



SUBMISSION TO THE UNITED NATIONS OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

BY NGO ACTION ON CHILD EARLY AND FORCED MARRIAGE (ACE&FM)

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Child Marriage and Child Widows in Humanitarian Settings

Action on Child, Early and Forced Marriage welcomes this opportunity to respond to the OHCHR's call for submissions for its report on Child Early and Forced Marriage in Humanitarian Settings to be presented at the 41st session of the Human Rights Council.

Our panel during the 28th session of the Human Rights Council in March 2015, '*Child Marriage – turning recommendations into action*' was in preparation for the first ever substantive resolution on child marriage. Speakers included the then Ambassador for Sierra Leone, Yvette Stevens, Catherine Godin, Deputy-Permanent Representative of Canada to the UN, Jane O'Connor, the then Director of the Research and Right to Development Division, OHCHR and Mohinder Watson, Action on Child Early and Forced Marriage. The panel was moderated by Nyaradzai Gumbonzvanda, the African Union's Ambassador against child marriage. The panel's recommendations included the need for greater accountability in the light of the increase in child marriages in humanitarian settings. In 2017 ACE&FM was invited by the missions of Sierra Leone and the Netherlands to comment on the zero draft of the resolution concerning child marriage in humanitarian settings and also participated in the informals in Geneva before for the resolution was passed in 2017.

This submission is based on both our own research, knowledge and advocacy work together with reference to some international literature including those of UN Agencies. It also draws on our recent report on child widows '*Millions of Child Widows Forgotten, Invisible and Vulnerable*' which can be downloaded by clicking on:

http://actiononchildearlyandforcedmarriage.org/wp-content/uploads/2018/08/ChildWidowsReport_2018_Mohinder_Watson.pdf

Regrettably we are unable to provide specific country level statistics and individual cases as we are not currently engaged in research at the community level, but we draw from our research on child marriage and wider literature and hope this will nonetheless be helpful. Our submission will focus mainly on challenges for addressing child marriage in humanitarian settings and some of the potential solutions.

OCHA (2018) states that currently over 134 million people across the world need humanitarian assistance and protection, mostly due to conflict. These unprecedented levels of displacement have led to an increase in child early and forced marriages (CEFM) in humanitarian settings. Whilst efforts are made to address the problem, numbers continue to grow providing ongoing challenges for the international community.

1. Key challenges to prevent CEFM in humanitarian settings:

a) Lack of reliable data on child marriage in humanitarian settings

Reliable data is often lacking in humanitarian settings but without such data, it is difficult to assess the effectiveness of interventions to prevent and eliminate CEFM. With the onset of each humanitarian crisis, priority is given to saving lives and providing essentials such as safety, shelter, food, clothing, etc.

Amidst this chaotic situation, it is assumed that data collection and the provision of emergency services are incompatible and thus cannot be carried out simultaneously. Yet data collection right from the beginning is vital to establish a baseline estimate against which to measure change. A further challenge is how to measure change in such complex settings.

Solution: Reliable data should be obtained from the beginning through careful prior planning so that responders are well-trained and equipped to undertake both data collection and emergency service provision simultaneously. More research should be conducted to find the best methodologies to measure change. Individuals such as adolescent girls living in the camps could be recruited and trained to help with data collection using smart phones, etc.

b) Prioritising the needs of adolescent girls in humanitarian settings

Adolescent girls are a highly vulnerable group, but their vulnerability is heightened even further in humanitarian contexts due to increased sexual harassment and violence. Despite this, adolescent girls' needs are often inadequately understood or met as they are treated either as children or adults when they are neither. At this stage of development, they have specific mental and physical changes to deal with such as the onset of menstruation, so camp services should be tailored to their needs as they are the most at risk of child marriage.

Solution: Treat adolescent girls as a discrete group requiring increased protection from sexual violence and specific reproductive health needs. Protection could range from safety audits to ensure routes and facilities are safe such as well-lit toilets with locks away from danger areas to systematically addressing gender-based violence in the camps. Adolescent girls should be central in planning camp services and should be involved in all decision-making.

c) Lack of information about the location of adolescent girls in the camp.

With thousands or even tens of thousands of individuals in camps, it is difficult to know where these vulnerable girls are located within the camp. However, without such essential information, it is difficult to support adolescent girls who may be at risk of child marriage and perhaps with children needing support.

Solution: At the onset of the crisis, a mapping exercise should be undertaken to determine where adolescents are living in the camps. Adolescents themselves could be recruited and trained to help undertake the mapping exercise. This information would allow adolescents to form a peer support network and receive help and information to keep them safe and avoid child marriage in spite of family pressures.

d) Accessing girls and families at risk of child marriage

As child marriage is an illegal practice involving minors, it is difficult to identify and influence families who are contemplating marrying their daughters at an early age. In camp

settings, the intensified fear of sexual violence leads parents to adopt harmful survival strategies such as confining girls to the home or marrying them off early. Parental consent will normally be needed to access adolescent girls unless they are allowed to participate in clubs. When girls are confined to their homes, they become isolated from their peers and have no opportunity of developing a support network and getting access to potentially useful information, particularly if they are forced into marriage.

Solution: Create girl-friendly and safe physical spaces for them to meet, discuss and also receive help and advice. Encourage parents to let girls attend school and other activities by understanding the benefits of education rather than marrying them early. In a worst-case scenario, home schooling should remain an option. Already married adolescent girls must also be supported as they too are vulnerable.

e) Accessing child widows in humanitarian settings

In addition to the problem of child marriage, in conflict situations such as in Afghanistan where girls may be married early and live in an environment where violence is rampant, and their husbands go to fight, it is evident that some of these war widows will be child widows. In societies where women are financially dependent on their husbands, when he dies, she is left destitute as there is often no safety net such as pensions. The most vulnerable child widows are those who were married to ISIS or Taliban fighters who may even be rejected by their own families.

Solution: Be mindful of the existence of this small group of highly vulnerable young girls who also need protection and support. As child widows are a direct consequence of child marriage, they can be supported with other young girls who may already be married.

f) Addressing poverty in camp settings

A major driver of child marriage is poverty. The lack of livelihood opportunities in camps can push families into poverty. Without employment workers lose structure to their lives and their sense of identity and purpose. Some Syrian refugees for example are highly skilled professionals such as medical doctors, yet they are unable to work.

Solution: Find solutions to enable camp residents to work in host countries as such schemes could potentially help both camp residents and the receiving country in terms of taxes paid and contribution to the economy. Employment goes much further than simply being a means out of poverty; it also provides a sense of worth and being able to contribute to society and provide for one's family. Alleviating financial pressures on the family could thus contribute to lessen the pressure on girls to marry early. Work is also important as it keeps people occupied in worthwhile activities rather than becoming frustrated, bored and angry when they have nothing to do.

g) Inability of countries to deal with unprecedented numbers of those requiring support in emergencies

The lack of resources and a country's inability to deal with the unprecedented numbers of displaced individuals or those needing support can be a barrier to fighting child marriage e.g. Nigeria. The girls who were kidnapped by Boko Haram in Nigeria and where forced marriage was used as a weapon of war to terrorise families, face double discrimination firstly through being forced into marriages with their captors and to have children by them and then when these girls returned home, they were shunned by society as they had given birth to 'children of

the enemy' who will never be accepted. Such stigma related to sexual violence is highly damaging to these young girls who have already suffered and need protection and care. More effort is required to prevent the stigma of sexual violence and to care for such victims of forced marriages in unstable situations.

h) Variability between humanitarian contexts

Humanitarian situations often arise unexpectedly and disrupt all usual services such as medical, social, legal, community and transport. As no two humanitarian crises are the same, extrapolating good practices from one setting to another is difficult yet lessons learned from previous emergencies can still help manage new emergencies.

Moreover, whilst some emergencies maybe new, others may be long standing due to protracted wars lasting decades. What starts out as a temporary measure, can soon become a permanent one. In some campsites generations of children have been born and bred within camps who have never experienced a normal life. Child marriage must be addressed in these different contexts as the drivers of child marriage may change over time.

Solution: Evaluate interventions and share best practices as well as insights into what went wrong as this can be just as helpful if not moreso than a project that ran smoothly. More women must be involved in peace building and security negotiations so that wars can be avoided, and their end more swiftly negotiated so that post conflict reconstruction can begin.

i) Addressing gender-based violence in camps

The fear of sexual violence and the stigma attached to rape are major drivers of child marriage in humanitarian settings.

Solution: A combination of practical measures to deter acts of violence from harsher penalties for perpetrators to adequate lighting and physical protection for girls when alone at night. Longer term efforts are also required to change social norms and address masculinity issues, patriarchy and women's role in society through educating men and boys and empowering women to defend their rights. There must be an environment of security and trust so that women feel able to report violence given that most cases go unreported. Justice must be done.

j) Lack of adequately trained first responders and camp staff

First responders and camp staff in emergencies are not always well trained which can affect the success of interventions such as those to end child marriage despite best efforts.

Solution: Recruit well trained responders who can speak the same language as those displaced as language can be a barrier to communication, and who are aware of and respect the multicultural background of those displaced. Recruit and train refugees/displaced persons to become first responders as they have first-hand experience of the problem and can better empathise with others in need.

Form links with university departments to encourage students to gain experience in camps during their studies so that they can join a humanitarian agency after graduation.

k) Inadequate coordination between the many agencies involved

When many different actors are involved, each with their own ways of working, priorities and personal interests, this can lead to duplication of efforts, confusion and mistrust.

Solution: Agencies should communicate better and coordinate their responses to minimise confusion and to avoid a loss of synergy. More must be done to address the politics of aid and refugees as the narrative has become increasingly negative.

2. Promising practices to prevent/eliminate child marriage in humanitarian settings

Many of the promising practices for eliminating child marriage in humanitarian settings are similar to those used in stable settings. Poverty is a major driver of child marriage: it can be due to a farmer's crops failing in a rural village in Africa or due to men being unable to work in Lebanese camps. The outcome is the same, as it results in parents being unable to provide for their children. In this context, girls are married off early to reduce the financial burden on the family. The other main driver of child marriage is the fear of sexual violence be it to girls on their way to school, due to violence being used to terrorise communities as a weapon of war or due to policing and justice deficiencies in camps; the outcome is the same so far as parents believe that the best and sometimes only way to protect girls from sexual violence and the loss of family honour is to marry them off early.

Solution: To address poverty, allow those living in camps to engage in paid work and to earn a living, including women. Address all aspects of sexual violence including working with men and boys to change attitudes towards women and address the stigma attached to sexual violence. Interventions to systematically address violence are essential.

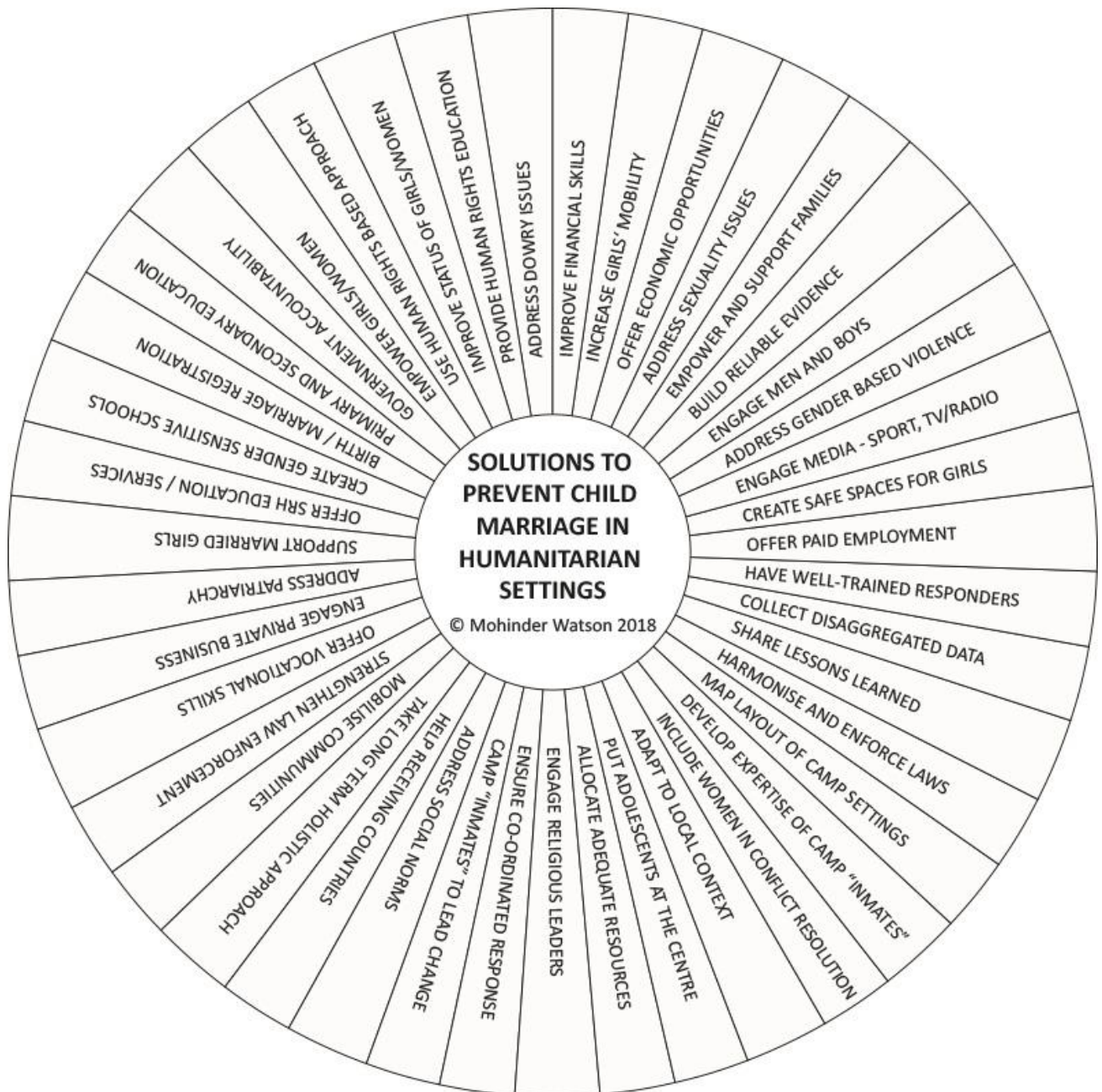
Our diagram on the next page, "Solutions to prevent child marriage in humanitarian settings" was originally produced to show the range of solutions to prevent child marriage in stable settings. Only slight modifications were made to adapt it for humanitarian settings showing that these same solutions can also apply and be adapted to the humanitarian context.

Promising practices include educating girls and keeping them in school, catering for the needs of already married girls, providing good quality, gender sensitive curricula and engaging more female teachers, empowering girls through human rights education and vocational skills training, providing safe spaces for girls to form peer support networks, teaching them financial skills, educating families and communities about the harmful effects of early marriage on girls, providing sexual and reproductive health education and counselling.

Other promising practices include addressing social norms around child marriage and addressing patriarchy and the status of women in society, engaging men and boys and raising public awareness of the negative impact of child marriage through theatre performances, music, art, sport, media campaigns etc. Including all stakeholders is key including religious and other minority leaders. Multi component interventions generally were more effective than single component interventions but evaluations although essential, were uncommon.

The diagram on page 6 was originally compiled using data from UNICEF, 2001, Yarrow et al 2015, UNFPA 2012, Malhotra et al 2011, Jha et al 2016, Nirantar 2015, Walker et al 2015, Hodgkinson 2016 as well as our own research to show solutions to prevent child marriage generally. It has subsequently been updated for humanitarian settings using data from the Women's Refugee Commission, 2016, States of Fragility 2016, Understanding violence, OECD, Report of the Secretary General on Conflict-related Sexual Violence, 2017.

Diagram: Solutions to prevent child marriage in humanitarian settings



3. The impact that exacerbating factors have had on CEFM in humanitarian settings

Countries such as Syria had good education systems in place prior to the conflict so it is important to restore them as soon as possible. Child marriage rates amongst Syrians increased from 12% before the war to 32% three years later. Exacerbating factors in humanitarian setting include the lack of employment opportunities which push families into poverty. Syrians are not allowed to work in Lebanese camps which contributes to poverty.

The increase in gender-based violence in camps due to the loss of social order drives parents to marry their daughters early believing that the husband can protect them from sexual violence. In many societies, girls must retain their virginity until marriage with the family honour often dependent on this. Early marriage is thus seen as one way of achieving this.

In the unique settings of camps, the procedure for finding a suitable partner for girls changes. On the one hand there is a greater urgency to marry girls off due to the fear of sexual violence but on the other hand families are outside of their normal socio-cultural environment with fewer choices open to them. Parents' desperation to marry girls under these difficult circumstances drives them to make hasty decisions about the choice of their daughter's partner, as they no longer have the luxury of marrying girls into families they already know well or having the time to find out more about the potential husband's background. Thus, the unique context of the humanitarian setting leads families to marry daughters into little known families so if things go wrong, there is less incentive to resolve matters amicably as the relationship is not based on a long family history as was the case previously.

In addition, as the young men in the camp are not allowed to work and earn a living, they are unable to afford the bride price needed to marry a girl. This has led parents to search for older husbands for their daughters who are more likely to be financially secure. A further change has been the increase in informal unions which means that the girl has no legal rights in the case of a divorce. The children may also suffer from statelessness if citizenship is handed down through the male line. Families of Syrian girls are also arranging marriages to Lebanese men as a means of escaping from camp life and shedding the undesirable status of a refugee. The differences in culture can be difficult for girls as Lebanese society is 'more westernised' than Syrian society which is more traditional. Girls who are not married by a certain age are stigmatised as it is believed that there must be something wrong with them, so even some girls want to marry early to avoid this negative perception. There has also been a rise in temporary marriages which again leave young girls vulnerable. Marriages also take place in return for help and favours or to repay debts in this challenging environment.

4. Final General Considerations.

Poverty and insecurity often lead to an increase in gender inequality, so law enforcement is vital to obtain justice for victims of sexual abuse and their families and as a deterrent to others. Well trained health care professionals who can recognise and report signs of abuse are required to deliver adolescent friendly services as sexual abuse is mostly unreported. Employ more women in camps at all levels e.g. police officers, teachers, security, lawyers, researchers, doctors and counsellors. Finding means of employment for residents to reduce poverty is essential.

It is important to take a holistic and long-term view of camps and the various groups which inhabit them such families, gangs, clubs, teams, friends and their ages and sex, as they all have different needs and expectations and camps are rarely short term. Appreciate that the camp is the inhabitants entire world at that time, and that they need employment, schools, healthcare centres, cooking and washing facilities, recreation, entertainment, and much more.

Although child marriage in humanitarian settings has increased, it must be considered within the wider context of child marriage in non-humanitarian settings as the numbers are still relatively small compared to global figures. Our work suggests that there are many

similarities between humanitarian and non-humanitarian settings and lessons learned from stable environments can be adapted to camps. For example, the safety of girls when travelling to and from schools is sometimes a barrier to girls accessing education in camps. This was also an issue in India where the solution was to give girls bicycles so that they could ride to school together in groups or buses were provided to help ensure their safety. Such ideas could be adopted in humanitarian settings. Sponsors such as bicycle companies could donate these.

Our workshops with international health professionals suggested that there is a need to be mindful of the wording used in programming as even the words ‘sexual reproductive health’ can be considered inappropriate and may create resistance to using such facilities; more acceptable wording might be ‘adolescent health clinics’ or similar.

It is important to foster solidarity and instil a sense of ownership in camps through encouraging residents to help with camp duties such as distributing food or collecting data as well as being active participants in all decision-making related to camp welfare.

Offer women and girls workshops to teach them skills such as sewing or accountancy which could help them set up a business afterwards without forgetting that camp residents may be the best placed to offer such training.

Men and boys must be engaged in dialogue to understand the importance and value of women in society and to respect women as equals. Champions who draw attention at national and international level continue to provide much needed visibility for camp issues in the media.

The value of the family cannot be underestimated so keeping families together wherever possible is important unless the family poses a danger to the children

Find ways to manage and transform the hopelessness that can pervade camp life into hope and optimism. Create a vision with opportunities and a normal life outside the camps. Protect young children’s childhood and instil hopes and dreams inspiring them to achieve great things like the girl who became an Olympic swimmer.

Find opportunities to engage business to offer services as part of their corporate social responsibility such as running “Digital opportunity centres”, a concept used in Taiwan and other countries. Such schemes, sponsored by digital companies, would provide computer skills training to camp residents and also small enterprise centres to provide financial literacy, marketing skills etc in preparation for work outside the camp. Such facilities could be permanent or mobile units and offer residents much needed links to the outside world.

It may seem obvious, but more must be done to prevent wars from happening. More women must be involved in peace and security and must be given a seat at the negotiating table.

Mohinder Watson, *Action on Child, Early and Forced Marriage*,

September 2018.