

TRINITY PROJECT TRUST



JUSTICE AND EQUALITY FOR THE VULNERABLE....

REGISTERED TRUST CF 121/2008

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‘When I think of a child the first thing that comes to my mind are child rights. Why am I saying this? I am saying it because a child brings a light to a home and a home builds a strong individual who is eager to love and embrace all the greatest opportunities that life has to offer’.

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MONTHLY ONLINE NEWSLETTER: JULY-AUGUST 2012

VISION

AN EMPOWERED COMMUNITY, FREE FROM PROPERTY GRABBING, HIV AND AIDS, THAT RESPECTS CHILD AND WOMEN RIGHTS.

MISSION STATEMENT

TO PROMOTE THE DEVELOPMENT OF COMMUNITIES ON ISSUES OF INHERITANCE, CHILD RIGHTS, EDUCATION AND TRAINING, HIV AND AIDS MITIGATION AND PREVENTION.

MEMBERSHIP

MEMBERSHIP IS OPEN TO: All individuals and organizations that have interest in children and vulnerable members of the society and is voluntary

Justice and Equality for the vulnerable: Consultation and Advice on Birth & Death registration. Inheritance & property rights, Guardianship, Wills, Marriage and Law.

MONTHLY ONLINE- NEWSLETTER (JULY-AUGUST 2012)

DEAR READERS.....

WELCOME TO THE 7th Edition of our newsletter.

We meet again and we are hoping that you enjoyed our last month newsletter. The Trinity Project Trust team is hoping that you will enjoy this one again. Our wish is that you continue to do so as we progress with our work, we wish that through reading these newsletters you get informed and be aware of the issues that affect each and every one of us so that we change the naïve way of viewing the world, this will ensure that our lives change positively for the better. We hope that this will go a long way in keeping you updated on our plans.

The Trinity team gives credit for your effort especially in supporting us as an organization, never give up as this newsletter is changing people's lives every day and you never know it might touch you and cause a great change in your own personal life. If you have a story to share or contributions to make please get in touch with us so that together we change our lives.

Yours sincerely

Precious Ncube (Editor)

Justice and Equality for the Vulnerable: Consultation and Advice on Birth & Death Registration. Inheritance & Property Rights, Guardianship, Wills Marriage and Law.

Trinity Project Trust MONTHLY ONLINE- NEWSLETTER (JULY-AUGUST 2012)

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Contents

- 1. Types of marriages and their implications in our everyday lives and how these marriages affect the future of our children.
- 2. A precious gift named a child: Working with parents in respecting the rights of children.

Feature Stories.....

- 1. Impact of migration on Birth Registration.
- 2. When Lobola becomes ransom.
- 3. A plea for devolution of power in a bid to lessen our problems as citizens of Zimbabwe.

Success Stories.....

- We can do it for you, like we did for Betty.

Types of marriages, their implications in our everyday lives and how these marriages affect the future of our children.

First of all marriage is a union between two people who love each other. These two then agree to live each other as one. This can be achieved by the two when they consent to marriage. Marriage then comes in four different ways which can be the Registered customary under Customary Marriages Act Chapter 5:07, civil marriage under Marriage Act Chapter 5:11, the Unregistered customary marriage and the last one being cohabitation which in the real sense is not a marriage at all that is with regards to the general law of Zimbabwe. These marriages will determine an individual's security and above all their future in the event of misfortunes, the greatest one being death or divorce. Marriage results in children and these children should not suffer because of the choices of their parents. They are the future of tomorrow and being the future they need to benefit from the sweat of their parents. In saying this, I mean that whatever property owned or left by their parents is rightfully theirs to benefit from. It is always wise to make informed decisions when choosing the marriage you are to be involved in as it is a life time commitment. When making this decision, one should first think about the future of

their children as they are likely to survive their parents.

The Registered customary marriage entails that Lobola is paid to the bride's family, thus the families of the couple are in agreement and act as one body. This marriage is registered in the magistrate court and the couple is provided with a marriage certificate as a proof of union, however the man is allowed to marry more than one wife and that is when problems will start to arise. The Civil marriage is a one man one wife union, like the registered customary marriage the marriage certificate is issued which brings to surface the connotation of the two becoming one though their property is owned individually unless if they do it in community of property. The unregistered customary marriage is the only one that is done in traditionally aspects and is not registered in court, this marriage to a greater extent is not ideal in the sense that it is not protected by the law and when problems arise they become difficult to resolve. Cohabitation is when two people decide to live together as man and wife. Lobola in this aspect is not paid and sometimes their families are not aware of the union.

The registered marriages to a greater extent protect the rights of the surviving spouse and the children in the event of death with regards to inheritance. Cohabitation and the unregistered customary marriage usually lead to cases of property grabbing and at the end it is

the children who suffer in terms of lack of education due to lack of birth certificates and parental death certificates. It is important to register your marriage to avoid problems in the near future.

A PRECIOUS GIFT NAMED A CHILD: Working with parents in respecting the rights of the children.

When I think of a child the first thing that comes to my mind are child rights. Why am I saying this? I am saying it because a child brings a light to a home and a home builds a strong individual who is eager to love and embrace all the greatest opportunities that life has to offer. When I see a child I see a better tomorrow established from a child's innocence to embrace and to nurture that innocence their rights need to be realized and practiced. These rights include the right to education, right to health, the right to identity, the right to a safe environment and to be protected from any form of abuse. As the Trinity Project Trust team we uphold the children's rights in the aspect of child registration in terms of identity as it is stated in Article 7 of the United Nations Convention that "a child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and as far as possible the right to know and be cared for by his/her parents".

The birth certificate is the backbone of the life of a child because a child without it cannot claim his /her legal and birth rights for example education, national identity cards, passports, formal employment, health, legal protection and his /her children will not be able to attain birth-certificates. In a way it is like a virus which spreads from one generation to the other. The death certificate of a parent also forms a part of the backbone in such a way that it is the only proof of orphan hood and in the absence of it a child cannot access developmental assistance meant for orphans. My encouragement to you parents is to love your children and respect their rights. Think of them first before everything else and remember tomorrow you will not be there to protect them from the harsh societal injustices.



TRINITY IN ACTION

FEATURE STORIES

IMPACT OF MIGRATION ON BIRTH REGISTRATION.(Written by: SUKOLUHLE NCUBE)

It is so sad that some children do not have birth certificates; this is not because they want but their parents are at fault. Most of these parents are reluctant to get the necessary documents since the birth of their children. It then leads to problems in the near future for the child especially if they are not registered from birth and within the six weeks of their young life. This is because circumstances beyond their control may arise for instance death of the parents of the child. In other instances the parents may migrate to some countries due to the economic decline for example in Zimbabwe.

Migration has negatively affected the children because they are left without birth certificates while their parents are in search for greener pastures, the reason being that some parents do not take up their responsibility or become concerned about the future of their own children. You will note that some women do not bother to register at the hospitals for delivery and therefore they fail to get the birth confirmation record that is necessary for registration, after giving birth there are some who do not go to hospitals for check up. On the other hand some women take too long to go for registration till they lose

the birth confirmation record thus creating problems for the child.

If parents leave their children behind without solving the above mentioned problems the custodian taking care of the child will face challenges in acquiring the necessary documents. It is not easy for custodians to undertake all the responsibilities which must have been done by someone. Such is the challenge to many grandparents who are usually assigned to take care of the children while their parents are leaving for South Africa. In some circumstances the parents may take long to return home and solve these problems for example having to seek another birth confirmation record from the respective hospital where the child was born.

The other problem faced by grandparents in registering the children left to them is that these parents would take their national identity cards with them to another country. The person responsible for the child therefore will face difficulties in registering the child and accessing his/her birth certificate. Migration within Zimbabwe can also be a problem for those who will migrate from one destination to another without registering. If a child has to be registered it has to be registered it has to be done in the district where he/she was born. This implies that there have to be expenses to cater for transport to travel from current location to register the child in the place of their birth.

Migration has a negative impact on child registration this is why it is necessary to register the child as early as possible. I urge you to do this in order to avoid unpleasanties with regards to child registration which to a greater extent hinder the attainment of child rights.

WHEN LOBOLA BECOMES RANSOM (Story by Muzi. L. Ncube)

They say when two elephants fight; it is the grass that suffers. This saying befits the wrangle between Gogo Masiya and Mr. Thembelani Ngulube of Old Magwegwe. Gogo Masiya's daughter Gugulethu passed on in 2005 just a few days after giving birth to Bandile. Before she died, her suitor Thembelani failed to pay Lobola even the so called "damage". However he did not deny paternity but for reasons known to him he did not bother paying anything since he is a financially stable man.

After the death of Gugulethu, Thembelani and his family demanded custody of little Bandile. Gogo Masiya's family denied him and requested he pays something to the family. That was the onset of the seemingly perpetual feud between the two families. Now Bandile (12) is now caught in between the two families and is being used as pawn. Gogo Masiya's family is determined to make the Ngulube family pay. This then is my story; if this grieving family is still trying to fill the rode left by

their daughter then the question is what happens to Bandile? What are the results of acting in accordance to culture or of being unreasonable? Both families are not prepared to put aside their issues for the sake of poor Bandile who is set to write his grade seven (7) exams this year without a birth-certificate.

The Ngulube family cannot get access to Gugulethu's birth certificate and maternal witnesses. All of this becomes a puzzle as Bandile's fate is now dependent on his father paying Lobola for him to appease Gogo Masiya's family and make them happy enough to stand as witnesses during the process of birth registration. The child's right to identity is being violated by the two families as they are so wrapped up in making each other pay. This is a mistake done by many families who view Lobola so highly and let greed and grief cloud their judgment. At the end of it all little Bandile is stuck in a rut. Only organizations such as Trinity Project Trust can intervene and save the life of this powerless soul.



SENSITIZING SCHOOL CHILDREN

A PLEA FOR DEVOLUTION OF POWER IN A BID TO LESSEN OUR PROBLEMS AS CITIZENS OF ZIMBABWE. (Written by Kwakhiwe Ndlovu)

On the 21st of July I had the pleasure of being among those who attended the Devolution conference held in Bulawayo at the large city hall. In this article I will therefore share with you the implications of devolution with regards to accessing the national documents.

Having had first hand information of people's problems in the community regarding registering for documents I was convinced that devolution as an administrative model is effective in addressing most of these ills. Typical of the problems the communities face in Zimbabwe is the case I stumbled upon in Nketa. Sihle Mpofo born in 1963 fails to renew her passport with the urgency it deserves because she is not a holder of the current A4 sized birth certificate.

In the height of the economic crisis when the hunt in foreign lands was at the peak Sihle was no exception but had a duty to fend for her family. However she was suddenly short changed when her passport expired and the registration offices requested for the current standard birth certificate to renew it. Sihle was then advised to apply for the standard birth certificate which she complied. However

the birth certificate is still a pipe dream for her up to date. She has constantly cursed the Bulawayo Registration office for delaying the processing of her birth certificate. Some people with similar situations have confirmed going to Harare and their documents being processed without delays.

As I listened to various stakeholders pre-empt the concept of devolution, I realized that blaming the Bulawayo Registration offices for work not up to standard is missing the target rather the people should point at the system that is responsible for exerting too much pressure on the central registration offices in Harare resulting in delays in processing of the aforesaid documents. Devolution as proposed in the draft constitution proposes that provincial governments will be given power to work within its own jurisdiction without the need to extend the process of accessing documents to the central government in Harare.

Albeit the proposal of devolution which seems to be a panacea to a lot of ailments in Zimbabwe at large people still have the duty to follow the dictates of the current constitution towards the enjoyment of their rights to education, health facilities and movement to mention but a few.



SUCCESS STORIES.

WE CAN DO IT FOR YOU LIKE WE DID FOR BETTY (Story by Joice Half)

Beauty was customarily married in 1985 and had three boys with her husband Thomas who then passed away in 2005. Before Thomas died his relatives were fond of Beauty but that changed the moment he died. During the course of Thomas' funeral Beauty surrendered all the money she received from her burial society to his relatives but they did not share it with her or the children, instead soon after the burial they sent her back to Bulawayo together with her children.

Thomas' relatives stalled to go with Beauty to the home affairs department to get a death-certificate because Thomas' aunt went behind her back to get a death certificate and stated that Thomas' was not married at the time of his death. For 6years Beauty tried to change the contents of the death certificate but in vain because the magistrates were changing all the time or a file would go missing in court. All these events made Beauty give up.

One day Mr. P. Mpofu the Programmes Manager of Trinity Project Trust went to Lobengula to conduct an educational and awareness programme that is when Beauty met Mr. Mpofu and decided to use their services. When she heard about what

she had to do, she gave up because could not afford to cater for all that was needed. This year Trinity Project Trust conducted a door to door follow up and spoke to her convincing her to try again and she agreed.

Beauty even went to Harare to process everything needed for her to get a death certificate but finally she managed to get it. She is now one happy mother and now she advises other women to have 'hope as she was once like that and that Trinity Project Trust has really helped her. She said " May the Lord bless you and your organization to succeed because of what you have done for me and may you continue to help others."



TRINITY IN ACTION



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