

IWHC Submission to OHCHR for Report on Child, Early and Forced Marriage

Every day, 37,000 girls under the age of 18 enter into child, early and forced marriages¹, a practice which HRC Resolution 24/23 recognizes as a fundamental violation of their human rights that negatively impacts almost every aspect of their personal development. Child, early and forced marriage denies girls of their rights to the highest attainable standards of health, including sexual and reproductive health, education, freedom from violence, and the choice of when and whom to marry, all of which are protected in international agreements and the laws of almost every country in the world. Though governments have a clear obligation to promote and protect the rights of all individuals, child, early and forced marriage is practiced in every region of the world, across cultures and religions, and for a myriad of reasons. While the pathways into child, early and forced marriage are diverse and context-specific, the detriment of the practice to girls, their rights, and their future opportunities, is clear. It presents a moral obligation to the international community to act immediately to curb the practice wherever it occurs. Though more research and a deeper understanding of the causes of child, early and forced marriage and best practices to prevent and mitigate its negative effects are needed, the international community must forge ahead now with programming based on the data that already exist.

Research Gaps

Unfortunately, much of the data available on the issue of child, early and forced marriage is inconsistent and of poor quality, which is reflected in a limited understanding of the root causes of the practice, the expressions and effects of marriage, and the intra- and inter-country differences in the practice.² Variations in religion, ethnicity, education, and social class of child brides and their families have been identified as areas of necessary further research.³

The pathways into and root causes of child, early and forced marriage are diverse and the reasons for parents arranging early and forced marriages for their daughters change based on context. Although there are some common themes, such as poverty, lack of education and viable economic opportunities or alternatives, insecurity, and tradition and religion,⁴ more context-specific research in the pathways into marriage, and those programs that best address them is necessary. In addition, further research is needed to identify how interventions in different sectors, such as education, economic empowerment or health, impact the incidence of the practice.

A forthcoming paper from Greenworks and the Ford Foundation, which was written in consultation with experts from civil society, government and academia, identifies four major areas of investment in research⁵. These areas of investment include (with paraphrasing) research on⁶:

- Girls and their risk of child, early and forced marriage, their experiences as child brides, and how to best mitigate the impact of marriage on girls;
- Norm change to better understand gatekeepers, the "marriage market" that often perpetuates the practice, and what factors contribute to long-lasting change;

¹ UNFPA. (2012). *Marrying Too Young: End Child Marriage*. New York, NY: United Nations Population Fund (UNFPA).

² Greene, Margaret. 2013. *Ending child marriage in a generation: What research is Needed?* New York: Ford Foundation & GreeneWorks.

³ Ibid.

⁴ Lee-Rife, S, A Malhotra, A Warner, and AM Glinski. 2012. *What Works to Prevent Child Marriage: A Review of the Evidence*. *Studies in Family Planning* 42(4): (Dec 2012) 287-303.

⁵ The paper, which is to be published in late 2013 or early 2014 includes a number of pertinent research questions that are associated with each major area of investment in research. A copy of the paper can be made available to OHCHR if requested.

⁶ Greene, Margaret. 2013. *Ending child marriage in a generation: What research is Needed?* New York: Ford Foundation & GreeneWorks.

- The impact of advocacy for legal and policy change, in order to analyze the impact of enabling legal and policy frameworks, especially within high prevalence countries;
- The macroeconomic impact of child marriage, in order to make the links between child, early and forced marriage and the broader development agenda.

Despite these research gaps, the international community cannot use this as an excuse for inaction. Robust programs are being and should be developed based on what is already known about the issue in various contexts. When an operational research component is built in, these programs can both mitigate the negative impacts of child marriage and expand knowledge about what works to address it.

The Girl Not Brides USA paper, *Ending Child Marriage: What Will it Take?* recommends that researchers and programmers define and evaluate change at the level of the girl, as well as her family and community, over time. Indicators that capture change at the level of the girl over time should be developed and used. Although there is not yet consensus about which indicators are best able to capture these changes, they should include those addressing maternal mortality, adolescent pregnancy rates, female adult literacy, and education attainment.

Recommendations and Good Practices

In order to truly address the issue of child, early and forced marriage, coordinated, integrated, and focused efforts are necessary. These efforts should aim to build girls' health and social, educational and economic assets, while also promoting gender-equitable and pro-girl social norms and creating an enabling legal and policy environment.^{7,8} Programmers and investors must ensure that efforts to prevent child, early and forced marriage, as well as meet the needs of already married adolescents, take into account the specific contexts of work, using existing research and data from the Population Council, UNFPA, and others.

The following approaches have been identified as having the most potential for addressing child, early and forced marriage and are most effectively implemented in tandem⁹ (examples of programs which employ these approaches are available in the GNB USA paper *Ending Child Marriage: What Will it Take?*):

- Work directly with married girls or girls at-risk for early marriage, offering them information, skills, support networks and girls-only spaces, in order build their social, economic, health and human rights knowledge, skills and assets.
- Work in partnership with organizations, community leaders and governments in specific sub-national districts, and focus on scaling up.
- Educate and mobilize parents, religious/traditional leaders, and community members to be allies and advocates, as well as informed community members with the information and tools to fight child, early and forced marriage.

⁷ Warner, A, AM Glinski, L Thompson, J Redner, and E Kennedy. 2013. *Ending Child Marriage: What Will It Take?* Washington, DC: Girls Not Brides USA.

⁸ Lee-Rife, S, A Malhotra, A Warner, and AM Glinski. 2012. *What Works to Prevent Child Marriage: A Review of the Evidence*. Studies in Family Planning 42(4): (Dec 2012) 287-303.; Malhotra, A, A Warner, A McGonagle, and S. Lee-Rife. (2011). *Solutions to End Child Marriage: What the Evidence Shows*. Washington, DC: International Center for Research on Women (ICRW); Warner, A, AM Glinski, L Thompson, J Redner, and E Kennedy. 2013. *Ending Child Marriage: What Will It Take?* Washington, DC: Girls Not Brides USA.

⁹ Malhotra, A, A Warner, A McGonagle, and S. Lee-Rife. (2011). *Solutions to End Child Marriage: What the Evidence Shows*. Washington, DC: International Center for Research on Women (ICRW); Warner, A, AM Glinski, L Thompson, J Redner, and E Kennedy. 2013. *Ending Child Marriage: What Will It Take?* Washington, DC: Girls Not Brides USA.

- Enhance the accessibility and quality of schooling for girls, not as a panacea for the issue, but as a critical piece towards preventing child, early and forced marriage.
- Offer economic support and incentives for girls and their families to overcome the intergenerational poverty and lack of viable income-generating alternatives for girls and young women that have been shown as contributing factors for high rates of child, early and forced marriage.
- Foster an enabling legal and policy environment, beyond minimum age of marriage laws, which are implemented, enforced and to which governments can be held accountable.

In the paper *Ending Child Marriage: What Will It Take?*, Girls Not Brides USA notes that in order to have the greatest impact, investments should be focused on "hotspots" (sub-national regions with high concentrations of girls at risk of child marriage).

International organizations, as well as governments of countries with high rates of child, early and forced marriage must raise the profile of the issue on their agendas and ensure that, where current laws and policies exist on the issue, these are practiced. Civil society, international organizations and governments must also hold countries accountable for adhering to international agreements which relate to the issue, such as the international human rights framework and regional agreements that set a minimum age of marriage.

As identified in the Council on Foreign Relations (CFR) report, *Ending Child Marriage: How Elevating the Status of Girls Advances US Foreign Policy Objectives*, donor countries have a critical role to play in elevating the issue of child, early and forced marriage in their foreign policy. This is both a moral imperative and a tool for advancing other foreign policy and development priorities, particularly on women's health and rights. While the report encourages further US government leadership on this issue, a number of positive steps in the US have already been taken to do this, which should be replicated by other donor countries. These include:

- The passage of the Violence Against Women Reauthorization Act of 2013 (VAWA), which calls on the Secretary of State to create and implement a multi-sectoral, multi-year strategy for ending child marriage, as well as use diplomatic means to work with the governments of other nations to do the same. This type of whole-of-government, coordinated approach is necessary to fully address the issue, and the US government is currently determining the best method to implement the law.
- The 2012 release of *Ending Child Marriage and Meeting the Needs of Married Children: The USAID Vision for Action*, which calls for a focus on high prevalence settings, as well as areas of disaster, instability or political change, which have been shown to increase the prevalence of child marriage.¹⁰ Importantly, the vision includes some promising interventions, as well as highlights the need to support already married children, which is a segment of the population that should not be forgotten.

Conclusion

As the OHCHR prepares its report on child, early and forced marriage, the International Women's Health Coalition asks that the girls who are at risk of, or are already experiencing the negative impacts of the practice are kept at the forefront. Child, early and forced marriage is a violation of the fundamental human rights of the over 14 million girls under 18 who will be married this year and the millions currently in union. Beyond the detriment to the girls themselves, the practice of child, early and forced

¹⁰ Myers, J. 2013. *Untying the Knot: Exploring Early Marriage in Fragile States*. London: World Vision UK.

marriage undermines the international communities' shared development goals, and for this reason, ending child, early and forced marriage should be a priority for the post-2015 development agenda. While research gaps exist in this area, the international community should still be tasked to act now based on the research that does exist and programs that have shown positive impact.