

THE GUARDIAN

Human rights lawyer **Allan Achesa Maleche** has a heart for widows and orphans. **Olive Kalekye Burrows** finds out more.



Allan Maleche is programmes coordinator with Kenya Legal and Ethical Issues Network on HIV & Aids (KELIN). The NGO essentially helps people – mainly widows and orphans – whose rights have been abused.

“One way we help is through litigation,” Allan says. “In Ukwala, for instance, we obtained a life imprisonment conviction in a case where a 13-year-old girl who’d lost her parents to Aids was defiled by a 70-year-old man. We’ve fought discrimination in the workplace by going to court to defend a waitress who was sacked because she was HIV positive. With support from the Open Society Foundation and UNAIDS- Kenya, we’ve challenged the arrest of TB patients who were not given clear instruction on their treatment.”

Allan is strongly opposed to the arrest and imprisonment of TB patients who default on their treatment, arguing, “It makes no sense to accuse them of endangering the public only to have them thrown in with the prison’s general population. Public health officials should first establish why the scheduled clinic visits were not honoured and see how to strengthen community initiatives such as TB Buddies.”

A case that

brought him to tears is that of 70-year-old Josephine.

“Josephine had lost four sons and six daughters-in-law to Aids in three years and was left caring for 14 grandchildren aged between 3 to 17, all of them sleeping in a single room structure. Her house had burned down, destroying all their documents, so without birth certificates her grandchildren couldn’t be enrolled in school. Some NGOs even refused her food because they didn’t believe her story.”

But KELIN did.

“When the matter was brought to our attention, KELIN, together with WOFAK (Women Fighting AIDS in Kenya) and Action Aid International Kenya, built them a house, got the children birth certificates so they could go to school, and got Josephine a national identity card.”

Besides litigation, KELIN uses traditional dispute resolution mechanisms such as arbitration by elders to advocate for the rights of women. In this way the NGO has managed to settle over 60 cases of disinherited widows and orphans in a matter of months instead of the years it would have taken in a court of law.

“We also lobby for change in policy by organising forums where those affected by HIV/Aids can communicate problems directly to the relevant authorities,” he says. “Josephine spoke at one such forum and now orphaned children do not need to present their parents’ death certificates to be awarded birth certificates. If the death certificates are unobtainable, a letter from the chief, school head or administrator of the children’s home is enough.”

Allan is also proud of the fact that his team has played a leading role in building houses for 10 needy women in Homabay and Kisumu County. However, in order to help another 30 women who qualify for houses, KELIN needs funds.

To find out more about KELIN’s work and how you can support it, visit

www.kelinkenya.org ■