Taking action to address child marriage:
the role of different sectors

Democracy, human rights, and governance

Child marriage is a violation of human rights perpetuated by a lack of adequate and enforced democracy, rights and governance systems, such as birth and marriage registration systems, and laws related to inheritance and divorce, among others. The Universal Declaration of Human Rights, adopted by the U.N. General Assembly in 1948, states that "marriage shall be entered into only with the free and full consent of the intending spouses." The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), ratified by 197 countries, stipulates that women have the same rights as men to choose their spouses and countries should enact legislation to specify a minimum age of marriage and make marriage registration compulsory. In addition to international standards, as of 2010, minimum age of marriage laws existed in 158 countries. However 146 of these countries also have state, customary, or religious laws that allow marriage for youth under the legal age of marriage with the consent of parents or authorities. Some countries set a lower age of marriage for girls than they do for boys, or allow girls who are pregnant to marry regardless of their age. Even where no such loopholes exist, laws are often unenforced, unions are unofficial, and girls enter into marriage before they are physically, emotionally, or legally ready to do so.

Girls who marry early often have their education trajectory cut short and have more children, who are less healthy than those born to older cohorts; both the girls and their children have worse health and educational outcomes throughout their life cycles. Girls who marry early not only suffer a violation of their human rights, but also are more likely to experience violence at the hands of their husbands or in-laws, are more susceptible to diseases such as HIV, and are less likely to participate in civil society and the formal economy. Therefore, on the aggregate, a high prevalence of child marriage negatively affects economic, health and development outcomes of a country and perpetuates a cycle of violence and injustice, which in turn decreases a nation's capacity to sustain democracy and stability.

Laws that set a mandatory minimum age of marriage, without exceptions, are an important first step in preventing and responding to child marriage, however, alone they are not enough to end child marriage and ensure rights and justice for girls. National and local enforcement and mobilisation for social change are also necessary for sustained change. The democracy, rights, and governance sector is uniquely positioned to empower girls and their communities to prevent and respond to child marriage by creating and promoting legal systems that uphold the rights of women and girls. Some of the laws and policies most closely linked with child marriage include those related to: age of marriage, divorce, child custody, land and property rights, inheritance, school enrolment/re-enrolment, gender-based violence, and protection for polygynous wives.

Integrating child marriage prevention and response into democracy, human rights, and governance programmes

Child marriage is often exacerbated by poverty, but is not an inevitable result of poverty. Instead, child marriage practices are deeply rooted in gender inequality, including legal structures that devalue women and girls, such as women's inability to own land or benefit from inheritance, have equal rights to shared assets, and/or seek divorce or protection against violence. Programmes should empower

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girls and women with the knowledge and skills to advocate for their rights on a personal, community, and national level, as well as strengthen the legal and policy framework to support women and girls at all levels.

Programmes should conduct a landscape analysis of existing legal, as well as customary and religious laws. These laws often maintain and enforce the devaluing of girls, and can circumnavigate official age of marriage laws. Knowing traditional laws and key stakeholders will allow programmes to engage with local, cultural, and religious leaders to increase their knowledge of the harms of child marriage and motivate them to adapt customary laws to discourage the practice.

Programmes that educate women and girls of their rights and engage them in advocating for their rights have great potential to increase female participation in civil and political decision-making. Any programme working on behalf of women and girls should specifically work to engage them, as well as their families and communities, as leaders participating in key-decision making processes. Police and legal officers should be educated about existing child marriage laws, and police stations should designate family support units with personnel who have undergone training on gender-based violence and other related issues. Judicial officers (such as judges, lawyers, and paralegals) should be educated on the laws, and their roles in enforcement. Education on these laws should be part of community mobilisation and awareness-raising, and should be translated into local languages.

The most fundamental way to strengthen the legal and policy framework is through establishing laws setting 18 as the legal age of marriage and strengthening their enforcement through educating and engaging with key stakeholders such as the police and judicial officers. This can be accomplished either through community mobilisation, direct advocacy with the government, or through trainings with local police, judicial officers, and leaders. Enforcement of such laws should not criminalise families, as criminalisation often has adverse effects, driving the practice underground and further disempowering girls. Rather, initiatives should contain a strong community-led awareness raising component. Such initiatives not only raise rights-based awareness, but motivate community members to advocate for girls. In addition to a strong legal framework on child marriage, programmes should work to strengthen laws and policies around harmful practices that drive or increase as a result of child marriage, including but not limited to: child labour, trafficking, and prostitution.

Strategies for integrating child marriage

- Empower women and girls with knowledge of their rights and skills to advocate for them

- Engage women and girls in programme design

- Sensitise and mobilise communities on the value of women and girls

- Utilise the media to portray and promote gender-equitable attitudes and to draw attention to violations of women's rights

Programme examples

Asia Child Marriage Initiative (ACMI) is an initiative in Bangladesh, India, and Nepal implemented by Plan Asia since 2010. The aim is to prevent child marriage and mitigate its negative consequences. Through ACMI, Plan is working in Bangladesh to increase the mean age of marriage from 15 to 18 by strengthening online birth registration and enforcing existing marriage laws. In India and Nepal, the initiative works to improve knowledge and attitudes related to child marriage, strengthen community advocacy to eliminate child marriage, and track child marriage prevalence. Child marriage is included in *all phases of the programme* cycle, since the main purpose of the programme is to prevent child marriage.

Yes Youth Can! was a USAID-funded programme, implemented in Kenya from 2011 to 2015. The aim was to empower young people, ages 18-35 to develop leadership skills and participate in local decision-making, engage with local government, and become forces for change. CEFM was not part of the *programme design, implementation, or monitoring and evaluation*. However, in some settings, girls independently identified child marriage as an issue they wanted to tackle. Youth-focused democracy, rights, and governance programmes can be an excellent entry point for addressing attitudes, behaviours, and the enabling environment related to child marriage. This can be done through targeted conversations on age of marriage, strengthening and enforcement of local laws related to child marriage such as birth registration and age of marriage, and through the use of indicators like those suggested below.

Monitoring and evaluation: illustrative examples

An initial and powerful way to integrate child marriage prevention and response into programming is by measuring changes related to child marriage, learning how these changes impact other programme areas, and then adjusting programming accordingly. The following are sample indicators that can be used in democracy, human rights, and governance programmes to understand child marriage-related impacts. For a more complete list of indicators, please refer to the USAID Child, Early, and Forced Marriage Resource Guide or *Girls Not Brides'* Measuring Progress: recommended indicators.

Monitoring and evaluation: illustrative indicators

Indicator	Data source and notes
Legal age of marriage	UNSD and data from country-specific sources
Percentage of children under age 5 whose births are reported as registered	Data are collected and made publically available via DHS, UNICEF MICS, national vital registration systems, WHO, household survey reports, and ministry health reports.
Percentage of married women who report that their marriage was registered	A survey of individuals in the target population
Percentage of families who oppose the practices of dowry/bride price	A survey of individuals in the target population
Percentage of adolescent girls and boys who know their rights and entitlements *Asking questions about specific rights would likely assess knowledge. Examples: the legal rights of women, marriage laws, and health rights.*	A survey of individuals in the target population
Percentage of married girls who are confident in their ability to ask for an annulment or divorce. *This is intended to capture self-efficacy. An example could include the degree to which they agree or disagree with the statement: "I am confident in my ability to ask for an annulment of marriage."*	A survey of individuals in the target population
Percentage of districts (or other unit of administration) where marriage registration with local government is mandatory.	Review law and policy documents within target jurisdictions.

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Suggested further reading

The briefs in this series are based on the Child, Early, and Forced Marriage Resource Guide (2015), written for USAID by Allie Glinski, Magnolia Sexton and Lis Meyers on behalf of ICRW and Banyan Global. References, programme examples, and further information can be found in that guide, located here: https://www.usaid.gov/documents/1865/child-early-and-forced-marriage-resource-guide.

For additional information, see:

Equality Now. (2013a). **UN CEDAW and CRC recommendations on minimum age of marriage laws around the world**. Equality Now. Available at: http://www.equalitynow.org/sites/default/files/UN_Committee_Recommendations_on_Minimum_Age_of_Marriage_Laws.pdf

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United Nations. (1979). **Convention on the elimination of all forms of discrimination against women**. New York, NY: United Nations General Assembly. Available at: http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm

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