

CHILD MARRIAGE IN SOUTHERN ASIA



**POLICY
OPTIONS
FOR
ACTION**



Child Marriage in Southern Asia: Context, Evidence and Policy Options for Action



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SOUTHERN
ASIA

Child marriage is not only a violation of a girl's rights; it also seriously compromises efforts to reduce gender-based violence, advance education, overcome poverty and improve health indicators for girls and women. Child brides in Southern Asia are often forced into early sexual activity and therefore early childbearing. Because their bodies are not yet fully developed, these young adolescents are at risk of suffering life-threatening or debilitating conditions as a result of childbirth like obstetric fistula and hemorrhaging, or even death. Countless child brides all over the region are in danger of such a fate: Girls between the ages of 15 and 19 are twice as likely to die of pregnancy and childbirth complications as women between ages of 20 and 24 according to UNICEF figures on child marriage in the region. Also, girls are more vulnerable to contracting life-threatening diseases as they are often given away in marriage to much older men who have an elevated chance of being HIV positive or having other sexually-transmitted infections because of prior sexual experience.

When a girl is pulled from school and forced to marry young, her personal development is stunted. She is left with few – if any – negotiation skills and therefore has limited decision-making power in her new household. Often uneducated and unskilled, many child brides are completely dependent on their husbands and in-laws to survive. Girls are often not yet mature or skilled enough to properly perform household tasks or care for their husbands and children. Child marriage also deprives a girl of the valuable and necessary skills required to enter the labour market, therefore denying her the opportunity to help lift herself – and her family – out of poverty. In short, pulling girls out of school and forcing them into early marriage ensures that poverty will be handed down from a mother to her daughter, and family to family, for generations to come.

The country briefs on child marriage included in this advocacy kit show that most national governments in the region are aware of the seriousness of the issue, and have taken some steps to prevent child marriage from occurring. For example, all countries have adopted laws designed to regulate its proliferation and prevalence. Laws in India, Bangladesh, the Maldives, Nepal and Bhutan reflect international standards, with legal age limits for girls set at 18. On the other hand, in Afghanistan and Pakistan where *Sharia* law bears a greater influence, girls can legally marry at age 15 and 16, respectively. And in Sri Lanka, a dual legal system prevails, with non-Muslim girls allowed to legally marry at 18, while Muslim girls are allowed by law to wed at 15.

In spite of these well-meaning laws, child marriage in the countries of Southern Asia remains one of the greatest development challenges the region faces today. A dangerous combination of entrenched poverty and cultural norms that are deeply rooted in patriarchal tradition continue to fuel the harmful practice. As a result, customary law and economic need often trump national policies and legislation. Despite best efforts, girls continue to be pulled out of school and forced into marriage – even in those countries that have set the legal age of marriage.

There has been some degree of government sponsorship and involvement in behavior-changing interventions across the region. Clearly, there is a need for many more innovative and evidence based initiatives in all countries to bring about widespread and sustainable outcomes. Furthermore, few existing interventions and initiatives on child marriage prevention have been well evaluated. Overall, there has only been limited investment in girls' education, cash incentive programmes to educate girls, and in awareness-raising campaigns needed to educate the public on the negative economic, social and health costs linked to child marriage.

The overall purpose of the country briefs is to highlight the seriousness of the life threatening situation that girls often face on account of child marriages in nine Southern Asian countries¹, and to recommend ways in which policymakers can take renewed action as a means to preventing the practice. More specifically, the individual country briefs highlight the unique context, consequences and efforts made in each country

¹ The term Southern Asia is used to indicate the broader South Asia regional boundary to appropriately represent the countries included in the brief. Nine countries included in this advocacy brief are: Afghanistan, Bangladesh, Bhutan, India, Iran, Maldives, Nepal, Pakistan, and Sri Lanka.

to address child marriage. The evidence presented within is based on well-researched and sourced data and programme reviews, and has been used to draw inferences and make recommendations. Since many countries under review lack consistent and high quality evaluation data on programme effectiveness and impact, it is important to note that some of the recommendations that emerge in these advocacy documents are indicative of the direction in which policies should be pursued. Countries will have to build a stronger evidence base to inform effective programming. While there are some generic policy options applicable to most countries, available data has also suggested country specific options that have been mentioned wherever applicable. The purpose of these briefs is to highlight the issue, its consequences and to present possible actionable items for parliamentarians to share, discuss and consider with other government officials in their respective countries.

Some common themes that emerged include the need to strengthen laws on child marriage prevention and to ensure robust birth and marriage registration systems. Greater synergy and harmonization among various policies is also needed to ensure the development of an overall framework that supports the eradication of child marriage. In addition, numerous studies have concluded that education results in delayed marriage in Southern Asia. It also leads to improved income-generating opportunities for families because educated girls are much more likely to enter the labour market as women. Trends in the region show that drop-out rates for girls accelerate shortly after they reach puberty. Both primary and secondary education for girls in all Southern Asian countries should therefore be made mandatory by law. Engaging with religious leaders is essential. University students, community leaders, village elders and parents and members of local and national government should also participate in awareness trainings and workshops. Studies also suggest that child marriage might be reduced by addressing the financial motivations behind it for impoverished or indebted families. While untested in some countries, cash incentive programmes linked with education warrant further exploration and consideration.

More effective policies and programmes will not only help reduce child marriage prevalence; it will also help in the fight against poverty and increase the pace of development in Southern Asia. The nine individual policy briefs can help kick-start strategies for reducing the prevalence of child marriage, tailored to the unique context and needs of each country. This will pave the way for more just Southern Asian societies in which boys and girls enjoy equal rights, freedoms and opportunities to grow into productive and healthy adults.

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Solutions to Ending Child Marriage in Southern Asia: Afghanistan



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AFGHANISTAN

Child Marriage in Afghanistan: Steeped in centuries-old tribal tradition and exacerbated by poverty, child marriage is pervasive in Afghanistan and efforts to eradicate it should be a high priority on the government's development agenda. Girls are largely viewed as an economic burden on the family, and parents are quick to marry off their daughters to receive a bride price. The figures are alarming: 57 percent of Afghan girls are married before they turn 16, and 60 to 80 percent of those girls were forced into those unions by their families. While statistics may vary slightly across geographic and demographic samples, it is clear that girls from all regions are vulnerable to child marriage. Key causes are illiteracy and lack of access to schools in rural areas, low levels of awareness of both Sharia and state laws, and low levels of awareness of the harms and negative consequences of childhood marriage. Child marriage has adverse physical and psycho-social health, personal security and social effects on young and adolescent girls as well as their communities. Because the practice deprives girls of an education, they grow up ill-equipped to make safe and healthy choices as adults while remaining entrenched in poverty. As a result, they are also more likely to engage their own children in marriage at an early age. A 2010 study of 200 child marriages found that 71 percent of parents who forced their underage daughters to marry were illiterate. The magnitude of the problem across the country warrants the urgent attention of Afghanistan's policymakers as the need for responsive and effective policies and legislative action is critical.

Policy Overview

The Policy Context: Afghan civil law stipulates that a girl cannot legally marry until she is 16 unless her father chooses her to marry at 15. However, in practice, a girl is often married off when she is considered 'physically mature', which can occur at a much younger age.

Enforcing the rule of law in Afghanistan can be exceptionally challenging due to the ongoing security situation in the country, creating an environment for tribal traditions like child marriage to thrive. Arranging a girl's marriage is one of life's most important tasks in Afghan society and parents often agree to an early union for fear that another viable offer may not emerge. Girls are often married at a very young age to protect their sexual purity; late marriage is considered shameful. Parents also marry off their daughters to repay debts, resolve tribal conflicts and boost family standing. Some child marriages serve to preserve a family's image but sometimes result in what amounts to forced domestic or sexual slavery for girls.

Bringing child brides' reality to life is the case of a girl whose story received international attention in 2012. She was sold into marriage at 13 and not long after, was found close to death in her in-laws' cellar. A new 2009 Afghan law to eliminate violence against women was cited in the sentencing of her abusers. With the exception of this case, however, the law has barely been applied; according to a United Nations report published in late 2011, it had still not been formally adopted as of August 2012. Many rights advocates believe this girl's case represents the tip of the iceberg of widespread abuse of Afghan women, and that most cases simply never come to light.

The Consequences: Child marriage leads to early sexual initiation and consequently pregnancy, yet most of the Afghan population has limited knowledge of the health risks associated with it. Premature pregnancy often leaves many physical and emotional scars. It also presents a high risk for complications, including, but not limited to, prolonged and obstructed labour, hemorrhaging, infection and obstetric fistula. Young mothers often require more caesarian sections than women over 18 because their bodies are not yet sufficiently developed for childbirth. A 2010 report states that early marriage and pregnancy contribute to Afghanistan having the second highest maternal mortality rate in the world, with 24,000 deaths each year, many of them under the age of 18. The same report brings to light the shocking fact that maternal mortality is ten times higher than conflict-related civilian deaths in Afghanistan.

Early marriage also impacts girls' social and personal development. Following marriage, many girls are forced to drop out of school, if they were fortunate enough to receive schooling in the first place. Because many child brides are uneducated and unskilled, they are completely dependent on their husbands and in-laws to survive. Girls are often not yet mature enough to perform household tasks or care for their husbands and children. Many child brides are abused by their husbands, families and in-laws. As a result, many opt for self-immolation and other forms of suicide. A 2010 report citing government data on harmful traditional practices in Afghanistan reported that 2,400 women commit self-immolation each year in the country, and that child and forced marriages, along with sexual and domestic violence, are key causes.

Recommendations

There is room for cautious optimism that – with more investment in smart programmes and policies such as those to do with education and economic empowerment – child marriage could begin to decline on a wider scale and even slowly disappear over time. There are already indications that attitudes have begun to change. For example, 90.3 percent of female survey respondents in a community in Herat in 2004 said they believed that women should only be married after the age of 16, and 32.6 percent thought marriage should happen only over the age of 20. While the incidence of child marriage has fallen over the last two decades – women aged 30 to 34 are six times more likely to have married by 15 than adolescent girls today – decisive and urgent action must be taken to protect more than half of Afghanistan's future women from a similar fate.

Several organisations have attempted to curb child marriage and there are signs that the right interventions can bear results. A programme led jointly by two international development agencies has worked with the local government to increase the number of teachers and to construct new schools to help improve girls' education. This project was successful in affecting a positive change in behaviors and attitudes according to a study report. International organisations are also working to support Afghan government officials and policymakers by building their capacity to prevent violence against women through national legislation and by training law enforcement sector actors, judiciary stakeholders and health services providers on psychosocial counseling and gender-based violence response. A country-wide comprehensive study on the prevalence, causes and consequences of child marriage is also planned. Study results will contribute to and support relevant policy and legal frameworks.

Still, much more needs to be done. The first and foremost requirement is to ensure the physical security of both boys and girls. It is strongly recommended that Afghan policymakers work towards creating an environment which guarantees the safety and security of the country's children and eradicates all forms of violence against them. Listed below are some key recommendations that can help eradicate child marriage and mitigate its harmful effects on girls, their families and society:

Strengthen laws and law enforcement: Stronger enforcement of the registration of all nuptials is urgently needed as a critical first step to begin monitoring and reducing the prevalence of child marriage. Schools and hospitals can play a role in recording marriages in local communities. Special trainings for police and other law enforcement officials on the dangers of child marriage and the importance of enforcing relevant child protection laws would also be beneficial. In addition, quick action to formally adopt the 2009 law on eliminating violence against women is highly recommended.

Keep girls in school: A recent survey found that 76 percent of Afghan women have had no schooling while a study in 2002 found that educated girls tend to marry later and have fewer children. Government policies mandating education for all children until the age of 16, with equal emphasis on girls, would yield a better-educated society which can contribute to national development and increased prosperity.

Engage elders, community leaders and religious figures: Child marriage is an especially sensitive issue for devoutly religious communities. While many religious leaders have claimed they disapprove of marrying underage girls, in practice, many oversee these unions evidenced by the high incidence of child marriage. It is therefore essential that elders and community leaders – and especially religious leaders – receive training on the adverse effects of child marriage. Given the influence of religion, approaching the issue through the enforcement of Sharia law may be an effective strategy.

Launch public education campaigns: The government can help begin changing behavior by raising awareness of the adverse effects of child marriage through trainings, workshops and other educational campaigns to reach all important sectors of society, from community leaders to parents of schoolchildren, and everyone in between. The government may consider sponsoring nationwide media campaigns on the harms of child marriage and the laws governing the practice in order to reach large numbers of ordinary Afghans. A good example of a public awareness campaign is the animated programme, "The Teacher of Malalai Adventures", which launched last year in Afghanistan and depicts the negative consequences child marriage has on a 13-year-old girl who is forced to drop out of school to marry. The show was produced by the Ministry of Women's Affairs in collaboration with an international development organisation which also implemented community-level interventions with local NGOs to raise awareness of the dangers of child marriage. The Ministry of Education might also consider mandating schools to include lessons on the consequences of early marriage.

Invest in economic incentive programmes: Because child marriage is exacerbated by poverty, addressing the financial motivations behind the practice could help reduce prevalence among impoverished and/or indebted families. Therefore, it is highly recommended that the government invest in piloting cash incentive programmes to educate girls and test their effectiveness in discouraging the practice of child marriage.

Solutions to Ending Child Marriage in Southern Asia: Bangladesh



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BANGLADESH

Child Marriage in Bangladesh: *The prevalence of child marriage in Bangladesh is the highest in all of Southern Asia, and among the highest globally. While traditional beliefs like protecting a girl's 'honour' often push parents to marry their daughters at a young age, girls from poorer families are especially vulnerable. In fact, poverty is one of the most powerful drivers of the harmful practice in the country. Bangladesh is rated 146 out of 187 countries and territories on UNDP's 2011 Human Development Index. Girls are thought of as an economic burden by parents who believe they will be more financially secure once their daughters are married off and out of their responsibility. Data indicates the median age at marriage for women currently between 20 and 24 years old, is 18.3 years in the highest wealth quintile, whereas it is just 14.6 years for the corresponding group in the lowest wealth quintile. Data from the International Center for Research on Women shows that in countries with high prevalence, child marriage first begins to increase significantly at a "tipping point" age. In Bangladesh, that tipping point age is 15 years: It is estimated that 66 percent of girls in Bangladesh are married off before the age of 18, and 32 percent before the age of 15. And while the prevalence of child marriage is high in urban areas at 53 percent, it is even higher in rural areas where 70 percent of girls are married early. UNICEF also recently reported that the largest number of very young brides can be found in the Western and Southern parts of Bangladesh that border India. Wherever it occurs, the widespread practice of child marriage in Bangladesh is tremendously detrimental to the lives and futures of millions of Bangladeshi girls, their families and their communities, as it helps perpetuate a cycle of poverty and underdevelopment.*

Policy Overview

The Policy Context: The Child Marriage Restraint Act of 1929 passed during British rule is still applicable in Bangladesh, where the legal age for a girl to marry is 18. Unfortunately, enforcement efforts are weak, as is indicated by the extremely high rates of child marriage in the country. A national law passed in 2004 requires that all births are registered, which would help determine a girl's age when she marries. Consequently there has been a remarkable improvement between 2006 and 2009 in the proportion of children 5 years old and under, whose births were registered, with registered births increasing from just 9.8 percent to 53.6 percent.

Some legislative efforts have been made to combat child marriage in recent years and decades. At the grassroots level, newly formed village governments, or *Gram Sarkars*, have taken on the responsibility of combating child marriage. Article 34 of the Children's Act of 1974 specifically stipulates that penalties will be imposed for cruelty to children. Stronger enforcement of national child marriage and protection laws is clearly needed, and while great progress has been made in a short time period to increase birth registration, more vigilance is needed to push figures even higher.

The Consequences: Girls married as adolescents are often forced into early childbearing, which has long been a risk to young mothers; it often leads to debilitating injuries, infant death, malnutrition and even maternal death. Girls between the ages of 15 and 19 are twice as likely to die of pregnancy and childbirth complications as women between the ages 20 and 24 according to UNICEF figures on child marriage in Southern Asia. A 2012 report states that the maternal mortality ratio, i.e. the number of deaths of women in Bangladesh due to pregnancy-related causes per 100,000 live births, is as high as 340. Also, child brides often marry much older men who have an elevated chance of being HIV positive, due to the greater likelihood that these men previously had unprotected sex with multiple or high risk partners. In turn, such girls are also more vulnerable to contracting HIV and other sexually-transmitted infections, not only due to their lack of education, but also because they lack negotiation skills and power in marriages to older men. Data published by four UN agencies in a 2008 report indicates that only 16% of girls aged between 15 and 24 in Bangladesh have a comprehensive knowledge of HIV.

Investing in a girl's education is often believed to have been a waste of resources once she's married, thus girls are less likely than boys to progress beyond primary school. Girls' school retention rates are low in Bangladesh, with only 47 percent attending some secondary school. Parents often pull their adolescent daughters out of school when they decide to marry them off. This deprives girls of valuable and necessary skills required to enter the labour market, therefore denying them the opportunity to help lift themselves and their family out

of poverty. This threatens poverty eradication and gender equality efforts, as even those women who do enter the labour force are restricted to the unskilled or low-skilled jobs.

Recommendations

Recognizing the enormity of the problem, international and Bangladeshi aid agencies and institutions have been working together to reverse dangerous child marriage trends. A pilot intervention, *Kishori Abhijan* (Adolescent Girls' Adventure), led by a consortium of international and local organisations, aims to lower school dropout rates, increase girls' independent economic activity and raise the age of marriage. Evaluation findings indicate that participants waited significantly longer to marry. The programme led to perceptible increases in self-employment and part-time employment opportunities for participating girls of all ages, and all participants demonstrated increased knowledge about health, family planning, nutrition and the causes of disease.

Recent interventions such as *Kishori Abhijan* to decrease the prevalence of child marriage in Bangladesh serve as a strong foundation on which to build a much more comprehensive campaign to combat the practice in the country. Advocacy efforts that are being undertaken to sensitise law enforcement officials and community leaders, as well as raise awareness about the links between child marriage and violence against women and girls, can also serve as a model for future efforts. These efforts helped to incorporate child marriage into the 16-day campaign on ending violence against women and girls in 2011, and included a youth concert in support of ending child marriage that was sponsored by several agencies in collaboration with five separate ministries of the government of Bangladesh. National dialogues organised around the Domestic Violence Act have included discussion about child marriage. The issue will continue to be an area of focus in the coming year, with the introduction of new governmental and other programmes that aim to work with adolescent boys and girls on child marriage and violence prevention.

While these activities are important in the effort to reduce child marriage in Bangladesh, wide-scale impact will be unlikely unless more investment is made by the government to change policies and practice. The following concrete steps are therefore recommended:

Strengthen birth registration system as a first step to enforcing laws: A much more systematic approach to enforcing birth registration would greatly help enforce child marriage laws and reduce prevalence of the harmful practice. Birth registration is critical because it provides proof of age, based on which an underage marriage can be identified and halted and/or those abetting it can be punished. A monitoring system would help identify and impose strict fines on parents who fail to register their children's births.

Improve law enforcement mechanisms: Despite Bangladesh's progressive child marriage law, the practice continues to flourish in the country. Improved enforcement would help make the law more effective. Law enforcement training and child marriage education for police and other law enforcement officials, judiciary personnel and community leaders would be an effective first step. The current penalty for those punishable under the Child Marriage Restraint Act (1929) involves simple imprisonment which may extend to one month or a fine of 1,000 Taka (about US\$12) or both. Evidently, such lenient penalties are insufficient to act as a deterrent to the practice. Stronger penalties with stricter enforcement are necessary to make the law more effective.

Launch a nationwide awareness-raising campaign: The government can find allies in religious and community leaders, village elders and members of local and national government if they were approached with awareness campaigns and training workshops. Such outreach measures could also benefit from media campaigns and other public education activities on the harms of child marriage. The Ministry of Education could also help by ensuring that all schools include lessons about the negative repercussions of child marriage.

Invest in girls' education, especially at the secondary level: It would be enormously strategic to take the Compulsory Primary Education (CPE) Act (1990) a step further by making secondary school mandatory. Subsidizing the cost of schooling, making schools more accessible in terms of distance, developing schools into safe spaces and providing adequate sanitary facilities will help ensure that girls are sent to school. It would be important to increase the number of teachers and to sensitise them on the issue of dropouts, as well as engage them in efforts to encourage parents to send their daughters to school.

Support economic empowerment initiatives: It is strongly recommended that policymakers support interventions at the national and local levels that economically empower girls and women, specifically in locations of high prevalence of child marriage in marginalized communities. Supporting, designing and rolling out programmes in partnership with local and international non-governmental organisations that incentivize families to keep their daughters in school, is also highly recommended.

Solutions to Ending Child Marriage in Southern Asia: Bhutan



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BHUTAN

Child Marriage in Bhutan: While child marriage in modern-day Bhutan is not as pervasive as it is in neighbouring countries like Bangladesh and India, it remains a serious challenge to development efforts in the country's rural areas. While premarital sex is common and accepted in Bhutan, unlike much of the rest of the region, there is little clear information provided in school or at home about reproductive health or sexual activity and its consequences, leading to elevated risk of teenage pregnancies. Families often choose to marry their daughters after it is discovered she is in a consensual relationship. Also distinct from other Southern Asian countries, husbands in Bhutan sometimes move into the home of their wives' family. Interestingly, this still provides an economic incentive for families to marry their daughters at younger ages, since the new husband will be able to contribute to the family's income. Precise figures on child marriage are difficult to determine since many marriages are not registered. According to the 2005 Bhutan Census, 15.4 percent of girls aged 15 to 19 were married while a 2006 UNICEF report found the figure to be 14 percent. The World Health Organisation's 2012 figures are much lower, estimating that 6 percent of girls between the ages of 10 and 19 had been married. What seems clear is that child marriage has become less common in urban areas of Bhutan, while girls as young as 15 in remote villages are still reportedly married in secret ceremonies. Child marriage takes place in all regions, but the incidence is higher in the western and central areas of the country. Areas where the incidence of child marriage is highest, affecting between 24 and 28 percent of girls aged 15 to 19, include: Dzongkhag of Dagana, Gasa, Sarpang, Chukha and Samtse. These relatively high rates of child marriage in Bhutan's rural areas indicate that more deliberate, strategic action needs to be taken to monitor and eradicate the practice.

Policy Overview

The Policy Context: The law pertaining to child marriage in Bhutan has evolved significantly over the last two decades. In order to comply with international standards, the government of Bhutan in 1996 raised the minimum legal age of marriage to 18 years for both boys and girls. If an individual is found guilty of marrying a child, he will be fined Ngultrums 300 – 1,000 (about US\$5-18), and must return any properties received for the marriage. If the same individual marries or tries to marry a child a second time, he will pay a higher fine. According to the Child Care and Protection Act (CCPA), marrying and having sex with a child is considered statutory rape. While the existence of laws is an important first step, enforcement remains weak in remote, rural areas. Marriage registration is also patchy, and systems and enforcement are unreliable, especially in regions where prevalence is deemed to be high.

The Consequences: Across Southern Asia, the less education a girl receives, the more likely it is she will marry young. And like many places where child marriage is common, girls are pulled out of school so they can take on household responsibilities and have children. In Bhutan, figures for 2005-2010 show that 26 percent of those under the age of 18 were married, while the primary school net attendance ratio for urban and rural areas in the same years is 96 and 91 percent respectively. However, only 41.6 percent of students at secondary schools are girls, and women comprise only 32 percent of students at universities. There is limited access to schools in Bhutan, especially in isolated, mountainous regions, and parents are reluctant to allow their daughters to walk long distances to attend school. Additionally, in Bhutanese society, girls are expected to marry in their late teens, leading many families to discontinue the education of teenage girls. A lack of education and poor reproductive health awareness means a heightened risk of child marriage for Bhutan's girls in poorer, rural regions. This also means they are at higher risk of life-threatening maternal complications, reduced income-generating opportunities and a continued cycle of poverty for affected communities.

Recommendations

Bhutan made the important first step of adopting international norms on child marriage by raising the legal age of marriage to 18. This, unfortunately, is not enough to significantly deter the practice, especially in under-developed communities in rural areas of the country. Protecting children in law alone is not sufficient without effective implementation and enforcement of those laws. Success in bringing down rates of child marriage also requires meaningful investment in interventions and initiatives that address the root causes of the practice.

The government initiative, “Youth Friendly Health Services (YFHS),” provides a good example of what child marriage eradication interventions could look like on a wider scale with greater investment. While the YFHS programme’s primary aim is to increase youth access to health services, a secondary objective is to prevent early marriage. The YFHS has constructed a plan that will provide girls with better information on reproductive health, as well as access to health services. The programme’s primary strategy for sensitising communities to the harms caused by child marriage is through its community outreach and awareness-raising campaign work.

In order to make significant progress in reducing the prevalence of child marriage in Bhutan, the following actions are highly recommended:

Design effective child marriage monitoring systems: Accurate statistics on the incidence of child marriage are difficult to come by since the definition of marriage is not clear; couples may be considered to be married if they are dating or co-habiting. The government must review and strengthen its marriage registration and monitoring system and find more effective ways of registering unions, especially in poor, rural areas where prevalence of child marriage is highest. This in turn will provide a solid foundation on which to better enforce child marriage laws when they are broken, or prevent such unions from occurring in the first place.

Strengthen law enforcement: Collaboration between law enforcement officials and judiciary bodies to ensure a severe legal response to those abetting the practice of child marriage is critical if prevalence is to be reduced. Stringent punitive action will act as a deterrent, and additional steps to effectively communicate to the public the legal age of marriage and the repercussions of violating the law are strongly advised. Sensitisation and education on the practice of child marriage as well as law enforcement training for members of the judiciary, police personnel, community leaders and other law enforcement personnel, especially in remote, rural areas where the incidence of child marriage is higher, is also highly recommended.

Launch an awareness-raising campaign about child marriage and child marriage laws: A government information campaign would serve to remind citizens of the legal age of marriage and the consequences an individual will face if they marry a child, or arrange for their underage children to be married. Awareness campaigns appear to be an effective way to reach local populations in other Southern Asian countries’ efforts to reduce the prevalence of child marriage. Working with community and religious leaders, as well as the mass media, would be effective ways to reach the wider public. The government could also reach out to community leaders through seminars held by district health officers, and help communities create mechanisms to eradicate the practice of child marriage.

Create girl friendly facilities and environment within the schools: Across Southern Asia, a rise in education is correlated with a fall in child marriage and pregnancy among adolescents. In Bhutan, where many girls live in isolated communities far away from schools, an effective strategy would be to create facilities that are friendly to girls. These efforts should be complemented by the creation of other support structures within the communities where child marriage rates are high.

Reproductive health education: Life skills seminars organised to educate young people on issues of sexuality and marriage and the establishment of a forum for them to discuss such issues freely could help reduce levels of teenage pregnancy and marriage. Creating dialogue by distributing materials on the dangers of early marriage to schools and colleges nationwide would be an effective tactic to generate public awareness. In this context, incorporating reproductive health education into school curricula would also serve as an effective strategy for knowledge building.

Solutions to Ending Child Marriage in Southern Asia: India



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INDIA

Child Marriage in India: Fuelled by entrenched poverty and centuries-old tradition, child marriage remains one of India's most pressing development challenges. More than 40 percent of the world's child marriages take place in India. And while the rate of child marriage reportedly dropped to 46 percent in 2009, in some states child marriage prevalence still exceeds 50 percent, with the highest rates found in Bihar, Jharkhand, Rajasthan and Andhra Pradesh. The problem is worse in rural India as compared to urban areas, with 56 and 29 percent prevalence, respectively. The Indian government has endeavored to curb the practice in recent years by increasing the age of marriage for girls, and by piloting innovative interventions in high-risk communities which have most certainly helped child marriage rates drop. Nonetheless, the practice continues in the face of economic strain and cultural norms. Families perceive girls as a financial burden that only ends with her marriage. Furthermore, a girl's "bride price", or dowry, is more costly the older and better-educated she is, thereby providing parents with additional incentive to marry her at a very young age. Other economic factors, such as the expense of conducting the marriage ceremony, may also lead to the early marriage of girls. In Rajasthan, it is not uncommon for several girls of a family to be married off in one ceremony to save expenses. Also, it is often deemed that girls reach the "appropriate" age of marriage at the first signs of puberty and any delay may become an issue of shame for the family because her chastity may be at risk. In some areas, tradition even allows families to marry children at birth, and although the girl stays with her parents until puberty, her fate is sealed while still an infant. Other customs driving child marriage include using girls as compensation or to resolve conflicts. One of the primary reasons that child marriage continues to be so pervasive in India is because there is little enforcement of the law in the face of such formidable cultural norms and practices.

Policy Overview

The Policy Context: Recent legislation and policies written with the aim of eradicating child marriage in India are indeed progressive. India's first law setting minimum age limits for marriage was the *Child Marriage Restraint Act*, enacted in 1929. The law has since gone through multiple revisions. The *Prohibition of Child Marriage Act* of 2006 prohibits marriages in which either party is a minor and sets the legal age for marriage at 18 years for girls and 21 years for boys. It mandates punitive measures against all who perform, permit or promote child marriage. These measures include imprisonment of up to two years or a fine of up to INR 100,000 (US\$1,800). It also provides for nullification of a child marriage and gives a separated female the right to maintenance and residence from her husband or in-laws until she is remarried. In addition, a 2006 Supreme Court decision requires registration of all marriages, which makes it easier to implement laws. The *National Plan of Action for Children of 2005* also includes goals on eradicating child marriage.

Despite these positive developments, the political will and awareness that drove recent commitments to end child marriage must be matched with the will to implement and enforce the new law and its associated punishments. Poor implementation of the law clearly emerges as a key challenge. While the current child marriage act is much stronger than its predecessors, not many cases have been filed so far. Limited awareness and weak implementation processes undermine the potential effectiveness of the law. While people are aware of the legal age of marriage, they do not perceive a serious threat of being convicted or punished for violating the law. Without tough enforcement, the law only leads to more covert child marriage, with families holding wedding ceremonies in an obscure location, often at night, or even in a neighbouring village. Very few people interviewed for a recent study were aware of who could be held accountable, convicted and punished under the law. Nor were they aware of what the associated penalties are. Despite the fact that the current provisions of the 2006 Act are stronger, its weak enforcement shows how ineffective the new law is – especially in rural areas where it is most needed. In most rural communities there have been few attempts by police to break up child marriages. Often, officers are even known to accept bribes for turning a blind eye.

The Consequences: Child marriage in India violates girls' human rights, as it leads to domestic violence, increased risk of maternal mortality and a life of servitude. Stronger enforcement of child marriage laws would therefore also help address these other dangers. A survey conducted in Bihar and Jharkhand found that girls married before 18 were twice as likely to report being abused or threatened by their husbands than girls who married later. They were also three times as likely to report being forced to have sex without their consent in the previous six months. Girls who are married early are also pushed into early childbearing, which increases the risk of serious injury, infant death, malnutrition and even maternal death.

According to UNICEF figures on child marriage in Southern Asia, girls between the ages of 15 and 19 are twice as likely to die of pregnancy-related reasons as compared to women between the ages of 20 and 24. Evidence from the District Level Household and Facility Survey highlights that neonatal, infant and child mortality rates are much higher for younger girls in India. As per the figures, girls between the ages 15-19 are more likely (66.6%) to experience delivery complications compared to 30-34 year old women (59.7%). Chances of contracting HIV/AIDS and other sexually transmitted infections are higher among young girls because their older husbands are more likely to have been exposed to infection due to the greater likelihood that they had unprotected sexual intercourse with high-risk or multiple partners.

Girls' school drop-out rates are closely correlated to child marriage rates. This perpetuates under-development and economic strife in poverty-stricken areas of India. Only 49 percent of girls from 2007-2010 attended secondary school. Girls and women interviewed in Rajasthan reported that education for a child bride primarily depends on the wishes of her in-laws. Uneducated married girls grow up without the necessary skills to enter the labour market, thus limiting their individual economic progress and that of their families. This hampers progress towards achieving the Millennium Development Goals of poverty eradication and gender equality.

Recommendations

In India, the government and civil society have been involved in trying to deter child marriage and increase the age of marriage for girls, especially in rural areas. The Indian government in particular has made great efforts to eradicate child marriage. Lower child marriage rates indicate that such efforts may be working. Increased and sustained investment in smart interventions will only help further drive down the rates of child marriage in the country. International research and development organizations are also undertaking studies of the government's cash transfer scheme designed to give incentives to parents to delay their daughters' marriage and keep them in school, a programme that could be brought to scale if proved effective. Several other promising initiatives have been undertaken by the Indian government, including collaborative reproductive health and life skills programmes for adolescents with many international agencies. Nonetheless, laws and programmes to change behaviour must be complemented by stronger law enforcement efforts and increased investment to continue driving down the rates of child marriage. The following actions are recommended:

Strengthen vital registration systems: Proposing and supporting legislation that improves the birth and marriage registration system in India is necessary. Birth registration in the country is at a low 41 percent. Preventing early marriage becomes close to impossible if a girl's age at the time of marriage cannot be proved.

Strengthen law enforcement mechanisms: Additional government investment in building enforcement capacity in vulnerable communities, districts and states is critical at this time. For example, police officers, judiciary officials and local government representatives in areas where child marriage levels are high could be much more effective in helping reduce prevalence rates if they were to receive better training on how to enforce national child marriage laws.

Invest in education for girls: Reaching more girls in India with educational services is a necessary course of action for any national strategy towards helping reduce the incidence of child marriage. More specifically, it is important to address the transition from primary to secondary school, as the drop-out rate is extremely high between the two. Making secondary school compulsory for all children would help deter drop-out rates as well as child marriage. Specific incentive programmes in poorer, more vulnerable communities would also help in this effort. Education officials could help facilitate access to education for girls through awareness campaigns, scholarship programmes, equipping schools with sex-segregated toilets and providing training for teachers and school staff on how to ensure a safe environment for all students.

Life skills education and economic empowerment programmes for girls: Programmes that provide girls with life skills education in their adolescent years have been evaluated and found to have a significant positive impact in India. Large development organisations have pioneered some of this work. These interventions can be brought to scale and implemented by the Indian government in partnership with non-governmental organisations. Also, recognizing that economic struggles are linked to the lack of education and forced marriages of girls, it is highly recommended that policymakers support more comprehensive interventions for the economic empowerment of girls.

Launch a targeted awareness-raising campaign: A comprehensive public education and mass media campaign on the harms of child marriage and the laws regulating the practice must be rolled out in high-risk areas. In particular, outreach and sensitisation efforts must be made with religious and Panchayat leaders as they are highly venerated and can play a strong role in preventing child marriage. They know how to communicate effectively with parents and their opinions are held in high regard. Furthermore, religious leaders officiate over the ceremonies of many weddings. By changing their beliefs around child marriage and dowry payments (which are also outlawed), it will be easier to change the behaviour of the populace.

Solutions to Ending Child Marriage in Southern Asia: Iran



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IRAN

Child Marriage in Iran: A contentious and complex issue in Iran, child marriage has been prevalent since pre-revolutionary times. While the female population today is marrying slightly later on average than in the past, the practice persists and there are signs that the number of very young child brides is on the rise again. Unfortunately, statistics on the number of girls who are marrying under the age of 18 are incomplete since many rural marriages, while occurring in traditional Islamic ceremonies, are often held in secret and are not officially recorded. It is extremely challenging to combat child marriage when clerics, imams and other key religious figures do not protest the practice. According to a 2010 report, the number of child brides under the age of 10 in Iran had actually doubled over the previous three years. The report also cited 2010 figures which showed that 42,000 marriages involved girls between the ages of 10 and 14. And the actual number of marriages for girls aged 10 to 15 could be even higher in reality, as only some 55 percent of child marriages are registered in cities and 45 percent in villages. Girls from varying economic backgrounds and geographic locations are affected to different degrees by child marriage in Iran. However, as in many other countries in the region and world where child marriage is common, girls in poorer, more rural areas of Iran like Sistan and Baluchistan Provinces are most likely to be married off before they reach adulthood.

Policy Overview

The Policy Context: Child marriage law in Iran has changed many times over the last century. Before the 1979 Iranian revolution, the legal age of marriage for boys and girls was 18 and 16, respectively. Shortly after the revolution, the age of marriage for girls was lowered to nine, subject to competent approval and 'physical maturity'. Then in 2003, female parliamentarians successfully pushed through legislation that raised the legal age of marriage for girls to 13. Although difficult to verify, another source claimed that in 2010 the age was again raised back to 16 for girls and 18 for boys. According to available information, under state law, a man who marries a girl who is 13 or younger must serve a sentence ranging from two to three years. Punishing those violating child marriage laws is extremely challenging in the Iranian context, in large part due to pervasive, centuries-old traditions bound to religious beliefs that are practiced in poor, rural areas of the country.

Traditions that further fuel child marriage in Iran include the practice of "temporary marriages" for which men pay a family to take a girl on as his short-term "bride". Registration is legally required for these transactions, which often occur covertly, making it difficult to track or determine the number of young girls it affects. Protecting a girl's "honour" and hence that of her family, is another driver of child marriage in Iran. In some instances, girls are married off to honour a familial connection or to continue a tradition of marrying distant relatives. Fathers also marry off their daughters in order to settle debts. There was a spike in these debt repayments during a prolonged and punishing period of drought that culminated in 2002, and as a result young girls were forced to marry much older men. In some instances girls are also sold into marriage or "trafficked" in exchange for money.

The Consequences: Like girls everywhere who are married young, Iranian child brides are vulnerable to a variety of problems related to pregnancy and childbirth, including permanent, debilitating injury and death. One study shows that girls and women between the ages of 15 and 19 are twice as likely to die in childbirth as women in their 20s, and babies born to teenage mothers are more likely to have a low birth weight, at less than 2.5 kilos. With the number of very young child brides again on the rise in Iran, the health risks are now even more severe.

As in other countries where child marriage is prevalent, Iran's child brides are highly vulnerable to domestic violence. Upon marriage, a bride leaves her family's home to live with her in-laws. If a young girl attempts to return home to live with her family, she is subject to abuse from both her birth family and that of her husband's, and is often accused of being promiscuous or impure. In some instances, particularly in Arab tribal communities, these actions can lead to "honour killings," when a child bride is murdered in order to restore the integrity of both families.

Everywhere that child marriage is common, including Iran, girls often drop out of school after marriage in order to take on household chores and have children. Early marriage also deprives girls of valuable and necessary skills required to enter the labour market, denying her the opportunity to help lift herself and her family out of poverty.

Recommendations

In 2003, Iran passed legislation to discourage early marriage by increasing the minimum age of marriage for girls. Despite these efforts, 13 years old is still an alarmingly young age to marry. Even if the age has indeed been raised to 16 as some sources suggest, it is clear that much more needs to be done to prevent child marriage in Iran, from strengthening and enforcing laws, to sponsoring large-scale awareness campaigns.

The following concrete steps are therefore recommended:

Strengthen and enforce child marriage laws: Increasing the legal age of marriage for both boys and girls, and outlawing harmful and unjust practices such as “temporary marriages” is very important. Training law enforcement officials on the dangers of child marriage and their duty to enforce laws regulating it is highly recommended as an important first step towards reducing the prevalence of child marriage. It is also strongly advised that efforts to communicate the details of the laws and the punishments for breaking them to the public at large are made through a public education campaign to help deter the practice. A better-informed population and better-equipped police able to monitor and enforce the law would mean progress towards curbing child marriage in rural areas where centuries-old tradition and poverty prevail.

Launch a large-scale awareness-raising campaign: Smart and strategic awareness-raising campaigns in other countries where child marriage is prevalent appear to be an effective way to reach local populations. Government efforts could benefit from launching such a campaign, tapping into media and using other communication strategies that will reach a great number of girls and boys with messages about the adverse health and other negative consequences of child marriage. Community leaders and civil society organisations also need to become engaged in advocating against this practice in order to bring about change. Therefore, training programmes for them are strongly advised. Equally, awareness trainings for university students, religious leaders, village elders, parents and members of local and national government are critical to any strategy to change deep-rooted harmful traditional practices like child marriage.

Invest in girls’ education in poorer, rural areas: Education remains an important factor in increasing the age of first marriage. Laws implemented during the Islamic Revolution to ensure that boys and girls attend school through primary education have increased the literacy rate of young people to 95 percent. Women now comprise 60 percent of university students in Iran. Turning attention to poorer, rural girls with efforts to ensure that they continue onto secondary school are now needed. According to a study conducted in 2006, girls who begin secondary education often do not get married before they complete their graduation.

Heed international recommendations: It is advised that the government of Iran review some of the recommendations from the 1994 International Conference on Population and Development. Among many issues addressing women’s development, the conference participants noted that addressing just one factor alone, such as education, will not solve a social problem like early marriage. Rather, civil society, communities and government actors need to look at all of the factors that are limiting women’s development and respond accordingly with an integrated approach, including interventions at the community level and strengthened national policies.

Solutions to Ending Child Marriage in Southern Asia: Maldives



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MALDIVES

Child Marriage in the Maldives: While the prevalence of child marriage in the Maldives is the lowest in the region, there is still a need to closely monitor, regulate and enforce the legal age of marriage for girls. Only 4 percent of women currently aged 20 to 24 have been officially reported to have first married before they turned 18. The official percentage of girls married by age 15 has decreased from 16 percent of women currently aged 45 to 49, to less than 2 percent of women currently aged 25 to 29. However, according to the U.S. Department of State's 2010 Human Rights Report, many Maldivians travel to Pakistan or India to carry out illegal child marriages. Families also circumnavigate the law – the minimum age of 18 was instituted in 2001 – by failing to register marriages involving child brides. This means that the real figure is likely much higher. Parents may choose to marry their daughters young out of fear that they will disgrace their family if they become sexually active outside of marriage. As in other countries where the practice of child marriage is prevalent, economic status plays a role in predicting when a girl will marry in the Maldives. Those who are wealthier wait an average of three years longer to settle down than their poorer counterparts. If the minimum age for marriage is not consistently observed and enforced, there is a chance that young girls will be at increased risk of early and forced marriages in the future. The fragile political environment and rising fundamentalism are leading to an increase in violence against women and girls which in turn results in families limiting the mobility of their daughters, pulling them out of school and marrying them off at a young age in a bid to protect them. However, early marriage will likely cause damage that will last a lifetime, threatening girls' health, personal development and future chances to contribute to the economic well-being of their families.

Policy Overview

The Policy Context: The legal system in the Maldives is based on a mixture of Islamic law and English common law, with the latter being more influential in regulating commerce and other activities that fall outside of the social realm. In relation to personal status, *Sharia* law is more dominant, as adapted to the modern Maldivian judicial system. The Maldives acceded to CEDAW in 1993, with general reservations regarding any provisions contradictory to the government's interpretation of *Sharia* law or Maldivian tradition.

Many studies in Southern Asia report that child marriage may be higher in those Islamic communities that follow *Sharia* law, which allows girls to marry at age 15. Therefore, even though the legal age of marriage is now 18 for girls in the Maldives, according to custom, the minimum age for marriage in the Maldives that is commonly observed in practice has been 15. This is why many underage unions are carried out without being officially registered. Also, the current civil law allows for girls or their fathers to apply for exemptions, most frequently received for girls between the ages of 16 and 18. And importantly, education is not compulsory in the Maldives, which makes it easier for girls to drop out of school and marry earlier.

The Consequences: In addition to the policy implications of weak education laws, girls everywhere who are pregnant under the age of 18 have a much higher likelihood of suffering from birth complications or death than older women. One study in Southern Asia found that girls between the ages of 15 and 19 are twice as likely to die in childbirth as women in their 20s. Furthermore, as a result of prolonged childbirth and inadequate medical care, some young mothers also develop obstetric fistula, a debilitating and stigmatising injury that can leave girls barren or even rejected by family and society. Babies born to teenage mothers also suffer and are more likely to weigh less than 2.5 kilos. Young brides are also more susceptible to sexually-transmitted infections, including HIV/AIDS, as their older male partners are more likely to have had unprotected sexual intercourse with multiple partners before marriage.

Child marriage can also result in a greater risk of girls falling victim to domestic violence because of an extreme power imbalance in the home between a young bride and her husband. This problem is often exacerbated when there is a large age difference because child brides are usually not mature or skilled enough to carry out the many household responsibilities that are expected of them. One study found that many girls in Southern Asia are overburdened with chores and face verbal and physical abuse at the hands of their in-laws as well. Although exact statistics could not be found, according to a 2006 government-

sponsored study in the country, domestic violence and sexual abuse are widely prevalent in the Maldives, and the control of married women over their reproductive lives is often limited.

Recommendations

In 2010, the U.S. State Department listed early marriage and pregnancy as two of the most critical issues facing the Maldives. There are several steps that policymakers, development practitioners and donors can take to ensure that the problem recedes rather than expands. The Ministry of Gender, Family and Human Rights, established in 2012, can take an important lead in moving the country in this direction.

The following actions are recommended:

Strengthen marriage registration mechanisms: An important starting point for improving the enforcement of the child marriage law is to design an effective mechanism for monitoring and enforcing marriage registration in the country. Stricter punishments, applied and enforced when marriages are not registered, are needed. Better training for those who carry out national census data collection on how to document and record information about the incidence of child marriage is also advised.

Improve law enforcement: It is highly recommended that the government strengthen the enforcement of the minimum legal age of 18 required for both girls and boys to marry. Effective efforts could include special trainings for police and other law enforcement officials on the dangers of child marriage and the importance of enforcing child protection laws. Investing in a communication campaign to ensure that the populace is aware of the national law, and the punishments for breaking it, would also be important to complement enforcement efforts.

Engage community & religious leaders: It is important that enforcement efforts are coupled with outreach to community leaders and other important figures to ensure that underage marriages are reported to the authorities when they occur in secret, or outside of the country. A sensitisation program with religious leaders, considering the influence they bear on beliefs and behaviours, is also highly recommended.

Invest in a countrywide awareness-raising campaign on the adverse effects of child marriage: All community members and civil society organisations must become engaged in advocating against child marriage in order to bring about change. It is therefore recommended that the government invest in a mass media and community outreach campaign, rolled out as an important means of reaching these audiences, and importantly, parents of adolescents. In addition, school curricula with lessons on the adverse effects of early marriage for both boys and girls, is strongly advised.

Keep girls in school: Since girls who have no education often marry by age 17 as compared to girls with a higher level of education for whom the average marriage age is 23.8, it is clear that education is instrumental in delaying age at marriage for girls in the Maldives. Making education compulsory throughout late adolescence would help ensure that both boys and girls are educated, while at the same time helping to prevent early marriage. According to a 2011 report, girls who attend school are better shielded from child marriage largely because adults continue to view them as children in this setting, and because they have greater access to social networks, skills and ideas.

Solutions to Ending Child Marriage in Southern Asia: Nepal



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NEPAL

Child Marriage in Nepal: Nepal is one of the poorest countries in the world, currently ranking 157 out of 187 countries on the Human Development Index. However, the country has made great progress over the past seven years, halving the number of poor people since the end of its 10-year long civil war. Child marriage is both a symptom and driver of poverty. The median age that girls marry in Nepal is 17.2 years, a figure that masks the true extent of the problem in the country. The figures vary widely in Nepal depending on a girl's level of education, relative wealth, geographic location, religion and ethnicity. Child marriage rates for girls in some high-risk populations are as high as 70 to 80 percent. This cannot be seen as isolated from the prevalence of son preference in Nepal which leads to the view of daughters as a burden on their families. According to Nepal's 2011 Demographic Health Survey, more than half (51 percent) of Nepalese women between the ages of 20 and 24 were married before they turned 18. However, the situation is especially dire in the Terai region, home to more than a quarter of Nepal's population. Older and better-educated boys can demand a higher dowry, thus encouraging parents to marry off their daughters as early as possible. In a qualitative study from Nepal, a teacher from the Terai area noted that "villagers consider a girl as a 'family object' to be given away to another family; therefore, the earlier the better, and cheaper, too". Exceptionally young child marriage rates are endemic in the Terai with an alarming 11 to 20 percent of girls aged 10 to 14 already married. Also, a UNICEF discussion paper determined that 79.6 percent of Muslim girls in Nepal, 69.7 percent of girls living in hilly regions irrespective of religion, and 55.7 percent of girls living in other rural areas, are all married before the age of 15. Girls who were born into the highest wealth quintile marry about two years later than those from the other quintiles.

Policy Overview

The Policy Context: The Eleventh Amendment to the Nepalese Country Code states that individuals can marry at age 18 with parental consent, and at age 20 without consent. In addition, this critical legislative amendment took other important steps for girls and women, such as recognizing daughters as rightful heirs, and increasing the punishment for child marriage to imprisonment for up to three years and a fine of up to ten thousand rupees. The National Plan of Action for the "Year Against Gender Based Violence, 2010" recognised that the forced marriage of young girls is a form of mental torture that also puts women at increased risk of other forms of domestic violence. While these are positive steps against child marriage, high numbers of girls continue to be married unhindered before the age of 18 despite the progressive national law.

The Consequences: Many young brides face serious maternal health problems as a result of early pregnancy. Fifty-two percent of girls in Nepal give birth by the age in 20, most of who have little access to information about reproduction prior to marriage. Many have their first sexual encounters without understanding the consequences of pregnancy and the need for protection. In addition to the risks from premature and/or forced sexual encounters, girls often face abuse in their new households. A study has found that many girls are overburdened with chores and face verbal and physical abuse at the hands of their in-laws.

Girls are also often forced to quit school because they are expected to assume traditional adult roles once they marry. A 2007 study found that better-educated fathers are more likely to put off marrying their daughters at an early age. Other studies show that the longer adolescents stay in school, the less likely they are to be married off. Without an education and with a young childbearing debut, it is much more likely that a girl's household will have more mouths to feed and it is less likely that she will enter the labor market once she reaches adulthood. As a result, poverty persists and development and economic progress is hindered. Poverty itself acts as a cause for early marriage. Seventy-two percent of Nepalese families recently surveyed cited poverty as the main reason for marrying their daughters at a young age. Child marriage results from both a lack of education and poverty – factors which are engaged in a negative cycle of mutual reinforcement that only further fuels vulnerability to the harmful practice.

Recommendations

Numerous projects and initiatives have been implemented in Nepal in an effort to curb the practice of child marriage, with varying degrees of success. A number of Nepalese government child protection and welfare schemes, including a scholarship program, are attempting to encourage girls to continue on to secondary school and complete their studies. These are promising approaches that could help delay marriage as well as keep girls in school.

A programme implemented in Nepal by international organisations along with local non-governmental organisations worked to reduce child marriage through a number of activities including social mobilisation, peer education, anti-gender-based violence forums, advocating for better law enforcement and establishing leadership clubs for young girls. The programme took place in Dhanusha, Mahottari and Rupandehi districts from 2008 to 2011. While an assessment is forthcoming, similar methods have been used in the past with successful outcomes in empowering women and changing attitudes toward early marriage. Additionally, a number of child marriage-related advocacy, awareness raising, reproductive health and gender-based violence law enforcement training projects have been undertaken in Nepal in recent years. Such work will continue to be prioritised over the next several years, and some of these organisations are already actively involved as members of the adolescent girls' task force initiative in Nepal. International organisations are also running programmes with the goal of educating unmarried and married young girls on adolescent reproductive and sexual health in order to prevent early pregnancy and poor reproductive outcomes, and to promote good health and well-being.

Policymakers can build on these efforts to have an even greater impact on lowering levels of child marriage among girls living in high risk communities and regions of Nepal. An article published in March 2012 reported that the Ministry of Health and Population grossly underestimates the number of child marriages. If meaningful change is to be brought to scale, it is advised that the Nepalese government be more proactive in acknowledging the problem of child marriage, which has been well-documented in reports like the Nepal Living Standards Survey.

The following actions are strongly recommended:

Strengthen law enforcement mechanisms: Nepalese child marriage laws are strong – yet their enforcement, especially in regions like the Terai, is relatively weak. It is therefore advised that policymakers strengthen punishments of those who violate child marriage laws; allocate resources for a comprehensive training program of law enforcement officials, especially in identified high-risk and poverty-stricken areas where child marriage is rampant; and invest in a campaign to communicate the laws and punishments associated with child marriage to help deter the practice.

Make secondary education for girls compulsory: Parliamentarians can be effective if they work together to make secondary education compulsory for girls, and if they implement policies that support and enable families to help their daughters finish their studies. Statistics show how important it is for girls to continue on to and stay in secondary school to improve their life outcomes, and therefore, the lives of their own children and families in the long-run. According to Nepal's 2011 Demographic Health Survey, girls who stay in school at least until they complete the School Leaving Certificate examination at the end of grade 10, marry five years later than those who have not received any education at all (21.8 years and 16.6 years, respectively). Research shows that increasing a girl's chance to continue on to secondary school will also greatly improve her chance of marrying as an adult, rather than as a young or adolescent child.

Increase investment in economic empowerment programs: An increase in innovative initiatives and government schemes that address poverty, a root cause and the predominant driver of child marriage, is needed in Terai and other susceptible areas. Working in partnership with and consulting international organisations that are prioritising programmes around ending child marriage in Nepal, is also highly recommended.

Launch comprehensive public awareness campaign in high-risk areas: Since access to education is a critical factor in delaying child marriage, it is strongly recommended that a large-scale public education and mass media campaign be rolled out in high-risk areas on the importance of education and the harms of child marriage. In addition to children and adolescents, such a campaign would be most successful if aimed at all family members, especially male members, who ultimately make important matrimonial decisions. These efforts would complement programmes that are already underway in Nepal to help shift men and boys' attitudes in order to create a society with more gender equitable views.

Solutions to Ending Child Marriage in Southern Asia: Pakistan



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PAKISTAN

Child Marriage in Pakistan: *Child marriage is one of the most pressing development challenges in Pakistan today, with approximately 30 percent of girls in the country married off as child brides. While the practice is widespread, the situation is worst in the interior of Sindh province. Girls living in rural areas of Pakistan are hardest hit by child marriage, with a prevalence rate of 37 percent as opposed to 21 percent for girls from urban areas. Child marriage in Pakistan is deeply rooted in poverty and in centuries-old patriarchal traditions, with devastating effects on girls that last a lifetime. Child brides in Pakistan are at an elevated risk of sexual and physical abuse, reproductive health complications, and other adverse physiological and social outcomes. Poverty is also at the heart of child marriage in the country: poverty fuels child marriage and in turn, child marriage fuels poverty. Viewed as an economic burden to families, girls are married off as soon as they reach puberty. This is exacerbated by the cost of dowries, which increases as girls get older, thereby encouraging early marriage. As a result, girls are deprived of an education, income-generating opportunities and their general well-being. Early marriage bears devastating consequences on the lives of millions of girls in Pakistan. It negatively impacts their educational development and deteriorates their health. Child marriage often leads to early child bearing which in turn increases the risk of pregnancy complications and pre-mature child birth and even maternal and infant death.*

Policy Overview

The Policy Context: The law in Pakistan stipulates that the legal age for marriage is 16 and 18 for girls and boys, respectively, in accordance with the colonial-era Child Marriage Restraint Act of 1929. The punishment for a man 18 or older who violates the law is a fine of up to 1,000 rupees (about US\$10), or a maximum prison sentence of one month, or both. However, nullifying illegal child marriages is not mandatory under the current law. The Law and Justice Commission (LJCP) chair in 2011 directed the secretariat to propose amendments that would lead to more stringent punishment for perpetrators of *vani* and *swara*, a tribal customary law that mandates the forced marriage of girls as compensation or currency to settle a dispute or debt.

While legislation on child marriage can serve as a solid foundation for modifying the practice, even the strongest laws and policies alone are ineffective without adequate adherence and enforcement. In Pakistan, insubstantial law enforcement and weak punishment for perpetrators mean that *vani* and *swara*, along with other forms of customary practices allowing for child marriage, persist and are even on the rise (especially in Khyber Pakhtunkhwa, Sindh and Punjab), with girls as young as seven or eight forced to marry.

Existing laws and punishments are clearly not strong enough to deter child marriage in Pakistan considering the high levels of the practice found in the country. This is especially true in areas that are steeped in traditions of marrying daughters as young as possible to ensure family's honour, and where tribal councils trump state courts. Pakistani state courts and law enforcement officials have made efforts to arrest and prosecute perpetrators of forced child marriage and the exchange of young girls when complaints are received. However such actions have been ad hoc rather than a result of a proactive pursuit of justice. For example, police prosecuted an abysmal 59 cases of *vani* and *swara* in the first quarter of 2011. However, with 30 percent of girls reportedly married underage in Pakistan, enforcement is vastly disproportionate to the high levels of violation in the country. Birth registration is also extremely low in the country (27 percent) and is a major contributing factor to poor enforcement. Low marriage registration –despite the Muslim Family Law 1962 which mandates it –flaws the entire system and presents serious challenges to preventing child marriage.

The Consequences: These policy and enforcement limitations have devastating implications. For example, many young girls are given away to older men in return for property. There are innumerable instances where a young girl is forced to marry a very old man in return for many acres of land. Such incidents take place despite the fact that *vani* and *swara* were deemed in court as being “tyrannical, illegal, and against Islamic law”.

Studies in Pakistan show a direct correlation between education and age at marriage. Education is severely stunted, as parents pull their daughters out of school as soon as they feel she is ready for marriage even though Pakistan has recently amended the constitution to guarantee education for a child up to the age of 16 years. Girls are less likely than boys to be educated due to the belief that investment in a girl's education is wasted once she marries. As a result, they lack the valuable and necessary skills to enter the labour market, thus limiting economic progress for themselves and their families. They also lack proper decision-making skills and bargaining power to fight back against the injustices they experience on a daily basis.

The health and well-being of married adolescent girls are impacted severely due to early marriage. Early marriage negatively impacts their reproductive health as adolescent girls are physically, mentally and emotionally unprepared for childbirth. In a one year period, for example, 50 percent of cervical cancer patients at a hospital in Rawalpindi had been married before the age of 20 years.

Recommendations

The following policy actions are strongly recommended to begin eradicating child marriage in Pakistan:

Strengthen and better enforce child marriage laws: It is highly recommended that laws are strengthened and better enforced in order to improve deterrence of child marriage. This could include: increasing the legal age of marriage of girls to 18, the same as boys; making stricter punishments for all facilitators of forced child marriages, especially *vani* and *swara*; revising the severity of punishments to include longer sentences and greater fines; and passing amendments ensuring that illegal child marriages be nullified. This would also imply better and improved coordination among various ministries working for child affairs and women's development.

Enhance and enforce registration systems: In 2013, a UN agency is planning to begin interventions, based on research conducted in 2011-2012, that will aim to help strengthen marriage registration systems. It is strongly recommended that policymakers support legislation improving both the birth and marriage registration system in Pakistan to complement such interventions as a necessary step to sustain and scale such efforts.

Educate girls, fight poverty: A mere 29 percent of girls attended secondary school from 2007-2010. Although the constitution now guarantees education for a child up to the age of 16 years, measures to effectively enforce the law must be put into place. Providing extra incentives for girls to continue on to – and finish – secondary school could also help reduce child marriage prevalence as well as boost girls' chances in the labour market as adults. Recognising that poverty lends to a lack of education for girls and forced marriages, policymakers could help in designing incentive-based programmes for poor families supporting school expenses such as fees, uniforms and books. This will enable girls to continue schooling and will also help delay marriage.

Launch a national public education campaign: Raising awareness of the harms that child marriage can cause girls, families, communities and society is critical. Government support could include a mass media campaign and trainings for community, tribal and religious leaders, police and other law enforcement personnel and government officials in areas where child marriage is common. National and international organisations have employed several similar innovative advocacy strategies from which valuable lessons can be drawn. For example, an international agency working on early marriage has raised awareness through a theatre performance project in 2011. And in 2013-2014, the agency plans to work with local governments on capacity building, and to engage religious groups in efforts to help eliminate child marriage.

Coordinate with the international community: Coordinating with other countries and development agencies to learn about initiatives that have been successful in helping to delay and mitigate the harmful effects of child marriage, is highly recommended. International development organisations played a key role in helping the Department of Youth Affairs, Sports and Archaeology in Punjab integrate child marriage into the new "Punjab Youth Policy," which was officially adopted by the provincial government in May 2012. Such organisations are also working with other provincial Youth Affairs departments to ensure that their policies also address ways to delay child marriage.

Solutions to Ending Child Marriage in Southern Asia: Sri Lanka



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SRI LANKA

Child Marriage in Sri Lanka: Sri Lanka has made great strides in reducing the rate of child marriage through legislative action and enforcement, bringing the percentage of marriages involving girls countrywide down to 12 percent of overall marriages. However, decades of war and the devastating 2004 tsunami exacerbated poverty, pushing desperate families to marry off their young daughters to relieve economic strife. Girls in Sri Lanka have also been forced into early marriage by tsunami widowers, primarily to receive state subsidies and benefits for marrying and starting a family. Poverty, lack of education, protection and lack of economic and social security were cited as the primary reasons. Child marriage rates were particularly high in the Ampara and Puttalam districts where Muslim law allows girls to marry at 12, and where the occurrence of child marriage was 50.8 and 35.7 percent respectively (marriages involving girls even younger than 12 were also observed). In addition, child marriage was a tragic consequence of the constant threat of forced recruitments and abductions of children during the war; parents often chose to marry off their daughters to protect them from such a fate. In a study, 31 percent of women and girls interviewed in conflict-affected areas shortly before the civil war ended in 2009 reported they had been married between the ages of 15 and 16. While such security motivations behind child marriage have thankfully disappeared, post-conflict regions remain very fragile. It is therefore critical that policies and programmes to help curb child marriage are included in the comprehensive reconstruction and development efforts by the government in the north and east of the country.

Policy Overview

The Policy Context: In 1995, the minimum age of marriage for both boys and girls was set at 18 years for the majority of the population. The National Child Protection Authority (NCPA) has noted that some underage marriages continue because of accepted cultural norms in some regions, especially in the Badulla and Polonnaruwa regions. News that the NCPA was planning to annul 300 underage marriages came as a surprise to many in the country who were unaware of the issue. The introduction of legislative reforms requiring that all marriages and the mutual consent to those marriages are registered seems to have played an important role in reducing child marriage prevalence. Additionally, Sri Lankan courts have on numerous occasions ruled non-consensual marriages forced on girls by parents as invalid, which has helped educate the public about the injustice and illegality of child marriage. National health and education policies have complemented these efforts. For example, the government provides free education from primary to university level in Sri Lanka which encourages families to keep girls in school instead of marrying them off.

There is, however, a legal exception to the 1995 law for Sri Lanka's minority Muslim community. The Muslim Marriage and Divorce Act of 1951 continues to regulate matrimonial law for the community and allows girls to marry as young as 12 years old or even younger with the permission of a "Quazi," a Muslim court.

The Consequences: In Sri Lanka, early marriage results in a series of negative consequences such as low levels of education and greater risk of reproductive morbidity and mortality. Early marriage leads to early childbearing, which increases the risk of serious health complications, infant death, malnutrition and even maternal death. Girls between the ages of 15 and 19 are twice as likely to die of pregnancy-related reasons as women between the ages of 20 and 24. Young married girls are also prone to high risk of contracting HIV/AIDS. This is due to the fact that their older husbands are more likely to have been exposed to infection due to unprotected sexual intercourse with multiple partners. Apart from health risks, many Sri Lankan girls who are forced into early marriage repeatedly experience domestic violence, with the most common perpetrator being husbands, followed by fathers-in-law, brothers-in-law, and sometimes even mothers-in-law.

Recommendations

The rate of child marriage in Sri Lanka is lower than that in several other Southern Asian countries, for which the government can take much credit for their efforts to improve education and marriage registration systems. However, stronger steps must be taken to eradicate child marriage in regions where it is most prevalent. The following actions are strongly advised:

Launch area specific and targeted awareness-raising campaign: Raising awareness in areas where the prevalence is high can help families, communities and society to understand the harm that child marriage can cause to girls. A strategic campaign may include local media campaigns as well as trainings for community leaders, police and other law enforcement personnel and government officials.

Invest in the economic empowerment of women and girls: Recognizing that poorly-educated girls and marriage at a young age is linked to economic strife, policymakers are encouraged to support interventions at the national and local levels for the economic empowerment of girls and women, and design policies that ensure girls' primary and secondary school retention. Women's economic empowerment, especially through greater ownership and control over assets, leads to increased bargaining power, enabling them to have a say in decisions that affect their own lives. Policymakers should focus special attention to rolling out such initiatives where the prevalence of child marriage is high.

Strategically engage religious and key community leaders: Given the sensitivities involved in dealing with religious institutions, it will be helpful to engage in a strategic discussion with key religious and other leaders from communities where the prevalence is high. Religious and community leaders are greatly venerated in rural areas and can especially influence behavior. They communicate effectively with parents of adolescent boys and girls, and their opinions are held in high regard by communities.

Coordinate with the international community: Coordination with other countries in the region, as well as with international agencies that have designed effective policies and programmes towards ending child marriage, could greatly inform Sri Lanka's own strategies to design innovative new interventions and initiatives.

Work towards universal child marriage laws: It is highly recommended that steps towards increasing the legal age of marriage in the country are taken. This would mean strategic dialogue and capacity building of Quazi courts and influential figures associated with them of the harms and adverse effects child marriage has on the development of girls, women and society as a whole.

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