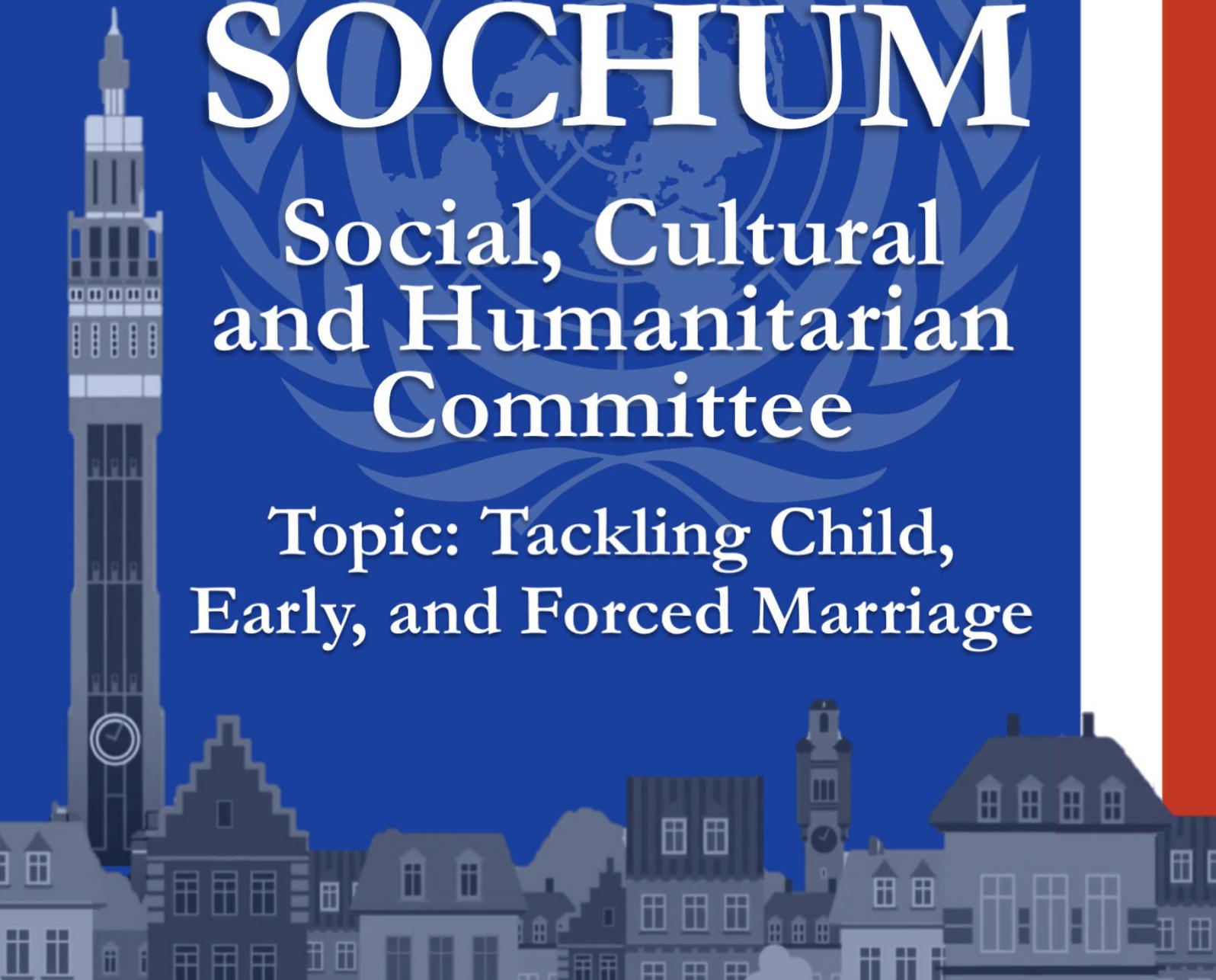




High School SOCHUM

Social, Cultural
and Humanitarian
Committee

Topic: Tackling Child,
Early, and Forced Marriage





Social, Humanitarian and Cultural Committee



Tackling child, early and forced marriage

Forced and early marriage deprives women and young girls of their basic human rights. Forced marriages are marriages that take place with no consensus between the bride and groom. Young



girls do not have a say in whether or not they want to take on this life that can be very hard for them both physically and emotionally. Forced and early marriages violate numerous human rights. The idea that both husband and wife have to agree to marry each other is rooted deeply in many international, national and local laws. However only a few countries have made forced marriage a criminal act. Despite heavy opposition from many countries and institutions who condemn early and forced marriages, they still take place all over the world.

In this study guide will be discussed the major parties involved; the countries and regions in which child and early marriages are most prevalent, institutions that have taken a stand against the issue and the UN.

Furthermore, we shall describe what actions have been taken in the past and what actions are planned to be taken in the future. All to help and encourage delegates to come up with decent resolutions on how to prevent child, early and forced marriages all over the world.

Definition of Key Terms

- Forced marriage: A marriage in which one or both of the parties is married without his or her consent or against his or her will.
- Arranged marriage: A marriage in which both parties consent to the assistance of their parents or a third party (such as a matchmaker) in identifying a spouse.
- Child marriage: A marriage in which at least one of the parties is a child. According to the Convention on the Rights of the Child, a child is “every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier”.
- Early marriage: A marriage involving a person aged below 18, in countries where the age of majority is attained earlier or upon marriage. Early marriage can also refer to marriages where both spouses are 18 or older but other factors make them unready to consent to marriage, such as their level of physical, emotional, sexual and psychosocial development, or a lack of information regarding the person’s life options.

History

Child marriage was common in human history and it was not an actual problem in ancient times. In the past, countries like India used to have traditional “Bal Vivaha” (Child marriage) at the age of 14 or 15, that still exists nowadays in some rural areas of the country. So where does it come from? Why is it so? We tend to think that this issue is due to a lack of education, to poverty and to sexism and gender discrimination. The situation has changed over time, but traditions and culture still play a huge role in this process. Early and forced marriages are a cultural practice that violates people’s (notably women’s) rights. In fact, forcing someone to marry is an act that is against the practices and teachings of every religion.

Previously, child marriage was ignored by governments and communities but the influence of the UN declarations, notably the Universal Declaration of Human Rights, and other human rights conventions of the 1950s and 1960s allowed to take into account this problem.

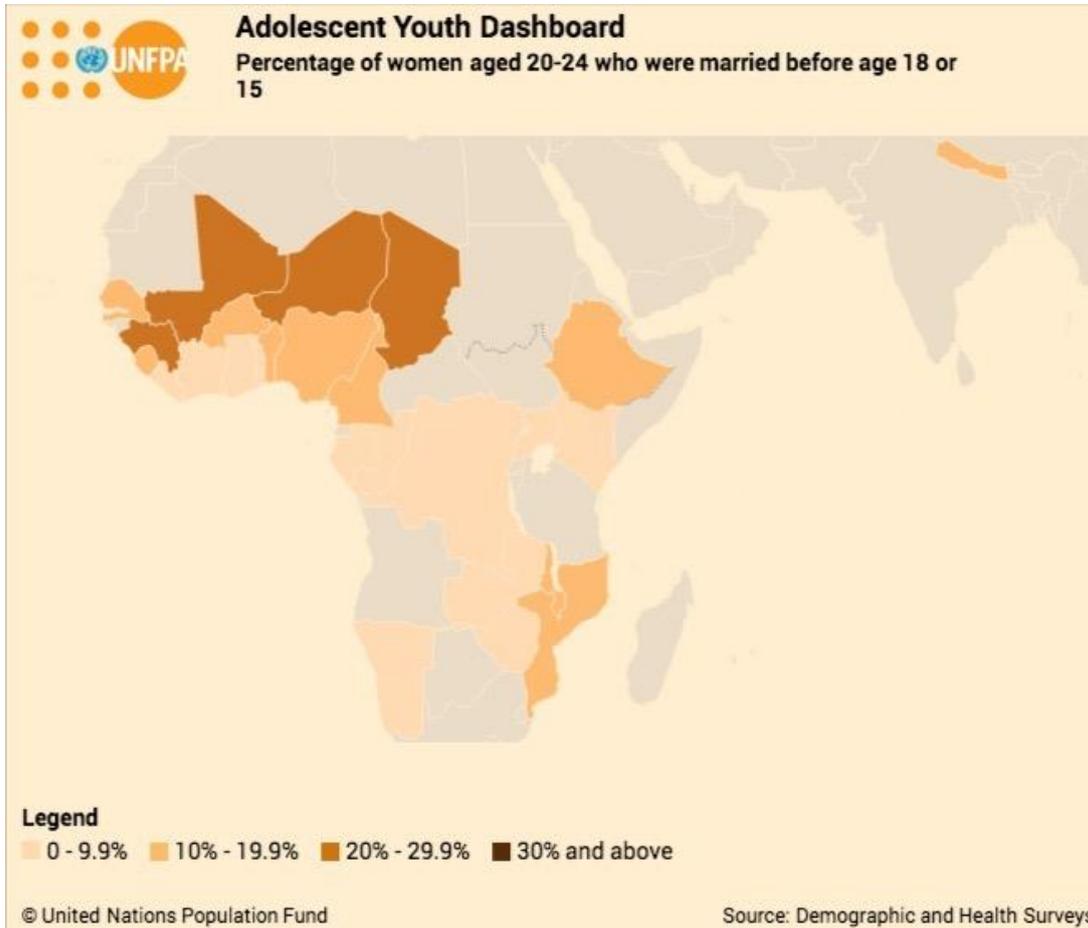
Later, in the 20th century, social reformers began to focus on the behavioral determinants causing fast population growth. Reasons for fast growth of population were actions of early marriage and lack of reproductive health education. Early marriage extends a woman’s reproductive span, thereby contributing to large family size, especially in the absence of contraception. When a woman’s body is not fully mature yet, pregnancies at such ages constitute a major risk to the survival and future health of both mother and child.

And now, looking back into the 20th century, we can say that early marriage hasn’t received much attention from the modern women’s rights and children’s rights movements; even though reformers hardly worked on this issue. Indeed, girls who give birth before their bodies are fully developed are more at risk of death or terrible injury and illness in childbirth. And if the spouse is under the age 15, she is five times more likely to die while pregnancy and childbirth than adult woman. Risks extend to their babies: if a mother is under 18, her baby’s chance of dying in the first year of life is 60 % greater than that of a baby born to a mother older than 19.

General Overview

Some quick facts on child and early marriage:

- Every year, millions of girls—some as young as five years old—are forced into marriage.
- One in every three girls in the developing world is married by the age of 18. One in nine marries before the age of 15.
- Complications in childbirth are the leading cause of death among girls between the ages of 15 and 19 in the developing world.
- Globally, between 2004 and 2014, an estimated 100 million girls will have been forced to marry before their 18th birthday.
- Girls with higher levels of schooling are less likely to marry as children. In Mozambique, some 60 percent of girls with no education are married by 18, compared to 10 percent of girls with secondary schooling and less than one percent of girls with higher education.



Major Parties Involved

Countries where child and early marriage is most common:

*10 Countries with the Highest Absolute Numbers of Child Marriage**

1. India 10,063
2. Bangladesh 2,359
3. Nigeria 1,193
4. Brazil 877
5. Ethiopia 673
6. Pakistan 600
7. Indonesia 458
8. Democratic Republic of the Congo 291
9. Mexico 260
10. Niger 244

* Women age 20-24 years old who were married before they were 15, in thousands.



Girls not brides: A global partnership of more than 400 civil society organizations from over 60 countries committed to ending child marriage.

Plan-International Because I'm a girl: Plan's Because I am a Girl campaign aims to support millions of girls to get the education, skills and support they need to transform their lives and the world around them.

The United Nations: The UN has been dealing with this issue in cooperation with national governments and NGO's for decades.

Country and Bloc Positions:

African Union (AU): The AU is particularly sensitive to child and force marriages because of their prevalence in this area. Among the 41 states with more than 30% of marriages being child marriages, 30 are within Africa. For the last four years the AU has spearheaded a campaign to accelerate the end of child marriages throughout the African continent. It has an extensive plan of action, which can be viewed at the African Union website. But African countries are somehow against international actions which they perceive as neocolonial, undermining their national sovereignty.

Niger: According to the International Center for Reattach on Women, Niger has the world's highest rate of child marriage and has experienced many food shortages over time. "The fear is, if the food crisis continues, that more parents will use marriage as a survival strategy and that we'll see more girls married before the age of 15," said Djanabou Mahonde, UNICEF representative in Djibouti. Unfortunately, In Niger, early child marriage has turned into a social tradition. Every 3 in 4 girls marry before their 18th birthday. In some areas, the rates are even higher: in the region of Diffa, 89% of girls marry as children. The link between education and the prevalence of child marriage is particularly evident in Niger: 81% of women aged 20-24 with no education and 63% with only primary education were married or in union at age 18, compared to only 17% of women with secondary education or higher. If present trends continue, more than 1 million girls born between 2005 and 2010 will be married or in union before they turn 18. The government holds certain restrictions against forced marriage, but they are not followed by citizens at all.

China: It is estimated that 90% of trafficked victims are women and children from Anhui, Guizhou, Henan, Hunan, Sichuan and Yunnan provinces. They are most likely to be sold to men in under developed provinces such as Jiangsu, Zhejiang, Shandong, Henan and Inner Mongolia where gender imbalances are even more severe. This trafficking is recognized as a cause of many emerging social problems. Mass suicide from swallowing chemical pesticides has begun to occur among women in forced marriages. It is also estimated that for every woman kidnapped, at least three family members will end up walking the countryside with no support and thus turn to crime to survive, with over 7000 arrests each year associated with this. Moreover, China has showed good will by ratifying the UN Convention on Rights of the Child, the Optional Protocol to the Convention on Rights of Child on the Sale of Children, Child Prostitution, and Child Pornography, the Convention on the Elimination of All Forms of Discrimination Against Women, Worst Forms of Child Labor Convention, and The Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption.

European Union: The EU strongly supports measures to create universal standards and action to suppress and eliminate child marriage. Europe is also a major donor of UN programs. European Union Agency for Fundamental Rights (FRA) encourages European Union institutions to look at the issue of child and forced marriage in a comprehensive manner. It outlines promising initiatives, both by the authorities and non-governmental organizations addressed at supporting victims of forced marriage and persons at risk of becoming victims of forced marriage.

South Asia: Child marriage is common in South Asia, especially among poor people, including both Hindus and Muslims. The practice has historic roots and is defended as traditional. It helps families deal with the high costs of marriage and the importance of using marriage to build social connections between families and communities. India has long worked to suppress child marriage, but activist organizations find themselves under growing criticism from the nationalist government of Prime Minister Modi. His political party relies on support from religious conservatives and has tried to reduce the visibility of the issue. Child marriages have been illegal in India for almost 90 years; however, the punishments do not deter actors and are enforced based on religion. The 2006 Prohibition of Child Marriage Act, for example, does not apply to Muslims, and penalties max out at two years in prison. The religious exemption particularly demonstrates the social sensitivity of combatting child marriages in India.



According to UNICEF statistics, 18% of the girls are married by the age of 15, and 47% by the age of 18. Unluckily girls in India are often seen as a means to improve the economic condition of the family. The disparity between men and women is clearly obvious in India, where girls are considered inferior and relegated to the role of mothers. One of the key features in forced marriages in this country is linked to the control of their sexuality; in

fact, women are often subject to abuse by their husbands, that commit a sexual assault. The minimum age required for marriage, 18 for women, is usually not respected.

In Pakistan the government supports the suppression of child marriage, but cannot afford to antagonize conservative communities, and must move cautiously. International pressure is more appreciated there, justifying actions that otherwise would be politically risky.

Russia: Regardless of the declaration of children's rights in Russian legislation, provisions of Russian laws are not implemented and there is no mechanism that would make the existing legal provisions work. The growing number of orphaned children and the absence of an effective legal defense of children from becoming victims of abuse exemplify the non-implementation of declared rights.



United States: Over the past 15 years, more than 200,000 children got married in the USA. Even if the minimum age for marriage is 18, in some cases such as pregnancy, children are able to get married, with the consent of their families. The US has taken in the past a whole-of-government approach to address the issue of Child, Early, and Forced Marriages (CEFM) by committing up to \$5.3 million to prevent CEFM in the regions, countries, and communities where interventions are most needed and most likely to achieve results. Congressional leaders have also recognized the importance of these efforts, and the U.S. Agency for International Development (USAID) has worked alongside lawmakers to increase United States support to expand efforts to prevent CEFM. However, such programs are being eliminated by the Trump Administration. Of highest importance to the Trump Administration is making certain that no UN resolution or action by a UN agency advocates, supports, or makes available abortion counselling or services. American diplomats also may demand that abortion restrictions be added to unrelated resolutions on any topic related to marriage or reproduction.

Previous Attempts to solve the issue

States are increasingly taking legislative measures to address child, early and forced marriage. These include amendments to laws to raise the minimum age of marriage to 18 for both girls and boys, prohibition of child and forced marriage, sanctions against the perpetrators of child, early and forced marriage and implementation of compulsory registration of all marriages. Sweden for instance reported that it was in the process of strengthening legal protection against forced marriage and child marriage. The Committees on the Elimination of Discrimination against Women and on the Rights of the Child have welcomed instances of such progress in their recent reviews of States parties' reports.

Landmark UN Resolutions:

The precedent for UN action was established only recently, in a landmark resolution calling for a ban on child marriage, agreed on November 2014 during the 69th session of the General Assembly. The resolution marks the first time that UN Member States have agreed upon substantive recommendations for the steps that countries, international organizations and others must take to address the problem of child, early and forced marriage. The UN Resolution on Child, Early and Forced Marriage, supported by 116 Member States was introduced and led by the Governments of Canada and Zambia and builds on last years' resolutions in the General Assembly and Human Rights Council, which were procedural resolutions calling for reports and further consideration of the issue. The resolution criticized forced and child marriage and urges states to take action against it. It puts responsibility for action in the hands of governments, to be interpreted as they wish. UN resolutions further develop these basic principles. These resolutions offer a justification for action on the basis of universal internal normative principles—and encourage UN agencies to support governments. But they are vague in their recommendations. They offer no specific standards, no new funding, nor do they create and reassure for compliance.

Possible Solutions

The United Nations cannot mandate an end to child marriage.

- It can only request the action and support of the 193 sovereign Member States.
- It can recommend they make changes to their national policies.
- It can offer incentives or sanctions to encourage compliance with universal standards.



- And it can fund action by United Nations agencies.

Ending child marriage requires action at many levels. Existing laws against child marriage should be enforced, especially when girls at risk of child marriage, or who are already married, seek protection and justice. And where it is not yet the case, the legal age of marriage should be raised to 18.

But laws only provide the framework for action against child marriage. Practices people deem acceptable are unlikely to disappear through legislation alone. Governments, civil society and other partners must work together to ensure girls have access to education, health information and services, and life-skills training.

Girls who can stay in school and remain healthy enjoy a broader range of options, and they are more likely to be able to avoid child marriage. And, importantly, girls who are already married need to be supported. Married girls need reproductive health services to help them avoid early pregnancy. Those who become pregnant need access to appropriate care throughout pregnancy, childbirth and in the postpartum period. They should be supported, if they choose, in returning to formal or non-formal school.

Together, these measures lead to healthier families, higher levels of gender equality and, in turn, stronger societies and more vibrant economies. No society can afford the lost opportunity, waste of talent, or personal exploitation that child marriage causes.

As with most UN topics, progress on this one requires funding to support programming by UN agencies. The United Nations Development Program is the UN's largest and most capable development agency. But it only fund programs supported by donor governments. Finding ways to finance more activity is a major part of any action on this topic.

A resolution should recommend specific action, specify the UN agency to conduct it, and arrange financing. Money might come from voluntary donations by donor governments, by shifting money from current UN programs, or special financial arrangements.

When delegates come up with resolutions to solve the issue, they should take into consideration the following aspects:

- National legal frameworks should be enforced, which take into account the age of majority, which should be 18.
 - National and international laws on marriage should be intertwined. Existing laws should be changed to remove legal obstacles girls now face regarding child marriage. Laws regarding the ending of marriages should be made easier to adapt for children under the age of 18 in many states.
 - There should be a basis for countries to get a basis for the formation of a law (for example setting the minimum age of marriage to 18). Even though the UN says that the limit for marriage is 18, governments of Sub-Saharan Africa, East and West Asian countries still allow marriage under 18. With this reason, a law should be formulated: concrete and the same to all countries.
 - Young girls should be encouraged and able to attain a good-quality education, where they learn about the consequences of child marriage and should be learned to take their own decisions regarding marriage. Schools should be subsidized for educating young girls properly on child and early marriage. This education should be age-appropriate, relevant to the place and religion of the girls it is taught to, based on experience, not shy away from sexual difficulties, teach children valuable life-lessons and girls should be made aware of the abilities they have to claim and carry out their rights in marriage
- The social acceptance of child and early marriage in many states has to be stopped. A resolution which raises awareness of the harm it does to its victims and how it

deteriorates society as a whole. And which involves religious leaders an older woman to join in the discussion will certainly have a good chance of succeeding.

- A network between young women and girls could be established so they can share their information and experience on how to deal with this complicated issue.
- Government officials in developing countries should be informed on the legal procedures regarding child and early marriage. Social service workers and people who work in healthcare who also deal with the issue should know what to do when they are confronted with the consequences.
- Money should be made available to support programs which help in preventing and eliminating child, early and forced marriage. In cooperation with the UN, NGO's, civil society organizations and regional and national governments.
- The resolution should include actions on how international joined organization can help to strengthen government planning and budgeting ministries on preventing child marriage.
- Research and data-collection on child and early marriage should be improved, so the agencies dealing with this issue are better aware of the exact situation regarding child and early marriage
- Most of the girls are either forced into prostitution or abused, after being married. So, countries will have to find ways to challenge this current situation and have to come up with ways to prevent such abuses. Something to consider is what type of agencies and organizations should be recalled preventing it.
- Include new and strict punishments for parents (in case of illegal and forced marriage of children). Parents of spouses do not abide by laws, so what punishments should be adopted if the law is not obeyed?
- Implementation of supervisory and monitoring of governmental bodies. There should be joined agencies or special responsible individuals who will monitory governmental bodies on adherence to the agreement.



Useful documents

UNFPA (United Nations Populations Fund)
<http://www.unfpa.org/public/cache/offonce/home/adolescents;jsessionid=A27736CF93B227E66CC44EF241D87DA8.jahia01>

UNICEF (Children's Rights & Emergency Relief Organization) <http://www.unicef.org/>

UNICEF Innocenti Research Center. <http://www.unicef-irc.org>

ICRW (International Center for Research on Women) <http://www.icrw.org/>

OHCHR

UN research report on preventing and eliminating child, early and forced marriage:
http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Documents/A-HRC-26-22_en.doc

Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages:
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/RecommendationOnConsentToMarriage.aspx>

Girls not Brides- <http://www.girlsnotbrides.org/>

Factsheet on child and early marriage to help understand the scale ob which it occurs:
<http://girlsnotbrides.theideabureau.netdna-cdn.com/wp-content/uploads/2014/10/GNB-factsheeton-child-marriage-numbers-Oct-2014.pdf>

A theory provided by girls not brides on how to end child and early marriage:
<http://girlsnotbrides.theideabureau.netdna-cdn.com/wp-content/uploads/2014/07/Girls-Not-Brides-Theory-of-Change-on-Child-Marriage.pdf>

UN RESOLUTIONS:

1. Resolution 66/170
2. Resolution 64/145
3. Resolution 62/140
4. Resolution 60/141
5. Resolution 62/141