



SUMEENA, AGE 15 (Nepal)

Sumeena leaves her home to meet her groom, Prakash, 16. The harmful practice of child marriage is common in Nepal. Many Hindu families believe blessings will come upon them if they marry off their girls before their first menstruation.

Photo by Stephanie Sinclair / VII Photo / Too Young To Wed



CHAPTER

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CHILD MARRIAGE: A VIOLATION OF HUMAN RIGHTS & A DETERRENT TO DEVELOPMENT

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Despite national laws and international agreements, child marriage remains a real and present threat to the human rights, lives and health of children, especially girls, in more than a hundred countries. One in three girls in low and middle-income countries (excluding China) will marry before the age of 18. One in nine girls will marry before their fifteenth birthday. In the least-developed countries the prevalence of child marriage is even higher—nearly one in two.¹ If present trends continue, the number of child marriages each year, 14.2 million in 2010, will be over 14 per cent higher by 2030, nearly 15.1 million. In South Asia alone, 130 million girls are likely to marry as children between 2010 and 2030.

Child marriage occurs when one or both of the spouses are below the age of 18. Child marriage is a violation of Article 16(2) of the Universal Declaration of Human Rights, which states that “Marriage shall be entered into only with the free and full consent of the intending spouses.” Article 16 of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) states that women should have the same right as men to “freely choose a spouse and to enter into marriage only with their free and full consent”, and that the “betrothal and marriage of a child shall have no legal effect”².

The Convention on the Rights of the Child (CRC) sets out the human rights of children: the right to survive; the right to develop to their fullest; the right to protection from harmful practices, abuse and exploitation, and the right to participate fully in family, cultural and social life. In signing the Convention, governments also committed to take “all effective and appropriate measures with a view to abolish traditional practices prejudicial to the health of the children,”³ which includes, among other practices, female genital mutilation/cutting and child marriage.

Any departure from the obligations enshrined in these conventions is a violation of human rights. By becoming party to these conventions, governments agree to hold themselves accountable for violations.

In a landmark international consensus, the Programme of Action adopted by the International Conference on Population and Development (ICPD) in 1994, countries agreed on measures to eliminate child marriage⁴ as well as to “strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses”⁵.

As a grave and continuing violation of human rights, the persistence, incidence and prevalence of child marriage are attracting broad attention. This report presents policy makers and programme managers with evidence and recommendations designed to assist needed efforts to reduce and eventually eliminate this harmful practice, and the disparities associated with it, in order to better protect and uphold girls’ human rights.

DEVASTATING – EVEN LIFE-THREATENING – CONSEQUENCES

The term “child marriage” is used to describe a legal or customary union between two people, of whom one or both spouses is below the age of 18.⁶ While boys can be subjected to child marriage, the practice affects girls in greater numbers and with graver consequences. Child marriage is often referred to as “early” and/or “forced” marriage since children, given their age, are not able to give free, prior and informed consent to their marriage partners or to the timing of their marriage. Many girls, for example, may have little understanding of or exposure to other life options. They may “willingly” accept marriage as their allotted fate. An element of coercion may also be involved if families apply social or emotional pressure or urge marriage for economic reasons, or further advocate marriage in the (misguided) belief that such a union will keep their daughters safe.

Yet, for millions of girls, marriage is anything but safe and anything but consistent with their best interests. Child marriage violates girls’ rights and it does so in a number of ways. It effectively brings a girl’s childhood and adolescence to a premature and unnatural end by imposing adult roles and responsibilities before she is physically, psychologically and emotionally prepared. It is not uncommon for marriage to impose social isolation on girls bringing unwanted separation from their friends and family. Often child marriage brings an end to a girl’s chance of continued education.⁷ Girls may be removed from school for many reasons: recent research suggests that dropping out of school is less likely to be a direct consequence of child marriage than of poverty, the low status afforded to women, and social norms that lead parents to discount the value of investing in girls and their education. But under these conditions, when girls drop out of school, they become even more vulnerable to child marriage.⁸

Once married, girls are likely to feel, and in many cases are, powerless to refuse sex. They are likely to find it difficult to insist on condom use by their husbands, who commonly are older and more sexually experienced, making the girls especially vulnerable to HIV and other sexually transmitted infections.⁹ At its worst, child marriage can be tantamount to bonded labour or enslavement. It can be a sentence to regular exposure to domestic or sexual violence, and a pathway to commercial exploitation.¹⁰

Married girls are often under pressure to become pregnant immediately or soon after marriage, although they are still children themselves and know little about sex or reproduction. A pregnancy too early in life before a girl’s body is fully mature is a major risk to both mother and baby. Complications of pregnancy and childbirth are the main causes of death among adolescent girls ages 15-19 years old in developing countries. Among the disabilities associated with early childbirth is obstetric fistula, an injury which leaves girls in constant pain, vulnerable to infection, incontinent, and often shunned by their husbands, families and communities.

Nearly 16 million teenage girls aged 15-19 years old in developing countries give birth every year. In nine out of ten cases, the mother is already married. Preventing child marriage would significantly help to reduce early pregnancy, and the associated maternal death or disability. At the same time, girls would face a reduced risk of HIV infection.

Beyond the immediate implications, child marriage denies girls the opportunity to fully develop their potential as healthy, productive and empowered citizens. Child marriage robs girls of their girlhood, entrenching them and their future families in poverty, limiting their life choices, and generating high development costs for communities.

THE LEGAL, SOCIAL AND CULTURAL DIMENSIONS

A recent analysis of the world’s marriage patterns showed that although child marriage persists, the minimum legal age for marriage without parental consent is 18 years in most countries.¹¹ Families and girls themselves may simply not know that laws against child marriage exist, and enforcement of such laws is often lax. Laws also vary widely, and exceptions are made on different

grounds, most commonly when parents or other authorities, such as a judge or community elder, grant their consent.

In 2010, 158 countries reported that 18 years was the minimum legal age for marriage for women without parental consent or approval by a pertinent authority.¹² However, in 146 countries, state or customary law allows girls younger than 18 to marry with the consent of parents or other authorities; in 52 countries, girls under age 15 can marry with parental consent. In contrast, 18 is the legal age for marriage without consent among males in 180 countries. Additionally, in 105 countries, boys can marry with the consent of a parent or a pertinent authority, and in 23 countries, boys under age 15 can marry with parental consent.¹³ The lack of gender equality in the law's treatment of the issue of consent reinforces social norms that dictate it is somehow acceptable for girls to marry earlier than boys. Social norms and customs may further dictate that once a girl is married, she be regarded as a woman, even though she may be barely 12 years old.

Even with the appropriate laws against child marriage in place, the practice persists for a variety of complex, interrelated reasons. Men exercise the preponderance of power in nearly every aspect of life, which restricts women's and girls' exercise of their rights and denies them an equal role in their households and communities. Unequal gender norms put a much higher value on boys and men than on girls and women. When girls from birth lack the same perceived value as boys, families and communities may discount the benefits of educating and investing in their daughters' development.

In addition, girls' perceived value may shift once they reach puberty and their sexuality suddenly looms front and centre. Child marriage is often seen as a safeguard against premarital sex, and the duty to protect the girl from sexual harassment and violence is transferred from father to husband.

Poverty is a major factor underlying child marriage. Many parents genuinely believe that marriage will secure their daughters' futures and that it is in their best interests. Alternatively, girls may be viewed as an economic burden, as a commodity, or a means for settling familial debts or disputes, or securing social, economic or political alliances.¹⁴ Customary requirements such as dowries or bride prices may also enter into families' considerations, especially in communities where families can give a lower dowry for younger brides.¹⁵

Girls' vulnerability to child marriage can increase during humanitarian crises when family and social structures are disrupted. In times of conflict and natural disaster, parents may marry off their young daughters as a last resort, either to bring the family some income in time of economic hardship, or to offer the girl some sort of protection, particularly in contexts where sexual violence is common. These girls are called "famine brides", for example, in food-insecure Kenya.¹⁶ Young girls were married to "tsunami widowers" in Sri Lanka, Indonesia and India¹⁷ as a way to obtain state subsidies for marrying and starting a family.¹⁸ During the conflicts in Liberia, Uganda and Sudan, girls were abducted and given as "bush wives" to warlords, or even given by their families in exchange for protection.

Social norms and perceptions that tolerate inequity in gender roles and responsibilities must change. Programmes around the world, including those supported by UNFPA, are making headway. Once parents and communities understand the irreparable harm that the practice of child marriage can inflict on girls, practices can shift. Alternatives to child marriage that build up girls' assets, coupled with activities to change harmful social norms, must be introduced and implemented so that girls can enjoy the childhood to which they are entitled, and have the space to grow, learn and be a girl. Just as important is instilling the notion that every person is endowed with inalienable human rights and should be treated with dignity and respect.

CHILD MARRIAGE AND THE MILLENNIUM DEVELOPMENT GOALS

As the 2015 deadline for the United Nations Millennium Development Goals (MDGs) approaches, governments and development partners are recognizing that tackling the issue of child marriage will help many countries to close the gap in progress towards the Goals.

GOAL 1: ERADICATE EXTREME POVERTY AND HUNGER

Supporting girls to avoid child marriage, to stay in school, and to delay having children translates into greater opportunities for them to develop new skills and generate income, building an economic base that will help lift future generations out of poverty.

GOAL 2: ACHIEVE UNIVERSAL PRIMARY EDUCATION

A girl's life options can be abruptly diminished if she drops out of school and marries young. Their limited education reduces their chances of acquiring skills and economic opportunities. Mothers with little education are less likely to keep their own children in school, perpetuating a downward cycle of deprivation.

GOAL 3: PROMOTE GENDER EQUALITY AND EMPOWER WOMEN

Child brides have little say in when or whom they will marry, have little influence with their husbands and in-laws, have little opportunity to develop awareness of their rights, and are in no position to claim or demand them. Their husbands tend to be older, sometimes much older. These large age gaps reinforce power differentials between girls and their husbands. Girls who marry before age 18 are more likely to experience violence within marriage than girls who marry later.¹⁹ Marriage often ends a girl's opportunity for education, and with it the possibility of access to better-paid work and decision-making positions outside the home.

GOAL 4: REDUCE CHILD MORTALITY

Stillbirths and deaths during the first week of life are 50 per cent higher among babies born to adolescent mothers than among babies born to mothers in their twenties.²⁰ Children of adolescent mothers are more likely to be premature and have low birth weight.

GOAL 5: IMPROVE MATERNAL HEALTH

Every year, nearly 16 million adolescent girls aged 15-19 years old give birth; about 95 per cent of these births occur in low- and middle-income countries.²¹ Ninety per cent of these adolescent mothers in developing countries are married. These young, first-time mothers face much higher risks during pregnancy and childbirth than older women. Early childbearing is associated with more pregnancies at shorter intervals during a mother's lifetime. These factors—a young age, multiple children and a short interval between births—are all linked to a higher risk of death and disability related to pregnancy or childbirth.²² Use of contraception is lowest among the poorest women and those with no education – including the girls most vulnerable to child marriage.²³

GOAL 6: COMBAT HIV/AIDS, MALARIA AND OTHER DISEASES

Young girls are especially vulnerable to HIV because of their biology, and the heightened risk can increase with marriage, especially for child brides who marry older, more sexually-experienced husbands.²⁴ At the same time, girls may lack the power to negotiate safer sex and have little access to information or services to prevent either pregnancy or infection.

The MDGs remain unfinished business, and preparations for a post-2015 United Nations Development Agenda are underway. Political and financial investments are urgently needed as part of national strategies for poverty reduction and social justice to end the practice of child marriage, and to make programmes for the most vulnerable girls a higher priority in the post-2015 development agenda. Promising strategies and evidence-based approaches for girls most at risk have been developed and tested, but require more targeted investments. With the full commitment of governments, development practitioners, civil societies, communities, families and girls themselves, a world without child marriage can become a reality.

HOW THIS REPORT IS ORGANIZED

This report presents a summary of the empirical evidence surrounding child marriage in developing countries—prevalence, trends and disparities—using data drawn from household surveys. It also provides a glimpse into the future by sketching out what countries may face if current trends in child marriage continue.

CHAPTER 2 looks at how rates of child marriage are calculated. It explains the main indicators, describes data sources and limitations, and defines background variables used to disaggregate data.

CHAPTER 3 describes the extent and geographic distribution of child marriage among developing countries at the global, regional and country level, using the latest available data. It also assesses trends in child marriage, explores disparities within and among countries and regions, and provides evidence of some of the ways in which child brides are disadvantaged.

CHAPTER 4 looks at disparities in rates of child marriage associated with key social and economic variables (age, urban or rural residence, educational attainment and household wealth), school participation and access to reproductive health services. Disaggregating data according to these background characteristics reveals the extent and growth of internal disparities that may easily be overlooked when relying on global, regional or national averages. It also provides entry points for the development of appropriate policies and programmes to prevent child marriage and address the needs of girls who are already married.

CHAPTER 5 describes the challenges that developing countries can expect if nothing is done to reduce the incidence of child marriage. The chapter estimates the number of girls already born that are likely to enter into marriage or union over the period 2010–2030, based on current levels of child marriage and past and current population dynamics.

CHAPTER 6 concludes the report with a summary of key findings and their implications for policies and programmes. It describes strategies and approaches that have worked to discourage child marriage, presents successful or promising programmes supported by UNFPA, and outlines an agenda for action.

Two **annexes** are included to present country profiles for the ten countries with the levels of child marriage (Annex 1), and the levels of child marriage by country and social and economic characteristics (Annex 2). The data used to produce this report can be accessed at www.devinformo/mdg5b.