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**IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251
OF 15 MARCH 2006 ENTITLED “HUMAN RIGHTS COUNCIL”**

**Joint written statement* submitted by the International Humanist and Ethical Union
(IHEU) and the World Population Foundation, non-governmental organizations in
special consultative status**

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[28 February 2007]

* This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

Child Marriage: A Violation of Human Rights

Child marriage is a violation of human rights. WPF and IHEU therefore urge all governments to end child marriage: a practice in which the parents of a child arrange a marriage with another child or an adult. In most cases young girls get married off to significantly older men when they are still children. Child marriages must be viewed within a context of force and coercion, involving pressure and emotional blackmail, and children that lack the choice or capacity to give their full consent. Child marriage must therefore always be considered forced marriage because valid consent is absent - and often considered unnecessary. Child marriage is common practice in Niger, Chad, Mali, Bangladesh, Guinea, Burkina Faso, Central African Republic, Mozambique, Nepal, Uganda and Cameroon, where over 50% of girls are married by the age of 18. More than 30% of girls are married by the age of 18 in another eighteen countries, mostly in Asia and Africa¹. Poverty, protection of girls, fear of loss of virginity before marriage and related family honour, and the provision of stability during unstable social periods are suggested as significant factors in determining a girl's risk of becoming married as a child². Statistics show that child marriage is most common among the poorest groups in society³.

Physical, social and psychological consequences of child marriage

Young girls who get married will most likely be forced into having sexual intercourse with their, usually much older, husbands. This has severe negative health consequences as the girl is often not psychologically, physically and sexually mature. Child brides are likely to become pregnant at an early age and there is a strong correlation between the age of a mother and maternal mortality and morbidity. Girls aged 10-14 are five times more likely to die in pregnancy or childbirth than women aged 20-24 and girls aged 15-19 are twice as likely to die⁴. The body of a young girl is not yet ready for pregnancy and childbirth, which leads to complications such as obstructed labour and obstetric fistula. Obstetric fistula can also be caused by the early sexual relations associated with child marriage, which take place sometimes even before menarche. Good prenatal care reduces the risk of childbirth complications, but in many instances, due to their limited autonomy or freedom of movement, young wives have no access to health services, which aggravates the risks of maternal complications and mortality for pregnant adolescents. Because young girls are not ready for the responsibilities and roles of being a wife, sexual partner and a mother, child marriage has a serious negative impact on their psychological well-being and personal development.

On top of pregnancy-related complications, young married girls are also at high risk of contracting HIV/AIDS. Girls are disproportionately affected by HIV/AIDS as compared to boys due to physical and social factors. Young married girls are even at higher risk because their older husbands may already be infected in previous sexual relationships. Furthermore, the age difference between the girl and the husband and her low economic status make it almost impossible for the girl to negotiate safe sex or demand fidelity.

Girls and women who are married younger, especially when married as children, are more likely to experience domestic violence and to believe that it is justified for a man to beat his

¹ UNICEF, Early Marriage, a Harmful Traditional Practice. Statistical exploration, 2005

² UNICEF, Early Marriage: Child Spouses, 2001

³ Ibid

⁴ UNFPA, Child Marriage Factsheet, 2005

wife. In addition, child brides are least likely to take action against this abuse⁵. Domestic violence seriously endangers the physical and mental health of women and girls and can even put their lives at risk.

Gender inequality is both a cause as well as a consequence of child marriage. Child brides usually have lower levels of education than girls who get married at an older age. Education is therefore seen as a way to prevent child marriages. Once a girl is married, she experiences a lack of autonomy to make personal decisions about her life. Early marriage, together with its relation to low levels of education, high levels of violence and abuse, severe health risks and harmful power dynamics, results in increased vulnerability to poverty for girls and young women.

Human Rights Violation

Child marriage is a violation of human rights and is prohibited by a number of international conventions and other instruments. Nonetheless, it is estimated that in the next ten years more than 100 million girls are likely to be married before the age of 18⁶.

The **Universal Declaration of Human Rights (1948)** states that men and women of full age are entitled to equal rights as to marriage, during marriage and at its dissolution. Marriage shall be entered into only with the free and full consent of the intending parties.

The **Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1964)** says that no marriage shall be legally entered into without the full and free consent of both parties. States should specify a minimum age for marriage (not less than 15 years) and all marriages should be registered by the competent authority.

The **Convention on the Elimination of All Forms of Discrimination of Women (1979)** states that the betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, should be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory. In their general recommendations of 1994, the Committee considers that the minimum age for marriage should be 18 years for both men and women.

The **African Charter on the Rights and Welfare of the Child (1990)** prohibits child marriage and the betrothal of girls and boys. Effective action, including legislation, should be taken to specify the minimum age of marriage to be 18 years.

Concrete Action Points

We call on all governments to take all necessary action to end child marriage by:

- The full implementation of the above mentioned Human Rights Conventions
- Adopting a clear and unambiguous position on child and forced marriages and rectifying the legislative loopholes between religious, customary and civil marriages (Ouagadougou Declaration on Child Marriage, October 2003)
- Introducing laws to raise the legal age of marriage to 18 years, as agreed in the African Charter on the Rights and Welfare of the Child
- Raising the awareness of all stakeholders, including parents, on the negative impacts of child marriage

⁵ IPPF and the Forum on Marriage and the Rights of Women and Girls. Ending Child Marriage, A Guide for Global Policy Action, 2006

⁶ UNFPA, State of the World Population, 2005

- Creating safety nets for girls and young women who escape a forced, and often violent, marriage
- Creating and maintaining birth, death and marriage data registries with full national coverage in all countries as recommended in the Pinheiro report on violence against children (2006)
- Promoting and protecting the sexual and reproductive health and rights of girls and young women, through legislation, availability of services and information and community outreach
- Promoting gender equality and the right of girls and young women to education

We urge governments to include a strong statement against child marriage in the outcome documents and resolutions of the CSW's 51st session on 'The elimination of all forms of discrimination and violence against the girl child'. We also urge the Commission on the Status of Women to take this statement to the forthcoming review of the Children's Summit in April 2007.
