



Plan International, Inc.

SUBMISSION TO THE REPORT OF THE UN OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS ON PREVENTING AND ELIMINATING CHILD, EARLY AND FORCED MARRIAGE

Geneva, December 2013

1. Plan has developed this paper to inform the forthcoming report by the Office of the High Commissioner for Human Rights (OHCHR) on preventing and eliminating child, early and forced marriage,¹ which will be submitted to the Human Rights Council prior to its twenty-sixth session in June 2014 (pursuant to the HRC resolution A/HRC/RES/24/23). This submission draws heavily on Plan's primary research, as well as our experience of working directly with governments, children, families and communities to prevent and respond to child marriage. It identifies some of the causes and consequences of child marriage, and outlines a number of challenges and good practices to prevent and eliminate this harmful practice. It also provides a series of recommendations to States and other actors at the global level.
2. Plan is an international, non-profit, child-centred, rights-based development organisation that works without religious, political or governmental affiliation in 50 developing countries across Africa, Asia and the Americas to promote child rights and gender equality. Founded over 75 years ago, Plan International is one of the oldest and largest children's development organisations in the world. In 2012, Plan facilitated and implemented programmes, including in collaboration with partners, reaching 84 million children in 90,131 communities. Plan's vision is of a world in which all children realise their full potential in societies that respect people's rights and dignity.
3. Plan believes that child marriage is a violation of a range of human rights. While we recognise the complexity of the issue, its underlying causes and the need for holistic and integrated interventions at different levels and across sectors, this submission focuses on a few issues based on our own programmatic experience. More detailed analysis and recommendations can be found in our report, *A Girl's Right to Say No to Marriage*.²
4. While the focus of this submission is primarily on the devastating impact of child marriage on girls, we know that boys are also affected. Boys under the age of 18 are also physiologically, socially and cognitively too young for marriage.³ For boys, child marriage can also shut down opportunities to go to school, can have profound psychological consequences, and is no less a violation of their rights.⁴

INTRODUCTION

5. Child marriage is a global problem.⁵ One in three girls in the developing world will be married by her eighteenth birthday.⁶ If nothing is done to stop current trends, more than 140 million girls will be married as children in the decade leading up to 2020. That's 14 million every year or nearly 39,000 girls married every day.⁷ Despite declines in the prevalence of child marriage in some countries (there has been at least a 20 per cent reduction in Ethiopia and Nepal over a five-year period, for example⁸), global prevalence figures have remained relatively constant over the last 10 years.
6. Child marriage is most common in South Asia and West and Central Africa, where 46 per cent and 41 per cent of girls become child brides, respectively.⁹ However, child marriage affects developed, as well as developing countries. The government of the United Kingdom (UK), for example, estimates that between 5,000 and 8,000 people are at risk of forced marriage in England each year.¹⁰ In 2012, the UK government's Forced Marriage Unit gave advice or support related to a possible forced marriage in 1,485 cases.¹¹ Where the age was known, 35 per cent of

calls were from children aged 17 and below (13 per cent under the age of 15 years) – the youngest at just two years of age.

7. Child marriage is a serious violation of human rights. It infringes the rights and principles enshrined in the Convention on the Rights of the Child (CRC): the best interests of the child; non-discrimination; survival, health and development; protection from violence, abuse and exploitation; education; and full participation in family, cultural and social life – including participation in decisions that affect one's rights.
8. The underlying factors that contribute to child marriage are complex and interrelated. Underpinning child marriage is a combination of poverty, gender inequality, and a lack of educational and employment opportunities, reinforced by deeply entrenched social and cultural norms and lack of protection of children's rights.
9. Research from Plan International shows that the causes of child marriage vary within and between countries depending on individual circumstances and social contexts. However, there are some key common factors that drive and perpetuate the practice. Research by Plan Kenya,¹² for example, found that parents and guardians presented a combination of cultural, religious and economic arguments to justify child marriage.¹³ Poverty and the lack of economic opportunities, particularly for girls in rural areas, were cited by parents and guardians as a major contributing factor. A lack of economic opportunity was also found to be a key determinant for parents in research¹⁴ by Plan Pakistan. However, the main cause of child marriage in Pakistan, which is seen as customary¹⁵ and not privy to social scrutiny, was the maintenance of the patriarchal system.¹⁶ The perceived readiness to marry for boys is usually determined by their ability to earn and support a family. For girls, this is usually determined by puberty.
10. A qualitative study by Plan and the International Centre for Research on Women (ICRW) sought to understand the reasons behind the persistently high rates of child marriage in India, Nepal and Bangladesh. Tradition and the role of the family were significant factors underlying child marriage, with strong beliefs that parents were responsible for their daughters' marriage and protecting them until marriage. It is important to note that parents' decisions to marry their daughter at an early age are often motivated by a wish to do what they believe is best for them – marriage can be seen to be the best available option for girls and a way to secure their livelihood and financial security. The study found that some parents viewed marriage as a way to protect girls from the risk of sexual violence and pre-marital relations.
11. The impacts of child marriage are physical, psychological and emotional, as well as social and economic. Girls who are married as children are unlikely to be in school, are often treated as adult women and are generally burdened with the roles and responsibilities of adults – regardless of their age. Research by Plan in Kenya found, for example, that girls who were already married reported a number of challenges, ranging from a lack of financial and emotional support, as well as a lack of support with childcare and household chores. These additional responsibilities meant that 84.2% of respondents reported that they no longer had time to enjoy an education.¹⁷ Girls who are married young are also more likely to become pregnant early and be subject to violence and abuse, with potentially life-threatening consequences.
12. **Action to eliminate child marriage must involve strong commitment and concerted action by stakeholders at multiple levels: international, regional, national, community, family and individual. Given its multiple causes and consequences, ending child marriage will require a multi-sector and coordinated approach to prevention and response. Implementation of legislation, consistent with international human rights standards, must be supported by awareness-raising campaigns that, among other things, seek to promote gender equality and change negative social, traditional and religious norms and practices that give rise to child marriage. This requires collaboration and partnership between relevant government departments (such as education and health care), law enforcement agencies, the judiciary, child protection services, human rights bodies, women's groups, community-based organisations, community, religious and traditional leaders, civil society organisations and communities.**



CHALLENGES

Ensuring a minimum age of marriage

13. The Universal Declaration of Human Rights stipulates that marriage should take place between spouses of “full age” and with the “free and full” consent of both parties. While the UN Convention on the Rights of the Child (CRC) does not specify a minimum age for marriage, the CRC Committee has recommended that “States Parties review and, where necessary, reform their legislation and practice to increase the minimum age for marriage with and without parental consent to 18 years, for both boys and girls”.¹⁸ The CEDAW Committee has made similar recommendations.¹⁹
14. While acknowledging children’s evolving capacities and their right to participate in decisions that affect their lives, Plan International believes that it is in the best interest of the child to establish 18 as the minimum legal age for marriage, with or without parental consent. This will help ensure that they are able to give their free and full consent to marry and have the necessary maturity (physical, psychological and emotional) to enter into marriage. This is consistent with the African Charter on the Rights and Welfare of the Child, which also requires States Parties to prohibit child marriage and to adopt legislation that sets the minimum age of marriage at 18. Legislation that allows for a lower minimum age of marriage is inconsistent with the CRC’s principles and standards.
15. In many countries, however, the minimum age for marriage (particularly for marriages with parental consent) is lower for girls than for boys. As of 2010, girls under the age of 18 were allowed to marry with parental consent in 146 countries. Girls under the age of 15 were allowed to marry with parental consent in 52 countries. In contrast, boys were legally allowed to marry with parental consent under the age of 18 in 105 countries; and in just 23 countries under the age of 15.²⁰ Among 10 of the countries with highest rates of child marriage, five have laws allowing girls to marry at an earlier age than boys. For example, in Niger, where 75 per cent of 20 to 24-year-old women were married by the age of 18, the law allows girls to marry at 15 while boys must be 18 – either with or without parental consent.
16. Legislation that allows for a lower minimum age for girls is inconsistent with the CRC’s principles and standards, and specifically the general principle of non-discrimination. Unequal legislation governing the minimum age for marriage effectively enshrines gender inequality within law, contributing to an institutional and social acceptance of child marriage.²¹ The Committee on the Rights of the Child has consistently raised this as a matter of concern in its concluding observations to States Parties and has stressed the need to increase the minimum age of marriage to 18 for both boys and girls.
17. **Plan International believes that governments should take immediate steps to strengthen and implement laws governing the minimum age for marriage in line with international human rights standards. Strong legislative measures should be supported by efficient and effective birth and marriage registration systems, that are consistent with human rights standards and principles.**

Failures in enforcing national legislation

18. Weak enforcement, lenient penalties and inconsistent programmes safeguarding girls from child marriage reduce the effectiveness of legal frameworks in many countries. Limited implementation machinery, poor coordination and convergence amongst various stakeholders, and limited awareness of national legislation are some of the reasons for the limited impact of legislation in many countries.
19. In some countries, the legal system at national and district levels does not have sufficient resources, including trained staff, to ensure the implementation of existing laws. This is particularly the case in rural communities, where many child marriages occur and where children may have to travel significant distances alone to access justice.²²

20. Lack of awareness and failure to enforce legislation also mean that some families who arrange marriage for their young daughters are unaware that they are breaking the law.²³ Many children are often unaware of their human rights or legal protections. For example, a national survey conducted by Plan Bangladesh found limited awareness of national legislation prohibiting child marriage. Of the respondents, only 45% of women in rural areas, and 55% of women in urban areas, were aware of the legal age of marriage.²⁴ In many cases, marriages are not formally registered, making it difficult to enforce existing child protection legislation. In order to help combat child marriage, governments should ensure the universal registration of births and marriages.²⁵
21. Enforcing legislation can also be complex, particularly in countries that have established plural legal systems and marriages are conducted under customary, traditional or religious laws.²⁶ For example, research conducted for Plan in Sierra Leone found that formal law - including the Child Rights Act, which prohibits marriage under the age of 18 - is deemed less relevant than customary law. Customary law is rooted in local tradition, centred on the authority of customary chiefs, and covers 85 per cent of the population.²⁷ In Sierra Leone, the Customary Marriage Act permits marriage below the age of 18 with parental consent.²⁸
- 22. While legal protection alone will not eliminate the practice of child marriage, enacting and enforcing national legislation that prohibits the practice provides a necessary platform for successful interventions. Plan International believes that, in order to support the effective implementation and enforcement of national legislation and related policies, national governments should strengthen the capacity and training of key institutions and officials, including the judiciary, child protection services, law enforcement officers and other policy-makers and service providers. Comprehensive, strong, sustainable and adequately resourced national child protection systems should be established and strengthened in order to prevent and respond to violence, including child marriage, in all settings. Any enforcement of legislation should be consistent with the Convention on the Rights of the Child and ensure the centrality of the best interests of the child.**

Promote, protect and fulfil the right to education

23. All girls and boys have a right to a quality education²⁹ — one that does not reinforce gender stereotypes, is relevant to their needs and aspirations, and promotes gender equality and human rights. For girls in particular, a quality education can help them to have more autonomy in choosing a partner and to make free and informed decisions about marriage and sexual and reproductive health. Getting and keeping girls in school, and ensuring they receive a quality primary and secondary education is one of the best ways to foster later consensual marriage. Despite this, girls often face particular challenges in accessing and completing a quality education. In low-income countries, only 50 per cent of girls are enrolled in lower-secondary school and 39 per cent enrol in secondary school.³⁰
24. Plan research in nine countries has found a widespread belief that girls will not benefit from further education as much as boys, with some parents believing that further education will result in girls becoming ‘unmarriageable.’ Poverty is a significant factor that both drives and results from child marriage. Analysis of UNFPA data across 78 developing countries shows that more than half (54 per cent) of girls in the poorest wealth quintile are child brides, compared to only 16 per cent of girls in the richest 20 per cent of households.³¹ Poor parents, forced to choose where to invest limited resources, often decide against educating girls. Their perception is that there will be little long-term benefit or use for their daughters’ education. In these circumstances, marriage can be considered the only viable option to safeguard girls’ futures and lighten the economic burden on families. Furthermore, the perception that an educated girl will only provide a ‘benefit’ to the family she marries into can further reduce the motivation for her parents to support her education.³²
25. Qualitative studies in Malawi show an increasing trend of male parents discriminating against adolescent girls’ education. In some predominantly patrilineal communities, for example, once a daughter is married she is seen to belong to her husband’s family. Therefore, parents frequently opt to invest in their sons’ education over their daughters’, who they are more interested to see married so that they benefit from lobola (dowry).³³ Research by Plan Kenya found that some girls are forced to run away from rural areas to Nairobi to escape marriage, opting instead to enter into employment as domestic workers.³⁴



26. In short, social, domestic and economic pressures too often force girls out of school when they are considered ready for marriage, childbearing and domestic duties. In South Sudan, for example, girls are less likely to enter school and more likely to drop out when they do, due to early pregnancy and pressures to get married. Today, a young girl in South Sudan is three times more likely to die in pregnancy or childbirth than to reach grade 8. Research conducted by Plan South Sudan found that many girls drop out of school immediately after they reach puberty. Among those interviewed, 60% knew of a girl who had dropped out of school to marry.³⁵ Research in a number of villages, found that girls rarely, if at all, return to school once they have been married.
27. Many girls drop out at the very time when education could guide them through the vulnerable period of adolescence.³⁶ Girls with no education are three times more likely to marry by 18 than those with a secondary or higher education.³⁷ Nearly 70 per cent of girls with no education were married by the age of 18 in the 25 countries with the highest prevalence of child marriage.³⁸ A national survey by Plan Bangladesh found a stronger correlation: of women, currently aged between 20 and 24, 86% of those who were married before 18 years of age had received no education.³⁹ Each year of marriage before adulthood can reduce a girl's literacy by 5.6 percentage points.⁴⁰
28. Governments, bound by international human rights law, are the primary duty bearers and ultimate guarantors with responsibility to promote, protect and fulfil the rights of all children to education without discrimination and exclusion of any kind. As well as being a right in-and-of itself, education is widely considered to be one of the most important factors in delaying the age of marriage for girls⁴¹, and enabling them to make more autonomous and informed decisions about marriage and child-bearing. In developing countries, evidence shows that the more education a girl receives, the less likely she is to be married before the age of 18 and the more likely she is to delay pregnancy and childbirth.⁴² Girls who are married and/or become pregnant can also be made to leave school or be forced to interrupt their education. Instead, they should be supported to complete their education and be allowed to remain in, and return to, school.
- 29. Plan International believes that governments should redouble efforts to identify and address the barriers that boys and girls face in accessing and completing a quality primary and secondary education. This should include targeted policy measures to remove all direct and indirect barriers to education, ensuring that all children, without discrimination of any kind, including those living in remote or disadvantaged areas, are able to safely access a quality education,⁴³ and prioritising child protection measures aimed at addressing obstacles to education such as child marriage, gender-based violence and child labour.⁴⁴**

Sexual and reproductive health and rights

30. Boys and girls in many parts of the world have little knowledge or information about family planning, contraception, or HIV prevention and treatment, due to a lack of accessible, comprehensive sexual and reproductive health and rights (SRHR) information and services. In some countries, laws prohibit children from accessing sexual and reproductive health services without parental or spousal consent until they reach the age of 18, thus denying adolescents access to those services. Where girls do have knowledge of sexual and reproductive health services, their age and sex often present barriers to accessing them due to social stigma and age-inappropriate provision.
31. Early pregnancy is linked to child marriage as one of its causes and one of its most dangerous consequences. Research conducted by Plan South Sudan found that early pregnancy frequently leads to marriage.⁴⁵ At the same time, there is often huge pressure on girls to have children very early on in a marriage. Every year, nearly 13.7 million 15-19 year old girls in the developing world give birth while married.⁴⁶
32. Girls who become pregnant at a young age face higher risks of maternal mortality and morbidity.⁴⁷ Pregnancy during the first years after puberty increases the risk of miscarriage, obstructed labour, postpartum haemorrhage, pregnancy-related hypertension and lifelong debilitating conditions

such as obstetric fistula.⁴⁸ Complications in pregnancy and childbirth are the leading cause of mortality for girls aged 15 to 19 in developing countries.⁴⁹ Marriage and pregnancy are also some of the key factors forcing girls to leave school.

33. Furthermore, girls who are married at a young age are especially vulnerable to sexual and reproductive ill health, with potentially life-threatening consequences. Their age and lack of education, combined with their status and lack of autonomy and decision-making power within the home and in the marital relationship, can mean that girls who are married early are more likely to experience violence, abuse and forced sexual relations.⁵⁰ They are more vulnerable to sexually transmitted infections (including HIV), and have reduced levels of sexual and reproductive health.⁵¹
- 34. Plan International believes that all girls and boys should be able to receive quality, comprehensive, age-appropriate SRHR education, enabling them to make informed decisions about their health and fully realise their sexual and reproductive rights.⁵² Young girls and boys, including married and unmarried adolescents, should have equal and universal access to comprehensive, age-appropriate and quality SRHR information and services, free from stigma, discrimination and coercion. This should include access to information on, and services for, menstrual hygiene, family planning and contraception, perinatal care, and the prevention, care and treatment for sexually-transmitted infections including HIV.**

PREVENTING AND RESPONDING TO CHILD MARRIAGE: IMPLEMENTATION AND GOOD PRACTICE

35. Recognising the complex causes of child marriage, girls, boys and parents interviewed for Plan in Bangladesh, India and Nepal⁵³ recommended a range of methods for preventing child marriage. Such interventions ranged from raising awareness, strict implementation of the law, eradication of dowry payments, and promoting girls' education. Community leaders and government officials felt that even greater awareness about the negative consequences of child marriage, as well as better implementation of legislation, were needed.
36. Plan International has adopted a range of strategies in our programming. These range from, but are not limited to:
- Advocating for legal and public policy measures aimed at eliminating child marriage, including changing the legal age of marriage to 18 years for both girls and boys.
 - Reducing the social pressure that motivates families to practice child marriage by promoting attitude and behavior change among men and women.
 - Working with community-based child protection mechanisms to intervene where girls are at risk of marriage and to respond to rights abuses among married girls and young women.
 - Building girls' leadership skills through empowerment and capacity building, including through life skills education and peer educator training, to increase their active participation in society.
 - Supporting community leaders and community organisations to design, implement and support local advocacy activities that promote child rights and raise awareness about the negative effects of child marriage.
 - Promoting the strengthening of civil registration systems, with a focus on universal birth registration, civil servant training in the implementation of legislation prohibiting child marriage, and policy-based advocacy to close loopholes in marriage registration.
 - Working with governments, schools, community and traditional leaders and family members to increase the numbers of girls who enrol, stay, progress and complete a quality basic education.



Case study: “Empowering Girls to Learn and Abandonment of Early / Forced Marriage” project (Egypt)

Through its ‘Empowering Girls to Learn and Abandonment of early / Forced Marriage’ project,⁵⁴ Plan Egypt has adopted a number of interventions, ranging from providing financial, social and psychological support to girls at risk of dropping out of education, to non-formal education programmes for girls that aims to increase self-confidence and provide essential information. This includes information on basic life skills, public health and sexual and reproductive health and rights.

As part of the programme, Plan Egypt’s New Vision project promotes gender equality dialogue amongst groups of boys and men, and aims to increase gender sensitivity and sexual and reproductive health knowledge of young men. These groups help to promote attitudinal and behavioural changes among men and women. The groups help build a social movement to challenge child marriage, as well as to reduce the social pressure that gives rise to the practice.

The concept of groups works well within Egyptian culture, especially in villages where people like to share their experience, and collectively discuss daily challenges. By raising awareness through community dialogue and discussion, Plan has found that the community feels greater ownership of the project, as evidenced through the close involvement of community committees and community leaders.

This project has already led to several positive impacts. At the individual level, women are reported to have publicly declared not to marry their daughters early, and girls have vowed to complete their education. An increase in the numbers of female role-models ready to challenge child marriage meant that more girls felt supported to complete their education, and to convince families of the harms of the practice. Plan noticed, for example, that girls who had previously dropped out from formal education began to join community schools.

Key lessons learned include the importance of forming support groups for women, girls and boys to mobilise the local community and break the silence on issues that can otherwise be considered taboo. Our experience also demonstrates the importance of working with the whole family unit, thereby ensuring that a consistent message is delivered to all family members.

Actively involve girls and boys within communities

“There is reduction in forced marriages at this time comparing to the past just because people listen to what we are preaching to them for girls education continuity,” adolescent girl, Malawi.⁵⁵

37. Plan promotes children’s organisations and participation in creating awareness about children’s rights, including child marriage and its negative consequences. Safe spaces, forums and support networks can be created to provide girls and boys with information, life skills training and the opportunities to form new connections and friendships within the community. Enhancing skills and knowledge, as well as reducing social and economic isolation, can empower girls and boys to act as change agents within their communities. They are then able to act and advocate for themselves and on behalf of others.
38. For example, Plan Malawi facilitates the formation and training of youth Speak Out (*Tuseme*) clubs. Through these clubs, as well as through sending some representatives to the school management forums, adolescent boys and girls try to influence decision-making within the school management. These clubs create platforms for the adolescents to discuss issues and provide them with platforms to share with school authorities. As a girl participant notes, these clubs have had an impact: *“A girl of 15 years old from this school planned to get married to a boy aged 17 from the same school but due to intervention by Tuseme club ... she is now still at school continuing with her education.”⁵⁶*
39. Plan Guinea Bissau’s child-to-child approach also involves the creation of child participation groups, contributed to raising awareness on child rights issues such as child marriage among children and adults. Although there is no official prohibition of child marriage by local leaders, children’s groups are starting to influence local behavior, with children from one group reaching

an agreement with the local Chief to prohibit child marriage. As a result, an increasing number of community members began reporting cases of child marriage.

40. Actively involving girls and boys in this way can give them the confidence and ability to negotiate key decisions with their parents or guardians, and empower them as key advocates in their communities. According to one girl that Plan works with in Bangladesh: *“My parents tried to marry me off several times before I became 18. But I was determined. When the groom’s side would come to see me, I never used to stay at home... When it happened several times, my father asked me why I was doing this. Then I made my father understand what can happen to a girl if she is married at a young age. And I also told my father that I want to study... After that my father understood... He tells everyone that I will marry my daughter off after she passes the BA.”*⁵⁷

Case study: “Child Marriage Free Zone” project (Bangladesh)

Stopping child marriage has been a key area of Plan Bangladesh’s work since 2005. In order to achieve this objective, Plan is strengthening government mechanisms by supporting the development of an online Birth Registration Information System, which aims to prevent the tampering of birth dates to falsify the age of a girl at marriage. Plan is also supporting the enforcement of the Child Marriage Restraint Act (1929) through awareness-raising activities.⁵⁸ Other key activities include awareness building and motivating relevant stakeholders to take responsibility for stopping child marriage.

‘Child Marriage Free Zone’ is a movement led by local government and facilitated by Plan Bangladesh, alongside other NGOs, local government institutions, religious leaders, marriage registrars, children’s organisations, and community members. Child Marriage Free Zones have been declared in 22 unions⁵⁹ in which Plan International Bangladesh works. Once the formal declaration “from today this union is child marriage free” is made by the Union Parishad, all are committed to work collectively to stop child marriage.

Key to the child marriage free zones are children’s organisations, widely promoted by Plan. These provide life skills training to empower children in negotiating and delaying child marriage in their communities. The children raise awareness of the harm of child marriage among parents, monitor suspected or potential cases of child marriage, and take action or report the suspected cases to elders in the community.

This movement has led to a remarkable reduction in the incidence of child marriage in the areas where Plan works. Since 2005, 22 out of 39 unions in Plan areas in the Lalmonirhat, Dinajpur, Nilphamari and Gazipur districts, with a total of 147,400 girls under 18, have been declared as “child marriage free”. This intervention has been championed by the UN Special Envoy for Global Education.

Engage men and boys

41. A girl’s choice over if, who and when to marry is all too often in the hands of parents and guardians. These choices can be guided by dominant family and community expectations, norms and beliefs. Plan International believes that it is important that child marriage is not treated just as an issue specific to young women and girls. Engaging, educating and mobilising parents and communities, including men and boys, are crucial steps in changing negative social norms and practices.
42. Boys and men can also play a powerful role in ending the practice, particularly as men often occupy positions of power in families and communities. As fathers, brothers, husbands, community and religious leaders, and politicians, men hold many of the decision-making roles that allow the practice to continue.⁶⁰ Plan’s research has shown that in South Asia, parents are more likely to listen to their sons than their daughters.⁶¹ In some of the communities where Plan works, our programmes have identified advocates – both boys and girls – who have recognised the negative impact that the practice is having on their friends, families and communities and have taken action to prevent it. Challenging dominant norms of masculinity, and promoting positive masculinity and gender equality are also necessary to ensure that men and boys are strong advocates for tackling child marriage and for changing attitudes and behaviours in communities and society at large.
43. Although the consequences are often far graver for girls, boys under the age of 18 are also physiologically, socially and cognitively too young for marriage.⁶² For boys child marriage can also



shut down opportunities to go to school, can have profound psychological consequences, and is no less a violation of their rights. It can have wide-ranging implications for boys as they have to deal with the pressure of being the main provider for the family, and with the responsibilities of parenthood, when they are still children themselves.⁶³ However, research into the impacts on boys is minimal.

44. Further data collection and research is required to explore both the prevalence and impact of child marriage on boys. For example, research conducted by Plan Kenya in five programme areas⁶⁴ found that 11.6% of boys were married before the age of 18, compared to the reported national prevalence rate of 1.4%.⁶⁵ Therefore, Plan International recommend that further research and data collection is undertaken to understand the extent to which the practice impacts on the rights of boys.
45. **Governments should adopt and implement national frameworks to prevent and respond to all forms of violence against children, with a specific objective of ending child marriage and ensuring that all girls and boys are able to realise their right to education. While legislative measures are important, they alone will not be sufficient to address child marriage, which is often deeply rooted in traditions and social norms. Public policy and programmatic interventions should take a holistic approach, working at all levels, to support and promote children's rights, raise awareness of the impacts of child marriage and enable and empower individuals and communities to address the social, economic, cultural and religious norms and attitudes that perpetuate it. Importantly, this should include working with community and religious leaders, boys and men, as well as women and girls.**

KEY RECOMMENDATIONS TO GOVERNMENTS, THE HUMAN RIGHTS COUNCIL, UN BODIES, CIVIL SOCIETY AND OTHER STAKEHOLDERS⁶⁶

KEY RECOMMENDATIONS TO ALL STAKEHOLDERS:

- **Undertake research into the prevalence, causes and consequences of child, early and forced marriage** in high-income, as well as developing, countries.
- **Undertake further research into best practice interventions** that seek to challenge and address the cultural, religious and traditional norms and beliefs that give rise to child marriage.
- Collect data and conduct research to explore the prevalence, causes and consequences of the **marriage of boys** under the age of 18.
- Donors, including UN agencies, should offer **technical and financial support** to countries to address child marriage.
- Ensure that the **post-2015 development framework** includes a target on ending child marriage, a stand-alone goal on gender equality and the empowerment of women and girls, and a specific goal on ensuring all girls and boys complete, at a minimum, a quality primary and lower-secondary education.⁶⁷
- **Engage and mobilise parents, teachers and community leaders.** Awareness-raising activities should promote education and dialogue to change social norms and attitudes that perpetuate child marriage. Programmes should also promote the role that men and boys can play in ending child marriage and other harmful practices.
- **Promote the participation of children and young people in decisions affecting them.** Girls and boys should be engaged as key participants in ending child marriage. Opportunities should be created to allow them to make their voices heard and be key agents of change within their communities.

- **Increase funding and prioritise child protection, including efforts to prevent and respond to child marriage and gender-based violence, in humanitarian responses.** Child protection should be included in first phase response and all interventions must be accessible to, and appropriate for, adolescent girls.

KEY RECOMMENDATIONS TO GOVERNMENTS

At the national level, governments should:

- **Undertake a comprehensive legislative review** to ensure that domestic legislation prohibiting child marriage - whether in statutory, customary or religious laws - is in full conformity with international human rights standards.
- **Where necessary, amend or introduce national legislation** that guarantees 18 as the minimum legal age of marriage for both boys and girls, with or without parental consent. Legislation must be consistent with the Convention on the Rights of the Child, the Convention on the Elimination of all Forms of Discrimination against Women and other regional and international human rights standards. This should be accompanied by enforcement of legislation and by strengthened birth and marriage registration systems. The enforcement of legislation should be consistent with the CRC and ensure the best interests of the child.
- **Adopt, implement and adequately resource national plans to prevent and respond to all forms of violence, including child marriage.** Public policy and programmatic interventions should take a holistic approach that supports and promotes children's rights, raises awareness of the dangers of child marriage and enables and empowers individuals and communities to address the economic drivers, as well as the social, cultural and religious norms and attitudes that perpetuate it. This should also include ensuring that comprehensive child protection systems are strong, sustainable and adequately resourced. Interventions should be consistent with international human rights standards and be an integrated part of comprehensive and strengthened national child protection frameworks.
- **Fulfil the right to education, health and protection from violence of all children, including marginalised and excluded children such as girls and children with disabilities, by ensuring that budgets, policies and programmes respond to the objectives and obligations set out in international human rights law.**
- **Ensure that all girls are able to access and complete quality primary and secondary education.** All girls should be able to receive a quality education that promotes non-discrimination, gender equality and human rights in a safe and supportive environment. This also requires measures to ensure that schools are safe and free of violence, including gender-based violence, that there are programmes in place to support children who drop-out of school to return, and that all children are protected against violence on the way to and from school.
- **Ensure that safe, comprehensive and age-appropriate quality sexual and reproductive health and rights information and services are available and accessible to all, including adolescents.** This should include ensuring that sexual and reproductive health and rights education forms part of school curricula.
- **Ensure the provision of multi-sectoral and integrated services to ensure full support and protection for children who are already married,** including by providing health care, psychosocial and other support as well as educational opportunities.

At the international level, governments should:

- **Develop a substantial resolution** to address human rights violations in relation to child marriage by the 27th session of the Human Rights Council.
- **Adopt a comprehensive UN General Assembly resolution that addresses child marriage** as a human rights violation and includes a call to end to child marriage and solutions to end the practice.
- Use the UPR process and other human rights mechanisms in a systematic manner to **raise the importance of ratifying the CRC and CEDAW, including their Optional Protocols, and to raise concerns on child marriage.**



- **Withdraw reservations** made to international human rights instruments that are pertinent to child marriage.
- **Support the immediate creation of a child rights division within OHCHR** with adequate financial and human resources

KEY RECOMMENDATIONS TO OHCHR:

The Office of the High Commissioner for Human Rights should:

- **Take a comprehensive approach in its report**, and consider the full spectrum of causes and consequences of child, early and forced marriage from a human rights perspective, as a global issue
- Create a **child rights division within OHCHR** with adequate financial and human resources to ensure that all aspects of child rights issues are adequately addressed.

KEY RECOMMENDATIONS TO CIVIL SOCIETY:

- Civil society should **actively use the regional and international human rights mechanisms**, including country specific and thematic mechanisms, to raise child marriage as violation of many human rights.
- Civil society organisations should **actively monitor States' implementation of recommendations** issued by the human rights treaty bodies, the UPR and other relevant human rights mechanisms in regard to child marriage and remind States of their obligations.

¹ For the purposes of this submission, Plan International prefers to use the term "child marriage." The minimum age of 18 is considered appropriate to ensure that children are able to give their free, full and informed consent to marriage, and have the necessary maturity – physical, emotional and psychological – to enter into marriage. Plan defines child marriage as any marriage – whether under civil, religious or customary law, and with or without formal registration – where either one or both spouses are children under the age of 18. Our submission does not discuss the forced marriage of adults over the age of 18.

² Plan International, 2013, *A girl's right to say no to marriage: Working to end child marriage and keep girls in school*.

³ Dixon-Mueller, R., 2008, 'How Young Is 'Too Young'? Comparative Perspectives on Adolescent Sexual, Marital, and Reproductive Transitions,' *Studies in Family Planning* 39(4): 247-62.

⁴ It can have wide-ranging implications for boys as they have to deal with the pressure of being the main provider for the family, and with the responsibilities of parenthood, when they are still children themselves. However, further data collection and research is required to explore the prevalence and impact of child marriage on boys and men. See: Plan Finland and Åbo Akademi University, *Stealing Innocence: Child Marriage and Gender Inequality in Pakistan*, Helsinki: Plan Finland, 2011.

⁵ Child marriage is prevalent in all regions and in both developed and developing countries. However, this submission primarily focusses on the regions and countries in which Plan delivers programmes. Nevertheless, Plan recognises the importance of addressing this as a global problem and recommends that OHCHR recognises this in its report.

⁶ UNFPA, 2012, *Marrying Too Young: End Child, early and forced marriage*

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Home Office, 2012, *Forced Marriage – A Consultation: Summary of Responses*.

¹¹ Forced Marriage Unit, *Statistics January to December 2012*, www.gov.uk/government/uploads/system/uploads/attachment_data/file/141823/Stats_2012.pdf

¹² Plan Kenya, 2012, *Because I am a Girl: Country Report*. The research involved household interviews, Focus Group Discussions and Key Informant Interviews in Bondo, Homa Bay, Kilifi, Kwale and Tharaka

¹³ Ibid.

¹⁴ The study consisted of qualitative research, in depth interviews, focus group discussions with different groups of stakeholders.

¹⁵ The concept of 'izzat' based on the notion that the bodies of women and girls represent community or individual honour is a factor that follows from social tradition. The pressure for marrying girls at an early age is to minimize the 'risk' of dishonour associated with sexual conduct out of wedlock.

¹⁶ Plan Pakistan, 2013, *A Research Study on Child, early and forced marriage*.

¹⁷ Plan Kenya, 2012, *Because I am a Girl: Country Report*.

¹⁸ Committee on the Rights of the Child, *General Comment No. 4: Adolescent Health and Development in the Context of the Convention on the rights of the Child*, Geneva: UN, 2003.

¹⁹ UN Committee on the Elimination of Discrimination against Women, General Recommendation 21, para. 36, 1994.

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- ²⁰ UNFPA, 2012, *Marrying Too Young: End Child, early and forced marriage*.
- ²¹ Ibid.
- ²² Allard K. Lowenstein International Human Rights Clinic, Yale Law School, and Plan UK, 2013, *Before Their Time: Challenges to Implementing the Prohibition Against Child Marriage in Sierra Leone*
- ²³ Plan Egypt, 2010, *Early Marriage*
- ²⁴ ICDDR, B, ACPR and Plan Bangladesh, 2013, *Child, early and forced marriage in Bangladesh: Findings from a National Survey, 2013*
- ²⁵ Office of the Special Representative of the Secretary on Violence against Children and Plan International, 2012, *Protecting Children from Harmful Practices in Plural Legal Systems*
- ²⁶ The Special Representative of the UN Secretary-General (SRSG) on Violence against Children and Plan International, 2012, *Protecting children from harmful practices in plural legal systems*
- ²⁷ Allard K. Lowenstein International Human Rights Clinic, Yale Law School, and Plan UK, 2013, *Before Their Time: Challenges to Implementing the Prohibition Against Child Marriage in Sierra Leone*
- ²⁸ Ibid
- ²⁹ A quality education is not just about ensuring children learn the basics. For Plan, a quality education is one that is delivered in a safe and supportive learning environment. It should be relevant to the needs and aspirations of girls and boys, support and promote learning which develops children's personality, critical thinking skills, and full potential. It should enable girls and boys to be responsible and active citizens, and should be grounded in, and promote, non-discrimination, gender equality and the respect for human rights and fundamental freedoms
- ³⁰ UNESCO, 2012, *Youth and skills: putting education to work, Education for All Global Monitoring Report 2012*
- ³¹ UNFPA, *Marrying Too Young: End Child Marriage*, New York: UNFPA, 2012
- ³² Plan UK, 2013, *Building Skills for life: Global Mid-Term Evaluation Report*, p.6
- ³³ Plan UK, 2013, *Girls Access to and Completion of Lower Secondary Education in Malawi: PPA Building Skills for Life for Adolescent Girls Programme Mid-term Evaluation Report*
- ³⁴ Plan Kenya, 2012, *Child Domestic Labour in Nairobi: Study Findings*
- ³⁵ A total number of 240 questionnaires were filled with 120 households and 120 children (boys and girls) both in and out of school ranging from 13-19 years of age. 32 FGDs were held with parents, (women and men), 14 FGDs with school going boys and girls, 6 with teachers and scores of 18 key informant interviews were undertaken with Senior Civil servants at the National, State, County and Payam levels. 15 In-depth discussions with religious leaders, chiefs and other authorities like County Commissioners and Executive Directors were also done. An interview with a member of parliament in charge of child rights committee and women caucus was also interviewed.
- ³⁶ Plan International, 2012, *Because I am a Girl, Africa Report, Progress and Obstacles to Girls' Education in Africa*.
- ³⁷ UNFPA, 2012, *Marrying Too Young: End Child, early and forced marriage*
- ³⁸ Ibid.
- ³⁹ ICDDR, B, ACPR and Plan International Bangladesh, 2013, *Child, early and forced marriage in Bangladesh: Findings from a National Survey, 2013*
- ⁴⁰ UNGEI, 2012, *Child, early and forced marriage and Education: A Major Challenge*
- ⁴¹ International Centre for Research on Women, 2007, *New Insights on Preventing Child, early and forced marriage: A Global Analysis of Factors and Programs*
- ⁴² UNFPA, 2012, *Marrying Too Young: End Child, early and forced marriage*
- ⁴³ Measures may include, for example, social protection measures such as cash transfers, targeted financial support and fee waivers.
- ⁴⁴ Plan International, 2013, *Briefing paper on education in the post-2015 development agenda*.
- ⁴⁵ Plan South Sudan, 2012, *Right to Choose: Assessment Study On Harmful Practices That Affect Girls' Education In Central Equatoria State*
- ⁴⁶ Based on UNFPA data that each 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. Ninety per cent of these adolescent mothers in developing countries are married. See: UNFPA, 2012, *Marrying Too Young: End Child, early and forced marriage*.
- ⁴⁷ UNICEF, 2011, *State of the World's Children, Realizing the Rights of Adolescents*
- ⁴⁸ The Office of Gordon and Sarah Brown, 2012, *Out of wedlock, into school: combating child, early and forced marriage through education*.
- ⁴⁹ UNFPA, 2012, *Marrying Too Young: End Child, early and forced marriage*.
- ⁵⁰ International Centre for Research on Women, 2007, *New Insights on Preventing Child Marriage: A Global Analysis of Factors and Programs*
- ⁵¹ IPPF, UNFPA, The Global Coalition on Women and AIDS, 2006, *Ending Child, early and forced marriage: A Guide For Global Policy Action*.
- ⁵² Plan International, 2013, *Briefing paper on gender equality and women and girls' empowerment in the post-2015 development agenda*
- ⁵³ Plan Asia Regional Office, 2013, *Child Marriage Initiative: Summary of Research in Bangladesh, India and Nepal*
- ⁵⁴ As per the 2011 Mid-term Project Review, this project is targeting over 2,600 girls as well as 850 mothers and other females. The project is also reaching out to over 2,000 men, including fathers, brothers, and husbands. Other targeted beneficiaries include: medical professionals and midwives (18), school teachers and social workers (152), community leaders (125) and religious leaders (8), as well as media professionals (5), and local government officials and policymakers (46).
- ⁵⁵ Plan UK, 2013, *Girls access to and Completion of Lower Secondary Education in Malawi: PPA Building Skills for Life for Adolescent Girls Programme Mid-term Evaluation Report*.
- ⁵⁶ Ibid.
- ⁵⁷ Plan Asia Regional Office, 2013, *Child Marriage Initiative: Summary of Research in Bangladesh, India and Nepal*.
- ⁵⁸ ICDDR, B, ACPR and Plan Bangladesh, 2013, *Child Marriage in Bangladesh: Findings from a National Survey, 2013*.
- ⁵⁹ A union the smallest rural administrative and local government units in Bangladesh, headed by the local government body, *Union Parishad*.
- ⁶⁰ The Office of Gordon and Sarah Brown, 2012, *Out of wedlock, into school: combating child marriage through education. A review by Gordon Brown*.
- ⁶¹ Plan Asia Regional Office, 2013, *Child Marriage Initiative: Summary of Research in Bangladesh, India and Nepal*.



⁶² Dixon-Mueller, R., 'How Young Is 'Too Young'? Comparative Perspectives on Adolescent Sexual, Marital, and Reproductive Transitions,' *Studies in Family Planning* 39(4): 247-62, 2008

⁶³ Plan Finland and Åbo Akademi University, *Stealing Innocence: Child Marriage and Gender Inequality in Pakistan*, Helsinki: Plan Finland, 2011

⁶⁴ Bondo, Homa Bay, Kilifi, Kwale and Tharaka

⁶⁵ Plan Kenya, 2012, *Because I am a Girl: Country Report*. The research involved household interviews, which were triangulated with Focus Group Discussions and Key Informant Interviews

⁶⁶ For more detailed recommendation, please refer to Plan International's report, *A girl's right to say no to marriage: Working to end child marriage and keep girls in school*

⁶⁷ See Plan International's briefing papers on education, gender equality and child protection in the post-2015 development agenda