

108TH CONGRESS
1ST SESSION

H. CON. RES. 158

Recognizing the importance of inheritance rights of women in Africa.

IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 2003

Ms. MILLENDER-McDONALD (for herself, Ms. CARSON of Indiana, Ms. LEE, Mr. SNYDER, Mr. PAYNE, Mr. LANTOS, Mr. TOWNS, Ms. KILPATRICK, Mrs. MALONEY, Mr. CONYERS, Ms. CORRINE BROWN of Florida, Mr. KILDEE, Ms. SLAUGHTER, Mrs. JONES of Ohio, Ms. NORTON, Mr. GRIJALVA, Mrs. CAPPS, Mr. McNULTY, Mr. RODRIGUEZ, Mr. McGOVERN, Ms. WATERS, Mr. STARK, Mr. KENNEDY of Rhode Island, Ms. JACKSON-LEE of Texas, Mr. FARR, Mr. McDERMOTT, Mr. CUMMINGS, Mrs. CHRISTENSEN, and Mr. WAXMAN) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Recognizing the importance of inheritance rights of women
in Africa.

Whereas access to and control over land, housing, and property is one of the most critical factors in the overall struggle for women's equality in gender relations and empowerment, as it is essential to women's daily survival, economic security, and physical safety;

Whereas in many regions of the world, and particularly throughout the African continent, land and housing have traditionally been regulated by customary law under

which widowed women do not inherit land and housing but are allowed to remain in the matrimonial home until death or remarriage;

Whereas over the past several decades, this social safety net has eroded drastically, creating a human rights crisis of enormous magnitude;

Whereas, in some cases, religious law also plays a role in restricting women's right to inherit;

Whereas statutory laws in some African countries have superseded customary and religious laws restricting women's right to inherit, but nonetheless have had minimal impact on actual practice;

Whereas the denial of inheritance rights to women devastates the lives of millions of women who become completely destitute upon the death of their husbands, when the family of the deceased husband often takes immediate possession of the land, housing, and property;

Whereas the result is not only extreme poverty for individual women and their dependents, but a profound, negative impact on the social and economic development of countries in Africa;

Whereas the HIV/AIDS pandemic has resulted in the exponential growth in the number of young widows, orphaned girls, and grandmothers becoming heads of households and has led to the urgent need for secure inheritance rights for women;

Whereas this phenomenon has been exacerbated by the horrific conflicts that have gripped many African countries in recent years, in the aftermath of which there is usually an increase in female-headed households; and

Whereas the denial of inheritance rights also results in violence against women, both at the time when they are forcibly dispossessed and after they become homeless: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
 2 *concurring)*, That it is the sense of Congress that—

3 (1) greater attention should be paid to the
 4 strong relationship between the denial of inheritance
 5 rights to women and its negative impact on economic
 6 development, particularly in Africa;

7 (2) when considering responses to the HIV/
 8 AIDS epidemic, programs that focus sharply on ensuring
 9 secure inheritance rights to widows and orphans of HIV/AIDS
 10 should be carefully considered;

11 (3) ensuring secure inheritance rights for
 12 women should be included in strategies addressing
 13 the issue of violence against women;

14 (4) in post-conflict and reconstruction situations,
 15 the rights of widows and other female heads of households
 16 to inherit land and property should be included in the priorities
 17 of reconstruction;

18 (5) the Secretary of State should examine the
 19 issue of women's inheritance rights in Africa in the annual
 20 human rights report of the Department of State;
 21 State;

1 (6) the United States Agency for International
2 Development should consider conducting a study of
3 African countries in order to document and establish
4 the effect of the denial of women's inheritance rights
5 on economic development of those countries; and

6 (7) the Annual Day of Action on Women's In-
7 heritance Rights, initiated in 1999 by the Inter-
8 national Human Rights Law Group and imple-
9 mented over the past three years by nongovern-
10 mental organizations throughout many countries in
11 Africa, should be acknowledged and supported.

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