

**Harare Declaration on the Prevention of Violence  
Against SADC Women and Children**  
International Women's Day  
8 March 1998

We, the members of the SADC Women's Parliamentary Network and other parliamentarians of the Southern African Development Community, participating in the international conference in Harare on 6-8 March 1998:

**SADC Parliamentary Action on Gender Equality and Personal Security**

**A. Noting that:**

1. Member States undertook in 1992 in the SADC Treaty and Protocol (Article 6(2)) not to discriminate against any person on the grounds of gender, among others;
2. All SADC Member States have signed and ratified or acceded to the United Nations Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), or are in the final stages of doing so;

**B. Recognising that:**

1. The issue of personal security is essential to the general achievement of gender equality as put forth in the Beijing Declaration of September 1995 and to the aims of the *Windhoek Agenda on Gender Equality* of 8 March 1997;
2. The SADC Heads of State or Government signed the *SADC Declaration on Gender and Development* in September 1997, committing their countries, among others, to, 'Taking urgent measures to prevent and deal with the increasing levels of violence against women and children';

**C. Referring to international instruments:**

1. The Universal Declaration of Human Rights, Article 3, 'Everyone has the right to life, liberty and security of person';
2. The International Covenant on Civil and Political Right, Article 2, in which all of the provisions of the Covenant are applicable without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, '(a) To ensure that any person whose rights or freedom as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity';
3. The Convention on the Rights of the Child, Article 19.1, 'States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child';
4. The Convention on the Rights of the Child, Article 19.2, 'Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment, and follow-up instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement';

5. Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights in June 1993, Chapter II.B.3.38, ‘...stresses the importance of working towards the elimination of violence against women in public and private life, the elimination of all forms of sexual harassment, exploitation and trafficking in women, the elimination of gender bias in the administration of justice and the eradication of any conflicts which may arise between the rights of women and the harmful effects of certain traditional or customary practices, cultural prejudices and religious extremism’;

6. The African Charter on Human and Peoples’ Rights;

7. the UN Convention on the Prevention and Punishment of the Crime of Genocide of 1948; the Mangochi Declaration adopted in Malawi on 25 April 1996; and other relevant international Conventions;

#### **D. Concerned that:**

Despite the myriad international, regional and national legislation to protect women and children from violence, and to provide effective legal remedies when it occurs, the incidence of violence to both women and children appears to increase, not decline;

**We therefore commit ourselves**, as parliamentarians in service to our constituents and communities, to taking measures which will eliminate the persisting sense of entitlement on the part of spouses, parents and others to perpetrate violence against women and children of both genders. The **general objectives** to be obtained are:

1. to change social and cultural patterns of conduct based on the inferiority/superiority of one gender with respect to the other;
2. to establish the recognition of common responsibility of men and women for the protection, upbringing and development of their children;
3. to involve men in all walks of life in taking stronger stands against violence and for initiatives to foster and promote gender equality;
4. to recognise the role of the state as an actor in the eradication of violence against women and the promotion of women’s economic empowerment.

**We undertake to achieve** these general objectives by ensuring, among others, that the following legislative and protective measures are in place and will be effectively implemented and monitored:

#### 1. Legislative protection measures:

- a. making any form of violence against women an offense, even when committed in a ‘private place’ (e.g. the home);
- b. taking an explicitly tougher stand against the impunity of violence to a partner;
- c. penalising threats to a person’s life and health, including potential HIV transmission via marital and other rape, including incest;

- d. extending the scope of the penal provision on rape to acts committed between spouses and partners, and prescribing minimum sentences and compulsory rehabilitation for offenders;
- e. providing for restraining order protection to women and children from visits by violent husbands, partners and relatives;
- f. providing prompt, professional and humane assistance to victims of violence;
- g. establishing or improving the legal status of victims of sexual and violent (both physical and psychological) offenses; self-defence should be considered a mitigating factor in cases of victim retaliation;
- h. providing to victims trial counsel paid out of government funds, including assistance with the pre-trial investigation;
- i. establishing or reforming family and inheritance legislation to achieve gender equality;
- j. establishing procedures and structures to facilitate the reporting of violence, intimidation and sexual harassment/discrimination in the work place to create an environment conducive to reporting such incidents; and
- k. criminalising the trafficking in women and children for commercial purposes.

## 2. Services to victims and survivors of violence:

- a. develop and provide treatment methods for both victims and perpetrators, including trauma counselling to victims;
- b. initiate the provision of information, consultation, family planning and sex education;
- c. provide emergency services for victims of violent crime, including the provision of emergency shelters and specialised medical treatment;
- d. provide for the rehabilitation of children who have been subjected to violence;
- e. provide appropriate training to police and other public servants to implement practices that uphold the dignity of victims;
- f. provide easily accessible legal advice to victims, such as 'legal clinics';
- g. develop training programmes for paralegal personnel to staff 'legal clinics'; and
- h. publish and distribute a guide to the legal protection, self-defence, coping skills and emergency services appropriate to victims of violence.

### **We further wish to express:**

1. our commitment to engage in public information and awareness-raising campaigns, including, but not limited to, participation in rallies on 25 November, International Day Against Gender Violence,

2. our commitment to influence national budgets to ensure that state resources are allocated to achieve the implementation of this Declaration,
3. our commitment to the extension of all human rights to women, and to demilitarisation, in view of the particular impact of armed conflict on women and children,
4. our commitment to monitor and evaluate the implementation of this Declaration, including its translation into local languages and distribution in all countries,

**A vote of thanks:**

- X we wish to express our appreciation to the Parliament of Zimbabwe for hosting this conference; and
- X appreciation to AWEPA and the UNDP for their efforts, and hope to count on their continued cooperation in implementing this Declaration.

NB: The definition of 'violence' in the context of this Declaration includes psychological as well as physical abuse.