To Have and to Hold: Women's Property and Inheritance Rights in the Context of HIV/AIDS in Sub-Sahara

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As the AIDS epidemic continues to ravage communities across the developing world, households affected by HIV/AIDS face difficult choices as their limited resources are increasingly diverted to the costs of care and treatment. This paper seeks to examine the link between HIV/AIDS and women's property rights - if women's lack of rights increases household poverty and women's own vulnerability to infection, and if securing these rights can mitigate the impoverishing impact of the epidemic. The first section of this report explores the relationship between HIV/AIDS and women's property and inheritance rights, and how women may be better able to prevent infection or mitigate its consequences if these rights are protected. The second section discusses the ways that women can obtain access to and control over property and how these rights are often denied in practice, and then provides several country examples. The third section explains de jure and de facto rights to ownership and inheritance and discusses how to bridge the gap when the two differ. The fourth section highlights some "best practices" in efforts to ensure women's property and inheritance rights. The report concludes with lessons learned and suggested next steps.

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