CHILD MARRIAGE AND GIRLS' EDUCATION IN WEST AND CENTRAL AFRICA

LITERATURE REVIEW

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Prepared for *Girls Not Brides* by Aicha Awa Ba & Eline Versluys, Advocacy and research consultants

CHILD MARRIAGE IN WEST AND CENTRAL AFRICA

In West and Central Africa, 39% of girls are married before the age of 18. Prior to the COVID-19 pandemic, UNICEF already suggested that West and Central Africa risked becoming the region with the highest numbers of child brides by 2050, if efforts to end the practice were not accelerated. The region includes six of the ten countries with the highest prevalence of child marriage in the world. Niger has the highest child marriage rate in the world (76%), closely followed by Central African Republic (68%), Chad (67%), Mali (54%), and Burkina Faso (52%). Child marriage rates vary greatly according to the context. Across West and Central Africa, the practice is twice as prevalent in rural areas as in urban areas, and more than three times as prevalent within the poorest quintile of the population as within the richest quintile. [1,2,3,4]

Child marriage is often exacerbated by humanitarian crises. It is used as a negative coping mechanism to respond to food and economic insecurity, as well as a "safety" measure against increased security risks caused by conflicts, especially sexual and gender-based violence. West and Central Africa is a region affected by several humanitarian crises. In these contexts, the need for social solidarity becomes even more necessary.

In countries with consecutive humanitarian crises, like in Niger, child marriage might be considered by communities who practice it as a way to strengthen solidarity between families. A study from the Lake Chad Basin showed that parents viewed marriage as a protective measure against the physical threat posed by armed groups. Displacement also aggravates the risk of child marriage, due to the breakdown of social networks, the lack of protection systems and the risks of sexual violence. In Chad, child marriage is the most commonly reported form of violence among young Sudanese and Central African refugee girls. Informants in a study in Burkina Faso reported that displaced girls easily dropped out of school and got married "because there are too many mouths to feed". [5,6,7,8]

In 2017, a study by the Population Council showed that the majority of prevention programmes to end child marriage were small-scale and unevaluated.[9] Lee-Rife and colleagues reviewed a series of 33 child marriage related interventions and determined that the most effective approaches to delay the age of marriage revolved around conditional cash transfers and engaging communities in interventions.[10] In addition, interventions oriented towards girls' access to quality education, family planning and sexual and reproductive health (SRH) information and services, were found to significantly promote the empowerment of girls and decrease their vulnerability.

SOCIAL NORMS, CHILD MARRIAGE AND GIRLS' EDUCATION

In essence, child marriage is rooted in gender inequality and reflected in unequal gender norms and discriminatory cultural traditions. Some of the drivers of child marriage in West and Central Africa include limited access to SRH information and services, household poverty, barriers to girls' education, displacement, and the taboo around female sexuality. Although West and Central Africa hosts a variety of cultures and traditions, there is a common cultural basis marked by patriarchal values, respect for seniority, and the importance of marriage and fertility.[11] Marriage is considered an essential step in the

transition from childhood to adulthood, and an important tool for confirming social relationships and support within the community. In Niger, marriage is seen as an "inevitable event in life", also precipitated by factors such as the scarcity of economic opportunities, social pressure within the community and gendered socialisation of girls from an early age.[12]

In Burkina Faso and other West and Central African countries, gender norms around the reproductive role of women significantly influence decisions around child marriage for girls. A central concept that drives decisions around child marriage in West and Central Africa is the perceived relationship between a girl's virginity and family honour. In 2019, the Research Laboratory on Social Dynamics and Local Development (LASDEL) published the report *Empowering girls to Fight Early Marriage,* which provides up-to-date data on child marriage in Niger, Mali and Togo; and explores the links between human rights, violence against women and social and cultural norms relating to child marriage.

The LASDEL report mentioned a persisting cult of virginity and a collective aversion for pregnancy outside marriage as factors that have reinforced child marriage. Social norms around female virginity and the context of a pregnancy, are shared by a number of girls who value marriage from an early age, thereby illustrating a form of mimicry between girls as well as peer pressure. The social stigma associated with bearing a child outside of wedlock causes a fear among parents that outweighs the fear of negative consequences of child marriage.[13,14] Child marriage is then seen as a preventive measure to avoid stigma and preserve family honour. In some areas of Niger, families even feel pressured to marry their daughters before they begin menstruating as they fear that menstrual blood could be mistaken for bleeding from loss of virginity.[15]

In addition to the issue of female virginity, patriarchal traditions often mean that girls are expected to be obedient and limit their societal role to that of wives and mothers. In Niger, broader traditional social norms around the role of girls and women in society are highly determinant when it comes to child marriage. These norms are much more determinant than economic factors. In fact, high rates of child marriage occur across various economic classes. Younger brides are often believed to be more obedient and more fertile, which are seen as positive virtues by families who then support child marriage.[16] Polygamy can also play a role, as men often prefer very young brides as their second, third or fourth wives.

In Burkina Faso, longstanding cultural traditions limit girls' agency and contribute to perpetuating the practice of child marriage. Examples of such customs include *Litho* – a practice that consists in exchanging girls, often pledging them when they are born; *Pog-lenga* – a practice that consists in offering the niece of the bride as a gift to a family member of the groom; as well as the abduction of girls for marriage.[17]

The peer pressure and stereotypical gender roles that limit girls' future perspectives to becoming wives and mothers and not playing any other key role in their communities, impact girls' ambition to perform and succeed at school, and increase the likelihood of them dropping out of school early, with an impact on child marriage. In Burkina Faso, 42% of people with no formal education believe that girls should not be involved in decisions about marriage.[18]

Unmarried girls are often the objects of mockery, both among peers of the same age and across different age ranges. In Niger, unmarried girls over the age of 15 are often stigmatised and referred to as *"Santo"* – which literally means "out of date" in one of the national Nigerien

languages. According to the LASDEL research report, 56% of women married before 18 years old did so by personal choice. However, this study highlighted that those personal choices were based on very limited life options and on the fact that girls are often either out of school or dropped out of school with a lack of access to employment or other income-generating opportunities. Another study from 2021 invites us to reconsider the concept of girls' agency in relation to marriage. This study showed that girls' decision-making power is considerably conditioned by social norms when it comes to marriage.

In many West African countries, like Niger, the concept of adolescence as used in the Western context is not applicable, which can sometimes create miscommunication between communities and development actors during the programmes' implementation. Communities where child marriage is prevalent are communities where the transition from childhood to adulthood is largely done through rites of passage such as child marriage for girls. Stereotypical gender roles in West Africa suggest a form of unconditional obedience of adolescent girls to their parents, which can lead to a decrease in the decision-making power of adolescent girls who may prefer not to be perceived as unruly or refractory.[19]

According to the LASDEL report, 29% of girls were married before the age of 18 and declared having been forced by their parents. The report also highlights that 31% of child marriages ended in divorce compared to 12% of marriages of girls who had reached the age of 18.[20]

In West Africa, the gendered division of labour and unpaid domestic work exacerbate the economic vulnerability of women and contribute to financial dependence on men. In Niger, barely 25% of women do paid work.[21] There is a strong correlation between economic vulnerability and child marriage: in Burkina Faso, 48% of women living in households with an annual income of less than 122,800 XOF were married before the age of 18.[22] In countries with a high prevalence of child marriage, the fact that communities perceive the practice as a positive social regulator plays a fundamental role in the preservation and normalisation of child marriage in society. Child marriage allows girls and their families to access a certain social status and economic benefits. It represents an opportunity for girls to no longer be seen as an economic burden for their parents and to move on to financial dependence on their husbands, which is seen as more empowering.

Child marriage exacerbates girls' vulnerability to other discriminatory practices and removes many forms of agency and decision-making power from them in other spheres of public and private life. In Burkina Faso, 75% of girls married before the age of 18 will also be affected by another form of discrimination and 30% will combine multiple forms such as reduced parental authority and a role within the household that is limited by restrictive social norms. In Burkina Faso, 53% of women married early have been systematically excluded from parental authority by not taking part in decisions concerning the education and health of children.[23] Due to their young age and their gender, the decisions that govern the lives of girls will systematically be made by someone else.

Child marriage almost systematically implies a normalisation of violence, which significantly influences the way that policy and legislative instruments preclude protective and repressive provisions to address gender-based violence (GBV). The age difference between spouses implies unequal power dynamics and partnerships that can lead to forms of social isolation, low decision-making power or even coercion in the household.[24] As an example, the notion of rape within marriage – or marital rape – is not socially accepted in most West African societies, despite the fact that sexual consent from the girl child is by definition irrelevant.

Marital rape has never been criminalised in most legislations in the region. Girls' economic dependence and social pressure imposed by families and communities often make it hard for girls to leave a violent household. In this context, under-reporting of GBV cases is common. According to the *More Than Brides Alliance* (MTBA) report from 2019, acceptance of certain gender norms could create a conducive environment for GBV: in Niger, 55,1% of girls declared they agreed with the statement that a woman should accept violence in order to safeguard family unity and 21% agreed that women deserve to be "bitten" (physically abused).[25,26,27, 28]

In most West African countries, the arguments used to justify child marriage are not only anchored in traditional patriarchal social norms but also deep-rooted in interpretations of religious precepts and laws. Child marriage is not determined by any particular religion. It exists in every region of the world, and cuts across countries, cultures, religions and ethnicities. For example, two countries with the same majority religion can have very different child marriage prevalence rates.[29]

Yet Islam being very present in West Africa, the normalisation of child marriage in public opinion has been favoured by equivocal Islamic interpretation suggesting that, as Prophet Muhammad married Aisha while she was 9 years old, then marrying a girl at a young age would belong to prophetic tradition. However, this interpretation has remained in dispute among Muslim scholars, presenting some divergences in the way that Hadiths were reported. Some have suggested for example, that the union was only celebrated when Aisha was 18 years old.[30]

Other studies collected evidence from three Muslim communities in rural Burkina Faso and showed that many survey participants perceived early marriage as an important practice for their religion. However, findings from the study in Burkina Faso showed there was *"a substantial heterogeneity in the perceptions of the relationship between faith, child marriage and schooling for girls between different rural communities."*[31] They also identified a correlation between the discourse prescribing early marriage as a positive practice and the way that women's role in society is defined. In such conceptualisation of religious precepts, girls' education is perceived as a threat to the status quo in terms of gender roles.

Traditional and religious leaders are recognised as legitimate actors as they have one of the strongest influences in terms of social communication in the communities where child marriage is prevalent. Many child marriage prevention and response interventions are based on the assumption that fostering religious knowledge about Islamic positions that support girls' education and delaying the age of marriage could encourage behaviour change and ownership among traditional and religious leaders.

Sensitisation work promoting girls' education has historically involved traditional and religious leaders in sharing information with populations on the benefits of allowing girls to go to school, particularly in remote areas. To delay the age of marriage and promote girls' education, Muslim scholars have used Islamic precepts highlighting the importance of child health and decrying the consequences of child marriage on maternal mortality and morbidity. Muslim scholars have also insisted on the principle that one should only marry if the bride has reached both physical and mental maturity.[32] However, some Islamic associations and traditional leaders have used interpretations of religious precepts to contest legislative and policy reforms to protect girls from child marriage, adopt or amend family codes to promote a better status for women, and to a lesser extent, to enrol and maintain girls at school.[33]

Regarding social norms, the way that gender roles assigned to men and boys impact the prevalence of child marriage and girls' lack of access to education is often under-documented. To bridge this knowledge gap, in 2018, Promundo and Oasis conducted qualitative ethnographic research analysing the mechanisms leading to marriage in Maradi, the region with the highest prevalence of child marriage in Niger. Results suggested that people in Maradi believed that marrying a very young bride would help strengthen male virility and men's capacity to procreate.[34] Interestingly, in Maradi, the socialisation of marriage and the decision-making process may change due to men's economic migration and their increasing financial independence. Young men become more economically independent from their parents, which implies greater bargaining power in their choice of whom and when to marry.

Findings also revealed gaps between adolescent wives and husbands' access to family planning information and services, and pointed to a missed opportunity for health services, given the central role that men play in decision-making around the use of family planning. Child marriage prevention and response programming should invest more in involving boys and men.[35] The motivations for not using contraceptives or family planning are often religious, and this is correlated to insufficient awareness of family planning methods and how to access them. In addition, it is also important to understand that the reluctance of members of a community to adhere to the objectives promoted by sexual and reproductive health and rights (SRHR) policies is linked to a conflict with social norms that celebrate motherhood and childbearing. In such a context, the low decision-making power of girls over their reproductive health makes it difficult for them to access contraception and services.[36] Of married women in Niger, only 21% report having decision-making power about their own health.

GIRLS' EDUCATION IN WEST AND CENTRAL AFRICA

Despite recent progress, gender inequality in education in West and Central Africa remains the highest in the world. 28 million girls of primary and secondary school age have no access to education. Although 70% of girls enter primary school, only 36% finish lower secondary school. On average, for every 100 boys entering secondary school in the region, only 76 girls are enrolled. And even when girls in West and Central Africa manage to access school, they are often not learning, because of poor education quality, gender biased teaching methods and lack of support at home. In francophone West and Central Africa, only 2.8% of girls from the poorest 40% households, complete primary school with mathematics and reading skills that are considered sufficient according to the PASEC2014 scale.[37,38, 39, 40]

The security crisis in the Sahel has further reduced girls' chances to continue their education, including due to attacks on schools, threats to school personnel and displacement. In this context of insecurity, a press release by UNICEF in 2019 reported the closure of 2,000 schools in Mali, Niger and Burkina Faso. Parents become more protective of their daughters because of safety risks, and often decide to confine them to the home. However, a study by Plan International in the Lake Chad Basin found that education significantly contributes to girls' resilience and capacity to cope with crises. Secondary and vocational education in particular seem to improve well-being and optimism among girls. [41,42,43]

Adolescence, and the transition from primary to secondary education, is particularly critical for girls in West and Central Africa. Many girls drop out of school at this age, because of increased household responsibilities, lack of appropriate sanitary infrastructure at school to manage their periods, school-related gender-based violence, poor education quality, poverty, adolescent pregnancy and child marriage. A survey by *Girls Not Brides* among civil society organisations in West Africa found the following top five reasons for girls dropping out of school: (1) child marriage, (2) parent's lack of interest in girls' education, (3) domestic chores, (4) direct costs of education, (5) humanitarian crises.[44]

In Niger, the current national economic and social development plan estimates that the significant improvement in gross enrolment and admission rates for girls and boys has not yet led to a reduction in the gender inequalities between rural and urban areas. The high rate of out-of-school children is a problem that the government intends to address. The persistent gender inequalities are demonstrated by the low school enrolment of adolescent girls. The median age of early marriage is 15.6 years for women with no education, 16.7 years for those with primary education and 21.1 for women with secondary education and higher education. The rate of school dropout increases among girls as their level of education becomes higher.[45]

All of these factors are strongly determined by unequal gender norms. Culturally-determined ideas about the role of girls and women in society put a big constraint on girls' learning opportunities. Because women are traditionally valued for their fertility and their domestic responsibilities, and because girls are mostly seen as destined to serve other families after marriage, investing in their formal education is not considered beneficial.

A study of Nigerien women's perception of girls' education showed that there is a belief that the three forms of education girls receive are incompatible (*boko* for formal education, *tarbiyya* for the education at the home and *mahamadiya* for Islamic education).[46] This illustrates the discrepancy between postcolonial education systems in West Africa and local expectations of what education should provide girls to evolve in the society they live in. Some parents even avoid sending their daughters to school because they consider it an obstacle to their training as future mothers and housekeepers, and a jeopardy to their marriage prospects.

In Niger, girls' education is essentially seen as traditional and religious education, to be provided first by the girls' parents and later on by their husband. The high value attributed to young brides in Niger also means that a girl's marriage prospects diminish with every year she stays in school. In Burkina Faso, the Ministry of National Education reported in 2020 that parents prioritise boys over girls when it comes to investment in school related expenditures.

School environments in Burkina Faso are also less conducive to gender equality, with 47% of female teachers at the primary level and only 17% at the secondary level. In Niger, only 22% of secondary level teachers are women. Many schools lack adequate toilet facilities, and 40% of Nigerien girls have declared missing school days because of their period.[47,48,49, 50]

In turn, the education system itself often does not challenge these gender norms and even reinforces them, through gender biased teaching and learning materials. Schools are key institutions where gender norms are produced and reproduced, often reinforcing damaging stereotypes to which young girls and boys are particularly receptive during adolescence. Girls who are not doing well in school are more likely than boys to give up because of a lack of

academic support, and because they may be less motivated to complete their education as marriage is still seen as a more viable option in the society where they live.[51]

Efforts to promote girls' education in West Africa have been strongly supported by grassroot initiatives. According to the Population Council, raising awareness at the community level has positively impacted interventions aimed at promoting school attendance for girls aged between 12 and 14 years old.[52]

LINKS BETWEEN CHILD MARRIAGE AND GIRLS' EDUCATION IN WEST AND CENTRAL AFRICA

Evidence shows a strong negative correlation between child marriage and girls' education. Child marriage and girls' education are interlinked in various and complex ways. Depending on the geographical and socio-economic context, child marriage can either be a cause or a consequence of girls' lack of educational opportunities. Girls may drop out of school because they have to get married, or they may get married because they don't have a chance to go to school. Evidence suggests that the second scenario is dominant in most settings.[53]

A study by Plan International in Mali, Niger and Senegal found that in most cases girls are not withdrawn from school to be married, but they are married because they are out of school. A study by Save the Children in Niger, Sierra Leone and Côte d'Ivoire confirms this hypothesis. In this study, parents were willing to keep their daughters were school, as long as the school was affordable, safe and at a reasonable distance, and as long as the girl was learning and didn't become pregnant. If these conditions are fulfilled, education can be a protective measure against child marriage. If they are not, marriage is easily seen as the only viable option left. Once married it is very unlikely that a girl will return to school. Because of household responsibilities, early pregnancy, stigma and/or forced exclusion from school it is very difficult for married girls to resume their education.[54,55]

In West, Central, East and Southern Africa, child marriage is a clear driver of girls' low education attainment. The literacy rate among women who married as children is 29%, compared to 54% among women who married after 18. In Niger, 81% of women with no education and 63% with only primary education were married or in a union by the age of 18, compared to only 17% of women who completed secondary or higher education. Child marriage presupposes the non-recognition of formal education for girls.[56] The demand for schooling is higher for boys than for girls given the high opportunity cost for girls, as discussed in the section on social norms.

Strong demographic growth, as in the case of Niger, puts pressure on the education system if not matched by an increase in education spending and jeopardizes the achievements of the sector, illustrated by the low quality of education and the recruitment of unqualified contract teachers. School drop-out is particularly prevalent among children from the poorest households, which implies the need for a reduction in the costs of education and of additional support for the most marginalised children. The need to address the role of boys and men should be reemphasised as there is a correlation between men's education level and their influence in the decision to enter into an early marriage.[57,58] At a regional level, girls' literacy rates decrease by 5.7% for each additional year of early marriage. Findings from the MTBA research in Mali and Niger showed a strong relationship between education and child

marriage. According to the MTBA report, girls who have never been married are much more likely to have received an education (71.9%) compared to girls who have been married (40.2%). Conversely, girls who have never been married are much less likely to be illiterate (43.7%) than girls who have been married (77.9%).[59,60]

There is also a strong correlation between early pregnancies, early marriages and girls' lack of access to education. In Burkina Faso, unwanted pregnancies are a major driver of early marriage.[61] Despite the fact that Burkina Faso has a unique policy framework which aims to support pregnant students to pursue their education and includes sex education as part of the school curriculum, unwanted pregnancies remain a major cause of school drop-out for girls in the country.Education is a protective factor against child marriage, especially at secondary level. Save the Children calculated that universal secondary education for girls could avert 21,9 million child marriages in sub-Saharan Africa[a] by 2030.[62] By the same logic, the World Bank estimated that in West and Central Africa, every additional year a girl spends in secondary school reduces her chance of marrying before 18 by an average of 7%.[63,,64,,65]

IMPACT OF THE COVID-19 PANDEMIC ON ADOLESCENT GIRLS IN WEST AND CENTRAL AFRICA

1. General drivers of child marriage during crises

By 26 April 2021, West and Central Africa counted 616,064 confirmed COVID-19 cases, and 8,748 deaths. Many countries have taken measures to reduce the spread of the virus, including closing borders, schools and markets. Studies of previous humanitarian crises, including the 2014-16 Ebola crisis in West Africa, have shown that girls face an increased risk of child marriage and other forms of gender-based violence during crises. Respondents in a Plan International study in the Lake Chad Basin confirmed that child marriage went up as a result of the ongoing security crisis. UNICEF estimated that over the next decade, up to 10 million more girls will be at risk of child marriage as a result of COVID-19.[66,67,68,69] Save the Children estimated that in West and Central Africa, an additional 450,000 girls will be at risk of child marriage over the next 5 years.[70]

The underlying drivers of child marriage – including family poverty, limited access to sexual and reproductive health (SRH) services and information, taboos around female sexuality, and barriers to girls' education – are exacerbated during crises. The COVID-19 pandemic has posed a specific risk of child marriage because of school closures, reduced family incomes and increased risks of early pregnancy caused by limited medical services, including SRH services and information. Equipop highlighted an interruption in the provision of SRH services in several locations in West Africa, as well as shortages in the supply of contraceptives. In a study in Mali and Niger, 34% (Mali) and 30% (Niger) of girls reported that access to SRH services was more difficult during the pandemic. And even when SRH services were still

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[a] *Girls Not Brides* generally avoids the use of the term "sub-Saharan Africa" due to its racial and colonial connotations, and lack of specificity. We use it in this review to reflect the available data and evidence, which refers to sub-Saharan Africa as a geographical region.

available, many people were reluctant to access them because of a fear of contracting COVID-19 or because increased social control made it difficult to access them discretely.

The COVID-19 pandemic has also led to an increase in the risks of sexual violence, which in turn can lead to unwanted pregnancies. Human Rights Watch's study on the COVID-19 pandemic in Africa reported increases in gender-based violence at home because of the rise in family members being confined to the same space. The NGO 'SOS Femmes et enfants victimes de violence familiale', which runs a centre for survivors of violence in Niger, reported that violence cases treated by the centre tripled between January and April 2020.[71,72,73,74,75]

Reduced family incomes due to the COVID-19 crisis also entail a heightened risk of child marriage. Evidence from previous humanitarian crises showed that poor families who lost livelihoods were often more likely to marry their daughters in an attempt to alleviate economic hardship. Participants in a study by Plan in Cameroon reported that the closure of markets and economic activities due to COVID-19 led parents to marry their daughters in order to reduce the number of mouths to feed in the family.

Finally, the breakdown of social networks can heighten families' and communities' desire to control girls' sexuality and protect their "honour". And the interruption of community-based sensitisation activities can slow down the progress towards ending child marriage and other harmful practices.[76,77,78,79]

2. Child marriage, girls' education and humanitarian crises

There is a strong correlation between the prevalence of child marriage, girls' lack of access to education and humanitarian crises: the 10 countries with the highest rates of child marriage are also considered some of the most fragile states or are affected by protracted humanitarian crisis.[80] Crises such as conflicts, natural disasters and protracted humanitarian crises exacerbate girls' vulnerability to child marriage as an environment of fear often means parents want to protect their girls from sexual violence, pregnancy outside marriage and starvation. Child marriage appears as a coping mechanism that supposedly guarantees financial security and protection for girls.

In West African countries affected by crises, the dramatic increase in military and security spending has had a very negative impact on the funding of basic social sectors, including the child protection, education and health sectors. In the absence of education infrastructures and services, school dropout has led to increased rates of child marriage in the regions affected by armed conflicts. Sector ministries, which are affected by budget cuts, are not only restricted by a lack of resources which prevents them from pursuing their mandate but also by the consequences of the humanitarian crises.[81] Many studies showed that child marriage is the form of gender-based violence that most affects displaced and refugee girls.[82]

3. School closures increase the risks of child marriage

An additional factor in the increased risk of child marriage due to COVID-19 has been the interruption of education. In order to limit the spread of COVID-19, all 24 countries in West and Central Africa temporarily closed their schools, affecting an estimated 128 million children. The duration of school closures during the first phase of the pandemic (15 March 2020 to 15 June 2020) varied greatly between countries (from 40 to 200 days). Countries with

the highest number of learners affected by school closures in West Africa are Niger (over 3 million), Burkina Faso (over 4 million) Ghana (over 9 million), and Nigeria (over 39 million).[83,84]

A study by Human Rights Watch showed that school closures in Africa have exacerbated previously existing inequalities, and that children who were already most at risk of being excluded from quality education have been most affected. The most marginalised children, including girls with disabilities, those in conflict-affected contexts, remote and rural communities and those in the poorest quintile, are expected to be most affected by COVID-related school closures. Girls are more at risk than boys of not returning to school when schools reopen. UNESCO estimated that globally 11.2 million girls and young women are at risk of dropping out completely after the education disruption caused by COVID-19. In low and lower middle-income countries, it is mostly girls aged 12-17 who are at particular risk of dropping out. [85,86,87]

Research in several West African countries showed that girls who are out of school are more at risk of being married. UNICEF estimated that COVID-related school closures increase marriage risk by 25% per year.[88,89,90] A survey by *Girls Not Brides* among civil society organisations in Burkina Faso showed that the closure of schools, as well as reduced family incomes, pushed parents into marrying their daughters.

Furthermore, the lack of SRH information that comes with school closures can cause an increase in adolescent pregnancies, which in turn can lead to child marriage. When schools are closed, girls and boys miss out on essential SRH information, informal spaces to discuss SRH issues with peers, and access to contraception through school-based programmes. According to UNICEF, school closures in Sierra Leone during the Ebola outbreak contributed to a doubling of cases of adolescent pregnancy to some 14,000. In Turkana county, Kenya, the number of adolescent pregnancies reported between March and June 2020 tripled from the previous year. Finally, school closures lead girls to miss out on social contact and the support of peers and teachers, which can be a vital protection mechanism against child marriage.[91,92,93,94,95]

Girls also missed out on distance learning opportunities, because of increased household and childcare responsibilities, and an unequal access to radios and digital devices. Accumulating a gap in learning jeopardises girls' chances to return to school after the pandemic. In general, distance learning strategies in West and Central Africa have mostly been ineffective, due to challenges in accessing tools and energy supply, lack of support for teachers to switch to distance teaching, and parents' lack of capacity to support their children's home learning. Even when distance courses were available, girls found very little time to study due to increased childcare and chore responsibilities, which fell disproportionately upon girls following school closures. In a global survey by Save the Children, more than half of girls reported an increase in household chores and caregiving responsibilities, thereby reducing their chances to study. In another study, 43% of girls Mali and 36% of girls in Niger reported spending more time on chores than before the pandemic. This reduces the time girls can spend on remote learning. In a study by Save the Children in DRC, almost one-third of caregivers reported that girls had not engaged in any learning retention activities since schools closed. Apart from the limited time to spend on remote learning, girls also have less access than boys to radios or digital devices. Evidence from low- and middle-income

countries shows that parents allow girls to access digital technology at a later age compared to boys and are more likely to supervise or limit their access. [96,97,98,99,100,101]

NORMATIVE AND LEGISLATIVE FRAMEWORKS AROUND CHILD MARRIAGE AND GIRLS' EDUCATION

A large part of the literature around child marriage supports the idea that there is a strong correlation between laws that seek to protect women's and girls' rights and lower rates of child marriages and early pregnancies. Implementation of the international legal standard setting the minimum age for marriage at 18 remains an important challenge as a number of West African governments have not dealt with gaps in their national legislations. Those gaps essentially revolved around weak legislative frameworks and deficient civil registration systems. According to Save the Children and the World Bank, almost 70% of marriages involving children were celebrated legally under national law but illegally under international law.[102]

The lack of domestication and implementation of international laws is also a significant challenge. A number of West African governments ratified international conventions that include firm condemnations of child marriage. However, although international legal instruments — such as the Convention on the Elimination of Discrimination of Women (CEDAW) and the Convention on the Rights of the Child (CRC) — oblige governments to write reports on measures and progress made to safeguard women's and children's rights, they do not oblige them to remove any reservations about the legal minimum age of marriage. Those loopholes — such as setting the legal minimum age at 18 for civil marriages only and not customary or religious marriages — are therefore not captured in CEDAW or CRC country reports.

Despite the ratification of international legal instruments by West African countries, domestication and enactment of relevant legislation is rare. Legislative reforms aimed at setting the age of marriage at 18 years old are recognised as crucial but not sufficient to a holistic approach to address child marriage and promote girls' education. Moreover, regarding discrimination against women and GBV, some governments, like in Niger, expressed reservations about ratifying the CEDAW, abandoning any attempt to adopt a family code. The Draft Family Code and the Status of the Person as well as the Draft Law on Girl's Education are two cases in Niger which illustrate a will for reform expressed by the government held back by the mobilisation of a religious lobby, also influencing the majority at the National Assembly. [103,104]

Niger is the only country that neither ratified nor domesticated the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. Like many other West African countries, postcolonial Niger inherited legal pluralism. Colonisation tried to stifle customary law as well as Muslim law to impose the civil code. The civil code faced resistance from the population and the colonial administration responded by allowing the three legal systems to coexist. Although there is a hierarchy in which civil law is supposed to take precedence over others, local populations have often favoured non-formal institutions when it comes to family law and by extension marriage laws. In this context of cultural resistance, any draft family code was abandoned in Niger although certain decrees (1935 and 1951) were adopted to legislate the prohibition of forced marriage. These failures could be

explained by the opposition of Islamic associations, the lack of will of politicians, insufficient popularisation of the law and the hostility of public opinion. It is also necessary to take into consideration aspects such as legal mimicry or the ethnic/linguistic pluralism of West African countries, implying a certain weakness of legislative methods, obsolescence of texts and legal pluralism.

Furthermore, girls' lack of access to information around their rights significantly contributes to the high prevalence of child marriage. Assessing adolescent girls' level of knowledge of the consequences of child marriage, as well as the national child marriage-related policies and laws, helps to understand to what extent the sensitisation on women and girls' rights has been achieved. According to the report, in Niger in 2019, 28.3% of girls were able to identify the legal age of marriage (15 years old) in Niger. Only 17.2% of girls were able to identify at least three harmful consequences related to early marriage for girls. In addition, 40.3% of girls agreed with the statement that girls are not allowed to refuse an arranged marriage, and 75.5% declared that they were not members of teenage clubs or group, thereby highlighting the isolation of teenage girls from official structures or social support networks.[105] In Burkina Faso, only 3 out of 10 people know that there is a law that sets out a minimum legal age of marriage.[106]

The policy framework around child marriage includes prevention and support interventions targeting girls at risk of marriage and girls who are already married. On the one hand, preventive interventions establish policies and legislation seeking to prevent and reduce child marriage and protect children from this practice – such as age of consent and marriage laws; policies such as the National Child Welfare and Gender policies; and programmes such as youth empowerment programmes. On the other hand, key actors implement support services interventions around maternal health for girls who are already married, and provide protection through policies on domestic violence, and through family planning programmes.

Links between girls' education and child protection in the normative framework can also be established. In countries experiencing both high rates of child marriage and challenges around girls' education, it has been proven that legislative advocacy has often been very fruitful to achieve the ratification and implementation of decrees in favour of free and compulsory education for boys and girls. However, more limited impact was observed regarding the adoption of laws supporting the end of child marriage.

Although the Government of Niger has sought to pass legislation to keep girls in school for over a decade, the project was never completed. Progress was only made in 2017 with the adoption of Presidential Decree 935 on the Protection, Retention and Support for young girls during schooling (SCOFI).[107] Despite the failure to pass the SCOFI as law, its adoption as a presidential decree is considered a significant step forward, creating an enabling environment for sector ministries to sign several ministerial rulings to operationalise this decree.

With regards to education, Burkina Faso developed a National Education Strategy for Girls for 2011-2020. Both Niger and Burkina Faso's governments have adopted the National Strategy for the Acceleration of the Education of Girls (SNAEF). It has been recognised that girls' education policies should also emphasise reducing the cost of schooling, promoting quality education and facilitating access and availability of educational infrastructures (such as nearby secondary schools and safe public transport).[108]

In 2015, Burkina Faso adopted its National Strategy for the Prevention and Elimination of Child Marriage (2015-2025) under the coordination of the Ministry of Social Action and National Solidarity. Regarding the normative framework, the strategy highlights a number of challenges in actions to end child marriage, including: (1) insufficient budgetary commitments for policies (2) domestication of international legal instruments and a lack of harmony between different sources of law, and (3) social norms that persist beyond the legislative framework and promote child marriage. In addition, the lack of structure for coordinating government actions to prevent child marriage and mitigate its consequences is also an issue. The only national structure is the National Coalition against Child Marriage in Burkina Faso (CONAMEB), which brings together civil society organisations.[109]

In West Africa, the girls most affected by child marriage have the least access to educational opportunities and live in rural areas. In Burkina Faso, the areas with the highest prevalence of child marriage are those of the Sahel, Centre-Nord and Centre-Est. This prevalence rises to 100% of girls married before the age of 18 in the Province of Ziro. This all the more justifies the need to strengthen interventions in rural areas.

CONCLUSION

Child marriage is a multi-dimensional human rights issue, which cannot be addressed by a single sector or sub-sector. Looking at the various interventions and the normative and political frameworks in place to end child marriage in West Africa, it is clear that girls' education, SRHR, harmful gender norms change and economic empowerment remain fundamental drivers of change, not only at the individual level but also at the level of communities and society as a whole. Policy, legal, social and economic approaches must work interdependently to ensure a holistic response to child marriage.

While child marriage is viewed by international legal and policy frameworks as a human rights violation and a form of GBV, the perception of child marriage as merely a social norm across West Africa has had a negative impact on the effectiveness of policies aimed at ending child marriage and addressing it as a priority in order to protect and promote the rights of girls and women.

The rest of this working paper explains in greater detail how child protection is contributing to each of the four strategies outlined.

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