Child, Early and Forced Marriage is an urgent human rights concern that needs to be addressed with due attention. One-third of girls in the developing world (excluding China) are married before their 18th birthday and 1 in 9 are married before the age of 15 (UNFPA). If this trend continues, by the next decade, 142 million girls will be married before age 18—which means around 39,000 girls under 18 will marry every day (UNFPA). Child marriage affects both boys and girls; however, it more significantly impacts girls.

While many international instruments like the Universal Declaration of Human Rights (UDHR), Convention on the Rights of Child (CRC), Convention on the Elimination of All forms of Discrimination against Women (CEDAW), International Covenant on Economic, Social and Cultural Rights (ICESCR), International Covenant on Civil and Political Rights (ICCPR), and International Conference on Population Development (ICPD) clearly prohibit child and forced marriage; there are not enough efforts at the international and national levels to curb the practice. This important human rights issue was ignored in the Millennium Development Goals (MDGs). But it is clear that most of the MDGs cannot be achieved without ending child marriage because it perpetuates Poverty (MDG1) (Girls Not Brides; Svanemyr et al.); it robs children the opportunity of education (MDG2) (ICRW; UNFPA APRO, SAIEVAC; WHO, UNFPA); it reinforces inequality including gender inequality (MDG3) (Girls Not Brides); it is a major cause of high maternal deaths among adolescents (MDG5) (Svanemyr et al.); and it increases the risks of HIV and STI transmission (MDG6) (UNICEF) (Svanemyr et al.).

With the end of the MDGs, the post-2015 development framework must ensure that this issue is effectively addressed, which in addition to protecting human rights, will have positive catalytic effects on other development issues and goals at the macro level.

### Definitions

**Sexual rights** protect all people’s rights to fulfill and express their sexuality and enjoy sexual health and pleasure. Sexual rights are human rights and include the right to health, the right to freedom of expression and the right to education, all of which are recognized in international human rights documents. All people have the right to fulfill their sexual rights, regardless of class, gender, race, ethnicity, age, disability status, sexual orientation and religion.

**Reproductive rights** embrace certain human rights that are already recognized in national laws, international human rights documents and other consensus documents. These rights rest on the recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to the highest attainable standard of sexual and reproductive health. They also include the right of all to make decisions concerning reproduction free of discrimination, coercion and violence, as expressed in human rights documents (UN Programme of Action adopted at the International Conference on Population and Development, Cairo, 5-13 September 1994, Para 7.3).

**Youth** is a period of transition from the dependence of childhood to the independence of adulthood, which comes with responsibilities and challenges to earn one’s own livelihood and live one’s own sexual and reproductive life. While the United Nations defines youth as persons between the age of 15 and 24, youth is more a fluid category than a fixed age group. It is important to recognize that youth are not homogenous and that all youth, irrespective of their differences, have an increasing capacity to deal with the challenges to live their life on their own terms.

**Child Marriage** occurs when either one spouse is or both spouses are below the age of 18 (UNICEF) (UNFPA).

**Forced Marriage** happens without the free and full consent of either one or both spouses involved; or when one spouse is or both spouses are unable to end or leave the marriage (OHCHR). Forced marriage can also happen under circumstances where free and full consent is undermined, such as through the use of physical, psychological, or financial coercion (Sexual Rights Initiative).

**Early Marriage** does not refer solely to age and may include other factors that would make a person unready to consent to marriage. Level of physical, emotional, sexual and psychosocial development, educational and other aspirations, and lack of information regarding the person’s life options are included among such factors (Sexual Rights Initiative).

### Linkages between SRR, Post-2015 and Early Forced Marriage

**Right to Choose and Make Decisions**

Child, early and forced marriage undermines the most fundamental aspect of life and sexual and reproductive rights—to make decisions on one’s own life and body. Girls forced into child marriage often have no say whatsoever on the marriage, or whether or when they want to have children. In many cases, girls married as a result of the traditional and cultural practice of child marriage are pressurized by family and socio-cultural expectations to have children as soon as they marry. In most situations, child, early and forced marriage creates barriers for education and socio-economic opportunities, leaving girls and young women with limited opportunity for personal and economic development, further perpetuating poverty and gender inequalities (ICRW, UNFPA APRO, SAIEVAC).

**Early Pregnancy and Maternal death**

Young girls and adolescents forced into early marriage have limited access to education and sexuality related information, which can lead to unwanted pregnancies and STI transmissions (UNICEF) (UNFPA). As girls engaged in child and forced marriage are often pressured to bear children immediately, they are at higher risk of complications from pregnancy, including death (ICRW, UNFPA APRO, SAIEVAC) (Svanemyr et al.). Pregnancy related deaths are consistently among the leading causes of death of girls 15-19 years worldwide (WHO); girls younger than 20 are at significantly higher risk of dying in childbirth than women in their 20s (UNICEF). Studies reveal that physical immaturity along with poor socio-economic conditions and maternal health care are the reasons for the pregnancy related deaths of adolescents (UNICEF).

Among several other health hazards, early marriage also leads to serious pregnancy related complications such as obstetric fistula and uterine prolapses, which can further perpetuate socio-cultural stigma and discrimination (Darshan) (UNICEF) (UNFPA).

**Access to Sexual and Reproductive Health Information, Services and Programs**

Adolescents, especially girls, often do not have access to accurate information and knowledge on sexual and reproductive health and rights (UNICEF). As many girls are forced to drop out of school as a result of child marriage, they may not have reliable sources of information on sexual and reproductive health in the time they need it most. They often also face difficulties in accessing sexual and reproductive health services such as safe abortion and contraception (UNFPA) (UNICEF).
Risk of HIV and other STIs

Child, early and forced marriage often prevents girls from attending school. (UNICEF) (Girls Not Brides). Among other consequences, this can mean they have little exposure to information on sexual and reproductive health related topics like HIV that they may have otherwise received through the formal schooling system.

“In general, women aged 20–24 who know how to prevent HIV infection are less likely to have been married by age 18 than those who do not” (UNICEF).

Most importantly, girls, adolescents and young women often have little to no decision-making ability within their sexual-partnership, leaving them unable to negotiate the terms of sex (including contraceptive use) or refuse it altogether (UNICEF).

Sexual and Gender Based Violence

There is significant evidence suggesting that child, early and forced marriage leads to domestic violence and sexual and gender based violence to child brides (ICRW, UNFPA APRO, SAIEVAC) (UNICEF). Because of illiteracy, lack of economic authority and disadvantaged power dynamics within the family, many girls are not in the state to resist or challenge such violence or exploitation. This further perpetuates discrimination and inequalities.

“Women who married younger are more likely to be beaten or threatened, and more likely to believe that a husband might sometimes be justified in beating his wife” (UNICEF, 2005).

Recommendations

1. Governments must strengthen existing laws and take measures to enforce laws on child, early and forced marriage that prohibit marriage without full and informed consent, including increasing awareness on laws and effective prosecution.

2. Governments must respect, protect and promote choice and individual agency and decision-making, ensuring full and informed consent to marriage and enabling individuals to make decisions on matters of their marriage and lives.

3. Governments must ensure access to education for all, including special attention to ensure access to quality secondary education for girls from disadvantaged backgrounds. Comprehensive and human rights based sexuality education should be a key component, which builds knowledge on sexual and reproductive health and rights, gender discrimination, relationships, contraceptives and other life skills.

4. Governments must ensure access to sexual and reproductive health services for adolescents and young people irrespective of marital status, including information on and access to contraceptives and safe and legal abortion, which are confidential and non-judgmental.

5. Governments must create or ensure policies and programs which focus on empowering and building leadership among adolescent girls, coupled with education and economic empowerment.

6. Governments must take measures to end gender based discrimination and ensure gender equality by taking legal and policy measures to respect, protect and fulfill women’s human rights and freedom, including the removal of structural and political barriers.

7. Programs to end child, early and forced marriage should emphasize building enabling environments and supportive networks to advocate at community level by mobilizing boys, parents, leaders and teachers at school.

References for further reading & bibliography

Bibliography


ICRW, UNFPA APRO, SAIEVAC. Child Marriage in South Asia: Realities, Responses and the Way Forward. 2012.


Suggested further Reading


For additional information see http://www.unfpa.org/public/home/adolescents/psd/6483