

## Appendix 3 Kampala Declaration on Bride Price

### THE KAMPALA DECLARATION ON BRIDE PRICE

Within the context of Coalition and Action to Safeguard women and children in the home

In the Closing Plenary, 18 February 2004

At the International Conference on Bride Price, held at Makerere University, Kampala UGANDA.

Organised by



The Mifumi Project

With the co-operation of



Deutsche Gesellschaft für  
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GTZ – The German Technical Co-operation

With the financial contribution of



*Dedicated to Kulsum Wakabi and to the “Unknown Woman” herein described for their contribution to womanhood in their quest to secure freedom and happiness.*

## **The Kampala Declaration on Bride Price**

**WE**, the participants to the International Conference on bride price here assembled for consultation on the reform or abolishment of bride price, representing International and non-governmental organisations and grass-roots activists on the invitation of the MIFUMI Project, a Women's Rights agency, organised within the broader context of eradicating violence against women and girls, supported by GTZ – the German Technical Co-operation:

Uphold these truths to be self evident, that all people are born equal, that they are endowed with certain inalienable Rights, that among these are life, liberty and the pursuit of Happiness. That to secure these rights, like governments are instituted among people, deriving their just powers from the consent of the governed.

Observing that culture is not static and that whenever any form of culture becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and institute new laws, laying its foundation on such principles and organizing its powers in such form, as to them shall seem more likely to effect their Safety and Happiness.

Recognising that Prudence, indeed will dictate that cultures long established should not be changed for light and transient reasons; and accordingly all experience has shown that humans are most disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. Recognising that when a long train of abuses and violations, pursuing invariably the same object evinces a design to reduce them in the guise of Culture, it is their right, its their duty, to throw off such culture, and to provide a new status quo for their future Security. Such has been the patient suffering of women under the Culture of bride price and such is now the necessity that constrains us to alter the current practice of bride price.

Upholding that the practice of bride price is a gross violation of human rights and exposes the victim to violence, abuse as well as numerous health risks and dangers. Recognising that bride price is a form of slavery, a violation of the fundamental rights of liberty, equality and non discrimination among others, and calls for states to abolish it. Confirming that the institution of bride price has far-reaching health, economic, social, human rights and legal effects in societies where it is practised and that it is a practice which subordinates women, objectifies them, commercialises marriage and threatens women's physical and mental health. Asserting that bride price is a practice that has outlived its usefulness and should be abolished in the societies where it is practised.

Being of the view that women should have the right to enter into marriage as free and equal persons and opposed to practices which consider women as property, as this could lead to violence against women; and upholding that women should be protected from all forms of violence.

Understanding that the sorts of violence against women are engulfed in patriarchy, religion, culture and power imbalances between men and women and in relationships and the gender socialisation in which we have been raised.

Condemning bride price as an economic violence committed against women since it requires an exchange of commodity (money, cows, etc) for a female person which implies a form of slavery of women in their married relationships.

Declare bride price as a violation of the rights of women to live a life free from violence and to live a life of equality with every human being.

And do hereby appealing to, national governments, regional bodies, and International bodies to abolish or

reform bride price in accordance with the obligations undertaken by them as state parties or signatories to:

- Universal Declaration of Human Rights
- International Covenant on Civil and Political Rights
- Convention on the Elimination of all Forms of Discrimination Against Women
- Convention Against Torture
- The Convention on the Rights of the Child
- The African Charter on Human and Peoples Rights
- Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery
- The Beijing Declaration and Platform for Action agreed to at the Fourth World Conference on Women.

**WE, the participants at the International Conference on Bride Price, RECOMMEND THAT THE INSTITUTION OF BRIDE PRICE BE ABOLISHED.**

**WE, the participants at the International Conference on Bride Price further RECOMMEND THAT:**

1) Governments and civil society organisations should collect evidence in the form of testimonies, case studies, statistics, documentaries, etc on the social injustice occasioned by bride price including physical and psychological injuries and death. Cases linked to bride price should be also be collected such as domestic violence, early and/or forced marriages, denial of church/religious marriages, etc. Such evidence should be presented to national governments, cultural institutions, health bodies, international human rights bodies and donor agencies as the social, human and economic costs of bride price and service as persuasive material towards the committal of resources to reform or abolishing the practice of bride price.

2) Professional bodies should adopt clear condemning the current practice of bride price particularly where it violates existing legislation and apply strict sanctions to practitioners who violate those standards. Practitioners may be suspended or lose their licence or political positions. Maximum, punitive sanctions should he applied to; Local Councillors and leaders presiding over marriage of children under the age of consent and head teachers failing to report the drop out of girls from school due to early marriages.

3) Demanding the Refund of Bride Price should be criminalised and legislated against immediately. Law enforcement officer's unlawfully arresting and detaining people over the refund of bride price should face strict sanctions. In addition, they should face civil liability for malpractice or unauthorised practice of law.

4) Provided sufficient outreach and sensitisation has taken place, members of the community with knowledge of cases of demands for the refund of bride price, widow-inheritance, withdrawal of children from schools for early/forced marriages, unlawful/false imprisonment should be held criminally liable for failure to report such cases. Protection should be made available for those who come forward to report cases.

5) Strict sanctions should be applied to those uttering derogatory terms and verbal abuse relating to bride price, women and girls and the maximum penalty should be imposed. These terms include referring to women and girls as cows, or property.

6) The use of law should be one component of a multi-disciplinary approach to reforming the practice of bride price. Depending on the national context, outreach efforts by civil society and governments aimed at changing perceptions and attitudes regarding bride price should precede or accompany legislation on bride price. The outreach efforts should aim to educate the general public while targeting clan and cultural leaders, local councillors, religious leaders, teachers, social workers, family members particularly grandmothers and mothers-in-laws, women's leaders, grassroots leaders, young people and service members of the armed forces.

- 7) Women and girls should be empowered to access legal remedies specified by law to prevent bride price. In particular women and girls who are victims or potential victims of bride price have the right to protect themselves being “sold” into marriage. Legal aid practitioners should make available women’s rights text and legal services to support them.
- 8) Girls who have been forced out of school for reasons of marriage and bride price should be supported through protection to return to school and to her family or resettled elsewhere. The role of the Probation Service and Child and Family Protection Units is particularly important in protecting girls from early/forced marriages. Legislation condemning bride price has a moral force and an educational impact that could dissuade many individuals from submitting girls to the practice.
- 9) The age of a girl or woman or her consent to being subjected to the demand for or refund of bride price should not under any circumstances affect the criminality of the act.
- 10) Information on the social, economic and human rights costs of bride price should be in-corporated into school curricular and community educational programmes. Communities, particularly women and girls, should be encouraged to seek alternative ways of valuing women and girls for example through their skills and abilities and contribution to society.
- 11) The contribution of NGOs to development and social change is significant. NGOs and governments should regard themselves and work as partners to agitate for social change and prepare civil society for legislation on the reform or abolishment of bride price. Strategies to reshape attitudes and create fertile ground for change should include multi and integrated approaches including sensitisation, drama, discussion and debate, testimonials and documentaries, seminars and workshops.
- 12) Governments should resource NGOs and community groups with resources to create a climate where the campaign against bride price is engaged in freely. National Action Plans on Women and other related gender equality documents, reports issued by governments should include specific reference to bride price. Where this has been overlooked addendums should be immediately added. Governments should formulate smart objectives, strategies and programmes re-enforced by adequate resource allocations to reform or abolish bride price.
- 13) Parents should be encourage to provide marriage gifts to the new couple beginning a new home rather than to the parents. In addition, gifts to the groom’s family and gifts to women relatives should be practiced.
- 14) In adopting new law, grassroots women, grandmothers and community based organisations, teachers, law enforcement officers among others should be part of the consultative process. Efforts to reform bride price must be focussed on empowering women to make choices that will impact positively on their lives and freedoms.
- 15) International Conventions, particularly Women’s Conventions such as CEDAW should critically examine the practical relevance of application of any sanctions against bride price in the face of legal pluralism in Africa and adapt new laws to effectively address women’s human rights under culture.
- 16) Governments should implement the regional and international conventions that they have ratified protecting the rights of women and children, and comply with their obligations to take action to end practices that harm women and girls, including by adopting legislation prohibiting bride price. Implementation measures should include translation of these texts into national languages and outreach programs to ensure broad knowledge of the rights protected. Civil society could promote government accountability under these treaties by using UN treaty monitoring bodies. NGOs can use treaty bodies’ concluding observations and recommendations to push for additional government action.

**WE, the participants in the International Conference on Bride Price  
LUANCH THE KAMPALA DECLARATION,**

Appealing to Heads of State, governments, parliaments and responsible authorities in concerned countries, as well as international organisations and non-governmental organisations, to endorse the following recommendations in their legislation, social and educational policies, aid programmes, and bilateral and multilateral co-operation initiatives.

**WE, the participants in the International Conference on Bride Price further recommend that:**

The Kampala Declaration on Bride Price is officially presented to the Secretary General of the United Nations and the presidents of the African Union and the European Union, as well as the Secretary General of the league of Arab States and the Organisation of Islamic Countries, the Head of Vatican, the Head of the Church of England, the Heads of all Pentecostal churches and other faith-based groups.

**We agree to hold a follow-up meeting to be convened on the African continent in a year's time, to review progress achieved towards the implementation of the Kampala Declaration.**

The Kampala Declaration has been adopted by the participants from the following countries: Ghana, Kenya, Malawi, Nigeria, Republic of South Africa, Rwanda, Senegal, Tanzania, Uganda, Germany, India, UK, USA.