

Child, early and forced marriage

Child, early and forced marriage is the marriage of a person who is less than 18 years of age and/or has not been capable of providing free and informed consent to the union. It is a serious human rights violation that particularly affects girls, depriving them of autonomy and self-determination. Of the girls and women alive today, 250 million were married before the age of 15.¹ Child, early and forced marriage can have severe consequences in terms of physical, mental and emotional wellbeing, and can significantly limit the pursuit of learning and employment.

In the case of child brides, they are rarely able to negotiate sexual relations, childbearing decisions, or contraception use with older husbands. Child marriage renders girls vulnerable to domestic violence and child sexual abuse, including marital rape. This can increase the risk of HIV, unwanted pregnancy and obstetric fistula. Complications from pregnancy and childbirth are the leading cause of death for girls aged 15-19,² and most of the world's teenage pregnancies occur among married girls. Infant mortality rates are also significantly exacerbated in the case of babies born to young mothers.

Poverty is a dominant driver of child, early and forced marriage, which frequently leads to a perpetuation of the poverty trap on account of lost educational and economic opportunity. Many impoverished families see the marriage of a daughter as a way to ensure her future, where prevailing norms and traditions perceive the husband as the financial provider. Dowry payments act as further incentives to encourage the betrothal. However, families are often not aware that this practice can severely compromise her health, and keeps her and isolated, impoverished and dependent. Many child brides are unaware that they should not have to accept this fate, as they have never received human rights education.

GWI's position

Child, early and forced marriage can and must be prevented and eradicated. GWI call on governments to implement existing national and international laws related to child marriage.³ GWI further urges international policy makers to use the post-2015 development agenda to formalise stronger political commitments and a holistic plan of action, as recognized in United Nations Human Rights Council Resolution [A/HRC/24/23](#).

Education can teach families and communities about the benefits of educating their girls and how this avoids the worst effects of early marriage. Sending girls to secondary school and supporting them in pursuing tertiary and continuing education is a girl's greatest protection from early marriage and the poverty, dependence, violence and abuse that it induces.

¹ UNICEF (2014) http://www.unicef.org/protection/57929_58008.html.

² WHO (2014) http://apps.who.int/iris/bitstream/10665/112320/1/WHO_RHR_14.08_eng.pdf?ua=1

³ "Marriage shall be entered into only with the free and full consent of the intending spouses" (Universal Declaration of Human Rights, 1948): "The betrothal and the marriage of a child shall have no legal effect" (Convention on the Elimination of All Forms of Discrimination against Women, Article 16.2)



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Policy Position

GWI Recommendations

- All States should institute and enforce a statutory minimum age for marriage of 18 years for girls and boys;
- All States should ratify, implement and enforce international and regional human rights treaties and commitments including the [Convention on the Rights of the Child](#), the [Convention on the Elimination of All Forms of Discrimination against Women](#), [Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriage](#), [Protocol on the Rights of Women in Africa to the African Charter on Human and Peoples' Rights](#), [African Charter on the Rights and the Welfare of the Child](#), [Inter-American Convention on Human Rights](#) and Council of Europe [Resolution 1468 on Forced marriages and child marriages](#);
- Human rights education must be introduced, both institutionally at schools and informally within communities, in order to raise awareness of the inherently harmful and wrongful practice of child, early and forced marriage;
- National education policies must ensure that all girls, including the indigenous, rural, disabled, displaced, migrant and the economically disadvantaged, receive the maximum amount of schooling possible, ideally completing secondary, tertiary and continuing education;
- Free telephone hotlines should be set up to allow persons threatened with early, forced and child marriage to seek protection;
- National criminal laws should punish those who force a person to marry, either as a child or without full and informed consent;
- Arguments of culture, tradition or religion must not be abused to provide perpetrators with impunity;
- Dowry payments should be made illegal under national law, subject to a fine.