

The Role of Parliamentarians in Ending Child Marriage

By Girls Not Brides



Foreword

When a young girl becomes a bride, the consequences are lifelong – for the girl, for her children and for her nation. Every year some 15 million girls around the world are married as children. Over 720 million women alive today were married or entered into union before their 18th birthday. Child marriage cuts across countries, cultures, religions, and ethnicities. If there is no reduction in the near future, 1.2 billion girls will have been married as children by 2050.

Child marriage is rooted in gender inequality and in the low value accorded to girls, and is exacerbated by poverty, insecurity and conflict. It denies girls their rights and undermines numerous development priorities. Ending child marriage will require long-term, sustainable action across many different sectors. A robust legal and policy framework for preventing child marriage and supporting married girls should be the cornerstone of government efforts to address the practice.

Members of Parliament are uniquely positioned to shape, advance and implement such a framework, within their countries and beyond. They can lead the development of relevant legislation and policies, pass budgets, monitor implementation, and ensure accountability for both national and international commitments. They can guarantee the voices of citizens are heard, including those of the girl child, in order to mobilise political will and commitment to end child marriage.

Yet, Members of Parliament are often overlooked as essential stakeholders and drivers of change. This toolkit aims to provide concrete examples and recommendations on how interested parliamentarians can take action. It also promotes collaboration with the vibrant civil society organisations working on the issue.

We hope this toolkit will encourage you to join the global movement to end child marriage and initiate or intensify your efforts as a parliamentarian. We believe that by establishing a fruitful and long-term partnership with committed parliamentarians, we can work together towards a world where girls and women enjoy equal status with boys and men.

We wish you every success in your endeavours to end child marriage and to realise the rights of every girl.



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Girls Not Brides: The Global Partnership to End Child Marriage

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1 Purpose



Governments around the world are committed to the protection of the girl child. A strong, coherent, and comprehensive legal and policy framework is one of the four strategies¹ identified by *Girls Not Brides* and its more than 430 members from around the world to end the harmful practice of child marriage.

While often the focus on ending child marriage is on ensuring the minimum age of marriage is 18 years old, a broader set of laws and policies should be put in place to protect girls at risk and support married girls to ensure they fulfil their potential. Members of Parliament (MPs) are key players in ending child marriage, as they can take the lead on developing relevant legislation and policies, allocate resources from national budgets, monitor implementation, and guarantee accountability.

This toolkit aims to provide MPs with an overview of what child marriage is, including its prevalence around the world, key drivers and consequences. Specific focus is placed on existing legal instruments that prohibit the practise, as well as concrete recommendations for MPs to take action, not only in Parliament, but also in their constituencies and internationally.

GIRLS NOT BRIDES: THE GLOBAL PARTNERSHIP TO END CHILD MARRIAGE

Girls Not Brides is a global partnership of more than 400 civil society organisations working to address child marriage. Members of *Girls Not Brides* are united by a commitment to end child marriage and enable girls to fulfil their potential.

Together *Girls Not Brides* members are working to bring child marriage to global attention, to build an understanding of what it will take to end child marriage and are calling for the laws, policies and programmes to be put in place that will make a difference in the life of millions of girls.

Find out more at www.GirlsNotBrides.org or contact info@GirlsNotBrides.org

2 About child marriage: definition and global prevalence

Definition

“*Child marriage*” is a formal marriage or an informal union in which at least one of the parties is a child. The Convention on the Rights of the Child defines a child as “every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.” The Committee on the Rights of the Child has called on State parties to review the age of majority if it is set below 18.

“*Early marriage*” is often used interchangeably with “child marriage” and refers to marriages involving a person aged below 18 in countries where the age of majority is attained earlier or upon marriage. Early marriage can also refer to marriages where both spouses are 18 or older but other factors make them unready to consent to marriage, such as their level of physical, emotional, sexual and psychosocial development, or a lack of information regarding the person’s life options.²

A “*forced marriage*” is any marriage that occurs without the full and free consent of one or both of the parties and/or where one or both of the parties is/are unable to end or leave the marriage, including as a result of duress or intense social or family pressure.

CHILD MARRIAGE: A HARMFUL TRADITIONAL PRACTICE (HTP)

Every social grouping in the world has specific traditional cultural practices, some of which are beneficial to all members, while others are harmful to a particular group. Child marriage, female genital mutilation, and dowry systems are examples of HTPs. Traditional practices harmful to women and girls inflict both immediate and long-term mental and physical pain on their victims and have serious consequences for the girl child’s development.

In a joint statement, United Nations agencies noted that “[...] it is unacceptable that the international community remain passive in the name of a distorted vision of multiculturalism. Human behaviours and cultural values, however senseless or destructive they may appear from the personal and cultural standpoint of others, have meaning and fulfil a function for those who practise them. However, culture is not static but it is in constant flux, adapting and reforming. People will change their behaviour when they understand the hazards and indignity of harmful practices and when they realize that it is possible to give up harmful practices without giving up meaningful aspects of their culture.”

(WHO, Female Genital Mutilation: A Joint WHO/UNICEF/UNFPA Statement. 1996)

Prevalence: Child marriage is a global problem

- ▶ Approximately 15 million girls are married every year before they reach 18 years.³ That is around 41,000 girls every day.
- ▶ Child marriage occurs around the world, and cuts across countries, cultures, religions and ethnicities: 45% of girls under age 18 are married in South Asia; 41% in sub-Saharan Africa; 29% in Latin America and the Caribbean; 18% in the Middle East and North Africa; and it occurs in some communities in Europe and North America too.⁴
- ▶ In the developing world, 1 in 3 girls is married by age 18, and 1 in 9 is married by age 15, some as young as eight or nine.⁵
- ▶ While there have been various positive trends in some countries, child marriage at the global level has remained relatively constant over the last decade.⁶ However, substantial variations in the rates of child marriage are found both within and among regions and countries.

CHILD MARRIAGE PREVALENCE IN MOST AFFECTED COUNTRIES*

70%+ Niger.

69-60% Chad, Central African Republic, Bangladesh.

59-50% Mali, Guinea, Burkina Faso, South Sudan, Malawi.

49-45% Mozambique, India, Somalia.

44-40% Sierra Leone, Zambia, Nigeria, Madagascar, Ethiopia, Dominican Republic, Nepal, Nicaragua, Eritrea, Afghanistan, Cuba, Uganda.

39-35% Democratic Republic of the Congo, Cameroon, Liberia, Tanzania, Gambia, Brazil, Lao People's Democratic Republic.

34-30% Benin, Sao Tome and Principe, Mauritania, Honduras, Congo, Côte d'Ivoire, Senegal, Sudan, Yemen, Zimbabwe, Guatemala, Comoros, Equatorial Guinea.

29-25% Nauru, Kenya, Marshall Islands, Belize, Bhutan, El Salvador, Togo.

24-20% Iraq, Pakistan, Colombia, Guyana, Mexico, Solomon Islands, Ecuador, Guinea-Bissau, Gabon, Bolivia, Papua New Guinea, Ghana, State of Palestine, Burundi, Kiribati, Thailand, Costa Rica.

* Percentage of women 20-24 years old who were married or in union before they were 18 years old (UNICEF State of the World's Children, 2014).

3 Drivers and impact of child marriage

Drivers

Factors that cause child marriage include: **poverty; concerns about security and protection of girls; lack of education or distance to schooling facilities; gender discrimination; cultural traditions; and, religious traditions.**

- ▶ **Tradition:** Child marriage is a traditional practice that in many places happens simply because it has happened for generations – and straying from tradition could mean exclusion from the community.
- ▶ **Gender Roles:** In many communities where child marriage is practised, girls are not valued as much as boys – they are seen as a burden. The challenge will be to change parents' attitudes and emphasise that girls who avoid early marriage and stay in school will likely be able to make a greater contribution to their family and their community in the long term.
- ▶ **Poverty:** Where poverty is acute, giving a daughter in marriage allows parents to reduce family expenses by ensuring they have one less person to feed, clothe and educate. In communities where a dowry or 'bride price' is paid, it is often welcome income for poor families; in those where the bride's family pay the groom a dowry, they often have to pay less money if the bride is young and uneducated.
- ▶ **Security:** Many parents marry off their daughters young because they feel it is in her best interest, often to ensure her safety in areas where girls are at high risk of physical or sexual assault.
- ▶ **Law:** The lack of an adequate legislative framework that can be enforced to address cases of child marriage. While most countries legislate for a minimum legal age for marriage, this is often not effectively enforced.
 - ▶ Weak birth registration systems, which prevent girls from providing official proof that they are too young for marriage. Just 51% of children in the developing world (excluding China) were registered at birth for the period 2000–2009.⁷
 - ▶ The lack of harmonisation with customary laws that may condone the practice of child marriage. Child marriage is generally more prevalent in jurisdictions that offer fewer protections for women and girls.

Impact: why is it important to debate in Parliament?

The impact of child marriage on the realisation and enjoyment of girls' and women's rights can be wide ranging, including links to poverty, education, gender inequality, and health, among others.

Child marriage is linked to poverty and impacts national productivity

- ▶ Child marriage is most common in the world's poorest countries and is often concentrated among the poorest households. It is closely linked with low levels of economic development.
- ▶ Girls from poor families are nearly twice as likely to marry before 18 as girls from wealthier families, as marriage is often seen as a way to provide for a daughter's future.⁸ However, girls who marry young are more likely to be poor and remain poor.⁹
- ▶ Girls who marry young do not receive the educational and economic opportunities that help lift them out of poverty and which are necessary to build a sustainable and prosperous future for their communities and countries.¹⁰
- ▶ Educated and healthy women are more productive thereby contributing to greater national productivity and higher GDP. They spend more money on food, housing, education and income-generating activities, all of which reduce poverty levels and promote sustainable development.



Child marriage undermines a child's right to education

- ▶ Child marriage denies children of school age their right to the education they need for their personal development, their preparation for adulthood, and their ability to contribute to their family and community.
- ▶ Married girls who would like to continue schooling may be both practically and legally excluded from doing so.¹¹ Marriage often means the end of education for girls.
- ▶ The longer a girl stays in school, the less likely she is to be married before the age of 18 and have children during her teenage years.
- ▶ Over 60% of child brides in developing countries have had no formal education.
- ▶ Girls with higher levels of schooling are less likely to marry as children. With half of the world's population under the age of 25, educating youth is crucial to ensuring a sustainable and prosperous future.

Child marriage entrenches gender inequality

- ▶ Child brides have little say in whether, when or whom they will marry. In many cases their husbands are much older.
- ▶ Girls who marry before the age of 18 are more likely to experience violence within marriage than girls who marry later.¹²
- ▶ Marriage often ends girls' opportunities for education, better paid work outside the home, and potential decision making roles in their communities. Eliminating gender inequalities and empowering young women requires the fulfilment of girls' basic needs and their rights including to education, health and nutrition, which are all undermined by child marriage.¹³

Child marriage, child mortality and maternal health

- ▶ Child brides are under intense social pressure to prove their fertility, which makes them more likely to experience early and frequent pregnancies.¹⁴
- ▶ Complications in pregnancy and childbirth are the leading cause of death in girls aged 15-19 in low- and middle-income countries. 90% of adolescent pregnancies in the developing world are to girls who are already married.¹⁵
- ▶ Many child brides become pregnant before their bodies can safely carry or deliver children, endangering their health. It is particularly severe for girls who give birth before the age of 15 as they are five times more likely to die in childbirth than girls in their 20s.¹⁶
- ▶ Perinatal deaths are 50% higher among babies born to mothers under 20 years of age than among those born to mothers aged 20–29 years.¹⁷

Child marriage and sexual and gender based violence

- ▶ Child marriage puts women and girls at particular risk of sexual, physical and psychological violence throughout their lives. Girls who are married before 18 are more likely to experience domestic abuse than their unmarried peers and to report that their first sexual experience was forced.
- ▶ In areas where girls are at high risk of physical or sexual assault, some parents choose to marry off their daughters because they believe it will ensure their safety. These concerns are real, but early marriage does not provide a safe alternative.
- ▶ As minors, child brides are rarely able to assert their wishes to their much older husbands or negotiate safe and consensual sex. They are also more likely to believe that a man is sometimes justified in beating his wife than women who marry later.

4 Child marriage and the law

Child marriage is a serious human rights violation affecting children's and women's rights to health, education, equality, non-discrimination, and to live free from violence and exploitation. These are rights enshrined in the Universal Declaration of Human Rights, the Convention on the Rights of the Child (CRC), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), as well as other international and regional human rights instruments.

Why is it important for countries to have a minimum legal age of marriage?

Laws that set a minimum age of marriage are an important way to safeguard boys and girls from being married when they are not physically, mentally or emotionally ready. Why allow children to marry at an age when, for example, they do not have the right to vote or enter into other contracts recognised in law?

The most widely accepted definition for a child is any person below the age of 18, in line with the CRC. It is important that children are recognised in the law as being children and that they are accorded the full protection of the law.

Different countries take different legal approaches: some criminalise child marriages; some ban or invalidate marriage below the legally prescribed minimum age; and others merely prescribe a minimum age of marriage without expressly criminalising or banning it.

Governments need to have clear and consistent legislation that establishes 18 as the minimum age of marriage. Adequate safeguards must be in place to ensure that parental consent or other exceptions are not used to force girls into marriage.

REGIONAL LEGAL INSTRUMENTS: THE AFRICAN CASE

Africa has regional legal instruments, such as the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and the African Charter on the Rights and Welfare of the Child (ACRWC) which also addresses child marriage. In Article 21 on the Protection against Harmful Social and Cultural Practices, the ACRWC states that: "Child marriage and the betrothal of girls and boys shall be prohibited and effective action, including legislation, shall be taken to specify the minimum age of marriage to be 18 years and make registration of all marriages in an official registry compulsory." Aware of the role that religion and tradition plays in many African communities, Article 1 on the Obligation of States Parties emphasises that: "Any custom, tradition, cultural or religious practice that is inconsistent with the rights, duties and obligations contained in the present Charter shall to the extent of such inconsistency be discouraged."

Existing international legal instruments addressing child marriage

Many international instruments articulate the need for a uniform age of marriage and emphasise the importance of free and full consent to marriage as a means of protecting the rights of women and children worldwide. For example, the Universal Declaration of Human Rights provides that marriage shall be voluntary and parties must be of full age. The CRC stipulates the minimum age of marriage as 18 years.

International legal instruments go beyond age and consent to create an environment that protects women and girls and supports them in the enjoyment and exercise of their human rights and fundamental freedoms in the political, economic, social, cultural, and civil realms, and any other field. The ratification of legal instruments can help create the necessary conditions for girls who are at risk of child married

and married girls to achieve their full potential in all aspects of their lives. Moreover, these standards also act as an accountability measure: governments have to report to the committees that oversee them regarding their implementation.

However, ratification alone is generally not enough; enforcement is key. In some legal systems the ratification of international instruments automatically results in its provisions being directly incorporated into domestic legislation. In others, international instruments have no legal force domestically until special enabling legislation is enacted, either through a constitutional amendment or through the passage of law. In addition, many countries have plural legal systems, where statutory law coexists with religious and/or traditional law. In most cases, traditional and religious laws are not in harmony with international and regional standards and sometimes even with the national Constitution.

WHERE DOES YOUR COUNTRY STAND REGARDING INTERNATIONAL LEGAL INSTRUMENTS?

Legal Instrument (see Annex 1 for text)	Signed	Ratified	Reservations	Implemented
Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practises Similar to Slavery / Article 1 (c) and 2 (1956)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages / Articles 1,2, and 3 (1964)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Convention on the Elimination of all Forms of Discrimination Against Women / Articles 2 and 16 (1979)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The International Covenant on Economic, Social and Cultural Rights / Article 10 (1976)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Convention on the Rights of the Child (1989)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Constraints and barriers to the enforcement of laws related to child marriage

Several constraints have been identified¹⁸ and if these constraints relate to your country, you have a role to play in providing solutions.

1. Constraint (C): Conflicting legal framework regulating marriage and the definition of a child.
Solution (S): Define child following the CRC, and fix the minimum statutory age of marriage for both men and women at 18. Harmonise all legal systems to that standard.
2. (C): Majority of marriages are conducted outside the formal legal structure.
(S): Raise awareness of the law among religious and traditional leaders. Make reporting on child marriage compulsory and provide incentives for reporting.
3. (C): Births and marriages are not registered.
(S): Make birth and marriage registration mandatory.
4. (C): Distorted understanding of the position of different religions on the age of marriage.
(S): Meet and discuss with religious leaders. Promote alternative interpretations of religious texts to rebut the notion that child marriage is required or approved.
5. (C): Child marriage is predominantly in rural areas where there is inadequate means of enforcing the law.
(S): Create/ support Child Marriage Prevention Officers and the training of citizens as paralegals.
6. (C): Victims of child marriage are minors under the law; they are incapable of pursuing any case in court on their own, generally due to lack of resources or knowledge of the system.
(S): Reporting of cases should be encouraged and free legal assistance be provided to minors.

5 The role of Members of Parliament in ending child marriage

As most Parliaments are responsible for legislation, policy oversight and budget approval, they are crucial to ending child marriage. Parliamentarians themselves have a major role to play by placing child marriage atop the political agenda and calling on their government to adopt a multidisciplinary approach to accelerate change and end the practice. Parliamentarians are uniquely positioned to:

- ▶ Exercise a leadership role in policy formulation, the development and amendment of legislation, and, most importantly, its implementation at the national level.
 - ▶ The practice of child marriage must be explicitly prohibited by law and accompanying policies should support prevention and mitigating action.
 - ▶ Legislation should be drawn in consultation with the involved communities, civil society, traditional and religious leaders, youth movements, and other relevant stakeholders.
 - ▶ Laws and policies on child marriage should be an integral component of a broader framework aimed at ensuring girls and women enjoy and exercise their full human rights.
 - ▶ Legislation should be accompanied by proper training of the judiciary and any other bodies responsible for the implementation and enforcement of the law.
- ▶ Guarantee the harmonisation of international – and, when applicable, regional – legal instruments and national legislation. Ensure their implementation and the dissemination of their content to the population and the judiciary.
- ▶ Ensure that the government develops a national action plan to end child marriage, and launches awareness raising campaigns or other efforts with a long term view to ending the practice.
- ▶ Define budgetary regimes needed to mobilise national resources towards financing efforts to end child marriage, including, but not limited to ministries, national action plans, national campaigns, social services, etc.
- ▶ Oversee the implementation of policies and laws, and demand accountability from institutions and actors involved in ending child marriage and protecting girls at risk and married girls.
- ▶ Ensure that ending child marriage underpins the policy making and implementation processes across all concerned ministries.
- ▶ Build new partnerships, and put in place the enabling conditions for civil society to partner with governments to ensure a multidisciplinary approach to address child marriage.
- ▶ Represent the concerns of diverse constituencies, including voicing the needs of girls and women.

WHERE DOES YOUR COUNTRY STAND REGARDING NATIONAL LAWS AND POLICIES?

Laws and policies	Yes	No
Does your country have a minimum age of marriage of 18 for boys and girls?	<input type="checkbox"/>	<input type="checkbox"/>
Does the law prohibit child marriage?	<input type="checkbox"/>	<input type="checkbox"/>
Does legislation require the free and full consent for marriage of both female and male parties?	<input type="checkbox"/>	<input type="checkbox"/>
Can parental consent or other exceptions be used to force girls into marriage?	<input type="checkbox"/>	<input type="checkbox"/>
Does your country have an effective registration system for births and marriages?	<input type="checkbox"/>	<input type="checkbox"/>
Are law enforcement officials effectively implementing and enforcing legal frameworks to prevent child marriage and protect married girls?	<input type="checkbox"/>	<input type="checkbox"/>
Does your country have legislation ensuring gender equity in marriage and divorce?	<input type="checkbox"/>	<input type="checkbox"/>
Does your country have a national action plan to end child marriage?	<input type="checkbox"/>	<input type="checkbox"/>
Do policy frameworks with adequate resourcing exist to support girls at risk of child marriage and married girls?	<input type="checkbox"/>	<input type="checkbox"/>

6 What can parliamentarians do?

Take action

- ▶ Organise informal parliamentary meetings with other MPs supportive of ending child marriage, followed by a Parliamentary Hearing in the relevant Committees with the purpose of raising awareness among Parliamentarians on the state of child marriage in your country and the need to address it in a multidisciplinary manner.
- ▶ Establish a forum for MPs against child marriage.
- ▶ Take an active part in discussions on budgetary allocations for child marriage prevention and mitigation policies and programmes. Similarly, support budget allocations to policies and programmes that will create an environment where girls can achieve their full potential, such as girls' education, social and economic programmes for out of school girls, child protection schemes, girls and women's shelters, legal counselling, psychological counselling, etc.
- ▶ Meet with Civil Society Organisations (CSOs) and other actors working to end child marriage in your constituency. Visit projects to learn about the approaches being utilised. Talk to girls, parents and community leaders to learn about their concerns.
- ▶ Foster dialogue with local authorities in your constituency in order to understand the local drivers and responses to child marriage.
- ▶ Build your capacity and knowledge on child marriage in order to become an agent of change in your constituency and country.
- ▶ Become a strong voice in building public awareness on child marriage prevalence, drivers and consequences, and call for greater government leadership and investment in its prevention and mitigation.

Be accountable and demand accountability

- ▶ Report back on your experience to your fellow MPs and relevant parliamentary committees. For example, hold a briefing meeting after attending a relevant conference, training, delegation visit, field visit, or other event on child marriage.
- ▶ Stay connected and report back to CSOs working on child marriage on any relevant Parliamentary developments. You might offer to organise a briefing, roundtable discussions, etc.
- ▶ Hold annual public hearings on monitoring the implementation of the law.
- ▶ Demand accountability from ministers and other stakeholders. Question those who are responsible for ending child marriage on the state of the issue in the country and their intended response.
- ▶ Demand accountability and timely and comprehensive reporting on international and regional commitments, such as CEDAW.

Promote your country as an international champion on child marriage

Engage in the post-2015 development framework discussions

The post-2015 development framework – the successor of the Millennium Development Goals (MDGs) – will determine national and international development priorities for the next 15 years.

While child marriage directly hinders the achievement of 6 of the 8 MDGs, adolescent girls were overlooked in the MDGs. There is now an increasing recognition that their needs and rights must be at the heart of any new development framework.

The post-2015 Sustainable Development Goals (SDGs) and targets will allow governments to link their work locally with major global initiatives. By engaging with the post-2015 development framework in their work, MPs can both serve their constituents' interests and bring about wider social and economic change.

- ▶ Encourage your government to support a target to end child marriage in the post-2015 development framework. The prevalence of child marriage is a well-defined and measurable indicator of multiple development priorities that can be reliably tracked over time across a large number of countries. The specific measure is already being tracked through national surveys undertaken at regular intervals.
- ▶ Encourage your Head of State or your government's relevant minister to speak out at the United Nations General Assembly or any other upcoming events about the importance of a target to address child marriage in the post-2015 development framework.
- ▶ Invite your minister of foreign affairs and other relevant ministries for a briefing on their priorities in the post-2015 development framework, and emphasise the importance of a target to end child marriage in any goal aimed at empowering girls and women and achieving gender equality.
- ▶ Ask parliamentary questions to relevant government ministries to clarify their involvement in and priorities for the upcoming post-2015 negotiation process starting in January 2015. Stress that child marriage must be comprehensively and strategically addressed in the post-2015 development framework.
- ▶ Introduce a report/motion for a resolution on the post-2015 process in Parliament or other regional parliamentary bodies.
- ▶ Organise an event or public meeting on child marriage in Parliament and consider inviting relevant United Nations experts, CSO representatives and possibly researchers, academics, journalists, etc. to attend.
- ▶ Request that official national delegations taking part in post-2015 discussions/ negotiations include qualified parliamentary representatives.

Engage with the United Nations Human Rights Council

- ▶ Meet international reporting commitments under the CRC and CEDAW by ensuring that:
 - ▶ Periodic reports include country-specific information on child marriage.

- ▶ Parliament is involved in the preparation of the reports by providing information on child marriage, or by remaining informed about its contents.
- ▶ The concluding observations of each Committee are presented to and debated by parliament.
- ▶ Find out if your country is part of the core group working on a potential Human Rights Council Resolution in 2015. If not, encourage your country to join the group and support a strong and comprehensive resolution on child marriage.

Reach out and collaborate

- ▶ Work with relevant ministries and encourage multidisciplinary collaboration, including at regional and international levels.
- ▶ Participate actively in parliamentarians' networks throughout your region, and globally, to exchange best practises to address child marriage, and to foster political will.
- ▶ Support local, national, regional and global campaigns to end child marriage, by, for example, attending events, delivering speeches, giving interviews, etc.
- ▶ Invite child marriage experts and civil society representatives to be guest speakers at parliamentary hearings and other awareness raising opportunities.

Create visibility and raise awareness

- ▶ Use traditional and social media (blogs, Twitter, Facebook, Op-eds, articles, etc.) to inform your constituency about child marriage and your governments' efforts to tackle it.
- ▶ Write a timely press release or organise a press conference (for example, following your participation at a conference, in negotiations, at high-level meetings, etc.).
- ▶ Use relevant international days to generate awareness around child marriage (for example, International Day of the Girl Child – 11 October)
- ▶ Advocate for media engagement in debating, reporting and raising awareness on child marriage.

7 Annexes

i. Articles of international legal instruments relevant to child marriage

Universal Declaration of Human Rights (1948)

Article 16:

- (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
- (2) Marriage shall be entered into only with the free and full consent of the intending spouses.
- (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practises Similar to Slavery (1956)

Article 1: Each of the States Parties to this Convention shall take all practicable and necessary legislative and other measures to bring about progressively and as soon as possible the complete abolition or abandonment of the following institutions and practices, where they still exist and whether or not they are covered by the definition of slavery contained in article 1 of the Slavery Convention signed at Geneva on 25 September 1926:

- (c) Any institution or practice whereby:
 - (i) A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group; or
 - (ii) The husband of a woman, his family, or his clan, has the right to transfer her to another person for value received or otherwise; or
 - (iii) A woman on the death of her husband is liable to be inherited by another person.

Article 2: With a view to bringing to an end the institutions and practices mentioned in article 1(c) of this Convention, the States Parties undertake to prescribe, where appropriate, suitable minimum ages of marriage, to encourage the use of facilities whereby the consent of both parties to a marriage may be freely expressed in the presence of a competent civil or religious authority, and to encourage the registration of marriages.

Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1964)

Article 1

1. No marriage shall be legally entered into without the full and free consent of both parties, such consent to be expressed by them in person after due publicity and in the presence of the authority competent to solemnize the marriage and of witnesses, as prescribed by law.
2. Notwithstanding anything in paragraph 1 above, it shall not be necessary for one of the parties to be present when the competent authority is satisfied that the circumstances are exceptional and that the party has, before a competent authority and in such manner as may be prescribed by law, expressed and not withdrawn consent.

Article 2: States Parties to the present Convention shall take legislative action to specify a minimum age for marriage. No marriage shall be legally entered into by any person under this age, except where a competent authority has granted a dispensation as to age, for serious reasons, in the interest of the intending spouses.

Article 3: All marriages shall be registered in an appropriate official register by the competent authority.

International Covenant on Civil and Political Rights, 1966

Article 23(2): The right of men and women of marriageable age to marry and to found a family shall be recognized.

Article 23(3): No marriage shall be entered into without the free and full consent of the intending spouses.

Article 23(4): States Parties to the present Covenant shall take appropriate steps to ensure equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution.

The International Covenant on Economic, Social and Cultural Rights (1976)

Article 10: The States Parties to the present Covenant recognize that:

1. The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children. Marriage must be entered into with the free consent of the intending spouses.

Convention on the Elimination of all Forms of Discrimination Against Women (1979)

Article 2: States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

Article 16

- (1): States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:
 - (a) The same right to enter into marriage;
 - (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent
- (2): The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

The Convention on the Rights of the Child (1989)

Article 1: A child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.

Article 2: Freedom from discrimination on any grounds, including sex, religion, ethnic or social origin, birth or other status.

Article 3: In all actions concerning children... the best interests of the child shall be a primary consideration.

Article 6: Maximum support for survival and development

Article 12: The right to express his or her views freely in all matters affecting the child in accordance with age and maturity

Article 19: The right to protection from all forms of physical or mental violence, injury or abuse, maltreatment or exploitation, including sexual abuse, while in the care of parents, guardian or any other person

Article 24: The right to health and to access to health services; and to be protected from harmful traditional practices

Articles 28 and 29: The right to education on the basis of equal opportunity

Article 34: The right to protection from all forms of sexual exploitation and sexual abuse

Article 35: The right to protection from abduction, sale or trafficking

Article 36: The right to protection from all forms of exploitation prejudicial to any aspect of the child's welfare



ii. Sample questions to ask to ministers and other key decision makers

Request the government to provide information on the state of child marriage in your country by answering the following questions:

- ▶ What is the national prevalence rate of child marriage?
- ▶ Are girls in specific regions more at-risk?
- ▶ How do national rates compare to other countries in the region?

Request the minister of education to respond to the following questions:

- ▶ What is the level of girls' access to quality primary and secondary education, as well as informal educational opportunities?
- ▶ How are you ensuring that education provisions address factors threatening the confidence or ability of families to keep their children in school, such as safety concerns about travelling to school, safety at school, sanitation facilities and gender-based violence?
- ▶ How are you ensuring that married girls are not practically or legally excluded from receiving a quality education?
- ▶ How are you addressing financial barriers to girls continuing their education?
- ▶ How are you supporting comprehensive sexual education programs in schools and communities, to help to challenge and transform gender inequalities, norms and stereotypes and enable girls to understand their bodies and rights?
- ▶ Are teachers and other authorities being trained to identify, manage, and report cases of child marriage?

Request the minister of justice to respond to the following questions:

- ▶ How are you ensuring that law enforcement bodies apply existing laws on the age of marriage?
- ▶ What kind of training do law enforcement officials receive regarding child marriage?
- ▶ How are you harmonising customary and statutory laws to circumvent loopholes and inconsistencies?
- ▶ How many cases of child marriage have been reported in the last year?

Request the minister of health to respond to the following questions:

- ▶ What health services exist for married girls? How accessible are these services to girls?
- ▶ What is the awareness level of the harmful health consequences of child marriage amongst the population and health professionals?
- ▶ What is the national adolescent pregnancy rate?
- ▶ What sexual and reproductive health services are available for girls?
- ▶ How will you support comprehensive sexual education programmes in schools and communities, to help to challenge and transform gender inequalities, norms and stereotypes and enable girls to understand their bodies and rights?

iii. Sample social media messages

Ending child marriage matters:

- ▶ Globally, 720 million women alive today were married before 18, or nearly 10% of world's population. We can't ignore them. [#endchildmarriage](#)
- ▶ 280 million girls alive today are at risk of child marriage, according to @UNICEF <http://bit.ly/1IEGDKZ> [#endchildmarriage](#) @GirlsNotBrides
- ▶ How can countries prosper if ½ of the population is left behind? [#Endchildmarriage](#) is key to a prosperous & equal future <http://bit.ly/1ijkERO>
- ▶ [#Childmarriage](#) is not an isolated issue. It affects our efforts to end poverty, violence & to improve health, education for all. [#post2015](#)

What is the impact of child marriage?

- ▶ Here's what [#childmarriage](#) means to millions of girls married before 18: <http://bit.ly/ZnPff0>
Let's work together to [#endchildmarriage](#)!
- ▶ [#Childmarriage](#) traps girls, their families & communities in a cycle of inter-generational poverty <http://bit.ly/14dPn0U> [#post2015](#)
- ▶ All too often, [#childmarriage](#) marks the end of a girl's [#education](#) <http://bit.ly/1hpBWMW> [#endchildmarriage](#) [#post2015](#)
- ▶ Girls who give birth before 15 are 5 times more likely to die in childbirth than women in their early 20s. <http://bit.ly/1wFu5Ev> [#post2015](#)
- ▶ Girls who marry before 18 are more likely to experience violence in marriage than girls who marry later <http://bit.ly/1bkss7x> [#post2015](#)
- ▶ [#Childmarriage](#) has slowed down progress on 6 out of 8 [#MDGs](#). It's time to address it in [#post2015](#) development framework. @GirlsNotBrides

Why does child marriage happen?

- ▶ Reasons behind [#childmarriage](#) are complex: poverty, traditions, and gender inequality, often heightened by conflict <http://bit.ly/15dT54Y>
- ▶ [#Childmarriage](#) has happened in some communities for generations, but harmful traditions can be changed <http://bit.ly/15dT54Y>

What will it take to end child marriage?

- ▶ [#Endchildmarriage](#) must be a distinct target in [#post2015](#) dev framework, if we are to make progress on education, maternal health or poverty.
- ▶ Laws aren't enough to [#endchildmarriage](#). We need to invest in policies, services & programmes that offer alternatives to girls.
- ▶ We know what works to [#endchildmarriage](#). Now we need to invest in programmes & scale them up for maximum impact <http://bit.ly/1gb3fv2>
- ▶ Coordinated & comprehensive action between health, justice, education & finance sector is key to [#endchildmarriage](#): <http://bit.ly/1rfBU4j>

iv. Material to download

Briefs:

- ▶ Understanding the scale of child marriage – offers a range of figures to discuss the scale of child marriage and highlights some comparisons that can help to make these large numbers meaningful to a wider audience.
- ▶ Theory of change on child marriage – a visual diagram that demonstrates the range of approaches needed to address child marriage and how they intersect. Supported by a background brief and user guide.

Videos:

- ▶ *Together: Ending child marriage in Zambia* – this film tells the story of how civil society activists, girls, traditional leaders, and the government are coming together in Zambia to make sure that no girl is married as a child.
- ▶ *The world we want: End child marriage* – this film looks at how we can work together to make child marriage history and improve the lives of millions of girls around the globe.
- ▶ *Traditions can change: Ending child marriage* – in this video, Graça Machel, Mary Robinson and Desmond Tutu of The Elders call on people around the world to action: to end child marriage in a single generation.

Infographics:

Click to view in browser/download.



For more reports and publications on child marriage visit www.girlsnotbrides.org/reports-and-publications/

v. Publications on child marriage and the law:

- Center of Reproductive Rights, *Child Marriage in South Asia: International and Constitutional Legal Standards and Jurisprudence for Promoting Accountability and Change*, 2013.
<http://www.girlsnotbrides.org/reports-and-publications/child-marriage-in-south-asia-international-and-constitutional-legal-standards-and-jurisprudence-for-promoting-accountability-and-change/>
- Equality Now, *Protecting the girl child: Using the law to end child, early and forced marriage and related human rights violations*, 2014.
<http://www.girlsnotbrides.org/wp-content/uploads/2014/01/Equality-Now-Protecting-the-Girl-Child-JAN-2014.pdf>
- Ford Foundation, *Ending Early Marriage Through Legal, Rights Based and Public Policy Approaches*, 2013.
- OHCHR, *Preventing and eliminating child, early and forced marriage*, 2014.
<http://www.girlsnotbrides.org/new-ohchr-report-child-early-forced-marriage/>
- UNICEF, *Child Marriage and the Law*, 2007.
http://www.unicef.org/french/files/Child_Marriage_and_the_Law.pdf

vi. General information and statistics:

- UNFPA, *Marrying too Young: End Child Marriage*, 2013.
<http://www.unfpa.org/webdav/site/global/shared/documents/publications/2012/MarryingTooYoung.pdf>
- UNICEF, *Ending Child Marriage: Progress and Prospects*. 2014
http://data.unicef.org/corecode/uploads/document6/uploaded_pdfs/corecode/Child-Marriage-Brochure-7_17-HR_164.pdf

vii. Acronyms

ACRWC	African Charter on the Rights and Welfare of the Child
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child
CSO	Civil Society Organisations
HTP	Harmful traditional practise
MDG	Millennium Development Goal
MP	Members of Parliament
SDG	Sustainable Development Goals
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund



viii. Endnotes

1. The other strategies are: Empowering Girls, Mobilisation of Families and Communities, and the Provision of Services. <http://www.girlsnotbrides.org/reports-and-publications/theory-change-child-marriage/>
2. Rangita de Silva de Alwis, *Child marriage and the law, Legislative Reform Initiative Paper Series*, UNICEF, 2008 (p. 37)
3. UNICEF, *Ending Child Marriage: Progress and prospects*, 2014
4. UNICEF, *The State of the World's Children*, 2014
5. *Idem*.
6. Based on data analysis of DHS and MICS for 48 countries for the periods 1986-2006 and 2001-2010. UNFPA, *Marrying too Young: End Child Marriage*, 2012
7. UNICEF, *The State of the World's Children, Adolescence: An Age of Opportunity*, 2011
8. International Center for Research on Women, *How to End Child Marriage: Action Strategies for Prevention and Protection*, 2007
9. International Center for Research on Women, *Child Marriage Factsheets: Child Marriage and Poverty*, 2007
10. IPPF and the Forum on Marriage and the Rights of Women and Girls, *Ending child marriage: a guide for global policy action*, 2006; International Center for Research on Women, *Too Young to Wed: Education & Action towards Ending Child Marriage: Seeking Policy Solutions*, 2005
11. UNICEF, *Early Marriage: Child Spouses*, UNICEF Innocenti Research Centre, 2001
12. Kishor, S. & Johnson, K., *Profiling Domestic Violence – A Multi-Country Study*, ORC Macro, Calverton, Maryland, 2004
13. IPPF and the Forum on Marriage and the Rights of Women and Girls, *Ending child marriage: a guide for global policy action*, 2006
14. Levine, R., Lloyd, C., Greene, M., & Grown, C., *Girls Count: A Global Investment and Action Agenda*, Center for Global Development, 2008
15. UNFPA, *Motherhood in Childhood, Facing the Challenge of Adolescent Pregnancy*, 2013
16. UNFPA, *State of World Population*, 2005
17. WHO, *Guidelines on preventing early pregnancy and poor reproductive outcomes in adolescents in developing countries*, 2011
18. Ford Foundation, *Ending Early Marriage Through Legal, Rights-Based and Public Policy Approaches in West Africa*, 2013

Girls Not Brides is a global partnership of more than 400 civil society organisations that are based in over 60 countries, committed to ending child marriage and enabling girls to fulfil their potential.

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