being** (by means of a food supply that is safe, nutritious and adapted to local conditions) is also realized. The Committee states that to achieve this end States parties should take steps to facilitate **access to productive resources, especially for rural women**, and otherwise **ensure that the special nutritional needs of all women within their jurisdiction are met**.
- Article 16 requires States parties to take all appropriate measures to eliminate discrimination against women in **all matters relating to marriage and family relations**.
- In its General Recommendation on equality in marriage and family relations, the CEDAW Committee has noted that any **law or custom that grants men a right to a greater share of property** at the end of a marriage or a de facto relationship, or on the death of a relative, is discriminatory and will have a **serious impact on a woman's practical ability to divorce her husband, to support herself or her family and to live in dignity as an independent person**. Among the laws and practices the Committee identified as contravening the Convention are those that automatically result in women receiving a **smaller share of the husband's or father's property at his death** than would widowers or sons, and those **granting women limited or controlled rights** and allow them to receive income only from the deceased's property.